



PORT MACQUARIE-HASTINGS
COUNCIL



Ordinary Council

Business Paper

date of meeting: Thursday 21 July 2022

location: Council Chambers
Port Macquarie-Hastings Council
17 Burrawan Street
Port Macquarie

time: 10:00am

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	<ul style="list-style-type: none"> ★ Sustainability ★ Excellence in Service Delivery ★ Consultation and Communication ★ Openness and Accountability ★ Community Advocacy
Community Themes	<ul style="list-style-type: none"> ★ Leadership and Governance ★ Your Community Life ★ Your Business and Industry ★ Your Natural and Built Environment

Under Clause 3.23 Statement of ethical Obligations in the Code of Meeting Practice as adopted by Council at the Extraordinary Meeting of Council held on 23 June 2022 (Item 6.04), business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Councillors are reminded of the oath or affirmation which was taken by each of them on 10 January 2022.

Oath Of Councillor

I swear that I will undertake the duties of the office of Councillor in the best interests of the people of Port Macquarie-Hastings local government area and the Port Macquarie-Hastings Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation Of Councillor

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Port Macquarie-Hastings local government area and the Port Macquarie-Hastings Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Councillors have the opportunity to declare any interests in items on the agenda and inform the Council and public if they will be leaving the Chambers during the debate and voting on the item.

Ordinary Council Meeting

Thursday 21 July 2022

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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: REMOTE ATTENDANCE AT MEETING**

RECOMMENDATION

That Council accede to the request of Councillors to attend the meeting by remote means.

Item: 03**Subject: LOCAL GOVERNMENT PRAYER**

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

Item: 04**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

Item: 05**Subject: CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDATION

1. That the Minutes of the Ordinary Council Meeting held on 16 June 2022 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 23 June 2022 be confirmed.
3. That the Minutes of the Extraordinary Council Meeting held on 29 June 2022 be confirmed.

PRESENT

Members:

Mayor Peta Pinson (Mayor)
Councillor Adam Roberts (Deputy Mayor)
Councillor Lauren Edwards
Councillor Sharon Griffiths
Councillor Lisa Intemann
Councillor Nik Lipovac
Councillor Danielle Maltman
Councillor Rachel Sheppard (remote access)
Councillor Josh Slade

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Acting Director Business and Performance (Ashley Grummitt)
Director Community, Planning and Environment (Melissa Watkins)
Acting Director Community Infrastructure (Glenn Lacey)
Director Community Utilities (Jeffery Sharp)
Group Manager Governance (Michael Ferguson)
Governance Officer (Tania Ellis)

The meeting opened at 10:01am.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 REMOTE ATTENDANCE AT MEETING

RESOLVED: Intemann/Griffiths

That Council accede to the request of Councillor Sheppard to attend the meeting by remote means.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

03 LOCAL GOVERNMENT PRAYER

Rev Scott Donnellan from the Presbyterian Church delivered the Local Government Prayer.

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Maltman/Slade

That the Minutes of the Ordinary Council Meeting held on 19 May 2022 be confirmed with the following amendment:

- voting on the amendment for item 11.03 2022-2023 Councillor and Mayoral Fees be corrected to reflect Councillor Sheppard voting in favour of the amendment.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

06 DISCLOSURES OF INTEREST

Councillor Maltman declared a Non-Pecuniary, Less Than Significant Interest in Item 14.06 - Lake Cathie Natural Resource Management Monthly Update, the reason being that Councillor Maltman is a non-financial life member of the community organisation Revive Lake Cathie Inc.

Councillor Sheppard declared a Non-Pecuniary, Less Than Significant Interest in Item 13.01 - Request For Fee Waiver - Willing and Able Foundation, the reason being that one of the managers at Willing and Able is a person with whom Councillor Sheppard ran on in a group ticket for the Local Government election. Councillor Sheppard has known this person for the past twelve months and shared several meals during the campaign, but not since.

Councillor Edwards declared a Pecuniary, Significant Interest in Item 12.03 Policy Review - Management Of Public Spaces Policy - Post Public Exhibition the reason being that Councillor Edwards holds a mobile vendors licence which is addressed within this policy.

07 MAYORAL MINUTES

Nil.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Roberts/Griffiths

That Council determine that the attachments to Item Numbers 12.04 and 12.05 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

09 PUBLIC FORUM – MATTERS NOT ON THE AGENDA

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

1. Steven Gates - Unsealed roads gravel resheeting material- use of 75mm select and ARRB specification
2. Steven Gates - Unsealed Roads- Crown Roads, "Private Roads or Driveways"; Roads Not Maintained by Council

RESOLVED: Roberts/Griffiths

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

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

09.01 UNSEALED ROADS - CROWN ROADS, "PRIVATE ROADS OR DRIVEWAYS"; ROADS NOT MAINTAINED BY COUNCIL

Mr Steven Gates addressed Council in relation to Unsealed Roads - Crown Roads, "Private Roads or Driveways"; Roads Not Maintained by Council and answered questions from Councillors.

09.02 UNSEALED ROADS GRAVEL RESHEETING MATERIAL - USE OF 75MM SELECT AND ARRB SPECIFICATION

Mr Steven Gates addressed Council in relation to Unsealed roads gravel resheeting material - use of 75mm select and ARRB specification and answered questions from Councillors.

10 PUBLIC FORUM – MATTERS ON THE AGENDA

There were no requests to speak in the Public Forum - Matters On The Agenda.

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Slade

That Standing Orders be suspended to allow Items 11.01, 11.03, 11.10, 11.11, 11.12, 11.15, 12.02, 12.03, 12.05, 13.01, 14.01, 14.04 and 14.06 not in the block to be brought forward and considered next.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

11.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Roberts/Griffiths

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

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

11.03 2022 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

RESOLVED: Pinson/Maltman

That Council:

1. Grant approval for Mayor Peta Pinson, Councillor Lauren Edwards, Councillor Danielle Maltman and Councillor Rachel Sheppard to attend the 2022 Local Government NSW Annual Conference to be held in the Hunter Valley from 23 to 25 October 2022.
2. Determine that Mayor Peta Pinson, Councillor Lauren Edwards, Councillor Danielle Maltman and Councillor Rachel Sheppard be Council's voting delegates at the Conference.
3. Note that the Chief Executive Officer will also attend the Conference.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

11.10 POLICY REVIEW - ASSET CAPITALISATION AND DISPOSAL (EXCLUDING LAND) POLICY

RESOLVED: Roberts/Maltman

That Council:

1. Note the separate Asset Capitalisation and Disposal Policies have been reviewed and combined into one new policy.
2. Note that the draft Asset Capitalisation and Disposal (Excluding Land) Policy will be placed on public exhibition, for a period of not less than 28 days.
3. Place on public exhibition, for a period of not less than 28 days, the intent to rescind the current Council adopted Asset Disposal Policy noting it is proposed to combine it with the updated Asset Capitalisation Policy.
4. Note the Policy excludes the disposal of Council owned land, which will be covered in a separate policy.

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5. Note that the implementation of the draft Asset Capitalisation and Disposal (Excluding Land) Policy is operational in nature and will be approved by management.
 6. Request the Chief Executive Officer present a report to Council with the outcome of the public exhibition period with regard to proposed rescinding of the Asset Disposal Policy for the consideration of Council.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

11.11 RESCISSION MOTION - COMMUNITY STRATEGIC PLAN IMAGINE2050

MOVED: Edwards/Lipovac

That the undermentioned motion adopted at the Extraordinary Council meeting held on 28 April 2022:

That Council:

1. Thank community members who provided feedback on the draft Community Strategic Plan Imagine2050 during the public exhibition period in 2021.
2. Note that feedback received from the community during the public exhibition period showed strong support for the direction of Imagine2050.
3. Note the amendments to the exhibited draft Community Strategic Plan Imagine2050 as a result of community feedback during the public exhibition period.
4. Note the amendments to the exhibited draft Community Strategic Plan Imagine2050 as a result of changes to the Integrated Planning and Reporting (IP&R) Guidelines by the Office of Local Government (OLG).
5. Note that it is a Local Government statutory requirement for NSW Councils to develop the Integrated Planning and Reporting (IPR) suite of documents (including the Community Strategic Plan), and for them to be endorsed by Council, by 30 June in the year following a Council election.
6. Adopt Council's Community Strategic Plan Imagine2050.
7. Request the CEO replace reference to 'Climate Change' with 'Sustainable Resource Management'.

be rescinded.

PROCEDURAL MOTION

RESOLVED: Roberts

That the motion be put.

CARRIED: 5/4
FOR: Griffiths, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard

The Motion was put and was lost.

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

11.12 COMMUNITY INCLUSION PLAN - POST PUBLIC EXHIBITION

RESOLVED: Roberts/Griffiths

That Council:

1. Adopt the Community Inclusion Plan 2022 - 2025.
2. Acknowledge the residents who took time to submit their feedback in relation to the draft Community Inclusion Plan and advise them of the outcome of Council's determination.
3. Note that a clear annual Community Inclusion Action Plan will be developed with specific tasks and clear measures which address each of the actions outlined, and reported on to council quarterly.

CARRIED: 9/0

FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade

AGAINST: Nil

11.15 PORT MACQUARIE TOWN CENTRE MASTER PLAN (TCMP) BUSINESS RATE REVIEW

RESOLVED: Roberts/Maltman

That Council:

1. Note the Report
2. Not include the TCMP levy in the Draft 2022-2023 Operational Plan and consider future direction following review completion.

PROCEDURAL MOTION

RESOLVED: Roberts

That the motion be put.

LOST: 4/5

FOR: Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Griffiths, Intemann, Lipovac and Sheppard

PROCEDURAL MOTION

RESOLVED: Roberts

That the motion be put.

CARRIED: 5/4
FOR: Griffiths, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard

The motion on being put was carried.

CARRIED: 5/4
FOR: Griffiths, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard

12.02 NOTICE OF MOTION - SAFETY AUDIT AT THE INTERSECTION OF OWEN STREET AND MARITIME LANE.

RESOLVED: Griffiths/Roberts

That Council request the CEO undertake a safety audit at the intersection of Owen Street and Maritime Lane.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

12.03 POLICY REVIEW - MANAGEMENT OF PUBLIC SPACES POLICY - POST PUBLIC EXHIBITION

Councillor Edwards declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration.

RESOLVED: Intemann/Griffiths

That Council:

1. Adopt the Management of Public Spaces Policy.
2. Rescind the following existing policies:
 - a. A-Frame Sign Policy 2013
 - b. Activities in Public Places Policy 2013
 - c. Alcohol Use on Public Reserves and Beaches Policy 2018
 - d. Commercial Activities on Council-managed Land Policy 2017
 - e. Mobile Food Vending Vehicles and Temporary Food Stalls in a Public Place Policy 2018
 - f. Mooring Agreement for Lady Nelson Wharf Policy 2010
 - g. Outdoor Dining Policy 2018
 - h. Parks and Reserves Use Policy 2010
 - i. Port Macquarie Entertainment Precinct Event Use Policy 2018
3. Include in the policy that applicants contact Council Staff regarding details of the requirements of applications and provide specific staff contact.
4. A report be brought to Council within 6 months outlining the success or otherwise this method of dealing with these issues, relative to the stated goals.

CARRIED: 7/1

FOR: Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts and Slade

AGAINST: Sheppard

12.05 T-22-23 PORT MACQUARIE HASTINGS BLUEPRINT

RESOLVED: Robert/Griffiths

MOTION

That Council:

1. In accordance with section 178(1)(b) and 178(3)(e) of the Local Government (General) Regulation 2021, decline to accept any of the proposals submitted for T-22-23 Port Macquarie Hastings Blueprint 2022 and enters into negotiations with University of Newcastle or any other person whether or not they submitted a proposal for Port Macquarie Hastings Blueprint 2022, with a view to entering into a contract in relation to the subject matter of the Request for Proposal.
2. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021 decline to invite fresh tenders for the reasons that the

-
- evaluation Panel considers that respondents have the demonstrated experience, capacity and capability to meet the requirements of the Request for Proposal and inviting fresh tenders likely will not achieve a superior outcome and will unduly delay the project.
3. Request the Chief Executive Officer present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.
 4. Maintain the confidentiality of the documents and consideration in Attachment 1 and Attachment 2 of the report with respect of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.

AMENDMENT:

MOVED: Intemann/Edwards

That Council:

1. In accordance with section 178(1)(b) and 178(3)(e) of the Local Government (General) Regulation 2021, decline to accept any of the proposals submitted for T-22-23 Port Macquarie-Hastings Blueprint 2022.
2. Pursuant to Section 178(3)(a), of the Local Government (General) Regulation postpone the proposal for the contract.
3. Pursuant to Section 178(3)(f), of the Local Government (General) Regulation 2021, request the Chief Executive Officer to present a further report to the July 2022 Ordinary Council Meeting outlining resourcing implication and opportunities for the Blueprint to be undertaken in-house, and a summary of priorities.
4. Request that Councillors be provided a workshop on this matter with Councillors and relevant staff.
5. Maintain the confidentiality of the documents and consideration in Attachment 1 and Attachment 2 of the report with respect of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.

PROCEDURAL MOTION

RESOLVED: Slade

That the amendment be put.

CARRIED: 5/4

FOR: Griffiths, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard

The amendment on being put was lost.

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

MOTION

That Council:

1. In accordance with section 178(1)(b) and 178(3)(e) of the Local Government (General) Regulation 2021, decline to accept any of the proposals submitted for T-22-23 Port Macquarie Hastings Blueprint 2022 and enters into negotiations with University of Newcastle or any other person whether or not they submitted a proposal for Port Macquarie Hastings Blueprint 2022, with a view to entering into a contract in relation to the subject matter of the Request for Proposal.
2. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021 decline to invite fresh tenders for the reasons that the evaluation Panel considers that respondents have the demonstrated experience, capacity and capability to meet the requirements of the Request for Proposal and inviting fresh tenders likely will not achieve a superior outcome and will unduly delay the project.
3. Request the Chief Executive Officer present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.
4. Maintain the confidentiality of the documents and consideration in Attachment 1 and Attachment 2 of the report with respect of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.

The motion on being put to the meeting was carried.

CARRIED: 5/4

FOR: Griffiths, Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Intemann, Lipovac and Sheppard

13.01 REQUEST FOR FEE WAIVER - WILLING AND ABLE FOUNDATION

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

RESOLVED: Griffiths/Slade

That Council review and consider Willing and Able Foundation's request to waive the total fee's payable for quotation no 35177.

CARRIED: 9/0

FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

14.01 KOALA RECOVERY ACTION PLAN UPDATE

RESOLVED: Roberts/Griffiths

That Council note the report on the Koala Recovery Action Plan and endorse deferral of the Koala Recovery Action Plan Workshop until further information regarding the Private Native Forestry Code and mapping can be included.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

14.04 WATER SECURITY PLAN UPDATE

MOTION:

MOVED: Sheppard/Intemann

That Council:

4. Note that based on secure yield modelling the Hastings water supply scheme has reached the point at which dry year demand for water is projected to be greater than predicted water supply ongoing into the future.
5. Note the planning work for the draft Port Macquarie Hastings Water Security Plan is now complete.
6. Urgently develop a communications and engagement strategy, in preparation to publicly exhibit the revised draft Water Security Plan with the intent that the public feedback obtained be incorporated into the Blueprint if adopted.
7. Note the construction of a bulk water treatment plant is a critical water security project, with planning and design work currently underway, and it will provide water security out to 2052 even with a growing population and adverse changing climate conditions.
8. Note drought response planning needs to be undertaken now before the next drought to ensure actions are ready to be enacted to prevent an emergency situation.
9. Commence investigations and feasibility studies into rainfall independent water sources to inform the drought response actions.

AMENDMENT:

MOVED: Roberts/Edwards

That Council:

1. Note the planning work for the Port Macquarie Hastings Water Security Plan is now complete with the information ready to be incorporated into the Blueprint and presented to the community for feedback.

-
2. Note the construction of a bulk water treatment plant is a critical water security project, with planning and design work currently underway, and it will provide water security out to 2052 even with a growing population.
 3. Note drought response planning needs to be undertaken now before the next drought to ensure actions are ready to be enacted to prevent an emergency situation.
 4. Commence investigations and feasibility studies into rainfall independent water sources to inform the drought response actions.

CARRIED: 6/3

FOR: Griffiths, Lipovac, Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Intemann and Sheppard

The amendment becomes the motion and was carried.

CARRIED: 9/0

FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

Councillor Intemann left the meeting, the time being 12:22pm.

Councillor Intemann returned to the meeting, the time being 12:24pm.

14.06 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE

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

RESOLVED: Maltman/Roberts

That Council note the progress of natural resource management projects/initiatives within the Lake Cathie / Lake Innes / Cathie Creek waterway and the progression of the Coastal Management Program.

CARRIED: 9/0

FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

15 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Lipovac

That Items 11.02, 11.04, 11.05, 11.06, 11.07, 11.08, 11.09, 11.13, 11.14, 11.16, 12.01, 12.04, 14.02, 14.03, 14.05 and 14.07 be considered as a block resolution.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

RESOLVED: Roberts/Lipovac

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

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

11.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 5 MAY TO 1 JUNE 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council note the Mayoral Discretionary Fund allocations for the period 5 May to 1 June 2022 inclusive.

11.04 REQUEST TO ATTEND AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 2022 - JUNE 2022 - COUNCILLOR LAUREN EDWARDS

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Approve the attendance of Councillor Lauren Edwards at the Australian Local Government Association National General Assembly 2022 to be attended virtually from 19 to 22 June 2022.
2. Authorise Councillor Edwards to be Council's voting delegate at the Australian Local Government Association National General Assembly 2022.

11.05 POLICY REVIEW - CUSTOMER COMPLAINT POLICY - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the draft Customer Complaints Policy

11.06 POLICY REVIEW - CEMETERIES POLICY - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the draft Cemeteries Policy.

11.07 POLICY REVIEW - BUSHFIRE RISK MITIGATION - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the Bushfire Risk Mitigation on Public Land Policy as amended.

11.08 POLICY REVIEW - COMPLIANCE AND ENFORCEMENT POLICY

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Publicly exhibit the revised draft Enforcement Policy for a period of not less than 28 days.
 2. Note that a further report will be tabled at the July 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.
-

11.09 POLICY REVIEW - FOOTPATHS AND WALKWAYS IN PUBLIC ROAD RESERVES - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the Draft Footpaths and Walkways in Public Road Reserves Policy.

11.13 MONTHLY BUDGET REVIEW - MAY 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Adopt the adjustments in the "May 2022 Adjustments" section of the Monthly Budget Review – May 2022 report and associated attachment.
 2. Amend the 2021-2022 Operational Plan to include all budget adjustments approved in this report.
-

11.14 INVESTMENTS - MAY 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council note the Investment Report for the month of May 2022.

11.16 WORKS DEPOTS REVIEW

BLOCK RESOLVED: Roberts/Lipovac

That Council note:

1. The information contained in the report regarding the future of Council Depots.
 2. A future report on the progress of the Depots Review will be presented to the October 2022 Ordinary Council meeting.
-

12.01 RECOMMENDED ITEMS FROM MAYOR'S SPORTING FUND COMMITTEE - MAY 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council endorse payment of \$750 from the Mayor's Sporting Fund to Sam Hilton to support his representation at the National Karate Championships.

12.04 T-22-12 BAIN PARK MASTER PLAN - DETAILED DESIGN - IMPLEMENTATION STAGES 1 AND 2

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, accept the Tender from Moir Landscape Architecture Pty Ltd for the lump sum of \$228,200.00 (exclusive of GST) inclusive of the provision sum for site electrical supply upgrade design for T-22-12 Detailed Design - Bain Park Master Plan - Implementation Stages 1 and 2.
 2. Note that the Chief Executive Officer, under existing delegation to the Chief Executive Officer, will execute the necessary contract documents.
 3. Maintain confidentiality of the documents in Attachment 2 of the report relating to the Request for Tender T-22-12.
-

14.02 UPDATE ON SITE SPECIFIC PLANNING PROPOSAL REQUESTS - BI-ANNUAL REPORT

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Note the current status of site specific Planning Proposal requests as described in this report.
 2. Receive a further update report in December 2022 regarding the progress of site specific Planning Proposal requests.
-

14.03 MEMORANDUM OF UNDERSTANDING - PUBLIC DRINKING WATER SUPPLY - MID NORTH COAST LOCAL HEALTH DISTRICT AND PORT MACQUARIE-HASTINGS COUNCIL

BLOCK RESOLVED: Roberts/Lipovac

That Council note the intention of the Chief Executive Office to enter into a new three-year Memorandum of Understanding - Public Drinking Water Supply 2022 - 2025 between the North Coast Local Health District and Port Macquarie-Hastings Council.

14.05 KOOLOONBUNG CREEK FLYING-FOX CAMP MANAGEMENT PLAN UPDATE

BLOCK RESOLVED: Roberts/Lipovac

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

14.07 EXTENSION OF FLOOD WASTE DISPOSAL COSTS WAIVER

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Make application to the NSW Environment Protection Authority (EPA) for an extension of the existing Waste Levy Exemption EX000878 until 31 December 2022.
2. Subject to an extension of the Waste Levy Exemption being approved by the NSW EPA, waive Council tipping fees (not including State Government levies unless waived by the State Government) for Local Government area residents and businesses' flood damaged waste, including building materials, furniture, fittings and personal items at Council's waste transfer stations until 31 December 2022.
3. Waive Council fees (not including State Government levies unless waived by the State Government) for bulk kerbside collection of flood damaged waste for Local Government area residents until 31 December 2022.
4. Continue the application process for determination of eligibility of waivers against acceptance criteria.
5. Note if a waiver extension is granted, Council will absorb ongoing costs.

CONFIDENTIAL SESSION

RESOLVED: Roberts/Maltman

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 16.01 Payment of Part of Untaken Sick Leave on Termination

This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).

Item 16.02 Contract for the provision of Environmental Assessments in response to Flood Recovery Works

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 16.03 T-22-11 Vince Inmon Sporting Fields - Grandstand

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: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

16.01 PAYMENT OF PART OF UNTAKEN SICK LEAVE ON TERMINATION

RESOLVED: Pinson/Roberts

That Council:

1. Rescind the resolution of Council made at the Ordinary Council Meeting (Port Macquarie Municipal Council) held on 23 June 1980, as amended by the previous resolution of Council made in July 2008, regarding the Payment of Part of Untaken Sick Leave, effective 16 June 2022.
2. Delegate to the Chief Executive Officer all policy and management decisions, and implementation of such regarding the Payment of Part of Untaken Sick Leave on Termination of staff.
3. Maintain the confidentiality of the documents and considerations with regard to this matter.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

16.02 CONTRACT FOR THE PROVISION OF ENVIRONMENTAL ASSESSMENTS IN RESPONSE TO FLOOD RECOVERY WORKS

RESOLVED: Roberts/Griffiths

That Council:

1. In accordance with section 55(3)(i) of the Local Government Act 1993, due to the extenuating circumstances, being the increased environmental assessments in response to the flood and significant rain events over the past 12 months, resolves not to call open tenders for the environmental assessment of flood recovery works contract.
2. Request the Chief Executive Officer to enter into negotiations to extend the contractual arrangement with Professional Engineering Services Pty Ltd for the environmental assessment of flood recovery works for a further period of up to three months.
3. Subject to the successful negotiations, delegate to the Chief Executive Officer the authority to issue a letter of variation to Professional Engineering Services Pty Ltd for the environmental assessment of flood recovery works for a further three months.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

16.03 T22-11 VINCE INMON SPORTING FIELDS - GRANDSTAND

RESOLVED: Griffiths/Slade

That Council:

1. In accordance with Section 178(1) of the *Local Government (General) Regulation 2021*, accept the alternative tender from Building Heights Pty Ltd, for the lump sum of \$1,279,616.54 (exclusive of GST) for T-22-11 Vince Inmon Sporting Fields Grandstand.
2. Note the expected total cost of the project and endorse the forecast 2022-2023 project budget as described in the Financial and Economic Implications section of this report.
3. Note that the Chief Executive Officer, under existing delegation to the General Manager, will execute the necessary contract documents.
4. Maintain confidentiality of the documents relating to the Request for Tender T-22-11.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

RESOLVED: Intemann/Lipovac

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

CARRIED: 9/0

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard
and Slade*

AGAINST: Nil

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

The meeting closed at 12.52pm

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Peta Pinson
Mayor

PRESENT

Members:

Mayor Peta Pinson (Mayor)
Deputy Mayor Adam Roberts (remote access)
Councillor Lauren Edwards
Councillor Sharon Griffiths (remote access)
Councillor Lisa Intemann
Councillor Nik Lipovac
Councillor Danielle Maltman
Councillor Rachel Sheppard
Councillor Josh Slade

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Acting Director Business and Performance (Ashley Grummitt)
Director Community, Planning and Environment (Melissa Watkins)
Acting Director Community Infrastructure (Glenn Lacey)
Director Community Utilities (Jeffery Sharp)
Group Manager Financial Services (Nicole Spencer)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Governance Officer (Tania Ellis)

The meeting opened at 10.00am

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 REMOTE ATTENDANCE AT MEETING

RESOLVED: Lipovac/Slade

That Council accede to the request of Councillor Sharon Griffiths and Deputy Mayor Adam Roberts to attend the meeting by remote means.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

03 APOLOGIES

Nil.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 MAYORAL MINUTES

Nil.

06.01 PUBLIC FORUM - MATTERS ON THE AGENDA

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

Item 6.02 - IP&R Documents - Steven Gates in opposition to the recommendation.
Item 6.04 - Code of Meeting Practice - Steven Gates in opposition to the recommendation.

RESOLVED: Sheppard/ Edwards

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

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

Item 6.04 - Code of Meeting Practice - Steven Gates addressed Council in opposition to the recommendation and answered questions from Councillors.

Item 6.02 - IP&R Documents - Steven Gates addressed Council in opposition to the recommendation and answered questions from Councillors.

PROCEDURAL MOTION:

MOVED: Sheppard/Lipovac

That the following motion be accepted as a matter of great urgency and transacted at this meeting:

That the undermentioned motion from item 11.15 Port Macquarie Town Centre Master Plan (TCMP) Business Rate Review, adopted at the Ordinary Council meeting held on 16 June 2022:

That Council:

- 1. Note the report*
- 2. Not include the TCMP levy in the draft 2022-2023 Operational Plan and consider future direction following review completion.*

be rescinded.

CARRIED: 5/4
FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade

The Mayor as chairperson ruled that the matter was not of great urgency and the matter lapsed.

