



# Ordinary Council

## Business Paper

date of meeting: Wednesday 3 June 2020

location: Via Skype

time: 5:30pm

**Community Vision**

A sustainable high quality of life for all

**Community Mission**

Building the future together  
People Place Health Education Technology

**Council's Corporate Values**

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

**Community Themes**

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

# Ordinary Council Meeting

Wednesday 3 June 2020

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

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

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

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

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

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on 20 May 2020 be confirmed.

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## **PRESENT**

### **Members:**

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

### **Other Attendees:**

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

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This meeting was held remotely and electronically through Skype  
and is live streamed on Council's YouTube channel.  
The meeting opened at 5:30pm.

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## **01 ACKNOWLEDGEMENT OF COUNTRY**

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

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## **02 LOCAL GOVERNMENT PRAYER**

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

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### **03 APOLOGIES**

Nil.

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### **04 CONFIRMATION OF MINUTES**

*RESOLVED: Intemann/Dixon*

That the Minutes of the Ordinary Council Meeting held on 6 May 2020 be confirmed.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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### **05 DISCLOSURES OF INTEREST**

Councillor Griffiths declared a Pecuniary Interest in Item 13.05 - Post Exhibition - Airport Business Park - Planning Proposal and Draft Development Control Plan, the reason being that Councillor Griffiths owns a business and it could be perceived that the further sale of business land could provide a financial gain or loss.

Councillor Dixon declared a Non-Pecuniary, Significant Interest in Item 13.04 - Planning Proposal PP2017 - 4.1: Lot 516 DP1261705, Crestwood Drive, Port Macquarie, the reason being that Councillor Dixon has a family member living at Crestwood estate. This family member has had previous dealings with Land Dynamics.

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### **06 MAYORAL MINUTES**

Nil.

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

*RESOLVED: Alley/Griffiths*

That Council determine that the attachments to Item Numbers 10.05 and 13.06 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

*CARRIED: 8/0*

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

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

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

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

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

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

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## **SUSPENSION OF STANDING ORDERS**

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*RESOLVED: Alley/Hawkins*

That Standing Orders be suspended to allow items 13.09, 10.03, 10.04, 10.05, 10.06, 10.07, 10.08, 11.02, 12.01, 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07 and 13.08 not in the block to be brought forward and considered next in this order.

*CARRIED: 8/0*

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

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## **13.09 LAKE CATHIE EMERGENCY OPENING - FLOOD MITIGATION**

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### **MOTION**

*MOVED: Alley/Intemann*

That Council:

1. Determines that the scraping of the berm at a level of 1.2m AHD provides best balance of the environmental, community and protection of infrastructure requirements.
  2. Request the General Manager to proceed to take the action as determined in 1. above.
-

- 
3. Request the General Manager prepare appropriate community information explaining the action as determined in 1. above to be taken and the possible impacts of the action.
  4. Request the General Manager to write to the Minister for Water, Property and Housing confirming that Council's ongoing physical responsibilities for management of the Crown owned Lake Cathie waterbody are strictly limited to the responsibilities of flood mitigation, stormwater drainage and community protection only and any actions outside of this scope (including public health issues and complaints about water quality, odour, colour, mosquitoes, fish kills, fish health, ecology of the waterway, salinity, acid sulphate soils, pollution, water safety and the like) will be directed to the NSW Department of Planning, Industry and Environment - Crown Lands as the owner of the waterbody.

### **AMENDMENT**

*MOVED: Pinson/Griffiths*

That Council:

1. Alleviate flooding by the excavation of a deep channel 135m long x 6m wide, to a depth of 0.8m AHD.
2. Request the General Manager to proceed to take the action as determined in 1. above.
3. Request the General Manager prepare appropriate community information explaining the action as determined in 1. above to be taken and the possible impacts of the action.
4. Request the General Manager to write to the Minister for Water, Property and Housing confirming that Council's ongoing physical responsibilities for management of the Crown owned Lake Cathie waterbody are strictly limited to the responsibilities of flood mitigation, stormwater drainage and community protection only and any actions outside of this scope (including public health issues and complaints about water quality, odour, colour, mosquitoes, fish kills, fish health, ecology of the waterway, salinity, acid sulphate soils, pollution, water safety and the like) will be directed to the NSW Department of Planning, Industry and Environment - Crown Lands as the owner of the waterbody.

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

*LOST: 2/6*

*FOR: Griffiths and Pinson*

*AGAINST: Alley, Dixon, Hawkins, Intemann, Levido and Turner*

### **THE MOTION WAS PUT AND CARRIED**

*RESOLVED: Alley/Intemann*

That Council:

1. Determines that the scraping of the berm at a level of 1.2m AHD provides best balance of the environmental, community and protection of infrastructure requirements.



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2. Request the General Manager to proceed to take the action as determined in 1. above.
  3. Request the General Manager prepare appropriate community information explaining the action as determined in 1. above to be taken and the possible impacts of the action.
  4. Request the General Manager to write to the Minister for Water, Property and Housing confirming that Council's ongoing physical responsibilities for management of the Crown owned Lake Cathie waterbody are strictly limited to the responsibilities of flood mitigation, stormwater drainage and community protection only and any actions outside of this scope (including public health issues and complaints about water quality, odour, colour, mosquitoes, fish kills, fish health, ecology of the waterway, salinity, acid sulphate soils, pollution, water safety and the like) will be directed to the NSW Department of Planning, Industry and Environment - Crown Lands as the owner of the waterbody.

*CARRIED: 6/2*

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

*AGAINST: Griffiths and Pinson*

The meeting adjourned at 6:30pm and resumed at 6:35pm.

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### **10.03 COVID-19 PANDEMIC UPDATE**

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*RESOLVED: Griffiths/Turner*

That Council:

1. Note the information included in this COVID-19 Pandemic Update report.
2. Note the procurement initiatives outlined in this COVID-19 Pandemic Update report aimed at assisting local businesses.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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#### **10.04 MONTHLY BUDGET REVIEW - APRIL 2020**

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*RESOLVED: Hawkins/Griffiths*

That Council:

1. Adopt the adjustments in the "April 2020 Adjustments" section of the Monthly Budget Review – April 2020.
2. Amend the 2019-2020 Operational Plan to include all budget adjustments approved in this report.
3. Request the General Manager provide a briefing to Councillors on water supply annual charges.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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#### **10.05 QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2020**

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*RESOLVED: Hawkins/Alley*

That Council note the Quarterly Budget Review Statement for the March 2020 Quarter.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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#### **10.06 INVESTMENTS - APRIL 2020**

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*RESOLVED: Hawkins/Alley*

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

*CARRIED: 7/1*

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

*AGAINST: Griffiths*

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#### **10.07 INVESTMENT POLICY REVIEW - POST EXHIBITION**

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##### **MOTION**

*MOVED: Intemann/Hawkins*

That Council adopt the amended Investment Policy.

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**AMENDMENT**

*MOVED: Griffiths/Pinson*

That Council note the Investment Policy Review - Post Exhibition report.

**THE AMENDMENT WAS PUT AND LOST**

*LOST: 3/5*

*FOR: Griffiths, Levido and Pinson*

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

**AMENDMENT**

*MOVED: Intemann/Levido*

That Council request the General Manager re-exhibit for twenty-eight days the proposed draft amended Investment Policy using the words that were suggested by the Audit, Risk and Improvement Committee from its recommendation of February 2020.

**THE AMENDMENT WAS PUT AND CARRIED**

*CARRIED: 7/1*

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

*AGAINST: Griffiths*

**THE AMENDMENT BECOMES THE MOTION AND WAS PUT AND CARRIED**

*RESOLVED: Intemann/Levido*

That Council request the General Manager re-exhibit for twenty-eight days the proposed draft amended Investment Policy using the words that were suggested by the Audit, Risk and Improvement Committee from its recommendation of February 2020.

*CARRIED: 7/1*

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

*AGAINST: Griffiths*

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**10.08 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM  
PERFORMANCE**

*RESOLVED: Griffiths/Pinson*

That Council:

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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## **11.02 RAINBOW BEACH SPORTS FIELDS DESIGN OPTIONS**

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*RESOLVED: Alley/Griffiths*

That Council:

1. Note the information contained within the Rainbow Beach Sports Fields Design Options Report.
2. Recognise the ongoing engagement that has been undertaken regarding the Rainbow Beach Sports Fields project with the self-established Rainbow Beach Sports Fields Volunteer Committee and thank the group for their involvement and feedback on this project.
3. Adopt the Rainbow Beach Sports Fields Option 1 design (Attachment 1) with the inclusion of a playground within the design, and continue to progress detailed design of this project.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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## **12.01 DRAFT GREATER PORT MACQUARIE DESTINATION MANAGEMENT PLAN 2020-2024**

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*RESOLVED: Pinson/Griffiths*

That Council:

1. Note the submissions received following the exhibition of the Draft Port Macquarie-Hastings Destination Management Plan 2020-2024.
2. Adopt the Port Macquarie-Hastings Destination Management Plan 2020-2024 as attached to the report.
3. Advise those people who made a submission during the development of the Port Macquarie-Hastings Destination Management Plan of the outcome.
4. Note performance against the Plan will be reported to Council and stakeholders on an annual basis commencing in June 2021.

*CARRIED: 7/1*

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

*AGAINST: Hawkins*

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## **13.01 WATER SUPPLY SECURITY UPDATE**

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*RESOLVED: Pinson/Griffiths*

That Council:

1. Note the information contained in this Water Supply Security Update report.

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2. Request the General Manager cease progressing any further work on the feasibility / investigation into a Desalination Plant until a Councillor briefing has been held to discuss the financial impacts and related issues surrounding a desalination plant.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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### **13.02 OCEAN DRIVE DUPLICATION PROJECT UPDATE**

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*RESOLVED: Levido/Turner*

That Council:

1. Note the information contained in this report regarding the status of the Ocean Drive Duplication Project, in particular the funding gap risk of up to \$30Million.
2. Request that the Mayor and General Manager commence detailed discussion with the Federal Member for Cowper, Pat Conaghan MP and the Minister for Transport, Infrastructure and Regional Development, The Hon Michael McCormack MP, regarding securing the required additional funding to commence this important project.
3. Note the potential significant economic stimulus this project would provide to the Port Macquarie-Hastings and broader Mid-North Coast region, acknowledging the current economic impact caused by COVID-19 situation.
4. Request Transport for NSW re-establish the Joint Steering Group with Council to oversee and manage this large project on a Regional Road should additional funding be secured and the construction phase commences.
5. Request the General Manager to bring a further Ocean Drive Duplication Project update report to the August 2020 meeting of Council detailing the outcomes of any discussion with the Federal Government regarding additional funding support.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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### **13.03 LONG TERM ENERGY STRATEGY - SIX MONTHLY UPDATE**

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*RESOLVED: Intemann/Alley*

That Council:

1. Note the update on the Long Term Energy Strategy implementation as provided in this report.
2. Include in the scope for consultant advice (page 107-108 of the report) a request to cover latest and predicted movement in costs and benefits, and renewable energy technology including batteries, as well as solar procurement and a solar management plan.

- 
3. Request the General Manager provide a briefing on investment return and progress on achieving the strategy.

CARRIED: 8/0

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

AGAINST: Nil

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**13.04 PLANNING PROPOSAL PP2017 - 4.1: LOT 516 DP1261705,  
CRESTWOOD DRIVE, PORT MACQUARIE**

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Councillor Dixon declared a Non-Pecuniary, Significant Interest in this matter and left the meeting and did not participate in the meeting during the Council's consideration, the time being 8:53pm.

**MOTION**

MOVED: Pinson/Griffiths

That Council:

1. Support the Planning Proposal application in relation to Lot 516 DP 261705, Crestwood Drive, Port Macquarie, requesting a rezoning of the land from RU1 Primary Production to B1 Neighbourhood Centre for the following reasons:
  - a) The proposed Planning Proposal will have:
    - i) A positive social benefit to the local residents of Crestwood and an increase in the neighbourhood amenity.
    - ii) A positive impact on the wider community, visitors and tourists, including users of the Googik Track.
    - iii) A positive economic impact on the local economy and provide employment opportunities throughout construction through to operation.
  - b) The Planning Proposal demonstrates strategic and site-specific merit in accordance with the Strategic Merit Test outlined in the Department of Planning & Environment's A Guide to Preparing Planning Proposals.
  - c) There is the ability to accommodate necessary bushfire measures via the proposed caveat on the land preventing residential uses including shop top housing.
2. Prepare a Planning Proposal to rezone land as shown in Figure 1 of this report, pursuant to section 3.33 of the *Environmental Planning and Assessment Act 1979*, for the amendment of the provisions of *Port Macquarie-Hastings Local Environmental Plan 2011*, in relation to Lot 516 DP1261705 (private), Lot 497 DP1237901 (Council owned and managed), and Lot 319 DP1214443 (Council owned and managed) at Crestwood to:
  - a) Amend the Land Zoning Map to rezone:
    - i) Lot 516 from RU1 Primary Production to B1 Neighbourhood Centre to facilitate business, recreation and tourism uses;
    - ii) Lot 497 from part R1 General Residential and part RU1 Primary Production to RE1 Public Recreation to reflect the community and recreational use of the land;
    - iii) Lot 319 from part R1 General Residential to SP2 Infrastructure (Stormwater) to reflect Council's operational use of the land;

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- iv) Amend the Height of Building Map in relation to Lot 516 to impose a maximum Height of Building of 8.5m;
    - v) Amend the Floor Space Ratio Map in relation to Lot 516 to impose a maximum Floor Space Ratio of 0.65:1.
  - 3. Forward the Planning Proposal described in point 2 above to the NSW Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979, and request that the Gateway Determination authorise Council to be the local plan-making authority.
  - 4. Delegate authority to the Director Development and Environment to make any minor amendments to the Planning Proposal as a result of the issue of the Gateway Determination, prior to public exhibition of the Planning Proposal.

### **FORESHADOWED MOTION**

*MOVED: Levido/Turner*

That Council:

- 1. Not support the Planning Proposal application in relation to Lot 516 DP 261705, Crestwood Drive, Port Macquarie, requesting a rezoning of the land from RU1 Primary Production to B1 Neighbourhood Centre for the following reasons:
  - a) The proposed Planning Proposal could result in a development that is unacceptable in terms of economic and environmental impact, specifically:
    - i) The request proposes development of land which would be inconsistent with Object (b) of the Environmental Planning and Assessment Act, 1979.
    - ii) The request for approximately 5000m<sup>2</sup> of Neighbourhood Business zoned land at Crestwood is inconsistent with Council's Hierarchy of Business Centres as adopted in the Port Macquarie-Hastings Urban Growth Management Strategy 2017- 2036 and the subject land is not identified as a future Local Neighbourhood Centre;
    - iii) A commercial zoning of the land presents significant bushfire risk to life and property as a B1 Neighbourhood Centre zone would allow certain types of residential land uses, which Council is not able to prohibit.
  - b) The Planning Proposal is inconsistent with:
    - i) The North Coast Regional Plan 2036 Principles for urban growth, and Direction 6 Develop successful centres of employment (new commercial precincts, outside of centres, to maintain the strength of the local economy);
    - ii) Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 (UGMS) - Hierarchy of Business Centres;
    - iii) Ministerial Directions 1.1 Business and Industrial Zones; 4.4 Planning for Bushfire Protection; 5.10 Implementation of Regional Plans; and 6.3 Site Specific Provisions.
    - iv) The Planning Proposal does not demonstrate strategic and site-specific merit in accordance with the Strategic Merit Test outlined in the Department of Planning & Environment's A Guide to preparing planning proposals.



- v) The Planning Proposal Application is inconsistent with Council's Planning Proposal Policy as it is a proposal which is:
  - ☐ Inconsistent with the UGMS, and Council's established Hierarchy of Business Centres;
  - ☐ Conflicts with Council's economic development objectives for employment and industry.
- 2. Prepare a Planning Proposal to rezone land as shown in Figure 1 of this report, pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979, for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to Lot 516 DP1261705 (private), Lot 497 DP1237901 (Council owned and managed), and Lot 319 DP1214443 (Council owned and managed) at Crestwood to:
  - a) Amend the Land Zoning Map to rezone:
    - i) Lot 516 from RU1 Primary Production to RE2 Private Recreation to facilitate recreation and tourism uses;
    - ii) Lot 497 from part R1 General Residential and part RU1 Primary Production to RE1 Public Recreation to reflect the community and recreational use of the land;
    - iii) Lot 319 from part R1 General Residential to SP2 Infrastructure (Stormwater) to reflect Council's operational use of the land;
    - iv) Amend the Height of Building Map in relation to Lot 516 to impose a maximum Height of Building of 8.5m;  
Amend the Floor Space Ratio Map in relation to Lot 516 to impose a maximum Floor Space Ratio of 0.65:1.
- 3. Forward the Planning Proposal described in point 2 above to the NSW Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979, and request that the Gateway Determination authorise Council to be the local plan-making authority.
- 4. Delegate authority to the Director Development and Environment to make any minor amendments to the Planning Proposal as a result of the issue of the Gateway Determination, prior to public exhibition of the Planning Proposal.

