



Ordinary Council

Business Paper

date of meeting: Wednesday 23 September 2020

location: Via Skype

time: 5.30pm

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 23 September 2020

Items of Business

Item	Subject	Page
01	Acknowledgement of Country	1
02	Local Government Prayer	1
03	Apologies.....	1
04	Confirmation of Minutes	1
05	Disclosures of Interest.....	30
06	Mayoral Minute	
07	Confidential Correspondence to Ordinary Council Meeting.....	34
08	Public Forum - Matters Not On The Agenda.....	35
09	Public Forum - Matters On The Agenda	36
10	Leadership and Governance.....	37
10.01	Creation of Office of Deputy Mayor	38
10.02	Status of Reports From Council Resolutions.....	42
10.03	October 2020 Ordinary Council Meeting - Laurieton.....	53
10.04	Council Meetings Dates for 2021.....	55
10.05	Mayoral Discretionary Fund Allocations - 30 July to 9 September 2020	57
10.06	2020 Local Government Water Management Conference	59
10.07	Recommended Item from Audit, Risk & Improvement Committee - Audit, Risk & Improvement Committee Annual Report 2019-2020	61
10.08	Recommended Item from Audit, Risk & Improvement Committee - Legislative Compliance 2019-2020	62
10.09	Recommended Item from Audit, Risk & Improvement Committee - Local Government Key Risk Report 2019.....	64
10.10	Draft Petitions Policy.....	66
10.11	Code of Meeting Practice	68
10.12	Monthly Budget Review - August 2020.....	72
10.13	Investments - August 2020	77
10.14	Relief Measures for the Impacts of COVID-19	83
10.15	Amendments to 2020-2021 Fees and Charges.....	89
10.16	2017-2021 Delivery Program and 2019-2020 Operational Plan - Six Monthly Progress Report as at 30 June 2020.....	91
10.17	Financial Assistance Grants	120
10.18	Major Projects Governance - Program Steering Groups Charters & Memberships	123
11	Your Community Life	127

11.01	Annual Report of the Activities for the Mayor's Sporting Fund 2019-2020.....	128
11.02	Classification of Land Acquired by Council	130
11.03	Land Donation - Beach to Beach Project, Dunbogan.....	132
12	Your Business and Industry	134
12.01	Event Sponsorship Program Grant - Round 1 2021	135
13	Your Natural and Built Environment	139
13.01	Notice of Motion - Significant Road Safety Upgrade to Pacific Highway/Houston Mitchell Drive Intersection	140
13.02	Notice of Motion - Government Funding for Management of Crown Land.....	142
13.03	North Brother Local Catchments Flood Study - Results of Exhibition of Draft Options Assessment Report	144
13.04	Settlement Shores Canals - Maintenance and Dredging	152
13.05	Roadside Vegetation Management Policy - Outcome of Public Exhibition.....	176
13.06	Yippin Creek Planning Proposal - Status Update.....	180
13.07	Kenwood Drive Bridge Lake Cathie - Review of 2011 Hydrodynamic Report Findings - Status Update	187
13.08	Land Acquisition - The Ruins Way Shared Pathway	194
13.09	Membership of the Coast, Estuary & Floodplain Advisory Sub-Committee	197
13.10	Tacking Point Tavern, 8 Emerald Drive Port Macquarie Lot 1 DP: 869214	202
13.11	DA2020 - 252.1 Multi Dwelling Housing with Torrens and Strata Title Subdivision at Lot 7 DP 758603, No. 53 Norman Street, Laurieton	208
14	Items To Be Dealt With By Exception	
15	Confidential Matters	
	Motion to move into Confidential Session	212
15.01	T-20-29 Provision of Consultant Statutory Property Services	
15.02	T-20-14 Port Macquarie Airport Security Screening Equipment	
15.03	Acquisition of 1 Commerce Street, Wauchope	
15.04	T-20-01 Construction Scrubby Creek Bridge	
15.05	T-20-18 - Dunbogan Pedestrian Balustrade Rail Replacement	
15.06	T-20-27 Boundary Street Upgrade - Detailed Design	
15.07	Biodiversity Investigations and Stewardship Sites	
15.08	Hibbard Ferry - Out of Water Inspection & Maintenance	

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

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

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

Due to the current COVID-19 health emergency, the Prayer will not be held as part of this meeting.

Item: 03**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

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

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 12 August 2020 be confirmed.

PRESENT

Members:

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

Other Attendees:

Acting General Manager (Jeffery Sharp)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Dan Bylsma)
Acting Director Strategy and Growth (Liesa Davies)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Governance Support Officer (Bronwyn Lyon)

This meeting was held remotely and electronically through Skype
and is live streamed on Council's YouTube channel.
The meeting opened at 5:34pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Due to the current COVID-19 health emergency, the Local Government Prayer was not delivered as part of this meeting.

03 APOLOGIES

Nil.

The Acting General Manager advised that Councillor Dixon is having technical issues and is yet to join the meeting.

The Mayor advised that Councillor Hawkins, although granted leave of absence for this meeting previously, is in attendance as his circumstances had changed.

04 CONFIRMATION OF MINUTES

RESOLVED: Griffiths/Alley

That the Minutes of the Ordinary Council Meeting held on 15 July 2020 be confirmed.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Turner declared a Non-Pecuniary, Less Than Significant Interest in Item 15.01 - EOI-20-04 Town Centre Master Plan Sub-Committee - New Membership, the reason being that Councillor Turner is a Director of Hort Property Pty Ltd which owns a property in the Port Macquarie CBD which is within the boundaries of the TCMP.

06 MAYORAL MINUTES

Nil.

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Hawkins/Griffiths

That Council determine that the attachments to Item Number 10.11 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 6/0

FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

08 PUBLIC FORUM – MATTERS NOT ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters Not On The Agenda were not held as part of this meeting.

09 PUBLIC FORUM – MATTERS ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters On The Agenda were not held as part of this meeting.

Council invited the public to submit comments in relation to matters on the agenda in writing which were provided to Councillors prior to the meeting for the consideration of the Councillors.

SUSPENSION OF STANDING ORDERS

RESOLVED: Alley/Griffiths

That standing orders be suspended to allow items 10.04, 10.05, 10.07, 10.09, 10.10, 10.13, 10.15, 10.16, 10.17, 11.01, 11.03, 12.02, 13.01, 13.02, 13.04, 13.05 not in the block to be brought forward and considered next.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

Councillor Dixon joined the meeting, the time being 5:42pm.

10.04 COVID-19 RECOVERY AND STIMULUS PROJECTS

MOTION

MOVED: Pinson/Intemann

That Council:

1. Adopt the projects in Table 1 within the body of the report for submission for funding under the \$1.8m Federal Government's Local Roads and Community Infrastructure Program.
-

2. Adopt the projects in Table 2 within the body of the report to be funded by Council's \$1.49m COVID-19 Relief Reserve Fund.
3. Note the Recovery projects already underway and that will use existing Council resources.
4. Adjust Table 2 of Council COVID Relief Reserve Funding by reducing Additional Investment in tourism PR and Marketing to \$140,000. Add in another line item being \$10,000 for Communication to Community use of Funding.
5. Add the project and budget adjustments in 1 and 2 above as an addendum to the 2020-2021 Operational Plan and communicate this to our community, so as to allow immediate project commencement.
6. Note projects identified as priorities by the COVID-19 Recovery Working Group that are not included in points 1-3 above, will continue to be a focus for future funding opportunities.
7. Note the General Manager will table a report at the February 2021 Council Meeting by way of updating Councillors on progress in the delivery of the funded projects.
8. Agree that monitoring of COVID-19 recovery project delivery be conducted by relevant Council Steering Groups or Committees.
9. Thank members of the COVID-19 Recovery Working Group for their significant efforts in identifying and progressing projects and initiatives which will support our community and economic recovery.
10. Discontinue the COVID-19 Recovery Working Group following its next meeting that will be held to discuss Council's consideration of these matters.

AMENDMENT

MOVED: Griffiths

2. Table 2 priority undertake projects

- Renew maps Comboyne plateau \$10 000
- Wauchope Rotary youth hall exterior paint \$25 000
- Kendall bridge rehabilitation \$40 000
- Port Macquarie Luniere night time installation \$55 000
- Stuart's Park building beautification \$20 000 Reduce expenditure to
- Cultural & industry networking \$5 000
- creative Arts & Trail development \$5 000
- Programme to encourage use of vacant commercial space \$5 000

LAPSED FOR WANT OF A SECONDER

THE MOTION WAS PUT

RESOLVED: Pinson/Intemann

That Council:

1. Adopt the projects in Table 1 within the body of the report for submission for funding under the \$1.8m Federal Government's Local Roads and Community Infrastructure Program.
2. Adopt the projects in Table 2 within the body of the report to be funded by Council's \$1.49m COVID-19 Relief Reserve Fund.

3. Note the Recovery projects already underway and that will use existing Council resources.
4. Adjust Table 2 of Council COVID Relief Reserve Funding by reducing Additional Investment in tourism PR and Marketing to \$140,000. Add in another line item being \$10,000 for Communication to Community use of Funding.
5. Add the project and budget adjustments in 1 and 2 above as an addendum to the 2020-2021 Operational Plan and communicate this to our community, so as to allow immediate project commencement.
6. Note projects identified as priorities by the COVID-19 Recovery Working Group that are not included in points 1-3 above, will continue to be a focus for future funding opportunities.
7. Note the General Manager will table a report at the February 2021 Council Meeting by way of updating Councillors on progress in the delivery of the funded projects.
8. Agree that monitoring of COVID-19 recovery project delivery be conducted by relevant Council Steering Groups or Committees.
9. Thank members of the COVID-19 Recovery Working Group for their significant efforts in identifying and progressing projects and initiatives which will support our community and economic recovery.
10. Discontinue the COVID-19 Recovery Working Group following its next meeting that will be held to discuss Council's consideration of these matters.

CARRIED: 6/1

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

AGAINST: Griffiths

10.05 STATUS OF COUNCIL POLICIES

RESOLVED: Griffiths/Hawkins

That Council:

1. Note the increase in outstanding policy reviews over 2019-2020.
2. Receive a briefing on the current risk for policies outside the review timeframes and any recommended changes to the review process.

CARRIED: 7/0

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

AGAINST: Nil

10.07 2019-2020 CARRY-OVER PROJECTS

RESOLVED: Hawkins/Griffiths

That Council:

1. Adopt the 2019-2020 carry-over projects outlined in this report for inclusion in the 2020-2021 budget.
2. Amend the 2020-2021 one-year Operational Plan to include all projects approved to be carried over as individual action items.

-
3. Request that the General Manager provides a detailed briefing to Councillors before the November 2020 Council Meeting outlining actions taken in preparing the 2020-2021 Operational Plan and other initiatives that could be considered in order to reduce the scale of carry-over works and how this relates specifically to multi-year projects.

CARRIED: 7/0

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

AGAINST: Nil

10.09 INVESTMENTS - JULY 2020

MOTION

MOVED: Griffiths/Pinson

That Council:

1. Note the Investment Report for the month of July 2020.
2. Receive a briefing from the General Manager on movement in investment balances of greater than \$3m in any month.

AMENDMENT

MOVED: Intemann/Alley

That Council:

1. Note the Investment Report for the month of July 2020.
2. Receive a briefing from the General Manager on the factors that can affect the investment balances month to month and options for public reporting in the investment report.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 4/3

FOR: Alley, Hawkins, Intemann and Turner

AGAINST: Dixon, Griffiths and Pinson

THE AMENDMENT BECOMES THE MOTION AND WAS PUT:

RESOLVED: Intemann/Alley

That Council:

1. Note the Investment Report for the month of July 2020.
2. Receive a briefing from the General Manager on the factors that can affect the investment balances month to month and options for public reporting in the investment report.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

UNCONFIRMED

10.10 INVESTMENT POLICY REVIEW - POST EXHIBITION

Councillor Alley tabled a recent investment report from the City of Ryde Council for information.

MOTION

MOVED: Griffiths/Pinson

Adopt the amended investment policy with due diligence to mitigate any investment which may directly or indirectly create a financial or social impact on the Port Macquarie-Hastings local government area.

AMENDMENT

MOVED: Intemann/Alley

That Council:

1. Adopt the amended Investment Policy, which adds Clause 2.11 entitled "Investments in Financial Institutions which Support the Fossil Fuel Industry" and states that "Subject to consideration of the Risk Management Guidelines in this policy, preference is to be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if: the investment is compliant with Council's Investment Policy, and the investment rate of interest is equivalent to or more favourable to Council relative to other similar investments that may be on offer to Council at the time of the investment".
2. Requests the General Manager to identify on future monthly investment reports:
 - a) Deposits that are held with financial institutions that publicly state that they do not invest in or finance the fossil fuel industry.
 - b) The total value of these investments.
 - c) Their proportion to the total of all investments.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

THE AMENDMENT BECOMES THE MOTION AND WAS PUT

RESOLVED: Intemann/Alley

That Council:

1. Adopt the amended Investment Policy, which adds Clause 2.11 entitled "Investments in Financial Institutions which Support the Fossil Fuel Industry" and states that "Subject to consideration of the Risk Management
-

Guidelines in this policy, preference is to be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if: the investment is compliant with Council's Investment Policy, and the investment rate of interest is equivalent to or more favourable to Council relative to other similar investments that may be on offer to Council at the time of the investment".

2. Requests the General Manager to identify on future monthly investment reports:
- a) Deposits that are held with financial institutions that publicly state that they do not invest in or finance the fossil fuel industry.
 - b) The total value of these investments.
 - c) Their proportion to the total of all investments.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

10.13 OPPORTUNITIES FOR LOCAL FIRMS TO DO BUSINESS WITH COUNCIL

RESOLVED: Turner/Hawkins

That Council note the information provided relating to the Tendering Local Preference Policy.

CARRIED: 7/0

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

AGAINST: Nil

10.15 MAJOR PROJECTS GOVERNANCE - PROGRAM STEERING GROUPS

RESOLVED: Griffiths/Intemann

That Council:

1. Note the proposed improvements to the major projects governance processes as detailed in this report.
2. Note the initiation of the following three Program Level Steering groups:
 - a) Transport and Stormwater Program Steering Group.
 - b) Water and Sewer Program Steering Group.
 - c) Recreation, Buildings and other Assets Program Steering Group.
3. Endorse the transition of the Villages Sewerage Scheme Steering Group and the Port Macquarie Aquatic Facility Steering Group into the Water and Sewer Program Steering Group and Recreation, Building and other Assets Program Steering Group respectively.
4. Note and endorse the transition of the major project reporting currently within the Regional Transport Infrastructure Steering Group into the Transport and Stormwater Program Steering Group.
5. Request the General Manager report back to the September 2020 Council Meeting with the new, updated and revised Steering Group membership and charters resultant from the points 2, 3 and 4 above.

CARRIED: 7/0

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

AGAINST: Nil

10.16 COMMUNITY SATISFACTION SURVEY 2020

RESOLVED: Griffiths/Dixon

That Council:

1. Note the results of Council's 2020 Community Satisfaction Survey.
2. Use the survey outcomes to strategise on the development of our planning and resource allocation.
3. Note that this survey is one of a number of measures we use to understand community sentiment and inform our measure of customer experience.

CARRIED: 7/0

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

AGAINST: Nil

10.17 GRANT APPLICATIONS BIENNIAL REPORT

RESOLVED: Pinson/Intemann

That Council:

1. Note the Grant Applications Biennial Report, providing an update on grants that Council has applied for or obtained in the 2019 -2020 financial year.
2. Thank the Federal Member for Cowper (Patrick Conaghan MP); the Federal Member for Lyne (Dr David Gillespie MP); the Member for Port Macquarie (Hon Leslie Williams MP) and the Member for Oxley (Hon Melinda Pavey MP) for their support and advocacy for the Port Macquarie-Hastings region during the 2019-2020 financial year.

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

11.01 COMMUNITY GRANT PROGRAM

MOTION

MOVED: Intemann/Turner

That Council:

1. Agree the General Community Grant program be redefined into the following streams:
 - a) Community Builders Grants
 - b) Community Celebrations Grants
 - c) Environmental Grants
 - d) Cultural Grants
 - e) Youth Grants and
 - f) Micro Grants
2. Agree a maximum of \$5,000 be made available for each grant application within-streams 1a-e above.
3. Agree a maximum of \$1000 be made available for each micro grant with a total of \$10,000 made available for this stream per year.
4. Note the amendments include a simpler, more transparent approach to the Community Grant program that will encourage a wide range of eligible sporting, cultural and other groups to apply and receive support.
5. Note the proposed inclusion of extra-ordinary Bicentenary Grants as part of Round 1 of the 2020-2021 General Community Grants.
6. Note community band funding is to be retained as per current practice for 2020-2021 and undertake discussions with local bands with respect to future funding.

AMENDMENT

MOVED: Intemann/Dixon

That Council:

1. Agree the General Community Grant program be redefined into the following streams:
 - a) Community Builders Grants
 - b) Community Celebrations Grants
 - c) Environmental Grants
 - d) Cultural Grants
 - e) Youth Grants
 - f) Micro Grants
2. Reallocate funding currently only available to community bands into the General Community Grant program.
3. Note that Community bands are eligible to apply for funding through the General Community Grant program and encourage them to do so.
4. Agree a maximum of \$5,000 be made available for each grant application within streams 1a-e above.
5. Agree a maximum of \$1,000 be made available for each micro grant with a total of \$10,000 made available for this stream per year.
6. Note the amendments include a simpler, more transparent approach to the Community Grant program that will encourage a wide range of eligible sporting, cultural and other groups to apply and receive support.
7. Note the proposed inclusion of extra-ordinary Bicentenary Grants as part of Round 1 of the 2020-2021 General Community Grants.

WITHDRAWN

THE MOTION WAS PUT AND CARRIED

RESOLVED: Intemann/Turner

That Council:

1. Agree the General Community Grant program be redefined into the following streams:
 - a) Community Builders Grants
 - b) Community Celebrations Grants
 - c) Environmental Grants
 - d) Cultural Grants
 - e) Youth Grants and
 - f) Micro Grants
2. Agree a maximum of \$5,000 be made available for each grant application within-streams 1a-e above.
3. Agree a maximum of \$1000 be made available for each micro grant with a total of \$10,000 made available for this stream per year.
4. Note the amendments include a simpler, more transparent approach to the Community Grant program that will encourage a wide range of eligible sporting, cultural and other groups to apply and receive support.

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5. Note the proposed inclusion of extra-ordinary Bicentenary Grants as part of Round 1 of the 2020-2021 General Community Grants.
 6. Note community band funding is to be retained as per current practice for 2020-2021 and undertake discussions with local bands with respect to future funding.

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

11.03 T-20-28 MANAGEMENT OF THE COUNCIL COMPANION ANIMAL IMPOUND FACILITY

RESOLVED: Intemann/Alley

That Council:

1. Note that no responses were received for Request for Tender T-20-28 process for the Management of the Port Macquarie Companion Animal Impound Facility.
2. Pursuant to clause 178(3)(f) of the Local Government (General) Regulation 2005, Port Macquarie-Hastings Council will carry out the requirements of the proposed contract from 1 November 2020.
3. Note the high level of re-homing of animals at the Pound to date and Council's commitment to continue that service.

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

12.02 DRAFT SMART COMMUNITY ROADMAP

RESOLVED: Turner/Griffiths

That Council:

1. Place on public exhibition the draft Smart Community Roadmap commencing from 17 August 2020 to 13 September 2020.
2. Note that a further report is planned to be tabled at the 21 October 2020 meeting of Council, detailing the submissions received from the public during the exhibition period and presenting a final draft for endorsement.

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

13.01 MARIA RIVER ROAD PROJECT UPDATE

RESOLVED: Pinson/Griffiths

That Council:

1. Note the status of the Maria River Road Upgrade project as detailed within this report including the recently announced \$17 Million NSW Government Grant.
2. Note the proposed lead in delivering the overall Project Management of the Maria River Road Upgrade project across both the Port Macquarie-Hastings and Kempsey Shire Council segments of the project will be Port Macquarie-Hastings Council.
3. Enter into a Memorandum of Understanding between Kempsey Shire Council and Port Macquarie-Hastings Council for delivery and governance of the Maria River Road Upgrade project.
4. Include in the 2020-2021 Operational Plan, the commencement of designs and delivery of the Maria River Road Upgrade as a multiyear project with anticipated construction phase commencing in the 2021-2022 Financial Year.

CARRIED: 7/0

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

AGAINST: Nil

13.02 BEACH TO BEACH ALIGNMENT

RESOLVED: Intemann/Alley

That Council:

1. Note option D10A as the currently preferred alignment for the section of the Beach to Beach Pathway along Camden Head Road between Seaview Avenue and Charles Hamey Lookout Road based on the Concept Options Report and preliminary investigations undertaken by consultants Kellogg Brown and Root (KBR).
 2. Note option D11D as the currently preferred alignment for the section of the Beach to Beach Pathway along Pilot Beach Road based on the Concept Options Report and preliminary investigations undertaken by KBR.
 3. Note the next steps for the project will include an Environmental Impact Statement (EIS), Development Application (DA) and progression of the pathway design.
 4. Note the interest and need for early and continued engagement with the following community groups and agencies in the ongoing development and delivery of this project:
 - a) Beach to Beach Committee
 - b) Camden Haven Chamber of Commerce
 - c) Bunyah Local Aboriginal Land Council
 - d) Friends of Kattang
 - e) Dunbogan Bushcare / Camden Haven Landcare
 - f) Camden Head Environment Network
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- g) All relevant agencies including National Parks and Wildlife Services (NPWS) and Office of Environment and Heritage (OEH)
 - h) Relevant oyster growers
 - i) Camden Head Pilot Station lessees, Camden Haven Community College
 - j) Hastings Birdwatchers
5. Request the General Manager ensure that this project's development continues with a specific view to maximising environmental values and opportunities for visitor and user experiences, whilst also ensuring appropriate community safety and public amenity.

CARRIED: 7/0

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

AGAINST: Nil

13.04 OCEAN DRIVE DUPLICATION PROJECT UPDATE

MOTION

MOVED: Pinson/Griffiths

That Council:

1. Recognise the importance of the Ocean Drive Duplication Project, particularly given the current economic situation caused by COVID-19.
2. Note that although this project was initiated by a State Government grant in 2011 it is a key project in supporting growth across the Port Macquarie-Hastings region.
3. Recognise the productive discussion with the Federal Member for Cowper, Pat Conaghan MP regarding the project and the offer to host a meeting with the Minister for Transport, Infrastructure and Regional Development, The Hon Michael McCormack MP, regarding potential funding opportunities for this important project.
4. Commence the detailed construction planning, including the development of construction tender documentation in preparation of resolving the funding gap risk with the Federal Government.
5. Request Transport for NSW re-establish the Joint Steering Group with Council as a priority to oversee the construction planning and subsequently manage this joint project.
6. Request the General Manager provide Councillors with a detailed briefing regarding potential internal funding solutions and associated impacts on the current works program.

AMENDMENT

MOVED: Turner/Intemann

That Council:

1. Recognise the importance of the Ocean Drive Duplication Project, particularly given the current economic situation caused by COVID-19.
2. Note that although this project was initiated by a State Government grant in 2011 it is a key project in supporting growth across the Port Macquarie-Hastings region.

3. Recognise the productive discussion with the Federal Member for Cowper, Pat Conaghan MP regarding the project and the offer to host a meeting with the Minister for Transport, Infrastructure and Regional Development, The Hon Michael McCormack MP, regarding potential funding opportunities for this important project.
4. Request Transport for NSW re-establish the Joint Steering Group with Council as a priority to commence the detailed construction planning, including the development of construction tender documentation in preparation of resolving the funding gap between the State Government and the Federal Government.
5. In the event that the funding gap is resolved request the Joint Steering Group to oversee the construction planning and subsequently management of this joint project.
6. Request the General Manager provide Councillors with a detailed briefing regarding potential internal funding solutions and associated impacts on the current works program.

LOST: 2/5

FOR: Intemann and Turner

AGAINST: Alley, Dixon, Griffiths, Hawkins and Pinson

THE AMENDMENT WAS PUT AND LOST

THE MOTION WAS PUT AND CARRIED

RESOLVED: Pinson/Griffiths

That Council:

1. Recognise the importance of the Ocean Drive Duplication Project, particularly given the current economic situation caused by COVID-19.
2. Note that although this project was initiated by a State Government grant in 2011 it is a key project in supporting growth across the Port Macquarie-Hastings region.
3. Recognise the productive discussion with the Federal Member for Cowper, Pat Conaghan MP regarding the project and the offer to host a meeting with the Minister for Transport, Infrastructure and Regional Development, The Hon Michael McCormack MP, regarding potential funding opportunities for this important project.
4. Commence the detailed construction planning, including the development of construction tender documentation in preparation of resolving the funding gap risk with the Federal Government.
5. Request Transport for NSW re-establish the Joint Steering Group with Council as a priority to oversee the construction planning and subsequently manage this joint project.
6. Request the General Manager provide Councillors with a detailed briefing regarding potential internal funding solutions and associated impacts on the current works program.

CARRIED: 7/0

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

AGAINST: Nil

13.05 UPDATE ON COUNCIL'S DRAFT COASTAL KOALA PLAN OF MANAGEMENT

RESOLVED: Intemann/Alley

That Council:

1. Note the information provided in the report regarding the hierarchy of legislation which has a direct impact on the draft Coastal Koala Plan of Management.
2. Note the information provided in the report regarding the new State Environmental Planning Policy (Koala Habitat Protection) 2019 and its implications for Council's draft Coastal Koala Plan of Management.
3. Note the information provided in the "Management of Koala Populations in Options Paper" (Attachment 1).
4. Not proceed to finalisation of the draft Coastal Koala Plan of Management in its current form.
5. Request the General Manager to commence a review of the adopted Koala Recovery Strategy.
6. Request the General Manager to write to the NSW Member for Port Macquarie, the Hon Leslie Williams, requesting that she write to the NSW Minister for Energy and Environment, the Hon. Matthew Kean MP in support of the findings of the recent Parliamentary Inquiry (30 June 2020) into Koala populations and habitat in New South Wales and in particular the key finding (Finding No. 2) which stated: *"That, given the scale of loss to koala populations across New South Wales as a result of the 2019-2020 bushfires and without urgent government intervention to protect habitat and address all other threats, the Koala will become extinct in New South Wales before 2050"*.

CARRIED: 7/0

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

AGAINST: Nil

14 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Alley/Dixon

That Items 10.01, 10.02, 10.03, 10.06, 10.08, 10.11, 10.12, 10.14, 10.18, 10.19, 11.02, 12.01, 12.03, 12.04, 12.05, 13.03, 13.06, 13.07, 13.08, 13.09 be considered as a block resolution.

CARRIED: 7/0

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

AGAINST: Nil

RESOLVED: Alley/Dixon

That all recommendations listed in the block resolution be adopted by Council.

CARRIED: 7/0

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

AGAINST: Nil

10.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Alley/Dixon

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

10.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 1 TO 29 JULY 2020

BLOCK RESOLVED: Alley/Dixon

That Council note the Mayoral Discretionary Fund allocations for the period 1 to 29 July 2020 inclusive.

10.03 2020 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Grant approval for Mayor Peta Pinson and Councillor Peter Alley to attend the 2020 Local Government NSW Annual Conference to be held at the Crowne Plaza Hunter Valley from 22 to 24 November 2020.
2. Determine that Mayor Peta Pinson and Councillor Peter Alley be Council's voting delegates on motions at the Conference.
3. Note that the General Manager will also attend the Conference.

Item 10.04 COVID-19 Recovery and Stimulus Projects, has been addressed previously within the meeting.

Item 10.05 Status of Council Policies, has been addressed previously within the meeting.

10.06 MONTHLY BUDGET REVIEW - JULY 2020

BLOCK RESOLVED: Alley/Dixon

That Council:

-
1. Adopt the adjustments in the "July 2020 Adjustments" section of the Monthly Budget Review – July 2020 report.
 2. Amend the 2020-2021 Operational Plan to include all budget adjustments approved in this report.

Item 10.07 2019-2020 Carry-over Projects, has been addressed previously within the meeting.

10.08 2019-2020 FINANCIAL STATEMENTS AUDIT

BLOCK RESOLVED: Alley/Dixon

1. That Council refer to audit the draft Financial Statements as at 30 June 2020.
2. That the Statement by Councillors and Management be signed by the Responsible Accounting Officer, the Acting General Manager, the Mayor and one Councillor as required by the Local Government Act 1993.

Item 10.09 Investments - July 2020, has been addressed previously within the meeting.

Item 10.10 Investment Policy Review - Post Exhibition, has been addressed previously within the meeting.

10.11 LEGAL FEES

BLOCK RESOLVED: Alley/Dixon

That Council note the information in the Legal Fees report.

10.12 GLASSHOUSE BIENNIAL REPORT AND UPDATE ON GLASSHOUSE PLAN 2020 - 2022 ACTIONS

BLOCK RESOLVED: Alley/Dixon

That Council note the information provided in the Glasshouse Biennial Report and Update on Glasshouse Plan 2020 - 2022 Actions report.

Item 10.13 Opportunities For Local Firms To Do Business With Council, has been addressed previously within the meeting.

10.14 DIGITAL TECHNOLOGY PROJECT STATUS

BLOCK RESOLVED: Alley/Dixon

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

Item 10.15 Major Projects Governance - Program Steering Groups, has been addressed previously within the meeting.

Item 10.16 Community Satisfaction Survey 2020, has been addressed previously within the meeting.

Item 10.17 Grant Applications Biannual Report, has been addressed previously within the meeting.

10.18 BUSHFIRE DISASTER RECOVERY FUNDING

BLOCK RESOLVED: Alley/Dixon

That Council note:

1. The Bushfire Disaster Recovery Funding Report, providing an update on monitoring and delivery of Council and community projects funded under the NSW and Commonwealth Government bushfire recovery funds; and
2. A further update report will be provided at the February 2021 Ordinary Council meeting.

10.19 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the Development Activity and Assessment System Performance report for the last quarter of 2019-2020.
2. Note the determinations made by staff under Clause 4.6 of the Port Macquarie-Hastings Local Environmental Plan 2011 for the quarter.

Item 11.01 Community Grant Program, has been addressed previously within the meeting.

11.02 RECREATION ACTION PLAN - ANNUAL UPDATE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note progress achieved to date in implementing the Recreation Action Plan 2019-2025.
2. Endorse the updated Recreation Action Plan 2020-2025 for implementation.
3. Request the General Manager to promote the adoption of the updated Recreation Action Plan 2020-2025 on Council's website.

Item 11.03 T-20-28 Management of the Council Companion Animal Impound Facility, has been addressed previously within the meeting.

12.01 NOTICE OF MOTION - USE OF FOREIGN LABOUR BY LARGE CONSULTANCY FIRMS

BLOCK RESOLVED: Alley/Dixon

That Council request the General Manager provide a briefing to Councillors in September 2020 on:

1. The support Council is providing to local businesses through procurement initiatives adopted by Council:
 - a) During the COVID-19 Pandemic to address the impacts of the pandemic on local business;
 - b) Through promoting the benefits of 'buying locally'; and including
2. Advice regarding Council's ability to adopt a procurement policy and practices, which prefer the use of local and Australian labour over the use of offshore or foreign labour.

Item 12.02 Draft Smart Community Roadmap, has been addressed previously within the meeting.

12.03 RURAL FIRE SERVICE THANK YOU EVENT & COUNCIL'S CHRISTMAS EVENT DELIVERED DIFFERENTLY IN 2020 DUE TO COVID-19

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note plans to redefine the way we deliver Council's community bushfire recovery thank you and Countdown to Christmas events, as a result of the on-going COVID-19 restrictions relating to public gatherings.
2. Determine not to support fireworks for Countdown to Christmas or New Year's Eve 2020, noting also the on-going COVID-19 restrictions relating to public gatherings.

12.04 NSW CROWN LAND MANAGEMENT ACT 2016 - NOMINATION OF COUNCIL'S NATIVE TITLE MANAGER

BLOCK RESOLVED: Alley/Dixon

That Council:

1. In accordance with Section 8.8 of the Crown Land Management Act 2016, confirm the nomination of the Property and Leasing Coordinator as its Native Title Manager.
2. In accordance with Section 8.8 of the Crown Land Management Act 2016, give written notice to the Minister for Water, Property and Housing of the name and contact details of the Council's Native Title Manager.

12.05 LAND ACQUISITION FOR FUTURE PARALLEL TAXIWAY AT PORT MACQUARIE AIRPORT

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Pursuant to Section 186 of the Local Government Act 1993 make application to the Minister for Local Government and Her Excellency, The Governor of New South Wales for the compulsory acquisition of Lot 1 Deposited Plan 1263059 for aviation purposes.
2. Exclude all mines and minerals from the compulsory acquisition of Lot 1 Deposited Plan 1263059.
3. On the acquisition of Lot 1 Deposited Plan 1263059 and pursuant to Section 34 of the Local Government Act 1993 commence the process to classify Lot 1 Deposited Plan 1263059 as 'operational land' by placing on public exhibition for a minimum period of 28 days the proposed resolution: "It is intended to classify Lot 1 Deposited Plan 1263059 (land at Port Macquarie Airport) as operational land".
4. Note a further report will be tabled to a future Council meeting detailing any submissions received during the exhibition period.

Item 13.01 Maria River Road Project Update, has been addressed previously within the meeting.

Item 13.02 Beach to Beach Alignment, has been addressed previously within the meeting.

13.03 WATER SUPPLY SECURITY UPDATE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the information contained in this Water Supply Security Update report.
2. Note that groundwater is not a viable water source to supplement the bulk water supply scheme or as an emergency water source during a drought.
3. Discontinue any further feasibility investigations into seawater desalination, noting that any future investigations into seawater desalination should be based on adopted recommendations from the Integrated Water Cycle Management Strategy.
4. Request the General Manager to bring a report to the December 2020 Council meeting, providing an update on the Integrated Water Cycle Management Strategy, including outcomes of the community engagement.

Item 13.04 Ocean Drive Duplication Project Update, has been addressed previously within the meeting.

Item 13.05 Update on Council's Draft Coastal Koala Plan of Management, has been addressed previously within the meeting.

13.06 FIRE SAFETY INSPECTION REPORT - LAKE CATHIE TAVERN - 1609 OCEAN DRIVE, LAKE CATHIE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the contents of the Fire Safety Inspection Report, dated 9 March 2020, from NSW Fire & Rescue, in respect to an inspection of the premises by NSW Fire & Rescue on 22 June 2019 (Attachment 1).
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, 1609 Ocean Drive, Lake Cathie, (Lot 1, DP 883695), PN 33168.
3. Notify the Commissioner of Fire and Rescue NSW of its determination.

13.07 FIRE SAFETY INSPECTION REPORT - HASTINGS HOTEL 12 HIGH STREET WAUCHOPE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the contents of the Fire Safety Inspection Report, dated 9 March 2020, from NSW Fire & Rescue, in respect to an inspection of the premises by NSW Fire & Rescue on 22 June 2019 (Attachment 1).
 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, Hastings Hotel, 12 High Street, Wauchope Lot 1 DP 78025.
 3. Notify the Commissioner of Fire and Rescue NSW of its determination.
-

13.08 ACQUISITION OF EASEMENT FOR DRAINAGE OF SEWAGE - BAIN STREET, WAUCHOPE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Pay compensation in the amount of \$5,000 (GST Exclusive) to the owners of Lot 12 DP1180974, D R, P C & C M Suters and others, for the acquisition of an easement for the drainage of sewage 5m wide and variable as depicted (A) in plan of acquisition DP1262476.
 2. Pursuant to Section 59 of the Land Acquisition (Just Terms Compensation) Act 1991 pay the landowners legal costs reasonably incurred arising from the acquisition of the easement.
-

13.09 THURMSTER WATERMAIN WORKS IN KIND - THE HERITAGE

BLOCK RESOLVED: Alley/Dixon

That Council 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 \$39,365 or 3.81 Equivalent Tenement, subject to the developer entering into a Works in Kind Agreement.

CONFIDENTIAL SESSION

RESOLVED: Hawkins/Alley

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 Confidential Session of Council on the basis that items to be considered are of a confidential nature.
2. That Council move into Closed Session to receive and consider the following items
 - Item 15.01 EOI-20-04 Town Centre Master Plan Sub-Committee - New Membership
This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
 - Item 15.02 IRONMAN Australia and 70.3 - Contract Extension
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, confer a commercial advantage on a competitor of the Council.
 - Item 15.03 Lake Cathie - Illaroo Road Revetment Wall Cost Benefit Analysis & Funding Model
This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.
 - Item 15.04 T-20-26 Bonny Hills Recycled Water System 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.
3. That the resolutions made by Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.

CARRIED: 7/0

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

AGAINST: Nil

15.01 EOI-20-04 TOWN CENTRE MASTER PLAN SUB-COMMITTEE - NEW MEMBERSHIP

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

RESOLVED: Hawkins/Alley

That Council:

1. Defer this matter for further consideration at the September 2020 Council Meeting.
2. Determine that the Group Manager Governance be included as a non-scoring member of the evaluation panel.

