

Minutes 24 July 2007



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 24 July 2007, commencing at 5.37pm.

PRESENT:

Councillors S. Tucker (Deputy Mayor); C. Baumann; H. Brown; G. Dingle; S. Dover; G. Francis; J. Hodges; K. Jordan; G. Robinson; R. Westbury; General Manager; Executive Manager – Corporate Management, Facilities and Services Group Manager; Sustainable Planning Group Manager; Business and Support Group Manager.

185	Councillor Westbury Councillor Jordan	It was resolved that the apology from Cr Nell and Cr Swan be received and noted.
186	Councillor Dingle Councillor Jordan	Resolved that the minutes of the Ordinary meeting of Port Stephens Council held on 26 June and 10 July 2007 be confirmed.

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MAYORAL MINUTES

MAYORAL MINUTE

ITEM NO. 1

FILE NO: 7100-44

ALCOHOL-FREE ZONE IN MEDOWIE

AUTHOR: TREVOR ALLEN – ACTING COMMUNITY PLANNING MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves the establishment of an Alcohol-Free Zone (AFZ) in Medowie covering the area shown in Attachment 1, for a period of 3 years, in accordance with the *Department of Local Government's Ministerial Guidelines on Alcohol-Free Zones*.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
187	Councillor Robinson Councillor Baumann	That there being no objection the Recommendation be adopted.

BACKGROUND

The purpose of this report is to

- Inform Council of the outcomes of community consultation on the proposed (AFZ) in Medowie
- Recommend the establishment of the Medowie AFZ

At the Ordinary Meeting of Council on 28 November 2006, Cr Geoff Dingle moved a Notice of Motion that a public consultation process be undertaken with a view to establishing an AFZ covering the Medowie commercial shopping precinct, in accordance with Section 644A of the *Local Government Amendment (Alcohol-Free Zones) Act 1995*.

In May 2007 Council embarked on a public consultation process that included forwarding the proposal to relevant stakeholders and advertising the proposal in the *Examiner*. The Community Safety Officer also invited feedback from other key stakeholders, including the Lower Hunter Local Area Police Command Licensing Supervisor and Medowie Neighbourhood Watch, in order to determine the location of the proposed AFZ. The consultation process for the proposal complied fully with the Department of Local Government's guidelines.

The proposal was fully supported by the Police and Medowie Neighbourhood Watch

LINKS TO CORPORATE PLANS

The provision of Alcohol-Free Zones in strategic locations is in line with Council's *Council Plan 2007-2011 Social Sustainability Directional Statement*:

- 'Working to support people's feeling of safety'

In addition, Council's *2006-2010 Social and Community Plan* lists the goal of its safety strategy as 'a community where people feel safe at home, at work, and when they are out and about'.

Under the heading *Drug and Alcohol Abuse – 4*, the *Port Stephens Crime Prevention Plan 2006 to 2009* action plan states that Council will 'follow the *Ministerial Guidelines on Alcohol-Free Zones* in response to all community members and Police requests for establishment or re-establishment of alcohol free zones'.

FINANCIAL/RESOURCE IMPLICATIONS

The cost of manufacture and installation of new signs will be covered in the existing resources of the Community Safety Officer budget for this financial year.

LEGAL AND POLICY IMPLICATIONS

The implementation of Alcohol-Free Zones is governed by section 646 (1) of the *Local Government Act 1993* and by the *Local Government Amendment (Alcohol-Free Zones) Act 1995* and is guided by the Department of Local Government's *Ministerial Guidelines on Alcohol-Free Zones*.

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Alcohol-free zones are perceived to prevent anti-social and criminal behaviour in public places. The establishment of an AFZ in Medowie may help to improve public perceptions of safety in the area and reduce fear of crime. An AFZ may also help to change patterns of alcohol consumption and associated anti-social and criminal behaviour.

ECONOMIC IMPLICATIONS

Reductions in criminal incidents and improved perceptions of safety in Medowie may lead to increased economic activity, as more people may be willing to patronise local businesses. Reduced crime can also lead to reductions in the costs of repairing vandalised premises, replacing stolen goods and insurance premiums.

ENVIRONMENTAL IMPLICATIONS

Changing the patterns of alcohol consumption in Medowie could lead to reductions in the amount of litter and broken glass found in the area, which would improve the overall amenity and safety of the environment.

CONSULTATION

- All relevant stakeholders as prescribed by the Department of Local Government's guidelines

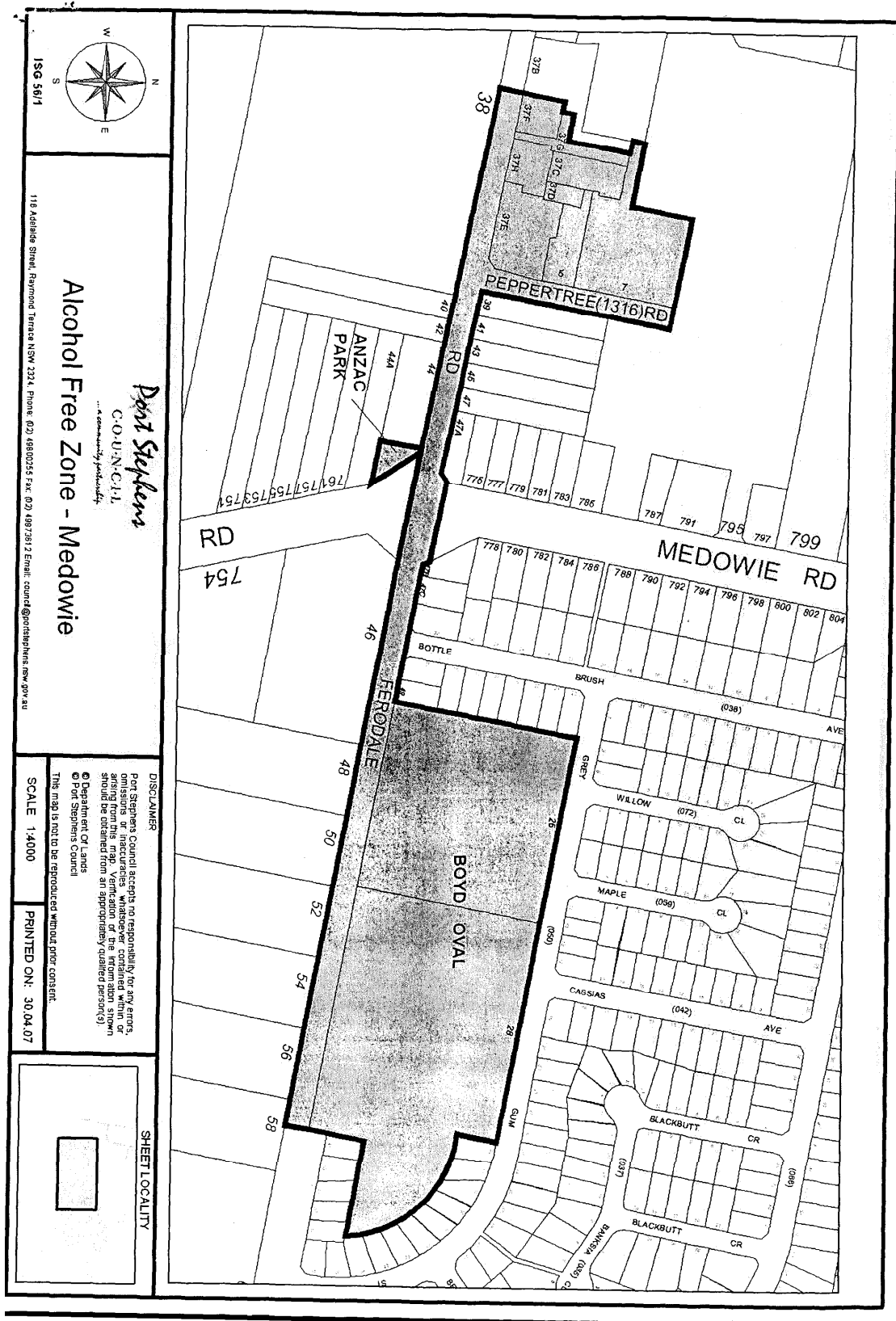
OPTIONS

- 1) Accept the recommendation
- 2) Amend the recommendation
- 3) Reject the recommendation

ATTACHMENTS

- 1) Map – Proposed Alcohol-Free Zone Meadowie

ATTACHMENT 1
MAP – PROPOSED ALCOHOL-FREE ZONE MEDOWIE



MAYORAL MINUTE

ITEM NO. 2

FILE NO: A2004-0845

360 SOLDIERS POINT ROAD, SALAMANDER – PROPOSED LETTER TO DEPARTMENT OF PLANNING

THAT COUNCIL:

Forward a letter from the General Manager to the Director-General, Department of Planning formally raising the concerns of delay in State approval of an application on the proposed Stage 1 development at 360 Soldiers Point Road, Salamander Bay.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:

188

Councillor Tucker
Councillor Jordan

THAT COUNCIL:

Forward a letter from the General Manager to the Minister for Planning, the Director-General, Department of Planning, and State Members formally raising the concerns of delay in State approval of an application on the proposed Stage 1 development at 360 Soldiers Point Road, Salamander Bay.

BACKGROUND

Port Stephens Council owns land at 360 Soldiers Point Road, Salamander Bay. Part of this property is zoned Residential 2(a) under the current Local Environmental Plan and is also within an area covered by SEPP 71 which deals with coastal lands.

Council proposed to develop the 2(a) residentially zoned area concentrating on a Stage 1 area (4.5 ha), which had previously been sand mined. This Stage 1 area had been the subject of an Application to the Department of Planning because the property was within the area designated under SEPP 71.

Council's Consultants Hill PDA have prepared reports on flora and fauna, bushfire threat, geotechnical issues, aboriginal archaeology and water cycle issues. These studies which including a master plan, formed the Statement of Environmental Effects which was submitted to the Department in August 2005.

Unfortunately, during this same time period, new State Policy was enacted which resulted in the site being classified as an area of State significance under the new Part 3A of the

MINUTES FOR ORDINARY MEETING - 24 JULY 2007
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Environmental and Assessment Act. This required revision of the submission and additional administrative approval processes.

At this point the project has reached an advanced stage and formal submission is expected in the near future including additional work on cultural heritage. Still required is a 30 day period of exhibition, responses to the public declarations at the exhibition, and then approximately 60 days of Departmental review. Without anymore issues surfacing, as the submission is placed before other agencies, DA approval for Stage1 is possible by the end of December 2007. Several meetings have been held between Council's General Manager and the Department of Planning in an endeavour to ascertain reasons for delays and hasten the staffing to completion.

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: A2004-0573

MOTION TO CLOSE MEETING TO THE PUBLIC

REPORT OF: JUNE SHINE – EXECUTIVE MANAGER CORPORATE MANAGEMENT

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(g) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss General Manager's Confidential Item 1 on the Ordinary agenda namely ***Alleged illegal clearing of vegetation – 60 Port Stephens Dr, Taylors Beach.***
 - 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information concerning the commercial arbitration and legal costs incurred and advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - 3) That disclosure of the information would, on balance, be contrary to the public interest, as it would prejudice Council's legal position and Council has an obligation to protect its interests and the interests of ratepayers.
 - 4) That the report and the minutes of the closed part of the meeting remain confidential until the matter is settled.
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ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
189	Councillor Jordan Councillor Robinson	That the Recommendation be adopted.

OPERATIONS COMMITTEE RECOMMENDATIONS

ITEM NO. 1**FILE NO: 16-2006-1258-1****DEVELOPMENT APPLICATION FOR 198, 200, 202, 204 LEMON TREE
PASSAGE ROAD, SALT ASH - ANEF AFFECTED****REPORT OF: SCOTT ANSON – MANAGER DEVELOPMENT & BUILDING****RECOMMENDATION IS THAT COUNCIL:**

Resolve that Development Application: DA 16-2006-1258 is not supported and delegate determination of the application to the General Manager on the basis that consent will be refused for reasons, including but not limited to, the following:

- 1) The proposal is unacceptable within the guidelines of Port Stephens Council Policy “Aircraft Noise Exposure in Port Stephens” [Minute no. 539]; the draft Port Stephens Development Control Plan Chapter on Aircraft Noise, and the Australian Standard 2021-2000
- 2) An application for a bush fire safety authority was not provided as required by Clause 46 of the Rural Fires Regulation 2002.

OPERATIONS COMMITTEE MEETING – 10 July 2007**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007**RESOLUTION:**

190	Councillor Jordan Councillor Dover	That Council: (a) Defer determination of this application for a site inspection; and (b) Request the Group Manager, Sustainable Planning to have the outstanding issues addressed by the Applicant, and, if appropriate, bring forward draft Conditions in the event that Council determines to approve this application.
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BACKGROUND

The purpose of this report is to present a Development Application to Council for determination on a policy position in regards to the application of Council's aircraft noise policy.

Aircraft Noise Policy

The application seeks approval to construct a two storey dwelling within the Salt Ash Air Weapons range (SAAWR) 2012 Aircraft Noise Exposure Frequency (ANEF) Zone 25-30 contrary to Council's adopted policy "Aircraft Noise Exposure in Port Stephens". The application also includes a proposal for consolidation of 4 lots in order to provide a minimum allotment area required for the dwelling as prescribed in Port Stephens Council Local Environmental Plan 2000 (LEP2000). The subject lots are identified within an area potentially affected by bushfire and flooding.

The primary issue in assessing this application is the contravention of Council's adopted aircraft noise policy as noted above. It is considered appropriate to report this matter to Council for a resolution on this policy issue alone, prior to the applicant incurring any additional costs in relation to lot consolidation and the preparation of a bushfire threat assessment report.

The proposed dwelling is located within Salt Ash Air Weapons range (SAAWR) 2012 Aircraft Noise Exposure Frequency (ANEF) Zone 25-30. Council policy states that a dwelling house is not acceptable in the ANEF Zone 25-30 and does not contain any provisions to consider an acoustic report in this aircraft noise zone.

In the subject policy, an indoor design sound level of 60dB(A) Lmax was adopted. This represented an increase in the level specified by AS 2021-2000. The amended indoor design level was adopted in order to achieve a more appropriate balance between public health and noise abatement costs for affected properties.

The consequence of increasing the specified indoor design level to 60 dB(A) Lmax is to reduce the required aircraft noise reduction (ANR) at a given dwelling-house location.

A report has been received from Reverb Acoustics (report No. 06-1048-R1) which concludes that an indoor design level of 60 dB(A) Lmax is achievable for the proposed dwelling subject to prescribed construction standards. In conclusion the consultant states;

- 1) it is their professional opinion that, provided the recommendations and procedures outlined in their report are followed, internal noise levels will be consistent with the intent of AS 2021-2000 and Council;
- 2) allowable internal noise levels were calculated by following the procedures detailed in AS 2021-2000 "Acoustics – Aircraft noise intrusion – Building siting and construction"; and

The key issue in this instance is the inconsistency with Council's Policy and the relevant Australian Standard. The policy reflects Australian Standard 2021-2000 in so far as dwellings are not considered acceptable in the 25-30 ANEF. The Australian Standard does acknowledge exceptional circumstances. Of particular relevance to this application is the Notation in Table 2.1 which States

“this standard does not recommended development in unacceptable areas. However, where the relevant planning authority determines that any development may be necessary within existing built-up areas designated as unacceptable. It is recommended that such development should achieve the required ANR determined according to Clause 3.2. For residences, school etc the effect of aircraft noise on outdoor areas associated with the buildings should be considered”.

It is noted that the proposed dwelling is located on lands zoned Rural 1 (a) which is described in LEP2000 as land of agricultural value and land which has not been set aside for rural residential development. Whilst it is acknowledged that a number of dwellings exist in the vicinity of the proposed dwelling the subject land is not characterised as an existing residential zoned area and therefore is not considered to be infill development.

The applicant has submitted an acoustic report in support of the proposal demonstrating that an indoor design level of 60 dB(A) Lmax is achievable. The consultant report does not address the impact of aircraft noise on outdoor activities typical of residential land use as per Table 2.1 above.

Related Aircraft Noise Determinations

Council recently approved DA 16-2004-1727-1 for a dwelling, Bed and Breakfast Establishment, Landfill and Garage at No. 2843 Nelson Bay Rd Salt Ash. A Supplementary Information report dated 22 May 2007 (Refer Councillors Room) highlighted “Potential problems and issues in relation to approving the application given the Council’s current policy and previous decisions regarding residential dwellings in the ANEF 25-30 zone”. The same planning principles and similar assessment considerations apply to the current proposal to construct a dwelling at 198,200, 202 & 204 Lemon Tree Passage Road, Salt Ash.

Outstanding Issue - Lot Consolidation

The subject four (4) allotments are zoned 1 (a) Rural Agriculture which is described in LEP2000 as land of agricultural value and land which has not been set aside for rural residential development. The individual lots each have an area up to approximately 1050 m². LEP 2000 Clause 14 requires that the minimum lot size for a dwelling on 1 (a) zoned land be no less than 4000m² . No individual lot currently complies with the minimum lot size for a dwelling. The proposal incorporates consolidation of four (4) lots so as to bring the combined area to 4181m² and as a result creating a potential for a dwelling compliant with the development standard.

Outstanding Issue – Bushfire Management

The subject land is identified as bushfire prone land and the proposal is integrated development subject to the provisions of S100B of the Rural Fires Act 1979. Should Council support a variation to the policy in this instance, the applicant will be required to provide a detailed Bushfire Assessment Report pay the necessary integrated development fees. A Bushfire Safety Authority will be required from the NSW Rural Fire Service incorporating General Terms of Approval.

Determination Options

Should Council resolve to support a variation to the adopted policy in this instance, the application could be delegated to the General Manager for determination subject to

satisfactory resolution of lot consolidation, bushfire management issues and any related issue arising.

LINKS TO CORPORATE PLANS

This report relates to the goal in the Assessment and Approvals program of Council's Management Plan, which is an ordered and predictable built environment in Port Stephens.

FINANCIAL/RESOURCE IMPLICATIONS

There may be financial/resource implications if the Council determination is to refuse the application and there is an appeal lodged with the Land and Environment Court.

LEGAL AND POLICY IMPLICATIONS

The proposed dwelling is located within the 25-30ANEF zone and is considered unacceptable in respect to Council's adopted aircraft noise policy. The applicant has sought to demonstrate indoor noise levels identified in the 20-25ANEF zone which permits a dwelling is achievable as per Australian Standard 2021 – 2000 are achievable for the proposed dwelling. The current policy excludes outdoor amenity as a consideration under the policy.

Council's Section 149 Planning certificate identifies aircraft noise, flood prone land and bushfire prone land and other constraints apply to the subject land. A copy of the relevant planning certificates are provided in the Councillors Room.

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 2) Mutually agreed plans translate organisational direction into actions
- 3) Understanding what customers value, now and in the future, influences organisational direction, strategy and action
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

The social implications directly attributable to aircraft noise impacts include reduced residential amenity.

ECONOMIC IMPLICATIONS

Council's adopted policy may prevent a dwelling entitlement on the subject land resulting in a negative economic impact on the applicant.

ENVIRONMENTAL IMPLICATIONS

Aircraft noise has a potentially adverse impact on the residential amenity of future residents.

CONSULTATION

The application was advertised, with no submissions received.