## **AMENDMENT**

*MOVED: Pinson/Griffiths*

That Council request the General Manager to schedule a briefing for Councillors to consider the merit of a zoning application of land in Lot 516 DP 261705 Crestwood Drive, Port Macquarie from RU1 primary production to B1 neighbourhood centre.

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

*LOST: 2/5*

*FOR: Griffiths and Pinson*

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

## **THE MOTION WAS PUT AND LOST**

*LOST: 2/5*

*FOR: Griffiths and Pinson*

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



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**THE FORESHADOWED MOTION WAS PUT AND CARRIED**

*RESOLVED: Levido/Turner*

That Council:

1. Not support the Planning Proposal application in relation to Lot 516 DP 261705, Crestwood Drive, Port Macquarie, requesting a rezoning of the land from RU1 Primary Production to B1 Neighbourhood Centre for the following reasons:
  - a) The proposed Planning Proposal could result in a development that is unacceptable in terms of economic and environmental impact, specifically:
    - i) The request proposes development of land which would be inconsistent with Object (b) of the Environmental Planning and Assessment Act, 1979.
    - ii) The request for approximately 5000m<sup>2</sup> of Neighbourhood Business zoned land at Crestwood is inconsistent with Council's Hierarchy of Business Centres as adopted in the Port Macquarie-Hastings Urban Growth Management Strategy 2017- 2036 and the subject land is not identified as a future Local Neighbourhood Centre;
    - iii) A commercial zoning of the land presents significant bushfire risk to life and property as a B1 Neighbourhood Centre zone would allow certain types of residential land uses, which Council is not able to prohibit.
  - b) The Planning Proposal is inconsistent with:
    - i) The North Coast Regional Plan 2036 Principles for urban growth, and Direction 6 Develop successful centres of employment (new commercial precincts, outside of centres, to maintain the strength of the local economy);
    - ii) Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 (UGMS) - Hierarchy of Business Centres;
    - iii) Ministerial Directions 1.1 Business and Industrial Zones; 4.4 Planning for Bushfire Protection; 5.10 Implementation of Regional Plans; and 6.3 Site Specific Provisions.
    - iv) The Planning Proposal does not demonstrate strategic and site-specific merit in accordance with the Strategic Merit Test outlined in the Department of Planning & Environment's A Guide to preparing planning proposals.
    - v) The Planning Proposal Application is inconsistent with Council's Planning Proposal Policy as it is a proposal which is:
      - ☐ Inconsistent with the UGMS, and Council's established Hierarchy of Business Centres;
      - ☐ Conflicts with Council's economic development objectives for employment and industry.
2. Prepare a Planning Proposal to rezone land as shown in Figure 1 of this report, pursuant to section 3.33 of the *Environmental Planning and Assessment Act 1979*, for the amendment of the provisions of *Port Macquarie-Hastings Local Environmental Plan 2011*, in relation to Lot 516 DP1261705 (private), Lot 497 DP1237901 (Council owned and managed), and Lot 319 DP1214443 (Council owned and managed) at Crestwood to:
  - a) Amend the Land Zoning Map to rezone:

- 
- i) Lot 516 from RU1 Primary Production to B1 Neighbourhood Centre to facilitate business, recreation and tourism uses;
    - ii) Lot 497 from part R1 General Residential and part RU1 Primary Production to RE1 Public Recreation to reflect the community and recreational use of the land;
    - iii) Lot 319 from part R1 General Residential to SP2 Infrastructure (Stormwater) to reflect Council's operational use of the land;
    - iv) Amend the Height of Building Map in relation to Lot 516 to impose a maximum Height of Building of 8.5m;
    - v) Amend the Floor Space Ratio Map in relation to Lot 516 to impose a maximum Floor Space Ratio of 0.65:1.
  3. Forward the Planning Proposal described in point 2 above to the NSW Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979, and request that the Gateway Determination authorise Council to be the local plan-making authority.
  4. Delegate authority to the Director Development and Environment to make any minor amendments to the Planning Proposal as a result of the issue of the Gateway Determination, prior to public exhibition of the Planning Proposal.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Councillor Dixon returned to the meeting, the time being 9:52pm.

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### **13.05 POST EXHIBITION - AIRPORT BUSINESS PARK - PLANNING PROPOSAL AND DRAFT DEVELOPMENT CONTROL PLAN**

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Councillor Griffiths declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 9:52pm.

*RESOLVED: Levido/Turner*

That Council:

1. As a result of the consideration of submissions and consultation with public authorities, endorse the forwarding of the Airport Business Park Planning Proposal, as exhibited, to the NSW Department of Planning, Industry and Environment under Section 3.36 of the Environmental Planning and Assessment Act 1979, requesting that the Minister for Planning and Public Spaces draft a Local Environmental Plan to amend the Port Macquarie-Hastings Local Environmental Plan 2011 to give effect to the Planning Proposal.
2. Adopt the exhibited Draft Airport Business Park Development Control Plan provisions, incorporating changes as referred to in this report, as an amendment to the Port Macquarie-Hastings Development Control Plan 2013, to commence on notification of the Local Environmental Plan in 1 above, on the NSW Legislation website.

- 
3. Request the General Manager to provide a future report on a Draft section 9.11 Airport Business Park Roads Contributions Plan, as described in this report, prior to development of the Business Park.
  4. That all persons who lodged a submission be advised of Council's decision and provided with individual detailed responses to the specific issues raised in their submission.

*CARRIED: 6/1*

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

*AGAINST: Pinson*

Councillor Griffiths returned to the meeting, the time being 10:11pm.

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### **EXTENSION OF TIME**

*RESOLVED: Dixon/Hawkins*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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### **13.06 LAKE INNES ACID SULPHATE SOIL MANAGEMENT OPTIONS STUDY - GRANT APPLICATION UPDATE**

*RESOLVED: Intemann/Turner*

That Council:

1. Note the outcome of the Coastal and Estuary Management Program Grant application.
2. Note that:
  - (a) Council's application was for 50:50 NSW funding for studies recommended by officers of the NSW Department of Planning, Industry and Environment (DPIE), as being necessary to address the significant acid sulphate soil risk in the Lake Cathie-Lake Innes estuarine system.
  - (b) The land or water the subject of the studies is owned by the NSW Government (National Parks & Wildlife and NSW Crown Lands), not Council.
  - (c) Council was notified on 27 March 2020 that the application for funding was placed on a "reserve list" subject to the completion of the PMHC Coastal Management Program (CMP) Scoping Study before the next round of funding opens in August 2020.
  - (d) Council has developed a draft Scoping Study under stage 1 of the Coastal Management Program, ready for community engagement due to the complexity of the issues, and therefore will not be available for inclusion in any funding application in August.

- 
- (e) Work has commenced on the Coastal Management Program for Lake Cathie/Lake Innes and Bonny Hills Estuary and Coastline as Stage 2 of the Program, and the proposed Acid Sulphate studies are an integral portion of this stage 2 CMP work and it will be at a risk of an unreasonable delay if the Acid Sulphate studies are delayed.
3. Request the General Manager to contact the Department of Planning, Industry and Environment (DPIE), and the State Member for Port Macquarie Leslie Williams, to explain the situation and seek urgent 50:50 NSW funding for the recommended Acid Sulphate Studies.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**13.08 DA2019 - 309.1 RESIDENTIAL SUBDIVISION AT LOT 302 DP 754434  
EMILY AVENUE, PORT MACQUARIE  
APPLICANT: KING AND CAMPBELL PTY LTD  
OWNER: PORT MACQUARIE-HASTINGS COUNCIL**

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*RESOLVED: Griffiths/Turner*

That DA2019 - 309.1 for a residential subdivision at Lot 302, DP 754434, Emily Avenue, Port Macquarie, be determined by granting consent subject to the recommended conditions.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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

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*RESOLVED: Alley/Turner*

That Items 10.01, 10.02, 11.01 and 13.07 be considered as a block resolution.

*CARRIED: 8/0*

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

*AGAINST: Nil*

*RESOLVED: Turner/Alley*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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

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*BLOCK RESOLVED: Turner /Alley*

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

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## **10.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 2 APRIL TO 6 MAY 2020**

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*BLOCK RESOLVED: Turner /Alley*

That Council note the Mayoral Discretionary Fund allocations for the period 2 April to 6 May 2020 inclusive.

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## **11.01 HISTORY OF OXLEY HIGHWAY GATEWAY SCULPTURE**

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*BLOCK RESOLVED: Turner /Alley*

That Council note the history of the "Port Gateway" sculpture which was commissioned and installed as part of the Oxley Highway Project in 2010-2011.

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## **13.07 DRAFT COASTAL MANAGEMENT PROGRAM SCOPING PLAN**

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*BLOCK RESOLVED: Turner /Alley*

That Council:

1. Place the draft Coastal Management Plan Scoping Study (Attachment 1) on public exhibition commencing from 21 May 2020, for 28 days.
2. Request the General Manager to provide a further report to Council following the exhibition detailing the submissions received from the public during the exhibition period.

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## **15 CONFIDENTIAL SESSION**

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*RESOLVED: Alley/Griffiths*

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

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the proceedings of the Confidential Session of Council on the basis that items to be considered are of a confidential nature.

2. That Council move into Closed Session to receive and consider the following items

Item 15.01 EOI-20-02 Independent Members of the Cultural Steering Group

This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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: 8/0*

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

*AGAINST: Nil*

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#### **15.01 EOI-20-02 INDEPENDENT MEMBERS OF THE CULTURAL STEERING GROUP**

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*RESOLVED: Turner/Hawkins*

That Council:

1. Appoint the following people as independent members of the Cultural Steering Group for a two (2) year term:
  - (a) Mr Brian Barker
  - (b) Mr Chris Denny
  - (c) Ms Wendy Haynes
  - (d) Mr Beric Henderson
  - (e) Ms Stacey Morgan
  - (f) Ms Skye Petho
  - (g) Ms Debbie Sommers
  - (h) Ms Marie Van Gend
  - (i) Ms Willhemina Wahlin
2. Commence the appointments by inviting the new members to the next Cultural Steering Group meeting at a date to be confirmed.
3. Formally thank outgoing members of the Cultural Steering Group for their commitment and contribution during their recent tenure.
4. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-20-02.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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*RESOLVED: Intemann/Hawkins*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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

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The meeting closed at 10:27pm.

.....  
Peta Pinson  
Mayor

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

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

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

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



**Pecuniary Interest**

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

**Non-Pecuniary**

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

**Managing non-pecuniary conflicts of interest**

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

## SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

*This form must be completed using block letters or typed.*

*If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.*

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the <b>identified land</b>)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>1</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the <b>subject land</b><sup>2</sup>)</i> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

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

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

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

Last Updated: 3 June 2019

**Important Information**

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

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

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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

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

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<sup>1</sup> Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

<sup>2</sup> A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest

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Item: 07

Subject: **CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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

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**Alignment with Delivery Program**

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

**RECOMMENDATION**

**That Council determine that the attachment to Item Number 13.03 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.**

**Discussion**

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

<b>Item No:</b>	13.03
<b>Subject:</b>	Disaster Recovery Procurement
<b>Attachment Description:</b>	CONFIDENTIAL - Standard Memo - Fire - Flood Emergency 2020 - Extenuating Circumstances - Appointment of Eire Constructions
<b>Confidential Reason:</b>	Relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council. <i>Local Government Act 1993 - Section 10A(2)(d)(ii)</i>

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**Item: 08**

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

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

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

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

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

# 1 Leadership and Governance

## What we are trying to achieve

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

## What the result will be

We will have:

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

## How we will get there

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

**Item: 10.01**

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

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

### Alignment with Delivery Program

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

### RECOMMENDATION

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

### Discussion

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Ocean Drive Duplication - Outcomes of RMD Review	18/09/19 Item 13.09		DI		reported 20/05/20 Complete
Town Centre Master Plan Charter Review	20/06/18 Item 09.09	Still being discussed Deferred due to COVID-19	DSG	Apr-19 May-19 Jun-19 Aug-19 Oct-19 Nov-19 Dec-19 Feb-20 Apr-20 May-20	3/06/20
JH Taylor & MJ Taylor vs PMHC - report when finalised	18/09/19 Item 15.03	Included in agenda.	DCP	Feb-20 Mar-20 Apr-20 May-20	3/06/20
Stage 1 Review of Port Macquarie-Hastings Development Control Plan 2013 - Housekeeping Amendments - post exhibition	20/11/19 Item 13.06	To align policy and DCP provisions Deferred due to COVID-19	DDE	Mar-20 Apr-20	3/06/20
Draft Waste Minimisation	20/11/19 Item 13.01	Deferred due to	DCP	Mar-020 Apr-20	3/06/20



Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
and Management Policy - post exhibition		COVID-19, included in agenda.			
Council owned lots at North Shore - Progress of Sale	19/09/18 Item 09.24)	Council is currently in the process of obtaining DA's for the individual lots, prior to sale - this will provide assurance to future purchasers that the lots can be built on.	DSG	1/12/2019 Feb-20	17/06/20
Development Assessment Panel Charter Review - post exhibition	20/11/19 Item 13.10	Ongoing review of options underway	DDE	Mar-20 Apr-20 May-20	17/06/20
Biodiversity Investigations Stewardship Sites	20/11/19 Item 13.15	Detailed analysis still being undertaking Deferred due to COVID-19	DDE	Mar-02 Apr-20 May-20	17/06/20
Update on Site Specific Planning Proposal Requests	11/12/2019 Item 13.10		DDE		17/06/20
2020-2021 IP&R Documents - post exhibition	18/03/20 Item 10.08		DCP		17/06/20
Port Macquarie Aquatic Facility - Progress of detailed design and Strategic Concept Plan	18/09/19 Item 11.02		DDE		17/06/20
Port Macquarie Aquatic Facility - Outcome discussions with displaced user groups of	18/09/19 Item 11.02		DDE		17/06/20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Macquarie Park					
Planning Proposal Request PP2011 - 9.3: The Ruins Way and South Blackwood, Port Macquarie	19/06/19 Item 13.06	Revised Planning Proposal lodged and under assessment	DDE	Aug-19 Sep-19 Nov-19 Feb-20 Apr-20 Jun-20	15/07/20
T-19-38 Supply and Delivery of Electrical Goods	16/10/2019 Item 15.01	Still negotiating	DI	Dec-19 Feb-20 May-20	15/07/20
T-19-09 Supply and Delivery of Ready Mix Concrete - post negotiations	19/06/19 Item 15.04	Still negotiating	DI	Aug-19 Oct-19 Dec-19 Feb-20 May-20	15/07/20
T-19-10 Supply and Delivery of Road Construction Materials - post negotiations	19/06/19 Item 15.05	Still negotiating	DI	Aug-19 Oct-19 Dec-19 Feb-20 May-20	15/07/20
Draft Glasshouse Plan 2020-2022 - post exhibition	11/12/2019 Item 10.10	Still considering submissions	DCP	Mar-20 Apr-20 May-20	15/07/20
Coast, Estuary and Floodplain Sub-Committee - Membership	11/12/2019 Item 13.07	Deferred due to COVID-19	DDE	Apr-20 Jun-20	15/07/20
Roadside Vegetation Management Policy - post exhibition	06/05/2020 Item 13.01		DI		15/07/20
Draft Coastal Management Program Scoping Plan - post exhibition	20/05/2020 Item 13.07		DDE		15/07/20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Planning Proposal – Lot 2 DP1091253 Beach Street Bonny Hills	19/04/16 Item 12.02	Post-exhibition report and revised Planning Proposal (potentially) and re-exhibition	DDE	Sep-19 Nov-19 Feb-20 Apr-20	Jul-20
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie - post exhibition.	20/06/18 Item 14.05	On hold as per GM advice	DSG	Mar-20	Jul-20
Climate Change Risk Assessment - Update	18/03/20 Item 13.06		DDE		Jul-20
Fernbank Creek and Sancroix Planning Investigation - Progress Report	18/03/20 Item 13.08		DSG		Jul-20
Trialling Of Parklets In The Port Macquarie Town Centre	16/05/18 Item 10.02	Council is still working the relevant approvals	DSG		Aug-20
QFPM - Enforcement of Unlawful Activity Policy - findings of review	18/07/18 Item 09.07	Policy being drafted. Awaiting further advice and discussions with Councillors.	DDE	Dec-18 Feb-19 Mar-19 Apr-19 Jun-19 Jul-19 Aug-19 Oct-19 Feb-20 Apr-20 Jun-20	Aug-20
Land Acquisition Required as Part of the Long Flat Sewer Scheme - post exhibition	20/11/19 Item 13.13	Awaiting completion of required processes prior to exhibition.	DDE	Feb-20	Aug-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Water Supply Security Update Report	19/02/2020 Item 13.04		DI		Aug-20
Bushfire Recovery - Grant Funded Projects	19/02/2020 Item 10.21		DSG		Aug-20
Ocean Drive Duplication Project Update	20/05/2020 Item 13.02		DI		Aug-20
Canal Maintenance	18/10/17 Item 12.04	Works delayed 18mths.	DI	FY2018/2019 Jun-20	Sep-20
Draft s9.11 Airport Business Park Roads Contribution Plan	20/05/2020 Item 13.05		DDE		Oct-20
Future of Committees following establishment of Cultural Steering Group	19/04/17 Item 15.05	Priority item for the new CSG when adopted by Council following the EOI for membership Deferred due to COVID-19	DSG	Jun-17 Jul-17 Sep-17 Oct-17 Feb-18 Apr-18 Jul-18 Sep-18 Feb-19 Apr-19 May-19 Nov-19 Mar-20 Apr-20	Nov-20
Mid North Coast Joint Organisation - funding and related issues	06/05/2020 Item 10.01		GM		Nov-20
Markets Policy - Review	11/12/2019 Item 12.02		DSG		Dec-20
MOU - Norfolk Island Regional Council - income and expenditure administration.	20/03/19 Item 09.02		GM		Feb-21
Biodiversity Certification Assessment and Strategy - Port Macquarie	10/08/16 Item 12.01		DDE		2021 (estimate)