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

15.02 IRONMAN AUSTRALIA AND 70.3 - CONTRACT EXTENSION

RESOLVED: Turner/Dixon

That Council delegate authority to the General Manager to negotiate a one year extension to the 2019-2021 tripartite hosting agreement with Destination NSW and IRONMAN Oceania for IRONMAN Australia and IRONMAN 70.3 events, based on the financial terms noted in this report.

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

15.03 LAKE CATHIE - ILLAROO ROAD REVETMENT WALL COST BENEFIT ANALYSIS & FUNDING MODEL

RESOLVED: Intemann/Hawkins

That Council:

1. Note the information provided in this report.
2. Incorporate the Lake Cathie Coastal Zone Management Plan (CZMP) actions into the new Lake Cathie Bonny Hills Coastal Management Program (CMP).
3. Undertake direct engagement and consultation with impacted properties to explain the Revetment Wall options and cost implications and to assess the capacity and their willingness to pay for a Revetment Wall.
4. Following completion of direct engagement and consultation with impacted properties, receive a further report from the Director, Development and Environment detailing the outcomes of this engagement and future recommended steps in this project including details of the proposed community consultation/engagement for the broader community.

CARRIED: 7/0

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

AGAINST: Nil

15.04 T-20-26 BONNY HILLS RECYCLED WATER SYSTEM UPGRADE

RESOLVED: Intemann/Griffiths

That Council:

1. In accordance with the Local Government (General) Regulations 2005 clause 178(1)(b) and 178(3)(e), decline to accept any of the tenders submitted for Request for Tender T-20-26 for the Design and Construct of the Bonny Hills Recycled Water System Upgrade and enter into negotiations with a preferred tenderer that submitted a tender in response to Request for Tender T-20-26, with a view to entering into a contract for the Design and Construction of the Bonny Hills Recycled Water System Upgrade.
2. Pursuant to clause 178(4)(a) and (b) of the Local Government (General) Regulations decline to invite fresh tenders or applications for the reasons that the project is time critical to ensure regulatory compliance and that the Tender Evaluation Panel considers that the preferred tenderer has demonstrated the experience, capacity and capability to meet the requirements of the RFT.
3. Request the Acting General Manager present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Tender T-20-26.
4. Affix the seal of Council to the necessary document.
5. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-26.

CARRIED: 7/0

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

AGAINST: Nil

RESOLVED: Hawkins/Alley

That the Council Meeting be re-opened to the public.

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

The outcomes of the Confidential Session of the Ordinary Council were read to the meeting by the Group Manager Governance.

The meeting closed at 9:59pm.

.....
Peta Pinson
Mayor

Item: 05
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

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

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: 07**Subject: CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL
MEETING****Presented by: General Manager, Jeffery Sharp (Acting)**

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 12.02 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

Discussion

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

Item No:	12.02
Subject:	Event Sponsorship Program Grant - Round 1 2021
Attachment Description:	Round 1, 2020/21 Event Sponsorship Program Evaluation Summary
Confidential Reason:	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)).

Item: 08

Subject: PUBLIC FORUM – MATTERS NOT ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters Not On The Agenda will not be held as part of this meeting.

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

Due to the current COVID-19 health emergency, Public Forum - Matters On The Agenda will not be held as part of this meeting.

However, residents may provide information in relation to matters on the agenda to Councillors by emailing councilmeeting@pmhc.nsw.gov.au or by contacting Councillors directly using the contact details found on Council's website. Any information provided will assist Councillors in their decision making capacity on those items on the agenda. All representations made to Councillors through the above email address must be received by Council no later than 4:30pm on the Monday prior to the meeting.

1 Leadership and Governance

What we are trying to achieve

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

What the result will be

We will have:

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

How we will get there

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

Item: 10.01

Subject: CREATION OF OFFICE OF DEPUTY MAYOR

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Create the Office of Deputy Mayor.**
- 2. Set the term of the Office of Deputy Mayor to expire 4 September 2021 being the day of the 2021 Local Government elections.**
- 3. Elect the Deputy Mayor by way of preferential ballot, ordinary ballot or open voting, if more than one nomination for Deputy Mayor is received.**

Executive Summary

Council can determine to create the Office of Deputy Mayor, under Section 231 of the *Local Government Act 1993*, for a period coinciding with the Mayoral term or a shorter period.

On the assumption that Councillors will wish to elect a Deputy Mayor, a nomination paper for Office of Deputy Mayor has been prepared and is provided with this report.

Discussion

Council can determine to create the Office of Deputy Mayor for a period coinciding with the Mayoral term or a shorter period.

Section 231 of the *Local Government Act 1993* ("the Act"), provides the following:

- 231 (1) *The Councillors may elect a person from among their number to be the Deputy Mayor.*
- (2) *The person may be elected for the Mayoral term or a shorter term.*
- (3) *The Deputy Mayor may exercise any functions of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.*
- (4) *The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this Section, or if no Deputy Mayor has been elected.*

On the assumption that Councillors will wish to elect a Deputy Mayor, a nomination paper for Office of Deputy Mayor has been prepared and is provided as Attachment 1 to this report.

Nomination papers may be delivered or sent to the General Manager either prior to or at the Council Meeting. Additionally, Council will also be required to determine the term of the Office of Deputy Mayor.

Should there be only one (1) Councillor nominated for the Office of Deputy Mayor, in accordance with Schedule 7 Section 3(1) of the Local Government (General) Regulation 2005 that Councillor is elected as Deputy Mayor and no vote is required.

Should there be more than one (1) Councillor nominated for the Office of Deputy Mayor, Council is to determine whether the election is to be by preferential ballot, by ordinary ballot or by open voting.

The term of the Office of the Deputy Mayor expires 4 September 2021 being the day appointed for the next ordinary election of councillors.

Election Methods

Preferential Ballot

This method utilises ballot-papers. Councillors are to mark their votes by placing the numbers "1", "2" and so on against the candidate names so as to indicate the order of their preference for all the candidates.

If a candidate has an absolute majority of first preference votes, that candidate is elected.

If an absolute majority is not achieved, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.

If no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes, whom is then elected.

If, on any count of votes, there are two candidates in, or remaining in, the election and the numbers of votes cast for the two candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.

If, on any count of votes, there are three or more candidates in, or remaining in, the election and the numbers of votes cast for two or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes, the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Ordinary Ballot

This method utilises ballot-papers. The Returning Officer decides the manner in which votes are to be marked on the ballot-papers.

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is to be chosen by lot.

If there are three or more candidates, a vote is taken, the candidate with the lowest number of votes is excluded. If three or more candidates still remain further votes are taken with the candidate receiving the lowest number of votes being excluded until two candidates remain.

A further vote is taken of the two remaining candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is to be chosen by lot.

If at any stage during a count two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Open Voting

This method utilises a show of hands. The election procedure is the same as for the ordinary ballot method.

Definitions

Absolute majority: In relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

Ballot: In the context of this type of election has the meaning of a secret ballot.

Chosen by lot: If two candidates are tied (having equal numbers of votes) their names are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the candidate names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

Timing of Election

The election for Office of Deputy Mayor is to take place at the Council Meeting at which the Council determines the method of voting.

Options

Council can determine to create, or not create the Office of Deputy Mayor.

Community Engagement and Internal Consultation

Community Engagement

There has been no external community engagement required for the subject of this report.

Internal Consultation

- General Manager.
- Group Manager Governance.

Planning and Policy Implications

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

Financial and Economic Implications

There are no financial or economic implications as a result of this report.

Attachments

1.  Deputy Mayor Nomination Paper

Item: 10.02

Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

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

Discussion

Report	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	Sep-20
Coast, Estuary and Floodplain Sub-Committee - Results of Membership EOI	17/06/2020 Item 13.04		DDE		Sep-20
Settlement Shores Dredging Program - history and recent issues raised	01/07/2020 Item 06.01		DI		Sep-20
North Brother Local Catchments Flood Study - Draft Options Assessment Report - post exhibition	01/07/2020 Item 13.02		DI		Sep-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Kenwood Drive Bridge, Lake Cathie - Review findings of the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report and developing a program for the replacement or augmentation improve water levels and sediment transport within areas between Lake Cathie and the entrance	15/07/2020 Item 13.01		DDE		Sep-20
Roadside Vegetation Management Policy - post exhibition	15/07/2020 Item 13.03		DI		Sep-20
Major Projects Steering Groups - Charters and Memberships	12/08/2020 Item 10.15		DI		Sep-20
T-20-26 Bonny Hills Recycled water System Upgrade - post negotiation	12/08/2020 Item 15.04	Still negotiating	DI	Sep-20	Oct-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. Council or briefing on legal	DDE	Dec-18 Feb-19 Mar-19 Apr-19 Jun-19 Jul-19 Aug-19 Oct-19 Feb-20 Apr-20 Jun-20 Aug-20	Oct-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
		matters in August 2020.			
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 Sep-20	Oct-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 Sep-20	Oct-20
T-19-38 Supply and Delivery of Electrical Goods	16/10/2019 Item 15.01	Still negotiating	DI	Dec-19 Feb-20 May-20 Sep-20	Oct-20
Development Assessment Panel Charter Review - post exhibition	20/11/19 Item 13.10	Briefing provided to Councillors in September 2020	DDE	Mar-20 Apr-20 May-20 Jun-20 Aug-20 Sep-20	Oct-20
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. Awaiting LRS confirmation of easement registered on	DDE	Feb-20 Aug-20	Oct-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
		Crown Reserve			
Draft s9.11 Airport Business Park Roads Contribution Plan	20/05/2020 Item 13.05		DDE		Oct-20
Draft Coastal Management Program Scoping Plan - post exhibition	20/05/2020 Item 13.07	Still considering submissions	DDE	Jul-20 Aug-20 Sep-20	Oct-20
Planning Proposal (PP2016-10.1) Beach Street, Bonny Hills	17/06/2020 Item 13.03	PP to be revised and change of proponent	DDE	Sep-20	Oct-20
Planning Proposal (PP2017-11.1) The Chimneys, Homedale Road, Kew	17/06/2020 Item 13.03	Revised PP lodged	DDE	Sep-20	Oct-20
Classification of Land to be Acquired as Part of the Hastings Regional Sporting Complex at Wauchope - post exhibition	15/07/2020 Item 11.03		DDE		Oct-20
Draft Bain Park Master Plan - Community Engagement	01/07/2020 Item 11.03	Community engagement on 11/08/2020	DDE	Aug-20 Sep-20	Oct-20
Local Strategic Planning Statement - post exhibition	15/07/2020 Item 10.09	The draft SLPS is currently on public exhibition	DDE	Sep-20	Oct-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Smart Community Roadmap - post exhibition	12/08/2020 Item 12.02		DSG		Oct-20
Planning Proposal – Lot 2 DP1091253 Beach Street Bonny Hills	19/04/16 Item 12.02	Post-exhibition report and revised Planning Proposal (potentially) and re-exhibition	DDE	Sep-19 Nov-19 Feb-20 Apr-20 Jul-20 Sep-20	Nov-20
Future of Committees following establishment of Cultural Steering Group	19/04/17 Item 15.05	Priority item for the new CSG when adopted by Council following the EOI for membership Deferred due to COVID-19	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 Apr-20	Nov-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	DDE	Mar-20	Nov-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	DDE	1/12/2019 Feb-20 Sep-20	Nov-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
		provide assurance to future purchasers that the lots can be built on.			
Planning Proposal Request PP2011 - 9.3: The Ruins Way and South Blackwood, Port Macquarie	19/06/19 Item 13.06	Revised PP lodged and under assessment. Under negotiation	DDE	Aug-19 Sep-19 Nov-19 Feb-20 Apr-20 Jun-20 Jul-20 Sep-20	Nov-20
Climate Change Risk Assessment - Update	18/03/2020 Item 13.06	Delayed due to COVID-19. Workshop held on 28/08/20. Awaiting final report.	DDE	Jul-20 Sep-20	Nov-20
Mid North Coast Joint Organisation - funding and related issues	06/05/2020 Item 10.01		GM		Nov-20
Naming of Roads in Laurieton	15/07/2020 Item 11.02	Pending further consideration of alternative road name and community consultation	DDE	Sep-20	Nov-20
Recommendations of the General Manager	15/07/2020 Item 10.04		GM		Nov-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Recruitment Selection Panel					
Markets Policy - Review	11/12/2019 Item 12.02		DSG		Dec-20
Site Specific Planning Proposal requests - progress report	17/06/2020 Item 13.03		DDE		Dec-20
Footpaving of Roads Policy - Review	01/07/2020 Item 13.01		DDE		Dec-20
Land acquisition for future parallel taxiway at Port Macquarie Airport - post exhibition	12/08/2020 Item 12.05		DDE		Dec-20
Integrated Water Cycle Management Strategy - Update Report and Community Engagement Outcomes	12/08/2020 Item 13.03		DI		Dec-20
MOU - Norfolk Island Regional Council - income and expenditure administration.	20/03/19 Item 09.02		GM		Feb-21
COVID-19 Recovery and Stimulus Projects - Progress Report	12/08/2020 Item 10.04		GM		Feb-21
Bushfire Disaster Recovery Funding - Update Report	12/08/2020 Item 10.18		DSG		Feb-21
Developments, Public Place & Events Waste Minimisation and Management Policy - impacts, fees, feedback	03/06/2020 Item 13.01		DCP		May-21

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Trialling Of Parklets In The Port Macquarie Town Centre	16/05/18 Item 10.02	Council is still working the relevant approvals - current occupations October 2021.	DSG	Aug-20	Jun-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)
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	TBA
Port Macquarie Aquatic Facility - appointment of consultant for design works	17/06/2020 Item 12.02		DDE		TBA
Lake Cathie - Illaroo Road Revetment Wall - Report on community engagement outcomes and future	12/08/2020 Item 15.03		DDE		TBA

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
recommended steps					

Cyclic Reports

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
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	Mar-21	MSF suspended until 2021.
Legal Fees - Update Report (19/09/18 - Item 09.16)	DCP	Quarterly	Feb, May, Aug, Nov		
Development Activity and Assessment System Performance	DDE	Quarterly	May, Aug, Nov, Feb		
Port Macquarie Health and Education Precinct - Update Report (06/05/2020 - Item 13.03)	DSG	Quarterly	Aug, Nov, Feb, May		
Operational Plan – Quarterly Progress	DCP	Quarterly	Nov, May (other 2 quarters reported with DP 6 monthly progress report)		
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	DDE	Biannual	Apr, Oct		

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Management of Flying-Fox Colony in Kooloonbung Creek Nature Reserve - Biannual Progress Report (18/03/20 - Item 13.07)	DDE	Biannual	Jul, February		
Local Strategic Planning Statement (19/02/2020 - Item 10.22)	DDE	Biannual	Aug, Feb		
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		
Port Macquarie-Hastings Destination Management Plan 2020-2024 (20/05/2020 - Item 12.01)	DSG	Annually	Jun-21		
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)	DDE	Annually	Jul		
Local Preference Policy Outcomes	DCP	Annually	Aug		
Annual Report of the Activities of the Mayor's Sporting Fund	DSG	Annually	Sep		
Council Meeting Dates	GM	Annually	Sep		
Creation of Office - Deputy Mayor	GM	Annually	Sep		
Audit Committee Annual Report	DCP	Annually	Sep		
Annual Report of Disability Discrimination Act Action Plan	DSG	Annually	Sep	Oct	Further discussions to be held with Access Committee, meetings suspended due to COVID-19
Legislative Compliance Register	DCP	Annually	Sep		

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Cultural Plan 2018 - 2021 - Implementation Progress Report (19/09/18 - Item 10.02)	DSG	Annually	Sep	Oct	Further consultation needs to be undertaken with the CSG.
Koala Recovery Strategy Annual Report (19/09/18 - Item 12.05)	DDE	Annually	Sep	Oct	Delayed due to resourcing issues.
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 (20/11/19 - Item 10.17)	DDE	Annually	Nov		
Compliments and Complaints Annual Report	DSG	Annually	Dec	Oct	Reviewing policy.
Code of Conduct Complaints Annual Report	DCP	Annually	Dec		

Attachments

Nil

Item: 10.03

Subject: OCTOBER 2020 ORDINARY COUNCIL MEETING - LAURIETON

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.1.6 Continue to promote access by the community to Councillors.

RECOMMENDATION

That Council:

- 1. Conduct the October 2020 Ordinary Council meeting in the Port Macquarie Administration Building Council Chamber, whether hosted face to face or virtually in accordance with Section 747A of the Local Government Act 1993 and COVID-19 health orders.**
- 2. Advise the public through appropriate communications that the venue for the October 2020 Ordinary Council meeting will not be held in Laurieton.**

Executive Summary

At its Ordinary Council meeting held 18 September 2019, Council resolved the dates and locations of each of its Council meetings for 2020. It was resolved that Council's October 2020 Ordinary meeting would be held on 21 October 2020 in Laurieton as part of the Taking the Council to the Community program. Due to the current restrictions of the COVID-19 health emergency, it is recommended that the meeting be held/hosted in the Port Macquarie Administration Building Council Chamber in accordance with COVID-19 health orders and restrictions.

Discussion

As mentioned above, Council resolved in September 2019 that its October 2020 Ordinary Council meeting is to be held in Laurieton. As a result of the current COVID-19 restrictions Council are currently holding the Ordinary Council meetings virtually in accordance with the temporary amendment of section 747A of the Local Government Act 1993 (the Act) that allows for Councillors to attend meetings remotely where audio-visual links are provided. The Act provides that virtual, or electronic, meetings can occur up until 26 September 2020, or a different future date up until 26 March 2021 as prescribed in the regulation. The regulation has not prescribed any alternate dates at the date of this report.

Although the NSW Government has not provided any advice with regard to extending this date, it is likely in the current COVID-19 environment that the date will be extended. Regardless, Council must be prepared to conduct the October 2020 meeting whether an extension is granted or not.

It is proposed that should an extension be granted, the October 2020 Council meeting be held virtually being hosted in the Port Macquarie Administration Building

Council chamber. All required technology for the hosting of virtual meetings and live streaming of that meeting is located at the Port Macquarie Administration Building Council Chamber and is not transportable. Should an extension not be granted for the conduct of virtual meetings, it is recommended that a face to face meeting be held in the Port Macquarie Administration Building Council Chamber without members of the public attending due to COVID-19 concerns.

Options

Options will depend on the COVID restrictions at the time of the meeting and possible changes to the regulation:

- Conduct the meeting virtually hosted in the Port Macquarie Administration Building Council Chamber
- Conduct the meeting face to face in the Port Macquarie Administration Building Council Chamber without the attendance of the public.
- Conduct the meeting face to face in Laurieton without the attendance of the public.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

Nil

Item: 10.04

Subject: COUNCIL MEETINGS DATES FOR 2021

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

RECOMMENDATION

That Council

1. **Set the Ordinary Council Meeting dates for 2021 as the third Wednesday of each month (with the exception being no meeting scheduled in January, alternative date in September due to the September Council election, and an earlier meeting in December due to the proximity of Christmas) being:**
 - 17 February
 - 17 March (Taking the Council to the Community - Wauchope)
 - 21 April
 - 19 May
 - 16 June
 - 21 July
 - 18 August
 - 29 September
 - 20 October (Taking the Council to the Community - Laurieton)
 - 17 November
 - 8 December
2. **Note that Council meetings may continue to be held virtually subject to the COVID-19 environment until a date determined by the NSW Government and Council.**

Executive Summary

It is proposed that the Council Meeting Schedule for 2021 be based on the third Wednesday of each month (with the exception being no meeting scheduled in January, alternative date in September due to the September Council election, and an earlier meeting in December due to the proximity of Christmas); and that the March and October Council Meetings be set aside for the "Taking the Council to the Community" program.

Discussion

It is proposed to set the Council Meeting schedule for 2021 on a cycle of the third Wednesday of each month (with the exception being no meeting scheduled in

January, alternative date in September due to the September Council election, and an earlier meeting in December due to the proximity of Christmas).
The proposed meeting schedule for 2021 is as follows:

- **17 February**
- **17 March (Taking the Council to the Community - Wauchope)**
- **21 April**
- **19 May**
- **16 June**
- **21 July**
- **18 August**
- **29 September**
- **20 October (Taking the Council to the Community - Laurieton)**
- **17 November**
- **8 December**

It is noted that virtual meetings may continue to be held pending the COVID-19 environment until a point determined by the NSW Government and Council.

Options

An alternative meeting schedule and/or cycle may be adopted.

Community Engagement and Internal Consultation

- General Manager.
- Director Corporate Performance.
- Group Manager Governance.
- Governance Support Officer.

Planning and Policy Implications

There are no planning or policy implications.

Financial and Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 10.05

Subject: MAYORAL DISCRETIONARY FUND ALLOCATIONS - 30 JULY TO 9 SEPTEMBER 2020

Presented by: General Manager, Jeffery Sharp

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the Mayoral Discretionary Fund allocations for the period 30 July to 9 September inclusive.

Executive Summary

To advise of the Mayoral Discretionary Fund allocations for the period 30 July to 9 September 2020 inclusive.

Discussion

The following allocations have been made by the Mayor from the Mayoral Discretionary Fund during this reporting period:

Donation of Glasshouse Vouchers to Gotcha4Life Combined Fundraiser by PMQ and Wauchope-Bonny Hills SLSCs	\$200.00
Floral Wreath for Victory in the Pacific Service	\$80.00
Floral Wreath for Vietnam Veterans Service	\$80.00
Floral Wreath for September 11 Service	\$80.00
	\$440.00

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 2020-2021 Operational budget.

Attachments

Nil

Item: 10.06

**Subject: 2020 LOCAL GOVERNMENT WATER MANAGEMENT
CONFERENCE**

Presented by: General Manager, Jeffery Sharp

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 approve the attendance of Councillor Sharon Griffiths at the 2020 Local Government NSW Water Management Conference to be held on-line from 7 to 8 October 2020 inclusive.

Executive Summary

The 2020 Local Government NSW (LGNSW) Water Management Conference will be held on-line from 7 to 8 October 2020.

Councillor Sharon Griffiths has indicated her interest in attending the Conference.

As per Council's Policy "Payment of Expenses and Provision of Facilities to Councillors", a Council resolution is required for Councillor representation at the Conference.

Discussion

The LGNSW Water Management will be held from 7 to 8 October 2020.

Due to Covid-19 restrictions, this year the Conference will be on-line, with Federal and State Ministerial presentations, 26 speakers, two Panels and three streams to choose from in an interactive environment.

The program will present four perspectives on maintaining community water quality during times of crisis. Although recent rains have restored coastal dam levels, many towns still face a time when water supplies dry up, while bushfires have exposed supply and catchments to contamination.

Topics include:

- Address by NSW Minister for Water, Property and Housing, Hon Melinda Pavey MP.

- Community engagement on purified recycled water for drinking and a case study on arsenic in the water supply.
- Water at the forefront of strategic planning.
- A Panel dealing with the adequate water supply and sewerage in Aboriginal Communities and a separate panel on councils' responding to drought.
- Challenges in urban water supply from a Productivity Commission perspective Inquiry into the National Water Initiative (NWI).

Reporting Requirements for Conferences

As per the Policy, a Councillor or Councillors attending a conference are required to provide a report in writing to Council on the outcome of the conference.

Options

Council has the option to approve or refuse Councillor representation at the 2020 LGNSW Water Management Conference.

Community Engagement & Internal Consultation

Internal Consultation

- Acting General Manager
- Mayor

Planning & Policy Implications

This report satisfies the requirements of Council's Policy "Payment of Expenses and Provision of Facilities to Councillors".

Financial & Economic Implications

The 2020-2021 budget contains an allocation for expenses relating to conferences and out-of-pocket expenses for the Mayor and Councillors. The attendance by Councillor Griffiths at the Water Management Conference can be funded from within this budget allocation.

The Conference Registration cost is \$550.00 (including GST).

Attachments

Nil

Item: 10.07

**Subject: RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT
COMMITTEE - AUDIT, RISK & IMPROVEMENT COMMITTEE
ANNUAL REPORT 2019-2020**

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council adopt the Audit, Risk & Improvement Committee Annual Report 2019-2020.

Executive Summary

The Audit, Risk & Improvement Committee met on 20 August 2020 and presented its Annual Report. The Committee reached consensus and submits the above recommendation for Council consideration as per the resolution below:

28 AUDIT, RISK AND IMPROVEMENT COMMITTEE - ANNUAL REPORT 2019-2020

RESOLVED: Marchant/Parkinson

That the Audit, Risk and Improvement Committee Annual Report for the period 2019-2020 be endorsed for presentation to Council for adoption.

CARRIED: 4/0
FOR: Hawkins, Intemann, Marchant and Parkinson
AGAINST: Nil

The Audit, Risk and Improvement Committee Annual Report 2019-2020 outlines the activities undertaken by the Committee during the 2019-2020 period. This report is attached.

Attachments

1.  Audit, Risk and Improvement Committee Annual report 2019-2020

Item: 10.08

Subject: RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT
COMMITTEE - LEGISLATIVE COMPLIANCE 2019-2020

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

The Council note the information contained in the Recommended Item from Audit, Risk & Improvement Committee - Legislative Compliance 2019-2020 report.

Executive Summary

The Audit, Risk & Improvement Committee met on 20 August 2020 and considered the Legislative Compliance Report.

The Committee reached consensus and submits the above recommendation for Council consideration as per Resolution 1 below:

06 LEGISLATIVE COMPLIANCE 2019-2020

Michael Ferguson, Group Manager Governance, addressed the Committee and answered questions.

RESOLVED: Marchant/Parkinson

That the Audit, Risk and Improvement Committee:

- 1. Note the Legislative Compliance 2019 - 2020 Report and recommend to Council for noting.*
- 2. Request an annual report on significant changes to legislative compliance requirements.*

CARRIED: 4/0

FOR: Hawkins, Intemann, Marchant and Parkinson

AGAINST: Nil

The Legislative Compliance report is based on the Office of Local Government Compliance Calendar which is published annually. As requested by the Audit, Risk &

Improvement Committee, significant changes to legislative compliance will be reported to the Committee annually.

Attachments

1.  Legislative Compliance 2019-2020 Report

Item: 10.09

**Subject: RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT
COMMITTEE - LOCAL GOVERNMENT KEY RISK REPORT 2019**

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

The Council:

- 1. Note the information contained in the Recommended Item from Audit, Risk & Improvement Committee - Local Government Key Risk Report 2019 report.**
- 2. Note that the outcomes of the Key Risk Report for 2019 will be considered during the next review of Council's risk registers for relevance to Council's environment.**

Executive Summary

The Audit, Risk & Improvement Committee met on 20 August 2020 and considered the Local Government Key Risk Report 2019.

The Committee reached consensus and submits the above recommendation for Council consideration as per Resolution 3 below:

09 LOCAL GOVERNMENT KEY RISK REPORT 2019

RESOLVED: Marchant/Parkinson

That the Audit, Risk and Improvement Committee:

- 1. Note the Jardine Lloyd Thompson Local Government Key Risk Report for 2019.*
- 2. Note that the top 4 risks were identified as:*
 - a) Financial sustainability.*
 - b) Cyber instances and IT infrastructure.*
 - c) Reputation risk.*
 - d) Natural catastrophe / climate change.*
- 3. Recommends that the report be presented for consideration to the September 2020 Ordinary Meeting of Council.*

CARRIED: 4/0

FOR: Hawkins, Intemann, Marchant and Parkinson

AGAINST: Nil

Council's Corporate and Divisional risk registers are reviewed by staff on a quarterly basis. The Corporate Risks are reported to the Audit, Risk and Improvement Committee on a quarterly basis also. It is proposed that during the next review that staff assess the key risk areas identified in the Jardine Lloyd Thompson Local Government Key Risk Report for 2019 against Council's risk environment for relevance and to assist in the review process.

Attachments

1.  Local Government Key Risk Indicator Report 2019

Item: 10.10

Subject: DRAFT PETITIONS POLICY

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Place on public exhibition the draft Petitions Policy for a period not less than 28 days commencing 1 October 2020**
- 2. Note that a further report be considered by Council, detailing the submissions received from the public during the exhibition period and presenting a final draft for adoption.**

Executive Summary

It is proposed to create a more formal and transparent process to manage the receipt and actioning of petitions received by Council. Council's current process is an ad hoc process and the adoption of a Petitions Policy will provide for a consistent process in the actioning of petitions.

Discussion

Following the receipt of recent petitions it is proposed to create a more formal and transparent process to manage the receipt and actioning of petitions received by Council. The current process for the management of petitions received is somewhat ad hoc and a formal process would provide consistency in the manner petitions are received and actioned. It is anticipated that with the increased usage of social media channels that the amount of petitions received by Council could increase and as a result a draft Petitions Policy has been developed for the consideration of the Council.

Some electronic petitions don't always express the positions of stakeholders with a local interest. Electronic petitions can include many signatures from people who reside overseas and throughout Australia which do not necessarily accurately reflect the views of local stakeholders and has resulted in a draft policy stating a different way of managing electronic petitions.

A Councillor workshop was held on Wednesday 2 September 2020 to discuss the draft Petitions Policy. This received endorsement of the Councillors to proceed to Council for consideration.

It is proposed that the draft Petitions Policy be placed on public exhibition for a period not less than 28 days.

The contents of this policy are based on the NSW Legislative Assembly Standing Order regarding the requirements for petitions.

Options

- That the draft policy be endorsed and placed on public exhibition.
- That the draft policy be amended and placed on public exhibition.
- That the draft policy be adopted.
- That the draft policy be amended and adopted.
- That the draft policy be rejected.

Community Engagement and Internal Consultation

This policy will be placed on public exhibition for a period not less than 28 days to receive public comment prior to further consideration of Council.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

1.  Draft Petitions Policy

Item: 10.11

Subject: CODE OF MEETING PRACTICE

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Pursuant to section 361(3) of the Local Government Act 1993, place on public exhibition the draft Code of Meeting Practice for a period of not less than of 28 days commencing 1 October 2020.**
- 2. Pursuant to section 361(4) of the Local Government Act 1993, accept submissions on the Code of Meeting Practice, for a period of not less than 42 days commencing 1 October 2020.**
- 3. Note that a further report will be tabled at the December 2020 meeting of Council, detailing the submissions received from the public and further consideration of Council during the exhibition period.**

Executive Summary

A Council, under the *Local Government Act 1993* may adopt a Code of Meeting Practice that regulates the conduct of Council and committee meetings.

The Draft Code of Meeting Practice has been developed using the Model Code of Meeting Practice that was prescribed 14 December 2018.

Council is considering modifying some of the non-mandatory provisions of the code along with some administrative amendment to its Code of Meeting Practice.

It is proposed that the draft Code of Meeting Practice be publicly exhibited for the statutory 28 day period (*Local Government Act 1993* section 361(3)) and that Council accept submissions from the public for the statutory 42 day period (*Local Government Act 1993* section 361(4)) before further considering the public submissions at a Council meeting in December 2020.

Discussion

A Council, under the *Local Government Act 1993* (the Act) may adopt a Code of Meeting Practice that incorporates the regulations made for the purposes of the conduct of Council and committee meetings and may supplement the regulations with provisions that are not inconsistent.

The relevant regulation is the *Local Government (General) Regulation 2005* (the regulation).

The current Code of Meeting Practice was last adopted at the June 2019 Ordinary Meeting of Council.

For clarity, the draft Code applies to Council Meetings and any Council Committees established for which their membership consists solely of (any number of) Councillors. Council currently does not have any "Council Committees" established.

Council Sub-Committees and Working Groups (for which membership consists of members of the public) can elect to adopt the Code of Meeting Practice or a (commonly less formal) alternative process by which to conduct their meetings.

During the December 2019 Ordinary Council meeting, a Notice of Motion was moved by the Mayor Peta Pinson regarding the commencement time of Council meetings. The Notice of Motion indicated that Council meetings were often in excess of 5 hrs in duration, that for staff this creates an extremely long work day, and the potential for more of the community to be able to attend if the timing was changed. As a result, Council resolved:

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.*

A briefing was undertaken with Councillors on 11 March 2020 and again on 2 September 2020 to discuss areas of the Code of Meeting Practice that could be modified to try to reduce the duration of Council meetings and make the meetings more efficient. The main areas that are being proposed to be modified are the manner in which Public Forums are proposed to be conducted and the removal of a set finish time for the meeting.

With regard to removing a set finishing time, Council's current Code of Meeting Practice specifies a finishing time of 10pm. Council's current practice is that in meetings that are not finished by 10pm, a Councillor moves a motion to extend the meeting, it is generally carried, and the meeting continues until it is complete. The inclusion of this clause to finish a meeting at 10pm does not add value to the Code and creates an administrative process during each meeting that would improve efficiency by removing it.

Public forums are a non-mandatory requirement of Council's during Council meetings however the value is acknowledged in providing a forum for the public to address Councillors to assist them with providing additional information in the decision making process. The current process in a Council meeting that allows members of the public to address the Councillors is very time consuming and Councillors often do not have a suitable opportunity to follow up statements by the public or consider them appropriately prior to voting on the matter. It is proposed to hold a public forum on a separate night prior to the Council meeting, usually a Monday evening, or Tuesday

evening in the event of public holidays, to provide Councillors with adequate time to give consideration to what members of the public have said during their presentation. This also allows Councillors an opportunity to obtain additional information from staff or undertake further investigation into a matter before they decide their position. It is also proposed to place a maximum time of 60 minutes on the public forum session with the option of extending it for an additional 30 minutes with the agreement of all Councillors present at that forum.

A draft Code of Meeting Practice has been developed taking these proposed changes into consideration that has been attached to this report as Attachment 1. Significant changes have been highlighted in red text for ease of distinguishing the proposed changes.

It is noted that Council will be required to review and adopt its Code of Meeting Practice within 12 months of the 2021 Local Government elections also in accordance with section 360(3) of the Local Government Act.

Options

Council can resolve to:

- Place this draft Code of Meeting Practice on exhibition for public comment for a further report to come to Council following the exhibition period.
- Place an amended draft Code of Meeting Practice on exhibition for public comment for a further report to come to Council following the exhibition period.
- Not place the draft Code of Meeting Practice on exhibition and continue to use the current Code of Meeting Practice.

Community Engagement & Internal Consultation

Community Engagement

It is proposed that the draft Code of Meeting Practice be publicly exhibited for the statutory 28-day period (*Local Government Act 1993* section 361(3)) and that Council accept submissions from the public for the statutory 42-day period (*Local Government Act 1993* section 361(4)).

Certain clauses of the draft Code are mandatory clauses from the Model Code which means that altering, amending or removing such clauses is not permissible. It is planned to communicate this fact throughout the community engagement process, ensuring that no confusion arises and that the engagement is focused on the sections of the draft Code that can be altered or amended (not sourced from mandatory clauses of the model Code).

Internal Consultation

- Mayor and Councillors.
- Executive Team
- Group Manager Governance


Planning & Policy Implications

It is proposed that the draft Code of Meeting Practice replace the current Code of Meeting Practice (post exhibition). The proposed draft Code is provided at Attachment 1.

Financial & Economic Implications

There are no financial and economic implications as a result of this report.

Attachments

1.  Draft Code of Meeting Practice

Item: 10.12

Subject: MONTHLY BUDGET REVIEW - AUGUST 2020

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Adopt the adjustments in the "August 2020 Adjustments" section of the Monthly Budget Review – August 2020 report.**
- 2. Amend the 2020-2021 Operational Plan to include all budget adjustments approved in this report.**

Executive Summary

This report details monthly budget adjustments recommended to be made for the month of August 2020.

The Council adopted 2020-2021 budget position at the commencement of the financial year was a shortfall of \$676,730. The budget adjustments contained in this report reduce the budget shortfall position at the end of August 2020 to \$525,628.