06.02 INTEGRATED PLANNING AND REPORTING (IP&R)

MOTION:

MOVED: Pinson/Maltman

That Council:

1. Note the IP&R Community Engagement Report.
2. Note that feedback received from the community during the public exhibition period showed support for the adoption of the 1.7% rate peg increase and reinstatement of the TCMP component of the Port Macquarie CBD business rate to support the long term financial sustainability of Council.
3. Thank community members who provided feedback on the draft Integrated Planning and Reporting (IP&R) suite of documents during the public exhibition period.
4. Adopt the following Integrated Planning and Reporting (IP&R) suite of documents;
 - a. Delivery Program 2022–2026
 - b. Resourcing Strategy 2022–2026, with the following components;
 - i) Long Term Financial Plan (Scenario 1, with Ordinary and Special Rates held at 2021–2022 levels for the period 1 July 2022 to 30 June 2025 inclusive, no TCMP component of the Port Macquarie CBD business rate, and associated TCMP elements removed)
 - ii) Workforce Management Strategy
 - iii) Asset Management Strategy
 - c. Operational Plan 2022–2023 (Scenario 1, with Ordinary and Special Rates held at 2021–2022 levels, no TCMP component of the Port Macquarie CBD business rate, and associated TCMP elements removed)
5. Note the 2022–2023 budget position of a balanced budget and that update reports will be reported to Council monthly during the financial year.
6. Transfer the following reserve balances to fund priority infrastructure works:
 - a. \$2.149m from the Property Reserve;
 - b. \$468,000 from the 4WD Access Reserve;
 - c. \$360,000 from the Town Beach Sand Nourishment Reserve; and
 - d. \$1.0m from the Plant and Vehicle Reserve.
7. Enter into total borrowings of \$4.3 million for the Port Macquarie Airport Parallel Taxiway.
8. In accordance with the NSW Office of Local Government Integrated Planning and Reporting Guidelines for Local Government in NSW September 2021, publish a copy of the adopted Integrated Planning and Reporting (IP&R) suite of documents referred to in 2 above and the adopted Community Strategic Plan *Imagine 2050* on Council's website within 28 days of adoption.

MOTION OF DISSENT:

MOVED: Sheppard/Intemann

A motion of dissent was moved on the Mayor's ruling against a point of order regarding comments made by a Councillor.

No vote was taken on the matter.

AMENDMENT:

MOVED: Intemann/Sheppard

That the matter be deferred to an Extraordinary Council meeting held prior to 30 June 2022.

CARRIED: 5/4

FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

THE AMENDMENT ON BEING PUT WAS CARRIED

THE AMENDMENT THEN BECAME THE MOTION AND ON BEING PUT WAS CARRIED

RESOLVED: Intemann/Sheppard

That the matter be deferred to an Extraordinary Council meeting held prior to 30 June 2022.

CARRIED: 5/4

FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

06.03 MAKING OF RATES AND CHARGES FOR 2022-2023, ADOPTION OF THE FEES AND CHARGES AND REVENUE POLICY FOR 2022-2023

RESOLVED: Intemann/Sheppard

That the matter be deferred to an Extraordinary Council meeting held prior to 30 June 2022.

CARRIED: 5/4

FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

06.04 CODE OF MEETING PRACTICE - POST PUBLIC EXHIBITION

MOTION:

MOVED: Pinson/Maltman

That Council:

1. Adopt the draft Code of Meeting Practice.
2. Formally thank those who made submissions and advise them of Council's decision on this matter.

AMENDMENT:

MOVED: Intemann/Edwards

That Council:

1. Amend the draft Code of Meeting Practice as follows:
 - a. Regarding the note to Clause 3.10 add following the word emergency, the words "or urgent matter."
 - b. Amend Clauses 10.22 and 10.23 to include the allowable time to speak to be 5 minutes rather than 3 minutes.
2. Adopt the Code of Meeting Practice with the changes referred to in 1 above
3. Formally thank those who made submissions and advise them of Council's decision on this matter.

THE AMENDMENT WAS PUT AND LOST

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

AMENDMENT:

MOVED: Intemann/Griffiths

That Council:

1. Amend the Code of Meeting practice as follows:
 - a. Regarding the note to Clause 3.10 add following emergency "or urgent matter."
2. Adopt the Code of Meeting Practice with the changes referred to in 1 above
3. Formally thank those who made submissions and advise them of Council's decision on this matter.

THE AMENDMENT ON BEING PUT WAS CARRIED

CARRIED: 9/0

FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

THE AMENDMENT THEN BECAME THE MOTION AND ON BEING PUT WAS CARRIED

RESOLVED: Intemann/Griffiths

That Council:

1. Amend the Code of Meeting practice as follows:
 - a. Regarding the note to Clause 3.10 add following emergency “or urgent matter.”
2. Adopt the Code of Meeting Practice with the changes referred to in 1 above
3. Formally thank those who made submissions and advise them of Council’s decision on this matter.

CARRIED: 8/1

FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts and Slade

AGAINST: Sheppard

The meeting closed at 12.20pm

.....
Peta Pinson
Mayor

PRESENT

Members:

Mayor Peta Pinson (Mayor)
Councillor Adam Roberts (Deputy Mayor)
Councillor Lauren Edwards
Councillor Sharon Griffiths (via remote means)
Councillor Lisa Intemann
Councillor Nik Lipovac
Councillor Danielle Maltman
Councillor Rachel Sheppard
Councillor Josh Slade (via remote means)

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Acting Director Business and Performance (Ashley Grummitt)
Director Community, Planning and Environment (Melissa Watkins)
Acting Director Community Infrastructure (Glenn Lacey)
Director Community Utilities (Jeffery Sharp)
Group Manager Financial Services (Nicole Spencer)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Governance Officer (Tania Ellis)

The meeting opened at 12:00 noon.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 REMOTE ATTENDANCE AT MEETING

RESOLVED: Roberts/Lipovac

That Council accede to the requests of Councillor Slade and Councillor Griffiths to attend the meeting by remote means.

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

03 APOLOGIES

Nil

04 DISCLOSURES OF INTEREST

Councillor Edwards declared a Non-Pecuniary, Less Than Significant Interest in Item 6.02 Town Centre Master Plan, as she knows an individual who pays the (TCMP) levy and under 5.9 of the code of conduct, this is not a close relationship and any decision affects a broader class of people.

05 MAYORAL MINUTES

Nil.

06.01 PUBLIC FORUM - MATTERS ON THE AGENDA

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

1. Item 6.02 - Rescission Motion Town Centre Master Plan - Steven Gates in opposition to the recommendation.
2. Item 6.03 - IP&R Documents - Steven Gates in opposition to the recommendation.

RESOLVED: Roberts/Maltman

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

CARRIED: 9/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,
Sheppard and Slade
AGAINST: Nil

1. Item 6.02 - Rescission Motion Town Centre Master Plan - Steven Gates addressed Council in opposition to the recommendation.
-

-
2. Item 6.03 - IP&R Documents - Steven Gates in opposition to the recommendation and answered questions from Councillors.
-

06.02 RESCISSION MOTION - PORT MACQUARIE TOWN CENTRE MASTER PLAN (TCMP) BUSINESS RATE REVIEW.

RESOLVED: Sheppard/Lipovac

That the undermentioned motion adopted at the Ordinary Council Meeting held on 16 June 2022:

That Council:

1. *Note the Report*
2. *Not include the TCMP levy in the Draft 2022-2023 Operational Plan and consider future direction following review completion.*

be rescinded.

PROCEDURAL MOTION

RESOLVED: Maltman

That the motion be put.

LOST: 4/5

FOR: Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Griffiths, Intemann, Lipovac and Sheppard

The motion to put the motion was lost and debate continued.

The motion on being put was carried.

CARRIED: 5/4

FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

MOTION

MOVED: Sheppard/Lipovac

That Council:

1. Note the information provided in the Port Macquarie Town Centre Master Plan (TCMP) business rate review staff report, appearing on pages 88-97 of the June 2022 Ordinary Council meeting agenda.
2. Note that during public exhibition of the proposal to remove the TCMP levy, Council received strong community support to retain the TCMP levy, as evident in the June 2022, IP&R Community Engagement Report (p27-29)
3. Defer the removal of the Town Centre Master Plan (TCMP) component from the Port Macquarie CBD Business Rate from the final 2022-2023 Operational Plan and long term Financial plan, pending the detailed independent review

-
- of Council's business rate model, historical TCMP processes and management structures, and comprehensive engagement with the community and stakeholders.
4. Request the Chief Executive Officer provide a report to the October 2022 Ordinary Council Meeting on the findings of the detailed independent review including recommendations for the funding operations and rating structure for future development and maintenance of the Port Macquarie CBD
 5. Note that the staff report noted in clause 1 was comprehensive, of high quality, and made a strong business case for the staff recommendations in the June 2022 report to Council as now included in clauses 3 and 4 above.

AMENDMENT:

RESOLVED: Intemann/Edwards

That Council:

1. Note the information provided in the Port Macquarie Town Centre Master Plan (TCMP) business rate review staff report, appearing on pages 88-97 of the June 2022 Ordinary Council meeting agenda.
2. Note that during public exhibition of the proposal to remove the TCMP levy, Council received strong community support to retain the TCMP levy, as evident in the June 2022, IP&R Community Engagement Report (p27-29)
3. Defer the removal of the Town Centre Master Plan (TCMP) component from the Port Macquarie CBD Business Rate from the final 2022-2023 Operational Plan and long term Financial plan, pending the detailed independent review of Council's business rate model, historical TCMP processes and management structures, and comprehensive engagement with the community and stakeholders.
4. Request the Chief Executive Officer provide a report to the October 2022 Ordinary Council Meeting on the findings of the detailed independent review including recommendations for the funding operations and rating structure for future development and maintenance of the Port Macquarie CBD

CARRIED: 5/4

FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

The amendment becomes the motion and on being put was carried.

RESOLVED: Intemann/Edwards

That Council:

1. Note the information provided in the Port Macquarie Town Centre Master Plan (TCMP) business rate review staff report, appearing on pages 88-97 of the June 2022 Ordinary Council meeting agenda.
2. Note that during public exhibition of the proposal to remove the TCMP levy, Council received strong community support to retain the TCMP levy, as evident in the June 2022, IP&R Community Engagement Report (p27-29)
3. Defer the removal of the Town Centre Master Plan (TCMP) component from the Port Macquarie CBD Business Rate from the final 2022-2023 Operational Plan and long term Financial plan, pending the detailed independent review of Council's business rate model, historical TCMP processes and

management structures, and comprehensive engagement with the community and stakeholders.

4. Request the Chief Executive Officer provide a report to the October 2022 Ordinary Council Meeting on the findings of the detailed independent review including recommendations for the funding operations and rating structure for future development and maintenance of the Port Macquarie CBD

CARRIED: 5/4

FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

06.03 INTEGRATED PLANNING AND REPORTING (IP&R)

RESOLVED: Pinson/Roberts

That Council:

1. Thank community members who provided feedback on the draft Integrated Planning and Reporting (IP&R) suite of documents during the public exhibition period.
2. Note the IP&R Community Engagement Report.
3. Note that feedback received from the community during the public exhibition period showed strong support for the reinstatement of the TCMP component of the Port Macquarie CBD business rate to support the long term financial sustainability of Council.
4. Note the amendments to the exhibited Integrated Planning and Reporting (IP&R) suite of documents as a result of community feedback during the public exhibition period.
5. Adopt the following Integrated Planning and Reporting (IP&R) suite of documents:
 - a. Delivery Program 2022 - 2026
 - b. Resourcing Strategy 2022 - 2026, with the following components:
 - i) Long Term Financial Plan (with Ordinary and Special Rates held at the 2021-2022 levels for the period 1 July 2022 to 30 June 2023 and TCMP component of the Port Macquarie CBD business rate retained)
 - ii) Workforce Management Strategy
 - iii) Asset Management Strategy
 - c. Operational Plan 2022 - 2023 (with Ordinary and Special Rates held at the 2021-2022 levels for the period 1 July 2022 to 30 June 2023 and TCMP component of the Port Macquarie CBD business rate retained)
6. Note the 2022-2023 budget position of a balanced budget and that update reports will be reported to Council monthly during the financial year.
7. Transfer the following reserve balances to fund priority infrastructure works:
 - a. \$2.149m from the Property Reserve;
 - b. \$468,000 from the 4WD Access Reserve;
 - c. \$360,000 from the Town Beach Sand Nourishment Reserve; and
 - d. \$1.0m from the Plant and Vehicle Reserve.

-
8. Enter into total borrowings of \$4.3 million for the Port Macquarie Airport Parallel Taxiway.
 9. In accordance with the NSW Office of Local Government Integrated Planning and Reporting Guidelines for Local Government in NSW September 2021, publish a copy of the adopted Integrated Planning and Reporting (IPR) suite of documents referred to in 5 above and the adopted Community Strategic Plan Imagine 2050 on Council's website within 28 days of adoption.

CARRIED: 5/4

*FOR: Griffiths, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard*

06.04 MAKING OF RATES AND CHARGES FOR 2022-2023, ADOPTION OF THE FEES AND CHARGES AND REVENUE POLICY FOR 2022-2023

RESOLVED: Pinson/Roberts

That Council:

4. Make an Ordinary Rate – Residential, pursuant to Section 494 of the Local Government Act, for 2022-2023 of (0.25174 cents) in the dollar with a Base Amount of \$626.60 for all rateable land in the Port Macquarie-Hastings LGA categorised as 'Residential Defined Urban Centres'. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 49.64%.
5. Make an Ordinary Rate – Residential, pursuant to Section 494 of the Local Government Act, for 2022-2023 of (0.28084 cents) in the dollar with a Base Amount of \$526.60 for all rateable land in the Port Macquarie-Hastings LGA categorised as 'Residential Other'. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 39.69%.
6. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2022-2023 of (0.54550 cents) in the dollar with a Base Amount of \$626.60 for all rateable land in the Port Macquarie-Hastings LGA categorised as 'Business Defined Urban Centres'. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 20.09%.
7. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2022-2023 of (2.40869 cents) in the dollar with a Base Amount of \$626.60 for all rateable land in the Port Macquarie-Hastings LGA categorised as 'Business Port Macquarie CBD'. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 5.10%.
8. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2022-2023 of (0.47543 cents) in the dollar with a Base Amount of \$526.60 for all rateable land in the Port Macquarie-Hastings LGA categorised as 'Business Other'. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 30.32%.

9. Make an Ordinary Rate – Farmland, pursuant to Section 494 of the Local Government Act, for 2022-2023 of (0.28080 cents) in the dollar with a Base Amount of \$647.30 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Farmland’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 30.76%.
10. Make a Special Rate – Residential, pursuant to Section 495 of the Local Government Act, for 2022-2023 of (0.06277 cents) in the dollar for all rateable land within the Broadwater Special Rate area outlined in the attached rating maps.
11. Make a Special Rate – Residential, pursuant to Section 495 of the Local Government Act, for 2022-2023 of (0.13382 cents) in the dollar for all rateable land within the Sanctuary Springs Special Rate area outlined in the attached rating maps.
12. Make an Annual Charge for Waste Management Services – Domestic, pursuant to Section 496 of the Local Government Act, for 2022-2023 on all rateable land, categorised as Residential or Farmland, to which a domestic waste service is (or able to be) provided. The Domestic Waste Annual Charge will be based on the type of service received:

Type of Service	Charge for 2022-23
Standard service – 240 litre fortnightly general waste	\$496.00
Minimiser service – 140 litre fortnightly general waste	\$435.00
Excess service – 240 litre weekly general waste	\$733.00
Half standard service – 240 litre fortnightly general waste (multi-unit dwellings only)	\$273.00
Half excess service – 240 litre weekly general waste (multi-unit dwellings only)	\$393.00
Half minimiser service – 140 litre fortnightly general waste (multi-unit dwellings only)	\$243.00
Half special weekly service (multi-unit dwellings only)	\$334.00
Availability charge on vacant land	\$80.00
Availability charge on land not receiving full charge (multi-unit dwellings only)	\$145.00
Additional recycling service – 240 litre fortnightly	\$77.00
Additional organics service – 240 litre weekly	\$100.00
Additional weekly garbage service – 240 litre general waste	\$379.00
Additional weekly garbage service – 140 litre general waste (multi-unit dwellings only)	\$288.00
On application only special weekly service – 140 litre weekly general waste	\$613.00
Minimum waste charge – single dwellings	\$435.00

13. Make an Annual Charge for Waste Management Services – Other, pursuant to Section 501 of the Local Government Act, for 2022-2023 on all rateable

land, categorised as Business, to which a waste service is (or able to be) provided. The Other Waste Annual Charge will be based on the type of service received:

Type of Service	Charge for 2022-23
Commercial weekly service – 140 litre general waste	\$613.00
Commercial excess service – 240 litre weekly general waste	\$733.00
Commercial half weekly service – 140 litre fortnightly general waste (shared)	\$334.00
Commercial half excess service – 240 litre weekly general waste (shared)	\$393.00
Availability charge on vacant land – business properties	\$80.00
Commercial availability charge on land not receiving full charge	\$80.00
Commercial additional recycling service – 240 litre fortnightly	\$77.00
Commercial additional organics service – 240 litre weekly	\$100.00
Commercial additional weekly garbage service – 240 litre general waste	\$379.00
Commercial additional weekly garbage service – 140 litre general waste	\$288.00
Waste management access charge	\$32.00

14. Make an Annual Charge for Water Availability and a charge per kilolitre for Water Usage, pursuant to Section 501 and 502 of the Local Government Act, for 2022-2023 on all rateable land, to which a water service is (or able to be) provided. The Water Annual Charge will be based on water meter size:

Size of water meter connection	Charge for 2022-23
20 mm including vacant properties and equivalent tenants	\$174.00
25 mm	\$272.00
32 mm	\$445.00
40 mm	\$696.00
50 mm	\$1,088.00
80 mm	\$2,784.00
100 mm	\$4,350.00
150 mm	\$9,788.00
200 mm	\$17,400.00
Fire service - 32mm	\$222.50
Fire service - 40mm	\$348.00
Fire service – 50 mm	\$544.00
Fire service – 80 mm	\$1,392.00
Fire service – 100 mm	\$2,175.00
Fire service – 150 mm	\$4,894.00

Fire service – 200 mm	\$8,700.00
Step 1 usage charges – per kilolitre	\$3.51
Step 2 usage charges – per kilolitre	\$7.02

15. Make an Annual Charge for Sewer Availability, pursuant to Section 501 of the Local Government Act, for 2022-2023 on all rateable land, to which a sewer service is (or able to be) provided. Make a usage charge for sewerage usage, pursuant to Section 502 of the Local Government Act, for 2022-2023 on Caravan Parks, Retirement Homes, Motels, Clubs, Hotels, Schools, Backpacker Hostels, Flats, Major Regional Shopping Centres. The Sewer charges are as follows:

Service	Charge for 2022-23
Pressure Sewer	\$909.40
Connected or available (excluding churches and halls)	\$939.40
Non-rateable (other than churches & halls S555)	\$747.90
Non-rateable (S556)	\$939.40
Unconnected (S548a)	\$602.90
Non-rateable (churches & halls S555)	\$602.90
Usage Charge - per kilolitre	\$1.39

16. Make an Annual Charge for Recycled Water Availability, pursuant to Section 501 of the Local Government Act, for 2022-2023 on urban area business/commercial/council facilities where a recycled water service is provided. Make an Annual Charge for Recycled Water Availability, pursuant to Section 501 of the Local Government Act, for 2022-2023 on residential properties where a recycled water service is provided. Make a usage charge for recycled water usage, pursuant to Section 502 of the Local Government Act, for 2022-2023 where a recycled water service is provided. The recycled water annual charges are based on meter size:

Recycled Metre size - Business/Commercial/Council Facilities only	Charge for 2022-23
20 mm	\$87.00
25 mm	\$136.00
32 mm	\$222.50
40 mm	\$348.00
50 mm	\$544.00
80 mm	\$1,392.00
100 mm	\$2,175.00
150 mm	\$4,894.00
200 mm	\$8,700.00
Usage Charge - per kilolitre	\$1.75

Recycled Metre size - Residential properties to be serviced by dual scheme (i.e. Two meters per property)	Charge for 2022-23
-----------------------------------------------------------------------------------------------------------	--------------------

20 mm	\$139.20
25 mm	\$217.60
32 mm	\$356.00
40 mm	\$556.80
50 mm	\$870.40
80 mm	\$2,227.20
100 mm	\$3,480.00
150 mm	\$7,830.40
200 mm	\$13,920.00
Usage Charge - per kilolitre	\$2.81

17. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act, for 2022-2023 on each parcel of rateable land for which the service is available. The stormwater annual charges are as follows:

Service	Charge for 2022-23
Residential	\$25.00
Residential - Strata	\$12.50
Business - Strata	\$12.50
Business – 0m2 to 350m2	\$25.00
Business – 351m2 to 700m2	\$50.00
Business – 701m2 to 1,000m2	\$75.00
Business – 1,001m2 to 1,400m2	\$100.00
Business – 1,401m2 to 1,750m2	\$125.00
Business – 1,751m2 to 2,100m2	\$150.00
Business – 2,101m2 to 2,450m2	\$175.00
Business – 2,451m2 to 2,800m2	\$200.00
Business – 2,801m2 to 3,200m2	\$225.00
Business – 3,201m2 to 3,500m2	\$250.00
Business – 3,501m2 to 3,850m2	\$275.00
Business – 3,851m2 to 4,200m2	\$300.00
Business – 4,201m2 to 4,600m2	\$325.00
Business – 4,601m2 to 4,900m2	\$350.00
Business – 4,901m2 to 5,200m2	\$375.00
Business – 5,201m2 to 5,600m2	\$400.00
Business – 5,601m2 to 5,950m2	\$425.00
Business – 5,951m2 to 6,300m2	\$450.00
Business – 6,301m2 to 6,600m2	\$475.00
Business > 6,600m2	\$500.00

18. Make an Annual Charge for Onsite Effluent Services, pursuant to Section 501 of the Local Government Act, for 2022-2023 on each parcel of rateable land for which the service is provided. The Onsite Effluent annual charge are based on the risk of the system:

System	Charge for 2022-23
Low risk system	\$40.50
Medium risk system	\$79.80

High risk system	\$114.10
Small commercial	\$228.20
Large commercial	\$284.30

19. Adopt the following Integrated Planning and Reporting (IPR) documents:
- a) 2022-2023 Fees & Charges
 - b) 2022-2023 Revenue Policy
 - c) 2022-2023 Rating Maps
20. Set the interest rate on overdue rates and charges at 6.0% from 1 July 2022 to 30 June 2023 in accordance with the Office of Local Government directive.

CARRIED: 5/4
FOR: Griffiths, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard

The meeting closed at 1.42pm

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Peta Pinson
Mayor

Item: 06
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 Chief Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Chief Executive Officer, 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 Chief Executive Officer, 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 Chief Executive Officer, 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 Chief Executive Officer 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: 08**Subject: CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL
MEETING****Presented by: Chief Executive Officer, Dr Clare Allen**

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 14.05 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:	14.05
Subject:	Tacking Point Surf Life Saving Club External Sewer Upgrade Works - Additional Funding Request
Attachment Description:	Entire Plumbing Quote 1
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)).
Attachment Description:	Entire Plumbing Quote 2
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)).
Attachment Description:	Overall TPSLSC Costs Estimates for Current Stages
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: 09

Subject: PUBLIC FORUM – MATTERS NOT ON THE AGENDA

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

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

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

If you wish to address Council in the Public Forum - Matters Not On The Agenda, you must apply to address that meeting **no later than 12:00noon on the day prior to the meeting** by completing the 'Request to Speak in Public Forum' form. This form is available at Council's offices or online at [Speak in a Public Forum Port Macquarie Hastings Council \(nsw.gov.au\)](https://www.portmacquariehastings.nsw.gov.au/speak-in-a-public-forum)

Information for Speakers

- There is no automatic right under legislation for the public to participate in a Meeting of Council or a Committee of Council.
- For a member of the public to be considered to address Council in the Public Forum - Matters Not On The Agenda, they must agree to strictly adhere to all relevant adopted Council Codes, Policies and Procedures at all times.
- Addresses in the Public Forum - Matters Not On The Agenda will commence at 10.00am.
- When your name is called, please proceed to the Council Table and address Council.
- Councillors may ask questions of a speaker following an address.
- Each answer, by the speaker, to a question is limited to two (2) minutes.
- Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
- Council will not determine any matter raised in the Public Forum session, however Council may resolve to call for a future report.
- Each speaker will be allocated a maximum of five (5) minutes to address Council. This time is strictly enforced.
- A person may apply to speak on no more than two (2) items of business. Please note that the maximum time a speaker may speak to Council is five (5) minutes in total so both items must be discussed within that five (5) minutes,
- If you have any documentation to support your presentation, provide 2 copies to Council by 12:00noon on the day prior to the day of the meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 12:00noon on the day prior to the day of the meeting.
- The following will **not** be considered in the public forum (in accordance with the Code of Meeting Practice, clause 4.21):
 - a) a submission on a proposed or pending planning proposal, development application, application to modify a development consent, application to review a determination or any related matter,
 - b) a submission by an applicant or objector in respect of development who made an oral submission at an on-site inspection,
 - c) a submission by a person on a matter on which they have made submissions at two (2) previous open forums in the same calendar year, unless otherwise approved in writing by the Chief Executive Officer,
 - d) a submission relating to a current or pending procurement, contract negotiation or dispute resolution involving the Council,
 - e) a submission on any matter which the Chief Executive Officer or their delegate considers is inappropriate to be made at an open forum.
- Council accepts no responsibility for any defamatory statements made by speakers.
- The meeting is recorded and will be made available to the public on Council's website.
- Members of the public may quietly enter and leave the meeting at any time.

1 Leadership and Governance

Item: 10

Subject: PUBLIC FORUM – MATTERS ON THE AGENDA

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

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

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

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

If you wish to address Council in the Public Forum - Matters On The Agenda, you must apply to address that meeting **no later than 12:00noon on the day prior to the meeting** by completing the 'Request to Speak On Agenda Item' form. This form is available at Council's offices or online at [Speak in a Public Forum Port Macquarie Hastings Council \(nsw.gov.au\)](https://www.portmacquariehastings.nsw.gov.au/council-and-community/public-forum)

Information for Speakers

- There is no automatic right under legislation for the public to participate in a Meeting of Council or a Committee of Council.
- For a member of the public to be considered to address Council on an agenda item, they must agree to strictly adhere to all relevant adopted Council Codes, Policies and Procedures at all times.
- Consideration of items for which requests to address Council on an agenda item will follow the Public Forum - Matters Not On The Agenda.
- When your name is called, please proceed to the Council Table and address Council.
- Councillors may ask questions of a speaker following an address.
- Each answer, by the speaker, to a question is limited to two (2) minutes.
- Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
- Each speaker will be allocated a maximum of five (5) minutes to address Council. This time is strictly enforced.
- A person may apply to speak on no more than two (2) items of business. Please note that the maximum time a speaker may speak to Council is five (5) minutes in total so both items must be discussed within that five (5) minutes.
- If you have any documentation to support your presentation, provide 2 copies to Council by 12:00noon on the day prior to the day of the meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 12:00noon on the day prior to the day of the meeting.
- The following will **not** be considered in the public forum (in accordance with the Code of Meeting Practice, clause 4.21):
 - a) a submission on a proposed or pending planning proposal, development application, application to modify a development consent, application to review a determination or any related matter,
 - b) a submission by an applicant or objector in respect of development who made an oral submission at an on-site inspection,

- c) a submission by a person on a matter on which they have made submissions at two (2) previous open forums in the same calendar year, unless otherwise approved in writing by the Chief Executive Officer,
- d) a submission relating to a current or pending procurement, contract negotiation or dispute resolution involving the Council,
- e) a submission on any matter which the Chief Executive Officer or their delegate considers is inappropriate to be made at an open forum.
- Council accepts no responsibility for any defamatory statements made by speakers.
- The meeting is recorded and will be made available to the public on Council's website.
- Member of the public may quietly enter and leave the meeting at any time.

