

Minutes 24th June 2008



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 24th June 2008, commencing at 5.40pm.

PRESENT:

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

136	Councillor Swan Councillor Robinson	<p>Resolved that the minutes of the Ordinary meeting of Port Stephens Council held on 27th May, 10th June & 19th June 2008 be confirmed.</p> <p><i>(Note: The rescission motion that was received on 27 May (after the meeting), whilst should not have been included in the minutes the June agenda needed to reflect this item and it did not.)</i></p>
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INDEX

SUBJECT	PAGE NO
MAYORAL MINUTES	5
1. FAME COVE DEVELOPMENT.....	6
MOTIONS TO CLOSE.....	8
1. MOTION TO CLOSE MEETING TO THE PUBLIC	9
OPERATIONS COMMITTEE RECOMMENDATIONS	10
1. DEVELOPMENT APPLICATION FOR USE OF EXISTING HOTEL AS A PLACE OF PUBLIC ENTERTAINMENT AT NO. 37 FERODALE ROAD, MEDOWIE (BULL & BUSH HOTEL).....	11
2. REVISED DRAFT NELSON BAY 2030 STRATEGY – BACKGROUND REPORT	21
3. RE-ESTABLISHMENT OF ALCOHOL- FREE ZONES (AFZ) IN ANNA BAY, NELSON BAY AND RAYMOND TERRACE	22
4. PROPOSED AMENDMENTS TO CONSTITUTION SCHEDULE OF PORT STEPHENS ACCESS COMMITTEE.....	25
5. LOCAL TRAFFIC COMMITTEE MEETING – 6 TH MAY, 2008	30
6. ECONOMIC DEVELOPMENT ADVISORY PANEL	65
7. 355(B) COMMITTEE CONSTITUTION AMENDMENT.....	72
8. FEES AND CHARGES 2008-2009	76
9. INFORMATION PAPERS	79
10. ACCESS COMMITTEE MINUTES – 1 APRIL 2008	80
11. ACCESS COMMITTEE MINUTES – 6 TH MAY 2008	84
12. ABORIGINAL STRATEGIC COMMITTEE MEETING WITH WORIMI LOCAL ABORIGINAL LAND COUNCIL.....	89
13. UNDETERMINED DEVELOPMENT APPLICATIONS	94
14. CASH AND INVESTMENTS HELD AT 30 APRIL 2008	115
15. FIVE STAR FAMILY DAY CARE - PORT STEPHENS: ACCREDITED BY NATIONAL CHILDCARE ACCREDITATION COUNCIL AS HIGH QUALITY	121
16. AUSTRALIAN FAMILY MATTERS	124
17. ACCESS TO INFORMATION – SECTION 12 LOCAL GOVERNMENT ACT 1993	125
18. MINUTES OF TOURISM JOINT VENTURE COMMITTEE MEETING 20 MAY 2008	128
19. PETITION – TILLIGERRY PLAZA	131
20. PETITION – TILLIGERRY PLAZA	132
STRATEGIC COMMITTEE RECOMMENDATIONS	133
1. INFORMATION PAPERS	134
2. SUBMISSION – INQUIRY INTO CHILDREN & YOUNG PEOPLE 9-14 YEARS IN NSW..	135

ORDINARY MEETING MINUTES – 24 JUNE 2008

3. QUARTERLY UPDATE ON THE HUNTER CENTRAL COAST REGIONAL ENVIRONMENTAL MANAGEMENT STRATEGY 141
4. SUSTAINABLE ENERGY PLAN 153
5. PORT STEPHENS SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN 2007 APPLICATION OF CPI INCREASE 158

GENERAL MANAGER'S REPORT 161

1. WILLIAMTOWN DEFENCE AND AIRPORT RELATED EMPLOYMENT ZONE LAND USE DEVELOPMENT STRATEGY..... 162
2. REQUEST FOR FINANCIAL ASSISTANCE..... 189

NOTICES OF MOTION 192

1. NELSON BAY TOWN MANAGEMENT 193

CONFIDENTIAL RESCISSION MOTIONS 195

1. RAYMOND TERRACE SPORTS FIELD

COMMITTEE RECOMMENDATIONS

The Committees met on the 3rd & 10th June, 2008 and make the following recommendations to Council.

COMMITTEE	PRESENT	TIME
Strategic Committee	Councillors Swan, Tucker, Francis, Jordan, Dingle, Westbury, Dover, Hodges & Brown, and Messrs Gesling, Triglar & Broyd & Ms Shine Apology: Crs Robinson & Nell & John Flannery	3 rd June, 2008 Commenced: 6.15pm Concluded: 7.30pm
Operations Committee	Councillors Swan, Nell, Tucker, Francis, Robinson, Jordan, Dingle, Westbury, Dover, Hodges & Brown, and Messrs Gesling, Flannery, Triglar & Broyd & Ms Shine Apology: Nil	10 June, 2008 Commenced 6.15pm Concluded 8.25pm

MAYORAL MINUTES

MAYORAL MINUTE

ITEM NO. 1

FILE NO:PSC2005-4446

FAME COVE DEVELOPMENT

THAT:

Port Stephens Council request the Premiers Department to call a meeting of all relevant Local Government and State Government agencies including the Member for Port Stephens, the Minister for Planning and the Member for Great Lakes to resolve the planning and environmental issues relating to the illegal and proposed development of the Fame Cove precinct.

137	Councillor Swan Councillor Nell	There being no objections it was resolved that Port Stephens Council request the Premiers Department to call a meeting of all relevant Local Government and State Government agencies including the Member for Port Stephens, the Minister for Planning and the Member for Great Lakes to resolve the planning and environmental issues relating to the illegal and proposed development of the Fame Cove precinct.
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BACKGROUND

The purpose of this report is to present a recommendation to Council from the Port Stephens Catchment Management Committee

At its meeting of 22nd February 2007 Council resolved to write to the then Minister for Climate Change Environment & Water and the Minister of Planning requesting that “they take immediate action to prevent destruction of what was previously unique pristine environment at Fame Cove also to take immediate measures to control soil erosion”.

On the 19th of December 2006 Council resolved to:

- “1) Call on Great Lakes council as a matter of urgency to
 - i) Place a stop work order on Fame Cove Land, and
 - ii) Rezone Fame Cove land to environmental protection
- 2) Council request the State Government to review the activity and ask Ministers for Planning and Environment and Natural Resources to take appropriate action.
- 3) Notify the Minister responsible for the Marine Park Authority and the Marine Parks Authority.”

The issues at that time was that the Fame Cove land had been recently been purchased and the new owner had erected temporary fences and cleared areas of land alongside these fences. The land had also been stocked with a large herd of goats and land management practices were considered to potentially not be appropriate considering the environment sensitivities of the land. This land clearing and activities was considered by Council to have decreased the visual quality from the Port Stephens water body and to also have potentially adverse effects on water quality.

In a reply the 23rd January 2007 the then minister for Environment, the Honourable Bob Debus, responded to advise that:

- 1) The Department of Environment and Conservation (DEC) conducted inspections and were accompanied by a representative of the Department of Natural Resources (DNR)
- 2) DEC found no evidence that activities conducted on the site were in breach of the National Parks and Wildlife Act 1974 or the Threatened Species Conservation Act 1955.
- 3) However DEC has written to the land owners explaining their obligations under this legislation and emphasised the important of protecting threatened species.
- 4) It is understood that the site is under investigation by the Department of Natural Resources for potential breach of the Native Vegetation Act 2003 and the Rivers and Foreshores Improvement Act 1948. These investigations are continuing.
- 5) The Minister also noted that under the Native Vegetation Act 2003 there are a number of permitted routine Agricultural Management Activities on private properties. These include clearing for rural infrastructure, such as fence lines and farm roads, and the grazing of domestic stock, such as goats, where there is a history of grazing prior to 1 December 2005.
- 6) Sediment and erosion control associated with current development consent for construction work on the site is the responsibility of Great Lakes Shire Council. The Minister advised that he has been told by DEC that Council is monitoring these activities.

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: PSC2006-1939

MOTION TO CLOSE MEETING TO THE PUBLIC

REPORT OF: JUNE SHINE – EXECUTIVE MANAGER CORPORATE MANAGEMENT

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(d) (i & ii) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Rescission Motion, Item 1 on the Ordinary meeting agenda namely ***Raymond Terrace Sports Field Redevelopment Amendment to Heads of Agreement***.
 - 2) That the reasons for closing the meeting to the public to consider this item be that the report and discussion will include:
 - i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - 3) That on balance it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as it may prejudice Council's commercial position and Council should have the same protection for its confidential commercial activities as that applying to other persons.
 - 4) That the minutes of the closed part of the meeting are to be made public as soon as possible after the meeting and the report is to remain confidential.
-

ORDINARY MEETING OF COUNCIL – 24 June 2008

NOTE: THIS MATTER WAS WITHDRAWN BEFORE THE MATTER WAS DEALT WITH.

OPERATIONS COMMITTEE RECOMMENDATIONS

ITEM NO. 1

FILE NO: 16-2008-57-1

DEVELOPMENT APPLICATION FOR USE OF EXISTING HOTEL AS A PLACE OF PUBLIC ENTERTAINMENT AT NO. 37 FERODALE ROAD, MEDOWIE (BULL & BUSH HOTEL)

REPORT OF: SCOTT ANSON - MANAGER DEVELOPMENT AND BUILDING

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve Development Application 16-2008-57-1 subject to the conditions contained in Attachment 4.
-

OPERATIONS COMMITTEE MEETING – 10 June 2008

RECOMMENDATION:

- 1) That Council approve DA 16-2008-57-1 subject to the conditions contained in Attachment 4 with the following change...

And the hours of opening and closing shall not vary from those currently applying, namely;

Monday and Tuesday – 10am to 10pm

Wednesday to Saturday – 10am to 12midnight

Sunday – 10am to 9pm.

ORDINARY MEETING OF COUNCIL – 24 June 2008

RESOLUTION:

138	Councillor Dingle Councillor Jordan	It was resolved that the recommendation be adopted.
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MATTER ARISING:

That Council write to the Liquor Licensing Sergeant to align the opening hours with the conditions of the DA.

ORDINARY MEETING OF COUNCIL – 24 June 2008

RESOLUTION:

139	Councillor Dingle Councillor Jordan	It was resolved that the Recommendation contained in the Matter Arising be adopted.
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BACKGROUND

The purpose of this report is to present a development application to Council for determination.

This application seeks consent for use of the existing hotel as a Place of Public Entertainment as well as extending the hotel's hours of operation. An area approximately 17.5m x 16.0m around the existing bar will be utilised for public entertainment. The entertainment will generally be in the form of bands which will perform on Friday and Saturday nights, although the public entertainment may also be provided on other nights of the week. Other entertainment will be in the form of Karaoke nights and children will be permitted to participate as well as adults. No more than 250 persons will be permitted to enter the entertainment area.

The application also seeks to extend the closing time of the hotel to 12.00 midnight on every night. The current approved closing times are:

- Monday & Tuesday 10.00pm
- Wednesday to Saturday 12.00 midnight
- Sunday 9.00pm

Background of current application

By way of explanation as to the reasons for the subject application, the following comment is provided.

Up until 26 October 2007 proposals for public entertainment within hotels, registered clubs and the like was regulated under the Liquor Act 1982. The Liquor Administration Board considered the application and in due course issued approvals. Local government had no role in this process.

On 26 October 2007 State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 came into force. This Policy brought the obtaining of approval for a place of public entertainment under the provisions of the Environmental Planning & Assessment Act 1979, and requires applicants to lodge with their local consent authority a Development Application.

From an assessment point of view applications were previously considered administratively under the Liquor Act, whereas now applications are considered under the heads of consideration contained in Section 79C of the Environmental Planning and Assessment Act 1979.

History of applications for Bull & Bush Hotel

In respect of the previous approvals for the Bull and Bush hotel, although there have been a number of minor applications for matters such as garages and carports, following is the principal recent application:

Substantial alterations and additions to the hotel – approved 12 August 2003. The submitted documentation included detailing of the sought hours of operation as being 10.00am to 10.00pm Mondays and Tuesdays, 10.00am to 12.00midnight Wednesdays to Saturdays inclusive and 10.00am to 9.00pm on Sundays. These hours of operation were approved.

Assessment comments

The subject site is zoned 3(a) – Business General under the Port Stephens Local Environmental Plan 2000 (LEP), and the proposed development is permissible, subject to

consent, within this zone. The proposal is considered to be consistent with the zone objectives.

Detailed below is a summary of assessment of the application pursuant to the heads of consideration detailed in Section 79C of the EP&A Act.

- a) *The provisions of any environmental planning instrument and any development control plan.*

It has been taken into consideration that the proposal is permissible in accordance with the LEP and is consistent with the relevant provisions of Port Stephens Development Control Plan 2007 (DCP).

- b) *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.*

It is considered that the proposed development is unlikely to have any adverse impacts on the natural or built environments, subject to development conditions. In respect of social and economic impacts, subject to a trial period for the development and the continuation of the current prohibition on the taking of alcohol from the premises after the bottle shop has closed, the proposal is considered to be reasonable.

- c) *The suitability of the site for the development.*

It is considered that the site is suitable for the proposed development, particularly as the “Bull & Bush Hotel” has existed on the site for many years.

- d) *Any submissions made in accordance with this Act or the regulations.*

Council has not received any submissions during the notification of the proposed development.

- e) *Public interest.*

It is not considered that the proposed development is contrary to the public interest, subject to applying conditions consistent with the recommendations of Council’s Community Projects Officer – Community Safety and NSW Police.

LINKS TO CORPORATE PLANS

The links to the 2007-2011 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

BUSINESS EXCELLENCE – *Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement*

leading to long-term sustainability across operational and governance areas in a Business Excellence Journey

FINANCIAL/RESOURCE IMPLICATIONS

Should Council reject the recommendation and refuse the development application, the applicant may appeal Council's determination to the Land and Environment Court. Defending Council's determination would have financial implications for Council.

LEGAL AND POLICY IMPLICATIONS

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 2) **CUSTOMERS** – *Understand what markets and customers value, now and into the future, and use this to drive organisational design, strategy, products and services.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*
- 8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

The subject site is occupied by licensed premises known as "Bull and Bush Hotel". The hotel provides recreational and social interaction facilities for the local and wider community. The proposed use of part of the hotel as a place of public entertainment is likely to widen the entertainment facilities available for hotel patrons. This would provide the opportunity for increased social interaction between members of the community as well as providing a pleasing recreational atmosphere for hotel patrons.

Council's Community Projects Officer – Community Safety comments as follows:

The proposal has been considered in consultation with the Licensing Sergeant and it is in the Licensing Sergeant's opinion that, as it does not go outside the guidelines of the Liquor Act (ie. midnight closing time) it is not thought to be of major concern. The main nights, identified as potential problem nights are Friday and Saturday nights (noting existing operating hours permit midnight trading) with Monday, Tuesday and Sunday nights not usually considered a problem. Further, it is noted that Medowie has been good in more recent times and the main determinant at present in Medowie seems to relate to a certain group of individuals and where this group decides to go on Friday and Saturday nights.

The Licensing Sergeant also noted that in Maitland, there would seem to be a similar situation with hotels applying for POPE licences. One establishment proposed an increase in operating hours to 3.00am which received neighbour objections regarding possible adverse noise and behaviour. Maitland Council's decision was to support the application

with a three (3) month trial period, which proved to be acceptable and then approved the extension of hours. Port Stephens Council could also consider a trial period, possibly a twelve (12) month trial period as part of any approval.

The comments as provided above by Council's Community Projects Officer – Community Safety in conjunction with the Licensing Sergeant have been considered in the assessment of this application. As is identified in the detailed assessment report which follows, it is proposed that if development consent is granted to the application, the proposal be limited to a 12 month trial period and that the existing closing times not be altered. This provides Council and the community with an opportunity to review any adverse impacts such as anti-social activities/behaviour from the place of public entertainment facility during this trial period. Further, it is considered at present that the proposal, subject to conditions of consent is unlikely to result in any adverse social implications.

ECONOMIC IMPLICATIONS

The proposed development will have economic benefits for the licensee of the Bull and Bush Hotel. Other than this aspect, no other economic implications flowing from the proposed development have been identified.

ENVIRONMENTAL IMPLICATIONS

No adverse environmental implications have been identified.

CONSULTATION

The application was exhibited in accordance with Council policy and no submissions were received.

OPTIONS

- 1) Adopt the recommendation.
- 2) Reject or amend the Recommendations.
- 3) Reject the recommendation and refuse the application. In this instance reasons of refusal will need to be drafted by Councillors, including supporting justification as a basis for defence in any potential legal proceedings.

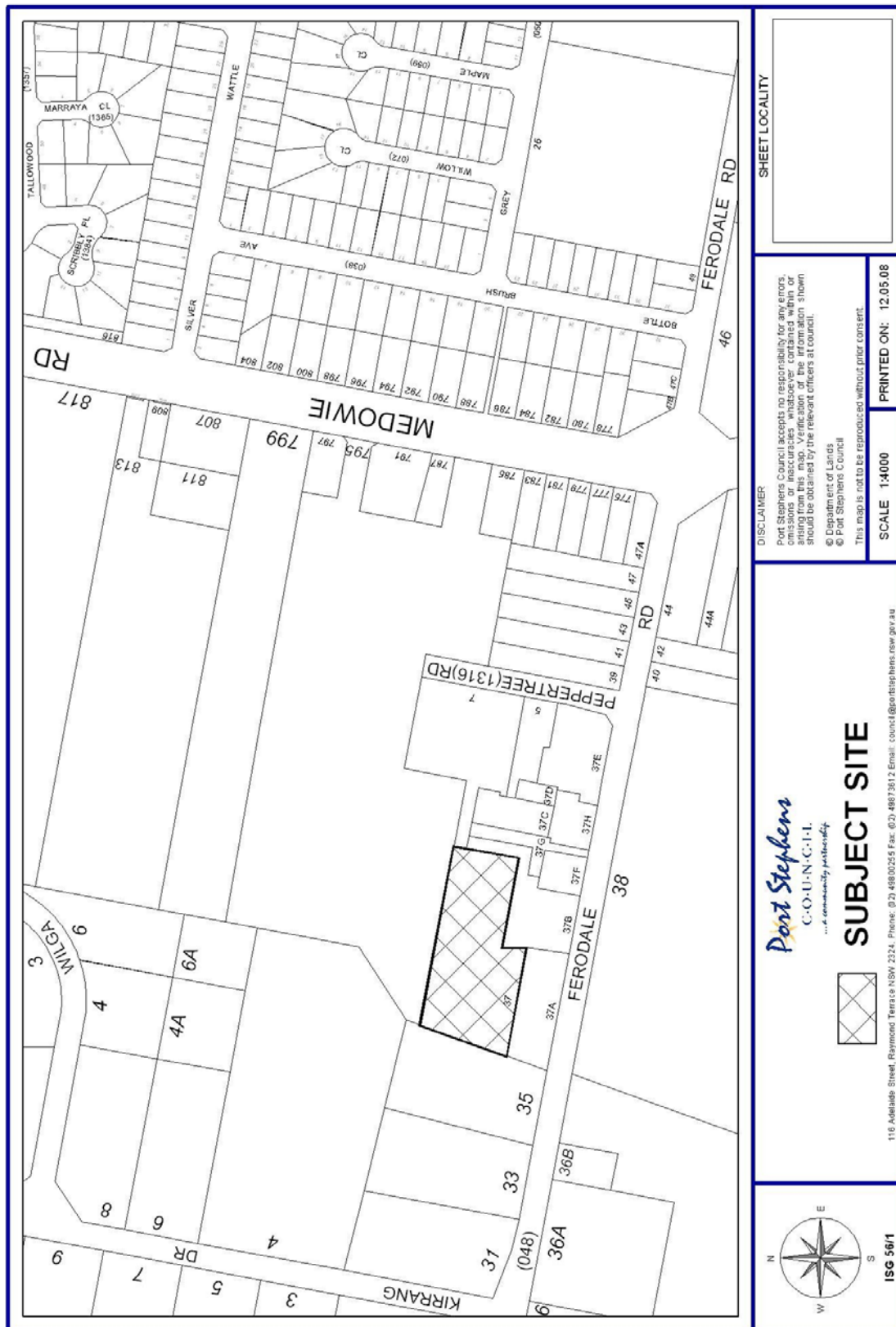
ATTACHMENTS

- 1) Locality Plan
- 2) Assessment
- 3) Conditions

COUNCILLORS ROOM

- 1) Development Plans
- 2) Statement of Environmental Effects
- 3) Security Management Plan

ATTACHMENT 1 LOCALITY PLAN



**ATTACHMENT 2
ASSESSMENT**

The application has been assessed pursuant to Section 79C of the Environmental Planning and Assessment Act 1979 and the following is a summary of those matters considered relevant in this instance.

THE PROPOSAL

This application seeks consent for use of the existing hotel as a Place of Public Entertainment as well as extending the hotel's hours of operation. An area approximately 17.5m x 16.0m around the existing bar will be utilised for public entertainment. The entertainment will generally be in the form of bands which will perform on Friday and Saturday nights, although the public entertainment may also be provided on other nights of the week. Other entertainment will be in the form of Karaoke nights and children will be permitted to participate as well as adults. No more than 250 persons will be permitted to enter the entertainment area.

The application also seeks to extend the closing time of the hotel to 12.00 midnight on every night from the current approved closing times of:

- Monday & Tuesday 10.00pm
- Wednesday to Saturday 12.00 midnight
- Sunday 9.00pm

THE APPLICATION

Owner	Tunwish Pty Ltd
Applicant	Eileen Clark
Detail Submitted	15 January 2008

THE LAND

Property Description	Lot 1, DP 703734
Address	37 Ferodale Road, Medowie
Area	9,674m ²
Dimensions	The subject site has an irregular shape with general dimensions of 73.3m x 146.67m.
Characteristics	The subject site is located on the western periphery of the township of Medowie and within the town's commercial precinct. Land in the immediate vicinity of the subject site is used for a variety of non-residential uses, including retail, commercial, rural and open space. The site contains a hotel and motel that was erected circa 1984 and the site is devoid of landscaping except for tree plantings along the western and northern boundaries.

THE ASSESSMENT**1. Planning Provisions**

LEP 2000 – Zoning	3(a) – Business General “A” zone
Relevant Clauses	21
Development Control Plan	Port Stephens DCP 2007
State Environmental Planning Policies	Nil

Discussion

Local Environmental Plan 2000 (LEP)

Clause 21 – Business Zones

The subject site is in the 3(a) Business General “A” Zone, which permits a range of commercial and retail activities as well as tourist developments and industries compatible with a commercial area. The proposal has been considered against the relevant objectives of the 3(a) zone and no areas of non-compliance have been identified.

Assessment comments are provided below:

Objectives of the 3(a) Business General Zone include:

To provide for a range of commercial and retail activities, and uses associated with, ancillary to, or supportive of, retail and service facilities, including tourist development and industries compatible with a commercial area.

The existing hotel, with attached motel, is located within an established commercial area and has operated from this site since approximately 1984.

The proposal is classified as “hotel” under the LEP is permissible within the 3(a) zone and is considered to be consistent with the zone objectives. There are no specific planning provisions in the LEP relevant to hotels.

Development Control Plan 2007 (DCP)

There are no specific provisions of the DCP relating to licensed premises.

2. Likely Impact of the Development

The likely impacts of the proposed development are mostly social based. The existing hotel will continue its operation, however, there is likely to be increased patronage on the nights when entertainment is provided. The application includes the following operational and social impact additional information in support of the application:

“The maximum number of persons to be admitted to the entertainment area would not exceed 250. This would be calculated with a hand held counter at the entrance to the area. The number of people in the area would be monitored by senior staff or security hourly, or as needed so as not to exceed the limit. If the limit is reached the staff would only admit on the “one out one in basis.

On a normal night the bar is manned by two staff. On an entertainment night, there is usually six staff as well as two security guards. Entry to the hotel is from Ferodale Road entrance, however access is provided at the rear and side of the building.

The entertainment area is marked in red and is separated from the pool table and tab areas by a solid wall. The area is air-conditioned and the furniture comprises of mostly bistro style tables and chairs and a few lounge style sofas and tubs. The furniture is moved to allow room to dance. The hotel does not have a specific dance floor and patrons are happy to dance on the carpet.

The area in front of the public bar is where a band would perform. As bands are the kind of entertainment likely to attract 18 to 25s, the area can be closely monitored by the bar staff as it is well lit, decreasing the chance of unauthorised persons entering unnoticed.

During Karaoke Family nights, children participate as well as adults. A Karaoke family night would finish at 11.30pm and the bar would close at the same time. These nights have been very popular with families in the past and are usually held on a Saturday night.

Our House Policy does not allow patrons to take liquor away from the premises after we have closed our bottle shop. This is to reduce the anti-social behaviour of persons going home on foot after the hotel closes. An alcohol free zone has been introduced in Medowie to stop consumption in the streets.

We have our own Courtesy Bus which runs on Thursday, Friday nights and on Entertainment nights. Our patrons are encouraged to use the bus.

A security firm is also regularly employed by the Hotel. A copy of the Security Management plan is attached. The Hotel has 16 cameras that are recording 24 hours.

The hours of entertainment are usually from 8pm to 12am. Sunday entertainment is conducted in the afternoon. The Hotel is not adjacent to homes and noise from inside the Hotel is not likely to affect the residents, as it is approximately 200 metres away. As the hotel is air conditioned the doors are kept closed to the outdoor smokers areas.”

As previously identified, it is considered that the proposal should be supported on the basis of issuing a time limited consent (ie. in the first instance a twelve (12) month trial consent should be applied. At the end of that period it will be easier to ascertain if anti-social problems have arisen from the public entertainment facility, and if the safety and security measures proposed by the applicant have worked.

3. Suitability of the Site

The subject site is considered to be suitable for the proposed development.

4. Submissions

During the public exhibition period of the proposal, no submissions were received.

5. Public Interest

It is considered that the introduction of public entertainment into the existing Bull and Bush Hotel, subject to conditions, is not contrary to the public interest. Accordingly, the application is recommended for approval, subject to specific conditions.

**ATTACHMENT 4
CONDITIONS**

1. The development is to be carried out in accordance with the approved plans and documentation submitted with the application set out in Schedule 3, except as modified by the conditions of this development consent or as noted in red by Council on the approved plans.
2. Failure to comply with the conditions of consent constitutes a breach and on the spot fines may be issued under the Environmental Planning & Assessment Act 1979 and or the Protection of the Environment Operations Act 1997.
3. The development has been approved for one (1) year from the date of issuing this consent. A S96 application must be approved before the consent lapses, to continue the use beyond that date.
4. The closing times of the premises shall not vary from the current approved closing times, namely:
 - Monday and Tuesday 10.00 pm
 - Wednesday to Saturday 12.00 midnight
 - Sunday 9.00 pm
5. A sign in letters at least 50mm high is to be displayed in a prominent position within the entertainment area with the following text: "MAXIMUM 240 PEOPLE IN THIS AREA"
6. A copy of this consent is to be conspicuously displayed within the place of public entertainment.
7. Any alterations to the Place of Public Entertainment with respect to size, structure, fittings and arrangement of furnishings that impact on the available floor area or paths of travel to the exits for occupants are to be approved by Council and consent given prior to their implementation.
8. Patrons of the hotel shall not be permitted to take liquor away from the premises after the bottle shop has closed.
9. The development application has not been assessed against the provisions of the Building Code of Australia. A Section 96 application under the Environmental Planning & Assessment Act 1979 will be required if design amendments are necessary to comply with the provisions of the Building Code of Australia.
10. All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.
11. The proposed use of the premises and the operation of all plant and equipment shall not give rise to a sound level at any point on a residential boundary greater than 5dB above the L90 background levels in any octave band with centre frequencies from 31.5Hz to 8kHz inclusive. When the L90 background levels in the 31.5Hz and the 63 octave bands are below 55dB and 35dB respectively, the background levels in those octave bands may be assumed to be equal to 55dB and 35dB respectively or alternatively acceptable methods of measurement.
12. The use of the premises and the operation of all plant and equipment shall not give rise to any offensive noise as defined in the Protection of Environment Operations Act.

ITEM NO. 2

FILE NO: PSC2007-1204

**REVISED DRAFT NELSON BAY 2030 STRATEGY – BACKGROUND
REPORT**

**THIS ITEM WAS DEALT WITH AT THE ORDINARY MEETING OF COUNCIL 10 JUNE
2008.**

ITEM NO. 3

FILE NO: PSC2005-4161

RE-ESTABLISHMENT OF ALCOHOL- FREE ZONES (AFZ) IN ANNA BAY, NELSON BAY AND RAYMOND TERRACE

REPORT OF: TREVOR ALLEN – INTEGRATED PLANNING MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves the re-establishment of the following existing alcohol-free zones for a further 3 years, effective from 1 September 2008: -
 - Anna Bay alcohol-free zone
 - Nelson Bay Town Centre alcohol-free zone
 - Raymond Terrace Town Centre alcohol-free zone

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008

RECOMMENDATION:

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 June 2008

RESOLUTION:

140	Councillor Nell Councillor Dover	It was resolved that the recommendation be adopted.
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BACKGROUND

The purpose of this report is to: -

- i. Inform Council of the outcomes of the consultation process undertaken for the proposed re- establishment of the existing alcohol-free zones in Anna Bay, Nelson Bay and Raymond Terrace
- ii. Recommend the re- establishment of these existing alcohol-free zones for a further three years in accordance with Department of Local Government's *Ministerial Guidelines on Alcohol-Free Zones*.

At the Ordinary meeting of Council on 25 March 2008, a Notice of Motion was supported for Council to initiate consultation for the re-establishment of the Alcohol-Free Zones in Anna Bay, Raymond Terrace and Nelson Bay.

Council has subsequently embarked on a public consultation process which was conducted in April. This included forwarding the proposal to relevant stakeholders and advertising the proposal in the local press. The consultation process for the proposal complied fully with the *Department of Local Government's Ministerial Guidelines on Alcohol-Free Zones*.

Letters of support for the re-establishment of the three Alcohol-Free Zones were received from the Regional Liquor Compliance Specialist, Woolworths Limited and the Lower Hunter Police Area Command Licensing Police Sergeant.

LINKS TO CORPORATE PLANS

The links to the 2007-2011 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

FINANCIAL/RESOURCE IMPLICATIONS

The cost of altering the existing Alcohol-Free Zone signs will be covered in existing resources within the 2008/2009 budget for Council's Integrated Planning Section.

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*.

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 2) **CUSTOMERS** – *Understand what markets and customers value, now and into the future, and use this to drive organisational design, strategy, products and services.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 4) **PEOPLE** – *Develop and value people's capability and release their skills, resourcefulness and creativity to change and improve the organisation.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a culture of continual improvement, innovation and learning.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*

8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Alcohol-Free Zones are perceived to prevent anti-social and criminal behaviour and change patterns of alcohol consumption in public places. The re-establishment of the Anna Bay, Nelson Bay and Raymond Terrace Alcohol-Free Zones may help to improve public perceptions of safety in these areas and reduce perceptions of crime. The Police rely on local Alcohol-Free Zones as enforcement tools and believe they have assisted in the reduction of alcohol-related crime.

ECONOMIC IMPLICATIONS

Reductions in criminal incidents and improved perceptions of safety in the Town Centres of Raymond Terrace, Anna Bay and Nelson Bay 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 may lead to reductions in the amount of litter and broken glass found in these areas, which would improve the overall amenity and safety of the environment.

CONSULTATION

All relevant stakeholders as prescribed by the Department of Local Government guidelines have been consulted.

OPTIONS

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

ATTACHMENTS

Nil

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

ITEM NO. 4

FILE NO: A2004-0226

**PROPOSED AMENDMENTS TO CONSTITUTION SCHEDULE OF
PORT STEPHENS ACCESS COMMITTEE**

REPORT OF: TREVOR ALLEN - INTEGRATED PLANNING MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the amended Constitution Schedule for the Access Committee of Port Stephens as shown in Attachment 1 of this report.

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008

RECOMMENDATION:

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 June 2008

RESOLUTION:

141	Councillor Jordan Councillor Nell	It was resolved that the recommendation be adopted.
------------	--	--

BACKGROUND

The purpose of this report is to recommend to Council the adoption of amendments to the Constitution Schedule of Council's 355(b) Access Committee.

At the meeting of Council's Access Committee on 6 February 2008 the Committee made recommendation that the Schedule to the Committee's Constitution be amended to reflect the Committee's objective of creating a community which is not just accessible for people with disabilities, but a community which is universally accessible to all. The Committee regards the term '*universal access*' as being more inclusive as it transcends beyond people with disabilities to other key groups such as older persons and parents/caregivers with prams.

In addition to these proposed amendments, it also provides the opportunity to update the Council position title specified in the Schedule of *Disability Access Officer* which has been superseded by the new title of *Community Planner – Ageing & Disability*.

The proposed amendments to the Schedule to the Committee's Constitution are listed in attachment 1 of this report.

LINKS TO CORPORATE PLANS

The links to the 2007-2011 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial / resource implications.

LEGAL AND POLICY IMPLICATIONS

Under Section 355(b) of the Local Government Act, 1993, Council may exercise its functions itself or by delegation to another person or persons. Council must approve the constitution and any amendments to the constitution of such delegated Committees.

The Constitution of the Access Committee consists of the Standard 355(b) Committee Constitution adopted by Council 24 June 2003, Minute No 251 and a customised Schedule of the Committee's individual activities. Amendments to individual Committee Constitution Schedules do not affect the Standard 355(b) Committee Constitution, which remains in place unless amended by Council.

BUSINESS EXCELLENCE FRAMEWORK

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 2) **CUSTOMERS** – *Understand what makes markets and customers value, now and into the future, and use this to drive organisational design, strategy, products and services.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 4) **PEOPLE** – *Develop and value people's capability and release their skills, resourcefulness and creativity to change and improve the organisation.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a culture of continual improvement, innovation and learning.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*
- 8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Council establishes community committees to undertake projects, to provide a link between Council and the community and to assist in the care of parks, sporting facilities, reserves,

ORDINARY MEETING MINUTES – 24 JUNE 2008

and services. This is part of Council's commitment to community partnerships and provides opportunities for the community to be involved with the management of the facilities they use.

The Access Committee of Port Stephens role links to the goal of community spirit and participation to encourage social capital, volunteers and participation in the community to prevent a barrier free environment for community access.

ECONOMIC IMPLICATIONS

The activities and projects undertaken by committees are often those not financially possible for Council without volunteer assistance.

ENVIRONMENTAL IMPLICATIONS

The Access Committee of Port Stephens operates under direction from Council staff to ensure their activities are performed in accordance with recognised practices that may often provide long term benefits to the environment

CONSULTATION

Council's Access Committee gave unanimous support to these proposed amendments at their meeting on 6 February 2008. These proposed amendments have been incorporated into the Committee's Constitution Schedule by Council's Community Facilities Co-ordinator in consultation with Council's Community Planner – Ageing & Disability.

OPTIONS

- 1) To accept the recommendation
- 2) To reject the recommendation
- 3) To reject the recommendation calling for more information to support the report.

ATTACHMENTS

- 1) Proposed amendments to Constitution Schedule of Council's Access Committee Constitution

ATTACHMENT 1

PROPOSED AMENDMENTS TO CONSTITUTION SCHEDULE OF
PORT STEPHENS COUNCIL ACCESS COMMITTEE

The table below shows in ***bold italics*** the proposed amendments to the Schedule to the Constitution of Council's Access Committee: -

ITEM	DESCRIPTION	CURRENT DETAILS	PROPOSED AMENDMENTS
Item 3	Functions delegated by Council to committee (Objectives)	<ol style="list-style-type: none"> 1. To provide a community forum for the discussion of disability issues 2. To raise awareness of and provide advice to council on the access requirements of people with disability 3. To promote the integration of people with disability into the community 4. To contribute to the development of council policies on access and monitor their implementation 5. To report findings to council of access surveys in the community 6. To review and advise on access provisions in development applications for sites with public access 	<ol style="list-style-type: none"> 1. <i>To provide a community forum for the discussion of universal access issues</i> (i.e.; access for people with disabilities, aged, parents with prams, general community etc). 2. <i>To raise awareness of and provide advice to council and the community on universal access issues.</i> 3. <i>To promote the integration of the entire community through universal access.</i> 4. To contribute to the development of council policies on access and monitor their implementation 5. To report findings to council of access surveys in the community 6. To review and advise on access provisions in development applications for sites with public access
Item 9	Council employees	<ul style="list-style-type: none"> • Disability Access Officer • Manager, Sport and Recreation • Development and Building Manager • Building and Assessment Coordinator • Parks Coordinator • Civil Assets Engineer 	<ul style="list-style-type: none"> • <i>Community Planner-Ageing & Disability</i> • Manager, Sport and Recreation • Development and Building Manager • Building and Assessment Coordinator • Parks Coordinator • Civil Assets Engineer

ITEM NO. 5**FILE NO: A2004-0511****LOCAL TRAFFIC COMMITTEE MEETING – 6TH MAY, 2008****AUTHOR: TREVOR ALLEN - MANAGER, INTEGRATED PLANNING****RECOMMENDATION IS THAT COUNCIL:**

Adopt the recommendations contained in the minutes of the local Traffic Committee meeting held on 6th May, 2008.

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008**RECOMMENDATION:**

That the recommendation be adopted with the following item referred back to the Local Traffic Committee for consideration – Item C4.

ORDINARY MEETING OF COUNCIL – 24 June 2008**RESOLUTION:**

141	Councillor Dover Councillor Westbury	It was resolved that the recommendation be adopted with the following item referred back to the Local Traffic Committee for consideration – Item C4 - with the added recommendation that this be a (1) one hour parking in Bourke Street, Raymond Terrace.
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MATTER ARISING:**RESOLUTION:**

142	Councillor Tucker Councillor Jordan	It was resolved that Council arrange for the installation of a Giveway sign at the corner of Fairlands Road and Hartford St, Mallabulla.
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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.

LINKS TO CORPORATE PLANS

The items referred to the local Traffic Committee, and the subsequent recommendations are linked to the current Council Plan 2007 - 2011. In Parts 5 and 7 of the Plan, the Local Traffic Committee contributes to the following directions and goals:

- 1) Provide programs and planning instruments that enhance the safety of individuals and the community whilst preserving social amenity and discouraging social isolation.
- 2) Providing good community planning and the development of quality infrastructure.

FINANCIAL/RESOURCE IMPLICATIONS

Council has an annual budget of \$41 000 (\$25 000 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 a budget of \$ 25 000 (Safety Around Schools Program).

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 at the meeting of 6th May, 2008.

ITEMS OF INTEREST

Council may take advantage of the knowledge and experience of the Local Traffic Committee members to help them resolve or clarify an issue. When wishing to utilise the expertise of the Local Traffic Committee members in this manner, these items will be included on the agenda under Items of Interest. Items of Interest will be dealt with following the completion of formal Local Traffic Committee items.

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, Integrated Planning Manager and Road Safety Officer. During this period comments are received and taken into consideration during discussions at the Traffic Committee meeting.

No additional consultation took place as a part of the meeting of 6th May, 2008.