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 2020-2021 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

Original Budget as at 1 July 2020	Shortfall	(\$676,730)
Plus adjustments:		
July Review	Balanced	\$0
August Review	Surplus	\$151,102

Forecast Budget Position for 30 June 2021	Shortfall	(\$525,628)
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August 2020 Adjustments

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

Item	Surplus/ Shortfall	Amount	Comment
Salaries and Wages	Surplus	\$224,514	Award increase less than budgeted
Insurance	Shortfall	\$63,412	Insurance premiums more than budgeted
Library - Meeting Room Hire	Shortfall	\$10,000	COVID-19 impact on activity
Total	Surplus	\$151,102	

The following adjustments reflect budget movements as a result of grant funding received, reserve movements, movements between projects and a review of the 2019-2020 position on projects and the associated adjustments to the 2020-2021 Operational Plan. These have no impact on the budget position (for example, additional income has an associated expenditure budget):

Description	Notes	Funding Source	Amount
Grants	1	Grants	\$1,701,440
Reserve Movements	2	Reserve	\$93,255
Movement between Projects	3	Revenue	\$387,527
2019-2020 Works Program Finalisation	4	Reserve/s7.11/Grant	\$157,460
Total			\$2,339,682

1. Grant Funding

Council Project	Grant Provider	Grant Funding	Other Funding*	Comment
Gross Pollutant Trap Audit & Maintenance	Dept of Planning Industry & Environment	\$30,000	\$0	Council has received a grant for the GPT Audit & Maintenance Planning
Various (see attached)	Dept of Infra, Transport, Regional Development & Comms	\$1,826,618	\$0	Council received grant funding as part of COVID-19 stimulus which has been allocated to projects in

Council Project	Grant Provider	Grant Funding	Other Funding*	Comment
				accordance with the 12 th August Council meeting resolution
Program Funding - Regional Gallery	Arts NSW	\$42,917	\$0	Council received a grant from Arts NSW for Program Funding of a Regional Gallery
Bushfire Community Resilience & Recovery	Dept of Planning Industry & Environment	\$149,890	\$0	Council received a grant from the Dept of Planning, Industry & Environment for Bushfire Recovery Projects
Camden Haven Recreational Boating Improvements	RMS - NSW Boating	(\$89,971)	\$0	Project delivered without entire grant allocation expended
Hibbard & Wrights Creek Flood Studies	Office of Environment & Heritage	(\$258,014)	\$0	Withdrawal from grant program
Total Grant Funding		\$1,701,440	\$0	

2. Reserve Movements

Transfer from	Transfer To	Amount	Comments
COVID-19 Relief Reserve	Various Projects (see attached)	\$1,492,870	COVID-19 relief projects endorsed at the 12 th August Council Meeting
Waste Reserve	Consultancy - MRF Options	\$100,000	Funding required for option analysis in relation MRF
Crematorium Sale Proceeds	Crematorium Reserve	(\$1,499,615)	Transfer Crematorium sale proceeds to reserve
Reserve Movements		\$93,255	

3. Movement between Projects

Transfer from	Transfer To	Amount	Comments
Blackbutt Park	Kew Community Park	\$14,000	Transfer un-utilised funds to Kew Community Park
Computer Capital Projects	Mobile Phone Upgrades	\$100,000	Allocate budget to new GL - accounting entry only

Transfer from	Transfer To	Amount	Comments
Bicentenary Activities	Artwalk	\$23,527	Allocate portion of funds to Art Walk per resolution 11.06, previously allocated to Bicentenary Activities.
Lake Cathie Bridge	Dunbogan Bridge	\$87,000	Transfer of funds to cover Dunbogan Bridge Pedestrian Balustrade Rail Replacement
Limeburners Bridge	Dunbogan Bridge	\$85,000	
Bridges & Culverts - Operational	Dunbogan Bridge	\$78,000	
Total Movements between Projects		\$387,527	

4. 2019-2020 Works Program Finalisation

As part of the development of the 2020-2021 Operational Plan, a review of the 2019-2020 works program was ongoing. This review focused on the projected status of projects in light of a variety of factors, including bushfire, water supply security and COVID-19 impacts, and identified a number of projects which needed to be re-prioritised to the 2020-2021 Operational Plan. Subsequent review as part of end of year finalisation identified a larger than anticipated portion of these works were actually able to be finalised by 30 June.

Adjustments to reflect reductions in the 2020-2021 allocations where the expenditure was able to be brought forward to 2019-2020 were tabled at the August Council meeting. Due to the timing of Council reporting and year-end processing, further adjustments to finalise this review are as follows:

Project Name	Funding Source	Amount
Stuart Park Sporting Precinct	Reserve	\$34,002
Reclaimed Water - Area 14 Trunk Main	Reserve	\$8,062
Bold St Pedestrian Crossing	Reserve	\$966
John Oxley Drive Detailed Design	S 7.11	\$12,470
Rawdon Island Safety Improvements	Grant	\$2,734
Shared Pathway Ocean Drive - Brotherglen Drive	Reserve/Grant	\$27,680
Construct 17 Kerb Ramps in Port Macquarie & Wauchope	Reserve/Grant	(\$8,764)
TCMP - Port Macquarie Foreshore Walkway	Reserve	\$37,920
Lakeside Woods Environmental VPA	S 7.11	\$1,044
Kingfisher Waste Depot - Upgrade & Expansion	Reserve	\$8,949
Black Swam Terrace - Stormwater Detention Facility	Reserve	\$4,175
Stormwater Remediation - Bellbowrie St/Bay St Catchment	Reserve	\$28,222
Total		\$157,460

Options

Council may adopt the recommendations 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 reduces the budget position to a shortfall of \$525,628.

Statement by Responsible Accounting Officer

"The adopted original budget result for 2020-2021 was a shortfall of \$676,730. As at 31 August 2020, this shortfall position has decreased to \$525,628. This position is considered an unsatisfactory result for the year. As such, all budgets will need to be closely monitored with the view to reducing this shortfall position".

Attachments

1.  August 2020 Budget Review

Item: 10.13**Subject: INVESTMENTS - AUGUST 2020****Presented by: Corporate Performance, Rebecca Olsen**

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the Investment Report for the month of August 2020.

Executive Summary

- Total funds invested as at 31 August 2020 equals \$306,028,254.
- Interest for the month of August was \$587,299.
- The year-to-date investment income of \$1,181,422 represents 19% of the total annual investment income budget of \$6,321,693.
- Council's total investment portfolio performance for the financial year to date was 2.25% above the benchmark (2.36% against 0.11%), benchmark being the Bank Bill reference rate as at 31 August 2020.

The following outlines the significant points identified 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 +2.59% p.a., outperforming bank bills by 1.93% p.a. and around 5 times the official cash rate. This has been very strong given deposit rates reached their all-time lows and margins have generally contracted over the past 3 years.
- The RBA's official cash rate will remain unchanged at its emergency level of 0.25% until its objectives of full employment and inflation are reached, with rates to be low for a very long period of time. The RBA has recently suggested that the official rate could be cut further to 0.10% if required.
- The RBA also noted that there have not been any signs of stress in the financial system from the COVID-19 crisis because, unlike during the Global Financial Crisis, the banks have cash and are well capitalised.
- Given the above, the biggest risk to Council's portfolio continues to be decreasing interest income as interest rates drop significantly, as opposed to loss of capital.
- With official interest rates now at the RBA's effective zero bound, the priority should be to lock in any attractive medium-longer dated fixed deposits that may still be available.

- It is recommended to consider increasing the allocation to liquid senior floating rate notes.
- Council's exposure to institutions that fund fossil fuels is 59% of the total portfolio.

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|cddbad291-68a4-4d81-8aee-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 August 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 August 2020, the investments held by Council totalled \$306,028,254 and were attributed to the following funds:

General Fund	135,166,559
Waste Fund	15,286,111
Water Fund	109,304,112
Sewer Fund	44,848,441
Sanctuary Springs Fund	36,723
Broadwater	1,386,308
	306,028,254

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, (\$306,028,254), and total investments held as per Imperium's attached monthly report (\$306,060,672). 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 noted that at the Ordinary Council meeting held on 12th August 2020, Council resolved as follows:

10.09 INVESTMENTS - JULY 2020

RESOLVED: *Intemann/Alley*

That Council:

1. *Note the Investment Report for the month of July 2020.*
2. *Receive a briefing from the General Manager on the factors that can affect the investment balances month to month and options for public reporting in the investment report.*

CARRIED: 5/2

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

AGAINST: *Griffiths and Pinson*

In relation to resolution 2 above, a briefing has been scheduled.

It is further noted that at the Ordinary Council meeting held on 12th August 2020, Council resolved as follows:

10.10 INVESTMENT POLICY REVIEW - POST EXHIBITION

RESOLVED: *Intemann/Alley*

That Council:

1. *Adopt the amended Investment Policy, which adds Clause 2.11 entitled "Investments in Financial Institutions which Support the Fossil Fuel Industry" and states that "Subject to consideration of the Risk Management Guidelines in this policy, preference is to be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if: the investment is compliant with Council's Investment Policy, and the investment rate of interest is equivalent to or more favourable to Council relative to other similar investments that may be on offer to Council at the time of the investment".*
2. *Requests the General Manager to identify on future monthly investment reports:*
 - a) *Deposits that are held with financial institutions that publicly state that they do not invest in or finance the fossil fuel industry.*
 - b) *The total value of these investments.*
 - c) *Their proportion to the total of all investments.*

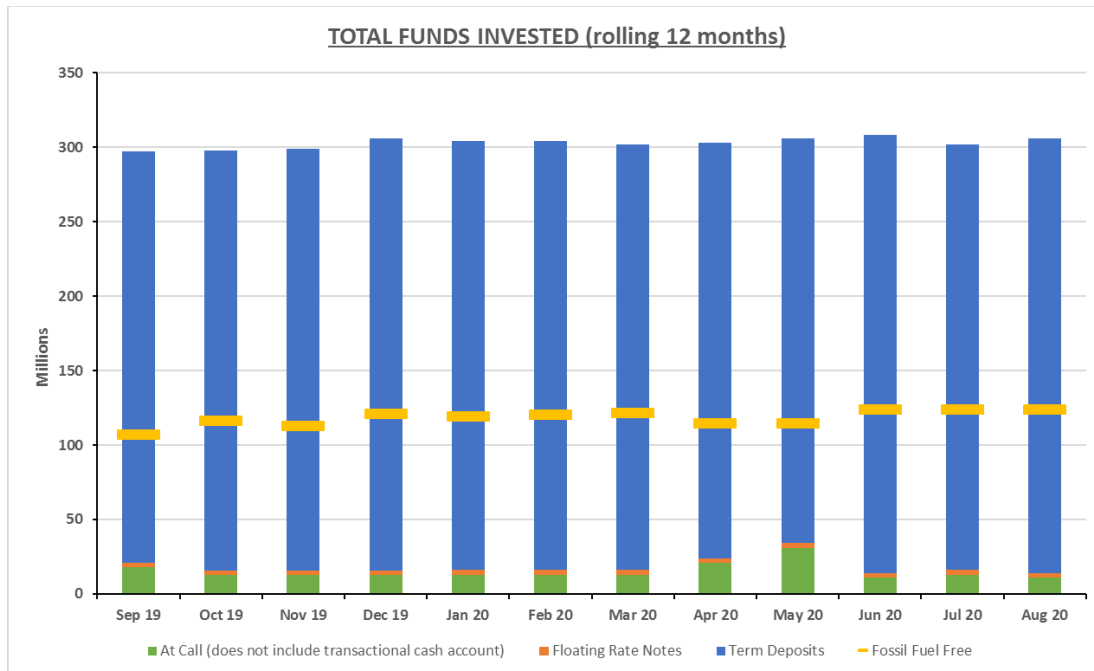
CARRIED: 5/2

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

AGAINST: *Griffiths and Pinson*

In relation to Council's exposure to financial institutions that fund fossil fuels, the following provides a summary:

Financial institutions funding fossil fuels	Amount invested at 31/08/20 (\$)	Amount invested at 31/08/20 (%)
Yes	182,028,254	59.5%
No	124,000,000	40.5%
	306,028,254	



It is noted that the above will be included in future investment reports.

Options

This is an information report.

Community Engagement and 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 and Policy Implications

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

Financial and 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 2.25% above the benchmark (2.36% against 0.11%) and year to-date income is 19% 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 - August 2020
2.  Port Macquarie-Hastings Council Portfolio as at 31 August 2020

Item: 10.14

Subject: RELIEF MEASURES FOR THE IMPACTS OF COVID-19

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

RECOMMENDATION

That Council:

1. Waive or defer the payment of fees and charges as detailed in resolution 1 (points a) to s)) of item 10.03 from 15 April 2020 Ordinary Meeting of Council, in relation to community members and local businesses impacted by the COVID-19 virus, for a further period up to 28 February 2021 and in accordance with the conditions of waiver / deferral as detailed in that resolution.
2. Extend the provisions of point 1 q) in the above resolution in relation to Payment Plans for Connection to Telegraph Point Sewerage Scheme to Comboyne and Long Flat.
3. Waive all hiring fees for Community Halls up to 28 February 2021.
4. Extend to 28 February 2021 the delegated authority 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 suffering financial hardship due to the impacts of COVID-19. Note that application for such payment arrangements will be subject to similar criteria and documentation requirements as the current Council adopted Rates & Charges Hardship Assistance policy.
5. Extend to 28 February 2021 the provisions of the amended Rates and Charges Hardship Assistance Policy to include non-residential property owners.
6. Continue to issue reminder notices on outstanding accounts, with details of assistance options provided, however extend the suspension of formal debt recovery actions for outstanding accounts up to 28 February 2021.
7. Extend the Tendering Local Preference Policy increased notional price offset from 5% to 20%, and the increased cap from \$25,000 to \$50,000 for all Request for Tenders advertised up to 28 February 2021.
8. Request that the General Manager provide a report to the February 2021 Ordinary Meeting of Council with an update on the endorsed relief measures.

Executive Summary

As of 11 March 2020 COVID-19 has been declared a worldwide pandemic.

COVID-19 has had and continues to have a major impact on the Australian economy and local government is not immune, with many services having been impacted and

facilities closed during recent months, which has seen a reduction in revenue to Council. At the same time, Council is supporting its local economy and community and has implemented a range of relief measures to support the community during the pandemic.

Council has taken a number of measured precautions over recent months in line with Federal and State Government advice and although a number of services and facilities have been impacted, Council has continued to provide a large number of services and facilities to the community. This means that as well as delivering essential services, Council has continued to ensure the community's assets and infrastructure are maintained and this continues to provide important stimulus to the local economy.

The Federal and State governments announced various stimulus measures to assist individuals and businesses throughout these uncertain times. In April, Council endorsed a number of additional local relief measures, both financial and non-financial, to support members of the community and local businesses who were being severely impacted by COVID-19 and to assist in minimising their financial burden. These local relief measures were proposed with a focus on working with affected businesses and individuals on a case by case basis to formulate the most appropriate solution for their particular needs, whilst making the process as easy and accessible as possible in these difficult times.

Whilst in the intervening period, a number of Federal and State Government restrictions have been eased, there continues to be uncertainty around the pandemic and associated impacts, and our community continues to face significant pressures from the impacts. On this basis, this report requests Council endorsement to extend the provision of the local relief measures for an additional period of time to support members of the community and local businesses who are being severely impacted by COVID-19 and to continue to assist in minimising their financial burden.

Discussion

At the 15 April 2020, Ordinary Council meeting, Council resolved as follows:

10.03 Relief Measures for the Impacts of COVID-19

RESOLVED: *Intemann/Levido*

That Council:

1. *Waive or defer the payment of fees and charges as detailed below in relation to community members and local businesses impacted by the COVID-19 virus. These fees and charges include:*

	<i>Fee / Charge</i>	<i>Timeline of waiver / deferral</i>	<i>Conditions of waiver / deferral</i>
a)	<i>Waive Interest on rates and charges</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>For applicants who enter into payment arrangements on outstanding accounts as per recommendation 2 below.</i>

b)	<i>Waive Direct debit dishonour fees</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>N/A</i>
c)	<i>Rent for Council owned cafes and facilities</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>Assessed on a case by case basis, where a government directive to restrict or cease operations has resulted in a period of inactivity or reduced activity. Any reduction applied will be proportionate to the turnover reduction of the tenant.</i>
d)	<i>Waive Interest on outstanding rental fees</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>For applicants where rent is deferred in accordance with c) above.</i>
e)	<i>Waive Fees for outdoor dining and footpath displays</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>N/A</i>
f)	<i>Glasshouse venue hire and associated fees, including provisions for tickets to patrons</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>Venue hire and associated fees waived, and deposits refunded or transferred, where events have been cancelled as a result of a government directive to restrict or cease operations. Tickets to patrons credited, transferred or refunded where the event has been cancelled or rescheduled by the event organiser / promoter.</i>
g)	<i>Waive Fees for mobile food vending vehicles</i>	<i>Up to 6 months commencing 16/04/2020</i>	<i>N/A</i>
h)	<i>Waive Fees for food shop inspections</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>N/A</i>
i)	<i>Waive Fees for public health inspections</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>N/A</i>
j)	<i>Waive Impound and maintenance fees (in relation to animals)</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>Registration requirements, including registration fees, will still be required before release if an animal is not already registered. Customers will need to sign a financial hardship form to be eligible.</i>
k)	<i>Waive Ferry fees for delivery of food and other items to the North Shore</i>	<i>Already commenced</i>	<i>N/A</i>
l)	<i>Licence fees / application fees for activities on</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>Assessed on a case by case basis, where a government directive to restrict or cease operations has</i>

	<i>Council managed land</i>		<i>resulted in a period of inactivity or reduced activity.</i>
<i>m)</i>	<i>Fees for applications for activities on public / community land under the Local Government Act (Section 68) and applications under the Roads Act 1993 (Section 138)</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>Assessed on a case by case basis, where a government directive to restrict or cease operations has resulted in a period of inactivity or reduced activity.</i>
<i>n)</i>	<i>Waive Bin reinstatement fee for businesses (Waste Management)</i>	<i>On resumption of normal operations</i>	<i>Waived on resumption of normal operations, where businesses have requested a suspension of bin services due to COVID-19.</i>
<i>o)</i>	<i>Waive Fees for A-Frame signs</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>N/A</i>
<i>p)</i>	<i>Waive Credit card surcharge fees</i>	<i>Up to 6 months commencing 16/04/20</i>	<i>N/A</i>
<i>q)</i>	<i>Payment Plan for Connection to Telegraph Point Sewerage Scheme</i>	<i>Up to 12 months from date invoice provided to Council, prior to 31/12/2020.</i>	<i>For applicants who are approved to enter into a payment arrangement in line with provisions for connection to the Telegraph Point Sewerage Scheme payments</i>
<i>r)</i>	<i>New Levy for Stormwater on 800 properties</i>	<i>Until 1/7/2021</i>	<i>N/A</i>
<i>s)</i>	<i>Bus Shelter Advertising Space rental</i>	<i>Up to 6 months from negotiated date</i>	<i>Maintenance charge to Council also waived for up to 6 months, with risk based maintenance taking place only</i>

2. *Delegate authority 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 suffering financial hardship due to the impacts of COVID-19. Note that application for such payment arrangements will be subject to similar criteria and documentation requirements as the current Council adopted Rates & Charges Hardship Assistance policy.*
3. *Amend the Rates and Charges Hardship Assistance Policy to include provisions for non-residential property owners.*
4. *Continue to issue reminder notices on outstanding accounts, with details of assistance options provided, however suspend formal debt recovery actions for outstanding accounts for a period of up to 6 months.*

5. *Note the additional range of non-financial support programs and initiatives to be offered to our community, local businesses and events during this difficult period, as detailed in this Relief Measures for the Impacts of COVID-19 report.*
6. *Request that the General Manager:*
 - a) *Establish a COVID-19 Recovery Working Group with the General Manager as the Chair, with the purpose of the working group being to bring together community leaders from across the Port Macquarie-Hastings Local Government Area to discuss how we can successfully recover from the COVID-19 health crisis, economically, socially and culturally.*
 - b) *Adopt the COVID-19 Recovery Working Group Charter as tabled at this 15 April 2020 Council meeting.*
7. *Amend the Tendering Local Preference Policy to increase the notional price offset from 5% to 20%, and the cap from \$25,000 to \$50,000, for a period of 6 months for all Request for Tenders advertised on and from 16 April 2020.*
8. *Request the General Manager provide a report to the 20 May 2020 Ordinary Meeting of Council on initiatives that could be undertaken by Council to assist local business in securing opportunities to do business with Council including for contracts that fall under the procurement tendering threshold.*

carried: 7/0

For: Alley, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner

Against: Nil

In light of ongoing uncertainty and significant impacts of the pandemic, the following measures are recommended to provide support to our community and local businesses for an additional period of time:

- In relation to items 1 a) - s) of the above resolution, it is recommended to extend these financial relief measures for a further period until the end of February 2021, at which time the status of the pandemic, impacts and associated relief measures will be reassessed. It is proposed that the conditions of these measures be on the same basis as outlined in the above resolution.
- In relation to items 2 and 3 of the above resolution, it is recommended that the provisions of the amended hardship policy for non-residential property owners and the delegated authority to enter into payment arrangements with applicants suffering severe financial hardship as a result of COVID-19 continue and be reassessed in February 2021.
- In relation to item 4 in the above resolution, it is recommended that formal debt recovery actions be suspended for a further period until the end of February 2021, noting that Council will continue to work with ratepayers and businesses on a case by case basis to formulate the most appropriate arrangement for their particular needs, whilst making the process as easy and accessible as possible in these difficult times.
- In relation to item 7 in the above resolution, it is recommended that the increased the notional price offset from 5% to 20%, and the increased cap from \$25,000 to

\$50,000, in the Tendering Local Preference Policy be maintained for a further period until the end of February 2021.

- In addition to the financial relief measures in the first point above, it is also recommended to waive all hiring fees for Community Halls. This will provide our community with the ability to still connect during this time without an increased financial hardship.

Options

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

Community Engagement and Internal Consultation

Consultation has occurred with the General Manager, Director Corporate Performance, Director Development and Environment, Director Infrastructure, Director Strategy and Growth, Senior Leadership Team, Rates and Revenue Coordinator, Strategic Procurement Manager and Senior Leadership Team.

Planning and Policy Implications

Council's Rates and Charges Hardship Assistance Policy has been amended to reflect the resolution of the 15 April 2020 Ordinary Council Meeting. There are no further Planning and Policy Implications.

Financial and Economic Implications

The direct assistance measures noted above will inevitably have an impact on Council's financial position, largely in the form of forgone revenue. In addition to this, Council is also susceptible to the impacts of COVID-19 as with any other business. Therefore, there will be continue to be financial impacts due to business interruption.

Assessment of COVID-19 impacts is ongoing and the overall financial impact may vary depending on a number of factors which are still unknown at this point in time, e.g. how long and to what extent Federal and State health precautionary measures will be in place for.

Therefore, whilst there will be a financial impact in relation to the above factors, it is not possible to reliably estimate the full cost to Council at this stage. It is noted however that as part of the development of the 2020/2021 Operational Plan, provision was made for the ongoing impacts of COVID-19. At this stage, it is believed that these provisions will be sufficient to cover the impact of the recommended extension to relief measures. However, any further adjustments required to the budget will be dealt with through the Monthly Financial Update reports to Council.

Attachments

Nil

Item: 10.15

Subject: AMENDMENTS TO 2020-2021 FEES AND CHARGES

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That Council:

- 1. Adopt the amended Fees and Charges 2020-2021.**
- 2. Request the General Manager to communicate the changes to the Fees and Charges 2020-2021 to the community.**

Executive Summary

Council adopted the Fees and Charges 2020-2021 as part of the Integrated Planning and Reporting (IP&R) suite of documents at the Ordinary Meeting of Council on 17th June 2020.

Subsequent to this a number of minor changes, of an administrative nature and as detailed below, have been identified. This report seeks adoption of those minor changes.

Discussion

The items below have been identified as required amendments to the Fees and Charges 2020-2021. As noted above, these are deemed to be minor changes of an administrative nature and do not reflect new fees and charges. On this basis, it has been determined that public exhibition seeking submissions is not required. The changes will however be communicated to the community for information purposes. The updated Fees and Charges 2020-2021 document is included as an attachment to this report.

1. Application for Building Certificate (Pg 81): reduce fee from \$260 to \$250. It is noted that this is a statutory fee which was published in the adopted Fees and Charges document at an increased level of \$260. It is further noted however that year to date the fee has only been charged at a rate of \$250 in line with statutory requirements and this administrative amendment is to reflect that in the published document.
2. Port Macquarie Waste Depot (Pg67): The following sentence has been added for clarity 'Commercial Waste loads are limited to Passenger Vans, Utilities, Small Trailers up to 8' x 5' size with no side extensions.'
3. All Waste Facilities - Other waste (Pg70): references to 'By Negotiation' have been removed as these are no longer applicable as a fixed price is charged. In addition, 'Each' / 'Per Kg' have been added to the 'Unit' column for Fluorescent

- Tubes and Light Fittings, Smoke Detectors, Paint and Hazardous By-Catch Materials to provide clarity.
4. Development Servicing Plans (Pg33): specific fees in relation to Water Supply and Sewerage Services Developer Charges have been included. It is noted that these are not new or amended charges. They reflect amounts charged as per the Development Servicing Plans which are available on Council's website. An amendment to include these in the actual Fees and Charges document has been made to provide greater transparency and allow easier access to the information for our community.
 5. Development Contributions Rates (Pg34): specific fees and charges in relation to Development Contributions have been included. Similar to point 4 above, it is noted that these are not new or amended charges. They reflect amounts charged as per the Development Contribution Plans which are available on Council's website. An amendment to include these in the actual Fees and Charges document has been made to provide greater transparency and allow easier access to the information for the community.

Options

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

Community Engagement and Internal Consultation

The draft revenue policy and fees and charges documents were placed on public exhibition from 19 March 2020 to 17 April 2020 prior to adoption at the 17th June 2020. As noted above, given that the amendments are not new fees and charges, but rather are of an administrative nature, it has been determined that further public exhibition seeking submissions is not required. The updated Fees and Charges 2020-2021 will however be communicated to the community for information purposes.

Planning and Policy Implications

There are no planning and policy implications in relation to this report as the amendments are not new fees and charges.

Financial and Economic Implications

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

Attachments

1.  Fees and Charges 2020-2021

Item: 10.16

Subject: 2017-2021 DELIVERY PROGRAM AND 2019-2020 OPERATIONAL PLAN - SIX MONTHLY PROGRESS REPORT AS AT 30 JUNE 2020

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That Council note the 2017-2021 Delivery Program and 2019-2020 Operational Plan - Six Monthly Progress Report as at 30 June 2020.

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 the 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 A to this report details each Operational Plan action, activity or project that is currently experiencing delays and is reported as behind.

Attachment B to this report, provides full details on individual Operational Plan line items with concise and accurate commentary on progress and status for each. It also outlines the links from the Community Strategic Plan, Delivery Program Objective and Operational Plan action, activity and project that are being delivered.

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

The COVID-19 pandemic has had some impact upon the overall delivery of 2019-2020 Operational Plan Actions and Capital Works. Council achieved an overall 80% delivery percentage, which is a 5% reduction when compared to the same period last

year. The unique challenges caused by COVID required Council to adapt its operations and delivery of services in a number of areas across the business. Whilst the reduction in overall delivery is to be noted it is worth recognising that Council was able to maintain operations throughout the pandemic to continue to deliver outcomes and services to the community.

Discussion

(a) Overview - 2017-2021 Delivery Program and 2019-2020 Operational Plan – Progress Report as at 30 June 2020

The Operational Plan sets out the actions, activities and projects that will be undertaken in a financial year to deliver the overall objectives over the four-year Delivery Program. Each Operational Plan action, enables the objectives to be achieved and supports delivery of the vision and goals outlined in the Community Strategic Plan.

The 2019-2020 Operational Plan contains 375 performance measures and are associated directly to an Operational Plan action. As at 30 June 2020, 80% (301) have been achieved or are on target for delivery as part of a multi-year project and 20% (74) are reported as behind. The table below provides a summary of the total number of performance measures and status by Community Theme.

2019-2020 Operational Plan Summary of Performance Measures by Theme				
Community Theme	Total No.	On target/ Achieved	Behind	Overall Delivery (%)
Leadership and Governance	88	71	17	81%
Your Community	84	62	22	73%
Your Business and Industry	25	18	7	72%
Your Natural and Built Environment	178	150	28	84%
Total	375	301	74	80%

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.

Historical Comparative Review of Operational Plan Performance Measures																		
	TOTAL					ON TARGET/ ACHIEVED					BEHIND				OVERALL DELIVERY Percentage (%)			
	15/16	16/17	17/18	18/19	19/20	15/16	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	468	320	318	337	375	410	281	301	321	329	39	17	16	46	88%	95%	95%	88%
2Q - Oct - Dec	468	320	320	345	375	391	297	293	321	329	23	27	24	46	93%	92%	93%	88%
3Q - Jan - Mar	468	320	320	350	375	381	280	282	279	321	40	38	42	54	88%	88%	88%	86%
4Q - Apr - Jun	468	320	320	350	375	384	294	279	296	300	26	41	54	75	92%	87%	85%	80%
Total	468	320	320	350	375	384	294	279	296	300	26	41	54	75	92%	87%	85%	80%

(b) Delivery Program 2017-2021 and 2019-2020 Operational Plan - Progress Report as at 30 June 2020

The Delivery Program outlines the Councillors' commitment 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 designs underway with expected design completion early 2021
- Riverview Reserve playground upgrade has community engagement undertaken and project will continue into 2020-2021
- Scribbly Bark Reserve playground replacement is complete
- Construction of the Kew Sewerage Treatment Plant has detailed designs ongoing and will continue into 2020-2021
- Bold Street Pedestrian crossing in Laurieton is complete
- Comboyne Small Town Sewerage Scheme provision of a centralised sewerage system has construction completion planned by Mid-2020
- Stormwater flooding mitigation measures at Rodley Street Bonny Hills has construction complete
- Dunbogan Bridge - Reid Street substructure rehabilitation work has construction complete

Port Macquarie

- Blair Reserve playground upgrade has construction underway
- Flynn's Beach seawall upgrade and replacement is complete
- Red Ochre Park has construction plans completed. Estimated completion is first quarter of 2020-2021
- The Ruins Way Park construction was impacted by contractor availability due to the bushfires and COVID-19, project to continue into 2020-2021
- Settlement Point Reserve playground replacement is complete
- Stuart Park Regional Sporting Precinct upgrades complete, including an Off Leash Dog Park, playground, landscaping and multi-purpose sports court
- Town Beach Park playground replacement has detailed plans finalised and procurement commenced. Additional grant funding secured and scope of works expanded to include a water play area. Project delivery to continue into 2020-2021
- Port Macquarie Pool has community engagement undertaken and site selection process complete, with Macquarie Park confirmed as the preferred site. Concepts design phase to continue into 2020-2021
- Port Macquarie Airport Terminal upgrade was completed in November 2019
- Port Macquarie Airport Parallel Taxiway - Stage 1 and General Aviation pavement renewal has concept designs finalised. Tender for the environmental impact assessment (EIS) and Development Application awarded. Additional funding awarded for stage 1 and the project will continue into 2020-2021
- Port Macquarie Sewer Treatment Plant works had scope reduced in 2019-2020 with a major refurbishment planned to commence in 2020-2021
- The Ruins Way Port Macquarie reconstruction works (Major Innes Road and Sitella Street), has design review and finalisation nearing completion. Scope increased to resurface Major Innes Drive and more of The Ruins Way supported by additional Federal Grant funding
- Port Macquarie Coastal Walk upgrade has construction works on Stage 2 - Charlie Uptin and Doctors Walk sections underway and also includes the Kennys Walk section. Project will continue into 2020-2021

Wauchope/Rural/surrounds

- Hastings Regional Sporting Complex construction has design works progressing. Construction works planning currently being developed. Project will continue into 2020-2021
- Reservoir Park playground replacement is complete
- Rocks Ferry Reserve playground upgrade has community engagement finalised, construction scheduled in the first quarter of 2020-2021
- Bago Road rehabilitation works (Milligans Road to Blue Water Cres) complete
- Long Flat Small Town Sewerage Scheme provisions of a centralised sewerage system has construction ongoing and planned completion for October 2020
- Telegraph Point Small Town Sewerage Scheme provisions of a centralised sewerage system has construction completion planned for first quarter of 2020-2021

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	82	6	93%
2Q - Oct – Dec 2019	88	82	6	93%
3Q - Jan – Mar 2020	88	79	9	90%
4Q - Apr – Jun 2020	88	71	17	81%

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 839 Media releases, statements, alerts and announcements and reactive responses were issued
- 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, radio and Weekly Mayoral messages discussing topics such as water restrictions, water saving and bushfires
- Registered users on Council's 'Have Your Say' online engagement portal as at 30 June 2020 was 4,367, an increase from 4,221 as at 31 March 2020
- The Education Messaging Program has an Education Framework developed and support procedures in place to work with the organisation to deliver a holistic education program

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 on the Community Strategic Plan, 'Think 2050' commenced December 2019, including Q&A sessions with Ambassadors and an open survey on council's online engagement portal 'Have Your Say'. COVID-19 has impacted planned engagement activities, however, the engagement program will continue into 2020-2021
- Community Plans for Bonny Hills, Comboyne/Byabarra, Lake Cathie, Telegraph Point and Pappinbarra have been developed and endorsed by Council
- Community Plans for Camden Haven, Kew and Kendall, Lorne and Herons Creek, Wauchope and Rollands Plains have had community engagement undertaken and will be presented to Council in August 2020
- Draft Community Plans for Beechwood and Pembroke, Hastings Hinterland and the North Shore are currently with their Council Community Action teams (CCAT) and are planned to be presented to Council in September 2020
- The Port Macquarie Community Plan will be developed after the 'Think 2050' engagement

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. Due to impacts from COVID-19 since March 2020, engagement was delivered in new and innovative ways, with some activities including, live online Facebook Q&A sessions and Zoom meetings with local communities
- A community satisfaction survey was undertaken in April 2020. Overall, the results showed community satisfaction was recorded at 90%, which increased from 87% in 2017. The top drivers of satisfaction were, the level of communication Council currently has with community, strategic planning of the LGA, providing strong leadership and the opportunity to engage with Council

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 was placed on public exhibition from 19 March to 17 April 2020. Over 170 submissions were received, which helped inform final development of the documents, which were presented and adopted at the Ordinary Council Meeting 17 June 2020
- Six monthly Delivery Program and Operational Plan progress reports were presented to the Ordinary Council Meetings in September 2019 and February 2020 meeting legislative requirements

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 and website content, other methods included, project signage, bus shelters and letter box drops
- Likes for the corporate Facebook page increased from 10,905 as at 31 March 2020 to 11,334 as at 30 June 2020, representing an increase of 3.93%
- Total number of visits to Council's website for the 2019-2020 financial year was 479,471 users and 1,514,344 page views

Council Service: Governance

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

- The Take the Council to the Community program saw the October 2019 Ordinary Council Meeting held in Laurieton and the Ordinary Council Meeting for March 2020 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
- The General Manager, Mayor and Senior staff attended meetings throughout the year with State Members and also meet with representatives from the Ministers Office, Crown Land and NSW Department of Planning, Industry and Environment to discuss Lake Cathie

Council Service: General Manager's Office

Delivery Program Objective: 1.3.1 Provide effective leadership and equity

- The Mayor and General Manager have attended various Mid North Coast Joint Organisation (MNCJO) board meetings during the 2019-2020 financial year

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 and adopted at 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 was adopted at the Ordinary Council Meeting in October 2019

- Public Interest Disclosure Reporting for 2019-2020 was completed and submitted to the NSW Ombudsman in line with legislative requirements

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 was developed
- The Risk Management Framework has had a review of the Risk Culture for Councils insurers completed and a safety audit undertaken
- Formal Government Information (Public Access) Act (GIPA) requests for 2019-2020 financial year 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 includes 17 actions with the majority of action delivered or underway. Some of which include development and adoption of an Equity and Diversity Strategy and review of a large number of Human Resource policies and a trial of Knowledge Sharing program
- The Work, Health and Safety Strategy actions are being delivered with an audit recently completed. A review and update of a number of key policies and procedures was also undertaken
- The Learning and Development Strategy actions are being delivered and include a new Educational Assistance Policy implemented to support staff with further education and qualifications, compliance training and personal development and leadership programs

Delivery Program Objective: 1.3.5 Build an engaged workforce

- The 2019-2020 Annual Employee Engagement Days were postponed due to COVID-19. It is planned to reschedule them to late 2020 or early 2021
- Embedding the Employee Engagement through the organisation, providing support to people leaders, process improvements and education sessions were an ongoing focus during 2019-2020 financial year
- The Annual 2020 Annual Employee Engagement Survey was undertaken in February 2020. Discussion and action planning relating to the outcomes of the survey is ongoing within teams across the organisation

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

- Delivery of non-essential Digital Technology projects was delayed due to COVID-19. Undertaking critical tasks was the focus during this time. Digital Technology projects will continue for delivery in 2020-2021
- Renewal of Council's technology infrastructure to provide secure and responsive information communication technology was undertaken, however was impacted by COVID-19

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 were undertaken some of which included, development of success story templates to share process improvements and highlight the continuous improvement culture, mapping of the financial bond release process to understand steps and timing involved with this activity

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 78,449 calls were received from July 2019 to June 2020 through the Customer Call Centre, with 93% of calls answered within the service standard, exceeding the set target of 75%
- Over 76,435 counter enquires were processed from July 2019 to June 2020, and over 34,685 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
- Quarterly Budget Review Statements were presented to Council in line with required timeframes
- The 2020-2021 Operational Plan and budget was presented and adopted at the Ordinary Council Meeting in June 2020 in line with legislative requirements

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 planning is ongoing with bushfire and ecology incorporated into the revised location of B1 zone. Work will continue into 2020-2021
- Emily Avenue residential development planning had Development Application approval for the project in May 2020. Work will continue into 2020-2021

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 had action items completed with the required timeframes
- The Plant Replacement Program was delivered, however procuring plant was impacted by COVID-19
- Plant and Fleet were managed and maintained throughout the year in accordance with the adopted program

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 Environmental Laboratory by 16% in comparison to the same period last year exceeding the 3% target
- The Draft Glasshouse Strategic Plan 2020-2022 will be presented to the Ordinary Council Meeting in July 2020 after the public exhibition during January and February 2020
- Biannual reports on the 2019-2022 Glasshouse Strategic Plan were presented to the Ordinary Council Meetings in August 2019 and February 2020

Council Service: Recreation, Property and Buildings

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

- Statutory property projects that included land matters were progressed during the year as required
- Council's lease and licence portfolio currently has 138 Commercial leases (including airport, residential, Temporary Licences, Outdoor Dining and Outdoor Trading) and 70 Community Leases

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, the next report is due in November 2020

COMMUNITY THEME – YOUR COMMUNITY

Operational Plan - Summary of Performance Measures				
2019-2020	Total No.	On target/Achieved	Behind	Overall %
1Q - July – Sept 2019	84	76	8	91%
2Q - Oct – Dec 2019	84	75	9	89%
3Q - Jan – Mar 2020	84	69	15	82%
4Q - Apr – Jun 2020	84	62	22	74%

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 delivered at Town, Flynn's, Lighthouse, Lake Cathie, Rainbow and North Haven Beaches up until 27 March, when volunteer patrols were suspended as a result of COVID-19. Surveillance patrols continued at Town, Flynn's, Lake Cathie and Rainbow Beach until the conclusion of the season on 25 April 2020
- The Lifeguard Education Program was undertaken 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 and work is ongoing with emergency services 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 included a range of activities undertaken such as,
 - Pool inspections;
 - Public health inspections;
 - On-site sewerage management system inspections;
 - Fire safety inspections;
 - Recording of companion animal incidents; and
 - Offences recorded by Council Rangers in relation to parking, beach patrols, illegal signage and sale of goods on roads.