Councils Land Use Planning officers were consulted regarding the ANEF Policy Minute no. 539 which considers indoor amenity only, and the Draft Chapter B13 of the Consolidated Development Control Plan that is on exhibition until the 12th July. The draft as exhibited requires consideration of both indoor and outdoor amenity.

Council's Property Section was consulted concerning the recent sale of the subject land to the current owner. There were no special conditions attached to the contract of sale and the attached Section 149 Planning Certificates confirm that aircraft noise applies to the subject land. The land was sold with advice that there was no building entitlement due to minimum lot size, and that there are noise, flooding and bushfire issues. It is also understood that the land was purchased primarily for reasons of view retention. The sale price of the land reflected these factors.

OPTIONS

- 1) Adopt the recommendation.
- 2) Reject or amend the recommendation
- 3) Resolve to support a variation to the adopted aircraft noise policy in this instance and delegate the determination of the application to the General Manager subject to lot consolidation and General Terms of Approval from the NSW Rural Fire Service.

ATTACHMENTS

- 1) Locality Plan
- 2) Preliminary Assessment

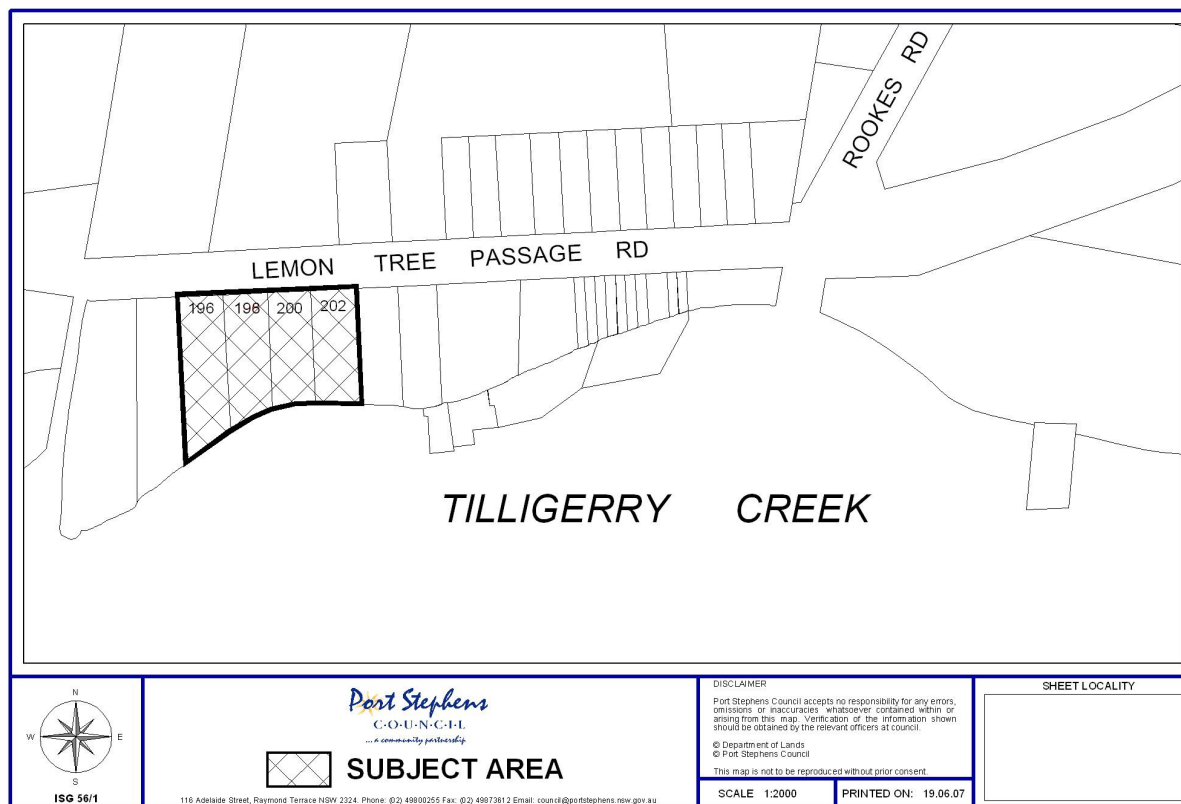
COUNCILLORS ROOM

- 1) Development Plans and Elevations
- 2) Statement of Environmental Effects
- 3) Aircraft Noise Impact Assessment by Reverb Acoustics
- 4) Supplementary Information dated 22/5/07 relating to DA 16-2004-1727-1
- 5) Planning certificates for LOT: 5 DP: 227579, 198 Lemon Tree Passage Road, SALT ASH 2318, LOT: 4 DP: 227579, 200 Lemon Tree Passage Road, SALT ASH 2318, LOT: 3 DP: 227579, 202 Lemon Tree Passage Road, SALT ASH 2318, LOT: 2 DP: 227579, 204 Lemon Tree Passage Road, SALT ASH 2318

TABLED DOCUMENTS

Nil

ATTACHMENT 1 LOCALITY PLAN



ATTACHMENT 2 PRELIMINARY ASSESSMENT

The application has not been fully assessed pursuant to Section 79C of the Environmental Planning and Assessment Act 1979. The following is a summary of those matters considered relevant in this instance, noting any outstanding matters that need to be addressed prior to determination. Other issues may arise prior to finalisation of assessment.

THE PROPOSAL

The application seeks approval for the construction of a single storey dwelling located 16.5 metres from the western allotment boundary and 13 metres from the southern boundary of the allotment.

THE APPLICATION

Owner	Mr M J Ryan and Mrs D Ryan
Applicant	Mr M J Ryan and Mrs D Ryan
Detail Submitted	Development plans comprising of site plan, floor plans elevations. Statement of Environmental Effects. BASIX Certificate, Noise impact assessment.

THE LAND

Property Description	Lot 2,3,4,5 DP 227579
Address	198, 200, 202, 204 Lemon Tree Passage Road, Salt Ash
Area	4181m ²
Characteristics	The land is level, bush fire affected, falls within 25-30 ANEF 2012 contours and is identified as flood prone.

THE ASSESSMENT

1. Planning Provisions

LEP 2000 – Zoning	Rural Agriculture 1 (a)
Relevant Clauses	Clause 12 & 14
Development Control Plan	PS10 Building Standards and Notification Procedures for Development Applications
State Environmental Planning Policies	(Building Sustainability Index: BASIX) 2004

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ATTRIBUTE	PROPOSED	REQUIRED	COMPLIES
LEP Requirements			
Min area per dwelling	4 lots to be consolidated as a total 4181 m ²	4000m ²	Subject to Lot consolidation
Floor space ratio	No requirement	No requirement	No requirement
Height	No requirement	No requirement	No requirement
Flood	Minimum 2.5m AHD habitable floor level as depicted on plan	Minimum 2.5m AHD habitable floor level as depicted on plan	Yes
DCP Requirements			
Building line setback	Approx 15.8m	12m	Yes
Boundary setbacks	W Boundary 16.5m E Boundary 36m S boundary 13m	900mm	Yes Yes Yes
BASIX requirements	Water Score 47 Energy Score 40	Water Score 40 Energy Score 40	Yes
Policies /Requirements for Assessment Under 79 C & 79 BA of the E P & A Act			
Aircraft Noise Exposure in Port Stephens (Adopted 16/12/03)	Dwelling proposed	Dwelling house not acceptable in ANEF Zone 25-30	No
Aircraft Noise Exposure in Port Stephens (Adopted 16/12/03) Minute no. 539	Compliance with Councils adopted indoor design sound level	Indoor design sound level maximum 60 dB(A)	Yes
Bushfire	Comply with The Planning for Bushfire Protection (2001) Guidelines	Subject to referral to NSW RFS under s100B of Rural Fires Act 1997	Subject to further assessment

Discussion

Port Stephens Local Environmental Plan 2000

Clause 12

The land is within a rural zone and is intended that the 4 lots be consolidated for the purpose of the erection of a dwelling-house.

Clause 14

The land is zoned Rural 1 (a) under the provisions of the Port Stephens Council Local Environmental Plan (LEP) 2000. The proposed dwelling is a permissible form of development with the consent of council. The erection of a dwelling-house would be permissible upon the consolidation of the subject 4 lots with a combined area of 4181m².

2. Likely Impact of the Development

Subject to further assessment.

3. Suitability of the Site

Aircraft Noise Exposure

Council recently approved DA 16-2004-1727-1 for a dwelling, Bed and Breakfast Establishment, Landfill and Garage at No. 2843 Nelson Bay Rd Salt Ash. A Supplementary Information report dated 22 May 2007 (Refer Councillors Room) highlighted "Potential problems and issues in relation to approving the application given the Council's current policy and previous decisions regarding residential dwellings in the ANEF 25-30 zone". The same planning principles and similar assessment considerations apply to the current proposal to construct a dwelling at 198,200, 202 & 204 Lemon Tree Passage Road, Salt Ash.

Bushfire prone land

The subject land is identified as bushfire prone land. Lot consolidation is integrated development subject to the provisions of S100B of the Rural Fires Act 1979. A Bushfire Safety Authority in accordance with Clause 46 of the Rural Fires Regulation 2002 will be required from the NSW Rural Fire Service incorporating General Terms of Approval. The applicant must consider standards regarding setbacks, asset protection zones, access, provision of water supply and the like, necessary to protect persons, property or the environment from danger that may arise from a bush fire.

With regard to bushfire, Section 6 of the Statement of Environmental Effects concludes that *"the level of bushfire hazard has been assessed as low. The building is proposed to be constructed of non-flammable external finishes which will provide extra protection against any possibility of ember attack should a bushfire emanate in the area"*.

Flood prone land

The subject land is flood prone and has been referred to Council's Strategic Engineer. The proposed dwelling achieves the required habitable floor level of Australian Height Datum 2.5m RL.

Sewage Management Facility

A Section 68 approval dated 17 April 2007 has been issued for a Sewage Management Facility on Lot 3 DP 227579 (202 Lemon Tree Passage Rd Salt Ash). The Sewage Management Facility consists of an Aerated Wastewater Treatment System and Wisconsin mound.

4. Submissions

The application was advertised and notified. No objections were received.

5. Public Interest

This proposal is contrary to the public interest in permitting development identified as significantly constrained by way of aircraft noise and associated amenity impacts.

ITEM NO. 2

FILE NO: A2004-0511

LOCAL TRAFFIC COMMITTEE MEETING – 5TH JUNE, 2007

AUTHOR: TREVOR ALLEN - ACTING COMMUNITY PLANNING MANAGER

RECOMMENDATION IS THAT COUNCIL:

Adopt the recommendations contained in the minutes of the local Traffic Committee meeting held on 5th June, 2007.

OPERATIONS COMMITTEE MEETING – 10 July 2007

RECOMMENDATION:

That the recommendation be adopted.

MATTER ARISING:

That Council call for a report on the status of the Aged Persons Peer Driving Program.

RECOMMENDATION:

That the Matter Arising be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:

191	Councillor Dingle Councillor Baumann	That Council adopt the Recommendation incorporating the Supplementary Information dated 24 July 2007 as follows: <u>C6 – Sandy Point Road</u> That Council Investigate a safe location and appropriate pedestrian facility that does not impede the traffic movements and that is located to the south of Foreshore Drive (outside house no. 149/151) on Sandy Point Road, Corlette. <u>C2 – Use of Speed Cushions in Port Stephens LGA</u> That Council gives support for the installation of these devices as part of the ongoing development of this award winning Lower Hunter Speed Project.
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MATTER ARISING:

192	Councillor Dingle Councillor Baumann	<u>Roadwise Seniors Road Safety Program</u> – That Council accepts the advice contained in the Supplementary Information dated 24 July 2007 and continues to support road safety programs which specifically target senior road users.
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BACKGROUND

The purpose of this report is to bring to Council's attention traffic issues raised and detailed in the Traffic Committee minutes and to meet the legislative requirements for the installation of any regulatory traffic control devices associated with Traffic Committee recommendations.

Inspections were conducted on 24th April, 2007. In attendance were Port Stephens Council's Technical representative, Port Stephens Council's elected representative, the Roads and Traffic Authority representative and NSW Police's representative.

The Local Traffic Committee met at 9.30am on 5th June, 2007 in Council's Administration Building. In attendance were Port Stephens Council's Technical representative, Roads and Traffic Authority's representative, Port Stephens Council's Road Safety Officer, NSW Police's representative and Hunter Valley Buses representative. Apologies were received from Port Stephens Council's elected representative and Port Stephens Coaches representative.

LINKS TO CORPORATE PLANS

The items referred to the local Traffic Committee and the subsequent recommendations are linked to Council's current Management Plan 2003 - 2006. In the Urban Settlement section of the "Plan", the Local Traffic Committee contributes to the following strategies:

- 1) Develop and Implement transport initiatives that provide an efficient and effective transport network.
- 2) Foster safe communities.

FINANCIAL/RESOURCE IMPLICATIONS

Council has an annual budget of \$37 000 (\$20 000 grant from the RTA and General Revenue) to complete the installation of regulatory traffic controls (signs and markings) recommended by the Local Traffic Committee. The construction of traffic control devices and intersection improvements resulting from the Committee's recommendations are not included in this funding and are listed within Council's "Forward Works Program" for consideration in the annual budget process. The construction of traffic control devices and intersection improvements for items with a **SAFETY PRIORITY** (listed below) have no identified funding other than that from the \$37 000 budget. As part of the 2007/2008 budget process and to progress the "Safety Around Schools" program, a service level increase bid of \$25 000 has been submitted and was successful.

The local Traffic Committee procedure provides a mechanism to respond to and remedy problems in accordance with Council's "Best Value Services" Policy. The recommendations contained within the local Traffic Committee Minutes can be completed within the current Traffic Committee budget allocations and without additional impact on staff or the way Council's services are delivered.

SAFETY PRIORITIES

The installation of regulatory traffic controls or traffic control devices that are noted as having a Safety Priority shall be attended to before other works undertaken by Council. These works are generally of an urgent nature requiring immediate action.

There were no items with a Safety Priority in the meeting.

LEGAL AND POLICY IMPLICATIONS

The local Traffic Committee is not a Committee of Council; it is a technical advisory body authorised to recommend regulatory traffic controls to the responsible Road Authority. The Committee's functions are prescribed by the Transport Administration Act with membership extended to the following stakeholder representatives; the Local Member of Parliament, the Department of Transport, NSW Police, Roads & Traffic Authority and Council.

The procedure followed by the local Traffic Committee satisfies the legal requirements required under the Transport Administration (General) Act furthermore there are no policy implications resulting from any of the Committee's recommendations.

AUSTRALIAN BUSINESS EXCELLENCE FRAMEWORK

This aligns with the following ABEF Principles.

- 2) Mutually agreed plans translate organisational direction into actions
- 3) Understanding what customers value, now and in the future, influences organisational direction, strategy and action
- 6) Continual improvement and innovation depend on continual learning
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

The recommendations from the local Traffic Committee aim to improve traffic management and road safety.

SOCIAL IMPLICATIONS

A safer road environment reduces costs to the Council and community by reducing the number and severity of accidents on our roads.

ECONOMIC IMPLICATIONS

Improved transport efficiency assists in the reduction in green house gases and vehicle operating costs.

ENVIRONMENTAL IMPLICATIONS

Transport efficiency and road user safety; contribute positively to the quality of life for residents and visitors to Port Stephens. Improved road user safety distributes benefits to all road users including commercial and private motorists, cyclists and pedestrians. These benefits include improved accessibility, mobility and safer road environment.

CONSULTATION

The Committee's technical representatives are the Police, RTA, and Council Officers; they investigate issues brought to the attention of the Committee and suggest draft recommendations for further discussion during the scheduled meeting. One week prior to the local Traffic Committee meeting copies of the agenda are forwarded to the Committee members, Councillors, Facilities and Services Group Manager, Community Planning Manager and Road Safety Officer. During this period comments are received and taken into consideration during discussions at the Traffic Committee meeting.

As part of the business for the meeting of 5th June, 2007 the following additional consultation took place;

Item C.7 Port Stephens Coaches, Nelson Bay Taxis and Nelson Bay Town Management

OPTIONS

- 1) Adopt the Recommendation.
- 2) Adopt specific item recommendations contained in the minutes of the local Traffic Committee and refer non-adopted matters back to the next meeting of the local Traffic Committee with suggested amendments.

ATTACHMENTS

- 1) The minutes of the local Traffic Committee meeting held on 5th June, 2007 are contained in ATTACHMENT 1.

TABLED DOCUMENTS

Nil.

ATTACHMENT 1
PORT STEPHENS LOCAL TRAFFIC COMMITTEE MINUTES

INDEX OF LISTED MATTERS
MINUTES FOR MEETING HELD TUESDAY 5TH JUNE 2007

- A. ADOPTION OF THE MINUTES OF 3RD APRIL, 2007**
- B. BUSINESS ARISING FROM PREVIOUS MEETING**
- C. LISTED MATTERS**
 - C.1 GREENSLOPES DRIVE, RAYMOND TERRACE – SPEEDING VEHICLES**
 - C.2 HIGH STREET, WALLALONG – INTERSECTION SAFETY**
 - C.3 CLARENCE TOWN ROAD, GLEN OAK – CHARITY HORSE RIDE**
 - C.4 JOHN PARADE, LEMON TREE PASSAGE – SPEEDING VEHICLES**
 - C.5 TAYLORS BEACH ROAD, TAYLORS BEACH – SPEED LIMIT**
 - C.6 SANDY POINT ROAD, CORLETTE – PEDESTRIAN REFUGE**
 - C.7 DONALD STREET, NELSON BAY – BUS STOP RELOCATION**
- D. GENERAL BUSINESS**

**LOCAL TRAFFIC COMMITTEE MINUTES
TUESDAY 5TH JUNE, 2007**

A. ADOPTION OF THE MINUTES OF 3RD APRIL, 2007

The minutes of the previous Local Traffic Committee Meeting dated 3rd April, 2007 have been adopted.

B. BUSINESS ARISING FROM PREVIOUS MEETING

There was no business arising from the previous meeting.

C. LISTED MATTERS

C.1 GREENSLOPES DRIVE, RAYMOND TERRACE – SPEEDING VEHICLES

Residents of Greenslopes Drive are concerned about the safety in their street. A considerable number of young drivers are using the streets at all times as a race track. They have requested that Council install speed humps in the street to address the speeding problem.

