

DRAFT

MINUTES – 23 JULY 2019



Minutes of Ordinary meeting of the Port Stephens Council held in the Elizabeth Waring Room at the Tomaree Sports Complex, Nelson Bay on – 23 July 2019, commencing at 5.30pm.

PRESENT: Mayor R Palmer, Councillors J Abbott, G Arnott, G Dunkley, K. Jordan, J Nell, S. Tucker, General Manager, Corporate Services Group Manager, Facilities and Services Group Manager, Development Services Group Manager and Governance Section Manager.

160	Councillor Ken Jordan Councillor Glen Dunkley It was resolved that the apologies from Cr Chris Doohan, Cr Paul Le Mottee and Cr Sarah Smith be received and noted.
161	Councillor Glen Dunkley Councillor Ken Jordan It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 9 July 2019 be confirmed.
	There were no declaration of interest received.

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**ORDINARY COUNCIL MEETING - 23 JULY 2019
PROCEDURAL MOTION**

	<p>Councillor Giacomo Arnott</p> <p>That at the conclusion of Council business, a public 'question and answer' session with the crowd begin while Councillors and staff remain assembled at the front of the room, allowing members of the public to ask questions to any Councillor or staff member, and receive an answer. This session is to last for thirty minutes or until questions are exhausted.</p>
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The Mayor ruled that the subject of the procedural motion was not an item on the agenda and would not be considered.

Cr Giacomo Arnott moved a motion of dissent in the Chairperson. The motion lapsed without a seconder.

COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 19/147920
EDRMS NO: 58-2017-10-1**

PLANNING PROPOSAL FOR 14 POPPLEWELL ROAD, FERN BAY

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Planning Proposal (**TABLED DOCUMENT 1**) to amend the Land Zoning Map, Height of Building Map and Lot Size Map under the Port Stephens Local Environmental Plan 2013 for land known as 14 Popplewell Road, Fern Bay.
 - 2) Forward the Planning Proposal to the NSW Department of Planning and Environment to seek a Gateway determination and request delegated authority to make the Plan.
 - 3) Adopt the draft Port Stephens Development Control Plan 2014 (Amendment No. 10) – Stockton Rifle Range (**TABLED DOCUMENT 2**) and place on public exhibition.
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**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

162	<p>Councillor Ken Jordan Councillor Steve Tucker</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Adopt the Planning Proposal (TABLED DOCUMENT 1) to amend the Land Zoning Map, Height of Building Map and Lot Size Map under the Port Stephens Local Environmental Plan 2013 for land known as 14 Popplewell Road, Fern Bay.2) Forward the Planning Proposal to the NSW Department of Planning and Environment to seek a Gateway determination and request delegated authority to make the Plan.3) Adopt the draft Port Stephens Development Control Plan 2014 (Amendment No. 10) – Stockton Rifle Range (TABLED DOCUMENT 2) and place on public exhibition.
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In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Ryan Palmer, Crs Jaimie Abbott, Giacomo Arnott, Glen Dunkley, Ken Jordan, John Nell and Steve Tucker.

Those against the Motion: Nil.

BACKGROUND

The purpose of this report is for Council to adopt a Planning Proposal (**TABLED DOCUMENT 1**) to amend the Port Stephens Local Environmental Plan 2013 (LEP) to enable residential development to be carried out at 14 Popplewell Road, Fern Bay (the site).

The site is currently zoned E2 Environmental Conservation zone and the Planning Proposal will rezone part of the site from E2 Environmental Conservation to R3 Medium Density Residential with maximum building heights of 9 metres and 15 metres, and minimum lot sizes of 200m² and 500m².

The Planning Proposal is supported by an amendment to the Port Stephens Development Control Plan 2014 (DCP) known as 'Amendment No. 10 – Stockton Rifle Range' (**TABLED DOCUMENT 2**) to provide guidance on the future urban and built form for the site. If adopted, DCP Amendment No. 10, would be exhibited concurrently with the Planning Proposal, subject to a Gateway determination.

Existing and current use

The site is a disused rifle range, with a central unformed road dividing the relatively disturbed area of vegetation to the south and the intact vegetation area adjoining Worimi Conservation Lands to the north.

A significant portion of the site to the east comprises coastal dune system, approximately 600 metres from the proposed area of residential zoning.

Purpose of the amendment

The Planning Proposal seeks to amend the LEP to enable the redevelopment of the site for residential uses within the largely disturbed part of the site while maintaining the higher environmental values located on the edges of the site.

The Planning Proposal will amend the land use zone for part of the site from E2 Environmental Conservation to R3 Medium Density Residential. This will enable various residential uses that are currently not facilitated by the E2 zoning including multi-dwelling housing, semi-detached dwellings, attached dwellings and residential flat buildings.

The Planning Proposal will introduce a maximum height of building control for part of the site to limit environmental and built form impacts from future development. A maximum height of building of 15 metres is proposed for central elements of the site, particularly in proximity to the proposed park. This will facilitate predominantly higher density development connected to the open space. The remainder of the site will be subject to a maximum height of building control of 9 metres where low density housing is envisioned. The proposed maximum height of buildings control is consistent with the maximum height of buildings control applied to the adjoining residential area to the west of the site.

The Planning Proposal will amend the minimum lot size for part of the site from 40 hectares to 500m² and 200m². A reduction in the minimum lot size is required to facilitate future residential development and the proposed minimum lot sizes are consistent with lot sizes that apply in a R3 Medium Density Residential zone.

The draft DCP Amendment includes urban and built form controls to inform future subdivision and residential development. The draft DCP Amendment will give effect to a masterplan that has been prepared for the site and submitted with the Planning Proposal and will guide development outcomes in relation to heritage, access, landscaping, open space and building setbacks.

Suitability of the subject land

The site is considered to be suitable for residential development given its location within walking distance to existing facilities in Fern Bay including a small retail food and drink premises, Fern Bay Public School and Newcastle Golf Course. Further, the site is accessible via motor vehicle, public transport or cycling to nearby employment areas in Williamstown and Newcastle City.

The land is currently zoned E2 Environmental Conservation however the part of the site proposed to be rezoned is already largely disturbed and the vegetation is considered to be of low quality. The Planning Proposal notes that the proposed zone boundary is considerate of the ecological attributes of the site and appropriately responds to the higher values on some parts of the site by retaining the E2 Environmental Conservation zone in these locations.

Although not adopted, the draft Fern Bay and North Stockton Strategy, identifies the site as offering opportunities for future urban development. The site is located within proximity to potential future town centre sites and therefore housing supply on the site is appropriate given the accessibility to future amenity.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

FINANCIAL/RESOURCE IMPLICATIONS

There are no foreseen financial or resource implications for Council as a consequence of the recommendation of this report.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen implications for Council as a consequence of the recommendation of this report.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the rezoning will reduce the environmental protections that currently apply to the site.	Medium	The Planning Proposal retains an E2 Environmental Conservation zoning over the parts of the site with high environmental values. The Ecological Assessment Report provided with the Planning Proposal includes recommendations to mitigate impacts from future development on the environment.	Yes
There is a risk that the community is opposed to future development of the site.	Low	Community consultation will be undertaken in accordance with the Gateway determination to ensure the community is aware of the proposal and given the opportunity to provide comment.	Yes

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 supports the renewal of the site to deliver a diversity of housing, serving the housing needs of the local population and supporting the Williamstown defence base while making the most efficient use of existing and planned social and physical infrastructure.

Greater Newcastle Metropolitan Plan 2036

The Planning Proposal responds to the outcomes of the Greater Newcastle Metropolitan Plan 2036 by delivering a mix of housing densities that carefully balances development and the surrounding environment. The Planning Proposal may also enable defence staff and their families to live close to their jobs, supporting the growth of the Williamstown base – a key area of jobs growth in the region. The Planning Proposal is located near existing residential areas, linking to existing public transport connections and infrastructure.

Port Stephens Planning Strategy (2011)

The Port Stephens Planning Strategy (PSPS) applies to the site and is identified within the Eastern Growth Corridor in the document. The area has been recommended for increases in density. The Planning Proposal achieves the objectives of the PSPS by considering the subject site in detail to identify areas of residential development potential and maximising the delivery of a diversity of dwellings while protecting areas of high environmental significance and responding to site constraints. The delivery of housing will also support the function of the Williamstown RAAF base, identified as a key employment centre and economic driver in the region.

Draft Fern Bay and North Stockton Strategy (2019)

Council has prepared the draft Fern Bay and North Stockton Strategy (draft Strategy) in collaboration with the City of Newcastle Council.

On 28 May 2019, Council deferred a decision to place the draft Strategy on public exhibition at the request of the City of Newcastle Council in order to arrange a joint workshop to discuss the outcomes of the Traffic and Transport Study and Commercial Land Analysis Study that informed the draft Strategy.

The recommendation to proceed with the Planning Proposal ahead of the exhibition of the draft Strategy is consistent with the City of Newcastle Council's approach to the Fort Wallace Planning Proposal which is also located within the draft Strategy area. The Fort Wallace Planning Proposal is similarly consistent with the draft Strategy and it has progressed to a Gateway determination and has recently been exhibited.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social and Economic Implications

The Planning Proposal is expected to deliver a range of social and economic benefits to the existing and future community in the area, including:

- Opening the site to the public via new roads and footpaths, including new connections to Worimi Conservation Lands and the Stockton Sand Dunes.
- Employment through construction jobs to carry out subdivision and building works.
- Increased population to support the viability of a future supermarket and retail services in accordance with the draft Fern Bay and North Stockton Strategy.
- Housing supply to support the Williamtown key employment centre and the broader community.

Environmental Implications

The Planning Proposal proposes to rezone part of the site from E2 Environmental Conservation to R3 Medium Density Residential zoning. The proposed R3 Medium Density Residential zone will apply to the parts of the site that are already highly disturbed. The Planning Proposal retains the E2 Environmental Conservation zoning over the parts of the site identified as having high value, intact ecological communities. The draft DCP Amendment includes controls to minimise environmental impacts on the neighbouring E2 Environmental zone.

CONSULTATION

Internal

Consultation was undertaken with internal stakeholders including Planning and Developer Relations, Building and Developer Relations, Development Engineering, Natural Resources, and Economic Development and Tourism units. No issues have been identified and the outcomes in the Planning Proposal are supported.

External

Community consultation and consultation with State government agencies will be undertaken in accordance with the Gateway determination.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

- 1) Proposed Mapping Amendment.
- 2) Urban Design and Landscape Report.
- 3) Transport Study Report.
- 4) Bushfire Assessment.
- 5) Stormwater Management Plan Report.
- 6) Coastal Engineering Assessment.
- 7) Site Audit Statement.
- 8) Ecological Assessment Report.
- 9) Heritage Impact Statement.
- 10) Aboriginal Cultural Heritage and Archaeological Assessment Report.
- 11) Servicing Report.
- 12) Stakeholder and Community Engagement Outcome Report.
- 13) Site Environment Management Plan.
- 14) Social Impact Assessment.

TABLED DOCUMENTS

- 1) Planning Proposal for 14 Popplewell Road, Fern Bay.
- 2) Draft Port Stephens Development Control Plan 2014 (Amendment No. 10)
Stockton Rifle Range.

ITEM NO. 2

**FILE NO: 19/131780
EDRMS NO: PSC2019-00475**

NELSON BAY PUBLIC DOMAIN PLAN

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the submissions received during the exhibition of the Nelson Bay Public Domain Plan **(TABLED DOCUMENT 1)**.
- 2) Endorse the Nelson Bay Public Domain Plan, including the Streetscape Design Guidelines, and Signage and Wayfinding Design **(TABLED DOCUMENT 2)**.

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

163	<p>Councillor John Nell Councillor Jaimie Abbott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Receive and note the submissions received during the exhibition of the Nelson Bay Public Domain Plan (TABLED DOCUMENT 1).2) Endorse the Nelson Bay Public Domain Plan, including the Streetscape Design Guidelines, and Signage and Wayfinding Design (TABLED DOCUMENT 2).
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BACKGROUND

The purpose of this report is to advise Council of the outcomes of the consultation undertaken on the Nelson Bay Public Domain Plan, Streetscape Design Guidelines, and Signage and Wayfinding Design (the PDP) and to note the response to submissions at **(TABLED DOCUMENT 1)**. The report recommends Council adopt the final version of these documents at **(TABLED DOCUMENT 2)**.

The PDP has been prepared to deliver Action 12 of the Progressing the Nelson Bay Town Centre and Foreshore Strategy: A revised implementation and delivery programs (the Delivery Program). The PDP is a 20 year plan to deliver 3 objectives:

1. An enhanced green and blue network
2. Streets for people
3. Places for people

An enhanced green and blue network in the town centre integrates the urban footprint with the surrounding natural environment, using street trees and urban landscaping as an extension of the surrounding bushland, and incorporating the principles of water sensitive urban design throughout public spaces.

Increased focus on pedestrian amenity and improved accessibility through and between the town centre and foreshore will make public spaces easier for people to move through and utilise, creating streets for people. This shift away from a vehicle dominated town centre will provide visitors and residents with greater exposure to businesses and services in the town centre, and make the town centre a more amenable place to spend time.

Improvements to the quality of public spaces will allow for a wider offering of activities in the centre and foreshore, and increase the amount of time people spend there, by creating places for people. Improved public spaces will encourage a more vibrant town centre and foreshore where people want to spend time.

The PDP is one of the actions within the Delivery Program that will revitalise Nelson Bay town centre and foreshore. Other actions for revitalisation include amendments to the Port Stephens Local Environmental Plan 2013 and Port Stephens Development Control Plan 2014, providing improved parking outcomes, improving urban design outcomes, implementing Apex Park Masterplan, preparing an integrated Transport Management Plan, and extending Yacaaba Street.

42 submissions were received in response to the exhibition of the PDP. 23 submissions were made as part of a survey run through Engagement HQ, with the remaining 19 submissions received via email. Submissions were overall supportive of the objectives identified in the PDP and no changes have been proposed to the exhibition draft of the PDP. The matters raised in the submissions have been summarised in the consultation section of this report. A detailed response to submissions has been included at **(TABLED DOCUMENT 1)**.