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

- Delivering youth focussed activities during the COVID-19 pandemic has seen a successful piloted digital campaign successfully undertaken
- The YOUTHinkers Program had a number of young people aged between 14 and 25 involved to help finalise the approach to Youth Leadership and Council
- Two rounds of Community Grants were undertaken in 2019-2020, with Round two providing over \$76,000 to 16 Community Groups
- The Community Inclusion Plan was adopted at the Ordinary Council Meeting in May 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 has 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 carparks and a wheelchair friendly beach ramp as part of the Flynns Beach seawall upgrade;

- Celebration of International Day of People with Disability; and
- Receiving grant funding for an 'Everyone can play' space for Blair Reserve.

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 2015-2025 Recreation Action Plan included:
 - Hastings Regional Sporting Facility - Stage 1 development has detailed design finalisation scheduled for October 2020;
 - Sancrox/Thrumster Sports Fields has advertisement pending for the tender for detailed designs;
 - 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 works on Stage 1 scheduled for completion in August 2020;
 - Port Macquarie off leash dog park at Stuarts Park is complete;
 - North Haven to Bonny Hills Coastal Walk has quotations currently being sought;
 - Port Macquarie Pool has community engagement and site selection complete, with Macquarie Park confirmed as the preferred site. Project planning for detailed design process has commenced and is ongoing;
 - Wayne Richards Park - Stages 3 and 4 has environmental issues identified. Further engagement required with sporting stakeholder groups
- Town Green West works have the construction phase expected to be complete before the busy summer period
- Implementation of the Sporting facility renewal and upgrade program has included actions such as:
 - Oxley Oval sporting infrastructure upgrade has clubhouse construction commenced and the 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 complete and field drainage scheduled for September 2020;
 - Andrews Park Wauchope has lighting upgrades complete;
 - Lake Cathie Sports Fields field surface upgrade has field surface upgrades and installation of irrigation complete;
 - Blackbutt Park Wauchope has furniture park upgrades complete and
 - Kendall Sports Ground reserve upgrades complete.
- Regional Master Planning for recreational facilities is ongoing:
 - The review of the Bonny Hills Master Plan has commenced with community engagement underway and
 - Master Planning for Bain Park Wauchope has the Draft master plan complete and will be presented for consideration at the Ordinary Council Meeting in July 2020.

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 were undertaken and included actions such as:
 - Mowing selected parks and reserves;
 - Sports field maintenance;
 - Mowing of cemeteries;
 - Garden maintenance in the Port Macquarie CBD area including pruning, watering, weed treatment and mulching;
 - Formal inspections of all playgrounds with required maintenance and repairs;
 - Cleaning bin hides/bubblers across the local government area; and
 - Installation of signage and safety fencing at local playgrounds due to COVID-19 closures.
- All four pools managed in accordance with the pool management and operational guidelines. However, all four pools were closed from 23 March 2020 due to COVID-19. Wauchope pool reopened in a restricted capacity from 18 May 2020 and Port Macquarie pool reopened 15 May 2020 in accordance with NSW Government COVID-19 restrictions
- Park furniture renewals, including the donated seat program completed
- The Playground equipment replacement program was impacted by COVID-19, however, Town Beach Park had the detailed plan finalised with grant funding secured to include scope for a water play area, work to continue into 2020-2021. Blair Reserve had construction commenced and continuing into 2020-2021. Rocks Ferry Reserve had community engagement finalised and concept plans complete. Reservoir Park, Scribbly Bark and Settlement Point Reserve playgrounds were completed
- The Recreational walkway replacement program has seen the North Haven to Bonny Hills Walkway planning commenced, Blair Reserve and Sandhurst Reserve had construction commenced and continuing into 2020-2021 and Harry's Walkway replacements complete
- The Maintenance program for boat ramps, wharves and jetties was undertaken in accordance with approved maintenance and schedule
- 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 and included additional scope of works to include to extend rock armouring
- The Public amenities renewals program has seen Short Street amenities completed. Pilot Beach amenities upgrade was impacted by COVID-19 supply issues and is planned for completion in September 2020
- Kew Community Park had construction 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 were undertaken in line with maintenance schedules

- Building rectification works were undertaken 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 works were impacted by COVID-19 with delivery milestones revised. Stage 2 of the Charlie Uptin and Doctors Walk sections are underway and scheduled for completion in the first quarter of 2020-2021, including the Kennys Walk section
- Flynn's Beach upgrade to the sea wall had construction complete
- Hastings Regional Sporting Complex construction had design works progressing. Construction works planning is currently being developed and continuing into 2020-2021
- Town Centre Master Plan improvements include the Foreshore Walkway priority projects with detailed design complete. The environmental and crown land approvals will continue into 2020-2021. The Gordon Street underpass has preparation of Environmental Impact Statement underway and will continue into 2020-2021
- Port Macquarie Pool had community engagement undertaken and site selection process complete, with Macquarie Park confirmed as the preferred site. The project plan for the concept design phase had been approved and endorsed by the steering group with the concept design phase to continue into 2020-2021
- Mrs Yorks Garden had the concept plan finalised with works to be implemented by Friends of Mrs Yorks Garden
- Lake Cathie Skate Park construction as part of the Lake Cathie Foreshore Reserve Master Plan implementation has seen the Lake Cathie Skate and Recreation Group application for funding successful. Tenders have been advertised and project will continue into 2020-2021
- Rainbow Beach Sports Fields has designs underway with design and construction works continuing into 2020-2021
- Development of new park facilities at Red Ochre had been impacted by COVID-19, construction plans have been completed and project will continue into 2020-2021
- Development of new facilities at the Ruins Way had been impacted by COVID-19, construction expected to start on the first half of 2020-2021
- Stuart Park Regional Sporting Precinct upgrades are complete. Actions included, completion of an Off Leash Dog Park, playground, landscaping and a multi-purpose sports court
- Upgrades to the tennis facility at Beechwood Tennis Courts had works commenced and is scheduled for completion during the first quarter of 2020-2021

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 was temporally suspended due to COVID-19 and was switched to an on-line program including the delivery of live story times, zoom author talks and workshops with the community
- Library membership increased to 35,000 as at 30 June 2020 compared to 32,000 for the same period last year

- The Library Strategic Plan was adopted
- The new Library website 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 were held across the local government area up until Mid-March, which was impacted by COVID-19. Events delivered from July 2019 to February 2020 included:
 - NAIDOC Week;
 - Mayors Sporting Fund Bowls Day;
 - Artwalk;
 - Countdown to Christmas;
 - Hastings Sports Awards;
 - Mayors Sporting Fund Golf Day; and
 - Seniors Week.
- From March 2020, hosting events digitally included:
- Live Facebook feeds; and
 - Zoom activities.

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

- Support to promote community-led volunteer programs and projects was undertaken 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 was undertaken with some actions including:
 - Three Local Heritage assistance grants awarded to improve heritage listed buildings within the local government area;
 - ArtWalk 2020 was successful for two funding applications, a new format 'World's Longest Footpath Gallery' launched in July 2020. A COVID safe event is proposed to run over an extended period from 1-8 October 2020;
 - The Public Art Policy was adopted by Council following the public exhibition period;
 - The Cultural Economy Project was finalised and presented to Cultural Steering Group and will be used to inform the Cultural Plan;
 - Bicentenary celebration planning continues with a report presented to the Ordinary Council Meeting in July 2020 outlining the plans; and
 - The Wauchope Bicentennial Riverside Sculpture Trail project continues with the formation of a Reference Group, expressions of interest and site visits held for potential artist.
- A range of performing arts events were presented at the Glasshouse up until 23 March 2020, which was then closed to the public due to COVID-19 and suspension of the gallery program until it reopened on 30 June 2020. Some events presented included:
 - For Country For Nation - Australian War Memorial;
 - Symmetry of Nature - Beric Henderson;
 - Threaded Earth - Vana Ford and Kerry Wheelan;

- Olsen and Ormandy;
- Bennelong - Bangarra Dance Theatre; and
- H.M.S Pinafore.
- A range of visual arts events were presented at the Glasshouse up until 23 March 2020, which was then closed to the public due to COVID-19 and cancellation of performance until it reopened on 30 June 2020. Some events presented included:
 - Sydney Comedy Festival - Manhattan;
 - Short Film Festival - Cheek to Cheek;
 - Evening Stars - Jane Rutter and Peter Cousens; and
 - Reality in Flames - Australian War Memorial Clay Intersections.

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	1	96%
2Q - Oct – Dec 2019	25	24	1	96%
3Q - Jan – Mar 2020	25	22	3	88%
4Q - Apr – Jun 2020	25	18	7	72%

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 has included actions such as:
 - Adoption of the Health and Education Precinct Master Plan;
 - Completion of the Airport Terminal Upgrade;
 - Drafting the new Destination Management Plan;
 - Smart Community Roadmap project nearing completion;
 - Maintained connection to The Hub Business and Co-working centre during temporary COVID-19 closure;
 - Continued collaboration with CSU to develop the Port Macquarie Innovation Centre as part of Stage 2; and
 - Ongoing support to opening of non-Council co-working centres across the Port Macquarie-Hastings region.
- 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

Council Service: Development Assessment

Delivery Program Objective: Optimise the use of appropriately zoned land for business uses

- Finalising the Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments in relation to a business park near Port Macquarie Airport has seen a report presented and adopted at the Ordinary Council Meeting in May 2020 for the post exhibition planning proposal
- The review of planning proposals for specific sites within the Port Macquarie-Hastings Local Government Area based on priorities as determined by Council had a biannual progress report presented to Ordinary Council Meeting in June 2020 as required
-

Delivery Program Objective: 3.1.3 Implement Major Events Strategy

- Implementation of actions relating to 'Major Events' through the Port Macquarie Hastings Events Plan was undertaken. Some actions included:
 - Completion of a community survey;
 - Updating the event toolkit and webpage; and
 - A review and streamline of the process for event owners experience when interacting with Council.
- Support provided for 16 major events from July 2019 up until Mid-March 2020. Seven events were planned for the April to June 2020 quarter and were unable to proceed. The 16 events resulted in a combined economic impact of over \$19.1 million for the local community

Delivery Program Objective: 3.1.4 Implement the Destination Management Plan

- Implementation of actions from the Destination Management Plan have included:
 - Development and implementation of the Summer Spring destination strategic marketing campaign;

- The annual Public Relations Program completed the first 12month delivery with new contractors Gate 7; and
- The revised Destination Management Plan was presented and adopted at the Ordinary Council Meeting in May 2020.
- Visits to the destination website for the 2019-2020 financial year show an increase of 7.10% year on year. This represents an increase in users from 361,161 for 2018-2019 financial year to 386,813 for 2019-2020 financial year. Due to COVID-19, the annual target to increase destination website visits by 15% was not achieved, however, any increase during these unprecedented times, does represent a successful outcome due to a focused strategic approach by Council

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 seen a number of actions implemented and included:
 - Completion of Wauchope CBD upgrade works;
 - Unique boutique Wauchope social media/radio campaign delivered;
 - Footpath trading and A-frame sign fee waiver for towns and villages continuing with a policy review planned for the coming months;
 - Bushfire recovery initiatives, including a partnered approach to accessing bushfire recovery funding;
 - Developing the #supportlocalpmhc brand, communications approach and collateral and advocating for industry support;
 - Developed the Council Business Support Program; and
 - Promoted key funding opportunities to the business community.

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 - had construction completed in November 2019
- Port Macquarie Airport - Terminal car park second exit lane completed November 2019
- Based on year on year figures, passenger numbers are down 26.3%, compared to the same period last year. This is a result of COVID-19 and suspension of airline services
- Port Macquarie Airport Parallel Taxiway - Stage 1 and General Aviation pavement renewal had concept design finalised. Tender for the environmental impact assessment (EIS) and Development Application awarded, \$3.53 M funding awarded for Stage 1 in June 2020 under the Australian Government Regional Airport Program. The project will continue into 2020-2021
- Port Macquarie Airport Biodiversity certification agreement implementation is continuing post approval
- Operating and maintaining the Port Macquarie Airport in accordance with regulatory and safety requirements was undertaken and included daily inspection of the aerodrome, Hanger maintenance and progressive updates to operational manuals throughout the year
- Development planning for the Airport Business Park is complete with a report presented to the Ordinary Council Meeting in May 2020

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:
 - Key investment attraction exhibitions postponed due to COVID-19, planning underway for attendance at future exhibitions; and
 - Further videos in the 'relocation attractions series completed and actively promoting the opportunity to live, work and invest in the Port Macquarie-Hastings region.

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 work is progressing
- Engagement undertaken with the local Education and Skills Forum and support for the pilot program funding application continuing
- Support for the CSU Innovation Hub development and business plan
- Support for the development of Sovereign Hills Co-lab
- Further initiatives and partnerships have been developed under the COVID Recovery Working Group with rollout commenced and will continue into 2020-2021

Delivery Program Objective: 3.4.2 Support local business networks

- The Business Hub is meeting regularly
- Engagement with local Chambers of Commerce and other business/industry representative groups is ongoing

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

- Management and engagement via the Hub Business and Coworking centre was ongoing until closure due to COVID-19 in Mid-March 2020
- Monthly Hub Business open nights and Innovate Port Macquarie meetings were impacted in Mid-March 2020 due to COVID-19, however engagement with Hub members and broader business and industry continued digitally
- Smart City Strategy development had a change in the engagement approach and was also impacted by COVID-19 which required an adjustment to the project scope. The Smart Community project roadmap was in draft and being prepared for public exhibition planned for August 2020
- 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, planning the reopening of the Hub and Coworking Centre and promotion of free public Wi-Fi

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	147	31	83%
2Q - Oct – Dec 2019	178	148	30	83%
3Q - Jan – Mar 2020	178	151	27	85%
4Q - Apr – Jun 2020	178	150	28	84%

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

- Installation of new water supply services to residential and business premises to cater for new development was undertaken and is in response to Development Applications
- Construction of the reclaimed (outlet) trunk main at Bonny Hills (Area 14) is complete
- Thrumster reclaimed water supply rising main to the reservoir had construction underway and will continue into 2020-2021
- Construction of the Beechwood Rosewood Reservoir is complete
- Water Trunk Main Augmentation between Sancrox Reservoir and Wauchope had designs finalised, construction works commenced in April 2020 and will continue into 2020-2021
- Preconstruction work for the Trunk Main from Bonny Hills to Kew (Area 12) Reservoir had planning works forecast to commence and continuing into 2020-2021

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 undertaken in line with the approved schedule
- Annual chemical dosing system upgrades undertaken as per approved project plan with work continuing into 2020-2021

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

- Provision of centralised sewerage systems for Comboyne, Long Flat and Telegraph Point as part of the small town sewerage program had construction commenced in October 2018 and ongoing. Telegraph Point and Comboyne are scheduled for completion in the first quarter of 2020-2021 and Long Flat is scheduled for completion in October 2020
- 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. Work will continue into 2020-2021
- Construction of the reclaimed (inlet) trunk main at Bonny Hills (Area 14) is complete
- Construction of the Sewer Rising Main from Camden Haven Sewer Pump Station to Dunbogan Bridge is complete
- Port Macquarie Sewerage Pumping Station (#64) electrical upgrades are complete
- Kew Sewer Treatment Plant upgrades are being undertaken in partnership with NSW Public Works Advisory who are progressing with project management for the detailed design and delivery. Work will continue into 2020-2021

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 was undertaken as required
- Programmed replacement of Sewer Treatment Plant electrical and mechanical assets including instruments was undertaken as required
- Sewer assets replacement and maintenance programs for odour control installations, sewer rehabilitation renewal and realigning works was undertaken as required

Council Service: Stormwater and Drainage

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

- Stormwater remediation concept designs at Panorama Drive Bonny Hills are complete
- Stormwater remediation measures identified in the Westport Stormwater Management Plan including Gordon Street to Buller Street Port Macquarie works had consultant engaged to undertake detailed stormwater catchment analysis. Works will continue into 2020-2021
- Stormwater remediation construction works at 31 Calwalla Cres is complete
- Stormwater remedial work at 741 Beechwood Road had planning complete with construction works commenced and continuing into 2020-2021

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

- Annual canal maintenance for Settlement Shores and Broadwater canals was undertaken in accordance with the rolling priority program
- Major canal maintenance and dredging at Settlement Shore canals had works commenced December 2019 following community consultation. Works are continuing in 2020-2021
- The Stormwater Renewal Program has seen completed works undertaken including:
 - Stormwater relining works at Fairmont Gardens, Wauchope;
 - Stormwater relining works at 122 Hibbard Drive Port Macquarie;
 - Stormwater relining works at Longworth Road Dunbogan; and
 - Stormwater relining works at Black Swan Terrace West Haven.
- Stormwater flooding mitigation measures at Rodley Street Bonny Hills has construction works complete
- Stormwater maintenance program undertaken with works based on inspections and assessment criteria
- Condition ratings of stormwater assets via CCTV inspections, including newly constructed works, was undertaken in accordance with adopted programs and proactive maintenance requirements

Service: Waste Management

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

- Expansion works at Kingfisher Waste Depot commenced late 2019 and is scheduled to be complete September 2020
- The Waste Education Program for primary schools were delivered

- The Pre-school Waste Education Program was developed and implementation was impacted due to COVID-19 restrictions
- The Developments, Public Plan and Events Waste Minimisation and Management Policy was presented and adopted at the Ordinary Council Meeting in June 2020 as part of the development of Event Waste Management guidelines
- Ensuring effective recycling and recovery of domestic and organic waste through the material recovery facility was undertaken as required
- Domestic waste collection services undertaken as required
- Commercial waste collection services undertaken as required
- Operation of Waste Transfer stations and the Cairncross Waste Management facility undertaken as required
- Public waste collections services undertaken as required
- Illegal dumping and clean-up programs undertaken as required
- The Multi-Unit Dwelling Organics Recovery Project had project milestone 2 completed in May 2020 and delivery of milestone 3 continuing into 2020-2021
- Kingfisher Waste Transfer Station - Gas Investigation Risk Analysis had final gas investigation study issued to the Environmental Protection Agency (EPA)
- Dunbogan landfill site - Gas Investigation Risk Analysis project had gas bores installed and the 12month monitoring program commenced
- Cairncross Gas Extraction Trial System had contractor engaged, however, project is pending due to COVID-19 restrictions
- Waste education and Marketing campaigns delivered according to approved program
- Projects identified and delivered for 'Better Waste and Recycling' initiatives
- Cairncross Recycling Industrial Zone improvements completed in June 2020
- Cairncross Waste Depot facility expansion approvals had detailed designs expected for completion in September 2020

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 undertaken
- 240 Asset Protection Zones (APZ) inspections were undertaken during the 2019-2020 financial year
- The Flying Fox Management Plan was complete and actions were undertaken as required
- A centralised compliance register for environmental outcomes associated with development was established
- Implementation of actions relating to Airport bio certification works was undertaken
- The Draft North Brother Local Catchment Flood Study had the draft options report complete and placed on public exhibition
- Development of the Coastal Management Program had the first draft of the scoping study complete for Stage 1, community consultation undertaken and a report is scheduled to be presented to Council in the first quarter of 2020-2021 with work continuing

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:
 - 906 Development Applications, average processing time of 44 days;
 - 141 Development Application modifications, average processing time 41 days;
 - 476 Building Construction Certificates, average processing time of 10 Days; and
 - 81 Complying Development Certificates, average processing time of 13 days.
- No successful legal appeals were recorded in relation to processing errors for development applications from 1 July 2019 to 30 June 2020

Council Service: Roads, Bridges and Transport

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 construction program was undertaken in accordance with the project plan
- Improved pedestrian amenity for the Wauchope Main Street – Stage 1 is complete
- Substructure rehabilitation works on the Dunbogan Bridge - Reid Street had construction works complete
- Kindee Bridge structural repairs and bridge replacement optioneering had initial repairs and detailed investigations complete. Stage 2 works commenced with works continuing into 2020-2021
- Diamond Head Road/The Boulevard Flood Access Stage 1A had construction complete
- Pedestrian crossing at Bold Street Laurieton complete
- Corridor planning - Kendall Road - Ocean Drive - Hastings River Drive regional road corridor had a Contractor appointed in June 2020 and the project continuing into 2020-2021
- Detailed concept designs for Mialia Street to Orana Drive Lake Cathie are complete with further progress pending construction funding confirmation
- Kew Main Street upgrade is currently in the design phase with community consultation being undertaken on the initial concept design. Construction works forecast for completion by 2020-2021 financial year end
- The 2019-2020 Road Rehabilitation and Resealing Programme was undertaken including:
 - Road resurfacing and rehabilitation works completed on:
 - Ocean Drive, Laurieton (Kew Road to Henry Kendall);
 - Kew Road, Laurieton (Ocean Drive to Tunis Street);
 - Widderson Street, Port Macquarie (Oxley Hwy to Hastings River Drive);
 - Comboyne Road, Byabarra (Oxley Hwy to Hartys Creek); and
 - High Street, Wauchope (Beechwood Road to Cameron Street).
 - Road resealing works completed on:
 - Matthew Flinders Drive, Port Macquarie;
 - Bago Road, Herons Creek (Milligans Road to Pacific Hwy);
 - Lighthouse Beach Local Streets 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 consultants engaged to undertake the detailed design and environmental approval works. The design phase will continue into 2020-2021
- Designs and investigations for the Gordon Street pavement reconstruction and service relocations has designs progressing. The construction phase will continue into 2020-2021 and 2021-2022
- Installation of new bus shelters across the region as per the Community Passenger Transport Infrastructure Grant Scheme has included:
 - Ron Banks Road, (at Bago Road) Herons Creek;
 - Cameron Street, Wauchope;
 - Ocean Drive, (Links Crescent), Port Macquarie;
 - Laurie Street, (Bold Street) Laurieton; and
 - The Jib (Doncaster Ave) Port Macquarie.
 Bus stop hardstand areas installed at:
 - Home Street, Port Macquarie;
 - Home Street, (Cross St) Port Macquarie;
 - Savoy Street, Port Macquarie; and
 - Savoy Street, (Narani Crescent) Port Macquarie.
- Settlement Point Ferry and Hibbard Ferry, upgrades to ferry access and signage installation complete
- Beach to Beach shared path at Camden Haven has final section of D9 path complete
- Lighthouse Road Tourism Connectivity Project - Lighthouse Road east upgrades - Matthew Flinders Drive to The Lighthouse is complete
- Detailed designs for the Gordon/Horton Street intersection upgrade had designs underway and will continue into 2020-2021
- Slipping of Settlement Point Ferry complete
- Bago Road rehabilitation (Milligans Road to Blue Water Cres) works complete
- Design review and finalisation nearing completion for reconstruction of The Ruins Way Port Macquarie (Major Innes Road and Sitella Street). Reconstruction works planned for completion in first quarter of 2020-2021
- Detailed designs for Scrubby Creek Bridge had design works underway with construction works commenced in July 2020
- Traffic analysis underway for the Orbital Strategic Business Case with works continuing into 2020-2021
- Pedestrian Refuge at Hayward Street - west of Horton Street complete
- Pedestrian Refuge at Gordon Street and Hollingsworth Street - west of Horton Street complete
- Pedestrian safety upgrades at Telegraph Point complete
- Road safety improvements at Pembroke Road complete
- Road safety improvements at Rawdon Island complete

Delivery Program Objective: 4.4.2 Develop and implement annual maintenance and renewal programs for transport assets

- The annual unseal road maintenance program including resheeting, grading, drainage and vegetation and rural roadside vegetation clearing was delivered in accordance with adopted program
- The annual sealed road maintenance program including resurfacing, jetpatching, heavy patching and installation of roadside furnishings was delivered in accordance with adopted program

- The annual bridges and culverts maintenance and repair program including inspections, monitoring and bridge repair works was delivered in accordance with adopted program
- Reactive maintenance for Koala Food Trees and Koala Fencing on Link Road (Ocean Drive) was undertaken in accordance with adopted program
- The annual Bridgeworks and Road Rehabilitation Program, that includes regular bridge and geotechnical road pavement tests to inform and develop program was undertaken in line with the adopted program

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

- Implementation of the Road Safety Action Plan and educational programs were impacted by COVID-19 and deferred to 2020-2021 for delivery
- Installation and maintenance of street lights including upgrade investigations, designs and delivery was undertaken in accordance with the program

Council Service: Strategy (Land Use Planning/Strategy)

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

- Planning for the Port Macquarie Health and Education Precinct had a planning proposal being drafted, as well as ecology, contamination and heritage assessments with work continuing into 2020-2021
- The review of the Port Macquarie-Hastings Development Control Plan is complete and finalised and commenced 17 June 2020
- The review of the Local Environmental Plan and Development Control Plan provisions to promote appropriate housing choice options had a consultant preparing the Local Housing Strategy with preliminary findings complete. Stakeholder and community engagement put on hold due to COVID-19, work will continue into 2020-2021
- Preparation of Stage 1 investigation for Fernbank Creek and Sancroix potential future growth areas had the Structure (outline) plan complete and planning proposal work progressing into 2020-2021

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 was undertaken with actions including:
 - 2,300km of Council roads managed for roadside weeds;
 - 28km of riparian zones managed for invasive weeds;
 - 65ha of coastal dune systems managed for Bitou Bush;
 - 680ha of Council assets managed for invasive weeds;
 - 70 days per annum undertaking management of high priority weeds on high risk sites within the drainage network; and
 - 75 properties larger than 1ha, inspected for invasive weeds.
- Riparian land managed for aquatic weed invasion
- Implementation of the Bushland Regeneration Management Program undertaken in collaboration with various community groups

- Ongoing education and assistance provided to residents, industry and community groups on Council's tree management requirements within the Port Macquarie-Hastings 2013 Tree Management Development Control Plan
- Over 1,280 customer requests for tree management for public and private matters have been handled for the 1 July 2019 to 30 June 2020 period including illegal tree works
- Bushland mapping and site surveying undertaken in order to improve the mapping of bushland regeneration sites for community access
- Implementation of identified actions from the adopted Koala Population Recovery Strategy was undertaken
- Implementing mitigation actions from Hastings River Flood Plain Risk Management Plan: Stage 4: Install river stream flow gauges and rainfall gauges to inform floodplain modelling was completed

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 was completed
- Wauchope, Laurieton and Kendall Pools identified as existing Council facilities that were suitable to install solar energy systems. Preliminary works completed with delays due to COVID-19 stock availability. Project will continue into 2020-2021
- Implementation of the Long Term Energy Strategy actions were undertaken. A six monthly update report was presented to the Ordinary Council Meeting in 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 was undertaken
- Operating the water supply network to ensure public health and safety was undertaken
- Operating and maintaining storage dams in accordance within the set guidelines was undertaken

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 was undertaken
- Operating the sewerage network to ensure public health and safety was 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 was undertaken with all community enquiries responded to within the seven-day service standard

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 all staff reporting against the annual 2019-2020 Operational Plan



Planning and 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 and 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.  Attachment A. 2019-2020 Operational Plan Actions reported as behind as at 30 June 2020
2.  Attachment B. 2017-2021 Delivery Program and 2019-2020 Operational Plan Progress Report as at 30 June 2020

Item: 10.17

Subject: FINANCIAL ASSISTANCE GRANTS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the 2020/21 Grant calculations provided by the NSW Local Government Grants Commission for Port Macquarie-Hastings Council in relation to the Financial Assistance Grant calculations.

Executive Summary

The NSW Local Government Grants Commission in their correspondence dated 21 August 2020 have detailed their Financial Assistance Grants (FAG) calculations for the 2020/21 period for Council, and provide an opportunity for Council to submit a special submission in relation to the 2021/22 grants regarding the distribution, should they deem this appropriate.

The Commission has asked that this correspondence be tabled at a meeting of Council.

Discussion

The attached correspondence details the FAG calculations for the 2020/21 period including:

1. The measures used in the calculation of our FAG;
2. Explanation of how the revenue and expenditure allowances are calculated, and used in the FAG determination process; and
3. Background information relating to what each expenditure disability factor recognises, the measures used, their source, the standards (state averages) and weightings.

The current method of allocating resources is based on a sophisticated mechanism of calculating a state standard based on the collective state results and then weighting each Council against this State standard with certain disability factors. Factors which may affect calculations each year include population changes and changes in the standard costs and disability measures, local road and bridge length variations and changes in property values.

Council's amounts are determined by the Commission based on the relative disadvantages and needs of each Council. This includes the needs of smaller rural

Councils, along with those Councils which currently receive the minimum allowance yet have an increasing population base currently above state averages. Excluding minor CPI adjustments, actual amounts received since 2013/14 are as follows:

Financial Assistance Grant	2013/14 \$k	2014/15 \$k	2015/16 \$k	2016/17 \$k	2017/18 \$k	2018/19 \$k	2019/20 \$k
Totals	8,844	8,842	8,764	8,575	9,185	9,325	9,585
Movement Since 2013/14		(2)	(80)	(269)	341	481	741

The Federal Government paused indexation to the Local Government Financial Assistance Grants (FAG) Program for three years commencing 1 July 2014. This resulted in a reduction of the grant by \$269k, between 2013/14 and 2016/17, despite inflationary pressures. Although the freeze was lifted in 2017/18, the cumulative effect of this it will continue to impact into the future. It is further anticipated that the CPI component of the calculation may be reduced going forward given the current economic environment.

The correspondence notes that approximately 52% of the current year allocation was prepaid in 2019/20. Council is required to bring these revenues to account in the year in which they are received as opposed to the year to which they relate. The 2020/21 revenue budget assumes that prepayments will continue. In effect the 2020/21 budget includes the second half of the 2020/21 annual allocation and the first half of the 2021/22 annual allocation. Should the Federal Government cease payment in advance, this will have a significant impact on the monies actually received in 2020/21 and therefore on the operating result for this period. It is noted however that this is a timing issue only and overall monies received across the 2 years will not be impacted.

The total grant allocated to Council in 2020/21 is \$9.49m (\$9.51m less a \$20k CPI adjustment) including the amount paid in advance of \$4.93m.

In addition to the notification of the calculations, Council is provided an opportunity to submit a special submission in relation to the 2021/22 allocation. This is to present information on the financial impact of any inherent expenditure disabilities beyond its control that are generally not recognised in the current methodology.

Following previous discussions with the Executive Officer of the Local Government Grants Commission to explore any additional options available in relation to a special submission, Council has been advised that the Commission are unlikely to consider any additional submissions for Port Macquarie-Hastings Council.

On this basis, there is no intention to submit any additional special submissions by the required timeframe of 16 November 2020.

Options

This report is for information purposes.

Community Engagement & Internal Consultation

There has been no community engagement.






Planning & Policy Implications

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

Financial & Economic Implications

The amount budgeted is \$9,424,000. The approved allocation of \$9,487,165 is more than the budget and hence the adjustment of \$63,165 will be reported in the next monthly financial report.

Attachments

1.  Correspondence to PMHC from Grants Commission regarding Financial Assistance Grant Payments 20-21
2.  Financial Assistance Grants - Appendix A
3.  Financial Assistance Grants - Appendix B
4.  Financial Assistance Grants - Appendix C
5.  Financial Assistance Grants - Appendix D

Item: 10.18

Subject: MAJOR PROJECTS GOVERNANCE - PROGRAM STEERING
GROUPS CHARTERS & MEMBERSHIPS

Presented by: Infrastructure, Dan Bylsma

Alignment with Delivery Program

1.3.3 Ensure there is appropriate management of risk to mitigate impact for Council and the community.

RECOMMENDATION

That Council:

1. Adopt the Charters for the following Program Level Steering groups:
 - a) Transport and Stormwater Program Steering Group.
 - b) Water and Sewer Program Steering Group.
 - c) Recreation, Buildings and other Assets Program Steering Group.
2. Rescind the:
 - a) Villages Sewerage Scheme Steering Group Charter, and the
 - b) Port Macquarie Aquatic Facility Steering Group Charter.
3. Request the General Manager undertake a review of the Regional Transport Infrastructure Steering group (RTISG) charter and functions in consideration of the new Transport and Stormwater Program Steering Group and report back to the Nov 2020 Ordinary meeting the outcomes of this review.

Executive Summary

This report is in accordance with resolution from the Ordinary Council meeting on 12 August 2020, regarding Major Projects governance and the initiation of 3 new program level Steering Groups. These Steering Groups have been identified in consideration of the increased number of Major Projects in the 2020-2021 Operational Plan Capital Works Program. This report proposes the new Steering Group Charters and necessary adjustments to existing Steering Group Charters effected by the resolution from 12 August 2020. It is considered that these changes will result in more efficient governance of major projects.

Discussion

Background

At the Ordinary Council meeting of the 12 August 2020, Council resolved the following for item 10.15.

**10.15 MAJOR PROJECTS GOVERNANCE - PROGRAM STEERING GROUPS
RESOLVED: Griffiths/Intemann**

That Council:

1. *Note the proposed improvements to the major projects governance processes as detailed in this report.*
2. *Note the initiation of the following three Program Level Steering groups:*
 - a) *Transport and Stormwater Program Steering Group.*
 - b) *Water and Sewer Program Steering Group.*
 - c) *Recreation, Buildings and other Assets Program Steering Group.*
3. *Endorse the transition of the Villages Sewerage Scheme Steering Group and the Port Macquarie Aquatic Facility Steering Group into the Water and Sewer Program Steering Group and Recreation, Building and other Assets Program Steering Group respectively.*
4. *Note and endorse the transition of the major project reporting currently within the Regional Transport Infrastructure Steering Group into the Transport and Stormwater Program Steering Group.*
5. *Request the General Manager report back to the September 2020 Council Meeting with the new, updated and revised Steering Group membership and charters resultant from the points 2, 3 and 4 above.*

CARRIED: 7/0

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

AGAINST: Nil

This report has been prepared in response to item 5 above.

Current situation

Utilising and drawing on the existing Steering Groups Charters for the

- Villages Sewerage Scheme, and
- Port Macquarie Aquatic Facility,

three new Program-level Steering Group Charters have been drafted, and are attachments to this report.

The Charters are titled:

- Transport and Stormwater Program Steering Group Charter
- Water and Sewer Program Steering Group Charter
- Recreation, Buildings and other Assets Program Steering Group Charter

The membership and Chairpersons of these new Steering Groups is consistent with those proposed in the report to the Ordinary Council meeting on the 12 August 2020, being;

Transport and Stormwater Program Steering Group - Membership

- Chairperson - Sponsor/Director – Dan Bylsma
- Councillor (Major Projects Portfolio Representative)
- Finance representative (Group Manager Finance Services)
- Engagement representative (Group Manager Community)
- Sponsors Representative (Group Manager Infrastructure Planning)
- Group Manager Project Delivery
- Project Manager(s) (non voting, as required via Skype)

- Other Councillors (optional, as observers, no voting)
- Executive Group (optional, non voting)

Water and Sewer Program Steering Group - Membership

- Chairperson - Sponsor Director – Dan Bylsma
- Councillor (Major Projects Portfolio Representative)
- Finance representative (Group Manager Finance Services)
- Engagement representative (Group Manager Community)
- Sponsors Representative (Group Manager Infrastructure Planning)
- Group Manager Project Delivery
- Project Manager(s) (non voting, as required via Skype)
- Other Councillors (optional, as observers, no voting)
- Executive Group (optional, non voting)

Recreation, Property & Buildings and Other Projects Program Steering Group - Membership

- Chairperson - Sponsor Director – Melissa Watkins (alternate) Rebecca Olsen
- Councillor (Major Projects Portfolio Representative)
- External member (Greg Freeman for Port Macquarie Aquatic Centre Project only)
- Finance representative (Group Manager Finance Services)
- Engagement representative (Group Manager Community)
- Sponsors Representative (Group Manager Recreation Property & Buildings or Group Manager Corporate and Business Services)
- Group Manager Project Delivery
- Project Manager(s) (non voting, as required via Skype)
- Other Councillors (optional, as observers, no voting)
- Executive Group (optional, non voting)

The instigation of these new Steering Groups requires the transition of the Villages Sewerage Scheme, and the Port Macquarie Aquatic Facility Steering Groups into the Water and Sewer Program Steering Group and Recreation, Buildings and other Assets Program Steering Group respectively. The existing Steering Group Charters for these two projects are therefore recommended for rescinding.