REQUESTED BY: Residents

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	No
ADDITIONAL	ATTACHMENT	No

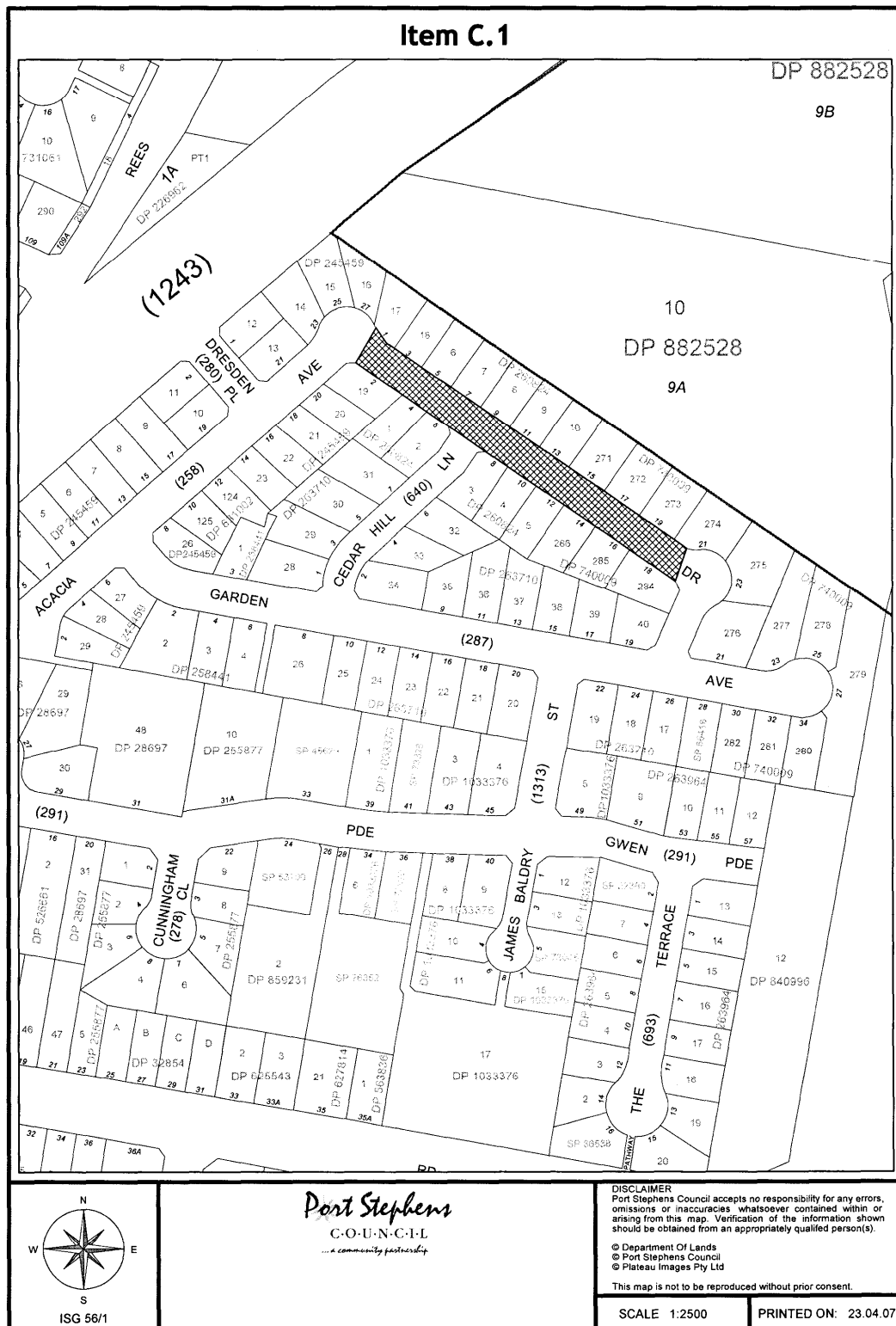
COMMENT

Greenslopes Drive is a relatively short street (200m) with several intersections/sharp curves not conducive to speed and no identified speeding history. Providing speed humps in this street would force the problems onto surrounding street. The entire street network would need to be considered to have an effect on the motorists. This is an expensive and inconvenient solution to deal with a nuisance generated by a few individuals.

RECOMMENDATION

- No further action be taken to provide speed humps in Greenslopes Drive.

ESTIMATED COST	N/A
FUNDING SOURCE	N/A



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873612 Email: council@portstephens.nsw.gov.au

C.2 HIGH STREET, WALLALONG – INTERSECTION SAFETY

Cr Jordan on behalf of local residents has requested that speed restrictions, stop signs and other safety measures be provided at the intersection of High Street and Clarence Town Road following a recent accident. An elderly person was killed when their vehicle was struck by a westbound vehicle on Clarence Town Road whilst turning right from High Street into Clarence Town Road.

REQUESTED BY: Cr Jordan

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	N/A
ADDITIONAL	ATTACHMENT	No

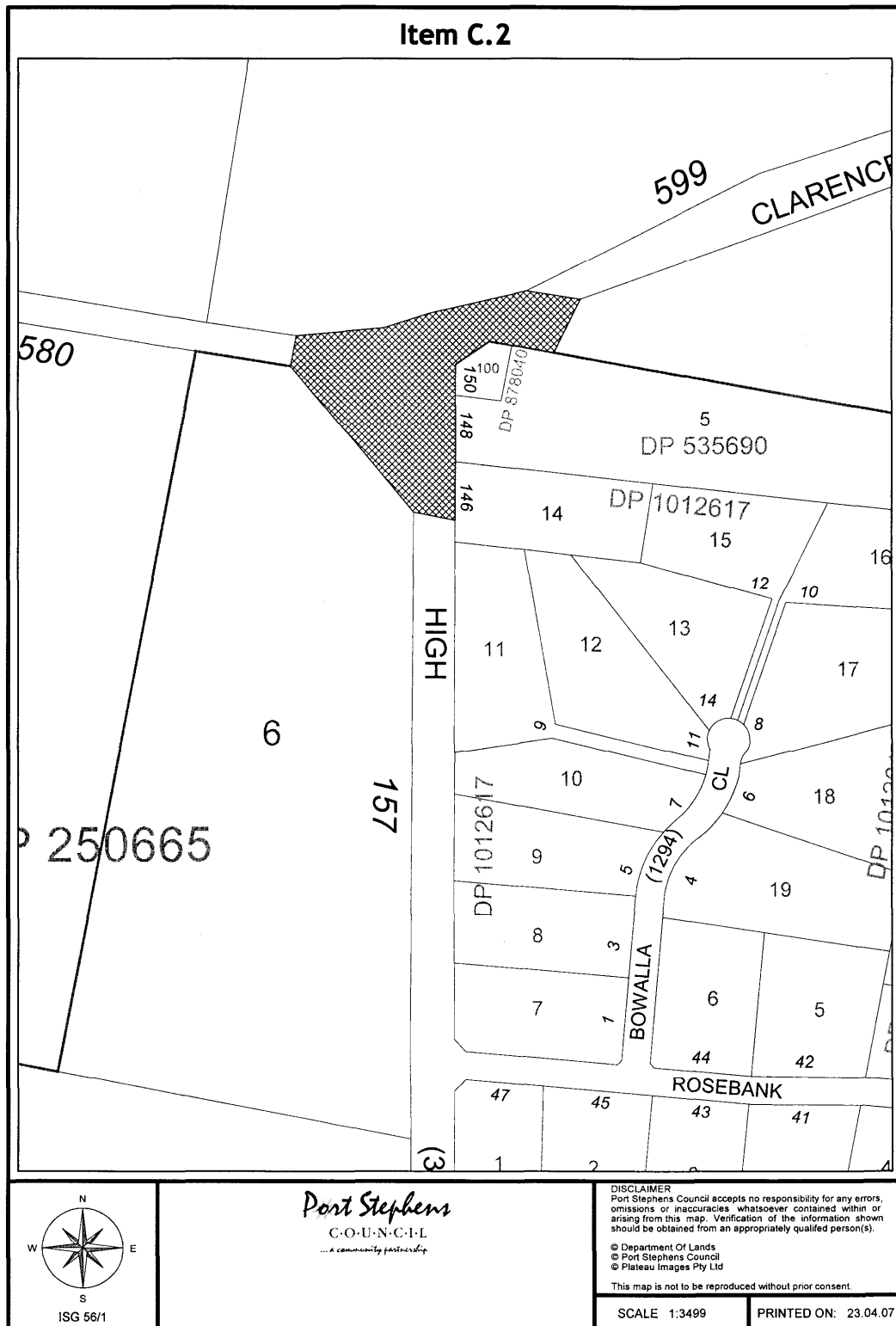
COMMENT

Sight distance is limited to the east when waiting at High Street. Police advise that the persons age was a factor in the crash. The intersection has a right turn storage lane and a left turn lane on Clarence Town Road. Clarence Town Road is 100 km/h speed limited. High Street has an 80 km/h speed limit and Give Way controls.

RECOMMENDATION

- Roads and Traffic Authority be requested to consider a reduction in the speed limit on Clarence Town Road
- No further action be taken to provide a Stop Sign on High Street.

ESTIMATED COST N/A
FUNDING SOURCE N/A



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873612 Email: council@portstephens.nsw.gov.au

C.3 CLARENCE TOWN ROAD, GLEN OAK – CHARITY HORSE RIDE

A resident of Glen Oak has requested permission to conduct a Charity Endurance Horse Ride on September 29th and 30th, 2007. The ride will be based at the Glen Oak Reserve and the Glen Oak School of Arts Hall, Glen Oak. Horses will have to cross Clarence Town Road and ride along Oakendale Road, Glen Oak.

REQUESTED BY: Resident

CONSULTATION: Nil

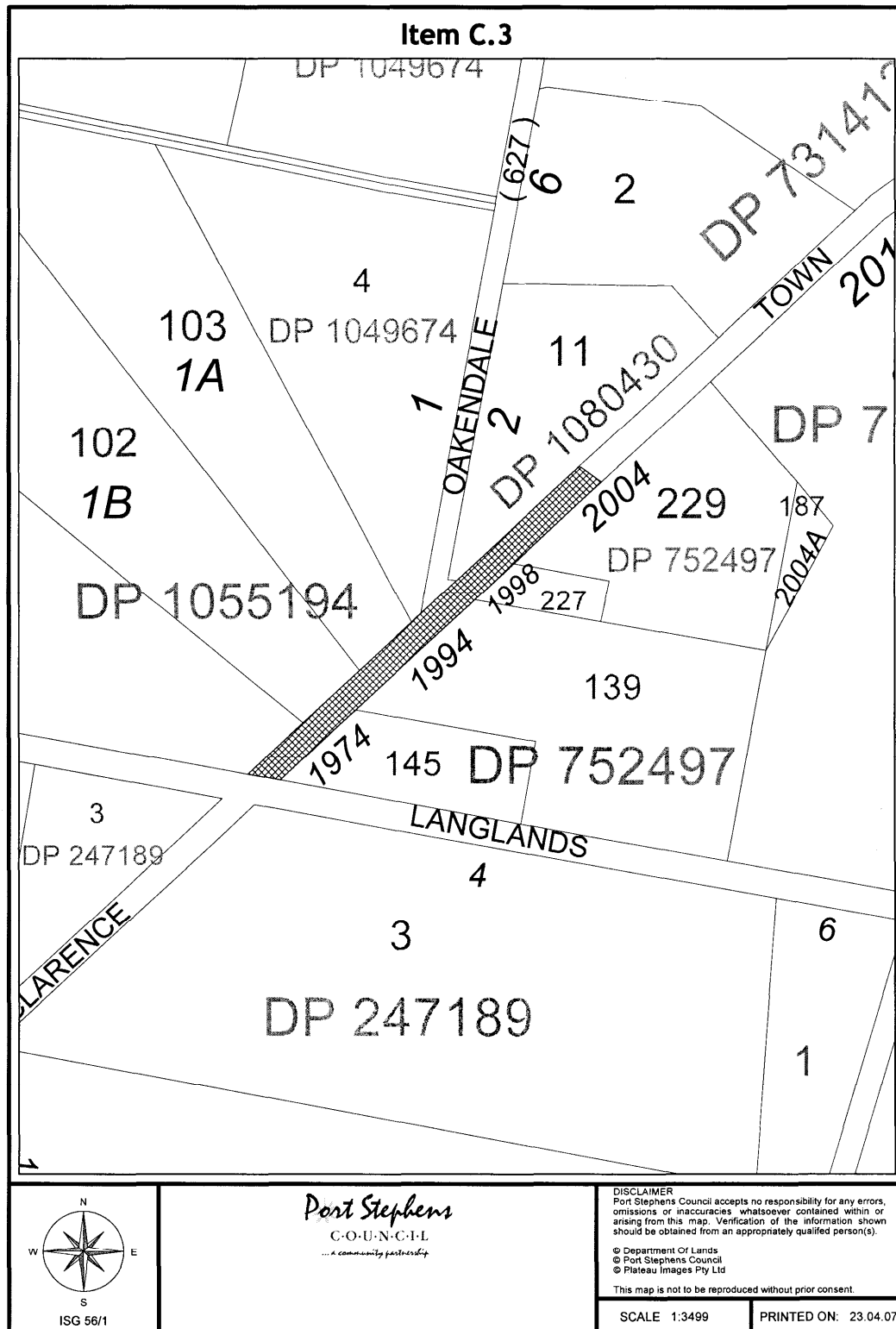
INSPECTION	UNDERTAKEN	No
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT Minimal disruption to traffic. Standard conditions and permission would apply.

RECOMMENDATION

- The event be approved with standard conditions

ESTIMATED COST N/A
FUNDING SOURCE N/A



C.4 JOHN PARADE, LEMON TREE PASSAGE – SPEEDING VEHICLES

A resident has requested that the Committee investigate the provision of speed humps on John Parade, Lemon Tree Passage. The resident is concerned about racing up and down the street in the early hours of the morning. The resident is fed up with the behaviour and wants something done to fix the problem.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	No
ADDITIONAL	ATTACHMENT	No

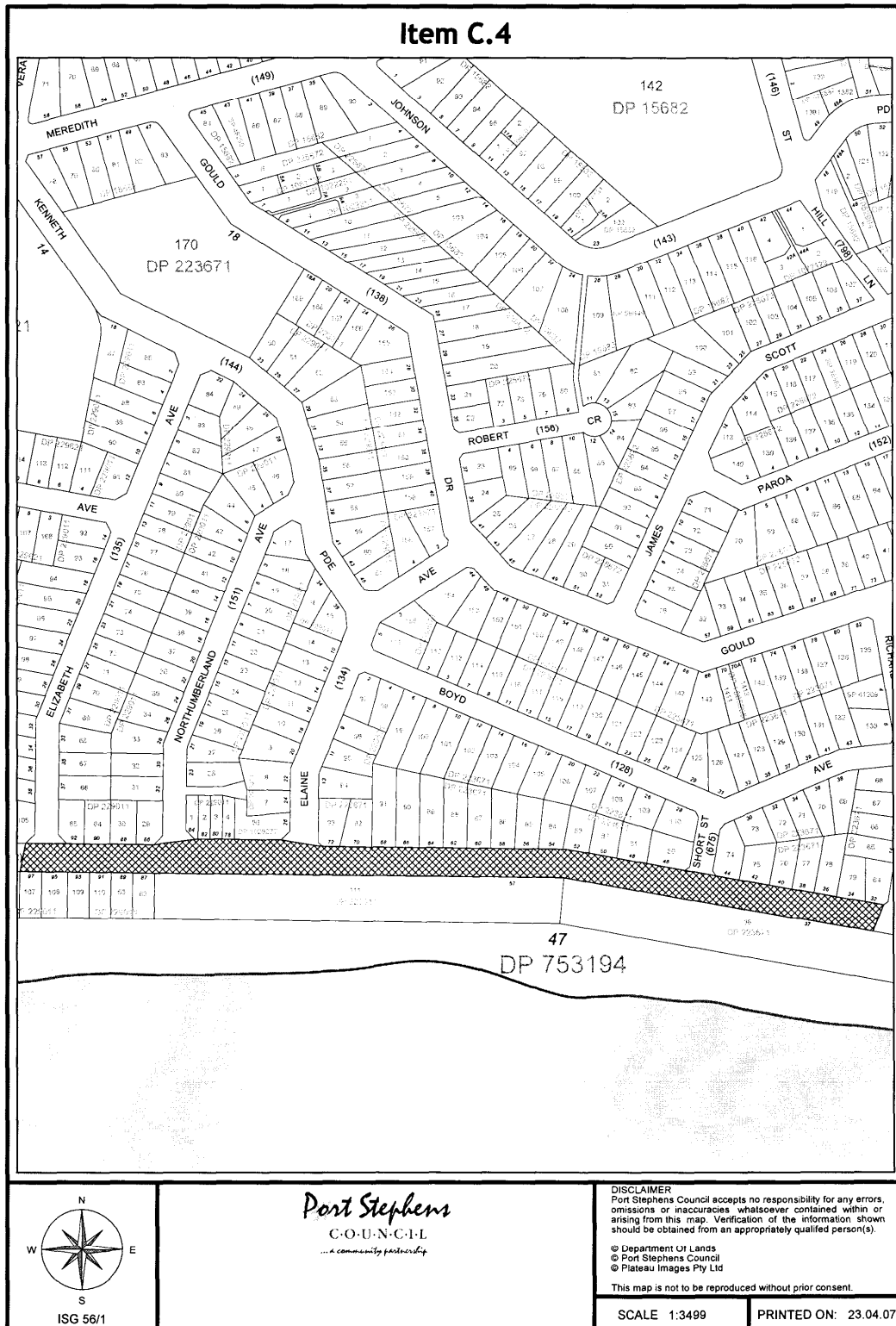
COMMENT

John Parade is a long street with several intersections and no identified speeding history. John Parade has housing on one side and predominantly reserve on the other side and is also a wide street. Providing speed humps in this street would force the problems onto surrounding street. The entire street network would need to be considered to have an effect on the motorists. This is an expensive and inconvenient solution to deal with a nuisance generated by a few individuals.

RECOMMENDATION

- No further action be taken to provide speed humps in John Parade.

ESTIMATED COST	N/A
FUNDING SOURCE	N/A



C.5 TAYLORS BEACH ROAD, TAYLORS BEACH – SPEED LIMIT

A resident has requested that the Committee investigate a reduction in the speed limit on Taylors Beach Road. There are quite a few bends in the road and no road shoulders.

