



PORT MACQUARIE-HASTINGS
COUNCIL



Ordinary Council

Business Paper

date of meeting: Wednesday 21 October 2020

location: via Skype

time: 5.30pm

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

Council's Corporate Values

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

Community Themes

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

Ordinary Council Meeting

Wednesday 21 October 2020

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

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

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

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

1. That the Minutes of the Ordinary Council Meeting held on 23 September 2020 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 30 September 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 5:30pm.

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.

04 CONFIRMATION OF MINUTES

RESOLVED: Alley/Dixon

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

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

05 DISCLOSURES OF INTEREST

Councillor Dixon declared a Pecuniary Interest in Item 13.06 - Yippin Creek Planning Proposal - Status Update, the reason being that Councillor Dixon has a family member representing one of the landowners.

Councillor Hawkins declared a Non-Pecuniary, Less Than Significant Interest in Item 13.11 - DA2020 - 252.1 Multi Dwelling Housing with Torrens and Strata Title Subdivision at Lot 7 DP 758603, No. 53 Norman Street, Laurieton the reason being that Councillor Hawkins and his wife know the applicant, Mr Bob Beukers, of Beukers and Ritter, having received advice from the firm in the past with respect to planning matters within the Port Macquarie-Hastings local government area.

Councillor Intemann declared a Non-Pecuniary, Significant Interest in Item 11.02 - Classification of Land Acquired by Council, the reason being that Councillor Intemann is a Director of Hastings Co-operative Limited which leases land adjoining the acquired site and now intends to negotiate with Council for access through the acquired site.

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in Item 12.01 - Event Sponsorship Program Grant - Round 1 2021, the reason being that Councillor Alley advises the subject matter of this item includes an event called "the Dark Alley Sessions" which is associated by a business called "Dark Alley Collectables". I am the sole shareholder and a director of "Dark Alley Pty Ltd" that has no relationship whatsoever with this similarly named business.

Councillor Alley declared a Non-Pecuniary, Significant Interest in Item 13.03 - North Brother Local Catchments Flood Study - Results of Exhibition of Draft Options Assessment Report, the reason being that Councillor Alley advises the subject matter of this item includes property that is owned by the Trustees of Church Property, Diocese of Newcastle which holds that property for the benefit of

the Anglican Parish of the Camden Haven, of which Councillor Alley serves as the Treasurer on the Parish Council. These changes may result in a financial loss or gain to the Trustees of Church Property, Diocese of Newcastle, and hence a beneficial financial loss or gain to the Anglican Parish of the Camden Haven.

Mayor Pinson declared a Pecuniary Interest in Item 13.03 - North Brother Local Catchments Flood Study - Results of Exhibition of Draft Options Assessment Report, the reason being that Mayor Pinson has a relative who owns a property in the flood study area.

Mayor Pinson declared a Pecuniary Interest in Item 15.04 - T-20-01 Construction Scrubby Creek Bridge, the reason being that Mayor Pinson has an interest in a business that contracts with one of the tenderers on occasion.

06 MAYORAL MINUTES

Nil.

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Hawkins/Alley

That Council determine that the attachments to Item Numbers 12.01 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 7/0

FOR: Alley, Dixon, 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: Dixon/Hawkins

That Standing Orders be suspended to allow Items 10.01, 10.04, 10.09, 10.10, 10.11, 10.14, 10.16, 10.18, 11.02, 11.03, 12.01, 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07, 13.09, 13.11 not in the block to be brought forward and considered next.

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

10.01 CREATION OF OFFICE OF DEPUTY MAYOR

RESOLVED: Turner/Hawkins

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 open voting, if more than one nomination for Deputy Mayor is received.

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

At this juncture, the Acting General Manager as Returning Officer invited nominations for the election of the office of Deputy Mayor for the ensuing period with the following written nomination received:

Councillor L Intemann nominated by Councillor G Hawkins and Councillor R Turner.

Councillor L Intemann formally accepted her nomination.

The General Manager as Returning Officer declared that as only one nomination was received for the position of the Deputy Mayor, Councillor L Intemann is duly elected to the office of Deputy Mayor of Port Macquarie-Hastings Council for the ensuing period.

The General Manager congratulated Councillor Intemann on her election to the Office of Deputy Mayor.

The Mayor also congratulated Councillor Intemann on her election to the Office of Deputy Mayor.

The Deputy Mayor thanked Councillors for their support.

10.04 COUNCIL MEETINGS DATES FOR 2021

RESOLVED: Alley/Intemann

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 August and 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
 - 4 August
 - 29 September
 - 20 October (Taking the Council to the Community - Laurieton)
 - 17 November
 - 8 December
2. Note that the NSW Government has extended the period of COVID-19 Special Provisions as detailed in section 747A of the Local Government Act 1993 until 25 March 2021 that:
 - a) allows Councillors to attend Council meeting by audio visual links, rather than in person, where reasonably practicable to do so
 - b) satisfies the requirement of meetings being opened to members of the public where a live webcast of the meeting is made public.

CARRIED: 7/0

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

AGAINST: Nil

10.09 RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT COMMITTEE - LOCAL GOVERNMENT KEY RISK REPORT 2019

RESOLVED: Intemann/Hawkins

That Council:

1. Note the information contained in the recommended item from the Audit, Risk and Improvement Committee, concerning the Jardine Lloyd Thompson Local Government Key Risk Report for 2019, which specifically identifies the top four risks as:
 - a) Financial sustainability
 - b) Cyber instances and IT infrastructure
 - c) Reputation Risk
 - d) Natural catastrophe / climate change
2. Note that the outcomes of the Key Risk Report for 2019 will be considered during the next quarterly review of Council's risk registers for relevance to Council's environment.
3. Request the General Manager to ensure consideration of both individual risks and their inter-relationships, as well as benefits arising from risk management.
4. Note that in March 2020 it was resolved by the Audit, Risk and Improvement Committee that the General Manager would undertake a Climate Change Risk Assessment.
5. Note that Council has resolved to develop a Sustainability and Climate Change Strategy, and request the General Manager to ensure that such Strategy:
 - a) Considers both risk mitigation and the benefits arising from taking precautionary action on climate change; and
 - b) Is accompanied by an internal and community communications strategy.

CARRIED: 6/1

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

AGAINST: Griffiths

10.10 DRAFT PETITIONS POLICY

RESOLVED: Pinson/Griffiths

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.

CARRIED: 7/0

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

AGAINST: Nil

10.11 CODE OF MEETING PRACTICE

RESOLVED: Intemann/Griffiths

That Council:

1. Add the following clauses to the draft Code of Meeting Practice for the purpose of public exhibition:

Adjournment of Meeting:

- 5.27 Council or a Committee of the Council may resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.*
- 5.28 Where a meeting is adjourned under clause 5.27 to another date, the General Manager must:*
 - (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and*
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.*
2. 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.
3. 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.
4. 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.

CARRIED: 7/0

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

AGAINST: Nil

10.14 RELIEF MEASURES FOR THE IMPACTS OF COVID-19

RESOLVED: Hawkins/Pinson

That Council:

1. Note the information contained in the report Relief Measures for the impacts of COVID-19.
2. 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.
3. 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.
 4. Waive all hiring fees for Community Halls up to 28 February 2021.
 5. 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.
 6. Extend to 28 February 2021 the provisions of the amended Rates and Charges Hardship Assistance Policy to include non-residential property owners.
 7. 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.
 8. 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.
 9. Request that the General Manager provide a report to the February 2021 Ordinary Meeting of Council with an update on the endorsed relief measures.
- CARRIED: 7/0*
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil
-

10.16 2017-2021 DELIVERY PROGRAM AND 2019-2020 OPERATIONAL PLAN - SIX MONTHLY PROGRESS REPORT AS AT 30 JUNE 2020

RESOLVED: Pinson/Dixon

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

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

10.18 MAJOR PROJECTS GOVERNANCE - PROGRAM STEERING GROUPS CHARTERS & MEMBERSHIPS

RESOLVED: Intemann/Griffiths

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 November 2020 Ordinary meeting the outcomes of this review.
- CARRIED: 7/0*
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil
-

11.02 CLASSIFICATION OF LAND ACQUIRED BY COUNCIL

Councillor Intemann declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 6:39pm.

RESOLVED: Griffiths/Alley

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

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

Deputy Mayor Intemann returned to the meeting, the time being 6:40pm.

11.03 LAND DONATION - BEACH TO BEACH PROJECT, DUNBOGAN

RESOLVED: Alley/Griffiths

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.

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

12.01 EVENT SPONSORSHIP PROGRAM GRANT - ROUND 1 2021

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

RESOLVED: Griffiths/Dixon

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

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

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

MOTION

MOVED: Pinson/Alley

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 the Minister for Regional Transport and Roads, the Hon Paul Toole MP, for road safety upgrades to the intersection.

AMENDMENT

MOVED: Alley/Turner

That Council:

1. Note the current dangerous configuration and speed limit of Pacific Highway and Houston Mitchell Drive intersection.
2. Note that Council, based on information contained in the November 2018 Bitzios report, resolved to write to the Minister for Roads and the Member for Port Macquarie in December 2018 (resolution 12.01 12/12/2018) regarding traffic congestion at the Oxley Highway intersections with the Pacific Highway, Wrights Road and Lake Road and that these intersections remain of significant concern to traffic congestion in the Port Macquarie-Hastings LGA.
3. Note that Port Macquarie-Hastings is designated as a Regional Growth Area and much of this planned growth is in the Lake Cathie / Bonny Hills area and is likely to increase the use of the Pacific Highway and Houston Mitchell Drive intersection into the future.
4. Request the 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 and the Minister for Regional Transport and Roads, the Hon Paul Toole MP requesting immediate road safety improvements and an eventual fly-over upgrade to the Pacific Highway / Houston Mitchell Drive intersection to address urgent road safety issues.
5. Request the General Manager report back to Council in December 2020 on responses received from the Member for Port Macquarie, Hon Leslie Williams MP.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 4/3

FOR: Alley, Hawkins, Intemann and Turner

AGAINST: Dixon, Griffiths and Pinson

THE AMENDMENT BECAME THE MOTION

MOVED: Alley/Turner

That Council:

1. Note the current dangerous configuration and speed limit of Pacific Highway and Houston Mitchell Drive intersection.
2. Note that Council, based on information contained in the November 2018 Bitzios report, resolved to write to the Minister for Roads and the Member for Port Macquarie in December 2018 (resolution 12.01 12/12/2018) regarding traffic congestion at the Oxley Highway intersections with the Pacific Highway, Wrights Road and Lake Road and that these intersections remain of significant concern to traffic congestion in the Port Macquarie-Hastings LGA.
3. Note that Port Macquarie-Hastings is designated as a Regional Growth Area and much of this planned growth is in the Lake Cathie / Bonny Hills area and is likely to increase the use of the Pacific Highway and Houston Mitchell Drive intersection into the future.
4. Request the 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 and the Minister for Regional

Transport and Roads, the Hon Paul Toole MP requesting immediate road safety improvements and an eventual fly-over upgrade to the Pacific Highway / Houston Mitchell Drive intersection to address urgent road safety issues.

5. Request the General Manager report back to Council in December 2020 on responses received from the Member for Port Macquarie, Hon Leslie Williams MP.

AMENDMENT

MOVED: Pinson/Griffiths

That Council:

1. Note the current dangerous configuration and speed limit of Pacific Highway and Houston Mitchell Drive intersection.
2. Note that Port Macquarie-Hastings is designated as a Regional Growth Area and much of this planned growth is in the Lake Cathie / Bonny Hills area and is likely to increase the use of the Pacific Highway and Houston Mitchell Drive intersection into the future.
3. Request the 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 and the Minister for Regional Transport and Roads, the Hon Paul Toole MP requesting immediate road safety improvements and an eventual fly-over upgrade to the Pacific Highway / Houston Mitchell Drive intersection to address urgent road safety issues.
4. Request the General Manager report back to Council in December 2020 on responses received from the Member for Port Macquarie, Hon Leslie Williams MP.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 5/2

FOR: Alley, Dixon, Griffiths, Intemann and Pinson

AGAINST: Hawkins and Turner

THE AMENDMENT BECOMES THE MOTION AND WAS PUT

RESOLVED: Pinson/Griffiths

That Council:

1. Note the current dangerous configuration and speed limit of Pacific Highway and Houston Mitchell Drive intersection.
2. Note that Port Macquarie-Hastings is designated as a Regional Growth Area and much of this planned growth is in the Lake Cathie / Bonny Hills area and is likely to increase the use of the Pacific Highway and Houston Mitchell Drive intersection into the future.
3. Request the 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 and the Minister for Regional Transport and Roads, the Hon Paul Toole MP requesting immediate road safety improvements and an eventual fly-over upgrade to the Pacific

Highway / Houston Mitchell Drive intersection to address urgent road safety issues.

4. Request the General Manager report back to Council in December 2020 on responses received from the Member for Port Macquarie, Hon Leslie Williams MP.

CARRIED: 7/0

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

AGAINST: Nil

13.02 NOTICE OF MOTION - GOVERNMENT FUNDING FOR MANAGEMENT OF CROWN LAND

RESOLVED: Pinson/Griffiths

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 both the Local Member for Port Macquarie, Hon Leslie Williams MP and Local Member for Oxley and Minister for Water, Property and Housing, Hon Melinda Pavey MP, seeking their support, 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.

CARRIED: 7/0

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

AGAINST: Nil

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

Councillor Alley declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:04pm.

Mayor Pinson declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:05pm.

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

RESOLVED: Intemann/Griffiths

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.

CARRIED: 5/0
FOR: Dixon, Griffiths, Hawkins, Intemann and Turner
AGAINST: Nil

Councillor Alley returned to the meeting, the time being 8:07pm.

Mayor Pinson returned to the meeting, the time being 8:07pm.

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

13.04 SETTLEMENT SHORES CANALS - MAINTENANCE AND DREDGING

The Mayor tabled and displayed photos of the canals.

RESOLVED: Griffiths/Pinson

That Council:

1. Note the information contained in the Settlement Shores Canal - Maintenance and Dredging report.
2. Include works to replenish the beaches of the Ballina and Newport Canals that are greater than 150mm below the top of the revetment wall in the draft 2021/2022 Operational Plan.
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 draft 2021/2022 Operational Plan.
4. Note the 2017 Canal Maintenance Plan outlines further works to be completed.
5. Consult with property owners in the Settlement Shores Canal Estate to determine an equitable fee/charge to be added to the draft 2021/2022 Fees and Charges to fund maintenance activities as outlined in the 2017 Canal Maintenance Plan.

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

13.05 ROADSIDE VEGETATION MANAGEMENT POLICY - OUTCOME OF PUBLIC EXHIBITION

RESOLVED: Griffiths/Hawkins

That Council defer adoption of the Roadside Vegetation Management Policy pending further advice via a briefing from the Acting General Manager and a report presented to the November 2020 Council meeting.

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

13.06 YIPPIN CREEK PLANNING PROPOSAL - STATUS UPDATE

Councillor Dixon declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:42pm.

RESOLVED: Turner/Griffiths

That Council note the information contained in the Yippin Creek Planning Proposal - Status Update report.

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

Councillor Dixon returned to the meeting, the time being 8:46pm.

13.07 KENWOOD DRIVE BRIDGE LAKE CATHIE - REVIEW OF 2011 HYDRODYNAMIC REPORT FINDINGS - STATUS UPDATE

RESOLVED: Pinson/Griffiths

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.

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

13.09 MEMBERSHIP OF THE COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-COMMITTEE

Mayor Pinson left the meeting, the time being 9:09pm.

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

RESOLVED: Intemann/Alley

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 noting that should any of these five nominees not accept a position, an alternate will be nominated from Table 2 in the order listed.
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 2020 meeting for further consideration.

CARRIED: 6/0

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

AGAINST: Nil

13.11 DA2020 - 252.1 MULTI DWELLING HOUSING WITH TORRENS AND STRATA TITLE SUBDIVISION AT LOT 7 DP 758603, NO. 53 NORMAN STREET, LAURIETON

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

Mayor Pinson returned to the meeting, the time being 9:12pm.

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

RESOLVED: Griffiths/Hawkins

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.

CARRIED: 7/0

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

AGAINST: Nil

14 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Dixon/Griffiths

That items 10.02, 10.03, 10.05, 10.06, 10.07, 10.08, 10.12, 10.13, 10.15, 10.17, 11.01, 13.08, 13.10 be consider as a block resolution.

CARRIED: 7/0

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

AGAINST: Nil

RESOLVED: Dixon/Griffiths

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

10.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Dixon/Griffiths

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

10.03 OCTOBER 2020 ORDINARY COUNCIL MEETING - LAURIETON

BLOCK RESOLVED: Dixon/Griffiths

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.

Item 10.04 Council Meetings Dates for 2021, has been addressed previously within the meeting.

10.05 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 30 JULY TO 9 SEPTEMBER 2020

BLOCK RESOLVED: Dixon/Griffiths

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

10.06 2020 LOCAL GOVERNMENT NSW WATER MANAGEMENT CONFERENCE

BLOCK RESOLVED: Dixon/Griffiths

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.

10.07 RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT COMMITTEE - AUDIT, RISK & IMPROVEMENT COMMITTEE ANNUAL REPORT 2019-2020

BLOCK RESOLVED: Dixon/Griffiths

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

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

BLOCK RESOLVED: Dixon/Griffiths

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

Item 10.09 Recommended Item from Audit, Risk & Improvement Committee - Local Government Key Risk Report 2019, has been addressed previously within the meeting.

Item 10.10 Draft Petitions Policy, has been addressed previously within the meeting.

Item 10.11 Code of Meeting Practice, has been addressed previously within the meeting.

10.12 MONTHLY BUDGET REVIEW - AUGUST 2020

BLOCK RESOLVED: Dixon/Griffiths

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.

10.13 INVESTMENTS - AUGUST 2020

BLOCK RESOLVED: Dixon/Griffiths

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

Item 10.14 Relief Measures for the Impacts of COVID-19, has been addressed previously within the meeting.

10.15 AMENDMENTS TO 2020-2021 FEES AND CHARGES

BLOCK RESOLVED: Dixon/Griffiths

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.

Item 10.16 2017-2021 Delivery Program and 2019-2020 Operational Plan - Six Monthly Progress Report as at 30 June 2020, has been addressed previously within the meeting.

10.17 FINANCIAL ASSISTANCE GRANTS

BLOCK RESOLVED: Dixon/Griffiths

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.

Item 10.18 Major Projects Governance - Program Steering Groups Charters & Memberships, has been addressed previously within the meeting.

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

BLOCK RESOLVED: Dixon/Griffiths

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

Item 11.02 Classification of Land Acquired by Council, has been addressed previously within the meeting.

Item 11.03 Land Donation - Beach to Beach Project, Dunbogan, has been addressed previously within the meeting.

Item 12.01 Event Sponsorship Program Grant - Round 1 2021, has been addressed previously within the meeting.

Item 13.01 Notice of Motion - Significant Road Safety Upgrade to Pacific Highway/Houston Mitchell Drive Intersection, has been addressed previously within the meeting.

Item 13.02 Notice of Motion - Government Funding for Management of Crown Land, has been addressed previously within the meeting.

Item 13.03 North Brother Local Catchments Flood Study - Results of Exhibition of Draft Options Assessment Report, has been addressed previously within the meeting.

Item 13.04 Settlement Shores Canals - Maintenance and Dredging, has been addressed previously within the meeting.

Item 13.05 Roadside Vegetation Management Policy - Outcome of Public Exhibition, has been addressed previously within the meeting.

Item 13.06 Yippin Creek Planning Proposal - Status Update, has been addressed previously within the meeting.

Item 13.07 Kenwood Drive Bridge Lake Cathie - Review of 2011 Hydrodynamic Report Findings - Status Update, has been addressed previously within the meeting.

13.08 LAND ACQUISITION - THE RUINS WAY SHARED PATHWAY

BLOCK RESOLVED: Dixon/Griffiths

That Council:

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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.

Item 13.09 Membership of the Coast, Estuary & Floodplain Advisory Sub-Committee, has been addressed previously within the meeting.

**13.10 TACKING POINT TAVERN, 8 EMERALD DRIVE PORT MACQUARIE
LOT 1 DP: 869214**

BLOCK RESOLVED: Dixon/Griffiths

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.

CONFIDENTIAL SESSION

RESOLVED: Griffiths/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 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.

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 T-20-29 PROVISION OF CONSULTANT STATUTORY PROPERTY SERVICES

RESOLVED: Griffiths/Dixon

That Council:

1. Accept the Tender from Ian James Russell for the provision of Consultant Statutory Property Services for an initial period of two (2) years commencing 1 October 2020 with one (1) option for extension for a further period of one (1) year. Such options are to be for the benefit of Council and may be exercised only by Council at its sole discretion.
2. Affix the seal of Council to the necessary document.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-29.

CARRIED: 7/0

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

AGAINST: Nil

15.02 T-20-14 PORT MACQUARIE AIRPORT SECURITY SCREENING EQUIPMENT

RESOLVED: Hawkins/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-20-14 Port Macquarie Airport Security Screening Equipment and enter into negotiations with the preferred tenderers that submitted a tender in response to Request for Tender T-20-14, with a view to entering into a contract for the Port Macquarie Airport Security Screening Equipment.
2. Pursuant to clause 178(4)(a) and (b) of the Local Government (General) Regulations 2005 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 tenderers have demonstrated the experience, capacity and capability to meet the requirements of the Request for Tender.

-
3. Request the 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-20-14.
 4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-14.

CARRIED: 7/0

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

AGAINST: Nil

15.03 ACQUISITION OF 1 COMMERCE STREET, WAUCHOPE

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the information contained in the report including the negotiated terms as detailed.
2. Proceed to acquire Lot 1 Deposited Plan 545926, 1 Commerce Street, Wauchope.
3. On registration of the transfer of Lot 1 Deposited Plan 545926 and pursuant to Section 34 of the Local Government Act 1993 commence the process to classify Lot 1 Deposited Plan 545926 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 545926 (1 Commerce Street, Wauchope) as operational land."
4. Note a further report will be tabled to a future Council meeting detailing any submissions received during the exhibition period.

CARRIED: 7/0

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

AGAINST: Nil

15.04 T-20-01 CONSTRUCTION SCRUBBY CREEK BRIDGE

Mayor Pinson declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 9:19pm.

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

RESOLVED: Griffiths/Alley

That Council:

1. Accept the Tender from Eire Constructions Pty Ltd for the Lump Sum of \$499,805.15 (exclusive of GST) for Request for Tender T-20-01 Construction of Scrubby Creek Bridge.
2. Affix the seal of Council to the necessary document.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-01.

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

Mayor Pinson returned to the meeting, the time being 9:20pm.

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

15.05 T-20-18 - DUNBOGAN PEDESTRIAN BALUSTRADE RAIL REPLACEMENT

RESOLVED: Dixon/Hawkins

That Council:

1. Accept the Tender from Eire Constructions Pty Ltd for the Lump Sum of \$597,238.61 (exclusive of GST) for Request for Tender T-20-18 Design and Construct - Dunbogan Bridge Pedestrian Balustrade Rail replacement project.
2. Affix the seal of Council to the necessary document.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-18.

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

15.06 T-20-27 BOUNDARY STREET UPGRADE - DETAILED DESIGN

RESOLVED: Hawkins/Dixon

That Council:

1. Accept the Tender from Hopkins Consultants Pty Limited for the Lump Sum of \$639,859 (exclusive of GST) for Boundary Street Upgrade - Detailed Design.
2. Affix the seal of Council to the necessary document.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-27.

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

15.07 BIODIVERSITY INVESTIGATIONS AND STEWARDSHIP SITES

RESOLVED: Intemann/Griffiths

That Council:

-
1. Note the information included in the report.
 2. Request that the General Manager prepare and submit a report for the Honourable Matt Keen MP with information regarding possible land acquisition areas for consideration to increase the size of the National Parks System which exist in the Port Macquarie-Hastings Local Government Area.
 3. Request that the General Manager develop a project for consideration with the development of the draft 2021/2022 Operational Plan to undertake further investigation into the feasibility of acquiring four identified properties within the Port Macquarie-Hastings Local Government Area and report back to Council.

CARRIED: 7/0

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

AGAINST: Nil

15.08 HIBBARD FERRY - OUT OF WATER INSPECTION & MAINTENANCE

RESOLVED: Griffiths/Alley

That Council:

1. Note the actions planned for the Out of Water Inspection and Maintenance (Slipping) of the Hibbard Ferry.
2. Pursuant to Section 55(3)(i) of the Local Government Act 1993, resolve to not invite tenders for the Out of Water Inspection and Maintenance (Slipping) of Hibbard Ferry due to the unavailability of reliable and competitive tenders as described in this report and that a satisfactory result would not be achieved by inviting tenders.
3. Accept the quotation from Birdon Pty Ltd to undertake the Out of Water Inspection and Maintenance (Slipping) of the Hibbard Ferry for \$469,458.00 (ex GST).
4. Affix the seal of Council to the necessary document.
5. Maintain the confidentiality of the documents and consideration in respect of the quotation submitted by Birdon Pty Ltd.

CARRIED: 7/0

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

AGAINST: Nil

RESOLVED: Dixon/Hawkins

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 9:39pm.

.....
Peta Pinson
Mayor

UNCONFIRMED

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)
Acting Director Development and Environment (Duncan Coulton)
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)

The meeting opened at 1:00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 APOLOGIES

Nil.

03 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

04.01 DRAFT LOCAL STRATEGIC PLANNING STATEMENT

RESOLVED: Intemann/Griffiths

That Council:

1. Note that the Local Strategic Planning Statement (LSPS) for Port Macquarie-Hastings - "Shaping Our Future 2040" together with the Community Strategic Plan - "Towards 2030" set the direction for our community's environmental, social and economic needs into the future.
2. Note that submissions received during the exhibition period commend Council on the preparation of the first Local Strategic Planning Statement for Port Macquarie-Hastings. The majority of submissions are strongly supportive of the strategic intent of the Local Strategic Planning Statement and the content, including the vision, strategic planning principles, themes and planning priorities.
3. Adopt "Shaping Our Future 2040" - Council's Local Strategic Planning Statement as exhibited (with minor amendments) to meet the NSW Government's timeline for completion of regional Local Strategic Planning Statements by 30 September 2020.
4. Note that "Shaping Our Future 2040" will be uploaded to and published on the NSW Planning Portal following adoption and as required by section 3.9 of the Environmental Planning and Assessment Act, 1979 (NSW) noting that amendments may be made after full consideration of all submissions.
5. Request the Acting General Manager provide a workshop to Councillors and then present a further report to the November 2020 Ordinary Council meeting, following full due consideration of submissions received during the exhibition period including any revision to the Local Strategic Planning Statement.
6. Further note that a submission was received by Department of Planning, Industry & Environment - Environmental Protection Agency in addition to the submissions detailed in the body of the report.
7. Write to thank those people who made a submission to the draft Local Strategic Planning Statement.

CARRIED: 7/0

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

AGAINST: Nil

The meeting closed at 1:18pm.