The opportunity for all Councillors to attend and observe the Program Level Steering Groups has been included in the proposed Steering Group Charters also.

The Regional Transport Infrastructure Steering Group (RTISG) also presently incorporates some discussion/review in relation to governance of major transport network projects. This is considered a duplication of effort when overlaid with the proposed Transport and Stormwater Program Steering Group and it is therefore proposed that any Major Projects presently forming part of the RTISG agenda be transitioned to the Transport and Stormwater Program Steering Group to address their governance. With the instigation of the Transport and Stormwater Program Steering Group Charter, the RTISG charter and functions will require review. It is expected that the RTISG charter will require some amendment and a further report to council is proposed in Nov 2020 detailing such.

The proposed transitions to, and initiation of the new Steering Groups, and the subsequent creation/adjustment to the associated Steering Group Charters are each

consistent with the principles and intent of the current PMF. Council's Major Projects governance will be made significantly more efficient and transparent to the Councillors by the adoption of the recommendations in this report.

Options

Council have the option to endorse and adopt the proposed recommendations regarding improvements to the governance processes for Major Projects or make an alternate resolution.

Community Engagement and Internal Consultation

No formal community engagement has been undertaken or is considered relevant in relation to the recommendations in this report.

Internal consultation has taken place between the General Manager, Council's Executive and the Senior Leadership team led by Group Manager Project Delivery.

A Councillor briefing was held on these proposed changes on 22 July 2020. All Councillors were in attendance at the briefing.




Planning and Policy Implications

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

Financial and Economic Implications

There are no direct financial and economic implications in relation to this report. The proposed changes to the Major Projects governance processes is expected to increase visibility on the financial accountabilities in the delivery of Major Projects.

Attachments

1.  DRAFT Transport and Stormwater Program Steering Group Charter
2.  DRAFT Water and Sewer Program Steering Group Charter
3.  DRAFT Recreation, Property & Buildings and other projects Program Steering Group

2 Your Community Life

What we are trying to achieve

A healthy, inclusive and vibrant community.

What the result will be

We will have:

- Community hubs that provide access to services and social connections
- A safe, caring and connected community
- A healthy and active community that is supported by recreational infrastructure
- A strong community that is able to identify and address social issues
- Community participation in events, programs, festivals and activities

How we will get there

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

Item: 11.01

Subject: ANNUAL REPORT OF THE ACTIVITIES FOR THE MAYOR'S
SPORTING FUND 2019-2020

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the information outlined in the Annual Report of the Activities for the Mayor's Sporting Fund 2019-2020.

Executive Summary

This report provides an overview of the Mayor's Sporting Fund activities undertaken during 2019-20. From 1 July 2019 to March 2020, the Mayor's Sporting Fund (MSF) fulfilled its role of raising and disbursing fund to assist young local athletes competing at either state, national or international sporting competition. In total, eleven local athletes received support over this period.

Regrettably, some MSF activities were impacted by the 2019 bushfires and since late March, COVID-19 has impacted local sporting competitions, school sports programs and championship events and hence, applications for support have also ceased. In light of COVID-19 financial impacts on our community and the inability to distribute funds given the lack of sporting competition, the Sub-Committee decided to suspend fund raising events for the remainder of 2020. Further, working with the Port Macquarie Sunrise Rotary Club, the Sub-Committee supported the difficult decision to cancel the 2020 Port Macquarie-Hastings Sports Awards.

Discussion

From July 2019 to March 2020, the Mayor's Sporting Fund provided financial assistance in the amount of \$7,150.00 to eleven young local athletes who gained selection/qualification in sports recognised by the National Sports Commission, to compete at state, national or international sporting competitions including:

- NSW Country Swimming Championships - Sydney
- School Sport Australia Swimming Championships - Melbourne
- NSWCHS Track & Field Championships - Sydney
- All Australian Athletics Championships, Perth - Western Australia.

The October 2019 Port Macquarie Hastings Sports Awards, conducted with Sunrise Rotary Club of Port Macquarie, attracted seventy applications across all award categories. 193 athletes, supporters, local businesses and representatives from our

local sporting community attended the event with eight award categories being contested and a total of \$7,000 being awarded; including \$4,000 for Council's Annual Wayne Richards Sporting Scholarship.

At the Presentation Breakfast, local mountain-biker Luke Meier-Smith was announced as the Sporting Scholarship recipient for 2019. Luke has kept Sub-Committee members informed of his continued success including:

- 1st Place Oceania Downhill Championships, Dunedin New Zealand
- 1st Place, Elite Men Pump Track National Champion, Bright Victoria
- 1st Place, Junior men (Under19) Champion, Bright Victoria

Pre-COVID-19, the Mayor's Sporting Fund Sub-Committee worked with local businesses to raise its profile - both to attract fundraising support and promote its support for local athletes. Partnerships with PRIME7 television, Triple M radio and the Port Macquarie News were valuable in this regard.

Given local bushfires and COVID-19, only one of the four major fundraising events planned for the 2019/20 financial year was able to be held. This was the Mayor's Sporting Fund MBC Recruitment Bowls Day Challenge, which saw 22 teams take to the greens at Port City Bowling Club in September 2019. This event raised \$2,495.00 (net). Subsequent activities were impacted by bushfires and COVID-19 restrictions and at its July meeting, the MSF decided to suspend fundraising events for the remainder of 2020 in light of COVID-19 financial impacts on our community, and the Sub-Committee's inability to distribute funds given the lack of sporting competition.

COVID-19 continues to impact MSF activities, however, the situation is being monitored with a plan for further review in February 2021 (unless circumstances change before that time).

Options

Nil.

Community Engagement and Internal Consultation

Ongoing consultation was undertaken with the Mayor's Sporting Fund Sub-Committee.

Planning and Policy Implications

Nil.

Financial and Economic Implications

Nil.

Attachments

1.  Mayor's Sporting Fund Twelve Month Activity Report 2019 - 2020

Item: 11.02

Subject: CLASSIFICATION OF LAND ACQUIRED BY COUNCIL

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Lot 42 Deposited Plan 1016237 and Lot 3 Deposited Plan 221932 (land at 42 Randall Street, Wauchope) be classified as operational land.

Executive Summary

This report deals with the outcomes of the public exhibition of a proposal to classify land (42 Randall Street, Wauchope) which was recently purchased by Council as part of the Hastings Regional Sporting Complex development.

The report recommends that the land be classified as operational under the Local Government Act, 1993.

Discussion

Council at its meeting of 15 July 2020 considered a report on the classification of land to be acquired as part of the Hastings Regional Sporting Complex.

At this meeting Council resolved the following:

<p>11.03 CLASSIFICATION OF LAND TO BE ACQUIRED AS PART OF THE HASTINGS REGIONAL SPORTING COMPLEX AT WAUCHOPE</p>

<p><i>BLOCK RESOLVED: Intemann/Turner</i></p>

That Council:

- | |
|--|
| <ol style="list-style-type: none"> 1. Pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 42 Deposited Plan 1016237 and Lot 3 Deposited Plan 221932 as "operational land" by placing on public exhibition the proposed resolution, "It is intended to classify Lot 42 Deposited Plan 1016237 and Lot 3 Deposited Plan 221932 (land at 42 Randall Street, Wauchope) as operational land", for a minimum period of 28 days from Monday 20 July 2020. 2. Note that a further report will be tabled to a future Council meeting detailing any submissions received during the exhibition period. |
|--|

The proposed land classification has now been exhibited and at the conclusion of the exhibition period no submissions were received.

Options

Given the resolutions of Council at its meeting of 15 July 2020 and given that no submissions were received during the notification period, the classification of the land as operational is the appropriate option in order to comply with Section 31 of the *Local Government Act 1993*.

Community Engagement and Internal Consultation

The proposed land classification has been exhibited with no submissions received.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

Nil

Item: 11.03

Subject: LAND DONATION - BEACH TO BEACH PROJECT, DUNBOGAN

Presented by: Development and Environment, Melissa Watkins

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 Council:

- 1. Accept the donation of land being Lot 1 Deposited Plan 1267234.**
- 2. Pay the land conveyancing costs incurred by the land donor.**
- 3. Write to the land donor expressing appreciation for the land donation.**
- 4. On registration of the transfer of Lot 1 Deposited Plan 1267234 and pursuant to Section 34 of the *Local Government Act 1993* commence the process to classify Lot 1 Deposited Plan 1267234 as 'operational land' by placing on public exhibition for a minimum period of 28 days the proposed resolution: "It is intended to classify Lot 1 Deposited Plan 1267234 (land near The Boulevard at Dunbogan) as operational land."**
- 5. Note a further report will be tabled to a future Council meeting detailing any submissions received during the exhibition period.**

Executive Summary

A report to consider the donation of land as part of Section D3 of the Beach to Beach Project at Dunbogan.

Discussion

The Beach to Beach Pathway Project seeks to provide an uninterrupted shared path between North Haven Beach and Pilot Head, Dunbogan.

Where the pathway is proposed in the vicinity of The Boulevard and Bay Street Dunbogan, it is intended that a raised boardwalk be provided. The attached aerial image (**Attachment 1**) shows the general location of the boardwalk. The owner of the land through which the proposed boardwalk will pass, will donate the required land to ensure the boardwalk is constructed.

The section of property on the western side of The Boulevard, where section D3 of the Beach to Beach pathway needs to pass through is mapped under State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP). A raised boardwalk is considered to have least long term impacts on the existing mangroves. A widening of The Boulevard had been considered to construct the pathway, however the long term environmental impacts were considered worse than

the boardwalk option. This section of path will form part of the Environmental Impact Statement (EIS) currently being prepared for the broader Beach to Beach project.

The landowner is currently in the process of putting the property on the market to sell. He is supportive of the project as a whole, wanting to donate to Council the land necessary and is supportive of the intended location of the boardwalk. The acquisition process must be expedited so that the lot is registered while he is still the property owner. A new property owner may make the process more complex.

Following the offer of the land donation, the area of land required has been surveyed and is shown highlighted as Lot 1 in the attached (**Attachment 2**) survey plan DP1267234.

Options

There is the option to:

- Accept the land donation.
- Decline the land donation.

Community Engagement and Internal Consultation

There has been ongoing consultation with the landowner. The landowner has been consulted with, provided input and has consented to the proposed design.

There has been ongoing consultation between the Infrastructure Division and the Development and Environment Division.

The broader community were consulted with in October 2019 of the concept alignment showing the boardwalk option.

Planning and Policy Implications

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

Financial and Economic Implications

Whilst the land required for the boardwalk, Lot 1 DP1267234, is being donated to Council and nil compensation is payable, nonetheless the landowner will incur property conveyancing charges associated with the donation of the land to Council. Council may wish to pay the land donor's conveyancing costs.

The costs associated with this acquisition will be funded from the current Beach to Beach project budget.

Attachments

1.  Aerial Image Depicting Location of Boardwalk
2.  Survey Plan Depicting Land to be Donated for Boardwalk

3 Your Business and Industry

What we are trying to achieve

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

What the result will be

We will have:

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

How we will get there

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

Item: 12.01

Subject: EVENT SPONSORSHIP PROGRAM GRANT - ROUND 1 2021

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

3.1.3 Implement Major Events Strategy.

RECOMMENDATION

That Council pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Event Sponsorship Program Round 1, 2021 in the total amount of \$20,000 to:

Event Name, Organiser & Ranking	Sponsorship \$ Recommended
1. Port Macquarie Folk Festival (RAWR Music)	\$5,000
2. Flamin' Dragons 2021 Annual Regatta (Flamin' Dragons Port Macquarie Boat Club)	\$5,000
3. Ride the Wave; Sun, Surf and Skate (Make A Difference, Port Macquarie)	\$5,000
4. The Dark Alley Sessions (Brad Collins)	\$5,000
Total allocated this round	\$20,000

Executive Summary

The current round of Council's Event Sponsorship Program opened in July, and closed in mid-August 2020, for events to be held in the first half of 2021. Four eligible applications were received, all events new to this program. One event organiser has received previous Council support through this program for another event, (2019 and 2020 Howling Moon Festival by RAWR Music).

The panel members were unanimous in their agreement that the four events were worthy recipients of the funding. All events are unique in different ways and will attract different demographics.

It is acknowledged that COVID-19 is continuing to impact on event delivery and may still be a risk in early 2021 when these events are to be held. The local events industry has been hit hard by COVID-19 and given lengthy planning lead times, it is recommended that funding support continue to be provided for future local events. The adaptability of event formats and potential for flexibility with event dates should COVID-19 restrictions still be in place, was also considered by the assessment panel.

Discussion

In applying for funding under Council's Event Sponsorship Program, applicants are required to demonstrate that their proposed event is either a driver of significant overnight visitation (i.e. a measurable economic impact, evidenced by previous data collected), or has the potential to grow to 'major event' status with a significant economic impact.

Typically, there are four grants consisting of \$5,000 allocations on offer per round, with \$40,000 allocated to the Program each year. Council has the discretion to offer less than \$5,000 per recipient, with the opportunity to allocate to a larger number of applicants per round. A maximum of three re-occurring allocations to any one event can be made under this program.

Applicants are also required to detail how the \$5,000 grant will be spent, with the proposed spending required to go towards marketing activities that assist in attracting out-of-region visitors.

Due to COVID-19 restrictions and an unpredictable visitor market, we have relaxed overnight visitation requirements for this round of the program, to encourage event owners to continue to progress planning for their event and apply for support under the Program. As such, the key performance indicators for this round of funding have focused on destination exposure and targets on visitor numbers where possible.

As per previous rounds, an internal review panel assessed applications. The individual panellists completed a matrix containing the established program criteria, and weightings (refer Table 1), with 1 being the lowest and 5 being the highest.

Table 1- Program Criteria & Weightings

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

Following completion of their individual assessments, the panel then met to discuss each application and make a final assessment.

Based on criteria weightings, applicants were ranked and funds allocated. 65% of funds are payable prior to the event, with the remaining 35% paid upon satisfactory acquittal (evidenced by visitor data and proven marketing).

A summary of the panel's assessment of each applicant is detailed in confidential Attachment 1.

The confidential attachment titled "Round 1, 2021 Event Sponsorship Program Evaluation Summary" 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)).

Since the sponsorship program's inception in 2015, 52 allocations of sponsorship totalling \$203,500 have been made to local events (refer Attachment 2 for full details of the sponsorship distribution to date).

Options

Council may choose to:

1. Endorse the final assessment of the internal review panel and funding allocations.
2. Not endorse the final assessment of the internal review panel - either seeking further information, not expending any of the allocated budget for this round of funding, or re-opening this round of funding and calling for new applications.

Community Engagement and Internal Consultation

Round 1 of the Event Sponsorship Program was promoted to the community through various Council communication channels.

Internal consultation, including the internal assessment panel, included:

- Council's Executive Group
- Acting Group Manager Economic & Cultural Development
- Events Manager
- Group Manager Community
- Project Officer - Events
- Project Officer - Destination & Culture
- Project Officer - Waste

Planning and Policy Implications


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

Financial and Economic Implications

Since February 2015, Council has allocated \$203,500 to the Event Sponsorship Program with an economic impact of approximately \$11 million being realised (based on increased visitor nights as a direct result of these events).

Under the 2020/21 budget, Council has allocated \$40,000 (total) for two contestable funding rounds for the Event Sponsorship Program. Should Council choose to adopt Option 1 from this report, \$20,000 will be allocated from this budget to the four events recommended.

Attachments

1. Confidential - Round 1, 2021 Event Sponsorship Program Evaluation Summary (Confidential)
2.  History of allocations under the Event Sponsorship Program

4 Your Natural and Built Environment

What we are trying to achieve

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

What the result will be

We will have:

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

How we will get there

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



Item: 13.01

**Subject: NOTICE OF MOTION - SIGNIFICANT ROAD SAFETY UPGRADE TO
PACIFIC HIGHWAY/HOUSTON MITCHELL DRIVE INTERSECTION**

Mayor Pinson has given notice of her intention to move the following motion:

RECOMMENDATION

That Council:

- 1. Note the current dangerous configuration and speed limit of Pacific Highway and Houston Mitchell Drive intersection.**
- 2. Note the planned growth in the Lake Cathie / Bonny Hills area that is likely increase the use of this intersection into the future**
- 3. Request the Acting General Manager write to the Hon Leslie Williams MP, Member for Port Macquarie, to seek urgent representation to Minister for Roads and Transport, the Hon Andrew Constance MP, for road safety upgrades to the intersection.**

Comments by Mayor Pinson (if provided)

NSW Road Safety targets are a reduction in deaths and serious injuries by 30 percent by 2021 and zero deaths by 2056. The driving force behind these targets is The Road Safety Plan 2021 which incorporates:

- Safer Speeds
- Safer People
- Safer Vehicles and
- Safer Roads

For many using Houston Mitchell Drive to travel onto the Pacific Highway in a northerly direction, exiting is difficult and dangerous.

On Friday, 11 September 2020, a serious vehicle crash occurred between two vehicles at the abovementioned site, with the condition of the occupants of both vehicles unknown at the time of writing this Notice of Motion.

The design of the road means that drivers must navigate dual lanes with delineation of a third lane allocated to traffic turning left. This oncoming traffic hinders the line of sight for drivers of oncoming vehicles which are travelling at a speed of 110 km/hr.

In addition to this hazard, the road rises just before the intersection which greatly obscures the fast moving oncoming traffic. There is also traffic turning onto Houston Mitchell Drive from the south, directly in front of the motorist attempting to turn left and head in a northerly direction.

If the NSW Government is truly aligned to the plan of The Road Safety Plan 2021, a safer solution is required as a matter of urgency to save lives and stop serious road crashes in this area of the Port Macquarie-Hastings region.

Attachments

Nil

Item: 13.02

Subject: NOTICE OF MOTION - GOVERNMENT FUNDING FOR MANAGEMENT OF CROWN LAND

Mayor Pinson has given notice of her intention to move the following motion:

RECOMMENDATION

That Council:

- 1. Acknowledge the important and valuable role that environmental volunteer groups, including but not limited to Landcare and Bushcare, play in the management of public lands.**
- 2. Request the Acting General Manager write to the Local Member for Port Macquarie, Hon Leslie Williams MP, requesting that representations be made to the Minister for Water, Property and Housing, on behalf of Council and the Port Macquarie-Hastings volunteer groups, for increased funding to support the management of Crown Land within the Port Macquarie-Hastings Local Government Area that is not managed by or devolved to Council to assist in ecological restoration, biosecurity obligations and bushfire management.**

Comments by Mayor Pinson (if provided)

Local government, State government and the community work in partnership to manage Crown reserves across NSW. There are more than 7,800 Crown reserves being managed by a network of community-minded organisations such as local councils, incorporated associations, not-for-profit corporations and approximately 600 individual volunteer boards, known as statutory land managers. The Minister, the Department of Planning, Industry and Environment (the department) and other state government bodies also have a role in Crown lands management.

It has been widely acknowledged by Government that "Without dedicated volunteers and community-focused organisations, the NSW Government and local councils could not provide the number and diversity of publicly available opportunities on Crown land that are available or manage the biodiversity of these lands."

In addition to managing some Crown Land on behalf of the State Government, Port Macquarie-Hastings Council also owns and manages extensive areas of environmentally zoned bushland (ie. Council owns 781 HA of E2 land plus Council manages 692.61 Ha of E2 Crown Land being a total of 1473 HA).

These areas of land contain numerous threatened ecological communities which support a wide range of threatened plant and animal species.

Support from groups such as Port Macquarie Landcare, Friends of Kooloonbung Creek, Queens Lake Landcare, Hastings Landcare, Mrs. Yorks Garden, Camden Haven Landcare, Dunbogan Landcare, Lake Cathie Landcare and others over the

years have provided Council with over a million dollars worth of grant funding and thousands of hours of volunteer time. Council's Natural Resources Management Team is currently undergoing a review of service provision in order to provide more on-ground technical support to our volunteer organisations. The driver for this change is allow staff to work in close partnership with our environmental organisations to more efficiently achieve greater ecological outcomes. Further support from Government for community organisations and volunteers is also critical in managing the biodiversity of Crown Land in our region.

Attachments

Nil

Item: 13.03

Subject: NORTH BROTHER LOCAL CATCHMENTS FLOOD STUDY -
RESULTS OF EXHIBITION OF DRAFT OPTIONS ASSESSMENT
REPORT

Presented by: Infrastructure, Dan Bylsma

Alignment with Delivery Program

4.2.1 Develop and implement coastal, estuary, floodplain, and bushfire management plans.

RECOMMENDATION

That Council:

1. Acknowledge the submissions made during the exhibition period and thank those landowners for this input into this ongoing project.
2. Advise those landowners who made submissions of the outcome of Council's consideration of this matter,
3. Endorse the *North Brother Local Catchments Flood Study Draft Options Assessment Report*, and
4. Incorporate the community feedback obtained via the abovementioned exhibition process into the *Floodplain Risk Management Study and Plan* phase of the project.

Executive Summary

The purpose of this report is to provide details and feedback relating to the submissions received as a result of the public exhibition of the *North Brother Local Catchments Flood Study Draft Options Assessment Report (2020)* (Attachment 1).

At its meeting on 1 July 2020, Council resolved to publicly exhibit the *North Brother Local Catchments Flood Study Draft Options Assessment Report (2020)* report for 28 days from 13 July 2020.

The report was placed on public exhibition from 13 July to 9 August 2020 (28 days), with a total of twenty two (22) submissions being received during that time.

This report documents the outcomes of the public exhibition process and submissions received during this phase, and responds to the queries raised during the exhibition period.

This report ultimately recommends that Council acknowledge the submissions received and thank the landowners for their contributions and utilise the feedback to proceed with the preparation of the *North Brother Local Catchments Floodplain Risk Management Study and Plan*.

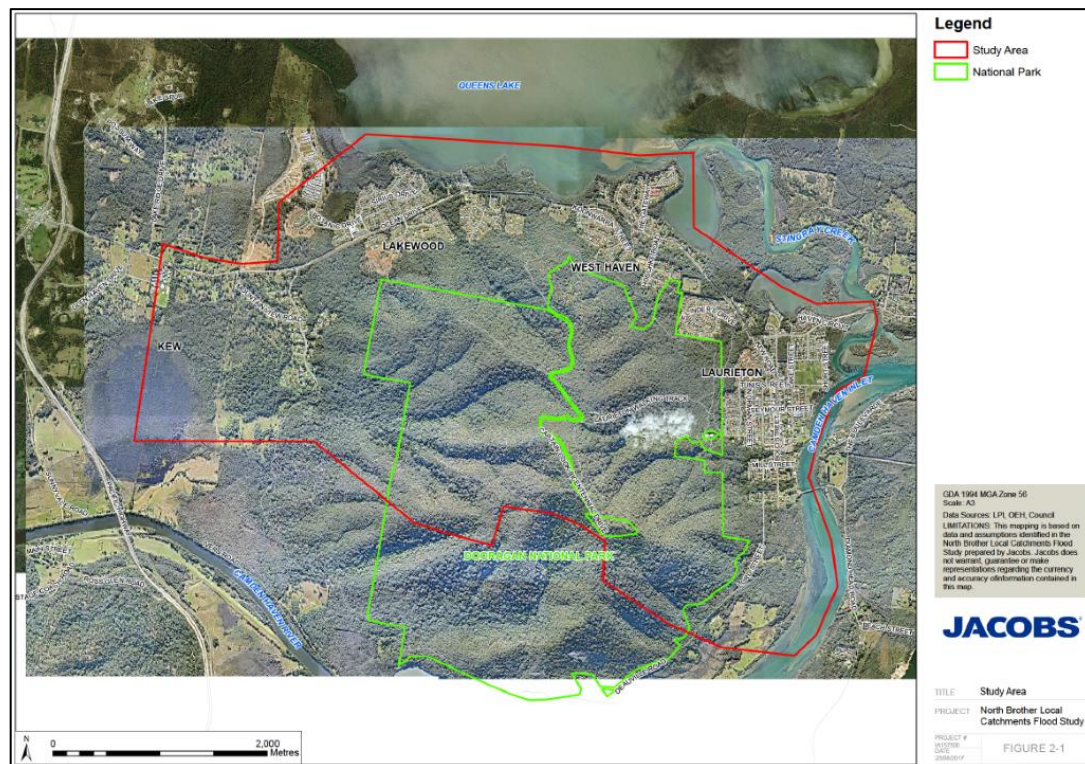
Discussion

Background

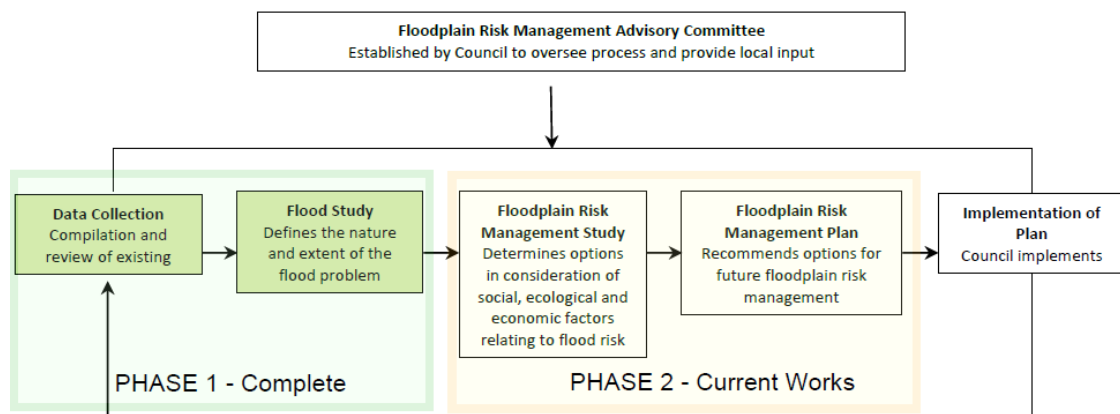
Since early 2017, Port Macquarie-Hastings Council has been working with specialist consultants, Jacobs Group Australia (Jacob's) to undertake the North Brother Local Catchments Flood Study, the Floodplain Risk Management Study and the Floodplain Risk Management Plan project. The focus of the project is to:

- understand the behaviour of local catchment flash flooding from North Brother Mountain and the flood risk that it poses to the community; and,
- Identify and develop measures to manage the impact of flooding and guide strategic planning for future development of the area.

The study covers the villages of Laurieton, West Haven, Lakewood, Kew and Deauville at the Base of the North Brother Mountain, as shown below:



Following the adoption of the North Brother Local Catchments Flood Study by Council at the 17 July 2019 Ordinary Council Meeting, Council has entered Phase 2 of this ongoing project, which is the completion of the Floodplain Risk Management Study (FRMS) and the Floodplain Risk Management Plan (FRMP).



Phase 2 of the project has the following aims.

- Identify, assess and evaluate management options for the floodplain in respect of both existing and proposed developments (FRMS), and
- Adopt a plan of management for the flood risks identified (FRMP).

Options developed for flood risk management will include a mix of both structural (i.e. upgraded infrastructure) and non-structural (i.e. planning controls, policy and management) measures.

The *North Brother Local Catchments Flood Study (Draft Options Assessment Report)* outlines four high risk priority areas for mitigation works within the catchment and the initially identified remedial works options at each location, including results of the hydraulic assessments undertaken for those areas.

These initial options and locations have been identified by Council, and the Coast, Estuary and Floodplain Advisory Committee based on the risks identified by the Flood Study Phase and preliminary analysis undertaken by Jacobs.

In this regard, the *North Brother Local Catchments Flood Study (Draft Options Assessment Report)* was presented to the Coast, Estuary and Floodplain Advisory Sub Committee on 29 May 2020, and recommended to be reported to Council, with a recommendation to be placed on public Exhibition.

The *North Brother Local Catchments Flood Study (Draft Options Assessment Report)* was subsequently reported to the Ordinary Council Meeting on 1 July 2020, where the following resolution was made:

**13.02 RECOMMENDED ITEM FROM COAST, ESTUARY AND FLOODPLAIN
ADVISORY SUB-COMMITTEE - NORTH BROTHER LOCAL CATCHMENTS
FLOOD STUDY - DRAFT OPTIONS ASSESSMENT REPORT**

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 8:01pm.

The Deputy Mayor assumed the Chair.

RESOLVED: Alley/Griffiths

That Council:

1. Place the North Brother Flood Study - Draft Options Assessment Report on public exhibition for a minimum of 28 days commencing 13 July 2020.
2. Receive a further report detailing the submissions received from the public during the exhibition period at the conclusion of the exhibition period.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann and Turner

AGAINST: Nil

The Mayor returned to the meeting at 8:07pm.

The Deputy Mayor vacated the Chair and the Mayor assumed the Chair.

Public Exhibition

Following receipt of the abovementioned resolution, the North Brother Local Catchments Flood Study (Draft Options Assessment Report) was placed on public exhibition for 28 days commencing Monday 13 July 2020.

During and prior to the commencement of the exhibition process, the following activities were undertaken:

- Prior to commencement of the exhibition process, in excess of 2000 letters were sent to all property owners in the study area to advise that the Draft Options Report was being placed on Public Exhibition. The letter provided landowners with details of how to view the report and provided an invitation to attend an online Zoom Q&A Meeting with Council Staff on 27 July 2020. Furthermore, and in an effort to encourage participation, the letter included a brief hard copy survey on the Draft Option Reports recommendations.
- Similarly, prior to the commencement of exhibition, the two properties identified for Voluntary Acquisition were door knocked and meetings arranged/held with the affected landowners. The intent of this process was to provide those landowners with knowledge and understanding of the process being undertaken, to advise of the exhibition/submission process and to reassure those landowners that the Voluntary Acquisition process identified in the Draft Option Report would only proceed with their agreement (i.e. if residents were not supportive, the option would be 'taken off the table' and alternatives investigated).
- At the commencement of the exhibition period on 13 July 2020, a project 'Have Your Say' webpage on the PMHC website was established providing a summary of the Draft Options Report and exhibition process, plus links to download and

view copies of the Draft Options Report, a Q&A document answering typical questions asked, and a link to the previously adopted Flood Study.

- The 'Have Your Say' website also contained an online survey for landowners to complete online and instructions for registering for the planned Zoom meeting on 27 July 2020.
- Hard copies of the Draft Options Report were distributed to Councils Laurieton, Wauchope and Port Macquarie Customer Service Offices for viewing by interested residents.
- During the exhibition process, Weekly 'community now' notices in the Camden Haven Courier and Port News were published.
- In addition, the Camden Haven Courier published an article about the Draft Options Report titled "Flood Study Outlines Risk" on 15 July 2020 (copy attached).
- The Draft Options Report was posted on Council's social media account;
- Numerous face to face meetings were held with residents, businesses and landowners in the study area to respond to questions and provide detailed information on the Draft Options Report and wider Flood Study process being undertaken.
- A Zoom Q&A Meeting was planned and held on 27 July 2020 between 5:30 and 6:30pm to enable residents to learn more about the study and ask questions regarding the report.

Community Engagement and Internal Consultation

Have Your Say

During the public exhibition period, the 'Have Your Say' page was viewed by 676 times by 235 individual visitors. 61 copies of the Draft Options Report were downloaded by those visitors.

At the close of the public exhibition period 408 people were classified as being *aware*, 203 participants were *informed* and 26 were *engaged* through using the PMHC *Have Your Say* site. As a result, 15 submissions were made via the website.

Online Face-to-Face Zoom Meeting

A Zoom Q&A Meeting was planned and held on 27 July 2020 between 5:30 and 6:30pm to enable residents to learn more about the study and ask questions regarding the report. This meeting was attended by nine residents in addition to two Council Staff. The Zoom meeting consisted of a presentation on the content of the Draft Options Report, a summary of the history of the current Flood Study Process and details of the exhibition process and next steps. Following the presentation, the meeting consisted of a Q&A session, involving very constructive questioning and suggestions from the community members present. A copy of the meeting minutes is attached for reference.

Individual Submissions

During the public consultation period, 15 individual submissions were received via email and hardcopy respectively.

A total of 30 submissions were therefore received during the public exhibition phase.

The submissions with Council's responses are included as Attachment 3 to this report.

The submissions, in full, will be provided to Councillors under separate cover to this report.

In addition to the submissions, below is a summary of the resident responses to the predefined questions within the survey posted to residents and included on the *Have Your Say* page (results below combined online and hardcopy submissions):

Question	Response		
	Yes	No	Don't know
Do you agree that the shortlisted locations for options assessment are High Priorities for the Community?	76% (16)	24% (5)	
Please indicate your support for the following non-structural flood mitigation options			
Voluntary Purchase of High Hazard Properties	42% (8)	26% (5)	32% (6)
Update Council's LEP to include the North Brother Local Catchments Flood Mapping	58% (11)	11% (2)	32% (6)
10.7 Zoning Certificates to include notation regarding flood hazard identified by the Flood Study phase of this project	60% (12)	15% (3)	25% (5)
Update Council's Flood Policy to both refer to the North Brother Local Catchments Flood Study and update the policy to include provisions relating to overland flooding	70% (14)		30% (6)
Implementation of Flood Depth Signage within the Catchment	70% (14)	15% (3)	15% (3)
Development of a Flood Education Program for the Catchment	80% (16)		20% (4)
Consultation with high flood risk facilities and occupants of dwellings subject to high flood hazard regarding management of flood risk on the site.	86% (18)		14% (3)

As can be seen from the above, based on the surveys completed, a majority of the residents surveyed supported both the high priority structural mitigation works locations and the general concept of the non-structural measures proposed.

Of note is the relatively high number of "Don't know" answers, indicating that the highly technical nature of the report was difficult to understand for many residents.

Whilst we have achieved the aim of exhibiting the Draft Options Report, the feedback summarised above indicates that further work will be required to ensure the community has a good understanding of the content presented at the next phase.

In this regard, further consultation is proposed to be undertaken at the following stages of this ongoing project:

- November - December 2020. Following collation of results and feedback from this exhibition period, Jacobs will be undertaking further modelling and detailed assessment of the Structural Mitigation Options culminating with the submission of a Draft Evaluation Report. Engagement with Coast, Estuary and Floodplain Sub Committee and any impacted landowners will be undertaken at this time.
- Following Sub Committee Review, A Draft Floodplain Risk Management Study and Plan will be prepared. In addition to the Structural Mitigation Measures outlined above, this report will contain detail of the proposed draft non-structural mitigation measures and will represent the first opportunity for the community comment on the specifics of this aspect of the plan in detail.
- January - March 2021 - Consultation with the Coast, Estuary and Floodplain Sub Committee, Council and wider community is proposed to be undertaken at this time.
- Following this time, a final Floodplain Risk Management Study and Plan is proposed to be prepared and again reported to the Coast, Estuary and Floodplain Sub Committee and Council.

Options

The NSW State Government's *Flood Prone Lands Policy* and *Floodplain Development Manual (2005)* provides a framework to ensure the sustainable use of floodplain environments. The Policy (among other things) provides a means of ensuring that any new development is compatible with the flood hazard and does not create additional flooding problems in other areas.

Under the Policy, the management of *flood liable land* remains the responsibility of Local Government. The State Government subsidises flood mitigation works to alleviate existing problems to assist Councils in their floodplain management responsibilities, but only where the State Government floodplain management process has been followed.

The draft *North Brother Local Catchments Flood Study and Floodplain Risk Management Planning project* is being undertaken in accordance with the NSW Government's *Flood Prone Lands Policy* and *Floodplain Development Manual (2005)*.

It is recommended that Council:

- Endorse the *North Brother Local Catchments Flood Study Draft Options Assessment Report*, and
- Incorporate the community feedback obtained via the abovementioned exhibition process into the *Floodplain Risk Management Study and Plan* phase of the project.

Planning and Policy Implications

The *North Brother Local Catchments Flood Study Draft Options Report* provides a summary of preferred priority structural and non-structural mitigation measured to be

implemented within the study area based on a robust risk assessment of the flooding identified by the Flood Study Phase of this ongoing project.

These flood mitigation measures and the associated community feedback will now be utilised in subsequent stages to guide the development of a Floodplain Risk Management Study and Plan.

Provisional Risk and Hazard mapping has been developed, however this mapping is for information only at this stage and will be further developed with the Floodplain Risk Management Study and Plan phases.

There are no flood planning maps or development controls drafted at this stage of the project, however general support for their development has been obtained and such documents will be developed and drafted in the coming months.





Further consultation with the Coast, Estuary and Floodplain Sub Committee, Council and community is proposed to be undertaken at that time to ensure that all potential impacts can be assessed and incorporated into the planning as required.

Financial and Economic Implications

There are significant financial implications for Council if the Floodplain Risk Management Study and Plan is not continued.