As part of the Council response to the Nelson Bay Traffic and Parking Study and Independent Parking Panel Report, a suite of works and techniques are proposed to address both the supply and demand for parking within the Nelson Bay locality. To assist with managing the high demand and convenient spaces, while providing better opportunities for local residents, Council staff are reviewing technological solutions that can be installed in Nelson Bay. While only in early investigation, these technological solutions may encourage uptake of parking spaces in less convenient locations freeing the high demand spaces. Council is also reviewing options to fund this type of infrastructure and works proposed in the Nelson Bay Public Domain Plan.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

FINANCIAL/RESOURCE IMPLICATIONS

The PDP includes a range of revitalisation works that include replacement or upgrades to a range of local infrastructure items. The works in the PDP are anticipated to span a delivery timeframe of 20 years. Funding and prioritisation of works will be subject to further Council approval as set out below.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Developer Contributions (\$7.11)	Yes		Amendment to the Port Stephens Development Contributions Plan 2007 may be required to fund a portion of these works.
External Grants	Yes		Grant funding may be a possible funding source for a portion of these works.
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONSHunter Regional Plan

The PDP will deliver an action of the Delivery Program, which is consistent with the Hunter Regional Plan 2036 (HRP). The HRP lists Nelson Bay as a regionally significant centre with the following priorities:

- Maintain it as one of the primary tourist centres for the region and a hub for the Tomaree Peninsula.
- Maintain retail and professional services for the surrounding communities.
- Investigate opportunities for high-density development that maintains and enhances the tourist, recreational and residential appeal of the centre.
- Balance the mix of permanent residential and tourist accommodation to enhance the vibrancy and appeal of the centre and surrounds.

Delivery of the PDP will enhance the Nelson Bay town centre and foreshore for both residents and visitors, which is consistent with the priorities of the HRP.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk if the PDP is not endorsed that Action 12 of the Delivery Program will not be realised, undermining other actions to revitalise the Nelson Bay Town Centre and Foreshore.	Low	Endorse the PDP.	Yes
There is a risk that the outcomes of the PDP are not implemented.	Low	Ensure adequate funding sources become available over the lifetime of the PDP.	Yes
There is a risk that funding to implement the PDP will not be available.	Medium	Amend the Port Stephens Development Contributions Plan 2007 and Strategic Assets Management Plan 2019-2029, and actively seek alternate funding sources such as grant funding.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The PDP aims to deliver an enhanced blue and green network, streets for people and places for people. This will improve the environmental outcomes of the town centre and foreshore, whilst making public spaces more inviting and functional. Higher quality public spaces will make the town centre and foreshore a more vibrant and attractive place for both residents and visitors to the area.

The PDP forms part of a package of actions in the Delivery Program that will revitalise Nelson Bay. A revitalised town centre will increase economic activity through increased patronage, improved wayfinding, better car parking access and turnover, streetscape improvements that draw people to the town centre, and improved connectivity between the town centre and foreshore. Nelson Bay has been identified as a regional strategic centre and tourism hub in the Hunter Regional Plan (HRP). Delivery of the PDP will be consistent with the outcomes identified in the HRP.

Positive economic benefits from implementing key projects in the PDP have been independently evaluated. Together with implementing other actions in the Delivery Program related to car parking and implementation of the Apex Park Masterplan, an initial \$15 million investment in public domain works in the town centre is likely to result in an economic benefit of \$49 million.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section.

Internal

Internal consultation was undertaken prior to exhibition and will be ongoing as part of the detailed planning and design of the projects identified in the PDP.

External

The PDP was publicly exhibited from 28 February 2019 to 28 March 2019. Exhibition included an online survey and 23 survey responses were received. The survey responses were generally supportive of the objectives and the projects identified in the PDP. A detailed summary is included in the Public Exhibition Submissions Summary and Response Table at **(TABLED DOCUMENT 1)**.

19 written submissions were received, including 1 submission from the Office of Environment and Heritage. The majority of submissions supported the public domain improvements in the PDP. Specific matters raised in submissions have been summarised and addressed in the response to submissions at **(TABLED DOCUMENT 1)**.

Community consultation will be ongoing as part of the detailed planning, design and delivery of the projects identified in the PDP. This will include consultation through the Nelson Bay Implementation Panel, which includes community and business representatives, Councillors and relevant Council staff.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

- 1) Submissions.

TABLED DOCUMENTS

- 1) Submissions Summary and Response Table.
- 2) Nelson Bay Public Domain Plan, Streetscape Design Guidelines, and Wayfinding and Signage Design.

ITEM NO. 3

**FILE NO: 19/65038
EDRMS NO: PSC2014-00406**

POLICY REVIEW: DOG NOISE POLICY

REPORT OF: KATE DRINAN - DEVELOPMENT ASSESSMENT AND
COMPLIANCE SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Dog Noise Policy shown at **(ATTACHMENT 1)**.
- 2) Place the revised Dog Noise Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.
- 3) Revoke the Dog Noise Policy dated 14 February 2017, Minute No: 008, should no submissions be received.

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

164	<p>Councillor Glen Dunkley Councillor Steve Tucker</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Endorse the revised Dog Noise Policy shown at (ATTACHMENT 1).2) Place the revised Dog Noise Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.3) Revoke the Dog Noise Policy dated 14 February 2017, Minute No: 008, should no submissions be received.
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BACKGROUND

The purpose of this report is to inform Council of proposed amendments to the revised Dog Noise Policy **(ATTACHMENT 1)** and seek endorsement from Council for the revised Dog Noise Policy (the 'Policy') to be placed on public exhibition.

The Dog Noise Policy was originally adopted on 3 June 1997 (Minute No: 1083) and last reviewed on 14 February 2017 (Minute No: 008).

The Policy provides Council with an effective tool for dealing with noise complaints in relation to barking dogs.

Council has an obligation to respond appropriately to customer complaints regarding barking dog noise under the relevant legislation. Prior to 2017, Council relied on the Companion Animals Act 1998 when dealing with dog noise complaints as a 'nuisance dog', but a lack of ability to achieve a result for the customer led to significant changes being made. As a result, the Policy was amended to utilise the 'Protection of the Environment Act 1997' and the pursuit of dog noise matters as 'offensive noise'.

For the last 2 years the revised Policy and approach has been working well and this review was conducted to ensure it continues to align with current legislation and organisational requirements. During the review a number of changes were made to improve Council's approach but they were not to an extent that required a new policy to be drafted.

The key changes ensure the revised Policy reflects that the owner of the offending dog has an opportunity to resolve a barking dog complaint within 14 days rather than being immediately issued with a Noise Abatement Direction as per the current Policy. In addition, Council will seek to obtain additional verification to the 1 barking dog diary previously required to substantiate the validity of any new complaints about barking dog noise.

The verification could include (but is not limited to) site inspections, neighbour interviews, patrols, video and audio recordings. Despite these changes, there is no significant departure from the intent of the existing Dog Noise Policy.

COMMUNITY STRATEGIC PLAN

In line with Council's strategic direction the Ranger Services team contributes to public safety and community liveability by reducing offensive noise and seeking resolution between neighbouring residents when a dog noise matter occurs.

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live	Enhance public safety, health and liveability through use of Council's regulatory controls and services.

FINANCIAL/RESOURCE IMPLICATIONS

There are minimal direct financial/resource implications, however repeated breaches or failure to adhere to legislative directions could result in fines being issued to the dog owners causing offensive noise.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are positive legal, policy and risk implications in reviewing and updating existing policies to assist in facilitating more accurate and robust decision making.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk of making poor decisions as a result of an outdated Policy.	High	Revoke current Policy and replace with revised Dog Noise Policy.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Policy provides Council with an effective tool for dealing with noise complaints in relation to barking dogs. The Policy seeks to protect neighbourhood amenity in a fair and equitable manner.

CONSULTATION

Consultation has been undertaken with the Executive Team and within the Development Assessment and Compliance section.

Internal

In the initial development of this Policy the Ranger Services team consulted heavily with internal staff and management.

External

The Ranger Services team consulted with other Councils of a similar size and demographic, community members and industry peers.

Council's Ranger Services Team Leader has presented the Policy, and approach, at Regulatory Industry Workshops (state and national level) in which the methods have been well received.

In accordance with local government legislation the revised Dog Noise Policy will go on public exhibition for 28 days from 1 August 2019 to 29 August 2019.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Revised Dog Noise Policy. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



FILE NO: PSC2013-00406

TITLE: DOG NOISE POLICY

POLICY OWNER: DEVELOPMENT ASSESSMENT AND COMPLIANCE SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of this Policy is to provide a formal framework for the management and regulation of barking dog noise complaints in the Port Stephens Local Government Area (LGA). The Policy also provides an efficient and cost effective method of gathering the information and evidence required to resolve dog noise control issues.

2. CONTEXT/BACKGROUND:

- 2.1 The ~~previous~~ Dog Noise Strategy was first adopted by Council on 3 June 1997 and was most recently amended in its ~~current form as a Policy~~ on 14 February 2017. The Policy sets out to provide Council operational staff with an improved, cost effective method of dealing with noise complaints in relation to barking dogs as well as enabling a sufficient amount of evidence to be obtained in dog noise control matters.
- 2.2 The Dog Noise ~~in the Port Stephens LGA is managed as~~ Policy has undergone some minor changes and the way complaints are dealt with by Council staff has been revised. The way complaint non-compliance and subsequent enforcement is escalated has also been refined. The Policy continues to ~~has shift the focus away from the previous 'nuisance order' pathway available under the Companion Animals Act 1998, to pursue the matter as 'offensive noise' under the Protection of the Environment Operations Act 1997.~~ The Policy requires the submission of a barking dog diary ('the diary') from complainants to establish the validity of their complaints. ~~Approaching the majority of barking dog matters in this manner enables more definitive decision making and requires the submission of only one barking dog diary in comparison to the three previously required, the absence of which more often than not led to complaints remaining unresolved.~~
- 2.3 The ~~new barking dog diary and fact sheet attached to the new Policy prescriptive than the previous Policy and are more~~ assist the Ranger ~~team in~~ obtaining the critical evidence required to satisfy the 'offensive noise' legislative criteria.
- 2.4 Council is committed to resolving dog noise problems having regard to legislative requirements and can only do so when persons who lodge complaints about barking dogs provide ~~the required~~ a level of information to support the complaint ~~and enable efficient investigation~~. An integral part of the investigation process includes persons lodging complaints being willing to provide evidence and appear as a witness if necessary.

Policy

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ITEM 3 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



2.5 The new Policy will continue to set Port Stephens Council apart in terms of how other peer Council's manage nuisance dogs and continue to provide demonstrate a consistent and transparent approach to the community.

3. SCOPE:

3.1 The role of Council's Ranger team in the implementation of the Policy this regard is to manage barking dog and regulate complaints about barking dogs in the Port Stephens LGA where the complainants are is-able to provide evidence demonstrating the noise created is 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.

4. DEFINITIONS:

4.1 An outline of the key definitions of terms included in the Policy.

Nuisance Dog	A dog that makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.
Offensive Noise	Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.
Repeated Barking	More than three episodes of five barks in one hour on multiple occasions during a 24 hour period. (Note – this is a guide for the assessing officer only and does not necessarily constitute offensive noise. A demonstrated impact needs to be identified).

5. POLICY STATEMENT:

5.1 Upon receipt of a first complaint about dog noise, Council staff will attempt to make contact with the dog owner and advise that a complaint has been received. The dog owner will be given fourteen days to resolve the issue without further involvement from Council. Completion of the complaint form will assist in reducing vexatious complaints

5.2. If the dog barking persists past the fourteen day period described above, Council will request a A Council approved offensive noise diary and statement form needs to be completed by the complainant giving time and duration of barking and signed as a statement. Complainants are encouraged to obtain audio recordings of noise episodes where possible, to accompany the diary.

Policy

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ITEM 3 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



5.3. On submitting the diary to Council an investigation will be carried out by the Ranger team and if the noise is deemed offensive via a supplementary method of verification which may include neighbour interviews, patrols, video and audio recordings, then a Council officer will visit the dog owner and issue a Noise Abatement Direction to the owner of the dog. Once issued, the noise abatement direction will remain in force for twenty eight days.

5.4 If further offensive noise is caused within the twenty eight days period described above the complainant is to complete a further will be requested to provide an additional offensive noise diary and take recordings other methods of verification should be obtained where possible. If the evidence provided demonstrates the Noise Abatement Direction has been breached a Council Officer may issue infringements to the owner of the dog, accompanied by a new Noise Abatement Direction.

5.5 If the noise is not deemed offensive by Council staff at the conclusion of their investigation, the complainant will be advised accordingly, and no further action will be taken.

5.5.1 Note – The above process will be repeated while ever the dog noise continues.

5.5.2 After the expiry of the twenty eight days Council staff may take the following action:

5.5.3 If multiple offensive noise diaries and statements have been received and an offence is considered to be committed, issue a Prevention Notice under the Protection of the Environment Operations Act 1997.

a) ~~If multiple offensive noise diaries and statements have been received, issue a Nuisance Order under the Companion Animals Act 1988.~~

5.6 If no further diaries are received the matter will be deemed to be resolved and no further action will be taken.

~~In response to the dog owner being uncooperative additional diaries may be submitted and infringement notices may be issued.~~

5.7. The definition of 'offensive noise' is set out in the Protection of the Environment Operations Act 1997. For the purposes of dog barking noise, it is accepted that dogs may bark for various reasons and this alone does not make the noise offensive. As a guide to dog barking noise interfering unreasonably with comfort or repose, the dog noise would need to meet one or more of the following:

5.7.1 Barking before 7am or after 8pm; or

a) ~~Repeated barking of more than 3 episodes of 4-5 barks per day, or~~

5.7.2 Repeated barking that interrupts Interrupted normal home activity such as sleep, conversations, phone calls, watching television, study etc.

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ITEM 3 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



5.8 Should additional complaints **and completed** diaries be received **after a Prevention Notice has been issued**, a decision will be made having consideration to Council's legal procedures Policy as to further action.

5.9 If the matter is not resolved following the above process Council may issue a Court Attendance Notice.

6. POLICY RESPONSIBILITIES:

- 6.1 Coordinator Environmental Health and Compliance.
- 6.2 Ranger Team Leader.
- 6.3 Ranger Team.

7. RELATED DOCUMENTS:

Councils Local Orders Policy;

- 7.1 Councils Local Companion Animals Management Plan.
- 7.2 Companion Animals Act 1998 (Nuisance Orders).
- 7.3 Protection of the Environment Operations Act 1997 (Prevention Notice, Noise Abatement Order).