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: 11.01

Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Chief Executive Officer, Dr Clare Allen

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 and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Rawdon Island Bridge - Milestone Events	16/02/2022 Item 12.07		DCI	Jun-22	Jul-22
Graffiti - Update Report	25/01/2022 Item 06.01		DCPE		Jul-22
Policy Review - Volunteer Policy	21/04/2022 Item 11.09	Draft policy on exhibition for reporting back to Council following community engagement	DCPE		Jul-22
Prioritisation of Sporting Infrastructure Projects	17/03/2022 Item 12.01	Councillor workshop held on 9 June 2022	DCPE	Apr-22 Jun-22	Jul-22
Bonny Hills Reserves Draft Master Plan - post exhibition	09/12/2020 Item 11.02	Community consultation is being finalised in June for a report back to the July Council meeting	DCPE	Apr-21 May-21 Jun-21 Jul-21 Sep-21 Mar-22 Jun-22	Jul-22
Policy Review - Media Relations policy	21/04/2022 Item 11.10		CEO	Jul-22	Aug-22

Report	Date and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
General Fund Operating Result Improvement Plan Report	28/04/2022 Item 6.02	Not ready for July meeting	DBP	Jun-22 Jul-22	Aug-22
Policy Review - Compliance and Enforcement Policy	16/06/2022 Item 11.08	Public exhibition is not yet completed	DCPE	Jul-22	Aug-22
Procurement process - Port Macquarie Hastings Blueprint - Determine outcome	16/06/2022 Item 12.05		CEO		Aug-22
Proposed Rescinding of the Asset Disposal Policy	16/06/2022 Item 11.10		DCU		Aug-22
Policy Review - Road Reserve Management	19/05/2022 Item 11.10		DCI		Aug-22
Potential Purchase of Land - Following negotiations	19/05/2022 Item 16.01		CEO		Aug-22
COVID-19 Recovery and Stimulus Projects Update	16/02/2022 Item 11.01		DCPE		Aug-22
New Employment Lands Zones - Translation to Port Macquarie-Hastings Local Environmental Plan 2011 - post public exhibition	17/03/2022 Item 14.02	The NSW Government's exhibition period will run for 6 weeks from 27 May 2022 to 8 July 2022. Following exhibition, it is anticipated that this will be reported back to Council in Aug/Sept-22.	DCPE		Aug-Sept 22
Port Macquarie Aquatic Facility - Business Case	21/04/2022 Item 14.05	Business case development is underway	DCPE	Jun-22	Sep-22

Report	Date and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
T-20-41 Kew Main Street Upgrade	21/04/2021 Item 15.01	Negotiations ongoing and awaiting design information from consultant. Retendering period extended	DCI	Jun-21 Jul-21 Sep-21 Nov-21 Feb-22 Mar-22 July-22	Sep-22
Port Macquarie-Hastings Tree Management Policies And Procedures - Budget required to fast track backlog - Process improvements - Options to reduce risk and provide for residents to prune tree without Council approval	19/05/2022 Item 12.01	A thorough review of tree management process and procedures required as detailed in 2022-2023 Operational Plan	DPCE	Jun-22	Sep-22
Ferry Operations - Vehicle Movements & Vehicles Left on Bank Monitoring	19/05/2021 Item 12.03	Councillor Briefing to newly elected Council in early 2022	DCI	Oct-21 Nov-21 Feb-22 Jun-22	Sep-22
Draft Port Macquarie-Hastings Local Housing Strategy 2021-2041 - post exhibition	19/05/2021 Item 12.06	Workshop with Councillors to be scheduled for July with industry forum to follow.	DCPE	Oct-21 Mar-22 Jun-22	Sep-22
Coastal Protection Options - Illaroo Road, Lake Cathie	21/04/2021 Item 13.06	Community workshops underway. Updates provided via monthly report on Lake Cathie coastal hazard options, stormwater and CMP	DCPE	Jun-21 Sep-21 Feb-22 Mar-22 Jun-22	Sep-22

Report	Date and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Outcome of Micromex Community Satisfaction Survey	19/05/2022 Item 7.01		DCPE		Sep-22
Policy Review - Climate Change Response Policy - post public exhibition	19/5/2022 Item 7.01	Deferred until September 2022 in conjunction with Community Satisfaction Survey	DCPE	May-22	Sep-22
Dunbogan Beach Recreational Enhancement Options	21/04/2022 Item 12.05	Community engagement anticipated to commence in Aug/Sept with a report back to Council following.	GMC	Jul-22	Sept/Oct - 22
Independent Review - Funding Options and Rating Structure for Development and Maintenance of the Port Macquarie CBD	29/6/2022 Item 6.02		DCPE		Oct-22
Bain Park Masterplan - Stages 1 and 2- amendments	07/03/2022 Item 07.01	Final design anticipated	DCPE	Aug-Sept 22	Oct-22
Port Macquarie Works Depot	16/06/2022 Item 11.16		CEO		Oct-22
Town Centre Master Plan - Finding of Independent Review	16/02/2022 Item 12.03		DBP		Oct-22
Implementation of Fly Neighbourly Agreement - 6 month Update	19/05/2022 Item 13.01		DBP		Dec-22

Report	Date and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Draft Joint Integrated Transport Network Plan	17/03/2022 Item 14.01	Commenced the draft plan and working with TfNSW to finalise draft plan including highway corridor and related Council projects.	DCI	May-22 Jul-22	Dec-22
Draft s9.11 Airport Business Park Roads Contribution Plan	20/05/2020 Item 13.05	To be considered as part of wider development contribution framework review	DCPE	Dec-20 Jun-21 Oct-21 Jun-22	Dec-22
Policy Review - Management of Public Spaces - Outlining Success of Method Dealing with these Issues	16/06/2022 Item 12.03		GMC		Dec-22
PP2014 - 10.1 - Planning Proposal Assessment report - 11 and 33 Mumford Street, Port Macquarie - post public exhibition	17/03/2022 Item 14.04	Gateway process commenced 16 May-22. Gateway determination provides for a 10 month timeframe for completion.	DCPE		Dec-22
Material Public Benefit - Developer Delivered Sewer Works Kendall - completion of works	17/03/2022 Item 14.07		DCU		Feb-23
Tendering and purchasing process - Council's commitment and support to local business for previous 12 months	17/03/2022 Item 11.20		DBP		Mar-23

Report	Date and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie - post exhibition.	20/06/18 Item 14.05	To be incorporated in strategic property portfolio review to be undertaken in 2022/2023	DBP	Mar-20 Nov-20 Mar-21 Apr-21 Jun-21 Sep-21 Feb-22 Jun-22	Jun-23
Implementation of Fly Neighbourly Agreement - 12 month Update	19/05/2022 Item 13.01		DBP		Jun-23
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		DCPE		2024 (estimate)
Council owned lots at North Shore - Progress of Sale	19/09/18 Item 09.24)	Subject to strategic property portfolio review to be undertaken in 2022.	DBP	Dec-19 Feb-20 Sep-20 Mar-21 Apr-21 Jun-21 Sep-21 Feb-22 Aug-22	TBA

Report	Date and Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Sale of Surplus Land- 178 Nancy Bird Walton Drive, Kew	16/02/2022 Item 09.23	Subject to strategic property portfolio review to be undertaken in 2022.	DBP	Dec-22	TBA
Tuffins Lane Sporting Fields - Terms of Agreement	14/12/16 Item 06.02	Awaiting Catholic Parish advice	CEO	Oct-18 Mar-19 Apr-19 Jul-19 Dec-19 Jun-20	TBA
Lots 101 and 102 DP 1244390 Pacific Drive, Port Macquarie - options for operational land	07/03/2022 Item 10.01	Subject to strategic property portfolio review to be undertaken in 2022.	DBP		TBA
T-21-03 Design and Construct of Six Sewer Pump Stations - post contact award	17/03/2022 Item 16.01		DCI		TBA
Draft MR538 and MR600 Corridor Strategy - Following public exhibition	19/05/2022 Item 14.04		DCI		TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Mayoral Discretionary Fund Allocations	CEO	Monthly	Every		
Monthly Financial Update	DBP	Monthly	Every (except July)		
Investments	DBP	Monthly	Every		
Recommendations by the Mayor's Sporting Fund Sub-Committee	DCPE	Monthly	Every		
Opening Lake Cathie (13/01/2022 Item 05.01)	DCPE	Monthly	Every		

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Legal Fees - Update Report (19/09/18 - Item 09.16)	CEO	Quarterly	Feb, May, Aug, Nov		
Development Activity and Assessment System Performance	DCPE	Quarterly	Feb, May, Aug, Nov		
Community Inclusion Plan - Update of Tasks, Measures and Actions	DCPE	Quarterly	Sep, Dec, Mar, Jun		
Operational Plan – Quarterly Progress	DBP	Quarterly	May, Nov (other 2 quarters reported with DP 6 monthly progress report)		
Grant Application Status Report (21/08/19 - Item 11.02)	DCPE	Biannual	Feb, Aug		
Glasshouse Strategic Plan Update	DBP	Biannual	Feb, Aug		
Delivery Program – Six Monthly Progress	DBP	Biannual	Feb, Sep		
Update on Site Specific Planning Proposal Requests	DCPE	Biannual	Jun, Dec		
Mayoral and Councillor Fees (Setting of)	CEO	Annually	May		
Port Macquarie-Hastings Destination Management Plan 2020-2024 (20/05/2020 - Item 12.01)	DCPE	Annually	Jun		Current resourcing levels have prevented this report from being prepared.
Kooloonbung Creek Flying Fox Camp Management Plan - Annual Update (16/06/2021 - Item 12.03)	DCPE	Annually	Jun		
Council Policy - Status	CEO	Annually	Jul	Aug-22	Additional information required to ensure accuracy that was not available at this time.

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Recreation Action Plan – Status	DCPE	Annually	Jul		We are currently working through the process to develop an update/review of Recreation Action plan and working towards engagement with our sporting groups and community over the coming months. A report on the progress of the current Recreation Action plan 21-25 and the approach to developing the new one will be brought to the Ordinary Council meeting in August
UGMS - Annual Progress Report on Implementation and Status of Actions (20/06/18 - Item 12.07)	DCPE	Annually	Jul		
Local Preference Policy Outcomes	DBP	Annually	Aug		
Cultural Plan 2021 - 2025: Implementation and evaluation of actions undertaken 04/08/2021 - Item 10.01)	DCPE	Annually	Aug		
Annual Report of the Activities of the Mayor's Sporting Fund	DCPE	Annually	Sep		
Council Meeting Dates	CEO	Annually	Sep		
Creation of Office - Deputy Mayor	CEO	Annually	Sep		

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Audit Committee Annual Report	CEO	Annually	Sep		
Annual Report of Disability Discrimination Act Action Plan	DCPE	Annually	Sep		
Legislative Compliance Register	CEO	Annually	Sep		
Koala Recovery Strategy Annual Report (19/09/18 - Item 12.05)	DCPE	Annually	Sep		
Annual Disclosure of Interest Returns	CEO	Annually	Oct		
Professional Development of Councillors (15/09/2021 - Item 09.07)	CEO	Annually	Oct		
Council's Annual Report	DBP	Annually	Nov		
Performance of Property Investment Portfolio (20/11/19 - Item 10.17)	DBP	Annually	Nov		
Local Strategic Planning Statement (03/11/2021 - Item 12.05)	DCPE	Annually	Nov		
Strategic Planning Statement - Implementation of Actions (03/11/2021 - Item 12.05)	DCPE	Annually	Nov		
Code of Conduct Complaints Annual Report	CEO	Annually	Dec		

Attachments

Nil

Item: 11.02

Subject: MAYORAL DISCRETIONARY FUND ALLOCATIONS - 2 JUNE TO 6 JULY 2022

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

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

RECOMMENDATION

That Council note there has been no Mayoral Discretionary Fund allocations for the period 2 June to 6 July 2022 inclusive.

Executive Summary

There have been no Mayoral Discretionary Fund allocations for the period 2 June to 6 July 2022 inclusive.

Discussion

No allocations made by the Mayor from the Mayoral Discretionary Fund during this reporting period.

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.

Attachments

Nil

Item: 11.03

**Subject: NOTICE OF MOTION - ON STREET CARPARKING LOSS IN
RELATION TO BAIN PARK MASTERPLAN**

Councillor Griffiths has given notice of her intention to move the following motion:

RECOMMENDATION

That Council request the Chief Executive Officer provide a report outlining advice potential on street carparking loss resulting from the implementation of the Bain Park Masterplan to the August 2022 Ordinary Council meeting.

Comments by Councillor (if provided)

Nil

Attachments

Nil

Item: 11.04**Subject: NOTICE OF MOTION - QUEEN'S BIRTHDAY AWARDS**

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

RECOMMENDATION

That Council acknowledge the following 2022 Queen's Birthday Honours Recipients from the Port Macquarie-Hastings LGA:

- **Greg Davies - Emergency Services Medal**
Marine Rescue Port Macquarie Unit Commander.
- **Corey Tutt - Order of Australia Medal**
For Service to Indigenous STEM Education (Science, Technology, Engineering, Mathematics).
- **Susan Baker - Order of Australia Medal**
For Service to Conservation and the Environment.

Comments by Councillor (if provided)

It's important to recognise the outstanding achievements of local residents from various fields of expertise and from all walks of life.

Attachments

Nil

Item: 11.05

Subject: INVESTMENTS - JUNE 2022

Presented by: Business and Performance, Ashley Grummitt

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 June 2022.

Executive Summary

- Total funds invested as at 30 June 2022 was \$417,689,861.
- Interest for the month of June was \$547,531.
- The year-to-date investment income of \$5,543,771 represents 104% of the total annual investment income budget of \$5,332,800.
- Council's total investment portfolio performance for the financial year to date was 1.47% above the benchmark (1.57% against 0.10%), benchmark being the Bank Bill reference rate as at 30 June 2022.

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 1.57% p.a., strongly outperforming bank bills by 1.47% p.a.
- The RBA increased the official cash rate by another 50bp to 0.85% in early June 2022 and flagged further rate rises over coming months.
- With surging inflationary pressures and a potential aggressive hike in interest rates flagged, markets are bracing for the central banks to move to a rapid tightening cycle in relation to policy measures, with markets now factoring the possibility of a recession as official rates move higher.
- The biggest risk to Council's portfolio has been decreasing interest income while interest rates remain low, as opposed to loss of capital, noting that markets are factoring in additional rate increases over the coming months.
- Council's exposure to institutions that fund fossil fuels is 67% of the total portfolio.
- Port Macquarie-Hastings Council remains amongst the best performing Councils in the state of NSW where deposits are concerned, earning on average, \$3m in additional interest income compared to its peers.

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 are often large and diverse organisations which have many regulatory and compliance requirements including how to raise revenue, and how that can be spent. For context, Port Macquarie-Hastings Council is a large regional Council with an annual expenditure of approximately \$200 million. Whilst every Council has some similarities, they often have characteristics that may set them apart. Port Macquarie-Hastings Council is a large regional Council with high development activity and is also a water authority. These points are relevant in the context of Council reserves / investments. Following is a summary outline of the main areas that have seen an increase in reserves being collected.

Development Activity

This Council has experienced large development growth in recent years and this cycle of activity has seen larger amounts of developer contributions being received during those years. The purpose of these contributions is to fund infrastructure associated with the growth of an area and consequently are for new infrastructure and are future focussed. The funds cannot be spent on existing infrastructure. There are specific contribution plans which dictate which projects can be funded from these funds and many of the projects are not ready for completion yet (or are not yet needed as growth levels do not yet require the infrastructure). To complicate matters, Councils cannot spend these funds on projects that are not listed in the relevant contribution plans.

Water and Sewer

Port Macquarie-Hastings Council is a water authority. Not every Council is (as separate Water Authorities exist e.g. Sydney Water and Hunter Water). The provision of water and sewer services requires large capital investment, with large projects often occurring cyclically and requiring a combination of reserve funds and borrowing to fund these large infrastructure requirements.

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 June 2022, comply with this Act. All investments have been made in accordance with the Act and Regulations, and Council's Investment Policy.

As at 30 June 2022, the investments held by Council totalled \$417,689,861 and were attributed to the following funds:

General Fund*	191,047,165
Waste Fund	22,617,906
Water Fund	138,180,160
Sewer Fund	64,169,693
Broadwater	1,616,460
Sanctuary Springs	58,477
	417,689,861

** Includes funds collected from development that must be expended in relation to adopted contribution plans. Also includes funds collected for works on the Port Macquarie Town Centre Master Plan.*

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.

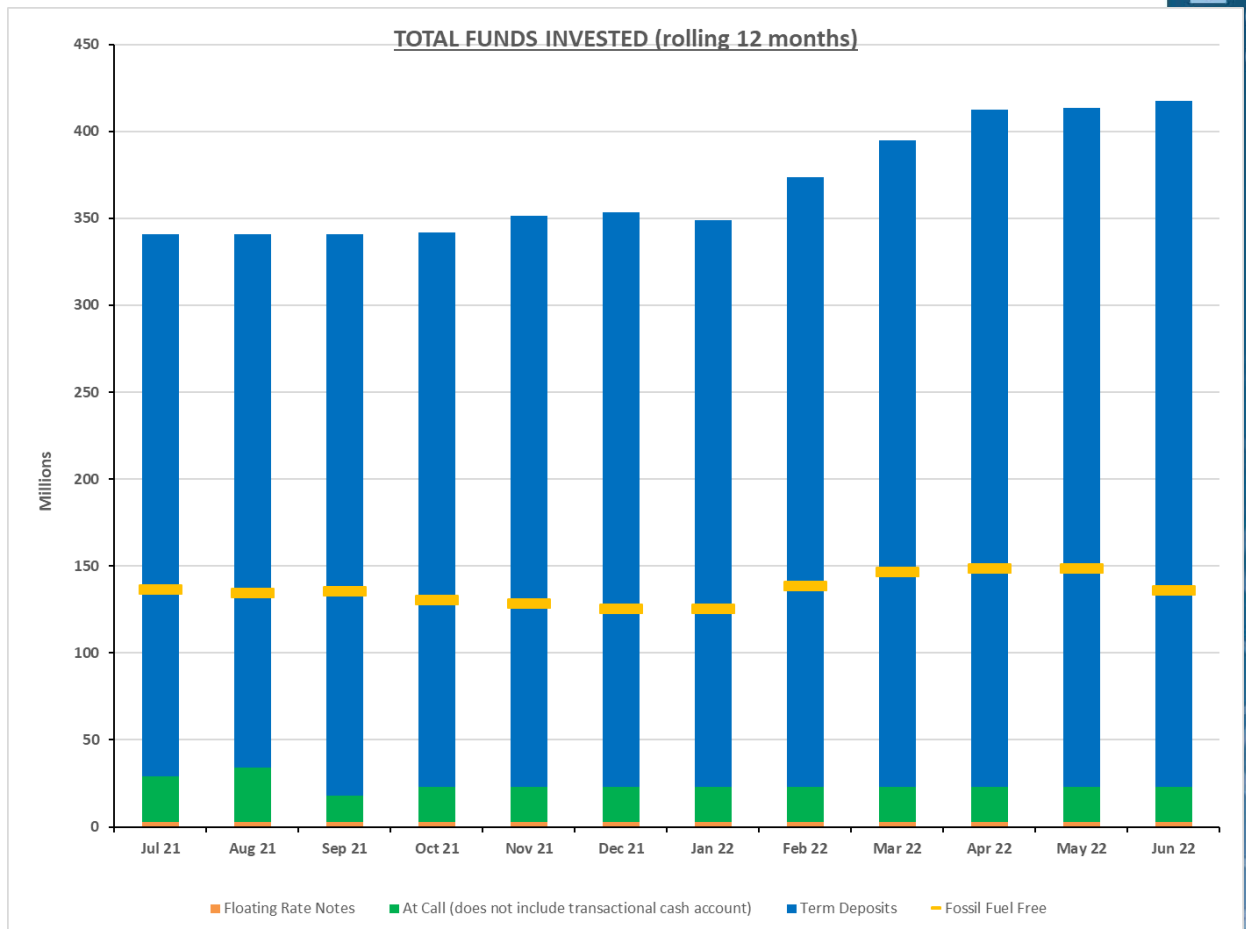
These funds may be spent in the shorter or longer term depending on the required timing of future works. The totals will fluctuate dependent on the status of individual projects.

It is noted that there is a variance between the total investments held as per this report, (\$417,689,861), and total investments held as per Imperium's attached monthly report (\$417,689,073). 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.

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

Financial institutions funding fossil fuels	Purchases since 01/07/21 (\$)	Purchases since 01/07/21 (%)	Amount invested at 30/06/22 (\$)	Amount invested at 30/06/22 (%)
Yes	162,030,000	74%	281,689,861	67%
No	58,000,000	26%	136,000,000	33%
	190,030,000		417,689,861	

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



The value of Council's investments as at 30 June was \$4m higher than 31 May due to receipts of \$1.8m in grants from Department of Infrastructure and \$2.2m in development deposits that were invested during June.

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 1.47% above the benchmark (1.57% against 0.10%) and year to date income is 104% 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 Investment Report - June 2022
2.  Port Macquarie-Hastings Council Portfolio Valuation - June 2022

Item: 11.06

Subject: POLICY REVIEW - INVESTMENT POLICY

Presented by: Business and Performance, Ashley Grummitt

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Place the revised draft Investment Policy on public exhibition for 28 days, from 29 July 2022 until 25 August 2022.**
- 2. Note that a further report will be presented at the September 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.**

Executive Summary

The Investment Policy has been reviewed for consideration by Council in line with requirements to review on an annual basis. This report details changes arising from that review.

Discussion

In accordance with the NSW Office of Local Government *Investment Policy Guidelines*, a review of Council's Investment Policy should be conducted on an annual basis.

An investment policy is a governing document that guides the investment process to assist councils to invest funds in a prudent and appropriate manner. Details of these investments are then reported to Council each month, in accordance with section 625 of the *Local Government Act 1993*.

Council procures the services of Imperium Markets for expert financial advice on its Investment Policy, investment strategy and individual investments.

Since the last policy review, there have been no changes to the list of authorised investments from the NSW Office of Local Government and internal review has not highlighted any further changes required at this time, other than minor administrative updates. In addition, Council's investment advisors have not identified any required changes. The minor changes noted are as follows:

- Changes to titles;
- Update of legislative references.

Refer Attachment 1 for the current adopted Investment Policy (as adopted by Council in October 2021) and Attachment 2 for the revised draft Investment Policy for public exhibition.

Options

Council has the option to:

1. Endorse the draft Investment Policy identified within this report for public exhibition; or
2. Request further information or changes prior to placing the draft Investment Policy on exhibition.

Community Engagement and Internal Consultation

Consultation has occurred with:

- Relevant Finance Staff
- Imperium Markets
- Executive Group

A Briefing on Council's Investment Policy and strategy was provided to Councillors on 22 June 2022.



Planning and Policy Implications

This report recommends minor administrative amendments to the existing Investment Policy.

Financial and Economic Implications

The Investment Policy frameworks and requirements can positively impact returns through its regulation of investments.

Attachments

1.  Attachment 1 - Current Adopted Investment Policy October 2021
2.  Attachment 2 - Revised Draft Investment Policy for public exhibition

Item: 11.07

Subject: POLICY REVIEW - VOLUNTEER POLICY - POST EXHIBITION

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Council adopt the Volunteer Policy.

Executive Summary

At the Ordinary Council Meeting held on 21 April 2022, Council resolved to place the draft Volunteer Policy on public exhibition.

The policy was subsequently placed on public exhibition from 3 June 2022 to 1 July 2022. During the exhibition period, 3 submissions were received on the Policy. The Public Exhibition Report is provided attached (Attachment 2).

After review of the submissions and slight amendments, this report recommends that the Volunteer Policy (Attachment 1) be adopted.

Discussion

At the Ordinary Council meeting held on 21 April 2022, Council resolved as follows:

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Volunteer Policy.
2. Note that a further report will be tabled at the July 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

This Policy ensures that Council will ensure that all volunteers are treated as equals, receive training where necessary, given appropriate recognition and support and protected through the provision of a safe and healthy workplace. Council is committed to creating opportunities for volunteers that are productive, meaningful and of benefit to the community and the volunteer.

Options

Council has the option to amend or not to amend the Volunteer Policy identified within this report.

Community Engagement and Internal Consultation

Public Exhibition

The public exhibition period is now complete with the outcomes of the exhibition process.

There were a total of 88 visits to Council's engagement website page during the exhibition period. There were 24 documents downloaded or viewed and 3 submissions were received, in support/opposition of the proposed Policy amendments. The Public Exhibition Report is provided attached (Attachment 2).

From the submissions provided, feedback was considered and the below amendments were made:

- The word ***Council*** was removed from 2.3.B as volunteers who belong to a registered incorporated group can be inducted by the site manager/supervisor as per the memorandum of Understanding which includes all relevant safe work methods.
- The words ***or Memorandum of Understanding*** were added to 2.3.C

After further consideration, the minimum age for volunteers has been increased from 10 years to 14 years to align with legal working age.



Planning and Policy Implications

This report recommends the amendment and adoption of the Volunteer Policy to replace the previous version.

Financial and Economic Implications

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

Attachments

1.  Volunteer Policy
2.  Engagement Summary

Item: 11.08

**Subject: DRAFT CODE OF CONDUCT AND PROCEDURES FOR THE
ADMINISTRATION OF THE MODEL CODE OF CONDUCT**

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Pursuant to Section 440 of the Local Government Act 1993, adopt the draft Code of Conduct.**
- 2. Pursuant to Section 440AA of the Local Government Act 1993, adopt the Procedures for the Administration of the Model Code of Conduct.**

Executive Summary

Following the 2021 Local Government elections, Council is required to review its adopted code of conduct and make adjustments as it considers appropriate within 12 months of that election in accordance with section 440(7) of the Local Government Act.

It is proposed that the:

- Draft Code of Conduct as attached as Attachment 1 be adopted pursuant to section 440 of the *Local Government Act 1993*.
- Procedures for the Administration of the Model Code of Conduct attached as Attachment 2 be adopted pursuant to section 440AA of the *Local Government Act 1993*.

The draft Code of Conduct and Procedures have not been placed on public exhibition as there is no requirement to publicly exhibit and the code is based on a model code as released by the Office of Local Government.

Discussion

Code

A model Code of Conduct for Local Councils in NSW ("the Code") is made for the purposes of section 440 of the *Local Government Act 1993* ("the Act"). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code. Council are also required to adopt a Code of Conduct within 12 months of an ordinary election (section 440(7) of the Act).

The current Code was adopted at the February 2021 Ordinary Meeting of Council.