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 6th May, 2008 are contained in ATTACHMENT 1.

TABLED DOCUMENTS

- 1) Nil

ATTACHMENT 1

PORT STEPHENS LOCAL TRAFFIC COMMITTEE

**INDEX OF LISTED MATTERS
MINUTES OF THE MEETING HELD ON
TUESDAY 6TH MAY, 2008**

- A. ADOPTION OF THE MINUTES OF APRIL, 2008**
- B. BUSINESS ARISING FROM PREVIOUS MEETING**
- C. LISTED MATTERS**
 - C.1. OLD PUNT ROAD, TOMAGO – REQUEST FOR CENTRE LINE MARKING**
 - C.2. IRRAWANG STREET, RAYMOND TERRACE – TRAFFIC CALMING**
 - C.3. BOURKE STREET, RAYMOND TERRACE – 1 HOUR PARKING**
 - C.4. TRUSCOTT STREET, RAYMOND TERRACE – VISIBILITY ISSUES**
 - C.5. BUTTERWICK ROAD, WOODVILLE – SAFETY AT INTERSECTION OF GLENURIE CLOSE**
 - C.6. DUNS CREEK ROAD, DUNS CREEK – ROAD SAFETY HAZARDS**
 - C.7. ITALIA ROAD, BALICKERA – CONCEALED DRIVEWAY SIGNAGE**
 - C.8. LEMON TREE PASSAGE ROAD, LEMON TREE PASSAGE – TRAFFIC CALMING**
 - C.9. PORT STEPHENS DRIVE, SALAMANDER – TRAFFIC CALMING**
 - C.10. SOLDIERS POINT ROAD, SOLDIERS POINT – TRAFFIC CALMING**
 - C.11. GOVERNMENT ROAD, SHOAL BAY – PEDESTRIAN ISSUES**
 - C.12. KINGSLEY DRIVE, BOAT HARBOUR – VISIBILITY ISSUES**
 - C.13. MORNA POINT ROAD, ANNA BAY – STOP SIGN AT GAN GAN ROAD**
 - C.14. ESSINGTON WAY, ANNA BAY – TRAFFIC CALMING**
- D. GENERAL BUSINESS**
- E. ITEMS OF INTEREST**
 - E.1. STOCKTON STREET, NELSON BAY – APPLICATION FOR TEMP. ROAD CLOSURE (INFORMATION ITEM)**
 - E.2. FINGAL BAY TO NELSON BAY WALK & RUN (INFORMATION ITEM)**

**LOCAL TRAFFIC COMMITTEE MEETING
HELD ON TUESDAY 6TH MAY, 2008
AT 9:30AM**

Present: PSC Traffic & Road Safety Officer, Roads & Traffic Authority Representative, Cr Hodges.

Apologies: Port Stephens Coaches Representative, State Member for Maitland, NSW Police Representative, PSC Road Safety Officer

A. ADOPTION OF MINUTES OF MEETING APRIL

The minutes of the previous Local Traffic Committee Meeting dated 1st April are yet to be adopted.

B. BUSINESS ARISING FROM PREVIOUS MEETING

C. LISTED MATTERS

C.1 OLD PUNT ROAD, TOMAGO – REQUEST FOR CENTRE LINE MARKING

A representative of Hunter Galvanising has requested that Old Punt Road be line marked.

Since the No Right Turn has been applied to Tomago Road at the Pacific Highway, there is an increase in truck movements on Old Punt Road, and they feel that centreline marking would assist trucks to keep to the left.

REQUESTED BY: Hunter Galvanising

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT

- Marking & alignment at Kennington Way not acceptable
- Attention to be taken to realignment from new to existing transition

CRM 101049

RECOMMENDATION

- Re-mark and re-align double centre line marking on Old Punt Road from Tomago Road to Tomago Aluminium north entrance

FUNDING SOURCE Traffic Facilities Budget

[illegible]

C.2 IRRAWANG STREET, RAYMOND TERRACE – TRAFFIC CALMING

A resident of Irrawang Street has requested traffic calming measures be considered for Irrawang, Warringhi and Coonanbarra Streets.

A lot of traffic seems to take these routes to avoid traffic lights on Adelaide Street. These cars appear to travel at high speed and the resident has recently had a vehicle collide into her front fence.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT

- 3 recent accidents with similar factors (unreported)
- 1 Tow-away nil injury (reported)

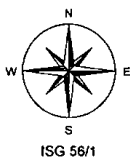
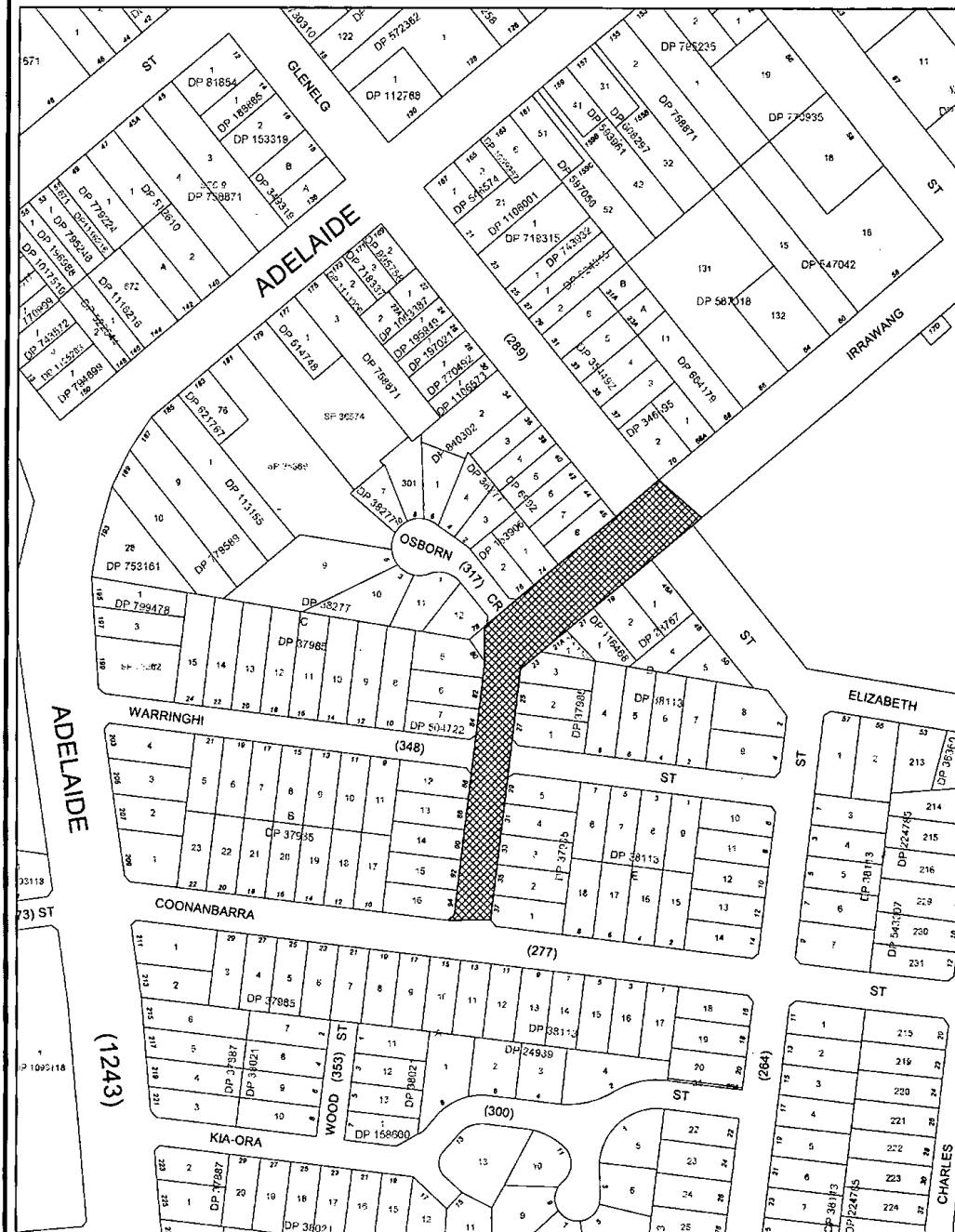
CRM 101474

RECOMMENDATION

- Install centre and edge line marking on Irrawang Street
- Install city studs through centre of curve on Irrawang Street
- Install lane makers on inside edge prior to curve on Irrawang Street
- Install curve warning and intersection warning signs in both directions on Irrawang Street

FUNDING SOURCE Traffic Facilities Budget

Item C.2 Irrawang Street, Raymond Terrace



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C.3 TRUSCOTT STREET, RAYMOND TERRACE – VISIBILITY ISSUES

A resident of Truscott Street has requested Traffic Committee investigate a solution to visibility issues on a corner in Truscott Street.

Cars often park on both sides of the road causing poor visibility at the bend. The resident has witnessed many near accidents at this location.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT Nil reported accident history
Offset centre line to inside of the curve

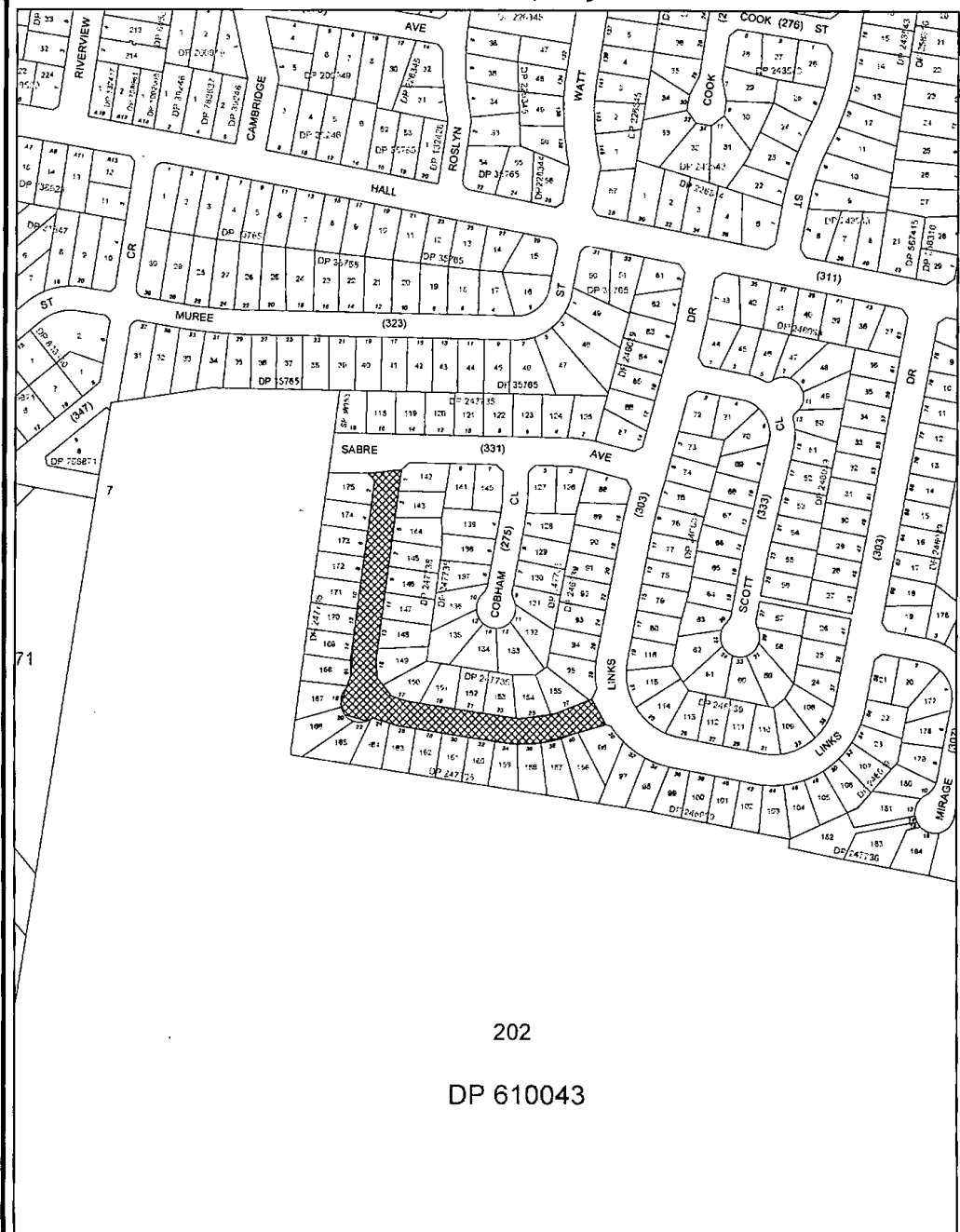
CRM 101475

RECOMMENDATION

- Install double centre line on Truscott Street
- Install city studs on curve in Truscott Street
- Remove 2 trees on nature strip outside house number 17 to improve visibility through curve

FUNDING SOURCE Traffic Facilities Budget

Item c3 Truscott Street, Raymond Terrace



202

DP 610043



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C.4 BOURKE STREET, RAYMOND TERRACE – 1 HOUR PARKING

Councillor Hodges has requested the alteration to the parking in Bourke Street from all day parking to 1 hour parking restrictions.

Once the new building on the corner of King and William Streets is complete and housing the Department of Defence there will be an increased demand for all day parking in the CBD.

REQUESTED BY: Councillor Hodges

CONSULTATION: Insite Traffic Engineering Consultant

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	No
ADDITIONAL	ATTACHMENT	No

COMMENT

- No changes to parking deemed necessary until parking is monitored from Defence & ALDI
- Parking needs to be consistent in adjoining streets
- NRMA Office use 4 spaces in Bourke Street for staff parking

It should be noted that Councillor Hodges at the meeting disagreed with the Committee Recommendation and would like the parking changed to 1 hour.

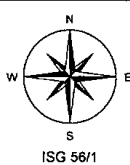
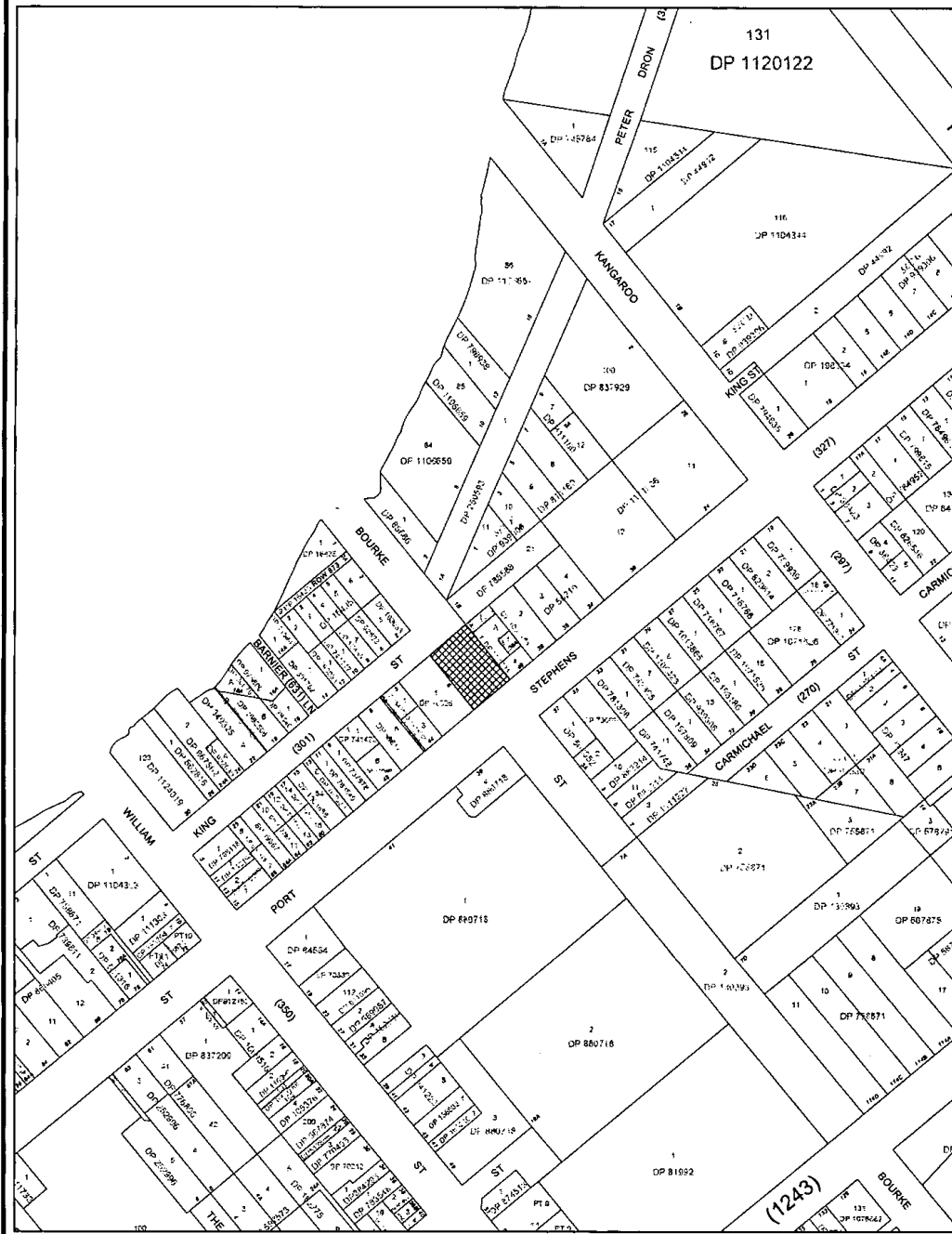
CRM 101476

RECOMMENDATION

- | |
|---|
| <ul style="list-style-type: none">• No further action be taken to alter the parking in Bourke Street. |
|---|

FUNDING SOURCE N/A

Item C4 Bourke Street, Raymond Terrace



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C.5 BUTTERWICK ROAD, WOODVILLE – SAFETY AT INTERSECTION OF GLENURIE CLOSE

The Member for Maitland has requested Traffic Committee investigate safety solutions at the intersection of Glenurie Close and Butterwick Road, Woodville.

Gravel trucks are reported to speed through Butterwick Road and make exiting from Glenurie Close unsafe.

REQUESTED BY: Frank Terenzini MP

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT

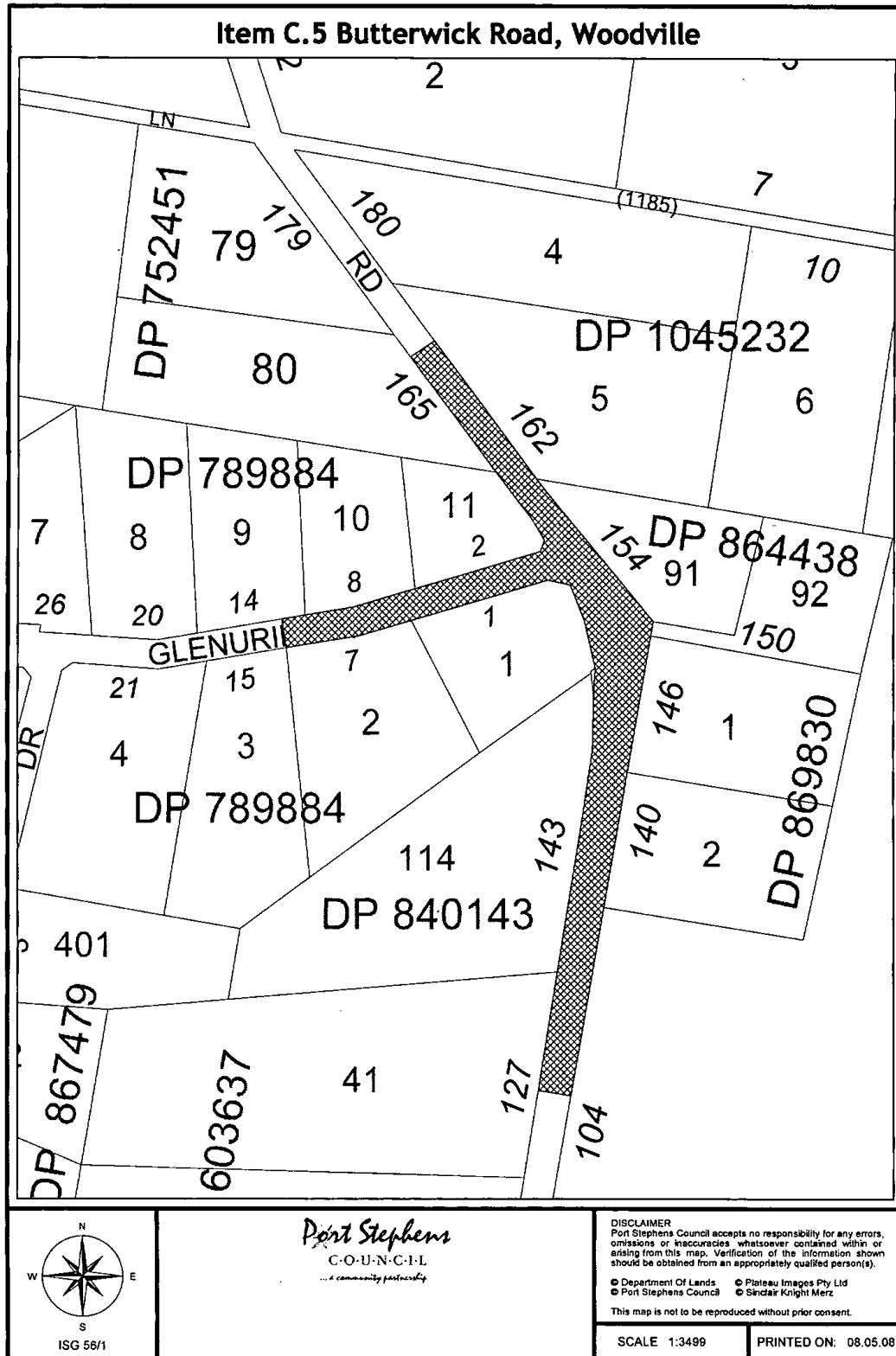
- Current visibility to the right from Glenurie Close does not meet Australian Standards for 90 km/hr road
- 1 Injury accident North of Intersection
- Roads Act allows Council to request removal of trees from private property if it impacts on the safety of traffic

CRM 101477

RECOMMENDATION

- Request removal of 4 trees within the property boundary at 1 Glenurie Close

FUNDING SOURCE Traffic Facilities Budget



C.6 DUNS CREEK ROAD, DUNS CREEK – ROAD SAFETY HAZARDS

Duns Creek Rural Fire Service have requested Traffic Committee investigate safety hazards on Duns Creek Road.

Many single vehicle accidents occur caused by steep grades, blind corners and unsealed sections. Undergrowth vegetation in many parts has caused significant narrowing of the road.

REQUESTED BY: Deputy Captain, Duns Creek Rural Fire Service

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

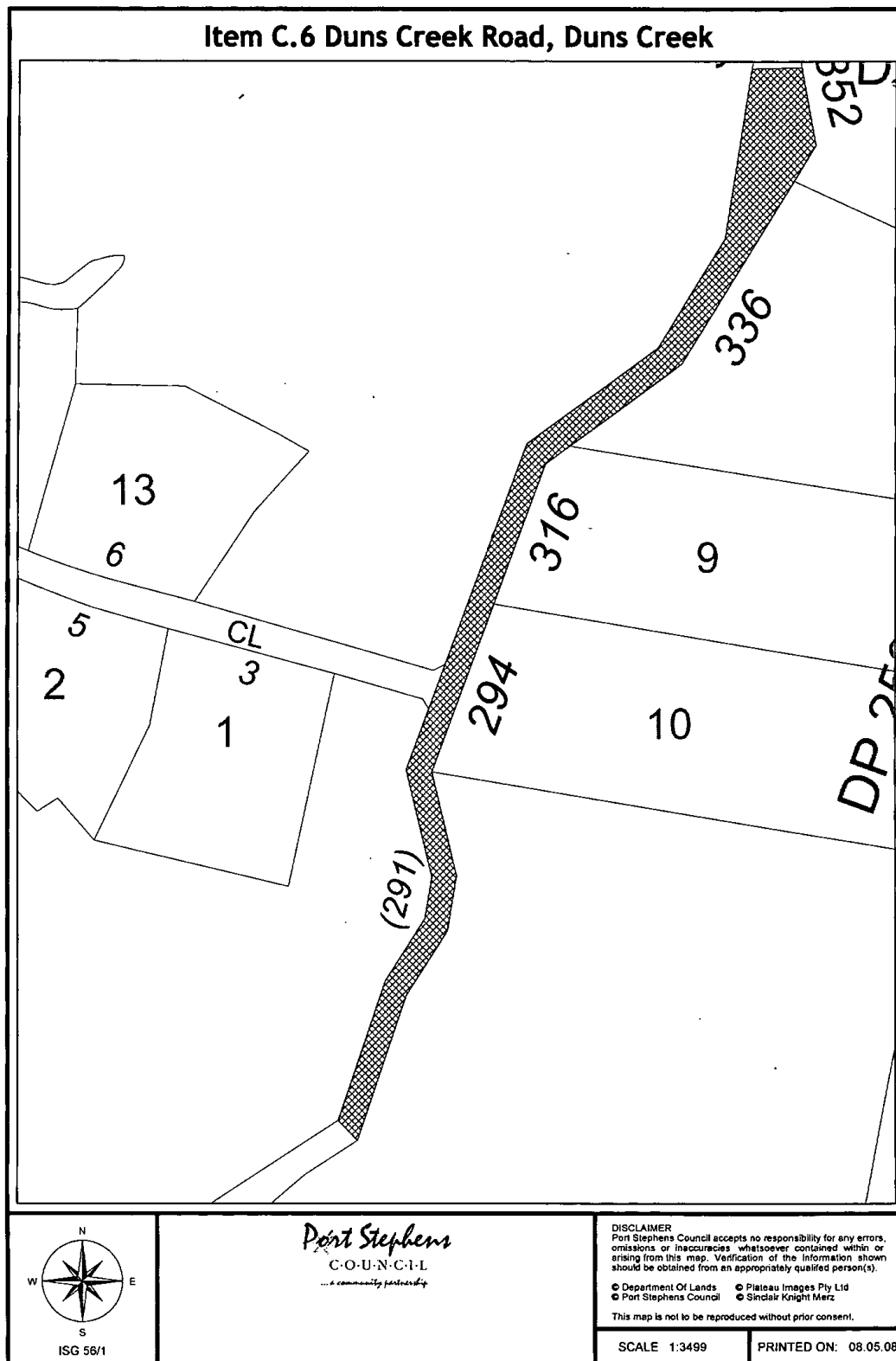
COMMENT Accident History (2)

CRM 101478

RECOMMENDATION

- Install 'Gravel Road Adjust Speed to Suit Conditions' sign for Southbound vehicles from Mahogany Ridge
- Install Curve Alignment Markers on curves with accident history
- Remove undergrowth on curves north of Wallaby Close
- Remove tree within road directly behind Kangaroo Warning Sign

FUNDING SOURCE Traffic Facilities Budget/Maintenance



C.7 ITALIA ROAD, BALICKERA – CONCEALED DRIVEWAY SIGNAGE

A resident of Italia Road has requested Council install Concealed Driveway signage on sections of Italia Road.

Since the upgrade of the bridge to two lanes, vehicle speeds have now increased making it dangerous to enter or exit from properties in the vicinity.

REQUESTED BY:	Resident		
CONSULTATION:	Nil		
INSPECTION	UNDERTAKEN		Yes
	AGREE WITH REQUEST		Yes
ADDITIONAL	ATTACHMENT		No
COMMENT	Nil		
CRM	101551		

RECOMMENDATION

- Install Concealed Driveway signage for West bound vehicles after Hunter Water access
- Install Concealed Driveway signage for East bound vehicles after bridge

FUNDING SOURCE Traffic Facilities Budget



C.8 LEMON TREE PASSAGE ROAD, LEMON TREE PASSAGE – TRAFFIC CALMING

A resident of Lemon Tree Passage Road has requested the installation of traffic calming measures along Lemon Tree Passage Road.

Vehicles often ignore the 50 km/hr speed limit, and the resident is seeking a solution to slow traffic down in the area.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	No
ADDITIONAL	ATTACHMENT	No

COMMENT

- Area previously targeted on Lower Hunter Speed project
- Highway Patrol tasked to Lemon Tree Passage & Meredith Roads

CRM

RECOMMENDATION

- No further action

FUNDING SOURCE N/A

C.9 PORT STEPHENS DRIVE, SALAMANDER – TRAFFIC CALMING

Councillor Dover on behalf of a resident has requested Traffic Committee investigate speeding vehicles on Port Stephens Drive.

The 50 km/hr limit seems to be ignored. Councillor Dover has requested the possible installation of speed humps or similar that would reinforce that motorists are entering a residential area.

REQUESTED BY: Councillor Dover

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT

- Traffic Volume and Speed assessments undertaken at this location with information forwarded to Highway Patrol for enforcement
- Radar trailer previously located in this vicinity
- Linemarking and resurfacing has been completed at a reduced lane width

CRM 101553

RECOMMENDATION

- Install size C 50 km/hr reminder sign for North bound vehicles on Port Stephens Drive

FUNDING SOURCE Traffic Facilities Budget

C.10 SOLDIERS POINT ROAD, SOLDIERS POINT – TRAFFIC CALMING

A resident of Soldiers Point Road has requested traffic calming measures in the vicinity of the intersection of Fleet Street.

Traffic continually cut the corner at speed. It is a dangerous curve and the resident has requested if anything can be done to slow traffic in this vicinity.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT 1 Injury accident & 1 tow-away accident resulting in 1 injury

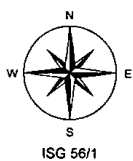
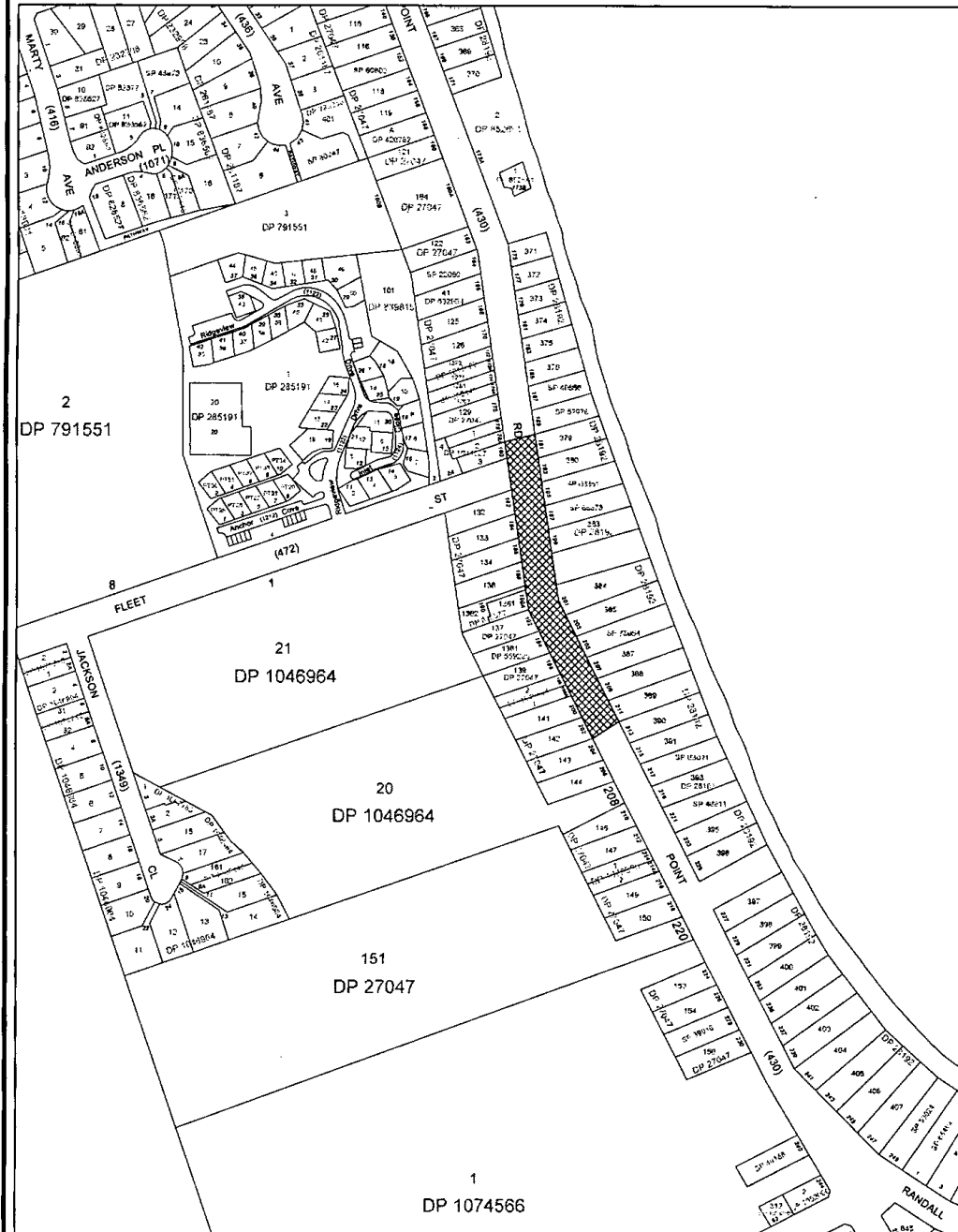
CRM 101554

RECOMMENDATION

- No further action regarding traffic calming measures.
- Location to be listed for Lower Hunter Speed project.

FUNDING SOURCE N/A

Item C.10 Soldiers Point Road, Soldiers Point



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C.11 GOVERNMENT ROAD, SHOAL BAY – PEDESTRIAN ISSUES

A resident of Bernie Thompson Park has requested Traffic Committee investigate a number of pedestrian issues in the vicinity of the Park.

Many elderly residents cross Government Road to access the medical centre. There is no pedestrian crossing, and many elderly people with walking frames or walking sticks find it difficult to cross the road between traffic.

Cars parking on the corner of Government Road and Shoal Bay Road access the informal carpark across the cycleway/walkway, and do not give way to pedestrians on the path.

The pedestrian island on the corner of Government Road and Shoal Bay Road is also dangerous as many drivers fail to indicate and visibility for pedestrians is not clear.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION UNDERTAKEN Yes

AGREE WITH REQUEST Yes

ADDITIONAL ATTACHMENT No

COMMENT

- 1 Tow away accident. Nil pedestrian injuries at this location
- Council Disability Access Officer is assessing Shoal Bay for Disability Parking & Aged Pedestrian Facilities to be incorporated into plan

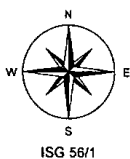
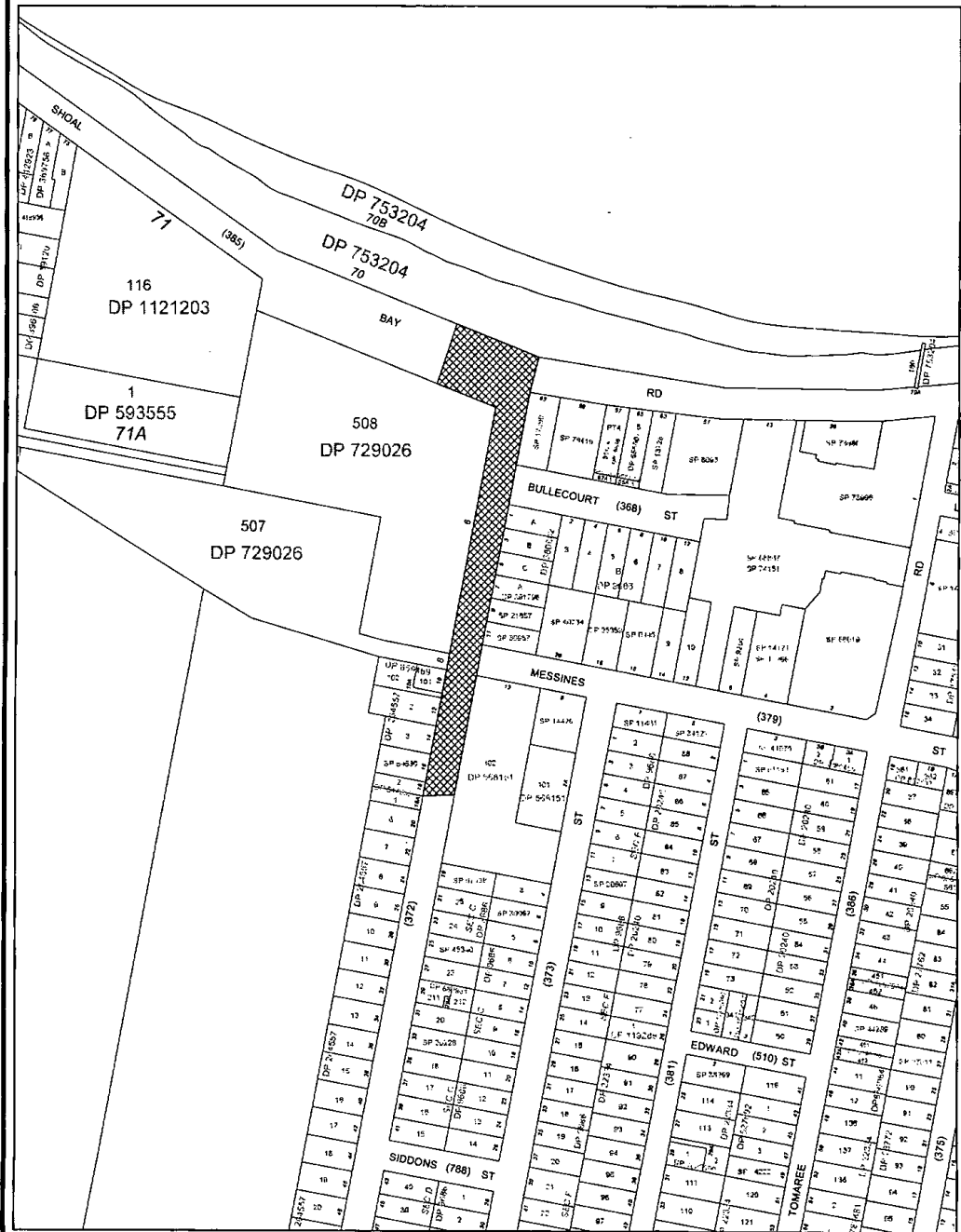
CRM

RECOMMENDATION

- No further action.
- Incorporate into Pedestrian Plan for Shoal Bay

FUNDING SOURCE N/A

Item C.11 Government Road, Shoal Bay



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C.12 KINGSLEY DRIVE, BOAT HARBOUR – VISIBILITY ISSUES

A resident has requested Traffic Committee investigate visibility issues on the double bend on Kingsley Drive. Cars park along the bend making it difficult to see.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT

- Visibility would improve by restricting parking on the inside of curve
- 1 Tow-away accident – no injury

CRM 101557

RECOMMENDATION

- | |
|--|
| <ul style="list-style-type: none">• Install No Stopping signs and yellow line on the inside of curve• Install Double centre line and city studs through the curve |
|--|

FUNDING SOURCE Traffic Facilities

C.13 MORNA POINT ROAD, ANNA BAY – STOP SIGN AT GAN GAN ROAD

A resident has requested the installation of a Stop Sign at the intersection of Morna Point Road and Gan Gan Road. The resident has witnessed many near misses at this intersection.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	No
ADDITIONAL	ATTACHMENT	No

COMMENT

- Traffic Committee has previously increased visibility at the intersection by increasing No Stopping zones on Gan Gan Road.
- 2 accidents resulting in 3 injuries

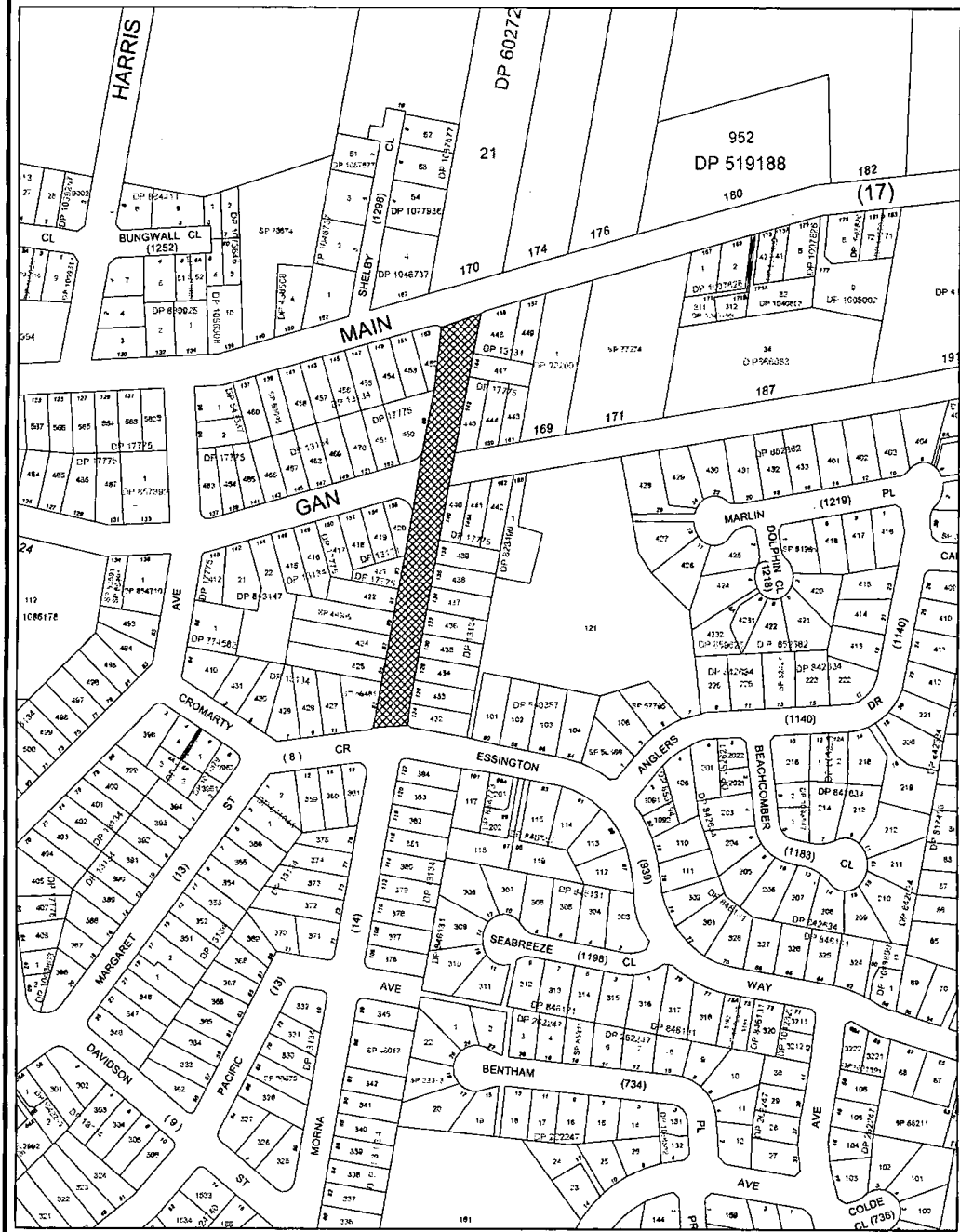
CRM 101558

RECOMMENDATION

- | |
|---|
| <ul style="list-style-type: none">• No further action |
|---|

FUNDING SOURCE N/A

Item C.13 Morna Point Road, Anna Bay



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C.14 ESSINGTON WAY, ANNA BAY – TRAFFIC CALMING

A resident of Essington Way has requested the monitoring of speed of cars and speed management similar to those in place in Sergeant Baker Drive and Foreshore Drive.