~~Dog Noise Diary Statement~~
~~Dog Noise Fact Sheet~~

CONTROLLED DOCUMENT INFORMATION:

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RM8 container No	PSC2013-00406	RM8 record No	TBA
Audience	Staff and public		
Process owner	Development Assessment and Compliance Section Manager		
Author	Ranger Team Leader		
Review timeframe	Two years	Next review date	March 2021
Adoption date	3/6/1997		

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Policy



VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	3/6/1997		Policy adopted by Council	1083
2	30/1/2001		Amended	016
3	19/10/2004		Amended	375
4	13/8/2013		Amended	216
5	14/02/2017	Coordinator Environmental Health and Compliance.	Changes to Policy and approach based on Protection of Environmental Operations Act offensive noise, rather than Companion Animals Act nuisance order. New noise diary and supplementary fact sheet. Provides for a robust yet effective way to manage noise.	008

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Policy



6	TBA	Coordinator Environmental Health and Compliance.	<p>Updated to new template. Minor punctuation and grammatical changes made throughout.</p> <p>2.2. Feedback from customers and an internal process review has led to the Policy now seeking that the complainant's diary be supplemented by one additional diary from another affected neighbour to assist in establishing validity of complaints. The onus of gathering the additional diary from another affected neighbour rests solely with the primary complainant.</p> <p>4.1. Definitions updated to include 'Continuous Barking'.</p> <p>5.1. Upon receipt of a first complaint about dog noise, Council staff will attempt to make contact with the dog owner and advise that a complaint has been received. The dog owner will be given fourteen days to resolve the issue without further involvement from Council.</p>	TBA
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Policy



			<p>5.3. On submitting the diary to Council a thorough investigation will be carried out by the Ranger team and if the noise is deemed offensive via a supplementary method of verification which may include neighbour interviews, patrols, video and audio recordings, then a Council officer will visit the dog owner and issue a Noise Abatement Direction to the owner of the dog. Once issued, the noise abatement direction will remain in force for twenty eight days.</p> <p>5.4. If further offensive noise is caused within the twenty eight days period described above the complainants is to complete a further will be requested to provide an additional offensive noise diary and take recordings other methods of verification should be obtained where possible. If the evidence provided demonstrates the Noise Abatement Direction has been breached a Council Officer may issue</p>	
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Policy

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Policy



			<p>infringements to the owner of the dog, accompanied by a new Noise Abatement Direction.</p> <p>5.5. If the noise is not deemed offensive by Council staff at the conclusion of their investigation, the complainant will be advised accordingly, and no further action will be taken.</p> <p>5.6.1a Deleted - If multiple offensive noise diaries and statements have been received, issue a Nuisance Order under the Companion Animals Act 1988.</p> <p>6. Policy Statement – Deleted - In response to the dog owner being uncooperative additional diaries may be submitted and infringement notices may be issued.</p> <p>7. Related Documents Deleted:</p> <ul style="list-style-type: none"> - Councils Local Orders Policy - Deleted Dog Noise Diary Statement - Deleted Dog Noise Fact Sheet 	
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Policy

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ITEM NO. 4

**FILE NO: 19/136001
EDRMS NO: PSC2016-02097**

POLICY REVIEW: HERITAGE POLICY

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Heritage Policy shown at **(ATTACHMENT 1)**.
- 2) Place the revised Heritage Policy, on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.
- 3) Revoke the Heritage Policy adopted by Council on 11 April 2017, Minute No. 086, should no submissions be received.

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

165	Councillor Giacomo Arnott Councillor Glen Dunkley It was resolved that Council: <ol style="list-style-type: none">1) Endorse the revised Heritage Policy shown at (ATTACHMENT 1).2) Place the revised Heritage Policy, on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.3) Revoke the Heritage Policy adopted by Council on 11 April 2017, Minute No. 086, should no submissions be received.
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BACKGROUND

The purpose of this report is for the consideration and exhibition of the revised Heritage Policy ('the Policy') **(ATTACHMENT 1)**.

The Policy was first adopted by Council in 2015 and was last reviewed on 11 April 2017, Minute No. 086. The Policy aims to provide an overarching commitment to recognise, protect and promote tangible and intangible, Aboriginal and non-Aboriginal heritage.

Following the review, a number of minor and administrative amendments have been proposed including:

- Reformatting the Policy into the new policy template.
- Administrative amendments to update references to legislation and other relevant documents.
- Administrative amendments to correct spelling and grammar and align the Policy with other Council policies and Council's style guide.
- Updated list of Policy Responsibilities to include reference to the function of Council's Aboriginal Strategic Committee in providing advice to Council.
- Updated list of Related Documents to include the Design Guide for Heritage 2019 (published by the Government Architect NSW).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Recognised Traditions and Lifestyles	Recognise and support the heritage of Port Stephens.

FINANCIAL/RESOURCE IMPLICATIONS

Costs associated with the implementation of the Heritage Policy are covered in the existing Council budget and will be subject to standard organisation budget review procedures and approvals.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal or policy implications as a result of the proposed recommendation.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council does not have an up-to-date policy approach to heritage matters and may miss out on external grant funds.	Low	Adopt the amended Policy.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Heritage Policy recognises the importance of heritage for Port Stephens and its communities, and acknowledges that heritage has cultural heritage tourism potential. The revisions to the Policy will ensure the Policy includes references to current legislation, policies and procedures.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section.

Internal

Consultation has been undertaken with:

- Council's Heritage Advisor
- Development Assessment and Compliance unit
- Environmental Management unit
- Facilities and Services section
- Community Development and Engagement unit

The Executive Team has been consulted to seek management endorsement.

External

- Members of Council's Heritage Advisory Committee were consulted during the review and the Committee supports the revised Heritage Policy to be presented to Council for their consideration.
- If Council endorses the revised Heritage Policy for community consultation, it will be placed on public exhibition for 28 days in accordance with legislation.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Revised Heritage Policy. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 4 - ATTACHMENT 1 REVISED HERITAGE POLICY.

Policy



FILE NO: PSC2016-02097
TITLE: HERITAGE POLICY
POLICY OWNER: STRATEGY AND ENVIRONMENT SECTION MANAGER

1. PURPOSE:

1.1 The purpose of this Policy is to state Port Stephens Council's commitment to ensuring systems are in place to assist in the recognition, protection, and promotion of ~~Indigenous and non-Indigenous~~ **Aboriginal and non-Aboriginal** heritage in the Port Stephens Local Government Area (LGA).

2. CONTEXT/BACKGROUND:

2.1 Heritage is a key element of Australia's identity. It reflects our ~~Indigenous and non-Indigenous~~ **Aboriginal and non-Aboriginal** spirit and ingenuity through our cultural, built and unique, living landscapes. Heritage is a legacy from our past, informing present and future operations.

2.2 The Port Stephens LGA encompasses a rich ~~Indigenous and non-Indigenous~~ **Aboriginal and non-Aboriginal** history. It is the land of the Worimi people with the area being first noted by Europeans in May 1770. Considerable ~~Indigenous and non-Indigenous~~ **Aboriginal and non-Aboriginal** land and marine **terrestrial and maritime** history has been documented in the region, ranging from a vibrant fishing industry, trade, and establishment of towns, villages and agricultural activity.

2.3 Port Stephens Council supports opportunities to retain local history in a way that positively influences social connections and place making in communities and also recognises the positive economic benefit gained from cultural heritage tourism.

3. SCOPE:

3.1 The Policy is a commitment to:

- a) Assist in the conservation, protection and interpretation of local and state heritage.
- b) Recognise and respect heritage, both ~~Indigenous and non-Indigenous~~ **Aboriginal and non-Aboriginal**.
- c) Celebrate places, buildings, landscapes and stories of our local communities that provide a link to our nation's heritage.
- d) Develop partnerships and provide initiatives that enable practical actions to protect and manage heritage places.

Policy

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ITEM 4 - ATTACHMENT 1 REVISED HERITAGE POLICY.**Policy**

- e) Establish consistent methods of managing heritage matters between Council and the community that are in line with local, State and Federal legislation.
 - f) Consult with relevant ~~Indigenous and non-Indigenous~~ **Aboriginal and non-Aboriginal** communities. Engage with the diverse communities of Port Stephens to preserve and celebrate heritage.
- 3.2 This Policy applies to land and infrastructure owned by Council or where Council has been appointed ~~trust manager of Crown reserves~~ **Crown land manager**. It also recognises Council's role in supporting the preservation of significant heritage, including those privately owned, through Council's Local Environmental Plan.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the Policy.

Heritage: Places, buildings, landscapes and stories related to the history of our community.

5. POLICY STATEMENT:

- 5.1 Port Stephens Council supports heritage activities in the Port Stephens LGA. This includes the environmental heritage of Port Stephens, conserving heritage items and heritage conservation areas (including associated fabric, settings and views), archaeological sites and Aboriginal objects Items, and Aboriginal places of heritage significance.

6. POLICY RESPONSIBILITIES:

- 6.1 Executive Leadership-Team: Leadership and strategic direction.
- 6.2 Senior Leadership Team: Leadership through ensuring staff understanding of and compliance with provisions outlined in this Policy and associated documentation.
- 6.3 Strategy and Environment Section Manager: Policy implementation & process owner.
- 6.4 Development Assessment and Compliance Section Manager: Planning compliance.
- 6.5 Civils Assets Manager: **Asset Custodian**. ~~Compliance of works on Council-owned land~~
- 6.6 Heritage Advisor: Provide professional advice to Council.
- 6.7 355c Heritage Advisory Committee: Provide community **advice** to Council.
- 6.8 355c Aboriginal Strategic Committee: Provide community advice to Council.**

7. RELATED DOCUMENTS:

- 7.1 Port Stephens Heritage Signs and Trails Guidelines 2015
- 7.2 **Port Stephens** Local Environmental Plan 2013
- 7.3 **Port Stephens** Development Control Plan 2013 **2014**
- 7.4 Port Stephens Cultural Plan 2015-2018
- 7.5 Aboriginal and Torres Strait Islander-(Heritage Protection)-Act 1984 (Common-) **(Cth)**

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Policy



- 7.6 Environmental Planning and Assessment Act 1979 (NSW)
- 7.7 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) (Cth)
- 7.8 Local Government Act 1993 (NSW)
- 7.9 National Parks and Wildlife Act 1974 (NSW)
- 7.10 Heritage Act 1977 (NSW)
- 7.11 Crown Lands Act 1989 Crown Land Management Act 2016 (NSW)
- 7.12 Australia ICOMOS Burra Charter 1999 The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013
- 7.13 Design Guide for Heritage 2019 (Heritage Council of NSW and Government Architect NSW)

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No	PSC2016-02097	EDRMS record No	TBA
Audience	Council Staff and the Community		
Process owner	Strategy and Environment Section		
Author	Strategy and Environment Section Manager		
Review timeframe	Two years	Next review date	June 2021
Adoption date	24 March 2015		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	24/03/2015	Strategy and Environment Section Manager	N/A	056

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Policy



2.0	11/04/2017	Strategy and Environment Section Manager	<p>Transfer to new corporate policy template.</p> <p>The policy purpose is a transfer of the objectives from Version 1.0.</p> <p>The policy scope is a transfer of the principles and part of the policy statement from Version 1.0.</p> <p>The policy responsibilities is a transfer of the implementation responsibility from Version 1.0.</p> <p>The policy responsibilities has been amended to include ELT, SLT and Development Assessment & Compliance Section Manager.</p> <p>The related documents section is a transfer of the relevant legislative provisions from Version 1.0. The related documents has been amended to include the Port Stephens Heritage Signs and Trails Guidelines 2015, Local Environmental Plan 2013, Draft Port Stephens Council Heritage Strategy, Development Control Plan 2013, Port Stephens Cultural Plan 2015-2018 and Crown Lands Act 1989</p>	086
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Policy



3.0	June 2019	Strategy and Environment Section Manager	<p>Reformatted the Policy into the new policy template.</p> <p>1.1,2.1,2.2,3.1(b), 3.1(f) and 3.2 - Administrative amendments to update references to legislation, other relevant documents, grammar, and align the Policy with other Council policies.</p> <p>6.5 – Civil Assets Manager – listed as ‘Asset Custodian’.</p> <p>6.8 - Updated list of Policy Responsibilities to include the function of Council's Aboriginal Strategic Committee in providing advice to Council.</p> <p>7.3, 7.5,7.11 and 7.12- Updated list of Related Documents to relevant year.</p> <p>7.13 - Included the Design Guide for Heritage 2019 (published by the Government Architect NSW).</p>	
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ITEM NO. 5

**FILE NO: 19/170640
EDRMS NO: PSC2015-02099**

POLICY REVIEW - FORESHORE DINGHY STORAGE POLICY

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the submissions received during the public exhibition period **(ATTACHMENT 1)**.
- 2) Adopt the revised Foreshore Dinghy Storage Policy **(ATTACHMENT 2)**.
- 3) Revoke the Foreshore Dinghy Storage Policy adopted by Council on 14 April 2015, Minute No. 086.

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

166	<p>Councillor John Nell Councillor Jaimie Abbott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Receive and note the submissions received during the public exhibition period (ATTACHMENT 1).2) Adopt the revised Foreshore Dinghy Storage Policy (ATTACHMENT 2).3) Revoke the Foreshore Dinghy Storage Policy adopted by Council on 14 April 2015, Minute No. 086.
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BACKGROUND

The purpose of this report is to seek Council's adoption of the Foreshore Dinghy Storage Policy following the public exhibition period that ended on 23 June 2019.

As a result of the public exhibition, 3 submissions were received in relation to the Policy. These submissions related to modifying the dinghy definition to include kayaks and 12 meter dragon boats, fee structure and limiting registration on some high use foreshore **(ATTACHMENT 1)**. The submissions did not require the advertised policy to be modified or changed.

The Policy was originally implemented in 2015. The purpose of the Policy is to provide a framework to enable a balance between the storage of dinghies and other recreational activities as well as providing a compliance mechanism to manage this balance.

The Policy and code outcomes remain mostly unchanged, though the content has changed by:

- Reformatting the Policy into the new Policy template.
- Rewording of the Context/Background and Policy statement.
- Removal of definitions from Policy statement.
- Addition of six month renewal option.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Infrastructure and Facilities	Maintain the Council's civil and community infrastructure to support the community.

FINANCIAL/RESOURCE IMPLICATIONS

Income received from the implementation of this Policy contributes towards regulation and capital improvements to storage facilities.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The removal of unregistered dinghies can occur under the *Impoundment Act 1993*.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that without the regulation of dinghy and water vessel storage the amenity of public reserves is diminished.	Low	Adopt the amended Policy.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The use of a dinghy is an important method for residents and visitors to enjoy the waterways within the Port Stephens area. The interaction/balance between the general public recreation use of public land and dinghy storage needs to be managed. This Policy provides for the dinghy management to gain a better interaction/balance. Foreshore dinghy storage will be managed to ensure there are minimal environmental impacts.

The \$100 registration fee is documented and reviewed annually through the Port Stephens Council Fees and Charges process.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Assets Section.

Internal

- Review has been undertaken with Community & Recreation.

External

- In accordance with local government legislation the revised Foreshore Dinghy Storage Policy went on public exhibition for 28 days.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Foreshore Dinghy Storage Policy Submissions. [↓](#)
- 2) Foreshore Dinghy Storage Policy. [↓](#)

COUNCILLORS ROOM

- 1) Copy of Full Submission.

TABLED DOCUMENTS

Nil.

ITEM 5 - ATTACHMENT 1 FORESHORE DINGHY STORAGE POLICY SUBMISSIONS.