NSW state government grant funding (2:1 funding from State: Council respectively) is funding both the current project and would be available to any future flood related structural works identified by the ultimate Floodplain Risk Management Plan (FPMP). If council does not proceed with the Floodplain Risk Management Study and Plan phase, this funding and future access to funding of resultant works would be forfeited.

Attachments

1.  North Brother Local Catchments Flood Study - Draft Options Assessment Report
2.  Camden Haven Courier Article - 15 July 2020
3.  Community Zoom Meeting Minutes 27 July 2020
4.  North Brother Local Catchments Flood Study submissions

Item: 13.04

Subject: SETTLEMENT SHORES CANALS - MAINTENANCE AND DREDGING

Presented by: Infrastructure, Dan Bylsma

Alignment with Delivery Program

4.1.6 Develop and implement annual maintenance and renewal programs for stormwater assets.

RECOMMENDATION

That Council:

- 1. Note the information contained in this report regarding the Settlement Shores Canal Estate.**
- 2. Consider the inclusion of works in the 2021/2022 Operational Plan to replenish the beaches of the Ballina and Newport Canals that are greater than 150mm below the top of the revetment wall.**
- 3. Investigate and work with property owners along the Ballina and Newport Canals to determine and implement an effective way to stabilise and replenish beaches to reduce the long term maintenance of the canals as works in the 2021/2022 Operational Plan.**
- 4. Note the 2017 Canal Maintenance Plan outlines further works to be completed.**
- 5. Consider increasing the Boating Structures Fee for structures in the Settlement Shores Canal as part of the 2021/2022 Fees and Charges to fund maintenance activities as outlined in the 2017 Canal Maintenance Plan.**

Executive Summary

In response to a Council resolution from the Ordinary Council Meeting of 1 July 2020 in relation to the Settlement Shores Canal Estate (Canals) dredging and maintenance program, a report has been developed which provides a summary of:

- The history of the Canals from inception
- The development and implementation of the Canals dredging and maintenance programs
- Previously undertaken works
- Budgetary and financial implications
- Concerns raised by the community

During 2002/2003, Council developed a maintenance plan for the Settlement Shores Canal Estate. This plan was intended to enable the holistic identification and prioritisation of maintenance needs in the Canals and allow for funding and resource allocation. The developed Canal Maintenance Plan (CMP) outlined a schedule of

required maintenance to be funded and completed by Council and landowners for a 10-year period.

Prior to 2002/2003, Council had only undertaken ad-hoc maintenance within the Canals, with no significant dredging, foreshore replenishment works or assessment of the canal bed profile completed.

As part of the CMP development, a hydrographic survey of the Canals was completed to determine the design and existing depth profiles. Dredging works were undertaken in 2006/2007 in accordance with the survey findings.

Between 2006/2007 and 2017 minor maintenance and post flood event clean-up works have been undertaken, however no major maintenance works had been completed.

In 2016, in response to community requests for canal maintenance to address slumped foreshore areas and navigation issues within the Canals, Council completed a review and update of the earlier CMP from 2002/2003 (which had been finalised in 2004). In 2017, detailed assessments, including new hydrographic surveys were undertaken, and in consultation with the community, a revised service level and prioritisation plan for maintenance was agreed.

Following completion of a third hydrographic survey in December 2019, further dredging works commenced with work completed in July 2020. The final project expenditure was \$1,207,511.96.

Council received significant community feedback during June 2020, resulting in the resolution to prepare this report. A summary of, and response to these issues is provided below.

Discussion

Background

Following representations by a number of residents, it was resolved at the Ordinary Council Meeting of 1 July 2020:

06.01 NEWPORT AND BALLINA CANAL DREDGING

MOVED: Pinson

That Council:

1. *Note there have been numerous complaints received from residents due to the dredging and beach replenishment being suspended in the Newport and Ballina canals due to lack of funds.*
2. *Note the dredging and beach replenishment of all other canals within the Settlement Shores Estate canal system have been undertaken and are nearing completion.*
3. *Note the Council correspondence sent to residents in preparation for dredging.*
4. *Note contractor correspondence sent to residents in preparation for dredging.*
5. *Note that dredging and beach replenishment was last undertaken in the canals of Newport and Ballina in 2006.*
6. *Request the General Manager seek a quotation and resource funds through the Strategic Reserves Fund for the purposes of completing the canal dredging and beach replenishment of Newport and Ballina canals.*
7. *Request the General Manager advise residents of the intended dredging and beach replenishment program for Newport and Ballina canals.*

LOST: 3/4

FOR: Dixon, Griffiths and Pinson

AGAINST: Alley, Hawkins, Intemann and Turner

FORESHADOWED MOTION

RESOLVED: Intemann/Turner

That Council:

1. *Note that the current dredging program is still to be completed.*
2. *Request the Acting General Manager conduct a briefing with Councillors and then report to the September 2020 Ordinary Council Meeting regarding the history of the Settlement Shores dredging program and the issues raised in the recent resident correspondence.*

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

The Settlement Shores Canal Estate

The Settlement Shores Canal Estate comprises ten separate canals constructed during the late 1970's and early 1980's on the southern banks of the Hastings River. A location plan for the Estate is shown in Figure 1 below:



Figure 1 - Settlement Shores Canal Estate

The Canals serve to function as navigable waterways as well as acting as key drainage channels for the surrounding areas, and includes discharge points for 41 stormwater outlets that service the surrounding areas.

During times of extreme weather, when the Hastings River is in flood, the Canals act as floodways, conveying large flood flows (and all contained sediment and debris) in a west to east direction through the Estate.

With this in mind, at the time of construction, building pad and road levels were constructed at a level above the calculated 1 in 100 year flood level, to ensure flood immunity to the residential community within the Estate.

All Canals have been constructed with a similar profile, with varying widths and at one of two specified design depths:

- -4.28m AHD - Regatta Cove and Governors Way (northernmost two canals)
- -2.16m AHD - all other canals

Note: AHD = Australian Height Datum with 0.0m AHD the mean sea level for 1966-1968.

Batter slopes within the Canals are typically 1:7 (height:width) within the intertidal zone, prior to steepening to 1:3 below low tide level. Design cross sections of these canals are included below for reference:

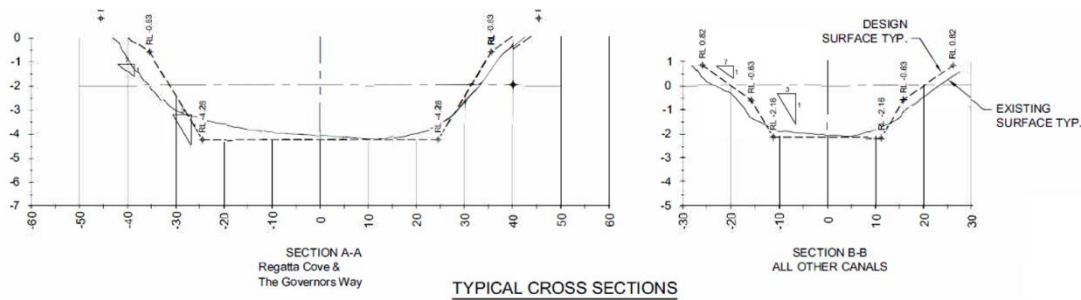


Figure 2 - Design Canal Profiles

The Canals are made up of a combination of private land and Council land (drainage reserve) and include several key pieces of infrastructure including the revetment wall, flood mitigation weir, erosion protection rock coverings, stormwater outlets, private concrete boat ramps and other private boating structures.

With regard to the allocation of land within the Canals and related responsibilities, the following points and image summarise the status of land (see Figure 3):

- The waterway is defined as all the area located between the concrete revetment walls bordering the Canals
- The private property boundary extends 2.1 metres into the waterway from the front face of the revetment wall
- Beyond that 2.1 metres, the waterway is Council owned/managed land, classified as a drainage reserve
- Council is generally responsible for the maintenance of the drainage reserve (land greater than 2.1 metres inwards of the revetment wall)
- The private landowner is generally responsible for the maintenance of that part of the waterway within 2.1 metres of the revetment wall

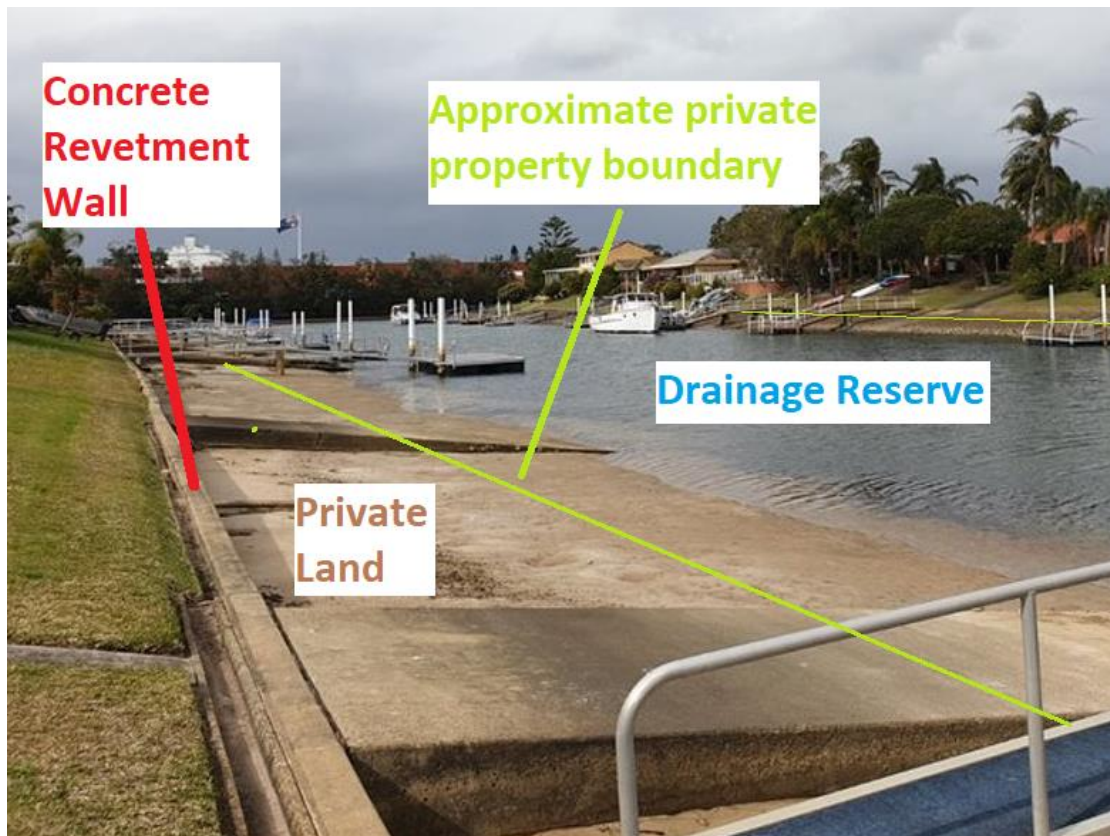


Figure 3 - Approximate Boundary Mark-up (typical)

Covenants on canal waterfront properties also require that there are no buildings, fences, trees or other obstructions within a distance of 5.4 metres (or 7.9 metres in the case of The Governors Way canal) of the revetment wall. This allows for continuous access along the canal embankment for the purpose of maintenance activities undertaken by landowners and/or Council and to maintain a floodway during extreme flood events.

Use of the Canals

Private Use:

The Settlement Shores Canals are bordered by 433 private allotments that benefit from direct access to the waterway.

A majority of landowners have installed boat ramps and jetties, in accordance with Council's Development Control Plan (DCP) and the national local government specification system for the life cycle management of assets (AUS-SPEC) that define the requirements for the installation and use of boat ramps and jetties.

Landowners are required to pay Council an annual Boating Structure Licence Fee for boating structures. The Boating Structure Licence fee is currently \$135 per structure per annum.

Development approvals associated with the construction of boat ramps and jetties include standard conditions that include requirements such as:

- Requirement to pay the annual 'occupation fee for boating structures' (Boating Structure Licence Fee)
- Size and orientation requirements for structure
- Rights of access for Council to/across structure for maintenance purposes
- Requirement of landowners to have suitable public liability insurance indemnifying Council for the structure
- Requirement that all structures are to be kept tidy and be regularly maintained - Council has right to remove any unsafe, unsightly or unauthorised structure without prior notice or within 14 days
- Requirement that the landowner maintain the beach zone and bed of the waterway, in the vicinity of the structure/s from localised scour and loss of sand and rock protection material
- Restriction on the location of moored boats from extending into the frontage of an adjoining property
- Maximum length of vessels to be moored at the jetty of 7 metres (except in emergencies)

As noted above, these requirements are listed on development conditions of approval and are not contained within any other formal license document associated with the use of the land. Many landowners may not be aware of these ongoing controls/requirements as consent conditions are generally not passed on to landowners when properties are sold.

Council Use

Council uses the Canals as a point of discharge for 41 separate stormwater drainage systems. The location of these outlets is highlighted in Figure 4 below:

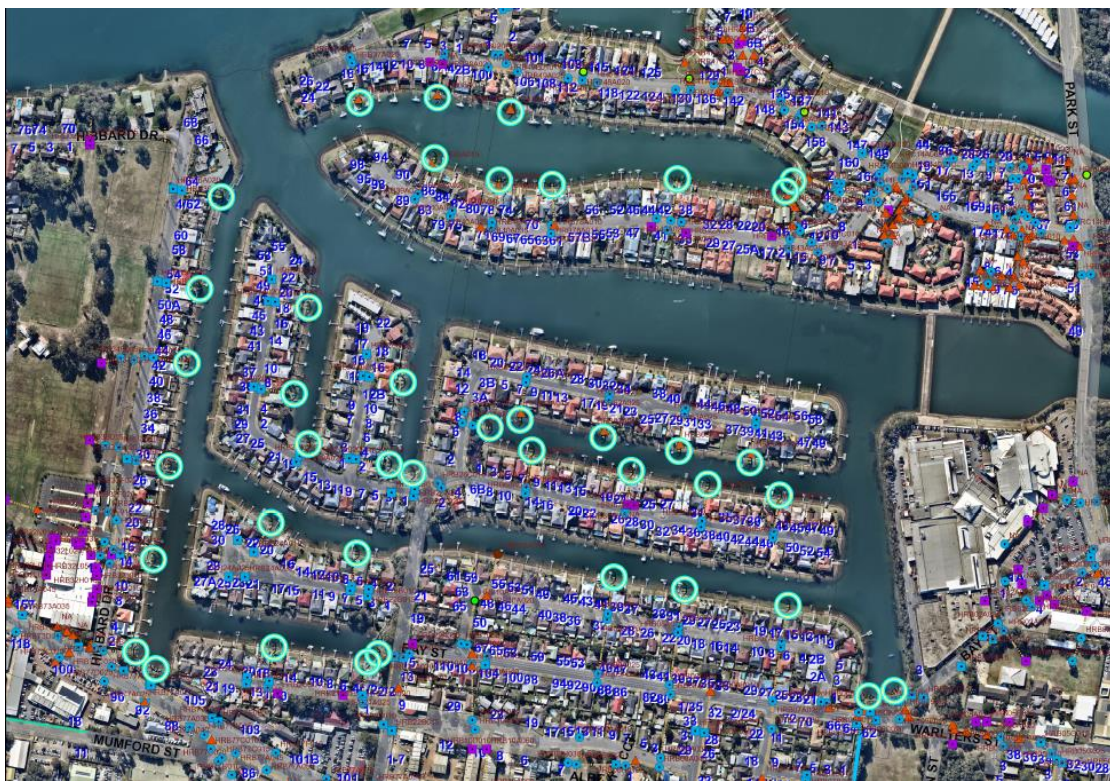


Figure 4 - Stormwater outlets to the Settlement Shores Canals

Stormwater runoff discharged at the abovementioned 41 locations is untreated and generally at a level below mean sea level. Stormwater discharge to the canals from these public drainage systems has historically resulted in silt and sediment laden runoff, which over time contributes to the silting up and filling of the canals in the vicinity of stormwater outlets. Further details in this regard are included in the 'Canal Maintenance' section of this report.

Other uses/users of the Canals

The Canals are routinely patrolled by NSW Roads and Maritime Services, as the responsible authority for enforcing maritime issues.

Canal Maintenance

Outlined in Table 1 below are the maintenance responsibilities of Council and private landowners.

Council Maintenance Requirements	Private Landowner Maintenance Requirements
Maintain revetment walls fronting public property	Maintain revetment walls fronting private property
Maintain beach zone beyond 2.1 metres off the face of canal revetment walls	Maintain beach zone within 2.1 metres of the face of canal revetment walls
Maintain canal waterway depths for navigability	Maintain any and all privately owned structures that extend into the waterway - boat ramps, jetties, gangways, pontoons in addition to the beach zone and bed of the waterway in the vicinity of the structure
Maintain flood control weir	Maintain vegetation within the batter slope on the house side of the revetment wall to facilitate maintenance access along the canal foreshore and allow the unobstructed passage of flood flows
Maintain stormwater outlets connected to the public drainage system	Maintain clear access corridors along the canal embankment. Council may instruct landowners to remove existing obstructions at their expense to ensure clear access

Table 1 - Maintenance responsibilities

Prior to 2002/2003, Council had only undertaken ad-hoc maintenance within the Canals to structures such as stormwater outlets, the weir and/or to land adjoining revetment walls in public reserve areas. No significant dredging, foreshore replenishment or assessments of the canal bed profile had been undertaken.

2004 Settlement Shores Canal Maintenance Plan

In response to community requests primarily regarding the slumping and erosion of beach areas and navigation concerns within some canals, during 2002/2003, Council

commissioned GHD Pty Ltd to develop a Canal Maintenance Plan (CMP) for the Settlement Shores Canal Estate (refer to Attachment 1).

The CMP was intended to enable the holistic identification and prioritisation of maintenance needs in the Canals and allow for funding and resource allocation for a 10 year period.

The following approach was used to develop the CMP:

- Project Inception Meeting
- A hydrographic survey to determine the extent of sedimentation and scouring
- An audit of structural damages for all existing public and private structures
- Determination of any dredging or replenishment requirements
- Testing to determine suitability of material for beach zone replenishment
- Identification of program of work for public and private assets with frequency and cost
- Development of the CMP and associated environmental approvals

Community consultation was undertaken throughout this process, including the establishment of a Canal Maintenance Working Party.

The CMP was developed according to a prioritisation matrix, which considered safety, environment, function and cost.

The CMP identified the following actions for Council:

- Dredging to maintain safe depths for navigability
- Utilisation of dredged material for beach replenishment
- Safety improvements to a number of stormwater outlets
- Reactive flood maintenance and clean-up
- Routine inspection of canals and assets

The CMP identified the following actions for private landowners:

- Repairs to revetment walls
- Repair and maintenance of boat ramps and jetties
- Beach zone replenishment within 2.1 metres of the revetment wall

The hydrographic survey indicated that approximately 157,000m³ of material was required to be dredged from the Canals to restore the design profile. It is important to note, in some instances the Canals has not been constructed to the original design, and hence the above figure was only an estimation.

Furthermore, the hydrographic survey indicated that a majority of the canals were suffering from significant slumping of the foreshore/beach areas. This is illustrated graphically by Figure 5 below:

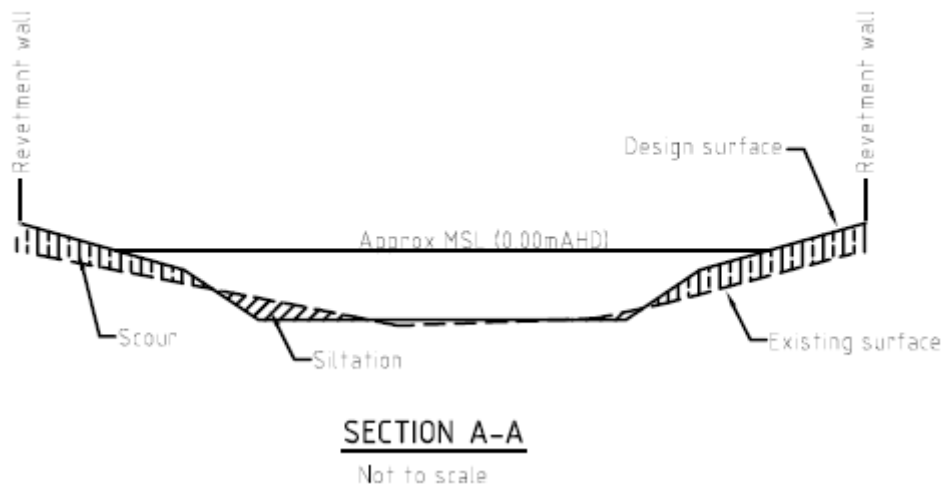


Figure 5 - Slumping of beach zone into canal base

The hydrographic survey identified slumping of the beach zones into the canals, which was a result of the canals being constructed with unstable sand. This was contributing to both the damage and exposure of private foreshore assets such as boat ramps, jetties and revetment walls as the foundations were exposed by the slumped foreshore.

Following the completion of the 2004 CMP, Council commenced a three-stage approach:

1. Prioritise and schedule remedial maintenance works to stormwater outlet structures
2. Prepare and distribute guidelines to educate residents on canal maintenance rights and responsibilities (refer to Attachment 2)
3. Fund and undertake dredging to restore the Canals to their design depth and profile

During 2006/2007 Council engaged Broadwater Dredging on an hourly rate contract, to undertake dredging within the Canals. With a \$150,000 budget, a Staging Plan was developed to prioritise dredging (refer to Attachment 3 and Figure 6 below).

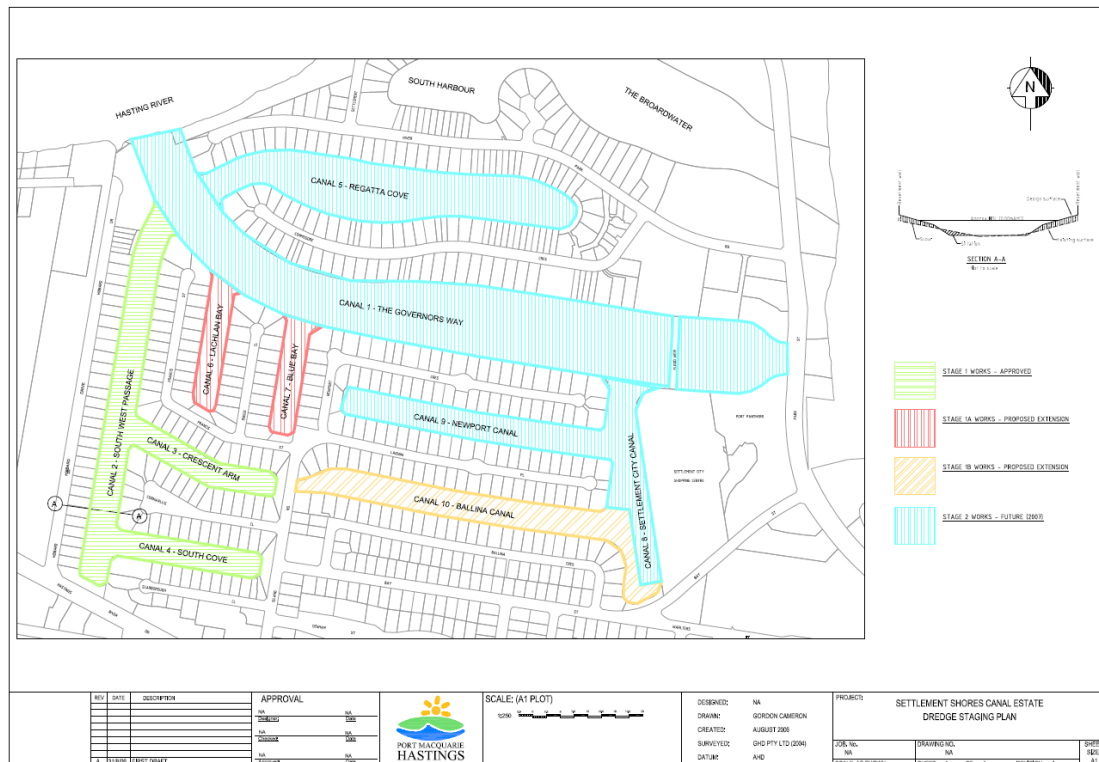


Figure 6 - 2006 Dredging Staging Plan

At the completion of each stage, the budget was reviewed to determine how much dredging could be completed with the remaining funds.

During these works, the following canals were dredged in the following order:

- Southwest Passage
- South Cove
- Crescent Arm
- Lachlan Bay
- Blue Bay
- Ballina
- Settlement City
- The eastern two thirds of Newport

The following canals were not dredged at this time:

- Regatta Cove
- The Governors Way
- The western one third of Newport

No other major maintenance works were undertaken as part of the 2004 CMP, however minor maintenance and post flood event clean-up were completed as necessary.

2017 Settlement Shores Canal Maintenance Plan Update Project

In 2016, in response to community requests for canal maintenance and navigation issues, Council completed a review and update of the 2004 CMP. Detailed

assessments including new hydrographic surveys were undertaken, and in consultation with the community, a revised service level and prioritisation plan for maintenance was agreed.

Council engaged Haskoning Australia Pty Ltd to manage the required investigations, condition assessments and produce an updated CMP (refer to Attachment 4).

The development of the 2017 CMP followed the same approach as GHD Pty Ltd took in 2004 (mentioned earlier), and identified:

- Dredging
- Rock protection reinstatement
- Beach zone renourishment
- Drainage outlet repairs
- Minor revetment wall repairs
- Reactive (flood) maintenance

The 2017 CMP defined the level and quality of maintenance and repair work required to restore canal infrastructure to a serviceable condition similar to its original design and construction.

With regard to dredging and foreshore replenishment, the hydrographic survey identified the Canals had been further impacted by sedimentation, slumping and scouring. The survey showed that approximately 32,000 m³ of material would need to be dredged to return the canals to their original design profile at this time. Figure 7 below shows the results of the hydrographic survey undertaken as part of this process with areas for cut (dredge) and fill (replenish) shown in hues of red and green respectively as below.

The CMP notes the area adjoining and immediately to the east of the weir, depicted as requiring significant cut - this area appears to have never been constructed to the original design profile, is not an accessible area for boating purposes and was excluded from the cut/fill planning.

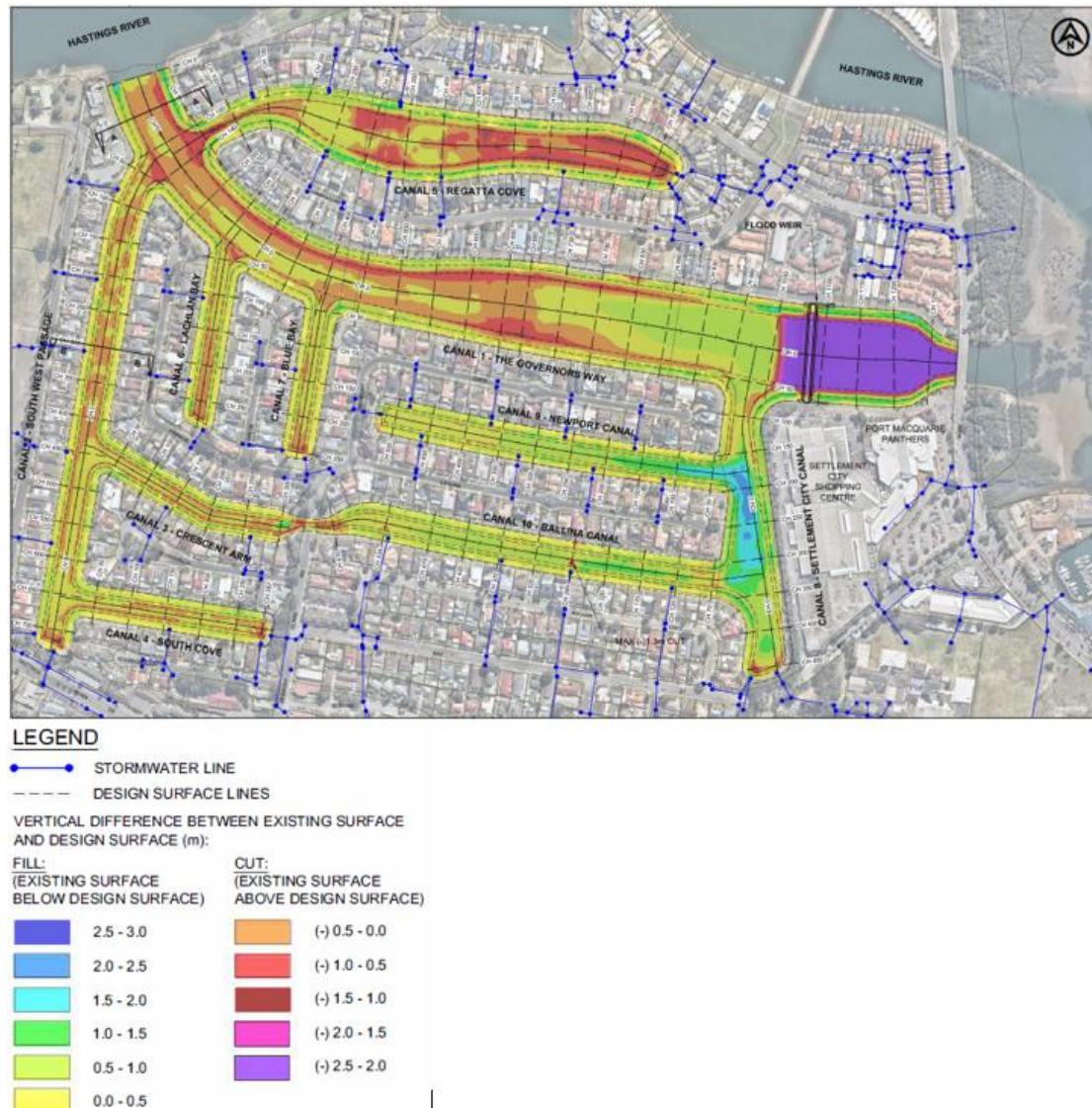


Figure 7 - Hydrographic Survey Results - 2017 Canal Maintenance Plan

The 2017 CMP identified a budget required to adequately maintain the Canals. The estimated total budget for the 10 year period was \$2,772,040 (non-indexed 2017 estimates). The budget was developed as an estimate with the intention to be continually refined as detailed planning was completed for different maintenance activities. The estimated financial implications for Council per year are identified in Table 2 below.

ANNUAL BUDGET

Year	Council Expense (\$2017)
2017/2018	\$594,880
2018/2019	\$799,510
2019/2020	\$414,510
2020/2021	\$913,740
2021/2022	\$26,350

2022/2023	\$ -
2023/2024	\$ -
2024/2025	\$ -
2025/2026	\$ -
2026/2027	\$23,050

TOTAL \$2,772,040

Table 2 - 2017 CMP Proposed strategic budget

Specifically, the cost per Council maintenance activity was as follows:

- Dredging: \$1,652,940
- Rock protection reinstatement: \$384,600
- Beach zone renourishment: \$688,000
- Drainage outlet repairs: \$5,000
- Minor revetment wall repairs: \$1,500
- Reactive (flood) maintenance: \$40,000

The 2017 CMP also identified \$1,261,600 worth of maintenance to be undertaken by private landowners to beach zones, revetment walls, jetties and boat ramps.

2019/2020 Dredging

Following adoption of the updated CMP by Council in October 2017 (refer to Attachment 5 and 6, Council staff sought and obtained funding to undertake a second dredging campaign within the Canals with \$1,168,304 allocated for the dredging program.

The budget allocation was funded from the Canal Maintenance Reserve, however as the balance of this fund was less than the required budget allocated, it resulted in the Reserve going into deficit.

Council subsequently undertook a tender process for dredging works for two scopes of work for Part A) the dredging of Lake Cathie, and Part B) the dredging of Canals. Council opted for this combined approach to benefit from cost efficiencies and ultimately provide greater savings for the community.

Unfortunately, all interested parties did not quote on both components of the tender and following the closure of tenders on 15 March 2018, the tender was reported to Council on 18 April 2018, with the following resolution obtained (see Figure 8 below).

Item 14.03 T-18-12 Provision of Dredging Services

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

RECOMMENDATION

That Council:

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

CARRIED: 7/0

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

Figure 8 - Resolution of Council Meeting of October 2017

Council subsequently entered negotiations with Birdon Pty Ltd, being the tenderer who complied with tender requirements as they based their submission on completing both Part A and Part B. As part of negotiations for only undertaking works within the Canals, Birdon submitted a quotation within Council budget allocations.

At this same time, Council technical staff were liaising with the NSW Environmental Protection Authority (EPA) regarding the acquisition of an Environmental Protection Licence (EPL), which is a licence required to be obtained prior to commencement of works and defines environmental protection and monitoring requirements for the project. An EPL for the works was obtained in August 2018.

Following a lengthy negotiation process, a contract was awarded to Birdon Pty Ltd on 20 March 2019, however due to prior commitments and availability of specialist plant and equipment, commencement of works was not possible until December 2019.

The works methodology employed generally aimed at achieving the following objectives:

- To remediate the Canal channel profile and condition to the original design specifications. Remediation was achieved by dredging all sediment (sand, mud, debris). All suitable material from the dredging works was used to nourish the beaches, though the scope of works did not include importing of sand for beach nourishment.
- Dredging of the Canals to their design profiles to ensure the safe and easy access to the canals by watercraft users. Apart from restoring canal aesthetics, the beach nourishment will extend the useable lifespan of public and private infrastructure by preventing the infrastructure from being undermined by wakes, washes and tides. This will reduce the degradation of the canal system and aid future scheduled maintenance works.

To manage this large and complex project, Council engaged Public Works Advisory (PWA) on the 31 July 2019 to act as the Principal's Authorised Person in the Contract. In addition, PWA provided project management, contract management and site surveillance services.

A notification letter was posted to all residents of the Canals on 19 August 2020, to advise of the appointment of Birdon Pty Ltd and of the impending commencement of dredging activities. Residents were advised to consult the project website for specific details and were provided contact details of relevant project management staff (refer to Attachment 7).

At commencement of the works, Birdon initially undertook a hydrographic survey of the Canals to confirm pre-works dredge volumes and determine if quantities had changed since the survey undertaken 3 years prior in 2016.

The pre-dredge survey (refer to Attachment 8 and Figure 9 below) indicating that the volume of material required to be dredged had increased from the initially scoped 32,000 to 41,000m³.

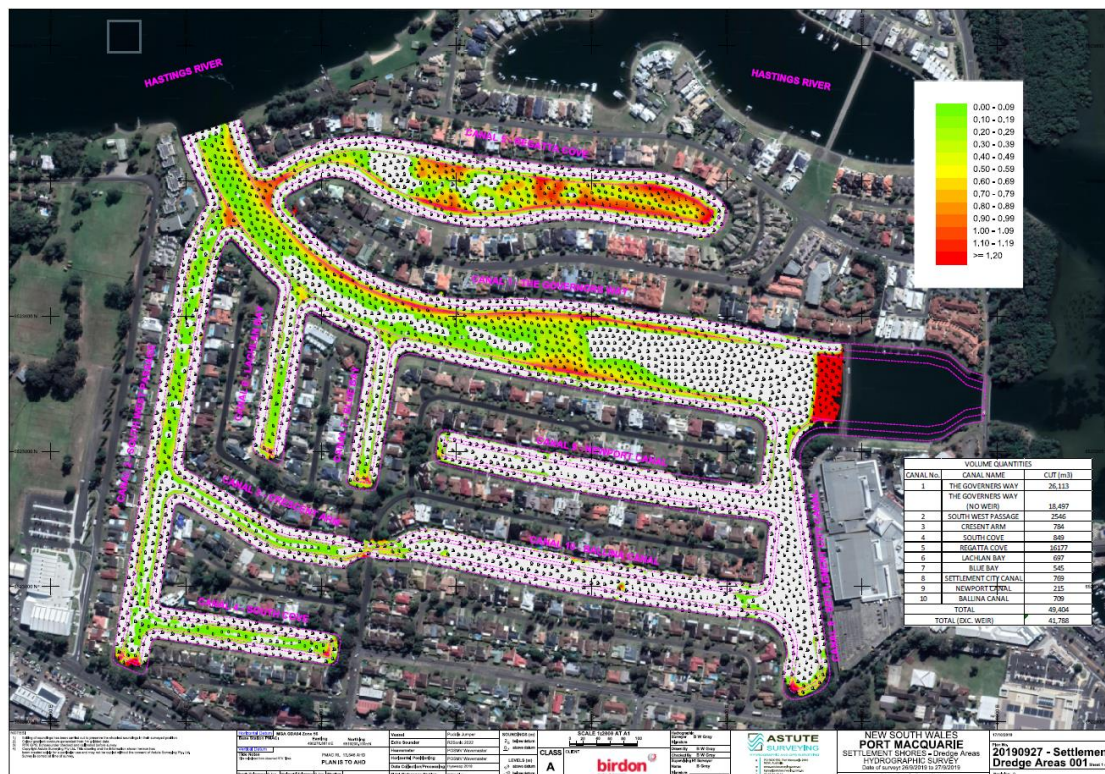


Figure 9 - Hydrographic Survey Results - 2019 Pre-dredge survey

As can be seen in Figure 9, the pre-dredge survey indicated that 8 of the 10 canals required large scale dredging to maintain navigability. Based on the pre-dredge survey, Birdon were instructed to dredge and nourish beaches in 8 of the 10 canals in the Settlement Shores Canal system. The canals in the scope of the project included The Governors Way, Regatta Cove, South West Passage, South Cove, Crescent Arm, Lachlan Bay, and Blue Bay. In Ballina Canal, only two high spots in the vicinity of stormwater outlets were dredged to the design profile.