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowwood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits.					
Tuffins Lane Sporting Fields - Terms of Agreement	14/12/16 Item 06.02	Awaiting Catholic Parish advice	GM	Oct-18 Mar-19 Apr-19 Jul-19 Dec-19 Jun-20	TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date
Mayoral Discretionary Fund Allocations	GM	Monthly	Every	17-Jun
Monthly Financial Update	DCP	Monthly	Every (except July)	17-Jun
Investments	DCP	Monthly	Every	17-Jun
Recommendations by the Mayor's Sporting Fund Sub-Committee	DSG	Monthly	Every	Deferred due to COVID-19
Legal Fees - Update Report (19/09/18 - Item 09.16)	DCP	Quarterly	Feb, May, Aug, Nov	
Development Activity and Assessment System Performance	DDE	Quarterly	May, Aug, Nov, Feb	
Port Macquarie Health and Education Precinct - Update Report (06/05/2020 - Item 13.03)	DSG	Quarterly	Aug, Nov, Feb, May	
Operational Plan – Quarterly Progress	DCP	Quarterly	Nov, Feb, May, Aug	3-Jun
Grant Application Status Report (21/08/19 - Item 11.02)	DSG	Biannual	Feb, Aug	
Glasshouse Strategic Plan Update	DCP	Biannual	Feb, Aug	



Report	Reportin g Officer	Reporting Cycle	Month	Altered Report Date
Digital Technology Project Status (16/08/17 - Item 09.18)	DCP	Biannual	Feb, Aug	
Delivery Program – Six Monthly Progress	DCP	Biannual	Mar, Sep	
Update on Site Specific Planning Proposal Requests	DDE	Biannual	Apr, Oct	April: deferred due to COVID- 19
Management of Flying-Fox Colony in Kooloonbung Creek Nature Reserve - Biannual Progress Report (18/03/20 - Item 13.07)	DDE	Biannual	Jul, February	
Local Strategic Planning Statement (19/02/2020 - Item 10.22)	DSG	Biannual	Aug, Feb	
Mayoral and Councillor Fees (Setting of)	GM	Annually	May	July 20
Long Term Energy Strategy – Progress	DDE	Biannual	May, Nov	
Economic Development Strategy - Progress (20/11/2013 - Item 10.03)	DSG	Biannual	May, Nov	
Port Macquarie-Hastings Destination Management Plan 2020-2024 (20/05/2020 - Item 12.01)	DSG	Annually	Jun-21	
Council Policy - Status	DCP	Annually	Jul	
Recreation Action Plan – Status	DDE	Annually	Jul	
UGMS - Annual Progress Report on Implementation and Status of Actions (20/06/18 - Item 12.07)	DSG	Annually	Jul	
Local Preference Policy Outcomes	DCP	Annually	Aug	
Annual Report of the Activities of the Mayor's Sporting Fund	DSG	Annually	Sep	
Council Meeting Dates	GM	Annually	Sep	
Creation of Office - Deputy Mayor	GM	Annually	Sep	
Audit Committee Annual Report	DCP	Annually	Sep	
Annual Report of Disability Discrimination Act Action Plan	DSG	Annually	Sep	
Legislative Compliance Register	DCP	Annually	Sep	
Cultural Plan 2018 - 2021 - Implementation Progress Report (19/09/18 - Item 10.02)	DSG	Annually	Sep	
Koala Recovery Strategy Annual Report (19/09/18 - Item 12.05)	DDE	Annually	Sep	
Annual Disclosure of Interest Returns	GM	Annually	Oct	
Council's Annual Report	DCP	Annually	Nov	
Update Report - Impact of cost shifting for the previous financial year including any additional categories of cost- shifting that have been identified (21/10/15 - Item 09.04)	DCP	Annually	Nov	

Report	Reporting Officer	Reporting Cycle	Month	Altered Report Date
Performance of Property Investment Portfolio 6-Monthly (20/11/19 - Item 10.17)	DSG	Annually	Nov	
Compliments and Complaints Annual Report	DSG	Annually	Dec	17-Jun
Code of Conduct Complaints Annual Report	DCP	Annually	Dec	

**Attachments**

Nil

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**Item: 10.02**

**Subject: PAYMENT OF WATER FUND AND SEWER FUND DIVIDEND FOR THE YEAR 2018-2019**

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

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

**That Council:**

- 1. Note the achievement of substantial compliance with each of the best practice guidelines (NSW Best Practice Management Guidelines for Water Supply and Sewerage, August 2007) of:**
  - (a) Strategic Business Planning**
  - (b) Pricing**
  - (c) Water Conservation**
  - (d) Drought Management**
  - (e) Performance Reporting**
  - (f) Integrated Water Cycle Management**
- 2. Authorise the application to the NSW Government for approval to pay a dividend of \$924,507 to the General Fund from the surplus in Water Supply operations for the 2018-2019 financial year.**
- 3. Authorise the payment of \$102,723 for tax equivalents to the general fund from the Water Supply operations for the 2018-2019 financial year.**
- 4. Authorise the application to the NSW Government for approval to pay a dividend of \$869,076 to the General Fund from the surplus in the Sewerage Fund for the 2018-2019 financial year.**
- 5. Authorise the payment of \$96,564 for tax equivalents to the general fund from the Sewerage Fund for the 2018-2019 financial year.**
- 6. Determine that if successful in its application, the dividend will be allocated as follows:**
  - a) \$500,000 to fund the financial impacts arising from the COVID-19 pandemic in the 2020-2021 Operational Plan.**
  - b) \$1,492,870 to a COVID-19 Relief reserve.**

### **Executive Summary**

This report provides Council with information on Council's compliance with NSW Best Practice Management Guidelines for Water Supply and Sewerage.



In addition, the recommendation will allow Council to apply for payment of a dividend from the Water Supply and Sewerage Funds to General Fund for the year ended 30 June 2019.

**Discussion**

Where a Council Water or Sewerage operation has:

- an operating surplus for the year in question, and
- a sufficient cumulative operational surplus over the last three years

it may be eligible to make a dividend payment from the surplus if it meets the following requirements:

1. Demonstrates best-practice management compliance through an independent compliance audit report.
2. Obtains an unqualified financial audit report for its water supply/and or sewerage business(es).
3. Resolves in a council meeting open to the public that it has achieved “substantial compliance” with each criterion of the Best Practice Management Guidelines. The criterion are set out in table 1 of the guidelines which is attached.
4. Successfully undergoes a review of the Council overhead distribution to Water and Sewerage for the year in question.

Any dividend taken from the water and sewerage funds is able to be transferred to the General Fund and is unrestricted.

For the 2018-2019 financial year, Council meets the surplus requirements for both the Water Supply operations and the Sewerage operations.

**Requirement 1 – Best Practice Criteria**

In August 2007, the NSW Department of Water & Energy issued the final guidelines for the Best Practice Management of Water Supply and Sewerage Operations. The intent of the Best Practice Guidelines is to ensure compliance with six Best Practice Management criteria.

The six Best Practice criteria are:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management

Within each of the above six criteria there is a required outcome that needs to be met and indicators that demonstrate the achievement of the outcome. In accordance with the guidelines, Council has endeavoured to meet all criteria as addressed in the guidelines and to demonstrate the achievement of the criteria.

The achievement of the criteria is required to be audited by an independent external Auditor. Council has recently appointed NSW Public Works Advisory to undertake the best practice compliance audit for the 2018-2019 financial year. A copy of the final audit report is attached.

The audit concluded that "Port Macquarie-Hastings Council has demonstrated "substantial compliance" with Best Practice Management of Water Supply and Sewerage in line with the DPIE-Water Guidelines as applicable for the year ended 30<sup>th</sup> June 2019".

*Requirement 2- Unqualified Financial Audit Report*

The independent Audit Report on the Special Purpose Financial Reports for Water and Sewerage was included in Council's Annual Statements for the 2018-2019 financial year. The audit report was unqualified and therefore meets the criteria in the guidelines. A copy of the audit report is attached.

*Requirement 3- Council Resolution*

It is recommended that Council resolve that it has achieved "substantial compliance" with each criterion of the Best Practice Management Guidelines.

*Requirement 4 - Overhead Distribution*

Council recently engaged Thomas Noble & Russell to undertake the overhead review for the 2018-2019 financial year. The conclusion of that review was that "nothing has come to our attention that causes us to believe that the reallocation of overheads to Council's water and sewer business activities disclosed in the special purpose financial statements for the year ended 30 June 2019 is not fair and reasonable". A copy of this report is attached.

*Application*

Once Council complies with the abovementioned criteria, Council is able to apply for permission to pay a dividend from the Water Supply and Sewerage operations. The dividend totals \$924,507 for water supply and \$869,076 for sewerage services for the financial year 2018-2019. The payment of this dividend is subject to approval by the NSW Government and approval may or may not be granted. The payment of tax equivalents is not subject to approval from the NSW Government.

*Water Charges*

Water charges will continue to be charged under the current two-tier water pricing tariff structure. The annual water charge and usage charges for 2020-2021 in the draft Operational Plan are proposed to increase by 2.6% in line with the general fund rate peg. Reclaimed water will be charged at 50% of the potable water charge.

The Department of Industry has determined that with water becoming an increasingly scarce resource both locally and globally, it is appropriate that local water utilities focus on influencing water demand through increasing emphasis on usage based pricing. Best practice water supply pricing requires utilities to provide strong pricing signals to encourage efficient water use. With this in mind, the water usage charge is being increased and the water access charge is being reduced over 3 years commencing 2019-2020 with the goal that 75% of water income will be derived from usage charges by 2021-2022, in line with best practice recommendations.

It is noted that at the Ordinary Council meeting on 20<sup>th</sup> May 2020, Council resolved as follows:

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10.04 MONTHLY BUDGET REVIEW - APRIL 2020

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RESOLVED: *Hawkins/Griffiths*

*That Council:*

1. *Adopt the adjustments in the "April 2020 Adjustments" section of the Monthly Budget Review – April 2020.*
2. *Amend the 2019-2020 Operational Plan to include all budget adjustments approved in this report.*
3. *Request the General Manager provide a briefing to Councillors on water supply annual charges.*

CARRIED: 8/0

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

AGAINST: Nil

In relation to resolution 3 above, a briefing on water supply annual charges will be provided to the Councillors in due course.

*Allocation of Dividend to Reserves*

As of 11 March 2020 Covid-19 has been declared a worldwide pandemic. Covid-19 has had a major impact on the Australian economy and local government is not immune with many services impacted and facilities closed which has had a reduction in revenue. At the same time, Council is supporting its local economy and community and has undertaken a range of measures to support the community during the Covid-19 pandemic.

Council is assessing the impacts of the above on Council's financial position and will make any required amendments to the draft 2020/2021 Operational Plan and Budget, as well as through subsequent monthly finance reports where required, as the situation continues to develop. The impacts are however likely to be significant. On this basis and should the payment of a dividend be approved, it is recommended that the dividend be allocated in part to fund the financial impacts arising from the COVID-19 pandemic in the 2020-2021 Operational Plan and in part to a COVID-19 Relief reserve.

**Options**

Council has the option of applying for approval to take a dividend of \$1,793,580 from the water and sewerage funds or it can choose not to apply. If Council chooses to apply it must resolve that it has achieved "substantial compliance" with each of the criterion in the Best Practice Guidelines.

Council may choose to resolve that if successful the dividend be used for certain purposes, or it may choose not to limit the application of the funds.

**Community Engagement & Internal Consultation**

Consultation has occurred with the Water and Sewerage sections, Executive Team and independent auditors.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

A total dividend from surplus of \$1,793,583 is payable by the Water Supply and Sewerage operations. In addition, tax equivalents of \$199,287 are also payable. These funds are unrestricted and can therefore be spent on any General Fund activity that Council sees fit.

It is proposed to utilise these fund in part to fund the impacts of COVID-19 on the 2020-2021 Operational Plan, with the remainder placed into an internally restricted COVID-19 Relief reserve.

**Attachments**

1. Best Practice Guidelines - Table 1
2. 2018-2019 Best Practice Compliance Final Audit Report
3. 2018-2019 Special Purpose Audit Report
4. 2018-2019 Overhead Audit Report

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**Item:** 10.03

**Subject:** 2017-2021 DELIVERY PROGRAM AND 2019-2020 OPERATIONAL  
PLAN - QUARTERLY PROGRESS REPORT AS AT 31 MARCH 2020

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

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

1.1.4 Provide easy to understand and accessible community reporting.

#### **RECOMMENDATION**

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

#### **Executive Summary**

The 2019-2020 Operational Plan is a sub-plan of the adopted 2017-2021 Delivery Program. The Delivery Program is designed as the single point of reference for all key activities to be undertaken during a term of Council. The Operational Plan details the individual actions, projects and activities Council will undertake in the financial year to meet the commitments made in the Delivery Program.

Progress reports to Council and the community provide a central point of information on the progress on all actions set out in the 2019-2020 Operational Plan. The overview section in this report provides an overall statistical snapshot of the 2019-2020 Operational Plan performance by Community Theme.

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

**Attachment 1** to this report details each Operational Plan action, activity or project that is currently experiencing delays.

**Attachment 2** to this report details in full, all Operational Plan actions, activities or projects, providing concise and accurate commentary on progress. It also outlines the alignment to the Delivery Program objectives and the Community Strategic Plan.

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



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

The Operational Plan sets out the actions, activities and projects that will be undertaken in a financial year to deliver the overall objectives over the four year Delivery Program. The Operational Plan actions enables the objectives to be reached and contributes to achieving the vision and goals in the Community Strategic Plan.

The 2019-2020 Operational Plan contains 375 performance measures. As at 31 March 2020, 86% (321) are on target or have been achieved and 14% (54) are reported as behind. The table below provides a summary of the total number of performance measures and the status by Community Theme.