.....
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 11.02 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:	11.02
Subject:	2020-2021 Round 1 Community Grant Program for Endorsement
Attachment Description:	Round 1 2020-2021 Community Grants Assessment Evaluation
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: 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
T-20-26 Bonny Hills Recycled water System Upgrade - post negotiation	12/08/2020 Item 15.04	Still negotiating	DI	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
Smart Community Roadmap - post exhibition	12/08/2020 Item 12.02		DSG		Oct-20
Tender T-20-14 Port Macquarie Airport Security Screening Equipment - post negotiation	23/09/2020 Item 15.02		DCP		Oct-20
Review of 2011 Lake Cathie / Lake Innes Estuary Hydrodynamic Model Development and Investigation Report - process, timeframe, costs	23/09/2020 Item 13.97		DDE		Oct-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
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
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	Nov-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	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 provide	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
		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
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	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
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	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 Recruitment Selection Panel	15/07/2020 Item 10.04		GM		Nov-20
Review of Regional Transport Infrastructure Steering Group	23/09/2020 Item 10.18		DI		Nov-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Charter and Functions					
Draft Roadside Vegetation Management Policy	23/09/2020 Item 13.05		DI		Nov-20
Local Strategic Planning Statement - post exhibition and revision	15/07/2020 Item 10.09 30/09/2020 Item 04.01		DDE	Sep-20 Oct-20	Nov-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	Currently on exhibition	DDE	Oct-20	Nov-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. Councillor briefing on legal matters in August 2020.	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	Dec-20
Markets Policy - Review	11/12/2019 Item 12.02		DSG		Dec-20
Draft s9.11 Airport Business Park Roads Contribution Plan	20/05/2020 Item 13.05	Additional work to be undertaken in respect of land uses to be included in the precinct	DDE		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	12/08/2020 Item 12.05		DDE		Dec-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
taxiway at Port Macquarie Airport - post exhibition					
Integrated Water Cycle Management Strategy - Update Report and Community Engagement Outcomes	12/08/2020 Item 13.03		DI		Dec-20
Draft Petitions Policy - post exhibition	23/09/20 Item 10.10		DCP		Dec-20
Draft Code of Meeting Practice	23/09/20 Item 10.11		DCP		Dec-20
Land classification - Lot 1 DP 1267234 The Boulevarde, Dunbogan - post exhibition	23/09/20 Item 11.03		DDE		Dec-20
Land classification - Lot 1 DP 545926 1 Commerce Street, Wauchope - post exhibition	23/09/2020 Item 15.03		DDE		Dec-20
Significant Road Safety Upgrade to Pacific Highway / Houston Mitchell Drive Intersection - response from Hon Leslie Williams MP	23/09/20 13.01		GM		Dec-20
MOU - Norfolk Island Regional Council - income and expenditure administration.	20/03/19 Item 09.02		GM		Feb-21
Land Acquisition Required as Part of the Long Flat Sewer Scheme - post exhibition	20/11/19 Item 13.13	Awaiting advice from Crown Lands	DDE	Feb-20 Aug-20 Oct-20	Feb-21
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	Feb-21

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
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
Relief Measures for the Impacts of COVID-19 -Update	23/09/20 Item 10.14		DCP		Feb-21
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	Mar-21
Planning Proposal (PP2017-11.1) The Chimneys, Homedale Road, Kew	17/06/2020 Item 13.03	Revised PP lodged	DDE	Sep-20 Oct-20	Mar-21
Developments, Public Place & Events Waste Minimisation and Management Policy - impacts, fees, feedback	03/06/2020 Item 13.01		DCP		May-21
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 Tallowood 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)

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
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 recommended steps	12/08/2020 Item 15.03		DDE		TBA
Biodiversity Investigations and Stewardship Sites	23/09/2020 Item 15.07		DDE		TBA

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		

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
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		
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		

Report	Reportin g Officer	Reportin g Cycle	Month	Altere d Report Date	Reason for Altered Date
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		
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		

AGENDA

ORDINARY COUNCIL
21/10/2020

Attachments

Nil

LEADERSHIP AND
GOVERNANCE

Item: 10.02

**Subject: MAYORAL DISCRETIONARY FUND ALLOCATIONS -
10 SEPTEMBER TO 7 OCTOBER 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 10 September to 7 October 2020 inclusive.

Executive Summary

To advise of the Mayoral Discretionary Fund allocations for the period 10 September to 7 October 2020 inclusive.

Discussion

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

Annual Donation to Local Primary and High Schools for End of Year School Presentations	\$1,230.00
Purchase of 3 x copies of book "Precious Michelle" for each of Council's libraries	\$36.00
	\$1,266.00

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: 10.03

Subject: DISCLOSURES REGISTER - ANNUAL RETURNS 2019-2020

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. **Note the information in the Disclosure Register for 2019-2020.**
2. **Determine that the following positions become a Designated Person pursuant to the provisions of Clause 4.8 of Council's Code of Conduct:**
 - a) **Development Assessment Co-ordinator.**
 - b) **Water and Sewer Strategic Planning Engineer.**
 - c) **Water and Sewer Engineering Planning Manager.**
 - d) **Building Certification Co-ordinator.**
 - e) **Administration Officer.**
 - f) **Parks Management Officer.**
 - g) **Recreation and Facilities Manager.**
 - h) **Project Officer.**
 - i) **Landscape Architect.**
 - j) **Facilities Co-ordinator.**
 - k) **Senior Landscape Architect.**
 - l) **Natural Resources Manager.**
 - m) **Bushfire Management Officer.**
 - n) **Biosecurity Officer Weeds.**
 - o) **Team Leader Invasive Weeds.**
 - p) **Development Assessment Administration Co-ordinator.**
 - q) **Contributions Development Officer.**
3. **Note the following position title changes:**
 - a) **Land Use Planner (previously Strategic Planner).**
 - b) **Compliance Co-ordinator (previously Development Compliance Coordinator).**
 - c) **Group Manager Community (previously Group Manager Community Engagement).**
 - d) **Group Manager People, Safety and Performance (previously Group Manager Organisational Performance).**
 - e) **Development Assessment Building Surveyor (previously Building Surveyor).**
 - f) **Water & Sewer Process Planning Engineer (previously Water & Sewer Process Manager)**
4. **Note the following obsolete position is removed from the Disclosure Register:**

- a) Road Safety Co-ordinator.
5. Determine that members of the Coast, Estuary and Floodplain Advisory Sub-Committee be designated persons.
6. Note that a further report will be presented to the November 2020 Ordinary Council Meeting tabling the outstanding Annual Disclosure Return as detailed in this report.

Executive Summary

Council's Code of Conduct requires the General Manager to keep a register of disclosure returns and table the returns at the first Council meeting after 30 September each year.

The Disclosure Register is a public register and can be accessed by members of the public, by appointment.

Discussion

Clause 4.21 of Council's Code of Conduct requires Councillors and Designated Persons to submit a disclosure return on an annual basis and lodge it with the General Manager within 3 months after 30 June each year.

Clause 4.24 requires the General Manager to keep a Register of the Returns and Clause 4.25 requires the returns must be tabled at the first meeting of the Council after the last day the return is required to be lodged.

A review of Designated Persons has been completed and all disclosure returns for the period 1 July 2019 to 30 June 2020 have been lodged and will be tabled, by the General Manager, when this report is dealt with by Council.

The disclosure returns will be held in the Disclosure Register in the Governance Section of Council and, as required by Section 6 of the *Government Information (Public Access) Act 2009*, they are available for public inspection by appointment or they are available on Council's website noting residential addresses of staff may be redacted in accordance with the Local Government Act.

New Positions, Changes to Position Titles and Responsibilities, Obsolete Positions

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

The following new positions should be added to the existing list of Designated Persons:

- a) Development Assessment Co-ordinator.
- b) Water and Sewer Strategic Planning Engineer.
- c) Building Certification Co-ordinator.
- d) Administration Officer.
- e) Parks Management Officer.
- f) Recreation and Facilities Manager.
- g) Project Officer.
- h) Landscape Architect.
- i) Facilities Co-ordinator.

- j) Senior Landscape Architect.
- k) Natural Resources Manager.
- l) Bushfire Management Officer.
- m) Biosecurity Officer Weeds.
- n) Team Leader Invasive Weeds.
- o) Development Assessment Administration Co-ordinator.
- p) Contributions Development Officer.

The following titles should be amended on the existing list of Designated Persons:

- a) Land Use Planner (previously Strategic Planner).
- b) Compliance Co-ordinator (previously Development Compliance Coordinator).
- c) Group Manager Community (previously Group Manager Community Engagement).
- d) Group Manager People, Safety and Performance (previously Group Manager Organisational Performance).
- e) Development Assessment Building Surveyor (previously Building Surveyor).
- f) Water & Sewer Process Planning Engineer (previously Water & Sewer Process Manager).

The following obsolete position should be removed from the existing list of Designated Persons:

- a) Road Safety Co-ordinator

Sub-Committees

The Coast, Estuary and Floodplain Advisory Sub-Committee should be a designated committee.

Outstanding Annual Disclosure Returns

At the time of writing this report the following Annual Disclosure Return is outstanding:

- Arborist
- Sport and Recreation Officer
- Senior Plumbing and Drainage Officer
- Development Assessment Planner

Options

It is a requirement under Council's Code of Conduct that the disclosure returns be presented to Council.

Community Engagement and Internal Consultation

Internal Consultation

- Councillors.
- General Manager and Directors.
- Designated Persons.

Planning and Policy Implications

This report meets Council's legislative requirements with regards to annual disclosure returns for Councillors and designated persons.

Financial and Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 10.04**Subject: MONTHLY BUDGET REVIEW - SEPTEMBER 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 "September 2020 Adjustments" section of the Monthly Budget Review – September 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 September 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 September 2020 to \$462,463.

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
September Review	Surplus	\$63,165
Forecast Budget Position for 30 June 2021	Shortfall	(\$462,463)

September 2020 Adjustments

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

Item	Surplus/ Shortfall	Amount	Comment
Financial Assistance Grant	Surplus	\$63,165	Financial Assistance Grant advice more than budgeted
Total	Surplus	\$63,165	

The following adjustments reflect budget movements as a result of grant funding received, budget variation requests, reserves movements and movements between projects. 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	\$4,245,000
Budget Variation Requests	2	Reserve	\$700,000
Reserves	3	Reserve	\$150,000
Movement between Projects	4	Revenue/Reserve	\$353,950
Total			\$5,448,950

1. Grant Funding

Council Project	Grant Provider	Grant Funding	Other Funding*	Comment
Captain Cook Bicentennial Drive Rehabilitation	Transport for NSW	\$250,000	\$0	Council received a grant from Transport for NSW for Blackspot Funding

Council Project	Grant Provider	Grant Funding	Other Funding*	Comment
Town Beach Park - Playground Upgrade	Dept of Planning Industry & Environment	\$200,000	\$0	Council received a grant from the Dept of Planning, Industry & Environment for the Town Beach Playground Upgrade
Highfield Circuit Pavement Resurfacing	Transport for NSW	\$200,000	\$0	Council has received grant funding from Transport for NSW for a variety of projects under the Fixing of Local Roads Scheme
Maria River Rd Resealing (20/21 Component)	Transport for NSW	\$500,000	\$0	Council has received grant funding from Transport for NSW for a variety of projects under the Fixing of Local Roads Scheme
Toorak Court Pavement Resurfacing	Transport for NSW	\$105,000	\$0	Council has received grant funding from Transport for NSW for a variety of projects under the Fixing of Local Roads Scheme
Pembroke Rd Rehabilitation	Transport for NSW	\$2,990,000	\$0	Council has received grant funding from Transport for NSW for a variety of projects under the Fixing of Local Roads Scheme
Total Grant Funding		\$4,245,000	\$0	

2. *Budget Variation Requests (approved by Executive)*

Project Name	Funding Source	Amount	Comments
Bonny Hills STP Recycled Water Augmentation	Reserve	\$700,000	Budget variance for the Bonny Hills Recycled Water Augmentation - additional Project Management & Contingency costs
Total Approved Budget Variations		\$700,000	

3. Reserve Movements

Transfer from	Transfer To	Amount	Comments
SPS 1 - Upgrade for Aquatic Centre	Reserve	\$150,000	Funding now required in 21/22 financial year instead of the current financial year
Reserve Movements		\$150,000	

4. Movement between Projects

Transfer from	Transfer To	Amount	Comments
Building Certification Revenue	Salaries & Wages	\$53,950	Utilisation of additional revenue to meet guidelines for the NSW Public Spaces Legacy Program
Sewerage Pump Stations 18 and 21	Sewerage Pump Station Upgrades	\$100,000	Accounting entry only - consolidation of SPS Budgets for delivery
Town Green West Upgrade	Town Green West Playground Upgrade	\$200,000	Accounting entry only - allows for separate cost tracking of Playground
Total Movements between Projects		\$353,950	

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 \$462,463.

Statement by Responsible Accounting Officer

"The adopted original budget result for 2020-2021 was a shortfall of \$676,730. As at 30 September 2020, this shortfall position has decreased to \$462,463. 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.  September 2020 Budget Review

Item: 10.05

Subject: INVESTMENTS - SEPTEMBER 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 September 2020.

Executive Summary

- Total funds invested as at 30 September 2020 equals \$313,032,786.
- Interest for the month of September was \$557,519.
- The year-to-date investment income of \$1,738,941 represents 28% of the total annual investment income budget of \$6,321,693.
- Council's total investment portfolio performance for the financial year to date was 2.22% above the benchmark (2.32% against 0.10%), benchmark being the Bank Bill reference rate as at 30 September 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 +2.54% p.a., outperforming bank bills by 1.96% 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 the RBA flagging the possibility of a further interest rate cut, 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.
- During the month, AMP was downgraded by S&P from BBB+ to BBB and MyState was downgraded by Moody's from Baa1 to Baa2 (S&P equivalent: BBB+ to BBB). There are however no concerns with Council's investments in these institutions.
- Council's exposure to institutions that fund fossil fuels is 56% 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|cddb291-68a4-4d81-8aee-b3733958e5ca|bd0cff62-3134-4e81-9f7e-de4e65feb428|en-AU>

Current Investments

Council is required to undertake investments in accordance with section 625 of the *Local Government Act 1993*. This report provides details of Council's investments, and certifies that all funds that Council has invested as at 30 September 2020, comply with this Act.

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

As at 30 September 2020, the investments held by Council totalled \$313,032,786 and were attributed to the following funds:

General Fund	138,260,320
Waste Fund	15,635,988
Water Fund	111,805,920
Sewer Fund	45,874,955
Sanctuary Springs Fund	37,564
Broadwater	1,418,039
	<hr/>
	313,032,786

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, (\$313,032,786), and total investments held as per Imperium's attached monthly report (\$313,064,988). 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.

During the month, AMP bank was downgraded from BBB+ to BBB by ratings agency S&P. This downgrade was due to the view that the overall creditworthiness of the AMP group is weaker, it being exposed to challenges which may disrupt its overall

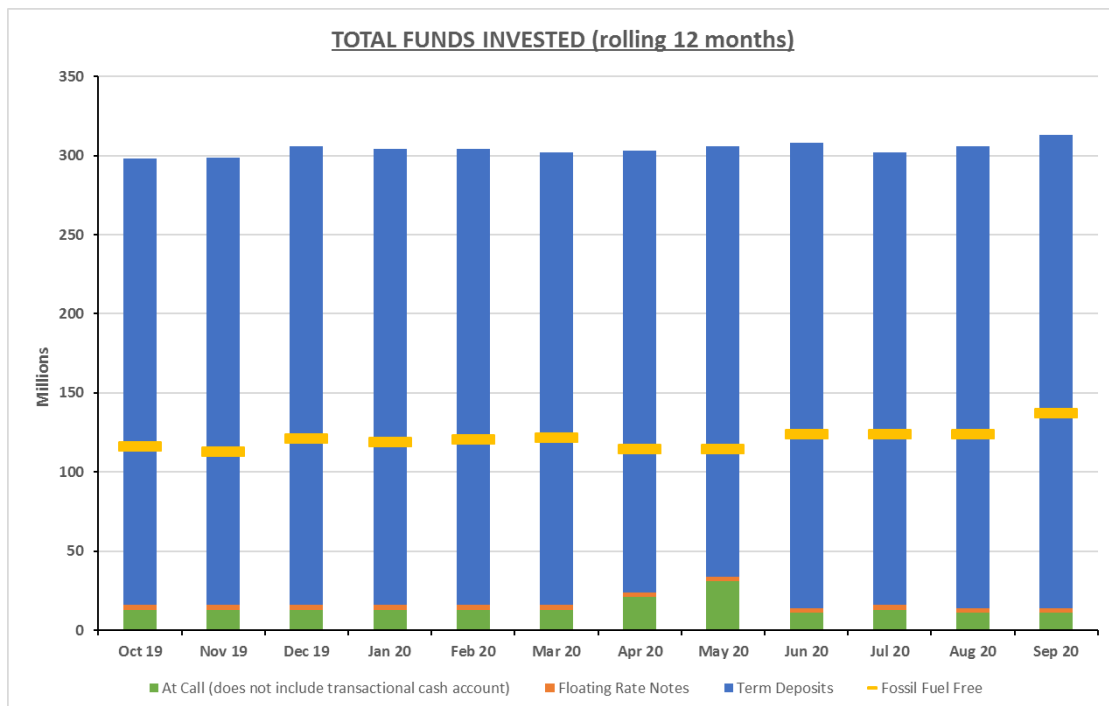
strategic direction. Moody's also downgraded MyState Bank from Baa1 to Baa2, which equates to BBB+ down to BBB in S&P's ratings. This downgrade reflects lower financial buffers in a more challenging operating environment when compared to its peers, with Moody noting however that the bank's capital ratio had remained steady.

There are currently no indications of concerns with Council's exposure to AMP or MyState from a capital loss or return perspective, given that they are super-senior ranked assets, extremely low risk and high up the bank capital structure. Council has \$9m of its total portfolio of \$313m invested with AMP and \$13m with MyState. The downgrade does not impact Council's compliance with counterparty or credit quality exposure limits.

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 30/09/20 (\$)	Amount invested at 30/09/20 (%)
Yes	176,032,786	56.2%
No	137,000,000	43.8%
	313,032,786	

The following graph shows total investments on a rolling 12 month basis:



During the month of September, total investments increased by \$7m as compared to August. This movement comprised a number of individual increases and decreases, however was largely impacted by receipt of the 1st quarter rates instalment which was due 30th September, as well as the receipt of \$2.5m in grant funding for the

Stuart Park Regional Sporting Precinct and \$0.9m in grant funding for the Local Roads and Community Infrastructure Program.

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 2.22% above the benchmark (2.32% against 0.10%) and year to-date income is 28% 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 - September 2020
2.  Port Macquarie-Hastings Council Portfolio as at 30 September 2020

Item: 10.06

Subject: DRAFT UNREASONABLE CUSTOMER CONDUCT 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 as soon as practicable for a period of not less than 28 days, the draft Unreasonable Customer Conduct Policy and actively seek community feedback.**
- 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

Most customers of Council act in a reasonable and responsible manner when interacting with Council and its staff. There are however a small group of customers that act unreasonably that can prevent staff from undertaking their normal duties which effects the entire community. This conduct can be classified into five categories as mentioned in the body of the report.

This draft policy is based on the NSW Ombudsman's Office model policy for the management of unreasonable complainants conduct. Council is proposing to adopt a policy with a broader scope to manage the unreasonable conduct of all customers. This draft policy is attached as Attachment 1 to this report.

Discussion

Most customers who approach Council act reasonably and responsibly in their interactions, even when they are experiencing high levels of distress, frustration and anger about their complaint. However in a very small number of cases some customers behave in ways that are inappropriate and unacceptable – despite Council's best efforts to help them. They are aggressive and verbally abusive towards Council staff. They threaten harm and violence, inundate Council's offices with unnecessary and excessive phone calls and emails, make inappropriate demands on staff time and resources and refuse to accept decisions and recommendations in relation to their complaints or enquiries. When customers behave in these ways their behaviour is considered 'unreasonable'.

Unreasonable customer conduct ('UCC') is any behaviour by a current or former customer which, because of its nature or frequency raises substantial health, safety,

resource or equity issues for Council, staff, other service users and customers or the customer himself/herself.

UCC can be divided into five categories of conduct:

- a) Unreasonable persistence
- b) Unreasonable demands
- c) Unreasonable lack of cooperation
- d) Unreasonable arguments
- e) Unreasonable behaviours

Accordingly, a policy to address customers who fall under these categories has been developed and is attached as Attachment 1 to this report. The draft policy defines those interactions that are deemed unreasonable and provides actions that can be employed by staff to minimise the disruptions caused by these unproductive interactions. The policy provides a comprehensive framework to provide staff with the tools to manage these circumstances including checklists and draft letters. This framework includes listing various options available for staff including, in extreme circumstances, restricting access to Council officers to better manage these requests or complaints. This draft policy has been based on the NSW Ombudsman's Model Policy, and is designed to complement the NSW Ombudsman's publication, Managing Unreasonable Complainant Conduct Practice Manual (2nd edition). It represents current best practice in the management of unreasonable complainant behaviour. It is noted that the NSW Ombudsman's Office Model Policy is specifically for the management of unreasonable "complainants" however it is proposed to expand the scope of this policy to unreasonable customers in general based on the broad range of customers Council deals with on a regular basis.

It is recommended that this draft policy be placed on public exhibition for 28 days prior to a further report being presented to Council with the outcome of the public exhibition process.

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.

Internal Consultation

- General Manager
- Executive Team
- Group Manager Customer Experience and Communications


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 Unreasonable Customer Conduct Policy

Item: 10.07

Subject: CUSTOMER EXPERIENCE POLICY FRAMEWORK

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

1.4.3 Deliver a customer focused service that provides the community a consistent experience of Council.

RECOMMENDATION

That Council:

- 1. Place on public exhibition as soon as practicable for a period of not less than 28 days, the draft Customer Experience Policy and actively seek community feedback.**
- 2. Place on public exhibition as soon as practicable for a period of not less than 28 days, the draft Customer Complaints Policy and actively seek community feedback.**
- 3. 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 policies for adoption.**

Executive Summary

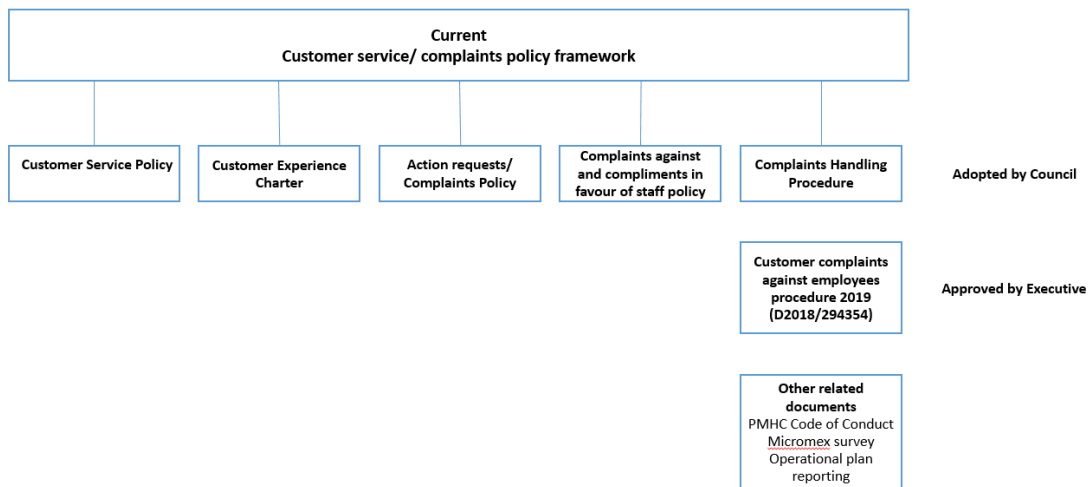
Council's customer service, customer requests and customer complaints are currently governed various policies and procedures which require updating. This report presents new draft policies governing Customer Experience and Customer Complaints and recommends they be exhibited for community feedback. The draft policies have been informed by extensive engagement on our customers' experiences (via the Customer Experience Project) and the NSW Ombudsman Model Complaints Policy.

Discussion

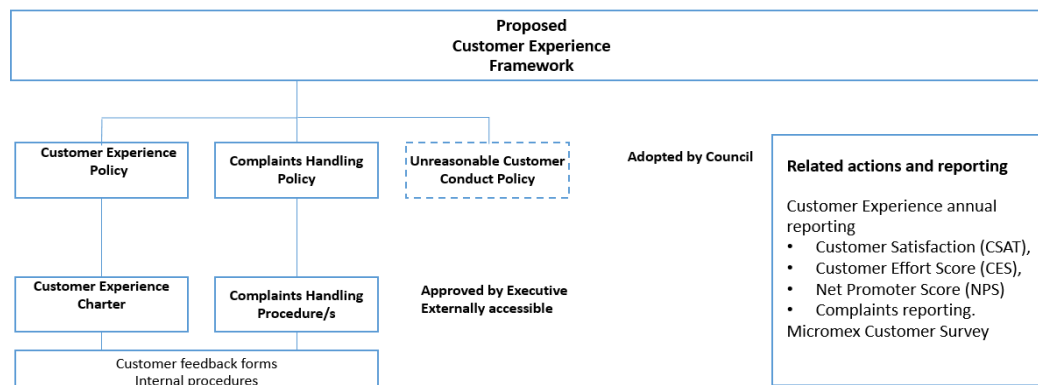
In 2018, Council embarked on a significant project that mapped our customer experiences and provided recommendations for a more proactive, customer centric model of service. The project highlighted the need for us to improve the way we undertake and measure our interactions with our customers.

A revised policy framework governing customer experience and complaints has now been developed. It seeks to capture these learnings to guide and support the progress and implementation of our efforts to improve our customers' experience.

Currently, customer service, customer requests and customer complaints are governed by various documents adopted by Council (see diagram below). These are in need of updating as they do not reflect our learnings from the project nor contemporary practice.



This report recommends replacing these policies with those that better outline and express our proactive approach to customer experience whilst reflecting the learnings and recommendations of the customer experience project to provide a policy framework to govern our approach as indicated below:



Customer Experience Policy

The proposed draft Customer Experience Policy (Attachment 1) draws on the learnings from the Customer Experience Project and seeks to document at a high level our position and make our commitment clear.

The customer journey mapping undertaken during the project highlighted that no single customer experience measure provides a complete picture of customer experience and that we need to adopt an approach that seeks to report on a combination of measures.

The planned re-platforming of our website will allow us to develop more comprehensive reporting data and analysis to improve our customer experience. Our new approach will better track and report a combination of measures that our customers consider to be important such as:

- The ease with which information is sourced by customers about our services;
- The ease with which customer can report issues or submit enquiries;
- Our ability to keep a customer informed about their request and having it resolved in a reasonable amount of time;
- The ability for customer to contact us through their preferred service channel; and
- Their overall experience interacting with us.

The measures we are introducing will collectively measure customer experience and track our progress through the use of benchmarks for customer satisfaction (CSAT), customer effort score (CES), and net promoter score (NPS). There is some work to do on these over coming months as we move further in progressing our customer centric maturity through the development of a Customer Experience Strategy.

Complaints Policy

The NSW Ombudsman and the Office of Local Government have set out clear expectations that Councils have a publicly accessible complaint handling policy and transparent complaint management system. The proposed draft Complaints Policy (Attachment 2) provides a clearer position and pathway for complaints (than our current policy framework) and is harmonised with the NSW Ombudsman Model Complaints Policy.

The focus of the new draft Complaints policy is to be clearer and more transparent to the customer about how we receive, respond and manage complaints. It sets out clearly the value of complaints, defines what a complaint is and sets up an environment for us to manage complaints.

Options

Council may choose to agree the recommendations as proposed or:

- Request the draft policies be amended prior to public exhibition.
- That the draft policies be adopted.
- That the draft policies be amended and adopted.
- That the draft policies be rejected.

Community Engagement and Internal Consultation

Broad sections of our community and workforce participated in the Customer Experience Project in 2018.