REQUESTED BY: Resident

CONSULTATION: Nil

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT 3 Accidents resulting in 6 injuries

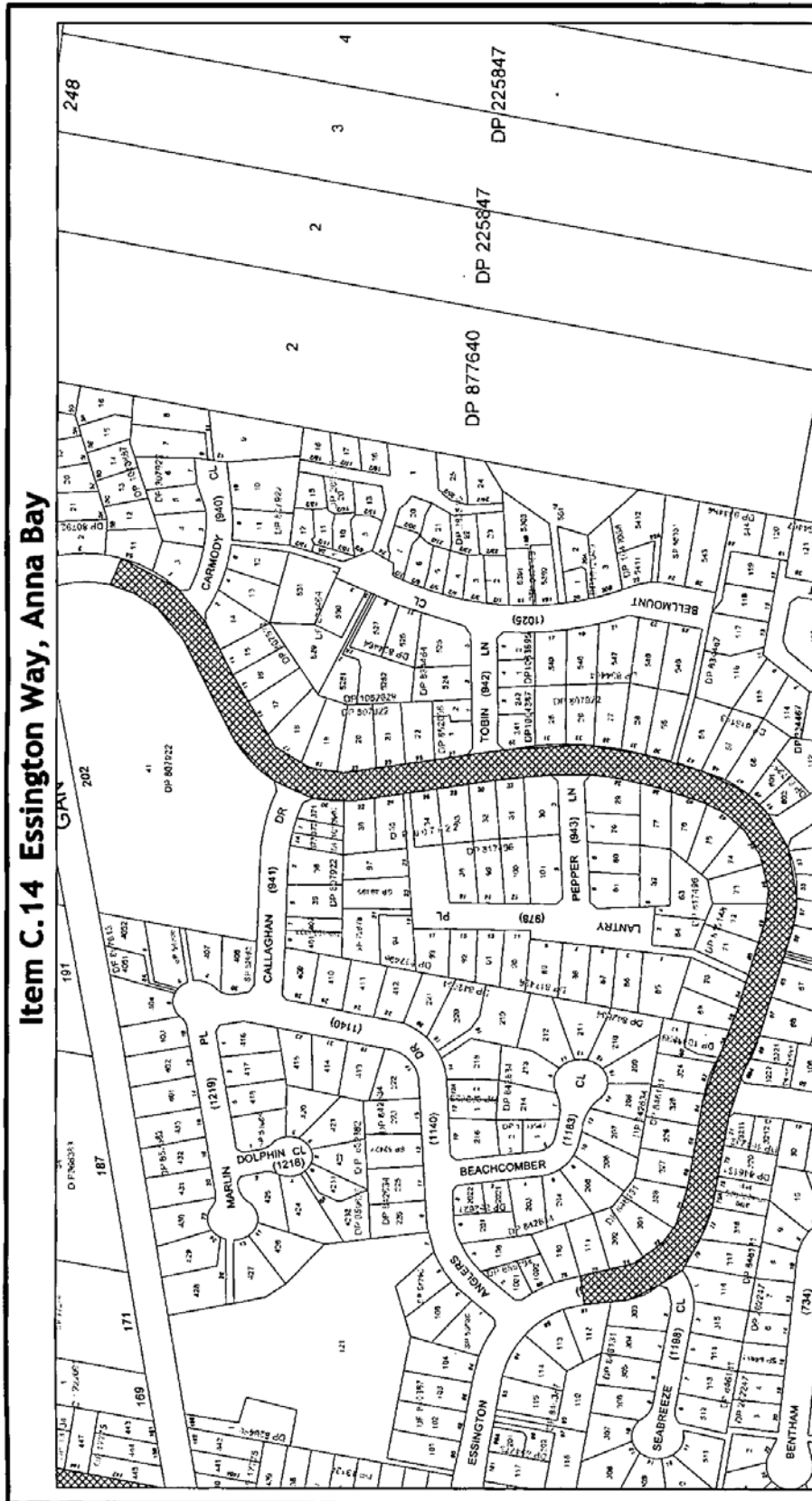
CRM 101566

RECOMMENDATION

- Install double centre line marking and city studs at all 8 intersections and on the crest in Essington Way

FUNDING SOURCE Traffic Facilities Budget

Item C.14 Essington Way, Anna Bay



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SHEET LOCALITY

E. ITEMS OF INTEREST**E.1 STOCKTON STREET, NELSON BAY – APPLICATION FOR TEMP. ROAD CLOSURE (INFORMATION ITEM)**

Application has been made by Nelson Bay Town Management for the Temporary Closure of Stockton Street, Nelson Bay between Victoria Parade and Magnus Street on 7th – 9th June between the hours of 6 am and 6 pm for the purpose of the Blue Water Country Music Festival.

REQUESTED BY: Nelson Bay Town Management

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT Nil

RECOMMENDATION

- Standard conditions with the inclusion of road closure signage be placed on Victoria Road prior to Stockton Street

C.14 FINGAL BAY TO NELSON BAY WALK & RUN (INFORMATION ITEM)

Application has been made for the use of local roads on Sunday 25th May from 9.45 am for the purpose of the Fingal Bay to Nelson Bay Walk & Run.

REQUESTED BY: Nelson Bay Volunteer Support Group, Westpac Rescue

INSPECTION	UNDERTAKEN	Yes
	AGREE WITH REQUEST	Yes
ADDITIONAL	ATTACHMENT	No

COMMENT Nil

RECOMMENDATION

- Standard conditions apply

ITEM NO. 6**FILE NO: A2004-0645****ECONOMIC DEVELOPMENT ADVISORY PANEL****REPORT OF: LESLEY MORRIS – ECONOMIC DEVELOPMENT MANAGER****RECOMMENDATION IS THAT COUNCIL:**

- 1) That Council nominate one Councillor from each Ward to be a member of the Economic Development Advisory Panel.

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008**RECOMMENDATION:**

That the recommendation be adopted.

Note: Cr Robinson left the meeting at 7.45pm during Item 6 and did not return.

ORDINARY MEETING OF COUNCIL – 24 June 2008**RESOLUTION:**

143	Councillor Jordan Councillor Hodges	It was resolved that the recommendation be adopted with the following Councillors nominated to the Panel: Cr Swan – Central Ward Cr Westbury – East Ward Cr Hodges – West Ward
------------	--	---

BACKGROUND

The purpose of this report is advise Council of the role and the composition of the proposed Economic Development Advisory Panel.

Recommendation No. 29 of the Port Stephens Council Economic Development Strategy is that Council engages business and the community in economic development through the creation of an Economic Development Advisory Panel and Taskforces on strategic issues.

The Economic Development Strategy suggests that panel members be invited to join on the basis of the expertise/experience of the individual rather than being representative of a specific group. The Panel that has been formed comprises individuals with relevant expertise/experience and also provides representation across the local government area and across the key industry sectors and economic drivers.

Council will need to nominate up to three Councillors to be members of the panel. It is recommended that one Councillor from each Ward be nominated.

In terms of the actions outlined in the Economic Development Strategy, a Charter has been developed to set out the role, functions and activities of the Economic Development Panel.

LINKS TO CORPORATE PLANS

The links to the 2007-2011 Council Plan are:-

- SOCIAL SUSTAINABILITY** – *Council will preserve and strengthen the fabric of the community, building on community strengths.*
- CULTURAL SUSTAINABILITY** – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*
- ECONOMIC SUSTAINABILITY** – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*
- ENVIRONMENTAL SUSTAINABILITY** – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*
- BUSINESS EXCELLENCE** – *Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement leading to long-term sustainability across operational and governance areas in a Business Excellence Journey*

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL AND POLICY IMPLICATIONS

Nil

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 2) **CUSTOMERS** – *Understand what markets and customers value, now and into the future, and use this to drive organisational design, strategy, products and services.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 4) **PEOPLE** – *Develop and value people's capability and release their skills, resourcefulness and creativity to change and improve the organisation.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a culture of continual improvement, innovation and learning.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*

8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Each of the members of the Economic Development Advisory Panel has been invited to participate and has indicated their support and willingness to be involved.

OPTIONS

- 1) Council nominate one Councillor from each Ward as members of the Economic Development Advisory Panel
- 2) Council nominate three Councillors as members of the Economic Development Advisory Panel
- 3) Council nominate less than three Councillors as members of the Economic Development Panel

ATTACHMENTS

- 1) Economic Development Advisory Panel Charter

COUNCILLORS ROOM

- 1) Nil

TABLED DOCUMENTS

Nil

ATTACHMENT 1

**PORT STEPHENS
ECONOMIC DEVELOPMENT ADVISORY PANEL
CHARTER**

Overview

The Port Stephens Economic Development Advisory Panel (EDAP) was established in response to the findings and recommendations of the Port Stephens Council Economic Development Strategy, which was adopted by Port Stephens Council in December 2007.

The establishment of the EDAP demonstrates Port Stephens Council's commitment to engagement with business and the community on long term sustainable economic development issues.

Economic Vision:

The Port Stephens Council Economic Development Strategy sets out a clear vision for the future of Port Stephens:

- Port Stephens will be an innovative and growing community that maintains its liveability and a balanced population structure, while generating sustainable long term economic opportunities.
- It will have a strong economic base, built on its competitive strengths in manufacturing, defence industries, services and tourism.
- It will provide a high quality environment for residents and visitors and its local communities and will provide diverse employment opportunities.
- It will be a community which is integrated with its region (Newcastle and the Hunter) and which is linked to national and international markets.

Economic Objectives:

The six objectives set out in the Port Stephens Council Economic Development Strategy are supported by a raft of requirements:

1. Maintaining a balance
2. Broadening the employment base/ creating skills for the future
3. Developing key sectors
4. Building foundations for growth
5. Strengthening small businesses
6. Providing regional leadership

Objectives	Requirements
1. Maintaining a balance < Population, environment, housing>	1.1 Encourage more balanced population growth that includes younger families and mature persons. 1.2 Encourage retention of younger persons through education and training opportunities and employment opportunities. 1.3 Ensure that future planning, housing options (including housing affordability) and services reflect the requirements of this population structure. 1.4 Ensure that the quality of the environment is maintained and enhanced.
2. Broadening the employment base/ creating skills for the future <Employment and skills development>	2.1 Encourage a broader employment base and the development of higher skill jobs. 2.2 Ensure that local employment opportunities grow at the rate needed to support a larger population. 2.3 Improve the skills base of the community through targeted education and training programs. 2.4 Improve skills of small businesses.
3. Developing key sectors < Business and industry development>	3.1 Encourage the development of an aviation/defence industry cluster around Newcastle Airport. 3.2 Encourage development of the region's engineering industries at Tomago. 3.3 Encourage further development of the tourism sector through broadening markets. 3.4 Encourage the growth of existing businesses in the LGA. 3.5 Attract major new businesses and organisations to locate in the area.
4. Building foundations for growth <Employment land and infrastructure>	4.1 Ensure that adequate employment lands are available to support future industry growth. 4.2 Ensure that infrastructure is available to support growth requirements. 4.3 Link Port Stephens internally and to the region through improved public transport. 4.4 Ensure a strong ongoing integration between place planning and economic development.
5. Strengthening small businesses < Business support and facilitation>	5.1 Ensure support is available for local business development. 5.2 Encourage the development of local business networks.
6. Providing regional leadership <Leadership, engagement and partnering>	6.1 Providing active leadership on economic development issues that affect the future of Port Stephens. 6.2 Representing the community and its interests to other tiers of government. 6.3 Involve local business and the community in economic development activities, through the economic advisory panel, taskforces and regional forums. 6.4 Develop partnerships with adjacent Councils on broader regional development issues. 6.5 Work with key regional stakeholders on long term development of Port Stephens. 6.6 Ensure active engagement between Council and business and the community on economic development. 6.7 Partner with other tiers of government in delivering programs to boost economic development. 6.8 Target and engage with major businesses and government organisations that can be attracted to Port Stephens.

Role of the EDAP:

The Port Stephens Economic Development Advisory Panel (EDAP) will operate primarily as a strategic thinking organisation with a responsibility to develop local leadership, ensure input is provided to Port Stephens Council on local economic development issues and promote Port Stephens to secure long term jobs, investment and prosperity.

Members of the EDAP are expected to represent the broad interests of the Local Government Area rather than those of any particular organisation(s).

Functions of the EDAP:

The functions of Port Stephens EDAP will include:

- Overseeing the implementation of the Port Stephens Council Economic Development Strategy
- Advising Port Stephens Council on current and future economic development and employment issues,
- Providing leadership and guidance on matters of current economic importance in the Port Stephens area,
- Promoting economic and employment growth in the Port Stephens area,
- Identifying opportunities to grow the local economy and fill gaps left by the market,
- Investigating initiatives, projects or studies that will lead to employment growth and strengthen the profile of Port Stephens as a business location,
- Developing local leadership and promoting local economic development initiatives
- Assisting the local community to capitalise on regional strengths, to broaden the industry base and develop new markets,

Activities of the EDAP:

The Port Stephens EDAP will:

- Meet approximately four times each year, once each quarter,
- Consider a quarterly report from the Economic Development Manager on the implementation of the Port Stephens Council Economic Development Strategy,
- Provide input and feedback into the activities of the Economic Development Unit,
- Identify solutions and strategies to strengthen and further develop the local economy and to address local issues,
- Nominate Taskforces for specific projects, as required,
- Operate within the framework of the Port Stephens Council Code of Conduct.

Appointment to the EDAP:

Members of the Port Stephens EDAP are appointed by Port Stephens Council.

Members are appointed on the basis of their capability and expertise to contribute to the economic development and growth of Port Stephens.

It is expected that members of the EDAP would have expertise in one of the following areas:

- economic development at a local or regional level
- successful business and/or management experience
- business and/or local networks
- academia and/or higher education relevant to economic development
- community initiatives that contribute to local economic development

Membership is determined in order to be representative across the major industry sectors and economic drivers within the Local Government Area, as well as across all three Port Stephens Council Wards.

The EDAP will have a maximum membership of 13, with no requirement that all positions be filled.

Membership of the EDAP will be confirmed by Port Stephens Council, on an annual basis for the financial year.

Membership may be terminated by a member with one month's notice in writing.

Administration

Administration support and secretariat for the EDAP will be provided by the Port Stephens Council Economic Development Unit.

Recommendations and minutes of EDAP meetings will be reported to Port Stephens Council by the Economic Development Manager.

ITEM NO. 7**FILE NO: A2004-0518****355(B) COMMITTEE CONSTITUTION AMENDMENT****REPORT OF: JASON LINNANE - RECREATION SERVICES MANAGER**

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the amendment to the Medowie Sports Council Constitution Schedule.
-

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 June 2008**RESOLUTION:**

144	Councillor Dingle Councillor Hodges	It was resolved that the recommendation be adopted.
------------	--	--

BACKGROUND

The purpose of this report is to recommend to Council the adoption of the amendment to the Constitution Schedule of the Medowie Sports Council.

355(b) Committee Constitutions consist of the Standard 355(b) Committee Constitution, adopted by Council, 24 June 2003, Minute No 251, and a customised Schedule of each committee's individual activities. Council must approve any amendments to a committee's Constitution Schedule.

Medowie Sports Council has requested an amendment to their Constitution Schedule to allow their membership numbers to increase to provide the opportunity for community members to participate in sports council activities

Proposed Change (ATTACHMENT 1)

Item 7.

Maximum Number and Make Up Of Committee Members

Membership shall consist of:

The addition of another category (5)

Two (2) persons in the community who have an active interest in the promotion and development of sport and recreation in the Medowie district, regardless of sporting affiliations provided that:

- a) Their membership is approved by Council in the first instance
- b) Their membership is endorsed by Medowie Sports Council

LINKS TO CORPORATE PLANS

The links to the 2007-2011 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

FINANCIAL/RESOURCE IMPLICATIONS

Council staff and committee members have been involved in the consultation process to prepare the changes to the committee's constitution schedules. This is part of the support provided to 355(b) committees by Council responsible officers.

LEGAL AND POLICY IMPLICATIONS

Under Section 355(b) of the Local Government Act, 1993, Council may exercise its functions itself or by delegation to another person or persons. Council must approve the constitution and any amendments to the constitution of such delegated committees.

The constitution of the Medowie Sports Council consists of the Standard 355(b) Committee Constitution adopted by Council 24 June 2003, Minute No 251 and a Customised Schedule of the committee's individual activities. Amendments to individual committee constitution schedules do not affect the Standard 355(b) Committee Constitution, which remains in place unless amended by Council.

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 2) **CUSTOMERS** – *Understand what makes markets and customers value, now and into the future, and use this to drive organisational design, strategy, products and services.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 4) **PEOPLE** – *Develop and value people's capability and release their skills, resourcefulness and creativity to change and improve the organisation.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a cultural of continual improvement, innovation and learning.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*
- 8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

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

The Medowie Sports Council provides opportunities for community participation in the Medowie area.

ECONOMIC IMPLICATIONS

The activities and projects undertaken by committees are often those not financially possible for Council without volunteer assistance.

ENVIRONMENTAL IMPLICATIONS

The Medowie Sports Council operates under direction from Council staff to ensure their activities are performed in accordance with recognised practices that may often provide long term benefits to the environment

CONSULTATION

Medowie Sports Council
Sports Facilities Co-ordinator
Volunteer Strategy Co-ordinator

OPTIONS

- 1) As per recommendation
- 2) Reject/amend constitution change

ATTACHMENTS

- 1) Medowie Sports Council Constitution Schedule (extract)

ATTACHMENT 1

Extract Of Medowie Sports Council Constitution
Proposed Additional Clause Highlighted

CURRENT	PROPOSED AMENDMENT
<p>ITEM 7</p> <p>Membership shall consist of:</p> <ol style="list-style-type: none"> 1. Two (2) representatives of each sporting code located within the boundaries of Medowie. 2. One (1) representative of each of the State Primary Schools. 3. Ward Councillors 4. One (1) further representative of a sporting code may be permitted for membership where the following matters are complied with: <ol style="list-style-type: none"> a) a completely separate body or organisation has been formed within that code and within the code. b) such body or organisation operates under its own constitution and must not be a sub-committee within that code. c) that body or organisation requesting membership must be proven to be viable by successfully operating for a minimum of three (3) consecutive years. d) their membership is approved by the Medowie Sports Council and duly approved by Council. 	<p>ITEM 7</p> <p>Membership shall consist of:</p> <ol style="list-style-type: none"> 1. Two (2) representatives of each sporting code located within the boundaries of Medowie. 2. One (1) representative of each of the State Primary Schools. 3. Ward Councillors 4. One (1) further representative of a sporting code may be permitted for membership where the following matters are complied with: <ol style="list-style-type: none"> a) a completely separate body or organisation has been formed within that code and within the code. b) such body or organisation operates under its own constitution and must not be a sub-committee within that code. c) that body or organisation requesting membership must be proven to be viable by successfully operating for a minimum of three (3) consecutive years. d) their membership is approved by the Medowie Sports Council and duly approved by Council. 5. <i>Two (2) persons in the community who have an active interest in the promotion and development of sport and recreation in the Medowie district, regardless of sporting affiliations provided that:</i> <ol style="list-style-type: none"> a) <i>Their membership is approved by Council in the first instance</i> b) <i>their membership is endorsed by Medowie Sports Council</i>

ITEM NO. 8**FILE NO: PSC2007-2397****FEES AND CHARGES 2008-2009****REPORT OF: JUNE SHINE - EXECUTIVE MANAGER CORPORATE MANAGEMENT****RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopts the Fees & Charges 2008-2009
- 2) Notes the Department of Local Government statutory fee for Section 603 certificates.

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 June 2008**RESOLUTION:**

145	Councillor Westbury Councillor Nell	It was resolved that the recommendation be adopted.
------------	--	--

Note: Cr Robinson entered the meeting at 6.30pm during Item 8.

MATTER ARISING:**RESOLUTION:**

146	Councillor Dingle Councillor Nell	It was resolved that Council simplify the fee structure between pool facilities to ensure consistency and collect data on utilisation rates.
------------	--	---

BACKGROUND

The purpose of this report is to provide Council with the outcomes of the re-exhibition of the following fees and charges:

- Corlette Community Hall
- Medowie Community Centre
- Williamstown Hall
- Fern Bay Hall
- Tilligerry Community Centre
- Port Stephens Community Band and Choir
- Lakeside Leisure Centre
- Waste Services.

At its meeting of 22 April, 2008 Council required that these fees be re-exhibited. The period of exhibition was from 1 May to 29 May 2008.

These fees and charges required to be re-exhibited due to changes to charges at community facilities; changes to government charges related to waste services; and, as a result of submissions when the Fees & Charges 2008-2009 was originally exhibited.

Those elements of the Fees & Charges requiring re-exhibition were placed on Council's web site, in libraries and at the Administration Building; and, advertisements were placed in *The Port Stephens Examiner*. A press release was also placed with the relevant media.

As a result of concerns expressed by patrons of the Lakeside Leisure Centre, Raymond Terrace the Fees & Charges 2008-2009 was amended to provide more details of charges to enable patrons to evaluate the response to their concerns. In addition, during the exhibition period the Manager Recreational Services met with concerned patrons at the Centre to explain the fees, charges and packages.

At the conclusion of the period of exhibition, no further submissions were received.

Council is asked to note that the Department of Local Government by its circular 08/14 has raised the statutory fee for Section 603 certificates to \$60.00. The current fee of \$55.00 has not changed for 2 years and prior to that the Department has not changed the fee for 3 years. Council currently issues approximately 2000 Section 603 rate certificates annually.

LINKS TO CORPORATE PLANS

The links to the 2008-2012 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

BUSINESS EXCELLENCE – *Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement leading to long-term sustainability across operational and governance areas in a Business Excellence Journey*

FINANCIAL/RESOURCE IMPLICATIONS

The Fees & Charges 2008-2009 form part of the Council's budget, and these re-exhibited fees are part of that process.

Section 6003 certificate fee increase imposed by the Department of Local Government will result in projected increase in income from that source of \$10,000 based on approximately 2000 certificates being issued on average every year.

LEGAL AND POLICY IMPLICATIONS

Council is required to charge the fee as set by the Department of Local Government and has no capacity to vary that fee.

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 2) **CUSTOMERS** – *Understand what markets and customers value, now and into the future, and use this to drive organisational design, strategy, products and services.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 4) **PEOPLE** – *Develop and value people's capability and release their skills, resourcefulness and creativity to change and improve the organisation.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a culture of continual improvement, innovation and learning.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*
- 8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Fees & Charges associated with community halls and the Lakeside Leisure Centre are structured to reflect Council's community service obligations.

ECONOMIC IMPLICATIONS

Fees & Charges form part of the overall budget for revenue of the Council.

ENVIRONMENTAL IMPLICATIONS

Waste service charges contribute to Council's overall environmental goals of reducing the impact of waste on the environment of the LGA.

CONSULTATION

Those fees and charges that required re-exhibition were placed on public exhibition for a period from 1 to 29 May 2008. In addition, the Manager Recreation Services met with concerned patrons of Lakeside Leisure Centre.

OPTIONS

- 1) Adopt the recommendations
- 2) Amend the recommendations.

ATTACHMENTS

Nil

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

ITEM NO. 9**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 10th June 2008.

- 1) ACCESS COMMITTEE MINUTES – 1ST APRIL 2008
- 2) ACCESS COMMITTEE MINUTES – 6TH MAY 2008
- 3) ABORIGINAL STRATEGIC COMMITTEE MEETING WITH WORIMI LOCAL ABORIGINAL LAND COUNCIL
- 4) UNDETERMINED DEVELOPMENT APPLICATIONS
- 5) CASH AND INVESTMENTS HELD AT 30 APRIL 2008
- 6) FIVE STAR FAMILY DAY CARE - PORT STEPHENS: ACCREDITED BY NATIONAL CHILDCARE ACCREDITATION COUNCIL AS HIGH QUALITY
- 7) AUSTRALIAN FAMILY MATTERS
- 8) ACCESS TO INFORMATION – SECTION 12 LOCAL GOVERNMENT ACT 1993
- 9) MINUTES OF TOURISM JOINT VENTURE COMMITTEE MEETING 20 MAY 2008
- 10) TILLIGERRY PLAZA PETITION
- 11) TILLIGERRY PLAZA PETITION

OPERATIONS COMMITTEE MEETING – 10 JUNE 2008**RECOMMENDATION:**

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 24 June 2008**RESOLUTION:**

147	Councillor Hodges Councillor Jordan	It was resolved that the recommendation be adopted.
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MATTER ARISING:**RESOLUTION:**

148	Councillor Tucker Councillor Jordan	It was resolved that a report be brought to Council on the purchase of the Tilligerry Plaza site for future potential business and community use and for future investment purposes.
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INFORMATION ITEM NO. 1

ACCESS COMMITTEE MINUTES – 1 APRIL 2008

REPORT OF: TREVOR ALLEN - INTEGRATED PLANNING MANAGER

FILE: A2004-0226

BACKGROUND

The purpose of this report is to present to Council the minutes of the Access Committee meeting held on 1 April 2008.

Key issues addressed at the meetings included: -

- 1) Access Committee Brochure Update
- 2) Access Committee Logo Update
- 3) Details of 2008 Joint Meeting with Council

ATTACHMENTS

- 1) Minutes of the Access Committee meeting held on 1 April 2008.

ATTACHMENT 1

**PORT STEPHENS ACCESS COMMITTEE
MINUTES OF MEETING HELD 1 APRIL 2008
AT THE RAYMOND TERRACE BOWLING CLUB**

Present:

Cr Helen Brown, Michael Elliott, Joe Delia, Cathy Delia, Cathy Jennings, Tony Kean, Margaret O'Leary (& three OT students)

Apologies:

Cr Dover, Robert Harper, Liz Harper, Ken Whiting, Karen Whiting, David Painter, Valda Painter, Erin Devlin, Robert Farley, Michelle Page

1. WELCOME & ADOPTION OF PREVIOUS MINUTES

Committee Chairperson Cr Brown welcomed members of the Committee. The minutes of the meeting held on the 4 March 2008 were adopted as an accurate record of that meeting.

2. BUSINESS ARISING

2.1 Access Committee Brochure Update

Council's Community Planner – Ageing and Disability has completed a draft update to the Access Committee Brochure. Committee members have requested a copy be sent out with the minutes of this meeting so as they can consider it and provide feedback.

Action:	1. Council's Community Planner – Ageing and Disability will forward a copy of the draft Access Committee Brochure to Committee members with the meeting minutes.
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2.2 Access Committee Logo Update

Changes have been made to the Access Committee logo to reflect the Committee's recommendations made at the recent planning day. The wording under the logo has been changed from "*Working towards a better life for people with disabilities*" to "*Working towards a better life for all members of our community*". This logo will appear on the updated Access Committee brochure.

2.3 Access Provisions at Salamander Bay Resort

Council's Community Planner – Ageing and Disability reported they conducted an inspection of a recently renovated resort at Salamander Bay after concerns were raised about access. After speaking with the Resort Manager it was ascertained that although minor access improvements could be made (such as moving the accessible parking space closer to the main entrance door) the facility was compliant with the conditions of consent within their Development Application as well as relevant legislation.

3. General Business

3.1 Joint Meeting with Council Date Change

The date for the Joint Meeting between Council and the Access Committee has been changed due to a conflicting appointment. The meeting will now be held on the 29 July 2008 5.30pm to 7.30pm at the Council Administration Building.

3.2 Community Directory for Service Providers and Community Members

Council's Community Planner – Ageing and Disability reported that Council was currently developing an online database of ageing and disability service providers. This resource will be able to be updated by service providers themselves and will be available to the public to access. It will also contain a search facility and access to the Access Committee Meeting Minutes.

3.3 Mobility Map

Discussion was held around the proposed mobility map. The idea of producing a map was conceived some time ago and has not progressed. Issues raised included; printed data will quickly outdate, alternative current information is now available (eg; Federal Govt. National Public Toilet Map), limited number of requests or enquiries to Council for a mobility map. The Committee concluded that a mobility map was no longer a priority for the Committee and they would prefer to see resources allocated to alternative access issues.

3.4 Accessible Shopping Trolley Request

A Committee member requested that a letter be sent from the Access Committee to a major retailer in Medowie encouraging them to provide an accessible shopping trolley. Accessible trolleys are specially designed with no handle and a facility to clip them onto a wheelchair.

Action:	1. Council's Community Planner – Ageing and Disability will write to the retailer encouraging them to consider the purchase of an accessible shopping trolley.
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3.5 Accessible Bus Stops

Discussion was held around access issues at existing bus stops. Some stops that do not currently have kerb and gutter were posing problems to the new ramped accessible buses. Some stops have been identified for upgrading by Council (eg; Philip Rd Raymond Terrace). These works are proposed to commence in the new financial year. Council will keep the Committee informed of these developments

3.6 Council Wharf - Reopened at Nelson Bay

Council's Community Planner - Ageing and Disability reported that following recent completion of major structural upgrade works the accessible public wharf at the Eastern Groyne at Nelson Bay Marina had been reopened.

3.7 Access Provisions at a Raymond Terrace Commercial Outlet

A Committee member raised concerns about the stairs at the premises of a business located in William St, Raymond Terrace. The business is serviced by a ramp, however the poor colour contrast finish on the stairs make it difficult for people with a vision impairment to negotiate.

ORDINARY MEETING MINUTES – 24 JUNE 2008

Action:	1. Council's Community Planner - Ageing and Disability will write to the business outlining the problem and asking that they consider improvements to enhance the safety of the stairs for people with visual impairments.
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3.8 Bollards Obstructing Footpath at Raymond Terrace Restaurant

A Committee member raised concerns about a steel bollard that was obstructing the footpath area at a Raymond Terrace fast food outlet and asked if Council could investigate this.

Note:

Following this meeting of the Access Committee Council's Community Planner - Ageing and Disability inspected the site and found that the bollard is only a temporary measure until the remaining construction of the footpath area is completed shortly.

3.9 Footpath Uneven Sturgeon St Raymond Terrace

A Committee member who is vision impaired reported recently having a fall whilst pushing a shopping trolley from the carpark to the footpath in Sturgeon St, Raymond Terrace after running into a small trip hazard.

Note:

Following this meeting of the Access Committee Council's Community Planner - Ageing and Disability inspected the site and identified and assessed some minor works, which have been added to Council's maintenance request system for action.

3.10 Access Concerns at Bobs Farm Tourist Facility

Cr Brown raised concerns around current access provisions at a Bobs Farm Tourist Facility including inadequate accessible parking and accessible toilet facilities. Council's Community Planner - Ageing and Disability will investigate this matter.

Action:	1. Council's Community Planner – Ageing and Disability will investigate this matter.
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4. CORRESPONDENCE

Cr Brown presented a recent article of interest from the Newcastle Herald detailing construction of a major accessible playground within the Lake Macquarie LGA.

5. DETAILS OF NEXT MEETING

The next meeting will be held on the 6 May 2008 at 10.30am at the Nelson Bay RSL Club.

INFORMATION ITEM NO. 2

ACCESS COMMITTEE MINUTES – 6TH MAY 2008

REPORT OF: TREVOR ALLEN - INTEGRATED PLANNING MANAGER

FILE: A2004-0226

BACKGROUND

The purpose of this report is to present to Council the minutes of the Access Committee meeting held on 6 May 2008.

Key issues addressed at the meetings included: -

- 1) Access Committee Constitution
- 2) New Access Issues Registration Form

ATTACHMENTS

- 1) Minutes of the Access Committee meeting held on 6 May 2008.

ATTACHMENT 1

**PORT STEPHENS ACCESS COMMITTEE
MINUTES OF MEETING HELD 6 MAY 2008
AT THE NELSON BAY RSL CLUB**

Present:

Cr Helen Brown, Michelle Page, Amanda Heidke, Michael Elliott, Joe Delia, Cathy Delia, Vanessa Orton, Robert Harper, Liz Harper & Guest, Ken Whiting, Karen Whiting, Margaret O'Leary with students Alison, Tina and Courtney, Nick Charters

Apologies:

Tony Kean, Cathy Jennings, Donna Robinson

2. ADOPTION OF PREVIOUS MINUTES

Committee Chairperson Cr Brown welcomed members of the Committee. The minutes of the meeting held on the 1 April 2008 were adopted as an accurate record of that meeting.

3. GUEST SPEAKER - MEAGAN HARDING, TOMAREE NURSING SERVICE

Meagan presented an overview of the Tomaree Nursing Service which has been operating 6 years with 25 staff who service 120 regular patients. The service operates 24 hours a day all year round. It accommodates the more urgent nursing equipment needs for the community including the needs of holiday makers. Whilst some other organisations charge a delivery fee, which can be cost prohibitive for some people, this service offers free delivery and there is no deposit required for locals. All equipment comes with instructions for use. In A4 size.

Meagan is currently investigating the possibility of including both manual and self propelled wheelchairs for the service. She tabled a handout which included a list of equipment for hire and relevant hire costs.

4. MATTERS ARISING FROM PREVIOUS MINUTES

4:1 Access Committee Brochure Update

The draft brochure was considered and feedback provided. The colour, format and overall style of the brochure has been approved with only some minor adjustments requested relating to: -

- paragraph on first page
- increase size of quote bubble on page 3

ORDINARY MEETING MINUTES – 24 JUNE 2008

Action:	2. Council's Integrated Planning Customer Support Officer will amend the draft brochure in readiness for consideration and finalisation at next meeting.
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4.2 Access Committee Constitution

It was noted that a report will be considered by Council in June 2008 in relation to amending the Schedule to the Committee's Constitution.

4:3 Joint Meeting with Council

Confirmed date for the Joint Meeting between Council and the Access Committee is Tuesday 29 July 2008, 5.30pm to 7.30pm at the Council Administration Building, Raymond Terrace. Renowned environmental spaces designer, Ric McConaghy will be guest speaker.

4.4 Accessible Shopping Trolleys

A letter has been received from a major retailer advising the Committee that they currently have two wheelchair friendly trolleys at their outlet on the Tilligerry Peninsula and that two more have been ordered for their outlets located in Medowie, Salamander Bay and Nelson Bay.

General discussion revealed that there is one wheelchair friendly shopping trolley available at a major retail outlet at Raymond Terrace and the keys are available from the service desk.

4:5 Access Provisions at a Raymond Terrace Commercial Outlet

The Committee is awaiting a response to the letter sent to this commercial outlet.

4:6 Access Provisions - Bobs Farm Tourist Facility

An inspection of this facility noted that there is a signed and paved area for disabled parking. However concerns still exist about compliance of the disabled toilet.