The new (draft) Code is based on the current model code with several minor amendments being:

- The value of token gifts is recommended to be reduced from \$100 to \$50 as stated in the Council's current Code of Conduct.
- The recommended addition of clause 3.3 that states "You must treat others with respect at all times." This clause was previously contained in the model code and removed from the current version of the model code. It is suggested that this clause is appropriate and recommended to be reinserted into Council's Code of Conduct.
- Replace the position of General Manager mentioned in the Code with Chief Executive Officer which is consistent with the naming of that role at Council.

Procedures

A model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW ("the Procedures") is made for the purposes of section 440AA of the Act. Section 440AA of the Act requires every council to adopt a code of conduct that incorporates the provisions of the model procedure.

The procedures provide the framework as to how Code of Conduct complaints are dealt with. It is recommended that Council adopt the model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW without amendment.

Note that the documents may be reformatted post adoption.

Options

If a council fails to adopt a new code of conduct and procedures based on the Model Code of Conduct and Procedures the provisions of the Model Code of Conduct and Procedures will automatically override any provisions of a council's adopted code of conduct and procedures that are inconsistent with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the *Local Government Act 1993* (unless the inconsistent provisions of a council's adopted code of conduct are more onerous than those contained in the Model Code of Conduct).

Community Engagement and Consultation

The draft Code of Conduct and Procedures have not been placed on public exhibition as there is no requirement to publicly exhibit and the code is based on a model code as released by the Office of Local Government.

Internal Consultation

- General Manager
- Group Manager Governance

Planning & Policy Implications

It is proposed that the draft Code of Conduct replace the current Code of Conduct. The proposed draft Code is provided as Attachment 1.

It is proposed that the draft Procedures for the Administration of the Model Code of Conduct replace the current procedure. The proposed draft procedure is provided as Attachment 2.

Financial & Economic Implications

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

Attachments

1.  Draft Code of Conduct
2.  Draft Procedures for the Administration of the Model Code of Conduct

Item: 11.09

Subject: DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Revoke all previous delegations of functions to the General Manager.
2. Delegate to the Chief Executive Officer of Port Macquarie-Hastings Council the Functions in accordance with the Instrument of Delegation to the General Manager, attached to this report as Attachment 1.
3. Appoint the Director Community Utilities, Jeffery Sharp, to act as Chief Executive Officer in any instance where an Acting Chief Executive Officer has not otherwise been determined by Council while the Chief Executive Officer is absent from work on leave.
4. Delegate to any person acting as Chief Executive Officer pursuant to this resolution all the functions, delegations, and sub-delegations given to the General Manager by the Council.
5. Pursuant to clause 213 of the *Local Government (General) Regulation 2021*, delegate to the General Manager the authority to approve the abandonment of debts up to the amount of \$5,000.
6. Note that the role of General Manager applies to the position of Chief Executive Officer and all references to General Manager refer to the position of Chief Executive Officer.

Executive Summary

A Council may delegate to the General Manager any of its functions other than those functions specifically detailed in section 377 of the *Local Government Act 1993* (the Act).

Section 380 of the Act requires that each Council must review its delegations during the first twelve (12) months of each term of office. Council last adopted the delegations to the Chief Executive Officer at its February 2021 Ordinary Council meeting. The proposed delegations to the General Manager are attached to this report as Attachment 1.

Discussion

Section 377 of the *Local Government Act 1993* (**the Act**) enables Council to delegate the functions of Council to the General Manager. This section also specifies various functions such as making of a rate, fixing of a fee, borrowing of money, voting of money for expenditure and the acquisition or disposal of land or property that cannot be delegated and require a Council resolution to act on these functions.

The delegation of functions to the General Manager enables the organisation to meet the needs of residents and other stakeholders in an effective and efficient manner. It allows decisions that reflect Council's Policies, codes and other plans to be made at appropriate levels within the organisation. It also enables staff to be authorised to undertake functions under other legislation. This also has the added benefit of reducing the amount of administrative matters that must be considered by Council as staff have been delegated certain decision making capabilities.

Section 380 of the Act provides that each Council must review its delegations during the first 12 months of each term of office. Council last adopted the delegations to the Chief Executive Officer at its February 2021 Ordinary Council meeting.

Council currently delegates functions to the General Manager, by exception. This provided that all functions that could be delegated to the General Manager under the Act be delegated, excluding only those functions specifically identified and listed under section 377(1) of the Act as functions that cannot be delegated.

This is a far better approach with benefits being:

1. Increased efficiency - rather than having a lengthy and detailed list of functions that have been delegated to the General Manager, the delegations state what functions can't be undertaken by the General Manager;
2. Reduce the risk of inadvertent noncompliance - there may be (in the future) a difference of opinion between the elected Council and the General Manager in relation to the interpretation of some delegations;
3. Increase the degree of completeness - a list of delegations containing all functions delegated to the General Manager may not be complete and is difficult to maintain. Case law indicates that if a delegation is not passed effectively from Council to the General Manager, any authority an officer may have (sub delegated from the General Manager) is not current; and
4. Future proofing - if Council undertakes additional functions following the instrument of delegation being adopted, an amendment through a Council resolution will have to be added to the instrument to ensure the General Manager is delegated the additional functions.

Section 378 of the Act states that the General Manager may in turn delegate all functions, except for the power of delegation where it provides:

(1) The general manager may delegate any of the functions of the general manager, other than this power of delegation.

(2) The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).

This is undertaken through sub-delegations to Directors and staff. The General Manager practically does not delegate all the delegations of authority and in a number of cases limits the delegation when sub-delegated.

Organisational sub-delegations will be reviewed by Governance staff, the Chief Executive Officer and Directors once the delegations to the General Manager are adopted by Council.

Acting Chief Executive Officer

Section 351 of the Act relates to temporary appointments within the organisation and states:

If a position (including a senior staff position) within the organisation structure of the council is vacant or the holder of such a position is suspended from duty, sick or absent:

- (a) the council, in the case of the general manager's position, or*
- (b) the general manager, in the case of any other position, may appoint a person to the position temporarily.*

If the Chief Executive Officer is absent for any reason and Council has not appointed someone to act in the role of Chief Executive Officer, the Director Community Utilities shall act in the capacity of the Chief Executive Officer. It is expected that all planned absences of the Chief Executive Officer will be filled by Directors on a rotational basis being considered by Council resolution on a case by case basis.

The recommendation contained in this report provides the temporary holder of this position with the appropriate delegations to perform the role.

Write off debts

Further legal advice stated that to provide the Chief Executive Officer the authority to write off debts would need to be done through a separate delegation and not within the standard delegations.

The resolution relating to writing off debts is proposed to be increased from \$2,500 to \$5,000 to increase operational efficiency and reducing the need for a Council resolution for the writing off of debts up to \$5,000.

Options

- Council could choose to delegate/sub-delegate functions other than in the form proposed in Attachment 1.
- Council could resolve to maintain the limit of writing off of debts at \$2,500 or some other value.

Community Engagement & Internal Consultation

Community Engagement

No community engagement has been undertaken.

Internal Consultation

- Chief Executive Officer
- Group Manager Governance

Planning & Policy Implications

There are no planning or policy implications.

Financial & Economic Implications

There are no financial or economic implications.

Attachments

1.  Proposed Instrument of Delegation to General Manager

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: 12.01**Subject: NOTICE OF MOTION - HOMELESSNESS IN THE LOCAL
GOVERNMENT AREA**

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

RECOMMENDATION

That Council request the Chief Executive Officer report to the November 2022 Ordinary Council meeting that provides data on the issue of homelessness in our local government area and possible solutions that Council may be able to facilitate.

Comments by Councillor Lipovac

Hastings Homelessness Week is being held 1 to 7 August 2022. The St Agnes Parish Youth Hub on Horton Street will be open between 10am and 2pm 1-4 August 2022 to allow our homeless to meet with local agency representatives and specialist services while also receiving food and refreshments, clothing, hygiene products and blankets. A travelling roadshow will also provide a similar service at venues in Port Macquarie, Lake Cathie, Laurieton and Wauchope from 1-4 August 2022

A Community Day on Friday 5 August 2022 on the Town Green between 10am and 2pm will provide greater awareness of the homelessness situation in the LGA, fundraising opportunities for all members of the community to be involved in, plus food and entertainment.

Attachments

Nil

Item: 12.02

Subject: BONNY HILLS RESERVES MASTER PLAN - POST EXHIBITION

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Note the information in the Public Exhibition Report - Bonny Hills Reserves Master Plan**
- 2. Note the responses to feedback themes and associated updates to the Draft Bonny Hills Reserves Master Plan**
- 3. Thank community members for their feedback**
- 4. Thank the Bonny Hills Community Council Action Team (CCAT) for their work in analysing community responses and for their feedback**
- 5. Adopt the updated Bonny Hills Reserves Master Plan**

Executive Summary

The Bonny Hills Reserves Master Plan (Revision 2) (Attachment 1) aims to reflect the present day vision of the community in the context of a growing coastal village. The Master Plan attempts to balance the needs and views of the community as a whole across the following reserves:

- Rainbow Beach Estate Reserve
- Rainbow Beach Reserve
- Community Hall Reserve
- Spoonneys Bay
- Bartletts Beach Reserve
- Shelly Beach Reserve
- Reservoir Reserve

The draft Master Plan (Revision 2) is a revised version of the plan that was originally adopted by Council in 2012. The Master Plan has been reinvigorated following its inclusion as a priority project in the Bonny Hills Community Plan, 2019.

A series of community and stakeholder consultation activities in 2020 informed updates to the Master Plan (Revision 0 and Revision 1) with the latter placed on public exhibition between 10 December 2020 and 11 February 2021. The challenge in updating the Master Plan has been to balance varying community views across the seven reserves.

Public Exhibition Outcomes

The Bonny Hills community is highly engaged and passionate about the future of reserves in their coastal village.

The resounding response across engagement activities has been a strong desire to protect the natural environment and retain the village character. Linkages, cycle-ways and pedestrian connectivity is important to the community as the area grows and people seek to enjoy their lifestyle and improve liveability across the village. A desire to access reserves, recreation spaces, shops and beaches on pathways that are accessible to all, safe and sensitive to the environment is also important.

Key issues identified by the community and key stakeholders during the Public Exhibition period were:

- The treatment of vegetation at the rear of residential blocks in Rainbow Beach Estate Reserve.
- The over-development of car parking and loss of green space at Rainbow Beach Reserve.
- The need to address the clash between reserve users and service station/corner shop customers at the entrance to Community Hall Reserve; along with protecting the natural environment and updating the Tennis Club.
- The conflict between pedestrians, dog walkers and cars on Spoonneys Bay Reserve.
- Potential loss of views and on-street parking between Bartletts Beach and Shelly Beach Reserves.
- Vandalism, rubbish and antisocial behaviour at Reservoir Reserve.

To review the 450 pieces of feedback (from 180 respondents) received across the seven reserves, feedback was categorised into themes. These themes are listed in the discussion section of this report with responses tabled in Bonny Hills Reserves Master Plan - Submission Response Table (Attachment 3). This attachment shows Master Plan revision changes by theme.

In response to feedback, the draft Master Plan has been updated to address some of these issues. These changes are discussed in this report and detailed in Bonny Hills Reserves Master Plan - Revision Changes (Attachment 4). This attachment shows Master Plan revision changes by reserve.

The most significant change from Revision 1 to Revision 2 is the removal of both options proposed for Rainbow Beach Reserve in response to extensive feedback on both options, the community's desire to retain the village character of Bonny Hills, and community concern about the potential overdevelopment of the site.

Outcomes from this engagement are detailed in Draft Bonny Hills Reserves Master Plan - Public Exhibition Outcomes Report June 2021 - July 2022 (Attachment 2).

The Bonny Hills Community Council Action Team (CCAT) has taken a hands-on role in categorising and analysing the extensive feedback received during the consultation period. Most recently, their feedback has informed the latest revision of the Master Plan. They have volunteered a huge amount of their time and the

Community Engagement team would like to recognise their effort and commitment to the Bonny Hills community.

The reporting timeline was pushed out due to Council resources across both the Community Engagement and (then) Property, Recreation and Building teams being redirected to flood response duties. Other contributing factors include the time taken to collate, theme and analyse the large amount of feedback received (180 submissions) and heavy workload across a range of projects and the Council elections in December 2021.

This Council report sets out the public exhibition outcomes and the resultant updates to the Draft Master Plan based on community feedback and the Bonny Hills CCAT with a view to Councillors adopting the Master Plan (Revision 2).

Discussion

Engagement Activities and Master Plan Revisions Timeline

Date	Activity
2012	<ul style="list-style-type: none"> - Master Plan developed based on community consultation - Adopted by Council
Oct 2019	<ul style="list-style-type: none"> - Bonny Hills Community Plan adopted by Council
Apr 2020	<ul style="list-style-type: none"> - Draft Master Plan revised to include three additional reserves - Community consultation
Oct 2020	<ul style="list-style-type: none"> - Interactive online community workshop - Draft Master Plan (Revision 0)
Nov 2020	<ul style="list-style-type: none"> - Community Engagement Report - Draft Master Plan revised (Rev 1) - Community consultation
Dec 2020	<ul style="list-style-type: none"> • Councillors resolve to place Master Plan on Public Exhibition • Have Your Say survey
Jan 2021	<ul style="list-style-type: none"> • Pop up at Rainbow Beach Reserve
Feb 2021	<ul style="list-style-type: none"> • Public Exhibition closes
July 2021	<ul style="list-style-type: none"> • Draft Public Exhibition Report and feedback shared with CCAT
Sep 2021	<ul style="list-style-type: none"> • CCAT Master Plan subcommittee formed
Nov 2021	<ul style="list-style-type: none"> • CCAT review and feedback on Draft Master Plan
June 2022	<ul style="list-style-type: none"> • Draft Master Plan (Revision 2)
July 2022	<ul style="list-style-type: none"> • Community informed of revised Master Plan and intention to seek adoption of Master Plan at August Council meeting.

Activities, insights and verbatim feedback are detailed in the Draft Bonny Hills Reserves Master Plan - Public Exhibition Outcomes Report June 2021 (Attachment 2).

Feedback themes

Part of the public exhibition process is to review and provide a response to all feedback received.

Over 480 pieces of feedback (from 180 submissions) were received during the public exhibition period. The following themes were identified and responses given to themes rather than to individual feedback. The Draft Master Plan was then updated (Revision 2) to reflect this feedback.

A detailed table of the following themes, the reserves they pertain to, Council's response and actions (updates to the Draft Master Plan) is located in Draft Bonny Hills Reserves Master Plan - Response to Public Exhibition Feedback Themes (Attachment 3)

- Rainbow Beach Reserve
- Protect or regenerate natural environment
- New / upgraded amenities block
- Barriers to stop cars parking on vegetation
- Garbage bins / seating / shelters / BBQs
- Artwork / murals
- No change
- Retain Village atmosphere
- Retain resident managed gardens
- Children's playground / exercise equipment
- Tennis club upgrade
- Pedestrian/cycle links/connectivity/signage
- Drainage / footpath flooding / stormwater (control / repair)
- Restrict hard surfaces
- CCTV
- Cars on beaches
- Paragliding activity
- Boat trailer parking
- Community Garden
- Dog friendly
- Improved footpaths / steps / infrastructure / maintain infrastructure
- Improve road access / car park

Summary of key issues for each reserve and Master Plan updates

Key issues for each reserve and Master Plan updates are summarised below. Detailed responses are tabled in the Bonny Hills Reserves Master Plan - Submission Response Table (Attachment 3).

Introduction and Design Principles

To address key issues across all reserves, the introduction and design principles at the front of the Draft Master Plan have been updated to include the following statements:

- Footpaths divided into Existing footpath (unbroken white), proposed footpaths (broken red), proposed by developer (diamond red), trail hardening (broken yellow) and informal trail (dotted blue) types and represented on map.
- This Master Plan includes footpaths as indicated in Council's Pedestrian Access Mobility Plan - May 2015 (PAMP), and the "Rainbow Beach Estate" development as approved under DA2016/465 for context. The plan will address pedestrian access requirements within the nominated reserves (pedestrian access requirements along roads is outside the scope of this master plan and are to be considered as part of future reviews of the PAMP).
- The following principles underpin the design of reserves in Bonny Hills:
 - Value and respect cultural knowledge with Aboriginal people co-leading design and development of all NSW infrastructure projects.
 - Ensure Country is cared for appropriately and sensitive sites are protected by Aboriginal people having access to their homelands to continue their cultural practices.
 - Accessible and equitable. Port Macquarie-Hastings Council (Council) is committed to creating and maintaining equitable access to its reserves for the community.
 - Maintain village atmosphere of Bonny Hills area.
 - Relevant to community needs and expectations. Reserves should reflect the natural environment and local community values and needs while also considering Crime Prevention Through Environmental Design (CPTED) principles.
 - Protect and enhance natural and heritage features and values. This includes, but is not limited to ensuring that communities can access and enjoy these features, and that they remain intact for future generations, that biosecurity risks are minimised through planting appropriate native species only and that planting is undertaken in strategic locations to minimise erosion issues.
- Next steps have been removed.
- Compass added on all reserve plans.
- Street names added to all reserve plans.

Rainbow Beach Estate Reserve

A key area of concern for property owners on Magellan Close and Northwind Crescent was the proposed removal of gardens that extend into the public domain. Owners challenged the necessity of removing the gardens, which they have invested significant time and money into building and maintaining. This group cited a lack of reserve maintenance (mowing and weed control) and concerns over snakes and bushfire hazards as reasons for establishing and maintaining these gardens.

The reserve is maintained in line with the mowing schedule for reserves of this nature. However, any treatment of these gardens has been removed from the Draft Master Plan (Revision 2). Any changes to these resident-managed gardens will be addressed independently of the Master Plan and in collaboration with property owners in this area.

Other feedback included support for better maintenance, addressing site-drainage issues, and installing bollards to stop cars driving on the reserve.

The inclusion of bins, artwork, signage and seating had mixed responses. These elements have been retained but the number reduced.

Rainbow Beach Reserve

The Draft Master Plan (Revision 1) proposed two options for this highly used reserve. Option 1 proposed formalising car parking at the existing beachfront location, adjacent to the playground, and on the grassy hill (currently used informally during peak times).

Option 2 proposed a more developed solution that shifted the car parking back from the foreshore and formalised seating, BBQ shelters, and a stage and amphitheatre. This option required extensive excavation and retaining into the steep slope to the west of the reserve.

Many community members were opposed to Option 2, citing extensive excavation, risk to flora and fauna, stormwater run-off, significant increase in hard surfaces and the formalised nature of the reserve as conflicting with their wishes to retain the village character of Bonny Hills.

Design considerations sought to address the pressure on parking during peak season, emergency services and general access to the Wauchope-Bonny Hills Surf Lifesaving Club (WBHSLSC), coastal erosion, pedestrian access and the equitable provision of recreational facilities and open, green space. Neither of the two options presented were acceptable to the community in resolving the complex issues of this reserve. As a result, both options for Rainbow Beach Reserve have been removed from the Master Plan (Revision 2) and replaced with a series of design principles for the site that reference the concerns identified during the design process and those raised by the community and key stakeholders.

Moving forward, these design principles will be used as the basis for redesigning this reserve. Any redesign will be subject to community and stakeholder consultation.

Bonny Hills Community Hall Reserve

Key comments included the need to address the clash between reserve users and service station/corner shop customers at the entrance to Community Hall Reserve; along with protecting the natural environment and updating the Tennis Club.

Some actions have already been addressed, such as the recent upgrade of the playground and tennis courts.

A significant update to the Master Plan is the inclusion of proposed footpaths to support safer pedestrian access from Ocean Drive, Rainbow Beach Reserve, the surfside camp ground, and Binbilla Drive.

Spooneys Bay Reserve

Feedback identified a clash between beach users and dog walkers with vehicles, boats and trailers being used in this reserve.

Support for protecting and regenerating the natural environment was noted along with calls to leave this reserve untouched.

Formalised boat trailer parking has been removed in Revision 2 with a note that existing trails through this reserve be hardened rather than concrete.

Dogs and beach driving is beyond the scope of the Master Plan and should be addressed by Council policies.

Bartletts Beach Reserve

There is support for an updated toilet block at this reserve along with the protection of open space and views. Calls to address the access paths to the beach and coastal erosion were also made (some of these elements sit under flood recovery efforts).

Objections to the paragliding launch site are noted with reference to a prior petition being previously noted by Councillors in October 2019. The site is an established hang gliding and paragliding launch site that has been licensed since 2017.

A group of Jordan Street and Honeysuckle Road residents objected to the inclusion of bollards, artwork and picnic tables along the stretch of reserve from Bartletts Beach to Shelly Beach. The group made a collective submission detailing concerns over driver and pedestrian safety due to the effective narrowing of both streets should bollards be installed. The group was also against installations that impeded their views to the ocean and any formalisation of the natural headland.

Shelly Beach Reserve

Feedback indicated the community's desire to leave this reserve unchanged with exception of an additional hardened trail connecting the beach to the Grants Head walking trail. This has been included in the updated Master Plan.

Reservoir Reserve

The community shared their concerns relating to antisocial behaviour, including graffiti, dumped rubbish and hooning cars, which impact on the amenity of this reserve.

Proposed gates restricting access to the reserve have been removed in Revision 2 in acknowledgment of the access that property owners currently enjoy.

The car park will be formalised, with bollards added to restrict parking on vegetation. Revision 2 also includes a viewing platform and retains provision for artwork/mural on the reservoir.

Changes across Revisions

Details of changes across revisions (by theme and by reserve) can be found in the following attachments:

- Attachment 3: Bonny Hills Reserves Master Plan - Submission Response Table
- Attachment 4: Draft Bonny Hills Reserves Master Plan - Revision Changes by Reserve

Community Engagement and Internal Consultation

In addition to seeking feedback from the broader community, key stakeholders across the reserves included:

- Wauchope-Bonny Hills Surf Lifesaving Club
- Jordon Avenue and Honeysuckle Road residents
- Magellan Place and Northwind Crescent residents
- Bonny Hills Community Council Action Team (BHCCAT)
- Bonny Hills Progress Association
- Bonny Hills Tennis Club

Bonny Hills CCAT contribution

The Bonny Hills Community Council Action Team (CCAT) has taken an active role in reviewing, analysing and providing feedback on the submissions made during the public exhibition period. The group was instrumental in reviving the Draft Master Plan and its inclusion as a priority project in the Bonny Hills Community Plan (Oct 2019).

Internal engagement was undertaken within the Organisation to ensure that the plans were circulated and can assist with future planning.

Options

Council has the option to:

1. Accept the recommendations as listed or
2. Propose an amendment to the recommendations

Planning and Policy Implications





Actions identified in the Bonny Hills Reverse Master Plan should be considered for inclusion in future Council Delivery Programs and Operational Plans.

Financial and Economic Implications

Council operational works budget or grant funding will be required to realise the community's vision for these important community spaces. Funding may also be required to further develop a plan the Rainbow Beach Reserve which reflects the design principles as outlined in the Master Plan and resolves the complex issues raised.

Should this Master Plan be adopted, it is important to highlight the shared responsibility and opportunity to develop projects within the Master Plan either via Council's future Operational Plans or via community groups seeking funding or community groups completing projects on a volunteer basis.

Attachments

1.  Draft Bonny Hills Reserves Master Plan (Revision 2)
2.  Draft Bonny Hills Reserves Master Plan - Public Exhibition Outcomes Report June 2021 - July 2022
3.  Bonny Hills Reserves Master Plan - Submission Response Table
4.  Draft Bonny Hills Reserves Master Plan - Revision Changes by Reserve

Item: 12.03

Subject: CHANGE OF ROAD TYPE - GIRRAWEE CLOSE TO GIRRAWEE ROAD

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.1.2 Advocate for, support and coordinate emergency services.

RECOMMENDATION

That Council:

1. Council change the road type from Girrawee Close to Girrawee Road.
2. Place a notification of the road type change on Council's website and in the NSW Government Gazette.
3. Inform all owners and residents of Girrawee Close and Girrawee Road of the Council resolution in this matter.
4. Notify the relevant statutory authorities and local organisations of the change.
5. Note that the road type change will be effective from 1 September 2022.
6. Replace existing street signage.

Executive Summary

Council has been approached by the residents of Girrawee Road and Girrawee Close to resolve confusion caused by duplicated street names and numbers.

Discussion

Background

Girrawee Road was established in 1979 and Girrawee Close in 2014. There are 7 properties in Girrawee Road and 12 in Girrawee Close, including 4 lots of Council owned land that do not currently have a street address.

In July 2014 Council received correspondence signed by 7 properties in Girrawee Road seeking Council assistance in solving the issue of duplicate street names and street numbers between Girrawee Road and Girrawee Close.

Issues at the time included incorrect mail, deliveries, taxis, police and GPS addresses.

Council, at that time approached the Geographical Names Board (GNB) who endorsed two options:

1. Rename Girrawee Close using an entirely different name or
2. Rename Girrawee Close so that it would become an extension of Girrawee Road and requiring the houses in Girrawee Close being renumbered.

Council put these options to the property owners in Girraween Close, however as consensus was not reached the proposal did not proceed.

Current Situation

The issue of confusion between the duplicated street names and numbers has persisted since 2014. The main concern is to ensure that emergency services are able to easily identify the correct address. The area was the subject of significant flooding in the March 2021 floods, which highlighted the need for Council to remedy the confusion.

Map of Girraween Road and Girraween Close

A map of the location of the roads and the relevant properties is attached (Attachment 1). Existing property numbers are shown in blue. The proposed renumbered Girraween Close property numbers are shown in red.

Council owns 4 lots in Girraween Close - 3 community classified lots including a public reserve and 1 operational classified lot. All are vacant land and will be allocated new street numbers for emergency response purposes.

Procedure

Council wrote to the Geographical Names Board (GNB) to confirm the relevant procedure in this particular circumstance. The GNB confirmed that Council is actually proposing to change the road type - as for example, Close to Road and not proposing to change the road name, which will remain Girraween. As a result, an application is not required to be made to the GNB for approval and Council can proceed to change the road type.

For procedural fairness, although this is not a road name change, the Council Procedure for Naming and Renaming of Roads Not Created by a Development Application (Attachment 2) has been applied. If Council adopts the recommendation Council will proceed to gazettal of the changed road type. Council does not intend to offer reimbursement or pay for any costs incurred by residents in updating their address.

GNB have advised that as this process involves a change of road type and not a change of road name that the change of address is uploaded into their database where the information is freely available and is supplied by the GNB as an authoritative source to private and public organisations, including but not limited to:

- Local Government
- State Government
- Federal Government
- Emergency services
- Utilities
- State Owned Corporations
- Commercial organisations
- Academic Institutions

It should be noted that whilst NSW mapping datasets are updated at the time of a road name becoming official, there can be delays in private companies updating their data with the new addresses. With this in mind, Council will proceed to notify the statutory authorities and local taxi and bus companies if the recommendation is adopted.

The change to the road type will be effective from 1 September 2022.

Street Signage

If approved the existing street signage will need to be amended including:

- New signage “No Through Road” at the entrance to Girraween Road off Settlement Point Road and removal of Girraween Close sign; and
- Removal of Girraween Close sign at the entrance to the Close and installation of new signage “Girraween Road 10-23 No Through Road.