Policy Review: Foreshore Dinghy Storage Policy Submissions

	Author of submission	Comment	Council response
1	Resident	I would like to suggest that storage should not be limited to dinghies only. I think it would be in the community's interest for other vessels such as kayaks to be allowed storage. Many residents don't have space to store these vessels at their home. A policy of promoting active water sports such as kayaking would surely be good for community fitness.	This policy was introduced to reduce the conflict between foreshore park use and the storage of private vessels. Vessels such as kayaks are portable and should be stored at private properties rather than public reserves.
2	Greater Port Stephens Dragon Boat Club	Dragon boats be included in the definition 4.1: "Unauthorised Vessel - A vessel not included in the 'Dinghy' definition; this would include but not be limited to any single or multi-hulled vessel over three metres in length, and the like".	Increasing the dinghy definition from a maximum 3 metres to 12 metres (dragon boats length) will contravene the purpose of the policy to manage a balance between dinghy storage and foreshore space for park users.
		Dragon boats are not classified as commercial operators	Council has formal agreements with clubs, such as the outriggers, to store vessels on Council managed land. Council is committed to working with the Greater Port Stephens Dragon Boat Club in negotiating an agreed site that balances community access with the club needs.
		Council designate a suitable storage area for dragon boats.	
3	Resident	Thank Council for enforcing the current policy and look forward to it continuing. The 6 month registration is also helpful.	No action required.
		The fee is completely "over the top" and costs the same as storage along Sydney Harbour where the swing moorings cost about 70% more than here! Most dinghy owners here have very modest vessels on moorings. If ever there was an "equity" issue, than this fee is a prime example of "non equity". It discriminates against pensioners who have a very small boat for recreation.	The fee is reviewed each financial year and unlike other Council fees and charges, it has not increased with CPI. The annual fee review process identified a 6 month, half price registration option for January to June registrations.
		The primary purpose of this policy should be to provide for tendering dinghies to access moorings located off our reserves. If kayaks and the like are permitted than valuable	The policy restricts dinghy registration to a clear definition. Kayaks cannot be registered or stored on foreshores. It would be difficult to administer and enforce the

**ITEM 5 - ATTACHMENT 1
SUBMISSIONS.**
FORESHORE DINGHY STORAGE POLICY

	Author of submission	Comment	Council response
		space is taken on the racks. If private runaround dinghies are permitted at very small reserves with 80 or more moorings offshore, (Roy Wood Reserve at Corlette), than these too take up valuable limited storage space. There should be a clause in the definitions restricting some storage areas to tendering dinghies if they are having an impact on the reserve space for the public – that is the “equity issue” as far as I’m concerned!	registration and storage to only tendering dinghies. Council does not have access to mooring information. A customer service request has been lodged with Council compliance to ensure the vessels at Roywood Reserve are registered.
		Commercial operators: Should a clause be added into the definitions to cover commercial operators who have boats which do not fit the authorized vessels?	Commercial operators are not included in this policy. They must gain approval through the Commercial Operators Policy to operate on foreshore reserves.
		Point 5.8 should include an additional storage area – 107 Foreshore Drive reserve (junction with Port Stephens Drive). This area would be ideal for a future locked compound for kayak storage and is suitable now for private runaround boats.	Dinghy rack installation is prioritised for high use reserves to manage the balance between dinghy storage and public access. Kayaks cannot be registered or stored on council managed reserves.
		Roy Wood Reserve should be restricted to tender dinghies due to the lack of space and the popularity of this reserve all year round. This policy is unfair and is not equitable for the public who use Roy Wood Reserve as their public space Corlette Point Park should be identified as a storage area for outriggers.	It would be difficult to administer and enforce the registration and storage to only tendering dinghies. Council does not have access to mooring information.
		Point 6.2 indicates that the collection of fees have been used for maintenance and construction of dinghy storage facilities. I would like some evidence of this actually happening! Roywood Reserve has not had anything added or maintained. The reserve's rack should be moved closer to the toilet block.	The 2018/2019 dinghy registrations contributed to the construction of the new dinghy slide on the Shoal Bay Foreshore Reserve.

Policy



FILE NO: PSC2011-02312

TITLE: FORESHORE DINGHY STORAGE POLICY

POLICY OWNER: JOHN MARETICH, CIVIL ASSETS SECTION MANAGER

1. PURPOSE:

- 1.1 To provide a framework to enable a balance between the storage of dinghies and other recreational activities as well as providing a compliance mechanism to manage this balance.

2. CONTEXT/BACKGROUND:

- ~~2.1 The current approach to managing dinghies stored on public foreshores involves the provision of storage such as dinghy racks and removal on the basis of safety risks to park users, demand for park space during peak seasons and potential damage to foreshores. There is now an adopted Council policy position relating to this issue.~~
- 2.1 A Notice of Motion was tabled at the 26 June, 2012 Ordinary Council Meeting to address the issue of dinghy and water vessel storage on council foreshore reserves.
- 2.2 The action was prompted due to the number of dinghies and other water vessels being stored on foreshore reserves. The number of dinghies and other water vessels on Council's ~~It was noted that a number foreshores~~ of reserves throughout the Port Stephens Council area were cluttered with abandoned dinghies, canoes and catamarans and this was ~~are~~ limiting the ability for the residents of Port Stephens and visitors to enjoy our beautiful beaches and waterways. Greater order and management is required to preserve the foreshore reserves for the enjoyment of all.
- 2.3 Council adopted the Foreshore Dinghy Storage Policy in April 2015.

3. SCOPE:

- 3.1 Dinghy storage on reserves is permissible under a user pay system where income will be allocated to the maintenance, improvement, enforcement and initial signage of foreshore dinghy storage facilities
- 3.2 A permit system will enable Council to identify dinghies which have been abandoned on foreshores and subsequently will enable their removal.

Policy

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Policy



4. DEFINITIONS:

4.1 An outline of the key definitions of terms included in the policy.

Dinghy	A single or multi-hulled vessel up to maximum length of 3.0 metres.
Unauthorised Vessel	Is a vessel not included in the 'Dinghy' definition, this would include but not limited to any single or multi-hulled vessel over 3 metres in length, a medium/large trailable vessel, trailer sailer, catamaran, sailboard, jetski, surfboard, work punt, pontoon, sailboat (fitted with mast), rowing skull, inflatable boat, canoe, kayak, and the like.
Derelict Vessel	Is a dinghy or other vessel left on public land, which appears to be unseaworthy by the evidence of damage to affect vessel flotation and users safety.
Abandoned Vessel	An abandoned vessel is a dinghy or other vessel left on public land, which appears to be un-owned or has no or expired registration.

5. POLICY STATEMENT:

5.1 For the purpose of this policy

- a dinghy is defined as a single or multi-hulled vessel up to a maximum length of 3.0 metres
- an unauthorised vessel is a vessel not included in the 'Dinghy' definition. An unauthorised vessel would include, but not be limited too, any single or multi-hulled vessel over 3 metres in length, a medium/large trailable vessel, trailer sailer, catamaran, sailboard, jetski, surfboard, work punt, pontoon, sailboat (fitted with mast), rowing skull, inflatable boat, canoe, kayak, and the like.
- a derelict vessel is a dinghy or other vessel left on public land, which appears to be unseaworthy by the evidence of damage to affect vessel flotation and users safety, and
- an abandoned vessel is a dinghy or other vessel left on public land, which appears to be un-owned or has no or expired registration.

5.1 Port Stephens Council is committed to providing recreational facilities and services in keeping with Council's vision and key corporate objectives.

5.2 The registration will be twelve months with renewal occurring during July for the financial year. A six month registration will be available from January to June of same financial year.

5.3 An inspection will be carried out every three months or as required to determine the percentage of dinghies registered.

5.4 Those dinghies not registered will be deemed abandoned and removed from the foreshore.

Policy

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Policy



- 5.5 Dinghies and unauthorised vessels stored outside of the designated dinghy storage areas are to be removed and impounded by Council authorised officers. These vessels will be held at Council's impound and maybe disposed of in accordance with the *Impounding Act, 1993*.
- 5.6 Dinghies without a permit sticker and stored on a dinghy storage rack will also be removed under the *Impounding Act, 1993*.
- 5.7 Owners of unregistered vessel that have been removed from the foreshore will have three months to retrieve their vessel. If the vessel has not been claimed after three months, it may be sold by tender.
- 5.8 Dinghies will be permitted to be stored in any Council managed foreshore reserve. In the Council managed foreshore reserves that have designated storage areas, dinghies must be stored within the storage area. Council managed foreshore reserves with designated storage areas include;
- Shoal Bay Foreshore Reserve, Shoal Bay.
 - Dutchman's Beach, Nelson Bay.
 - Corlette Point Park, Corlette.
 - Roy Wood Reserve, Corlette.
 - Georges Reserve, Salamander Bay.
 - Wanda Beach Reserve, Salamander Bay.
 - Kangaroo Point Reserve, Soldiers Point.
 - Everitt Park, Soldiers Point.
 - Sunset Beach, Soldiers Point.
 - Taylors Beach Foreshore, Taylors Beach.
 - Koala Park, Lemon Tree Passage.
 - John Parade Foreshore, Lemon Tree Passage.
 - Foster Park, Tanilba Bay.
- 5.9 Council will review the fee for dinghy storage annually.

6. POLICY RESPONSIBILITIES:

- 6.1 The use of a dinghy is an important method for residents and visitors to enjoy the waterways within the Port Stephens area. The interaction/balance between the general public recreation use of public land and storage of dinghies needs to be managed. This Policy will allow the storage of dinghies to be managed, to ensure equity of access for all.
- 6.2 This policy will allow Council to fund the maintenance and construction of dinghy storage facilities through the collection of fees.
- 6.3 Dinghy storage will be managed to ensure there is minimal environmental impacts.

Policy

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Policy



7. RELATED DOCUMENTS:

~~7.1 NSW Coastal Policy, 1997.~~

7.1 State Environmental Planning Policy (Coastal Management), 2018

~~7.2 Coastal Crown Lands Policy, 1991.~~

~~7.3 Crown Land Foreshore Tenures Policy, 1991.~~

7.2 Crown Land Domestic Waterfront Licences – Guidelines, 2018

~~7.3 Local Government Act, 1993.~~

~~7.4 Impounding Act, 1993.~~

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No	PSC2011-02312	EDRMS record No	
Audience	Community, Assets Section, Community and Recreation, Staff and General Manager		
Process owner	Assets Section Manager		
Author	Community and Recreation Coordinator		
Review timeframe	Two years	Next review date	April 2021
Adoption date	14/04/2015		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	14/04/2015	Community and Recreation Coordinator	Adopted by Council.	086

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Policy



2		Community and Recreation Coordinator	Reviewed and Updated in Council new Policy Template. Policy Owner – Updated. 2.1, 2.2, 2.3, 5.1 Reworded to improve content. 5.1 Removed due to definitions are identified in 4.1. 5.3 Additional wording. 7.1, 7.2, 7.3 Removed old policy and added new policy.	
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Policy

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ITEM NO. 6

**FILE NO: 19/100449
EDRMS NO: PSC2005-3551**

355C COMMITTEES 2018 ANNUAL FINANCIAL SUMMARY

REPORT OF: MICHELLE GILLIVER-SMITH - ORGANISATION DEVELOPMENT
SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive the 355c Committees Annual Financial Statements for the period 1 January 2018 to 31 December 2018.
 - 2) Note that all eligible 355c committees have received the 2019 annual operating subsidy.
-

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

167	<p>Councillor Glen Dunkley Councillor Ken Jordan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Receive the 355c Committees Annual Financial Statements for the period 1 January 2018 to 31 December 2018.2) Note that all eligible 355c committees have received the 2019 annual operating subsidy.
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BACKGROUND

The purpose of this report is to receive the 355c Committees' Annual Financial Statements for 2018 and to note the disbursement of the annual operating subsidies to eligible committees and sports councils.

A summary of opening and closing balances of all financial 355c committees (1 January 2018 to 31 December 2018) (**ATTACHMENT 1**) and also indicates payment of the 2019 annual operating subsidy to eligible committees.

Detailed financial statements of committee cash books (1 January 2018 to 31 December 2018) is outlined within (**TABLED DOCUMENT 1**).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Community Diversity	Support volunteers to deliver appropriate community services.

FINANCIAL/RESOURCE IMPLICATIONS

The total amount of funds held by the 39 committees as at 31 December 2018 was \$837,689.70, a decrease of \$49,712.98 from 31 December 2017.

- 12 committees held over \$20,000 (total value of \$645,741.19).
- 10 committees held between \$10,000 and \$20,000 (total value of \$131,386.81).
- 17 committees held less than \$10,000 (total value \$60,561.70).

Payment of the 2019 annual operating subsidy was made in July 2019 to all eligible committees and sports councils.

The use of committee funds should be in line with Council's strategic directions and be committed to the objectives of each committee's appendix to the 355c Committee Terms of Reference. A focus on maintenance, renewal and rehabilitation of facilities and reserves will ensure the long-term sustainability of these community assets.

Council's Assets Section works with committees and sports councils to allocate committee funds to projects that assist in maintaining or upgrading Council's assets. For example, in the 2018 calendar year, the following large investments by committees included:

Tomaree Sports Council (TSC)

- \$5900 - engagement of sub-consultant for building within Tomaree Sports Complex as part of TSC Master Plan.
- \$13,400 - installation of new weld mesh fence along Don Waring Oval.
- \$25,000 - gravel road base for market area within Tomaree Sports Complex.
- \$4600 - new interchangeable soccer and union posts for match field.
- \$8500 - new roller door for Nelson Bay Netball.
- \$2000 - 2 bike racks at Salamander Sports Complex.
- \$8000 - over sow program at Don Waring Oval and Fields 4 and 5 at Tomaree Sports Complex.
- \$20,000 - upgrade of LED floodlights at Nelson Bay Netball.
- \$21,300 - linking of a wireless PA system between all buildings at Tomaree Sports Complex.
- \$18,600 - new weld mesh fence on both sides of Don Waring Oval.

MINUTES ORDINARY COUNCIL - 23 JULY 2019

West Ward Sports Council

- \$6000 - contribution to Port Stephens Cricket Club to purchase a new “Mentay 200” wicket roller.
- \$14,800 - purchase of 6 Heartsine 500p defibrillators.
- \$23,800 - 50% funding to King Park Sports Complex Master Plan.

Tilligerry Sports Council:

- \$6000 - Over sow program of league and soccer fields at Mallabula Sports Complex.

Medowie Sports Council:

- \$10,000 - concrete and shed installation for Ferodale Sports Complex.
- \$2000 - pressure clean and line marking for Medowie Netball Club.
- \$5000 - removal of Boyd Oval wicket and topsoil to enable surface to be playable.

Other

- \$7600 - additional shelter in Seaham Park – Seaham Park & Wetlands Committee.
- \$7000 - resealing main hall flooring – Williamtown Hall Committee.
- \$9500 - shade sail over new play equipment at Corlette Community Hall – Corlette Headland & Hall Committee.
- \$1700 - 2 aluminium bench seats Grahamstown cycleway – Medowie Tidy Towns.
- \$2700 - air conditioner in kitchen – Raymond Terrace Senior Citizens Hall Management Committee.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	Yes	837,689.70	Funds held in individual bank accounts by 355c committees/ sports councils as at 31/12/18.