Action:	1. Council's Community Planner – Ageing & Disability to investigate
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5. GENERAL BUSINESS

5:1 Access to Raymond Terrace Food Outlet

A Committee member has raised a concern that the doors only open outward limiting access for some people with a disability.

Action:	1. Council's Community Planner – Ageing & Disability to investigate.
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5:2 Disabled Toilet Signage – Port Stephens Tourist Facility

A Committee member advised that whilst visiting a local resort they found the disabled toilet difficult to locate due to a perceived lack of signage.

Action:	1. Council's Community Planner – Ageing & Disability to investigate.
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5:3 Disabled Parking Facilities at Nelson Bay Club

Concerns were raised at the number and adequacy of available disabled parking spaces provided whilst this facility is currently undergoing renovations including the size of parking spaces, obstructions to walkways and space to operate a wheelchair car hoist.

Action:	1. Council's Community Planner – Ageing & Disability to investigate.
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5.4 Access Registration form

Michelle tabled the new form for the '*Registration of Access Issues*' to be brought to the attention of the Access Committee

Action:	1. Council's Integrated Planning Customer Support Officer to include name and contact details on front page.
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5.5 Port Stephens Council Online Community Directory

Council's online Community Directory has been updated. It now includes: -

- a section specifically dedicated to community services for older people and people with a disability. For information on ageing go to the *Ageing Logo* for services for the aged, including non Government services, events, and other resources (e.g.; nutritional information). For information for people with disabilities go to the *Disability Logo* for International Day of Disabilities information, MLAK key amenities etc
- a section for how to get your services listed on the site
- a section on Council's Access Committee which is being updated. To access go to Council's website at www.portstephens.nsw.gov.au and click on Community Directory followed by the Access Logo where you will find meeting minutes, meeting dates and meeting locations as well as the new '*Registration of Access Issues*' form and other related news.

5.6 Accessible Bus Stops

Occupational Therapy students have just completed a report on accessible bus stops. A copy of the report has been given to Council's Community Planner – Ageing & Disability.

5.7 Resources Associated with Annual Port Stephens International Day for People with a Disability Picnic

During the last few years a number of resources have been purchased with funds dedicated to the annual International Day for People with a Disability celebrations in Port Stephens. These funds have come from Council's budget for this annual event along with funds secured through the Committee's fundraising activities for this event. As such, any resources which have been purchased with these funds (e.g.; gazebos) are for this event and the care and management of these resources rests with Council Officers responsible for

ORDINARY MEETING MINUTES – 24 JUNE 2008

the co-ordination and organisation of these annual celebrations. Where appropriate these resources may be available for use for other Council related events and activities. In the event that these resources require replacing or upgrading in the future, Council will review the matter at the time with regard to available funds and with reference to Council's stated goals and objectives for people with disabilities as specified in Council's Council Plan.

5.8 Transport

Options are being explored with regard to gaining assistance with transport for relevant Access Committee members to attend Committee meetings.

5.9 Surveys

Council's Community Planner – Ageing & Disability asked if any Committee members who utilise power wheelchairs or scooters if they would like to participate in a survey by students at University of Sydney. The associated information will be emailed to interested members.

Action:	1. Council's Community Planner – Ageing & Disability will email survey information to relevant members including Tomaree Community Health.
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5.10 Tomaree Aquatic Centre

Council is advancing plans to upgrade the aquatic centre with costings being formulated on the proposed retiling of the bottom of the pool and the construction of an access ramp.

A member of the Committee suggested asking Council to fund the project, however, after further discussion, it was confirmed that the purpose of the Access Committee is not to source funding for projects.

6. DETAILS OF NEXT MEETING

The next meeting will be held on the 3 June 2008 at 10.30am at the Raymond Terrace Bowling Club.

Meeting closed at 12.45pm

INFORMATION ITEM NO. 3

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

REPORT OF: TREVOR ALLEN - INTEGRATED PLANNING MANAGER

FILE: PSC2005-0629

BACKGROUND

The purpose of this report is to present to Council the minutes of the Aboriginal Strategic Committee meeting with Worimi Local Aboriginal Land Council on 12 May 2008.

Key issues considered at the meeting included:

- 1) Soldiers Point Boat Ramp Update
- 2) 2008 Joint Meeting of Aboriginal Strategic Committee and Council
- 3) 2008 Naidoc Week Celebrations

ATTACHMENTS

- 1) Minutes of Aboriginal Strategic Committee meeting with Worimi LALC on 12 May 2008.

ATTACHMENT 1

**ABORIGINAL STRATEGIC COMMITTEE MEETING
WITH WORIMI LOCAL ABORIGINAL LAND COUNCIL
HELD ON THE 12 MAY 2008
AT THE MURROOK CULTURAL & LEISURE CENTRE**

Present:

Andrew Smith	Worimi LALC
Janice MacAskill	Worimi LALC
Val Merrick	Worimi LALC
Cr Ron Swan	PSC
Cr Sally Dover	PSC
Cr Helen Brown	PSC
Paul Procter	PSC
Jason Linnane	PSC
Cliff Johnson	PSC
Amanda Heidke	PSC

Apologies:

Peter Gesling	PSC
Mike Trigar	PSC
John Flannery	PSC
Scott Anson	PSC

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

1. WELCOME TO COUNTRY

Worimi Elder Val Merrick brought the Traditional 'Welcome to Country'.

2. MINUTES OF PREVIOUS MEETING

Cr Swan moved that the minutes of the previous meeting held on 10 March 2008 be accepted as an accurate record of the meeting. Seconded by Janice MacAskill.

3. BUSINESS ARISING FROM PREVIOUS MINUTES

Item 1: Proposed State Government Reforms - Development Application Processes:

WLALC CEO advised that he hasn't received a copy of Council's submission to the State Government on the proposed planning reforms.

Action:	1. Council's Social Planning Co-ordinator will organise for a copy of Council's
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ORDINARY MEETING MINUTES – 24 JUNE 2008

submission to be forwarded to WLALC for their information.

Item 2: Middens at Birubi Headland

Council's Recreation Services Manager advised that NPWS has recently experienced significant personnel changes which has delayed work whilst new personnel fully familiarise themselves with this project. Council is eager to see work commence (e.g.; sealing of car park) but wants to wait until the work to protect the midden has been completed. Council has increased its contribution to these works by \$10,000 making Council's total financial contribution totalling \$30,000.

Item 3: Soldiers Point Boatramp Improvements

Council's Recreation Services Manager indicated that it is hoped that Stage 1 (*i.e; Reconstruction of Boat ramp*) will be completed by the end of this year with the work predominantly being carried out throughout winter. The Development Application for this work is to be lodged soon. He will forward a copy of the engineering plans to WLALC CEO for comment prior to being finalised.

WLALC CEO asked that a support letter from the Aboriginal Strategic Committee be sent to DECC supporting the protection of the middens on this site and that the application form submitted to DECC by WLALC for this site as a nominated 'Aboriginal Place' be processed as soon as possible.

In relation to the proposed future works (e.g; Revetment & Rock Groyne), Council's Recreation Services Manager indicated that the future advancement of these works will be subject to funding being secured.

Actions:	<ol style="list-style-type: none">1. Council's Recreation Services Manager will forward a copy of the engineering plans for the proposed reconstruction of the boat ramp to WLALC CEO for comment.2. Council's Social Planning Co-ordinator will organise for a letter to be sent to DECC on behalf of the Aboriginal Strategic Committee supporting the protection of the middens at Soldiers Point, and request that the processing of WLALC application form submitted to DECC by WLALC for this site as a nominated 'Aboriginal Place' be completed as soon as possible.
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Item 4: Aboriginal Project Fund

WLALC CEO advised that the training component of the 'Gabirr Gumba Project' which they have recently received funding under Council's Aboriginal Project Fund will be delayed briefly whilst other priorities are advanced.

In regards to the projects recently funded under the most recent funding round and last year, The ASC has asked that the recipients of the funding be requested to attend the next meeting of the ASC with WLALC on 11 August 2008 to report on the acquittal expenditure of their grants and the outcomes achieved to date. Council's Social Planning Co-ordinator mentioned that they would make this a standing agenda item.

Actions:	<ol style="list-style-type: none">1. Council's Social Planning Co-ordinator will invite recipients of funding under the last two funding rounds to attend the ASC meeting on 11 August 2008 to report on the expenditure of their grants and the outcomes achieved to date.2. Council's Social Planning Co-ordinator will amend the Committee's agenda template to include the 'Aboriginal Project Fund' as a standard agenda item.
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3. REVIEW OF ABORIGINAL STRATEGIC COMMITTEE CONSTITUTION SCHEDULE

Copies of the Constitution were tabled for review and discussed. It was suggested that ASC could invite other local Aboriginal service providers to confirm what specialised services they offer, and to invite them to (where required), write to the ASC on any issues of concern that they may have with the possibility of making a brief presentation to the ASC.

It was also agreed that the following deletion be made: -

- Delete the inclusion of representatives of the Mindarriba LALC under Item 7. The ASC support the deletion of Mindarriba on the basis that their land boundary only covers a nominal area inside the western boundary of Port Stephens. The ASC recommend that a letter be sent to Mindarriba on behalf of the ASC to inform them that if they have any issues they would like to have addressed by the ASC, simply put the issues in writing and where required, make request to come along and address the ASC in person.

The ASC will complete the review of the Constitution Schedule at next meeting on 11 August 2008 before being presented to Council for consideration and adoption.

Action:	<ol style="list-style-type: none">1. Council's Social Planning Co-ordinator to prepare a list of local organisations which provide specialised services to the Aboriginal community in Port Stephens.2. Council's Social Planning Co-ordinator will write to suppliers of specialised services to the Aboriginal community inviting them to (where required), write to the ASC on any issues of concern that they may have with the option (where appropriate) of making a brief presentation to the ASC.3. Council's Social Planning Co-ordinator write to Mindarriba on behalf of the ASC to inform them that if they are welcome to write at any time to the ASC with any issues they would like to raise either in writing or in person at a meeting.
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4. GENERAL BUSINESS

4.1 Potential Aboriginal Employment Initiative

WLALC CEO indicated that a number of WLALC members have and are continuing to gain skills and experience in a range of different areas such as fencing. He suggested that Council give consideration in reviewing its current procurement processes to identify any opportunities which may exist in specifying (where relevant) in Terms and Conditions that preference be given to suppliers (i.e.; contractors) who are willing to take on local Aboriginal members as Trainees.

Action:	<ol style="list-style-type: none">1. Council's Social Planning Co-ordinator will meet with Council's Resources Manager, and Procurement & Contracts Co-ordinator to discuss.
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4.2 Declaration of Conflict of Interest

It was suggested and supported unanimously by the ASC that the agenda template be amended to include "Declaration of Conflict of Interest" as a standard agenda item.

Action:	1. Council's Social Planning Co-ordinator to amend agenda template to include "Declaration of Conflict of Interest" as a standard agenda item.
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4.3 Future Assistance towards Purchase of a Boat

WLALC CEO stated that some of the Islands within the Worimi Land area are being abused and WLALC currently has no way of being able to adequately monitor and/or protect these areas without the use of watercraft. They have asked that Council consider any form of assistance that may be available to assist them in the possible future joint purchase of a boat which could be used by WLALC and Council Officers (e.g.; Rangers) where required.

4.4 Joint ASC Meeting

Council's Social Planning Co-ordinator confirmed that Kelvin Kong will be this year's guest speaker at the meeting on 15 July 2008 at Council.

4.5 Update NAIDOC Week 2008

WLALC CEO advised that planning for this year's event is going well with three meetings being held with key stakeholders to date. This year's event will essentially be the same as last year's event, but possibly on a slightly smaller scale due to available resources. This year's event will be held on Sunday 13 July 2008 with minor changes to the program including holding the breakfast at the conclusion of the street march down William Street rather than the prior to the march. The new rotunda in Riverside Park will be used as the main event stage. Entertainment is still being sourced with a focus being placed on utilising local performers. Letters have been sent to schools inviting their involvement through poster competitions etc.

4.6 Council's Holiday Parks

WLALC CEO commended the efforts of Council's Holiday Parks staff in disseminating to users (where appropriate) copies of the cultural awareness letter provided by WLALC.

5. NEXT MEETING

The next meeting will be the joint meeting with Council on 15 July 2008 at Council's Administration Building, Raymond Terrace commencing at 5:30pm.

The next ordinary meeting of the ASC will be held on 11 August 2008 at 1:00pm at Murrook.

Meeting closed at 3.15pm.

INFORMATION ITEM NO. 4

UNDETERMINED DEVELOPMENT APPLICATIONS

REPORT OF: SCOTT ANSON – MANAGER, DEVELOPMENT & BUILDING
FILE: PSC2007-3153

BACKGROUND

The purpose of this report is to provide Councillors with information on undetermined development applications currently with Council, at the request of Cr Tucker.

Undetermined development applications greater than 365 days are not included in this report, given that generally there has been no action by the applicant in response to Council requests for additional information and/or these applications may be held in abeyance subject to strategic landuse processes. All these applications are now subject to Council's adopted Application Determination Policy that provides a clear framework to enable such determination.

Days in Council also do not include "Stop the Clock" days. "Stop the Clock" indicates that Council is waiting on further information from the applicant. Further summary information is also provided to Council quarterly through the Performance Measurement Report on "Cockpit Charts".

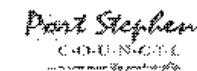
The report is accurate as of the date of generation, but not as of the date of publication of the Business Paper. If more up-to-date information is required, it is available on Council's DA Tracker.

ATTACHMENTS

- 1) Report on Undetermined Development Applications
- 2) Glossary of Abbreviations

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

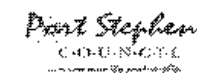


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2007-14-3	Buildex Properties Pty Ltd	S.96 Amendment	21 Cox's LN FULLERTON COVE	26/05/2008	1		
16-2007-288-3	Atb Morton Pty Limited	S.96 Amendment	21 Old Punt RD TOMAGO	26/05/2008	1	27/05/2008	Application Information Check
16-2008-409-1	Restech	Fence - Demolish Existing	1 Ocean Rover WAY RAYMOND TERRACE	26/05/2008	1	27/05/2008	Application Information Check
16-2008-410-1	Boura	Miscellaneous	7 President Wilson WALK TANILBA BAY	26/05/2008	1		
16-2008-411-1	Schuman	Farm Building	458 Swan Bay RD SWAN BAY	26/05/2008	1	27/05/2008	Application Information Check
16-2008-412-1	Hearn	Swimming Pool	15 Fenninghams Island RD BOBS FARM	26/05/2008	1	27/05/2008	Application Information Check
16-2008-413-1	Bright	Garage	111 Adelaide ST RAYMOND TERRACE	26/05/2008	1	27/05/2008	Application Information Check
16-2008-414-1	M J McDougall & Associates	Subdivision - Residential - TT	62 Wallawa RD CORLETTE	26/05/2008	1	27/05/2008	Application Information Check
16-2008-415-1	Lockley Land Title Solutions	Subdivision - Residential - ST	29 Wahgunyah RD NELSON BAY	26/05/2008	1	27/05/2008	Application Information Check
16-2008-416-1	Shoal Bay Resort & Aqua Spa	Miscellaneous	130/43 Shoal Bay RD SHOAL BAY	26/05/2008	1	27/05/2008	Application Information Check
16-2002-1506-4	Tcbs Spv Tomaree Pty Limited	26 Urban Housing Dwellings and 2 Tourist Facility Units	16 Tomaree ST NELSON BAY	23/05/2008	4	23/05/2008	Referral - Planning
16-2008-404-1	O'Lone	Single Storey Dwelling	30 Britannia DR TANILBA BAY	23/05/2008	4	26/05/2008	Referral - Building
16-2008-405-1	Tri-Steel Industries Pty Ltd	Storage Shed	9 Timbertop RD GLEN OAK	23/05/2008	4	26/05/2008	Referral - Building
16-2008-406-1	Klippel	Single Storey Dwelling	46 Ralstons RD NELSONS PLAINS	23/05/2008	4	26/05/2008	Referral - Building
16-2008-407-1	Likisha Pty Ltd	Single Storey Dwelling & Change of use(existing dwelling to be store)	44 Ralstons RD NELSONS PLAINS	23/05/2008	4	26/05/2008	Referral - Building

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

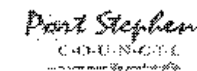


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-408-1	Monk	Farm Shed	6 Morpeth VWS WALLALONG	23/05/2008	4	26/05/2008	Referral - Building
16-2008-397-1	Simpson	Land Fill	15 Echo PL ONE MILE	22/05/2008	5	27/05/2008	Referred to Mgr for Allocation
16-2008-398-1	Stopoff Nominees Pty Limited	Two Storey Dwelling (Demolish Existing)	112 Sandy Point RD CORLETTE	22/05/2008	5	27/05/2008	Referral - Building
16-2008-399-1	Lemon Tree Passage Bowling Club Co-Operative Ltd	Addition & Alteration to Existing Club	25 Kenneth PDE LEMON TREE PASSAGE	22/05/2008	5	27/05/2008	Referred to Mgr for Allocation
16-2008-400-1	Physick	Two Storey Dwelling	10 Reflections DR ONE MILE	22/05/2008	5	26/05/2008	Referral - Building
16-2008-401-1	Spicer	Two Storey Dwelling	6 Ullora RD NELSON BAY	22/05/2008	5	26/05/2008	Referral - Building
16-2008-402-1	Milner	Patio Cover	14 Adastra CL RAYMOND TERRACE	22/05/2008	5	26/05/2008	Referral - Building
16-2008-403-1	Casey	Garage	97 Salamander WAY SALAMANDER BAY	22/05/2008	5	26/05/2008	Referral - Building
16-2008-391-1	Port Stephens Council	Boundary Re-alignment	18A Sturgeon ST RAYMOND TERRACE	21/05/2008	6	22/05/2008	Referred to Mgr for Allocation
16-2008-392-1	Richardson	Garage	22 Pershing PL TANILBA BAY	21/05/2008	6	22/05/2008	Referral - Building
16-2008-393-1	Chapman	Addition to Dwelling and Deck	4 Kerrie Close PRIV NELSON BAY	21/05/2008	6	22/05/2008	Referral - Building
16-2008-394-1	Halliwel	Machinery Shed	14 Gerill CL WALLALONG	21/05/2008	6	22/05/2008	Referral - Building
16-2008-395-1	Tri-Steel Industries Pty Ltd	Garage (Demolish Existing)	23 Norburn AVE NELSON BAY	21/05/2008	6	22/05/2008	Referral - Building
16-2008-396-1	Tri-Steel Industries Pty Ltd	Garage	5 Stanley ST LEMON TREE PASSAGE	21/05/2008	6	22/05/2008	Referral - Building
16-2008-387-1	Horan & Smith Builders	Additions to Dwelling	4 Cole CL MEDOWIE	20/05/2008	7	21/05/2008	Referral - Building

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

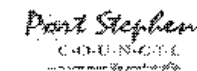


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council	Current Status
16-2008-388-1	Paul Le Mottee Project Management	Four (4) Lot Subdivision - TT	364 Six Mile RD EAGLETON	20/05/2008	7 23/05/2008	Referred to Mgr for Allocation
16-2008-389-1	Hill Top Planners	Industrial Development	2228 Pacific HWY HEATHERBRAE	20/05/2008	7 23/05/2008	Referred to Mgr for Allocation
16-2008-390-1	Riches	Garage	10 Ralstons RD NELSONS PLAINS	20/05/2008	7 23/05/2008	Preparation of Correspondence
16-2008-382-1	Purdon	Carport and Patio Cover (Variation to Building Line)	6 Grevillea DR MEDOWIE	19/05/2008	8 22/05/2008	Referral - Building
16-2008-383-1	Mambare Pty Limited	Single Storey Dwelling (Variation to Building Line)	16 Ability AVE TANILBA BAY	19/05/2008	8 22/05/2008	Further Information Required
16-2008-384-1	Clarke	Bed & Breakfast Establishment	1064 Seaham RD SEAHAM	19/05/2008	8 22/05/2008	Referral - Planning
16-2008-385-1	Charlton	Storage Shed	12 Thomas ST RAYMOND TERRACE	19/05/2008	8 20/05/2008	Referral - Building
16-2008-386-1	Ryner	Swimming Pool	5 Fisher RD MEDOWIE	19/05/2008	8 20/05/2008	Referral - Building
16-2007-346-3	Contour Building & Construction Pty Ltd	Single Storey Dwelling	8 Paperbark CRT FERN BAY	16/05/2008	11 22/05/2008	Referral - Building
16-2008-377-1	Mcfadyen	Swimming Pool	21 Bilmark DR RAYMOND TERRACE	16/05/2008	11 19/05/2008	Referral - Building
16-2008-378-1	Young	Patio Cover	6 Barrie CL WILLIAMTOWN	16/05/2008	11 20/05/2008	Preparation of Correspondence
16-2008-379-1	Thompson	Garage and Awning	55 Sylvan AVE MEDOWIE	16/05/2008	11 19/05/2008	Referral - Building
16-2008-380-1	Richmond	Two Storey Dwelling & Garage - Demolish Existing	221 Foreshore DR CORLETTE	16/05/2008	11 19/05/2008	Referral - Building
16-2008-381-1	Port Stephens Council	Community Event (Blue Water Country Music Festival)	William ST RAYMOND TERRACE	16/05/2008	11 22/05/2008	Referral - Planning
16-2003-1147-2	Port Paradise Pty Ltd	Industrial Building	9 Sky CL TAYLORS BEACH	15/05/2008	12 22/05/2008	Referral - Planning

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-371-1	Martin Building Services	Addition to Dwelling and Stables	5 Ralstons RD NELSONS PLAINS	15/05/2008	12	22/05/2008	Checking & Signing
16-2008-372-1	Fenemor	Patio Cover	82 Irrawang ST RAYMOND TERRACE	15/05/2008	12	16/05/2008	Referral - Building
16-2008-373-1	Munro	Shop Fitout & Change of Use (Podiatry Clinic)	8/3 Town Centre CCT SALAMANDER BAY	15/05/2008	12	22/05/2008	Referred to Minor Assess Team
16-2008-374-1	Wright	Addition to Dwelling & Carport	54 Pacific AVE ANNA BAY	15/05/2008	12	16/05/2008	Referral - Building
16-2008-375-1	Tri-Steel Industries Pty Ltd	Storage Shed	6 Rosebank DR WALLALONG	15/05/2008	12	20/05/2008	Preparation of Correspondence
16-2008-376-1	Diemar	Replacement of Private Slipway	21A Diemars RD SALAMANDER BAY	15/05/2008	12	22/05/2008	Referral - Planning
16-2005-474-3	Coffey Projects	Alterations & Additions to Airport Terminal	55 Slades RD WILLIAMTOWN	14/05/2008	13	16/05/2008	Referral - Planning
16-2008-365-1	Kershaw	Storage Shed	41 Sassin CR MEDOWIE	14/05/2008	13	15/05/2008	Referral - Building
16-2008-366-1	Marshall	Addition to Dwelling & Garage	111 Salamander WAY SALAMANDER BAY	14/05/2008	13	23/05/2008	Preparation of Correspondence
16-2008-367-1	White	Farm Building	96 Butterwick RD WOODVILLE	14/05/2008	13	20/05/2008	Preparation of Correspondence
16-2008-368-1	Mclay	Single Storey Dwelling	22 Ability AVE TANILBA BAY	14/05/2008	13	19/05/2008	Further Information Required
16-2008-369-1	Young	Temporary Sales Office and Carpark	9 Mulubinda PDE CORLETTE	14/05/2008	13	22/05/2008	Referral - Planning
16-2008-370-1	Port Stephens Veterans & Citizens Aged Care Ltd	Urban Housing (Three Dwellings)	169 Rocky Point RD FINGAL BAY	14/05/2008	13	15/05/2008	Referred to Mgr for Allocation
16-2008-360-1	Code	Garage	4 Myanga ST RAYMOND TERRACE	13/05/2008	14	14/05/2008	Referral - Building
16-2008-361-1	Catholic Schools Office	Addition & Alteration to School (new classrooms, upgrade of facilities)	69 William ST RAYMOND TERRACE	13/05/2008	14	19/05/2008	Application Information Check

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-362-1	Bryant	Addition to Dwelling, Garage, Carport, Deck	13 Thomas ST RAYMOND TERRACE	13/05/2008	14	14/05/2008	Referral - Building
16-2008-364-1	Cox	Garage	780 Medowie RD MEDOWIE	13/05/2008	14	14/05/2008	Referral - Building
16-2008-357-1	Perkins	Single Storey Dwelling (demolish existing)	88 Blanch ST BOAT HARBOUR	12/05/2008	15	23/05/2008	Preparation of Correspondence
16-2008-358-1	Wincrest Homes Pty Ltd	Two Storey Dwelling	1 Ability AVE TANILBA BAY	12/05/2008	15	14/05/2008	Referral - Building
16-2008-359-1	Cagda Pty Limited	Shed - Commercial Premises	3443 Nelson Bay RD BOBS FARM	12/05/2008	15	19/05/2008	Application Information Check
16-2007-733-2	Spanline Port Stephens	Addition to Existing Club (Screened Enclosure)	5 Reliance BVD TANILBA BAY	9/05/2008	18	20/05/2008	Preparation of Correspondence
16-2008-349-1	Annable	Machinery Shed	18 Salt Ash AVE SALT ASH	9/05/2008	18	19/05/2008	Further Information Required
16-2008-350-1	Sidorow	Single Storey Dwelling (Demolish Existing)	1 Gordon CL ANNA BAY	9/05/2008	18	23/05/2008	Preparation of Correspondence
16-2008-351-1	Paul Le Mottee Project Management	Two (2) Lot Subdivision - Rural - TT	12 Kula RD MEDOWIE	9/05/2008	18	23/05/2008	Further Information Required
16-2008-353-1	Spanline Port Stephens	Deck with Screened Enclosure	61 Sergeant Baker DR CORLETTE	9/05/2008	18	12/05/2008	Referral - Building
16-2008-354-1	Cox	Garage & Stables	48 Lisadell RD MEDOWIE	9/05/2008	18	14/05/2008	Referral - Building
16-2008-355-1	Spanline Port Stephens	Screened Enclosure to Existing Dwelling - Urban Housing x 3 Dwellings	1/12 Fathom PL CORLETTE	9/05/2008	18	22/05/2008	Referred to Minor Assess Team
16-2008-356-1	Spanline Port Stephens	Patio Cover - (Existing Deck)	143 Navala AVE NELSON BAY	9/05/2008	18	12/05/2008	Referral - Building
16-2008-347-1	Sps Consultants Pty Limited	Advertising Signs	1A Sky CL TAYLORS BEACH	8/05/2008	19	23/05/2008	Admin Distribution
16-2008-348-1	Greg Paton Master Builder	Addition to Dwelling and Bed & Breakfast Establishment	85 James RD MEDOWIE	8/05/2008	19	15/05/2008	Further Information Required

ORDINARY MEETING MINUTES – 24 JUNE 2008

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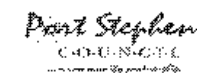


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-336-1	Galrid Pty Ltd	Screened Enclosure	23 Clemenceau CR TANILBA BAY	7/05/2008	20	20/05/2008	Preparation of Correspondence
16-2008-337-1	Wheatley	Urban Housing (3 Dwellings) & 3 Lot Subdivision-ST (Demolish Existing)	23 Tathra ST RAYMOND TERRACE	7/05/2008	20	16/05/2008	Referral - Planning
16-2008-339-1	Flynn	Single Storey Dwelling	8 Regal PL SEAHAM	7/05/2008	20	23/05/2008	Preparation of Correspondence
16-2008-340-1	Elliott	Single Storey Dwelling	16 Paperbark CRT FERN BAY	7/05/2008	20	8/05/2008	Referral - Building
16-2008-341-1	Cockbain	Single Storey Dwelling	4 Iona LN WOODVILLE	7/05/2008	20	16/05/2008	Further Information Required
16-2008-342-1	Gwh Construction (Nsw) Pty Ltd	Shop Fitting and Signage (Hair and Beauty Salon)	32 Beatty BVD TANILBA BAY	7/05/2008	20	16/05/2008	Referred to Minor Assess Team
16-2008-343-1	Gwh Construction (Nsw) Pty Ltd	Advertising Sign	1043 Lemon Tree Passage RD TANILBA BAY	7/05/2008	20	16/05/2008	Referred to Minor Assess Team
16-2008-344-1	Lambert Building Pty Ltd	Dual Occupancy - Detached & 2 Lot Strata Subdivision	15 Brown ST RAYMOND TERRACE	7/05/2008	20	16/05/2008	Further Information Required
16-2008-345-1	Rowe	Machinery Shed	14 Eskdale Park DR SEAHAM	7/05/2008	20		
16-2003-2105-6	Hill Top Planners	169 Unit Retirement Village & Facilities / Demolish Existing	1141 Nelson Bay RD FERN BAY	6/05/2008	21	9/05/2008	Referral - Planning
16-2008-333-1	Freedom Homes	Single Storey Dwelling, Swimming Pool, Machinery Shed	97 Richardson RD RAYMOND TERRACE	6/05/2008	21	7/05/2008	Referral - Building
16-2008-334-1	Flyash Equipment Pty Ltd	Three (3) Transportable Silos - (Existing Industrial Development)	15 Motto LN HEATHERBRAE	6/05/2008	21	15/05/2008	Further Information Required
16-2008-335-1	Raybal Building Services Pty Ltd	Two x Industry Warehouse & Ancillary Commercial	5 Abbot LN TOMAGO	6/05/2008	21	23/05/2008	Further Information Required
16-2008-328-1	Coffey Projects	Addition to Airport Facilities	55 Slades RD WILLIAMTOWN	5/05/2008	22	20/05/2008	Preparation of Correspondence

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council	Current Status
16-2008-329-1	Delaney	Addition to Dwelling (Family Room & Pool Room)	21 Hideaway DR SALT ASH	5/05/2008	22 8/05/2008	Further Information Required
16-2008-330-1	Murray	Two Storey Dwelling	23 Paperbark CRT FERN BAY	5/05/2008	22 6/05/2008	Referral - Building
16-2008-331-1	Mewett Plant Pty Ltd	Store Shed to Existing Industrial Development	19 School DR TOMAGO	5/05/2008	22 16/05/2008	Referral - Planning
16-2008-332-1	Jw Planning Pty Limited	Advertising Sign	40A Richardson RD RAYMOND TERRACE	5/05/2008	22 14/05/2008	Further Information Required
16-2008-324-1	Bailey	Patio Cover	139 Oyster Cove RD OYSTER COVE	2/05/2008	25 14/05/2008	Referred to Minor Assess Team
16-2008-327-1	Holt	Two Storey Dwelling	13B Tareebin RD NELSON BAY	2/05/2008	25 5/05/2008	Referral - Building
16-2008-322-1	Tang	Screened Enclosure	6 James Scott CR LEMON TREE PASSAGE	1/05/2008	26 2/05/2008	Referral - Building
16-2008-323-1	Fenwick	Carport	44 Ryan RD MEDOWIE	1/05/2008	26 23/05/2008	Preparation of Correspondence
16-2008-316-1	Wilson	Shop Fitting (Hairdressing Salon with Beauty Room)	23 William ST RAYMOND TERRACE	30/04/2008	27 7/05/2008	Referral - Planning
16-2008-317-1	Friend	Garage	44 Waratah AVE SALAMANDER BAY	30/04/2008	27 6/05/2008	Further Information Required
16-2008-318-1	Mackay	Single Storey Dwelling	41 Paperbark CRT FERN BAY	30/04/2008	27 1/05/2008	Referral - Building
16-2008-320-1	Holloway	Single Storey Dwelling	14 Matilda AVE TANILBA BAY	30/04/2008	27 8/05/2008	Further Information Required
16-2008-321-1	Steve Saunders Creative Building	Single Storey Dwelling and Swimming Pool	6 Shelby CL ANNA BAY	30/04/2008	27 23/05/2008	Preparation of Correspondence
16-2008-311-1	Sinclair	Swimming Pool	159 Sunningdale CCT MEDOWIE	29/04/2008	28 30/04/2008	Referral - Building
16-2008-314-1	Lietz	Garage with Awning	46 Boyd BVD MEDOWIE	29/04/2008	28 30/04/2008	Referral - Building

ORDINARY MEETING MINUTES – 24 JUNE 2008

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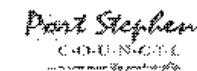
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Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-315-1	Davies	Garage & Awning	5 Northumberland AVE LEMON TREE PASSAGE	29/04/2008	28	30/04/2008	Referral - Building
16-2008-303-1	Tattersall Surveyors Pty Ltd	Two Storey Dwelling and Shared Driveway	30 The Parkway MALLABULA	28/04/2008	29	22/05/2008	Further Information Required
16-2008-304-1	Eagle Boys Pizza	Change of use to Restaurant, Internal Fitout & Sign	32 Beatty BVD TANILBA BAY	28/04/2008	29	7/05/2008	Referral - Planning
16-2008-305-1	Strang Ncs Pty Limited	Industrial Building	21 School DR TOMAGO	28/04/2008	29	7/05/2008	Referral - Planning
16-2008-306-1	Restech	Urban Housing -9 Dwellings (demolish existing 4 Dwellings)	131 Watt ST RAYMOND TERRACE	28/04/2008	29	7/05/2008	Referral - Planning
16-2008-308-1	Bennett	Addition to Dwelling	18A Cromarty RD SOLDIERS POINT	28/04/2008	29	23/05/2008	Preparation of Correspondence
16-2008-310-1	Paul Le Mottee Project Management	Managers Residence Tourist Facility & Two Lot Subdivision - TT	154A Tarean RD KARUAH	28/04/2008	29	8/05/2008	Further Information Required
16-2008-299-1	Kelly	Patio Cover	1/4 Helm CL SALAMANDER BAY	24/04/2008	33	5/05/2008	Referred to Minor Assess Team
16-2008-300-1	Tri-Steel Industries Pty Ltd	Storage Shed	4 Yangoora CL MEDOWIE	24/04/2008	33	16/05/2008	Checking & Signing
16-2008-301-1	Serret	Swimming Pool	11 Boots CL RAYMOND TERRACE	24/04/2008	33	28/04/2008	Referral - Building
16-2008-294-1	Newton	Bed & Breakfast Establishment	112 Port Stephens ST RAYMOND TERRACE	23/04/2008	34	29/04/2008	Referral - Planning
16-2008-295-1	Freedom Homes	Single Storey Dwelling and Shed	64 Sassin CR MEDOWIE	23/04/2008	34	24/04/2008	Referral - Building
16-2008-298-1	Paul Le Mottee Project Management	Three (3) Lot Subdivision - TT	18 Fairlands RD MEDOWIE	23/04/2008	34	5/05/2008	Referral - Planning
16-2008-288-1	Davies	Second Storey Addition to Dwelling	6 Hartford ST MALLABULA	21/04/2008	36	8/05/2008	Further Information Required
16-2008-290-1	Newcastle Quality Constructions	Single Storey Dwelling	5 Paperbark CRT FERN BAY	21/04/2008	36	21/05/2008	Preparation of Correspondence

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

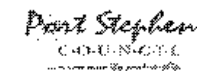


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-291-1	Martin	Single Storey Dwelling	20 Nobles RD NELSONS PLAINS	21/04/2008	36	22/04/2008	Referral - Building
16-2008-292-1	Malone	Industrial Development	10 William Bailey ST RAYMOND TERRACE	21/04/2008	36	22/05/2008	Referral - Planning
16-2007-661-2	Asquith & Dewitt Pty Ltd	Tourist Facility - 30 site caravan park, 9 tourist cabins, & amenities	4434 Pacific HWY TWELVE MILE CREEK	18/04/2008	39	22/04/2008	Referral - Environmental Ser
16-2008-287-1	Kozary	Home Industry (Road Side Stall) and Sign	41 Lisadell RD MEDOWIE	18/04/2008	39	26/05/2008	Further Information Required
16-2008-283-1	Shein	Verandah	0/97 Galoola DR NELSON BAY	17/04/2008	40	21/04/2008	Further Information Required
16-2008-284-1	Croker	Dual Occupancy - Detached & 2 Lot TT Subdivision (demolish existing)	28 Peace PDE TANILBA BAY	17/04/2008	40	24/04/2008	Further Information Required
16-2008-285-1	Curtis	Garage with Awning	5 Abercrombie RD MEDOWIE	17/04/2008	40	20/05/2008	Preparation of Correspondence
16-2008-280-1	Moylan	Fence (Variation to Building Line)	2 Riverview PL RAYMOND TERRACE	16/04/2008	41	17/04/2008	Referral - Building
16-2008-281-1	Gwh Construction (Nsw) Pty Ltd	Fitout of Existing Warehouse (Lot 6)	6/15 Shearwater DR TAYLORS BEACH	16/04/2008	41	15/05/2008	Further Information Required
16-2008-272-1	Hill Top Planners	Two Lot Subdivision - TT	56 William ST RAYMOND TERRACE	15/04/2008	42	23/05/2008	Admin Distribution
16-2008-273-1	Jedniuk	Dual Occupancy (one existing) & Garage	69 Abundance RD MEDOWIE	15/04/2008	42	23/04/2008	Further Information Required
16-2008-274-1	Taylor	Commercial Premises (Motor Vehicle Repairs)	340 Soldiers Point RD SALAMANDER BAY	15/04/2008	42	17/04/2008	Further Information Required
16-2008-275-1	Sutton	Single Storey Dwelling	15 Paperbark CRT FERN BAY	15/04/2008	42	23/05/2008	Preparation of Correspondence
16-2008-276-1	Retirement Care Australia (Port Stephens Gardens)	Alteration & Addition to Nursing Home	45 Bagnall Beach RD CORLETTE	15/04/2008	42	15/05/2008	Further Information Required

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-277-1	Bayside Patios	Carport and Screened Enclosure	4 Kingsley DR BOAT HARBOUR	15/04/2008	42	17/04/2008	Further Information Required
16-2008-279-1	Ash Supplies Pty Ltd	Temporary Shade Structure at Kiosk	3 Beach RD NELSON BAY	15/04/2008	42	20/05/2008	Preparation of Correspondence
16-2008-271-1	Lindsay	Single Storey Dwelling	35 Broughton CCT TANILBA BAY	14/04/2008	43	26/05/2008	Referral - Building
16-2008-265-1	Mcgee	Carport	12 Still ST SEAHAM	11/04/2008	46	21/04/2008	Further Information Required
16-2008-266-1	Pickles	Pergola	36 Lewis DR MEDOWIE	11/04/2008	46	14/05/2008	Checking & Signing
16-2008-262-1	Walker Douglas Nominees Pty Limited	Place of Public Entertainment	14A William ST RAYMOND TERRACE	10/04/2008	47	5/05/2008	Referral - Planning
16-2008-263-1	Atb Morton Pty Limited	Industrial Development - Warehouse Extension	13A Old Punt RD TOMAGO	10/04/2008	47	18/04/2008	Referral - Planning
16-2008-264-1	School Salt Ash Public School	Educational Establishment (Covered Walkway & Security Fencing)	2 Hideaway DR SALT ASH	10/04/2008	47	5/05/2008	Referral - Planning
16-2008-252-1	Sweeney	Change of Use - Bulky Goods Sales Room (Tender & Services Centre)	26A Ferodale RD MEDOWIE	9/04/2008	48	11/04/2008	Referral - Planning
16-2008-255-1	Jennings	Two Storey Dwelling & Swimming Pool (Demolish Existing)	173A Soldiers Point RD SALAMANDER BAY	9/04/2008	48	16/05/2008	Preparation of Correspondence
16-2008-256-1	Tattersall Surveyors Pty Ltd	Oyster Shed	25 Oyster Farm RD LEMON TREE PASSAGE	9/04/2008	48	11/04/2008	Referral - Planning
16-2008-257-1	Rawson Homes Pty Limited	Dual Occupancy - Detached	2 Midden RD FERN BAY	9/04/2008	48	23/05/2008	Preparation of Correspondence
16-2008-244-1	Transition Resort Holdings Pty Limited	Section 68B	1117 Nelson Bay RD FERN BAY	8/04/2008	49	11/04/2008	Referral - Planning
16-2008-245-1	Transition Resort Holdings Pty Limited	256 Lot Community Title Subdivision (Manufactured Home Estate)	1117 Nelson Bay RD FERN BAY	8/04/2008	49	15/04/2008	Referral - Planning