Community Engagement and Internal Consultation

Council wrote to residents on 1 February 2022 explaining that Council had again received requests from residents for Council to resolve the address duplications. The letter explained the reasons for and details of the proposed solution (Attachment 3).

No objections were received, so Council proceeded to publish a public notice of the intention to change the road type from Girraween Close to Girraween Road.

Public Notice - Council Website

Council placed a statutory notice on Council’s website on 23.3.2022 (Attachment 4). New letters advising of the public notice were sent to owners and residents.

Submissions from residents

Five submissions were received from residents in response to the public notice - 4 in support of the proposal and 1 against. The submissions are summarised in Attachment 5.

Options

Council can resolve to proceed with the road type change.

Council can resolve to maintain the status quo.






Planning and Policy Implications

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

Financial and Economic Implications

There will be a minor cost incurred with the installation of new street signs.

Attachments

1.  Location of Girraween Road and Girraween Close Port Macquarie
2.  Procedure - Naming and Renaming of Roads
3.  Letter to Residents
4.  Public Notice of Change of Road Type
5.  Summary of Residents Submissions

Item: 12.04

Subject: GRAFFITI MANAGEMENT UPDATE

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.1.1 Support community safety initiatives.

RECOMMENDATION

That Council note the progress report on actions that have been taken in relation to Graffiti management in the community.

Executive Summary

At the Extraordinary Council Meeting held on 25 January 2022 a Notice of Motion - Graffiti was put forward by the Mayor and the below resolution was carried.

That Council:

1. *Note the Minutes of the 15 September 2021 Ordinary Council Meeting, Item 10.02 Notice of Motion – Increase in Graffiti In The Local Area.*
2. *Note the cost to community in terms of clean up and reputation due to increasing levels of graffiti and vandalism.*
3. *Note updated information on Port Macquarie-Hastings Council website for community to report graffiti.*
4. *Request the Chief Executive Officer make available funds through the existing asset maintenance budgets to fund monetary rewards to reduce the impact of graffiti and vandalism of Council property.*
5. *Request the Chief Executive Officer develop in consultation with community stakeholders a (Draft) Graffiti in Public Places Policy (utilising powers under the Graffiti Control Act 2008 (NSW)) which aims to assist in the prevention, rectification and/or timely removal of graffiti on Council assets, including the offer of a reward of up to the value of \$5,000 for information leading to persons being identified as being responsible for defacing and/or damaging Council property within the Local Government Area.*
6. *Advertise an expression of interest for volunteers to join 'Graffiti Blasters' to assist Council with removing graffiti within an appropriate timeframe.*
7. *Request the Chief Executive Officer schedule an urgent meeting with Superintendent District Commander, Mr Shane Cribb, Mayor Peta Pinson, Deputy Mayor Adam Roberts, Councillors and Director of Community, Planning and Environment to discuss increasing vigilance relating to acts of graffiti and vandalism.*

8. *Request the Chief Executive Officer to apply for grant funding to install CCTV cameras strategically in Town Square and Town Green.*
9. *Request the Chief Executive Officer to bring back a report to July 2022 Ordinary Council Meeting to report on the progress of the above actions.*
10. *Write to relevant stakeholders (including NBN Co Limited, Essential Energy, Transport for NSW, Telstra Corporation and other entities as identified by the Chief Executive Officer) requesting that they take more proactive measures to identify and remove graffiti from their infrastructure and to invite them to work collaboratively with Council and the NSW Police Force on graffiti prevention and removal initiatives.*
11. *Write to Port Macquarie-Hastings State and Federal Members, advising of the action taken by Council to improve public safety and amenity.*

This report provides an update on Council's approach to Graffiti Management and the status of each area of concern.

Discussion

Following the resolution from the 25 January 2022 Extraordinary Council Meeting, an update on actions that have been taken are as follows:

4. ***Request the Chief Executive Officer make available funds through the existing asset maintenance budgets to fund monetary rewards to reduce the impact of graffiti and vandalism of Council property.***

Through the 2022-2023 budget process it has been identified that funds are available to fund monetary rewards as per our Graffiti and Vandalism Reward Scheme Policy are available through existing asset owner budgets.

5. ***Request the Chief Executive Officer develop in consultation with community stakeholders a (Draft) Graffiti in Public Places Policy (utilising powers under the Graffiti Control Act 2008 (NSW)) which aims to assist in the prevention, rectification and/or timely removal of graffiti on Council assets, including the offer of a reward of up to the value of \$5,000 for information leading to persons being identified as being responsible for defacing and/or damaging Council property within the Local Government Area.***

Council introduced a Graffiti Round Table discussion with Local police, schools, Essential Energy, Telstra, Australia Post, Chambers of Commerce and interested parties to assist in tackling the issue of Graffiti for our region. Internally we also reviewed the approach for offering rewards for information leading to a conviction for people defacing and/or damaging Council property within the Local Government Area. Following community consultation through Council-led Graffiti round table meetings the below policies were drafted, presented to Council and placed on public exhibition:

- Graffiti Vandalism Management Policy
- Graffiti and Vandalism Reward Scheme Policy

Both policies were adopted by Council at the Ordinary Council Meeting 19 May 2022.

6. *Advertise an expression of interest for volunteers to join 'Graffiti Blasters' to assist Council with removing graffiti within an appropriate timeframe.*

Expressions of Interest opened for Graffiti Blasters on 1 February 2022 on Council's website with promotion through Social Media, media release and Mayor's message.

Expressions of Interest will remain ongoing with periodical promotion through the Communications team.

To date we have received 7 registrations with 4 volunteers inducted and out working in the community.

We will continue to run campaigns to seek volunteers to join our Graffiti Blasters program on a regular basis.

7. *Request the Chief Executive Officer schedule an urgent meeting with Superintendent District Commander, Mr Shane Cribb, Mayor Peta Pinson, Deputy Mayor Adam Roberts, Councillors and Director of Community, Planning and Environment to discuss increasing vigilance relating to acts of graffiti and vandalism.*

Members of the Mid North Coast Local Police District, the Mayor, Deputy Mayor and Director of Community, Planning and Environment are key stakeholders of the Graffiti round table meetings.

These meetings are held bi-monthly, and are designed to discuss graffiti vandalism in our local community and what role each stakeholder has in addressing the issue as a united front.

8. *Request the Chief Executive Officer to apply for grant funding to install CCTV cameras strategically in Town Square and Town Green.*

Appropriate funding is yet to be sorted, the Community Inclusion Team Leader and Grant Officer will continue to seek funding for community safety in partnership with local Police.

Staff wrote to MP Pat Conaghan in March 2022 seeking advice regarding possible funding opportunities for CCTV in the Port Macquarie CBD. Unfortunately, the most applicable funding from the Australian Government, Safer Communities Fund, did not have any current grants to apply for.

10. *Write to relevant stakeholders (including NBN Co Limited, Essential Energy, Transport for NSW, Telstra Corporation and other entities as identified by the Chief Executive Officer) requesting that they take more proactive measures to identify and remove graffiti from their infrastructure and to invite them to work collaboratively with Council and the NSW Police Force on graffiti prevention and removal initiatives.*

All relevant stakeholders listed are included in the invitation to the bi-monthly Graffiti Round Table meeting. It has been verbally requested of all stakeholders to take a proactive approach to maintain their assets to eliminate graffiti in our local community.

Minutes of each meeting are sent to all invited stakeholders.

11. *Write to Port Macquarie-Hastings State and Federal Members, advising of the action taken by Council to improve public safety and amenity.*

The Director Community, Planning and Environment wrote to MP David Gillespie and MP Leslie Williams advising them on the actions Council have taken in relation to Graffiti Management in our local community and extended an invitation to the Graffiti Round Table meetings to listen to concerns from all relevant stakeholders.

Options

This is a report for Council notation, Council may choose to seek further information.

Community Engagement and Internal Consultation

There was no engagement required in relation to this report. Although we continue to engage with our external partners through the Graffiti Roundtable and internally with asset managers responsible for graffiti removal to improve our approach.

Members of the Graffiti Round Table include;

- PMHC Mayor
- State Member for Port Macquarie
- Hastings Secondary College
- Port Macquarie Local Area Command
- Essential Energy
- Australian Community Media
- Port Macquarie Chamber of Commerce
- St Agnes Parish
- Transport for NSW
- Department of Education
- Australia Post
- Telstra
- Tourism Association
- Council Staff

Council has also recently looked to engage with other groups to reduce graffiti through Mural projects including the new Reconciliation Mural at Town Beach and the Wauchope Amenities Block. Engagement was undertaken with Hastings Secondary College and Wauchope TAFE.

Council will continue to work with our partners and local creatives to pursue this approach to graffiti reduction.

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.

Council has recently received a \$90k grant from the 2022 Graffiti Management Grant through the NSW Department of Communities and Justice awarded to;

- Installation of four murals in the Port Macquarie-Hastings region.
- Area beautification, through creating a legal community art program that installs four community murals to deter offenders and improve streetscapes.
- In partnership with our Graffiti Stakeholder Group (Council Inclusion Team Leader, Port Macquarie Crime Prevention Officer, TAFE, Bunyah and Birpai Aboriginal Land Councils, Port Macquarie Chamber of Commerce, asset owners and representatives from local High Schools).
- Professional mural artists engage with TAFE and local High Schools to design and install four murals in three townships in our LGA.

Attachments

Nil

Item: 12.05

Subject: PRIORITISATION OF SPORTING INFRASTRUCTURE PROJECTS

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Note the information contained within this report**
- 2. Endorse the Port Macquarie Aquatic Facility as a major strategic infrastructure project and as such, pursue progression of this project as a standalone item and as an urgent priority to seek external funding for the project noting the risk of failure of the existing facility**
- 3. Prioritise the delivery of the Thrumster Sporting Fields, Port Macquarie Aquatic Centre, Rainbow Beach Sports Fields Stage 2, Hastings Regional Sporting Fields and the design development of the next stage of Wayne Richards Sporting Fields in this respective order to meet capacity and growth demands within the LGA**
- 4. Investigate and seek funding from external revenue sources to support the collected \$7.11 contributions where applicable in funding the sporting infrastructure projects noting the above prioritisation order**
- 5. Continue to investigate and seek funding from external revenue sources to implement facility improvements at the Port Macquarie Regional Stadium to ensure it remains a premier sporting venue within the LGA**
- 6. Reflect the above prioritisation of sporting infrastructure projects in the Recreation Action Plan review to be finalised by December 2022.**

Executive Summary

This report details and seeks endorsement for the prioritisation for delivery of our significant sporting infrastructure projects for the community, being the Hastings Regional Sporting Complex, Rainbow Beach Sports Fields, Thrumster Sporting Fields, Wayne Richards Sporting Fields and Port Macquarie Aquatic Facility.

Considerations for ongoing asset improvements across all Council sporting assets will be included in the development of our Recreation Action Plan and Asset Management Plans to ensure priority is given to appropriate locations to meet the changing needs of our community and ongoing sporting requirements.

Discussion

Sport and recreation is an integral part of our social fabric, generating community cohesion and attracting visitors to the region. With our rapidly expanding community and increased participation in sport across the region, our sporting facilities have reached maximum capacity and availability for training, events and passive recreation is becoming more challenging to accommodate all user groups. In responding to this demand and recognising the complexities of providing and maintaining sporting facilities that meet the needs of our current and future population, planning has continued under the guidance of Council's Recreation Action Plan to progress various sporting and recreational projects for our community. The Recreation Action Plan is about to undergo a major review with our community to review the priorities and identified ongoing needs across all recreation assets.

Five major infrastructure projects that are currently at varying stages following extensive and ongoing community consultation are the Hastings Regional Sporting Complex, Rainbow Beach Sports Fields, Thrumster Sporting Fields, Wayne Richards Sporting Fields and Port Macquarie Aquatic Facility. Initial cost estimates forecast that the combined construction costs of these projects will be in excess of \$130 million. It is acknowledged that Council does not have the required funds available to be able to deliver all projects in the short to medium term and as such, it is necessary to prioritise the delivery of these assets for the community.

The following overview of each project is provided to inform decision making on the way forward with delivery of these projects. In doing so, it is noted that the ultimate delivery of all projects is still the desired outcome, however, priorities for funding and delivery must be determined in order to adjust construction timeframes and inform discussions with key community stakeholders for each project.

Thrumster Sporting Fields

As with the Rainbow Beach Sports Fields (refer Attachment 1), the planned Thrumster Facility will be developed within a rapidly expanding urban growth area within our LGA.

In addition to providing participation opportunities for cricket, hockey and passive recreational users from the Sovereign Hills community, the facility will be home to a High Performance Football Centre, as supported by Council at their December 2017 meeting, and provide elite pathways for local athletes.

Strong engagement to date with Football Mid North Coast has identified ongoing economic development opportunities to be realised from the facility including regional carnivals and the hosting of A-League matches, with the Newcastle Jets also supporting development of the facility.

Discussions around the development of this facility have also focused on the strategic opportunity in relocating the current football high performance program from Macquarie Park, which is where the new Aquatic Facility is to be located on.

Detailed design for the facility is currently underway and due to be finalised by December 2022. The estimated construction cost to deliver the precinct in its entirety is \$21 million. An allocation of \$5.3 million against construction costs is contained within the S7.11 Open Spaces Contribution Plan and the Planning Agreement (PA) is currently being finalised. This funding will be used to construct the community fields, a portion of the car parking and temporary amenities. A further \$15 million is required

to deliver the High Performance Football Centre which includes a premier field, amenities and five a side synthetic fields.

Port Macquarie Aquatic Facility

The development of a new aquatic facility within Port Macquarie to replace the existing pool complex is an ongoing long-term project with various community engagement taking place over the past 20 years.

Whilst the current facility was fit-for-purpose when built in 1966, it has reached the end of its useful life and is leaking daily. There is significant risk of failure of the current facility with ongoing maintenance and equipment replacement required to continue to extend its longevity. Additionally, it does not meet the needs of our growing community, including the key stakeholder groups of the facility which encompasses passive recreational swimmers, persons with a disability, swimming squads (elite, triathlon and masters), learn to swim students and major event organisers.

In September 2019, Macquarie Park was reconfirmed as the community's and Council's preferred site for the facility and the project is listed as an immediate to medium-term priority (2021 - 2025) in Council's Recreation Action Plan. It is currently in the concept development phase with further community consultation to be undertaken on this project in the coming months.

Whilst detailed costings are yet to be undertaken, based on other contemporary aquatic facilities constructed in recent years, this is estimated to be in the vicinity of \$50-80 million. It is acknowledged that this is a significant cost with approximately \$10 million of this cost being able to be drawn from the S7.11 Open Space Contributions Plan.

Rainbow Beach Sports Fields

The Rainbow Beach Sports Fields (refer Attachment 2), located between the urban growth areas of Lake Cathie and Bonny Hills, has been planned to address the capacity demands currently being experienced at the existing Lake Cathie facility and to meet the longer-term needs of this expanding population base.

Strong community engagement in relation to the new facility is ongoing. Community user groups have formed a proactive volunteer committee to support planning of the facility and with the intention of forming a volunteer management committee following construction completion. The committee has representation from Football, AFL, Cricket, Rugby League, the Lake Cathie Progress Association and Lake Cathie Public School.

Stage One of the project is in the advanced stages of construction with completion by end 2022. With a full construction estimate sitting at \$9 million, and a funding allocation of approximately \$6.3 million under S7.11 (development contributions) funds which has been fully expended. It is intended that external funding sources will be explored for completion of the facility (approximately \$3million) otherwise it will need to be funded through others sources.

Hastings Regional Sporting Complex

The Hastings Regional Sporting Complex project (refer Attachment 3) was initiated following the sale of the Tuffins Lane Sporting Fields and the emerging uncertainty around the long-term availability of these fields for our growing community.

Through project initiation and planning, engagement had been undertaken with key stakeholders encompassing the Wauchope and broader community, event organisers, local cricket association representatives and Cricket NSW who have proposed a Centre of Excellence within the facility. Recent community engagement to date with user groups has been low, however, current demand suggests the need still exists for additional cricket fields within the LGA, with Stage 1 of this project to provide for 3 fields. It has been noted that should Council deem this project to be a lower priority and delivery timeframes adjusted, 3 new cricket fields could be accommodated at Thrumster (1 field) and Rainbow Beach (2 fields).

The project is currently behind schedule due to external influences with detailed design for the facility due for completion in December 2022. Stage 1 construction costs are estimated at \$17.8 million. Stage 2 costs are estimated at \$28.6 million (which includes building costs and access/road improvements) and Stage 3 costs are estimated at \$27 million.

Wayne Richards Park Sporting Fields

The ongoing development of the Wayne Richard Park Sporting Fields was identified through the development of the 2012 Master Plan (Attachment 4) and subsequent Recreation Action Plan and due to the continued pressure on the sporting fields within Port Macquarie a review of the next stages of this project is planned to be undertaken in the 22/23 Operational Plan.

For the continuation of the project Council Koala Street Works Depot needs to be relocated and the contaminated land remediated. Initial costs are yet to be determined for the next stages of this project however based on relative costs of like locations the cost would be in the vicinity of \$30million and this is not yet included in the forward works program.

Other Considerations

In addition to the above five new infrastructure projects, the importance of maintaining and upgrading where required our existing sporting facilities to continue to meet the needs of user groups is acknowledged.

Other considerations include Port Macquarie Regional Stadium the premier sporting facility within the LGA is the which accommodates local user groups and attracts major events such as the NSW Touch Football State Cups and Nitro Circus. The venue is continuing to age and several improvements have been identified that would enhance the quality of this venue and support the longevity of the facility's use by user groups. Further upgrade opportunities will continue to be identified in consultation with key stakeholders and it is proposed that external funding will be sought through appropriate grant programs to implement these improvements as funding becomes available. This will be included in the Recreation Action Plan

Another consideration is the ongoing use of Tuffins Lane for local use and for sporting events.

Options

Council may choose to:

1. Adopt the recommendations contained within this report.
2. Request further information in relation to the prioritisation of sporting infrastructure projects within the LGA
3. Adopt a different priority order.

Community Engagement and Internal Consultation

Over the last few years' extensive consultation has occurred with the community, land managers, government agencies, Council staff, and other key stakeholders with an interest in sport and recreation at the time of progressing each of these projects through their respective planning stages. This includes:

- Progression of design and approvals for Port Macquarie Aquatic Facility following confirmation of Macquarie Park as the community preferred site.
- Engagement with sporting user groups associated with provision of new sporting facilities at Rainbow Beach Sports Fields, Hastings Regional Sporting Fields and Thrumster Sporting Fields.

Further engagement on the Recreation Action Plan is planned to engage with Sporting Groups in August and the broader community in September on all recreation priorities across the region.

A Councillor Briefing was held on 9 June 2022.

Planning and Policy Implications

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

Financial and Economic Implications

Each project has significant financial implications as noted within this report. Whilst there is not the capacity to presently fund all projects, funding for prioritised projects will be sought through various sources including S7.11 contributions, and State and Federal funding opportunities. However, it should be noted that allocations within the Open Space Contributions Plan against these projects have predominantly not been collected as yet due to developer deferrals and working through the Planning Agreements.

The planning and delivery of high-quality recreational and sporting assets is expected to provide a positive economic impact for the Port Macquarie-Hastings LGA by contributing to event attraction and the area being a great place to live. Council staff continue to identify and apply for relevant grant funding to support the delivery of the facilities.

Attachments

1.  Thrumster Sporting Fields - Concept Plan
2.  Rainbow Beach Sports Fields - Site Plan
3.  Hastings Regional Sporting Complex - Concept Plan
4.  Wayne Richard Park Sporting Fields - 2012 Master Plan

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: 13.01

Subject: ARTWALK EVENT WRAP UP REPORT

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Note the success of the ArtWalk 2022 event.**
- 2. Note that a report will be presented to Council in August outlining options for future delivery of the event.**

Executive Summary

The sixth annual ArtWalk returned to the Port Macquarie CBD from 5pm - 9pm on Friday 10 June 2022, with an expanded program footprint and additional cultural offerings across the region during the long weekend. The objective of the event is to activate the CBD at night via existing businesses and public art, and raise the profile of our regional creative practitioners, businesses and cultural facilities.

Delivery of the ArtWalk event in June 2022 concludes a two-year resolution from Council in 2019 committing to fund the event and a Cultural Events Officer position to coordinate delivery of two ArtWalk events, noting the event was cancelled in 2021 due to COVID.

The ArtWalk 2022 event resulted not only in a vibrant CBD and night time economy, it fostered creative collaborations, raised the profile of our arts and cultural sector within the community and provided enduring connections between artists, businesses, Council and the community. The success of ArtWalk and feedback received from visitors and stakeholder's points to the significant opportunity to continue to grow the event and the demonstrated positive outcomes in future years.

Discussion

Event Overview

This year's event saw the return to a night-time format after two years, 2020 was a COVID-modified 'longest footpath' event and in 2021 the event was cancelled due to COVID-19 government restrictions. The date chosen for 2022 targeted increased visitor attendance during a traditional off-peak visitor period, leveraging the long weekend to encourage an extended visitor stay to increase economic impact, and supported an early night-time event due to daylight savings. An estimated 20,000 attended the event showing the continuous growth of this event year to year.

The event was the culmination of 12 months planning by Council staff working with community groups, artists, performers and businesses. Implementing a return to the

night-time main event format with a COVID Safe program that expanded the footprint to include Fisherman's Wharf. The 14 live sites in public spaces were programmed with 10-minute performances to discourage crowding and improve social distancing to reduce risk to the community from COVID-19 transmission. It also broadened the art and creative offerings available to attendees and supported industries that were most impacted by the global pandemic.

The event fostered collaboration between local business, artists and performers, resulting in business opening their spaces at night to provide pop up 'gallery space'. In Murray Street proactive businesses worked together and spilled out onto the footpath increasing their capacity to showcase local art and maximising the impact from the event for their business. The museum hosted live art performance and the Regional Gallery opened to showcase the exhibition Northern Exposure featuring local artist's work. The Town Square overflowed with 58 makers and artisans in the Artists Markets, the Town Green glowed with 9 large illuminated lanterns, the Commercial Wharf area transformed into the Chalk Art and Kid's create zone, and live musicians were dotted throughout the event precinct. All this collectively creating an incredible cultural precinct for four hours with no fee charged to attendees.



Image 1: Live activation site - Fisherman's Wharf. Photo credit Lindsay Moller

PMHC was successful in securing funding through the NSW Government's Regional Events Acceleration Fund to support social and economic recovery in our region. This funded a new projection called 'Connecting the Dots' on the cultural tourism infrastructure at the Historic Courthouse, a unique and enduring legacy from the Bicentenary Wakulda installation. Showcasing and supporting musicians, dancers, performers, artists, poets and writers the projection was a key event attraction and was officially launched at the opening of the ArtWalk event. The projection will continue to be screened every night after Wakulda at 7.30pm and adds to the cultural tourism offering of our region.

Business and community groups were invited to register Satellite Events occurring across the region over the long weekend. This year's events included creative workshops, exhibitions in local art galleries and open studios. In total there were 25 events listed including the Creative Wauchope exhibition and the brand new Tortuga Festival. Council supported this program with an online listing, social media coverage and PR.



Image 2: Artist in Business activation. Photo credit Lindsay Moller

Event Participation and Support

This year saw participation continue to increase with over 288 artists involved as part of the evening program and approximately 185 artists, performers, and contractors directly employed for the event. The broad range of venue locations makes audience estimation difficult with all public areas requiring no ticketing or gated entry. Using a grid method of estimation, a total of 20,000 visitors were estimated to have attended the event.

Volunteers are integral to delivery and this year PMHC struggled to secure volunteer support. Anecdotally this is a trend being experienced by many and has been put down to fatigue resulting from the fires, floods and pandemic. Staff stepped in to fill the gaps and worked extra days and extended hours to cover the shortfall. In total 19 volunteers participated, the bulk from the Port Macquarie Surf Life Saving Club who coordinated the return and earn waste management for the event. Charles Sturt University displayed their 'Simbulance' manned by student paramedics who were also available to support any First Aid needs at the event.

The below table shows the growth of the ArtWalk event since 2018. Noting that the event commenced in 2016. Also noting that the 2020 event 'longest footpath' did not hold a night time event due to the COVID-19 pandemic.

Measure	2018	2019	2020 Longest Footpath Gallery	2022	Comments
Number of Artists involved	71	114	236	288	Continued increase of artist and performers year on year
Artist Market Participants	31	27	85	58	Largest Town Square Artist Market

Number of Businesses Involved	42	45	151	40	Artists in businesses that completed form (no registration for 2022)
Attendee Surveys Completed	225	128	94	620	Over 300% increase from previous night time event (2019)
Number of Live Sites	63	64	184	14	14 programed sites with 45 different performances scheduled
Number of Satellite Events	11	22	44	25	Continued increase from 2019
Event Attendees (approx.)	11,500	13,500	N/A	20,000	Continued increase year on year
Facebook Likes	811	1,479	2,173	2,806	29% increase form 2020
Instagram Followers		945	1,134	1,654	45% increase from 2020
Website visits			19,829	26,000	24% increase from 2020

Marketing and PRLocal

The event was promoted to a targeted local audience using Council platforms and leveraging local media outlets. The main focus of the campaign was online and social media coverage, as well as media coverage and paid advertising in local magazines and newspapers. A new initiative this year was a 4-page program 'pull-out' collaboration with Focus Magazine. An additional 5,000 copies of the 'pull-out' were distributed to local accommodations, businesses and partners as well as on the night. Advertising in Focus and Discover Magazines and good lead up stories in the local media provided interest in the event.

Destination

ArtWalk successfully secured \$20,000 Regional Flagship Event Funding, this program identifies and supports events in regional NSW that have the potential to act as a 'cornerstone' or flagship tourism event for their area by attracting overnight visitation and delivering long term benefits to the region. The funding is tied to marketing activities that encourage overnight visitation from outside the region.