Internal consultation on the development of the draft policies included:

- General Manager
- Group Executive
- Group Manager Governance
- People & Culture representatives
- Strategy & Growth Division representatives








Planning and Policy Implications

There are no planning and policy implications in relation to this report or with the proposed public exhibition of draft policies.

Financial and Economic Implications

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

Attachments

1.  Draft Customer Experience Policy
2.  Draft Customer Complaints Policy
3.  Current Policy Action Requests Complaints
4.  Current Policy Complaints and Compliments in Favour of Staff
5.  Current Policy Customer Service
6.  Current Customer Experience Charter
7.  Current Council adopted procedure Customer Complaints

Item: 10.08

Subject: DEVELOPMENT ASSESSMENT PANEL CHARTER REVIEW - POST EXHIBITION

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 Council:

- 1. Adopt the revised DAP Charter in Attachment 3 of this report and that it commences being implemented upon establishment of a suitable pool of independent members.**
- 2. Request the General Manager to undertake an expression of interest process to gain a suitable pool of independent members to sit on Council's Development Assessment Panel (DAP), having regard for the criteria contained in the Draft DAP Charter in Attachment 3 of this report.**
- 3. Thank the people who made submissions to this review and advise them of the outcome.**

Executive Summary

This report recommends amendments to the membership and Charter of Council's Development Assessment Panel (DAP) sub-committee.

Discussion

One of Council's key regulatory roles is to assess and determine development applications for local development proposals. While most decisions are made by planning staff under delegation, there is a need for an open and publically accessible decision making process for more contentious applications where submissions have been received following neighbour notification and/or public exhibition of a development application.

The PMHC DAP plays an important role in the local development assessment process, providing a forum for decisions in these circumstances. Council's DAP model is unique in that most regional Councils either enable applications to be determined by staff under delegated authority or have them referred to full Council for determination where a particular threshold (typically, a certain number of submissions or capital investment value) is exceeded.

The PMHC DAP Charter was last amended by Council on 19 April 2017 to align with Council's Charter template (the current DAP Charter is included as **Attachment 1** to

this report). The 2017 review also included improvements to the transparency of the DAP by modifying its membership to replace one of the Council staff members with an additional independent external member.

The benefits of the membership change at that time included:

- A majority of external members reinforces the transparency of the decision making process and aimed to minimise any perceptions that decisions are predetermined.
- Reducing staff membership freed up time for staff to concentrate on application processing.
- The proposed membership aligned more closely with the mandatory Independent Hearing and Assessment Panels (IHAPs) of the NSW Government. At this point in time IHAPs are not mandatory for regional Councils.
- Additional external members allowed appointment of non-staff members to the Joint Regional Planning Panel, as necessary.

The current DAP Charter has now been in operation for approximately 3 and a half years. During this time, feedback has been received from proponents and submitters involved in the DAP process that suggests further review of the DAP model and Charter is warranted. Some of the feedback has included:

- Panel membership, including length of tenure and having staff on the Panel.
- More clarity required around meeting procedures.
- The manner in which the meetings are conducted.
- Panel members focusing on technical issues not associated with submissions.

Further to the above, the NSW government released the findings of a governance review on the NSW planning system (including planning panels), 'the Kaldas report', in 2018. This report provided a series of findings and recommendations that reinforce the important role in which planning panels play in delivering transparent planning decisions on contentious applications. While the PMHC DAP is not an IHAP as defined in the *Environmental Planning and Assessment Act 1979*, some key points in this report relevant to Council's DAP model include the need to regularly review Panel membership, rotating panel members and setting clear meeting procedures. The report also recommends Panels should be able to deliberate in private before making a public decision. However, this would potentially appear as a less transparent process than Council's current DAP, which deliberates on decisions in the presence of the public.

Whilst it is acknowledged that there is opportunity to improve how the DAP operates, it is worth noting that any Panel structure/model will not be immune from criticism. Development applications are often contentious and emotions can run high for both applicants and objectors. The planning system is also complex and can be difficult for the community to understand at times.

At the Ordinary Council meeting of 20 November 2019 a draft amended DAP Charter was presented to Council for consideration (**Attachment 2**). The draft Charter was developed along the lines on the following principles:

1. Review composition of DAP membership, so as to provide for a greater pool of members.

2. Rotate independent members on the panel from a pool of appointed members.
3. Review the appointed DAP members biennially via formal expression of interest process.
4. Not have Council development assessment staff as a voting member on the DAP.
5. Tightening meeting procedures by requiring speakers to register to speak and time limiting submissions, similar to a Council meeting (it is considered that any amended Charter would need to be supported by improved literature made available to both applicants and objectors on how the DAP operates so as to better manage expectations).
6. Focusing DAP member considerations to issues raised in submissions.

At the meeting, Council resolved:

RESOLVED: Griffiths/Intemann

That Council:

1. *Request the General Manager to review the operation and membership of the Development Assessment Panel (DAP).*
2. *Place the amended DAP sub-committee Charter (Attachment 2) on public exhibition for a period of 28 days commencing in February 2020.*
3. *Request the General Manager provide a report to the April 2020 Ordinary Council Meeting outlining the review and feedback received during the exhibition period and any recommended changes to the DAP Charter following this exhibition.*

CARRIED: 8/0

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

AGAINST: Nil

Following exhibition of the draft amended Charter for 28 days in February-March 2020, 15 submissions were received. Details of the submissions and responses are summarised in **Attachment 4**. The outcome of the exhibition has not been presented to Council until now due to the business continuity focus of Council's development assessment team and increased development activity during the COVID 19 pandemic. The DAP has continued to operate effectively during this period under the current charter albeit meetings are currently being held virtually.

Following review of the submissions received, a number of changes to the exhibited draft Charter are proposed and a revised draft Charter is provided as **Attachment 3** to this report. The table below outlines the key components of the current DAP model and changes proposed relative to the existing, exhibited and post exhibition draft DAP Charter:

Issue/Component	Current Charter	Exhibited draft Charter	Proposed Change to exhibited draft Charter
1. Panel make up	2 independents and Group Manager Development assessment	2 independents and 1 senior staff member outside development assessment group	3 independents and Group Manager Development Assessment
2. Quorum	3 members	3 members	No change

Issue/Component	Current Charter	Exhibited draft Charter	Proposed Change to exhibited draft Charter
3. Decisions by consensus	Yes	Yes	No change
4. Length of independent membership	4 years	2 years	4 years
5. Recording of meetings	Only decisions recorded and how each member voted	Only decisions recorded and how each member voted	No change
6. Requiring registration of speakers	No	Yes	No change
7. Time limit for speakers	No limit - Chair discretion	5 minute limit with Chair discretion	No limit - Chair discretion
8. Types of applications considered	Consider all applications with unresolved submissions	Consider all applications with unresolved submissions	Consider all applications with 3 or more unique submissions
9. Meeting timing	1 st and 3 rd Wednesday of the month	1 st and 3 rd Wednesday of the month	1 st and 3 rd Thursday of the month

Noting the above key components and recommended changes the following comments and reasoning for change is provided (in numerical order aligning with the above table):

1. A number of submissions received supported the removal of the Group Manager Development Assessment role from being a member on the DAP. This was primarily on the basis of that role not being considered to be independent to the development assessment functions of Council and the development assessment team generally. However, a number of submissions had an opposing view and requested that the Group Manager Development Assessment be retained as a member on the DAP so as to provide continuity with staff assessment and the decision making process.

Internal consultation with senior staff concluded that the involvement of a staff member outside of the development assessment group on the DAP would be inefficient and negatively impact on other operational functions of Council. In response to the divergent views, it is proposed to introduce a third independent member on the Panel and retain the Group Manager Development Assessment role as a voting member on the DAP. The additional independent member will provide increased independence of the DAP.

2. Retaining a quorum of 3 (noting the recommendation for a 4th DAP member above) will allow for increased flexibility in the event one of the 4 members is unable to attend a meeting or has a conflict of interest in a particular item before the DAP.

3. It is proposed to retain the requirement for the DAP to be unanimous in making and decision. Where the DAP is not unanimous the matter is still required to be referred to Council.
4. It is proposed to retain the length of membership of Panel members to 4 years. The proposal for 2 year membership in the exhibited draft Charter will unnecessarily add to administration of the DAP. 4 years is still considered to provide for sufficient opportunity for membership turnover. It is proposed to seek a larger pool of members with the next member recruitment so as to provide for increased independence generally.
5. Meetings are not proposed to be recorded as per the existing and exhibited draft Charter. It is noted that some submissions have requested full recordings of DAP meetings. Consistent with other sub-committees of Council, it is not proposed to introduce the recording of meetings at this stage due to the additional administration of this task and the inconsistency that would be created with other sub-committees of Council that are also not recorded.
6. The exhibited draft Charter proposed to require speakers to register prior to the meeting so as to assist with the orderly running of meetings. It is proposed to retain this feature.
7. The exhibited draft Charter proposed to introduce a 5-minute limit for speakers with the Chair to having discretion to allow for additional time. A number of submissions did not support the time limit. It is considered that the Chair is capable of using their discretion as Chair to manage the time of speakers as per the existing Charter.
8. A number of submissions raised concerns with developments being referred to DAP where there were only a small number of objections received and/or where a submission raised a concern that was considered to have little weight in the determination of a proposal. The current Charter and exhibited draft include the requirement for all applications that have received unresolved submissions to be referred to DAP.

Upon review of delegation thresholds at other Councils, it is noted that many Councils enable applications to be determined under staff delegation where a small number of objections are received. For example, the Wollongong IHAP considers applications where there are 5 or more unique submissions. Other metropolitan IHAPS consider applications where there are 10 or more unique submissions. Given this, it is proposed to introduce a requirement that 3 or more unique submissions are received before referring an application to DAP. Staff delegations would need to be adjusted if this approach is adopted to provide for a senior staff member to determine an application where only 1 or 2 submissions are received.

9. It is proposed to introduce a change to the exhibited draft Charter to change the timing of DAP meetings to be on the 1st and 3rd Thursday of the month as opposed to Wednesdays. This will avoid clashes with Council meetings and potentially allow for greater participation.

The draft Charter as presented is considered to provide a further step to improving the transparency of Council's DAP. It is not proposed to adopt the formal IHAP model of the State as this would come at a significantly greater cost and is not necessarily considered to provide for a better operating model.

Options

Council has the following options:

1. Leave the existing Charter as is (**Attachment 1**).
2. Adopt the draft Charter as exhibited (**Attachment 2**).
3. Adopt the amended draft Charter (post exhibition) as recommended (**Attachment 3**).
4. Opt to explore or adopt an alternate direction for the DAP and/or the Charter.

Community Engagement and Internal Consultation

The draft Charter was placed on public exhibition for 28 days during February and March 2020. The exhibition material was directly e-mailed to 237 persons who had an experience with a DAP meeting in the previous 6 months, being both applicants and objectors. During the exhibition period there were 131 visits to Council's 'Have Your Say' page and the draft Charter was discussed with Council's Construction Industry Action Group. Following exhibition, 15 written submissions were received. These submissions are summarised in **Attachment 4** of this report.

Internal consultation has additionally taken place with the following:

- Councillor briefing - 9 September 2020
- Acting General Manager;
- Director Development & Environment;
- Director Corporate Performance;
- Group Manager Development Assessment;
- Development assessment staff.





Planning and Policy Implications

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

Financial and Economic Implications

An additional independent member on the DAP will cost approximately 20K per year. This can be accounted for through development assessment revenue.

Attachments

1.  Current DAP Charter - April 2017
2.  Draft DAP Charter as exhibited - November 2019
3.  Draft DAP Charter with post exhibition changes - October 2020
4.  DAP Charter Review - Submission Summary

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: BEECHWOOD ROAD STAGES 5 & 6 PROJECT UPDATE

Presented by: Infrastructure, Dan Bylsma

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 adopt a 6-8 month road closure as the preferred construction methodology for the future upgrade of Beechwood Road to inform the finalised concept design for Beechwood Road Stage 6.

Executive Summary

This report seeks the endorsement of the recommended construction methodology as outlined below to allow Concept Design of Beechwood Road Stage 6 to be finalised.

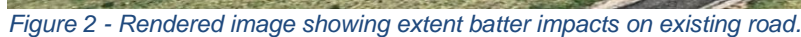
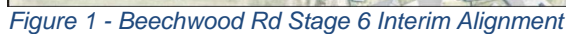
Discussion

Council officers briefed Councillors on 8 July 2020 where the current design and construction issues/constraints were outlined on the future Beechwood Road upgrade. At this briefing a number of options in relation to construction methodology specifically traffic management during construction were discussed.

Beechwood Road has been identified as the preferred option to provide the planned development of Yippin Creek flood free access. This involves a significant increase in the bridge height over Yippin Creek and the corresponding road approaches.

SMEC have been engaged to complete a detailed design of Stage 5 and develop up to Concept Design detail for Stage 6. To date the Stage 5 detailed design is complete. Stage 6 is in the early stages of concept design and has been developed to a point where a direction is needed from Council on the three main construction methodologies to enable SMEC to finalise the concept design.

To maintain the current road alignment, reduce property and environmental impacts, the new bridge must be constructed on southern side of the existing bridge. The proximity of the new bridge to the existing bridge combined with the 5m height difference results in a significant spilling of batters onto the existing road. This will create costly and time consuming challenges during construction as well as increased safety and environmental impacts if traffic flows are to be maintained through the site during construction.



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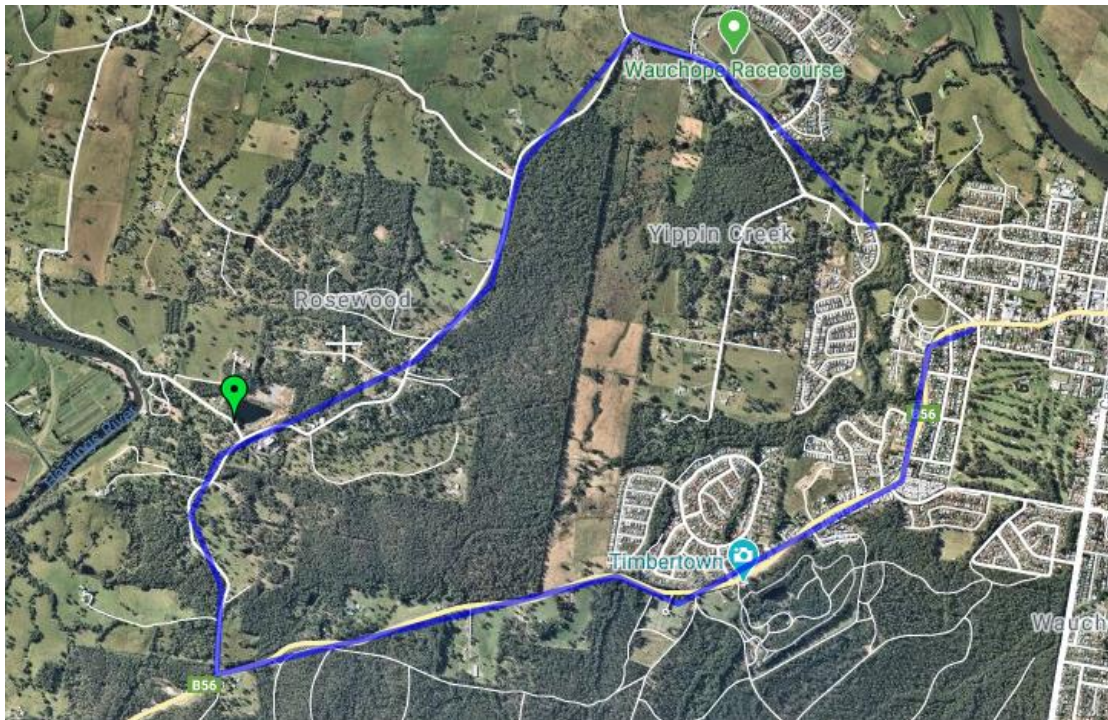


Figure 3 - Proposed detour

Options

Construction methodology options are detailed below in Table 1. It has been recommended that the option of a 6-8 month road closure to facilitate construction be adopted.

To summarise, the longer a detour can be utilised during the construction phase, the more efficient the construction process becomes therefore reducing overall time and cost. A detour will also reduce risks associated with safety and environment by separating traffic from the active construction site.

	Under Traffic	2-4 Month Closure	6-8 Month Closure
Scope	<ul style="list-style-type: none"> Retaining structures Side tracks required Three way traffic control 	<ul style="list-style-type: none"> Retaining structures and side tracks not required 	<ul style="list-style-type: none"> Built on current alignment Reduced acquisition
Time	10 Months	7-9 months	6-8 month
Cost	\$14,000,000	\$12,500,000	\$11,500,000
Safety	<ul style="list-style-type: none"> Workers exposed to traffic Community exposed to site conditions 	<ul style="list-style-type: none"> Reduced interaction with traffic and work zones Less exposure to poor site conditions 	<ul style="list-style-type: none"> Same as 2-4 month closure
Environment	<ul style="list-style-type: none"> More vegetation clearing Harder to contain sediment during rain events 	<ul style="list-style-type: none"> Reduced impact on clearing 	<ul style="list-style-type: none"> Minimal impact on vegetation

Table 1 - Construction methodology options

Community Engagement and Internal Consultation

Internal consultation was undertaken with the following Council staff in the discussion around construction methodology:

- Director Infrastructure
- Group Manager Strategy
- Group Manager Infrastructure Planning
- Group Manager Project Delivery
- Project Manager, Infrastructure Project Delivery
- Senior Project Managers, Infrastructure Project Delivery

A Councillor briefing was held 8 July 2020 to discuss this project and a copy of the briefing presentation was provided to all Councillors.

Planning and Policy Implications

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

It is noted that Beechwood Road Stages 5 and 6 upgrades are not currently funded and do not form part of Council's short-term (1-5 years) capital works planning. Council will continue to monitor the need for these upgrades and any funding opportunities that may become available during this time.

Financial and Economic Implications

As flagged in the options analysis, the construction methodology and management of traffic via a detour will influence the construction cost of the Beechwood Road upgrade. There are no other financial and economic implications in relation to this report beyond these.

Attachments

Nil

Item: 11.02

Subject: 2020-2021 ROUND 1 COMMUNITY GRANT PROGRAM FOR
ENDORSEMENT

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

2.2.1 Support and advocate for all community sectors.

RECOMMENDATION

That Council pursuant to Section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2020-2021 Round 1 for the total amount of \$89,545 according to the following:

<u>Organisation Name</u>	<u>Project</u>	
<u>Funding</u>		
Community Builders		
Lake Cathie Tennis Club	Hit Up Wall	\$5,000
Camden Haven Pony Club	Fencing Dressage Arena	\$5,000
Hastings Valley Miniature Railway Society Incorporation	Yippin Creek Track Duplication	\$4,791
Port Macquarie Surf Lifesaving Club	Modified Nippers Boards	\$2,275
	Sub-total	\$17,066
Community Celebrations		
Camden Haven Chamber	Christmas Celebrations	\$5,000
Wauchope Chamber	Christmas Celebrations	\$5,000
	Sub-total	\$10,000
Cultural		
Port Macquarie Community Gardens	Mosaic Seats & ground mandala	\$1,020
Port Macquarie Historical Society	Birpai Publishing project	\$5,000
Port Macquarie Rugby Union Club	Indigenous mural/art installation	\$4,109
	Sub-total	\$10,129
Environmental		
Port Macquarie Landcare Group	Enable Volunteering	\$5,000
Friends of Kooloonbung Creek	Bush regeneration & littler removal	\$5,000
	Sub-total	\$10,000
Band Grants		
Port Macquarie Hastings Municipal Band	Operational Costs	\$10,000
Camden Haven Community Band	Community Performances	\$6,920
Hastings Koalas Orchestra	Community Performances	\$5,000
Hastings District Highland		

Pipe Band	Community Performances	\$7,480
	Sub-total	\$29,400
Australia Day		
Marine Rescue Port Macquarie	Australia Day Markets	\$3,000
Hastings valley Mountain Bike Riders	Jolly Nose Ride day	\$1,800
	Sub-total	\$4,800
Bicentenary		
Dance Mid North Coast	MNC Festival of Dance	\$5,000
Friends of Mrs York's Garden Inc	Bicentenary Celebrations	\$3,150
	Sub-total	\$8,150

Executive Summary

The first round of the annual community grant process was once again very competitive. Forty-one applications were submitted across all categories of the grant round. Of these, the nineteen organisations, as recommended above were, endorsed by Council staff as having successfully met the Community Grants Criteria.

This is the first of the new Community Grants format which was endorsed by Council at the 12 August 2020 meeting.

Discussion

Annually Port Macquarie-Hastings Council provides up to \$200,000 in Community Grants for our community with the objectives being to:

- provide opportunities for residents of Port Macquarie-Hastings to participate in a broad range of arts, culture, or local history activities that benefit the quality and cultural heritage of their lives;
- provide opportunities for residents to participate in special community events with the aim of celebrating and enriching the community's lifestyle;
- foster initiative and self-help among residents;
- encourage the participation of people in activities who have limited opportunities to participate due to low income, geographic or social isolation, cultural background or disability; or
- strengthen community skills and capacity.

The Community Grant Guidelines 2020-2021, available on Council's website, set out the objectives, eligibility and assessment criteria, and other information for the grant round. On-line applications were submitted via *SmartyGrants*, a best practice on-line grants management system. Due to the impacts of COVID 19, information sessions for interested applicants were held online via ZOOM in September 2020.

Applications for Round 1 of this year's community grants opened on 7 September 2020 and closed on 27 September 2020. A total of forty-one applications were received, from 34 of community organisations. The breakdown by category was as follows:

- 21 Community Builders
- 2 Community Celebrations
- 4 Cultural
- 3 Environmental
- 4 Band
- 4 Australia Day
- 3 Bicentenary

No applications were received for the Micro Grants, Heritage and Youth Grants streams.

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

The assessment panel consisted of the below staff members:

- Group Manager Community
- Community Inclusion Team Leader
- Acting Group Manager Economic & Cultural Development
- Acting Recreation & Facilities Manager
- Administration Assistant Strategy & Growth

Community Grants

A total of \$89,545 is recommended for allocation in 2020-2021 Round 1 for the Community Grants program as follows:

- Community Builders for a range of innovative projects which align with the Port Macquarie-Hastings Towards 2030 Community Strategic Plan (\$17,066);
- Community Celebrations fund projects to promote a sense of celebration and community connectedness (\$10,000);
- Cultural grants provide support to encourage a range of art, music & cultural community activities (\$10,129);
- Band Grants that provide the four community bands with assistance in delivering community performances. (\$29,400);
- Environmental Grants which seek to assist volunteer environmental groups with environmental restoration works (\$10,000);
- Australia Day to deliver a variety of activities throughout our region on Tuesday 26th January 2021 (\$4,800);
- Bicentenary for community projects and activities which commemorate the history, the heritage and people who make our region what it is (\$8,150).

Distribution by community:

- Port Macquarie 55%
- Camden Haven 15%
- Wauchope 15%
- Lake Cathie 10%
- Mid North Coast 5%

Notification will be forwarded to the successful and unsuccessful applicants.

Successful applicants will also be contacted by telephone. As always, unsuccessful applicants are given the opportunity to receive feedback on their application.

Descriptions of all projects, and assessment evaluations are detailed in **Attachment 1**.

The confidential attachment titled "Round 1 2020-2021 Community Grants Assessment Evaluation" contains information that relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. (Local Government Act 1993 - Section 10A(2)(d)(i)).

Options

Council may choose to seek further information or request an alternative distribution.

Community Engagement & Internal Consultation

Internal consultation:

- Group Manager, Community
- Community Inclusion Team Leader
- Acting Group Manager Economic & Cultural Development
- Acting Recreation & Facilities Manager
- Executive Team

External consultation: nil.

Planning & Policy Implications

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

Financial & Economic Implications

Funding for Community Grants was adopted as part of the 2020/2021 operational budget. \$200,000 is available for distribution with a further \$20,000 for Environmental Grants.

The above recommendation distributes \$79,545 for Community Grants and \$10,000 for Environmental Grants, leaving \$119,748 available for Round 2 Community Grants which will take place in the first half of 2021.

Attachments

1. Confidential - Round 1 2020-2021 Community Grants Assessment Evaluation (Confidential)

Item: 11.03

Subject: FORMATION OF A COMMUNITY INCLUSION COMMITTEE

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

2.2.1 Support and advocate for all community sectors.

RECOMMENDATION

That Council:

- 1. Create a Community Inclusion Committee;**
- 2. Adopt the Community Inclusion Committee Charter;**
- 3. Formally dissolve the Hastings Access Sub-Committee and Port Macquarie-Hastings Youth Advisory Committee, noting the Committee will include such matters in its scope; and**
- 4. Call for expressions of interest from the community to be members of the Community Inclusion Committee for a four year term;**
- 5. Request the General Manager table a future report seeking Council endorsement of the membership of the Community Inclusion Committee.**

Executive Summary

In May 2020, Council adopted a Community Inclusion Plan to ensure that we are truly inclusive and welcoming of all diversity groups in our community. One of the key actions within the Plan is to establish a Community Inclusion Committee (CIC) to guide the further development of inclusion projects for our community.

This report presents the draft Community Inclusion Committee Charter which outlines the Committee objectives, functions, meeting practice and formation of outcome specific working groups. It is proposed that with Council endorsement of the Charter, staff will call for expressions of interest for community members to join the Committee for a four year term.

In establishing this Committee, it is recommended that Council dissolve the former Hastings Access Sub-Committee and the Port Macquarie-Hastings Youth Advisory Committee, noting the new Committee Charter allows for the establishment of working groups with such a focus under the Community Inclusion Committee.

Discussion

Over the past two years, Council staff worked with the community to develop the Community Inclusion Plan (CIP), which was adopted by Council in May 2020. The CIP aims to guide a sustainable future from the grass roots, taking on a balanced approach to our region's environmental, social, cultural and economic factors, ensuring better outcomes for a cohesive and adaptable community.

The CIP also determined a community vision:

Port Macquarie Hastings is a community for all. A community that offers everyone a great quality of life and the opportunity to realise their potential as part of a flourishing society.

The establishment of the Community Inclusion Committee will assist in guiding the further development of Community Inclusion projects across our region. It has been identified that the Port Macquarie-Hastings LGA has:

- 3% identified Aboriginal & Torres Strait Islander people
- 11.4% residents born overseas
- 34.8% seniors (aged 60 years & over)
- 26.2% youth (aged between 0-24 years)
- 6% residents living with a disability
- 11% LGBTQI+ (est.)

These statistics prove that we have a wide, diverse range of residents in our LGA who need to have a voice within Council regarding decisions around our communities' future.

The draft Committee Charter (attached) outlines the objectives, key functions and membership of the Committee to ensure that all members of the community are represented:

Objectives:

- To advise Council on projects and issues which support and affect community inclusion including Council programs, services, projects and celebrations to ensure we build a community that respects the rights of all people and encourages self-determination and equity.
- To assist Council in implementation, monitoring and review of the Community Inclusion Plan.
- To provide and receive two-way feedback from the community regarding issues relating to our diverse community

Key functions:

- Provide a forum in which Local Government and community leaders can discuss and debate, plan and progress local and regionally significant community inclusion outcomes that continue the growth of our community and our places in the Port Macquarie Hastings Local Government Area.
- Support Council in promoting appropriate celebrations with the wider community.
- Discuss issues of mutual concern in relation to Council policy, strategy or direction, so that they can be resolved to the benefit of all members of our community.
- Provide advice and guidance on the development of active and inclusive community participation.