<b>2018-2019 Operational Plan summary of performance measures by theme</b>				
<b>Community Theme</b>	<b>Total No.</b>	<b>On target/ Achieved</b>	<b>Behind</b>	<b>Overall Delivery (%)</b>
<b>Leadership and Governance</b>	88	79	9	90%
<b>Your Community</b>	84	69	15	82%
<b>Your Business and Industry</b>	25	22	3	88%
<b>Your Natural and Built Environment</b>	178	151	27	85%
<b>Total</b>	375	321	54	86%

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

<b>Historical Comparative Review of Operational Plan Performance Measures</b>																
	<b>TOTAL</b>				<b>ON TARGET/ ACHIEVED</b>				<b>BEHIND</b>				<b>OVERALL DELIVERY Percentage (%)</b>			
	16/17	17/18	18/19	19/20	16/17	17/18	18/19	19/20	16/17	17/18	18/19	19/20	16/17	17/18	18/19	19/20
1Q - July - Sept	320	318	337	375	281	301	321	329	39	17	16	46	88%	95%	95%	88%
2Q - Oct - Dec	320	320	345	375	297	293	321	329	23	27	24	46	93%	92%	93%	88%
3Q - Jan - Mar	320	320	350	375	280	282	279	321	40	38	42	54	88%	88%	88%	86%
4Q - Apr - Jun	320	320	350		294	279	296		26	41	54		92%	87%	85%	
<b>Total</b>	<b>320</b>	<b>320</b>	<b>350</b>		<b>294</b>	<b>279</b>	<b>296</b>		<b>26</b>	<b>41</b>	<b>54</b>		<b>92%</b>	<b>87%</b>	<b>85%</b>	

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

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

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

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

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

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

Laurieton/Camden Haven/surrounds

- Rainbow Beach Sports Fields has project planning phase commenced
- Riverview Reserve playground upgrade has community engagement undertaken
- Scribbly Bark Reserve playground replacement is complete
- Construction of the Kew Sewerage Treatment Plant has detailed designs progressing
- Bold Street Pedestrian crossing in Laurieton has revised designs being developed as a result of new crossing location
- Comboyne Small Town Sewerage Scheme provision of a centralised sewerage system has construction completion planned by mid-2020
- Stormwater flooding mitigation measures at Rodley Street Bonny Hills has construction complete
- Substructure rehabilitation works on the Dunbogan Bridge - Reid Street has construction works complete

Port Macquarie

- Blair Reserve playground upgrade has construction underway
- Flynn's Beach seawall upgrade and replacement is complete
- New park facilities at Red Ochre have community engagement and a draft concept plan complete, construction expected to commence in the fourth quarter of 2019-2020
- The Ruins Way Park construction is expected to commence in the fourth quarter of 2019-2020
- Settlement Point Reserve playground replacement is complete
- Stuart Park Regional Sporting Precinct works are continuing. The Off Leash Dog Park, playground, landscaping and multi-purpose sports court have been completed. Construction of Stuart Park amenities ongoing. New storage facilities yet to commence, however are planned for completion by June 2020
- Town Beach Park playground replacement has the detailed plan finalised procurement commenced
- Port Macquarie Pool has community engagement undertaken and site selection process complete, with Macquarie Park confirmed as the preferred site. Project planning for detailed design process has commenced
- Port Macquarie Airport Terminal upgrade was completed in November 2019

- Port Macquarie Airport Parallel Taxiway - Stage 1 and General Aviation pavement renewal has concept design finalised. Tender for the environmental impact assessment (EIS) and Development Application awarded, project continuing
- Port Macquarie Sewer Treatment Plant works has contractor being sought
- Design review and finalisation nearing completion for reconstruction of The Ruins Way Port Macquarie (Major Innes Road and Sitella Street). Resurfacing works planned to commence in April 2020 with reconstructions works commencing in July/August 2020
- Port Macquarie Coastal Walk upgrade has construction works on Stage 1 - Charlie Uptin section near completion. Further construction works to continue

#### Wauchope/Rural/surrounds

- Hastings Regional Sporting Complex construction has design works progressing. Construction works planning is currently being developed
- Reservoir Park playground replacement is complete
- Rocks Ferry Reserve playground upgrade has community engagement finalised, construction scheduled for the fourth quarter of 2019-2020
- Bago Road Rehabilitation (Milligans Road to Blue Water Cres) has the majority of pavement works complete. Final seal and surfacing planning for the coming months
- Long Flat Small Town Sewerage Scheme provisions of a centralised sewerage system has construction completion planned for September 2020
- Telegraph Point Small Town Sewerage Scheme provisions of a centralised sewerage system has construction completion planned for fourth quarter of 2019-2020

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

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

#### COMMUNITY THEME: LEADERSHIP AND GOVERNANCE

Operational Plan summary of performance measures					
2019-2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	88	75	7	6	93%
2Q - Oct – Dec 2019	88	73	9	6	93%
<b>3Q - Jan – Mar 2020</b>	<b>88</b>	<b>68</b>	<b>11</b>	<b>9</b>	<b>90%</b>
4Q - Apr – Jun 2020					

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

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

#### *What the result will be*

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



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

*How do we know we are progressing*

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

Highlights by Council Service and Delivery Program Objective

**Council Service: Communications and Community Place**

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

- Over 644 Media releases, statements, alerts and announcements and reactive responses were issued.
- A range of communication tools were used to keep the community up to date with council activities including use of consistent media channels such as social media, newspaper advertising, radio and Weekly Mayoral messages discussing topics such as water restrictions, water saving and bushfires
- Registered users on Council's 'Have Your Say' online engagement portal as at 31 March 2020 was 4,221 an increase from 4,107 as at 31 December 2020
- The Education messaging program has focused on water restrictions moving through levels, 4, 3 and 2 and a Food Waste education campaign that included pop up stalls and media communications

**Council Service: Community Place**

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

- Community engagement on the Community Strategic Plan included introducing 20 Ambassadors to assist with engagement, social media posts and pop up stalls at Australia Day
- All external engagement activities from mid-march were postponed due to the COVID-19 pandemic, however work on developing digital engagement opportunities are ongoing
- Community Plans for Bonny Hills, Pappinbarra, Comboyne/Byabarra, Lake Cathie and Telegraph Point were completed and endorsed by Council
- Draft Community Plans for Kew/Kendall, Herons Creek/Lorne and Camden Haven are under review after being placed on public exhibition
- Community Plans are nearing completion for Hastings Hinterland, Beechwood/Pembroke, Rollands Plains and Wauchope and are planned to be placed on public exhibition in the final quarter of 2019-2020
- Work is ongoing with the Council Community Action teams (CCAT) to finalise the outstanding plans with the actions to ensure momentum continues

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

- Development of a Community Engagement Program has work continuing. A new approach has been developed over the past six months with engagement processes to be developed and embedded
- A community satisfaction survey scheduled to be completed in April 2020

**Council Service: Integrated Planning and Reporting**

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

- An easy to read Community Report Card, highlighting Council's achievements in delivering outcomes to the community for the 2018-2019 financial year was produced with hard copies available at Council's Customer Service Offices and Library branches across the region
- The 2018-2019 Annual Report was presented to the Ordinary Council Meeting in November 2019 meeting legislative requirements
- The DRAFT 2020-2021 Operational Plan and budget was placed on public exhibition from 19 March to 17 April 2020. The final documents will be presented to the June 2020 Ordinary Council Meeting giving consideration to submissions received during the public exhibition period

**Council Service: Communications**

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

- Council has used a broad range of communications channels to keep the community informed of Council initiatives and projects. This includes delivering a quarterly rates newsletter, regular media exposure, utilising community newsletters, radio and television advertising and Facebook and website content
- Likes for the corporate Facebook page increased from 10,436 as at 31 December 2019 to 10,905 as at 31 March 2020, representing an increase of 4.49%.
- Marketing and education campaigns are ongoing and have included a variety of communication channels to deliver a range of messages including bus stops, signage, Facebook, digital billboard, radio, television, cinema, shopping centre displays and media releases
- Total number of visits to Council's website for the quarter was 192,982 users and website page views of 405,878

**Council Service: Governance**

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

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

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

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

- Regular meetings held with Camden Haven, Port Macquarie and Wauchope Chamber of Commerce and also Northside and Lake Cathie Progress Associations with the Mayor and Senior staff in attendance
- In March, the General Manager, Mayor and Senior staff met with Leslie Willems MP along with representatives from Minister Handcocks Office,

Crown Land and NSW Department of Planning, Industry and Environment to discuss the current situation at Lake Cathie

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

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

- The Mayor and General Manager have attended Mid North Coast Joint Organisation (MNCJO) board meetings during the first half of 2019-2020. The General Manager attended the February 2020 meeting via phone as Bellingen offices as the roads were closed due to flooding

**Council Service: Governance**

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

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

**Council Service: Governance**

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

- The Insurance Risk Management Action Plan is under development
- A review of the Risk Culture for Council's insurers has been undertaken and a safety audit is current underway
- Formal GIPA requests have been managed and responded to within the legislative timeframes

**Council Service: Human Resource Management**

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

- The Workforce Management Strategy includes 17 actions with the majority of action delivered or underway. Some of which include development and adoption of an Equity and Diversity Strategy and review of a large number of Human Resource policies and a trial of Knowledge Sharing program
- The Work, Health and Safety Strategy actions are being delivered with an external audit recently completed. An action plan to address the findings is currently under development
- The Learning and Development Strategy actions are being delivered with the Educational Assistance Policy review recently completed and a new policy launched providing support for employees undertaking formal training programs

*Delivery Program Objective: 1.3.5 Build an engaged workforce*

- The 2019-2020 Annual Employee Engagement Days have been postponed due to COVID-19. It is planned to reschedule them to late 2020 or early 2021



- Focus continues to embed Employee Engagement through the organisation, providing support to people leaders, process improvements and education sessions
- The Annual 2020 Annual Employee Engagement Survey was undertaken in February 2020. Teams will now review the outcomes and discuss action planning

**Council Service: Digital Technology**

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

- Delivery of non-essential Digital Technology projects has been delayed due to COVID-19. Undertaking critical tasks has been the focus during this time
- Renewal of Council's technology infrastructure to provide secure and responsive information communication technology is being undertaken, however has been impacted by COVID-19

**Council Service: Business Improvement Office**

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

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

**Council Service: Customer interactions**

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

- Over 56,566 calls were received from July 2019 to March 2020 through the Customer Call Centre, with 92% of calls answered within the service standard, exceeding the set target of 75%
- Over 68,027 counter enquires were processed from July 2019 to March 2020, and over 24,042 e-mails were received through Customer Service offices in Laurieton, Port Macquarie and Wauchope
- A Community Satisfaction Survey is planned to be undertaken in the fourth quarter of 2019-2020

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

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

- The 2018-2019 audited financial statements were lodged with the Office of Local Government in October 2019 in accordance with legislated timeframes
- Investment reports tabled in accordance with required timelines
- Monthly investment returns exceeded the benchmark
- Financial reports tabled in accordance with required timelines
- The Quarterly Budget Review Statement as at 30 September was presented to Council in November 2019 as scheduled
- The Draft 2020-2021 Operational Plan and budget was presented to Council in March 2020. The final Operational Plan and budget will be presented to the Ordinary Council Meeting in June 2020 in line with legislation requirements

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

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

- The Partridge Creek residential development is planned to have a report tabled at a future Ordinary Council Meeting
- Emily Ave residential development planning has the Development Application lodged and is under review by the Development Assessment panel in May 2020

**Council Service: Procurement**

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

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

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

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

- Operating revenue increased at the Airport by 6% in comparison to the same period last year exceeding the 3% target
- Operating revenue increased at the Crematorium by 4% in comparison to the same period last year exceeding the 3% target
- Operating revenue increased at the Environmental Laboratory by 25% in comparison to the same period last year exceeding the 3% target
- The Draft Glasshouse Strategic Plan 2020-2022 was presented to the Ordinary Council Meeting in December 2019 and is on public exhibition during January and February 2020. Submission under review and will be presented to a future meeting of Council

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

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

- Statutory property projects that included land matters have progressed as required
- Council's lease and licence portfolio currently has 168 Commercial leases, 70 Community Leases and 82 Leases Port Macquarie Hastings Council as Lessee

**Council Service: Asset Management**

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

- The Property Investment Strategy update report was presented to the November 2019 Ordinary Council Meeting, next report is due in November 2020

COMMUNITY THEME – YOUR COMMUNITY

Operational Plan summary of performance measures					
2019-2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	84	73	3	8	91%
2Q - Oct – Dec 2019	84	70	5	9	89%
<b>3Q – Jan – Mar 2020</b>	<b>84</b>	<b>63</b>	<b>6</b>	<b>15</b>	<b>82%</b>
4Q – Apr – Jun 2020					

Your Community

*What are we trying to achieve*

A healthy, inclusive and vibrant community

*What the result will be*

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

*How we know we are progressing*

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

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

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

*Delivery Program Objective: 2.1.1 Support Community Safety initiatives*

- Lifeguard patrols at Town, Flynns, Lighthouse, Lake Cathie, Rainbow and North Haven Beaches up until 27 March, when volunteer patrols were suspended as a result of COVID-19
- The Lifeguard Education Program was undertaken in Term 4 in schools across the local government area. Over 3,868 students participated in the program

**Council Service: Emergency Management**

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

- Support provided to the Emergency Operations Centre during the November 2019 fires and continue to with emergency services across the Local Government Area

**Council Service: Compliance**

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

- Monitoring and taking action to ensure compliance issues are managed has seen a range of activities undertaken, some of which have included:
  - Pool inspections;
  - Public health inspections;
  - On-site sewerage management system inspections;
  - Fire safety inspections;
  - Offences recorded by Council Rangers in relation to parking, beach patrols, illegal signage and sale of goods on roads and
  - Companion animal incidents were recorded.

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

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

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

**Council Service: Community Place**

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

- Delivering youth focussed activities during the COVID-19 pandemic has seen a digital youth week program developed
- The YOUTHinkers Program commenced with a marketing campaign undertaken in February 2020. 12 volunteers have elected to join the program
- The first round of the Community Grants Program is complete and the second round opened in February 2020 with anticipated to be delivered in the fourth quarter of 2019-2020
- The Draft Community Inclusion Plan was presented to the Ordinary Council Meeting in November 2019 and placed on public exhibition until February 2020. It is anticipated that the final plan will be presented to Council in the fourth quarter of 2019-2020

**Council Service: Community Place**

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

- Delivering actions from the Disability Inclusion Action Plan are ongoing some of which have included:
  - The launch of the Short Street accessible amenities including the first adult change table with an overhead gantry hoist;
  - Installation of a wheelchair viewing platform at the Charlie Uptin Walk;



- Installation of a wheelchair accessible picnic table at Kew playground;
- Installation of two new disability carpark and a wheelchair friendly beach ramp as part of the Flynns Beach seawall upgrade and
- Celebration of International Day of People with Disability
- Receiving grant funding for an 'Everyone can play' space for Blair Reserve

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

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

- Implementation of the Recreation Action Plan is ongoing, actions include:
  - Hastings Regional Sporting Facility - Stage 1 development has detailed design for the facility nearing completion;
  - Sancroix/Thrumster Sports Fields has project planning for detailed design of the facility commenced;
  - Hastings River Recreational Boating Facility has detailed concept plans developed. Land acquisition discussions are ongoing with land owners;
  - Port Macquarie Coastal Walk upgrade has construction works on Stage 1 - Charlie Uptin section near completion. Further construction works to continue
  - Port Macquarie off leash dog park at Stuarts Park is complete;
  - North Haven to Bonny Hills Coastal Walk has quotations currently being sought;
  - Port Macquarie Pool has community engagement undertaken and site selection process complete, with Macquarie Park confirmed as the preferred site. Project planning for detailed design process has commenced;
  - Wayne Richards Park - Stages 3 and 4 has detailed designs and approvals commenced. Concept plan developed for both stages, with environmental approvals process currently being confirmed.
- Implementation of the Sporting Facility Renewal and upgrade program is ongoing, actions include:
  - Oxley Oval sporting infrastructure upgrade has construction of the clubhouse commenced and upgrade of the electrical supply complete;
  - Port Macquarie Hastings Hockey Facility has the installation of lighting to Field 2 complete;
  - Port Macquarie Regional Sports Stadium has construction of new training field including lighting complete;
  - Charlie Watt Reserve Telegraph Point has lighting upgrades complete and field drainage scheduled for completion later in the calendar year
  - Andrews Park Wauchope has lighting upgrades complete;
  - Lake Cathie Sports Fields field surface upgrade has field surface upgrades and installation of irrigation complete;
  - Blackbutt Park Wauchope has furniture park upgrade commenced and
  - Kendall Sports Ground reserve upgrade commenced
- Regional Master Planning for recreational facilities is ongoing:
  - The review of the Bonny Hills Master Plan has commenced with community engagement underway



- Master Planning for Bain Park Wauchope has the Draft master plan complete and schedule for consideration at the June 2020 Ordinary Council Meeting

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

- Maintenance program works for parks, reserves, sporting fields and beaches across the local government area undertaken with some actions including:
  - Mowing selected parks and reserves;
  - Sports field preparation for weekly fixtures of summer sports;
  - Preparing sites for events including markets and weddings etc;
  - Sportsfield preparation for State Cup touch at the Regional Stadium and Tuffins Lane;
  - Garden maintenance in the Port Macquarie CBD area including pruning, watering, weed treatment and mulching;
  - Cleaning bin hides/bubblers across the local government area;
  - Implementation of Level 4 water restrictions included outdoor water facilities turned off and signage placed on all assets and
  - Filling water tanks for community groups during water restrictions
- All four pools managed in accordance with the pool management and operational guidelines. However, all four pools were closed from 23 March due to COVID-19 pandemic
- The Playground equipment replacement program has planning/construction underway for the following playgrounds, Blair Reserve, Scribbly Bark, Rocks Ferry Reserve, Settlement Point Reserve and Town Beach. Reservoir Park construction is complete. Riverview Reserve is yet to commence pending land tenure issues to be resolved
- The Recreational Walkway Replacement program is ongoing with planning commenced for the North Haven to Bonny Hills Walkway. Blair Reserve, Sandhurst Reserve and Harry's Walkway replacements has construction commenced with planned completion in the fourth quarter of 2019-2020
- The maintenance program for boat ramps, wharves and jetties is ongoing;
- The maintenance program for beaches was undertaken including detailed beach grooming at all high profile beaches
- Rocks Ferry Reserve riverbank revetment extension works were completed. Additional scope of works to extend rock armouring confirmed and work is scheduled to be complete by 2019-2020 financial year end
- The Public Amenities renewals program is ongoing with Short Street amenities complete. Pilot Beach amenities upgrade is planned for June 2020
- Kew Community Park construction is complete

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

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

- Scheduled and reactive maintenance programs of all Council-owned buildings including office furniture replacement is ongoing
- Building rectification works are ongoing in line with the Council Building Asset Management Plan

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

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

- Port Macquarie Coastal Walk upgrade has construction works on Stage 1 - Charlie Uptin section near completion. Further construction works to continue
- Flynn's Beach upgrade to the sea wall has construction complete
- Hastings Regional Sporting Complex construction has design works progressing. Construction works planning is currently being developed
- Town Centre Master Plan improvements include the Foreshore Walkway priority projects undertaking completion of landscape designs and completion of the Geotechnical and Heritage reports. Fisherman's Wharf is under construction by Crown Lands. The flood study for the William St underpass is in progress. Gordon Street underpass has preliminary designs complete
- Port Macquarie Pool has community engagement undertaken and site selection process complete, with Macquarie Park confirmed as the preferred site. Project planning for detailed design process has commenced;
- Mrs Yorks Garden has the concept plan finalised with works to be implemented by Friends of Mrs Yorks Garden
- New park facilities at Red Ochre have community engagement and draft concept plan complete, construction expected to commence in fourth quarter of 2019-2020
- New park facilities at Ruins Way has community engagement delayed, however, construction scheduled for fourth quarter of 2019-2020
- Stuart Park Regional Sporting Precinct works are continuing. The Off Leash Dog Park, playground, landscaping and multi-purpose sports court have been completed. Construction of Stuart Park amenities ongoing. New storage facilities yet to commence, however are planned for completion by June 2020
- Upgrades to the Tennis facility at Beechwood Tennis Courts had a grant funding application secured, which was submitted by the Beechwood Tennis Club, this funding is in addition to Council's co-contribution. Commencement date pending confirmation

**Council Service: Library**

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

- The annual Library Events Program has been temporarily suspended due to COVID-19
- Library membership increased to 35,686 as at March 2020 compared to 32,163 for the same period last year
- The Library Strategic Plan was adopted
- The new Library webpage was launched in August 2019 and has recorded approx. 30,000 page views per month since then

**Council Service: Community Engagement**

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

- A wide range of community activities and events have been held across the local government area up until mid-March, which was impacted by COVID-19. Some events have included:
  - NAIDOC Week;
  - Mayors Sporting Fund Bowls Day;

- Artwalk;
- Countdown to Christmas;
- Hastings Sports Awards;
- Mayors Sporting Fund Golf Day and
- Seniors Week.