The event was marketed to a targeted state-wide audience and a digital campaign ran from mid-April to 10 June. The campaign covered Facebook, Instagram, Native Advertising and Radio, resulting in 2.38 million impressions across the seven weeks, exceeding the target by 15%. The campaign alone drove 21,695 of 26,000 users to the ArtWalk site. In addition, Council hosted two journalists over the June long-weekend to develop editorial about ArtWalk and the broader region. These journalists write for a wide-variety of titles, including Australian Traveller, Escape, Body + Soul, Out and About With Kids, and Women's Day. Coverage generally begins to filter through after a month or so.

artwalk PROGRAM SCHEDULE

This Program was correct at the time of printing. Updates can be found at artwalkmq.com.au

TIME	FOREMAN'S WHARF	CLARENCE & SHORT STREET	LADY NELSON WHARF	TOWN SQUARE	TOWN SQUARE EAST	LITTLE BACK	BANDSTAND	MURRAY STREET CARPARK	MURRAY STREET	CLARENCE WHARF	PORT MACQUARIE MUSEUM	HISTORIC COURT HOUSE	NEW STREET FORECOURT	GLASSHOUSE GALLERY
5:00pm	Blessing Ngangan Minilyn Choir	LIVE MUSIC:	SCAS Year 9 Dance/Music					PA12 Ballroom Dancing School	LIVE MUSIC:	SCREENING 1: ON LOOP	To The Lighthouse Teresa Bell	SCREENING 2: ONALP #10	Glasshouse Lighthouse	
5:15pm	Six Boom Bang and Superbeams	Jasmine O'Brien					Mackillop Saxophone Ensemble	USA Exhibition and Artist demonstration	Nickolina River	Screening 1: - Film by the Breakwall: 1 - Mic Rens - Wakulla Stories: 18.2 - Heavy Mental Artist - HEART and Steven Donovan Collaboration - Vivienne Hazenwald		Connecting the Dots	SCAS Choir Solo	
5:30pm	Rock'n with Dave						St Joseph's Concert Band	USA Exhibition and Artist demonstration			To The Lighthouse Teresa Bell	Wakulla	SCAS Choir small group	
5:45pm	Ngangan Minilyn Choir						St Joseph's Concert Band	North Coast Writers Centre Poetry				Connecting the Dots	USA Circle and Line Dancers	
6:00pm								USA Exhibition and Artist demonstration	Andy Blackmore	Screening 2: - Film by the Breakwall: 2 - Mic Rens - Wakulla Stories: 38.4 - Heavy Mental Artist - HEART and Steven Donovan Collaboration - Vivienne Hazenwald	To The Lighthouse Teresa Bell	Wakulla	Glasshouse Lighthouse	
6:15pm	Musical Theatre	Subvertigo	Port Macquarie Hastings Pipes and Drums Band					North Coast Writers Centre Poetry				Connecting the Dots	USA Circle and Line Dancers	
6:30pm								USA Exhibition and Artist demonstration				Wakulla	Glasshouse Lighthouse	
6:45pm	Mosaic Choir							Port Macquarie Hastings Municipal Band	Mac Brooker	Screening 3: - Film by the Breakwall: 3 - Mic Rens - Wakulla Stories: 58.6 - Heavy Mental Artist - HEART and Steven Donovan Collaboration - Vivienne Hazenwald	To The Lighthouse Teresa Bell	Wakulla	Port Macquarie Performing Arts Chicago Excerpts	
6:50pm								SCAS Drama				Connecting the Dots		
7:00pm	Vina Kimo	Wyle Moore	Port Macquarie Performing Arts Contemporary Dance					USA Exhibition and Artist demonstration				Wakulla		
7:15pm								SCAS Drama				Connecting the Dots		
7:30pm								Port Macquarie Hastings Municipal Band	Phil Matthews	Screening 4: - Film by the Breakwall: 4 - Mic Rens - Wakulla Stories: 18.2 - Heavy Mental Artist - HEART and Steven Donovan Collaboration - Vivienne Hazenwald	To The Lighthouse Teresa Bell	Wakulla		
7:45pm	Finn Hoy							USA Exhibition and Artist demonstration				Connecting the Dots		
8:00pm								Elyse Quartet				Wakulla		
8:15pm								USA Exhibition and Artist demonstration				Connecting the Dots		
8:30pm								Elyse Quartet				Wakulla		
8:45pm	Does Your Mother Know	Group Therapy Band	SAPSS Drumline					USA Exhibition and Artist demonstration				Connecting the Dots		
8:50pm								Elyse Quartet				Wakulla		
9:00pm													Glasshouse Lighthouse	

DON'T MISS ALL THE GREAT SATELLITE EVENTS RUNNING OVER THE LONG WEEKEND, INCLUDING:

- Tortuga** A daring new arts event for the Mid North Coast! Tortuga will bring an exceptional program in a beautiful, art-deco Spargellent.
- Belle Property** Our Media Partners will showcase their favourite local artists on their front balcony Friday night.
- Paste-up Gallery** An exciting new temporary exhibition space at the Port Macquarie Coach Terminal.
- Creative Workshops** Showcasing local artists and their vast range of works, exhibitions, workshops and more!

Check out all the ArtWalk Satellite events running, for you to explore!

Image 6: Printed program schedule.

Options

This report is presented for notation. Council can request additional information.

Community Engagement and Internal Consultation

Despite a disrupted couple of years' engagement with artists and businesses has been ongoing through Expression of Interest processes, targeted and general communications and in person meetings. There is a strong willingness to be part of the event and Council actively encouraged restaurant and food outlets within the precinct to create easy takeaway street style food options. Forty host businesses were involved in the delivery of the ArtWalk program and satellite events.

Internal Consultation:

Community Team - Facilities, Inclusion, Electrical Services
Parks & Recreational Services
Glasshouse
Roads & Transport
Communications

External Consultation:

Port Macquarie Emergency Services
Local Businesses
Local Artists
Local Performers
Port Macquarie Museum

Event surveys were conducted with both attendees (620 surveys) at the event and participants (55 surveys) assessing the characteristics and perceptions as well as the cultural value of the event - see attached ArtWalk Research Report.

Event Attendees Impact

Of the 20,000+ attendees, survey data revealed 21% of these were from outside the region, which is a significant increase from 10% in 2019. These visitors stayed an average of 4 nights, indicating that the strategy to increase visitor stay for the long weekend was successful. This provided an estimated visitor economic impact of \$1.5million into the local economy. Further 91% of these respondents rated the overall event experience as very good or excellent.

Additionally, there was a significant economic impact from locals attending the event. While there is no standard average spend for local attendees, all businesses in the area showed a significant increase in customers to retail and food services in the area during the event. Some businesses had sold-out for the night prior to the event conclusion.

Artists and Businesses

A survey was sent to artists and businesses involved in the event as participants or venue hosts to explore their reasons for participating, impacts on their arts practice/business and overall experience. Of the 55 respondents 94% felt that events like ArtWalk make our region more liveable. Further, 93% saw increased foot traffic to their business or artwork as a result of the event and the same number would participate in the event again. Satisfaction ratings were lower than attendees with 78% rating the event as very good or excellent and 71% saying it met their expectation.

The survey results demonstrate that community, business and creative industry expectations and satisfaction continue to be extremely high for this event.

Planning and Policy Implications

ArtWalk is identified in the 2022 - 2023 Operational Plan under Liveability - Lead Delivery Strategy: L 3.3 Foster a community that celebrates arts, culture, innovation and creativity and our connection to place, Principal Activity: Cultural Development.

ArtWalk is a free event that Council delivers to activate the CBD at night via existing businesses and public art, and raise the profile of our regional creative practitioners, businesses and cultural facilities. However, it also delivers significant return on investment across a number of our Community Strategic Plan priorities and associated strategies and plans.

- Imagine2050 describes our community's shared vision is to create the most liveable, sustainable and innovative place in Australia. Of the 55 respondents to the Participants Survey 94% felt that events like ArtWalk make our region more liveable.
- Another aspect of liveability is 3.3 "Foster a community that celebrates arts, culture, innovation and creativity and our connection to place". Survey data tells us that the event facilitates networking, with 87% feeling it improved connections with other creatives, and 74% felt it created improved connections with businesses and 66% felt it improved connections with local government. Whilst 86% agreed that it raises the profile of Arts and Cultural across our community.
- Event delivery activates and fully realises the benefit to Council of the Town Green and Town Square in Port Macquarie's CBD, utilising infrastructure that Council has invested in to support community events and activities.

- Another focus theme is Connection, 3.1 “Facilitate and support ways to bring people together and enliven community life”. The number one reason businesses, community groups, artists and performers give for participating in Artwalk is to be part of a community event (93%).
- 91% of Survey respondents rated the overall event experience as very good or excellent. This links back to the Thriving theme 1.3 ‘Facilitate and support a vibrant and sustainable visitor economy.’
- A partnership with Wauchope Arts delivered an Inclusive Arts Program of performances at the event and satellite workshops over the weekend. Aligning delivery with the Community Inclusion Plan, specifically to support opportunities which enhance social cohesion through connecting people from diverse backgrounds, building unity and reducing inequity.
- The event is a vehicle for generating positive publicity and media locally for Council and outside the region for the destination. One third of the 620 attendees surveyed indicated that they mainly used social media (33%) to access event information. Council event related socials generated 2,522 clicks, 986 engagements and one post on the day prior to the event reached 11,200.

Financial and Economic Implications

The 2022 event budget was \$217,655, augmented by recovery funding and successful grant applications (\$110,793), plus an FTE Cultural Events Officer funded separately. The program was delivered through the Destination and Cultural development budget noting a temporary 2 year dedicated FTE resource tasked with event planning and delivery that has now concluded. The event delivery budget consisted of:

- Destination and Cultural Programs Budget - \$75,108
- Final reallocation of Tasting on Hastings budget - \$11,763
- Council COVID-19 Relief Reserve funding - \$20,000
- Destination NSW Flagship Funding - \$20,000
- Regional Event Acceleration Fund - \$90,793

Bringing the event budget to a total of \$217,655, final event delivery costs of \$193,869 are currently being finalised with EOFY processing. It is important to note that there is funding allocated for event next year without a FTE Cultural Events Officer resource to plan or deliver.

Project Expenses	Cost
Marketing	\$40,738
Equipment	\$6,755
Pre/Post Event Delivery	\$15,560
Event Delivery	\$9,037
Volunteers	\$716
Artist fees	\$121,061
Total Project Expenses	\$193,869

The scope and scale of ArtWalk 2022 required support from 1 FTE position and input from a broad cross-section of Council teams. The table below details the hours these teams worked on the event.

Council Team	Hours	Details
Waste	2	Event Waste processing
Communications	15	Communications launch and promotions
Parks	3	Parks & Reserves Event Processing
Infrastructure	1	Event planning around on-going infrastructure projects
Insurance	21	Event insurance
Glasshouse	10	Additional to paid hours detailed above
Facilities	1	Support with Council facilities
Inclusion	3	Volunteering
Destination & Culture	489	Event Planning, logistics, promotion, set-up and pack-down
Events	33	Event set-up and pack-down
Grants & Ec Dev	16	Grants assistance, event set-up and pack-down
Electrical	60.5	Event planning, set-up and pack-down
Casual labour	8	Labour to assist with infrastructure deliveries and set-up on event day
Casual Art Installer	44.5	Assistance with lanterns installation and other logistics and implementation activities
Totals	707	

It is important to note:

- Glasshouse activation including opening the Gallery, programing the light show and technical equipment and support for live sites was paid out of the budget and totalled \$8,000.
- Staff time for electrical assistance was also paid and totalled \$3,862 however the use of equipment was supplied as in-kind support.

Council staff support totalled approximately 707 hours alongside the FTE Cultural Events Officer role. Staff time was funded primarily from existing salary lines. It is important to note the significant staff time required across the organisation to deliver this event.

The event was enhanced by the generous in kind support and use of space by El Paso Motel Group, businesses operating from Clarence House and Murray Street and media support from Belle Property.

Attachments

1.  ArtWalk 2022 Research Report

Item: 13.02

**Subject: PETITION - MILL ESTATE SUBDIVISION, WAUCHOPE -
DETRIMENTAL AFFECT ON BUSINESSES OF THE PROPOSED
REMOVAL OF PARKING SPACES IN HIGH STREET, WAUCHOPE**

Presented by: Chief Executive Officer, Dr Clare Allen

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. Note the petition received by local business owners and residents regarding the Mill Estate Subdivision, Wauchope and the detrimental affect on businesses of the proposed removal of parking spaces in High Street, Wauchope.**
- 2. Respond to the organiser of the petition with the outcome of Council's consideration in the matter.**

Discussion

A petition has been received by Council from Ms Lisa Baker on behalf of 256 local business owners and residents regarding Mill Estate Wauchope and the detrimental effect on businesses of the proposed removal of parking spaces in High Street, Wauchope.

The petition requests:

"That Port Macquarie-Hastings Council change the condition of DA 1991-485 which requires a channelised right turn (CHR) treatment into the Mill Estate Subdivision from High Street. We are opposed to this CHR as it will directly result in removal of parking out the front of existing small businesses and residences. This will result in a flow on effect creating parking issues for other businesses located in High Street and will result in loss of revenue for these businesses."

In accordance with Council's "Petitions Policy", petitions lodged with Council containing 100 signatures or more will be included on the agenda of the next available Ordinary Council Meeting of Council where the agenda has not already been determined with a recommendation for notation.

As background, the original approval for this subdivision dates back some 30 years and has always entailed an intersection treatment with High Street. The long standing nature of the approval and sudden construction activity adds to the concerns being raised.

Recent modifications to the development have refined the intersection treatment in line with current standards. The right hand turn lane was identified as being required by the Traffic Impact Assessment submitted with the application, which was prepared

by a practising traffic engineer. This requirement was confirmed as being necessary by Council's engineering assessment staff, in consultation with Transport for NSW (TfNSW) as part of the application referral process. The requirement for the right turn bay is in accordance with the requirements of Austroads and the Warrants for turning treatments on major roads at unsignalised intersections.

Being on the Oxley Highway, TfNSW has the ultimate authority for the final design approval for the intersection treatment. Whilst Council staff have not seen a final plan from TfNSW, it is acknowledged that there will be some loss of parallel parking on either side of High Street in the direct vicinity of the intersection and turn lane. Whilst it is a priority to minimise the number of spaces lost, unfortunately in this instance it is not possible to have no loss in parallel street parking and retain the current road width.

Council staff have raised the matter of "no right turn" in or out of existing properties (left in/left out) with TfNSW and their officers have advised that the current access and egress (being full movements left and right) is intended to be maintained with the final intersection design. It is understood this can be achieved through line marking detail, which legally enables the crossing of certain unbroken lines.

Options

Council may resolve to note the petition or resolve in some other manner as appropriate.

Planning and Policy Implications

There are no planning and policy implications should the petition be noted.


Should Council recommend in another way, there could be a planning implication.

Financial and Economic Implications

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

Should Council recommend in another way, there could be a financial implication.

Attachments

1.  Petition - Mill Estate Wauchope - Proposed Loss of Parking Spaces Affecting Businesses

Item: 13.03

Subject: PETITION - MILL ESTATE SUBDIVISION, WAUCHOPE - BOND FOR STAGES 3 AND 4

Presented by: Chief Executive Officer, Dr Clare Allen

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. Note the petition received by local business owners and residents regarding the Mill Estate Subdivision, Wauchope and the request to Council to accept the Bond of 130% from BDM to allow Stages 3 and 4 to be registered.**
- 2. Respond to the organiser of the petition with the outcome of Council's consideration in the matter.**

Discussion

A petition has been received by Council from Ms Casey Dwyer on behalf of 109 local business owners and residents regarding the Bond for Stages 3 and 4 of Mill Estate Wauchope.

The petition requests:

"That Port Macquarie-Hastings Council accept the Bond of 130% from BDM and allow Stages 3 and 4 to be registered."

In accordance with Council's "Petitions Policy", petitions lodged with Council containing 100 signatures or more will be included on the agenda of the next available Ordinary Council Meeting of Council where the agenda has not already been determined with a recommendation for notation.

As background, the original approval for this subdivision dates back some 30 years. The requirement for the intersection upgrade is necessitated by the traffic volumes on High Street, which has resulted in an increased intersection standard to what would have been required when the development was first approved. The long standing nature of the approval and sudden construction activity adds to the concerns being raised.

This is a difficult situation for all stakeholders, particularly the frustrated buyers who are understandably eager to settle and start building. Unfortunately, the bonding of the intersection works is not considered to be appropriate. The intersection is integral to the development and it is considered that it should be provided by the developer before the development is completed, this is normal and reasonable practice for a development of this scale. The requirement for the intersection treatment has been known for several years and staff have already been flexible by amending the approval and allowing stage 2 of the subdivision to be released ahead of the intersection upgrade.

The bonding of the intersection is considered to represent too great of a risk for Council given the extent of the incomplete work as well as it involving a State owned road, which Council does not have control over. It is understood that the developer is still seeking the final design approval from Transport for NSW. There are added risks that may occur with construction on a State road and the potential for escalating costs in the current environment.

Council assessment staff routinely use the release of a subdivision certificate as a 'hold point' to ensure that a scenario doesn't eventuate where there is a potential need to call up and manage a large bond in circumstances like this, where the work should have already been completed by the developer. Council has an ambitious works program as has no spare capacity to be managing works not identified in the works program.

Options

Council may resolve to note the petition or resolve in some other manner as appropriate.

Planning and Policy Implications

There are no planning and policy implications should the petition be noted.


Should Council recommend in another way, there could be a planning implication.

Financial and Economic Implications

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

Should Council recommend in another way, there could be a financial implication.

Attachments

1.  Petition - Mill Estate Wauchope - Bond for Stages 3 and 4

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: 14.01

Subject: URBAN GROWTH MANAGEMENT STRATEGY UPDATE

Presented by: Community, Planning 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 progress of actions from Council's Urban Growth Management Strategy as detailed within this report.**
- 2. Endorse the information and associated timeframes contained within this report, in relation to the proposed continued progression of actions as detailed within Council's Urban Growth Management Strategy.**

Executive Summary

The Urban Growth Management Strategy 2017-2036 (UGMS) provides a framework for urban planning in the Port Macquarie - Hastings Local Government Area (LGA), with a focus on key actions in the 5-year period to 2022/23. The UGMS was adopted by Council in June 2018 and endorsed by the former NSW Department of Planning in November 2018.

The purpose of this report is to provide a status update on the progress of the implementation of the actions as detailed within the UGMS. This report also recommends re-evaluation of some actions based on current identified opportunities, constraints and priorities.

Discussion

At the time of adoption of the UGMS in June 2018, Council resolved to *"receive an annual update report in relation to the implementation and status of the Urban Growth Management Strategy actions during preparation of Council's annual Operational Plans."* The full resolution is shown below:

That Council:

- 1. Note the submissions received and recommended amendments to the draft Urban Growth Management Strategy contained in the attached Consultation Report.*
- 2. Adopt the revised Urban Growth Management Strategy attached to this report.*
- 3. Submit the revised Urban Growth Management Strategy to the Director General of the NSW Department of Planning for approval.*
- 4. Delegate to the General Manager the authority to make minor amendments and corrections to the Strategy during referral to the Department of Planning.*

5. That Council receive an annual update report in relation to the implementation and status of the Urban Growth Management Strategy actions during preparation of Council's annual Operational Plans.
6. That Council amend the revised Urban Growth Management Strategy attached to this report to address an ambiguity and ensure the body of the Strategy is consistent with Key Action #6, as follows: Page 62 be updated to reflect the combination of Fernbank Creek and Sancrox such that the wording is amended as follows: "The priority order for long term investigations around Port Macquarie in terms of land capability and suitability is Fernbank Creek and Sancrox, and then Lake Innes."
7. Note the resolution from the Ordinary Council Meeting of February 2015 that the General Manager is to provide a report to Council on the Greater Sancrox Area after the Urban Growth Management Strategy is endorsed/adopted by Council.
8. Request that the report be presented at or before the Council Meeting of September 2018 and that the report consider in more detail the timing of investigations and the resourcing requirements to achieve an earlier commencement.

This report is intended to provide a progress update for item 5 of the June 2018 Council resolution and demonstrates how Council has proceeded to action the September 2018 resolution in relation to UGMS priorities.

Actions – Status Summary

The UGMS contains 33 Actions for delivery indicatively in the period 2018/19 – 2022/23. The Actions relate to Housing, Economic Development and Making It Happen (i.e. the delivery of essential planning and services) to cater for projected population growth in the Port Macquarie - Hastings region.

A summary of the actions, their current status and the proposed delivery in 2022/23 are provided in the table below.

Note: Year 1 of the Strategy is 2018/19. As stated in the UGMS, the timeframes shown are "indicative only and will be confirmed in Council's annual operational plans."

Housing Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
1	Review Local Environmental Plan (LEP) and Development Control Plan (DCP) provisions to promote appropriate housing choice options	1-2	The Draft Port Macquarie-Hastings Local Housing Strategy 2021-2041 (LHS) has been developed in consultation with Council and the community. The LHS has been placed on public exhibition and submissions received are currently being	Delivery of Local Housing Strategy.

Housing Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
			reviewed and summarised. These submissions are intended to be reported to Council in late 2022 to allow Council to consider the submissions received and whether to adopt the LHS. The LHS includes consideration of LEP and DCP provisions to promote appropriate housing choice options.	
2	Review planning for the Wauchope CBD and adjoining mixed use area	3-4	Due to competing priorities, this project has not commenced in 2021/22.	Re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.
3	Undertake neighbourhood planning in Kendall	4-5	Due to competing priorities, this project has not commenced in 2021/22.	Re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.
4	Review LEP and DCP provisions to promote development of the Yippin Creek Urban Release Area	1-3	Specialist support studies have been progressed and are at varied stages of completeness. Following the preparation of a draft Surface Water Management Strategy, Council Staff met with relevant project representatives on 23 September 2021 to discuss arrangements for access to the site in consideration of potential flooding impacts and potential isolation of future residents within the site in the event of flooding. Following this meeting, general principles for access to the site during flood events were communicated	Identification of appropriate access to the site in consideration of potential flooding impacts or re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.

Housing Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
			between Council Staff and project representatives, with an intent to resolve/mitigate flooding access constraints. To date, no response in relation to this matter has been received by Council Staff.	
5	Investigate options for development and review LEP and DCP provisions in the West Lake Cathie Investigation Area	2-3	A planning proposal pre-lodgement meeting for this site was held on 25 January 2022. A planning proposal has not been lodged.	Council Staff to continue liaising with relevant project representatives as applicable in relation to this proposal.
6	Preparation of an Outline Plan (Stage 1 investigations) for the Fernbank Creek and Sancrox potential future growth areas	1-3	The subject Draft Structure Plan (previously referred to as an Outline Plan) has been prepared. At its Ordinary Meeting of 17 March 2021, Council Resolved to place this document on public exhibition for a period of not less than 28 days subject to the issuing of a 'Gateway Determination' in relation to the Le Clos Sancrox Planning Proposal and preparation of associated <i>draft infrastructure contributions and finance documentation</i> . Submissions in relation to this public exhibition have been received. These submissions will be summarised and reported to Council, along with the provision of recommendation(s) in relation to the progression of this project.	Delivery of the Fernbank Creek and Sancrox Villages Structure Plan or re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.

Housing Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
7	Investigate options for limited rural residential development at Telegraph Point and review LEP and DCP provisions	4-5	Due to competing priorities, this project has not commenced in 2021/22.	Re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.
8	Review LEP provisions for small lots around nominated rural villages and the merits of permitting detached dual occupancy with consent in all rural zones	4-5	Due to competing priorities, this project has not commenced in 2021/22 in its entirety. However, a report has been prepared in relation to the facilitation of secondary dwellings in rural zones for consideration during Council's Ordinary meeting of 21 July 2022.	Consideration and potential implementation of an LEP amendment to facilitate secondary dwellings in rural zones. Re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.
9	Monitor rates of subdivision and development in the LGA	1-5	The monitoring of subdivision and development in the LGA is ongoing. Rates of subdivision and development will also be reviewed in detail as part of the upcoming review of the UGMS.	Ongoing.
10	Review LEP and DCP provisions for land at West Lindfield, previously deferred from the Thrumster urban release area	1-2	The commencement of this project was brought forward to 2018/19 by Resolution of Council in September 2018.	Following the subject Council Resolution, Council has contacted Landowners who have indicated an unwillingness to contribute to the planning proposal. Therefore, this project will be deferred until 2022/23 as per previous Council Resolution in relation to the UGMS annual update.

Housing Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
11	Commence Stage 1 investigations and the preparation of an Outline Plan for the West Bonny Hills investigation Area	4-5	Due to competing priorities, this project has not commenced in 2021/22.	Re-evaluation of this action as part of the upcoming UGMS review and Blueprint investigations.

Economic Development Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
12	Review LEP and DCP provisions for the Port Macquarie CBD	3-4	Superseded by Local Strategic Planning Statement (LSPS) Action 13.5 (Review LEP and DCP provisions for the Port Macquarie CBD to ensure that the CBD continues to be the primary retail and business centre in the Port Macquarie Hastings).	Delivery of review of local environmental plan and development control plan provisions for the Port Macquarie CBD.
13	Council led precinct planning for the proposed Health and Education Precinct	1-3	Strategic planning investigations to support the development of a planning proposal and revised development control and development contributions framework have substantially progressed. Traffic and transport, bushfire, economic analysis, urban design and development control plan procurement packages are currently being progressed.	Completion of initial specialist studies to support precinct strategic planning. Completion of draft Council initiated planning proposal report.
14	Develop a new Destination Management Plan for the Port Macquarie - Hastings	1-2	Endorsed by Council in June 2020.	N / A - Completed.
15	Planning for the development of a	1	Port Macquarie-Hastings Local	N / A - Completed.

Economic Development Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
	Business Park at the Port Macquarie Airport		Environmental Plan (Amendment No 56) relating to Council's Airport, Thrumster lands and adjoining private property commenced on 10 September 2020.	
16	Planning for the 'gateway sites' at the intersection of the Pacific and Oxley Highways in Port Macquarie	1-2	Amendment to the Port Macquarie - Hastings Local Environmental Plan 2011 in relation to a proposed new highway service centre on the south western side of the intersection of the Pacific and Oxley Highways was approved in August 2019. Planning for the north western gateway site is proposed to be undertaken as part of the Fernbank Creek and Sancrox Villages Structure Plan, as detailed within Item 6 above.	Planning for the north western gateway site as part of the progression of the Fernbank Creek and Sancrox Villages Structure Plan.
17	Investigate the capacity of land at the intersections of Ocean Drive with Houston Mitchell Drive for light industrial use and at the intersection of Ocean Drive with Bonny View Drive for light industrial development or for use as a school	1-2	At its Ordinary Meeting of 19 May 2021 Council endorsed the planning proposal in relation to Lot 10 DP 615775 and Lot 6 DP 1210904, corner Houston Mitchell Drive and Ocean Drive and Resolved to take steps in order to give effect to the planning proposal. A planning proposal in relation to land at the intersection of Ocean Drive with Bonny View Drive was lodged on 21 April 2022 and an associated assessment is being undertaken.	Completion of planning proposal assessment in relation to land at the intersection of Ocean Drive with Bonny View Drive.

Economic Development Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
18	Investigate options for future service industrial land in the Camden Haven	5	Scheduled to commence in 2022/23, as per adopted Strategy.	Scheduled to commence in 2022/23, as per adopted Strategy.
19	Review planning controls for rural and environmental areas in relation to recreation, agri-business and nature-based tourism	3-4	Superseded by Action 15.1 (prepare a Rural Land-Use Strategy with a focus on protecting our agricultural farmland from inappropriate uses) and Action 15.2 (review planning controls and permissible uses in rural zones to facilitate land uses that will support and serve rural industries and encourage tourism) of the LSPS in relation to rural areas. Due to competing priorities, review of planning controls in environmental areas has not commenced.	Rural areas action to be completed by 2022 and 2025 respectively as detailed within the LSPS. Re-evaluation of the environmental areas action as part of the upcoming UGMS review.