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

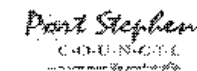
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Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-246-1	Nelson Focus Pty Ltd	Urban Housing (Three Dwellings) & 3 Lot Strata Subdivision	16 Johnson PDE LEMON TREE PASSAGE	8/04/2008	49	23/04/2008	Further Information Required
16-2008-248-1	Av Jennings Limited	Two Storey Dwelling	19 Matilda AVE TANILBA BAY	8/04/2008	49		
16-2008-249-1	Kingstone Homes	Two Storey Dwelling	50 Beaton AVE RAYMOND TERRACE	8/04/2008	49	19/05/2008	Further Information Required
16-2008-250-1	Contour Building & Construction Pty Ltd	Two Lot Subdivision - TT	10 Ironbark DR FERN BAY	8/04/2008	49	17/04/2008	Ext Ref - NSW RFS
16-2008-251-1	Contour Building & Construction Pty Ltd	Two Lot Subdivision - TT	8 Ironbark DR FERN BAY	8/04/2008	49	17/04/2008	Ext Ref - NSW RFS
16-2008-237-1	Murphy	Addition to Dwelling and Swimming Pool	6 Ocean AVE ANNA BAY	7/04/2008	50	10/04/2008	Further Information Required
16-2008-238-1	Lawson	Carport (Variation to Building Line)	5 Harris ST NELSON BAY	7/04/2008	50	19/05/2008	Further Information Required
16-2008-234-1	Mcdonald'S Properties (Aust) Pty Limited	Extend trading hours - drive-thru only.	94 Adelaide ST RAYMOND TERRACE	4/04/2008	53	20/05/2008	Referral - Planning
16-2008-235-1	Av Jennings Limited	Single Storey Dwelling	1352 Clarence Town RD SEAHAM	4/04/2008	53	20/05/2008	Preparation of Correspondence
16-2008-236-1	Martin O'Toole Architects	Urban Housing-33 Units (21 x 3BR, 12 x 2BR)	56/61 Donald ST NELSON BAY	4/04/2008	53	24/04/2008	Referral - Planning
16-2004-466-2	Sutton	Dual Occupancy - Detached	0/10 Rocky Point RD FINGAL BAY	3/04/2008	54	26/05/2008	Checking & Signing
16-2008-231-1	Grugeon	Two Storey Dwelling (demolish existing)	70B Sandy Point RD CORLETTE	3/04/2008	54	10/04/2008	Further Information Required
16-2008-232-1	Lismore Management Services Pty Ltd	Renovations to Existing Kiosk and Managers Residence (Holiday Park)	23 Hannah PDE ONE MILE	3/04/2008	54	10/04/2008	Further Information Required
16-2008-224-1	Jw Planning Pty Limited	Third Floor Addition to Existing Commercial Premises	8 Laman ST NELSON BAY	2/04/2008	55	11/04/2008	Referral - Planning

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

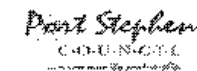


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appin No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-226-1	Dms Survey Pty Ltd	Three (3) Lot Subdivision - Residential - CT	22 Ironbark DR FERN BAY	2/04/2008	55	20/05/2008	Preparation of Correspondence
16-2008-228-1	Cooper	Awning to Existing Deck & Cabana	17 Morna Point RD ANNA BAY	2/04/2008	55	23/04/2008	Further Information Required
16-2008-218-1	Casey	Addition to Dwelling	113 Francis AVE LEMON TREE PASSAGE	1/04/2008	56	17/04/2008	Further Information Required
16-2008-219-1	Rennie Gollidge & Partners	Four (4) Lot Subdivision - ST	6/12 Blanch ST LEMON TREE PASSAGE	1/04/2008	56	8/04/2008	Further Information Required
16-2008-222-1	Cameron	Fitout of Existing Warehouse (Lot 1)	1/15 Shearwater DR TAYLORS BEACH	1/04/2008	56	8/04/2008	Referral - Planning
16-2008-223-1	Aimaway Holdings Pty Limited	Dual Occupancy - Detached (demolish existing) & 2 Lot Subdivision TT	173A Soldiers Point RD SALAMANDER BAY	1/04/2008	56	14/05/2008	Further Information Required
16-2008-214-1	Australian Marina Operations Pty Ltd	Shop	26B Corlette Point RD CORLETTE	28/03/2008	60		
16-2008-216-1	Hydromet Corporation Limited	Industrial Development - Warehouse, Lead Battery Recycling Facility	23 School DR TOMAGO	28/03/2008	60	26/05/2008	Further Information Required
16-2008-210-1	Unimin Australia Limited	Four (4) Additional Silos to Existing Sand Mining Facility	3006 Nelson Bay RD SALT ASH	27/03/2008	61	2/04/2008	External Referrals
16-2008-211-1	Greg Paton Master Builder	Roof over existing Deck	40 Rocky Point RD FINGAL BAY	27/03/2008	61	23/05/2008	Preparation of Correspondence
16-2007-997-2	Field	S.96 Amendment - Reduce fill height	38 Reflections DR ONE MILE	26/03/2008	62	14/05/2008	Checking & Signing
16-2008-203-1	Ray	Deck INS 18--0002782-BWI-3	10 Ocean PDE BOAT HARBOUR	26/03/2008	62	23/04/2008	Further Information Required
16-2008-204-1	Corocher	Single Storey Dwelling, Garage and Dam	15 Forest RD DUNS CREEK	26/03/2008	62	21/04/2008	Further Information Required
16-2008-201-1	Botany Pty Ltd	Industrial Development	6 Kennington DR TOMAGO	25/03/2008	63	24/04/2008	Referral - Planning

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

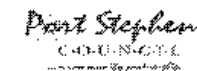


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-202-1	Rps Harper Somers O'Sullivan	Extension to Existing Commercial Premises & Two Storey Carpark	37F Ferodale RD MEDOWIE	25/03/2008	63	1/04/2008	Referral - Council Officer
16-2008-194-1	Graham	Two (2) Lot Subdivision - Industrial - TT	8A Archibald PL HEATHERBRAE	19/03/2008	69	23/04/2008	Further Information Required
16-2008-182-1	Rawson Homes Pty Limited	Dual Occupancy - Detached	57 Sergeant Baker DR CORLETTE	14/03/2008	74	4/04/2008	Further Information Required
16-2008-183-1	Sorensen Design	Dual Occupancy - Detached (one existing)	39 Compass CL SALAMANDER BAY	14/03/2008	74	14/04/2008	Further Information Required
16-2008-175-1	Gosling	Two (2) Lot Subdivision - Residential - TT	10 Ash ST SOLDIERS POINT	12/03/2008	76	20/05/2008	Preparation of Correspondence
16-2008-165-1	Commercial Fishermans Co-Op Ltd	Fence to existing Wharves	10 Teramby RD NELSON BAY	7/03/2008	81	14/05/2008	Referral - Planning
16-2008-155-1	Williams	Dual Occupancy (one dwelling existing) & Storage Shed	21 Cox's LN FULLERTON COVE	5/03/2008	83	10/03/2008	Referral - Engineer
16-2006-655-2	Edwards	S.96 Amendment - dwelling lifted 300mm & internal changes	56 Saratoga AVE CORLETTE	4/03/2008	84	7/03/2008	Further Information Required
16-2008-151-1	Rennie Gollidge & Partners	Four (4) Lot Subdivision - ST	5/12 Blanch ST LEMON TREE PASSAGE	4/03/2008	84	14/03/2008	Further Information Required
16-2006-284-2	Keighley	S.96 Amendment - Extend rear house 1.2 metres	6 Victory VIEW TANILBA BAY	29/02/2008	88	7/03/2008	Referral - Planning
16-2008-145-1	Hemmings Hemmings	Two Storey Dwelling	40 Raiss CL LEMON TREE PASSAGE	29/02/2008	88	19/05/2008	Preparation of Correspondence
16-2008-143-1	Iuliano	Home Industry (Concreting Contractor)	4 Bowalla CL WALLALONG	28/02/2008	89		
16-2008-144-1	Giudes	Addition to Dwelling & Garage (Variation to Building Line)	55B Kent GDNS SOLDIERS POINT	28/02/2008	89	20/03/2008	Further Information Required
16-2008-138-1	Newcastle Quality Constructions	Dual Occupancy (One Dwelling Existing)	30 Abundance RD MEDOWIE	27/02/2008	90	14/04/2008	Further Information Required

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

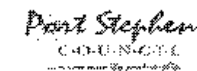


Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appin No	Proposal	Property Address	Date Lodged	Days in Council	Current Status
16-2008-132-1	Terrace Tenants & Associates	Storage Shed	12 King ST RAYMOND TERRACE	25/02/2008	92 1/04/2008 Further Information Required
16-2008-129-1	P R King & Sons Pty Limited	Install an inclined lift	21A Tareebin RD NELSON BAY	22/02/2008	95 29/04/2008 Referral - Planning
16-2008-131-1	Beaumont Consultant & Unique Home Design	Addition to dwelling (Roof over deck, Pavillion, Landscaping)	47 John PDE LEMON TREE PASSAGE	22/02/2008	95 20/05/2008 Further Information Required
16-2008-126-1	John Holland Construction & Engineering Pty Ltd	Extension of Hardstand Area (Newcastle Airport)	89 Medowie RD WILLIAMTOWN	21/02/2008	96 26/05/2008 Checking & Signing
16-2008-120-1	Invocare Australia Pty Ltd	Use Premises as a Funeral Home	0/2 Tomaree ST NELSON BAY	20/02/2008	97 27/05/2008 Checking & Signing
16-2008-116-1	Burr	Additions to Existing Dwelling (Urban Housing)	0/111 Port Stephens DR SALAMANDER BAY	19/02/2008	98 3/04/2008 Further Information Required
16-2008-110-1	Williams River Steel Pty Ltd	Warehouse & Demolish Existing	470 Masonite RD HEATHERBRAE	15/02/2008	102 2/04/2008 Further Information Required
16-2008-111-1	Lonie	Staged Development - Dual Occupancy (Detached) & Demolish Existing	0/16 Soldiers Point RD SOLDIERS POINT	15/02/2008	102 20/02/2008 Referral - Planning
16-2008-105-1	Geoff Craig & Associates Pty Ltd	Stockpiling of Landfill	1 Williamtown DR WILLIAMTOWN	14/02/2008	103 26/05/2008 Checking & Signing
16-2008-100-1	Greentree	Single Storey Dwelling & Retaining Wall	13 Edstein PL RAYMOND TERRACE	13/02/2008	104 11/04/2008 Further Information Required
16-2008-94-1	Hill Top Planners	Five (5) Lot Subdivision - TT	4 Brown ST RAYMOND TERRACE	12/02/2008	105 20/02/2008 Further Information Required
16-2008-96-1	M J McDougall & Associates	Dual Occupancy - Detached & 2 Lot Subdivision- TT	49 Tallean RD NELSON BAY	12/02/2008	105 23/05/2008 Preparation of Correspondence
16-2008-97-1	Paul Le Mottee Project Management	Boundary Re-alignment (Six Lots)	152 McClymonts Swamp RD WALLALONG	12/02/2008	105 14/02/2008 Referral - Planning
16-2002-345-2	Stanton (Snr)	S.96 Amendment to Jetty	11A Fenninghams Island RD BOBS FARM	8/02/2008	109 7/05/2008 Further Information Required
16-2008-83-1	Simpson	Bridge	1 Mustons RD KARUAH	8/02/2008	109 6/05/2008 Ext Ref - Planning NSW Part 3A

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2008-79-1	Medowie Pastoral Pty Ltd	Dual Occupancy - Detached & Two (2) Lot Strata Subdivision	1 Heritage AVE MEDOWIE	6/02/2008	111	7/05/2008	Referral - Planning
16-2008-57-1	Clark	Place of Public Entertainment	37 Ferodale RD MEDOWIE	30/01/2008	118	26/03/2008	Referral - Planning
16-2008-47-1	Malone	Urban Housing - Four Dwellings and Four (4) Lot Subdivision	10 Edstein PL RAYMOND TERRACE	24/01/2008	124	12/03/2008	Further Information Required
16-2008-31-1	Atb Morton Pty Limited	Office Building	15 Old Punt RD TOMAGO	18/01/2008	130	14/02/2008	Further Information Required
16-2006-439-2	Jomal Developments Pty Limited	S.96 Amendment - Internal Changes	1A Ocean PDE BOAT HARBOUR	16/01/2008	132	21/04/2008	Further Information Required
16-2008-26-1	Watson	Tourist Facility (Restaurant, Function Room & Car Parking)	1 Koala PL BOAT HARBOUR	16/01/2008	132	24/01/2008	Referral - Planning
16-2008-23-1	Smith	Awning	2 Kangaroo ST RAYMOND TERRACE	15/01/2008	133	8/04/2008	Further Information Required
16-2003-2105-5	Hill Top Planners	169 Unit Retirement Village & Facilities / Demolish Existing	1141 Nelson Bay RD FERN BAY	9/01/2008	139	16/01/2008	Referral - Planning
16-2005-864-3	Hill Top Planners	S.96 Amendment - Conditions 15, 19 and 43	1143 Nelson Bay RD FERN BAY	9/01/2008	139	16/01/2008	Referral - Planning
16-2008-11-1	Outtrim	Dwelling and Machinery Shed and Boundary Re-alignment	3 Ferodale RD MEDOWIE	9/01/2008	139	11/04/2008	Referral - Planning
16-2008-12-1	Don Blainey Superannuation Fund Pty Limited	Additions & Alterations to Dwelling	60 Randall DR SALAMANDER BAY	9/01/2008	139	2/04/2008	Further Information Required
7-1996-41299-8	Environmental Resources Management Australia Pty L	S.96 Amendment - Create Thirty (30) Additional Residential Lots	1 Seaside BVD FERN BAY	3/01/2008	145	16/01/2008	Referral - Planning
16-2004-687-3	Beaumont Consultant & Unique Home Design	S.96 Amendment - Altered Driveway & Internal & External Changes	53 Dowling ST NELSON BAY	20/12/2007	159	22/01/2008	Further Information Required
16-2007-1141-1	Farley	Four (4) Lot Subdivision (TT) & Boundary Re-alignment	195 Butterwick RD BUTTERWICK	20/12/2007	159	14/01/2008	Referral - Planning

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

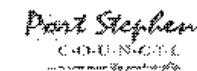
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Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2007-1149-1	Johnson	Patio Cover and Storage Shed	80 South ST MEDOWIE	20/12/2007	159	10/04/2008	Further Information Required
16-2007-1135-1	Avocari Pty Limited	Urban Housing - Alterations & Additions to Existing Five (5) Dwellings	65 Government RD NELSON BAY	19/12/2007	160	7/03/2008	Further Information Required
16-2007-1129-1	Tranquility Pools & Spas Pty Ltd	Swimming Pool	31 Raiss CL LEMON TREE PASSAGE	18/12/2007	161	19/05/2008	Preparation of Correspondence
16-2007-1120-1	Lidgard	Addition to Dwelling & Carport	79 James Scott CR LEMON TREE PASSAGE	17/12/2007	162	13/05/2008	Further Information Required
16-2003-2105-4	Hill Top Planners	S.96 Amendment	1141 Nelson Bay RD FERN BAY	14/12/2007	165	16/01/2008	Referral - Planning
16-2007-1118-1	Lindsay	Two Lot Subdivision (TT) & Two Dual Occupancies	8 Walker CR RAYMOND TERRACE	14/12/2007	165	22/01/2008	Further Information Required
16-2007-1119-1	Giggins	Urban Housing - 6 Dwellings (one dwelling existing)	4 Meredith CR RAYMOND TERRACE	14/12/2007	165	25/03/2008	Further Information Required
16-2007-1114-1	Atb Morton Pty Limited	Industrial Development	4 Martin DR TOMAGO	12/12/2007	167	4/01/2008	Referral - Planning
16-2001-1700-3	Rps Harper Somers O'Sullivan	S.96 Amendment - Road Re-Alignment & Lot Layout Adjustment	14/15 Shearwater DR TAYLORS BEACH	11/12/2007	168	12/03/2008	Further Information Required
16-2007-1106-1	Refuse & Recycling Centre	Industrial Shed	3 Tarrant RD SALAMANDER BAY	10/12/2007	169	21/01/2008	Further Information Required
16-2006-1285-2	Noble	S.96 Amendment - Extension of Ground Level Deck	36 Soldiers Point RD SOLDIERS POINT	6/12/2007	173	19/12/2007	Further Information Required
16-2007-1088-1	Atb Morton Pty Limited	Industrial Dev - Workshop, Warehouse, Ancillary Office & Amenities Bldg	13 Motto LN HEATHERBRAE	6/12/2007	173	28/04/2008	Referral - Engineer
16-2007-1085-1	Laverick	Dual Occ (One Dwelling Existing) & Three (3) Lot TT Subdivision (VBL)	4 Smiths LN RAYMOND TERRACE	5/12/2007	174	26/02/2008	Referral - Planning

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appln No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2007-1073-1	Thomas	Storage Shed	3 Highland CL MEDOWIE	3/12/2007	176	5/03/2008	Further Information Required
16-2007-1078-1	Hotel Victoria	Alterations & Additions to Existing Hotel	8 Old Punt RD HINTON	3/12/2007	176	4/04/2008	Further Information Required
16-2007-1065-1	Buildex Development Nsw (Ra) Pty Ltd	39 Lot Subdivision - Industrial	60 Port Stephens DR TAYLORS BEACH	30/11/2007	179	8/04/2008	Referral - Council Officer
16-2007-1066-1	Genner	Alterations to Dwelling	0/7 Vista AVE SOLDIERS POINT	30/11/2007	179	19/12/2007	Further Information Required
16-2007-1057-1	Everingham Everingham	Three Storey Dwelling	38A The Parkway MALLABULA	28/11/2007	181	22/05/2008	Further Information Required
16-2007-1059-1	M J McDougall & Associates	Two (2) Lot Subdivision - TT	121 Navala AVE NELSON BAY	28/11/2007	181	8/04/2008	Ext Ref - NSW RFS
16-2007-1037-1	Paul Le Mottee Project Management	15 Lot Subdivision - TT	35 Hollydeen AVE RAYMOND TERRACE	20/11/2007	189	4/01/2008	Referral - Planning
16-2007-1012-1	Fagan Mather Duggan Pty Ltd	Boundary Re-alignment	67 Gan Gan RD ANNA BAY	13/11/2007	196	15/05/2008	Referral - Waste Water Officer
16-2007-989-1	Tattersall Surveyors Pty Ltd	Home Industry, Storage Shed & upgrade to Access Track	730 Seaham RD SEAHAM	6/11/2007	203		
16-2006-214-2	Parson	S.96 Amendment - Tile to Colourbond Roof	30 The Breakwater CORLETTE	30/10/2007	210	2/04/2008	Checking & Signing
16-2007-950-1	Padmos Padmos	Industrial Development	6 Hank ST HEATHERBRAE	24/10/2007	216	22/01/2008	Further Information Required
16-2007-930-1	Torren Bell	Dual Occupancy - Detached	0/7 Vista AVE SOLDIERS POINT	19/10/2007	221	15/05/2008	Further Information Required
16-2006-594-4	Atb Morton Pty Limited	S.96 Amendment - Delete Development Consent Conditions 62 & 65	21B School DR TOMAGO	17/10/2007	223		
16-2007-902-1	Hingston	Two Storey Dual Occupancy (demolish existing) & Two Lot Subdivision	14A Pacific RD FINGAL BAY	12/10/2007	228	5/02/2008	Further Information Required

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY



Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appin No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2007-846-1	Labrakis Hagios	Urban Housing (3 Dwellings), 3 Lot TT Subdivision & Demolish existing	0/13 Shoreline DR FINGAL BAY	26/09/2007	244	20/03/2008	Further Information Required
16-2007-821-1	Smith	Two Lot Subdivision - TT	43 Fairlands RD MALLABULA	18/09/2007	252	23/05/2008	Preparation of Correspondence
16-2007-817-1	Dagg	Land Fill (Cattle Mound)	26 Hunter ST HINTON	14/09/2007	256	19/02/2008	Referral - Engineer
16-2007-813-1	Environmental Resources Management Australia Pty L	Subdivision of Four (4) Existing Lots into Six (6) Lots - C Title	7 Gynea Way PRIV NELSON BAY	13/09/2007	257	31/03/2008	Checking & Signing
16-2007-810-1	Baker	Single Storey Dwelling (Demolish existing dwelling)	1027 East Seaham RD EAST SEAHAM	12/09/2007	258	24/09/2007	Further Information Required
16-2007-799-1	Uniting Church Karuah	Addition to Church	4 George ST KARUAH	11/09/2007	259	23/05/2008	Preparation of Correspondence
16-2007-785-1	Musumeci	Dual Occupancy (One existing dwelling) & Two (2) Lot Subdivision - TT	54A Austral ST NELSON BAY	6/09/2007	264	15/10/2007	Further Information Required
16-2007-650-1	Munro	Land Fill	347 Gan Gan RD BOAT HARBOUR	24/07/2007	308		
7-1991-5087-3	Unimin Australia Limited	S.96 Amendment for sand extraction limit	4080 Nelson Bay RD ANNA BAY	19/07/2007	313	30/07/2007	Referral - Planning
16-2007-562-1	M J McDougall & Associates	Two (2) Lot Subdivision - Rural - TT	13 Kula RD MEDOWIE	28/06/2007	334	15/04/2008	Further Information Required
16-2007-565-1	Poulakas Poulakas	Urban Housing x Three (3) Dwellings - (4) Storey - Demolish existing	7/8 Intrepid CL NELSON BAY	28/06/2007	334	18/09/2007	Further Information Required
16-2007-566-1	Zavone	Dual Occupancy & Two (2) Lot Subdivision - TT (Demolish Existing Bldg)	80 Austral ST NELSON BAY	28/06/2007	334	6/12/2007	Referral - Building
16-2007-567-1	Bakker	Child Care Centre and Demolish Existing Dwelling	92 Tomaree RD SHOAL BAY	28/06/2007	334	22/05/2008	Referral - Engineer
16-2007-541-1	Agcd Pty Ltd	Urban Housing - Twenty Four (24) Dwellings, detached/demolish existing	32 Garden AVE RAYMOND TERRACE	22/06/2007	340	20/09/2007	Further Information Required

ORDINARY MEETING MINUTES – 24 JUNE 2008

AUTHORITY

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Undetermined Development Applications (less than 365 days) as at 27-May-2008

Appin No		Proposal	Property Address	Date Lodged	Days in Council		Current Status
16-2007-530-1	Alchin	Additions to Dwelling	625 Marsh RD BOBS FARM	20/06/2007	342	12/03/2008	Further Information Required
16-2007-514-1	Tattersall Surveyors Pty Ltd	Home Industry (Crane Business)	393 Cabbage Tree RD WILLIAMTOWN	14/06/2007	348	22/01/2008	Further Information Required
16-2007-519-1	Mandich Mandich	Alterations & Additions to Two Storey Units	33 Victoria PDE NELSON BAY	14/06/2007	348	6/12/2007	Further Information Required
16-2007-520-1	Pulver Cooper & Blackley	Machinery Shed, Land Fill & Dam	916 Paterson RD WOODVILLE	14/06/2007	348	3/08/2007	Referral - Planning
16-1998-1146-4	Tannous	S.96 Amendment - Sub Floor changes	155A Bagnall Beach RD CORLETTE	12/06/2007	350	24/08/2007	Checking & Signing
Total Applications		264					

ATTACHMENT 2
GLOSSARY OF ABBREVIATIONS

STC	Stop the Clock
DAP	Development Assessment Panel
TT	Torrens Title
Env	Environmental Services
VBL	Variation to building line
RFS	Rural Fire Service
br	bedroom
CT	Community Title
ST	Strata Title
DECC	Department of Environment & Climate Change
POEO	Protection of the Environment Operations Act
SEPP	State Environmental Planning Policy
s.96	Section 96 modification
SOEE	Statement of Environmental Effects

INFORMATION ITEM NO. 5

CASH AND INVESTMENTS HELD AT 30 APRIL 2008

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

BACKGROUND

The purpose of this report is to present Council's schedule of Cash and Investments Held at 30 April 2008.

ATTACHMENTS

- 1) **Cash and Investments Held at 30 April 2008.**
- 2) **Monthly Cash and Investments Balance May 2007 – April 2008**

ATTACHMENT 1

CASH & INVESTMENTS HELD - AS AT 30 APRIL 2008								
INVESTED WITH	INV. TYPE	DATE INVESTED	COUPON DATE	MATURITY DATE	NO. OF DAYS	AMOUNT INVESTED	INTEREST RATE	% OF TOTAL FUNDS HELD
LEHMAN BROTHERS								
WIDE BAY CAPRICORN BUILDING SOCIETY	Floating Rate Sub Debt	17-Mar-08	16-Jun-08	15-Dec-08	91	500,000.00	9.51%	1.63%
MAGNOLIA FINANCE LTD 2005-14 "FLINDERS AA"	Floating Rate CDO	20-Mar-08	20-Jun-08	20-Mar-12	92	1,000,000.00	9.28%	3.26%
NEXUS BONDS LTD "TOPAZ AA-"	Floating Rate CDO	22-Nov-07	23-May-08	23-Jun-15	183	412,500.00	9.90%	1.35%
HERALD LTD "QUARTZ AA"	Floating Rate CDO	20-Mar-08	20-Jun-08	20-Dec-10	92	450,000.00	9.28%	1.47%
STARTS CAYMAN LTD "BLUE GUM AA-"	Floating Rate CDO	24-Mar-08	23-Jun-08	22-Jun-13	91	1,000,000.00	9.18%	3.26%
HELIUM CAPITAL LTD "ESPERANCE AA+"	Floating Rate CDO	20-Mar-08	20-Jun-08	20-Mar-13	92	1,000,000.00	9.48%	3.26%
HOME BUILDING SOCIETY	Floating Rate Sub Debt	25-Apr-08	25-Jul-08	25-Jul-11	91	500,000.00	8.81%	1.63%
CURVE NOTE *	Yield Curve Note	18-Apr-08	18-Jul-08	18-Oct-11	91	500,000.00	0.00%	1.63%
GRANGE SECURITIES "KAKADU AA"	Floating Rate CDO	20-Mar-08	20-Jun-08	20-Mar-14	92	1,000,000.00	8.78%	3.26%
GRANGE SECURITIES "COOLANGATTA AA"	Floating Rate CDO	25-Mar-08	20-Jun-08	20-Sep-14	87	1,000,000.00	9.08%	3.26%
ANZ YIELD CURVE NOTE	Yield Curve Note	17-Apr-08	17-Jul-08	17-Oct-11	91	500,000.00	8.25%	1.63%
TOTAL LEHMAN BROTHERS						\$7,862,500.00		25.66%
ABN AMRO MORGANS								
REMBRANDT ISOSCELES SERIES 1	Floating Rate CDO	20-Mar-08	20-Jun-08	20-Sep-09	92	2,000,000.00	9.18%	6.53%
GLOBAL PROTECTED PROPERTY NOTES VII **	Property Linked Note	21-Mar-08	21-Mar-09	17-Sep-11	365	1,000,000.00	0.00%	3.26%
BANK OF QLD FLOATING RATE NOTE	Floating Rate Note	17-Mar-08	16-Jun-08	30-Jun-09	91	1,000,000.00	8.06%	3.26%
TOTAL ABN AMRO MORGANS						\$4,000,000.00		13.06%
ANZ INVESTMENTS								
ECHO FUNDING PTY LTD SERIES 16 "3 PILLARS AA-"	Floating Rate CDO	7-Apr-08	7-Jul-08	6-Apr-10	91	500,000.00	9.03%	1.63%
PRELUDE EUROPE CDO LTD "CREDIT SAIL AAA"	Floating Rate CDO	20-Mar-08	20-Jun-08	30-Dec-11	92	1,000,000.00	9.28%	3.26%
MOTIF FINANCE (IRELAND) PLC	Floating Rate CDO	20-Mar-08	20-Jun-08	1-Jun-17	92	1,017,876.98	4.56%	3.32%
TOTAL ANZ INVESTMENTS						\$2,517,876.98		8.22%
RIM SECURITIES								
HERITAGE BUILDING SOCIETY LTD (2008)	Floating Rate Sub Debt	29-Apr-08	29-Jul-08	29-Jul-13	91	500,000.00	9.50%	1.63%
GENERATOR INCOME NOTE AAA (2011)	Floating Rate CDO	11-Apr-08	11-Jul-08	8-Oct-11	91	2,000,000.00	9.85%	6.53%
ELDERS RURAL BANK (2011)	Floating Rate Sub Debt	7-Apr-08	7-Jul-08	15-Apr-11	91	1,000,000.00	8.52%	3.26%
TOTAL RIM SECURITIES						\$3,500,000.00		11.42%
WESTPAC INVESTMENT BANK								
HOME BUILDING SOCIETY (2010)	Floating Rate Sub Debt	29-Apr-08	29-Jul-08	27-Apr-15	91	500,000.00	8.95%	1.63%
MACKAY PERMANENT BUILDING SOCIETY	Floating Rate Sub Debt	21-Feb-08	21-May-08	20-Nov-16	90	500,000.00	8.88%	1.63%
TOTAL WESTPAC INV. BANK						\$1,000,000.00		3.26%

ORDINARY MEETING MINUTES – 24 JUNE 2008

ATTACHMENT 1

LONGREACH CAPITAL MARKETS								
LONGREACH SERIES 16 PROPERTY LINKED NOTE	Property Linked Note	6-Mar-08	5-Sep-08	7-Mar-12	183	500,000.00	6.60%	1.63%
NOTE	Property Linked Note	7-Mar-08	6-Sep-08	7-Sep-12	183	500,000.00	6.00%	1.63%
TOTAL LONGREACH CAPITAL						\$1,000,000.00		3.26%
COMMONWEALTH BANK								
PRINCIPAL PROTECTED YIELD ACCRUAL NOTE	Yield Curve Note	06-Feb-08	06-May-08	06-Nov-11	90	500,000.00	9.25%	1.63%
CALLABLE CPI LINKED NOTE	Yield Curve Note	04-Apr-08	04-Jul-08	04-Apr-12	91	500,000.00	1.00%	1.63%
EQUITY LINKED DEPOSIT	Equity Linked Note	03-Aug-07	05-Aug-08	20-Sep-11	368	500,000.00	8.25%	1.63%
EQUITY LINKED DEPOSIT GI100	Equity Linked Note	25-Mar-08	23-Jun-08	03-Aug-10	90	500,000.00	3.00%	1.63%
EQUITY LINKED DEPOSIT ELN SERIES 2	Equity Linked Note	04-Feb-08	04-May-08	05-Nov-12	90	500,000.00	3.00%	1.63%
BENDIGO BANK SUBORDINATED DEBT	Floating Rate Sub Debt	11-Feb-08	09-May-08	09-Nov-12	88	500,000.00	9.21%	1.63%
TOTAL COMMONWEALTH BANK						\$3,000,000.00		9.79%
FIGG SECURITIES								
AQUADUCT AA-	Principal Protected Note	21-Mar-08	20-Jun-08	21-Jun-10	91	1,000,000.00	7.00%	3.26%
STATE GOVERNMENT EMPLOYEES CREDIT UNION	Term Deposit	08-Feb-08	08-May-08	08-May-08	90	500,000.00	7.84%	1.63%
TELSTRA LINKED DEPOSIT NOTE	Principal Protected Note	29-Feb-08	31-May-08	30-Nov-14	92	500,000.00	8.99%	1.63%
AUSTRALIAN CENTRAL CREDIT UNION	Term Deposit	11-Mar-08	10-Jun-08	30-Apr-08	91	500,000.00	8.44%	1.63%
COMMUNITY FIRST CREDIT UNION	Term Deposit	25-Mar-08	23-Jun-08	10-Jun-08	90	3,000,000.00	8.18%	9.79%
TOTAL FIGG SECURITIES						\$5,500,000.00		17.95%
MAITLAND MUTUAL								
	Floating Rate Sub Debt	27-Feb-08	27-May-08	30-Jun-08	90	500,000.00	8.84%	1.63%
	Term Deposit	11-Mar-08	10-Jun-08	27-May-08	91	1,403,020.08	8.18%	4.58%
	Floating Rate Sub Debt	11-Mar-08	10-Jun-08	31-Dec-08	91	500,000.00	9.11%	1.63%
TOTAL M'LAND MUTUAL						\$2,403,020.08		7.84%
TOTAL INVESTMENTS						\$30,783,397.06		100.48%
AVERAGE RATE OF RETURN ON INVESTMENTS							7.86%	
CASH AT BANK						(\$146,317.50)	7.20%	-0.48%
AVERAGE RATE OF RETURN ON INVESTMENTS + CASH							7.86%	
TOTAL CASH & INVESTMENTS						\$30,637,079.57		100.00%
BBSW FOR PREVIOUS 3 MONTHS							7.60%	

CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

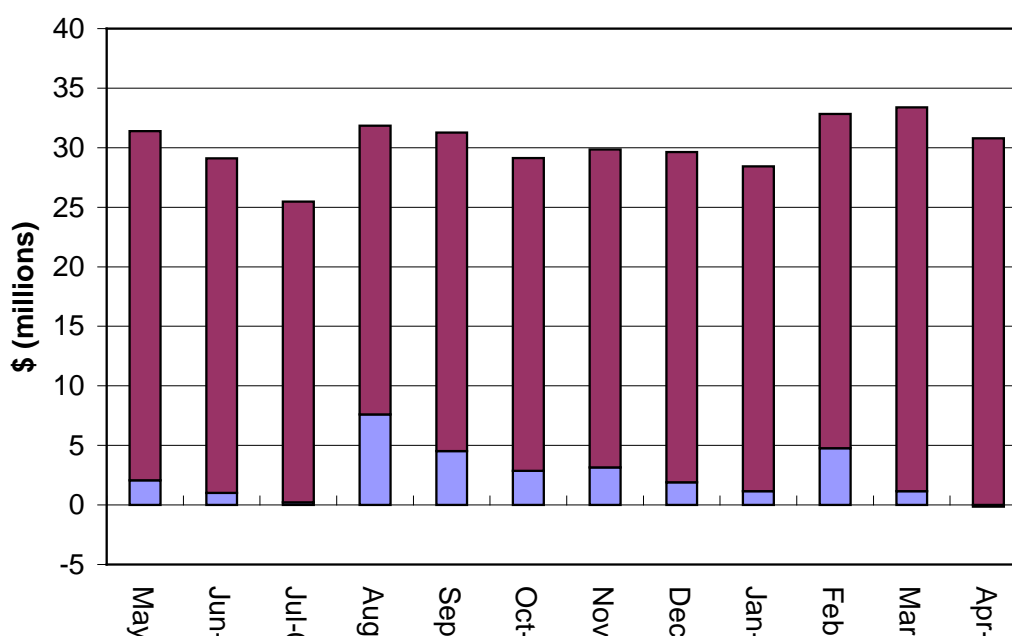
I, Peter Gesling, being the Responsible Accounting Officer of Council, hereby certify that the Investments have been made in accordance with the Local Government Act 1993, the Regulations and Council's investment policy.

P GESLING

ATTACHMENT 2

Cash and Investments Held

Date	Cash at Bank (\$m)	Investments (\$m)	Total Funds (\$m)
May-07	2.081	29.308	31.389
Jun-07	1.001	28.103	29.104
Jul-07	0.230	25.237	25.467
Aug-07	7.612	24.236	31.848
Sep-07	4.531	26.737	31.268
Oct-07	2.855	26.268	29.123
Nov-07	3.148	26.713	29.860
Dec-07	1.911	27.731	29.641
Jan-08	1.163	27.262	28.424
Feb-08	4.760	28.085	32.844
Mar-08	1.162	32.230	33.392
Apr-08	0.146	30.783	30.637

Cash and Invested Funds for the Period ended
31/3/2008

INFORMATION ITEM NO. 6

**FIVE STAR FAMILY DAY CARE - PORT STEPHENS: ACCREDITED
BY NATIONAL CHILDCARE ACCREDITATION COUNCIL AS HIGH
QUALITY**

**REPORT OF: PHILIP CROWE, COMMUNITY & LIBRARY SERVICES MANAGER
FILE: PSC2005-3894**

BACKGROUND

The purpose of this report is to inform Council that Family Day Care has been re-accredited through the National Childcare Accreditation Council (NCAC) receiving recognition as a High Quality Family Day Care Service.

The Family Day Care Coordination Unit is located in Raymond Terrace with 50 registered Carers providing child care to 400 children from 313 families throughout Port Stephens. In October 2007 Family Day Care submitted their third self-study report to the NCAC. A planned, unannounced three day visit by an NCAC Validator commenced on Tuesday 15 January 2008. The Validator visited five Carers selected by the NCAC and the Coordination Unit, assessing the Scheme against over 600 indicators. The Validation Report concluded that all the required quality indicators were occurring across the Scheme. This report was considered in conjunction with surveys from staff, carers, parents and children prior to making the Accreditation decision.

In May 2008, Family Day Care received notification from the NCAC of the High Quality rating in all six areas of service provision. Family Day Care Carers and Coordination Unit Staff are to be congratulated for their enthusiasm and dedication in adopting the principles of continuing improvement inherent in the Quality Assurance process. The entire team contributed to the necessary assessment of all procedures, policies and practices, which resulted in the achievement of the High Quality rating for the Service.

We are now in the position of all of Council's Child Care Services as having been accredited with a High Quality rating. Family Day Care's next self-study assessment is due to the NCAC in April 2010 and we will aim to maintain this High Quality rating.

ATTACHMENT

- 1) The Quality Profile Certificate

ATTACHMENT 1

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National Childcare
Accreditation Council Inc

RF23/VF710

The National Childcare Accreditation Council
Inc is pleased to confirm that

Port Stephens Family Day Care

59 Port Stephens Street
RAYMOND TERRACE NSW 2324

is **Accredited** under
Family Day Care Quality Assurance
for family day care schemes.