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

- Continuing to support and promote community-led volunteer programs across the local government area of which a focus has been the Graffiti Blasters Program

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

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

- Implementation of actions from the Cultural Plan is ongoing with actions including:
  - Local Heritage assistance grants given out to improve heritage listed buildings within the local government area;
  - Planning for ArtWalk is underway. October 2020 is the new planned date due to COVID-19 travel bans being in place;
  - The Public Art Policy was adopted by Council following the public exhibition period;
  - The Cultural Economy Plan is progressing and
  - Bicentenary celebration planning continues to define event inclusions.
- A range of performing arts events were presented at the Glasshouse up until 23 March 2020, which was then closed to the public due to COVID-19. Some events presented included:
  - For Country For Nation - Australian War Memorial;
  - Symmetry of Nature - Beric Henderson;
  - Threaded Earth - Vana Ford and Kerry Wheelan;
  - Olsen and Ormandy;
  - Bennelong - Bangarra Dance Theatre and
  - H.M.S Pinafore.
- A range of visual arts events were presented at the Glasshouse up until 23 March 2020, which was then closed to the public due to COVID-19. Some events presented included:
  - Sydney Comedy Festival - Manhattan;
  - Short Film Festival - Cheek to Cheek;
  - Evening Stars - Jane Rutter and Peter Cousens and
  - Reality in Flames - Australian War Memorial Clay Intersections.

### COMMUNITY THEME: YOUR BUSINESS AND INDUSTRY

Operational Plan summary of performance measures					
2019 - 2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	25	24	0	1	96%
2Q - Oct – Dec 2019	25	23	1	1	96%
<b>3Q - Jan – Mar 2020</b>	<b>25</b>	<b>20</b>	<b>2</b>	<b>3</b>	<b>88%</b>
4Q - Apr – Jun 2020					

*What are we trying to achieve*

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

*What the result will be*

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

*How we know we are progressing*

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

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

*Highlights by Council Service and Delivery Program Objective****Council Service: Economic Development***

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

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

***Council Service: Development Assessment***

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

- Finalising the Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments in relation to a business park near Port Macquarie Airport has consultants preparing the Local Housing Strategy for the local government area with preliminary findings complete. Project currently placed on hold due to COVID-19 pandemic
- The review of planning proposals for specific sites within the Port Macquarie-Hastings Local Government Area based on priorities as determined by



Council has the next progress report planned to be presented to Council in June 2020

*Delivery Program Objective: 3.1.3 Implement Major Events Strategy*

- Implementation of actions relating to 'Major Events' through the Port Macquarie Hastings Events Plan are progressing. A community survey was undertaken with 276 completed, providing input on how they feel about Council run community events. The results are currently being reviewed
- Support provided for seven major events from July 2019 to March 2020. These events resulted in a combined economic impact of over \$18.2 million for the local community

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

- Implementation of actions from the Destination Management Plan is ongoing. A revised Draft Destination Management Plan was on public exhibition until February 2020. 11 submissions received and are currently under review
- Visits to the destination website for the third quarter show an increase of 1.38% year on year. This represents an increase in users from 269,665 for 2018-2019 financial year to 279,665 for 2019-2020 financial year

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

- Supporting town and village initiatives that will provide activation and economic return has been ongoing with some actions including:
  - Completion of Wauchope CBD upgrade works;
  - Unique boutique Wauchope social media/radio campaign delivered;
  - Footpath trading and A-frame sign fee waiver for towns and villages continuing with a policy review planned for the coming months;
  - Bushfire recovery initiatives, including a partnered approach to accessing bushfire recovery funding;
  - Developing the #supportlocalpmhc brand and communications approach and
  - Advocating for industry support via the Mid North Coast Bushfire Recovery Business and Tourism Subcommittee.

**Council Service: Airport**

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

- Port Macquarie Airport Terminal upgrade - Stage 2 - had construction completed in November 2019
- Port Macquarie Airport - Terminal car park second exit lane completed November 2019
- Based on year on year figures, passenger numbers are down 0.9% compared to the same period last year, however, passenger numbers for the month of March 2020 are down 37.7% compared to March 2019 due to the COVID-19 pandemic
- Port Macquarie Airport Parallel Taxiway - Stage 1 and General Aviation pavement renewal has concept design finalised. Tender for the environmental impact assessment (EIS) and Development Application awarded, project continuing

- Port Macquarie Airport Biodiversity certification agreement implementation is continuing post approval
- Development planning for the Airport Business Park is nearing completion. A report is scheduled to be presented to the May 2020 Ordinary Council Meeting, but may be impacted by the COVID-19 pandemic

**Council Service: Economic Development**

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

- Promoting local growth and opportunities within and outside the region has included undertaking actions such as:
  - An updated investment attraction prospectus has been designed and printed, opportunities for distribution to target markets being identified in context of COVID-19 constraints and
  - Videos in the 'live, work, invest here' campaign series have been commissioned, a further two videos and five written articles have been completed

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

- Port Macquarie Health and Education Precinct Master Plan implementation work is progressing with a report scheduled to be presented to Council in May 2020
- Engagement undertaken with the local Education and Skills Forum and support for the pilot program funding application continuing
- Support for the CSU Innovation Hub development and business plan
- Support for the development of Sovereign Hills Co-lab and
- Support potential Camden Haven co-working arrangement with the Chamber of Commerce

*Delivery Program Objective: 3.4.2 Support local business networks*

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

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

- Management and engagement via the Hub Business and Co-working centre
- Monthly Hub Business open nights and Innovate Port Macquarie meetings are ongoing
- Smart City Strategy development has had a change in the engagement approach. The project will now focus on benchmarking, limited targeted engagement and the development of a Smart City Framework
- Supporting the delivery of projects which enhance local digital engagement, smart work hubs and 'smart' technology rollout has seen business planning support provided for CSU Innovation Hub as part of Stage 2B campus development and promotion of free public Wi-Fi

COMMUNITY THEME: NATURAL AND BUILT ENVIRONMENT

Operational Plan summary of performance measures					
2019 - 2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	178	141	6	31	83%
2Q - Oct – Dec 2019	178	140	8	30	83%
<b>3Q - Jan – Mar 2020</b>	<b>178</b>	<b>134</b>	<b>17</b>	<b>27</b>	<b>85%</b>
4Q - Apr – Jun 2020					

*What are we trying to achieve*

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

*What the result will be*

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

*How we know we are progressing*

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

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

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

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

- Area 14 reclaimed (outlet) trunk main construction at Bonny Hills is complete
- Installation of new water supply services to residential and business premises to cater for new development is undertaken in response to Development Applications and is ongoing
- Construction of the reclaimed (outlet) trunk main at Bonny Hills (Area 14) is complete
- Thrumster reclaimed water supply rising main to the reservoir has designs complete and construction tender awarded. Construction to commence in the fourth quarter of 2019-2020 and will continue into 2020-2021
- Construction of the Beechwood Rosewood Reservoir is complete
- Water Trunkmain Augmentation between Sancroix Reservoir and Wauchope has designs finalised and construction works planned to commence in April 2020 and will continue into 2020-2021

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

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

**Council Service: Sewerage**

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

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

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

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



**Council Service: Stormwater and Drainage**

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

- Stormwater remediation detailed design work at Panorama Drive Bonny Hills is complete
- Stormwater remediation construction work at 31 Calwalla Cres is complete
- Stormwater remedial work at 741 Beechwood Road has planning complete with construction works planned to be completed by June 2020

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

- Major canal maintenance and dredging at Settlement Shore canals has works commenced December 2019 following community consultation. Works are planned for completion by mid-2020
- The Stormwater Renewal Program is ongoing with actions included:
  - Planning for:
    - Stormwater relining works at Longworth Road Dunbogan and Black Swan Terrace West Haven;
    - 230 Hastings River Drive works have been deferred into 2020-2021 due to limited funding.
  - Completed works include:
    - Stormwater relining works at Fairmont Gardens, Wauchope and
    - Stormwater relining works at 122 Hibbard Drive Port Macquarie.
- Stormwater flooding mitigation measures at Rodley Street Bonny Hills has construction complete
- Stormwater maintenance program is being undertaken with works based on inspections and assessment criteria

**Service: Waste Management**

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

- Expansion works at Kingfisher Waste Depot commenced late 2019 and scheduled to be complete in mid-2020
- The Waste Education Program for primary schools was being implemented up until March 2020 and then was impacted by COVID-19
- Pre-school waste education program was developed and implementation commenced, however has been impacted by COVID-19
- Draft Public Plan and Events waste minimisation and management policy including event requirements was placed on public exhibition in January 2020. Submissions currently under review with a further report scheduled to be presented to the Ordinary Council Meeting in May 2020
- Ensuring effective recycling and recovery of domestic and organic waste through the material recovery facility is ongoing
- Illegal dumping and clean-up programs are being implemented
- Kingfisher Waste Transfer Station - Gas Investigation Risk Analysis has final gas investigation study issued to the Environmental Protection Agency (EPA) for comment
- Dunbogan landfill site - Gas Investigation Risk Analysis project has gas bores installed and the 12 month monitoring program commenced

- Cairncross Gas Extraction Trial System has contractor engaged, however, project is pending due to COVID-19
- Projects identified and commenced for 'Better Waste and Recycling' initiatives
- Cairncross Waste Depot facility upgrade and expansion approvals has development consent received and the project plan finalised. Request for tender for detailed designs underway

**Council Service: Natural Resource Management**

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

- Inspection of fire trails on Council land are underway, with all planned inspections to be complete by 30 June 2020.
- 90 Asset Protection Zones (APZ) inspected during the second quarter in Laurieton, Lake Cathie, Bonny Hills, Wauchope and Port Macquarie
- Implementation of the The Flying Fox Management Plan actions are in ongoing
- The Draft North Brother Local Catchment Flood Study had a working draft options report submitted to the Coast, Estuary and Floodplain Advisory subcommittee in January 2020. A further review was undertaken in March with the view to place the document on public exhibition, however, this has been impacted by COVID-19
- Development of the Coastal Management Program for the local government area is underway with a report scheduled to be presented to the Ordinary Council Meeting in May 2020

**Council Service: Development Assessment**

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

- Development Assessment, Building Certification and Subdivision Certification activities were undertaken in accordance with legislation with the number of applications and processing times as follows:
  - 609 Development Applications, average processing time of 43 days;
  - 98 Development Application modifications, average processing time 44 days;
  - 329 Building Construction Certificates, average processing time of 9 days and
  - 65 Complying Development Certificates, average processing time of 14 days.
- No successful legal appeals were recorded in relation to processing errors for development applications from 1 July 2019 to 31 March 2020

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

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

- The footpath and bus shelter program commenced December 2019 in accordance with the project plan
- Improved pedestrian amenity for Wauchope Main Street – Stage 1 is complete
- Substructure rehabilitation works on the Dunbogan Bridge - Reid Street has construction works complete

- Kindee Bridge structural repairs and bridge replacement optioneering has initial repairs and detailed investigations complete. Stage 2 works planned to commence in the fourth quarter of 2019-2020
- Diamond Head Road/The Boulevard Flood Access Stage 1A is expected to have construction complete in the fourth quarter of 2019-2020
- Corridor planning - Kendall Road - Ocean Drive - Hastings River Drive regional road corridor has traffic counts undertaken. Request for quotation issued in March 2020
- Kew Main Street upgrade is currently in the design phase with community consultation being undertaken on the initial concept design. The detailed designs and approvals will commence following completion of community consultation. Construction works forecast for completion by 2020-2021 financial year end
- The 2019-2020 Road Rehabilitation and Reseal Programme is currently in the planning and delivery phase, proposed projects include:
  - Planning Phase (Road Resurfacing and Rehabilitation):
    - Ocean Drive, Laurieton (Kew Road to Henry Kendall);
    - Widderson Street, Port Macquarie (Oxley Hwy to Hastings River Drv) and
    - Comboyne Road, Byabarra (Oxley Hwy to Hartys Creek).
- The 2019-2020 Road Resealing Programme is underway.
  - Completed projects include:
    - Matthew Flinders Drive, Port Macquarie;
    - Bago Road, Herons Creek (Milligans Road to Pacific Hwy);
    - Lighthouse Beach Local Roads Port Macquarie and
    - Long Flat Local Roads, Long Flat, Kindee, Forbes River.
  - Projects planned include:
    - Captain Cook Bicentennial Drive, Laurieton and
    - Ocean Drive, North Haven to Bonny Hills.
- John Oxley Drive upgrade has Consultants engaged to undertake the detailed design and environmental approval works. The design phase is expected to continue into 2020-2021
- Detailed designs for the Gordon/Horton Street intersection upgrade are underway
- New bus shelters across the region as per the Community Passenger Transport Infrastructure Grant Scheme have been installed at:
  - Ron Banks Road (at Bago Road) Herons Creek;
  - Cameron St Wauchope;
  - Ocean Dr (Links Cr) Port Macquarie;
  - Laurie St (Bold St) Laurieton and
  - The Jib (Doncaster Ave) Port Macquarie.
- Bus stop hardstand areas installed at:
  - Home St Port Macquarie;
  - Home St (Cross St) Port Macquarie;
  - Savoy St Port Macquarie and
  - Savoy St (Narani Cr) Port Macquarie.
- Beach to Beach shared path at Camden Haven has final section of path installation pending environmental approval expected mid 2020
- Lighthouse Road Tourism Connectivity Project - Lighthouse Road east upgrades - Matthew Flinders Drive to The Lighthouse is complete

- Detailed designs for the Gordon/Horton Street intersection upgrade has designs underway with appointed consultant
- Slipping of Settlement Point Ferry is complete
- Bago Road Rehabilitation (Milligans Road to Blue Water Cres) has the majority of pavement works complete. Final seal and surfacing planning for the coming months
- Design review and finalisation nearing completion for reconstruction of The Ruins Way Port Macquarie (Major Innes Road and Sitella Street). Resurfacing works planned to commence in April 2020 with reconstructions works commencing in July/August 2020
- Detailed designs for Scrubby Creek Bridge has design works underway with construction works planned to commence in July 2020
- Traffic analysis stage underway for the Orbital Strategic Business Case
- Pedestrian Refuge at Hayward Street - west of Horton Street is complete
- Pedestrian Refuge - Gordon Street and Hollingsworth Street - west of Horton Street has project planning complete and current design being reviewed
- Pedestrian safety upgrades at Telegraph Point have all major works complete
- Road safety improvements at Pembroke Road and Rawdon Island have project planning commenced. Works scheduled for May 2020
- Road safety improvements at Rawdon Island has project planning complete. Works scheduled to be completed by June 2020

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

- The annual unseal road maintenance program including resheeting, grading, drainage and vegetation and rural roadside vegetation clearing is being delivered in accordance with adopted program
- The annual sealed road maintenance program including resurfacing, jetpatching, heavy patching and installation of roadside furnishings is being delivered in accordance with adopted program
- The annual bridges and culverts maintenance and repair program including inspections, monitoring and bridge repair works is being delivered in accordance with adopted program
- Reactive maintenance to Koala Food Trees and Koala Fencing on Link Rd (Ocean Dr) is being undertaken in accordance with adopted program
- The annual Bridgeworks and Road Rehabilitation Program, that includes regular bridge and geotechnical road pavement tests to inform and develop program is being undertaken in line with the adopted program
- 