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
20	Council will review population statistics and growth forecasts annually	1-5	A reoccurring forecast review is proposed to be completed by the end of 2022/23.	A reoccurring forecast review is proposed to be completed by the end of 2022/23.
21	Collaboration with the NSW government to prepare a Regional City Action Plan (RCAP) for Port Macquarie	1-2	The RCAP has been developed by the NSW Government, in collaboration with Council, to help Port Macquarie fulfil its potential as a thriving regional centre and build on the city's growth, strong employment base, diversified economy and local character.	N / A - The RCAP has been made and finalised.

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
22	Commence UGMS review to coincide with the next review of the North Coast Regional Plan	4-5	Council Staff have worked in collaboration with the NSW Government in relation to the review of the North Coast Regional Plan. Whilst this draft Plan has not yet been finalised or exhibited, review of the UGMS is anticipated to commence in 2022/23.	Scheduled to commence in 2022/23.
23	Review Major roads contributions plan	1-2	Council has commenced a review of the development contributions framework, including the major roads contributions plan.	Finalisation of a development contributions framework review.
24	Review open space contributions plan	5	Council has commenced a review of the development contributions framework, including the open space contributions plan.	Finalisation of a development contributions framework review.
25	Review the Water and Sewer Development Servicing Plans	2-3	Council has commenced a review of the development contributions framework, including the Water and Sewer Development Servicing Plans.	Finalisation of the review of Water and Sewer Development Servicing Plans.
26	Preparation of a Regional Integrated Transport Strategy	1-2	Council has prepared a draft Regional Integrated Transport Strategy (RITS). This RITS was considered at Council's Ordinary meeting of 17/3/2022. However, during this meeting Council did not Resolve to proceed through to public exhibition of this document. Rather, it is anticipated that the RITS will be required	Public exhibition of a Draft Regional Integrated Transport Strategy, subject to the development of a future Port Macquarie-Hastings Blueprint.

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
			to align with the future Port Macquarie-Hastings Blueprint, which is yet to be developed.	
27	Preparation of an Integrated Water Cycle Management Strategy (IWCMS) for the Port Macquarie - Hastings	1-2	In consideration of upcoming changes in the IWCMS process requirements (currently under review), Council has opted to not complete the IWCMS in the formal structure. However, much of the background work has been completed, and will be used to form a Water Security Plan (expected to be finalised before the end of the calendar year), which will cover the same aspects as the IWCMS. A new IWCMS will be completed once the updated guidelines and regulatory requirements are finalised and implemented.	Water Security Plan expected to be finalised before the end of the 2022. Commencement of the preparation of a new IWCMS once the updated guidelines and regulatory requirements are finalised and implemented.
28	Complete Biodiversity Strategy and implement key actions	1-5	In relation to the implementation of key actions from the Biodiversity Strategy: <ul style="list-style-type: none"> - The Port Macquarie - Hastings Council specific management actions generated from the Hastings Wild Deer Program have continued to be implemented. - An internal procedure for offsetting koala food trees and 	In relation to the implementation of key actions from the Biodiversity Strategy, Council Staff will: <ul style="list-style-type: none"> - Continue to implement the Port Macquarie - Hastings Council specific management actions generated from the Hastings Wild Deer Program and deliver feral animal control actions where applicable for Koala

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
			<p>hollow bearing tree nesting cavities has been finalised.</p> <ul style="list-style-type: none"> - The Flying Fox Camp Management Plan has continued to be implemented. - Investigation of engineering opportunities to reduce native fauna road strike continues to be undertaken. 	<p>plans of management.</p> <ul style="list-style-type: none"> - Continue the development of an internal procedure for Part 5 projects for offsetting impacts to koala habitat, threatened ecological communities and hollow bearing tree nesting cavities. - Continue to implement the Flying Fox Camp management plan. - Deliver actions to reduce native fauna road strike with focus on koala throughout Port Macquarie area where most koala road strikes are recorded. - Undertake weed management and ecological restoration to improve bushland reserves. - Implement educational and communications resources created as per the koala recovery strategy - Undertake biosecurity weed inspections and management of weeds throughout the LGA.
29	Complete strategies in relation to koala populations and implement key actions	1-5	On 12 August 2020 Council resolved not to proceed with finalisation of the Draft	Key actions proposed to be delivered in the upcoming reporting

Making it Happen Actions			
Action	UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
		<p>Coastal Koala Plan of Management (CKPoM) and to commence a review of the adopted Koala Recovery Strategy.</p> <p>At the Ordinary Council meeting of 17 March 2022 the results of the Koala Recovery Strategy Review were presented in a Report to Council which outlined the following:</p> <ul style="list-style-type: none"> ○ Of the 26 actions within the Koala Recovery Strategy, 16 were found to be unachievable due to being a) based on the adoption and ratification of the CKPoM, b) beyond the scope of Council resources or c) outside of Council's remit. ○ 7 of the remaining 10 actions have been delivered, 5 through Operational Plan (OP) 2021-2022 including; the Koala Road Strike Report & Guidance document (3 actions), an Education program (on-going action), future Road strike risk addressed during Development Application 	<p>period (as detailed within the OP) include:</p> <p>a)</p> <ul style="list-style-type: none"> • OP 2022-2023 OP NRM 12.1 ES 1.1 - Draft Koala Recovery Action Plan to be delivered once State Government agencies provide information relating to Private Native Forestry and relevant mapping. Inclusion of NSW Koala Strategy funding possible for Koala Habitat mapping in the LGA. b) • OP 2022-2023 NRM 21.1 ES 1.1 Council KPoM compliance budget \$122K allocated requires Project Officer support to deliver (new role under negotiation). c) • OP 2022-2023 NRM 16.1 ES 2.1 Conservation Zones. • OP 2022-2023 NRM 19.1 Long Term Biodiversity Planning - audit / studies for potential offset sites. • OP 2022-2023 NRM 20.1 ES 1.1 Koala Road Strike project reported and moved into next phase.

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
			<p>process (on-going).</p> <p>2 of the 3 remaining actions have been included in the adopted OP 2022-2023 being;</p> <p>1) Koala population assessment - budget allocated with proposed project officer pending and;</p> <p>2) Rezone environmental lands.</p> <p>The third requires Part 5 offsets land acquisition to be presented to Councillors in a brief and Council report.</p>	
30	Develop Community Plans and Local Strategic Planning Statement (LSPS) in consultation with key communities	1-5	Community Plans have been completed and endorsed by Council for 11 communities: Bonny Hills, Comboyne & Byabarra, Lake Cathie, Pappinbarra, Telegraph Point, Camden Haven, Kew/Kendall, Rollands Plains, Hastings Hinterland, Wauchope and Beechwood / Pembroke. A plan for North Shore is in draft and is intended to be reported to Council in the 2022/23 reporting period.	<p>In addition to completing the North Shore plan, Council is intending to work with all communities with endorsed plans on implementing identified actions.</p> <p>Council has also committed to developing Community Masterplans to complement the Community Plans, these are intended to help identify the communities' top priorities for future community and infrastructure needs to support our growing population. In the 2022/23 Operational</p>

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
			Port Macquarie-Hastings Council adopted its Local Strategic Planning Statement (LSPS) 'Shaping Our Future 2040' on 30 September 2020. The LSPS is published on the NSW Planning Portal.	Plan, council has committed to the development of two Masterplans to commence this process.
31	Review the Port Macquarie-Hastings Heritage inventory	1-2	Superseded by Action 10.2 of the LSPS (update the Heritage inventory in the Port Macquarie-Hastings LEP 2011).	To commence in 2022.
32	Complete a review of the Port Macquarie-Hastings Development Control Plan	1-2	<p>The Port Macquarie-Hastings Development Control Plan (Amendment 13) has been finalised and commenced on 17 June 2020.</p> <p>A detailed review of the DCP is also likely to be undertaken following the provision of guidance from the NSW Government in relation to potential standardisation of DCPs.</p>	N / A - The Port Macquarie-Hastings Development Control Plan (Amendment 13) has been finalised. Further review of the DCP is likely to be undertaken following the provision of guidance from the NSW Government in relation to potential standardisation of DCPs.
33	Preparation of a Coastal Management Program	2-3	Council has commenced preparation of Coastal Management Program Stage 2 Chapter 1: Lake Innes/Lake Cathie to Rainbow Beach and Stage 2 Chapter 2: Hastings River.	<ul style="list-style-type: none"> - Fast tracked development of Coastal Management Program Stage 2 Chapter 1: Lake Innes/Lake Cathie to Rainbow Beach. - Continue development of Coastal Management Program Stage 2 Chapter 2: Hastings River.

Making it Happen Actions				
Action		UGMS Year	Status at July 2022	Proposed 2022/23 Delivery
				- Commence Coastal Management Program Stage 2 Chapter 3: Camden Haven River.

As shown in the table above, there are a range of land use planning actions related to housing, economic development, infrastructure and service delivery that are proposed for implementation in 2022/23.

The delivery of these actions will generally be coordinated by Council's Strategy Group, with input from other sections of Council.

The following section of this report provides further detail in relation to some key projects from the above table.

1. UGMS Review

The UGMS is reviewed on a five yearly basis. As such, it will be required to be reviewed in 2022/23. During this review, the UGMS (or equivalent strategy) is intended to be updated to align with current relevant Council strategies, plans and policies such as the LSPS and the future Blueprint as applicable. The review will also consider any new documentation or updates to relevant NSW Government strategies, plans and policies, such as the North Coast Regional Plan and the Port Macquarie Regional City Action Plan.

2. Local Housing Strategy

The Draft Port Macquarie-Hastings Local Housing Strategy 2021-2041 (LHS) has been developed in consultation with Council and the community.

The LHS was placed on public exhibition for a period of 60 days from Wednesday 14 July to Sunday 12 September 2021. Submissions received in relation to this public exhibition are currently being reviewed and summarised. These submissions are intended to be reported to Council in late 2022 to allow Council to consider the submissions received and whether to adopt the LHS.

A Councillor briefing on the LHS will be undertaken on 11 August 2022, with an industry forum to follow.

3. Contributions Planning

Council's Contributions Planning Team have continued with the management of the existing contributions system over the 2021/22 period, particularly development assessment, the deferral of contributions for Torrens title lots and voluntary planning agreement (VPA) implementation. This work will continue throughout the 2022/23 period.

In addition to the above, a major focus for Council's Strategy Team during the 2022/23 period will be on reviewing Council's existing Development Contributions Framework with the intent to identify:

- Any aspects of current contributions plans that are outdated or require revision,
- Opportunities to streamline the planning framework, to create a framework that is more easily applied and administered,
- Opportunities for potential improvement to support Council's infrastructure delivery; and
- Identify any changes likely to be required as a result of the NSW Government's recent infrastructure contributions reform.

The above review has commenced and its findings, along with a recommended implementation plan, are intended to be reported to Council during the 2022/23 period.

Options

A large program of strategic and land use planning is proposed in 2022/23 to deliver a variety of actions in accordance with the UGMS. Some of these actions are required to implement Council's legislative responsibilities. Others are necessary to plan for coordinated housing, economic development and expected population growth.

This report outlines the current status of these tasks and proposed delivery methodology and timeframes in order to ensure the practical and efficient achievement of tasks associated with the UGMS.

Community Engagement and Internal Consultation

Community engagement and internal consultation has been undertaken in relation specific projects on a case by case basis. Consultation with the NSW Government is also undertaken on an as needs basis in relation to specific projects.

Planning and Policy Implications

The UGMS was adopted by Council in June 2018 and endorsed by the NSW Department of Planning on 2 November 2018. The continued implementation of the UGMS would ensure that Council continues delivery of work in accordance with the current applicable strategic planning framework.

Financial and Economic Implications

The implementation of Council's strategic planning framework, including the UGMS, is intended to inform the sustainable cultural, economic, environmental and social management of Council's strategic planning activities.

Attachments

Nil

Item: 14.02

Subject: PLANNING AMENDMENT TO PORT MACQUARIE-HASTINGS
LOCAL ENVIRONMENTAL PLAN 2011 - SECONDARY DWELLINGS
IN RURAL ZONES UNDER CLAUSE 5.5 OF THE STANDARD
INSTRUMENT - PRINCIPAL LOCAL ENVIRONMENTAL PLAN 2006.

Presented by: Community, Planning 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 State Government Standard Instrument - Principal Local Environmental Plan 2006 (SI LEP)) optional 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone' for inclusion in the Port-Macquarie-Hastings Local Environmental Plan 2011.
2. Notify the Department of Planning and Environment of its decision to adopt Optional 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone', including:
 - a. Permitting secondary dwellings with development consent in the following land use zones:
 - i. *RU1 Primary Production,*
 - ii. *RU2 Rural Landscape, and*
 - iii. *RU5 Village;*
 - b. Setting the following development controls for Clause 5.5:
 - i. *the greater of -*
 - a) *60 square metres total floor area the total for the secondary dwelling, or*
 - b) *33% of the total floor area of the principal dwelling, excluding any area used for parking, and*
 - ii. *the distance between the secondary dwelling and the principal dwelling must not exceed -*
 - a) *100 metres.*
3. Request the Minister for Planning and Minister for Homes, the Hon. Anthony Roberts MP to prepare a draft Local Environmental Plan under Section 3.22 of the Environmental Planning and Assessment Act, 1979 to expedite an amendment to the Port Macquarie-Hastings Local Environmental Plan 2011 to insert optional 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone' from the Standard Instrument - Principal Local Environmental Plan 2006.

Executive Summary

This report makes recommendations regarding an administrative update to the *Port Macquarie-Hastings Local Environmental Plan (LEP) 2011* to support housing

diversity in rural areas by making secondary dwellings permissible in rural zones where dwellings are permitted.

The change will be implemented through an amendment to the *Port Macquarie-Hastings Local Environmental Plan (LEP) 2011* to include (Optional) 'Clause 5.5 controls relating to Secondary Dwellings in a rural zone' of the Standard Instrument - Principal Local Environmental Plan 2006 under the *Environmental Planning and Assessment (EP&A) Act 1979*.

The report notes already commenced provisions for development of secondary dwellings in residential zones through *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) - and recommends that Council formally adopt and work with the Department of Planning Industry and Environment (DPIE) to prepare a planning proposal to amend LEP 2011 to implement *Optional Standard Instrument - Principal Local Environmental Plan (2006) Order - Clause 5.5 (SI Clause 5.5)* as an expedited amendment.

SI Clause 5.5 relates to secondary dwellings on land in a rural zone - '*SI Clause 5.5 Secondary dwellings on land in a rural zone*'.

Under current LEP 2011 planning provisions, secondary dwellings are permitted with consent in residential zones *R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, and R5 Large Lot Residential*, but not in rural zones *RU1 Primary Production, RU2 Rural Landscape and RU5 Village*.

Implementation of *SI Clause 5.5* will allow a secondary dwelling, associated with a primary dwelling, to be built anywhere in the LGA where dwellings are permitted - apart from environmental zones to protect environmental values, and the rural RU6 Transition zone, which is a buffer zone to minimise conflict between rural zoned land and other land uses of varying intensities and sensitivities.

The proposed change aligns with Council's Local Strategic Planning Statement *Shaping Our Future 2040*, which identifies the need to provide greater housing diversity in the LGA, particularly smaller dwellings, to contribute to improved housing diversity and affordable housing options. Secondary dwellings can be used as a downsizing option as peoples housing needs change through their lives, or as visitor accommodation for family or friends, accommodation for a young adult or older parents, or rented to a tenant.

SI Clause 5.5 can be adopted and made with or without total maximum floor area controls for a secondary dwelling in a rural zone, and a maximum distance between the secondary dwelling and the principal dwelling.

This report recommends that Council adopt *SI Clause 5.5*, applying the greater of a total maximum floor area control of 60sqm, or 33% of the total floor area of the principal dwelling, and a maximum distance of 100 metres between the principal and secondary dwelling.

Discussion

Secondary dwellings are a type of residential accommodation under the *Standard Instrument Principal LEP 2006*.

A **secondary dwelling** means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

This report focuses on Clause 5.5 of the 'Standard Instrument (SI) and proposes that Council adopt the clause for inclusion in Port Macquarie-Hastings LEP 2011.

Revised/New LEP clauses for Secondary Dwellings

There are two LEP clauses developed by the state government for secondary dwellings are:

Clause 5.4(9) - The 'secondary dwelling on land **other than in a rural zone**' clause (compulsory)

Clause 5.5 - The 'Secondary dwelling on land **in a rural zone**' clause (optional).

Clauses 5.4 and 5.5 of the *Standard Instrument Principal LEP 2006* set the development controls relating to secondary dwellings.

The matters addressed in the SI clauses for secondary dwellings and their intended effect are discussed below:

1. Compulsory Standard Instrument LEP Clause - 5.4 (9) Secondary dwellings.

Subclause 5.4(9) is a compulsory clause under Part 5 Miscellaneous provisions of the LEP. The clause sets maximum development standards for the total floor area of secondary dwellings. Amendments to the Standard Instrument prescribed (Local Environmental Plans) Order 2006 in December 2020 inserted additional text to clarify application of the clause to 'land other than in a rural zone' and commenced 1 February 2021. The text is mandated and included in Port Macquarie-Hastings LEP 2011 commencing 1 February 2021. The subclause reads:

5.4 Controls relating to miscellaneous permissible uses

(9) Secondary dwellings on land other than land in a rural zone - If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater:

- a) 60 square metres,*
- b) 33% of the total floor area of the principal dwelling.*

No recommendation is required for this item.

2. Clause 5.5 Controls relating to secondary dwellings on land in a rural zone - SI Clause 5.5

Under current planning provisions for the Port Macquarie-Hastings Council area, secondary dwellings are not permitted in zones RU1 Primary Production, RU2 Rural Landscape, or RU5 Village in the Port Macquarie-Hastings Local Government Area (LGA) - 'the rural zones'.

SI Clause 5.5 is an optional clause for councils to use in their LEPs. It allows development for a secondary dwelling on rural zoned land, and includes optional

development standards for maximum floor area and separation distance between a principal and secondary dwellings in a rural zone. Councils are able to nominate the development standards applying in their individual LEPs, or to adopt the clause with or without development standards.

The SI Optional Clause 5.5, and recommended development controls for inclusion in Port Macquarie-Hastings LEP 2011 is as follows:

**5.5 Controls relating to secondary dwellings on land in a rural zone
[optional]**

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone:

- (a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—*
 - a. [insert number] square metres - **it is recommended that Council adopt 60 square metres,***
 - b. [insert number] % of the total floor area of the principal dwelling - **it is recommended that council adopt 33%, and***
- (b) the distance between the secondary dwelling and the principal dwelling must not exceed [insert number] metres - **it is recommended that Council adopt 100 metres.***

The above development standards for subclauses (a) and (b) are consistent with those for secondary dwellings on land other than in a rural zone.

Internal consultation regarding appropriate numerical development standards has occurred. Council's Development Assessment staff have confirmed their support for inclusion of the SI Clause in Council's LEP, to improve diversity and affordability, and as an appropriate planning response to recent spikes enquiries for secondary dwellings, or small houses in rural areas.

A survey of the use of clause 5.5 in other local government LEPs indicates consistency and alignment with the approach taken by other regional councils in relation to implementation of Optional SI clause 5.5 in their LEPs.

It is recommended that Council adopt the clause, and the specified development controls without variation, and work with the Department to expedite implementation of SI clause 5.5 in Port Macquarie-Hastings LEP 2011.

Options

1. Do nothing - Development for the purpose of a secondary dwellings on rural zoned land in the local government area will remain prohibited.
2. Resolve to adopt the Optional SI Clause 5.5 - Secondary dwellings on land in a rural zone', and advise the DPIE of the decision.

Secondary dwellings are relevant to the overall housing supply in Port Macquarie-Hastings area. Council has the option to adopt SI clause 5.5 to assist with housing diversity, and improve affordability.

Not adopting the clause will mean that people seeking to apply for development consent to build a secondary dwelling house in rural areas would have limited options for housing family and friends compared to their urban counterparts.

Council has received numerous enquiries from property owners seeking to provide secondary dwellings on their rural properties. Council support for adopting the clause will ensure that development consent can be granted to rural homeowners to construct a secondary or small dwelling house on their land which they are now prevented from doing so.

Option 2 is recommended.

Community Engagement and Internal Consultation

The requirements for community engagement in relation to a Planning Proposal are specified by the Minister or delegate in the Gateway Determination. The mandatory period for public exhibition and consultation in relation to the Planning Proposal can be 28 days. However, under *Section 3.22 Expedited amendments of environmental planning instruments* the Minister may determine a lesser period of 14 days, or that the matter does not require community consultation.

Expedited amendments may be made if the Minister agrees to the rationale for expediting the amendment, and the terms of expedition. If agreed, an LEP under section 3.22 of the Act may proceed without compliance with the steps in the plan making process (including consultation), if the amendment:

- corrects an obvious error, misdescription, a wrong cross reference, a spelling error, grammatical mistake, formatting error or unnecessary wording.
- addresses matters that are inconsequential, or of a transitional, machinery, or other minor nature, or
- The Minister considers that the matters do not warrant compliance with the conditions precedent for the making of the proposed instrument because they will not have any significant adverse impact on the environment or adjoining land.

This report recommends that Council seek the Minister's agreement to progress a proposed instrument to introduce ***SI 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone'*** without compliance with the usual steps in the plan making process (including community consultation).

Planning and Policy Implications

A secondary dwelling, small house, or granny flat, is a self-contained dwelling located within, attached to, or separate from another dwelling on the same site. The development of a secondary dwelling can only result in there being one principal dwelling and one secondary dwelling on the site.

Secondary dwellings are permitted through the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) in residential zones (R1, R2, R3, R4, and R5).

The Housing SEPP added the optional clause 5.5 of the Standard Instrument Local Environmental Plan to some local environmental plans commencing 1 February

2021, not including Port Macquarie-Hastings LEP 2011. The inclusion of clause 5.5 in LEP 2011 is a decision for Council.

A lot on which a secondary dwelling is constructed cannot be subdivided, and the development standards set for maximum total floor area and separation distance under SI Clause 5.5 cannot be varied using Clause 4.6 'Exemptions to development standards' of Port Macquarie-Hastings LEP 2011.

The Housing SEPP does not require any additional parking for a secondary dwelling.

A secondary dwelling may be built with consent, or as complying development. For the development of a secondary dwelling to be approved through complying development, it must meet the provisions contained in Schedule 1 of the Housing SEPP, and the principal dwelling must meet the standards set out in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. There are additional requirements for complying development on bushfire prone land and complying development cannot be undertaken in areas of Bushfire Attack Level 40 (BAL-40) or the Flame Zone.

All lawfully constructed dwellings that are permitted to be used as residential accommodation in all land-use zones can be used for short-term rental, including a secondary dwelling.

Applications seeking development consent for secondary dwellings, regardless of zoning, are subject to merit assessment and compliance with safety standards. Site specific hazards and constraints such as flooding and bushfire will also impact whether development consent is granted or not for a secondary dwelling.

Financial and Economic Implications

There are no immediate cost implications associated with administration of introducing SI Clause 5.5 in LEP 2011. If adopted, Council staff will manage and progress an amendment to Port Macquarie-Hastings LEP 2011 to introduce SI Clause 5.5.

Council currently offers a range of relief measures for secondary dwellings, including no Section 7.11 Infrastructure contributions (under the environmental Planning and Assessment Act, 1979), or water and sewer Headwork/Developer Servicing Charges under Section 306 of the Water Management Act for secondary dwellings up to and including 60m². These measures are existing operational relief measures for secondary dwellings and they will continue to apply.

It also means rural homeowners will not be subject to developer contributions, which will save them approximately \$12,000 exclusive of water and sewer headwork charges where applicable.

There may be financial cost and/or benefit for rural homeowners who want to use their secondary dwellings as visitor accommodation for family or friends, accommodation for a young adult or older parents, or rented to a tenant.

Attachments

Nil

Item: 14.03**Subject: RAWDON ISLAND BRIDGE****Presented by: Community Infrastructure, Glenn Lacey**

Alignment with Delivery Program

4.4.1 Plan, investigate, design and construct transport assets which address pedestrians, cyclist and vehicular needs to cater for the future growth of the region.

RECOMMENDATION**That Council:**

- 1. Note the information provided in the Rawdon Island Bridge Update report.**
- 2. Request the Chief Executive Officer provide a report to Council in accordance with milestone events associated with progress on Rawdon Island Bridge.**

Executive Summary

The purpose of this report is to provide an update on the progress of the Rawdon Island Bridge closure and repair works.

Major structural issues were identified on the Rawdon Island Bridge in June 2021, placing the bridge at a high risk of collapse. The bridge was closed to traffic and an unauthorised vessel zone was established for the navigable waterway by TfNSW Maritime. The bridge was re-opened to light vehicles under strict conditions from 30 August 2021, after an eight-week closure. In parallel, Council was working closely with specialist contractors to re-establish access and implement a long-term solution for residents.

Specialist contractors (Duratec Ltd) were engaged on 27 October 2021 and commenced works on 2 November 2021. Construction progressed successfully with critical underwater repairs completed allowing the load limit to be removed from the bridge prior to Christmas 2021. Traffic control measures remained in place to facilitate safe construction activities. Following completion of the underwater repairs in February 2022, traffic restrictions were removed restoring normal access arrangements.

Above water repair works are currently progressing with a key focus on prioritising works to allow re-opening of the navigable channel. Project delays have been experienced due to significant rainfall and riverine flooding from February to April 2022.

Management of a significant population of microbats within the bridge at Pier 6 has been on-going throughout construction to prevent impacts on this species. Stage 2 REF has now been approved with concurrence from the Department of Planning and Environment on 17 June 2022 allowing completion of works at Pier 6. Due to delays associated with flooding, an increase in quantities of repair works, and the management of microbats, the new current forecast for completion is November 2022.

Discussion

At the 19 May 2022 Council meeting, it was resolved:

That Council:

1. *Note the information provided in the Rawdon Island Bridge Update report.*
2. *Request the Chief Executive Officer report in accordance with milestone events associated with progress on Rawdon Island Bridge.*
3. *Note that the Chief Executive Officer has communicated with the Hon Leslie Williams MP regarding Council's applications for funding to assist this important bridge and access repair/replacement project.*

This report is to provide an update to item 2 of the above resolution.

Since May 2022, significant progress on above water repairs have been made following the delays and repairs of the construction access systems due to flooding in April 2022. Works at Pier 2, Pier 3, Pier 4 and Pier 5 are forecast to be completed by August 2022. This will enable scaffolding to be removed from the navigable channel. Port Macquarie - Hastings Council will work with TfNSW Maritime to enable re-opening of the navigable channel.

Environmental approval for the works (Stage 1) were provided in October 2021 via a Review of Environmental Factors (REF). During these investigations, a significant population of vulnerable microbats were identified. The presence of these microbats prevented the Contractor from undertaking above water repair works in close proximity to their roost located at Pier 6. A Microbat Management Plan was prepared and implemented to mitigate impacts on the roost during Stage 1 works including preconstruction behavioural monitoring, and intensive monitoring during works.

To allow completion of works at Pier 6 and the adjacent piers, additional approvals were required (Stage 2) including concurrence from the Department of Planning and Environment (Biodiversity Conservation Division) to allow temporarily exclusion of the microbat roost. Stage 2 REF has now been approved, with final Conditions of Concurrence received on the 17th June 2022. Activities associated with Stage 2 works are currently in planning.