LEGAL, POLICY AND RISK IMPLICATIONS

Section 355c of the Local Government Act 1993 allows Council to delegate certain functions. A section 355c committee is an entity of Port Stephens Council and as such is subject to the same legislation, accountability and probity requirements as Council.

All funds and assets held by the committees belong to Council and the committee is responsible for the care and control of these funds. Funds administered by 355c committees must meet Council's standards of compliance, management and transparency. Committees are required to comply with standard record keeping practices, including submission of financial reporting requirements by due dates.

355c committees use a cash book style financial record keeping system (format supplied by Council in the form of a carbonised book or spreadsheet). The cash book is completed monthly (or alternative if approved) and the totals of each month are entered into the Annual Summary Reporting page, which is forwarded to Council annually.

This system was developed in line with recommendations of Council's auditors to provide a uniform format and transparent auditing of committee financial transactions, which meet the requirements for accountability and GST reporting. The system provides committees with a simplified financial process and staff support.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that funds held in 355c committee bank accounts may be subject to fraudulent acts resulting in legal, financial and reputation damage.	Medium	This risk will be reduced by ensuring Council is noted on individual committee bank account names and 2 Council staff are signatories to committee accounts. The 355c Committee Terms of Reference and Appendix clearly outlines committee responsibilities with regard to recording and reporting on committee funds. Additional information has been provided to committees and is available on Council's website and includes meeting guidelines and templates, financial record keeping guide and purchasing guide. Financial training is also offered to relevant committee executive members.	Yes

MINUTES ORDINARY COUNCIL - 23 JULY 2019

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that funds held in 355c committee bank accounts are not used to contribute to cost of asset renewal resulting in greater drain on ratepayer revenue.	Low	This risk will be reduced as staff work with committees to combine asset and community input to develop asset management plans with agreed funding contributions from the facility income.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council establishes community committees to provide a link between Council and the community, and to assist in the management of halls, parks, halls and sporting facilities, and delivery of community services and events. This is part of Council's commitment to community partnerships and provides opportunities for the community to be involved with the management of the facilities they use.

On the 28 August 2018, Minute No. 267 (**ATTACHMENT 2**), Council resolved to 'disband the 355c committee model of operation for park and cemetery committees' over a two year transition period and 'establish groups of Council volunteers working on Council land'. The primary reasons for this change are to reduce administrative workload for 'on-ground' volunteers and encourage more people to be involved, particularly in areas not already covered by 355c committees.

As at 30 June 2019, 6 park committees and 2 cemetery committees have been dissolved, and 1 combined hall/park committee has changed to a hall committee only. All but 1 former cemetery committee are now operating under the new model of operation for on-ground volunteering.

Volunteers provide strong social and community benefits including an avenue for communication, planning, strategic planning, community consultation as well as community capacity building and strong social networks for the community. A community with a high rate of participation in community activities is an indicator of a well-functioning community.

Committees and volunteers of Port Stephens Council provide assistance often where funding is not available. Their activities are value adding with a large number of the facilities and services provided in the local government area enhanced through the direct involvement of volunteers.

The provision of financial support to Council committees is provided within current resources. The annual operating subsidy is a direct budget item (\$88,500 in 2019-2020).

Volunteers operate under direction from Council staff to ensure their activities are performed in accordance with recognised environmental practices. Projects and activities relating to the environment are encouraged and supported and often provide long term benefits to the environment.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Organisation Development Section to ensure the provision of relevant and accurate information.

Internal

- Senior Leadership Team.
- Finance Reporting Coordinator.
- Community and Recreation Coordinator.
- Volunteers Coordinator.
- F&S Senior Business Support Advisor.

External

- 355c committees and sports councils.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Annual Financial Statement for period 1 January to 31 December 2018. [↓](#)
- 2) Minute No. 267 - 28 August 2018. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Detailed Financial Statements of Committee Cash Books for period 1 January to 31 December 2018.

ITEM 6 - ATTACHMENT 1 ANNUAL FINANCIAL STATEMENT FOR PERIOD 1 JANUARY TO 31 DECEMBER 2018.
ATTACHMENT 1
355c Committees Annual Financial Statement Summary - 1 January to 31 December 2018

	355c Committee	Opening Balance incl Investments 01/01/2018	Closing Balance incl Investments 31/12/2018	Annual Operating Subsidy July 2019
1.	Anna Bay/Birubi Community Hall and Landcare Group	16,154.04	21,600.00	1,500
2.	Boat Harbour Parks and Reserves Committee	3,859.00	4,806.23	1,500
3.	Bobs Farm Hall Committee	8,116.55	8,239.00	1,000
4.	Corlette Headland and Hall Committee	14,721.66	9,193.22	1,500
5.	Corlette Parks Reserves and Landcare Group ¹	4,048.45	0.00	NA
6.	Fern Bay Community Centre Committee	12,386.01	11,255.73	1,000
7.	Fingal Bay Parks and Reserves Committee	9,408.91	8,450.41	1,500
8.	Hinton School of Arts Parks and Foreshore Committee	2,625.69	4,700.61	1,500
9.	Karuah Community Hall Committee	9,996.56	11,415.02	1,000
10.	Karuah Landcare Group ²	11,023.69	10,274.76	NA
11.	Lemon Tree Passage Old School Centre Committee	9,773.43	13,126.95	1,000
12.	Lemon Tree Passage Parks Reserves & LC Group ¹	1,676.36	0.00	NA
13.	Mallabula Community Centre Committee	27,636.58	30,768.94	1,000
14.	Mallabula Parks and Reserves Committee	4,598.23	5,977.39	1,500
15.	Mambo Wanda Wetlands Reserves & Landcare C'mte	10,169.32	12,980.44	1,500
16.	Medowie Community Centre Committee	22,738.05	30,198.67	1,000
17.	Medowie Sports Council	52,329.09	62,997.82	9,000
18.	Medowie Tidy Towns Committee ¹	4,355.65	0.00	NA
19.	Nelson Bay Australia Day 355c Sub Committee ³	16,182.78	15,407.58	NA
20.	Nelson Bay Community Hall Committee	43,092.04	53,584.24	1,000
21.	Nelson Bay West Landcare Committee ¹	7,638.81	0.00	NA
22.	Port Stephens Native Flora Garden Committee	3,174.13	3,561.08	1,500
23.	Port Stephens Sister Cities Committee	763.94	12,545.80	1,000
24.	Raymond Terrace Parks Reserves and TT Committee	38,287.77	39,160.60	1,500
25.	Raymond Terrace Senior Citizens Hall Mgt C'mte	51,727.43	49,096.02	1,000
26.	Salt Ash Community Hall Park & Reserves Committee ⁴	13,308.33	19,031.33	1,000
27.	Salt Ash Sports Ground Committee	51,791.59	65,142.68	1,000
28.	Seaham Park and Wetlands Committee	10,811.05	2,374.38	1,500
29.	Shoal Bay Beach Preservation Committee ²	5,698.86	5,838.61	NA
30.	Soldiers Point / Salamander Bay Landcare Group	7,188.57	10,281.09	1,500
31.	Tanilba Bay Parks Reserves and Hall Committee	22,501.13	7,420.77	1,500
32.	Tilligerry Landcare Group	129,707.25	130,367.64	1,500
33.	Tilligerry Sports Council	22,353.73	24,253.48	9,000
34.	Tomaree Cemeteries Committee ⁵	3,510.67	0.00	NA
35.	Tomaree Education Complex MPC Committee ⁶	21,849.57	0.00	NA
36.	Tomaree Sports Council	115,298.80	53,800.78	9,000
37.	West Ward Cemeteries Committee ¹	2,624.11	0.00	NA
38.	West Ward Sports Council	83,847.86	84,770.32	18,000
39.	Williamstown Hall Committee	10,976.59	15,068.11	1,000
	Totals	887,952.28	837,689.70	76,500

ATTACHMENT 1 - 355c Committees Annual Financial Statement Summary - 2018

ITEM 6 - ATTACHMENT 1 ANNUAL FINANCIAL STATEMENT FOR PERIOD 1 JANUARY TO 31 DECEMBER 2018.

Annual Operating Subsidies for 9 Park/Cemetery Groups remaining with Council⁵	
Corlette Reserves and Landcare Group	1,500
Gan Gan Lookout Group	1,500
Karuah Landcare Group	1,500
Lemon Tree Passage Parks Reserves and Landcare Group	1,500
Medowie Tidy Towns Group	1,500
Nelson Bay West Landcare Volunteers Group	1,500
Shoal Bay Landcare Group	1,500
Shoal Bay West Landcare Group	1,500
West Ward Cemeteries Group	1,500
Total	13,500

Notes

1. On the 11 December 2018 (Min No. 180) Council resolved to dissolve the following 355c Committees as of 31 December 2018: Corlette Parks Reserves and Landcare Group; Lemon Tree Passage Parks Reserves and Landcare Group; Medowie Tidy Towns Committee; Nelson Bay West Landcare Committee; Tomaree Cemeteries Committee and West Ward Cemeteries Committee. As such no Annual Operating Subsidy payments were made to these committees in July 2019.
2. On 25 June 2019 (Min. No. 133) Council resolved to dissolve two 355c Committees: Karuah Landcare Group and Shoal Bay Beach Preservation Committee. As such no Annual Operating Subsidy payments were made to these committees in July 2019.
3. Nelson Bay Australia Day is a Sub Committee of the Port Stephens Australia Day Committee and receives funding from Council via alternate means.
4. On 25 June 2019 (Min. No. 133) Council resolved change the operation of the Salt Ash Community Hall Park and Reserves Committee to a hall management committee only as of 1 July 2019, being the Salt Ash Community Hall Committee, thus receiving a \$1,000 Annual Subsidy in July 2019.
5. Members of the dissolved Tomaree Cemeteries Committee have not established a Volunteer Group under the new model of operation. All other dissolved 355c committees have, with members of the former Shoal Bay Beach Preservation Committee forming two new Volunteer Groups. In addition, the Gan Gan Lookout Group (formally a group of volunteers doing adopt-a-road activities in Nelson Bay) has been brought under the new model of operation.

The Annual Operating Subsidy payments that previously would have been made to these former 355c committees is being retained by Council for use by these new groups to undertake their on-ground activities.

6. Tomaree Education Complex Multi-Purpose Centre Committee is not paid the annual operating subsidy and was dissolved by Council on 28 August 2018 (Min No. 268).

MINUTES ORDINARY COUNCIL - 28 AUGUST 2018**ITEM NO. 6****FILE NO: 18/143022
EDRMS NO: PSC2017-01586****SERVICE REVIEW - VOLUNTEER MANAGEMENT**

REPORT OF: STEVEN BERNASCONI - COMMUNITY SERVICES SECTION
MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Volunteers Management service package as outlined, to deliver the required level of service to meet the organisation's future needs.
-

**ORDINARY COUNCIL MEETING - 28 AUGUST 2018
MOTION**

267	Councillor Glen Dunkley Councillor Sarah Smith It was resolved that Council endorse the Volunteers Management service package as outlined, to deliver the required level of service to meet the organisation's future needs.
------------	--

BACKGROUND

The purpose of this report is to endorse the Volunteers Management service package.

The Volunteers Management is part of the Community Services Section and the Facilities and Services Group. The vision of Volunteers Management is providing opportunities for people to have meaningful engagement in their local community.

Port Stephens has a population of 71,000 with 700 registered Council volunteers. By way of comparison, Newcastle City Council has a population of 160,000 with 350 registered Council volunteers. Creation and management of a framework to govern all Council volunteers is provided by the Volunteers Coordinator (1 FTE). It includes:

- Recruitment and registration of volunteers.
- Reward and recognition for volunteers.
- Training and development of volunteers.
- Governance and management frameworks.
- Guidelines and resources.
- Hall and park forums.

MINUTES ORDINARY COUNCIL - 28 AUGUST 2018

- Fees and charges.

In most cases volunteers and 355c committees are directly managed by other council teams. The Volunteers Management service review has shown that:

- 1) There is no standard practice for how Council takes over management of a hall facility when a 355c hall committee disbands.
- 2) The 355c committee model for parks groups limits growth in volunteer numbers through the formality and governance requirements of 355c of the *Local Government Act 1993 (NSW)*.
- 3) Port Stephens Council is "*the last bastion*" of 355c committees in local government with most other councils moving towards a focus on Landcare and informal working groups for their activities.
- 4) Learning and development for volunteers is largely limited to governance and compliance matters. There is a growing demand for a renewed focus on natural resource management skills development, social networking and peer support.
- 5) Parks committees are calling for more support from Council staff to help plan and resource projects. A reduction of volunteers willing to take on governance roles in committees, an ageing volunteer workforce and a growing trend in short term/project specific volunteering are driving this demand.
- 6) Financial governance requirements for parks and cemetery committees are onerous given these committees manage small sums of money yet are required to account for this money in the same manner as committees with large budgets.
- 7) There is no clear direction as to whether parks and cemetery committees' purpose is to provide hands on assistance with the maintenance of public spaces or to accumulate money with a view to directing Council's strategic asset management planning for parks and cemeteries.

The recommendations from the service review, to be deployed over a two year period in continued consultation with volunteers and 355c Committees are to:

- 1) Make no changes to 355c committees where the primary purpose is the management of bookings and financial aspects of Council facilities. This includes sports councils, hall committees, and other financial committees.
- 2) Make no changes to non-financial 355c committees where the sole purpose is an advisory role to Council.
- 3) Make no changes to how volunteers are managed directly by staff (eg Libraries, Visitors Information Centre, Public Domain and Services Section).
- 4) Initiate alternative options for hall facility management where there is no community management or where committees' capabilities are limited and do not meet Council requirements. This includes liaising with primary users to take on the role of booking agent or, leasing the hall to a tenant with provisions for community use or, commercial management of the facility.
- 5) Disband 355c committee model of operation for parks and cemetery committees over time and establish groups of Council volunteers working on Council land that report to the Parks Team of the Public Domain and Services Section.

MINUTES ORDINARY COUNCIL - 28 AUGUST 2018

- 6) Establish a new paid position to support the growth in parks and cemetery groups to enable these groups to formulate site specific action plans and to be the linchpin between the groups and other Council teams.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Community Diversity	Support volunteers to deliver appropriate community services.

FINANCIAL/RESOURCE IMPLICATIONS

The recommendations from the service review do not result in any financial gain to Council's operational budget. Existing funding arrangements for 355c committees will be retained with disbanded parks and cemetery committees pooling their annual subsidy to be used for on the ground works within the financial year. Accounting for these funds will move from a committee Treasurer and the associated paper based process to Council's job number system and financial reporting tools. Committees with banked savings will be consulted on how best to allocate these funds to local projects that align with Council's Strategic Asset Management Plan.

Funding for a new position to support parks and cemetery groups is reliant on a new funding source being determined and will result in an increased call on general revenue with existing resources or future income streams. The start date for the proposed new position will be determined by the take up of the parks and cemetery group model by existing 355c committees and aspiring and as yet unformed groups.