Membership:

- Councillor(s) (resolved by Council)

- Director Strategy and Growth
- Group Manager Community
- Community Inclusion Team Leader
- 1 Community member from the following groups:
 - Aboriginal and Torres Strait Islander people
 - Culturally and Linguistically Diverse (CALD)
 - LGBTQI+
 - Disability
 - Seniors
 - Youth
 - General Community
- 1 representative from an organisation from the below categories:
 - Charity
 - Health
 - Homelessness Network
 - Refugee Network

The draft Committee Charter also outlines the provision to establish a range of specific working groups under (and reporting to) the Committee. Initially, in line with the Community Inclusion Plan 2020 - 2021, staff will recommend this include an Access Working Group and Youth Advisory Group (as illustrated overleaf).

The Access Working Group is proposed to ensure a continued focus on Access matters, which have to-date been supported by the Hastings Access Sub-Committee which meets every two months. The current Sub-Committee includes members of the public who have a disability, a parent/carer of a person with a disability, has some professional experience or has an interest in access. The current Sub-Committee reviews development applications for disability access and inclusion for significant buildings, prioritise new footpaths, kerb ramps and pedestrian crossings, and advocates to Council for creating a disability friendly community in line with our Disability Inclusion Action Plan (DIAP). They have in the past-discussed budget priorities for the DIAP delivery and this will continue with the recommendations for key access projects as part of the ongoing works program. They also conduct Access Friendly visits to businesses, reviewing the built environment, meeting with and educating key staff on making their business accessible for the disabled. It is the intention to continue to have the Access Working Group meeting every two months to review any access issues and support the delivery of the Disability Inclusion Action Plan.

The Youth Action Group will be proposed to replace the former Port Macquarie-Hastings Youth Advisory Committee (which needs to be formally dissolved by Council). Its focus will be providing a youth voice to Council's strategies, programs, activities, policies and events. The Action Group will also provide Council with a communication channel to young people aged 12-25 as well as youth groups across the region, to create better connections for our young people. This approach has been determined and discussed over the past 10 months through the YOUTHinkers Youth leadership program run by Council and supported by Building Better Regions funding.



Options

Council may choose to:

1. Adopt the Charter, dissolve the current committees and request to undertake Expressions of Interest for membership of the committee, or
2. Request further information from staff regarding the formation of the new Committee.

Community Engagement and Internal Consultation

External Engagement has been undertaken with:

- Hastings Access Sub-Committee,
- Birpai Local Aboriginal Land Councils
- Bunyah Local Aboriginal Land Councils
- YOUTHinkers group

Internal engagement has occurred with the Group Manager Governance with regard to the proposed new arrangements and in the development of the draft Committee Charter.

Planning and Policy Implications

There are no planning and policy implications in relation to this report. However, this report does relate to:

- Community Inclusion Plan 2020 - 2021 - Outcome 2 - A Diverse Community:
2.2.1 - Develop a Council Community Inclusion Committee


- The Disability Inclusion Action Plan - which is a NSW Government requirement.

Financial and Economic Implications

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

There is an annual operational budget to support access and youth related projects/initiatives. This may be used to support Community Inclusion Committee identified priorities.

Attachments

1.  Draft Community Inclusion Committee Charter - 2020 09 24

Item: 11.04**Subject: DISABILITY INCLUSION ACTION PLAN ANNUAL PROGRESS
REPORT****Presented by: Strategy and Growth, Liesa Davies**

Alignment with Delivery Program

2.2.1 Support and advocate for all community sectors.

RECOMMENDATION

That Council note the Disability Inclusion Action Plan 2019-2020 Annual Progress report.

Executive Summary

Council adopted a Disability Inclusion Action Plan (DIAP) 2017-2021, which commenced on 1 July 2017. The State Government under the NSW Disability Inclusion Act 2014 mandates that all Councils monitor and deliver a Plan.

Progress in implementing the DIAP is reported annually to the Hastings Access Sub-Committee and to Council, and then in the fourth (and final year), the implementation of the Plan is also reported to NSW Parliament. This report constitutes the third annual report to Council.

Within our Local Government area, 5,797 of our residents, or 7.4% of the population, identify as having a disability. This compares to the NSW average of 5.4%. The Port Macquarie electoral district also has the 3rd highest prevalence of dementia per capita in NSW.

The implementation of the Plan helps create a more inclusive and disability-friendly community.

Discussion

This report demonstrates how Council has continued to deliver on the Plan, with a specific focus on the 3rd year implementation (2019-20).

Attachment A provides the full detail of implementation progress, with highlights including:

- The installation of 1650m of footpaths connecting the community and 13 kerb ramps across the LGA.
- Success in securing a Stronger Country Communities Grant of \$255,030 for new amenities at the Port Macquarie Plaza car park, including an adult change table and gantry hoist.

- New dog park facilities at Wauchope to be used by people with assistance animals and guide dogs to train their puppies.
- Accessible picnic tables at Town Beach park and Kew.
- An on-going strong commitment to accessible dementia programming at the Glasshouse.
- An active Access Sub-Committee, involved in auditing car parks and meeting with local businesses to discuss and promote the need for disability access to their premises.

Options

Council may choose to seek additional information regarding the implementation of the Disability Inclusion Action Plan 2017-2021.

Community Engagement & Internal Consultation

The DIAP implementation involves collaboration between a wide range of Council staff, including the following teams - Community, Infrastructure Planning, Recreation Property & Building Services, Communications, Glasshouse, Library Services and Customer Service.

The Hastings Access Sub-Committee was engaged in reviewing the draft progress report. They requested that the Easy English Report Card be prepared and displayed on the Council website and available for the wider community, this will be developed by the end of October, 2020.

Planning & Policy Implications

This activity is consistent with the NSW Disability Inclusion Act 2014 and Council's 2017-2021 Delivery Programme 2.3.1.1 *Implement the Disability Inclusion Action Plan and inclusive programs.*

Financial & Economic Implications

In the 2019/20 financial year, the Access Committee funding of \$1500, was used for wheelchair-friendly transport, catering, car park audits and visiting businesses.

Council has an annual budget of \$109,000 to deliver the actions of the Disability Inclusion Access Plan including accessible works in the Recreation and Buildings portfolio. Priority works are determined in consultation with the Hastings Access Sub-Committee.

Attachments

1.  Disability Inclusion Action Plan - 3rd Year Report Card

Item: 11.05

Subject: ROLLANDS PLAINS AND KEW, KENDALL, HERONS CREEK AND LORNE COMMUNITY PLANS

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

2.3.1 Ensure access to community facilities and activities; including access to natural environment.

RECOMMENDATION

That Council:

1. **Endorse the Community Plans for:**
 - a) **Kew, Kendall, Herons Creek and Lorne.**
 - b) **Rollands Plains**
2. **Note the extensive engagement which has taken place with these communities and their Community-Council Action Teams to finalise the Plans.**
3. **Note the goals and actions identified for each of the communities as outlined in the Community Plans, for consideration in future Operational Plans.**

Executive Summary

Port Macquarie-Hastings Council (PMHC) initiated the Community Planning process in mid-2018 to work collaboratively with our communities to develop and deliver community plans with a focus on improving the liveability, service provision and economic development for towns and villages across the Local Government Area (LGA).

The Community Plans are designed to identify each community's vision, priorities and actions to achieve positive change, whilst recognising the unique qualities of each community and the challenges posed by significant forecast growth. The Plans will enable Council to better assess these priorities across the entire LGA and assist communities to deliver projects that they have identified as priorities for their community.

The Community Plans for the two communities of Kew, Kendall, Herons Creek and Lorne and Rollands Plains have now been completed as a result of extensive consultation with the relevant communities and development of the Plans with Community-Council Action Teams for each area. Following further feedback from the communities on the draft Community Plans during exhibition, the Plans are presented for Council endorsement.

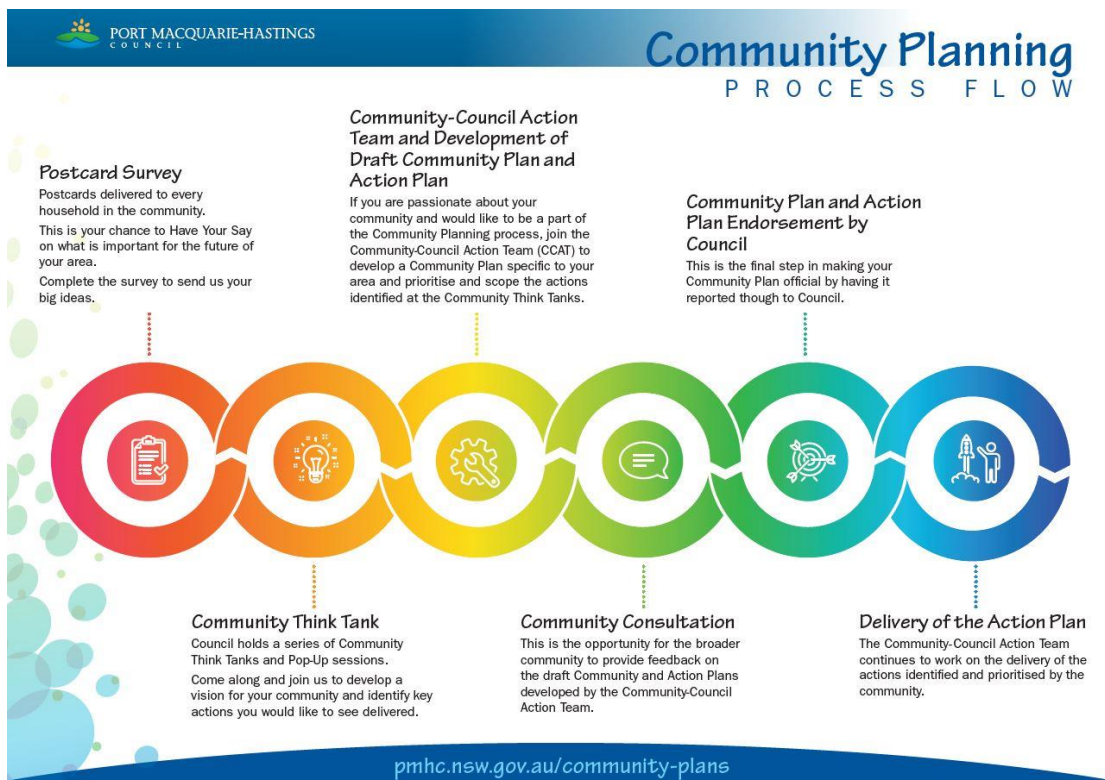
Discussion

As outlined in previous reports to Council, Community Plans are a concept of community-based strategic visioning and capacity building that are designed to:

- capture the priorities a community has identified as important to their strong and sustainable future;
- promote sustainable communities and neighbourhoods;
- better align community projects and vision with Council's planning and processes.

Council's Engagement team have been working with communities across the LGA to develop community plans that will help inform Council's future Operational Plans and provide input into key planning documents, for example the recently adopted Local Strategic Planning Statement and Community Strategic Plan (currently under development).

The two Plans presented with this report have been developed using Council's Community Planning Process outlined below. Endorsement of the Plans by Council is a key step in turning the identified actions into reality with Council and the communities working together to achieve the communities' visions.



Each Community worked together to identify a vision, key themes and then actions to deliver the vision for their place.

Kew, Kendall, Herons Creek and Lorne Plan is included at Attachment 1 and outlines the vision:

The Kew, Kendall, Herons Creek and Lorne area is a vibrant well-connected place for all ages to live, work and grow. It is a place that celebrates its local stories and retains the past, while moving to the future, valuing its natural environment and its rural village character.

Their key goals are:

1. We live in a well-connected community with safe pedestrian cycleway linkages and safe roads
2. We have great community spaces where all ages can meet
3. We protect and enhance our natural environment
4. We retain our village character and celebrate our heritage and cultural richness

The Rollands Plains Community Plan is included at Attachment 2 and has a vision: *To respectfully and sustainably develop agricultural and tourist industries, and provide for those who pursue a rural lifestyle while still needing to work in the nearby towns. New residents are welcomed into a tolerant and accepting social fabric.*

Their key goals are:

1. A safe and well connected community
2. Mindful and sustainable development
3. Thriving agri-business and tourism
4. Treasured natural environment

Both Plans are presented for Council endorsement to enable staff to continue working with these communities on the delivery of actions identified and prioritised by the community.

Options

Council can resolve in line with the recommendation included in this report or request additional information.

Community Engagement and Internal Consultation

Each of the Community Plans put forward for endorsement have been developed following extensive community consultation as outlined in the Community Planning process (shown above).

Feedback on the draft plans developed by the Community-Council Action Teams (CCATS) was been sought from each of the communities during an extended public exhibition and review periods (extended due to bushfires and COVID-19).

Rollands Plains - on exhibition 1 July 2020 until 11 August 2020

- HYS Visitors - 42
- Downloads of Plan - 13
- Submissions Received - 0

No submissions were received during the exhibition period. The Council Engagement Team met with the Rollands Plains CCAT following the exhibition to make some minor modifications to the document.

Kew, Kendall, Herons Creek and Lorne - on exhibition 23 September 2019 - Sunday 20 October 2019

- HYS Visitors - 403
- Downloads of Plan - 52
- Submissions Received - 0

The CCAT made no major changes to the Plan following public exhibition period, although worked through many minor adjustments to get to an agreed position.

Planning and Policy Implications



Outcomes from the Kew, Kendall, Herons Creek and Lorne Community Plan, and Rollands Plains Community Plan will need to be considered for inclusion in future Council Delivery & Operational Plans through the inclusion in draft plans exhibited or via submissions and support to Community Plan projects from the Kew, Kendall, Herons Creek and Lorne; and Rollands Plains CCAT or community members.

Financial and Economic Implications

\$100,000 in funding is available within Council's 2020/21 budget to fund some small projects within the 11 existing Community Plans. The Community Engagement Team will be working with the CCATs to determine what Actions can be delivered in 2020/21.

With the development of these and future Community Plans, it is important to highlight the shared responsibility and opportunity to develop projects within the plans either via Council's future Operational Plans or via community groups seeking funding or community groups completing projects on a volunteered basis.

Attachments

1.  Kew, Kendall, Herons Creek & Lorne Community Plan
2.  Rollands Plains Community Plan

Item: 11.06**Subject: CULTURAL PLAN IMPLEMENTATION - PROGRESS REPORT****Presented by: Strategy and Growth, Liesa Davies**

Alignment with Delivery Program

2.5.1 Support cultural activities within the community.

RECOMMENDATION

That Council note the progress made on the implementation of the 2018-2021 Cultural Plan.

Executive Summary

This report presents the second annual progress report in implementing the actions within the 2018-2021 Cultural Plan. This report highlights key achievements and also identifies priorities under the Cultural Plan for the next six months.

Progress and short term priorities were discussed and noted positively at the 7 October 2020 meeting of Council's Cultural Steering Group.

Discussion

The 2018 - 2021 Cultural Plan identifies the strategies, frameworks and actions to drive and support cultural development within the Port Macquarie-Hastings region. Its vision is that "Our region is recognised internationally as an innovative leader of creativity and culture" and it is underpinned by four key strategic objectives:

- Develop and empower our region's art and cultural communities and assets;
- Enrich our community through experiences that embrace and celebrate our diverse and unique art and culture;
- Create community pride and ownership in our cultural brand which promotes our unique heritage, people and places;
- Ensure the effective planning, funding, integration and measurement of Council's arts and culture program.

These objectives are supported by 30 actions to develop and guide our cultural industries towards achieving the Cultural Plan's vision.

In adopting the Plan at the September 2018 Ordinary Council Meeting, Council resolved to receive an annual report on implementation. This report constitutes the second such update.

At the 7 October 2020 Cultural Steering Group meeting, the Group considered the annual implementation report and resolved:

CONSENSUS

That the Cultural Steering Group note the update on implementation of the 2018-2021 Cultural Plan to be reported to the October 2020 meeting of Council and congratulate staff on the excellent achievements to date.

The Group acknowledged that the Cultural sector within the community plays an important role in contributing to our local economy, including through the integration and collaboration with other local industry sectors.

The past 12 months have been a challenging period for cultural industries with the need to adapt and evolve in new ways to continue to deliver actions within the Cultural Plan in contributing to our local economy and provide ongoing community connectedness. Further to the 2018 - 2021 Cultural Plan Implementation Progress Matrix (Attachment 1), the following key highlights in regards to actions completed under the current plan in the past 12 months along with future priorities that have been identified for the next 12 months are as follows:

Highlights of the Past 12 Months

The delivery of actions under the Port Macquarie-Hastings Cultural Plan over the past 12 months has been a collaborative effort between Council, the CSG and stakeholders within our local cultural, heritage and creative industries. There is much to be proud of with the following highlights achieved within the 12-month period:

- ArtWalk Event - pivoting from the traditional format to a COVID-safe 'Longest Footpath Gallery';
- Finalisation and adoption by Council of the Public Art Policy;
- Finalisation of the Cultural Economy Project;
- Development of the Public Art Guidelines and commencement of developing the draft Public Art Master Plan;
- Creative Industries content development;
- Glasshouse Audience Engagement Activities during COVID-19 closure (virtual interactive gallery tour, 'Kids Create at Home' online learning resources, free online 'craftanoon zoom sessions featuring a local artisan, Meet the Artist videos, 'From Our House to Yours' online marketing campaign'.
- 2021 Bicentenary Planning with Council's Bicentenary Working Group.

Future Priorities for the Next 12 Months

Notwithstanding the above achievements under the Cultural Plan, there are still many opportunities and deliverables to implement in order to ensure arts, heritage and

culture plays an ongoing strong role within our region. With this in mind, the following priorities for the next 12 months have been identified:

- Review and finalisation of the Draft Public Art Master Plan;
- Brand Review (destination) to include consideration of cultural identity, Cultural Tourism Program and Cultural Marketing and Communications Plan;
- Review of the Cultural Plan;
- New Public Art Installations;
- Interpretation Strategy and Guidelines;
- Bicentenary Event Delivery;
- COVID Recovery Projects (Creative Industries Content Development and Marketing, Creative Industries Professional Development and Networking).

Options

Council may choose to:

1. note the 2018 - 2021 Cultural Plan Progress report; or
2. seek further information on the 2018 - 2021 Cultural Plan Progress report.

Community Engagement and Internal Consultation

In developing this report, external consultation has been undertaken with the Cultural Steering Group.

Internal Engagement has occurred with the following:

- Acting Director Strategy and Growth
- Acting Group Manager Economic and Cultural Development
- Destination and Cultural Development Manager
- Cultural Development Officer
- Glasshouse Venue Manager.

Planning and Policy Implications

The Cultural Plan contributes to the delivery of Councils Towards 2030 Community Strategic plan by meeting the following 2017 - 2021 Delivery Program objectives:

2.3 Provide quality programs, community facilities and public spaces, for example community halls, park and vibrant town centres.

- 2.3.1 Ensure access to community facilities and activities: including access to natural environment
- 2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle
- 2.3.6 Support a range of inclusive community activities and programs.

2.4 Empower the community through active involvements in projects, volunteer and events.

- 2.4.1 Work with community to identify and address community needs, in order to inform Council processes, services and projects.

2.5 Promote a creative and culturally rich community

- 2.5.1 Supports Cultural Activities within the community

3.2 Create Vibrant and Desirable Places

- 3.2.1 Support vibrant commercial, tourism, recreational and /or community hubs across the region.

Financial and Economic Implications

Council has an annual allocation of funds to support and develop cultural industries and initiatives within the LGA. It is acknowledged that the cultural sector within the community plays an important role in contributing to our local economy, including through the integration and collaboration with other local industry sectors.

Attachments

1.  2018 - 2021 Cultural Plan Implementation Update Progress Matrix

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: PORT MACQUARIE AIRPORT - PILOT TRAINING AND AIRCRAFT NOISE - COMMUNITY ENGAGEMENT

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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.

RECOMMENDATION

That Council:

1. Note the submissions received and information provided in this Pilot Training and Aircraft Noise Community Engagement report.
2. Thank those people who made a submission on the Pilot Training and Aircraft Noise *Have Your Say* community engagement process.
3. In consideration of the submissions received and the information provided in this Pilot Training and Aircraft Noise Community Engagement report, request the General Manager investigate the establishment of a formal "fly neighbourly agreement" to include practical measures to minimise aircraft noise in the vicinity of Port Macquarie Airport.
4. Request the General Manager table a further report to a future meeting of Council on the outcome of the investigations at Resolution 3 above.

Executive Summary

Port Macquarie Airport is owned and operated by Council. The Airport is the 5th largest regional airport in NSW (by pre COVID-19 passenger numbers) and supports a wide range of aviation activities, including regular public transport (RPT) airline services and general aviation activities. The Airport and associated aircraft operations are conducted in accordance with Civil Aviation Safety Authority (CASA) aviation safety regulations.

In recent years the Airport has seen a significant increase in aircraft movements, primarily associated with an increase in pilot training and associated circuit training operations. This increase has led to an increased number of aircraft noise complaints being received by Council from residents living in the vicinity of the Airport and circuit flight path.

In response to the noise complaints, Council has undertaken a comprehensive *Have Your Say* community engagement process on pilot training and aircraft noise at the Airport. This process commenced in June 2020 consisting of three components:

- an online survey (via *Have Your Say*) 9 June – 31 July;
- written submissions; and

- technical aircraft noise monitoring 22 June – 6 July.

This report provides details of the submissions received and other investigations undertaken as part of the community engagement process. In summary:

- there has been a significant increase in pilot training circuit activities and other general aviation aircraft movements during the past 10 years;
- this has led to an increase in complaints regarding aircraft noise from residents living in the vicinity of the Airport;
- for those residents affected by aircraft noise, they report that circuit activities are significantly impacting their quality of life;
- there is also considerable support reported by respondents for general aviation, including pilot training activities; and
- the technical noise monitoring has identified that aircraft noise in the vicinity of the airport is within “acceptable” levels (ref. AS 2021:2015 and industry standards).

In consideration of the above, this report recommends that Council conduct further engagement with local operators to investigate the establishment of a formal Fly Neighbourly Agreement to include practical measures to minimise aircraft noise in the vicinity of Port Macquarie Airport.

A “fly neighbourly” agreement is a voluntary agreement under which aircraft operators agree to operate in an agreed manner to minimise disturbance caused by aircraft within a particular area.

Discussion

Background

Port Macquarie Airport is owned and operated by Council. As the “aerodrome operator”, Council is responsible for the operation, maintenance and development of the Airport in accordance with Civil Aviation Safety Authority (CASA) aerodrome standards. In this role, Council is not responsible for the airspace and flight paths associated with the Airport, or for the management of aircraft operations, which are the responsibility of CASA and Airservices Australia.

The Civil Aviation Safety Authority (CASA) is a government body that regulates Australian aviation safety, including airports, aircraft and airspace regulation.

Airservices Australia is a government-owned organisation responsible for airspace management, including flight paths and aircraft noise. All aircraft operating in Australia, including training aircraft, must meet international noise standards and comply with the *Air Navigation (Aircraft Noise) Regulations 2018*.

Port Macquarie Airport is the 5th largest regional airport in NSW (by pre COVID-19 passenger numbers) and supports a wide range of aviation activities, including regular public transport (RPT) airline services and general aviation activities.

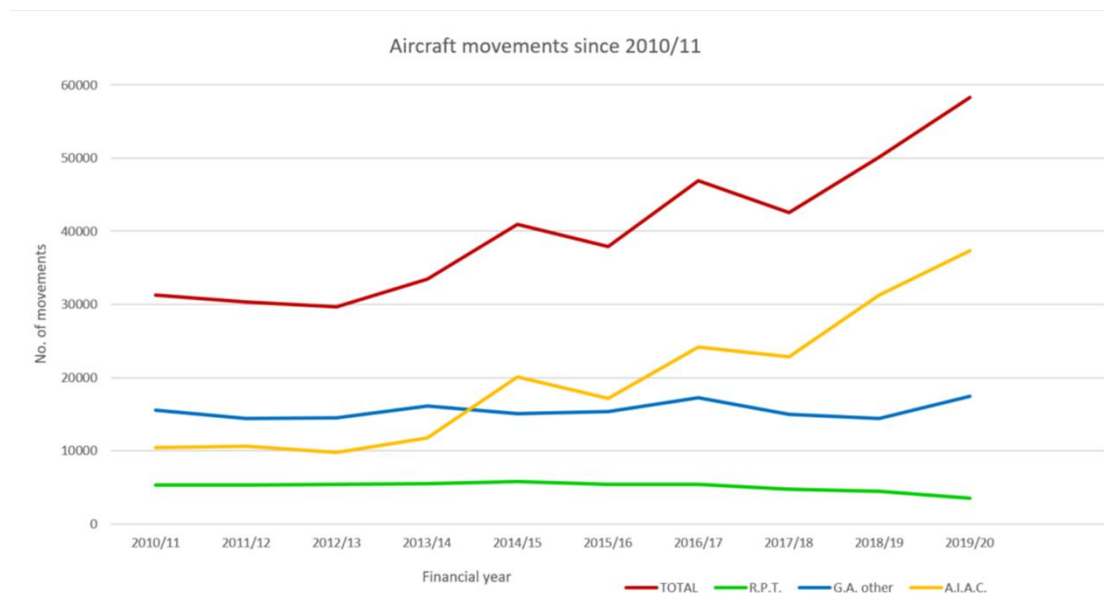
General aviation represents approximately 90% of all aircraft activity at the Airport.

General aviation incorporates a diverse range of activities, including pilot training, aircraft maintenance, freight and charter operations, emergency aero medical (patient transfer), search and rescue and bushfire fighting services (both fixed wing and helicopters), joy / adventure flights, private and recreational flying, and skydiving.

In the 2019-20 financial year, the Airport handled approximately 58,000 aircraft movements. This level of activity represents around 160 aircraft movements per day (80 take-offs and 80 landings) averaged over 365 days. During peak training periods, the Airport can support up to 300 to 400 movements per day, with up to 60 to 80 movements in a busy peak hour, resulting in an aircraft passing overhead residential areas within the circuit area every 1.5 to 2 minutes.

By way of comparison, the five largest general aviation pilot training airports in Australia each handle between 200,000 - 300,000 aircraft movements per year. An aircraft movement is defined as a take-off or landing, and includes pilot training circuit operations such as “touch and go” and “stop and go”, practice and missed approaches.

As shown in the chart below, aircraft movements have grown significantly over the past 10 years, primarily associated with the growth in pilot training activities. Movements associated with the largest pilot training organisation at the Airport, Australian International Aviation College (AIAC) are shown for reference purposes only and to demonstrate the correlation between the increase in overall aircraft movement numbers at the Airport and the growth in pilot training activity. It is acknowledged that there are a number of organisations at the Airport conducting private and commercial pilot training operations.



Source: Avdata Australia

A significant component of pilot training, and the focus of the majority of the aircraft noise complaints received, is circuit training. Circuit training is the first stage of practical pilot training and involves a pilot circling the airport to practise approaching the runway, touching down and then applying power to take off again (ie. a “touch

and go”). Circuit training is undertaken in accordance with Civil Aviation Safety Authority (CASA) aviation safety regulations, which are consistent with international practices. The size and location of the circuit is controlled to ensure the safety of all aircraft operations at the Airport. This may result in training being undertaken over residential areas, especially those in close proximity to the Airport.

At Port Macquarie, circuit training is conducted as an industry-standard left hand circuit, meaning that aircraft turn left after take-off and fly in an anticlockwise direction around the Airport.