The next *Self-study Report* from the service is due

April 2010

The service is also issued with a *Quality Profile Certificate* which summarises its achievements in Family Day Care Quality Assurance. The service is required to display the *Quality Profile Certificate* which accompanies this Accreditation Decision.

This Certificate of Accreditation will remain valid until the service's next Accreditation Decision.

A handwritten signature in black ink, appearing to read "June McLoughlin", with a long, sweeping horizontal line extending to the right.

June McLoughlin
Chairperson
National Childcare Accreditation Council
21 April 2008
© Australian Government 2007

AN AUSTRALIAN GOVERNMENT INITIATIVE

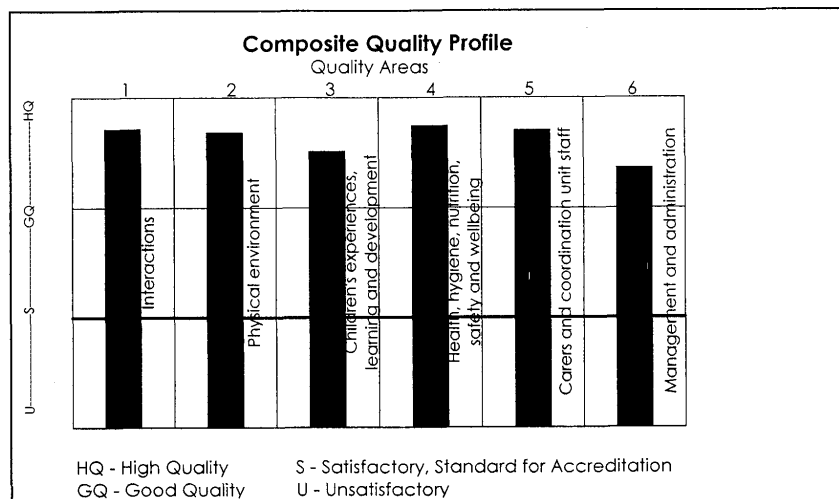
ATTACHMENT 1

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Port Stephens Family Day Care
59 Port Stephens Street
RAYMOND TERRACE NSW 2324

Accreditation Decision: April 2008
NCAC Ref.: RF23
Visit No: VF710



Port Stephens Family Day Care is Accredited

June McLoughlin
Chairperson
National Childcare Accreditation Council
21 April 2008



National Childcare Accreditation Council Inc.

INFORMATION ITEM NO. 7

AUSTRALIAN FAMILY MATTERS

REPORT OF: PHILIP CROWE - COMMUNITY & LIBRARY SERVICES MANAGER
FILE: 3150-029 A2004-0217/107

BACKGROUND

The purpose of this report is to inform Council on the results of an investigation into possible membership or sponsorship of Australian Family Matters.

At its meeting of 22 April 2008, Council resolved that we should investigate sponsorship and membership of Australian Family Matters (Min No 099).

Australian Family Matters is a regionally based non-profit community organisation based in Orange and operating mainly in the Orange, Parks and Forbes areas. Investigation of their website led us to the conclusion that activities carried out by this small group have been restricted to their own regional area. Materials posted on the website are informational materials of a general nature targeting families with children.

Council is currently a member of a number of support networks for children and family services, including the Community Childcare Cooperative, the Network of Community Activities, National Child Protection Clearinghouse, NAPCAN (National Association for the Prevention of Child Abuse and Neglect), Playsafe, National Childcare Accreditation Council and others. In addition there are a number of websites provided by government agencies and departments including the NSW Commission for Children and Young People and the Department of Community Services. Council has access to more than twenty magazines, and journals and many of these are complimented by publically accessible websites. Further to this staff also subscribe to a range of email lists such as NIFTeY-List (National initiative for the early years) and Newswire, Community Builders NSW which provide alerts to newspaper articles, professional articles in specialist journals, conference papers and so on.

Not the least, each of our libraries has a specific Parenting Section in the library, which includes in its collection a large range of books, magazines and DVD's on children, families and parenting. Library users can request additional material through the inter library loans system.

All of the above provide a substantial range material to support the public and Council staff with high quality information around the issues of children and families.

To conclude we have assessed that given the quality and breadth of material already available there would be no particular benefit to be gained from taking up membership of, or becoming a sponsor of Australian Family Matters.

INFORMATION ITEM NO. 8

**ACCESS TO INFORMATION – SECTION 12 LOCAL GOVERNMENT
ACT 1993**

**REPORT OF: JUNE SHINE – EXECUTIVE MANAGER, CORPORATE
MANAGEMENT
FILE: PSC2008-3083**

BACKGROUND

The purpose of this report is to advise Council and make public the reasons for not granting access to documents/information under Section 12A, *Local Government Act 1993*.

In accordance with Section 12A (1), *Local Government Act 1993*, the General Manager or any member of staff who decides that access should not be given to a document or other information to the public or a councillor, is required to provide Council with written reasons for the restriction. Sub-section 12A (2) requires that the reason must be publicly available.

The requests shown in **ATTACHMENT 1** to this report are those that are made in writing and determined by Corporate Management.

ATTACHMENT 1 provides Council with the details of the request and the reasons why access was not fully granted. The names of applicants have not been provided as this would be a breach of the *Privacy & Personal Information Protection Act 1998*. Further details may be available should Councillors require it.

ATTACHMENTS

- 1) Listing of requests under Section 12 of the *Local Government Act 1993*.

**LISTING OF REQUESTS UNDER SECTION 12 OF THE LOCAL GOVERNMENT ACT
1993**

No.	File No.	Information requested	Determination
1	PSC2007-2368	Seeking DA submissions	Part released due to Privacy & Personal Information Protection Act
2	PSC2007-2509	Seeking development application information	Part released due to Copyright legislation
3	PSC2007-2470	Seeking development application information	Part released due to Copyright legislation
4	PSC2007-2940	Seeking development application information	Part released due to Privacy & Personal Information Protection Act
5	PSC2007-3077	Seeking infringement notice information	Part released due to legal professional privilege
6	PSC2007-3236	Seeking tape recording of public access	Not granted as information is not held by Council
7	PSC2007-3203	Seeking development application information	Part released due to Privacy & Personal Information Protection Act
8	PSC2007-3174	Seeking development application information	Part released due to Privacy & Personal Information Protection Act and Copyright legislation
9	PSC2007-3175	Seeking development application information	Part released due to Copyright legislation
10	PSC2007-3286	Seeking development application information	Part released due to Privacy & Personal Information Protection Act
11	PSC2007-3266	Seeking information on wastewater	Part released due to Privacy & Personal Information Protection Act
12	PSC2007-4106	Seeking development application information	Part released due to Privacy & Personal Information Protection Act
13	PSC2008-0407	Seeking development application information	Part released due to Copyright legislation
14	PSC2008-0978	Seeking tape recording of Confidential Council meetings	Not granted as information is not held by Council

ORDINARY MEETING MINUTES – 24 JUNE 2008
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15	PSC2008-0811	Seeking development application information	Part released due to Privacy & Personal Information Protection Act
16	PSC2008-1195	Seeking legal information	Not released due to business affairs and legal professional privilege
17	PSC2008-1094	Seeking copies of complaints	Part released due to Privacy & Personal Information Protection Act
18	PSC2008-1482	Seeking development application information	Part released due to Copyright legislation & Legal Professional Privilege
19	PSC2008-1481	Seeking copies of complaints	Part released due to Privacy & Personal Information Protection Act & not all information held by Council
20	PSC2008-1331	Seeking development application information	Information not held by Council
21	PSc2008-1401	Seeking development application information	Part released due to Copyright legislation & Legal Professional Privilege
22	PSC2008-1400	Seeking development application information	Part released due to Privacy & Personal Information Protection Act & Copyright legislation
23	PSC2008-2038	Seeking copy of complaints	Information not held by Council
24	PSC2008-1526	Seeking copy of complaints	Not released due to Privacy & Personal Information Protection Act
25	PSC2008-2551	Seeking development application information	Part released due to Privacy & Personal Information Protection Act
26	PSC2008-2598	Seeking a copy of complaint	Part released due to Privacy & Personal Information Protection Act
27	PSC2008-2957	Seeking development application information	Not released due to Copyright legislation

INFORMATION ITEM NO. 9

**MINUTES OF TOURISM JOINT VENTURE COMMITTEE MEETING 20
MAY 2008**

**REPORT OF: JOHN FLANNERY – ACTING GROUP MANAGER BUSINESS &
SUPPORT
FILE:A2004-1127**

BACKGROUND

The purpose of this report is to advise Council of the minutes of the meeting of the Tourism Joint Venture Committee held 20 May 2008

ATTACHMENTS

- 1) Minutes of Tourism Joint Venture Committee Meeting held 20 May 2008

ATTACHMENT 1

MINUTES OF THE JOINT VENTURE COMMITTEE
held at Council Chambers Committee Rooms
Tuesday 20th May 2008 at 5:35 PM

Present	P.Dann (in the Chair), P.Gesling, Cr Tucker Cr Hodges, Cr Westbury, R Yeo, P.Sherriff, M.Stephens
In Attendance	Mayor R Swan, Cr Dover, Cr Brown, Cr Nell, Cr Dingle, Cr Robinson, J. Flannery, D.Broyd, P.Buchan N Deus & T Bylhouwer,
Apologies	Cr Jordan, Cr Francis
Chair	P.Dann
Minutes of the last meeting	The minutes of the meeting held 19 th February 2008 were confirmed as an accurate record of the meeting. Moved: Cr Westbury P Gesling
Business Arising	<p>Dolphin Watching: No response received to date. P.Gesling will chase Ministers office</p> <p>Clean Up Days: P.Gesling advised that he had met with S.Bernasconi re waste. The major collection is being negotiated with the contractors and may possibly occur in May or June.</p> <p>Garbage: P.Gesling reported that at this stage there is no reasonable answer to the garbage collection issue with Pacific Blue. There are now 2 pickup days per week and Council staff are working with the Managers to find a better solution.</p> <p>Anti Social Behaviour: P.Dann advised that PSTL had met with reps from Nelson Bay Town Management, the Liquor Accord (LA) and Chamber of Commerce. Some of the recommendations were:</p> <ul style="list-style-type: none"> • LA look at restricting trade after 10pm • That with PSC we look at clarity of alcohol free zoning with respect to signage, handing out maps and publishing restrictions along with event advertising. • Look at flood lighting in Apex Park. <p>DA's for Water Activities: D.Broyd reported that his dept has a list of current operators and owners of vessels identified as not having consent to operate will receive letters to 'show cause' why they should continue to be allowed to operate. There is however a problem with the definitions in the LEP. To ensure certainty he is proposing a new definition covering commercial boats however this is a process and depending on the state govt response could likely take 12 months or longer.</p>

ATTACHMENT 1

Current Activities	<p>PSTL Update: Information</p> <p>LGSA Tourism Conference: The JVC recommended that Council raise a notice of motion to formally ask the GM to write to the State Premier asking for the immediate release of the O'Neil report.</p> <p>Mid North Coast Tourism: Information.</p> <p>Consumer Shows: Information.</p> <p>DA's for Charter Boats. Covered in Matters Arising.</p> <p>Advertising/Media: Information.</p> <p>PSTL Strategic Plan: Information</p> <p>Activities: Information</p> <p>Saxbys Bakery: Information: N.Deuis advised that N.Deuis advised that the information centre at Sydney Airport was to close and that he would forward the relevant emailed advice to Council.</p> <p>Tourism Industry Council NSW: It was resolved that Councils planning staff provide advice on caravans & motorhomes staying overnight in a designated rest area etc in response to TIC – NSW request that councils not permit "illegal camping"</p> <p>Moved P.Gesling R.Yeo</p> <p>Area Performance: Information</p> <p>Port Stephens Web Site bookings: Information</p>
General Business	<p>Clans on the Coast. Mayor Swan: The Mayor advised that the event was a great success and that the promotion included 32 NBN adverts, distribution of visitors guides and a number of adverts in the print media. The event finished in the black. Next years event may be moved to September based on feedback from the public this year.</p> <p>Maitland Caravan and Camping Show. Cr Hodges inquired re attending the Maitland C&C Show. N Deuis advised that operators do attend many of these shows in their own right and they distribute Port Stephens Visitors guides on behalf of the area.</p> <p>Event Stats. Cr Tucker enquired on availability of research / stats to quantify success or otherwise of the various events in the LGA. P.Gesling reported that a test survey had been developed for Sail Port Stephens and ways to expand this survey may be applicable to measuring events.</p> <p>Tourism Awards. P.Gesling Inquired about the status of the Tourism Awards. N.Deuis confirmed the gala night for Monday 25th August at Nelson Bay Diggers. Countrylink has been confirmed as a major sponsor. Tony Griffiths has been confirmed as Chair of the Judges. We are still awaiting endorsement from TIC on the release of Judges comments at the time of finalist announcement.</p>
Meeting Closed	18:55

INFORMATION ITEM NO. 10

PETITION – TILLIGERRY PLAZA

REPORT OF: PETER GESLING, GENERAL MANAGER
FILE: PSC2007-0720

BACKGROUND

The purpose of this report is to advise Council of a petition that has been received.
The petition states:

The Tilligerry Bridge Club urgently asks you to make enquiries about the purchase of the former Tilligerry Plaza shopping centre to be used for the establishment of a community centre – for the following reasons.

- 1 The centre is currently on the open market for sale*
- 2 Its central location is ideal*
- 3 It is in good condition and ideal for the various groups which would relocate there.*
- 4 This proposal has overwhelming support from Ward Councillors, community groups and the general public.*

ATTACHMENT

- 1) Nil

TABLED DOCUMENT

- 1 List of signatories.

INFORMATION ITEM NO. 11

PETITION – TILLIGERRY PLAZA

REPORT OF: PETER GESLING, GENERAL MANAGER
FILE: PSC2007-0720

BACKGROUND

The purpose of this report is to advise Council of a petition that has been received. The petition states:

We hereby request Port Stephens Council consider the now defunct Tilligerry Shopping Plaza be used for our new community centre, for the following reasons:

- 5 It is currently on the open market for sale
- 6 It would be an ideal venue for the various groups on the Tilligerry Peninsular.
- 7 This proposal has overwhelming support from Ward Councillors, and the general public.
- 8 Various support groups occupy dilapidated and ageing premises.
- 9 We are told that the sale of existing sites such as the old library, the old LTP school etc would not provide the money to purchase the plaza – indeed, the sale price of old venues would very well exceed the asking price for the empty plaza.
- 10 The purchase of the plaza would be a good business opportunity, too good to miss. Twelve months of looking into this matter, and despite a large public meeting that voted in favour of this move, we have heard virtually nothing apart from “matter under consideration” rhetoric.
- 11 **PLEASE ACT ON THIS AS SOON AS POSSIBLE BEFORE WE LOSE THIS IDEAL ASSET TO THE TILLIGERRY COMMUNITY.**

ATTACHMENT

1. Nil

TABLED DOCUMENT

1. List of signatories.

STRATEGIC COMMITTEE RECOMMENDATIONS

ITEM NO. 1

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 3 June, 2008.

No: Report Title

Page:

- 1) Submission – Enquiry into Children & Young People**
 - 2) Quarterly Update on Hunter Central Coast Regional Environmental Management Strategy**
 - 3) Sustainable Energy Plan**
 - 4) Port Stephens Section 94 DCP 2007 Application. Of CPI Increase**
-

STRATEGIC COMMITTEE MEETING – 3 june 2008

RECOMMENDATION:

That the recommendation be adopted.

MATTER ARISING:

Moved Cr Swan Seconded Cr Tucker

Information Paper outlining the current policy or protocol we have in place to plant street trees across the LGA.

ORDINARY MEETING OF COUNCIL – 24 June 2008

RESOLUTION:

149	Councillor Brown Councillor Nell	It was resolved that the recommendation be adopted.
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MATTER ARISING:

RESOLUTION:

150	Councillor Brown Councillor Nell	It was resolved that the recommendation contained in the Matter Arising be adopted.
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INFORMATION ITEM NO. 1

**SUBMISSION – INQUIRY INTO CHILDREN & YOUNG PEOPLE 9-14
YEARS IN NSW**

REPORT OF: TREVOR ALLEN – INTEGRATED PLANNING MANAGER

FILE: PSC2006-2221

BACKGROUND

The purpose of this report is to inform Council that Integrated Planning have lodged a Submission to the *NSW Parliamentary Joint Standing Committee Inquiry into Children and Young People 9 – 14 Years in NSW* as detailed in Attachment 1 of this report.

On the 10 March 2008 Council received correspondence from the Chair of the Parliament of NSW Joint Standing Committee on Children and Young People, the Hon Carmel Tebbutt MP informing Council that the Committee has resolved to conduct an Inquiry into Children and Young People from 9 – 14 years in NSW. To fully consider all relevant issues, the Committee is seeking submissions from Local Councils and other relevant organisations. The Terms of Reference for the Inquiry are detailed in Attachment 2 of this report.

The Inquiry being conducted by the NSW Joint Standing Committee on Children and Young People provides the opportunity to gain a greater understanding of the needs of our local young people. This will assist in ensuring that relevant plans and policies are in place which will provide a framework for the delivery of services and resources to protect and enhance the well-being of young people and support them in realising their full potential.

Council's Submission to the *NSW Parliamentary Joint Standing Committee Inquiry into Children and Young People 9 – 14 Years in NSW* as shown in Attachment 1 of this report has been prepared by Council's Social Planning Co-ordinator in collaboration with Council's Child-Friendly Communities Development Officer and Council's Team Leader Youth. Council's 'Social & Community Plan 2006 – 2010' has been used as a key reference in the preparation of the submission.

ATTACHMENTS

- 1) Port Stephens Council Submission to the NSW Parliamentary Joint Standing Committee Inquiry into Children and Young People 9 – 14 Years in NSW.
- 2) Terms of Reference - NSW Parliamentary Joint Standing Committee Inquiry into Children and Young People 9 – 14 Years in NSW.

ATTACHMENT 1

**Port Stephens Council Submission to the NSW Parliamentary Joint Standing Committee Inquiry
into
Children and Young People 9 – 14 years in NSW**

1. Introduction

Port Stephens is known widely for its beautiful waterways, environment and for being a highly desirable destination for retirees. Consequently it has a significant aged population with 22.9% of the population aged 60 years and over. It is lesser known however, for being home to a high proportion of young people with 32.3% of the population aged under 24 years of age and 24.9% of the population aged under 17 years. On the whole, the young people of Port Stephens are resilient-shaped by the physical and social environment with many being gifted, creative and talented who, when given the resources and opportunities, make an important contribution to community well being.

Port Stephens is characterised by limited infrastructure and services in terms of health, education and public transport. Residents have to travel anywhere between 30 – 45 minutes to the neighbouring areas of Newcastle and Maitland to attend university, access hospitals and specialist services. The limited public transport system has contributed to high rates of car ownership and some residents being isolated (eg; young people, low income households, stay at home parents, people with disabilities, frail aged residents).

The largest local employers are the Dept of Defence (ie; Williamstown RAAF Base), Tomago Aluminium, Hunter Water and Port Stephens Council. Local employment opportunities, especially for young people, are predominantly restricted to part-time and/or seasonal employment within the tourist and hospitality industries. The limited opportunities for further education and employment has contributed to a trend of young people leaving Port Stephens after finishing high school, to pursue employment and further education opportunities elsewhere.

A sizable proportion of the population enjoys good quality of life as a result of being able to access and attain education, training, employment, housing, health care etc due to their socio-economic circumstances. However, there are individuals and marginalised groups in our community under stress who need support to ensure their immediate and future social-wellbeing. The stresses upon our community include family breakdown, domestic violence, homelessness, unemployment, physical and social isolation and access to further education, healthcare and community support.

Port Stephens covers 979 square km and is comprised of 44 separate localities. As a result, getting around Port Stephens and accessing the neighbouring areas of Newcastle and Maitland can be problematic without a private motor vehicle. The majority of residents are reliant on private transport as there are no government bus or train services. In some areas the only public transport is the school bus system. Access to transport is continually raised at community consultations as one of the major issues of concern.

ORDINARY MEETING MINUTES – 24 JUNE 2008

2. What are the needs of children aged 9-14yrs in Port Stephens?

Issue	Details
Education	<ul style="list-style-type: none"> • Lack of out of school hours care for children aged 12 yrs and over • Need for better funded alternative to schools programs for thirteen and fourteen year olds (eg; in Raymond Terrace teenagers must be 15 years old before accessing the "In Charge" program - this often leaves 13 & 14year olds who don't go to school with very few options for alternative education). • Transition from primary to high school is a big issue particularly given geographic spread, a lot of travel involved and 'dislocation' from known community. • Limited alternate education opportunities for young people • Low school completion rates • Inadequate financial assistance with school excursions as there are some reported cases of children from families experiencing financial hardship being unable to attend • Some schools have indicated the need for increased support for this age group as a result of a perceived lack of parental guidance • Lack of available school counsellors. One school has reported that it serviced by only one school counsellor who only comes to the school for one day each fortnight. School has reported that existing demands for school counselling services warrant the provision of one counsellor at least two days a week for their school alone • No before or after-school care facilities exist in Karuah despite their being a need for this service • Lack of general school homework support.
Employment	<ul style="list-style-type: none"> • Need to strengthen resilience within young people to overcome potential shame and ridicule from significant others by desiring to break out of generational unemployment by completing their schooling and actively seeking further training and/or employment opportunities • Youth unemployment and associated boredom with nothing to do including lack of permanent employment opportunities especially on the Tomaree and Tilligerry Peninsulas and the subsequent loss of young people from Port Stephens due to lack of employment and further education/training opportunities
Transport	<ul style="list-style-type: none"> • Limited public transport to get around (eg; access employment and education opportunities) • Need to provide transport to activities / programs
Participation	<ul style="list-style-type: none"> • Lack of opportunities for young people to participate in the broader community and to gain skills in leadership and mentoring • Lack of organised consultative opportunities for young people to actively participate and express their views in planning and decisions which impact upon their community
Self Worth	<ul style="list-style-type: none"> • Lack of role models (especially male role models) to guide, support and instil a sense of self belief and self worth in our young people. Not a lot of strong role model figures for younger kids. Once past the age of 16 /17 years of age many young people from Port Stephens leave the community to pursue successful careers (in fields of choice) elsewhere where opportunities to achieve goals are more abundant eg post secondary education • Lack of access to information on available youth services, activities and facilities • Low self-esteem and associated implications upon mental health, school performance and in the long-term, school completion rates and employment prospects • Problems associated with 'older' siblings (12 years old and up) taking on responsibility for caring for younger children post school hours. Given that many families living in Port Stephens have relocated, particularly from Sydney, there are not always strong family support networks to provide before and after school care.
Access to Support Services & Facilities	<ul style="list-style-type: none"> • Lack of accessible youth facilities (including recreation and entertainment) and services across Port Stephens which are affordable, safe and accessible during the day and after-hours and on weekends where young people can hang out, access information, participate in activities • More free out of school activities within walking distance from home including therapeutically based interventions (There is always a long waiting list for activities and children try desperate measures to get in). • Low awareness of existing youth services amongst young people and parents • Very little social, recreational and sport activity geared towards females in community, particularly in

ORDINARY MEETING MINUTES – 24 JUNE 2008

	<p>smaller more isolated communities such as Tilligerry.</p> <ul style="list-style-type: none"> • Very limited / very little community based support programs for young people between ages of 12 and 14 yrs (early 'youth') in Port Stephens. Next to non existent in Tomaree community and Karuah. • Limited co-ordination and collaboration between service providers and support for these services • Under representation of females in existing youth programs and activities • Financial assistance with joining sporting teams • Limited access to court support for young people • There are a lack of recreational activities in some localities despite their being a strong interest and desire amongst children and young people to participate in a range of sporting and recreational pursuits (eg; netball, cricket). This is due to a range of contributing factors including lack of volunteer adult helpers and limited public transport.
Accommodation	<ul style="list-style-type: none"> • Limited appropriate and accessible accommodation for the delivery of centre based and outreach services for young people throughout Port Stephens • Inadequate access to youth crisis accommodation • Access to affordable rental quality accommodation for young people including inadequate selection criteria used to assess and allocate private rental properties (eg; tenancy blacklists, applicants without any rental history such as young people)
Social Policy	<ul style="list-style-type: none"> • Risk of young people being marginalised as a result of increasing emphasis of State and Federal Government Policy and associated funding programs focusing upon ageing populations
Culture Understanding	<ul style="list-style-type: none"> • Lack of designated legal spaces to facilitate and showcase youth art and culture • Negative community perceptions of young people in open/public space (especially skaters) held by older people and shop owners • Poor relationships and perceptions by young people towards police, shopping centre and railway security personnel and young people (eg; (eg; perceived loitering in shopping centres, perceived train fare evasion)

3. How these needs vary according to their age and socio-economic status?

Socio-economic differences vary significantly across the Port Stephens Local Government Area. In disadvantaged areas such as Raymond Terrace, the needs of children and young people are more evident. The limited disposable income of these low-income households places significant limitations on the ability of children and young people being able to access and participate in organised social, recreational, educational and cultural activities that are provided for this age group.

4. What is currently in place to meet the needs / issues facing this group of children in our community?

Port Stephens is fortunate to have a range of community service providers operating in the area. Services based in Port Stephens are predominantly located in Raymond Terrace that is the most socially disadvantaged area in the LGA. Besides Raymond Terrace, there are a few services located at Karuah (albeit time limited funded projects) and on the Tomaree and Tilligerry Peninsulas. The area is also serviced by outreach programs delivered by service providers based outside the area.

Most services claim to service the whole Port Stephens LGA, but for many services this is difficult to achieve due to: -

- resource constraints
- cost of travel and time associated with servicing whole LGA
- demand for services is outstripped by supply. For instance, the resources of most services based in Raymond Terrace are stretched to keep up with demand from local Raymond Terrace residents alone.

The majority of these services rely upon the receipt of government funding to deliver their programs and activities. They also rely heavily upon volunteers to fill various roles such as staffing, administration and positions on management committees.

ORDINARY MEETING MINUTES – 24 JUNE 2008

An overview of the groups currently in place to cater for children and young people 9 -14 years in Port Stephens are summarised below: -

- a. **Rockers/Good Kids Group:** available to kids 8-12 years – providing activity based and therapeutic based group-work interventions
- b. **Port Stephens Youth Services:** aims to operate with a high level of local community involvement and endeavours to help foster a sense of community ownership. The project supports young people (primary target group 10 to 17 years of age, secondary target group 18 to 25 years of age) to build and maintain a sense of belonging within their local community so that they might enjoy a happy and rewarding lifestyle while living in Port Stephens. The partnership between Council and local communities is the foundation to creating and sustaining a healthy community. Projects Include:

Mobile youth service
Snack & Rap

- Youth Program Workers run in partnership with local community, "Snack & Rap" nights at identified public places frequented by young people.
- Focus on educating young people on appropriate behaviours in public spaces.

Port Stephens Youth Support: service is run by Raymond Terrace Neighbourhood Centre. Service for young people in crisis living in the Port Stephens LGA. The project worker provides casework support and purchases appropriate support for the young person depending on individual client needs.

Raymond Terrace Youth Centre: the Raymond Terrace Youth Centre aims to assist young people 12 to 18 years old and their families/carers in the Raymond Terrace area. The youth centre is a safe environment for young people providing information and referrals, programs and activities that are specific to the needs of young people in Raymond Terrace.

2. CONCLUSION

Port Stephens has a significantly sized youth population. It is important that these young people during the transitional stage from childhood into adolescence (ie; 9 – 14 years) are supported and encouraged to ensure their immediate and future physical, cultural, emotional and educational needs and aspirations are catered for.

ATTACHMENT 2

NSW Parliamentary Joint Standing Committee Inquiry into Children and Young People 9 – 14 Years in NSW

Terms of Reference

For the purpose of performing its statutory functions under the Commission for Children and Young People Act 1998 in relation to the Commission, The Committee is to inquire into and report on children and young people aged 9 – 14 years in NSW, and in particular:

1. the needs of children and young people in the middle years i.e. between about nine and fourteen years of age;
2. the extent to which the needs of children and young people in the middle years vary according to age, gender and level of disadvantage;
3. the activities, services and support which provide opportunities for children and young people in the middle years to develop resilience;
4. the extent to which changing workplace practices have impacted on children and young people in the middle years, including possible changes to workplace practices which have the potential to benefit children and young people in the middle years; and
5. any other matter considered relevant to the inquiry by the Committee.

INFORMATION ITEM NO. 2

**QUARTERLY UPDATE ON THE HUNTER CENTRAL COAST
REGIONAL ENVIRONMENTAL MANAGEMENT STRATEGY**

**REPORT OF: BRUCE PETERSEN – ENVIRONMENTAL SERVICES MANAGER
FILE: PSC2005-4459**

BACKGROUND

The purpose of this report is to provide Councillors with an update on the Hunter Central Coast Regional Environmental Management Strategy.

The Lower Hunter Central Coast Regional Environmental Management Strategy (LHCCREMS) was originally conceived in 1993 by Environmental Managers of Lower Hunter Central Coast Councils who felt that there was significant potential to work collaboratively, and more cost effectively, on regional environmental management issues. As a result, a Steering Committee was formed which comprised senior staff and elected representatives of all interested Councils.

The original LHCCREMS project was developed in 1995 and in 2002 the project was extended to include the Upper Hunter Councils and in 2004, Greater Taree City Council was welcomed to the program. At this time the project was renamed the Hunter Central Coast Regional Environmental Management Strategy (HCCREMS).

HCCREMS is supported by the Environment Division of Hunter Councils and all supporting Councils make a financial contribution to the program to allow for the regional coordination.

The steering committee, which is chaired by Cr Helen Brown, meets quarterly and is supplemented by interim meetings that aim to provide the opportunity for a wider range of staff from councils to provide focused input and expertise to the development and implementation of projects that are of particular concern to Councils.

HCCREMS is making good progress in all of the projects currently underway and has resulted in gains for all members including Port Stephens Council. The attached report is prepared by the Director of HCCREMS and provides a good mechanism for keeping Councils better informed on the progress of HCCREMS.

It should be noted that although Hunter Councils was unsuccessful in their grant under the Local Pathways Adaptation program Port Stephens Council was successful. Port Stephens Council will be receiving \$50,000 to undertake a climate change risk assessment and adaptation planning process.

ATTACHMENTS

- 1) Hunter & Central Coast Regional Environmental Management Strategy Steering Committee Report May 2008

HUNTER & CENTRAL COAST REGIONAL ENVIRONMENTAL MANAGEMENT STRATEGY

Steering Committee Report

May 2008



GENERAL INFORMATION

(I) RESPONSE FROM MINISTER OF PLANNING RE: THE LEP-CAP PROJECT

Minister Sartor responded positively to our letter of March 28th. He acknowledged that the LEP project work carried out in the region to date “is a useful contribution to the development of natural resource management provisions..... (which) will be considered prior to any decisions being made in respect of NRM provisions in comprehensive LEPs and that “the Hunter Regional Office of the Department will continue to be involved in the project”. Copy attached.

(II) MEMORANDUM OF UNDERSTANDING: HC & HCRCMA

LMCC has advised that a formal resolution of Council requires a written response to previously raised issues with the HCRCMA before they can proceed to signing the MoU. A letter reiterating this position was forwarded by LMCC to the CMA on April 7.

(III) HUNTER CATCHMENT CONTRIBUTION

A letter was sent by GMAC to the HCRCMA regarding the Hunter Catchment Contribution following discussions at our last Steering Committee meeting. A detailed response was recently received. Copy attached.

(IV) REGIONAL WEEDS PROGRAM UPDATE

Meetings have been convened with Council Managers on March 27th and April 23rd and with Weeds Officers on April 1st. Discussions have also been held with CMA and DPI staff. Draft applications have been developed for financial support for weeds management plans and a regional coordinator – along traditional lines – as a transitional measure for the next financial year - while a process for developing new structural and strategic arrangements are developed.

(V) STAFFING

HCCREMS is pleased to welcome Anna Glasby to the team. Anna commenced in the role of Sustainability Strategist in March 2008, and will be working across the range of sustainability projects currently being implemented by HCCREMS. In particular, Anna’s role will include the design and implementation of benchmarking, evaluation and stakeholder needs analysis processes, project design, stakeholder communication and engagement, and providing technical input across the projects.

ORDINARY MEETING MINUTES – 24 JUNE 2008

The wide range of current Project contracts, their objectives, and their budgetary allocations, require the engagement of a Data Manager by the Environment Division in the new financial year.

Anna has previously worked in NSW state government (Department of Planning and the National Parks and Wildlife Service) and in private consulting. Her previous roles have included a strong emphasis on policy development, conservation planning, stakeholder consultation and communication.

(VI) GRANTS: STATUS OF CURRENT GRANT APPLICATIONS

Grant Body	Grant Program	Project Title	Funds Requested	Status
Dept of the Env. & Water Resources / Australian Greenhouse Office	Local Adaptation Pathways Program	Adapting to climate change in the Hunter Central and Lower North Coast Region of NSW	\$30,000	Unsuccessful
Dept of Primary Industries	Annual Noxious Weeds Group Projects	Hunter and Central Coast Weeds Management Strategy	\$49,100	Pending
Environmental Trust	Urban Sustainability Program	Local Government Risk Management & Adaptation Program	approx \$1,000,000	"Proposed"
Environmental Trust	Restoration & Rehabilitation	Roadside Environmental Protection System	\$100,000	"Proposed"

Environmental Trust Urban Sustainability Program – Round 3

Applications for Round 3 of the NSW Environmental Trust's Urban Sustainability Program will close on 20 June 2008. This round represents the last opportunity under the USP Program to seek funding for projects of three years duration. A total of \$250,000 is available per project for an individual council and \$2 million for an alliance of councils.

The HCCREMS team proposes to develop and submit an application for a three year project to resource all 14 councils to systematically undertake climate change risk assessment and adaptation planning across their activities and operations. The project would utilise and continue to build upon the current research and data being generated by HCCREMS regional climate change project and involve partnerships between councils, academics, the insurance and legal industries and relevant government agencies. Initial contact with these potential project partners has indicated support for the initiative. Feedback from Councils members regarding their interest in such a proposal would be welcomed.

Environmental Trust Restoration and Rehabilitation State and Local Government Grants Program

The Restoration and Rehabilitation program aims to improve the capacity of communities and organisations to protect, restore and enhance the environment. Grants of between \$5,000 and \$100,000 are available, with applications closing on 23 May. HCCREMS is currently preparing an application to produce and pilot a roadside marker

system across the region for ecologically significant sites known to be present within roadside environments. This system would assist council staff in recognising threatened species and habitat management issues, and to implement appropriate management activities in response to these when planning and undertaking road maintenance and construction activities. (Note: this is an enhancement of the current Roadside Program that HCCREMS is managing – which is producing the model policy, planning and operational tools that the marker system complements.)

P R O J E C T U P D A T E S

(I) WATER PROGRAM

Nine capacity building events in urban integrated water cycle management (IWCM) were held during the period January to May 2008: These included:

1. E3 Elements Series Workshop: Best Practice Planning in WSUD, Toronto, 20 February (>40 participants)
2. R3 Issue Series Workshop: Pollution management in coastal lakes, Gorokan, 18 March (15 participants)
3. E4 WSUD Best Planning Roadshow delivered (on request) to the following councils: (4 to 17 participants)
 - a. Maitland
 - b. Dungog
 - c. Wyong
 - d. Cessnock
 - e. Muswellbrook
 - f. Upper Hunter
 - g. Newcastle

The presentations delivered at each of these events are available from the Water Projects page of the HCCREMS website (<http://www.hccrems.com.au/water/events/watereventspast.html>). All of these events provided the opportunity for participants to discuss the material provided, with specific workshop sessions provided in the E3 and R3 events. Notably, E3 included three case study presentations by council staff to showcase particular provisions and, in some cases, compliance issues. These were well received.

Whilst the E3 event attracted good attendance, logistics necessarily constrain the number of staff that can attend from each council. Recognising this, and the value for inter-departmental awareness and discussion for effective council management in a diversity of areas, the E4 Roadshow presentations were developed to be delivered directly to councils in-house. To date, this roadshow has been delivered to seven councils, with one more to be delivered in late May.

One other event (E5) will also be conducted on Monday 26th May 2008 in East Maitland. The focus of this event is 'Source Control – Theory and Application'. Adjunct Professor John R. Argue, a leading Australian contributor in this field for over 20 years, will provide practical guidance for council based decision makers on managing stormwater outcomes in a range of situations. These will include:

- how to carry out development in a '**greenfield**' catchment without destroying the waterway ecology;

- how to rejuvenate an 'urbanised' waterway; and
- how to cope with **re-development** in an already developed catchment without having to enlarge/augment the (formal) drainage infrastructure.

The two remaining capacity building events to be delivered during May will be the last provided under the “Mainstreaming Integrated Water Cycle Management Program”. Any future events in water management will be associated with the Sustainability Capacity Building and Education Project.

Newsletter

The January, March and May editions of the Regional Water Newsletter were distributed to more than 150 recipients (<http://www.urbanwater.info/Catalytic/RegionaleNewsletters.cfm>).

Register of IWCM Demonstration Sites

The software for the online Demonstration Sites Register (www.urbanwatersites.info) was completed in March, with beta testing and finalisation of functionality completed by late April. Currently the site contains information on about 20 sites that have been compiled by HCCREMS staff.

A soft launch of the site will be made in May at the E5 capacity building event, with a more public launch in June. It is planned that the June workshop event will provide the opportunity for participants to add information regarding some sites already in the register, as well as adding additional sites and information.

Central Coast Public Schools Integrated Water Program

The final project report submitted to the Water Savings Program in March highlighted the successful outcomes of this project in saving nearly double the amount of water forecast, raising awareness and capturing the interest of all three water authorities and the Department of Education and Training Hunter Central Coast Region.

National IWCM Capacity Building Forum

Building linkages with similar capacity building programs across Australia continued via a series of teleconferences and other communications on subjects of mutual interest. Strong relationships are developing with a view to greater sharing of support material and event content.

Urbanwater.info

Mim Buchhorn conducted an in-depth review of the site, including a phone survey of user perceptions and needs, to inform the development of a brief for a major upgrade to the site during 2008-09.

Other Networking & Support

Apart from the capacity building events, the Program Coordinator provided advice to the Great Lakes Coastal Catchment Initiative (CCI) via the Project's Advisory Committee's meetings. Feedback was provided on the Department of Environment and Climate Change's *Draft Diffuse Source Water Pollution Strategy* at a meeting in January, and later in a written submission. Hugh also provided support to Lake Macquarie Council on stream bank erosion, sediment pollution of Lake Macquarie, and on smart water metering at their Schools Community Water Grant meeting.

The final meeting of the program's Steering Committee was held mid-March, at which the representatives indicated their support for a continuation of the type of events and support that had been delivered over the two year period.

In March, Sydney Water invited the Coordinator to make a presentation on the HCCREMS *Central Coast Public Schools Integrated Water Program* to their *Every Drop Counts in Schools* meeting attended by more than 80 school Principals and environmental staff about to embark on a similar project using smart metering.

In early May the Coordinator attended a bi-annual meeting of the Department of Education and Training Hunter Central Coast Region's *Environmental Education Strategy Advisory Group*, and provided information and advice to improve the strategy's effectiveness and awareness of resources provided by elements of HCCREMS work.