A further extension of time has been forecast which extends the project completion to November 2022. These extensions are due to additional repair quantities exceeding the original provisional estimates, site imposed restrictions on concrete break-out extents to control bridge collapse, grout curing periods and limitations, protective coating curing periods and limitations, and the logistics involved with managing the exclusion process for microbats at Pier 6 (Stage 2 Works). The Contractor is currently reviewing methods and activities to improve efficiencies, accelerate works and reduce costs where possible.

Due to the extensions of time detailed above, Project Management costs associated with Contract Administration, Site Surveillance, Microbat Specialist, and on-going rental and support for the Microbat Monitoring System will increase associated with delays to completion.

Additional critical repair works have been identified in the superstructure including deck joint rehabilitation, and concrete repairs to the bridge deck surface, girder ends, cross girders and underside surface. The scope of these additional repair works has been investigated and assessed and it is recommended to proceed with these works in parallel with the current Project, to gain efficiencies from the current Contractor and to achieve sufficient additional design life for these elements following completion of the Project. These repairs are required due to the deteriorating condition identified at some locations, and the potential impacts to management of this asset into the future if not rectified at this time.

Options

Council has the option to:

1. Note the information provided
2. Request further information

Community Engagement and Internal Consultation

There has been a substantial Community Engagement and Consultation effort undertaken across Council, with Council establishing regular community meetings and updates since the commencement of the Project.

During the project to date, we have maintained regular contact with the Rawdon Island resident community and other inter-agency stakeholders, sharing key project milestones as they're achieved. Our main channel of communication at present is the regular Rawdon Island Community Update newsletter, and we've been in touch each month to share project updates, or advise of any temporary impacts to traffic during specific work.

Since the reopening of access across the Bridge in late December 2021, resident concerns have substantially diminished, and feedback received onsite via our Contractors is positive. Our next Community Update via Zoom is planned for Thursday 28 July, where we will provide the local resident community an update on the project to date, key achievements, and next steps.

Internal consultation has occurred with the following staff:

- Chief Executive Officer
- Executive Group
- Group Manager Community Infrastructure Planning and Design
- Group Manager Community Infrastructure Operations
- Transport and Stormwater Engineering Planning Manager
- Stakeholder Relations Manager
- Bridges and Structures Engineer
- Group Manager Community
- Community Engagement Manager
- Group Manager Customer Experience and Communications

External consultation has occurred with the following agencies:

- Transport for NSW - Maritime
- Department of Planning and Environment - Biodiversity Conservation Division

Planning and Policy Implications

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

Financial and Economic Implications

At the onset of the Rawdon Island Bridge emergency response Council allocated \$1.2million to cover initial costs including investigations and monitoring, bridge closure and community support, temporary alternate route option investigation and design, and waste services.

A tender was undertaken and completed in October 2021 to determine bridge repair costs. The tender was awarded in October 2021 to Duratec Australia Ltd in the amount of \$7,082,014.69 (excluding GST).

The revised full estimated costs for the repair of Rawdon Island Bridge Project including emergency response, investigations, construction costs, management costs and contingency is now approximately \$12,065,574. The actual expenditure to date is \$7,768,299 as at the time of writing this report. The remaining \$3,736,761 are the estimated construction and management costs, with \$560,514 allowance for remaining contingency. Due to the complex nature of this Project, the costs detailed within the report may vary once more information is known.

Council are closely monitoring the costs and funding sources as the project continues. Council officers have sought grant funding under the Federal Government's Bridges Renewal Program. This application was submitted in March 2022, and unfortunately we were advised that it was unsuccessful on 25 May 2022.

Attachments

Nil

Item: 14.04

Subject: LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the progress of natural resource management projects/initiatives within the Lake Cathie / Lake Innes / Cathie Creek waterway and the progression of the Coastal Management Program.

Executive Summary

Council is currently involved in a number of projects involved in the management of the Lake Cathie/Lake Innes/Cathie Creek waterway (referred herein as Lake Cathie) and its surrounds. This report addresses Item 7 of the Council resolution from Extraordinary Council Meeting held on 13 January 2022 (included in discussion below) which requests a monthly update report. It provides an update on Lake Cathie/Lake Innes/Cathie Creek waterway natural resource management projects/initiatives and the progression of the Coastal Management Program (CMP) that have occurred since the report presented to the April 2022 Ordinary Council Meeting.

Works currently being undertaken and outlined in this report include:

1. Hydrodynamic Model of Lake Innes / Lake Cathie / Cathie Creek
2. Illaroo Road Coastal Hazard Protection Options Review and Co Design
3. Illaroo Road Stormwater Redirection Project
4. Sensitive Receptors - Catchment Management: Bushfire Affected Coastal Waterways Project
5. Dredging Lower Cathie Creek
6. Coastal Recreational User Needs Analysis
7. Review of the Opening Strategy
8. Invasive Weed Management
9. Development of other CMP Chapters

Discussion

At the Extraordinary Council Meeting on 13 January 2022 Council resolved in part as follows:

That Council:

7. *Request the Chief Executive Officer to provide a monthly update report to Council on the progress of items above.*

In response to Item 7 of the Extraordinary Council meeting held on 13 January 2022, this monthly report advises Council of the progress undertaken to address the items identified in the abovementioned resolution, the progression of the CMP and address other subsequent Council Resolutions concerning the management of the Lake Cathie/Lake Innes/Cathie Creek waterway.

The following provides an overview of the progress since last month of Council projects and initiatives within the Lake Cathie/Lake Innes/Cathie Creek waterway.

1. Hydrodynamic Model of Lake Innes/Lake Cathie

Royal HaskoningDHV continue to collect environmental data from Lake Cathie/Lake Innes/lower Cathie Creek. Work includes water quality monitoring and tidal gauging. This data will be fed into the updated model. A social media post informing the community of the project and drawing attention to the data collection buoys in Lake Cathie was posted by Council communications staff.

2. Illaroo Road Coastal Hazard Protection Options Review and Co-Design

Council and Rhelm/Bluecoast held the second round of co-design workshops on 15 and 16 June 2022.

The purpose of the second round of workshops were to:

- Agree on criteria based on the guiding principles.
- Evaluate the range of management actions identified in workshop 1, using the agreed criteria.
- Collaboratively develop design inputs and refinements to inform the preferred management actions
- Discuss funding options for the different stages of the management pathway and associated actions
- Compile questions to that the community would like to ask 'decision makers', including Councillors and Leslie Williams MP.

Attendees of both sessions requested council staff organise a follow-up meeting where all participants meet to agree on the findings of the two workshops. There was a concern amongst participants that having different sessions would result in different outcomes. In addition, the participants wanted time to digest the information presented to them after the initial workshops before committing to a preferred option, as well as an opportunity to complete an anonymous survey.

The participants expressed a strong desire to come together once they have had time to properly understand each of the proposed options and submit anonymous

feedback. A meeting was held on 7 July 2022 at the Lake Cathie Bowling Club. The majority of participants reiterated their preference to continue with the certified CZMP and pursue funding for the rock revetment wall. Some participants expressed desire to explore other options that have less impact on the beach amenity and less financial burden on residents and Council.

Subsequent to the workshop DPE Principal Coastal Specialist, Phil Watson, advised staff that the Minister was considering a new position in regards to the apportionment of costs for these works that may have an implication on any future funding models. This advice is likely to be received in the coming weeks.

Following the meeting on 7 July 2022 it is intended that the following actions be taken, with dates to be determined, following receipt of the further advice from DPE regarding the apportionment of costs and implications for funding models:

- Meeting with Decision Makers: Following a request from Co-Design workshop attendees, a meeting with Council decision makers including Executive Staff and Councillors will be organised. The Local Members of Parliament will also be invited to hear the discussion directly. At the meeting, participants will be given an opportunity to share their findings, preferred approach and ask questions relating to process, funding and prioritisation. Council staff will provide a schedule for this meeting in the coming weeks.
-
- Workshop Report: The workshop process and outcomes will be documented in a draft report for review and feedback by Co-Design participants. All feedback will be recorded in the report, with amendments made, where relevant. The updated workshop report will be provided to Council Executive Staff, Councillors and MPs prior to the meeting with Co-Design participants.
-
- Wider Community Survey: The wider community will have the opportunity to provide feedback on the proposed options via a survey. Along with the survey, we will provide an information package that will include more detailed drawings and visual representations of options, factsheet and/or FAQs.
-
- Council Report: Following the co-design with directly and indirectly affected residents and the wider community consultation, results will be reported to Council for a decision on a Council adopted pathway.
-

3. Illaroo Road Stormwater Redirection Project

An Extraordinary Council Meeting was held on 28 April 2022. In the meeting it was resolved:

That Council:

1. *Note the findings of the Illaroo Road Stormwater Redirection Project Engagement and that the issue of the Illaroo Road Stormwater Redirection Project was also raised at the Illaroo Road Coastal Hazard Protection Options Review and Co Design Project Community Engagement session held on 27 April 2022.*
2. *Note the revised cost estimates undertaken in late 2021 for the Illaroo Stormwater Redirection Project amounts to \$1,929,000 if this project is to proceed.*

3. ***Request the Chief Executive Officer to submit a request for variation to NSW Department of Planning and Environment (DPE) to fund the shortfall in the current funding allocation under the Coastal and Estuary Implementation Grant.***
4. *Address the long-term erosion around the two stormwater outlets off Illaroo Road as a component of the Illaroo Road Coastal Hazard Protection Options Review and Co Design.*
5. ***Address the short-term erosion hazard around the southern stormwater outlet off Illaroo Road by using dredged material from lower Cathie Creek to nourish the shoreline around the outlet utilising the existing approved dredging Development Application.***
6. *Undertake emergency works around the existing stormwater outlet should engineering advice determine if there is any imminent risk to Illaroo Road.*
7. *Proceed to undertake the Asbestos Remediation Works to the extent that addresses immediate risk and within the available budget of \$121,554 as noted in the report.*
8. *Agree to waive the waste disposal fees (excluding the waste levy) associated with Asbestos Removal on the Illaroo Road embankment.*
9. *Request the Chief Executive Officer to provide a report to a future meeting of Council on the stormwater issues in the immediate areas surrounding Illaroo Road, including but not limited to Aqua Crescent and Kywong Street.*

In response to Item 3 above, the Chief Executive Officer wrote to the NSW Department of Planning and Environment (DPE) Manager of Contestable Grants - Coast, Estuary and Flood Grants Branch on 20 June 2022. The letter requested DPE to fund the shortfall in the current funding allocation under the Coastal and Estuary Implementation Grant. A response was received on 30 June 2022 stating the request for additional funds will not be approved as it is not in alignment with the published program guidelines. DPE encouraged Council to reduce the scope of this grant to works already complete and reapply for funding to undertake this project when the next funding round opens. The next funding round is due to open in the first quarter of the 2022-23 financial year. Council staff will continue to address the stormwater realignment through the current Illaroo Road Coastal Hazard Protection Options Review and Co-Design.

Council staff have engaged coastal engineering consultants Bluecoast Consulting to undertake a concept design and cost estimate for the temporary protection of the southern stormwater outlet off Illaroo Road. This protection measure will address the immediate risks to the stormwater outlet, as well as providing coastal erosion protection to the immediate area surrounding the stormwater outlet while a coastal protection option is being developed for the coastline along the entire length of Illaroo Road. Council staff are currently preparing a grant application under the special Significant Open Coast Hazard stream of Coast and Estuary grant funding for the implementation of these protections works.

The Natural Resource Management team are working with the Infrastructure delivery team to progress the asbestos remediation works.

In addition to the abovementioned temporary protection of the southern stormwater outlet off Illaroo Road, Council staff are progressing with planning works that will allow dredged material from lower Cathie Creek to nourish the shoreline around the outlet utilising the existing approved dredging Development Application. This is discussed further below in Section 5 of this report.

4. Sensitive Receptors - Catchment Management: Bushfire Affected Coastal Waterways Project

NSW Soil Conservation Services (SCS) are continuing to finalise their report into the recovery of the Lake Innes/Lake Cathie/Cathie Creek waterway following the 2019/2020 bushfire/drought event. The final report is expected in September 2022. Recent activity associated with the project include:

- Soil Conservation Service met with NSW DPE planning staff to discuss potential approval pathway implications if a decision was made to decouple Lake Innes from Cathie Creek. The information provided is being reviewed by DRNSW solicitors and will be included in the final report.
- Harvested shellfish and finfish collected from the waterway have been provided to SafeFoods NSW for analysis of heavy metals.
- The system is slowly recovering from the previous iron floc events, although the northwest and south west semi enclosed embayment's of Lake Innes are still producing iron floc.
- The preliminary geochemical findings collected as part of this project were presented by Professor Scott Johnston at the NSW Coastal Conference. The presentation was well received by attendees.

Aquatic Science and Management are continuing to develop water quality management plans as a component of this grant. These plans are expected to be completed by August 2022.

5. Dredging Lower Cathie Creek

Councils Natural Resource Management staff were notified on 20 June 2022 that the Crown Lands licence to allow Port Macquarie-Hastings Council to dredge lower Cathie Creek was executed on behalf of the Minister for Lands and Water over the next five years (until May 2027). The terms of the licence (RN 628585) are in accordance with a recently modified Development Application (DA2013/151.2) which now allows Council to dredge material for sand nourishment in response to coastal erosion adjacent to Illaroo Road, as well for recreational amenity every five to ten years. The trigger to undertake dredging in response to coastal erosion adjacent to Illaroo Road is: *If the zone of reduced foundation capacity (ZRFC) encroaches onto the road assuming a storm bite of 75 m3/m, there is 20,000 m3 of sand available within the approved dredge footprint and the lake is closed, then the lake can be dredged to nourish the beach.* Council staff have organised the survey of the beach profile adjacent to Illaroo Road for July 2022 to confirm current conditions against this trigger.

Council staff will now commence the procurement process to engage a contractor to undertake the works. Given the expected value of the project, a formal public tender is required in accordance with the PMHC Procurement Policy. Budget for dredging activity at Lake Cathie has been included in the 2022/2023 Operational Plan, and

NRM staff are preparing a grant application under the Significant Open Coast Hazards grant stream to provide matched funds.

6. Coastal Recreational User Needs Analysis

As described in last month's update, Council staff submitted a funding application on 22 April 2022 to DPE to undertake a Local Government Area (LGA) wide Coastal Recreational User Needs Analysis. A grant application of \$66,667 was made. This grant requires 2:1 funding and requires Council to commit an additional \$33,333. Council is currently awaiting a determination of the grant application before proceeding with procurement.

7. Review of the Opening Strategy

The hydrodynamic model being developed by Royal HaskoningDHV will assess various management options for the Lake Innes/Lake Cathie/Cathie Creek waterway, including the permanent opening. If the model shows a permanent opening is feasible and selected by Council, a DA and supporting Environmental Impact Statement (EIS) will need to be completed as part of the CMP given the scale and location of the works. The purpose of the EIS is to assess the potential economic, environmental and social impacts of the project. The EIS will go on formal exhibition so the community, government agencies and consent authorities can make informed submissions on the project.

8. Invasive Weed Management

The PMHC Natural Resource Management team and contractors have undertaken the following invasive weed management works around Lake Cathie over the past month including:

- Cowarra Creek/Lakeside Woods: Targeting the containment priority weed Groundsel Bush (*Baccharis halimifolia*) over 2ha of riparian zone which involved hand pulling seedlings. Lantana control has also been undertaken over a 2.5ha along the riparian area
- Cathie Creek: Invasive weed management works have covered 4.5ha of bushland along the western side of Cathie Creek, targeting Ground asparagus (*Asparagus aethiopicus*), Bitou bush (*Chrysanthemoides monilifera subsp. rotundata*), Lantana (*Lantana camara*), Ochna (*Ochna serrulata*), Cassia (*Senna pendula var. glabrata*) and Coastal morning glory (*Ipomoea cairica*). Invasive weed management works have covered 1ha of littoral rainforest on the eastern side of Cathie Creek, targeting Mother of millions (*Bryophyllum*), Cassia (*Senna pendula var. glabrata*), Ground asparagus (*Asparagus aethiopicus*) and Climbing asparagus (*Asparagus plumosus*).

9. Development of other CMP Chapters

Although these projects are located outside of the Lake Innes/Lake Cathie/Cathie Creek waterway, the findings of these projects will feed into the CMP.

- **Hastings River Estuary Bank and Riparian Assessment**

Fruition Environmental are continuing to develop a bank and riparian assessment of Hastings River Estuary to inform future management actions to be incorporated into the Hastings River Estuary CMP.

They have completed their initial field assessment of the Hastings River Estuary and identified 959 separate 'reaches.' A reach refers to an individually mapped segment of bank which have been assessed during the field survey as being relatively homogenous in terms of either bank erosion severity and/or riparian vegetation condition. Each reach also has a number of additional data fields recorded. This allows reaches to be identified on the basis of other attributes besides erosion severity or riparian condition. These additional attributes may include for example physical features, vegetation characteristics and/or man-made influences. Fruition Environmental are currently working with Council staff to develop a draft list of priority reaches for protection, enhancement and/or remedial intervention.

- **Hydrographic Dilution Study Kooloonbung Creek**

The purpose of this is to investigate the impacts of sewage overflows on oyster leases in the lower Hastings River estuary. The scope of works provides a staged approach to improving an understanding of the exposure of Hastings River oyster leases to sewage overflows, and development of a decision supporting matrix to guide authorities in determining aquaculture industry closures following sewage overflow events. University of NSW has been engaged to undertake this work and it is expected that this project will commence July 2022.

A project inception meeting occurred in the first week of July, with fieldwork expected to commence late July/August.

Options

This report is provided for information.

Community Engagement and Internal Consultation

This report is provided for information only.

Community consultation has been undertaken in some of the abovementioned projects, as mentioned in the discussion section of this report.

Planning and Policy Implications

There are no planning or policy implications in relation to this report. However, the outcomes of the various investigations and activities referenced in this report will guide the content of the Lake Cathie Bonny Hills and Hastings River Estuary Chapter of the Coastal Management Program.

Financial and Economic Implications

PMHC received additional funding from the DPE Coastal and Estuary Grants Program to undertake additional workshops recently undertaken for the Illaroo Road Coastal Hazard Protection Options Project. PMHC received \$6,334 from DPE, assuming a commitment of \$3,167 from PMHC. An additional funding application was made to DPE Coastal and Estuary Grants Program on 30 June 2022 for additional workshops and visualisation material associated with this project. An application was made for \$15,120, assuming a commitment of \$7,560 from PMHC.

Funding currently allocated to the projects outlined in this report are detailed below:

Project	Grant Funding (\$)	Council Contribution (\$)	Total Estimated Project Cost (\$)
Lake Cathie/Lake Innes/Cathie Creek			
Hydrodynamic Model	300,000	150,000	450,000
Illaroo Road Coastal Hazard Protection Options	86,835	43,418	130,253
Bushfire Affected Coastal Waterways Program	265,000	30,000	295,000
Illaroo Stormwater Redirection Project including variations for Asbestos Remediation and Aboriginal Cultural Heritage	456,825	456,825	913,650*
SUB TOTAL	1,102,325	677,075	1,779,400
Hastings River Estuary			
Hastings River Estuary Bank and Riparian Assessment	76,954 (DPE) 33,000 (DPI-Fisheries)	38,477	148,431
Hydrographic Dilution Study Kooloonbung Creek	70,001	35,000	105,001
SUB TOTAL	179,955	73,477	220,432
TOTAL	1,282,280	750,552	2,032,832

* The latest cost estimate to undertake the Stormwater Redirection project was \$1,929,000. Currently Council has \$720,000 for the civil works and \$121,553 for asbestos remediation around the proposed stormwater outlet - totalling \$841,553 (split 1:1).

AGENDA

ORDINARY COUNCIL
21/07/2022

Attachments

Nil

YOUR NATURAL AND
BUILT ENVIRONMENT

Item: 14.05

**Subject: TACKING POINT SURF LIFE SAVING CLUB EXTERNAL SEWER
UPGRADE WORKS - ADDITIONAL FUNDING REQUEST**

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region.

RECOMMENDATION

That Council:

- 1. Note the request from the Tacking Point Surf Life Saving Club to consider a further contribution toward the expansion of the Club House in Matthew Flinders Drive, Port Macquarie**
- 2. Request the Chief Executive Officer confirm with the Tacking Point Surf Life Saving Club that an additional contribution from Council toward external sewer works to the maximum value of \$116,956.38 (incl GST) will be made available.**
- 3. Note the additional allocation will be taken from Recreation and Building allocations as detailed in the report, namely the budget allocation for the Camden Haven Surf Club (\$51,027) and the Building Rectification Works budget allocation (\$65,930) as carryover from the 2021-2022 Capital budget.**
- 4. Include an additional budget line item in the first review of the 2022-2023 Operational Plan to the value of \$117,000 for "Tacking Point Surf Life Saving Club Drainage Works" and it be funded as detailed in this report.**

Executive Summary

Tacking Point Surf Life Saving Club (TPSLSC) has requested consideration of a further contribution to the current proposed expansion of facilities at the site, which will include significant upgrades to the amenities available to Club patrons and the public alike.

Staff are aware that grant monies have been received from the NSW State Government, however escalating costs on the overall project are putting at risk completion of the works and the TPSLSC has approached Council in the hope that an additional contribution toward the completion of the required internal sewerage works for the overall project could be considered.

It is recommended that a further contribution is made to the amount of \$116,956.38 (incl GST) to allow completion of the required internal sewer and drainage work. If adopted, this will bring Council's total contribution toward the project to \$169,490.38 (inc GST).

Discussion

Council last considered this matter at its 21 April 2022 Council meeting and resolved the following;

That Council:

- 1. Note the request from the Tacking Point Surf Life Saving Club to consider a contribution toward the expansion of the Club House in Matthew Flinders Drive, Port Macquarie.*
- 2. Request the Chief Executive Officer confirm with the Tacking Point Surf Life Saving Club that a contribution toward the new private sewage pumping station to the value of \$52,525 will be made upon completion of the project should the project continue.*
- 3. Include a budget line item to the value of \$52,525 in the 2021-2022 Operational Plan "Tacking Point Surf Life Saving Club SPS" funded from the sewer reserve.*

Following this resolution, the Tacking Point Surf Life Saving Club (TPSLSC) has made further representations around the project, cost escalations and current grant funding constraints, seeking a further consideration by Council of a contribution to the project.

As presented in the April 2022 report, the existing facility is connected to the sewerage network through both a junction connection on the northern side and an aging and constrained private sewage pumping station on the southern side of the building.

Surcharging from the sewer network has on occasion occurred at the yard gully on the northern side of the building. This has primarily been due to the level of the lower amenities in the building and the presence of sand and other debris in the mains in the area when significant rainfall events occur. Through remodelling the lower level amenities, the diversion of all sewer generated will be via the proposed upgraded private sewage pumping station. It was based on this information that Council resolved in April 2022 to contribute the cost of the Pumping Station to the project.

Whilst the Club has been able to secure some additional grant funding, cost escalations have put further pressure on the project and following a recent meeting with senior staff and TPSLSC representatives a further consideration for a contribution to the project is now presented.

Detailed quotes are included in the attachments. Attachments 1, 2 and 4 are confidential under Section 10A(2)(d1) of the Local Government Act 1993 as they contain commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

It is requested that Council consider a further contribution to the project stages 4A and 4B based on the following information provided by the Club from an email dated 18 May 2022 presented as Attachment 4.

Current contributions to the proposed works include;

- 1) Grant Funding Committed to Date = (\$217,004.55 + GST)
PMHC Funding Committed to Date = (\$47,750.00 + GST)*

The TPSLSC will also be contributing \$25,000 from their current reserves and have to this point provided Works in Kind Donations up to the value of \$76,934.00 Inclusive of GST

The Club has requested Council consideration of a further \$116,956.38 (inclusive of GST) to enable the completion of all the external sewer and drainage works required for the Stage 4A and 4B proposed works, which will ultimately improve this existing Council owned asset. Once complete, it is understood the Club will continue with current planned stage works and will be seeking additional grant finding from other bodies to assist.

Funding Opportunity

Council has been working separately on a project to update the Camden Haven Surf Life Saving club (CHSLSC) as the current facility has significant concrete cancer and now needs replacing as it is at the end of its useful life from an asset maintenance perspective.

Unfortunately, this project has come to an impasse and staff are awaiting further advice from DPE Crown Lands before this important renewal project can proceed with certainty. Specifically, the determination of where a new building can be located and what the process will be to manage such a project on the parcel of unidentified land is causing concerns. Additionally, the unidentified parcel is subject to Native Title claims.

Currently, within the four-year Delivery Program there is proposed a \$100,000 allocation in 2023-2024 and \$1.2million in 2024-2025 for the Camden Haven Surf Life Saving club project.

The Camden Haven SLSC Committee has also requested assistance from the State Member to support the development of their new facility with additional funds. The Camden Haven Surf Club redevelopment is still a priority and needs to be completed to meet the needs of the community but has been significantly delayed.

In August 2022 it is expected that Council will be presented with the annual Carry Over report for consideration. Allocations from two projects proposed to be carried over in the recreation and buildings area could be reallocated to meet the proposed funding request.

As the CHSLSC project has stalled, the remaining 2021-2022 allocation of \$51,027 will be requested to be carried over.

In addition to this, a request to carry over funding from the Building Rectification Works allocation of \$82,508 will be made.

If adopted, the requested shortfall to the total of \$116,956.38 (incl GST) could be allocated from these budget lines.

Options

Council has the option to support a further contribution toward the works at the level proposed from the future carry over items listed, ask for more information or clarification prior to consideration, or not contribute additional funding at this time.

Community Engagement and Internal Consultation

Internal consultation has occurred between the Chief Executive Officer and Director Community Utilities and the Director Community, Planning and Environment in presenting this report.

Planning and Policy Implications

The project works have been the subject of a Development Application and subsequent approval.


Financial and Economic Implications

It is proposed that the additional contribution of \$116,956.38 (incl GST) be funded from a number of current allocations from last financial year project allocations (which will be considered as part of the future Carry Over Report) as follows:

- Camden Haven Surf Club for the sum of \$51,027
- Building Rectification Works for the sum of \$65,930

Whilst the reallocation of this funding to this project may have an impact on other future works and programs, it is considered that this course of action will have minimal and manageable overall effect and will benefit an existing Council asset.

Attachments

1. Entire Plumbing Quote 1 (Confidential)
2. Entire Plumbing Quote 2 (Confidential)
3.  Stage 4A and 4B Scope
4. Overall TPSLSC Costs Estimates for Current Stages (Confidential)

Subject: CONFIDENTIAL SESSION

RECOMMENDATION

1. That Council move into Confidential Session to receive and consider the following items:
 - Item 16.01 RFQ-21-58 - Rawdon Island Bridge - Site Surveillance Officer;
RFQ-21-61 - Rawdon Island Bridge - Contract Administrator;
RFQ-21-62 - Rawdon Island Bridge - Project Microbat Specialist;

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 16.02 T-22-51 Water and Sewer Process Membrane Replacement Program

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 16.03 T-21-27 Supply and Delivery of Water Treatment Chemicals

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