REQUESTED BY: Resident

CONSULTATION: Nil

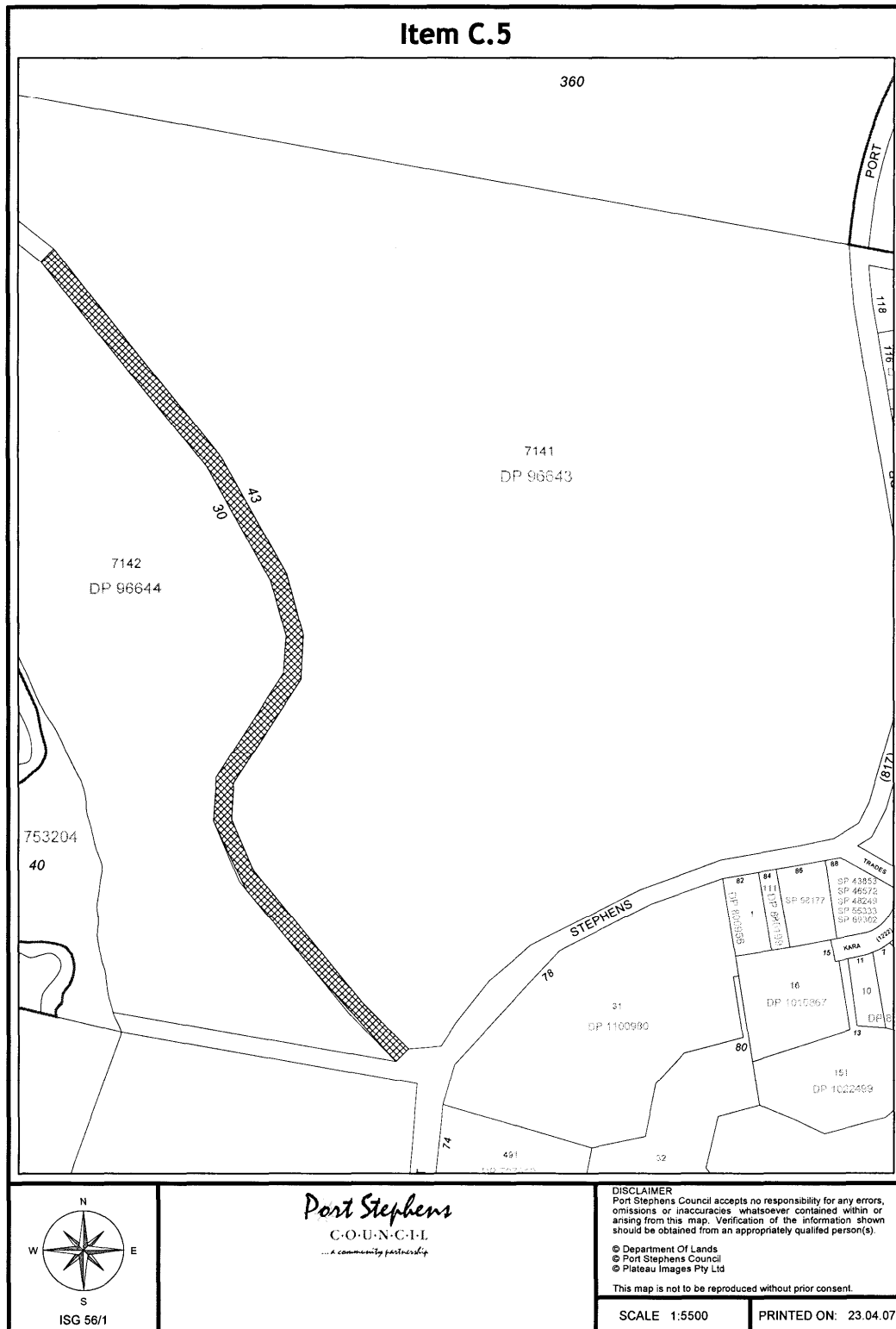
INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	N/A
ADDITIONAL	ATTACHMENT	No

COMMENT Taylors Beach Road is a low volume road and currently rated at 80 km/h.

RECOMMENDATION

- No further action be taken. The RTA representative advises that the speed limit on this section of road will be reduced to 60 km/hr.

ESTIMATED COST N/A
FUNDING SOURCE N/A



C.6 SANDY POINT ROAD, CORLETTE – PEDESTRIAN REFUGE

A resident has requested the Committee to provide safe pedestrian facilities across Sandy Point Road near Foreshore Drive, Corlette. The resident says that a lot of pedestrians cross Sandy Point Road in this location to access the foreshore at Corlette. Can a pedestrian refuge or similar be provided on Sandy Point Road

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION **UNDERTAKEN** Yes

AGREE WITH REQUEST N/A

ADDITIONAL **ATTACHMENT** No

COMMENT

Sight distance for pedestrians crossing from east to west is restricted due to the curve in the roadway. A pedestrian refuge could be located in the centre of the roadway but this would restrict the right turn movements from Sandy Point Road into Foreshore Drive. Pedestrian nibs could assist pedestrian access but would restrict parking on the kerb side lanes. No pedestrian connections existing in Roy Wood Reserve to guide pedestrians through the carpark area

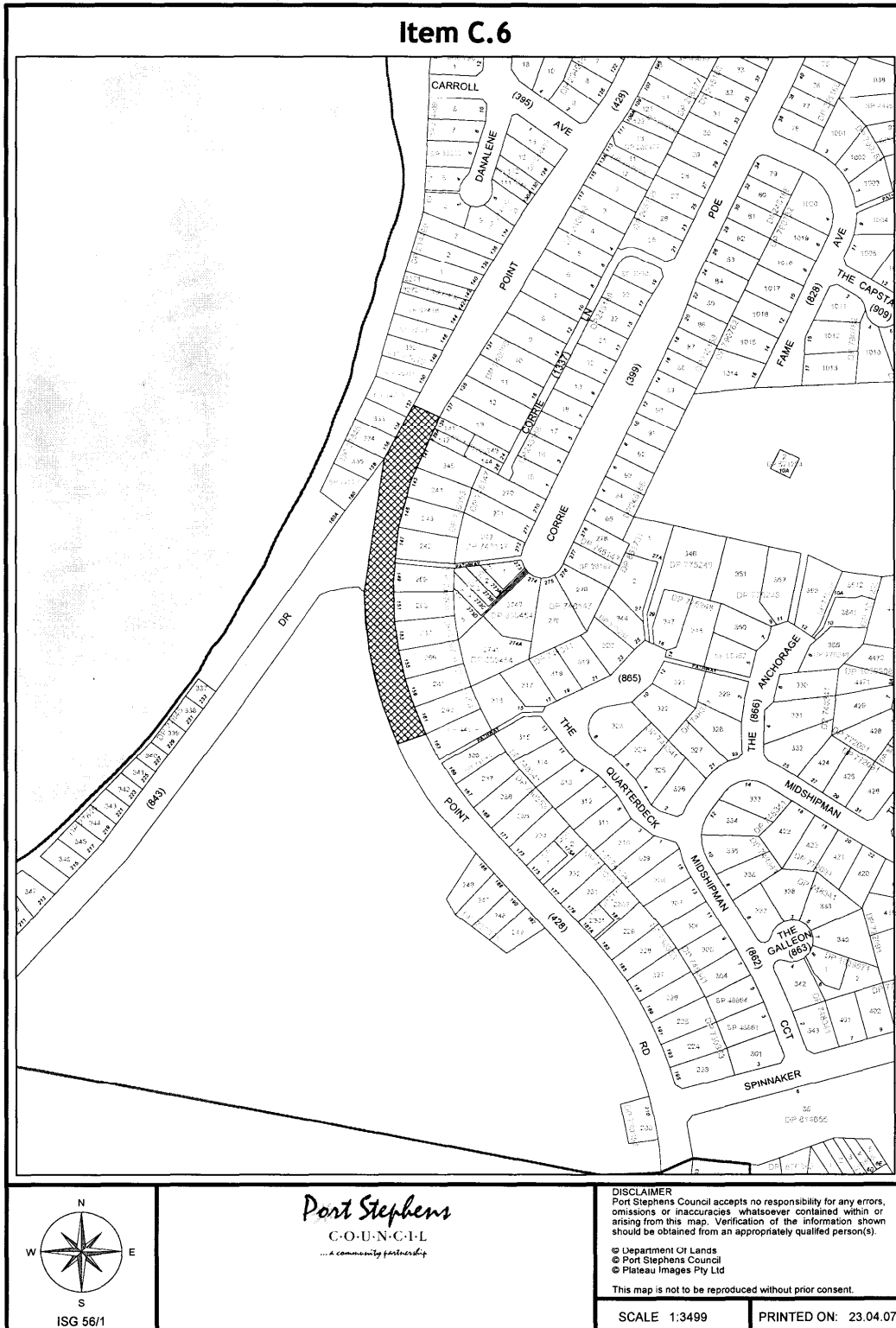
RECOMMENDATION

- Council investigate a safe location and appropriate pedestrian facility for this location.

ESTIMATED COST N/A

FUNDING SOURCE N/A

Item C.6



C.7 DONALD STREET, NELSON BAY – BUS STOP RELOCATION

Council has requested that the Committee investigate the possible relocation of the bus stop in Donald Street, Nelson Bay. Council has received requests to have the existing bus stop relocated due to construction work on a temporary basis. After further discussions with Port Stephens Coaches, a plan to relocate the buses closer to the bus stop near Bi-Lo was suggested. The existing taxi rank occupies the spaces between the two driveway access to the Donald Street west carpark.. This would put the new bus zone closer to the existing Bi-Lo bus zone but would require the reduction of the taxi zone by 1 space. Four (4) carparking spaces would be the net gain because of the carpark redesign and the converting of the old bus stop back to 1 Hour Parking.

REQUESTED BY: Traffic Engineer

CONSULTATION: Port Stephens Coaches, Nelson Bay Town Management

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT

The proposal is to close the eastern carpark access and relocate the taxi zone east to this location and to have the new bus zone to the west of the taxi zone. Nelson Bay Taxis advised that they would prefer not to relocate to a different site as this location works well for accesses the surrounding street network. Relocation along the street still maintains the access benefits and also utilises the existing shelter.

RECOMMENDATION

- The Donald Street west carpark's eastern access be closed to traffic
- The taxi zone be relocated east and reduced to 3 spaces
- The bus zone be relocated to adjacent to the taxi rank in Donald Street
- The existing bus zone in Donald Street be changed to 1 Hour Parking
- That a new shelter be provided at the proposed bus stop location.

ESTIMATED COST	\$1000
FUNDING SOURCE	Traffic Facilities Budget

Item C.7



D. GENERAL BUSINESS

D.1 PACIFIC HIGHWAY, HEATHERBRAE – INSTALLATION OF BUS ZONE SIGNAGE

The representative for Hunter Valley Buses has requested that bus zone poles and signage be installed on the eastern side of the Pacific Highway, Heatherbrae.

REQUESTED BY: Hunter Valley Buses representative

CONSULTATION: Nil

INSPECTION UNDERTAKEN No

AGREE WITH REQUEST N/A

ADDITIONAL ATTACHMENT No

COMMENT Bus zone signage is in place on western side of Pacific Highway, Eastern side was never installed.

RECOMMENDATION

- This item will be listed for inspection and results brought back to the next Traffic Committee Meeting.

ESTIMATED COST N/A

FUNDING SOURCE N/A

ITEM NO. 3**FILE NO: PSC2006-2221****CHILD FRIENDLY COMMUNITIES****REPORT OF: TREVOR ALLEN – ACTING COMMUNITY PLANNING MANAGER**

RECOMMENDATION IS THAT COUNCIL:

- 1) Through the Child Friendly Communities Project Officer, approach the NSW Commission for Children and Young People to nominate Port Stephens Council for consideration as the partner and case study as per Recommendation 4 of the *“Inquiry Into Children, Young People and the Built Environment” – Committee on Children and Young People (October 2006)*. (Refer to pg 51 of Tabled Document)
- 2) Approach the Premiers Department and offer to work in collaboration to develop a regional Children and Young Peoples Steering Committee.
- 3) Lobby the Federal Government for continued funding of the *Child Friendly Communities Program*.
- 4) Establish an internal Child Friendly Working Group to progress the Child Friendly Communities agenda within Port Stephens Council.

OPERATIONS COMMITTEE MEETING – 10 July 2007**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007**RESOLUTION:**

193	Councillor Brown Councillor Hodges	That the Recommendation be adopted.
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Councillor Baumann left the meeting at 6.25pm during Item 3. Councillor Baumann returned to the meeting at 6.30pm during Item 3.

BACKGROUND

The purpose of this report is to:

1. Provide Council with information related to the Child Friendly Community Project currently undertaken as a Port Stephens Council and Communities for Children Initiative
2. Provide recommendations to Council following the “Building Child Friendly Communities” Conference and the Child Friendly Communities Strategic Planning Workshop – “A Child Friendly Port Stephens?” held in May 2007.

The Port Stephens communities of Raymond Terrace and Karuah have been identified as areas of significant socio-economic disadvantage under the Federal Governments *Communities for Children Initiative*. This initiative, auspiced by The Smith Family and The Family Action Centre, has established five program areas for Raymond Terrace and Karuah in consultation with key stakeholders, one of which is ***Child Friendly Communities***.

Expressions of interest were sought to auspice the *Child Friendly Communities Program*, resulting in Port Stephens Council becoming a successful applicant to undertake the program from 2006-2008.

The *Child Friendly Communities Program* represents a significant challenge to Council, given the broad practices of Local Government such as policy and plan making, community engagement, community events, provision of community and recreational facilities and urban design practices which have not historically been regarded as child inclusive or child friendly.

In examining evidence to support the need for a child-friendly community program, it is revealed that global research into the experience and social condition of children did not emerge until the early twentieth century. However, it was not until the 1960's that research attempted to actually understand the relationship between children's psychological and social wellbeing, and their urban environments.

In the early 1990's a fundamental principle of *child friendly communities* started to emerge; an acknowledgement that through the promotion of children's rights, needs and wellbeing, the creation of a world better for all inhabitants could be achieved. It was on this principle – the connection between human rights and sustainable development – that the United Nations Convention on the Rights of the Child (UNCRC) (1992) was established.

Closer to home, in 1998 and 2000 the Commission for Children and Young People Act was established in NSW and QLD respectively. From this state legislation, the NSW Commission for Children and Young People was created in 1999 to: prioritise issues related to child safety, welfare and wellbeing, ensure children and young people's views are taken seriously, and influence policies, laws and practices within government and non-government organisations that affect children and their families. More recently, through the 2006 Inquiry into Children, Young People and the Built Environment, the NSW Commission for Children and Young People have now been charged with responsibility to give input to government and non-government sectors on inclusive and integrated planning and policy-making for children and young people in the built environment,

Through the worldwide work undertaken by UNCRC, a number of global trends have been identified: 'the rapid transformation and urbanisation of global societies; the growing responsibilities of municipal governments and community populations in the context of decentralisation; and consequently, the increasing importance of cities and towns within the national, political and economic systems'. As a result of this recognition, the UNCRC established a new "program for action" in 2001 titled *Child Friendly Cities Initiative (CFCI)*. This program has undertaken to develop a framework for locating the issue of children's wellbeing within each tier of government – endorsing the importance of local governments specifically, in needing to create partnerships to promote and protect the rights of children.

While there is, at this stage, no single definition of what a "child friendly community" is, a review of CFCI strategies from around the world indicate that measures of a communities 'child-friendliness' incorporates: child and youth participation, cross-sectoral approaches, strategic partnerships, attention for disadvantaged groups, networking, advocacy strategies,

resource mobilisation, institutional and legal reform, capacity building, and evaluation processes.

In an attempt to create a Child Friendly Communities Agenda within the Port Stephens Local Government area, council hosted a “***Building Child Friendly Communities***” Conference in Raymond Terrace on 15th May 2007. This conference explored concepts, challenges and actions required to develop the child friendly agenda. Keynote addresses were delivered by NSW Commissioner for Children and Young People, Gillian Calvert, and Griffith University’s Urban Research Program Director, Professor. Brendan Gleeson. The key aims of this conference were to:

1. Create a forum in which the local community and responsible government agencies could debate and collaborate about the application of child friendly principles to Port Stephens;
2. Encourage a broad approach to the issue of child-friendly communities and the widespread adoption of child-friendly practices throughout the Port Stephens community.

Following this conference, a broad cross section of Port Stephens Council staff participated in a ***Child Friendly Communities Strategic Planning Workshop – “A Child Friendly Port Stephens?”***. This workshop was facilitated by the Urban Research Program’s Associate Professor Geoffrey Woolcock. The aim of the workshop was to provide Port Stephens Council with a focussed and practical approach to the development of short and long term actions, as well as to initiate the establishment of a set of indicators of child-friendliness that hold Local Government accountable and responsible for real outcomes.

The recommendations made by the *Child Friendly Communities Program* through this report are a reflection of the outcomes of the fore-mentioned initiatives, and have been formulated through the cross sectional collaboration of Port Stephens Council staff under the direction and guidance of Griffith University’s Urban Research Program.

LINKS TO CORPORATE PLANS

The *Child Friendly Community Program* is linked to the following key result areas contained in the 2006-2009 Council Plan:

<i>Community:</i>	<i>Our Council will provide opportunities for effective collaboration and participation in Council’s activities.</i>
<i>Planning and Development:</i>	<i>Our development focuses on our communities being sustainable.</i>

FINANCIAL/RESOURCE IMPLICATIONS

The Stronger Families and Communities Strategy of the Federal Government allocated \$2million dollars over four years to the Raymond Terrace and Karuah Communities for Children Initiative. Of this funding, the *Communities for Children Program* located with Port Stephens Council received \$452,000 over 2.5years to undertake three sub-projects: “Reclaim the Common Ground”, “Takes a Community to Raise a Child” and “Child Friendly Communities Campaign”.

The Child Friendly Communities Project Officer will be responsible for coordinating the implementation of the *Child Friendly Communities Program* within the allocated program budget. In the event that additional resources are required, external funding will be sourced.

LEGAL AND POLICY IMPLICATIONS

The objectives of the *Child Friendly Communities Program* will undertake a review of Council policies to ensure that practice is undertaken in accordance with the following legislation:

Child and Young Persons (Care and Protection) Act 1998

Commission for Children and Young People Act 1998

Child Protection (Prohibited Employment) Act 1998

Child Protection (Offenders registration) Act 2000

Australian Business Excellence Framework

This aligns with the following ABEF Principles. (Please delete what is not applicable)

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 2) Mutually agreed plans translate organisational direction into actions
- 3) Understanding what customers value, now and in the future, influences organisational direction, strategy and action
- 4) To improve the outcome, improve the system and its associated processes
- 5) The potential of an organisation is realised through its people's enthusiasm, resourcefulness and participation
- 6) Continual improvement and innovation depend on continual learning
- 7) All people work IN a system; outcomes are improved when people work ON the system
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 9) All systems and processes exhibit variability, which impacts on predictability and performance
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders
- 12) Senior leadership's constant role-modelling of these principles, and creating a supportive environment in which to live these principles will help the enterprise and its people to reach their full potential

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

The proposed outcome underpinning the *Child Friendly Communities Program* as stipulated by the *Communities for Children Initiative* is as follows:

Our strategy is to enhance the physical and social environments for children and their families through collaborative efforts between families, community members, facilities and institutions. Crucial to this strategy is the participation of children and families in decision-making and direction setting processes that will enhance the community's self-efficacy and self-determination.

It is anticipated that the following outcomes will be achieved through the work undertaken within the *Child Friendly Communities Program*:

1. Communities within Port Stephens will be more inclusive of children and families, and promote a general sense of community that places a high value on children
2. There will be improved community interest and capacity to own and respond to childhood issues
3. Community members, community facilities, government and non-government organisations will establish collaborative practices that will improve health, development and wellbeing of children in the community.

ECONOMIC IMPLICATIONS

The Centre for Community Child Health conducted a review of evidence related to the effects of investing in services for children and their families as part of *"The Early Years Project"*, and have stated that:

"Governments and service managers are increasingly interested in investing in a prevention and early intervention approach focussed on early childhood, as the research suggests that this is both clinically and cost effective, and has long term economic benefits for the community"

A report by James J. Heckman titled *"Skill Formation and the Economics of Investing in Disadvantaged Children"* (2006) summarises evidence that supports that investments made into influencing the environments of children – particularly in their early years – can promote "long term economic productivity in the community and society at large".

ENVIRONMENTAL IMPLICATIONS

There is a growing body of research into the effects of the physical environment on child health and well-being. Therefore, the *Child Friendly Community Program* aims to promote those aspects of Port Stephen's physical environment that will have a positive affect on the short term and long term health and wellbeing of children in the community.

CONSULTATION

The *Child Friendly Communities Strategic Planning Workshop – "A Child Friendly Port Stephens?"* held in May 2007, incorporated the ideas and strategies of a broad cross section of participants from Port Stephens Council.