Finally, the coordinator attended a number of evening seminars on the NSW Planning Reforms and Green Roofs, and consultant events to remain abreast of current developments and to develop industry contacts as possible resources for later events and activities.

(II) BIODIVERSITY PROGRAM

A. Vegetation Classification & Mapping Project

Collation & audit of sites data

Collation and auditing of survey data for the project has now been completed with a total of 168 surveys made up of 6,075 sites being collated. This total includes 366 sites surveyed during the current stage of the project and 314 during the previous stage. This data has been combined into a regional survey database and cleaned to remove duplicates and update species nomenclature.

Expert Data Review

The collated surveys were presented to an expert review panel made up of a range of botanical experts from both within and outside the region. This group included botanists involved in carrying out the survey work as well as others with relevant knowledge of the region's vegetation. The feedback received from this review process was used to guide the data cleaning process and inform the classification team on the nature of the various survey datasets.

Draft Classification

A team of 3 expert botanists (Phil Gilmour, Doug Binns and Paul Sheringham) and the project coordinator spent around 3 weeks working on the statistical analyses and classification of the dataset to produce a draft classification for the entire Hunter Central Rivers region for review. Based on the feedback from the data review and preliminary analyses, an analysis dataset was developed which included a total of 142 surveys and 5,532 individual sites. Through this process 259 draft vegetation communities were identified and diagnostic statistics were produced for these to present to the review workshop.

Expert Review of Draft Classification

The expert botanical group which took part in the data review process was assembled for a 2 day workshop to review the draft classification scheme. The draft scheme was presented to this group by the project coordinator and the workshop was facilitated by Dominic Sivertsen, Manager of the Native Vegetation Science Section at the Department of Environment and Climate Change. The botanical classification team and project coordinator used the collated feedback from this review process to guide the finalisation of the classification scheme. A finalised classification scheme has now been produced.

B. Sub-projects

Aerial Photograph Interpretation (API) based Mapping

A number of areas were identified for an API mapping sub-project (in the Taree, Great Lakes and Port Stephens LGAs) as coastal areas were considered to be most difficult to model using SPOT5 data. All of the areas identified are subject to considerable development pressure and so mapping of these areas will provide useful inputs to council planning processes. In addition to the 3 areas being funded by this project, Greater Taree City Council are also contributing additional funds to conduct additional mapping in their LGA. The API line work has been completed for the Taree area and is currently underway for the Port Stephens and Great Lakes areas.

Grasslands Expert Workshop

As noted in the February Steering Committee Report it was considered likely that grassland communities would be poorly represented in the numerical classification scheme due to the scarcity of the data available. In order to identify grassland communities which may have been missed by the classification work a workshop was held with a number of botanists with expert knowledge of the region's grasslands. A number of natural and derived native grassland communities were identified through this process as being present in the region. In addition the grassland communities which came out of the classification work were reviewed. Methodologies for sampling and mapping of grassland communities were also discussed. The outcomes of this workshop have been collated and sent out to the participants for final comment. These communities will then be reported on along with the numerically derived communities and will be considered in the mapping phase of the Project where they occur at appropriate scales.

Soils Mapping

The brief for the soils mapping sub-project discussed in the February Steering Committee Report has been completed and a consultancy, Soil Futures Consulting, has been engaged to complete this work. This project will complete the coverage of soil landscape mapping for the region as well as providing a soil facet file to further subdivide the soil landscapes where appropriate. This sub-project is being completed in partnership with DECC which will provide a review of the outputs. The completion date for this sub-project is currently November 2008.

(III) ROADSIDE ENVIRONMENT PROJECT

Rapid Roadside Assessment Program

The Rapid Roadside Assessment Program has been completed. This key objectives of this program included identifying the nature and extent of natural resource, biodiversity and heritage issues within roadside environments, and to provide data and information to inform the development of roadside management case studies, management guidelines and practice notes, as well as to assist in the prioritisation, design and implementation of on-ground conservation and rehabilitation works.

Although still in the initial stages of data analysis, early results of this program confirm the existence of a range of environmental management issues within roadside reserves across the region. These include weed spread, erosion, salinity, sediment in waterways and habitat loss. Council initiatives to address these were also evident in the form of erosion control structures, drainage practices, sealing of roads intersecting waterways, and initiatives to facilitate fauna passage. Interestingly, the program has identified that management strategies and practices are often unique to particular councils. This provides significant opportunity for information sharing between councils in regard to the management of these issues. This

will be facilitated in part through the development of case studies to be incorporated within the management guidelines and training modules being developed under the project.

Roadside Management Guidelines

Consultants are presently being engaged to assist with the development of management guidelines and field guides to assist councils in applying best practice management when planning and undertaking road construction and maintenance works. Based on the results of consultation undertaken with councils to date and the findings of the rapid assessment program, these guidelines and field guides will target the following areas:

Subject Area	Content
Soils	<ul style="list-style-type: none">• Managing acid-sulfate soils• Managing salinity• Managing soil erosion• Topsoil management during roadworks
Water and Drainage	<ul style="list-style-type: none">• Management of drainage and water quality in roadside environments• Design considerations for water crossings (eg culverts, causeways and bridges)
Vegetation and Biodiversity	<ul style="list-style-type: none">• Vegetation management during maintenance and construction works• Revegetation and rehabilitation in roadside reserves• Mowing guidelines for roadside reserves• Reducing the impacts of roads on native fauna• Management of threatened flora species in roadside reserves• Management of roadside reserves of high biodiversity value (eg adjacent to wetlands, national parks, nature reserves, wildlife corridors)
Livestock grazing in roadside reserves	<ul style="list-style-type: none">• Identifying appropriate locations to support livestock grazing• Strategies for minimising negative environmental impacts from livestock grazing.
Management of unsealed roads	<ul style="list-style-type: none">• Best management practices for managing unsealed roads to reduce impacts on vegetation and water quality.

Roadside Environmental Assessment and Management Tool

The Roadside Environmental Assessment Tool is a GIS based product that enables councils to query individual road segments to determine the presence of a range of potential NRM issues for which mapping is currently available. Consultation with GIS and other staff who have been involved in trialling the GIS based Roadside Environment and Assessment Tool is currently underway. The purpose of this consultation is to identify existing elements of the product that may require further refinement and potential opportunities for further development to better meet the needs of councils.

Regional Roadside Environment Network

A Regional Roadside Environment Network has been established for the purpose of providing professional and technical input to the project. Representation on the network incorporates staff from councils across the region representing the range of roles and disciplines that are involved in the management of roadside environments. These include GIS, engineering, environmental management and planning, works co-ordination and asset management staff.

(IV) CLIMATE CHANGE PROJECT

Climate Change Forum

A Climate Change Adaptation Forum for local government was recently held on the 29th April in Newcastle. HCCREMS and the LGSA collaborated on the planning and staging of this event, which was well attended by councillors and council staff as well as representatives from a range of state government agencies. Of particular interest was the focus on liability and risk exposure to local government arising from climate change. Presentations provided by Statewide Mutual (the insurer for NSW local government) and the legal firm DLA Phillips Fox highlighted the importance of councils undertaking climate change risk assessment and planning processes across all aspects of their operations in order to minimise the potential for future liability and insurance claims. At a broader level, insurance underwriters are increasingly demanding planning of this nature to minimise their level of risk exposure. Failure by local government to adopt such planning may ultimately influence whether insurance companies and their underwriters are willing to continue to provide insurance cover to local government in NSW.

HCCREMS Research Project

In regard to the progress of the Regional Climate Change Project, Newcastle Innovation is currently finalising the Draft Climate Variability Report for the region. This report will determine how the key synoptic patterns identified in Stage 1 of the project drive climate and climate related variability in the region. In particular the report will provide an analysis of the relationship between the regional synoptic patterns and local changes in key climate variables (e.g. rainfall variability, temperature variability and extremes, wind speed and direction, relative humidity, frequency of extreme weather events, levels of runoff, evaporation rates, coastal erosion, wave climate and storm magnitude/frequency). When finalised, this report will represent completion of Stage 2 of the project. Stage 3 will then involve downscaling of various Global Climate Models to identify the likely changes in the frequency and nature of the regional synoptic patterns that have been identified to enable an assessment of the sub regional impacts of climate change.

Climate Change Consultations

HCCREMS is also presently arranging consultation briefings with representative stakeholders of government, industry and land use sectors in the region that have the potential to be targeted by / involved with the project. This consultation aims to ensure that the information and data produced by the project addresses stakeholder concerns, and that it is in an appropriate format to be utilised by these groups for climate change risk assessment and adaptation planning processes. The consultation process is being conducted around seven key themes that are considered to be representative of or iconic to the region and that are likely to be noticeably impacted upon by climate change. These themes include Water Balance, Biodiversity, Human Health, Agriculture, Coasts & Estuaries, Built Environment & Infrastructure and Natural Disaster Management.

(V) RURAL RESIDENTIAL RESOURCE GUIDE

Development of the web based version of 'A Guide to Rural Residential Living' (www.ruralresidentialliving.com.au) has been completed and was officially launched at Total Field Days during 2- 4 May 2008. The structure of the website provides enhanced navigability between the chapters and resources included in the Guide, while inclusion of a search function provides the ability to more directly identify and access relevant information. The website provides the ability to monitor and review the level of site usage and provides a format in which information currency can be more readily maintained through regular

reviewing and updating the links and resources that it contains. An image of the website is provided below.



Printing and production of 5000 CD and 50 paper versions of the Resource Guide have also been completed and distributed to councils, along with promotional posters to accompany the display of the Resource Guide in council libraries and Administration Centres. Councils have provided property details for 15,000 rural residential properties across the region that will be targeted by a direct mailing campaign to promote the availability of the Resource Guide. This centralised mailing campaign is being co-ordinated by the Hunter Central Rivers CMA and is scheduled for completion by the end of May 2008. Each council has agreed and will be responsible for responding to community inquiries including requests for CD versions of the Guide and providing details on where paper versions of the Guide can be accessed in their LGA.

(VI) REGIONAL SUSTAINABILITY PROJECTS

As reported at the previous Steering Committee meeting, an application submitted under the Environmental Trust's Urban Sustainability Program for a Regional Sustainability Compliance Project has been approved. This is in addition to the Regional Sustainability Capacity Building and Education (\$1.4M) and ESD Training Package for Councillors (\$50,000) Projects that HCCREMS is presently implementing. The application for the Regional Sustainability Compliance Project was submitted by Cessnock Council in partnership with HCCREMS, DECC and the Hunter Regional Illegal Dumping Group, and will provide \$1.2M in funding over a three year period. This consortium has requested that HCCREMS take over management of the project.

The particular objectives of the Regional Sustainability Compliance Project include:

1. To reduce adverse environmental impacts & improve regional natural resources through strengthened cross council collaboration, resource sharing & partnership projects
2. To deliver regional environmental enforcement and compliance activities and resources, including collaborative operations, model deterrents, regional toolkits, and consolidated regional data collection & reporting
3. To support councils to review & develop best practice policy & planning instruments to monitor the movement of waste across the region, including asbestos.
4. Deliver a coordinated regional education campaign that links to the HCCREMS Regional Sustainability Capacity Building and Education Project
5. To increase organisational capacity, commitment, systems and resources within & across councils & other stakeholders in the region to implement environmental compliance activities
6. To report regional sustainability performance and continued progress toward common ESD objectives

In light of the synergies that exist between various elements of each of the three sustainability projects, HCCREMS is exploring potential mechanisms to facilitate a fully integrated approach to their delivery. It is considered that such an approach would provide significant opportunities to enhance the level and depth of outcomes that can be achieved from each. Particular opportunities and benefits that have been identified include:

1. More efficient use of staff resources.

Despite their different focus areas, there exist a number of common elements across the projects. In particular these include project and contract management, stakeholder consultation and liaison, training and capacity building of council staff, the implementation of coordinated community education campaigns, and the development of toolkit resources and regional policy templates. This provides the potential to engage a core number of staff with appropriate skills across all of the projects, avoiding the establishment of parallel staff structures and skill sets within each. The efficiencies gained from this approach would facilitate the engagement of more specialist staff / consultants to support particular project components and initiatives as required.

2. Systemic implementation and monitoring of sustainability initiatives.

An integrated approach to delivery of the projects provides the opportunity to close the loop between the development of sustainability products and processes, their implementation and ongoing monitoring and review. By aligning key sustainability themes across all of the projects, the opportunity exists to not only build the capacity and commitment of stakeholders to implement sustainability initiatives through a range of new products and activities, but to actually improve their capacity to monitor and review the degree of implementation and level of compliance with these at both organisational and community levels.

3. Enhanced profile and market penetration of community education/compliance campaigns

A key element of both of the Environmental Trust funded projects includes regionally coordinated community education campaigns. An integrated approach to the delivery of these provides the opportunity to stage activities and themes identified under each project to ensure that they complement each other, and in particular, to ensure the delivery of a strong and united educational message addressing common sustainability themes across 14 council areas. The opportunity to badge the educational initiatives of

both projects under one united banner will substantially enhance the marketability and market penetration of these activities in the community.

In addition to developing the Sustainability Compliance Project Business Plan and exploring and developing options for integrating delivery of the three projects, the current priorities being implemented in regard to the Councillor ESD Training Package project include:

- Design of the stakeholder needs analysis and benchmarking survey targeting elected Councillors, General Managers, Senior Managers and council staff. The information obtained from this process will inform the design and content of the subsequent project stages and products to be developed under the projects, and will provide a benchmark against which the results of future project monitoring and evaluation can be compared.
- Completing a comprehensive review and analysis of existing sustainability training programs and products targeting elected Councillors. The development and piloting of a regionally tailored ESD training package for Councillors is a key priority for 2008 in order to take advantage of the fact that local government elections are being held in September. The project has identified and is presently reviewing a range of existing materials, products and approaches to determine their potential for adaptation and use on the project. GMAC has also expressed strong support for this particular project initiative at its meeting on 1 May 2008 and have recommended the establishment of a council staff reference group to provide input to the design and content of the training materials to be developed.

(VII) POST-FLOOD AQUATIC WEED PROJECT

The Steering Committee for the project has been established and has met on three occasions this year.

Meetings with all local Weeds Officers have been completed, the purpose of which was to identify priority areas affected by the June 2007 flood in regard to the spread of aquatic weeds, and to obtain available aquatic weeds data. This data, together with existing HCCREMS and DECC data, have been compiled onto a database and digital map. Data relating to the June 2007 flood is currently being compiled with the aim of mapping the areas that were inundated by flood waters. Such data is currently being sourced from partner councils, with varying levels of success and cooperation.

Additional activities completed under the project to date include:

- Development and distribution to landholders during property inspections of an information kit focusing on aquatic weeds, particularly Alligator Weed.
- Development of a decision-making tool to assist with the process of prioritising sites for on-ground works to be implemented under the project.
- Property inspections at Branxton, Cooranbong, Twelve Mile Creek, Wollombi and Lake Macquarie foreshore areas have been undertaken, along with aerial surveys of the Wyong valleys. Post-flood infestations of both Alligator Weed and Salvinia have been detected at several sites. Additional inspections are also planned for Branxton, Cooranbong, Twelve Mile Creek and Wollombi, and along areas of both the Williams and Paterson Rivers.

INFORMATION ITEM NO. 3
SUSTAINABLE ENERGY PLAN

REPORT OF: BRUCE PETERSEN – ENVIRONMENTAL SERVICES MANAGER

FILE: PSC2008-1043

BACKGROUND

The purpose of this report is to inform the Council of the development of a Sustainable Energy Plan to provide a framework for improved management of Council's energy use and its associated costs and greenhouse gas (GHG) emissions.

Energy use at Council has become an increasingly important issue over recent years for a number of reasons. Rising alarm at the rate of global climate change and the need to reduce greenhouse gas emissions, the rising cost of energy and its implications on Council's financial sustainability, and Council's commitment to demonstrating leadership in Sustainability to the community have all contributed to this rising interest in energy use.

Council has been a voluntary participant in the Cities for Climate Protection (CCP) Program since 1999 and has made a commitment to reduce the amount of greenhouse gas (GHG) emissions produced (both directly & indirectly) as a result of Council's operations (Objective 7.3.1). Council has also committed to complete the 14 Step Financial Loss Control (FLC) Program, developed by Newcastle City Council to guide sustainable resource use at an organisational level, by June 2012 (Objective 7.3.2).

The development of a Sustainable Energy Plan provides a framework for Council to work through some of the issues relating to the way Council manages its energy use and to progress through the Financial Loss Control (FLC) Program. The focus of the Sustainable Energy Plan is the formation of the Sustainable Energy Panel. This Panel will be comprised of representatives from various areas of responsibility within Council.

The Sustainable Energy Panel's primary objectives are to oversee, support, and guide the implementation of the Sustainable Energy Tactical Plan, and to work with Newcastle City Council and progress through the 14 steps of the Financial Loss Control (FLC) Process.

It is envisaged that all projects and/or activities which involve changes to the way in which energy is used within Council operations be referred to the Sustainable Energy Panel for review during project planning stage to ensure that these activities are consistent with Council's Sustainable Energy and Climate Change mitigation objectives. A database of sustainable energy projects will be maintained by the Panel to enable more effective promotion of Council projects in this area, along with improved education and knowledge sharing across Council.

The Sustainable Energy Panel will be responsible for reporting of Council's Sustainable Energy projects and progress towards targets to the Executive Team.

LINKS TO COUNCIL PLAN

The Sustainable Energy Plan provides the key driver for the achievement of the following Objectives from the current Council Plan 2008-12:

- 7.3.1 Reduce Council's greenhouse gas emissions by 20% of its 1996 baseline level by June 2011
- 7.3.2 Complete the 14 Step Financial Loss Control program by June 2012

ATTACHMENTS

- 1) Sustainable Energy Tactical Plan
- 2) Financial Loss Control Brochure

ATTACHMENT 1
SUSTAINABLE ENERGY TACTICAL PLAN



TACTICAL PLAN – Sustainable Energy

Author: Duncan Jinks

Date: May 2008

Situational Analysis:

1. Council's commitment to reduce Greenhouse Gas (GHG) emissions to mitigate Council's contribute to global climate change

Port Stephens Council has been a voluntary participant in the *Cities for Climate Protection (CCP) Program* operated by the *International Council for Local Environmental Initiatives (ICLEI)* since 1999. Council has made a commitment to reduce greenhouse gas (GHG) emissions from its own operations under this program.

Stationary Energy use (i.e. not transport) represented 48% of Australia's GHG emission in 2005 (Department of Climate Change, 2008), and more than 80% of Port Stephens Council's GHG emissions in 2006/07 (including Streetlights).

2. The implications of rising energy prices on Council's financial sustainability

In 2006/07 Council spent approximately \$900,000 on electricity use alone (including electricity component of street lighting charges of approximately \$150,000 in 2006/07). The cost to supply electricity to Council is anticipated to rise significantly in July 2009 when the State Government Contract comes up for renewal. On best estimates, the price rise will be in the order of 40% - 100% (note: this does not include the anticipated increase in prices as a result of either electricity privatisation in NSW, or the introduction of an national emissions trading scheme in 2010/11). This represents a potentially significant financial risk to the organisation.

3. Demonstrate leadership to the Port Stephens community on Energy Management, Sustainability & Climate Change Mitigation

Given that Local Government is the closest government link to the community, Port Stephens Council considers engaging with its community on issues affecting the sustainability of Port Stephens as a key priority of Council. As a consequence Council regularly undertakes various community engagement and education programs to promote sustainable living options, including the sustainable use of energy. However, it is important for Council to demonstrate leadership to the community in the way in which energy is used and managed at Council, as well as mitigation of greenhouse gas (GHG) emissions, in order to be able to influence the way energy is used in the community.

Goal 7: Sustaining the Environment – Mitigate the effects of Climate Change and Population Growth on the Environment

7.3 Strategy: Develop & deploy a strategic approach to management of Council waste, water and energy.

Description	Lead Section	Stakeholder Sections
7.3.1 Reduce Councils greenhouse gas emissions by 20% of its 1996 baseline level by June 2011	Environmental Services	All asset owners

Target	Resource Allocation	Timing
Council's electricity consumption and expenditure graphs reported monthly within cockpit charts for Council's largest energy consuming facilities.	Duncan Jinks with support from Finance team	Monthly

Description	Lead Section	Stakeholder Sections
7.3.2 Complete the 14 Step Financial Loss Control program by June 2012	Environmental Services	Sustainable Energy Panel

Target	Resource Allocation	Timing
Establish Sustainable Energy Panel	Key staff from across the organisation	June 2008
Panel to report to ET	The Panel will meet fortnightly until September 2008, then monthly on an ongoing basis.	Commence in Sept 2008
Actions as outlined in the Sustainable Energy Action Plan.	Sustainable Energy Panel, NCC, and others as needed and outlined in the Sustainable Energy Action Plan.	Commence in June 2008, individual timing of actions outlined in the Sustainable Energy Action Plan.

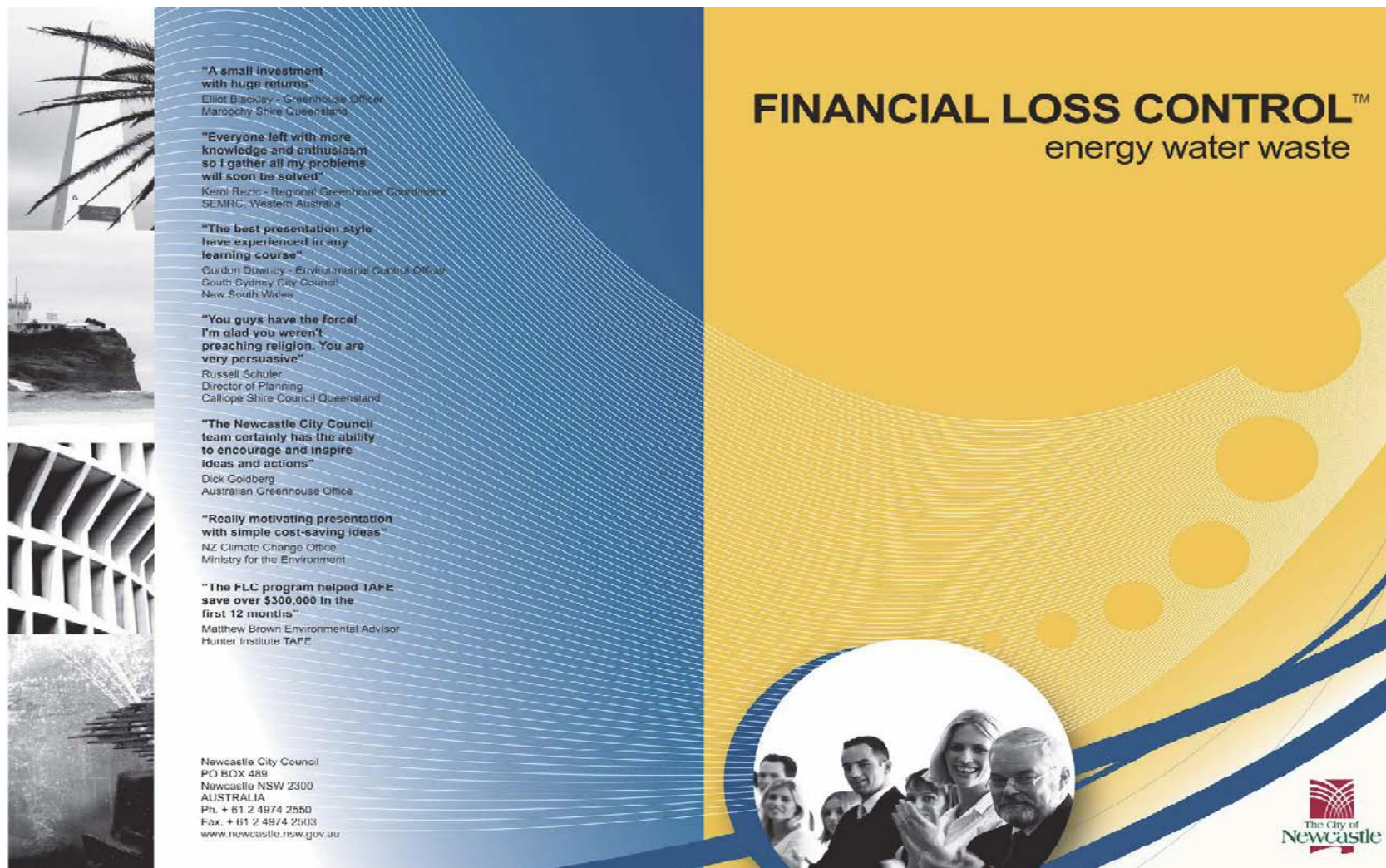
Review period:

The Plan will initially be reviewed in October 2008 in line with the Panel's second Quarterly Report to the Executive Team. The Plan will be reviewed in December on an annual basis.

References:

Department of Climate Change (2008) *Tracking to the Kyoto Target: Australia's Greenhouse Emissions Trends 1990 to 2008-12 and 2020*, Available at: <http://www.climatechange.gov.au/projections>

ATTACHMENT 2
FINANCIAL LOSS CONTROL BROCHURE



The brochure cover features a blue and yellow color scheme with abstract wavy patterns. On the left, there is a vertical strip of four images: a palm tree, a coastal building, a modern architectural structure, and a water fountain. The right side has a large yellow area with the title 'FINANCIAL LOSS CONTROL™' and the subtitle 'energy water waste'. A circular inset at the bottom right shows a group of people clapping. The Newcastle City Council logo is in the bottom right corner.

FINANCIAL LOSS CONTROL™
energy water waste

"A small investment with huge returns"
Elliot Blackley - Greenhouse Officer
Maroochy Shire Queensland

"Everyone left with more knowledge and enthusiasm so I gather all my problems will soon be solved"
Kerol Rezio - Regional Greenhouse Coordinator
SEMRG, Western Australia

"The best presentation style I have experienced in any learning course"
Gordon Downey - Environmental Control Officer
South Sydney City Council
New South Wales

"You guys have the force! I'm glad you weren't preaching religion. You are very persuasive"
Russell Schuler
Director of Planning
Callopie Shire Council Queensland

"The Newcastle City Council team certainly has the ability to encourage and inspire ideas and actions"
Dick Goldberg
Australian Greenhouse Office

"Really motivating presentation with simple cost-saving ideas"
NZ Climate Change Office
Ministry for the Environment

"The FLC program helped IAFE save over \$300,000 in the first 12 months"
Matthew Brown Environmental Advisor
Hunter Institute IAFE

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The City of
Newcastle

FINANCIAL LOSS CONTROL™ energy water waste

In the ever-competitive business world, improving your profits provides a constant challenge.

Financial Loss Control™ is a 14-step mentoring program that aims to increase profits and enhance in-house knowledge through a strategic approach to energy, water and waste management.

Financial Loss Control™ (FLC) was retrospectively designed based on the experiences and successes of Newcastle City Council. After a major review and retrofit of its ten largest facilities Council achieved a 40% (\$400,000 pa) reduction in energy, a 25% (\$200,000 pa) saving in water bills and an overall reduction in greenhouse gas emissions of 23%.

The lessons learnt through practical experience enable Council to show businesses how to implement simple operational and behavioural changes that improve their competitive edge and achieve cost savings.

The FLC program offers a range of individually tailored services including short and medium term mentoring support and 1-2 day experiential learning programs.

FLC methodology is focused on developing the in-house skills needed to cultivate continuous improvement through efficient energy and resource management.

The program involves learning effective ways to establish organisational support, internal funding mechanisms, set up cross-divisional teams, marketing and communication methods and how to undertake your first energy, water and waste projects.

The integration of FLC into management planning enables businesses to enhance their corporate profile by linking financial and environmental goals.

Council has worked with over 200 local government organisations and businesses throughout Australia and New Zealand.

Financial Loss Control™ offers proven and practical solutions to strengthen your organisation's future.



INFORMATION ITEM NO. 4

**PORT STEPHENS
SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN 2007
APPLICATION OF CPI INCREASE**

**REPORT OF: TREVOR ALLEN – INTEGRATED PLANNING MANAGER
FILE: PSC2006-0064**

BACKGROUND

The purpose of this report is to inform Council of the amendment to the Port Stephens Section 94 Development Contributions Plan 2007 based on the release of the Consumer Price Index details for the Quarter Ended 31st March 2008.

Council levies development contributions against new development under legislation as outlined in the Attachment 1. and under the “Port Stephens Section 94 Development Contributions Plan 2007”.

Council’s current Section 94 Development Contributions Plan was adopted on 26th June 2007 and provides for on-going variation to the contribution levies based on the Consumer Price Index. Given the substantial rise in the Section 94 Contribution Rates upon the Plan’s adoption, CPI has not been applied to date under Delegated Authority. As a significant period of time has now elapsed, it is appropriate to include CPI in these levies.

The Australian Bureau of Statistics releases an updated CPI figure on a quarterly basis. The March 2008 quarter details have been released and in accordance with Section 2.2 – Adjustment of Contribution Rates of the Port Stephens Section 94 Development Contributions Plan 2007, the contributions levy has been adjusted by 2.98%.

Public notice of the adoption of the CPI amendments was published in “The Examiner” on Thursday 8th May 2008 and the Newcastle Herald on Saturday 3rd May 2008. The amendments came into effect on Saturday 3rd May 2008. A table detailing the schedule of previous and current Section 94 Contribution Rates is contained in Attachment 2.

Further amendments to the Section 94 Contribution Plans, based upon the CPI, will continue to be made on a quarterly basis, in accordance with advice received from the Australian Bureau of Statistics and Section 2.2 of the Port Stephens Section 94 Development Contributions Plan 2007.

ATTACHMENTS

- 1) Legislative Background
- 2) Schedule of Current and Previous Section 94 Contribution Rates

ATTACHMENT 1

**BACKGROUND TO S94 LEVIES
IMPOSED BY ALL COUNCILS ON NEW DEVELOPMENT**

New development means an increase in either population and traffic in the case of residential development, or traffic in the case of businesses. In order to provide for the needs of the new population and/or increased traffic from development, Councils are permitted by legislation to levy a contribution on new development towards new facilities or infrastructure. The contribution is imposed as part of the conditions of consent.

The NSW State Government amended legislation in 1993 to ensure that NSW Councils only levied developers for legitimate projects and fair apportionment.

This levy (S94) is imposed under Section 94 of the NSW Environmental Planning and Assessment Act (1999) and the accompanying regulations. That section of the Act stipulates certain requirements on Council, the main requirements being:

- Contributions can only be levied on developers through S94 legislation.
- Levies may only be for Council Public facilities initial construction and not ongoing costs with the exception of roads maintenance required due to heavy vehicle damage.
- The facilities must be part of a valid S94 Plan (document).
- The facility must be as a consequence of the new development (e.g. not replacing an existing facility or providing one due to existing population needs).
- There must be a reasonable proximity between the new facility and the development.
- The levy received from the development must be spent within a reasonable time.
- The cost of new facilities must be apportioned to the new developments use compared to the existing population.

The legislation requires Councils to be financially accountable and sets out detailed financial reporting requirements.

ATTACHMENT 2

Schedule of Current and Previous Section 94 Contribution Rates

General Contributions

	Civic Administration		Public Open Space, Parks and Reserves		Sports and Leisure Facilities		Cultural and Community Facilities		Roadworks (per vehicle trip)		Fire and Emergency Services		TOTAL	
	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous
Contribution General – per additional lot or dwelling	\$367	\$356	\$1,993	\$1,935	\$4,697	\$4,561	\$2,361	\$2,293	\$1,335	\$1,296	\$144	\$140	\$10,897	\$10,581
Permanent Caravans / Mobile Homes	\$183	\$178	\$997	\$968	\$2,349	\$2,281	\$1,181	\$1,147	\$445	\$432	\$72	\$70	\$5,227	\$5,076
Tourist Accommodation (per unit)	\$183	\$178	\$997	\$968	\$2,349	\$2,281			\$222	\$216	\$72	\$70	\$3,823	\$3,713
Bed & Breakfast (per bedroom after 1 st)	\$92	\$89	\$498	\$484	\$1,174	\$1,140			\$222	\$216	\$36	\$35	\$2,022	\$1,964
Non Residential	\$6	\$6							\$148	\$144			\$154	\$150

Site Specific Contributions

Richardson Road North Raymond Terrace		Heatherbrae Industrial Land		Raymond Terrace Commercial / Retail Area Carparking		Nelson Bay Commercial Retail and Foreshore Area Carparking		Boat Harbour and Anna Bay Catchment Drainage Upgrade			Fern Bay – Bus Shelters	
Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Previous
\$1,980	\$1,923	\$1	\$0.97	\$15,448	\$15,000	\$12,064	\$11,714	\$618	\$600	\$129		\$125

GENERAL MANAGER'S REPORT

PETER GESLING
GENERAL MANAGER

ITEM NO. 1

FILE NO:PSC2006-0298

WILLIAMTOWN DEFENCE AND AIRPORT RELATED EMPLOYMENT ZONE LAND USE DEVELOPMENT STRATEGY

REPORT OF: TREVOR ALLEN – MANAGER, INTEGRATED PLANNING

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the *Williamtown Defence and Airport Related Employment Zone Land Use Development Strategy* to guide future urban development around Williamtown Airport (**Tabled**).
- 2) Endorse the Draft Local Environmental Plan (LEP) that includes amendment to the internal zone boundaries – zoning the entire subject land SP1 Special Activities – Defence and Airport Related Employment Development (Attachment 1) subject to:
 - a) An Agreement being formalised between the Department of Environment and Climate Change and the proponent before the Draft Local Environmental Plan is recommended for endorsement to the NSW Minister for Planning, and
 - b) An Agreement being formalised for the preservation of Aboriginal Cultural Heritage – also before the Draft LEP is recommended for endorsement to the NSW Minister for Planning.
- 3) Endorse the Draft LEP to be forwarded to the NSW Minister for Planning (under Section 70 of the Environmental Planning & Assessment Act 1979) with the inclusion of restaurants be included as a permissible use.

PLEASE NOTE:

The following report was considered by Council at its meeting on the 10th June 2008 with Council resolving to defer the Item to the Ordinary Council meeting on the 24th June 2008.

ORDINARY MEETING – 10 JUNE 2008

MOTION:

	Councillor Brown Councillor Francis	That Council; 1) Adopt the <i>Williamtown Defence and Airport Related Employment Zone Land Use Development Strategy</i> to guide future urban development around Williamtown Airport (Tabled). 2) Endorse the Draft Local Environmental Plan (LEP) that includes amendment to the
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MINUTES FOR ORDINARY MEETING – 24 JUNE 2008

		<p>internal zone boundaries – zoning the entire subject land SP1 Special Activities – Defence and Airport Related Employment Development (Attachment 1) subject to:</p> <p>a) An Agreement being formalised between the Department of Environment and Climate Change and the proponent before the Draft Local Environmental Plan is recommended for endorsement to the NSW Minister for Planning, and</p> <p>b) An Agreement being formalised for the preservation of Aboriginal Cultural Heritage – also before the Draft LEP is recommended for endorsement to the NSW Minister for Planning.</p> <p>3) Endorse the Draft LEP to be forwarded to the NSW Minister for Planning (under Section 70 of the Environmental Planning & Assessment Act 1979) with the inclusion of restaurants be included as a permissible use.</p>
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AMENDMENT:

127	Councillor Hodges Councillor Francis	It was resolved that this matter be deferred to the Ordinary meeting of Council on 24 th June 2008.
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The amendment on being put, became the motion, which was put and carried.

MATTER ARISING:

129	Councillor Francis Councillor Tucker	It was resolved that Council have further discussion with Monarch Historical Museum owners and the Department of Defence regarding their land being included in the rezoning prior to this matter being brought back to Council in June.
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ORDINARY MEETING OF COUNCIL – 24 June 2008**RESOLUTION:**

151	Councillor Jordan Councillor Nell	It was resolved that Council move into Confidential Session at 6.56pm to consider legal advice from Council's solicitor.
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MINUTES FOR ORDINARY MEETING – 24 JUNE 2008**RESOLUTION:**

152	Councillor Nell Councillor Westbury	It was resolved that Council move into Committee of the Whole
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RESOLUTION:

153	Councillor Nell Councillor Dingle	It was resolved that Council move out of Committee of the Whole
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RESOLUTION:

154	Councillor Nell Councillor Dingle	It was resolved that Council move out of Confidential Session
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MOTION::

155	Councillor Francis Councillor Nell	<p>1) Adopt the <i>Williamtown Defence and Airport Related Employment Zone Land Use Development Strategy</i> to guide future urban development around Williamtown Airport (Tabled).</p> <p>2) Endorse the Draft Local Environmental Plan (LEP) that includes amendment to the internal zone boundaries – zoning the entire subject land SP1 Special Activities – Defence and Airport Related Employment Development (Attachment 1) but excluding</p> <ul style="list-style-type: none">- the land owned by Mr & Mrs Wedd and- the land owned by the Department of Defence subject to; <p style="padding-left: 40px;">a) An Agreement being formalised between the Department of Environment and Climate Change and the proponent before the Draft Local Environmental Plan is recommended for endorsement to the NSW Minister for Planning, and</p> <p style="padding-left: 40px;">b) An Agreement being formalised for the preservation of Aboriginal Cultural Heritage – also before the Draft LEP is recommended for endorsement to the NSW Minister for Planning.</p> <p>3) Endorse the Draft LEP to be forwarded to the NSW Minister for Planning (under Section 70 of the Environmental Planning & Assessment Act 1979 with the inclusion of restaurants be included as a permissible use.</p>
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MINUTES FOR ORDINARY MEETING – 24 JUNE 2008

AMENDMENT:

	Councillor Hodges Councillor Jordan	That Council re-exhibit the amended Williamtown Defence and Airport Related Employment Zone with the exclusion of the Dept of Defence land and land comprising the Monarch Museum (Lots 1 and 2 DP330363 Slades Rd) to be retained as 1(a) Rural Agriculture zone.
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The amendment on being put was lost and the motion was carried.

RESOLUTION:

156	Councillor Dingle Councillor Hodges	It was resolved that a division be called for.
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All those in favour of the motion: Crs Swan, Dover, Brown, Dingle, Francis, Hodges, Jordan, Nell, Robinson, Tucker & Westbury

The motion was carried unanimously.

ITEM NO. 1

FILE NO:PSC2006-0298

WILLIAMTOWN DEFENCE AND AIRPORT RELATED EMPLOYMENT ZONE LAND USE DEVELOPMENT STRATEGY

REPORT OF: TREVOR ALLEN – MANAGER, INTEGRATED PLANNING

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the *Williamtown Defence and Airport Related Employment Zone Land Use Development Strategy* to guide future urban development around Williamtown Airport (Tabled).
- 2) Endorse the Draft Local Environmental Plan (LEP) that includes amendment to the internal zone boundaries – zoning the entire subject land SP1 Special Activities – Defence and Airport Related Employment Development (Attachment 1) subject to:
 - a) An Agreement being formalised between the Department of Environment and Climate Change and the proponent before the Draft Local Environmental Plan is recommended for endorsement to the NSW Minister for Planning, and
 - b) An Agreement being formalised for the preservation of Aboriginal Cultural Heritage – also before the Draft LEP is recommended for endorsement to the NSW Minister for Planning.