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

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

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

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



- Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments for the proposed Yippin Creek urban release area to the west of Wauchope has the Bushfire Hazard Assessment Report completed by consultants. Stormwater and flood studies are planned for completion in May 2020. A report is planned to be presented to the Ordinary Council Meeting in June 2020
- Planning for the Port Macquarie Health and Education Precinct had the Master Plan adopted at the September 2019 Ordinary Council Meeting. A further update report is planned to be presented to the Ordinary Council Meeting in May 2020
- The review of the Port Macquarie-Hastings Development Control Plan had a report on proposed amendments presented to the Ordinary Council Meeting in November 2019 with the public exhibition period held during January 2020. A further report is planned to be presented to the Ordinary Council Meeting in June 2020
- Review of LEP and DCP provisions to promote appropriate housing choice options had consultants prepare a Local Housing Strategy with preliminary findings complete. Community engagement put on hold due to COVID-19
- Investigating the capacity of land at Ocean Dr/Houston Mitchell Dr for light industrial use and at Ocean Dr/Bonny View Dr for light industrial development or for use as a school had the planning proposal and Draft Development Control Plan provisions on public exhibition in late 2019. A large number of submissions are currently under review with a report anticipate to be presented to Council in mid-2020

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

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

#### **Council Service: Environmental Services**

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

- Implementation of the Strategic Biosecurity (Weed Management) Program to restore and conserve that natural environment has seen:
  - Over 1,448 km of roadside weeds treated;
  - Over 35 km of riparian zones managed for invasive weeds;
  - Over 55 ha of coastal dune systems managed for Bitou Bush;
  - Over 551 ha of Council assets managed for invasive weeds and
  - Over 41 properties larger than 1ha, inspected for invasive weeds.
- Management of riparian land for aquatic weed invasion is ongoing
- Implementation of Bushland Regeneration Management Program is ongoing
- Ongoing education provided to residents, industry and community groups on Council's tree management requirements within the Port Macquarie-Hastings 2013 tree management Development Control Plan
- Over 1,070 customer requests for tree management regarding public and private matters have been handled for the July to March 2020 period including illegal tree works
- Implementation of identified actions from the Koala Population Recovery Strategy is ongoing

- Implementing mitigation actions from Hastings River Flood Plain Risk Management Plan: Stage 4: Install river stream flow gauges and rainfall gauges to inform floodplain modelling has been completed

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

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

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

**Council Service: Water Supply**

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

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

**Council Service: Sewerage**

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

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

**Council Service: Environmental Services**

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

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

**Options**

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

**Community Engagement & Internal Consultation**

Internal consultation was undertaken with the:

- Integrated Planning and Reporting Development Officer

- Group Manager Organisational Performance
- General Manager, Directors, Group Managers and staff reporting against the annual 2019-2020 Operational Plan

**Planning and Policy Implications**

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

**Financial and Economic Implications**

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

**Attachments**

1. 2017-2021 Delivery Program and 2019-2020 Operational Plan Exception Report as at 31 March 2020
2. 2017-2021 Delivery Program and Operational Plan Quarterly Progress Report as at 31 March 2020

# 3 Your Business and Industry

## What we are trying to achieve

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

## What the result will be

We will have:

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

## How we will get there

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



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**Item: 12.01**

**Subject: ARTWALK 2020 - NEW EVENT FORMAT**

**Presented by: Strategy and Growth, Jeffery Sharp**

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

**That Council note the proposed new event format for the delivery of the 2020 Artwalk Event.**

#### **Executive Summary**

For the past four years, ArtWalk has grown as our flagship arts event - highlighting the talents of local artists, performers and musicians. Each year the event has grown (in both the number of event participants and visitors) and is well regarded for how it helps to raise the profile of our artists and cultural capability, as well as activates the Port Macquarie CBD, bringing a vibrant and exciting night time crowd that encourages businesses to get involved and keep their doors open.

COVID-19 has had a serious impact on our arts, cultural and creative industries. COVID travel, public gathering and event restrictions resulted in a decision in late March to postpone 2020 Artwalk from July to October, to give the event the best chance of proceeding. While there is still much uncertainty around the ability to hold gatherings and events in coming months, the delivery of Artwalk is clearly a key way that Council can support the recovery of local artists, cultural and creative industries. Staff have worked with a range of stakeholders to conduct a complete re-think of the event. This report outlines the proposed new event format which will ensure it can be delivered in a COVID safe manner, and still maximise artist and community participation.

#### **Discussion**

Pre-COVID it was anticipated that ArtWalk 2020 would attract 15,000+ people to the Port Macquarie CBD over its single evening, 4-hour time period. Initial planning for 2020 mirrored the format of previous years with large interactive displays, performances to encourage public gatherings, crowded sidewalks and businesses encouraging visitors into local business premises to get 'up close and personal' with a wide range of artists' works. This was based on our planning and efforts to develop ArtWalk as one of our 'signature events', as resolved by Council at the 18 September 2019 Ordinary Council meeting:

*11.05 ARTWALK 2019 - POST EVENT**RESOLVED: Dixon/Turner**That Council:*

- 1. Note the success of the ArtWalk 2019 event.*
- 2. Support the growth of Artwalk to become one of Council's signature events in 2020 and beyond.*

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

The proposal to deliver ArtWalk in a 'COVIDsafe' format has received wide support from stakeholders and in discussions with Council's COVID-19 Recovery Working Group and Cultural Steering Sub-Group when talking about actions that will help support the recovery of the local arts, culture and creative industries. Indeed, the event has been quite a focal point in terms of our recovery, with the potential to introduce elements of the program as teasers in the lead up to what is now proposed as a week-long showcase.

In short, the proposed Artwalk 2020 format will be based on the concept of '*The Longest Footpath Art Gallery*':

- a multi-day event (compared with the previous single night focus);
- 3 CBD locations - Port Macquarie, Wauchope, Laurieton (as opposed to just Port Macquarie);
- online maker workshops (compared to in-person);
- large, open public spaces with no congregating;
- Physically distanced displays (as opposed to some interactive displays in public spaces).

The footpath gallery windows can be seen day or night, so visitors may choose to grab an Artbite dinner and wander to discover the artist locations whilst enjoying an ambient atmosphere created by lighting foliage in key CBD locations. Or visitors can spend the morning strolling the footpath gallery, enjoy lunch at one of the many great local businesses and then visit one of the many local galleries featuring local artists.

The new format and its benefits

The new event format aims to encourage businesses in the Port Macquarie, Wauchope and Laurieton central business districts to partner with artists and exhibit artworks or creative installations in store windows.

We aim to ensure the event program will be a COVIDsafe way to deliver the following benefits:

- Increased awareness of local artists and creative businesses and stimulation of economic benefits via direct sales, commissions and workshop fees.
- Positive connections between businesses and artists and the flow-on economic benefits from increased visitation by event attendees.
- Activation of CBD locations via 'feet on the street' - day and night.
- Improved brand image as an innovative cultural destination.
- Increased out of region visitation (capitalising on the school holiday period)
- Bringing people together to enjoy accessible arts and culture in a safe and responsible format.

- Building community pride and cohesion by participating in a unique cultural event.

The primary role of Port Macquarie-Hastings Council will be to coordinate the program streams and promote ArtWalk 2020 locally and via out of region marketing.

ArtWalk 2020 program streams are proposed as:

- Artists in Business Shop Windows: Artists are encouraged to display visual arts (eg painting, pottery, crafts, fashion) or install screens to broadcast digital arts such as short film, graphic design, and animation or live stream performances. Businesses will be encouraged to program artists in residence or in-store making displays. Council will provide businesses with a promotional pack which will include window stickers, artist biography window poster, A3 event poster, and option to engage with an ArtWalk installation team to assist with lighting and display for night time visitation.
- Satellite Events: Council's Artwalk website will feature all creative activities and existing attractions that celebrate and highlight arts and cultural businesses and public art in our LGA during the identified event period as a satellite event. The website will enable visitors to build an itinerary from listed events. All satellite events will be provided with promotional collateral which may include footpath stickers, window stickers, printed program booklets and A3 event poster.
- Art in Public Spaces: We propose to work with three local artists to coordinate temporary art installations in each CBD and encourage community engagement and creative expression. Council will provide creative materials packs and collection points, Facebook video instructions on installation elements, and then ArtWalk marshals for self-installation on-site at nominated times.
- Artist Markets: Supporting the delivery of temporary creative market place events in three locations over the event period to encourage local artists and creative enterprises to sell and promote wares.

This new event format encourages independent activities and events that can operate to meet changing government regulations. The format removes the focus on large group gatherings, whilst still investing in generating a vibrant, cohesive and resilient creative and cultural sector. At this stage, Council-programmed projections on buildings are not included in the revised event format (as they are cost prohibitive with the broader scale and timeframe), however, some businesses may elect to partner with digital artists and run their own projections.

### **Options**

Council may choose to:

1. Support the delivery of ArtWalk based on the new format as proposed.
2. Request further review/amendment to the delivery format.
3. Not to deliver an ArtWalk event until all restrictions have been lifted and social distancing rules have been relaxed.

**Community Engagement and Internal Consultation**

A range of key internal and external stakeholders have been consulted to develop the proposed new event format. This includes Glasshouse; Regional Gallery, Council Community Engagement and Major Events, Chambers of Commerce, TAFE, Charles Sturt University, some business hosts and independent artists. Next steps will be to communicate more broadly and encourage business and artist partnerships, business network support and satellite events.

Further discussion on elements of ArtWalk and the program will continue to occur with the Cultural Steering group.

**Planning and Policy Implications**

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

**Financial and Economic Implications**

The proposed new format for Artwalk 2020 will be delivered using existing and proposed 2020/21 budget. Two further funding applications have been submitted - an application of \$25,000 through the Regional Tourism Bushfire Recovery Grants and \$20,000 through Destination NSW Flagship Event Funding. If these applications are successful there will be capacity to increase marketing to drive visitation from outside the region and to enhance the proposed event format.

**Attachments**

Nil

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**Item: 12.02**

**Subject: TOWN CENTRE MASTER PLAN SUB-COMMITTEE CHARTER  
REVIEW**

**Presented by: Strategy and Growth, Jeffery Sharp**

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

#### **That Council:**

- 1. Adopt the Town Centre Master Plan Sub-Committee Charter attached to this report.**
- 2. Request the General Manager undertake an Expression of Interest process for members of the Town Centre Master Plan Sub-Committee.**

### **Executive Summary**

A review of the existing Town Centre Master Plan Sub-Committee charter has been completed and a modified charter is presented to Council for consideration and adoption.

### **Discussion**

The Town Centre Master Plan Sub-Committee charter was last reviewed and amended in May 2017.

A review of the operation, membership and Charter of the Town Centre Master Plan (TCMP) Sub-Committee has now been completed with an amended TCMP Charter (Attachment 1) developed.

The proposed charter includes amendments along with the following principles:

1. Tightening the Sub-Committee meeting procedures, including meeting current Council operational plan development timelines
2. Delivery against the Town Centre Master Plan adopted in 2014
3. Review composition of TCMP membership
4. Modification to the previous annual EOI to appointed TCMP members biennially

Whilst current members remain in place and the TCMP sub-committee continues to meet, there is a need to call for new members of the TCMP Sub Committee as each of the members has now exceeded their original tenures.



**Options**

Council could opt to leave the existing Charter as is or opt to explore an alternate direction for the TCMP and/or the Charter.

**Community Engagement & Internal Consultation**

Internal consultation has taken place with the following:

- General Manager;
- Director Strategy & Growth
- Group Manager Recreation Property & Buildings

Whilst the General Manager is able to adopt the proposed TCMP Sub-Committee charter under the existing delegations, it was considered prudent to present to Ordinary Council for adoption.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

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

**Attachments**

1. Draft Town Centre Master Plan Sub-Committee Charter - Review 2020



# 4 Your Natural and Built Environment

## What we are trying to achieve

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

## What the result will be

We will have:

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

## How we will get there

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



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Item: 13.01

Subject: DEVELOPMENTS, PUBLIC PLACE & EVENTS WASTE  
MINIMISATION AND MANAGEMENT POLICY - POST EXHIBITION  
REVIEW

Presented by: Corporate Performance, Rebecca Olsen

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### Alignment with Delivery Program

4.1.7 Develop and implement effective waste management strategies.

### RECOMMENDATION

That Council:

1. Adopt the Developments, Public Place & Events Waste Minimisation and Management Policy.
2. Thank the community for the feedback received during the recent consultation period regarding the draft Waste Minimisation and Management Policy.

### Executive Summary

At the Ordinary Council Meeting held on 20 November 2019, Council resolved to place the *draft Waste Minimisation and Management Policy* on public exhibition.

The *draft Waste Minimisation and Management Policy* was subsequently placed on public exhibition from 27 November 2019 to 31 January 2020 (66 days).

Four (4) submissions were received during the public exhibition period along with further internal feedback from Council staff.

The *draft Waste Minimisation and Management Policy* has been reviewed in consideration of the comments received. This process has resulted in the renamed *Developments, Public Place & Events Waste Minimisation and Management Policy* now being presented to Council for adoption (see attached).

The *Developments, Public Place & Events Waste Minimisation and Management Policy* represents a companion document to the Port Macquarie - Hastings Development Control Plan (DCP) 2013. Reporting of the proposed waste policy post-exhibition has been deferred pending finalisation of the corresponding review of the DCP, which is reported separately to this 3 June 2020 Ordinary Council Meeting.

### Discussion

At the Ordinary Council Meeting held on 20 November 2019, Council resolved as follows:

## 13.01 DRAFT WASTE MINIMISATION AND MANAGEMENT POLICY

RESOLVED: Intemann/Turner

That Council:

1. Note the draft Waste Minimisation and Management Policy.
2. Place the draft Waste Minimisation and Management Policy on public exhibition for a minimum period of 28 days, from 27 November 2019 to 31 January 2020.
3. Note that a further report will be tabled at the March 2020 meeting of Council, detailing the submissions received during the exhibition period.

CARRIED: 8/0

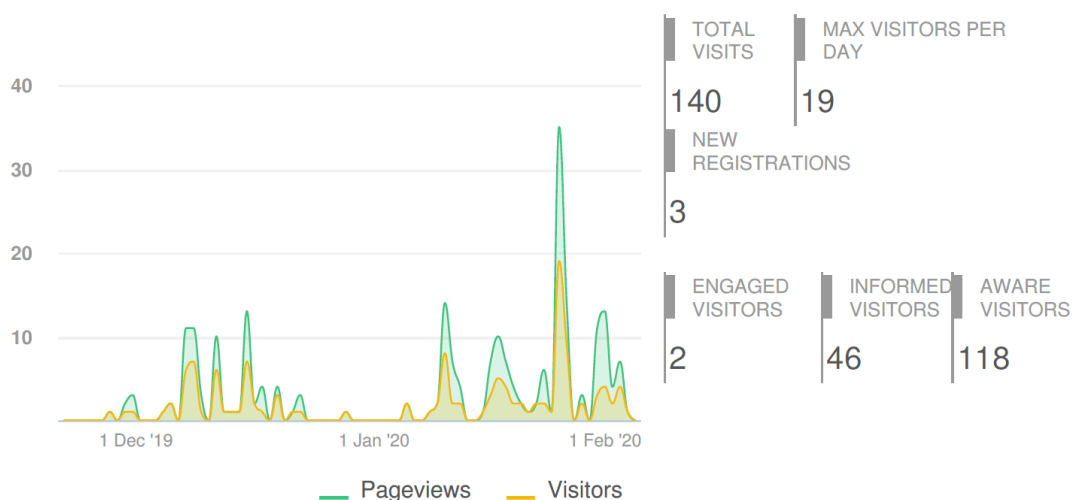
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

In accordance with Resolution 2 above, the *draft Waste Minimisation and Management Policy* was placed on public exhibition via Council's "Have Your Say" online community engagement hub from 27 November 2019 to 31 January 2020 (66 days), noting the extended exhibition period over the Christmas / New Year holiday period.

A summary of the "Have Your Say" activity during this period is provided below.

## Visitors Summary



During the exhibition period there were 140 views and 46 downloads of the *draft Waste Minimisation and Management Policy*.

Four (4) submissions were received - 2 via "Have Your Say" and 2 via email. Further internal feedback was also received from Council staff involved in Council's development and event assessment processes.

As a result of the feedback received, the *draft Waste Minimisation and Management Policy* has been renamed to the *Developments, Public Place & Events Waste Minimisation and Management Policy* to better describe the scope of the Policy.

It should be noted that this Policy is just one of a number of complementary initiatives that Council is progressing under its *Waste Strategy 2017 - 2024* to avoid and reduce waste to landfill. Consistent with the NSW Government's 20-Year Waste Strategy directions, these initiatives include:

Direction 1: Generate less waste, and Direction 2: Improve collection and sorting

- Waste education initiatives (awareness and behavioural change) including:
  - “Which Bin”, including A-Z Guide
  - Red Bin Challenge
  - Hastings Family, school and pre-school programs
  - Love Food Hate Waste (MidWaste)
  - Litter campaign
- Project initiatives including:
  - Multi-Unit Dwellings (MUDs) Organics project
  - Community Recycling Centre (CRC) upgrades at waste transfer facilities.