OPTIONS

- 1) Accept the recommendations
- 2) Amend the recommendations

MINUTES FOR ORDINARY MEETING - 24 JULY 2007
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- 3) Reject the recommendations and call for more information regarding the *Child Friendly Communities Program*

ATTACHMENTS

Nil

COUNCILLORS ROOM

- 1) Committee on Children, Young People and the Built Environment. Report 8/53, October 2006. "Inquiry into Children, Young People and the Built Environment"

TABLED DOCUMENTS

- 1) Committee on Children, Young People and the Built Environment. Report 8/53, October 2006. "Inquiry into Children, Young People and the Built Environment"

ITEM NO. 4**FILE NO: PSC2007-2081****NEWCASTLE AND HUNTER CO-OPERATIVE LIBRARY
AGREEMENT****REPORT OF: PHILIP CROWE - COMMUNITY & LIBRARY SERVICES MANAGER****RECOMMENDATION IS THAT COUNCIL:**

- 1) Enter into the Newcastle and Hunter Cooperative Library Agreement for the period 1 July 2007 to 30 June 2011
- 2) Authorise the Mayor and General Manager to affix the seal of Council to the Cooperative Library Agreement

OPERATIONS COMMITTEE MEETING – 10 July 2007**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007**RESOLUTION:**

194	Councillor Brown Councillor Francis	That the Recommendation be adopted.
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BACKGROUND

The purpose of this report is to seek Council's endorsement of the updated and revised Newcastle and Hunter Cooperative Library Agreement.

Port Stephens Council, together with Dungog Shire Council and Gloucester Shire Council, currently participate in a Joint Library Agreement with Newcastle City Council for the provision of Library and Information Services. The current agreement, which was first drafted in 1994 and reviewed in 2001, expires on 30 June 2007 and requires renewal.

The Joint Library Advisory Committee has worked through several drafts of the new agreement and on 1 May 2007 resolved to adopt the agreement and recommend that each participating Council enter the Agreement.

The new agreement is a more detailed document which sets out the responsibilities and standard of services of participating Councils, administration of services provided and the means for other Councils to enter into the agreement as either a full or part-participating Councils. This Agreement also incorporates a Service Level Agreement which now forms Appendix 3.

A copy of the final agreement which incorporates advice received from Newcastle City Council's legal services officers and independent solicitors engaged by Newcastle City Council will be tabled at the Operations Committee meeting. Port Stephens Council's legal officer has also examined the final agreement.

Significant changes reflected in the new Cooperative Agreement are as follows:

1. Definitions

- Additional terms are Accession Agreement, Claim, Core Services, NCC's ABC Oncosts, Part-participating Councils, Resources, Service Provider, Service Specification, Service User, Supplementary Service Specifications

2. Cooperative Library Advisory Committee

Membership

Clarification that participating councils only are members of the committee and not part-participating councils.

Term of membership for elected representatives now one year to four years as applicable to each council.

Proceedings

Allowance and procedure for remote meetings on special issue voting matters.

Clarification, where two officers from the same council attend, that the senior officer has the voting right.

3. Management and Administration

New Services Administration

- Capacity to vote on additional services by remote meetings.
- Amounts payable for additional services are determined by the council providing the service in consultation with the co-operative library manager and in accordance with that council's abc oncosts.
- A council may withdraw a request for an additional service if the amount is considered excessive.

5. Standard of Services of Participating Councils

- Service specification is to be reviewed annually.
- Provides for a more detailed process to follow if a service specification is not being met.

6. Entry and Exit of Participating Councils

- Administering council's agreement is required if a new council wishes to join which is located outside of the Hunter Valley or Central Coast
- Provides for an accession agreement for new councils who join. Such a council is acceding to the existing agreement.

7. Dispute Resolution

- Any dispute that cannot be resolved is referred to general managers in the first instance and if not able to be resolved then onto dispute mediation.

8. Expulsion

- New clause. Grounds for expulsion are included in clause 8.1

9. Termination

- This clause now refers to termination of the agreement only. Previously this clause referred to terminating the membership of a council that was not meeting its obligations under the agreement. Such termination of a council is now described in clause 8.

10. Releases and Indemnities

- New Clause.

13. Miscellaneous and 14. Term of Agreement and Expiry

- Two clauses that clarify the separate matters.
- Currency of agreement

LINKS TO CORPORATE PLANS

Under the Key Result Area of Lifestyle, Strategic Direction number 8.2.1, the Council Plan 2006-2009 requires Council to “provide a range of quality, affordable and accessible facilities and services”.

FINANCIAL/RESOURCE IMPLICATIONS

A major benefit of participating in this agreement is that we are able to make significant operational savings through the purchase of services from Newcastle City Council. The ability to achieve economy of scale, particularly in relation to a shared library management system and centralised purchasing, acquisition and cataloguing, means that funds saved by participating in this agreement are reinvested in developing and delivering additional Library programs, events and activities.

LEGAL AND POLICY IMPLICATIONS

Where two or more library services formalise an arrangement to jointly undertake agreed components of a library service provision, they are deemed to be operating under the cooperative model, as enabled by Section 12(2) of the New South Wales Library Act 1939.

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 4) To improve the outcome, improve the system and its associated processes
- 11) Sustainability is determined by an organisation’s ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Public libraries are educational, cultural and social centres. They are crucial to communities because they promote life long learning and literacy in the community, contribute to the well being of residents, support the local economy and build connections between individuals and groups.

Operating as a cooperative results in significant benefits to the community including reciprocal borrowing, which provides access to an expanded collection and wider choices for library users, opportunities for an increased focus on customer service, reduced risk of stock losses and enhanced ability to compete for grant funding including the potential benefits associated with receiving funding.

ECONOMIC IMPLICATIONS

The recurring benefit of participating in this agreement is a more efficient and cost-effective approach to the provision of Library Services. This type of agreement is also compatible with local government trends towards increased cooperation through ROCs (Regional Organisation of Councils).

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications arising from this agreement.

CONSULTATION

The Joint Library Advisory Committee, Newcastle City Council's legal services officers, independent solicitors engaged by Newcastle City Council, Port Stephens Council's legal officer, Community and Library Services Manager, Library Services Manager and Port Stephens Library Management Team were all consulted and involved in the preparation of this agreement.

OPTIONS

- 1) Adopt the agreement
- 2) Reject the agreement
- 3) Amend the agreement

ATTACHMENTS

Nil

COUNCILLORS ROOM

- 1) Copy of Newcastle and Hunter Cooperative Library Agreement

TABLED DOCUMENTS

- 1) Copy of Newcastle and Hunter Cooperative Library Agreement

ITEM NO. 5**FILE NO: PSC2006-1476****DEDICATION OF LAND FOR ROAD WIDENING FROM LOT 326
DP808038 CORNER NULLA NULLA LANE & HINTON ROAD, HINTON****REPORT OF: MALCOLM CAMPBELL - BUSINESS DEVELOPMENT MANAGER****RECOMMENDATION IS THAT COUNCIL:**

- 1) Consents to the creation of a parcel of land with an area approximately 70 square metres for road widening taken from Lot 326 D.P.808038 at Hinton.
- 2) Grants authority to affix Council's Seal and signatures the Transfer document transferring the proposed parcel to Council for road widening.
- 3) After transfer of the parcel declare it public road in the Government Gazette.

OPERATIONS COMMITTEE MEETING – 10 July 2007**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007**RESOLUTION:**

195	Councillor Jordan Councillor Baumann	That the Recommendation be adopted.
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BACKGROUND

The purpose of this report is to recommend Council's consent to approximately 70 square metres of land to be set aside and declared public road.

This action is necessary for the construction of a pipeline and alterations to the property boundary to ensure the construction of Hinton Road does not continue to intrude on the adjoining property known as Lot 326 D.P.808038, **ATTACHMENT 1** showing area to be acquired.

The owners of Lot 326 D.P.808038 have agreed to the drainage work being carried out to alleviate the flow of stormwater from Hinton Road across their property. See detailed diagram in **ATTACHMENT 2**. The laying of a pipeline with a 450mm diameter will join the existing pipes under their access in Hinton Road and continue to an existing culvert under Nulla Nulla Lane. The stormwater situation has existed for a considerable time as well as the current Hinton Road formation being partly on the land being acquired. Compensation has been agreed upon for the acquisition.

Council's Seal and signatures are required to execute the Transfer document prior to lodgement for registration. Once the document is registered the new parcel of land will be declared public road by notification in the Government Gazette.

LINKS TO CORPORATE PLANS

Relates to Infrastructure and Asset Management Objectives and good Council corporate governance.

FINANCIAL/RESOURCE IMPLICATIONS

Compensation costs and some administration are required but all costs have been included in the Facilities and Services budget for the construction of the pipeline.

LEGAL AND POLICY IMPLICATIONS

All actions necessary for this to action to take place fall under the Conveyancing and Public Roads Act with no Council Policies involved.

Australian Business Excellence Framework

This aligns with the following ABEF Principles. (Please delete what is not applicable)

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

A more efficient stormwater drainage system to alleviate the flow of water across the surface of ratepayers land.

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Owners, surveyors, Council's Design & Project Development Engineer, Council's Drainage Engineer and Principal Property Advisor.

OPTIONS

- 1) Adopt recommendations
- 2) Reject recommendations

ATTACHMENTS

- 1) Site plan of area to be acquired
- 2) Locality map

COUNCILLORS ROOM

- 1) Nil

TABLED DOCUMENTS

Nil

ATTACHMENT 1



ATTACHMENT 2



ITEM NO. 6**FILE NO: PSC2007-0764****ROAD CLOSURE PART FISHERMANS BAY ROAD AT ANNA BAY****REPORT OF: MALCOLM CAMPBELL - BUSINESS DEVELOPMENT MANAGER****RECOMMENDATION IS THAT COUNCIL:**

- 1) Consents to the closure of a section of Fishermans Bay Road adjoining Lot 258 D.P.753204 at Anna Bay.
- 2) Makes application under Section 34 Roads Act 1993 to the Department of Lands for the closure to be processed.
- 3) If consent is granted, on finalisation of the closure, the land is to be used by Council as car park for the adjoining proposed fire station.
- 4) Lodge the subdivision application with Council to separate the area from the road, as required by the Land and Property Information NSW.
- 5) Require the subject area to be consolidated with the adjoining lot (owned by Council) if the application is successful. The plan of consolidation to be registered at the office of Land and Property Information.
- 6) Grant authority to affix the Council Seal and signatures to the road closure subdivision plan prior to lodging it at the office of Land and Property Information.
- 7) Grants authority to affix the Council Seal and Signatures to the subdivision and consolidation plans.

OPERATIONS COMMITTEE MEETING – 10 July 2007**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007**RESOLUTION:**

196	Councillor Baumann Councillor Hodges	That the Recommendation be adopted.
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BACKGROUND

The purpose of this report is to recommend the closure of a section of Fishermans Bay Road and consolidate it with Lot 258 D.P.783204 for use as car parking for the fire station as shown in ATTACHMENT 2.

Council is applying to close and consolidate a section of road shown in **ATTACHMENT 1**, (public road) adjoining the northern boundary of Lot 258 D.P.783204, which is Community Land owned by Council. If closed, the parcel will be held by Council as Operational Land.

Adjoining owners will be advised of the proposed closure to allow for submissions. Council has been advised that the Service Authorities have no assets in the area with the exception of Energy Australia having a service main. This matter has been addressed with the provision for an easement over that area.

The area applied for is a triangular shaped road reserve and has been used as a parking area for a number of years for the adjoining Community Hall and Child Care Centre.

The Department of Lands (Lands Office) administers the process of road closures including all advertising for the proposal and the Land and Property Information Division controls and registers the plans. The Lands Office has the final approval decision as to whether the closure succeeds or not. It is not a Council decision.

If the road closure is successful a Certificate of Title will be issued in Council's name and a consolidation of this new parcel with the adjoining Lot 258 D.P.783204 will be complete.

LINKS TO CORPORATE PLANS

Linked to Council's Infrastructure and Asset Management Goal to ensure the sustainable management of assets which meet community needs.

FINANCIAL/RESOURCE IMPLICATIONS

Funds are available in the current Facilities and Services budget to cover the costs of the closure process within the budget for the new fire station. Staff resources are available with normal activities of affected staff.

LEGAL AND POLICY IMPLICATIONS

The Roads Act 1993 controls all actions regarding the road closure and will need to be complied with. The Department of Lands is the final determining authority after all required advertising and notifications have taken place. As roads are closed they become Council's Operational land under the Act. The conveyancing Act administers the required plans. There should be no detrimental implications as regards to legal or policy outcomes.

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 2) Mutually agreed plans translate organisational direction into actions
- 5) The potential of an organisation is realised through its people's enthusiasm, resourcefulness and participation
- 8) Effective use of facts, data and knowledge leads to improved decisions

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Will allow for the construction of a modern fire station to assist in the protection of residents and facilities.

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Between Department of Lands, Council's Facilities and Services Operations Manager, Architectural Projects Officer, Surveyor and Principal Property Advisor.

OPTIONS

- 1) Accept recommendations
- 2) Not close the section of road

ATTACHMENTS

- 1) Locations plan of road closure area
- 2) Proposed fire station and car park site plan

COUNCILLORS ROOM

- 1) Nil

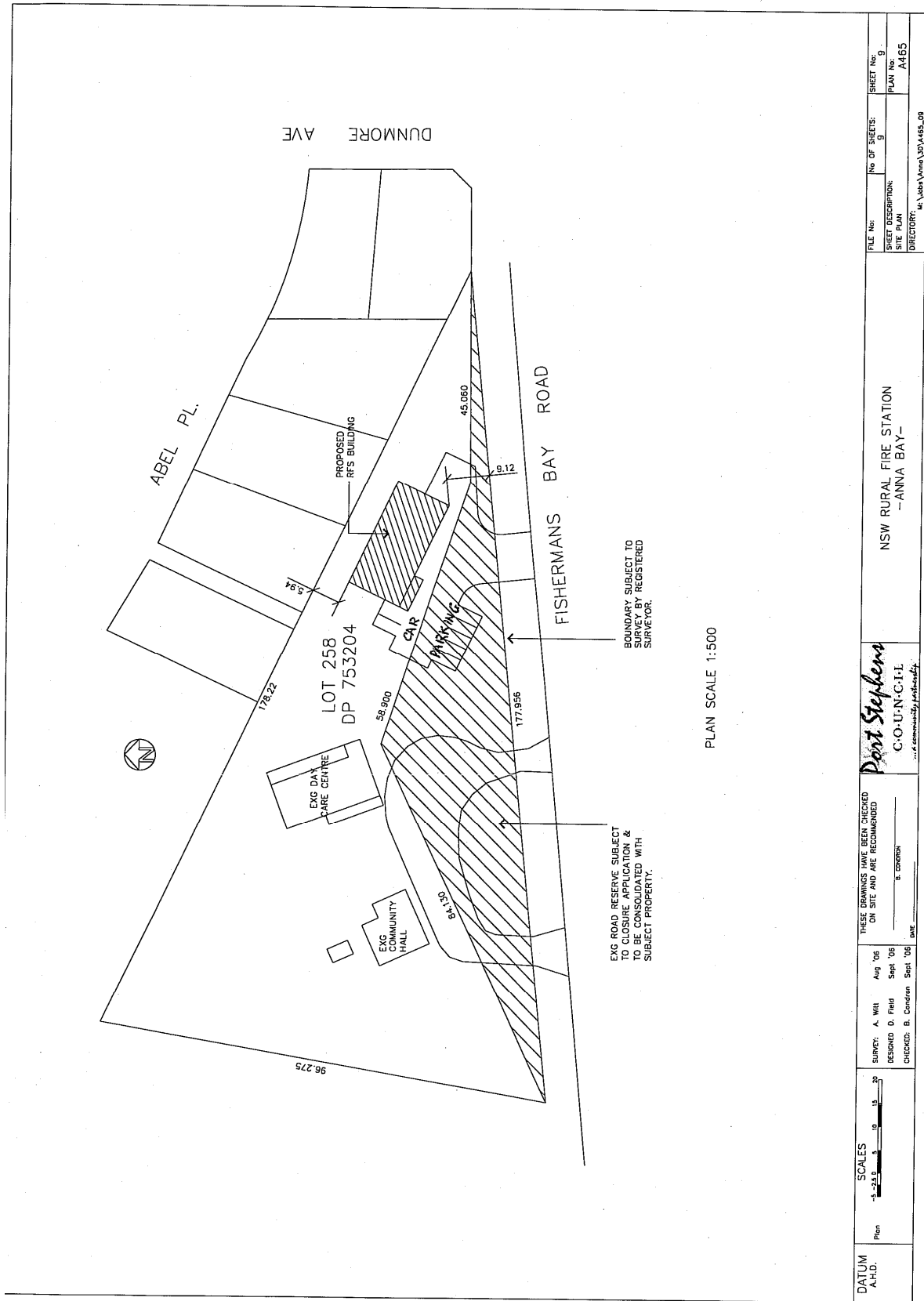
TABLED DOCUMENTS

Nil

ATTACHMENT 1



ATTACHMENT 2



ITEM NO. 7

INFORMATION PAPERS

REPORT OF: JUNE SHINE, EXECUTIVE MANAGER - CORPORATE MANAGEMENT

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 10 July 2007.

No:	Report Title
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- | | |
|----|--|
| 1. | Cash & Investments Held at 31 May 2007 |
| 2. | Hunter Councils Inc Board Meeting Minutes |
| 3. | Fire Safety Public Information Seminar |
| 4. | Aboriginal Strategic Committee Meeting with Karuah Local Aboriginal Land Council |
| 5. | Access Committee Minutes |
| 6. | Ward Funds |
-

OPERATIONS COMMITTEE MEETING –10 July 2007

RECOMMENDATION:

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
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197	Councillor Hodges Councillor Jordan	That the Recommendation be adopted.
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OPERATIONS COMMITTEE INFORMATION PAPERS



INFORMATION ITEM NO. 1

CASH AND INVESTMENTS HELD AT 31 MAY 2007

**REPORT OF: JEFF SMITH, FINANCIAL SERVICES MANAGER
FILE: PSC2006-6531**

BACKGROUND

The purpose of this report is present Council's schedule of Cash and Investments Held at 31 May 2007.

ATTACHMENTS

- 1) Cash and Investments Held at 31 May 2007.