For clarity, the existing financial subsidy allocated to eligible 355c committees will not be used to fund the proposed new support role.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	95,000	One new FTE salary package and resource budget. Funding source to be determined through existing budgetary processes.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal or policy impediments to adopting this recommendation.

MINUTES ORDINARY COUNCIL - 28 AUGUST 2018

As committees disband or change purpose further reports to Council will be forthcoming to endorse such changes as required by section 355c of the *Local Government Act 1993*.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that not adopting the recommendation will lead to existing volunteers feeling ignored resulting in volunteer disengagement.	Low	Adopt the recommendation and manage all feedback through existing communication channels.	Yes
There is a risk that adopting the recommendation will lead to existing volunteers feeling ignored resulting in volunteer disengagement.	Low	Adopt the recommendation and manage all feedback through existing communication channels.	Yes
There is a risk that not adopting the recommendation will lead to fewer volunteers as fewer people are attracted to the 355c committee model of volunteering.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Adopting the recommendation will create more opportunities for volunteers to participate in parks, Landcare and cemetery improvement projects which in turn build a sense of community wellbeing and value to the local environment.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Community Services Section. The consultation formed part of the cyclical service review process.

MINUTES ORDINARY COUNCIL - 28 AUGUST 2018Internal

Consultation using interviews, surveys, presentations and desk top analysis has involved the following internal stakeholders:

- 1) Staff who supervise or have direct contact with volunteers.
- 2) Volunteers of Council:
 - a. Park forums (March and July 2017, March and July 2018).
 - b. Hall forums (July 2017 and July 2018).
 - c. Cemetery committee engagement (May 2018.)
 - d. Park committee engagement (May 2018).
 - e. Community engagement workshop (November 2017).
 - f. Volunteer surveys and direct submissions.
 - g. "Cashless trial" with a 355c committee.
- 3) Consultative Committee.
- 4) Senior Management.
- 5) Executive Leadership Team.
- 6) Two way conversations with Councillors on 17 July and 21 August 2018.

External

Consultation using interviews and surveys has involved the following external stakeholders:

- 1) Users of Council's parks and reserves.
- 2) Regular users of Council's halls.
- 3) 21 other council's with volunteers and 355c committees.
- 4) Hunter Volunteer Centre.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

ITEM NO. 7

**FILE NO: 19/138213
EDRMS NO: PSC2011-00603**

GRANT OF EASEMENTS IN FAVOUR OF AGL - PUNT ROAD, TOMAGO

REPORT OF: JANET MEYN - PROPERTY SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve the granting of two stratum easements in favour of AGL Macquarie Pty Ltd over and under Old Punt Road, Tomago pursuant to section 88B Conveyancing Act 1919.
- 2) Authorises the Mayor and General Manager to sign and affix the Seal of Council to all relevant documentation required to create the easements.

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

168	<p>Councillor John Nell Councillor Jaimie Abbott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Approve the granting of two stratum easements in favour of AGL Macquarie Pty Ltd over and under Old Punt Road, Tomago pursuant to section 88B Conveyancing Act 1919.2) Authorises the Mayor and General Manager to sign and affix the Seal of Council to all relevant documentation required to create the easements.
------------	---

BACKGROUND

The purpose of this report is for Council to authorise creation of stratum easements in favour of AGL Macquarie Pty Ltd (AGL).

AGL is proposing to develop a power station on its freehold land adjoining 4 Old Punt Road, Tomago, shown in black outline on **(ATTACHMENT 1)**. The proposal involves the construction and operation of a 250-megawatt (MW) dual fuel (gas/diesel) fired power station, and associated and ancillary infrastructure including gas supply and electricity transmission connections. Once operational the power station will supply electricity to the grid at short notice during periods of high electricity demand and

MINUTES ORDINARY COUNCIL - 23 JULY 2019

periods of low supply from intermittent renewable sources, as well as during supply outages.

To facilitate the supply of the fuel in and electricity out of the facility, AGL is seeking to run pipes under, and electricity lines over, 3 small sections of Old Punt Road. The exact locations will be determined through the major projects planning approval process but are anticipated to be generally as shown hatched on **(ATTACHMENT 2)** (gas pipes in 2 locations) and **(ATTACHMENT 3)** (transmission line).

The pipes will be laid under the road at a depth of no less than 1.5m below the surface and the wires will be installed above the road at a height of no less than 7m.

Stratum easements will not allow AGL any right of access to the road surface, mitigating the risk of disruption to traffic flow as a result of installation or ongoing maintenance of the infrastructure.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Financial Management	Maximise non-rate revenue and investment to support Council services.

FINANCIAL/RESOURCE IMPLICATIONS

Compensation for the easements will be determined by a Valuer and will be paid to Council by AGL. It is expected that the amount will be nominal.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

AGL has a standard suite of documents it uses when creating easements in these circumstances.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the easements will impact on the road surface.	Low	Accept the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Sustainability implications of the project are being dealt with through the major projects approval process, including the environmental implications of laying gas pipes underground and the economic benefits to be gained through job creation.

Once constructed, the facility will assist in providing base load power in times of high usage to the local community.

CONSULTATION

Consultation with the following key stakeholders has been undertaken by the Property Services Section:

Internal

- Commercial Investment Manager.
- Civil Assets Planning Manager.
- Engineering Services Manager.
- Legal Services Section.

External

- AGL Macquarie Pty Ltd.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) AGL Landholdings - Aerial Map. [↓](#)
- 2) Approximate locations of easements for transmission of gas under the road. [↓](#)
- 3) Approximate location of easement for transmission of electricity above the road. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.





Author: Group Operations
Date: 19-03-19
Ref: 3489R1

Disclaimer: While AGL has taken great care and attention to ensure the accuracy of the data represented on this map, no liability shall be accepted for any errors or omissions. No part of this map may be reproduced without prior permission of AGL.

Proposed Newcastle Power Station Gas Lines Landowner Port Stephens Council

Metres
0 150 300
Scale 1:5,500@A3

Geocentric Datum of Australia 1994 MGA Zone 56

Sources: AGL Energy Limited, Omnilink PSMA Data, Nearmap Imagery

Legend

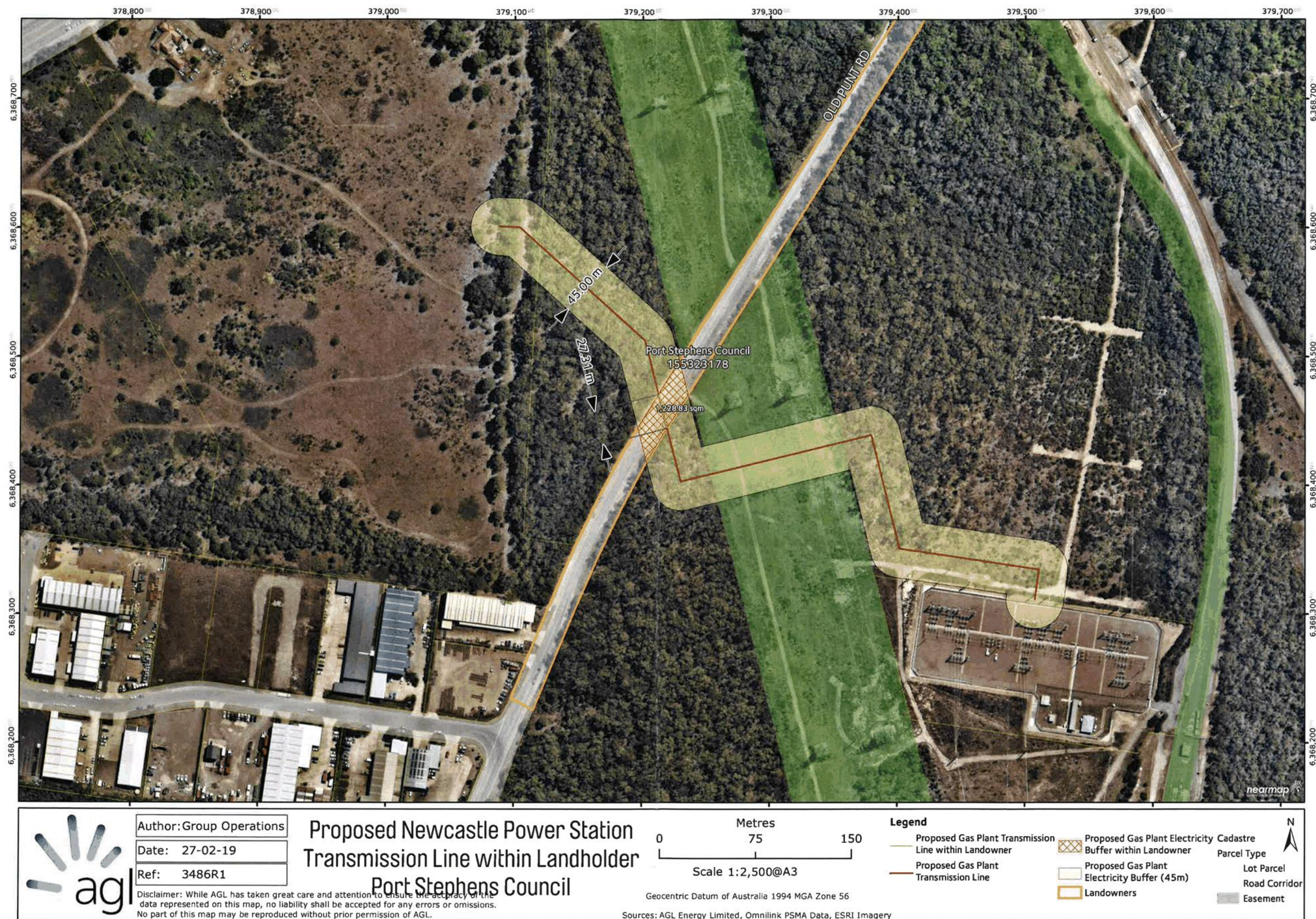
NPS Fuel Gas Pipeline
NPS Fuel Gas Pipeline Receiving pit
NPS Fuel Gas Pipeline Construction ROW

Gas Pipeline Option 1a
Gas Pipeline Option 3c
HDD construction yards

Gas Pipeline Option 1a (40m Buffer)
Gas Pipeline Option 3c (40m Buffer)
Landowners

Cadastre Parcel Type
Lot Parcel
Road Corridor
Easement





ITEM NO. 8

**FILE NO: 19/180276
EDRMS NO: PSC2019-01054**

**ROAD DEDICATION FOR FUTURE ROAD WIDENING - 813A MEDOWIE ROAD
MEDOWIE**

REPORT OF: JANET MEYN - PROPERTY SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Authorise the dedication of the parcel of land known as Lot 4 DP 632334 as Road Reserve for the purpose of future road widening.
 - 2) Approve the Classification of land to Operational.
 - 3) Authorises the Mayor and General Manager to sign and affix the Seal of Council to all relevant documentation required.
-

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

169	<p>Councillor Steve Tucker Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Authorise the dedication of the parcel of land known as Lot 4 DP 632334 as Road Reserve for the purpose of future road widening.2) Approve the Classification of land to Operational.3) Authorises the Mayor and General Manager to sign and affix the Seal of Council to all relevant documentation required.
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BACKGROUND

The purpose of this report is to recommend Council dedicate Lot 4 DP 632334 Medowie Road, Medowie as Road Reserve for the purpose of future road widening.

The land is currently zoned as 'Public Recreation' and classified as 'Community Land', however the land is unusable due to the size and location, which runs parallel with Medowie Road.

The location of the parcel of land is outlined in white at **(ATTACHMENT 1)**. The small parcel of land is approximately 14sqm in size.

The proposed road dedication was publicly advertised on 16 May 2019 with no submissions received.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Financial Management	Maximise non-rate revenue and investment to support Council services.

FINANCIAL/RESOURCE IMPLICATIONS

The dedication will provide legal access to the development site (39 Lot Subdivision) from Medowie Road in accordance with Development Consent Conditions 16-2017-837-1. To achieve compliance, any nominal costs associated with the dedication will be borne by the applicant.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	Yes		Nominal costs to be borne by applicant.

LEGAL, POLICY AND RISK IMPLICATIONS

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council will potentially impact a residential land release if the land is not dedicated as a road.	High	Dedicate the land as road.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no apparent sustainability implications relating to these recommendations.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Property Services section. The purpose of the internal consultation was to determine if there was any objection to the dedicating of the land as Road Reserve.

Internal

- Commercial Investment Manager.
- Project Officer – Property.
- Development and Compliance Section.

External

- The proposed road dedication was publicly advertised for a period of 28 days with no submissions received.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) 813A Medowie Road - Aerial Map. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

813A Medowie Road, Medowie - Aerial Map



MGA 56

Map Scale 1:300 @ A3

Published On: 12/07/2019

DISCLAIMER

Port Stephens Council accepts no responsibility for any errors, omissions or inaccuracies whatsoever contained within or arising from this map. Verification of the information shown should be obtained from an appropriately qualified person(s).

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ITEM NO. 9**FILE NO: 19/184187
EDRMS NO: PSC2017-00178****REQUEST FOR FINANCIAL ASSISTANCE****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from the respective Mayoral Funds to the following:
 - a. Youth Advisory Panel – Mayoral Funds - \$250 donation towards the cost of prizes associated with conducting a youth survey.
 - b. Hunter Young Business Mind Awards – Mayoral Funds - \$500 donation towards support for the 2019 Hunter Young Business Mind Awards.
 - c. Bayway Village Men's Shed – Mayoral Funds - \$3000 donation towards expansion of the shed building.
 - d. Trek4Kidz – Mayoral Funds - \$500 donation towards raising funds for the Starlight Children's Foundation.
 - e. Port Hunter Touch Association – Mayoral Funds - \$1000 donation towards line marking, storage and field identification signage.
 - f. Hunter Region Botanic Gardens – Mayoral Funds - \$1214.90 donation towards refund of DA fees for new electronic highway sign.
 - g. Gan Gan Family Centre – Mayoral Funds - \$2700 donation towards printing costs of 1000 copies of 'I count in Port Stephens'.
- 2) Endorse the provision of funds to John Clarke as a contribution towards the production of the historical book called 'Kerosine Tin Jim' for \$500 and place the proposal on public exhibition for a period of 28 days in accordance with the Local Government Act 1993 to seek public comment.
- 3) Should no submissions be received as a result of the public exhibition stated in 2) above, the Mayoral funds be approved.