Depending on the prevailing wind direction, this may result in training being undertaken either to the east or west of the Airport. At Port Macquarie, it is typical for circuit operations in summer to be conducted predominantly (but not exclusively) to the west of the Airport, with aircraft taking off in a northerly direction on the runway. This is referred to as Runway 03. In winter, circuits are conducted predominantly to the east of the Airport over the more populated areas of Port Macquarie, with aircraft taking off in a southerly direction, using Runway 21. This standard circuit practice has been in place at the Airport for many years.



Under the Deed transferring ownership of the Airport to Council from the Australian Government in 1992, Council is required to operate the Airport “open to public use” and to permit “open, unrestricted and non-discriminatory access to the aerodrome by airline and aircraft operators”.

The Airport is open to aircraft operations 24 hours per day, 7 days per week, and Council is limited in its ability to restrict the hours of operation of the Airport and/or the hours of operation or the frequency of activity of aircraft operators.

There are no regulated hours for circuit training, but most airports like Port Macquarie have local voluntary arrangements in place to avoid circuits during the late night to early morning, typically 10pm to 7am.

Council works closely with local aircraft operators to limit the majority of circuit training to the following hours to minimise disruption to nearby residents:

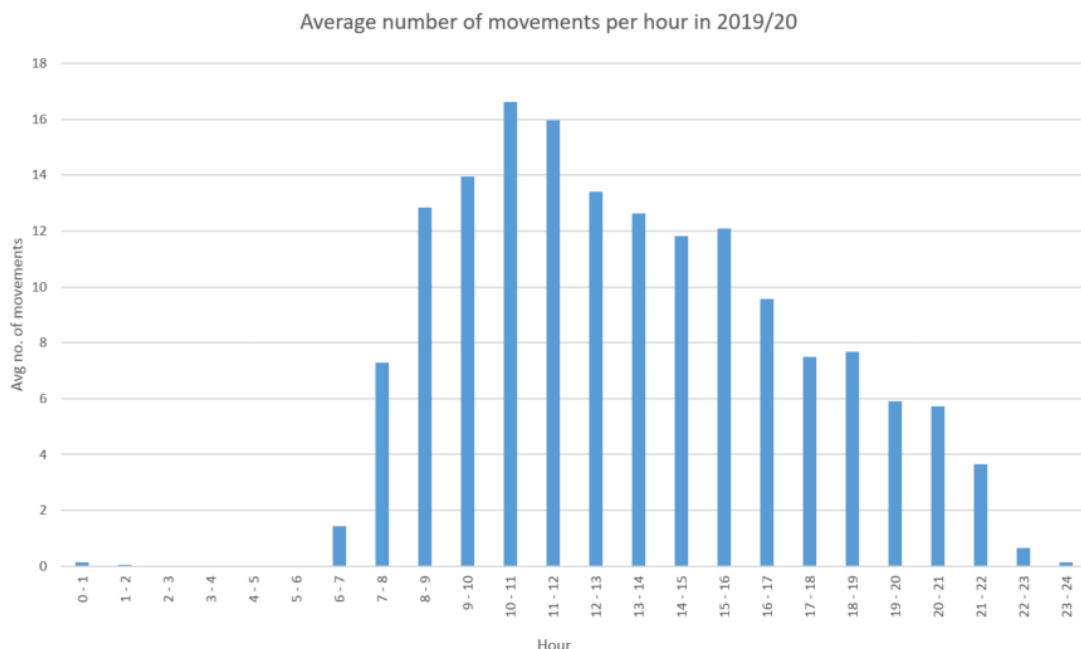
- Monday - Friday 7am - 10pm (9pm April to September);
- Saturday - Sunday 8am - 8pm.

These hours acknowledge that pilot training requires a mix of day and night time flying to develop pilot competencies.

Aircraft arriving or departing the Airport that are not conducting training, as well as any visiting (itinerant) aircraft, are not subject to these training hours and may still need to fly around the circuit to land safely.

Aircraft movements may occur at any time of the day but are generally concentrated within the defined circuit hours as shown in the chart below. In 2019-20, 98.4% of aircraft movements occurred between the hours of 7am - 10pm, with 1.6% after 10pm and before 7am.

Aircraft movements either side of midnight are typically associated with emergency aero medical (patient transfer) operations (eg Air Ambulance).



Source: Avdata Australia

With regard to general aviation, the Port Macquarie Airport Master Plan 2010 included the following statement:

“Council acknowledges the importance of retaining a vibrant and sustainable general aviation presence at Port Macquarie Airport and will continue to support aviation related business activities that have the potential to provide significant employment and economic benefits”.

The Master Plan further identified a strategy to meet growing demand for general aviation facilities by working in partnership with Taree and Kempsey Airports to make better use of the three Council-owned airports and their associated airspace.

While acknowledging the importance of the Airport and its contribution to the ongoing development of Port Macquarie as a regional city, Council in its role as the

“aerodrome operator” is also mindful of the impact of aircraft noise on residents living near the Airport, noting that aircraft noise is an unavoidable consequence of aviation activity.

The increase in pilot training activities over recent years has resulted in an increase in complaints regarding aircraft noise received by Council; increasing from 9 complaints in 2018, 11 in 2019, and 16 complaints between 1 January and 1 June 2020. The majority of noise complaints focus on the repetitive nature of aircraft conducting circuit training, rather than the louder, but less frequent RPT airline flights.

As a result of the increasing number of aircraft noise complaints associated with high frequency / repetitive circuit training activities around the Airport, Council developed a comprehensive *Have Your Say* community engagement process to capture feedback from the community, including residents and airport stakeholders / aircraft operators, on the issue of pilot training and aircraft noise at the Airport.

Have Your Say Community Engagement process

The *Have Your Say* community engagement process commenced in June 2020 consisting of three components:

- an online survey (via *Have Your Say*) 9 June – 31 July;
- written submissions; and
- technical aircraft noise monitoring 22 June – 6 July.

Online Survey

The online survey consisted of 18 questions developed by Council staff in consideration of aircraft noise surveys previously conducted in both Australia and the UK. The survey was designed to obtain further information on the issue, acknowledging that responses are subjective.

It is noted that a number of respondents to the survey expressed a view that the survey had been specifically designed by Council to elicit responses either in support of or against pilot training activity (depending on the respondent's point of view).

The survey was available via Council's *Have Your Say* online community engagement hub from 9 June to 31 July. The survey was supported by a Fact Sheet providing an overview of the pilot training and aircraft noise issue.

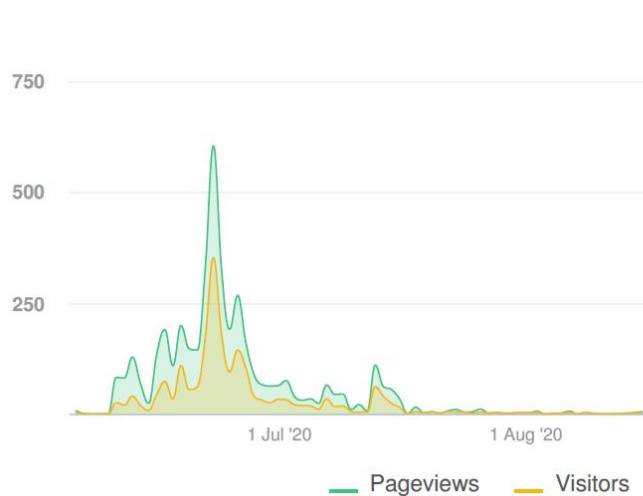
The survey was originally due to close on 30 June, however the period was extended twice to maximise community participation.

To address online accessibility and awareness concerns, Council promoted the survey via a letterbox drop to approximately 4,761 properties located within close proximity to the Airport and primary circuit training area. The “flyer” provided a summary of the pilot training and aircraft noise issue, and invited residents / business owners to complete the survey online at *Have Your Say* or to pick up a paper copy from Council offices or the Port Macquarie Library. Alternatively people could contact Council by telephone to request a hardcopy to be sent by post.

Council also promoted the survey via social media. Facebook posts by Council and the Port Macquarie News generated significant online discussion and generated traffic (878 Facebook referrals) to the *Have Your Say* website to complete the survey and/or seek further information.

As shown in the summary below, the survey attracted 2,200 visits to the *Have Your Say* website, with 705 engaged, 1,100 informed and 1,900 aware visitors. The survey received 751 responses (including hard copy forms).

Visitors Summary



Highlights

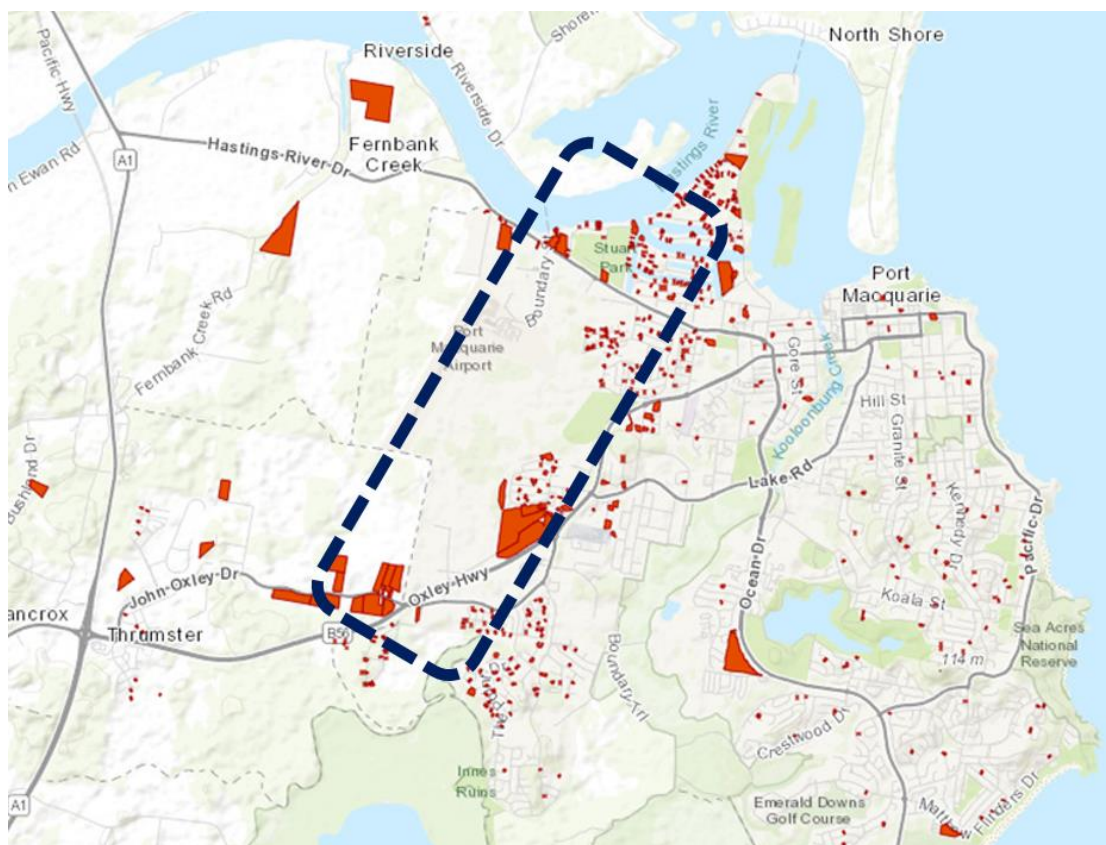
TOTAL VISITS	MAX VISITORS PER DAY	
2.2 k	352	
NEW REGISTRATIONS		
115		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
705	1.1 k	1.9 k

In response to concerns from respondents regarding the possibility of duplicate responses, and that social media campaigns during the survey period had influenced the survey making the results unreliable, the survey responses were validated by:

- screening for multiple / duplicate responses (by name, address, email address);
- cross referencing addresses to Council databases; and
- a review of a random sample of 10% of responses matched against Council's Name and Address Register or contacted to verify the submission.

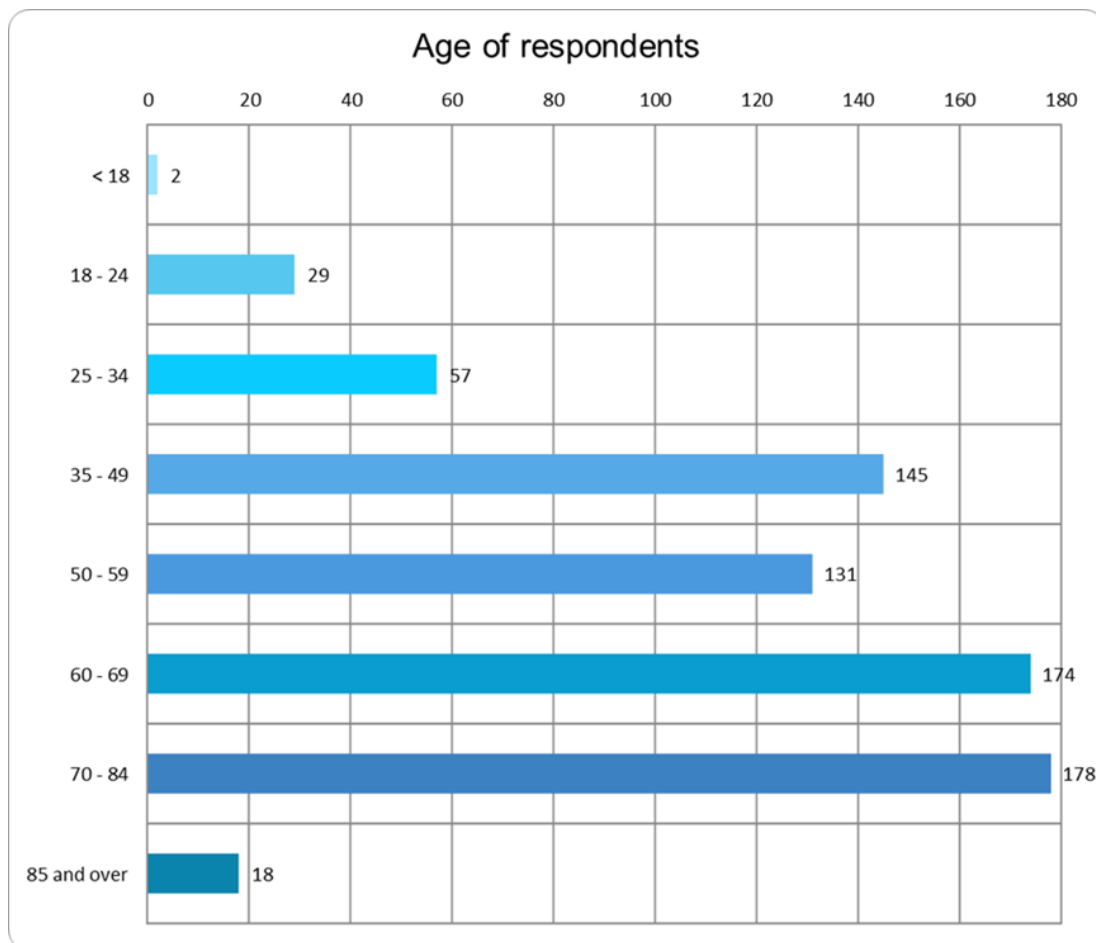
This process provided a strong validation of the survey results.

629 survey responses (where address details were provided) were mapped to valid addresses, providing another strong validation of the survey data. 75% of these addresses were located within 4km of the Airport, with strong correlation with the circuit training area and letterbox distribution zone as shown in the map below.

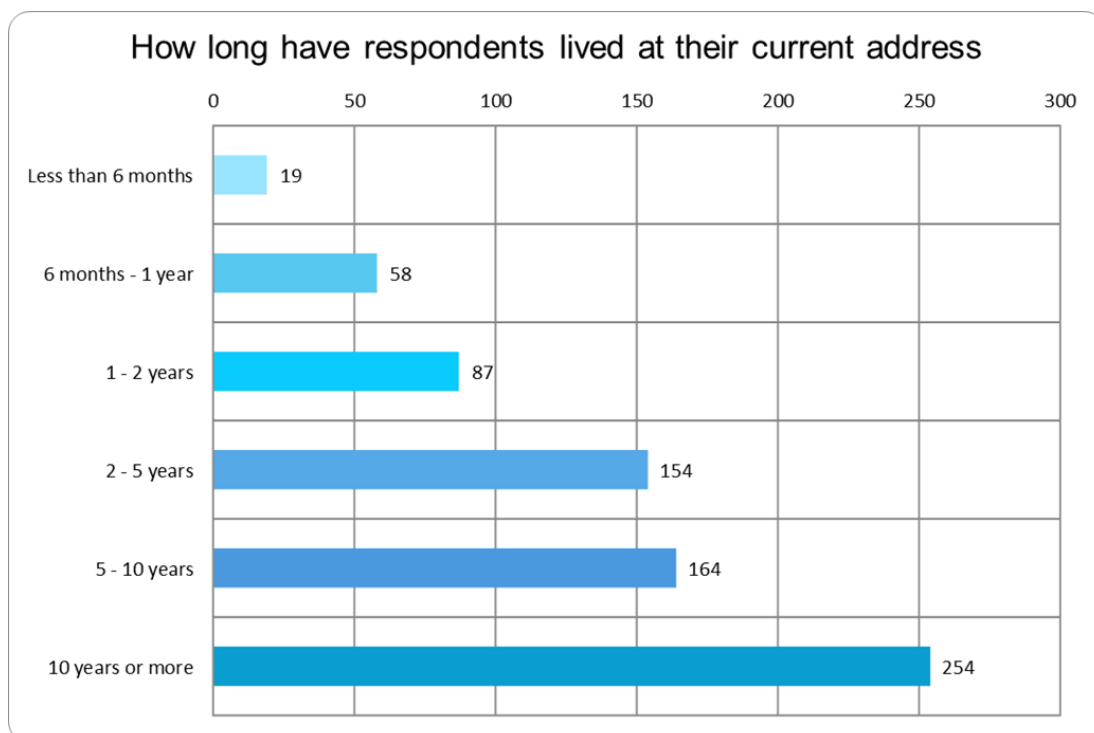


Full details of the survey results are available in Attachment 1 - *Have Your Say* Community Engagement Report - Pilot Training and Aircraft Noise, with a summary of key results provided below.

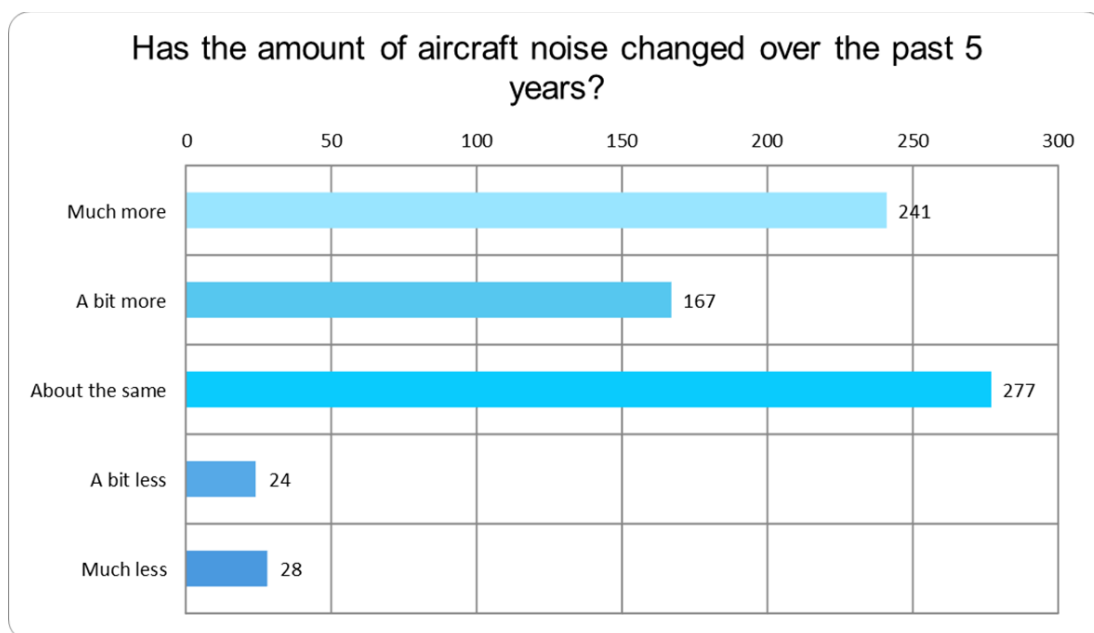
Question 1 - Please indicate your age group from the following:



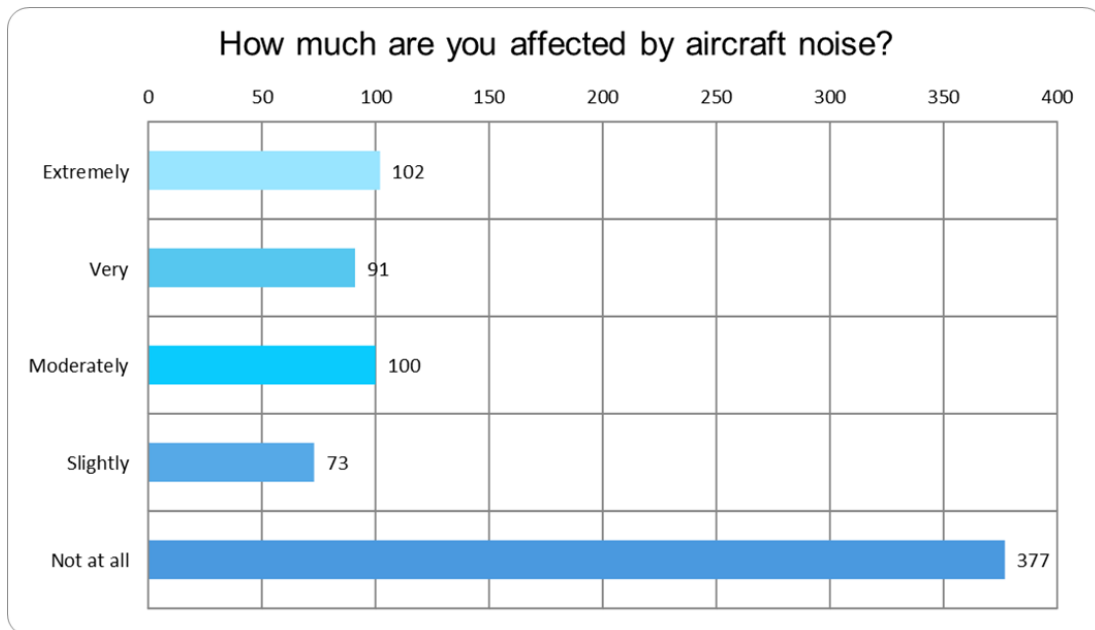
Question 3 - How long have you lived at your current address?



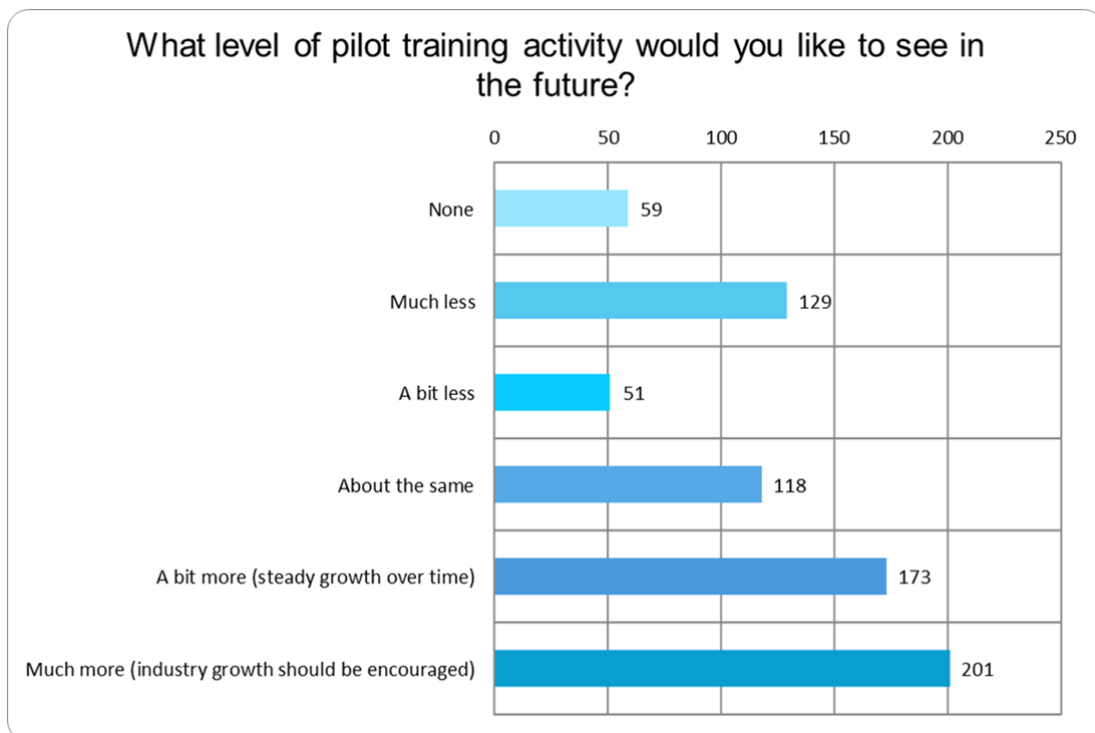
Question 6 - Has the amount of aircraft noise changed over the past 5 years?



Question 8 - How much are you personally affected by aircraft noise overall?



Question 14 - What level of pilot training activity would you like to see in Port Macquarie in the future?



Generally the survey responses were able to be grouped into one of 3 categories as described below:

- 30% significantly affected by aircraft noise and oppose pilot training activities;
- 24% neither oppose or support; and

- 46% not impacted by aircraft noise and support the employment and economic benefits of pilot training activities.

Mapping of the results using address data and the level of impact from aircraft noise showed that residents living in the same street (and in some cases, neighbours) could either be extremely impacted by aircraft noise or not at all. As such there was no clear correlation of the impact from aircraft noise with the location of the primary circuit training area, other than that the majority (approx. 90%) of those residents that reported that they were impacted by aircraft noise, lived within 4km of the Airport.

It is noted that the impact of noise not only depends on the noise level and its characteristics, but also how it is perceived by the person affected. It is acknowledged that for residents affected by aircraft noise, they report that circuit activities are significantly impacting their quality of life.

Written Submissions

In addition to the online survey, Council received 20 written submissions as part of the *Have Your Say* community engagement process.

Generally the submissions were consistent with the main themes expressed through the online survey and were grouped as follows:

- 12 (60%) significantly affected by aircraft noise and oppose pilot training activities (incl. 1 from outside the LGA)
- 2 (10%) neither oppose or support
- 6 (30%) not impacted by aircraft noise and support the employment and economic benefits of pilot training activities.

Key issues raised included the constant noise of aircraft impacting physical and mental wellbeing, and concerns for air pollution, safety, growth and hours of operation of aircraft.

Submissions in support of pilot training highlighted the various employment, economic, social, cultural, educational, and tourism benefits of the aviation business activities.

Technical Aircraft Noise Monitoring

The third component of the *Have Your Say* community engagement process consisted of technical aircraft noise monitoring against relevant industry standards.

Council engaged specialist acoustics consultant GHD to undertake a technical noise monitoring study to assess aircraft noise levels. This study was undertaken over a 2 week period from 22 June to 6 July, with six (6) monitoring points located at representative locations around the Airport within the primary circuit training area.

The study was extended for a further week to 6 July in response to concerns from residents regarding a change in the observed pilot training activities and aircraft movements during the first week of the monitoring period. It is noted that while pilot training activities shifted to navigation exercises during the monitoring period, there

were still a number of circuit training activities undertaken which are considered to provide representative results of aircraft noise levels associated with these activities.