MINUTES FOR ORDINARY MEETING - 24 JULY 2007
ATTACHMENT 1

CASH & INVESTMENTS HELD - AS AT 31 MAY 2007							
INVESTED WITH	INV. TYPE	DATE INVESTED	MATURITY OR COUPON DATE	NO. OF DAYS	AMOUNT INVESTED	INTEREST RATE	% OF TOTAL FUNDS HELD
GRANGE SECURITIES							
WIDE BAY CAPRICORN BUILDING SOCIETY	Floating Rate Sub Debt	15-Mar-07	15-Jun-07	92	500,000.00	8.02%	1.59%
MAGNOLIA FINANCE LTD 2005-14 "FLINDERS AA"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	1,000,000.00	7.96%	3.19%
NEXUS BONDS LTD "TOPAZ AA-"	Floating Rate CDO	23-May-07	22-Nov-07	183	1,500,000.00	6.47%	4.78%
HERALD LTD "QUARTZ AA"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	1,000,000.00	7.96%	3.19%
STARTS CAYMAN LTD "BLUE GUM AA-"	Floating Rate CDO	22-Mar-07	22-Jun-07	92	1,000,000.00	7.90%	3.19%
HELIUM CAPITAL LTD "ESPERANCE AA+"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	1,000,000.00	7.56%	3.19%
HOME BUILDING SOCIETY	Floating Rate Sub Debt	26-Apr-07	26-Jul-07	91	500,000.00	7.39%	1.59%
DEUTSCHE BANK CAPITAL GUARANTEED YIELD CURVE NOTE	Yield Curve Note	18-Apr-07	18-Jul-07	91	500,000.00	8.25%	1.59%
GRANGE SECURITIES "KAKADU AA"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	1,000,000.00	7.46%	3.19%
GRANGE SECURITIES "COOLANGATTA AA"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	1,000,000.00	7.76%	3.19%
TOTAL GRANGE SECURITIES					\$9,000,000.00		28.67%
ABN AMRO MORGANS							
REMBRANDT ISOSCELES SERIES 1	Floating Rate CDO	20-Mar-07	20-Jun-07	92	2,000,000.00	7.86%	6.37%
GLOBAL PROTECTED PROPERTY NOTES VII	Property Linked Note	21-Mar-07	21-Mar-08	366	1,000,000.00	7.00%	3.19%
TOTAL ABN AMRO MORGANS					\$3,000,000.00		9.56%
ANZ INVESTMENTS							
ECHO FUNDING PTY LTD SERIES 16 "3 PILLARS AA-"	Floating Rate CDO	10-Apr-07	10-Jul-07	91	500,000.00	7.61%	1.59%
PRELUDE EUROPE CDO LTD "CREDIT SAIL AAA"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	1,000,000.00	7.96%	3.19%
ECHO FUNDING PTY LTD SERIES 20 "ECHO CHARLIE AA"	Floating Rate CDO	20-Mar-07	20-Jun-07	92	500,000.00	7.96%	1.59%
TOTAL ANZ INVESTMENTS					\$2,000,000.00		6.37%
RIM SECURITIES							
HERITAGE BUILDING SOCIETY LTD (2008)	Floating Rate Sub Debt	30-Apr-07	30-Jul-07	91	500,000.00	8.10%	1.59%
CSFB AUSTRALIA PROPERTY LINKED NOTE (2010)	Property Linked Note	21-Mar-07	21-Jun-07	92	1,000,000.00	2.00%	3.19%
GENERATOR INCOME NOTE AAA (2011)	Floating Rate CDO	10-Apr-07	10-Jul-07	91	2,000,000.00	8.41%	6.37%
ELDERS RURAL BANK (2011)	Floating Rate Sub Debt	5-Apr-07	5-Jul-07	91	1,000,000.00	7.10%	3.19%
TOTAL RIM SECURITIES					\$4,500,000.00		14.34%
WESTPAC INVESTMENT BANK							
HOME BUILDING SOCIETY (2010)	Floating Rate Sub Debt	27-Apr-07	27-Jul-07	91	500,000.00	7.55%	1.59%
MACKAY PERMANENT BUILDING SOCIETY	Floating Rate Sub Debt	21-May-07	18-Aug-07	89	500,000.00	7.47%	1.59%
TOTAL WESTPAC INV. BANK					\$1,000,000.00		3.19%

MINUTES FOR ORDINARY MEETING - 24 JULY 2007

LONGREACH CAPITAL MARKETS							
LONGREACH SERIES 16 PROPERTY LINKED NOTE	Property Linked Note	7-Mar-07	7-Sep-07	184	500,000.00	6.66%	1.59%
LONGREACH SERIES 19 GLOBAL PROPERTY LINKED NOTE	Property Linked Note	6-Mar-07	6-Sep-07	184	500,000.00	6.00%	1.59%
TOTAL LONGREACH CAPITAL					\$1,000,000.00		3.19%
FUND MANAGERS							
MERRILL LYNCH INVESTMENT MANAGERS					607,753.97	6.80%	1.94%
PERPETUAL INVESTMENTS					151,589.85	6.74%	0.48%
ADELAIDE MANAGED FUNDS					1,500,000.00	6.40%	4.78%
TOTAL FUND MANAGERS					\$2,259,343.82		7.20%
COMMONWEALTH BANK							
PRINCIPAL PROTECTED YIELD ACCRUAL NOTE	Yield Curve Note	07-May-07	05-Aug-07	90	500,000.00	9.25%	1.59%
PRINCIPAL PROTECTED YIELD ENHANCED ACCRUAL NOTE "COMMENTS AA-"	Yield Curve Note	31-Jan-07	31-Oct-07	273	500,000.00	7.15%	1.59%
CALLABLE CPI LINKED NOTE	Yield Curve Note	04-Apr-07	04-Jul-07	91	500,000.00	9.00%	1.59%
TOTAL COMMONWEALTH BANK					\$1,500,000.00		4.78%
FIIG SECURITIES							
CREDIT SUISSE PRINCIPAL PROTECTED NOTE	Principal Protected Note	22-Mar-07	22-Jun-07	92	1,000,000.00	7.00%	3.19%
AQUADUCT AA-	Term Deposit	30-May-07	30-Jul-07	61	1,000,000.00	6.66%	3.19%
STATE GOVERNMENT EMPLOYEES CREDIT UNION							
TOTAL FIIG SECURITIES					\$2,000,000.00		6.37%
MAITLAND MUTUAL							
	Floating Rate Sub Debt	16-Apr-07	16-Jul-07	91	500,000.00	7.53%	1.59%
	Term Deposit	4-Mar-07	4-Jun-07	92	2,048,471.98	6.60%	6.53%
	Floating Rate Sub Debt	11-Mar-07	10-Jun-07	91	500,000.00	7.35%	1.59%
TOTAL MAITLAND MUTUAL					\$3,048,471.98		11.30%
TOTAL INVESTMENTS					\$29,307,815.80		93.37%
CASH AT BANK					\$2,081,225.12	6.20%	6.63%
TOTAL CASH & INVESTMENTS					\$31,389,040.92		100.00%

CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

I, Peter Gesling, being the Responsible Accounting Officer of Council, hereby certify that the Investments have been made in accordance with the Local Government Act 1993, the Regulations and Council's investment policy.

P GESLING

INFORMATION ITEM NO. 2

HUNTER COUNCILS INC BOARD MEETING MINUTES - 31 MAY 2007

REPORT OF: PETER GESLING – GENERAL MANAGER
FILE: A2004-0026

BACKGROUND

The purpose of this report is to provide Council with a copy of the Hunter Councils Inc Board Meeting Minutes of 31 May 2007.

ATTACHMENTS

- 1) Hunter Councils Inc Board Meeting Minutes – 31 May 2007.

ATTACHMENT 1



**Hunter Councils Inc Board
Thursday 31 May 2007
Upper Hunter Shire Council
Cnr Liverpool & Main Street, Scone**

MINUTES

Item 1.

Attendance

Clr Keith Parsons	Newcastle City Council	Clr John Chadban	Great Lakes Council
Clr Leigh Vaughan	Great Lakes Council	Keith O'Leary	Great Lakes Council
Bernie Mortomore	Cessnock City Council	Clr Bruce Scott	Cessnock City Council
Clr Catherine Parsons	Cessnock City Council	Clr Jeff Maybury	Cessnock City Council
Clr John Clarence	Cessnock City Council	Russell Esdale	Muswellbrook Shire Council
Clr John Douglas	Muswellbrook Shire Council	Brian Bell	Lake Macquarie City Council
Clr Mercia Buck	Lake Macquarie City Council	Clr Barry Johnston	Lake Macquarie City Council
Clr Vicki Woods	Maitland City Council	David Evans	Maitland City Council
Clr Peter Blackmore	Maitland City Council	Norm McLeod	Gloucester Shire Council
Clr Julie Lyford	Gloucester Shire Council	Clr Ian Shaw	Gloucester Shire Council
Peter Gesling	Port Stephens Council	Clr Helen Brown	Port Stephens Council
Daryl Dutton	Upper Hunter Shire Council	Clr Barry Rose	Upper Hunter Shire Council
Clr Fred Harvison	Singleton Shire Council	Craig Deasey	Dungog Shire Council
Clr Glenn Wall	Dungog Shire Council	Clr Steve Low	Dungog Shire Council

Staff Barbara Penson

Apologies

Clr Nat Doonan	Upper Hunter Shire Council	Clr Deidre Peebles	Upper Hunter Shire Council
Steve McDonald	Muswellbrook Shire Council	Clr Michael Valentine	Muswellbrook Shire Council
Clr John Colvin	Muswellbrook Shire Council	Clr Paul Scarfe	Lake Macquarie City Council
Clr Kay Fraser	Lake Macquarie City Council	Clr Wendy Harrison	Lake Macquarie City Council
Clr Greg Piper	Lake Macquarie City Council	Clr Sonia Hornery	Newcastle City Council
Clr Ian McKenzie	Newcastle City Council	Clr John Tate	Newcastle City Council
Janet Dore	Newcastle City Council	Clr Geoff Robinson	Port Stephens Council
Clr Ron Swan	Port Stephens Council	Steven McGrath	Singleton Shire Council
Clr Tony McNamara	Singleton Shire Council	Bronte Dupen	Greater Taree City Council
Clr Eddie Loftus	Greater Taree City Council	Clr John Byrne	Greater Taree City Council
Clr David West	Greater Taree City Council	Clr Margaret Flannery	Dungog Shire Council
Clr Bob Geoghegan	Maitland City Council	Clr Barry Ryan	Gloucester Shire Council
Clr John Douglas	Gloucester Shire Council		

The Chairman, Cr John Chadban welcomed delegates to the meeting and expressed the appreciation of the Board for the welcome and hospitality received from the Mayor and General Manager of the Upper Hunter Shire Council.

The dinner held last night had been well attended and provided a good opportunity for Delegates to network and share issues of mutual interest.

Item 2. Minutes from the previous meeting

The minutes of the Board meeting dated 22nd February 2007 were accepted as a true and correct record.

Moved: Cr J. Maybury Seconded: Cr S. Low

Item 3. Presentation

Professor Maree Gleeson, Director, Hunter Medical Research Institute, gave a presentation on the development of the Institute and its importance to the region both for the level of health care for the community as well as economic development through employment, indirect as well as direct. The Research outcomes contribute to health care world wide.

Item 4. Business Arising from Minutes

4.1 Hunter Tourism

Cr Piper has accepted the role as a Director on the Board of Hunter Tourism

4.2 Rural Fires Levy

Cr Low advised that Dungog Council had prepared a submission and provided it to Ben Chard, Premiers Department, but had not yet received a response.

Item 5 Community Updates

5.1 Hunter Tourism.

Mr David Evans reported that the new Board of Hunter Tourism had met. It is now comprised with additional industry representation without losing the local government presence. The CEO, had Andrew Fletcher provided an introduction to the new Board. Newcastle City Council participation in HRTO was in question with regard to the council contribution. There will be a continuation of a review about the role of HRTO and its relationship with councils.

HRTO has almost completed the three year plan and will need to prepare the next three year plan for Hunter Tourism generally. The CEO will prepare a proposal as to how that plan might be developed.

5.2 Westpac Helicopter

Cr Flannery advised the Board that a replacement helicopter has been sourced to replace the previous helicopter which had been damaged. It should be in Tamworth and in service shortly. The Department of Health have contracted with Westpac Helicopter for a new five year contract. The fund raising Ball will be held shortly and a Ute Muster was held in Nahiab.

5.3 Hunter Records Storage

Mr Daryl Dutton, Chair of Hunter Councils Ltd., gave a progress report on the business which was tracking favourably on performance and finance measures. The Chair congratulated all involved on the report.

Item 6. CEO Report

6.1 GMAC issues and organisation update

The CEO addressed her report. Cr. Julie Lyford requested that consideration be given to a resource sharing conference which would provide an opportunity for other councils to share the experience of regional cooperation and resource sharing of Hunter Councils. The CEO was requested to prepare a paper on the concept for the next meeting.

The Chair of GMAC, Mr David Evans reported on the meeting with the Deputy Director General of the Department of Local Government where the issues of Integrated Planning and the Department's paper on Sustainability of Local Government were addressed

The Chair of the Board reported on the Delegates meeting with the NSW Minister for Local Government the Hon Paul Lynch. The members at that meeting were given a good hearing and the Minister's responses were favourable.

6.2 2007/08 Business Plan and Budget

The Plan and Budget had been prepared by the senior staff at Hunter Councils and reviewed by GMAC. The Plan and Budget were accepted.

Moved: Cr. Harrison Seconded: Cr. Blackmore

Item 7. Financial Report

The financial report was accepted

Moved: Cr Maybury Seconded: Cr. Douglas

Item 8 General Business

8.1 Heavy Vehicle Inspections

Cr Wall discussed the issue with the Delegates and requested that Hunter Councils made representation to the RTA as this issue may impact on other small councils in the future.

The motion was endorsed.

Moved: Cr. Wall Seconded: Cr. Maybury

8.2 Department of Local Government Circular re Industrial Relations

The meeting discussed the various approaches being taken by member councils with the majority viewing the matter as being an operational matter therefore falling within the realm of the General Manager.

It was moved that the information be noted and left to individual councils to determine.

Moved: Cr. Harvison Seconded: Cr. Brown

The Chairman encouraged Board members to bring issues forward for discussion and review and to investigate whether there was a general view on the matter.

8.3 Climate Change – Mayoral Committee resolution

Many Delegates had not seen the material relating to this Resolution. It is understood that a toolkit may be distributed in August that councils would need to consider prior to giving commitment. It was agreed that the matter be deferred until that time.

8.4 Bushfire Protection

The meeting discussed the concerns identified surrounding this issue with regard to potential cost shifting and liability shifting.

The meeting agreed to pursue the advocacy items identified.

Moved: Cr. Wall Seconded: Cr. Maybury

8.5 Task Force for Pacific Highway

A request was tabled that Hunter Councils give support to the Task Force. Cr. Chadban will be attending and providing continuing support and will report back to the Board on any matter requiring attention.

8.6 Guidelines for Local Traffic Committees

The Guidelines were discussed and the Board advised that the Guidelines were amended from time to time and were available on line.

8.7 Newcastle Airport

Cr. Wood requested a report on the history and status of the Regional Airport. The meeting determined that an invitation be extended to the Chairman and CEO of Newcastle Airport to make a presentation to the next Board meeting.

Moved: Cr. Wood Seconded: Cr. Johnston

8.8 Regional Arts

Cr Buck informed the meeting of several Arts initiatives in the Hunter. Delegates discussed the value of Regional Arts and the CEO advised that she would determine the feasibility of establishing an 'Arts' link on the Hunter Councils website where relevant information could be posted.

The Chairman thanked all the Delegates for attending and in particular the Mayor and General Manager of Upper Hunter Shire Council for hosting the meeting.

The next scheduled meeting on 30th August is scheduled to be held at Foster however may be moved back to Thornton should we have advice that the Minister for Local Government may attend.

The meeting closed at 12.30.

INFORMATION ITEM NO. 3

FIRE SAFETY- PUBLIC INFORMATION SEMINAR

Nelson Bay Bowling Club Mon 13th August 2007, 9.00am

REPORT OF: GLENN BRASIER, BUILDING FIRE SAFETY OFFICER

FILE: PSC2007-2029

BACKGROUND

The purpose of this report is to invite Councillors to participate in the seminar.

Following the appointment of the Fire Safety Officer the program commenced at the end of January 2007. The first task was to examine all of the historical records available and establish which buildings should have fire safety measures in place. Council has so far identified more than 1100 premises that should have fire safety measures in place and be reporting to Council and the NSW Fire Brigade on an annual basis.

Currently approximately 650 premises have been issued with a schedule of fire safety measures with their Building approval or Construction Certificate, a further 500 premises that had building approval prior to 1988 that contain fire safety measures were not issued with a schedule. The fire safety measures for these premises were contained in the conditions of building consent or within the plans and specifications. Unfortunately there are no records of buildings constructed prior to 1980 although many of the class 2 to 9 buildings contain fire safety measures. Council has identified these buildings by spatial survey using the Graphical Information System but must carry out a physical audit to identify which measures are necessary.

Multi-storey, multi-residential home units form a large portion of buildings in the latter group; only 15 of the 147 buildings currently identified have a Fire Safety Schedule already provided. There are 1497 home units contained within those buildings. These buildings may be a significant risk to the occupants if the fire safety measures do work not as intended when required.

Port Stephens Council in conjunction with the NSW Fire Brigade, NSW Rural fire Service, will present a public education seminar focussed on our multi storey-multi unit developments in the Nelson Bay area. Councils' Fire Safety Officer has invited several fire maintenance service companies that service the Nelson Bay area to participate and meet possible clients as well.

This sector was chosen due to the poor levels of awareness of the owners of buildings, the possible long delay in the response time by the part time fire brigade based at Nelson Bay and the perceived risk to building occupants particularly if the dwellings are let for short stay accommodation.

This is our second in an ongoing series of public education programs to improve fire safety awareness.

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

This program was developed as a result of ideas provided in a previous seminar Council conducted with the Strata management firms that service the Nelson Bay area last May. It was considered the owners of the units who bear the cost of any maintenance or upgrade should be made aware of their responsibilities and the dangers posed by a fire in their building. Their willing co-operation is the best way to improve the building fire safety outcomes in the area.

Council believes that if there is a building that requires maintenance or rectification the best possible solution is to put the owners in contact directly with professionals in industry that are equipped to solve the problems.

Council will require registration for the event at least 1 week prior to the event. Council will also advertise the event in the local paper and a press release to be completed mid July.

Council seeks sponsorship from those participating organisations to cover the cost of morning tea, \$5.50 per head and, \$150 for the cost of the Bowling Club auditorium divided on an equal basis.

A draft program below lists the order of the day, the structure is based on highlighting the problem, explaining how buildings are constructed and what maintenance is necessary, then allowing contact with relevant professionals to begin the process of problem solving.

Program

8.30-9.00	Registration
9.00-10.00	NSW Fire Brigade and NSW Rural Fire Service What to do if there is a fire in your building before the fire brigade arrives? How long will that be? What will happen then?
10.00-10.30	Morning Tea and practical demonstrations of fire fighting equipment used around the home
10.30-11.30	Port Stephens Council How have buildings been constructed to withstand the effects of fire? How can you participate in improving fire safety?
11.30-12.30	Meet and talk with local suppliers of fire safety equipment and services

ATTACHMENTS

Nil.

TABLED DOCUMENTS

Nil.

INFORMATION ITEM NO. 4

**ABORIGINAL STRATEGIC COMMITTEE MEETING WITH KARUAH
LOCAL ABORIGINAL LAND COUNCIL**

REPORT OF: **TREVOR ALLEN, ACTING COMMUNITY PLANNING
MANAGER**

FILE: **PSC2005-0629**

BACKGROUND

The purpose of this report is to present to Council the minutes of the Aboriginal Strategic Committee meeting held on 4 June 2007 with the Karuah Local Aboriginal Land Council.

Key issues discussed at the meeting included: -

- 1) Aboriginal Project Fund
- 2) Naidoc Week 2007
- 3) 2007 Joint Meeting of Aboriginal Strategic Committee

ATTACHMENTS

- 1) Minutes of Aboriginal Strategic Committee Meeting held on 4 June 2007 with Karuah Local Aboriginal Land Council.