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

170	Councillor Glen Dunkley Councillor Jaimie Abbott It was resolved that Council: 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from the respective Mayoral Funds to the following:
------------	--

	<ul style="list-style-type: none">a. Youth Advisory Panel – Mayoral Funds - \$250 donation towards the cost of prizes associated with conducting a youth survey.b. Hunter Young Business Mind Awards – Mayoral Funds - \$500 donation towards support for the 2019 Hunter Young Business Mind Awards.c. Bayway Village Men’s Shed – Mayoral Funds - \$3000 donation towards expansion of the shed building.d. Trek4Kidz – Mayoral Funds - \$500 donation towards raising funds for the Starlight Children’s Foundation.e. Port Hunter Touch Association – Mayoral Funds - \$1000 donation towards line marking, storage and field identification signage.f. Hunter Region Botanic Gardens – Mayoral Funds - \$1214.90 donation towards refund of DA fees for new electronic highway sign.g. Gan Gan Family Centre – Mayoral Funds - \$2700 donation towards printing costs of 1000 copies of ‘I count in Port Stephens’. <ul style="list-style-type: none">2) Endorse the provision of funds to John Clarke as a contribution towards the production of the historical book called ‘Kerosine Tin Jim’ for \$500 and place the proposal on public exhibition for a period of 28 days in accordance with the Local Government Act 1993 to seek public comment.3) Should no submissions be received as a result of the public exhibition stated in 2) above, the Mayoral funds be approved.
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BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by the Mayor and or Councillors as deserving of public funding. The Grants and Donations Policy gives the Mayor and Councillors a wide discretion either to grant or to refuse any requests.

Council's Grants and Donations Policy provides the community, the Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

1. Mayoral Funds
2. Rapid Response
3. Community Financial Assistance Grants – (bi-annually)
4. Community Capacity Building

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the *Local Government Act 1993*. This would mean that the financial assistance would need to be included in the Operational Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

The requests for financial assistance are shown below:

MAYORAL FUNDS – Mayor Palmer

Youth Advisory Panel.	A panel of young volunteers brought together to raise awareness and advocate on issues affecting local young people.	\$250	Donation towards the cost of prizes associated with conducting a youth survey.
Hunter Young Business Minds.	A program to connect and energise our regions next generation of leaders.	\$500	Donation towards support for the 2019 Hunter Young Business Mind Awards.
Bayway Village Men's Shed.	A non-profit organisation that aims to improve health, promote social interaction and aim to increase quality of life.	\$3000	Donation towards the expansion of the shed.
Trek4Kidz.	A non-profit organisation founded in 1982 for hospitalised kids and their families.	\$500	Donation towards raising funds for the Starlight Children's foundation.
Port Hunter Touch Association.	A local sporting association.	\$1000	Donation towards line marking, storage and field identification signage.
Hunter Region Botanic Gardens.	A public not for profit company of volunteers who develop, manage, and maintain the gardens.	\$1214.90	Donation towards refund of DA fees for new electronic highway sign.

MINUTES ORDINARY COUNCIL - 23 JULY 2019

Gan Gan Family Centre.	Child-focused, family-centred project supporting the early learning and wellbeing of young children in Port Stephens.	\$2700	Donation towards the printing costs of 1000 copies of 'I count in Port Stephens'.
John Clarke (Individual).	A Port Stephens writer.	\$500	Donation towards the production of a historical book called 'Kerosine Tin Jim'.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Community Partnerships	Support financially creative and active communities.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL AND POLICY IMPLICATIONS

To qualify for assistance under Section 356(1) of the Local Government Act 1993, the purpose must assist the Council in the exercise of its functions. Functions under the Act include the provision of community, culture, health, sport and recreation services and facilities.

The Policy interpretation required is whether the Council believes that:

- a) applicants are carrying out a function, which it, the Council, would otherwise undertake.
- b) the funding will directly benefit the community of Port Stephens.
- c) applicants do not act for private gain.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may set a precedent when allocating funds to the community and an expectation those funds will always be available.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with key stakeholders has been undertaken by the General Manager's Office.

Consultation has been taken with the key stakeholders to ensure budget requirements are met and approved.

As per the financial assistance guidelines for requests received from individuals, the request from John Clarke will be placed on public exhibition for a period of 28 days.

OPTIONS

- 1) Accept the recommendation.
- 2) Vary the dollar amount before granting each or any request.
- 3) Decline to fund all the requests.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 10**FILE NO: 19/185588
EDRMS NO: PSC2017-00015****INFORMATION PAPERS****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 23 July 2019.

No:	Report Title	Page:
1	June 2019 Cash and Investments	80
2	Mayor and Councillors Expense Report 1 July 2018 to 30 June 2019	83
3	Council Resolutions	85

**ORDINARY COUNCIL MEETING - 23 JULY 2019
MOTION**

171	Councillor Ken Jordan Councillor Glen Dunkley It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 23 July 2019. <hr/> No: Report Title: 1 June 2019 Cash and Investments 2 Mayor and Councillors Expense Report 1 July 2018 to 30 June 2019 3 Council Resolutions.
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INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 19/178525
EDRMS NO: PSC2006-6531**

JUNE 2019 CASH AND INVESTMENTS

REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

BACKGROUND

The purpose of this report is to present Council's schedule of cash and investments held at 30 June 2019.

ATTACHMENTS

- 1) June 2019 Cash and Investments. [↓](#)
- 2) June 2019 Cashflow Report. [↓](#)

CASH AND INVESTMENTS HELD AS AT 30 JUNE 2019

ISSUER	BROKER	RATING*	DESC.	YIELD %	TERM DAYS	MATURITY	AMOUNT INVESTED	MARKET VALUE
TERM DEPOSITS								
BANANA COAST CREDIT UNION	RIM	NR	TD	2.95%	376	9-Jul-19	800,000	800,000
AUSTRALIAN MILITARY BANK	FARQUHARSON	NR	TD	2.78%	146	24-Jul-19	500,000	500,000
BANK OF US	CURVE	BBB	TD	2.90%	338	8-Aug-19	1,000,000	1,000,000
ICBC	RIM	A	TD	2.84%	362	21-Aug-19	1,500,000	1,500,000
QBANK	FARQUHARSON	BBB	TD	2.90%	364	30-Aug-19	1,000,000	1,000,000
ICBC	RIM	A	TD	2.84%	373	5-Sep-19	1,000,000	1,000,000
ICBC	RIM	A	TD	2.85%	384	18-Sep-19	1,500,000	1,500,000
ICBC	RIM	A	TD	2.84%	342	3-Oct-19	1,000,000	1,000,000
ARAB BANK	FARQUHARSON	BB+	TD	2.95%	369	16-Oct-19	1,250,000	1,250,000
SOUTH WEST CREDIT UNION CO-OP	RIM	BBB	TD	2.90%	378	30-Oct-19	1,000,000	1,000,000
ICBC	RIM	A	TD	2.83%	377	13-Nov-19	1,000,000	1,000,000
ICBC	RIM	A	TD	2.86%	453	27-Nov-19	1,000,000	1,000,000
BOC	CURVE	A	TD	2.87%	399	11-Dec-19	1,000,000	1,000,000
BOC	CURVE	A	TD	2.88%	391	18-Dec-19	1,000,000	1,000,000
AMP BANK	IMPERIUM	A+	TD	2.70%	241	2-Jan-20	1,000,000	1,000,000
AMP BANK	IMPERIUM	A+	TD	2.70%	248	9-Jan-20	1,000,000	1,000,000
BOC	CURVE	A	TD	2.88%	412	9-Jan-20	1,000,000	1,000,000
AUSTRALIAN MILITARY BANK	LAMINAR	NR	TD	3.01%	420	22-Jan-20	1,000,000	1,000,000
DNISTER UKRANIAN CREDIT UNION CO-OP	FIIG	NR	TD	3.00%	362	5-Feb-20	1,000,000	1,000,000
ARAB BANK	FARQUHARSON	BB+	TD	2.95%	359	19-Feb-20	1,000,000	1,000,000
JUDO BANK	CURVE	NR	TD	2.50%	245	19-Feb-20	1,000,000	1,000,000
AMP BANK	IMPERIUM	A+	TD	2.95%	373	13-Mar-20	1,000,000	1,000,000
ICBC	RIM	A	TD	2.93%	509	1-Apr-20	1,000,000	1,000,000
ARAB BANK	RIM	BB+	TD	2.97%	502	20-Apr-20	1,500,000	1,500,000
BOC	CURVE	A	TD	2.88%	512	28-Apr-20	1,000,000	1,000,000
JUDO BANK	LAMINAR	NR	TD	2.70%	369	13-May-20	1,000,000	1,000,000
JUDO BANK	CURVE	NR	TD	2.65%	375	9-Jun-20	1,000,000	1,000,000
DNISTER UKRANIAN CREDIT UNION CO-OP	FIIG	NR	TD	3.00%	525	5-Aug-20	1,000,000	1,000,000
SUB TOTAL (\$)							29,050,000	29,050,000
INVESTMENTS TOTAL (\$)							29,050,000	29,050,000
CASH AT BANK (\$)							5,888,527	5,888,527
TOTAL CASH AND INVESTMENTS (\$)							34,938,527	34,938,527
CASH AT BANK INTEREST RATE				1.40%				
BBSW FOR PREVIOUS 3 MONTHS				1.56%				
AVG. INVESTMENT RATE OF RETURN				2.86%				
TD = TERM DEPOSIT								
AC = AT CALL CASH ACCOUNT								
*STANDARD AND POORS LONG TERM RATING								
CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER								
I HEREBY CERTIFY THAT THE INVESTMENTS LISTED ABOVE HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, CLAUSE 212 OF THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 AND COUNCIL'S CASH INVESTMENT POLICY								
T HAZELL								



Cash flow analysis 30/06/2019

CASHFLOW STATEMENT

Opening Cash and Investment 1 July 2018
Closing Cash and Investment 30 June 2019

Movement in cash

Movement in cash represented by:

Operating Activities

Receipts from ratepayers, customers and government authorities	124,565,458
Payments to suppliers & employees	(95,044,832)
Interest received	1,208,443
Interest paid	(522,376)
Total	30,206,693

Investing Activities

Receipts from sale of Infrastructure, Property, Plant & Equipment	2,927,823
Payments for Property, Plant & Equipment	(29,199,250)
Total	(26,271,427)

Financing Activities

Payment of loans	(4,305,505)
Receipt of new loans	-
Total	(4,305,505)

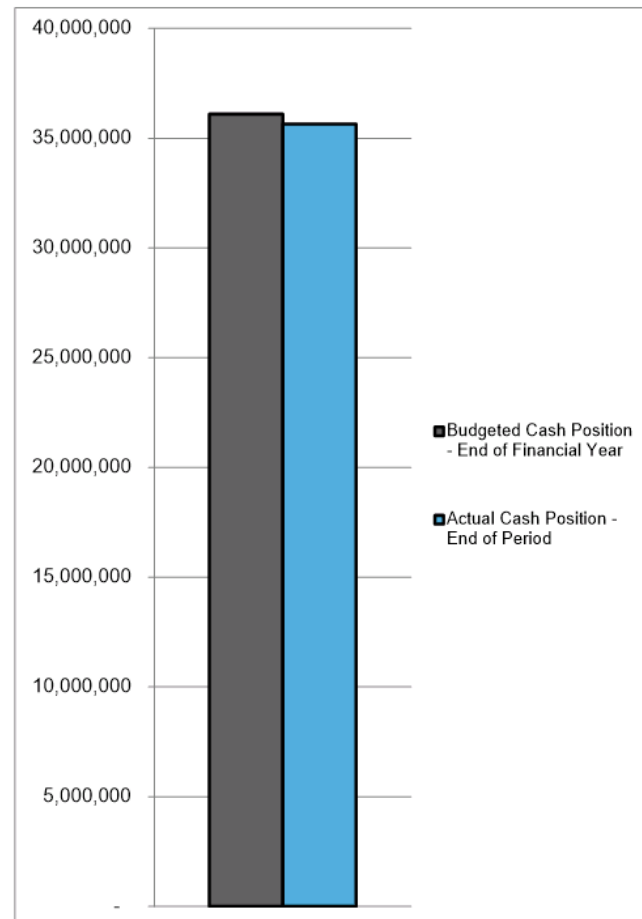
Total Cash Movement

Plus: Opening Cash and Investment 1 July 2018	36,013,235
Closing Cash and Investment 30 June 2019	35,642,997

Budgeted Cash Movement for the Financial Year	83,765
Plus Opening Cash and Investment 1 July 2018	36,013,235
Budgeted Cash and Investment Position 30 June 2019	36,097,000

In front / (behind) on budget	(454,003)
	-1%

Notes

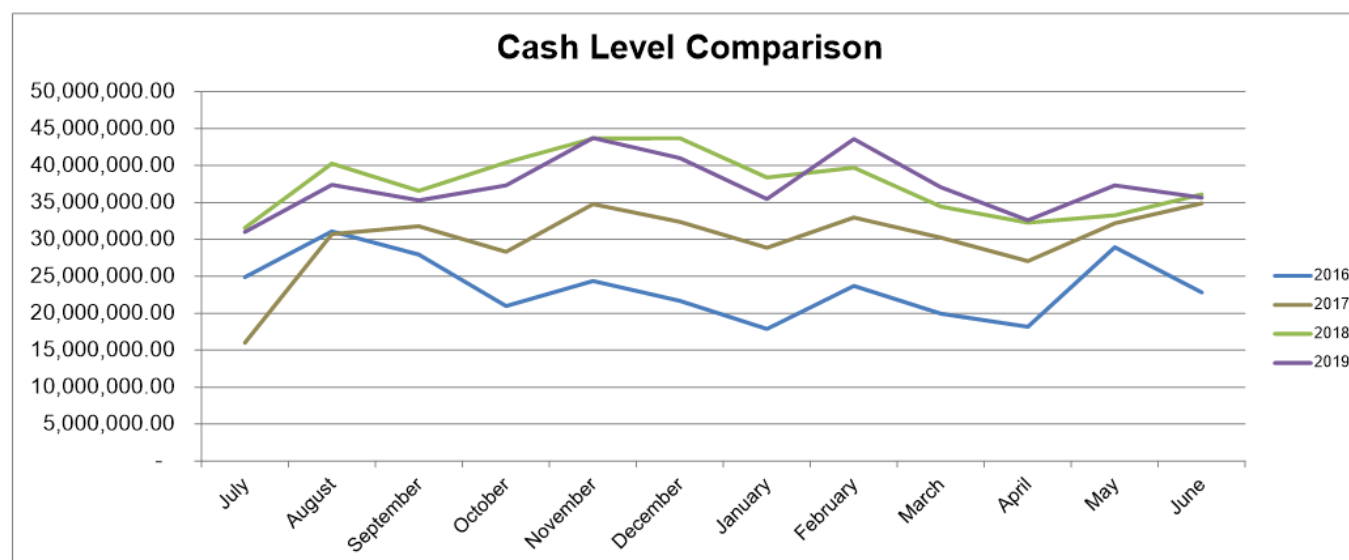


Notes

- 1 Council's cash position is slightly behind on the budgeted year end position by \$454K predominately due to the following reasons:
- The proceeds from recent State Roads project work is yet to be received which is approx \$700K.
 - Timing of trade creditors and trade debtors run.
- Note: The actual cash position varies by less than 1% of the budgeted cash position.*

Significant future cash inflows expected in next few months include 2019 1st quarter rates, state road program service charges and new financial year operating grants.