It is also noted that overall aircraft movements during the two week monitoring period were above average (although airline movements were significantly reduced due to COVID-19 travel restrictions).

All sampling activities were carried out with consideration to the specifications outlined in Australian Standard *AS 1055:2018 Description and Measurement of Environmental Noise*.

The results were matched against aircraft movement records provided by Avdata Australia, a third party service provider used by Council to monitor aircraft movements at the Airport. Avdata Australia has provided these services to the aviation industry for more than 25 years and currently works with around 160 airports across Australia, including other NSW regional airports such as Coffs Harbour, Albury, Wagga Wagga, Dubbo and Armidale.

The noise monitoring assessed aircraft movements and corresponding noise events against typical industry benchmark noise levels of 60 dB(A) and 70 dB(A). The 70 dB(A) value is about the external noise level that will cause a disturbance to people (e.g. conversation or other indoor activity such as watching television) in an average residence with doors and windows closed assuming a 10 - 15dBA noise attenuation through the building structure.

While there is no standard or criteria in Australia to assess the impact of aircraft noise, GHD assessed noise events against *AS 2021:2015: Acoustics – Aircraft noise intrusion – Building siting and construction* which provides a guide for the “acceptability” of aircraft noise levels as shown in Table 2-3 below.

Table 2-3 Table E1 of AS 2021:2015 Building site acceptability based on aircraft noise levels

Number of flights per day	Aircraft noise level expected at building site, dB(A)		
	Acceptable	Conditionally acceptable	Unacceptable
House, home unit, caravan park, school, university, hospital, nursing home			
>30	<70	70 – 75	>75
15 – 30	<80	80 - 85	>85
<15	<90	90 - 95	>95
Hotel, motel, hostel, public building			
>30	<75	75 – 80	>80
15 – 30	<85	85 – 90	>90
<15	<95	95 - 100	>100
Commercial building			
>30	<80	80 – 85	>85
15 – 30	<90	90 – 95	>95
<15	<100	100 - 105	>105

The Port Macquarie Airport Aircraft Noise Monitoring report is attached at Attachment 2, with a summary provided below.

The report provides a range of noise metrics, including minimum, maximum and average noise levels recorded during the measurement period, across day, evening, and night time periods.

The report also assessed in detail ten (10) representative “busy hour” circuit training periods identified during the measurement period, matched to Avdata aircraft movement records.

In general, aircraft related noise events at the residential noise logger locations (Nos. 4 - Ruins Way / Innes Lake area, 5 - Sherwood area and 6 - Canals area) were recorded at a level below 70 dB(A) with the majority between 50 and 65 dB(A). Only a small number of events were recorded above 70 dB(A).

At all noise logger locations, the results were assessed as “acceptable” and in accordance with recommended indoor design levels for residential receivers as specified in AS 2021:2015.

The report acknowledges that in general the noise logger locations were characterised with low background noise levels which may make aircraft and other noise events more noticeable to those residents that have reported that they are affected by aircraft noise.

Summary of the *Have Your Say* community engagement process

In summary, the following conclusions can be drawn from the community engagement process, analysis of aircraft movements and review of recent noise complaints:

- there has been a significant increase in pilot training circuit activities and other general aviation aircraft movements during the past 10 years;
- this has led to an increase in complaints regarding aircraft noise from residents living in the vicinity of the Airport;
- for those residents affected by aircraft noise, they report that circuit activities are significantly impacting their quality of life;
- there is also considerable support reported by respondents for general aviation, including pilot training activities; and
- the technical noise monitoring has identified that aircraft noise in the vicinity of the airport is within “acceptable” levels (ref. AS 2021:2015 and industry standards).

Fly Neighbourly Agreement (FNA)

A “fly neighbourly” agreement is a voluntary agreement under which aircraft operators agree to operate in an agreed manner to minimise disturbance caused by aircraft within a particular area. It is important to note that the agreement is voluntary and cannot be enforced under aviation law.

Any agreement reached must be consistent with aviation safety regulations and air traffic management procedures applicable to the area. Mandatory aviation operating

and safety procedures (as well as any aviation requirements relevant to the area) have precedence over a “fly neighbourly” agreement in all circumstances.

In March 2020, Council staff engaged with operators at the Airport to discuss possible measures to minimise aircraft noise in the vicinity of the Airport. This process identified the following possible measures which were included in the online survey:

- communicate environmental and aircraft noise issues to local operators and pilots to increase awareness;
- respond to community enquiries and complaints in an open and co-operative manner;
- maintain runway heading after take-off until reaching 1000 feet above ground level, or a suitable altitude that ensures aircraft have reached a circuit height of 1000 feet over residential areas;
- avoiding low altitude training over residential areas;
- considering noise sensitive areas when determining circuit training flight paths;
- varying circuit training flight paths where possible (consistent with aviation safety regulations and air traffic management procedures applicable to the area) to avoid the repetitive use of particular flight paths over residential areas;
- dispersing pilot training activities to less populated areas where possible;
- operating on reduced power settings over residential areas (in accordance with aircraft operations manual requirements);
- preferring to operate on runway 03 (take-off to the north) where possible (subject to weather or other operational constraints);
- limiting the number of aircraft permitted in the circuit for training operations at any one time;
- further consideration of the circuit training hours of operation, particularly with regard to permitted times for night training.

Approximately 70% of respondents opposed to pilot training activities at the Airport supported the development of a Fly Neighbourly Agreement.

Over 50% of respondents in support of pilot training also supported implementation of a Fly Neighbourly Agreement. It is noted that pilot training organisations expressed concerns that some measures could be overly restrictive noting that pilot training activities are already conducted in accordance with strict CASA aviation safety regulations.

The intent of a fly neighbourly agreement would be to establish reasonable procedures and manageable limits on operating hours as they relate to high frequency circuit training activities only, with a view to finding an appropriate balance to minimise the impact of aircraft noise on residential areas in the vicinity of the Airport.

This report recommends that Council conduct further engagement with local operators to investigate the establishment of a formal Fly Neighbourly Agreement to include practical measures to minimise aircraft noise in the vicinity of Port Macquarie Airport.

A number of operators and residents have also suggested the use of a non-standard circuit (i.e. right-hand circuit on runway 21 and left-hand circuit on runway 03) as a

possible noise abatement measure to position circuit training activities to the west of the Airport over less populated areas.

The establishment of a non-standard circuit procedure would be subject to CASA approval and further considerations as to regulatory compliance, aircraft safety and any other identified risks / issues. Council staff will liaise further with CASA on this option while being mindful not to create inappropriate safety risks.

Options

Council may adopt the recommendations of this report as proposed or alter as necessary.

Community Engagement and Internal Consultation

The *Have Your Say* community engagement process has been outlined in the body of this report.

The detailed results of the process are provided in Attachment 1 - *Have Your Say* Community Engagement Report - Pilot Training and Aircraft Noise.

The Port Macquarie Airport Aircraft Noise Monitoring report is attached at Attachment 2.

A Councillor Briefing on the preliminary results was provided to the Mayor and Councillors on 9 September 2020.

Planning and Policy Implications

There are no planning and policy implications in relation to this report. The Airport and associated aircraft operations are conducted in accordance with CASA aviation safety regulations and the Port Macquarie Airport Operations Manual.

Financial and Economic Implications

Port Macquarie Airport operates as a self-funded commercial business unit of Council, funded primarily by aeronautical and non-aeronautical revenue associated with ongoing airport operations.

Pilot training activities at the Airport are primarily undertaken as a commercial business activity, with fees charged on a user-pays basis. Council fees and charges are benchmarked annually against similar sized regional airports.



While general aviation activities including pilot training account for approximately 90% of all Airport activity, the sector contributes less than 5% of the Airport's total annual revenue.

The significant increase in aircraft movements over recent years has placed pressure on the operational efficiency of the existing airport infrastructure during peak periods, and Council is progressing with plans for the provision of a new parallel taxiway (as

recommended by CASA) with Stage 1 to cater for light general aviation aircraft only, estimated to cost in the order of \$7 million.

Submissions received through the *Have Your Say* community engagement process have highlighted the employment and economic benefits to the community associated with general aviation business activities at the Airport.

Attachments

1.  Have Your Say Community Engagement Report - Pilot Training and Aircraft Noise
2.  Port Macquarie Airport Aircraft Noise Monitoring Report

Item: 12.02

Subject: DRAFT SMART COMMUNITY ROADMAP - POST EXHIBITION
REPORT

Presented by: Strategy and Growth, Liesa Davies

Alignment with Delivery Program

3.1.1 Assist the growth of local business and industry, ensuring this is a central consideration of Council activities.

RECOMMENDATION

That Council:

- 1. Note the submissions received following the exhibition of the draft Smart Community Roadmap.**
- 2. Adopt the Smart Community Roadmap as attached to this report.**
- 3. Advise those people who made a submission during the development of the Smart Community Roadmap of the outcome.**

Executive Summary

At the Ordinary Council meeting on 12 August 2020, Council resolved to place the draft Smart Community Roadmap on public exhibition. This report outlines the submissions received during the exhibition period (17 August to 13 September 2020). It also presents the final Smart Community Roadmap for adoption by Council.

There were 360 visits to Council's engagement website page during the exhibition period. There were 101 informed visitors (document downloaded or survey tool completed), 278 aware visitors (viewed at least one page) and 5 submissions received, providing feedback on the draft Roadmap which is included below.

Feedback during the exhibition period was constructive and provided overall support for Council's approach and direction for Smart Community development. Only minor changes were required to the draft in response to the feedback received.

Discussion

In early 2020, Council engaged the services of Delos Delta, specialist Smart City consultants, to conduct an extensive stakeholder and community engagement process and develop a Smart Community Roadmap for the Port Macquarie-Hastings region.

The purpose of the Smart Community Roadmap is to guide smart community investment and the deployment of Port Macquarie-Hastings Council (PMHC) resources to initiatives which produce smart outcomes for our community.

To inform the development of an initial draft Roadmap and gather insights on how data, technology and innovation can be used to drive smart community development in the Port Macquarie-Hastings region, a broad consultation process was conducted with residents, key stakeholders and Council staff. The high level of engagement achieved during the consultation process was acknowledged by Delos Delta as impressive.

The draft Roadmap that was developed following the consultation period outlined smart community aspirations, priority focus areas across the decade to 2030 and provided a transparent prioritisation framework to ensure high value smart community initiatives can be identified and supported.

At the Ordinary Meeting of Council held on 12 August 2020, Council resolved:

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

During the exhibition period from 17 August to 13 September 2020, five (5) submissions were received on the draft (these are circulated separately to Councillors). The submissions were constructive in their feedback and only a small number of minor changes were required in response. Some of the themes amongst the feedback included:

- Overall support for Council's approach and direction for Smart Community development;
- Support for the integration of smart community principles and priorities in critical PMHC strategic document and projects;
- The importance of annual review of the Roadmap to ensure relevance and responsiveness to change.

Changes to the Roadmap

Changes that have been made to the Draft Smart Community Roadmap post exhibition are shown below in page order:

Page 8

- The NSW Smart Places Strategy was launched during the early August 2020. A reference to the Strategy has been added to the Strategic Context table to acknowledge its relevance to the Smart Community Landscape.

Page 11

- The statistic stating '100% mobile coverage' has been changed to '96% households access to 4G Mobile Data' and the source of the statistic has been footnoted.

Page 24

- 'Economic Development Strategy' was added to the list noted in the first dot point

The updated Smart Community Roadmap is attached, reflecting changes as detailed above.

Options

Council can choose to adopt the final draft Smart Community Roadmap or request further consideration of submissions or re-drafting.

Community Engagement and Internal Consultation

The draft Smart Community Roadmap has been compiled to represent the consolidated views of our community stakeholders who have an interest in the development of a smart Port Macquarie-Hastings community.

The drafting of the Roadmap was informed by communication and consultation with a broad range of stakeholders including Council staff, Councillors and the broader community.

The public exhibition period is now complete with the outcomes of the exhibition process as follows. There were 360 visits to Council's engagement website page during the exhibition period. There were 101 informed visitors (document downloaded or survey tool completed), 278 aware visitors (viewed at least one page) and 5 submissions received, providing feedback on the draft Roadmap as outlined in Attachment 2.

Planning and Policy Implications

As noted in this report, the Smart Community Roadmap will guide an integrated approach to smart community rather than a stand-alone approach for our region to develop as a smart community.

If Council chooses to adopt the Smart Community Roadmap then some of the priorities identified in the plan may result in the review and revision of existing planning processes, policies and related documents to embed smart approaches that progress smart community development.

Financial and Economic Implications



If adopted, the Smart Community Roadmap will guide opportunities for the short term diversion of funding to initiatives that produce smart outcomes with a view to driving cost savings in the medium to long term.

A key aspect of smart community is leveraging data, innovation and technology to drive efficiencies. Through a strategic and deliberate approach to Smart Community

development, Port Macquarie-Hastings Council will be seeking to achieve the following goals:

1. Improve operational efficiencies, service delivery and sustainability outcomes.
2. Optimise data-driven decision making and planning outcomes.

Attachments

1.  Smart Community Roadmap - October 2020
2.  Summary of Submissions Received During Exhibition Period

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 - CLIMATE EMERGENCY DECLARATION
CONSIDERATIONS**

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

RECOMMENDATION

In recognition of the urgent need for action on climate change, Council:

1. Notes that:
 - a) The NSW Government has committed to an aspirational objective of achieving net zero emissions by 2050.
 - b) Australia is a signatory to The Paris Agreement (within the United Nations Framework Convention on Climate Change).
 - c) The NSW Bushfire Inquiry report (dated 31 July 2020), stated “The season showed us what damage megafires can do, and how dangerous they can be for communities and firefighters. And it is clear that we should expect fire seasons like 2019-20, or potentially worse, to happen again” and “Climate change as a result of increased greenhouse gas emissions clearly played a role in the conditions that led up to the fires and in the unrelenting conditions that supported the fires to spread”.
 - d) The Jardine Lloyd Thompson Local Government Key Risk Report for 2019, identifies “natural catastrophe / climate change” amongst the top four risks for Local Government.
 - e) Over 1,780 jurisdictions in 31 countries have declared a Climate Emergency.
2. Notes that:
 - a) Council has adopted a Long Term Energy Strategy to source 100% of electricity from renewable sources.
 - b) Council has adopted floodplain management plans that recognize a 900mm Sea Level Rise by 2100 and 10% increases in rainfall severity events.
 - c) Council’s Operational Plan for 2020/21 includes action for the development of a Sustainability and Climate Change Strategy.
3. Requests the General Manager to provide a briefing and information to Councillors to enable them to consider a Climate Emergency Declaration.

Comments by Councillor (if provided)

Nil.

Attachments

Nil

Item: 13.02

Subject: MARIA RIVER ROAD UPGRADE - PROCUREMENT OF DESIGN
AND ENVIRONMENTAL APPROVALS

Presented by: Infrastructure, Dan Bylsma

Alignment with Delivery Program

4.5.2 Plan for infrastructure that supports population growth.

RECOMMENDATION

That Council:

1. Note that pursuant to section 55(3)(a) of the *Local Government Act 1993*, Council will not invite open tenders and utilise the procurement strategy to seek quotes from consultants under Local Government Procurement Professional Services panel LGP1208-3 for the Design and Environmental Approvals for the Maria River Road Upgrade.
2. Note the General Manager will exercise the delegation to accept a quote pursuant to the Request for Quotation process undertaken for the Design and Environmental Approvals for the Maria River Road Upgrade under the Local Government Procurement Professional Services panel LGP1208-3.
3. Note that a further report will be considered by Council (for information only) detailing the outcomes of the Request for Quotation for the Design and Environmental Approvals for the Maria River Road Upgrade.

Executive Summary

The purpose of this report is to advise of the proposed procurement strategy for the Maria River Road Design and Environmental Approvals to ensure project funding milestones can be achieved.

A typical open tender approach was considered for the project however, was considered unsuitable given the increased timeframe caused by:

- The minimum tender advertisement period (21 days)
- The need for Council Resolution to engage the preferred consultant. This would be expected to be tabled at the February 2021 Ordinary Council meeting given there is no January 2021 meeting.

In order to reduce the timeframes of the procurement process a procurement strategy utilising the Local Government Procurement (LGP) Professional Services Panel is proposed.

This proposed procurement strategy is in accordance with Section 55(3) of the *Local Government Act 1993*. However, noting that Council has requested visibility on all procurements over \$150,000, including those made under Section 55(3), we are advising Council of the proposed approach which will involve:

- Seek quotations from the Local Government Procurement (LGP) Professional Services panel LGP120-3 in lieu of an open tendering method (detailed justification provided in body of this report);
- The General Manager exercise the delegation to accept the preferred quotation in lieu of Council Resolution; and
- Commence works under the contract in order to ensure that project delivery deadlines can be met and table a report of the outcomes of the procurement process to the next available Council meeting.

The proposed procurement strategy utilising the LGP Professional Services panel will reduce the procurement program by approximately three (3) months when compared with the typical open tendering method. This will allow Council to expedite the completion of the pre-construction phase of the project and commence construction works sooner ensuring Council can meet the deadlines for the project funding.

Discussion

The Maria River Road comprises a 30km length of road linking the NSW coastal towns of Crescent Head and Port Macquarie via the Settlement Point Ferry at Port Macquarie. The road is situated within two local government areas with the southern 13.5 km of road in the Port Macquarie-Hastings Local Government Area (LGA) and the northern 11 km within the Kempsey LGA.

The existing 25km unsealed stretch of road is well known to locals and tourists for its safety concerns and is characterised by numerous sharp bends and the fluctuating condition of the unsealed road pavement, particularly after wet weather events.

A joint application for funding to seal the remaining unsealed section of Maria River Road was made by Kempsey Shire Council (KSC) and Port Macquarie-Hastings Council (PMHC) under the State Governments Fixing Country Roads program in 2017 which was unsuccessful. However, in the lead up to the March 2019 State election, a \$17M commitment was made by the Liberal/National Coalition to upgrade the road if re-elected. Following the election, a joint funding application was made under the Fixing Local Roads scheme and on July 9 2020, it was announced that the application was successful.

Following announcement of the funding, KSC and PMHC have entered into a Memorandum of Understanding whereby both parties agreed that PMHC would project manage the project on behalf of the two Councils under PMHC's Project Management Framework.

The first stage in the delivery of the project is to complete the pre-construction phase of works which involves the development of a detailed design and completion of the relevant environmental approvals. To complete these works the engagement of a suitably qualified consultant is required.

There is a high risk that utilising the typical open tender procurement approach will not allow Council to meet the funding milestone deadline of construction commencement in October 2021 due to:

- The minimum tender advertisement period (21 days)

- The need for Council resolution to engage the preferred consultant. This would be expected to be considered at the February 2021 Ordinary Council meeting given there is no January 2021 meeting.

It is also noted that to meet this deadline, pre-construction phase completion will be required by June 2021.

It is therefore proposed to streamline the procurement process through the utilisation of the LGP Professional Services Panel LGP1208-3 and by exercising the General Managers Delegation to engage the preferred contractor in lieu of a Council Resolution. This process will involve inviting a number of selected pre-qualified consultants (at least four) under Panel LGP1208-3 that have demonstrated experience in delivering projects for Council to provide quotations for the works. The quotations will then be assessed in accordance with Council's approved evaluation plan. This will allow Council to maintain a competitive pricing process, ensuring value for money, whilst also reducing the procurement timeframes.

The proposed procurement strategy is in accordance with Section 55(3)(a) of the *Local Government Act 1993*. Acknowledging that Council has requested visibility on all procurements over \$150,000, including those made under Section 55(3) of the *Local Government Act 1993* (LG Act), and in the spirit of openness and transparency Council is now being advised of the proposed procurement approach and note that a further Council report (for information only) will be considered detailing the particulars of the engagement.

Endorsing this approach means that the project will be able to commence as soon as the General Manager has approved the quotation evaluation report and the subsequent contract Letter of Acceptance.

A comparison of the timeframes of the two discussed procurement methodologies is provided in Table 1 below:

Milestone	Open Tender	LGP Quotation
Release Tender/Quote	26 October 2020	26 October 2020
Tender/Quotations Close	16 November 2020	09 November 2020
Tender Evaluation Complete	02 December 2020	25 November 2020
Report to Council Meeting	February 2020	N/A
Commence works	Late February 2020	30 November 2020

Options

The following options have been identified:

1. Accept the recommendations and note the proposed procurement strategy pursuant to Section 55(3) of the *Local Government Act 1993*.
2. Decline the recommendation for the proposed procurement approach meaning a typical open tendering method will be carried out.

Community Engagement and Internal Consultation

There has been internal consultation with the following Council staff in preparing this report:

- Senior Project Managers, Infrastructure Delivery;
- Acting Group Manager, Infrastructure Delivery;
- Director, Infrastructure;
- Director, Corporate Performance; and
- Strategic Procurement Manager.

Planning and Policy Implications

It is noted that as the Tendering Local Preference Policy applies to tendering processes only, it will not apply to a Request for Quotation under the Local Government Procurement Professional Services panel.

The Tendering Local Preference Policy will therefore not apply under the proposed procurement strategy.

The *Government Information (Public Access) Act 2009* (GIPA Act) requires government agencies to publish the details of any contracts they have entered into with private sector entities, with a value of \$150,000 or more. Pursuant to Part 3, Division 5, clause 30(1)(a) of the GIPA Act, the resulting contract will be notified on Council's GIPA Contracts Register.

Financial and Economic Implications

It is noted that failure to meet the project grant funding milestones may lead the funding being withdrawn. Whilst this is not considered a high risk at this early stage of the project, failure to complete the construction works on time may result in the loss of funding.

Attachments

Nil

Item: 13.03

Subject: KOALA RECOVERY STRATEGY ANNUAL REPORT

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 presented in the Koala Recovery Strategy annual update report.
2. Resolve to postpone major actions identified in the Koala Recovery Strategy pending the outcome of a review and update of the Koala Recovery Strategy due to be completed 2021-2022, with the exception of the following:
 - a) Continue to deliver educational actions that align with the purpose and aim of the adopted Koala Recovery Strategy and that are achievable in the short term whilst the review and update are being completed.
 - b) Investigate a feasibility study into engineering solutions to address koala road strike at identified locations to be included in the draft Operation Plan for 2021-2022.
 - c) Continue to participate in the NSW OEH/Joint Organisation Koala Partnership to improve koala habitat protection measures in the region.

Executive Summary

The [Port Macquarie-Hastings Koala Recovery Strategy](#) 2018 (the Strategy) was developed by Port Macquarie-Hastings Council (PMHC) to identify the key issues that were impacting the local koala population. The strategy provides actions and guidelines to aid in the recovery of the local koala population.

The [Strategy](#) was developed and adopted by Council on 19 September 2018 as follows:

RESOLVED: Alley/Turner

That Council:

1. *As a result of the consideration of public submissions, adopt the amended draft Koala Recovery Strategy.*
2. *Give consideration to funding the programs and actions included in the Koala Recovery Strategy as part of development of the 2019-2020 Operational Plan and forward budgets and Delivery Program;*

3. Give consideration to delivering items from the Koala Recovery Strategy through a partnership model to increase financial and human resource capacity; and
4. Receive further reports on the success or otherwise of the funded programs of the Koala Recovery Strategy on an annual basis to ensure an adaptive management approach is maintained and outcomes are achieved.

CARRIED: 8/0

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

AGAINST: Nil

After formal adoption of the [Strategy](#) staff have commenced a number of actions as outlined in Table 1. It is important to note that certain actions have not been delivered as they are linked to the draft Coastal Koala Plan of Management which is not proceeding in its current format as per Council resolution on 12 August 2020.

At the 12 August 2020 Ordinary Council meeting it was also resolved that a review of the adopted Koala Recovery Strategy 2018 be undertaken which will be discussed in more detail in this report.

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

Discussion

This report provides an update on the progress of implementing the Koala Recovery Strategy (Table 1) and future actions to occur.

Table 1 Status Table: Koala Recovery Strategy Actions

Koala Recovery Strategy - Actions	Due Date	Status	Comments
Within the first three months of the Strategy's adoption an expert panel will be formed to design a monitoring program in conjunction with the Comprehensive Koala Plan of Management.	19/12/2018	Not completed	The expert panel was not formed for this strategy. This action was not undertaken since the Comprehensive Koala Plan of Management was not adopted at the time and is now hold on because the draft Coastal Koala Plan of Management is not proceeding in current format.
A comprehensive initial survey to examine likely population within the Coastal KPOM area (using genetics) delivered within the first 12 months	19/09/2019	Not completed	This action was not undertaken since the Comprehensive Koala Plan of Management was not adopted at the time.
Snapshot surveys using a stratified, replicated design at the 1, 3 and 5 year mark which can examine broad population trends.	19/09/2020	Not completed	This has not been undertaken as would have required the initial survey to be undertaken first.
	19/09/2022	Not yet due	
	19/09/2024	Not yet due	
Actions - Habitat Loss and Fragmentation			
Completion and adoption of the draft Coastal Koala Plan of Management	Date not specified	Not completed	Draft Coastal Koala Plan of Management is not proceeding in current format at this time.
Review provisions in the Development Control Plan (DCP).	Date not specified	On hold	Draft Coastal Koala Plan of Management is not proceeding in current format at this time. As such this action needs to be reviewed as part of the full review of the Koala Recovery Strategy.
Request an update of the NSW Biodiversity	Date not specified	On hold	Draft Coastal Koala Plan of Management is not

Values Map pursuant to Biodiversity Conservation Act 2016 to include core koala habitat as per approved Coastal Koala Plan of Management.			proceeding in current format at this time. As such this action needs to be reviewed as part of the full review of the Koala Recovery Strategy.
In partnership with NSW OEH update the NSW koala likelihood model based on updated home range information and koala habitat mapping (see Research Initiatives) to improve koala habitat protection measures associated with private native forestry.	Date not specified	Currently underway	The Joint Organisation Koala Recovery Ecologist (on behalf of multiple partners including PMHC) is undertaking a study currently to determine the most suitable Plant Community Types in Port Macquarie and Kempsey LGA's.
Expand Coastal Koala Plan of Management to include the entire LGA once home range study and fine scale habitat mapping is complete (see Research Initiatives)	Date not specified	On hold	Draft Coastal Koala Plan of Management is not proceeding in current format at this time. As such this action needs to be reviewed as part of the full review of the Koala Recovery Strategy.
Explore re-populating unoccupied koala habitat on rural lands with willing landholders.	Date not specified	Currently underway	This is considered in scope for the works undertaken by the Joint Organisation Koala Recovery Ecologist (on behalf of PMHC) and the NSW Government.
Resolve, by way of Council internal procedure, that development approved under Part 5 of the <i>Environmental Planning and Assessment Act 1979</i> be subject to the same provisions as those outlined in Council's	Date not specified	Completed	Completed with the adoption of the Koala Recovery Strategy.