ATTACHMENT 1

**ABORIGINAL STRATEGIC COMMITTEE MEETING
WITH KARUAH LOCAL ABORIGINAL LAND COUNCIL
HELD ON MONDAY 4 JUNE 2007
AT KARUAH MISSION**

File: PSC2005-0629

Present:

Priscilla Mason	Karuah LALC
Cr Brown	PSC
Cr Dover	PSC
Paul Procter	PSC
Cliff Johnson	PSC

Apologies:

Cr Swan	PSC
Mike Trigar	PSC
Peter Gesling	PSC
David Broyd	PSC
Stewart Murrell	PSC
Jason Linnane	PSC

Cr Brown Chaired and opened the meeting at 1:25pm

1. KARUAH LALC BUSINESS ARISING FROM PREVIOUS MINUTES

ITEM 12: Old Karuah School House

Cliff Johnson and Bev Manton have identified a site adjacent to the mission's tennis court to site this historical building.

Action	1. Cliff Johnson and Priscilla Mason will meet with Council's DAP to discuss proposed DA.
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ITEM 22: Tennis Court

Paul Procter indicated that KLALC grant application under the 2006/2007 funding round of the Hunter Area Assistance Scheme to upgrade the tennis court was unsuccessful.

ITEM 24: Foreshore Rehabilitation Works

Paul Procter indicated that the proposed picnic tables/chairs and bins would be installed in the new financial year in readiness for the spring season.

ITEM 26: Boat Building Project

Paul Procter indicated that the estimated cost of purchasing a shipping container for onsite storage is approximately \$2,000.

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

ITEM 27: Clean Bushland Program

Priscilla Mason indicated that the planned clean up of various sites during the 'Clean-Up Australia Day' activities in March 2007 was a huge success.

ITEM 29: Pivot Bush

KLALC is still experiencing problems with the spread of pivot bush on their land from the adjoining Dept of Lands land holdings.

Action:	1. Priscilla Mason will follow up with the Dept of Lands.
---------	---

ITEM 30: Proposed Name Change of Indigenous Strategic Committee

Paul Procter indicated that at the Ordinary Meeting of Council on 24 April 2007 Council unanimously endorsed the renaming of the ISC to Aboriginal Strategic Committee.

ITEM 31: Naidoc Week 2007

At the Ordinary meeting of Council on 22 May 2007 Council endorsed the allocation of \$7,000 in Aboriginal Project Funds towards this years planned Naidoc week celebrations which will be held in Raymond Terrace on 8 July. In addition to this, Council is awaiting a response to a grant application it has lodged to the ICC for additional Naidoc Week funding. It was suggested that the proposed event at Riverside Park would be a good opportunity for KLALC and WLALC to look at showing casing and promoting their role and services to the broader community.

ITEM 32: Joint ISC Meeting

Paul Procter indicated that Council has secured Dr Bill Jonas as guest speaker for this year's meeting. Cr Brown asked that her apologies be noted for this meeting, as she will be away.

ITEM 33: 40th Anniversary of the 1967 Referendum

Paul Procter indicated that the Mayor recently noted the recent 40th Anniversary of the 1967 Referendum through a Mayoral Minute.

ITEM 34: Motions from 2006 NSW Local Government Aboriginal Network Conference

Paul Procter ran through the following motions from the 2006 NSW Local Government Aboriginal Network Conference and discussed Council's response to each:

Motion	Current Council Response
Motion 1# <i>"That the NSW Local Government Aboriginal Network call upon the NSW Dept of Environment and Planning, the Dept of Local Government and the Local Government and Shires Assoc to investigate the possibility of implementing policy address the inclusion of Aboriginal Employment through the Development Application (DA) and Tendering Processes".</i>	<i>Council's Aboriginal Strategic Committee has established a working party including representation from Council's Human Resources Section to identify potential opportunities for training and employment for Aboriginal community members.</i>
Motion 2# <i>"That in 2007, the LGAN, through the LGSA and Dept of Local Government, fully support the acknowledgement and celebration of the 40th Anniversary of the 1967 Referendum".</i>	<i>Council's Aboriginal Strategic Committee have acknowledged this anniversary along with Council's Mayor who raised a Mayoral Minute at the May 2007 Ordinary meeting of Council.</i>
Motion 3# <i>"That the LGSA and Local Councils/Shires, show real commitment in regards to reconciliation by erecting "Welcome to Country:" signs on behalf of Traditional Owners in local Shire/Council boundaries and on local roads".</i>	<i>Council has included the wording 'Land of the Worimi Nation' on all entry signs to Port Stephens. This wording was developed in consultation with the Aboriginal Strategic Committee.</i>
Motion 6# <i>"That the LGAN write to all Councils/Shires in NSW encouraging them to fly the Aboriginal Flag on all occasions, both outside Council buildings and inside Council Chambers"</i>	<i>Council fly's the Aboriginal Flag 365 days a year. Council also plans to hold a special flag raising ceremony during this year's planned Naidoc Week celebrations.</i>

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

Motion 13# <i>"That the LGAN write to the Local Government Managers Assoc, ALGA, Dept of Local Government and LGSA, requesting that all Councils/Shires employ Aboriginal Community Development Officers on a fulltime basis to deal with Aboriginal and Torres Strait Islander issues at the Local Government level".</i>	<i>In line with the preferences of Council's Aboriginal Strategic Committee, Council has continued to allocate resources to the Aboriginal Project Fund in lieu of employing an Aboriginal Community Development Officer. In addition to this, all of Council's community development staff and other key Council positions take an inclusive approach to carrying out their respective roles which has resulted in the forging of ongoing collaborative working relationships with our two respective LALCs and other members of the Port Stephens Aboriginal & Torres Strait Islander community.</i>
Motion 14# <i>"That the LGAN write to all Councils in NSW requesting they adopt ongoing Cultural Awareness Training for all Councillors and Staff (indoor and outdoor)"</i>	<i>In line with the recommendations contained in Council's 'Social & Community Plan 2006-2010', Council's Aboriginal Strategic Committee is working towards the development of a cultural awareness training program that will cover Councillors and staff.</i>

2. ABORIGINAL EMPLOYMENT

A meeting was convened in late March 2007 with KLALC CEO and Council's Social Planning Co-ordinator and Employment Co-ordinator. Unfortunately the CEO of WLALC was unable to attend. The meeting looked at: -

- Identifying the challenges being faced by our Aboriginal Community in terms of accessing employment and;
- Consideration of what role Port Stephens Council could play in working in collaboration with the Local Aboriginal Land Councils and the local Aboriginal community in terms of creating a more even playing field when it comes to maximising the competitiveness of local Aboriginal residents in competing for local jobs.

As a result of this meeting, the working party will look at among other things: -

- Identifying areas within Council which would lend themselves well to a voluntary work experience program
- Reviewing and assess existing work experience programs at other Councils that have a significant size Aboriginal population
- Exploring linkages with Council's future Economic Development functions
- Comparative analysis of existing and future employment opportunities and trends in Port Stephens against existing local skill base and associated skill shortages. This will identify areas that training and work experience programs can focus.

At this stage, it is proposed to present to the ASC a draft proposal for consideration at the August 2007 meeting.

3. ABORIGINAL PROJECT FUND

Paul Procter indicated that Council endorsed at its ordinary meeting on 22 May 2007 that any unallocated Aboriginal Project Funds at the 30th June 2007 be carried over and added to the 2007/2008 Aboriginal Project Fund budget allocation.

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

He indicated that he would like to start working with the two Land Councils to formulate the type of projects the Aboriginal Strategic Committee would like to see form the basis of the next round of expressions of interest which will be called around August/September 2007.

Paul Procter also indicated that he has just conducted an evaluation of the Karuah Preschool Literacy and Numeracy Project funded under the Aboriginal Project Fund. The project is now well established and is achieving its stated objectives.

4. CULTURAL AWARENESS TRAINING

The proposed formulation of a framework for cultural awareness training for relevant Council staff and Councillors has been placed on hold until after the 2007 Naidoc Week activities due to the constraints on Council and LALCs resources.

5. GENERAL BUSINESS

The Aboriginal Strategic Committee commended the tireless efforts and dedication of Bev Manton to the Committee during the last 4 years and expressed their congratulations and best wishes to Bev on her recent appointment to the NSW State Land Council.

They also congratulated Priscilla Mason on being appointed to the position of Acting Co-ordinator of KLALC.

Action:	1. Paul Procter will write a letter of appreciation to Bev Manton on behalf of the ASC.
---------	---

6. NEXT MEETING

The next meeting will be the joint meeting with Council on 17 July 2007 at 5:30pm at Port Stephens Council.

The next ordinary meeting of the ASC with KLALC will be held on 10 September 2007 commencing at 1pm at the Karuah Mission.

Meeting closed at 3:15pm

INFORMATION ITEM NO. 5

ACCESS COMMITTEE MINUTES

**REPORT OF: TREVOR ALLEN, ACTING COMMUNITY PLANNING
 MANAGER**

FILE: A2004-0226

BACKGROUND

The purpose of this report is to present to Council the minutes of the Access Committee Meetings held on 1 May and 5 June 2007.

Key issues addressed at the meetings included: -

- 1) Passing of Access Committee member Tony Kremen
- 2) Executive Elections Postponed
- 3) Presentation from Occupational Therapy Students

ATTACHMENTS

- 1) Minutes of the Access Committee Meetings held on 1 May and 5 June 2007.

ATTACHMENT 1

**PORT STEPHENS ACCESS COMMITTEE
MINUTES OF ANNUAL GENERAL MEETING HELD 1 MAY 2007
AT THE RAYMOND TERRACE COMMUNITY CARE CENTRE**

Present:

Michael Elliott, Robert Harper, Liz Harper, Deborah Franklin, David Painter, Valda Painter, Michelle Pavy, Michael Hall, Graham Roberts, Cathy Jennings, Cathy Delia, Tony Kean, Alice De-Carle

Apologies:

Cr Brown, Cr Dover, Judy Rosier, Susan Rosier, Erin Devlin, Cathy Lees, Joe Delia

1. WELCOME

Deputy Chairperson, Robert Harper welcomed the Committee members. The minutes of the previous meeting were adopted as an accurate record of that meeting. Motion put forward by Tony Kean and seconded by Cathy Delia.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

2.1 Continued Public Transport Improvements

Michael Elliott reported that access improvements had continued with the final stages of installation of new accessible bus shelters in Raymond Terrace completed. Michael encouraged anyone who uses the facilities to report back to the Committee on their experiences.

2.2 Letter of Appreciation to Outgoing Chairperson and Media Liaison Officer

Michael Elliott reported that letters of appreciation had been forwarded to Ken Whiting and Karen Whiting from Acting Chairperson, Robert Harper. The letters thanked them both for their dedicated service to the Committee whilst they held their office and wished them well for their future.

3. GENERAL BUSINESS

3.1 Passing Away of Committee Member Tony Kremen

Michael Elliott reported that Tony Kremen had recently passed away following a long illness. Tony had been an active member of the Committee over many years and he will be missed. Tony's funeral service will be held at the East Chapel of the Beresfield Crematorium on the 2 May 2007 at 11am and all are welcome.

3.2 Absent Committee Members

David Painter reported that Committee members Sue Spliet and Paula Cheney had both been unwell and admitted to hospital for treatment. David put forward a motion that the Committee purchase a card to send to each of them that was seconded by Liz Harper.

3.3 Executive Elections Postponed

Michael Elliott reported that the Executive Elections usually held at the AGM are to be postponed until further notice. The Committee currently has a low number of active members and limited number of available candidates. Elections will be held following implementation of the Committee's promotion strategy.

4. CORRESPONDENCE

Michael Elliott presented the following items of correspondence: -

- Post Polio Network Newsletter
- Paraquad appoints new Northern Beach Co-ordinator
- Hunter New England Health Carer Information Sessions
- Family Advocacy 1 day workshop
- A reminder about the Joint Meeting between Council and the Access Committee on the 19th June 2007 6pm to 8.30pm

5. DETAILS OF NEXT MEETING

The next meeting will be held at 10.30am on Tuesday the 5 June 2007 at the Nelson Bay RSL Club.

ATTACHMENT 2

**PORT STEPHENS ACCESS COMMITTEE
MINUTES OF MEETING HELD 5 JUNE 2007
AT THE NELSON BAY RSL CLUB**

Present:

Cr Dover, Michael Elliott, Robert Harper, David Painter, Valda Painter, Liz Harper, Deborah Franklin, Tony Kean, Cathy Delia, Margaret O'Leary and O.T Students Garard, Catherin and Maggie.

Apologies:

Cr Brown, Cathy Lees, Alice De-Carle, Joe Delia, Judy Rosier, Susan Rosier, Michelle Pavy, Graham Roberts, Cathy Jennings

1. WELCOME

Deputy Chairperson, Robert Harper welcomed the Committee members.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

2.1 Public Transport Improvements Article

Michael Elliott circulated an article he had produced about recent access improvements to bus shelters within the Port Stephens LGA. The article featured Liz Harper and her experiences and included some photos of the recent work undertaken. Several disability publications had expressed interest in the article and Michael had begun circulating it to a range of media outlets.

2.2 Cards for Sick Committee Members

Cards for Committee members Sue Spliet and Paula Cheney were circulated to be signed by those present. Sue and Paula had both recently been ill.

3. GENERAL BUSINESS

3.2 Presentation from Occupational Therapy Students (re Access Provisions at a Local Employment Assistance Provider's Premises)

Garard Clifford gave the Committee a brief presentation of the results of his audit of access provisions at a local employment assistance provider. Garard conducted the audit following a complaint from a community member. The audit identified the following access issues: -

- non compliant ramp gradient
- non compliant handrails

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

- excessive cross-falls on ramp and footpath
- lack of landing areas on ramp

Garard's report will be forwarded to this service provider including an offer from Council's Disability Access Officer to work with them to formulate suitable solutions to these issues identified. This is important given the large number of persons with disabilities, the elderly and parents with prams that need to access this service.

3.3 Access Provisions at Bluewater Country Music Festival

Michael Elliott reported that he had received several enquiries concerning access provisions from people intending to attend the Bluewater Country Music Festival at Nelson Bay over the 2007 June long weekend. Subsequent enquiries to the event's organisers found that several of the indoor and outdoor venues, transport, accommodation and dining facilities were accessible. The enquiries Council received which prompted the discussions with the event's organisers were predominantly attributed to the lack of access information in the promotional material. Michael brought this to the attention of the organisers who agreed to work towards including access information in the promotion of future events.

4. CORRESPONDENCE

Michael Elliott presented the following items of correspondence: -

- Letter requesting support for Intellectual Disability Fishing project

5. DETAILS OF NEXT MEETING

The next meeting will be our Annual Joint Meeting between Council and the Access Committee to be held at 6.30pm on Tuesday the 19 June 2007 at the Port Stephens Council Administration Office Adelaide St. Raymond Terrace.

The next ordinary meeting will be held on the 3 July 2007 at 10.30am at the Raymond Terrace Community Care Centre.

INFORMATION ITEM NO. 6

COUNCIL WARD FUNDS

**REPORT OF: JUNE SHINE, EXECUTIVE MANAGER- CORPORATE
MANAGEMENT**

FILE: PSC 2007-0183

BACKGROUND

The purpose of this report is to provide the current Ward Funds expenditure and the balance as at 27 June 2007.

ATTACHMENTS

- 1) Ward Funds
- 2) Minor Works

ATTACHMENT 1

2006/2007 ALLOCATIONS OF COUNCILLOR WARD FUNDS

WARDS	EAST	CENTRAL	WEST
ESTIMATED BALANCE B/FWD FROM 30 JUNE 2006	138,436	1,940	170,927
FUNDS REALISED IN 2005-2006	0	0	0
TOTAL AVAILABLE 1 JULY 2006	138,436	1,940	170,927
ALLOCATED TO:-			
From Original Budget			
Corlette SES	15,000		
Contribution to RT Comm & Policing Services Rental assistance CM372/05			15,000
Raymond Terrace Senior Citizens Centre			35000
Medowie Skate Park		77000	
From Revotes and Carry Forwards			
Shelly Beach Amenities	25000		
King Park Landscaping			7000
Anna Bay Oval Upgrade		1697	
Anna Bay Pony Club		-10251	
Bowthorne Park Upgrade			21000
Tomaree Sports Complex - New Water Service	70000		
Little Beach Disability Access ramp	33904		
Raymond Terracs CCC			19108
Tilligerry Creek Erosion Study		5000	
Cycleway Construction Brockelsby Road Medowie		22744	
Bus Facilities Construction Medowie		18571	
Bus Facilities Construction Anna Bay		11299	
Bus Facilities Construction LTP		3314	
Karuah Main Sreet			7894
From Budget Reviews			
Port Stephens Community Arts Centre CM 222/05	10,000		
Salt Ash Sports Ground CM 434/06		35,000	
LTP Development Control Plan CM 469/06		12500	
TOTAL ALLOCATED	153,904	176,874	105,002
BALANCE as at 27.6.07	-15,468	-174,934	65,925

MINUTES FOR ORDINARY MEETING – 24 JULY 2007
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ATTACHMENT 2

2006/2007 ALLOCATION OF MINOR WORKS			
WARDS	EAST	CENTRAL	WEST
BALANCE B/FWD FROM 30 JUNE 2006	0	0	0
2006/2007 BUDGET ALLOCATION FROM REVENUE	20,000	20,000	20,000
TOTAL AVAILABLE 1 JULY, 2006	20,000	20,000	20,000
ALLOCATED TO:-			
Previously Allocated funds paid this Financial year			
Tilligerry Lions and Habitat Arts Festival CM 578/06		500	
Glen Oak School of Arts CM 578/06			339
Allocated 2006/2007 Financial Year			
Medowie Scout Group CM 618/06		110	
Rotary Club of Nelson Bay CM 618/06	2,500		
Shoal Bay Public School CM 618/06	869		
Shoal Bay Public School CM655/06	395		
Access Comm of Port Stephens CM 794/06	595		
1st Tilligerry Scout Group CM 794/06		722.5	
P S Fellowship of Australian Writers CM 679/06	1000		
Hunter River High School CM 679/06			200
Irrawang Public School CM 734/06			200
Glen Oak School of Arts CM734/06			2000
Port Stephens Music Festival CM 734/06	93.2		
1st Paterson Bolwarra Scouts Group CM 761/06			200
Nelson Bay Senior Citizens Hall Clr req 05-1181	3000		
Thou Walla Family Centre CM 031/07			2000
Royal Volunteer Coastal Patrol Car Park CM 031/07	3190		
PS Community Care Senior Expo CM 031/07			1000
Raymond Terrace Water Polo CM 031/07			500
TRT and District tennis Club CM 031/07			1250
Whale and Dolphin Watch (Skye Bertoli) CM 031/07	500	500	500
Life Education CM 074/07	1400	1400	1400
Karuah Patch Work and Quilters CM 74/07			60
Hunter Botanical Gardens CM 113/07			1335
Glen Oak School of Arts CM 113/07			256
Irrawang High School CM 113/07			500
Grahamstown Public School Clr Req			1000
Mt Kanwarly Public School CM 113/07			1000
Karuah Progress Assoc DA fees			762.3
Anna Bay Public School		200	
Nelson Bay Town Management	1923.9		
Anglican Church Ray Tce			200
Seaham Scouts			1000
TOTAL ALLOCATED	15,466	3,433	15,702
TOTAL AVAILABLE as at 27.6.07	4,534	16,568	4,298

STRATEGIC COMMITTEE RECOMMENDATIONS

ITEM NO. 1

FILE NO: PSC2005-1592

PUBLIC ACCESS TO RECORDS AFTER 30 YEARS POLICY REVIEW

REPORT OF: JEFF SMITH – FINANCIAL SERVICES MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Revoke the current policy, adopted on 16 May 2000 Minute number 267, 1.
 - 2) Adopt the reviewed policy as per changes in **ATTACHMENT 1**
-

STRATEGIC COMMITTEE MEETING –10 July 2007

RECOMMENDATION:

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:

198	Councillor Hodges Councillor Westbury	That the Recommendation be adopted.
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BACKGROUND

The purpose of this report is to provide the opportunity for the Public Access to Records After 30 Years Policy to be reviewed.