Significant future cash outflows expected in next few months include: Medowie Bowls project, Halifax and Shoal Bay amenities upgrade, Koala Sanctuary, Riverside park seawall replacement, Tomaree road upgrade, Apex park redevelopment and plant purchases.



ITEM NO. 2

**FILE NO: 19/185201
EDRMS NO: PSC2015-02258**

MAYOR AND COUNCILLORS EXPENSE REPORT 1 JULY 2018 TO 30 JUNE 2019

REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to provide an account of the expenses incurred by the Mayor and Councillors in accordance with clause 3.127 of the Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy for the period 1 July 2018 to 30 June 2019 **(ATTACHMENT 1)**.

The costs in the report are those incurred by the Mayor and Councillors that have been reconciled during this period and does not include expenses incurred that have not been submitted for reimbursement. The report also shows the total cost incurred to Council by Elected Members (including the monthly allowance) for each costing category listed.

ATTACHMENTS

- 1) Elected Members expense report 1 July 2018 to 30 June 2019. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Elected Members Expense Report 1 July 2018 to 30 June 2019.

Elected Members Expense Report 1 July 2018 to 30 June 2019												
		Mayor Ryan Palmer	Cr Jaimie Abbott	Cr Giacomo Arnott	Cr Chris Doohan	Cr Glen Dunkley	Cr Ken Jordan	Cr Paul Le Mottee	Cr John Neil	Cr Sarah Smith	Cr Steve Tucker	TOTALS
Total Number of Council Meetings Attended (20 held)		20	16	20	14	16	14	19	19	19	18	
Total Number of Months Reimbursed during the period		9	12	1	10	9	12	12	12	10	11	
Description of Expense	Limits as per policy											
Councillor Mobile Rental	75% up to \$200 per month											\$0.00
Councillor Mobile Calls		\$500.00	\$1,060.00							\$376.00		\$1,936.00
Councillor Landline Phone Rental												\$0.00
Councillor Landline Phone Calls												\$0.00
Councillor Fax Rental												\$0.00
Councillor Fax Calls												
Councillor Internet	75% up to \$60 per month	\$355.00	\$737.00									\$1,092.00
Councillor Intrastate Travel Expenses	\$7000 per year	\$774.00	\$2,440.00	\$597.00	\$859.00	\$3,087.00	\$839.00	\$3,428.00	\$4,666.00	\$4,903.00	\$5,064.00	\$26,657.00
Councillor Interstate Travel (out of NSW)	\$2000 per year	\$2,333.00			\$862.00	\$748.00		\$700.00		\$675.00		\$5,318.00
Councillor Interstate Accommodation (out of NSW)		\$3,186.00				\$641.00		\$427.00	\$529.00	\$641.00		\$5,424.00
Councillors Intrastate Accommodation		\$4,381.00	\$471.00	\$672.00	\$471.00	\$2,572.00		\$1,616.00	\$177.00	\$1,488.00	\$907.00	\$12,755.00
Councillor Conferences	\$3000 per year	\$4,803.00		\$940.00	\$1,447.00	\$2,226.00		\$2,043.00	\$805.00	\$695.00	\$981.00	\$13,940.00
Councillor Training		\$696.00	\$550.00	\$63.00	\$63.00	\$550.00		\$563.00		\$550.00	\$500.00	\$3,535.00
Councillor Partner Expenses	Mayor \$1000 per year Cr's \$500 per year (excluding LGNSW Annual Con.)	\$264.00	\$127.00		\$127.00	\$165.00		\$494.00	\$295.00	\$127.00	\$542.00	\$2,141.00
Councillor ICT Devices (incl. Mobile phones)	\$5000 per term	\$205.00	\$2,141.00	\$788.00		\$2,239.00				\$374.00	\$674.00	\$6,421.00
Councillor Stationary	\$300 per year		\$141.00	\$33.00		\$17.00		\$151.00	\$118.00	\$82.00	\$96.00	\$638.00
Councillor Awards/Ceremonies/Dinners		\$959.00	\$571.00	\$149.00	\$152.00	\$451.00		\$699.00	\$535.00	\$584.00	\$336.00	\$4,436.00
Councillor Child Care Costs	\$2000 per term		\$273.00									\$273.00
Councillor Communications Bundle	75% up to \$100 per month landline 75% up to \$100 per month mobile	\$129.00			\$1,008.00	\$1,187.00	\$1,809.00	\$1,510.00	\$1,283.00	\$89.00	\$1,770.00	
Councillor Professionl Development	\$15,000 per term	\$8,471.00	\$7,750.00			\$7,750.00			\$7,209.00	\$541.00		\$31,721.00
TOTALS		\$27,056.00	\$16,261.00	\$3,242.00	\$4,989.00	\$21,633.00	\$2,648.00	\$11,631.00	\$15,617.00	\$11,125.00	\$10,870.00	\$125,072.00
Councillor Allowances	Mayor \$62,960 pa Cr's - \$19,790 pa	\$61,235.00	\$19,790.00	\$19,790.00	\$19,790.00	\$19,790.00	\$19,790.00	\$19,790.00	\$19,790.00	\$21,515.00	\$19,790.00	\$241,070.00
TOTALS		\$88,291.00	\$36,051.00	\$23,032.00	\$24,779.00	\$41,423.00	\$22,438.00	\$31,421.00	\$35,407.00	\$32,640.00	\$30,660.00	\$366,142.00

ITEM NO. 3

FILE NO: 19/189289
EDRMS NO: PSC2017-00105

COUNCIL RESOLUTIONS

REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to inform Elected Members of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

Note that at the time of preparing these reports there were no outstanding matters relating to the General Manager's Office.

ATTACHMENTS

- 1) Corporate Services Group Resolutions Report. [↓](#)
- 2) Development Services Group Resolutions Report. [↓](#)
- 3) Facilities & Services Group Resolutions Report. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 CORPORATE SERVICES GROUP RESOLUTIONS REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets Report	Committee:	Ordinary Council	Date To:	9/07/2019
			Printed:	Monday, 15 July 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2017	Meyn, Janet	Ground Lease over Part of 4 Leisure Way, Raymond Terrace for Telecommunications Facility	31/10/2019	29/11/2017	
1 297		Foster, Carmel				17/236078
4 Jul 2019 - The Lease has been executed by Council and has been sent to Local Government Legal for registration. 15 Jul 2019 - Council is awaiting registration of the Lease.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/03/2018	Meyn, Janet	COMPULSORY ACQUISITION OF AN EASEMENT FOR ACCESS OVER PART OF 6 GOVERNMENT ROAD, SHOAL BAY	31/12/2019	28/03/2018	
13 066		Foster, Carmel				18/66656
15 Jul 2019 - Council is awaiting approval from the Office of Local Government.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/07/2018	Meyn, Janet	398 CABBAGE TREE ROAD, WILLIAMTOWN	29/11/2019		
2 221		Foster, Carmel				18/151411
15 Jul 2019 - Williamtown Sand Syndicate is in the process of completing the final conditions precedent. It is expected that Council will be able to sign the lease agreement by September 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/08/2018	Meyn, Janet	Proposed Partial Road Closure - The Close, Raymond Terrace for future Development of Terrace Central Shopping Centre	31/10/2019	15/08/2018	
1 254		Foster, Carmel				18/179364
15 Jul 2019 - Council is awaiting registration of the subdivision.						

ITEM 3 - ATTACHMENT 1 CORPORATE SERVICES GROUP RESOLUTIONS REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets Report	Committee:	Ordinary Council	Date To:	9/07/2019
			Printed:	Monday, 15 July 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/02/2019	Meyn, Janet	King Street, Raymond Terrace Easements	31/05/2020	14/02/2019	
3		Foster, Carmel				19/39843
15 Jul 2019 - Council is awaiting approval from the Office of Local Government.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/05/2019	Meyn, Janet	DEBT RECOVERY	24/12/2019	15/05/2019	
1		Foster, Carmel				19/136619
099						
15 Jul 2019 - Debt recovery is underway.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Meyn, Janet	PROPOSED ACQUISITION OF FORMER FIRE STATION SITE - 51 WILLIAM STREET, RAYMOND TERRACE	29/11/2019	29/05/2019	
5		Foster, Carmel				19/148388
109						
15 Jul 2019 - Council is awaiting approval from the Office of Local Government.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Meyn, Janet	COMPULSORY ACQUISITION OF PART OF VICTORIA PARADE RESERVE NELSON BAY FOR ROAD PURPOSES	29/11/2019	29/05/2019	
6		Foster, Carmel				19/148388
110						
15 Jul 2019 - Council is awaiting approval from the Office of Local Government.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/06/2019	Meyn, Janet	Naming of Reserve - Bower Reserve, Medowie	27/09/2019	12/06/2019	
3		Foster, Carmel				19/160026
121						
15 Jul 2019 - Public exhibition period closes on 18 July 2019.						

ITEM 3 - ATTACHMENT 1 CORPORATE SERVICES GROUP RESOLUTIONS REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets Report	Committee:	Ordinary Council	Date To:	9/07/2019
			Printed:	Monday, 15 July 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/06/2019	Meyn, Janet	Sale of Biobanking Credits from the Karuah Biobanking Site	30/08/2019	12/06/2019	
4		Foster, Carmel				19/160026
122						
11 Jul 2019 - Council have executed the document. It has been sent to the purchaser whom is required to make payment to Council and process Transfer paperwork with Office of Environment and Heritage.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/06/2019	Foster, Carmel	Donald Street East car park, Nelson Bay.	31/08/2019		
2		Foster, Carmel				19/171142
137						
15 Jul 2019 - Options Report will be presented to Council in August 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Hazell, Tim	COMMUNITY PROJECTS FUND 2019-2020	23/07/2019		
8		Foster, Carmel				19/186501
148						
11 Jul 2019 - An email has been drafted as at 11 July 2019 to send to the successful and unsuccessful applicants of Community Loans. This is anticipated to be sent out 12 July 2019. Progress updates will be provided.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Hazell, Tim	REVIEW LOCAL PROCUREMENT PRACTICES	30/12/2019		
3		Foster, Carmel				19/186501
156						
11 Jul 2019 - The Procurement Policy and Procurement Management Directive will be reviewed by the Finance Officer - Procurement and Contract Management Specialist and Financial Services Section Manager. Progress updates will be provided.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Meyn, Janet	Sale of 2 Jessie Road, Anna Bay (formerly Anna Bay Oval)	30/11/2019		
1		Foster, Carmel				19/186501
158						
11 Jul 2019 - The sale has been accepted by Council to the Irukandji Shark and Ray Centre. Council are liaising with the Legal Team to discuss special conditions.						

**ITEM 3 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP
RESOLUTIONS REPORT.**


Outstanding	Division: Development Services	Date From: 26/09/2017
	Committee: Ordinary Council	Date To: 9/07/2019
Action Sheets Report		Printed: Monday, 15 July 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 26/02/2019	Pearl, Steven	Draft Amendment to the Port Stephens Development Control Plan 2014 - Chapter D13 Rees James Road, Raymond Terrace	27/08/2019	27/02/2019	
2		Crosdale, Timothy				19/54534
15 July 2019 - Submission received - Report back to Council 27 August 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Pearl, Steven	Draft Fern Bay and North Stockton Strategy	22/10/2019	29/05/2019	
1		Crosdale, Timothy				19/148388
105						
29 May 2019 - It was resolved that Council defer Item 1 at the request of City of Newcastle Council. Councillor workshop confirmed for 8 August 2019. Report back to Council meeting 22 October 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Drinan, Kate	Development Application 16-2019-24-1 for a Telecommunications Facility at 41 Fishermans Bay Road, Fishermans Bay (Lot: 1 DP: 1094320).	13/08/2019		
1		Crosdale, Timothy				19/186501
139						
15 Jul 2019 - Item deferred at Council meeting on 9 July 2019. Reporting back to Council on 13 August 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Pearl, Steven	ELECTRIC VEHICLE CHARGING POINTS FOR NEW DEVELOPMENTS	24/09/2019		
1		Crosdale, Timothy				19/186501
154						
11 Jul 2019 - A Council Report is scheduled for 24 September 2019.						

MINUTES ORDINARY COUNCIL - 23 JULY 2019



Outstanding	Division:	Facilities & Services	Date From:	26/09/2017
	Committee:	Ordinary Council	Date To:	9/07/2019
Action Sheets Report			Printed:	Monday, 15 July 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/10/2017	Maretich, John	Lemon Tree Passage Swimming Pool Net	30/09/2019	25/10/2017	
2		Kable, Gregory				17/210300
269						
27 Jun 2019 - Risk assessment has be received. Staff reviewing the options prior to reporting back to Council.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/02/2018	Maretich, John	SPORTS GROUND IRRIGATION SYSTEMS	30/11/2019	14/02/2018	
2		Kable, Gregory				18/32353
026						
27 Jun 2019 - Irrigation assets to be reviewed as per the Strategic Asset Management Plan.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/03/2018	Malloy, Aaron	Lease of grounds of 43, 45, 47 and 47A Tanilba Avenue Tanilba Bay (Lot 238, Lot 270 and Lot 271 DP753194, Lot 342 DP704442) to Calvary Retirement Communities Hunter-Manning Limited ACN 102625212.	30/09/2019	28/03/2018	
14		Kable, Gregory				18/66656
067						
15 July 2019 – The lease has been sent to Crown Lands for approval.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/04/2018	Maretich, John	BOBS FARM DRAINAGE	31/12/2020	11/04/2018	
2		Kable, Gregory				18/75830
084						
27 Jun 2019 - It was proposed that the SRV were to fund taking ownership of these assets. Currently examining funding options to determine if Council can adopt these as public assets.						

MINUTES ORDINARY COUNCIL - 23 JULY 2019



Outstanding	Division:	Facilities & Services	Date From:	26/09/2017
	Committee:	Ordinary Council	Date To:	9/07/2019
Action Sheets Report			Printed:	Monday, 15 July 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/05/2019	Maretich, John	Policy: Foreshore Dinghy Storage Policy	31/08/2019	15/05/2019	
7 092		Kable, Gregory				19/136619
27 Jun 2019 - Submission received after Public Exhibition period. Submissions will be presented to Council on 23 July 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/06/2019	Kable, Gregory	Funding for Proposed Community Projects	30/08/2019		
1 136		Kable, Gregory				19/171142
27 Jun 2019 - Community consultation arranged over 6 nights during month of July. Meeting arranged internally on 080619 to scope and look at funding allocation for each project. Councillors Strategic Workshop to be held in August.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Maretich, John	ROCK REVETMENT AT KANGAROO POINT, SOLDIERS POINT	31/07/2020		
2 155		Kable, Gregory				19/186501
15 July 2019 – Council staff will seek to identify grant funding opportunities for this project.						

There being no further business the meeting closed at 6.49pm.