Ballina and Newport Canals were excluded from the scope of this project as the pre-dredge hydrographic surveys indicated these canals were already at or below the original design profile and therefore did not need to be treated consistent with the project.

Furthermore, Settlement City Canal was excluded from works on the basis that Lendlease is planning to undertake rehabilitation works to canal infrastructure along their frontage in the short to medium term. The project also excluded the nourishment of Council Reserves in the canal system and other pre-existing rock armoured sections of foreshore.

A number of contractual and technical issues were encountered by Birdon during the initial dredging operations, resulting in various works inefficiencies and an inability to dredge the quantity of material initially identified. Due to insufficient dredge material being available, Council, PWA and Birdon resolved to modify the design beach profile to maximise the area of beaches that could be nourished within available budgets.

Following approximately 7 months of work, Birdon completed dredging in the Canals on 28 July 2020. A copy of the post dredge hydrographic survey, showing the completed canal profile is as below:



Figure 10 - Post Dredge survey



Figure 11 - Post works photo - Lachlan Bay Canal

The project was completed with a high quality of finishing and the resulting beach profiles were aesthetically pleasing. Residents expressed satisfaction with the contractor's standard of work to both the contractor and the Project Managers.

A breakdown of the expenditure across financial years and final project costs are provided in the Table 3 below.

Overall Project Expenditure by Financial Year	
Financial Year	Total Expenditure (Ex. GST)
2017/2018	\$22,303.74
2018/2019	\$8,036.57
2019/2020	\$1,140,271.92
2020/2021	\$36,899.73
TOTAL	\$1,207,511.96

Overall Project Expenditure	
Description	Total Expenditure (Ex. GST)
Dredging Contract - Birdon Pty Ltd	\$1,012,153.40
Public Works Authority Project Management	\$130,419.00
PMHC Projects Costs (Staff Time)	\$33,214.55
Acid Sulphate Sediment Management and Sampling	\$24,940.00
Hydrographic Analysis	\$2,550.00
EPA - Environment Protection License	\$2,208.74
Miscellaneous Costs	\$2,026.27
TOTAL	\$1,207,511.96

Table 3: Expenditure by financial year and description

As the project drew to a close, a significant amount of community angst was observed from residents of Ballina and Newport Canals, who only at that stage of the works became aware of the fact that there was no dredging or nourishment proposed in those areas. Furthermore, residents of the Governors Way raised issues relating to scour of the sand foreshore areas following recent rainfall events.

Issues raised by Community

As noted above, with a significant amount of community angst and representations by a number of canal residents, it was resolved at the Ordinary Council Meeting of 1 July 2020:

06.01 NEWPORT AND BALLINA CANAL DREDGING

MOVED: Pinson

That Council:

1. Note there have been numerous complaints received from residents due to the dredging and beach replenishment being suspended in the Newport and Ballina canals due to lack of funds.
2. Note the dredging and beach replenishment of all other canals within the Settlement Shores Estate canal system have been undertaken and are nearing completion.
3. Note the Council correspondence sent to residents in preparation for dredging.
4. Note contractor correspondence sent to residents in preparation for dredging.
5. Note that dredging and beach replenishment was last undertaken in the canals of Newport and Ballina in 2006.
6. Request the General Manager seek a quotation and resource funds through the Strategic Reserves Fund for the purposes of completing the canal dredging and beach replenishment of Newport and Ballina canals.
7. Request the General Manager advise residents of the intended dredging and beach replenishment program for Newport and Ballina canals.

LOST: 3/4

FOR: Dixon, Griffiths and Pinson
AGAINST: Alley, Hawkins, Intemann and Turner

FORESHADOWED MOTION

RESOLVED: Intemann/Turner

That Council:

1. Note that the current dredging program is still to be completed.
2. Request the Acting General Manager conduct a briefing with Councillors and then report to the September 2020 Ordinary Council Meeting regarding the history of the Settlement Shores dredging program and the issues raised in the recent resident correspondence.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner
AGAINST: Griffiths and Pinson

In regard to the community concerns, greater than 50 submissions were received from residents of the Settlement Shores Canal Estate, with requests generally relating to the following themes:

- Extent of dredging undertaken (majority of submissions)
- Need for revetment wall stabilisation in those areas that did not receive beach nourishment
- Sand/Beach nourishment in those areas that did not receive beach nourishment
- Communication
- Post works scour of foreshore areas

A summary of and response to these issues is as follow:

Extent of dredging undertaken (majority of submissions)

A majority of residents within the Canals were of the belief that the entire canal network was planned to be dredged, and foreshore areas rehabilitated as part of the 2019/2020 dredging campaign.

This was on the basis that all residents were notified of the commencement of works prior to starting. As the project proceeded, Birdon notified residents on a canal by canal basis of impending works, dependant on program, with no further large scale communications or works extent plans circulated.

It is understandable that residents of Ballina and Newport Canals were disappointed to discover late in the program that their property frontages would not be dredged or nourished beyond small scale removal of localised sediment build-up, however as noted above, the hydrographic surveys undertaken indicated that no dredging was required at these locations. Furthermore, with no dredging proposed, there was no material readily available for beach nourishment in these locations.

Need for revetment wall stabilisation

Residents within Ballina and Newport Canals, which were not subject to beach nourishment have raised various concerns that the slumping and erosion of the foreshore area over time has destabilised and compromised the structural integrity of their revetment walls.

As noted above, the revetment walls are located within private property and remain the maintenance responsibility of the landowner. Landowners do have the ability to maintain their own foreshore area and can bring in sand or rock fill to stabilise their own beach zones (within the 2.1 metre area of waterway that is privately owned) subject to the following requirements:

- Sand may be removed from the canal and placed on the beaches to renourish eroded sand deposits using hand-held tools/implements only during low tide
- Works to import sand and/or to use mechanical tools/implements to move sand from the canal bed to the foreshores (i.e. excavators/bobcats etc.) would only be supported subject to submission of an Application to Council. The application pathway to undertake such works is as follows:
 - Submit a development application and follow the standard Development Application / Construction Certificate Process
 - Submit an "Application for Private Works on Canals - Maintenance Permit". This process was developed in 2018 to try to simplify the application process to undertake maintenance in the canals and relies on works being undertaken in accordance with AUS-SPEC and the approved Review of Environmental Factors associated with the CMP. The application fee for such a permit is currently \$156.

However, as the beach zone extends beyond the 2.1 metres private property boundary, any works to restore the sand or rock beach areas outside of a scheduled dredging program would ideally be undertaken as a Council /landowner partnership to enable the entire batter profile to be restored to design.

Council may consider allocating further funding to assist the community with foreshore replenishment works via the provision and supply of suitable sand and / or rock beach protection.

As a valuable privately owned asset, landowners should be encouraged to plan for and undertake whatever works are necessary to protect and maintain their revetment walls.

Sand/Beach nourishment

Similar to the above, a large proportion of the foreshore area fronting those canals that have not been dredged is currently in a poor condition and requiring beach nourishment to bring beach zone levels up to design standards.

Consistent with the above, the first 2.1 metres of beach zone is private property and landowners have the ability to bring in rock or sand to stabilise and fill the beach zone if desired.

However, as the beach zone extends beyond the 2.1 metres private property boundary, any works to restore the sand or rock beach areas outside of a scheduled dredging program would ideally be undertaken as a council /landowner partnership to enable the entire batter profile to be restored to design.

As shown in the hydrographic survey, there is insufficient material in the base of the canals above the design profile to facilitate a further dredge program for this purpose. While there may be sand material below the design profile, excavating and making the canals deeper may further destabilise the beach zone. Any material required for beach zone nourishment in Ballina and Newport Canals will likely need to be imported.

Communication

As indicated within the '2019/2020 dredging' section of the report above, community members have raised concern that the scope of this project was not clearly communicated with residents of the Canals prior to commencement, leading to a widespread belief that the entire Canal system would be dredged and all foreshore areas replenished.

Council has subsequently undertaken further mailouts to residents of the Canals advising of the current project outcomes and 2017 CMP. Residents have been advised that Council staff were preparing a Councillor briefing and subsequent report to the September 2020 Council Meeting (this report), which will cover the history of the Settlement Shores dredging program and the issues raised in recent resident correspondence.

Post works scour of foreshore areas.

A group of residents at the eastern end of the Regatta Cove Canal have raised concern that the recently placed beach nourishment has scoured post works, resulting in the sand washing back into the canal and beach zone eroding in part back to pre-dredge levels. Interrogation of the post dredge hydrographic survey is required to be undertaken to confirm that this re-mobilisation of sand has not compromised the navigability of the canal at this location as soon as a final survey is available.

However, similarly to the above, landowners have the ability to bring in rock or sand to stabilise and fill the beach zone if desired, however such works would ideally be undertaken in unison with matching Council works within the public owned section of the waterway to ensure a uniform profile is obtained. Council may consider allocating further funding to assist the community with foreshore replenishment works via the provision and supply of suitable sand and/or rock beach protection.

Other outstanding/ongoing required maintenance

Viewing the 2017 CMP, there are still a number of actions required to be undertaken by Council and the public. Whereas the dredging program recently completed has addressed a majority of the actions required by Council within those 7 canals dredged, there are still many locations identified by the CMP within Ballina and Newport Canals that require sand foreshore replenishment to achieve design profile.

Furthermore, properties with rock foreshore protection have (regardless of location) have not received foreshore replenishment via the dredging process. The CMP

identified in excess of 150 locations for priority or opportunity works to provided rock foreshore reinstatement (generally in conjunction with works by the adjoining private landowners).The remaining Council works identified by the CMP are currently unfunded.

The CMP also defined \$1,261,600 worth of maintenance required by private landowners to beach zones, revetment walls, jetties and boat ramps.

A majority of the beach zone maintenance identified by this CMP would have been achieved by the recent dredging (except for Ballina and Newport Canals plus those lots with rock foreshore coverings), however all structural works required by private landowners are believed to still be outstanding.

Funding

Annual income to the Canal Maintenance Reserve is approximately \$118,000 per annum generated by Boating Structure Fees (current fee \$135 per structure) and as at 30 June 2020, the reserve had a balance of approximately -\$53,000.

When reviewing the cost for the remaining five years of the current CMP of approximately \$1,800,000 (2020 dollars) and going costs of another 10 year CMP of approximately \$3,080,000 (2020 dollars), an annual income of approximately \$325,300 is required to cover Council's maintenance responsibilities.

Noting there are approximately 876 structures across the Settlement Shores (676 structures) and Broadwater Canal (200 structures) Estates that are charged a fee, to the cover estimated annual cost outlined above, the fee would need to be increased to \$371 per structure.

As all maintenance is for the Settlement Shores Canals and not the Broadwater Canals, if the fee for Broadwater Canal structures remained at \$135, then the fee for Settlement Shores Canal structures would have to increase to \$442 per year. It should be noted that the properties in the Broadwater Canal Estate are charged a special rate on top of their general rates (and Boating Structure Fee) to specifically cover canal maintenance.

These fees would be subject to an annual increase generally in line with CPI to cover future escalation of costs.

A common insight raised by residents of the Canals is that the landowners have paid a premium for a waterfront property as a result of waterfront/canal front land prices being higher than those with no canal frontage. This in turn leads to a higher rate income being generated from waterfront properties, when compared to non-waterfront neighbours. Various residents have suggested that this is justification for additional general fund income to be expended on the maintenance of canal fronting properties annually.

As Council can only prepare and adopt an Operational Plan and budget for one financial year at a time, the funding for future year's works will need to be considered in the development of each subsequent Operational Plan and corresponding budget.

It is recommended that Council review the Boating Structure Fee for the Settlement Shores Canal structures as part of the 2021/2022 Fees and Charges and give

consideration to increasing the fee to cover all or a majority of the required annual income to cover ongoing maintenance within the Canals.

Options

It has been recommended to consider works for inclusion in the 2021/2022 Operational Plan, should Council wish to undertake canal works within the current 2020/2021 Operational Plan current projects and works would need to be deferred in order to resource and fund the canal works.

Planning and Policy Implications

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

Financial and Economic Implications









While there are no immediate financial implications based on this report if Council resolves to fund the maintenance activities in the CMP, there is an annual requirement to allocate \$325,300 to the Canal Maintenance Reserve, which is approximately \$207,000 more per year than the amount that is currently allocated.

There would be a requirement to forward fund some large scale works in any one year, however for the 10 year period of a CMP this would be recouped.

The high level estimate for the inclusion of works to replenish the Ballina and Newport Canal beaches in the 2021/2022 Operational Plan is between \$400,000 and \$800,000 and is dependent on the final scope of works and methodology.

Based on current Canal Maintenance Reserve balance projections for the next two years, the potential financial implications of including these works is that an additional \$200,000 to \$600,000 of other funding would be required. This would result in the reduction of current service or project delivery in the Local Government Area.

Attachments

1.  2004 GHD Pty Ltd Canal Maintenance Plan - excluding appendices
2.  Settlement Shores Canal Estate Canal Maintenance - Resident and Landowners Guidelines - April 2006
3.  2006 Dredging Staging Plan
4.  2017 Settlement Shores Canal Maintenance Plan
5.  2017 Canal Maintenance Plan - Council report to October Ordinary Council Meeting
6.  2017 Canal Maintenance Plan - Minutes of adoption - October 2017
7.  Initial resident notification letter - August 2019
8.  Birdon - Pre-dredge survey - December 2019

Item: 13.05

**Subject: ROADSIDE VEGETATION MANAGEMENT POLICY - OUTCOME OF
PUBLIC EXHIBITION**

Presented by: Infrastructure, Dan Bylsma

Alignment with Delivery Program

4.4.2 Develop and implement annual maintenance and renewal programs for transport assets.

RECOMMENDATION

That Council:

- 1. Note the feedback received from the community on the Draft Roadside Vegetation Management Policy during the exhibition period.**
- 2. Note the amendments to the Draft Roadside Vegetation Management Policy based on community feedback.**
- 3. Adopt the Roadside Vegetation Management Policy for implementation.**

Executive Summary

At the Ordinary Council meeting held on 6 May 2020, Council resolved to place the DRAFT Roadside Vegetation Management Policy on public exhibition from 13 May 2020 to 10 June 2020.

This report provides details of the 13 submissions received from the community during the exhibition period for Council's consideration.

The Draft Roadside Vegetation Management Policy applies to all vegetation within the sealed and unsealed road network and documents the service provision principles. The level of service is based on the approved budget in any given year and will change as the annual budget is increased or decreased, however the principles will remain largely unchanged.

As a result of the detailed submissions, a number of amendments and additions have been made to the Draft Roadside Vegetation Management Policy. The revised Policy is presented for adoption by Council (refer to Attachment 1).

Discussion

At the Ordinary Council meeting held on 16 May 2020, Council resolved as follows:

13.01 ROADSIDE VEGETATION MANAGEMENT POLICY

BLOCK RESOLVED: Alley/Turner

That Council:

- 1. Place the Roadside Vegetation Management Policy on public exhibition commencing from 13 May 2020 for a minimum of 28 days.*
- 2. Note that a further report will be tabled at the 15 July 2020 meeting of Council, detailed the submissions received from the public during this exhibition period.*
- 3. Note the report on the Roadside Vegetation Management Policy and current work practices completed by Australian Road Research Board (ARRB).*
- 4. Give consideration to the recommendations from ARRB in respect to funding and resources for vegetation management during the development of future year Operational Plans.*

A report was tabled at the 15 July 2020 Ordinary Council meeting where the following was resolved:

13.03 ROADSIDE VEGETATION MANAGEMENT POLICY - COMMUNITY CONSULTATION

BLOCK RESOLVED: Intemann/Turner

That Council:

- 1. Note that 13 community submissions were received regarding the DRAFT Roadside Vegetation Management Policy.*
- 2. Undertake a review of the draft policy, giving consideration to the submissions received.*
- 3. Request the General Manager bring a report to the 23 September 2020 Ordinary Council Meeting detailing the response to the submissions and the reviewed Roadside Vegetation Management Policy.*

This report is in response to point 3 listed above.

Following review of the submissions received during exhibition, the Draft Policy has been amended.

The following key amendments have been made:

- Policy Statement and Scope updated to reflect Council's responsibility as a Roads Authority.
- An amendment to the Management Principles to outline how adopted budgets will be applied to provide the services, noting Council's finite resources.
- A Management Principle has been added to authorise (under the Roads Act) the common practice of property owners maintaining vegetation in the road reserve fronting their property, with some limitations.

- Further definitions and information on road classifications have been added to make the policy more a stand-alone document.

A copy of the original Draft Policy with the highlighted amendments is included as Attachment 2.

Community Engagement and Internal Consultation

The Draft Policy was made available for public comment from 13 May 2020 to 10 June 2020 (28 days).

During the public exhibition period, 172 people viewed the PMHC “Have Your Say” site, 65 people downloaded the document and 11 people made submissions via the website. Two additional submission were received outside the PMHC “Have Your Say” site, with 13 submissions received in total.

The table below summarise of this activity.

Document Name	Downloads and Views	Submissions
DRAFT Roadside Vegetation Management Policy	65	11
Vegetation Management Practice Review - ARRB	18	
Other Submissions (Postcards, Emails, CRMs)		2
Total	83	13

Four key themes were identified across the 13 submissions:

- Rural road safety, particularly sight distance, noting a need for increases to services provided
- Pedestrian safety on road edges
- Vegetation clearing for fire safety
- Weed control

The submissions with Council’s responses are included as Attachment 3 to this report.

The submissions, in full, will be provided to Councillors under separate cover to this report.

Options

Council has the option to:

- Adopt the Roadside Vegetation Management Policy as amended.
- Noting the amendments re-exhibit to the community for further comments.
- Decline the amended Roadside Vegetation Management Policy and request further amendments and/or further information.

Planning and Policy Implications




The Roadside Vegetation Management Policy will document the way in which adopted budgets for roadside vegetation management are applied to provide a service to the community.

The Policy does not specifically detail the level of the service as this relates to the adopted budget in any given year. As the Policy is based on current practice, it does not alter the current service provided but rather ensures the current practice is documented and transparent to the community.

Financial and Economic Implications

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

Attachments

1.  Policy - Roadside Vegetation Management
2.  Policy - Roadside Vegetation Management - Amendments to Draft
3.  Draft Roadside Vegetation Management Policy - Community Responses

Item: 13.06

Subject: YIPPIN CREEK PLANNING PROPOSAL - STATUS UPDATE

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the information contained in the Yippin Creek Planning Proposal - Status Update report.

Executive Summary

In May 2019, eight (8) landowners within the Yippin Creek urban release investigation area contributed towards the cost of key specialist studies to progress a rezoning for the release of this new urban area. Council staff are project managing the preparation of a Planning Proposal to rezone the land. The intent is to achieve coordinated planning outcomes for the area.

The Planning Proposal aims to implement the *Yippin Creek Structure Plan 2017* and provide opportunities for new housing in Wauchope to 2036, consistent with the *Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036*.

The overall project program is generally tracking to plan with specialist studies now prepared for biodiversity, bushfire, stormwater, flooding, and land contamination potential. A transport and traffic assessment is due for completion by the end of September 2020.

A key issue arising from the investigations to date relates to emergency evacuation in the event of flooding. A commitment from Council to the design and construction of the final stages of the Beechwood Road upgrade, which will be the subject of a future report to Council, will resolve this issue for urban release of the Yippin Creek area.

Discussion

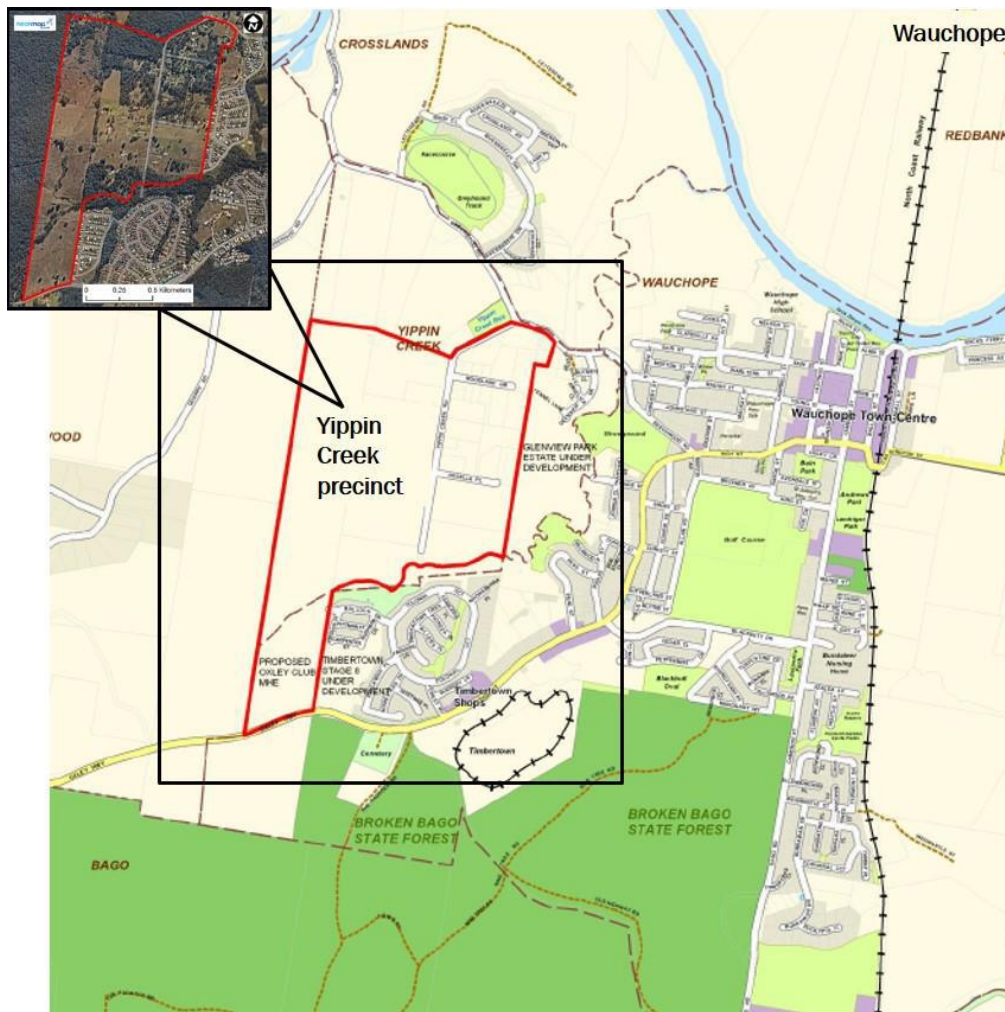


Figure 1: Yippin Creek Urban Investigation Area

Yippin Creek Structure Plan 2017

Council adopted the *Yippin Creek Structure Plan* on 15 March 2017 following extensive consultation with landowners, State agencies and the community. The Structure Plan is a 20-year vision that aims to provide a co-ordinated framework for future urban development in Yippin Creek as a valued addition to Wauchope.

The Yippin Creek urban investigation area is currently zoned RU1 Primary Production, is held in fragmented ownership, and has a 40-hectare minimum subdivision requirement. Implementation of the Structure Plan, through a review of planning controls to permit urban development, is listed as a key action under 'Housing Choice' in the *Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036* (UGMS).

Report to Council April 2019

Council considered an update report in April 2019 on the progress of key projects in the UGMS. An extract from the report about the status of planning work for Yippin Creek is below:

'The next phase of work for the Yippin Creek area is to prepare LEP and DCP amendments and Contributions Plans to implement the adopted Structure Plan. Council will need to supplement existing support studies, including ecology, and undertake traffic, stormwater and flood modelling to establish a basis for land use zones and infrastructure (e.g. road intersections and the proposed pedestrian bridge across Yippin Creek).

Council staff have completed draft briefs for support studies and met with the Yippin Creek landowners to determine their level of interest in participating, including whether they are prepared to pay rezoning fees proposed to cover support study costs. Six (6) landowners have indicated that they are willing to pay fees, which can generate in approximately \$200,000 in income towards the cost of studies, which is expected to be up to \$300,000 in total.

None of the proposed fee income is available to cover Council staff costs. However, future fee income may be generated for land deferred from rezoning and this would contribute to Council's costs at that time.

Yippin Creek investigations will commence in 2019/20 using fees from the six landowners who have indicated a willingness to participate.'

Planning Proposal Progress

The overall project program is generally tracking to plan, after adjusting for a delay in obtaining agreement from all interested landowners in contributing to the cost of key specialist studies. The value of the studies completed to date is \$108,450.

Milestones achieved include:

- ✓ *Preliminary Bush Fire Assessment* (Midcoast Building and Environmental, Aug 2019)
- ✓ ^{1.} *Biodiversity Opportunities and Constraints Report* (Niche Environment and Heritage, Feb 2020)
- ✓ ^{2.} *Draft Surface Water Management Strategy* (Advisian, Apr 2020) - i.e. flooding and stormwater modelling
- ✓ ^{3.} *Draft Preliminary Land Contamination Assessment* (Cavvanba, Aug 2020).

Progress is also occurring on a *Transport and Traffic Study* involving traffic modelling and assessment of transport infrastructure to support future urban release. This work is being carried out by Bitzios Consulting and is due for completion by the end of September 2020.

A key issue arising from the investigations to date relates to emergency evacuation in the event of flooding. Modelling undertaken by Advisian in the *Draft Surface Water Management Strategy* has identified that during flood events the area becomes an isolated island as the roads leading into and out of the precinct are inundated (see Figure 2).

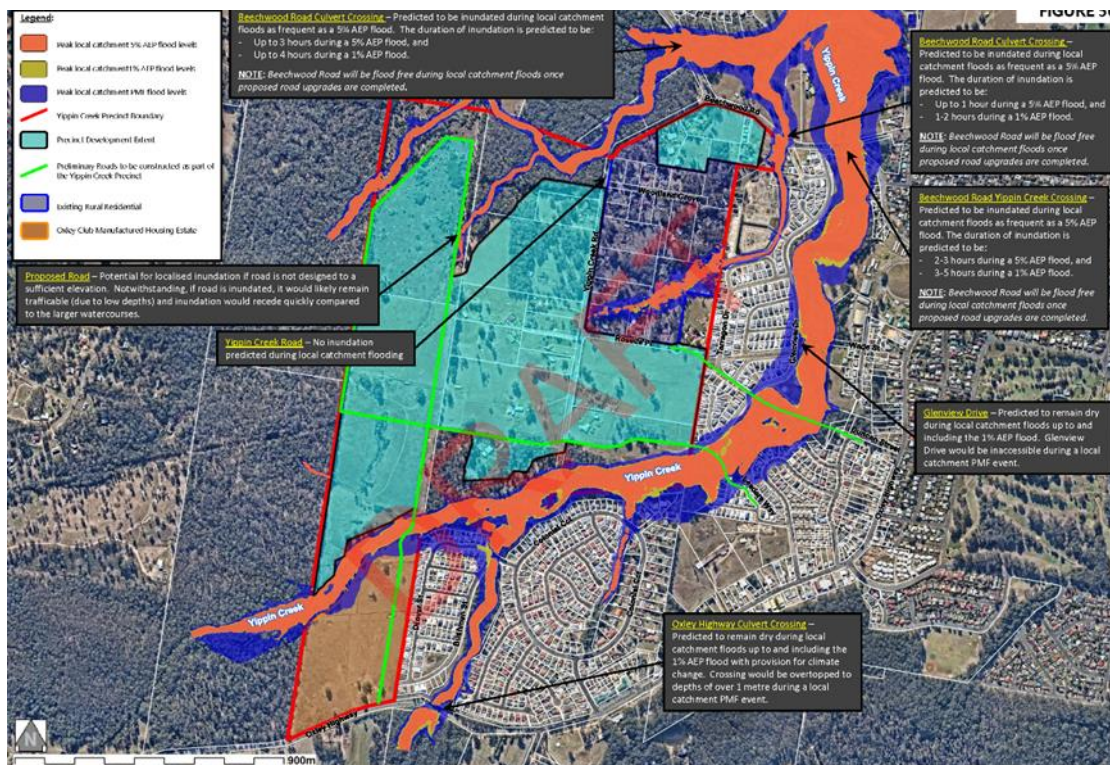


Figure 2: Overview of evacuation constraints based on local catchment flooding
(Source: Advisian, Draft Surface Water Management Strategy, Apr 2020)

The NSW Government's *Flood Prone Land Policy* is set out in the *Floodplain Development Manual: the management of flood liable land*, April 2005. The policy provides that Councils are primarily responsible for managing flood risk to reduce the risk to life, property damage and other impacts in their Local Government Areas.

The Manual helps councils make informed decisions about managing flooding through the development and implementation of floodplain risk management (FRM) plans through the FRM process. Section 733 of the *Local Government Act 1993* protects councils from liability if they have followed the principles of the manual.

The Manual sets out key issues relating to protecting existing and future occupants of flood-prone land that need to be considered in land use planning. These include:

- safety of people including evacuation considerations
- management of flood damage to public and private property and infrastructure
- management of the cumulative impacts of development
- management of the impacts of development on emergency services.

The *Port Macquarie-Hastings Council Flood Policy 2015* has been prepared in accordance with the Government's *Flood Prone Land Policy* and manual. Section 4.10 of Council's *Flood Policy* states that rezoning reliant upon evacuation through high hazard and Floodway or high hazard and Flood storage conditions will not be supported.

Since 2014, Council has been progressively upgrading Beechwood Road between Wauchope and the Hastings River. Council's proposed upgrades to the section of

Beechwood Road immediately north-east of the Yippin Creek area, will raise the elevation of Beechwood Road to be at or above, the predicted 1% AEP (annual exceedance probability) Hastings River flood level with provision for climate change.

When complete, these works will address flood evacuation issues for the new urban release area and provide a flood free evacuation route for existing residents of the adjoining Glenview Park Estate. The Glenview Estate was rezoned in May 2010 on the agreed basis that Council would upgrade Beechwood Road to the 1:100 year flood level in the medium term.

A commitment from Council to progress the design and construction of the Beechwood Road upgrade is the subject of a separate future Council report. If these works are not completed prior to or upon rezoning of the Yippin Creek release area, other options to progress a rezoning will need to be explored and will significantly constrain urban release pending construction of the upgrade.

Next steps

Following completion of the *Transport and Traffic Study*, the remaining key actions needed to inform a Planning Proposal to support a proposed rezoning include:

1. Cultural Heritage Assessment
2. Final Bush Fire Assessment report (scheduled for completion Nov 2020)
3. Preliminary draft zone layout
4. Urban design input - character analysis
5. Sewer and water strategies
6. Concept design and costings - roads, sewer, water, stormwater
7. Valuation of open space and embellishment, including off road cycleways/footpaths
8. Contributions planning and Development Servicing Plans preparation
9. Implementation report - funding and staging
10. Draft Plan preparation - Planning Proposal, Development Control Plan, Contributions Plan(s), and Planning Agreement(s) as required.

This work is scheduled for completion within the next 12 to 18 months. However, the demands on technical staff across all Divisions of Council to complete key parts of this work is a major constraint due to competing work priorities, including the delivery of additional COVID Recovery Action projects.

The project timeline assumes that key aspects of this work will be outsourced, particularly the complex concept design, costing and contributions planning phases of the project program to establish co-ordinated funding arrangements for new and upgraded infrastructure. The ability to outsource this work will be reliant on funding.

The timeline also assumes that Council will commit to constructing the final stages of the Beechwood Road upgrade and that further investigation of alternative options to support a rezoning will not be required.

Options

The following options are available to Council:

1. Continue with the preparation of a Planning Proposal.
2. Discontinue or defer further work on the Planning Proposal preparation.
3. Resolve in some other manner.

Option 1, which is consistent with the UGMS, is recommended.

Community Engagement and Internal Consultation

All landowners in the Yippin Creek urban investigation area have been notified of this report being presented to the September 2020 Ordinary Council Meeting for consideration.

During the course of the project, the contributing landowners have had opportunities to table subdivision concept plans, participate at inception meetings with Council's project team and consultants, and review draft consultancy briefs and specialist studies prior to completion.

Internal consultation in relation to this report has occurred with staff of Council's Environmental Services, Infrastructure Planning, Infrastructure Project Delivery and Strategy sections.

Planning and Policy Implications

The aim of the Planning Proposal is to implement the adopted *Yippin Creek Structure Plan 2017* to provide opportunities for new housing in Wauchope to 2036.

Council's current policy is to maintain a 15-year supply of zoned residential land, ready for development, including allowance for lead-in times for investigation and rezoning. The intent is to promote market choice, competition and affordability in the housing market, allowing for growth cycles whilst also providing reasonable certainty for builders, developers and government regarding return on investment, particularly in relation to up-front infrastructure costs.

Current estimates are that Wauchope has less than 7 years supply of zoned residential land. Take-up has been strong in the preceding 5 years evidenced by the rate of new housing constructed in the Glenview Estate and in the final stages of the Timbertown Estate. If released, Yippin Creek could increase the supply estimate for Wauchope to approximately 30 years.

In preparing a Planning Proposal to rezone the land, Council's aim is to achieve coordinated planning outcomes for the Yippin Creek Precinct as a whole. Continuing with the preparation of a Planning Proposal is consistent with the UGMS and will ensure that land use planning matters are considered and addressed in a holistic way, prior to land release.

The specialist support studies completed to date have been prepared to ensure that Council satisfies its obligations under the *Environmental Planning and Assessment Act 1979* in preparing a Planning Proposal to rezone land for future urban release.

Financial and Economic Implications

The financial and economic implications in this report relate to the costs of the remaining key actions that need to be undertaken by Council to achieve coordinated development outcomes across the precinct. These costs include the cost of specialist studies, planning investigations, plan preparation and staff time.

At the start of the process, eight (8) landowners contributed a total of \$91,740 to the cost of the initial support studies. This amount was based on a phase 1 fee paid by five (5) individual landowners in the west and east of the urban investigation area and a group of three (3) owners of smaller lots in the northeast. The value of support studies commissioned to date is \$130,247. Taking into account Council's 2019/20 contribution, a total of \$31,183 is remaining and has been carried over to 2020/21.

To progress the work, additional funding will be required from Council and the landowners (phase 2 fee) for the preparation of the remaining support studies, and in particular the more complex concept design and contributions planning stages of the program. An estimate of the likely cost of this work will be required to inform Council's 2021/22 draft budget.

Attachments

Nil

Item: 13.07

Subject: KENWOOD DRIVE BRIDGE LAKE CATHIE - REVIEW OF 2011
HYDRODYNAMIC REPORT FINDINGS - STATUS UPDATE

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

4.6.1 Develop and implement a range of programs for the environmental management of lands within the local government area.

RECOMMENDATION

That Council:

1. Note the information provided in this report.
2. Note that a further report will be prepared for the October 2020 Council Meeting outlining the process, timeframe and costs associated with reviewing the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report.
3. Note that a review of the findings of the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report cannot be undertaken until the Model has been reviewed and tested.

Executive Summary

Following the Council resolution in May 2020 which requested concept designs to be developed for Kenwood Drive Bridge, and subsequent report in July 2020 which recommended that any works be incorporated in to the Coastal Management Program, Council resolved at the Ordinary Council Meeting held on 15 July 2020 as follows:

RESOLVED: Pinson/Intemann

That Council:

1. *Note this information provided in this report.*
2. *Request the General Manager provide a further report to the September 2020 Ordinary Council meeting outlining the process and costs involved in reviewing the findings of the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report and developing a program for the replacement or augmentation of Kenwood Drive Bridge to improve water levels and sediment transport within areas between Lake Cathie and the entrance.*

CARRIED: 7/0

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

AGAINST: Nil

Since this resolution Council staff have commissioned BMT Commercial (formerly BMT WBM), as they were the authors of the original 2011 Hydrodynamic Report to determine:

1. Whether a review was required;
2. If a review was warranted, what the scope of the review may be;
3. What the costs of the review may be, and;
4. How long the review may take.

BMT Commercial are now working on providing a 'reverse scope' that will assist Council in understanding how the 2011 work should be updated, but also provide detailed costs and timeframes around potential delivery of the work which is expected to take approximately 3.5 years until completed.

Background

At the meeting held on 29 May 2020 a Mayoral Minute was prepared which requested that Council consider the process to develop concept designs for Kenwood Drive Bridge as a result of community sentiment following the Lake Cathie Opening.