Direction 3: Plan for future infrastructure

- Project initiatives including:
  - Port Macquarie (Kingfisher) waste transfer facility upgrade (new weighbridge / access)
  - Cairncross landfill facility expansion.

Direction 4: Create end markets

- Project initiatives including:
  - Investigating opportunities for recycled waste products, including (though not limited to) recycled glass, crushed concrete, and diversion of materials currently not diverted from landfill such as plasterboard, polystyrene, mobile phones etc.

Key changes to the draft Policy following exhibition include:

- Name changed to *Developments, Public Place & Events Waste Minimisation and Management Policy* to better describe the scope of the policy
- Inserted Circular Economy principles into the overarching objectives of the policy, along with corresponding definition, consistent with the proposed NSW 20-Year Waste Strategy
- Added the *National Waste Policy 2018* as a related document
- Inserted definition of Waste Hierarchy
- Amended the objectives of the Event Waste Management section to include Waste Hierarchy and the four (4) levels of priority i.e. avoid, reuse, recycle, compost
- Changed the definition of Compostable Products to meet AS4736-2006 but not products containing PLA (poly-lactic acid) lining
- Removed Food Focussed from definitions and references throughout the policy and replaced with Food Waste Threshold with added definition
- Inserted provisions for a Food Waste Threshold at events which, when met, will require organics bins to be used by the public and stall holders
- Inserted requirement for signage on public place bins identifying acceptable items in each type of bin
- Amended provisions of the Event Waste Management Plans (EWMP) to include:
  - the number and type of stalls
  - the planned waste initiatives relating to the Waste Hierarchy
  - a statement confirming that photos will be provided to council waste services detailing the waste initiatives and set up actually implemented at the event
- Inserted requirement for Council's Waste Services team to assess the number of bins / bin stations proposed in the Event Waste Management Plans (EWMP) to adjust for the specific nature and circumstances of each event
- Redefined Large Events to be 1000 people or more (changed from 500)

- Inserted Monitoring and Compliance section for events which requires event organisers to:
  - provide photo evidence of waste initiatives undertaken during the event
  - undertake corrective actions in future events against non-conformances as directed by Council
- Inserted “other waste as appropriate” into Construction Waste Provisions section, increasing the scope of waste streams listed
- Inserted additional references in References section.

With regard to compostable products, Council is planning to work with operator Remondis to trial various compostable packaging materials for compatibility with the existing Organic Resource Recovery Facility (ORRF) located at Cairncross. The results of this trial will enable Council to better inform event organisers as to the types of compostable products able to be processed through the ORRF.

The *Developments, Public Place & Events Waste Minimisation and Management Policy* represents a companion document to the Port Macquarie - Hastings Development Control Plan (DCP) 2013. Reporting of the proposed waste policy post-exhibition has been deferred pending finalisation of the corresponding review of the DCP, which is reported separately to this 3 June 2020 Ordinary Council Meeting.

The draft waste policy has been developed with reference to guidelines developed by the NSW EPA, best waste management practice and the *National Waste Policy 2018*.

### Options

Council has the option to:

- adopt the *draft Developments, Public Place & Events Waste Minimisation and Management Policy* as recommended; or
- not adopt the draft Policy and seek further information and/or further amendments prior to adopting.

### Community Engagement and Internal Consultation

#### Community Engagement

As outlined above, the *draft Waste Minimisation and Management Policy* was placed on public exhibition via Council’s “Have Your Say” online community engagement hub from 27 November 2019 to 31 January 2020.

Four (4) submissions (as summarised below and as attached) were received during the public exhibition period along with further internal feedback from Council staff.

Submission		Issue
1.	Tim Walker Community Engagement & Events Manager Hastings Co-operative Ltd	<ul style="list-style-type: none"> <li>• Responded - “Thanks, there is some great ideas amongst your plan.”</li> </ul>
	<b>Response/ Comment:</b>	Noted.

Submission		Issue
2.	Tracey Eastwood Event Director Wauchope Parkrun	<ul style="list-style-type: none"> <li>• Raised concerns regarding viability of small events being able to support waste management costs</li> </ul>
	<b>Response/Comment:</b>	Revised Policy includes allowances for Council's Waste Services team to assess the number of bins / bin stations proposed in the Event Waste Management Plans (EWMP) to adjust for the specific nature and circumstances of each event
3.	Stewart Clark Owner of Doppio or Nothing Espresso (DONE Coffee)	<ul style="list-style-type: none"> <li>• Definition of compostable, food and garden organics (FOGO), recyclable and recycling should be redefined to accommodate future processing of commercial compostable products certified to AS4736</li> <li>• Council waste facilities should be able to process AS4736 products</li> <li>• Increase the Large Event definition from 500 people to 2,000</li> <li>• Bin cap and hood details only apply to JR Richards' collection scheme - the Policy should cater for all waste collection companies and solutions eg. Bulka Bags, Skip Bins, etc</li> </ul>
	<b>Response/Comment:</b>	Revised Policy includes: <ul style="list-style-type: none"> <li>• Changed definition of Compostable Products to meet AS4736-2006 but not products containing PLA (poly-lactic acid) lining</li> <li>• Redefined Large Events to be 1,000 people or more (changed from 500).</li> </ul>
4.	Rachel Sheppard	<ul style="list-style-type: none"> <li>• Sees opportunity for Council's progressive waste management reputation to continue into the future, by embedding climate safe operations into policy</li> <li>• Draft Policy seems quite comprehensive and progressive</li> <li>• No clear mechanism for monitoring or enforcing the Policy, nor clear incentives for entities to follow the Policy, or ramifications for failing to do so</li> <li>• Suggests use of examples to illustrate how to meet requirements</li> <li>• Need to simplify the processes for organisers to choose products that are either recyclable or compostable, such that confusion and unnecessary landfill are minimised</li> </ul>



Submission		Issue
		<ul style="list-style-type: none"> <li>• Suggests greater benefit in focussing on minimising construction waste and incentives for sustainable marketable waste to divert from landfill</li> <li>• Need to lobby Australian and State Government to support Policy and climate action initiatives</li> </ul>
	<b>Response/ Comment:</b>	<p>Revised Policy includes:</p> <ul style="list-style-type: none"> <li>• Inserted Monitoring and Compliance section for events which requires event organisers to:             <ul style="list-style-type: none"> <li>- provide photo evidence of waste initiatives undertaken during the event</li> <li>- undertake corrective actions in future events against non-conformances as directed by Council</li> </ul> </li> <li>• Inserted requirement for signage on public place bins outlining acceptable items in each type of bin</li> <li>• Changed definition of Compostable Products to meet AS4736-2006 but not products containing PLA (poly-lactic acid) lining</li> <li>• Inserted "other waste as appropriate" into Construction Waste Provisions section, increasing the scope of waste streams listed.</li> </ul>

The draft *Developments, Public Place & Events Waste Minimisation and Management Policy* has been prepared in consultation with event organisers and waste contractors. Staff also notified the local development industry (HCIA) to draw its attention to the proposed draft waste policy requirements.

#### Internal Consultation

Internal consultation was undertaken with:

- Councillors via a Councillor Briefing held on 6 November 2019;
- Executive team;
- Economic Development (Events) team;
- Development Assessment team;
- Strategic Land Use Planning team;
- Recreation, Property & Buildings team;
- Infrastructure team.

#### **Planning and Policy Implications**

The draft *Waste Minimisation and Management Policy* has been in development since the start of 2016 and was originally intended to be a chapter within Council's Development Control Plan (DCP), as it predominantly applied to waste management in the development assessment process.

The draft DCP chapter went through many iterations over a two-year period, with extensive consultation with the Development Assessment team and the Strategic

Planners. Various issues were identified throughout the review process including the complexities of managing Complying Development. However, given the detail required in the waste policy, it was determined that a separate policy with references included in the DCP, would be the most suitable approach. This approach makes updating the policy much easier than having to update the DCP and a policy can more readily address events requiring Section 68 approvals under the *Local Government Act 1993* and public place bins in new subdivisions.

The review of the *Port Macquarie-Hastings Development Control Plan 2013* (revised DCP) has been undertaken and is reported separately to this 3 June 2020 Ordinary Council Meeting. The revised DCP proposes to replace DCP 2013 provisions 3.3.2.46, 3.4.3.24, 3.4.3.25, 3.4.3.26, 3.5.3.10 by including a reference to the waste policy as follows:

***“Waste Management and Minimisation***

***Objective***

- *To reduce waste to landfill*
- *To maximize source separation of general waste, recycling and food and garden organics*
- *To establish standard provisions for determining waste management requirements in developments*
- *To embed sustainable and effective waste management practices at events*
- *To ensure developments are designed with adequate storage, access and management of waste*
- *To embed circular economy principles by supporting the minimization of waste and promoting the continual use of resources.*

***Development Provisions***

1. *Development must comply with Council’s Developments, Public Place & Events Waste Minimisation and Management Policy”.*

**Financial and Economic Implications**

It is acknowledged that there may be some additional costs for developers and event organisers as a result of the *Developments, Public Place & Events Waste Minimisation and Management Policy* and associated requirements for general waste, recycling, and food and garden organics waste bin storage areas, collection points and collection services. These costs are however considered to be relatively minor in the context of overall development / event costs.

The proposed policy will ultimately result in a reduction of waste sent to landfill. This reduction in waste will have a direct cost saving to the community through the reduction in waste disposal fees and the NSW waste levy.

With regard to events, the proposed policy includes provisions for Council to assess the number of bins / bin stations proposed in the Event Waste Management Plans (EWMP) to adjust for the specific nature and circumstances of each event.

**Attachments**

1. Draft Developments, Public Place & Events Waste Minimisation and Management Policy - for adoption
2. Summary Report Have Your Say
3. Submissions Draft Waste Minimisation and Management Policy Public Exhibition

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**Item:** 13.02

**Subject:** POST EXHIBITION REPORT - STAGE 1 REVIEW OF PORT  
MACQUARIE-HASTINGS DEVELOPMENT CONTROL PLAN 2013 -  
HOUSEKEEPING AMENDMENTS

**Presented by:** Development and Environment, Melissa Watkins

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#### **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. Approve the exhibited draft Development Control Plan 2013 (Amendment No. 13) incorporating the changes referred to in the report and contained in Attachment 3, with the amendment to commence on 17 June 2020.
2. Within 28 days, publish a public notice of Council's decision to approve the Development Control Plan 2013 (Amendment No. 13) on Council's website, including the repeal of Development Control Plan 2011 (Part 5 – Area Based Provisions), in accordance with Clause 21(2) of the *Environmental Planning and Assessment Regulation 2000*.
3. Delegate authority to the Director Development and Environment to make any minor amendments to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the commencement of Development Control Plan 2013 (Amendment No. 13).
4. Notify all persons who lodged a submission of Council's decision.
5. Advise the local planning and development industry of the commencement of Development Control Plan 2013 (Amendment No. 13).

#### **Executive Summary**

The purpose of this report is to consider the submissions received in response to the public exhibition of Draft Development Control Plan 2013 (Amendment No. 13).

In November 2019, Council considered a report commencing a stage 1 review of the Port Macquarie-Hastings Development Control Plan (DCP) 2013, which incorporates Council's DCP 2011 (Area Based Provisions), to create a single draft DCP that applies to the Local Government Area.

The intent of the review is to make housekeeping and administrative amendments, which result in minor or incidental changes, making the DCP more user friendly and modern.

Draft DCP 2013 was exhibited for comment, for an extended period, from 27 November 2019 to 31 January 2020. Overall, there were two submissions from the community. Other comments came from Council staff. These resulted in a number of updates to the exhibited draft DCP, which are outlined in this report. The updates have been suggested to clarify existing controls, making the document easier to use.

A detailed discussion of the submissions and internal feedback received is at **Attachment 1**.

It is recommended that Council approve the draft DCP 2013 (Amendment No. 13) with amendments resulting from the exhibition period and to improve the useability of the document, as discussed in this report and that it commence on 17 June 2020.

## Discussion

### Background

At its Ordinary Meeting on 20 November 2019, Council resolved to endorse Draft DCP 2013 and place it on exhibition, as follows:

*RESOLVED: Turner/Hawkins*  
*That Council:*

- 1. Endorse the proposed amendments to Port Macquarie-Hastings Development Control Plan (DCP) 2013 as contained in Attachments 1 - 4 of this report.*
- 2. Publically exhibit the Draft DCP in accordance with clauses 18 and 19 of the Environmental Planning and Assessment Regulation 2000 from 27 November 2019 to 31 January 2020.*
- 3. Delegate authority to the Director Strategy and Growth to correct any formatting, typographical, numbering or cross-reference errors to the Draft Development Control Plan in preparation for public exhibition.*
- 4. Receive a further report following the completion of public exhibition period outlining the community feedback received.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

### Public Exhibition

Draft DCP 2013 (Amendment No 13) was placed on exhibition from 27 November 2019 - 31 January 2020.

The draft DCP 2013 as exhibited can be viewed here:

<https://haveyoursay.pmhc.nsw.gov.au/Development-Control-Plans-proposed-amendments>

In response to the exhibition period a total of two (2) written submissions were received from industry representatives. Copies of these submissions have been circulated separately for the information of Councillors. Other feedback came from Council staff.



Key issues

Overall, the feedback has resulted in some updates to the draft provisions or in reverting the provision back to the current DCP 2013 wording, acknowledging that further consideration as part of the stage 2 comprehensive review is still necessary.

The issues raised relate to the following sections and topics:

- Definitions
  - recommendation to add additional definitions
- Part B General provisions
  - Waste Management and Minimisation - provisions to align with Waste Management and Minimisation Policy
  - Tree Management Private Land - provisions should only apply where no applicable KPOM
- Part C Development Types - Low Density Residential Development provisions relating to Ancillary Development, Front Setbacks/Side and Rear Setbacks, Private Open Space, Public Domain and Fencing, Bulk and Scale and Roof Terraces:
  - Deleting provisions to avoid repetition
  - Updating wording to clarify provisions
  - Improving clarity through incorporating additional definition into notes
  - In some cases, reverting wording to existing provisions

Further details of the key issues raised during exhibition and Council staff comment in response to these is at **Attachment 2**.

Summary of recommended changes

Following consideration of the issues raised in the submissions and through internal feedback (Refer to **Attachment 1** for submissions and internal feedback received during public exhibition), the following post-exhibition amendments to DCP 2013 are recommended for Council's approval.

For details of all changes to draft DCP 2013, the exhibited version can be viewed here: <https://haveyoursay.pmhc.nsw.gov.au/Development-Control-Plans-proposed-amendments>

**DCP 2013 Post-exhibition amendments recommended for Council approval****A6 Definitions** - insert the following definitions:

**'Certified practicing engineer** - someone who is certified as a member of the Institute of Engineers Australia (MIEA) or on the National Engineering register'.

**'Indoor living room** - includes habitable rooms frequently used for general recreation, entertainment and dining and includes living rooms, kitchen, dining, family, lounge, rumpus room and the like but excludes non-habitable rooms, bedrooms, study and other areas that are less frequently used'.

**B2 Environmental Management - Waste Management and Minimisation**

**DCP 2013 Post-exhibition amendments recommended for Council approval**

Replace previous DCP 2013 provisions at clauses 3.3.2.46, 3.4.3.24, 3.4.3.25, 3.4.3.26, 3.5.3.10 with the following updated provisions at clause 3 and 3 (a):

-

**Waste Management and Minimisation****3. Objective**

- to reduce waste to landfill
- to maximise source separation of general waste, recycling and food and garden organics
- to establish standard provisions for determining waste management requirements in developments
- to embed sustainable and effective waste management practices at events
- to ensure developments are designed with adequate storage, access and management of waste
- to embed circular economy principles by supporting the minimization of waste and promoting the continual use of resources

**Development Provisions**

- a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.

**B2 Environmental Management - Tree Management Private Land**

Include a note after 11 (c) to read as recommended below:

- c) Where a tree listed in Table 1 is approved for removal it must be compensated with 2 x koala habitat trees. Significant large-scale development will require an advanced size koala food tree or habitat tree (primary Koala browse species) that meets AS2303:2015 Tree Stock for Landscape Use. The compensation tree is to be planted in a suitable location as determined by the Director Development and Environment or their delegate.

-

- **Note:** the above replanting requirement only applies where there is no applicable KPOM.

-

**C1 - Low Density Residential Development - Ancillary Development**

Update the clause to delete the third dot point to read as recommended below:

- a) For ancillary development in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential and RU5 Village zones:
- The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot should not be more than 4.8m above ground level (existing).
  - The building should be single storey construction with a maximum roof pitch of 24 degrees.
  - The maximum area of the building should be 60m<sup>2</sup> for lots less than 900m<sup>2</sup> and maximum of 100m<sup>2</sup> for larger lots.
  - Ancillary development that is a garage, or an outbuilding, or a rainwater tank should not be located in front of the main building line with the exception of swimming pools.