Coastal Koala Plan of Management.			
Ensure land rezoning takes into account koala habitat as per Council's Coastal Koala Plan of Management (once approved)	Date not specified	Yet to be commenced	Draft Coastal Koala Plan of Management not proceeding in current format. Planning proposals consider rezoning in accordance with the North Coast Regional Plan 2036 and identification of High Environmental Values (HEV) as per the Regional Plan are assessed at planning proposal stage. HEV should be avoided and zoned as E2 through this process.
Action - Road Strike			
Risk of road strike on future development regulated by provisions and road design measures detailed in Council's Coastal Koala Plan of Management.	Date not specified	On hold	Draft Coastal Koala Plan of Management not proceeding in current format. This action is addressed for each development using the provisions of the SEPP (Koala Habitat Protection) 2019
Design and trial an 'urban- friendly' koala road grid solution to be used on urban road intersections together with fit for purpose koala proof fencing to exclude koala from high risk roads	Date not specified	Yet to be commenced	Project delivery team requested to undertake a feasibility study in 2021-2022 on engineering solutions to address road strike at identified locations.
Install koala proof fencing and koala grids at major intersections shown to be koala black spots	Date not specified	Yet to be commenced	Project delivery team requested to undertake a feasibility study in 2021-2022 on engineering solutions to address road strike at identified locations.
Target and investigate solutions to reduce road strike on currently identified	Date not specified	Ongoing	Contemporary road strike hot spot report has been completed for 2020. This data will assist in a 2021-

roads, as listed below, and future sites as identified: Lake Road between Blackbutt Road and Hill Street and Oxley Highway between Morton Street and Widderson Street			2022 feasibility study on engineering solutions to address road strike at identified locations.
Advocate for the installation of koala proof fencing on the Pacific Highway between the Oxley Highway and Kew interchanges.	Date not specified	Ongoing	Letter to be drafted to request consideration of this to the NSW Government as the Pacific Highway is a state managed road.
Action - Dog Predation			
Risk of dog attack from future development be regulated by provisions / development design measures detailed within Council's Coastal Koala Plan of Management.	Date not specified	Ongoing	Draft Coastal Koala Plan of Management not proceeding in current format. This action is currently addressed for each development using the provisions of the SEPP (Koala Habitat Protection) 2019 and will be ongoing.
Develop a dog desensitisation training mobile app and education material to be provided to all new registered dogs and to local dog clubs.	Date not specified	Completed training package. Educational information is ongoing.	A program was initiated with an expert dog training however the program proved too cost prohibitive. The app was not developed after this finding. Staff are currently investigating the most beneficial ways to provide education on dog attacks.
Where dog desensitisation is not an option, investigate measures with the home- or dog-owner to exclude koalas from entering the property in areas.	Date not specified	Ongoing	No options have been found for individual dog owners at this time.

Recommendations

As per the 12 August 2020 Council resolution Council staff will be reviewing the Koala Recovery Strategy in the next financial year. As such the following recommendations are provided:

- Postpone all major actions until a review and update of the [Koala Recovery Strategy](#) is completed which is due at the end of 2022.
- Continue to deliver educational actions that align with the purpose and aim of the adopted Koala Recovery Strategy and that are achievable in the short term whilst the review and update are being completed.
- Request a feasibility study into engineering solutions to address koala road strike at identified locations to be included in the Operation Plan for 2021-2022.
- Continue to support the NSW OEH/Joint Organisation Koala Partnership.

Options

Council may opt to accept the recommendations and update presented in this report or choose to resolve in some other manner.

Community Engagement and Internal Consultation

Community engagement and internal consultation was undertaken in preparation of the Koala Recovery Strategy.

Consultation was undertaken in preparation for the council report to update the draft Coastal Koala Plan of Management and the resolution to request the General Manager to undertake a review of the Koala Recovery Strategy was including as a public document.

Planning and Policy Implications

The review and update of the Koala Recovery Strategy will result in identifying opportunities for improvement and will align it with new legislation that is adopted by the NSW State government.

Financial and Economic Implications

There are no financial and economic implications associated with the status update. However, the proposed feasibility study to investigate engineering solutions to address Koala Road Strike is estimated to cost up to \$150,000 and would be delivered in the 2021-2022 Operational Plan.

Attachments

1.  PMHC Koala Recovery Strategy Sept 2018

Item: 13.04

Subject: UPDATE ON PUBLIC TREE MANAGEMENT IN URBAN AREAS

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 note the information contained within the Update on Public Tree Management in Urban Areas report.

Executive Summary

The purpose of this report is to update Council on the current status of the tree works list for urban areas. An annual update has been provided to Council as additional operational funding was allocated to this service to address an increasing backlog of trees included on the works list.

Since increasing operational funding for tree management in urban areas the total number of trees included on the works list has decreased from 966 (1 July 2017) to 797 (1 October 2020).

Discussion

Public tree management in public areas continues to be a highly visible and critical Council deliverable for the community. Council's Tree Management team, which comprises of 1 senior arborist, 1 arborist, 1 operational team leader and 2 tree workers, carry out visual tree assessments to identify trees which require works. These works are allocated a priority rating from 1 - 6 to identify their risk to the community and to determine the order of works to be actioned. Works are then undertaken by Council staff and external contractors appointed as preferred suppliers on Council's Tree Maintenance and Management Services tender panel.

Council previously recognised the need to increase financial resources allocated to addressing the tree list backlog and an additional \$96,000 was allocated during the 2017/18 financial year to allow for more high risk tree works to be completed. This additional budget has since been embedded in the operational budget for tree management.

This matter was last considered at the October 2019 Ordinary Council meeting where the following was resolved:

13.10 UPDATE ON PUBLIC TREE MANAGEMENT IN URBAN AREAS

RESOLVED: Intemann/Dixon

That Council:

1. *Note the information contained within the Update on Public Tree Management in Urban Areas report.*
2. *Consider an increased resourcing for tree management in the 2020-2021 operational plan.*

CARRIED: 8/0

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

AGAINST: Nil

In accordance with resolution 2, an unsuccessful bid for additional budget of \$100,000 for tree management was considered in development of 2020/21 operational budgets due to competing resource demands.

As at 1 October 2020, there are 797 tasks listed for works to be undertaken by Council within the LGA. A breakdown of the current tree works task list is as follows:

Priority Rating	Number of tasks listed as at 1/07/17	Number of tasks listed as at 1/07/18	Number of tasks listed as at 1/10/18	Number of tasks listed as at 1/10/19	Number of tasks listed as at 1/10/20
1	66	24	2	5	11
2	341	305	280	330	343
3/4	523	474	461	458	414
5/6	36	34	40	31	29
Total	966	837	783	824	797

These results show that since additional funding was allocated to tree management in urban areas in 2017/18 there has been a reasonable reduction in the number of overall trees included on the tree works list.

In addition to listed tree works, tree management staff have responded to 204 additional tasks (branch or whole tree failure) in the 12 months to October 2020. Most of these tasks resulted from high wind events in November 2019 and March 2020.

Options

Council can opt to:

1. Adopt the recommendation contained within this report; or
2. Request further information in regards to Tree Management practices and the current status and resourcing of this Council service area.

Community Engagement and Internal Consultation

Internal consultation in developing this status report has involved the following Council staff:

- Group Manager Recreation, Property and Buildings
- Senior Arborist

- Recreation, Property and Facilities Manager

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: 13.05

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 review of the Lake Cathie/Lake Innes Estuary Hydrodynamic Model is warranted and should be undertaken as part of Stage 2 of the Coastal Management Program.
3. Consider funding opportunities to undertake the review of the Lake Cathie/Lake Innes Estuary Hydrodynamic Model with the development of the 2021/2022 Operational Plan and budget.
4. 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

This report provides an update to the 23 September Ordinary Council Meeting where Council resolved as follows:

RESOLVED: Pinson/Griffiths

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.*

CARRIED: 7/0

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

AGAINST: Nil

Since this resolution, BMT Commercial have undertaken a detailed review of the 2011 Hydrodynamic Model (**Attachment 1**). The report confirms that a review of the 2011 report is appropriate and should be undertaken in order to ensure that the

model is suitable for supporting present-day decisions regarding the complete management of the estuary system.

Table 2.1 from **Attachment 1** provides an overview of the recommended work that is required to successfully update the model. The work has been staged, with indicative process, costs and timeframes outlined. It is important to note that whilst the project has been broken down into stages, the costs nominated reflect the completion of multiple stages together (i.e. under a single tender). As such, it recommended that the project be completed as a package, undertaking stages 1, 2a and 2b concurrently.

Discussion

Review Process

BMT recommend that in order to accurately compare management options, the model be updated to include a water quality module, and the results of this be compared against thresholds for different outcomes. Table 2-1 (see **Attachment 1**) presents an approximate overview of a staged process that could achieve these goals.

This process would require the following key elements (also refer to Table 2-1):

- Additional flow, current, water level and bathymetric survey to support hydrodynamic calibration (Stage 1)
- Model update to the latest version and calibration to recent data (Stage 1)
- A baseline monitoring campaign of additional water quality parameters (monthly sampling and some permanent loggers) (Stage 2a)
- Water quality calibration/validation (Stage 2a)
- Assessment of management options over a range of climate, weather and entrance conditions (Stage 2a).

This would then ensure that the Hydrodynamic Model is capable of assessing impacts to the estuary and lake system in response to a number of potential management options. The outputs from this would be *directly* relatable to water quality conditions, which could be used to compare costs with *outcomes*. Importantly, these updates would also demonstrate to the agencies (e.g. DPIE in a CMP context), and potential independent peer reviewers, that the model is suitable for supporting present-day decisions regarding the complete management of the estuary system.

Review Costs

As per table 2.1, indicative costs to review and update the model range from \$310,000 to \$400,000.

It should be noted that suitable scenarios for assessing management options would need to be scoped in consultation with the relevant stakeholders to ensure that the key questions are targeted and resolved. Ideally, this would include input from economists that specialise in valuing natural resources to ensure the modelling scope and outputs can be integrated with quantitative (e.g. cost-benefit analysis) and qualitative socio-economic appraisal. Therefore, the costs could be significantly impacted depending on the number of management scenarios modelled.

Under stage 2a, the costs associated with 'Catchment loads modelling' have not been included in this estimate, but are likely to be substantial if this aspect of work is included in the project.

The amount of time that could be saved by running tasks in parallel is unknown at this stage, but it likely to represent a reasonable time saving.

The costs associated with undertaking single stages (rather than all three stages under a single engagement) is also unknown but is likely to be considerably higher if broken down under separate contracts.

Collection of field data is highly susceptible to climatic conditions and prevailing lake entrance conditions during the project. This has the potential to significantly impact on the costs, timing and success of the project.

Project Timeframe

As per table 2.1, indicative timeframes to review the model range from 34 months to 46 months (noting that some tasks could be run in parallel thereby reducing the indicative timeframe).

Having the model developed in a staged approach would also be useful for additional studies of the system to occur in tandem with the hydrodynamic model review project. The initial hydrodynamic data collection and model upgrade would develop an intermediate tool that could be used for studying flood response and for assessing coastal hazards and climate risk.

This intermediate tool may be applicable for running preliminary scenarios of flushing response in order to rule-out management options based on negative performance but will not be able to accurately determine the actual water quality and ecological response until the completion of the full hydrodynamic and water quality model (Stage 2a).

Management Options

BMT have undertaken a thorough review of the 2011 report and have outlined a scope of works that can be used as the basis of a tender brief to engage a contractor to undertake the additional modelling works.

The work completed by BMT can be used to inform the procurement phase and puts Council in a good position to accurately scope, budget and program the works that are required to update the model.

As outlined in the Council report from 23 September 2020, management options for issues such as Kenwood Drive Bridge can only be properly assessed once the Hydrodynamic Model has been sufficiently developed. Given the abovementioned timeframes to review the model, it is likely that the investigation into management options (i.e. augmentation Kenwood Drive Bridge) will not be undertaken until 16 - 24 months into the project.

Furthermore, as outlined in the Council report from 23 September 2020, the next steps and timeframes that can be expected following completion of the Hydrodynamic Model would be approximately 3.5 years to complete:

- Multi-criteria assessment of options developed and preferred option to progress, possible 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

Council has the following options in respect of this matter:

1. Elect to proceed with a review of the 2011 Hydrodynamic Model before finalisation of the CMP Scoping Study, noting that the Council would be required to fully fund the entire project.
2. Elect to proceed with the CMP Scoping Study and update it to include reference to the Hydrodynamic Model review as a priority task noting that this will ensure priority funding for CMP Stage 2 projects and will enable Council to apply for grant funding at a 2:1 ratio (state: local).
3. Resolve in some other manner.

Community Engagement and Internal Consultation

Due to significant time constraints, consultation with managing stakeholders (i.e. DPIE, NPWS, DPI Fisheries) was not able to be undertaken during the review process. However, when scoping the project and undertaking the procurement phase, consultation will be undertaken with relevant management stakeholders at that time.

Planning and Policy Implications


Stage 1 of the Coastal Management Program (Scoping Study Stage) should be completed before moving into Stage 2 projects, such as the Hydrodynamic Model Review.

The Stage 1 Scoping Study will be updated to include the information provided by BMT and will identify the Hydrodynamic Model review as a priority project for completion.

Financial and Economic Implications

This report recommends that Council forward plan for the 2021-22 FY and give consideration to funding a review of the Hydrodynamic Model (noting that the project would be dependent on a successful grant funding application) in conjunction with development of the draft 2021/2022 Operational Plan and budget

Attachments

1.  Lake Cathie/Lake Innes Hydrodynamic Model Review - BMT

Item: 13.06

Subject: PLANNING PROPOSAL - 8 HIGHFIELDS CIRCUIT, 3 & 5 KULAI PLACE AND 9 & 11 KINGFISHER ROAD PORT MACQUARIE

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:

- 1. Note the lodgement of the planning proposal application referred to as 'PP2020 - 3.1: Proposed mixed use health and education precinct - Number 8 Highfields Circuit, Numbers 3-5 Kulai Place and Numbers 9-11 Kingfisher Road, Port Macquarie'.**
- 2. Undertake Council initiated health and education precinct strategic planning investigations prior to any subsequent referral of the above planning proposal to the NSW Government seeking Gateway Determination in accordance with Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*.**

Executive Summary

On 25 May 2020, Planning Proposal '*PP2020 - 3.1: Proposed mixed use health and education precinct - Number 8 Highfields Circuit, Numbers 3-5 Kulai Place and Numbers 9-11 Kingfisher Road, Port Macquarie*' was formally lodged with Council.

The land to which the proposal applies is within the Port Macquarie Health and Education Precinct (HEP), as detailed within the HEP Master Plan as adopted by Council at its Ordinary Meeting of 18 September 2019.

The proposal seeks to amend the Port Macquarie - Hastings Local Environmental Plan 2011 (LEP) to facilitate the development of 6 x predominantly 7 storey buildings including:

- 2 x health and medical facility buildings at 8 Highfields Circuit,
- 1 x accommodation and 1 x education building at 9 and 11 Kingfisher Road,
- 1 x education and 1 x accommodation building at 3 and 5 Kulai Place,
- A central pedestrian spine incorporating a public 30m x 200m pedestrian and cycle thoroughfare connecting Highfields Circuit, Kulai Place and Kingfisher Road,
- 2 levels of basement parking providing over 700 car parking spaces,
- Vehicular access from Highfields Circuit, Kulai Place and Kingfisher Road; and
- Open space and landscaping.

The associated supporting planning proposal documentation contains a number of social, economic and other justifications for the proposal as detailed within this report.

In order for the Planning Proposal to meet NSW Government requirements, the consistency of the proposal with relevant State Environmental Planning Policies, Ministerial Directions under section 9.1 of the *Environmental Planning and Assessment Act 1979* and relevant NSW Government guidelines must be demonstrated.

As detailed within **Attachment 1** to this report, outstanding matters identified as a result of the assessment of the subject planning proposal documentation include the potential impacts of the proposal on existing infrastructure (such as roads and sewer) and a variety of other potential development impacts and the subsequent investigation of suitable LEP and other planning provisions.

Council Staff are currently working to resolve the above matters as part of wider Council initiated strategic planning investigations in consultation with the NSW Government and other relevant stakeholders. Resolution of these matters are being sought in addition to various other strategic planning considerations ranging from ecology and heritage to commercial land use and infrastructure. Strategic consideration of these matters as part of the Council initiated strategic planning for the HEP would ensure consistency between the subject proposal and strategic planning for the wider HEP.

It should also be noted that the Proposal is inconsistent with the Council adopted HEP Master Plan as it:

- Seeks to increase the maximum height of buildings from six storey's to seven storey's, with one eight storey component fronting Kingfisher Road. Whilst the actual height of the buildings in metres has not been disclosed to Council Staff by the proponent (other than representation in RLs) this represents an increase from 22 metres to greater than 30 metres.
- Seeks to increase the floor space ratio from 1.8:1 (non-residential) to 2.78:1.

The above increases will substantially contribute to the overall height and density of the development above what has been adopted within the HEP Master Plan.

Currently, due to the unknown nature of the full impact of the proposal (for example in relation to roads and sewer) and inconsistency with existing planning provisions and the HEP Master Plan, it is unlikely that the proposal would meet NSW Government planning proposal requirements.

In addition to the above, due to the subject planning proposal assessment being further progressed than the wider HEP strategic planning work, there is a significant potential for inconsistencies to develop between the subject Planning Proposal and the wider strategic planning work. This would likely result in development outcomes inconsistencies between the proposal and the wider HEP.

Given the identified deficiencies this report recommends that Council continue with the strategic planning investigations for the wider HEP prior to referral of the proposal

to DPIE for Gateway Determination in accordance with Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*.

Discussion

On 25 May 2020, Planning Proposal 'PP2020 - 3.1: Proposed mixed use health and education precinct - Number 8 Highfields Circuit, Numbers 3-5 Kulai Place and Numbers 9-11 Kingfisher Road, Port Macquarie' was formally lodged with Council.

The land to which the proposal applies is within the Port Macquarie Health and Education Precinct (HEP), as detailed within the HEP Master Plan as adopted by Council at its Ordinary Meeting of 18 September 2019. The location of the site is illustrated within Figure 1 below.



Figure 1 - Site Location

The Proposal

The proposal seeks to amend the Port Macquarie - Hastings Local Environmental Plan 2011 (LEP) to:

- Rezone the site from part R1 General Residential and part R2 Low Density Residential to B4 Mixed Use,
- Replace the current maximum building height of 8.5 metres with a site specific Relative Level (RL) of 54.30,
- Amend the maximum floor space ratio to 2.78:1; and
- Amend Part 7 Additional local provisions by including a clause that states that development consent must not be granted for development on land at 8 Highfields Circuit, 3 and 5 Kulai Place and 9 and 11 Kingfisher Road, Port Macquarie if the gross floor area is greater than 19,470m², unless the Council is satisfied that any public infrastructure that is essential for the proposed

development is available or that adequate arrangements have been made to make that infrastructure available.

- Incorporate an additional permitted use within Schedule 1 of the LEP to permit a helipad at 8 Highfields Circuit.

In addition to the above, officers have investigated the inclusion of an amendment to Part 7 of the LEP to incorporate a minimum non-residential floor space ratio of 0.4:1 for the site. This provision is being investigated with the objective of:

- Providing for development with continuous and active street and pedestrian spine frontage,
- Encouraging an appropriate mix of residential and non-residential uses; and
- To ensure that a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of commercial centres.

It is intended that the above provision would assist to achieve street level activation as envisaged by the HEP Master Plan.

As detailed within the Proponents Planning Proposal Report dated 4 August 2020, the proposed LEP amendments are intended to facilitate:

- A central pedestrian spine incorporating a public 30m x 200m pedestrian and cycle thoroughfare connecting Highfields Circuit, Kulai Place and Kingfisher Road.
- 6 x predominantly 7 storey buildings including:
 - 2 x health and medical facility buildings at 8 Highfields Circuit,
 - 1 x accommodation and 1 x education building at 9 and 11 Kingfisher Road; and
 - 1 x education and 1 x accommodation building at 3 and 5 Kulai Place.
- Approximately 58,080m² of gross floor area incorporating:
 - Approximately 19,470m² of combined health services gross floor area,
 - Approximately 19,480m² of education gross floor area,
 - Approximately 16,440m² of accommodation gross floor area; and
 - Approximately 2,690m² of commercial floor area.
- 2 levels of basement parking providing over 700 car parking spaces.
- Vehicular access from Highfields Circuit, Kulai Place and Kingfisher Road.
- Open space and landscaping.

An indicative reference design of the proposal is provided within Figure 2 below.

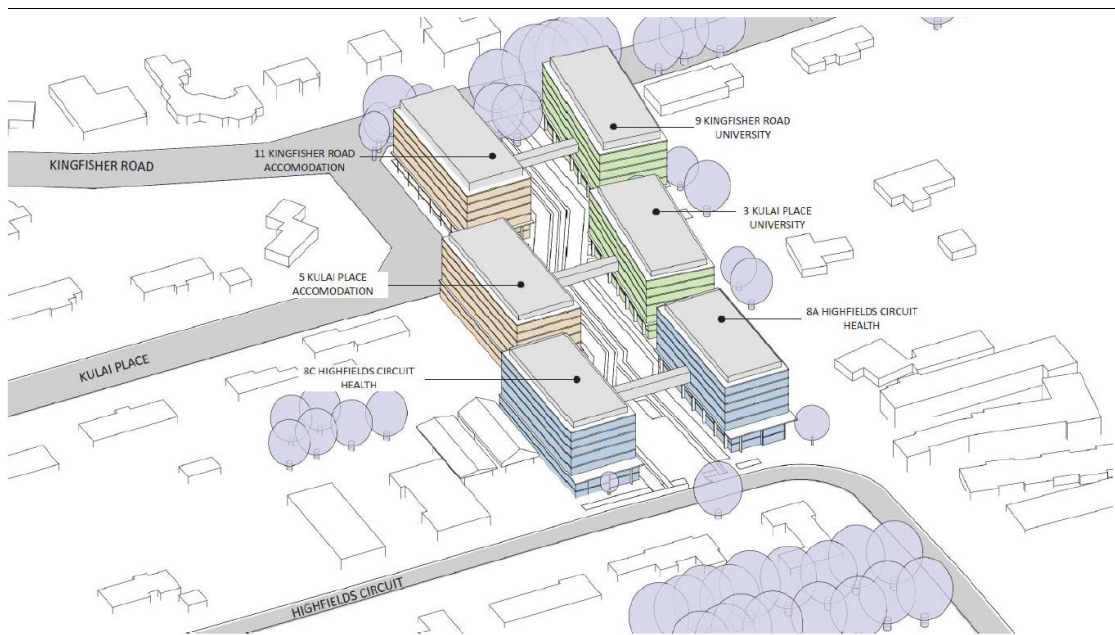


Figure 2 - Indicative Reference Design

The development is anticipated to be facilitated in three stages as follows:

- Stage 1 is envisaged to involve construction for two health services buildings at 8 Highfields Circuit, with access from 3 and 5 Kulai Place and commencement of construction of the pedestrian spine. This first stage of works is currently subject to State Significant Development (SSD) Application SSD-10392 as per the amended Planning Secretary's Environmental Assessment Requirements which were issued in July 2020. This SSD is described further within this report.
- Stage 2 is likely to comprise of the construction of one education building and one accommodation building as well as the construction of the pedestrian spine at 3 and 5 Kulai Place.
- Stage 3 is anticipated to comprise of the final construction of one accommodation building and one education building as well as the construction of the final portion of the pedestrian spine at 9 and 11 Kingfisher Road.

Notwithstanding the above, the various modifications to the subject proposal have been sought through the planning proposal documentation during the assessment process. One of the most significant of such modifications has incorporated the inclusion of a helicopter landing site on the rooftop of 'Building 8A' fronting Highfields Circuit.

While documentation to support such modifications has been provided to Council on an ongoing basis, such modifications have not necessarily been captured within the Proponents Planning Proposal Report, likely due to the evolutionary nature of the proposal since the initial lodgement of the application.

Justification

The planning proposal documentation contains a number of justifications for the proposal. These justifications outline that:

- The site is the largest site in single ownership in the central HEP and the Planning Proposal will facilitate the partial delivery of one of the HEP Master Plan's two 'big moves', being the central pedestrian spine.
- Stage 1 of the Planning Proposal is intended to facilitate the Department of Planning, Industry and Environment's assessment of SSD-10392, which represents a stated \$165 million investment in the Port Macquarie - Hastings region. Stage 1 is stated to facilitate 19,470m² of employment generating floor area and therefore would make a material contribution to the region's social and economic recovery post COVID-19.
- The Planning Proposal is stated to facilitate a development scheme that would generate significant economic benefits for the Port Macquarie community, including in the order of \$450 million investment in construction activity. The overall proposal is stated to facilitate 9,000 construction jobs, 2,190 full time employee ongoing health sector jobs on site and a further 7,080 full time employee jobs elsewhere in the economy as a result of consumption and production multipliers.
- A planning proposal to facilitate future health and education uses on the site is consistent with Council's Urban Growth Management Strategy (UGMS) which identifies that:

"The growth of the health and education sectors presents an opportunity to increase the number of young people in the community, provide economic diversification, increase labour force participation and build on Port Macquarie's growing status as a regional city"

- It is proposed to act as a catalyst for further development to realise the Council's strategic objective to increase Port Macquarie's presence as a regional city without undermining the Council's strategic analysis of the broader HEP.
- The proposed floor area is stated to satisfy predicted demand without undermining the LGA's existing retail hierarchy or limiting the future economic potential of other land within the HEP.
- The analysis undertaken as part of the Planning Proposal suggests that future development will:
 - Provide a distinctive architectural design that reinforces the sites role as the central spine to the precinct and ensures there will be an appropriate transition in height to the future 6 storey buildings located to the east and west of the site,
 - Deliver a new streetscape along the pedestrian spine that will be vibrant, vivacious and welcoming with landscaping and ground floor activation including lobby entries, pharmacies, cafes and restaurants,
 - Ensure new buildings do not dominate the pedestrian scale due to appropriate separation, punctures, articulation and existing mature trees,
 - Enable a high quality neighbourhood that is reinforced by the proposed setbacks to the main streets and the pedestrian spine,
 - Maximise solar access to the site and surrounding properties due to the orientation of the buildings; and
 - Present a development scheme that will minimise impacts to the surrounding locality and the site while delivering a new health and education

precinct capable of facilitating employment growth and diversification in accommodating Port Macquarie's growing health and care sector.

Assessment to Date

Following internal review of the planning proposal documentation, initial review comments were provided by Council Staff to the Proponent on 27 July 2020. Since this time, various subsequent revisions to the documentation and associated review comments have been issued. A summary of these comments is provided within **Attachment 1** to this report.

In order for the Planning Proposal to meet NSW Government requirements, the consistency of the proposal with relevant State Environmental Planning Policies, Ministerial Directions under section 9.1 of the *Environmental Planning and Assessment Act 1979* and relevant NSW Government guidelines must be demonstrated.

As detailed within **Attachment 1** to this report, outstanding matters identified as a result of the assessment of the subject planning proposal documentation include the potential impacts of the proposal on existing infrastructure (such as roads and sewer) and a variety of other potential development impacts and the subsequent investigation of suitable LEP and other planning provisions.

Council Staff are currently working to resolve the above matters as part of wider Council initiated strategic planning investigations in consultation with the NSW Government and other relevant stakeholders. Resolution of these matters are being sought in addition to various other strategic planning considerations ranging from ecology and heritage to commercial land use and infrastructure. Strategic consideration of these matters as part of the Council initiated strategic planning for the HEP would ensure consistency between the subject proposal and strategic planning for the wider HEP.

It should also be noted that the Proposal is inconsistent with the Council adopted HEP Master Plan as it:

- Seeks to increase the maximum height of buildings from six storeys to seven storeys, with one eight storey component fronting Kingfisher Road. Whilst the actual height of the buildings in metres has not been disclosed to Council Staff by the proponent (other than representation in RLs) this represents an increase from 22 metres to greater than 30 metres.
- Seeks to increase the floor space ratio from 1.8:1 (non-residential) to 2.78:1.

The above increases will substantially contribute to the overall height and density of the development above what has been adopted within the HEP Master Plan.