At the 29 May 2020 Ordinary Council Meeting, Council resolved as follows:

RESOLVED: Pinson/Turner

That Council:

1. *Acknowledge community sentiment following the opening of Lake Cathie.*
2. *Request that the General Manager give consideration to commencing the development of concept designs for the Kenwood Drive Bridge, Lake Cathie as part of the 2020-2021 Operational Plan.*
3. *In light of Recommendation No. 2 above, request that the General Manager table a report at the Ordinary Council Meeting on 15 July 2020 detailing any impacts undertaking the concept designs for the Kenwood Drive Bridge will have on*
 - a) existing priorities listed in the draft 2020-2021 Operational Plan,*
 - b) priorities that arise from the COVID-19 Working Group's proposed infrastructure prioritisation matrix, as well as identifying a potential funding source for the concept design work to be undertaken during 2020-2021.*
4. *Request that the General Manager write to the Hon. Leslie Williams MP (Member for Port Macquarie) and Dr David Gillespie MP (Federal Member for Lyne), advising of these actions being taken by Council.*

CARRIED: 8/0

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

AGAINST: Nil

A report was presented at the 15 July 2020 Ordinary Council meeting which outlined the existing priorities in the 2020-21 Operational Plan and the COVID-19 Working Group's priorities, and how the impacts of undertaking additional works such as concept designs for Kenwood Drive Bridge would impact on the current delivery program and Operational Plan.

From an infrastructure planning and delivery, and project management perspective, the report noted that the:

"Kenwood Drive Bridge currently ranks 86th of the 140 bridges in the Port Macquarie-Hastings LGA based on asset condition and with no further development proposed beyond the bridge there are no plans for any

upgrades or replacement of the bridge based on level of service or asset condition”.

From a Planning and Policy perspective the report noted that:

“...if Council resolve to include this project in the 2020-2021 Operational Plan, there will be planning implications in so far as the deferral and reprioritisation of projects and allocation of resources”.

From a financial and economic perspective, the report noted that:

“...there is currently no available funding to complete the concept designs for Kenwood Drive Bridge. Should a current bridge related project be deferred then the funding allocated to that project may be able to be allocated to the concept designs for Kenwood Drive Bridge should it not be from a restricted source, such as development contributions or grant funding. The report also noted that there may be future financial implications should the design work be completed ahead of the CMP, being State Government Grant funding opportunities may be missed”.

The report also noted that *“Council is working on the development of a Coastal Management Program (CMP), which aims to provide a long term, coordinated strategy for managing the coastal zone in accordance with the Coastal Management Act 2016 (CM Act) and the local objectives”.*

For context, the focus of the CMP is to undertake detailed studies that will assist Council and other managing stakeholders (NPWS, DPIE, DPI Fisheries) to identify, analyse and evaluate risks, vulnerabilities and opportunities in the management of the Lake system. Ultimately the aim of the CMP is to gather enough information to start providing clarity on what the priority management objectives will be for the system. For example, is managing for recreation and flooding the top priority or is managing for ecology the highest priority?

As such, the report ultimately concluded that:

1. The currently adopted 2020-21 Operation Plan already contains a full complement of commitments.
2. The planning and project management section of Council is already at full capacity as a result of these commitments.
3. The COVID-19 Working Group has already proposed a number of high priority projects for 2020-2021, resulting in resourcing constraints that would be realised if additional projects were included.
4. Kenwood Drive Bridge is not a priority bridge based on its condition and risk.
5. To include the Kenwood Drive Bridge in the 2020-2021 Operation Plan meant that another high priority bridge upgrade would need to be deferred.
6. Council is presently working on the development of a Coastal Management Program (CMP), which aims to provide a long term, coordinated strategy for managing the coastal zone in accordance with the Coastal Management Act 2016 (CM Act) and the local objectives.

As a result of the above, the report indicated that planning for widening Kenwood Drive Bridge would be premature until at least stages 2 or 3 of the CMP citing:

1. The Stage 1 Scoping Study was underway.
2. Stage 2 CMP chapter for Lake Cathie/Innes/Bonny Hills is expected to occur soon.
3. Until Stage 2 Chapter is complete, clarity around the issues, opportunities and risks of widening Kenwood Drive Bridge will not be known.
4. Completing the CMP will ensure that State Government Grant Funding can be applied for under the Coastal & Estuary Management Grants Program with a \$2: \$1 (state: local) funding split available.
5. Without the CMP, Council would have to 100% fund any upgrade to the bridge.

A number of options were then presented to Council based on the above information.

Ultimately, at the Ordinary Council Meeting held on 15 July 2020, Council resolved as follows:

RESOLVED: Pinson/Intemann

That Council:

1. *Note this information provided in this report.*
2. *Request the General Manager provide a further report to the September 2020 Ordinary Council meeting outlining the process and costs involved in reviewing the findings of the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report and developing a program for the replacement or augmentation of Kenwood Drive Bridge to improve water levels and sediment transport within areas between Lake Cathie and the entrance.*

CARRIED: 7/0

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

AGAINST: Nil

This report provides an update on the progress made on Item 13.01 of the Ordinary Council Meeting held on 15 July 2020.

Discussion

Since the 15 July 2020 Council resolution, Council staff have contacted BMT Commercial (formerly BMT WBM), as they were the authors of the original 2011 Hydrodynamic Report. A high level brief was developed by staff and was forwarded to BMT Commercial with a view to ascertain:

1. Whether a review was required;
2. If a review was warranted, what the scope of the review may be;
3. What the costs of the review may be, and;
4. How long the review may take.

As part of the brief it was requested that the review be staged as follows:

Stage 1. Simple high level review to determine whether a review of the 2011 Hydrodynamic Model is warranted.

Stage 2. If a review of the 2011 Hydrodynamic Model is required, that BMT provide a scope of the in-depth review and detailed cost estimate.

BMT have completed the Stage 1 (high level) review and have confirmed that a review into the findings of the 2011 Hydrodynamic Model was valuable to undertake.

The review approach proposed by BMT for the Stage 2 review includes:

1. *Current guideline material (including but not limited to):*
 - *Australian Rainfall and Runoff (2019)*
 - *Port Macquarie-Hastings Coastal Management Program Stage 1 (2020)*
 - *NSW Coastal Management Manual (2019).*
2. *Model engine (software):*
 - *State-of-the-art hydrodynamic, wave and sediment transport model engines are continually improved and updated. The current TUFLOW FV release (2020.02) includes improved sediment transport and water quality routines that are likely to add value to future assessments of the estuary system.*
3. *Existing model configuration and capabilities:*
 - *The existing model used hydrographic survey data from the early 1990s within the estuary, navigational charts in offshore areas, and Airborne Laser Survey (ALS) overland. There are opportunities to update these important modelling inputs with new existing datasets (e.g. NSW bathymetric LiDAR for the offshore area) and/or design a targeted hydrographic survey within the estuary.*
 - *The model capabilities are limited to hydrodynamics, waves and sediment transport. Future assessments may require additional model capability including, for example, the simulation of water quality and/or catchment flooding.*
 - *Additional model resolution (i.e. more detail) may be required for better simulation of certain processes and/or resolving the details of proposed development.*
4. *Hydrodynamic model calibration and available datasets:*
 - *BMT WBM (2011) noted the limitation of bathymetric and hydrodynamic calibration datasets. The existing model relies on calibration data from 1980's and while useful may not be representative of the present-day 'average' conditions within the waterway. A targeted hydrodynamic data collection campaign (e.g. tidal water level and flows) would provide a more 'complete' model calibration dataset.*
 - *Extending the model capability to include water quality (for example) may require additional data collection, depending on the available datasets.*
5. *Model capability extension and other complementary analysis to support decision making:*
 - *This could include the simulation of water quality, aquatic biogeochemistry, biotic habitat, aquatic ecosystem dynamics and/or catchment flooding so that potential impacts or benefits of certain management options can be better quantified rather than just qualitatively described or inferred.*
 - *Making the best use of recommendations from subsequent studies (e.g. Hale 2013; Soil Conservation Service 2019) and positioning model outputs to support new socio-economic analysis and/or detailed cost-benefit analysis (CBA).*
6. *Appropriateness of existing modelled scenarios and options for new scenarios:*

- *The previous modelling work assessed several distinct scenarios for estuary management options which may have been limited by the model capability and scope of the project.*
- *The modelled scenarios were focussed on sediment transport processes. A holistic approach may require expanding those scenarios to capture other social and environmental concerns (such as water quality and/or flooding).*

BMT have stated that the review outcomes will be provided in a concise report that clearly outlines the proposed scope of work, cost estimate and benefits to management strategy decision making. They have confirmed that the review report can be delivered within three (3) weeks of commissioning.

Accordingly, BMT have proceeded with the Stage 2 (in-depth) review. They are now working on providing a 'reverse scope' that will assist Council in understanding how the 2011 work should be updated, but also provide detailed costs and timeframes around potential delivery of the work.

This information can then be used to produce a Scope of Works for a potential Tender whereby the actual work to update the 2011 Hydrodynamic Model will then be undertaken. Effectively this would be Stage 3 of the process of determining the Kenwood Drive Bridge works.

Stage 3 is where management options for the Kenwood Drive Bridge (eg additional openings or dredging and removal of rock), alongside other potential management measures (i.e. reverting Lake Innes to Freshwater) would be tested in the new model. In effect Stage 3 would be where the findings of the 2011 Hydrodynamic Model can be reviewed and potential impacts tested.

The next steps and timeframes that can be expected following Stage 3 would be along the lines of the following, with a total of approximately 3.5 years to complete the project as more than one task may be completed concurrently:

- Multi criteria assessment of options developed and preferred option to progress, possibly Benefit to Cost Analysis (3 Months)
- Community consultation and preferred option to progress (3 Months)
- Concept design development including ground investigations (geotech, survey, environmental studies) (12 Months)
- Environmental Assessment – EIS will be required due to Coastal SEPP (12 Months)
- Community consultation on final design prior to Detailed Design (3 Months)
- Detailed Design and preparations for construction. (12 Months)
- Construction (12 Months).

Options

This is a status update report on a previous Council resolution for notation.

Community Engagement and Internal Consultation

Consultation with managing stakeholders (i.e. DPIE, NPWS, DPI Fisheries) will be undertaken during the upcoming review process. As indicated above, consultation

has been undertaken with BMT Commercial (formerly BMT WBM) and internal consultation has continued between Council's Infrastructure and Development and Environment divisions.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

Nil

Item: 13.08

Subject: LAND ACQUISITION - THE RUINS WAY SHARED PATHWAY

Presented by: Development and Environment, Melissa Watkins

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 Council:

1. **Pay compensation in the total amount of \$19,440 (GST Exclusive) to the owners of Lot 1142 Deposited Plan 1248153, Vilro Pty Limited and Brierley Hill Pty Limited, for the acquisition of that part of Lot 1142 Deposited Plan 1248153 more particularly described as Lot 2 in plan of acquisition Deposited Plan 1265058.**
2. **Pay compensation in the amount of \$4,563 (GST Exclusive) to the owner of Lot 4 Deposited Plan 1102657, Vilro Pty Limited, for the acquisition of that part of Lot 4 Deposited Plan 1102657 more particularly described as Lot 3 in plan of acquisition Deposited Plan 1265058.**
3. **Pay the legal costs reasonably incurred by the owners of Lot 1142 Deposited Plan 1248153 and Lot 4 Deposited Plan 1102657 arising from the land acquisition.**
4. **On the acquisition of Lots 2 and 3 Deposited Plan 1265058 and pursuant to Section 10 of the *Roads Act 1993*, dedicate Lots 2 and 3 Deposited Plan 1265058 to the public as road.**
5. **Delegate to the General Manager pursuant to Section 377 of the *Local Government Act 1993*, authority to sign electronically or otherwise all documents including but not limited to any authorisation form as required in accordance with the *Electronic Transactions Act 2000*.**

Executive Summary

This report relates to the acquisition of land for a shared pathway on the eastern side of The Ruins Way at Port Macquarie and recommends the payment of compensation for the land required.

Discussion

Funding has been allocated for the design and construction of a shared pathway along the eastern side of The Ruins Way generally between The Cottage Way and Sitella Street, Port Macquarie (see aerial image of general area below).



Construction of the shared pathway requires land acquisitions. With agreement on compensation for the acquisition from two of the three properties having been reached, the land acquisitions are now reported to Council for approval. The location of the two land acquisitions is shown in the attached aerial image (**Attachment 1**) and in the attached survey plan of acquisition Deposited Plan 1265058 (**Attachment 2**).

Options

Given the allocation of funding for the shared pathway and agreement on compensation by the landowners, acquisition of the lands required is recommended.

Community Engagement and Internal Consultation

There has been ongoing consultation with relevant landowners in regard to these acquisitions.

There has been ongoing internal consultation between the Infrastructure Division and the Development and Environment Division.

Planning and Policy Implications

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

Financial and Economic Implications


The land acquisitions entitle the landowners to the payment of compensation. Council's Consulting Valuer has assessed compensation having regard to the statutory requirements set out in the *Land Acquisition (Just Terms Compensation)*

Act 1991. Offers of compensation to the landowners have been made. Acceptance of the written offers from two landowners has been received whilst the third landowner is presently assessing the offer. A further report will be presented to Council at a later date once there is agreement with the third landowner.

In addition to the payment of monetary compensation, Section 59 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires Council to pay the legal costs reasonably incurred by a landowner arising from the acquisition.

Land acquisition costs will be funded from the Ruins Way Upgrade - Major Innes Road to Sitella Street project budget (General Ledger 41972).

Attachments

1.  Aerial Image Depicting Location of Land Acquisitions
2.  Survey Plan Highlighting Lands to be Acquired

Item: 13.09

Subject: MEMBERSHIP OF THE COAST, ESTUARY & FLOODPLAIN
ADVISORY SUB-COMMITTEE

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

4.2.1 Develop and implement coastal, estuary, floodplain, and bushfire management plans.

RECOMMENDATION

That Council:

1. **Note the information provided in this report.**
2. **Accept the five nominees as noted in Table 1 as members of the Coast, Estuary and Floodplain Sub-Committee.**
3. **Request the General Manager to develop, in collaboration, with the Coast, Estuary and Floodplain Sub-Committee a revised strategy to target suitable applicants from the Fishing Industry and Development Industry.**
4. **Request that a revised charter for the Sub-Committee be presented to Council at the October meeting for further consideration.**

Executive Summary

Expressions of Interest (EOI) for membership recruitment for the Coast, Estuary and Floodplain Sub-Committee were on two separate occasions. The first recruitment campaign was completed in December 2019. The results of this campaign did not yield a sufficient pool of applications and as such was unsuccessful in recruiting members to the Sub-committee. As such a new strategy to inform the community more broadly was developed and a second round of recruitment was completed between 24 June 2020 and 22 July 2020. At the conclusion of the second EOI period, 12 applications for Community Representatives were received and no applications for the Development or Fishing Industry.

This report provides a list of suitable candidates to fill the 5 community positions and seeks endorsement of the candidates which scored highest when ranked by staff.

It also recommends that the Sub-committee develop assist staff in the development of a new recruitment strategy to fill positions for the Development Industry (2) and Fishing Industry (1). It is also proposed that staff that work closely with Council's Volunteer Coordinator to seek suitable representation by the Local Aboriginal Land council(s) when appropriate.

Discussion

Over the last 3 years there have been a number of departures from the Coast, Estuary and Floodplain (CE&F) Sub-Committee. This has resulted in gaps in limited

expertise and knowledge in flood, coast and estuary planning/management and an uneven representation of community members across the coastal and estuarine areas of the LGA.

At the 21 August 2019 meeting, Council resolved to adopt a new CE&F Charter, a revised membership composition and proceed to seek formal Expressions of Interest (EOI) for recruitment of new members. Following the August 2019 Ordinary Council meeting staff initiated an EOI process in order to recruit suitable new members to the CE&F Sub-Committee.

Unfortunately, at the close of the EOI period there was an insufficient pool of applications to progress to appointments of representatives of both industry and general community members.

Advice was then further provided to Council at the Ordinary meeting held on 11 December 2019, that a new EOI recruitment phase would be needed as the first attempt had not been successful. At this meeting Council resolved to (among other matters) recommence the recruitment process.

The resolutions from the August and December Council meetings were formally reported to the CE&F Sub-Committee which was held on 30 January 2020 where the following matters were raised:

- *Existing Sub-Committee members wished to be consulted when drafting further revised EOI material in order to maximise likelihood of the new EOI approach being successful.*
- *Sub-Committee members agreed to recruit for the Fishing Industry Representative position due to the current member not attending meetings for some time and not being contactable*
- *Agreed to extend an invitation to the Birpai LALC to join the Sub-Committee (This matter was identified at the Lake Cathie key community stakeholder and agency meetings held throughout 2019)*
- *Agreed that David Curry of Revive Lake Cathie be invited to attend Sub-Committee meetings as a guest (This matter was identified through the Lake Cathie key community stakeholder meetings held throughout 2019)*

In addition to the above matters numerous other issues were discussed, primarily regarding the adopted Sub-Committee Charter. The suggested changes to the Sub-Committee Charter are still yet to be finalised and will be reported back to Council at the October Ordinary meeting.

At the 28 May 2020 CE&F Sub-Committee meeting a report was presented to advise of progress made since the January 2020 CE&F Sub-Committee. At this meeting existing members were provided with information regarding the revised EOI process which incorporated the feedback and suggestions provided by the members.

The EOI recruitment campaign aimed to attract applicants for the following 10 positions:

1. Development Industry Representatives - two (2) to represent the Hastings, Camden Haven and Lake Cathie/Bonny Hills catchments - Flood/Coast/Estuary.
2. Community Representatives - five (5) to represent the Hastings, Camden Haven and Lake Cathie/Bonny Hills catchments - Flood/Coast/Estuary
3. Fishing Industry Representative - one (1) to represent the Hastings, Camden Haven and Lake Cathie/Bonny Hills catchments - Coast/Estuary.
4. Birpai Local Aboriginal Land Council (LALC) Representative - one (1) to represent the Birpai LALC area within the PMH LGA.
5. Bunyah Local Aboriginal Land Council (LALC) Representative - one (1) represent the Bunyah LALC area within the PMH LGA.

At the close of the recruitment campaign 12 applications for the Community Representative positions were received. No applications were received from the Development or Fishing Industry. Further, while interest was shown from the Birpai LALC, no official response has been provided. The Bunyah LALC previously confirmed interest in person and was invited to the August 2020 CE&F Sub-Committee meeting, however no one was in attendance. Future communication with the Local Aboriginal Land councils will be conducted via the PMHC Volunteer Coordinator.

Scoring of the applications submitted during the EOI period has been completed by Council staff and all vacant Community Representative positions (including the vacancy formally filled by Bob Jolly) have applications against them. For the purposes of probity, a review of the scoring process and results was undertaken by Governance staff.

Accordingly, it is the recommendation that all vacant Community Representative positions be filled by the applicants who have scored highest within the EOI process as included in Table 1 below.

Table 1: Recommendation for Community Representative Positions

Name	Position offered on Sub-Committee
Garry Fajks	Camden Haven, Flood
Stephen Healy	Hasting Valley, Flood
Marisha Ewart	Camden Haven, C&E
Peter Fitzroy	Lake Cathie, C&E
Vernon Warner	Lake Cathie, C&E

Table 2: Alternative Applicant Pool (in order of ranking)

Name	Requested Position on Sub-Committee
Bruce Gibbs	Hastings Valley, C&E
Antony Moore	Lake Cathie, C&E
Stewart Cooper	Lake Cathie, C&E
Terry McDermott	Lake Cathie, C&E
Ross Smith	Lake Cathie, C&E
David Curry	Lake Cathie, C&E
Geoff McNeil	Lake Cathie, C&E

In addition, at this time the EOI process has failed to attract any interest for the Fishing Industry and Development Industry representative positions. As such, it is recommended that a revised strategy targeting these groups be developed and implemented. The Sub-Committee will be requested to assist in developing this strategy and further information will be forthcoming to Council upon its completion.

Options

- Fill all vacant Community Representative positions with the highest scoring applicants.
- Select alternative applicants from the pool to fill the positions.
- Reject the candidates provided and request that a new EOI process be carried out and recruit for all positions.

Community Engagement and Internal Consultation

Table 3: EOI Timeline

Topic	Dates
EOI Period	24/6/2020 - 22/7/2020
Facebook post	12/6/2020
Facebook video (shared by RRL & SLC)	24/6/2020
Presentation to CE&F sub-committee	30/6/2020
Previous applicants advised (and others whom had expressed an interest): <ul style="list-style-type: none"> • Antony Moore • Marisha Ewart • Terry McDermott • Ralph Clissold • Stephen Healy • David Curry • Ross Smith • Stewart Cooper • Peter Fitzroy • Danielle Maltman • Ross Dobson • Jeremy Hooper 	As of 24/6/2020
<ul style="list-style-type: none"> • Lake Cathie Progress Association • Bonny Hills Progress Association 	As of 24/6/2020

<ul style="list-style-type: none"> • North Side Progress Association • Estelle Gough • Port Macquarie Landcare Group Inc • Wauchope Chamber of Commerce • Michael Mowle - Port Macquarie Chamber of Commerce 	
Construction Industry Action Group members advised	23/6/2020
Jonathan Yantsch DPIE Fisheries advised	24/6/2020
Local DPIE Fisheries reps advised (Michael Northam and Scott Anderson)	25/6/2020
Bunyah LALC invited (verbal acceptance)	29/7/2020
Birpai LALC invited (received interest, but no confirmation to date)	

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

Nil

Item: 13.10

Subject: TACKING POINT TAVERN, 8 EMERALD DRIVE PORT MACQUARIE
LOT 1 DP: 869214

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

2.1.3 Conduct regulatory and educational activities which safeguard public and environmental health, and ensures compliance with planning and building standards.

RECOMMENDATION

That Council:

1. **Note the contents of the Fire Safety Inspection Report, dated 9 March 2020, 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 for Tacking Point Tavern to address outstanding fire safety concerns at the premises being Lot 1 DP 869214, 8 Emerald Drive, Port Macquarie.**
3. **Notify the Commissioner of Fire and Rescue NSW of its determination.**

Executive Summary

A Fire Safety Inspection Report dated 9 March 2020 has been referred to Council from NSW Fire & Rescue, in respect to the subject premises for investigation and further action. NSW Fire & Rescue is conferred powers pursuant to the Act, to carry out inspections of buildings and is required to forward its findings to Council.

This report provides this information and recommends that Council proceed to 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 1 DP 869214, 8 Emerald Drive, Port Macquarie.

Discussion

A Fire Safety Inspection Report dated 9 March 2020 has been referred to Council from NSW Fire & Rescue, in respect to the subject premises for investigation and further action. The NSW Fire & Rescue report provided attached in **Attachment 1** confirms that NSW Fire & Rescue and NSW Police attended the site at Lot 1 DP 869214, 8 Emerald Drive, Port Macquarie on 22 June 2019.

NSW Fire & Rescue is conferred powers pursuant to the Act, to carry out inspections of buildings and is required to forward its findings to Council in accordance with Schedule 5 of the Environmental Planning and Assessment Act, 1979 as follows:

“17 Inspection reports by fire brigades

- (1) If the Commissioner of Fire and Rescue NSW carries out an inspection of a building under section 9.32 (Fire brigade’s inspection powers), the Commissioner must furnish to the council of the area in which the building is located:
 - (a) a report of the inspection, and
 - (b) if of the opinion that adequate provision for fire safety has not been made concerning the building, such recommendations as to the carrying out of work or the provision of fire safety and fire-fighting equipment as the Commissioner considers appropriate.
- (2) A council must:
 - (a) table any report and recommendations it receives under this clause at the next meeting of the council, and
 - (b) at any meeting of the council held within 28 days after receiving the report and recommendations or at the next meeting of the council held after the tabling of the report and recommendations, whichever is the later, determine whether it will exercise its powers to give a fire safety order.
- (3) A reference in sub clause (2) to a meeting of a council does not include a reference to a special meeting of the council unless the special meeting is called for the purpose of tabling any report and recommendations or making any determination referred to in that sub clause.
- (4) A council must give notice of a determination under this clause to the Commissioner of Fire and Rescue NSW.”

Note: It was not possible to table this report and recommendations to Council within 28 days of receipt of the report from NSW Fire & Rescue, as the subject premises was closed for business due to COVID 19 restrictions.

Council is now required to determine whether or not to exercise its authority to serve a Fire Safety Order under Division 9.3 and Schedule 5 of the Act.

The report outlines fire safety concerns and recommendations in respect to non-compliances within the premises.

The following fire safety matters are raised in the NSW Fire & Rescue Report:

Essential Fire Safety Measures

- A compliant block plan is required to be installed within the premises adjacent to the fire indicator panel in accordance with the requirements of AS 1670.
- Confirm installation of heat detectors in various areas of the public area have been approved in accordance with Clause 3.27.1, AS 1670.
- Exit signs were not operating when the test button was pressed or were not illuminated. Ensure exit signs meet required standard.

Access and Egress

- Ensure that the required exit door in the pub/bar is openable without a key so as to not prevent egress.
- Ensure that the required exit door that leads to the beer garden is openable without a key so as to not prevent egress.
- The bi fold accordion type doors leading from the bar area to the beer garden, when closed allow a single door to open with a lever type handle. This door is lockable and is not readily openable from the inside without a key when closed.
- Remove items from the storeroom obstructing the path of egress to the exit.
- Remove stock/display items from the Bottle Shop that are obstructing to the path of egress to the exit.
- Install signs in Gaming Area to identify the location of exits. Review exit strategy as required.
- Ensure the signposted exit sliding doors in the Gaming Area break open under pressure in accordance with the required standard.

Compartmentation

At the time of the inspection the service pipes in the store room through the ceiling appeared to lack fire collars. Provide the required fire stopping system (Fire Resistance Level) in accordance with the Standard.

General

- A current Annual Fire Safety Statement (AFSS) is required to be prominently displayed within the premises.

NSW Fire & Rescue, were therefore of the opinion that there is inadequate provision for fire safety within the building.

Council officers have discussed the issues raised by NSW Fire and Rescue on site with Hotel Management and the Fire Safety service provider for the premises.

An undertaking was also given that upon notification from Council, works would be commenced to satisfy the concerns raised.

Accordingly, a Fire Safety Order is recommended to be served pursuant to the provisions of Environmental Planning and Assessment Act (Division 9.3 and Schedule 5), to address these fire safety concerns.

The following fire safety matters, including those raised in the NSW Fire & Rescue Report, require attention:

1. *A block plan is required to be installed within the premises adjacent to the fire indicator panel in accordance with the requirements of AS 1670.*
2. *The building is to be fitted throughout with an automatic smoke alarm system, complying with the requirements of Specification E2.2a, Volume One of the National Construction Code (NCC). In this regard, it appears that heat detectors have been installed in various areas of the public bar area of the*

building. Evidence is to be submitted to Council to demonstrate that these detectors have been installed and approved in accordance with Clause 3.27.1, AS 1670.

3. *It could not be determined whether the air handling system installed within the premises, conforms to the requirements of Part E2 (Smoke Hazard Management) of the NCC. In this regard (unless the air handling system also forms a smoke exhaust system as part of a smoke hazard management system), pursuant to NSW variation to Table E2.2b of the NCC, the building is to be provided with automatic shutdown of any air handling system (other than non - ducted individual room units with a capacity not more than 1,000L/s) on activation of smoke detectors, which are installed to comply with Clause 6 of Specification E2.2a of the NCC.*
4. *To facilitate evacuation and to identify the location of the exits, operational exit signs complying with the requirements of Part E4 of the NCC are to be fitted throughout the building. In addition to the above to facilitate evacuation and to identify the location of the exits, additional exit signs are to be installed within the gaming area so as to clearly identify the location and path of travel to these exits.*
5. *The paths of travel leading to the buildings fire exits, including the operation of fire exit doors are not to be obstructed or impeded in contravention of Clause 184, 185 & 186 of the Environmental Planning & Assessment Regulation 2000 (EP&A Regulation). In this regard attention or modification is required to the following:*
 - a) *The exit door currently fitted with panic bars, located at ground floor level on the eastern side elevation of the premises, is fitted with a lock preventing the door from being openable at all times from the inside without a key, therefore restricting the path of travel to an exit and the operation of this door as a required exit door. The operation of this door is to be modified to allow a person seeking egress to evacuate at all times, without the use of a key. Doors which form part of a required exit must swing in a direction that does not impede the path of travel or direction of egress from the building.*
 - b) *The exit door, leading from the bar/bistro area to the beer garden, is fitted with a lock preventing the door from being openable at all times from the inside without a key, restricting the path of travel to an exit and the operation of this door as a required exit door. The operation of this door is to be modified to allow a person seeking egress to evacuate at all times, without the use of a key. Doors which form part of a required exit must swing in a direction that does not impede the path of travel or direction of egress from the building.*
 - c) *The single exit door, fitted within the bi fold accordion type doors, leading from the bar/bistro area to the beer garden, is fitted with a lock preventing the door from being openable at all times from the inside without a key, restricting the path of travel to an exit and the operation of this door as a required exit door, when the bi fold doors are closed. The operation of this door is to be modified to allow a person seeking egress to evacuate at all times, without the use of a key. Doors which form part of a required exit, must swing in a*

direction that does not impede the path of travel or direction of egress from the building.

- d) Ensure that deliveries, stock and display items placed to and within the bottle shop and storeroom at lower ground floor level, do not at any time obstruct the path of travel to and from an exit, for a person seeking egress from the premises.*
- e) The power operated sliding doors serving as required exit doors from the Gaming Area must be able to be opened manually under a force of not more than 110N if there is a malfunction or failure of the power source, pursuant to the requirements of NSW Part D2.19 (b) (v) of the NCC. These sliding doors are to be signposted as exit doors.*
- 6. All service pipes which penetrate the ceiling of the storeroom at lower ground floor level to comply with the requirements of Part C3.15 - Openings for Service Installations, of the NCC.*
- 7. A current Annual Fire Safety Statement (AFSS) is required to be submitted to Council and prominently displayed within the premises. In this regard, NSW Fire & Rescue and Port Macquarie Hastings Council prefers that the AFSS be located beside the Fire Indicator Panel (FIP).*

Options

A Fire Safety Inspection Report was referred to Council from NSW Fire & Rescue dated 9 March 2020, in respect to the subject premises, for investigation and further action. This is required to be tabled at a Council meeting in accordance with Schedule 5 of the Environmental Planning and Assessment Act as outlined above and Council is required to determine whether or not to exercise its authority to serve a Fire Safety Order under Division 9.3 and Schedule 5 of the Act.

Council has the option to:

- Resolve to issue a Fire Safety Order to address the issues identified, or
- Resolve not to exercise its authority to serve a Fire Safety Order or
- Or resolve in some other manner.

Community Engagement and Internal Consultation

External Consultation

External consultation has been undertaken with representatives of NSW Fire & Rescue and the owner of the premises.

Internal Consultation

There was no internal consultation required in this instance.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

1.  NSW Fire Rescue - Inspection Report Tacking Point Tavern 9 March 2020

Item: 13.11

Subject: DA2020 - 252.1 MULTI DWELLING HOUSING WITH TORRENS AND STRATA TITLE SUBDIVISION AT LOT 7 DP 758603, NO. 53 NORMAN STREET, LAURIETON

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That DA2020 - 252.1 for a Multi Dwelling Housing with Torrens and Strata Title Subdivision at Lot 7, DP 14, No. 53 Norman Street, Laurieton, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for multi dwelling housing with Torrens and Strata title subdivision and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

The application is required to be determined by Council as Council's Development Assessment Panel (DAP) was unable to reach a consensus on a determination. Under the DAP Charter, any application where the DAP is unable to reach consensus is to be referred to Council for determination.

A copy of the assessment report as presented to the DAP is provided as **Attachment 2**.

This report recommends that the development application be determined by granting consent subject to the conditions included in **Attachment 1**.

Discussion

A detailed assessment of the of the application in accordance with the relevant requirements in Section 4.15 of the Environmental Planning and Assessment Act 1979 has been carried out and is included in **Attachment 2** to this report.

The Development Assessment Panel considered the application at its meeting on 9 September 2020, with the minutes as follows:

The Panel was unable to reach consensus.

Paul Drake moved the following motion:

'That DA2020 - 252.1 for a Multi Dwelling Housing with Torrens and Strata Title Subdivision at Lot 7, DP 14, No. 53 Norman Street, Laurieton, be refused for the following reasons:

1. *The proposal does not comply with the Port Macquarie-Hastings Development Control Plan 2013, in particular:*
 - a. *Clause 3.2.2.4, the 4m rear boundary setback is not complied with.*
 - b. *Clause 2.5.3.3, insufficient car parking is provided given that the proposed lounge room within each dwelling has a similar size to a bedroom and could be converted to a 3rd bedroom.*
 - c. *Clause 3.2.2.6, the 35m² private open space requirement is compromised by rainwater tanks, clothes lines and garbage bins.*
2. *The proposal is contrary to the public interest as it does not comply with the DCP and it is in the public interest to maintain the integrity of the DCP.*
3. *The application has failed to adequately address the potential retention of the eucalypt tree fronting Norman St.'*

For = Paul Drake and Robert Hussey

Against = Dan Croft

The dissenting recommendation from Dan Croft was:

'That DA2020 - 252.1 for a Multi Dwelling Housing with Torrens and Strata Title Subdivision at Lot 7, DP 14, No. 53 Norman Street, Laurieton, be determined by granting consent subject to the recommended conditions.'

In response to the recommendation for refusal, the following comments are provided:

1. The report in **Attachment 2** is considered to address the provisions and objectives of the DCP and demonstrates that the proposal is acceptable, further to this, the following additional comments are made:
 - a. Clause 3.2.2.4 - The 2m rear setback variation to Lot 3 is not considered to give rise to an adverse overshadowing or privacy impact. The development is single storey, complies with open space requirements and conventional 1.8m high boundary fencing is proposed to manage privacy. As an additional measure to improve privacy between dwellings, the Applicant is prepared provide additional privacy screening to the rear boundary. An additional condition of consent has been recommended to achieve this. It should also be noted that the proposal complies with the floor space ratio controls under the Port Macquarie-Hastings Local Environmental Plan 2011, this is an indicator for acceptable site density.
 - b. Clause 2.5.3.3 - The proposed dwellings contain only two (2) bedrooms and the development complies with the minimum off street car parking for 6 x 2 bedroom dwellings under the DCP. Under the DCP, 1 space is provided for each dwelling and 2 visitor spaces are required to serve the development. Each dwelling contains 1 car space and a stacked space for visitors, exceeding the DCP requirements (stacked visitor parking permitted under the DCP). The lounge area within each dwelling is not enclosed by a door and it is not considered appropriate to assume that a future owner would convert this space to a bedroom. Any additional conversion would be

- subject to development consent. The Applicant has additionally offered to remove the “nib” wall prior to the construction certificate so as to further manage this issue. A condition has been recommended.
- c. Clause 3.2.2.6 - The proposal complies with the numerical controls of the DCP with respect to private open space. Each dwelling contains a minimum of 35m² of primary private open space and an additional secondary courtyard space, over and above the minimum primary open space area. Each dwelling is considered capable of meeting future occupant requirements for privacy, safety, access, utilities, outdoor activities and landscaping. The DCP specifically states that that private open space may include clothes drying and garbage storage.
 2. The Public interest is not considered to be compromised by the proposal. The objectives of the DCP have been addressed as per above and in **Attachment 2**.
 3. It is not considered practical to retain the eucalypt on Norman Street. This tree is approximately 9m in height and considered to be of low ecological value in the context. It is considered that there are insufficient grounds to refuse the application on this basis. Compensatory planting is not practically achievable on the site.

This report recommends that the development application be approved subject to the amended conditions included as **Attachment 1**, which include the additional conditions offered by the Applicant.

Options

Council has the following options in determining the development application:

1. Grant consent to the application subject to the recommended conditions.
2. Grant consent to the application subject to amended conditions.
3. Refuse consent to the application.

If consent is refused, Council is required to provide reasons for refusal in accordance with the Environmental Planning and Assessment Act 1979.

Community Engagement and Internal Consultation

The application has been notified in accordance with the Port Macquarie-Hastings Council Community Participation Plan 2019. Following exhibition of the application, one (1) submission was received. The submission is addressed in detail in the assessment report in **Attachment 2**.

The assessment report and recommended conditions of consent have been prepared with internal consultation in relation to water supply, sewer, stormwater drainage, and traffic.



Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

1.  DA2020 - 252.1 Recommended Conditions
2.  DA2020 - 252.1 DAP Report 9 September 2020

Subject: CONFIDENTIAL SESSION

RECOMMENDATION

1. That Council move into Confidential Session to receive and consider the following items:

Item 15.01 T-20-29 Provision of Consultant Statutory Property Services

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

Item 15.02 T-20-14 Port Macquarie Airport Security Screening Equipment

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 Acquisition of 1 Commerce Street, Wauchope

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, confer a commercial advantage on a competitor of the Council.

Item 15.04 T-20-01 Construction Scrubby Creek Bridge

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 T-20-18 - Dunbogan Pedestrian Balustrade Rail Replacement

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

Item 15.06 T-20-27 Boundary Street Upgrade - Detailed Design

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 Biodiversity Investigations and Stewardship Sites

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 Hibbard Ferry - Out of Water Inspection & Maintenance

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

2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Confidential Session of Council on the basis that the items to be considered are of a confidential nature.
3. That the resolutions made by Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.