3) Endorse the Draft LEP to be forwarded to the NSW Minister for Planning (under Section 70 of the Environmental

BACKGROUND

The purpose of this report is to advise Council of submissions received during the public exhibition of the draft local environmental plan for Defence and Airport Related Employment Zone (DAREZ) at Williamtown.

On 26th February 2008 Council resolved to prepare a draft local environmental plan (LEP) to create defence and airport related employment land in adjacent to Newcastle Regional Airport and RAAF Base Williamtown.

The draft LEP and accompanying DAREZ Land Use Development Strategy was placed on public exhibition from 10th April to 7th May 2008. Comment was also sought from the relevant state and federal departments and authorities.

The rezoning is in accordance with the *Lower Hunter Regional Strategy 2006* and *Council's Community Settlement and Infrastructure Strategy 2007*. A copy of the draft LEP map as publicly exhibited is provided in **Attachment 2**.

LINKS TO CORPORATE PLANS

The links to the 2007-2011 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

FINANCIAL/RESOURCE IMPLICATIONS

Costs incurred in council staff time and resources preparing and administering the draft LEP have been recovered by the fees incurred by the rezoning request.

Should Council adopt the recommendations of this report, subsequent development of the land will be supported by private provision and public ownership of infrastructure normally associated with such development. Further details will be provided within the forthcoming DCP and subsequently considered by Council in future development applications.

LEGAL AND POLICY IMPLICATIONS

The draft LEP is consistent with the *Lower Hunter Regional Strategy 2006* and the *Port Stephens Community Settlement and Infrastructure Strategy 2007*.

The draft LEP proposes the introduction to the Port Stephens LEP 2000 of:

- (a) an SP1 Special Activities – Defence and Airport Related Employment Development zone. The zone objectives and relevant land uses are specifically written to cater for land uses that are directly related to defence and airport related employment and to discourage or prohibit land uses that are incompatible with the ongoing operations of the domestic airport and RAAF Base Williamtown in particular. The zoning

specifically does not encourage standard industrial and commercial development; and

- (b) an E3 – Environmental Management zone to provide a framework for the protection of areas of environmental significance and an aboriginal keeping place.

Due to advice from Department of Environment and Climate Change (DECC) and ongoing discussions with the proponent, the application of the E3 zone to the subject land is no longer appropriate. However, the retention of the E3 zone within the draft LEP is recommended as part of the transition into a new LEP based on the LEP template by 2011. Therefore, whilst the draft LEP includes this new zone it does not currently apply to any other land in Port Stephens LGA.

A draft DCP is currently being prepared in accordance with Council's resolution dated 26th February 2008 and will be exhibited and reported to Council in due course.

LINKS TO CORPORATE PLANS

This report addresses the strategic and future directions of Council's Plan 2007-2011, in particular:

- Integrating planning for facilities and services.
- Council's facilities and services meet community needs.
- Promote, plan and guide development to create sustainable communities that conserve and enhance the natural and built environment.
- Port Stephens treasured environment is maintained and improved for the well being of our community.
- Alignment of Council Plans.
- Alignment of State and Regional Plans.
- Development focuses on our communities being sustainable.
- Our Council will plan and manage our finances to maximise community benefit.

The links to the 2007-2011 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

SUSTAINABILITY IMPLICATIONS

ECONOMIC IMPLICATIONS

The economic impact assessment submitted with the rezoning request estimates that the DAREZ has the direct capacity to create up to 2680 jobs during the construction, 5,600 jobs upon completion with an income effect of \$246.6 million per annum.

These positive economic impacts are significant. Existing and future military investment in the base, the projected continuation of growth in civilian passengers through the airport combined with the proposed draft LEP, is likely to; attract significant and ongoing private investment into the Port Stephens Local Government Area; create local employment opportunities (expected to be mostly highly qualified and skilled jobs plus multiplier effects); reduce the need for Port Stephens residents to travel outside of the LGA for work; and, reduce escape spending.

SOCIAL IMPLICATIONS

The economic implications of the draft LEP should be considered against the proposed urban release areas of Kings Hill and Medowie and the associated social implications of developing these areas in relative close proximity to the DAREZ site. Whilst planning for these areas is seeking to provide optimum opportunities for more sustainable employment activities within these areas, their close proximity to the DAREZ site is likely to create a mutually supportive relationship in socio-economic terms.

Parts of the site have been identified as having significance to the Worimi Local Aboriginal Land Council (WLALC). An Aboriginal keeping place has been set aside as part of the draft plan. Not applying the E3 zone to this land does not mean that this area will not be protected. The precise shape and location of the keeping place will be finalised during the development application stage in accordance with sections 87 and 90 of the *National Parks and Wildlife Service Act 1974*.

ENVIRONMENTAL IMPLICATIONS

The DAREZ Strategy notes that the site contains vegetation communities and habitats of significant ecological value. However, it also notes that the site is not identified as being part of any regional conservation investment priority in the State Government's Draft Regional Conservation Strategy. Furthermore, the land is identified in the Lower Hunter Regional Strategy for employment.

Land predominantly in the southern portion of the site was identified for rezoning to E3 - Environment Management. However, proposed increased land take for an apron to provide restricted access to the runway has resulted in the proponent seeking Council support to extend the SP1 zone southwards over the initially proposed E3 zone area. Subsequent joint discussions between Council, Department of Planning and the proponent agreed that this would be acceptable subject to agreement from the DECC as part of a biodiversity offset package. This Agreement is to be finalised prior to a recommendation being finally made to the Minister. DECC have endorsed this agreement in formal advice to Council.

CONSULTATION

The draft plan was placed on public exhibition from 10th April to 7th May 2008. Submissions and the issues raised and subsequent responses are as follows:

1. Monarch Historical Museum

The Museum is privately owned and operated at Slades Road and displays a range of primarily military heritage items. The owners object to the inclusion of their land under his ownership, being Lot 1 and 2 in DP 330363 (totalling 1.5 ha) for the following reasons:

- Increase in rates associated with the likely increase in land value;
- Fighter World intends to relocate to adjoining land owned by Defence. This will create a tourism or cultural hub associated with the RAAF Base;
- Would like the museum and land zoning to remain as is, to facilitate continued operation and expansion of the museum.

Response:

Under the current Rural 1(a) zoning, this land cannot be subdivided. The proposed SP1 zone over this land would allow the current and future owners to subdivide the land. Subsequently, land values are likely to increase. However, under Council policy, the land owner can request Council to postpone rates for the lot that is occupied by a single dwelling house. The other lot occupied by the Museum would incur the increase in rates, with no ability to have them postponed.

The relocation of Fighter World to Defence land adjacent to the privately owned land would be supported to create a tourist or cultural hub. The proposed SP1 zone has been amended to permit activities such as Fighter World and the museum as these activities are ancillary to the presence and operation of RAAF Base Williamtown and Newcastle Airport. Therefore, the proposed SP1 zone would not hinder the continued operation and potential expansion of the museum, with the exception of a likely rate increase.

Retaining the Rural 1(a) zone over this land is no longer appropriate as the land is not used for agricultural activities nor could it sustain a viable agricultural activity due to its small lot size and location adjacent to the airport and RAAF base.

It should be noted that no rezoning fees have been paid or sought from this landowner.

2. RPS HSO (on behalf of Hunterland)

RPS HSO made a submission supporting the rezoning of the entirety of the site to *SP1 Special Activities – Defence and Airport Related Employment*, subject to finalising a biodiversity offset arrangement with DECC prior to gazettal of the draft LEP.

The RPS HSO submission does not support the location of the *E3 Environment Management* zone over the Aboriginal Place, as it may not accurately reflect the location of significant sites. They submit that the SP1 zone should be applied over the entire site, with the true extent of the Aboriginal Place to be clarified and protected through a Plan of Management and the provisions of the *National Parks and Wildlife Service Act 1974*. The Aboriginal Keeping Place could then be appropriately zoned as part of the comprehensive review

Additional uses are also requested to be included into the draft LEP including advertisements, bushfire hazard reduction, clearing, earthworks, motor showrooms, restaurants, telecommunication facilities and utility installations.

Response

The draft LEP has been amended to zone the entire site to SP1 subject to a biodiversity offset agreement being finalised prior to gazettal of the draft LEP.

The Aboriginal Place can be managed through a Plan of Management and the provisions of the National Parks and Wildlife Service Act 1974 until its extent can be accurately defined.

Following this, an appropriate zone can be applied in a future amendment to the *Port Stephens LEP 2000*.

The inclusion of additional uses to the draft LEP is supported with the exception of motor showrooms and restaurants. Motor showrooms and restaurants are not consistent with the objectives of the zone. Instead, the draft LEP has been amended to include car parks and kiosks. Car parks will address the need to provide rental car and long term car parking and the provision of kiosks will allow small-scale food services to be provided at any proposed bus interchange.

3. Urbis (on behalf of Buldev)

Buldev have made a submission to the draft LEP on the basis that they have recently submitted a rezoning request to Council. This rezoning request includes land that the Project Control Group considered that flooding, drainage and geotechnical constraints precluded its inclusion within the current draft LEP.

Buldev make the following comments:

- Pursue the removal of the 47ha parcel from the DAREZ Precinct at its western end and not proceed with the rezoning of this portion of the site, having regard to:
 - The ecological rating and constraints that apply to the majority of this parcel
 - The availability of the Buldev lands as presented in the recent rezoning application
 - The ability for the Buldev lands to address environmental constraints
 - The ability for the Buldev lands to be developed in a cost effective manner and released to the market
 - The superior commercial location and profile of the Buldev when compared to the 47ha parcel
 - The various strategic economic and social advantages it offers to the overall DAREZ Precinct and its potential users.
- Should Council choose not to pursue the removal of the 47ha parcel from the DAREZ Precinct, Council should appropriately zone the majority of this land for E3 Environmental Management purposes consistent with its ecological rating and value as confirmed by the Supplementary Ecological Investigations Report (December 2007) prepared by GHD.
- Pursue the inclusion of the Buldev lands within the Structure and Staging plans associated with the DAREZ Precinct.
- Council should seize the opportunity of providing a holistic assessment of all issues affecting both rezoning requests, and accordingly seek to facilitate an integrated development outcome for the DAREZ Precinct that is necessary in maximising development potential and properly protecting and managing environmental sensitive areas across the Precinct.
- Consideration of both requests concurrently should involve specific coordination of future zoning at the interface between these two lots allowing the sensible delineation of the proposed SP1 zone and E3 zone.

RESPONSE

The removal of 47 hectares as proposed by Buldev does not recognise the following:

- The addition of the 47 hectares by the Project Control Group in the DAREZ strategy, reflected in the draft LEP, provides the opportunity for an aircraft tow-way with direct (but

security restricted) access to the runway. It is understood that this arrangement would make Williamstown Airport a very desirable location for aircraft maintenance facilities.

- DECC have formally advised Council that the biodiversity values of the land subject to draft LEP will be offset by a biodiversity agreement to be finalised prior to the gazettal of the LEP.

The request for Council to jointly consider the existing draft LEP with the Buildex rezoning request is not recommended because it will delay the existing draft LEP. The Project Control Group recognises the significance of the existing draft LEP to Port Stephens and the Hunter Region and has provided significant assistance in expediting the draft LEP as a Council and State Government priority.

Buildex's rezoning request may have strategic merit subject to the resolution of the flooding, drainage and geotechnical matters. Council will consult with the PCG on this rezoning request to ensure continuity of consideration and decision making between state government departments and Council planning staff before formal advice is submitted to Council. The current draft LEP should not be delayed because of the receipt of an additional rezoning request.

3. Department of Defence

Department of Defence advises that:

- The draft LEP is consistent with the intent and recommendations of the Project Control Group.
- It is currently preparing its own zone plan that will determine future land use requirements for RAAF Base Williamstown, including Defence owned land in the Slades Road area.
- Concerns with the inclusion of educational establishment and hotel accommodation as permissible uses, but notes that the objectives of the SP1 zone are worded to encourage only uses that are supportive of the continued operation of the airport and RAAF Base.
- That it is almost certain that land it owns in the Slades Road area will be required for future Defence purposes and request that the land be removed from the draft plan or rezoned to SP2 Infrastructure.

Response

Request to remove Defence land from the draft LEP or rezone to SP2 Infrastructure is not recommended for the following reasons:

- (a) The Department of Defence is a member of the DAREZ Project Control Group that endorsed the DAREZ Strategy. Removing Defence land from the draft LEP would be a significant departure from the Strategy agreed to by the PCG and by Council.
- (b) Defence land is currently zoned Rural 1(a). To retain this zone over this land would be inappropriate given that it is not used for agricultural purposes and that Council has sufficient information supported by a strategy that indicates an appropriate land use.
- (c) Rezoning Defence land to SP2 is outside of the DAREZ Strategy agreed to by the Project Control Group and Council and is outside of Council's resolution to prepare the draft LEP. Therefore, creation of the SP2 zone would require re-exhibition of the draft LEP and further consultation with respective state agencies.

- (d) It is understood that the Department of Defence has made representations to the Department of Planning seeking to have all Defence land in the State zoned to SP2. If this is to formally become Department of Planning policy then Council can address this land and all Department of Defence land in Port Stephens through the preparation of a new LGA wide LEP by 2011.
- (e) The retention of the *SP1 Special Activities – Defence and Airport Related Employment Development* zone over Department of Defence land does not impinge on the ability of Defence to undertake its own planning for their land. The zone objectives and permissible uses facilitate Defence activities on this land.

It should be noted that no rezoning fees have been paid or sought from the Department of Defence, despite the potential financial benefits that are likely from the gazettal of the draft LEP.

4. Department of Water and Energy

Advises that the subject land is within the gazetted Water Sharing Plan for the Tomago Tomaree Stockton Groundwater Sources, and part of the land is within the Tomago Sandbeds Catchment Area administered by the Hunter Water (Special Areas) Regulation 2003.

Response

The sensitivities of the subject land are recognised in the DAREZ Strategy. The planning, design, construction and operation of the DAREZ site via the forthcoming development control plan and subsequent development applications will address these issues.

5. Hunter Water Corporation

Wastewater servicing is assumed to be via a wastewater transfer system to Raymond Terrace waste water treatment plant.

Hunter Water is currently in the process of having further discussions with interested developers of the land and other stakeholders on the wastewater servicing options.

The Land Use Strategy also documents that the rezoning is within the Special Areas Boundary and development of the site will need to comply with Special Areas Regulations.

Response

Noted. The planning, design, construction and operation of the DAREZ site via the forthcoming development control plan and subsequent development applications will address these issues.

6. Energy Australia

Future network planning will be organised once the land has been rezoned and detailed information on the zoning and staging has been received.

Response

Noted.

7. Department of Environment and Conservation

DECC is negotiating a biodiversity package to offset the impacts of the draft LEP upon biodiversity. DECC advise that the proposed draft LEP (as recommended by this report) is endorsed subject to a biodiversity offset agreement between DECC and the proponent and agreements relating to the preservation of Aboriginal cultural heritage being finalised prior to gazettal of the draft LEP.

Response

The land subject to the draft LEP is now proposed to be entirely zoned SP1 Special Activities – Defence and Airport Related Employment Development, with a biodiversity offset agreement to be finalised prior to Ministerial endorsement of, and the gazettal of the draft LEP.

8. Rural Fire Service

Any future development should meet the aims and objectives of *Planning for Bushfire Protection 2006*.

Response

Noted.

9. Civil Aviation Safety Authority

No comment received.

10. Worimi Local Aboriginal Land Council

No comment was received from the WLALC during the exhibition period. However, a cultural heritage assessment undertaken by the consultant HSO RPS is accompanied by a letter from the WLALC supporting the methods and recommendations of the assessment.

11. Department of Primary Industries

No comment received.

12. Department of State and Regional Development

No comment received.

13. Roads and Traffic Authority

The RTA comments that it will not object to the proposed rezoning provided the developer enters into satisfactory arrangements with the RTA and Council primarily for upgrades to State road infrastructure, via a Voluntary Planning Agreement or Deed Containing Agreement. The main infrastructure required in the RTA submission includes:

- Upgrade the existing roundabout at Nelson Bay Road and Cabbage Tree Road to a signalised intersection.
- Upgrading of the signalised intersection (proposed) of Williamtown Drive and Nelson Bay Road.

- Nelson Bay Road shall be duplicated for a minimum of 200m south of Cabbage Tree Road.

Response

The applicant has not entered into a Voluntary Planning Agreement or Deed Containing Agreement with the RTA or Council at this time. This issue can be addressed during the development application process.

OPTIONS

- 1) Support the draft LEP with changes to the internal zone boundaries as recommended by this report.
- 2) Support the draft LEP as publicly exhibited with no changes to the internal zone boundaries.
- 3) Support the draft LEP as recommended by this report but with the exclusion of the Department of Defence Land and land comprising the Monarch Museum (Lots 1 and 2 DP 330363 Slades Road) to be retained as 1(a) Rural Agriculture zone.
- 4) Not proceed with the draft LEP as recommended.

ATTACHMENTS

- 1) Revised draft LEP map and instrument as recommended by this report.
- 2) Draft LEP map as publicly exhibited.
- 3) Letter from the Department of Environment and Climate Change

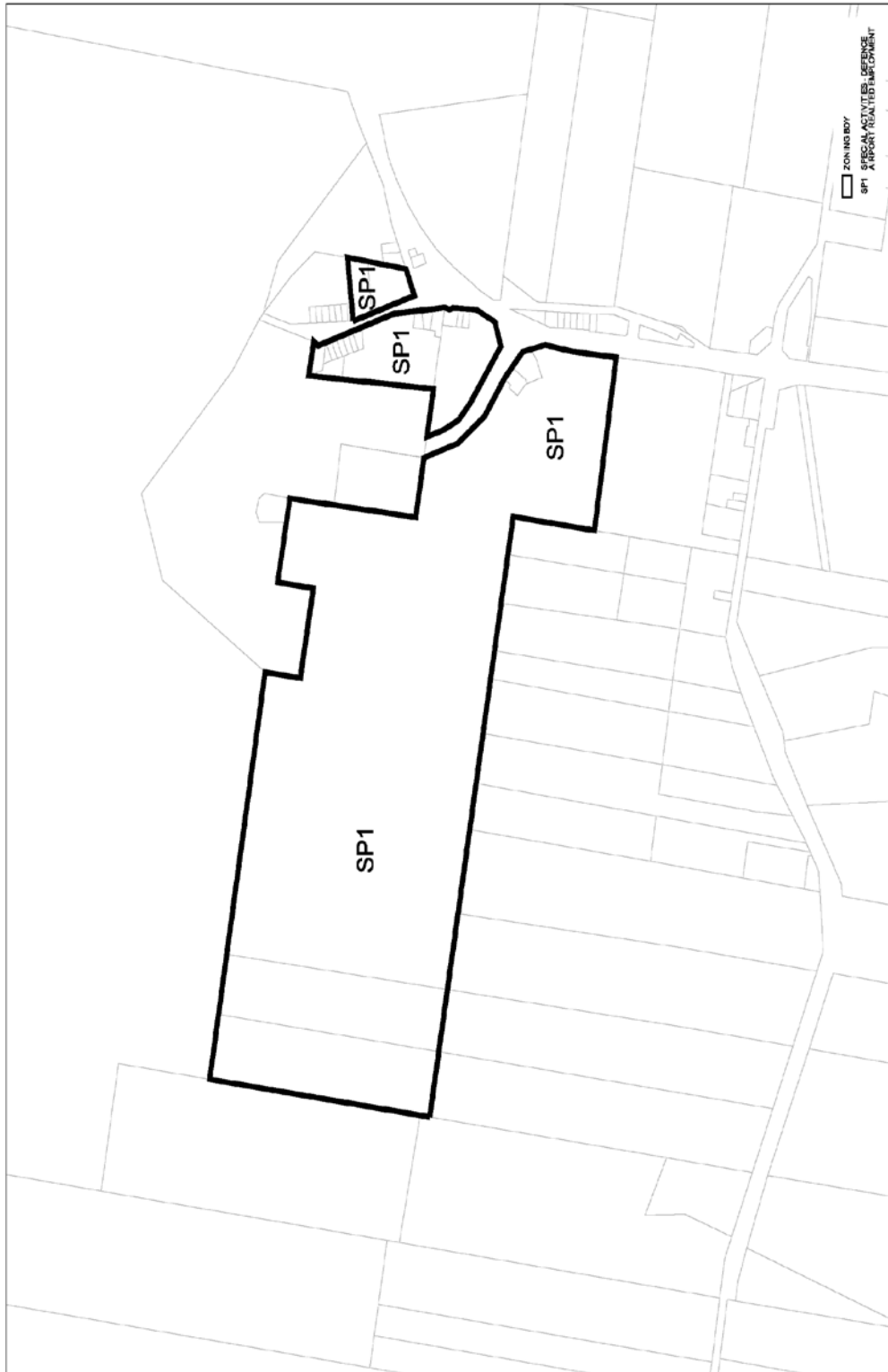
COUNCILLORS ROOM

- 1) *Williamtown Defence and Airport Related Employment Zone Land Use and Development Strategy.*

TABLED DOCUMENTS

Williamtown Defence and Airport Related Employment Zone Land Use and Development Strategy.

ATTACHMENT 1
REVISED DRAFT LEP MAP AND INSTRUMENT



Port Stephens Local Environmental Plan 2000 DRAFT (Williamtown Defence and Airport Related Employment Zone)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

Minister for Planning

**Port Stephens Local Environmental Plan 2000 DRAFT
(Williamstown Defence and Airport Related Employment Zone)**

1 NAME OF PLAN

This plan is *Port Stephens Local Environmental Plan 2000 DRAFT (Williamstown Defence and Airport Related Employment Zone)*.

2 Aims of the plan

The aims of this plan are to:-

- (a) To facilitate the establishment of a sustainable employment hub associated with RAAF Base Williamstown and Newcastle Airport and commonly referred to as the Williamstown Defence and Airport Related Employment Zone;
- (b) To provide for the adequate provision of infrastructure, facilities and services to the Williamstown Defence and Airport Related Employment Zone; and
- (c) Insert a clause to permit the subdivision of the subject land where it would have a split zone between the proposed new zones and the existing remnant 1(a) Rural Agriculture Zone.

3 LAND TO WHICH PLAN APPLIES

This plan applies to land shown as being within zone SP1 – Special Activities Defence and Airport Related Employment Development on the map marked Port Stephens Local Environmental Plan DRAFT (Williamstown Defence and Airport Related Employment Zone).

4 AMENDMENT OF PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2000

Port Stephens Local Environmental Plan 2000 is amended as set out in Schedule 1.

Schedule 1 Amendment

[1] Insert into Clause 26 Special Use Zonings the following zone:

Zone SP1 Special Activities – Defence and Airport Related Employment Development.

(1) Description of the zone

The SP1 Special Activities – Defence and Airport Related Employment Development identifies land for defence and airport related employment purposes.

(2) Objectives of the zone

The objectives of the SP1 Special Activities – Defence and Airport Related Employment Development zone are:

- To provide for special land uses that are not provided for in other zones, and
- To facilitate development in keeping with the special characteristics of the site or its existing or intended special use, and which minimises any adverse impacts on surrounding land, and
- To provide opportunities for the establishment of employment generating activities supporting the ongoing operation of RAAF Base Williamstown and Newcastle Airport, and
- To permit development that is appropriate and supportive to the continued operation of RAAF Base Williamstown and Newcastle Airport in terms of its land use type and location within the employment zone, and
- To prevent development that is not compatible with or that may compromise the continued operation of RAAF Base Williamstown or Newcastle Airport, and
- To minimise any adverse impacts on the surrounding land while protecting the inherent natural qualities and groundwater recharge areas, and
- To minimise the impact of the particular characteristics of the site including flooding constraints, groundwater quality and surface drainage, and
- To prevent urban encroachment to airfield operations.

(3) Development allowed without development consent

- a. Environment protection works

(4) Development allowed only with development consent

- Advertisement,
- Airport,
- Bushfire hazard reduction,
- Business premises,
- Car park,
- Clearing,
- Earthworks,
- Educational establishment (on land zoned SP 1 Special Activities – Defence and Airport Related Development),
- Freight transport facility,
- Heliport,
- Hotel or motel accommodation,
- Industry,
- Information and education facility,
- Kiosk,
- Neighbourhood shop,
- Office premises,
- Public administration building,
- Recreational facility (indoor),
- Recreational facility (outdoor),
- Service station,
- Telecommunication facility,
- Utility installation,
- Vehicle repair station,
- Warehouse or distribution centre.

(5) Development which is prohibited

- a. Any development not included in Item 3 or 4.

[2] Insert after Clause 26 Special Use Zonings the following:

26A Development in the Vicinity of RAAF Base Williamtown/Newcastle Airport

- (1) This clause applies to land zoned SP1 Special Activities – Defence and Airport Related Employment Development.
- (2) Notwithstanding any other provisions of this plan consent to any development on land to which this clause applies must not be granted unless the consent authority is satisfied that:
 - a. It complies with the relevant provisions of Australian Standard 2021-2000, Acoustics – Aircraft noise intrusion – Building siting and construction as applicable, and
 - b. It will not compromise the continued operation of RAAF Base Williamtown and/or Newcastle Airport, and
 - c. The location and type of development supports a focussed defence and airport related employment area.

[3] Insert after Clause 26 Special Use Zonings:

26B Restrictions on Certain Subdivisions – Infrastructure, Facilities and Services

- (1) This clause applies to land shown as being within Zone SP1 Special Activities – Defence and Airport Related Employment Development on the map marked Port Stephens Local Environmental Plan (Williamtown Defence and Airport Related Employment Zone), but does not apply to such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).
- (2) The object of this clause is to require assistance towards the provision of State public infrastructure to satisfy needs that arise from development on land to which this clause applies, but only if the land is developed intensively for urban purposes. In this clause “State public infrastructure” means public facilities or services (for transport, communication, health, education, environmental, conservation or other purposes) that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State).
- (3) Despite any other provision of this plan, the Council must not grant consent to the subdivision of land to which this clause applies if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the commencement of marked Port Stephens Local Environmental Plan (Williamtown

Defence and Airport Related Employment Zone), unless the Director-General has certified in writing to the Council that satisfactory arrangements have been made to contribute to the provision of State public infrastructure referred to in subclause (2) in relation to that lot.

(4) Subclause (3) does not apply to any lot:

- a. Identified as a residue lot, or
- b. That is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose.

(5) Subclause (3) does not apply to a subdivision for the purpose only of rectifying an encroachment on any existing allotment.

(6) State Environmental Planning Policy No 1 – Development Standards does not apply to development for the purposes of subdivision on land to which this clause applies.

[4] Insert after Clause 26 Special Use Zonings:

26C Subdivision of land zoned SP1 Special Activities – Defence and Airport Related Employment Development

(1) A person shall not subdivide land zoned SP1 Special Activities – Defence and Airport Related Employment Development except with the consent of the consent authority.

(2) The consent authority may grant consent for a subdivision of land within the SP1 Special Activities – Defence and Airport Related Employment Development zone only if each allotment to be created by the proposed subdivision will be of a size, and will have a ratio of depth to frontage, that the consent authority considers appropriate:

- a. Having regard to the purpose for which the allotment is intended to be used, or
- b. To facilitate the future development of the land for defence and airport related employment development.

[5] Insert into Clause 32 Environment Protection Zonings the following zone:

Zone E3 – Environmental Management

(1) Objectives of the zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

(2) Development allowed without development consent

- Home occupations

(3) Development allowed only with development consent

- Dwelling houses

(4) Development which is prohibited

- Industries,
- Multi dwelling housing,
- Residential flat buildings,
- Retail premises,
- Seniors housing,
- Service stations,
- Warehouse or distribution centres,
- Any other development not specified in item 2 or 3.

[6] Add to the table in Clause 62 Particular development permitted with consent the following:

Column 1	Column 2	Column 3
Land	Purpose or kind of development	Development standards
Part Lot 131 and Lot 132, DP 609165, Cabbage Tree Road, Williamtown	Subdivision of each Part Lot where that land is subject to a split zone, so as to create a single residual allotment zoned 1(a) Rural Agriculture "A".	

[7] Insert into the Dictionary the following definitions, and replace any existing definitions in the event of any inconsistency:

airport means a place used for the landing, taking off, parking, maintenance or repair of aeroplanes (including associated buildings, installations, facilities and movement areas and any heliport that is part of the airport).

business premises means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis, and may include, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, medical centres, betting agencies and the like, but does not include sex services premises.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

educational establishment (*on land zoned SP1 Special Activities - Defence and Airport Related Development*) means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

environmental protection works means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like.

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

hotel or motel accommodation means tourist and visitor accommodation (whether or not licensed premises under the Liquor Act 1982):

- (a) comprising rooms or self-contained suites, and
 - (b) that may provide meals to guests or the general public and facilities for the parking of guests' vehicles,
- but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

industry means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing or adapting, or the research and development of any goods, chemical substances, food, agricultural or beverage products, or articles for commercial purposes, but does not include extractive industry or a mine.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

kiosk means retail premises used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

neighbourhood shop means retail premises used for the purposes of selling small daily convenience goods such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

public administration building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

vehicle repair station means a building or place used for the purpose of carrying out repairs or the selling of, and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

ATTACHMENT 3
LETTER FROM DECC

Your reference :
Our reference : DOC08/23031; FIL08/2798
Contact : Karen Thumm, 4908 6829

Mr P Gesling
General Manager
Port Stephens Council
PO Box 42
RAYMOND TERRACE NSW 2460

Attention: Mr Matthew Borsato

Dear Mr Gesling


Revised DAREZ Proposed Zoning Plan

I refer to our previous letter of the 22 April 2008 and discussions with Premiers Department and Department of Planning advising DECC that Port Stephens Council requests clarification on the above matter.

DECC advises that the proposed revised footprint for the SP1 zone, as attached (email 23701-2AA EXHIB BOUNDARY 16.05.08 pdf) and as emailed to us by RPS Harper Somers O'Sullivan, is endorsed by DECC. However an agreement with the proponent regarding the offsets required for this development and agreements relating to the preservation of Aboriginal cultural heritage will need to be finalised prior to gazettal of the Local Environment Plan amendment.

If you have any enquiries concerning this advice, please contact Karen Thumm on 4908 6829.

Yours sincerely


DIANE CROSDALE
Head Planning Unit - Hunter
Environment Protection and Regulation

The Department of Environment and Conservation NSW is now known as
the Department of Environment and Climate Change NSW

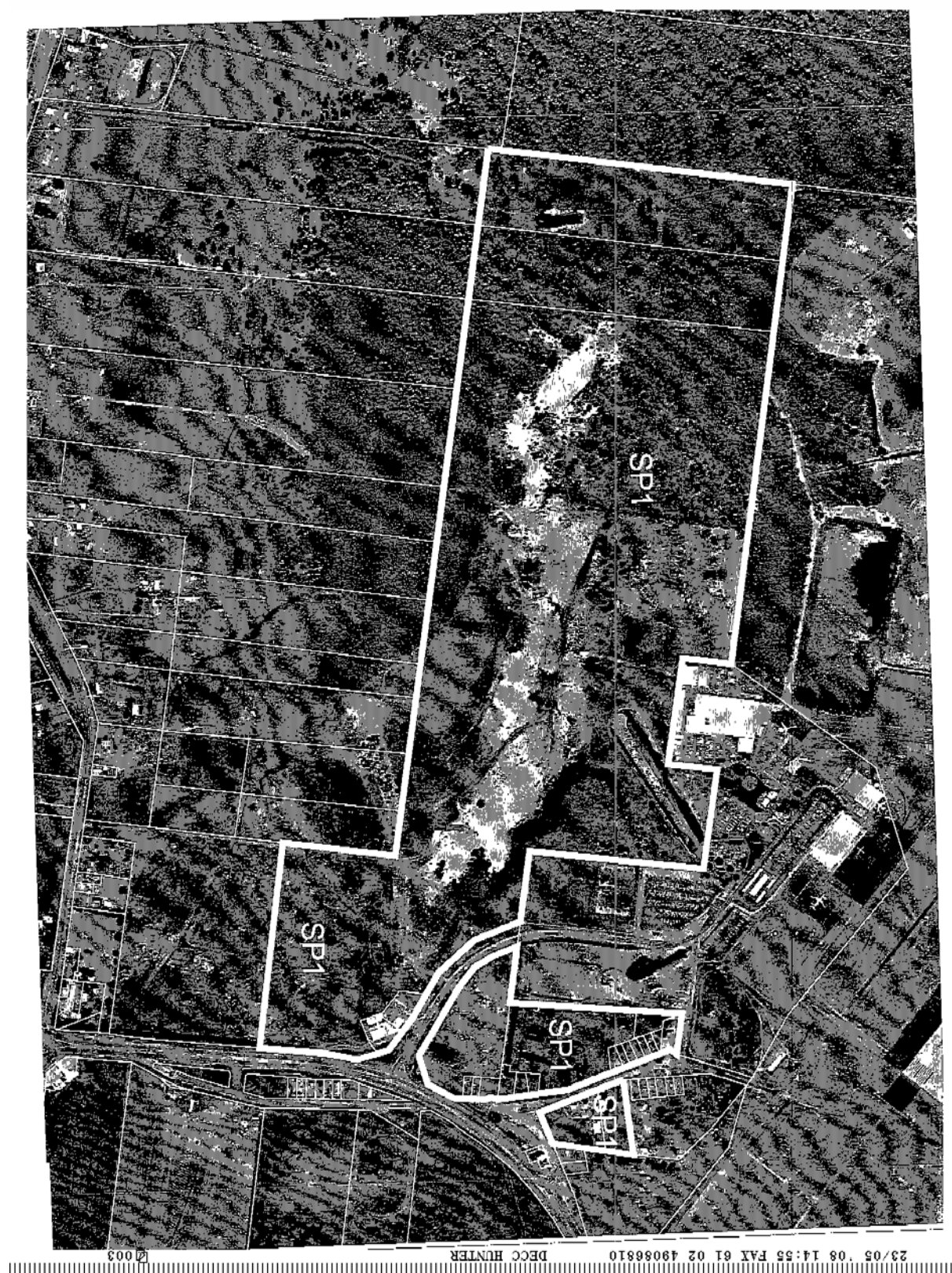
PO Box 488G, Newcastle NSW 2300
117 Bull Street, Newcastle West, NSW 2302
Tel: (02) 4908 6800 Fax: (02) 4908 6810
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of Environment and Conservation

2002

DECC HUNTER

23/05/08 14:55 FAX 61 02 49086810



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) Port Stephens Community Choir - \$500 – Donation towards the purchase of Music Costs from Mayoral funds.
 - b) Wallalong Community Pre-School - \$1000 – Donation towards the Covered Outdoor Learning Area – Sunshade from West ward funds
 - c) University Of Newcastle - \$2000 – Donation towards Science and Engineering Challenge from West Ward funds.
 - d) Mallabula Parks and Gardens Committee - \$500 – Donation towards the Environmental grant and & Regrading the Dirt Road at Mallabula Road from Central Ward funds.
 - e) Anna Bay Scouts - \$1250 - Donation towards Insurance and Equipment from Central Ward funds.
 - f) Baylife Church - \$1000 - Donation towards “Door of Hope” from East ward funds.

RESOLUTION:

156	Councillor Jordan Councillor Francis	It was resolved that the recommendation be adopted.
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BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by 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.

MINUTES FOR ORDINARY MEETING – 24 JUNE 2008

The requests for financial assistance are shown below:-

MAYORAL DONATIONS

Port Stephens Community Choir	Donation towards Music Costs	\$500
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WEST WARD – Crs Brown, Francis, Hodges & Jordan

Wallalong Community Pre-School	Donation towards Covered Outdoor Learning Area- Sunshade	\$1000
University Of Newcastle	Donation towards Science and Engineering Challenge	\$2000

CENTRAL WARD – Crs Swan, Dingle & Tucker

Mallabula Parks & Gardens Committee	Donation towards the Environmental Grant and & Regrading the Dirt Road at Mallabula Road	\$500
Anna Bay Scouts	Donation towards Insurance and Equipment	\$1250

EAST WARD – Crs Nell, Dover, Westbury & Robinson

Baylife Church	Donation towards “Door of Hope”	\$1000
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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. (Please delete what is not applicable)

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

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Mayor
Councillors

OPTIONS

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

ATTACHMENTS

Nil

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 3150-029 A2004-1130

NELSON BAY TOWN MANAGEMENT

COUNCILLORS: JOHN NELL, SALLY DOVER, GEOFF ROBINSON, BOB WESTBURY

THAT COUNCIL:

- 1) Council prepare a report by November 2008 on the option of sustaining a Nelson Bay Town Management function by either/or:
 - Promotional levy
 - Grants
 - Local Enterprise feefor retaining and attracting business in the Nelson Bay Central Business District and waterfront.

RESOLUTION:

157	Councillor Dover Councillor Robinson	It was resolved that the recommendation contained in the Notice of Motion be adopted.
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MATTER ARISING:

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RESOLUTION:

158	Councillor Dingle Councillor Hodges	It was resolved that Council prepare a report on why Council has called tenders for the Security Services (CCTV) project at Nelson Bay.
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BACKGROUND REPORT OF: PETER GESLING – GENERAL MANAGER

BACKGROUND

- 1) The existing Nelson Bay Town Management Committee was formed in 1997 with the application of Nelson Bay improvement and marketing levies. The improvement levy was spent on providing the current streetscape and has now expired. The marketing levy had a three year term and was reviewed once before being abandoned due to inequities of its application and the administrative cost of collection and management with property owners seeking to opt into or out of rate categories chasing the lower cost.

Council has considered a range of ways to support the Nelson Bay Central Business District over time with funding for the Nelson Bay Town Management Committee being sourced from revenue for the last three years while the Economic Development Strategy was being reviewed. The plan implemented by Council aims to provide business support across the whole local government area as one key objective. Implementation was dependent on attracting suitable staff for the agreed roles.

This has taken longer than planned. The new manager is developing action plans to address the Plan's strategies with a budget of \$600,000. This has been allocated to various programs and will require the local areas identified in the Economic Development Plan to develop proposals which will be jointly resourced to develop a much larger outcome.

The Nelson Bay 2030 Plan provides conditional support for Town Management Committees as an important mechanism to engage local business enterprise. This provides further support to the process utilised by the State Government and successfully used by councils in furthering local action. Nelson Bay Town Management Committee was an outcome of the process as was Karuah Working Together Committee.

Due to Council's delay in being able to implement the plan I have arranged to provide three months interim funding to the current committee to allow the negotiations to proceed on the projects that the committee can participate in .

Alternative sources of funding to continue the current structure are not evident at this time but will be explored when preparing the requested report.

CONFIDENTIAL RESCISSION MOTIONS

**NOTE: THE CONFIDENTIAL RESCISSION MOTION WAS WITHDRAWN BEFORE
BEING DEALT WITH.**

There being no further business the meeting closed at 8.12pm.

*I certify that all pages of the Ordinary Minutes of Council dated were confirmed by Council at
its meeting held on 22 July 2008.*

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Cr Ron Swan
MAYOR