In addition to the above, the proposal does not comply with the proposed deep soil area within the HEP Master Plan (17% of site rather than 20% of site) or tree canopy cover (28% rather than 30%). The proposal also does not comply with buildings setbacks, which are illustrated to range from 1.5m - 8m as part of the proposal, rather than 6m - 15m as detailed within the HEP Master Plan.

Currently, due to the unknown nature of the full impact of the proposal (for example in relation to roads and sewer) and inconsistency with existing planning provisions and the HEP Master Plan, it is unlikely that the proposal would meet NSW Government planning proposal requirements.

In addition to the above, due to the subject planning proposal assessment being further progressed than the wider HEP strategic planning work, there is a significant potential for inconsistencies to develop between the subject Planning Proposal and the wider strategic planning work. This would likely result in inconsistencies between the proposal and the wider HEP in relation to development outcomes.

Options

Following the review of submitted planning proposal documentation to date, the options below have been considered in relation to the progression of the subject Planning Proposal Application:

1. Referral of the proposal to the NSW Government for Gateway Determination in accordance with Section 3.34(1) of the *Environmental Planning and Assessment Act 1979* without further assessment

This option would involve seeking a Resolution of Council to forward the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination in accordance with Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*.

This option would facilitate the formal progression of the proposal and subsequent assessment by DPIE. However, this option would not facilitate the strategic assessment of infrastructure and other strategic planning considerations which are currently being assessed by Council as part of Council initiated HEP strategic planning investigations. Subsequently, this option is likely to result in misalignment of the subject proposal with the HEP strategic planning investigations and subsequent development outcomes.

In addition to the above, as outlined previously within this report, the proposal in its current form is unlikely to meet NSW Government planning proposal requirements to ensure progression beyond initial DPIE consideration.

2. Undertake wider Council initiated HEP strategic planning investigations prior to any subsequent referral of the proposal to the NSW Government seeking Gateway Determination in accordance with Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*

This option would involve Council Staff undertaking strategic planning investigations for the wider HEP prior to referral of the proposal to DPIE for Gateway Determination in accordance with Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*.

This approach would involve Council Staff continuing to undertake strategic planning investigations for the HEP as Resolved at Council's Ordinary meeting of 6 May 2020 concurrently with the assessment of the subject Planning Proposal. This approach may delay the referral of the subject Planning Proposal to DPIE for Gateway Determination until the strategic planning work has been undertaken (forecast to take

a period of approximately 26 months from project commencement). However, this approach would seek to ensure that the development has been strategically planned in relation to the potential impacts of the wider HEP on the existing environment and infrastructure network and the suitability of the proposed development in relation to surrounding existing and future land uses.

3. Advise the Proponent that the subject proposal is not supported by Council

As the Planning Proposal in its current form would be unlikely to meet NSW Government planning proposal requirements and is inconsistent with the adopted HEP Master Plan, Council could Resolve not to support the subject proposal and advise the Proponent of this outcome in accordance with Council's Planning Proposal Policy. However, as detailed under the heading 'justification' above, there are significant potential benefits associated with the proposal that may not be realised if this approach is adopted. As such, it is likely that a strategic and cooperative approach to resolving outstanding matters associated the proposal as detailed within Option 2 may be preferable.

This report recommends Option 2 be implemented in order to address outstanding matters associated with the proposal, seek alignment between Council's strategic planning investigations and the subject proposal and to assist in seeking the benefits associated with the proposal as detailed under the heading 'justification' above.

Community Engagement and Internal ConsultationInternal Consultation

The following sections of Council have been involved in the assessment of the subject Planning Proposal documentation:

- Executive Team,
- Land Use Planning,
- Water, Sewer and Stormwater Planning,
- Transport Planning,
- Recreation and Building,
- Development Assessment,
- Development Contributions
- Community Place,
- Economic Development,
- Commercial Business Unit – Airport; and
- Environmental Services.

External Consultation

Council has consulted the following external stakeholders in relation to the subject Planning Proposal:

- The Department of Planning, Industry and Environment (DPIE); and
- Transport for New South Wales (TfNSW).

In relation to feedback from DPIE with regard to the subject Planning Proposal, in correspondence dated 7 October 2020, DPIE advised:

‘As the planning proposal seeks to implement in isolation only part of the Precinct, I am concerned that progressing a site-specific planning proposal at this stage ahead

of Council's detailed project planning will not facilitate the orderly development of the land.

Additionally, the planning proposal does not align with Council's strategic planning for the site as it includes substantial variations to the recommendations of the Masterplan, specifically in relation to floor space ratio and building heights. Significant variations to the Masterplan in the initial stages of the project could undermine the entire Precinct and compromise the vision for the area. Given the significance of the Precinct to Port Macquarie and the region, it is imperative that a coordinated approach is taken.

On this basis, I strongly recommend that Council complete the detailed planning process to provide a strong strategic evidence basis for the development of the wider Precinct, and then review and amend the Masterplan (where it is intended to support any proposed alternative development controls), prior to seeking a Gateway determination for any individual sites.'

In relation to feedback from TfNSW with regard to the subject Planning Proposal, in correspondence dated 17 August 2020, TfNSW advised:

In summary, the TIA demonstrates some remaining peak demand in the surrounding road network, but confirms the need for upgrades to support the Stage 1 development into the future. The PP does not explain how the [proposed] Satisfactory Arrangements Clause and subsequent SSD will achieve an equitable contribution to the cost of State infrastructure required to support the development. A precautionary approach is recommended in the absence of certainty regarding the funding and timing of State road upgrades. A clearer understanding of proposed development yield for the wider HEP is needed to inform the total travel demand generated by the precinct and inform opportunities for sustainable transport options. Such information will also provide the basis for contributions mechanisms that are equitable for all stakeholders.

In addition to the above, a State Significant Development (SSD) Application for 'Port Macquarie Health & Education Precinct Stage 1' was formally lodged on the DPIE Major Projects Portal on Tuesday 25 August 2020. This application is intended to facilitate two seven storey health facility buildings plus two level basement carpark within the planning proposal area fronting Highfields Circuit with a connection through to Kulai Place.

In correspondence dated 22 September 2020, in response to a stated request from the applicant to proceed to finalise assessment and determination of the SSD application prior to the gazettal of the proposed associated LEP, the Department questioned whether the associated Environmental Impact Statement addresses the precinct-based issues previously raised by the Department in relation to the progression of this SSD application in the absence of an LEP amendment and ahead of Council's detailed project planning and transport investigations for the precinct, including the subject site. Within this correspondence, the Department also sought confirmation as to whether the applicant may wish to withdraw this SSD application under clause 52 of the *Environmental Planning and Assessment Regulation 2000*.

In response to the above query, the applicant has indicated an intention to proceed with the proposal. The applicant has suggested that incremental approval of development, notwithstanding infrastructure and servicing challenges, is his preferred

approach and has suggested the identification and resolution of all these matters as part of the strategic planning process is unlikely regardless. However, these issues have critical influence over the ultimate development of the precinct and it is essential for Council that they are addressed at a strategic planning level before progress can be achieved.

The above correspondence is included as **Attachments 2 - 4** of this report.

Community consultation specifically in relation to the subject proposal has not yet been undertaken. However, such consultation would be required following Gateway Determination in accordance with Section 3.34 and Schedule 1 of *Environmental Planning and Assessment Act 1979* and Part 5 of DPIE's A Guide to Preparing Planning Proposals.

Planning and Policy Implications

The implementation of the wider HEP is included as Action 13 of Council's Urban Growth Management Strategy, Action 4.5.1.8 of Council's Operational Plan and is also included within the NSW Governments North Coast Regional Plan. As such, the delivery of the wider HEP will achieve actions set out by both Council and the NSW Government within their relevant strategic and operational strategies and plans.

In relation to the assessment of the subject Planning Proposal, relevant Council policies such as the Planning Proposal, Social Impact Assessment and Planning Agreement policies are being considered during the subject strategic planning process as applicable.

Financial and Economic Implications

The significant potential economic benefits of the delivery of the wider HEP project to the community are detailed within the HEP Master Plan and included the potential for the HEP to support the ongoing growth of the health and education sectors.

In addition to the above, the Proponent has prepared a '*Pedestrian Spine Development Economic Analysis*' specifically in relation to the subject Planning Proposal. This analysis outlines that:





- 1. The subject land consists of properties that have been identified as key strategic sites for the delivery of a new pedestrian link connecting major health and education institutions within the Port Macquarie HEP.*
- 2. The proposal for the subject land is consistent with strategic planning and economic policy which supports development of the pedestrian spine and use of the properties for health, education and accommodation and supporting commercial uses.*
- 3. Development of the land for these uses responds to a growing population base, an ageing community which will demand increased levels of health*

care, and the emergence of health and education as key sectors underpinning future economic growth.

- 4. The proposal will create economic recovery opportunities and added health capacity, which is timely given the current Covid-19 crisis.*
- 5. The Planning Proposal facilitates a development scheme that will generate significant economic benefits for the Port Macquarie community, including:*
 - a. In the order of \$450 million investment in construction activity*
 - 3.*
 - b. An estimated 2,130 FTE [Full Time Equivalent] workers directly employed onsite over the life of the project, with potential for more than 5,400 additional jobs created in the wider economy*
 - c. Ongoing employment estimated at 560 FTE jobs (or around 650 positions including full-time, part-time and casual staff), with a further 745 jobs created in the wider economy*
 - 4.*
 - d. Other significant benefits including a major increase in rates and charges for PMH Council, and a boost to local expenditure flows that will generate net benefits to local businesses at Lake Innes Village Shopping Centre and other businesses in Port Macquarie, as well as contract opportunities for local businesses.*
- 6. Overall, the project will generate a significant positive economic effect for the Port Macquarie community.*

Notwithstanding, the subject proposal would likely introduce a significant burden to existing infrastructure and services (such as sewer and roads) which has not yet been fully quantified. Quantification of this burden, identification of potential mitigation measures (such as network upgrades) and the necessary proportionate contributions of development towards these mitigation measures is currently being undertaken by Council as part of the wider HEP strategic planning investigations.

Attachments

1.  Preliminary Planning Proposal Document Review Comments
2.  DPIE Correspondence 7 October 2020
3.  DPIE Correspondence 22 September 2020
4.  TfNSW Correspondence 18 August 2020

Item: 13.07

Subject: LONG TERM ENERGY STRATEGY - SIX MONTHLY UPDATE

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

4.7.1 Promote renewable energy outcomes within Council.

RECOMMENDATION

That Council:

- 1. Note Council's participation in the Department of Planning, Industry & Environment's Sustainability Advantage Program.**
- 2. Note the update on the Long Term Energy Strategy implementation as provided in this report.**

Executive Summary

In October 2017, Council adopted a Long Term Energy Strategy to responsibly plan for and manage its long term energy requirements. As part of the adoption of this strategy, Council resolved to "receive six monthly reports on progress towards implementing the Long Term Energy Strategy".

The following information covers Council's progress for the reporting period of November 2019 to September 2020. NB: The extended reporting period is a result of competing priorities particularly with respect to the planning of Covid-19 activities and preparation of Council's first Local Strategic Planning Statement.

Discussion

Council's adopted Long Term Energy Strategy comprises 4 components:

1. Council will aim to source 100% of its electricity from renewable sources by 2027.
2. Council will aim to implement one or more mid-scale solar projects, when this technology becomes cost efficient to install and operate, in the medium to long term.
3. Council will continue to implement appropriate energy efficiency initiatives (including but not limited to more small-scale solar projects) in the short to medium term.
4. Council will report on progress via the annual Operational Plan, an annual report to Council, and periodically obtain strategic advice to inform the organisation of relevant advances in renewable energy technology.

From the update report in November 2019, Council resolved the following:

That Council:

1. *Note the update on the Long Term Energy Strategy implementation as provided in this report.*
2. *Consider the inclusion of suitably sized solar PV systems, potentially with battery storage, for both the Port Macquarie STP and Wauchope WTP system, in the 2020-2021 Operational Plan, as identified in previous investigations undertaken by NSW Public Works on a number of Council sites.*
3. *Request the General Manager provide a report in July 2020 on suitable sites within the Port Macquarie-Hastings LGA, including indicative costings and benefits of a 25GWh per annum solar PV project to meet 100% of Council's current, and short term projected, electricity usage.*
4. *Request the General Manager to continue to provide six-monthly update reports on the Long Term Energy Strategy, with the May 2020 report to include an update on implementing points 2 and 3 above, and the annual November reports to collate programs completed in the year, and electricity consumption and costs for that year and the previous year.*
5. *Request the General Manager to identify appropriate funding sources to urgently seek strategic advice on renewable energy technology to suit Council's needs, and develop a solar procurement and project management plan.*
6. *Request the General to provide a briefing to Councillors on the Long Term Energy Strategy and the impact on our community.*

In alignment with the Long Term Energy Strategy, staff have been working at both a strategic and an operational level in execution of the strategy.

The key national strategic elements of transition in the energy industry are identified by the Climate Council of Australia and are influential considerations for Council's implementation of renewable energy initiatives and targets. They include:

1. The inevitable retirement of Australia's ageing, unreliable and inefficient coal-fired power stations.
2. Dramatically falling costs for solar, wind and battery storage.
3. Rapidly changing consumer preferences.
4. Domestic gas prices due to expanded Liquefied Natural Gas exports linking Australian gas markets with international markets.
5. Action on climate change requiring an orderly transition from fossil fuelled power stations to zero emission renewable power sources

STRATEGIC EXECUTIONCities Power Partnership

Council is a member of the Cities Power Partnership (CPP) program. Recently Council completed the CPP annual reporting survey. The themes from the survey include:

1. The potential introduction of a membership fee payable by Councils to the CPP.
2. The potential opportunity for Councils to collaborate on strategic sustainable energy programs and the role CPP can have in that alignment,

3. The potential expansion of the NSW Building Futures Program (a funded program that supports strata buildings identify and retrofit sustainability initiatives) beyond metropolitan areas.
4. The potential for CPP to play a stronger advocacy role with State and Federal Governments to better support Council's commitment to sustainable energy and drive efficiency and alignment in local government execution of strategy.
5. Noosa Council has been selected as the host for a major national climate summit taking place.

Sustainability Advantage

The Long Term Energy Strategy is part of a broader Council discussion regarding sustainability. Council has recently joined Sustainability Advantage - a NSW Department of Planning, Industry & Environment (DPIE) program which partners with organisations in NSW (both public and private) to help them realise their sustainability ambitions. Running for 14 years, the program has over 800 members with more than 150 active project partners including 24 Councils.

Membership benefits include the following:

- Annual Diagnostic (sustainability health check) and agreed action plan
- Assistance from the program's expert panel of sustainability consultants (up to 30 hours, valued at around \$6,000)
- Exclusive use of resources, tools, reports and templates developed by Sustainability Advantage
- Tailored support to access government incentives and investment opportunities
- Funding for special projects
- Support to plan and implement sustainability projects
- Opportunities for leadership development
- Connection to other organisations in the Sustainability Advantage network

As a first step in the Sustainability Advantage program, Council will undertake a Diagnostic workshop with Council's leadership team. The main objectives of the session are to obtain a cross-organisational perspective on:

- What sustainability means to Council
- Where Council is on its sustainability journey
- What Council's priorities are moving forward
- How best to leverage Sustainability Advantage and the broader DPIE resource to achieve them.

The Diagnostic looks at sustainability in the following 6 areas:

1. Leadership and Management
2. People and Culture
3. External Stakeholders
4. Risk Management
5. Sustainable Supply Chain
6. Operational Performance

In addition to the Diagnostic Health Check, Council will use the Sustainability Advantage Program (and the access to appropriate sustainability consultants included in the program membership) to review the Long Term Energy Strategy.

In the 3 years that have passed since the preparation and adoption of the Long Term Energy Strategy, the renewables energy market has rapidly evolved bringing with it new technologies, regulatory and financial frameworks. A review is therefore considered appropriate at this time to ensure that Council's commitment to achieving 100% renewable energy by 2027 is satisfied in the most beneficial way to Council and community.

The scope of this review will include the production of a solar procurement and solar project management plan (satisfying item 5 of the November 2019 Council resolution); review of models and potential sites for the development of a utility scale renewable energy generation (see below) and a summary of the benefits to Council and community of strategy implementation to date (satisfying item 6 of the November Council meeting resolution).

Utility Scale Renewable Energy Generation

Australia has some of the highest average solar radiation per square metre of any continent in the world, some of the highest per capita uptake of residential rooftop solar, and world leading solar photovoltaic (PV) technology.

Given the continuing cost reductions in solar technology, key drivers now include the increasingly large number of corporates and local government authorities actively seeking to increase their use of renewable energy, creating a substantial demand for renewable energy solutions.

The strategic utility scale opportunities have the following elements for consideration:

1. Land tenure.
2. Renewable energy generation.
3. Renewable energy purchase and consumption.

The Long Term Energy Strategy identifies that utility scale solar generation is integral to the achievement of Council's goal to source 100% of its electricity from renewable sources by 2027.

1. Land Tenure

Council has begun an investigation into the feasibility of various Council-owned sites for the location of a utility scale renewables energy facility. There are a number of land criteria for sites preferred including size, planning controls, vegetation and proximity to electricity grid connection points.

Initial discussion regarding the suitability of the Kew/Kendall Sewerage Treatment Plant site has revealed that planned expansion of the STP to service the expanding Area 15 will require the adjoining forest to be left intact for the disposal of the STP effluent. This renders the site unsuitable as a renewable energy site.

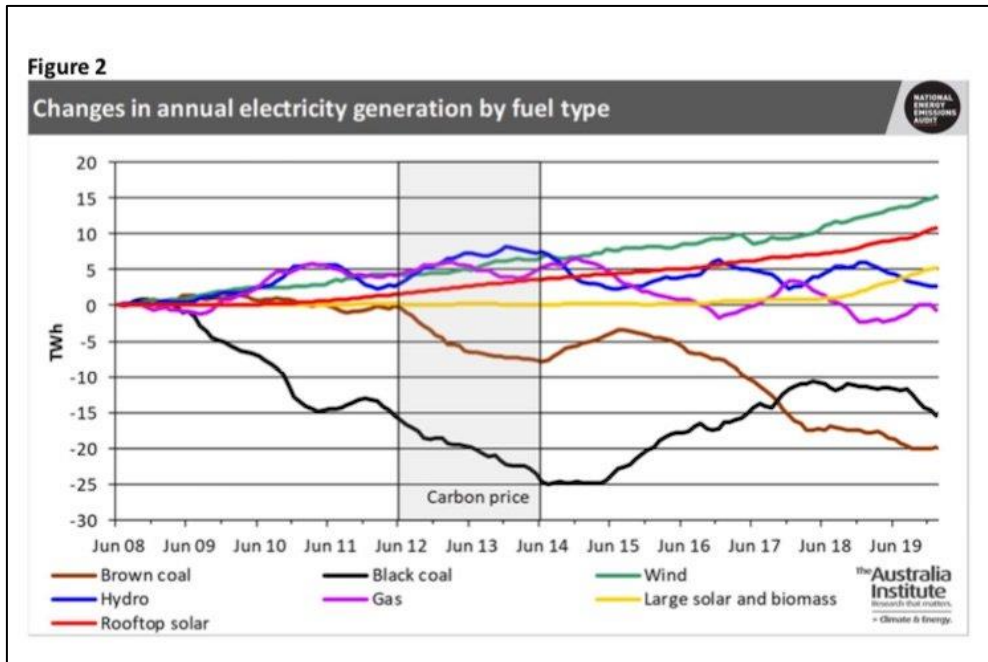
2. Renewable Energy Generation

From 2018 until present, "small scale solar was sufficient to meet all of the growth in total electricity consumption in the National Electricity Market (NEM), with the result that electricity supplied through the NEM grid stayed almost exactly constant."

(Saddler, Australian Institute's National Energy Emissions Audit Report, February 2020)

In the large utility-scale sector new wind and solar capacity has displaced, in varying proportions, black coal, brown coal and gas generation, resulting in a steady fall in emissions.

Changes in the Annual Electricity Generation By Fuel Type



For Council, the opportunity for strategic scale production is in the increasing demand for sustainable and renewable energy. The national energy demand has been constant in recent times, through initiatives to reduce energy consumption.

However, the demand to replace coal fired energy generation with sustainable initiatives, creates opportunities for development of strategic and utility scale projects. This results in these sustainable initiatives having no significant impact on the supply volume, the demand, the cost of supply or the reliability of energy for our community.

The risks for strategic utility-scale energy projects are in emerging technologies delivered to a legacy grid system. Connection and transmission continues to be an impediment to new renewable energy projects. The variability of supply for renewable generation presents challenges. The technology in battery storage is improving, but energy authorities are conservative.

The Australian Energy Market Operator (AEMO) is imposing long delays in granting approvals for new generators to start supplying to the NEM. They then impose large discounts to the generation volumes for which new generators are paid, in order to meet the costs of transmission losses.

Sustaining renewable investment requires policy certainty and substantial grid planning. While a clear national policy framework would be helpful, in its absence, state level policy is essential.

Council have entertained representations from a number of renewable energy system suppliers with regard to the possible suitability of sites within the LGA for solar farms and utility scale renewable energy generation.

There are a number of pathways that Council could take in its development of such a project dependent on a range of factors including risk appetite; complexity; ownership of the plant and service delivery and the opportunity to partner with like-minded organisations seeking a path to 100% renewable energy supply.

For example, Council could elect to lease land long-term to a private energy provider, who would then be responsible for developing the energy project. Council would enter into a separate Power Purchase Agreement (PPA) with the energy provider for the purchase of renewable energy (see below). This arrangement could potentially be shared with other third party energy users. Benefits of such an approach would include income certainty and access to renewable energy supply whilst managing capital risk.

Some suppliers are anxious to protect their Intellectual Property in the investigation phase. One of the suppliers Council have received representation from, is Energy Estate. Energy Estate have identified three key centres, Port Macquarie, Tamworth and Armidale. Energy Estate are interested in partnering with Council and are open, in principle, to all models that respond to Council's risk appetite and benefits realisation.

3. Renewable Energy Purchase and Consumption

Council's purchase of renewable energy is a separate element to utility scale generation. There is a relationship between the two elements and the negotiations may be related or managed exclusively of each other.

In strategic energy projects, this would typically be negotiated through the instrument of Power Purchase Agreement (PPA). There are a range of payment structures for a PPA including the following:

1. Direct payment for electricity produced, on the basis of price per MWh with potential for an additional tariff to cover fixed generation costs.
2. "Take or Pay" arrangements where the buyer or local government authority agrees to pay a fixed amount regardless of what it actually takes.

The key element for Council and the community is that any strategic, utility-scale project will be required to connect to, and transmit to the grid. In this respect, a strategic project will not materially change the distribution and reliability of energy to the local community beyond the changes of energy reform to NSW residents and the nation.

As indicated above, Council will review the potential pathways to utility scale renewable energy generation and purchase which will be the subject of a future report to Council (satisfying item 4 of the November Council meeting resolution).

OPERATIONAL EXECUTION

Operational execution of the Long Term Energy Strategy with respect to the installation of Solar PV on Council-owned sites is continuing to progress well.

During the reporting period November 2019 - October 2020, the following sites have had solar PV installed:

Site	Size of Solar PV
Wauchope Pool	22.5kW
Kendall Pool	34.7kW
Laurieton Pool	53.1kW

This results in a total of 9 Council-owned sites that now have Solar PV for a total capacity of 405.2 kW - see summary of sites below (extract from Solar Analytics monitoring tool).

SITE NAME	SITE ID	ADDRESS	STATE	SIZE	SUBSCRIPTION	HARDWARE	STATUS
Wauchope - Pool	238610	3 Cameron St Wauchope	NSW	22.5kW	Automatic	KR-63	INVESTIGATE
Laurieton - Pool	238605	1 Laurie St Laurieton	NSW	53.1kW	Automatic	KR-63	GOOD
Kendall - Pool	235477	1 Orara St Kendall	NSW	34.7kW	Automatic	KR-63	GOOD
Laurieton - Library/Office	161224	9 Laurie St Laurieton	NSW	20.0kW	Automatic	KR-63	INVESTIGATE
Port Macquarie - Library	159713	32 Grant St Port Macquarie	NSW	99.5kW	Automatic	KR-63	GOOD
Port Macquarie - Mac Adams Music Centre	159212	33 Lord St Port Macquarie	NSW	3.1kW	Automatic	KR-63	GOOD
Wauchope - RFS HQ Building	157957	104 Cameron St Wauchope	NSW	27.5kW	Automatic	KR-63	GOOD
Port Macquarie - Council HQ Building	157952	17 Burrawan St Port Macquarie	NSW	74.4kW	Automatic	SC-23	GOOD
Port Macquarie - Glasshouse	143866	30-42 Clarence Street Port Macquarie	NSW	70.5kW	Automatic	KR-63, SC-23	GOOD

NB: A status of "INVESTIGATE" against the Wauchope and Laurieton Pools identifies that these two sites are slightly over-performing against expectations of the system.

Three further sites are included in the 2020/21 Operational Plan as follows:

- Port Macquarie Reclaimed Water Plant (allocated amount \$60,000)
- Wauchope Water Treatment Plant (allocated amount \$70,000)
- Port Macquarie Airport Terminal Building (allocated amount \$140,000 funded under the \$1.8m Federal Government's Local Roads and Community Infrastructure Program)

A design review for a solar PV installation at the Port Macquarie Sewage Treatment Plant is required.

Additionally, a further \$150,000 has been allocated for the installation of energy-efficient variable speed drive pumps at water sites across the LGA this financial year.

Existing Energy Supply Agreements

Council participated in a competitive tender process for energy supply that was conducted by Local Government Procurement (LGP) with 76 other Councils or NGOs for large sites and 62 other Councils or NGOs for small sites.

In September 2019, Council participated in the LGP process by approving the Maximum Price Acceptance Declaration (MPAD). The MPAD included minimum acceptable pricing. Council's acceptance of the MPAD, provided the LGP with approval to accept rates provided they did not exceed the rates specified in the MPAD. At the completion of the tender process, the LGP provided Councils with competitively sourced proposed contracts.

The executed contract commenced on 1 January 2020 for 36 months. A council report detailing this was presented to the March 2020 Council Meeting with the outcomes of this tender process, for information only.

Council is currently undertaking an analysis of the Council's energy usage and costs across its key operational areas. This is a complex exercise due to the high number of variables across the energy portfolio including:

1. Frequency of accounts and payment terms.
2. The impact of environmental conditions.
3. The impact and timing of the operational solar projects delivery.
4. Material operational changes.
5. The impact of variable fixed cost increases and ratio of total account.

It is clear that environmental conditions have a significant effect on usage across many of the operations, as does the operational solar projects program.

Some insights from early analysis of the data set include the following:

1. The Glasshouse has a large quantity of solar panels installed and yet has significant electricity charges. This is due in part to the fact that a lot of the use is of an evening in peak consumption periods and that the air conditioning is operated 100% of the time to keep optimum temperature and humidity conditions for artworks in the gallery.
2. The airport energy costs have recently significantly increased due to the fact that the new terminal is now fully air-conditioned.
3. Water and Sewer are the leading energy consumption and cost group for Council's energy expense.

Options

The report is an update of status.

Community Engagement and Internal Consultation

There are no Community Engagement or Consultation impacts that directly relate to this update report.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

Nil

Subject: CONFIDENTIAL SESSION

RECOMMENDATION

1. That Council move into Confidential Session to receive and consider the following items:

Item 15.01 Content Management System for Council's Website

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-20-22 Concept Design and Approvals for the Port Macquarie Aquatic Facility

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 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 15.04 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 15.05 T-20-17 Design & Environmental Approvals - Thrumster Sporting Fields

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

Item 15.06 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.

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.