DCP 2013 Post-exhibition amendments recommended for Council approval
<p><b><u>C1 - Low Density Residential Development - Front Setbacks</u></b> Update the secondary road note below 44 (c) and insert an additional note to read as recommended below:</p>
<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- <i>Primary frontage means the road to which the front of a dwelling house, or a main building, on a lot faces or is proposed to face, and includes any road that intersects with that road at an angle of more than 135 degrees and with which the dwelling house or main building has contiguous boundaries.</i></li> <li>- <i>Secondary frontage means, in the case of a corner lot that has boundaries with adjacent roads, the road that is not the primary road.</i></li> </ul>
<p><b><u>C1 - Low Density Residential Development - Front Setbacks</u></b> Revert clause 45 (a) to original by deleting the proposed word 'must' and reinstating the word 'should' to read as recommended below:</p>
<p>a) A garage, carport or car parking space should:</p>
<p><b><u>C1 - Low Density Residential Development - Front Setbacks</u></b> Revert clause 45 (b) to original by deleting the proposed exhibited additional words 'for single storey development' to read as recommended below:</p>
<p>b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building.</p>
<p><b><u>C1 - Low Density Residential Development - Side and Rear Setbacks</u></b> Revert clause 46 (a) to original (current DCP 2013) wording by deleting the proposed exhibited 3m side setback to read as recommended below:</p>
<p>-</p> <p>a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks).</p> <p>-</p>
<p><b><u>C1 - Low Density Residential Development - Side and Rear Setbacks</u></b> Revert clause 46 (c) to original (current DCP 2013) wording by deleting the proposed exhibited 3m side setback to read as recommended below:</p>
<p>c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm.</p>
<p><b><u>C1 - Low Density Residential Development Side and Rear Setbacks</u></b> Update clause 47 (a-c) to clarify definition of ground floors and to outline the requirement for articulation, to read as recommended below:</p>
<p>a) Ground floors (being &lt;1m above existing ground level) should be setback a minimum of 900mm from side boundaries.</p>

**DCP 2013 Post-exhibition amendments recommended for Council approval**

- b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June.
- c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required.

**C1 - Low Density Residential Development - Private Open Space**

Update clause 48 (a) to provide direction on requirements for principal private open space, to read as recommended below:

- a) All dwellings should have a minimum area of private open space of 35m<sup>2</sup>, which includes a principal private open space area with:
  - A minimum dimension of 4m x 4m, and
  - A maximum grade of 5% for minimum 4m x 4m of the total open space requirements, and
  - Direct accessibility from a ground floor living area and orientated to maximise use.

**C1 - Low Density Residential Development - Public Domain and Fencing**

Update clause 49 (b - c) to read as recommended below:

- b) Solid Front fences up to 1.2m high should be:
  - Setback 1.0m from the front boundary, and
  - Suitably landscaped to reduce visual impact, and
  - Provide a 3m x 3m splay for corner sites.
- c) Front fences proposed to be more than 1.2m high should:
  - be a maximum of 1.8m in height, above existing front property boundary level, and either:
    - \* Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or
    - \* be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage,
  - have openings which make it not less than 25% transparent (no individual opening more than 30mm wide);
  - provide a 3m x 3m splay for corner sites, and
  - provide a 900mm x 900mm splay for vehicle driveway entrances.

**C1 - Low Density Residential Development - Bulk and Scale**

Update clause 51 (a - d) to read as recommended below:



**DCP 2013 Post-exhibition amendments recommended for Council approval**

- a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, should be obscured or screened where:
  - ground and first floor (and above) indoor living room windows are within a 9m radius.
  - direct views between principal private open space areas where within a 12m radius.
  - direct views between indoor living rooms of dwellings into the principal area of private open space of other dwellings where within a 12m radius.
- b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:
  - indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or
  - principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius.
- c) Privacy protection is not required for:
  - Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height.
- d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):
  - 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space
  - screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials.

**C1 - Low Density Residential Development - Roof Terraces**

Update clause 52 (a - c) to read as recommended below:

- a) Direct views between roof terraces and indoor living room windows or principal areas of private open space of adjacent dwellings should be screened where:
  - ground and first floor (and above) indoor living room windows are within a 9m radius of the trafficable area of the roof terrace;
  - direct views between roof terraces and principal areas of private open space where within a 12m radius of the trafficable area of the roof terrace.
  - direct views between roof terraces and the windows of other habitable rooms where within 12m radius of the trafficable area of the roof terrace.
- b) Screening should only be considered where:



**DCP 2013 Post-exhibition amendments recommended for Council approval**

- the height of the screen does not exceed the maximum building height; and
  - the screening contributes to the building form, and
  - the screening is integrated into the design of the roof; and
  - is constructed and designed with materials complementary to the building.
- c) Lighting installations on roof terraces should be:
- contained within the roof terrace area and located at a low level, and
  - appropriately shaded and fixed in a non-adjustable manner so that light is projected downwards onto the floor surface of the terrace.
  - designed in compliance with Australian Standards *AS4282 - Control of obtrusive effects of outdoor lighting*.

**Attachment 3** to this report provides the formatted final DCP which is recommended for Council's approval.

**Options**

Council's options are:

1. Resolve to approve draft DCP 2013 as publically exhibited.
2. Resolve to approve draft DCP 2013 with amendments as outlined in this report (Refer **Attachment 3**).
3. Resolve to make further amendments to draft DCP 2013 and re-exhibit.
4. Not approve draft DCP 2013.

Option 2 is recommended as a number of changes have been made to respond to the feedback received during the exhibition period and to make the document more user friendly.

Further, Option 2 will enable Council to fulfil Action 4.5.1.9 of the Operational Plan for 2019 - 2020, which is to '*Complete a review of the Port Macquarie-Hastings Development Control Plan*'.

**Community Engagement and Internal Consultation**

Draft DCP 2013 (Amendment No.13) was placed on public exhibition from 27 November 2019 to 31 January 2020, allowing extra time over the Christmas period, in accordance with Council's Community Participation Plan (2019).

As part of the exhibition, community engagement was promoted through:

- Information on Council's online community engagement hub - *Haveyoursay*
- Public Exhibition Notice in local newspapers on 27 and 28 November 2019, 11 and 12 January 2020.

- Hard copies of exhibition material and information on how to comment were made available at Council's Laurieton, Port Macquarie and Wauchope Customer Service Centres.
- The documentation was forwarded to local planning consultants who regularly submit development applications to Council inviting comment.
- The document was circulated amongst Council's Development and Environment Division via internal email.

During the exhibition period the *Haveyoursay* site received 212 visits, resulting in 77 document downloads. As outlined above, two external submissions were received. Other comments came from Council staff, who provided feedback on the draft updates.

Details of the submissions and internal feedback received and a planning response to the issues raised is provided in a Table at **Attachments 1 and 2**.

A full copy of the industry submissions has been made available to Councillors under separate cover.

### **Planning and Policy Implications**

Amendments to draft DCP 2013 will improve the format, remove unnecessary content and make for a more user-friendly document.

The draft amendment has been prepared in accordance with Section 3.43 of the *Environmental Planning and Assessment Act 1979* and Clause 16 of the *Environmental Planning and Assessment Regulations 2000*.

Draft Amendment No.13 to DCP 2013 has incorporated DCP 2011 (Part 5 – Area Based Provisions) within DCP 2013, so therefore on commencement of this DCP, DCP 2011 will be repealed, and a single DCP will apply to the Port Macquarie-Hastings LGA.

There are a number of implementation actions that will arise following approval of the DCP, including updating Council's website, planning certificates, DA templates and notifying the local planning and development industry stakeholders, therefore it is proposed to commence on 17 June 2020.

### **Financial and Economic Implications**

This Stage 1 DCP review has predominantly been undertaken using existing staff resources in the Development and Environment team, with a minor cost associated with the formatting of the document.

It will be necessary for Council to undertake a more comprehensive review of DCP 2013 in the future as the NSW Department of Planning, Industry and Environment is developing a Standard DCP template for councils to use. The timeframe for release of the template is not known, as the Department's e-Planning team has recently been redeployed to the COVID-19 response. The future review of the DCP however, will

need to be aligned to the State Government's e-planning format and budget will be required to complete this work.

The resources required to finalise and implement this stage 1 housekeeping amendment of the DCP are available within the Development and Environment divisions' budget.

**Attachments**

1. Draft DCP 2013 (Amendment No 13) - Summary of submissions and internal feedback received
2. Draft DCP 2013 (Amendment No 13) - Key issues discussion
3. Final Draft DCP 2013 (Amendment No 13) - Recommended for Council approval (3 June 2020)

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Item: 13.03

Subject: DISASTER RECOVERY PROCUREMENT

Presented by: Infrastructure, Dan Bylsma

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### Alignment with Delivery Program

1.5.2 Use procurement, tendering, purchasing and contract management approaches that are transparent and equitable.

### RECOMMENDATION

That Council:

1. Note that pursuant to section 170A of the *Local Government (General) Regulations 2005*, and for the purpose of section 55(3)(n)(i) of the *Local Government Act 1993*, an amount of \$500,000 is prescribed but only in the case of a contract that:
  - a) Is entered into between 17 January 2020 and 1 July 2020; and
  - b) Is primarily for the purpose of bush fire-related response and recoveryand applied to assist Council with the procurement activity to reconstruct Kapearrow Bridge on Doyles River Road, Debenham.
2. Note that pursuant to section 170A of the *Local Government (General) Regulations 2005*, the Request for Quotation process for the bush-fire related project to reconstruct Kapearrow Bridge and the subsequent engagement of Eire Constructions Pty Ltd for the lump sum of \$332,438 (ex GST).
3. Maintain the confidentiality of the documents and considerations in regards to the engagement of Eire Constructions Pty Ltd to undertake the bush fire-related response to Kapearrow Bridge.

### Executive Summary

The Port Macquarie-Hastings Local Government Area suffered from two natural disasters over the past six months that have caused long-term damage to Council road and bridge assets. The 2019 fires left Kapearrow Bridge on Doyles River Road (a Crown Lands asset) burnt out.

The 2020 storms and floods further damaged this bridge, completely restricting access once again.

The nature of the disasters necessitated an urgent response to restore access. Major reconstruction works were required and the direct appointment of Eire Constructions to undertake works was completed.

*The Local Government (General) Regulations 2005* and section 55(3)(n)(i) of the *Local Government Act 1993* allows Council to directly appoint contractors up to the

value of \$500,000 to expedite work of an urgent nature for the purpose of disaster related response and recovery.

**Discussion**

Kapearrow Bridge was burnt out during the 2019 bushfires and Council, as the local Road Authority, was seconded by Crown Lands to perform repair works. A new crossing was established with pipes to convey water along the creek while a permanent structure was designed. The 2020 floods washed away this temporary crossing and the pipes, again restricting access. A ford crossing was established at a new location, free of pipes.

Eire Constructions was appointed on 19 March 2020 through a Request for Quotation (RFQ) process to construct a concrete single span bridge to restore permanent access.

Please refer to the confidential attachment titled "CONFIDENTIAL - Standard Memo - Fire - Flood Emergency 2020 - Extenuating Circumstances - Appointment of Eire Constructions" which contains information that relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council. Local Government Act 1993 - Section 10A(2)(d)(ii)).

The scope of works to re-construct Kapearrow Bridge included:

- site establishment
- supply and installation of abutments
- supply and installation of girders and deck
- supply and installation of wing walls
- all backfill, earthworks and pavement works to reinstate public access
- disestablishment

Works are underway and expected to conclude in late June 2020, when permanent access will be restored.

**Options**

Note the actions taken by Council regarding the direct appointment of Eire Constructions to reconstruct the Kapearrow Bridge on Doyles River Road, Debenham.

**Community Engagement and Internal Consultation**

Given the urgency of works required and time constraints, community engagement was not sought in this instance. The objective was to restore immediate access to the community as soon as possible.

Internal consultation occurred with the following staff:

- Strategic Procurement Manager
- Operations Manager - Transport and Stormwater
- Group Manager - Infrastructure Operations
- Group Manager - Infrastructure Planning



- Group Manager - Project Delivery
- Director - Infrastructure
- General Manager

**Planning and Policy Implications**

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

**Financial and Economic Implications**

Through the provisions of the “*NSW Natural Disaster Essential Public Asset Restoration Guidelines*”, TfNSW have approved reconstruction funding for Kapearrow Bridge, Doyles River Road, Debenham (Crown Road) to the value of \$472,247.

This funding contribution covers 100% of the project. However, if Council elects to use its own internal resources to deliver these works, Council shall pay for the ‘normal hours’ using its own funding sources. A contractor was engaged to perform the reconstruction works in order to fully utilise the available external funding.

Council was required to undertake initial emergency works during the 2019 fires and 2020 floods, reinstating road access and removing immediate risks to the community. The final value of these emergency works is in the order of \$1,350,000 and is currently subject to a claim through Transport for NSW (TfNSW). It is anticipated that Council will be responsible for approximately \$410,000 of the estimated \$1,350,000 emergency works costs, that relate to Council’s internal labour normal hours expense.

**Attachments**

1. CONFIDENTIAL - Standard Memo - Fire - Flood Emergency 2020 - Extenuating Circumstances - Appointment of Eire Constructions (Confidential)
2. Agreed Funding Schedule TfNSW - Kapearrow Bridge Doyles River Road Debenham and Pappinbarra Right Arm Bridge Pappinbarra.



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Item: 13.04

Subject: QUESTION WITH NOTICE - OPENING OF LAKE CATHIE - MAY 2020

Presented by: Corporate Performance, Rebecca Olsen

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### RECOMMENDATION

That Council note the Question With Notice from Councillor Alley regarding the recent opening of Lake Cathie as included in this report.

#### Question from Councillor Alley

Can the General Manager please provide an update on the opening of the lake including:

1. A copy of community information prepared and distributed as part of point 3 above.
2. A graph of water levels from the opening leading up to the publication of this answer.
3. The width of the passageway of water across the sand berm as at the time of the publication of this answer.

#### Comments by Councillor (if provided)

I refer to resolution 13.09 of Council on 20 May 2020 as follows:

*RESOLVED: Alley/Intemann*

*That Council:*

1. *Determines that the scraping of the berm at a level of 1.2m AHD provides best balance of the environmental, community and protection of infrastructure requirements.*
2. *Request the General Manager to proceed to take the action as determined in 1. above.*
3. *Request the General Manager prepare appropriate community information explaining the action as determined in 1. above to be taken and the possible impacts of the action.*
4. *Request the General Manager to write to the Minister for Water, Property and Housing confirming that Council's ongoing physical responsibilities for management of the Crown owned Lake Cathie waterbody are strictly limited to the responsibilities of flood mitigation, stormwater drainage and community protection only and any actions outside of this scope (including public health issues and complaints about water quality, odour, colour, mosquitoes, fish kills, fish health, ecology of the waterway, salinity, acid sulphate soils, pollution, water safety and the like) will be directed to the NSW Department of Planning, Industry and Environment - Crown Lands as the owner of the waterbody.*

*CARRIED: 6/2*  
*FOR: Alley, Dixon, Hawkins, Intemann, Levido and Turner*  
*AGAINST: Griffiths and Pinson*

I refer also to the opening of the lake that occurred on the 22 May 2020 being the enactment of point 2 of the above resolution.

**Response**

Verbal advice will be provided at this Council meeting, with a report on responses to these questions to be tabled at the 17 June 2020 Council meeting.

**Attachments**

Nil

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**Item: 13.05**

**Subject: NOTICE OF MOTION - KENWOOD DRIVE BRIDGE, LAKE CATHIE -  
CONCEPT DESIGNS**

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

**RECOMMENDATION**

**That Council:**

- 1. Acknowledge community sentiment following the opening of Lake Cathie.**
- 2. Request that the General Manager give consideration to commencing the development of concept designs for the Kenwood Drive Bridge, Lake Cathie as part of the 2020-2021 Operational Plan.**
- 3. In light of Recommendation No. 2 above, request that the General Manager table a report at Ordinary Council Meeting on 17 June 2020 detailing any impacts undertaking the concept designs for the Kenwood Drive Bridge will have on existing priorities listed in the draft 2020-2021 Operational Plan, as well as identifying a potential funding source for the concept design work to be undertaken during 2020-2021.**
- 4. Request that the General Manager write to the Hon. Leslie Williams MP (Member for Port Macquarie) and Dr David Gillespie MP (Federal Member for Lyne), advising of these actions being taken by Council.**

**Comments by Mayor Pinson (if provided)**

Nil.

**Attachments**

Nil

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**Subject: CONFIDENTIAL SESSION**

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**RECOMMENDATION**

1. That Council move into Confidential Session to receive and consider the following items:
  - Item 15.01 John Henry Tayor and Mildred Joy Taylor V. Port Macquarie-Hastings Council  
  
This item is considered confidential under Section 10A(2)(e) of the Local Government Act 1993, as it contains information that would, if disclosed, prejudice the maintenance of law.
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.