The Public Access to Records After 30 Years Policy has been reviewed with minor changes to staff position title as shown in **ATTACHMENT 1**.

LINKS TO CORPORATE PLANS

Corporate Accountability – Promote the efficient capture, and use of knowledge across the organisation & the community.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL AND POLICY IMPLICATIONS

This policy meets Council requirements under Part 6 of the State Records Act 1998 and provides an alternative method of access to Council information. The Freedom of

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

Information Act & Personal and Privacy Information Act override this policy in the decision to grant access to records.

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 3) Understanding what customers value, now and in the future, influences organisational direction, strategy and action
- 4) to improve the outcome, improve the system and its associated processes
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Information Services Coordinator

OPTIONS

- 1) Adopt the recommendation
- 2) Change the recommendation

ATTACHMENTS

- 1) Public Access to Records After 30 years Policy and amendments

COUNCILLORS ROOM

- 1) Nil

TABLED DOCUMENTS

Nil

**ATTACHMENT 1
PROPOSED POLICY**

Adopted: 16/05/2000
Minute No: 267
Amended: 24/06/2003
Minute No: 245
Amended:
Minute

TRIM FILE NO: PSC2005-1592

TITLE: PUBLIC ACCESS TO RECORDS AFTER 30 YEARS POLICY

BACKGROUND	NOTES
<p>The State Records Act, 1998 promotes the principles of accountability and access by requiring public sector offices, including local government Council's, to create full and accurate records of their business and administrative transactions, and ensuring that records of significant value are preserved. Council's will ensure that all records of continuing value are considered for public access in due course and in accordance with the Attorney General's 'Guidelines on Making Access Directions under Part 6 of the State Records Act 1998'.</p>	<i>No Change</i>
<p>OBJECTIVE</p> <p>This policy is intended to outline the access provisions of the State Records Act, 1998 and to explain the rights and obligations of Council and the public, under Part 6 of the Act.</p>	<i>No Change</i>
<p>PRINCIPLES</p> <ol style="list-style-type: none">1. All Council records are classed as being in an 'Open Access Period' 30 years after a record was created.2. The 'Open Access Period' means that the public has a right to request access to any record once it falls into this period, without the need to submit a Freedom of Information application.3. Granting of access to records in the 'Open Access Period' is not automatic.4. An evaluation of the requested record/s will be undertaken by Council staff and a determination of Open to Public Access (OPA) or Closed to Public Access (CPA) will be made. This is known as an Access Direction.5. This policy does not require Council to keep all records permanently to enable future public access. Council is entitled to destroy records in accordance with the State Records Authority of NSW - Local Government General Disposal Authority.	<i>No Change</i>

[illegible]

ITEM NO. 2

INFORMATION PAPERS

REPORT OF: JUNE SHINE, EXECUTIVE MANAGER - CORPORATE MANAGEMENT

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 10 July 2007.

No:	Report Title
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1.	Workplace Agreements
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STRATEGIC COMMITTEE MEETING –10 July 2007

RECOMMENDATION:

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
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199	Councillor Hodges Councillor Baumann	That the Recommendation be adopted.
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STRATEGIC COMMITTEE INFORMATION PAPERS



INFORMATION ITEM NO. 1

WORKPLACE AGREEMENTS

REPORT OF: MICHELLE GILLIVER-SMITH, HUMAN RESOURCES MANAGER
FILE: 1454 - 001

BACKGROUND

The purpose of this report is to inform Council of current progress in the Workplace Agreements issue, following the Councillor briefing held on 29 May 2007.

Representatives from the United Services Union ('USU'), the Local Government Engineers Association ('LGEA'), the Development and Environmental Professionals Association ('DEPA') and the Local Government and Shires Association of NSW ('LGSA') attended a Councillor Briefing held on 29 May 2007. The intent of this meeting was to have all stakeholders participate in the briefing to provide Councillors with information on their preferred approach to the implementation of Port Stephens Council specific workplace agreements.

A variety of options were discussed at the briefing, summarised as follows:-

- Maintaining Status Quo
- Registered Workplace Agreements
- Council Agreements under the NAPSAs
- Common Law Deed
- Unregistered Agreements
- Agree To A Moderate Interim Wage Increase
- Referral Agreements for the management of disputes

There was general agreement amongst all participants that a Port Stephens Council specific agreement could be negotiated in some form, given the current Federal political and legislative environment.

Council is strongly committed to being an employer of choice. Being an employer of choice is about the structures a business has in place supporting its employee opportunities, wellbeing and company values.

It is not possible for Council to achieve employer of choice status without negotiation of a Council specific agreement with its staff. A 'one size fits all' approach to workplace agreements does not support this commitment to excellence.

A report is currently being prepared for Council on a recommended policy in relation to the future of Workplace Agreements at Council which will be presented in August 2007.

In the intervening period, Organisation Development intend to facilitate meetings through Section Managers with their staff to explain the current progress of the matter and the

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

timeframes involved. We will discuss broadly the options that are being explored, answer any questions staff may have and receive feedback from staff. Once Council policy on this matter is decided a Workplace Agreement Committee will need to be formed which is representative of Council's workforce and the stakeholders involved in this process. We will be seeking feedback from staff through this initial consultation process on the composition of this Committee to ensure true representation of Council's workforce.

ATTACHMENTS

- 1) Nil

TABLED DOCUMENTS

- 1) Nil.

GENERAL MANAGER'S REPORT

ITEM NO. 1**FILE NO: PSC2005-4161****TEMPORARY SUSPENSION OF SECTION OF SHOAL BAY CBD
ALCOHOL-FREE ZONE (AFZ)****AUTHOR: TREVOR ALLEN, ACTING COMMUNITY PLANNING MANAGER**
-----**RECOMMENDATION IS THAT COUNCIL:**

- 1) Approve the temporary suspension of a section of the Shoal Bay town centre Alcohol-Free Zone on 1 September 2007 between the hours of 12.00pm and 6.00pm in the areas shown in Attachment 1 of this report, for the facilitation of the *Annual Shoal Bay Jazz Wine & Food Festival*.
-
-

ORDINARY MEETING OF COUNCIL – 24 July 2007**RESOLUTION:**

200	Councillor Jordan Councillor Francis	That the Recommendation be adopted.
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BACKGROUND

The purpose of this report is to inform Council that a request has been received from Shoal Bay Resort & Spa to temporarily suspend a specific area of the Shoal Bay Alcohol-Free Zone (AFZ) during the *Annual Shoal Bay Jazz Wine & Food Festival*.

The area for which approval is sought (as shown in Attachment 1) is the section of Shoal Bay Road between Government Road and Tomaree Street.

The hours of suspension would be 1 September 2007 between the hours of 12.00pm and 6.00pm. At all other times the area would operate as an AFZ.

All wine company vendors who are participating in this event will be required to provide the licensee (Shoal Bay Resort & Spa) with proof of Responsible Service of Alcohol Training. Four security guards will be employed to monitor the area during the suspension of the AFZ. People will also be reminded that at the end of the requested times AFZ conditions should be observed.

Council will inform the public of the proposed area and hours of the suspension by notice published in the local paper at least 7 days before the event.

LINKS TO CORPORATE PLANS

The temporary suspension of a section of the Shoal Bay CBD alcohol-free zone links to the Cultural Sustainability Directional Statement contained in Council's *Council Plan 2007 - 2011*:

Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity by: -

- *Supporting and developing community celebrations and events that contributes to the character and uniqueness of all communities within Port Stephens*

FINANCIAL/RESOURCE IMPLICATIONS

There will be no cost to Council.

LEGAL AND POLICY IMPLICATIONS

Suspensions of AFZ are guided by Section 645 of the *Department of Local Government's Ministerial Guidelines on AFZ*, which state: -

A Council is not limited in the reasons for which it may suspend... an alcohol-free zone. A suspension would not usually be appropriate for any period longer than one month, and generally would be of a much shorter duration (eg. to accommodate a specific event).

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Suspension of the AFZ in these areas could possibly lead to an increase in alcohol related crime and anti-social behaviour. However, as this function will be held in daylight hours and will be monitored by security staff, this is unlikely to occur.

ECONOMIC IMPLICATIONS

The suspension of the AFZ will allow the *Annual Shoal Bay Jazz Wine & Food Festival* to take place. This annual festival will attract many tourists to Port Stephens and help promote the area, increasing income and employment opportunities.

ENVIRONMENTAL IMPLICATIONS

There will be no environmental implications.

CONSULTATION

The local Police have been notified and support the proposal subject to the presence of security guards who will monitor the event for the duration of the suspension.

OPTIONS

- 1) To accept the recommendation

MINUTES FOR ORDINARY MEETING – 24 JULY 2007
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- 2) To amend the recommendation
- 3) To reject the recommendation calling for more information to support the report

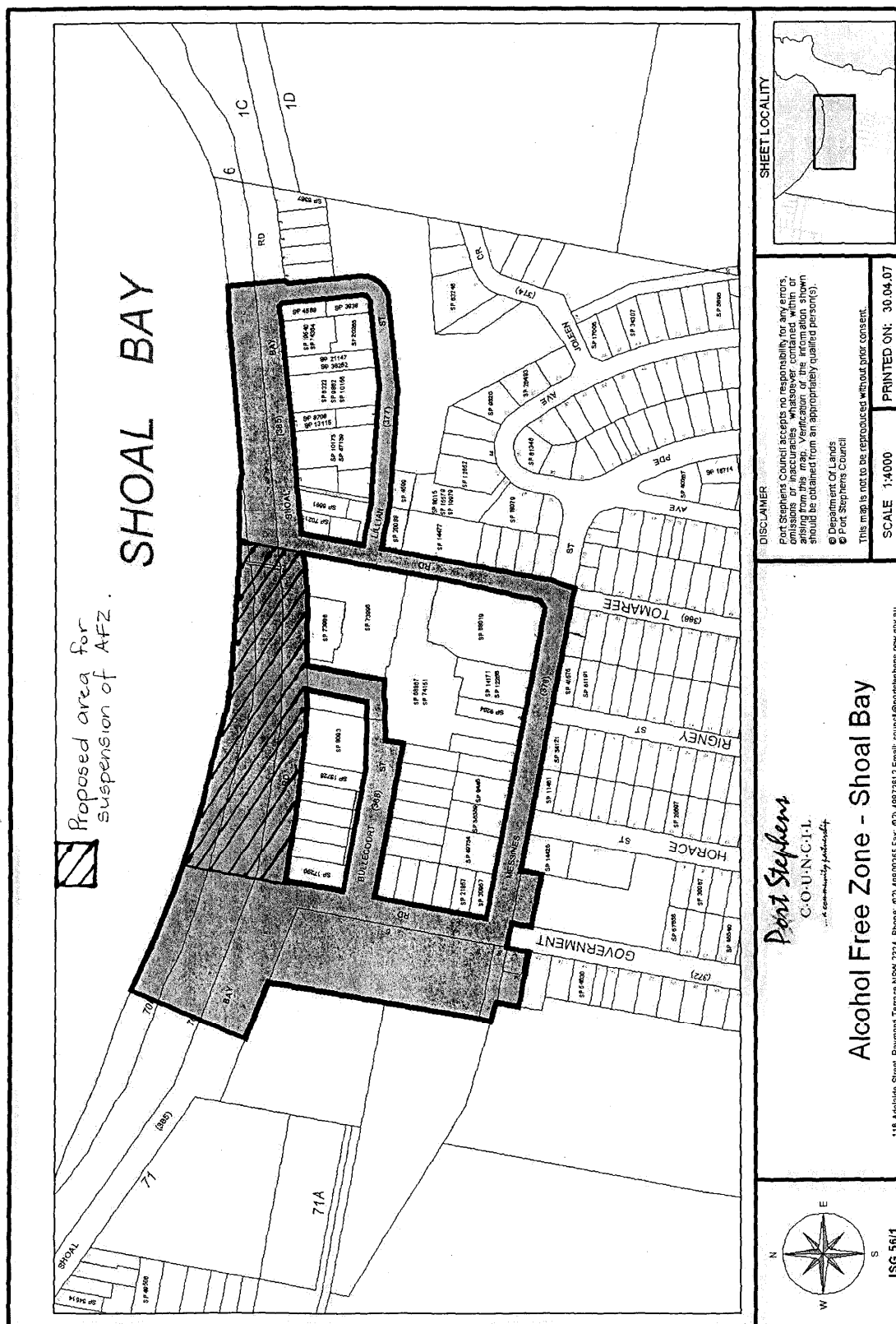
ATTACHMENTS

- 1) Map identifying proposed area affected by the temporary suspension of the Shoal Bay CBD AFZ.

TABLED DOCUMENTS

- 1) Nil

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ITEM NO. 2**FILE NO: PSC2005-5185****REQUEST FOR FINANCIAL ASSISTANCE****REPORT OF: JUNE SHINE – EXECUTIVE MANAGER, CORPORATE MANAGEMENT**
-----**RECOMMENDATION IS THAT COUNCIL:**

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act from the respective Mayor and Ward Funds to the following:-
 - a) Hunter Animal Watch Inc - Contribution toward attendance at the 2nd Summit to End Companion Animal Overpopulation on the Gold Coast - \$100 (Mayoral funds).
 - b) Tomaree Public School - Contribution towards The Challenge for gifted and talented children - \$1,000 (East Ward funds).
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ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
201	Councillor Westbury Councillor Jordan	That the Recommendation be adopted.

BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by Councillors as deserving of public funding. The Council's policy gives Councillors a wide discretion to either grant or to refuse any requests.

The Council regularly receives requests for financial assistance from community groups and individuals. However, Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the Local Government Act. This would mean that the financial assistance would need to be included in the Management Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

Council's policy for financial assistance has been developed on the basis it is "seed" funding and that there is benefit to the broader community. Funding under Council's policy is not intended for ongoing activities.

The requests for financial assistance are shown below:-

MINUTES FOR ORDINARY MEETING – 24 JULY 2007

MAYORAL DONATIONS

Hunter Animal Watch Inc	Contribution toward attendance at the 2 nd Summit to End Companion Animal Overpopulation on the Gold Coast	\$100
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EAST WARD – Crs Westbury, Nell, Robinson & Dover

Tomaree Public School	Contribution towards The Challenge for gifted and talented children	\$1,000
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LINKS TO CORPORATE PLANS

The Council's Management Plan does not have any program or stated goal or objective for the granting of financial assistance.

FINANCIAL/RESOURCE IMPLICATIONS

Council Ward Funds are the funding source for all financial assistance.

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.

The policy has other criteria, but these have no weight as they are not essential. These criteria are:

- a) a guarantee of public acknowledgment of the Council's assistance
- b) the assistance encouraging future financial independence of the recipient
- c) the assistance acting as 'seed' funding with a multiplier effect on the local economy.

Australian Business Excellence Framework

This aligns with the following ABEF Principles:

- 3) Understanding what customers value, now and in the future, influences organisational direction, strategy and action

MINUTES FOR ORDINARY MEETING – 24 JULY 2007
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- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders.

ATTACHMENTS

Nil

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 3150-029 [+ PSC2007-1703]

REVIEW OF SPLIT ZONINGS AT TAYLORS BEACH INDUSTRIAL ESTATE

COUNCILLOR: SALLY DOVER

THAT COUNCIL:

- 1) Resolve to prepare a draft LEP to rezone those parts of allotments that have dual zonings in Taylors Beach Estate from Rural 1(A) to Industrial 4(A); and
 - 2) Subject to initial investigations by the Group Manager - Sustainable Planning supporting this draft LEP, request affected landowners to proportionately fund consultants for this purpose and to enable higher priority in the Strategic Planning Work Program.
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ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
202	Councillor Dover Councillor Baumann	THAT COUNCIL: 1) Resolve to prepare a draft LEP to rezone those parts of allotments that have dual zonings in Taylors Beach Estate in Trades Circuit and Kara Crescent from Rural 1(A) to Industrial 4(A); and 2) Subject to initial investigations by the Group Manager - Sustainable Planning supporting this draft LEP, request affected landowners to proportionately fund consultants for this purpose and to enable higher priority in the Strategic Planning Work Program.

**BACKGROUND REPORT OF: DAVID BROYD – GROUP MANAGER,
SUSTAINABLE PLANNING**

BACKGROUND

Council received an inquiry from the landowner of Lot 152 DP 1022499, 14 Trades Court, Taylors Beach requesting that Council confirm that industrial uses are permitted on the 1(a) Rural Agricultural zoned portion of the site. Council advised that SEPP 71 Coastal Protection determined that the flexible zone provisions of an environmental planning instrument (LEP 2000) that allows development within a zone to be consented to as if it were in a neighbouring zone, or a similar provision, has no effect. In this instance, statutory controls of State Policy override those of LEP 2000 and do not allow Council flexibility to resolve this matter.

The existing zone boundary line originates from the *Tomaree Peninsula Environmental Study* June 1988 prepared by Sinclair Knight & Partners Pty Ltd on 20 December 1988 which formed amongst other things, the basis for creating an industrial zone at Taylors Beach. Major factors having a bearing on possible industrial land use related to adjoining SEPP 14 wetlands, site vegetation and wildlife habitat. The Council report to expedite the rezoning of the land on 27 February 1990 stated that the 'proposed eastern boundary of the zone follows the ridge-top and is an irregular shape in order to adequately buffer nearby wetlands from industrial runoff'. (Ref: File No. 90/0943) From GIS data, the zone boundary line is consistent with the 4 metre AHD contour that describes the natural ground level at the time of the zoning.

Council grants that natural landforms and vegetation may have been altered since the inception of Taylors Beach Industrial Estate. Strategic analysis of land use and transport, vegetation communities and stormwater impacts on surrounding wetlands will inform a review of the current split zone boundary. This review may be instigated through a rezoning request by affected landowners of Taylors Beach Industrial Estate.

Councillor Dingle left the meeting at 6.52pm during Item 1.
Councillor Dingle returned to the meeting at 6.54pm during Item 1.

CONFIDENTIAL ITEMS



In accordance with Section 10A, of the Local Government Act 1993, Council can close part of a meeting to the public to consider matters involving personnel, personal ratepayer hardship, commercial information, nature and location of a place or item of Aboriginal significance on community land, matters affecting the security of council, councillors, staff or council property and matters that could be prejudice to the maintenance of law.

Further information on any item that is listed for consideration as a confidential item can be sought by contacting Council.

ORDINARY MEETING OF COUNCIL – 24 July 2007

RESOLUTION:		
203	Councillor Baumann Councillor Robinson	That Council move into Confidential Session.

There being no further business the Meeting closed at 7.12pm.

I certify that pages 1-111 of the Ordinary Minutes of Council dated 24 July 2007 were confirmed by Council at its meeting held on 28 August 2007.

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Cr Ron Swan
MAYOR