

## MINUTES 25 MARCH 2014



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 25 March 2014, commencing at 5.30pm.

PRESENT: Mayor B MacKenzie; Councillors C. Doohan; S. Dover; K. Jordan; P. Le Mottee; J. Morello; J. Nell; S. Tucker; General Manager; Corporate Services Group Manager; Facilities and Services Group Manager; Development Services Group Manager and Executive Officer.

Cr P. Le Mottee entered the meeting at 5.32pm.

052	<b>Councillor Chris Doohan</b> <b>Councillor Ken Jordan</b>
	It was resolved that the apology from Cr Geoff Dingle and Cr Peter Kafer be received and noted.
053	<b>Councillor John Morello</b> <b>Councillor John Nell</b>
	It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council held on 11 March 2014 be confirmed.
	There were no Declaration of Interest received.

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# COUNCIL REPORTS

**ITEM NO. 1****FILE NO: PSC2013-00488****DRAFT PORT STEPHENS COUNCIL DISABILITY ACCESS PLAN 2014-2018****REPORT OF: BRUCE PETERSEN – COMMUNITY PLANNING & ENVIRONMENTAL  
SERVICES SECTION MANAGER****GROUP: DEVELOPMENT SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the amendments to the Draft Port Stephens Council Disability Access Plan 2014-2018 shown at **(ATTACHMENT 1)**;
- 2) Place the Draft Port Stephens Council Disability Access Plan 2014 - 2018 on public exhibition of a period of 28 days;
- 3) Should no submissions be received, the plan be adopted as amended, without a further report to Council.

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**ORDINARY COUNCIL MEETING –2014****MOTION**

<b>054</b>	<b>Councillor Ken Jordan</b> <b>Councillor Chris Doohan</b>
	It was resolved that Council move into Committee of the Whole.

**COMMITTEE OF THE WHOLE RECOMMENDATION**

Cr Paul Le Mottee entered the meeting at 5.32pm, during Item 1.

	<b>Councillor Sally Dover</b> <b>Councillor John Nell</b>
	<p>That Council:</p> <ol style="list-style-type: none"><li>1) Endorse the amendments to the Draft Port Stephens Council Disability Access Plan 2014-2018 shown at <b>(ATTACHMENT 1)</b>;</li><li>2) Place the Draft Port Stephens Council Disability Access Plan 2014 - 2018 on public exhibition of a period of 28 days;</li><li>3) Should no submissions be received, the plan be adopted as amended, without a further report to Council.</li><li>4) Prepare a disability action list prioritizing the recommendations from the community, plus the access works which are already known to Council for inclusion in the budget for the 2015-2016 financial year.</li></ol>



**MOTION**

<b>056</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>  It was resolved that Council:  <ol style="list-style-type: none"><li>1. Endorse the amendments to the Draft Port Stephens Council Disability Access Plan 2014-2018 shown at <b>(ATTACHMENT 1)</b>;</li><li>2. Place the Draft Port Stephens Council Disability Access Plan 2014 - 2018 on public exhibition of a period of 28 days;</li><li>3. Should no submissions be received, the plan be adopted as amended, without a further report to Council.</li><li>4. Prepare a disability action list prioritizing the recommendations from the community, plus the access works which are already known to Council for inclusion in the budget for the 2015-2016 financial year.</li></ol>
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**BACKGROUND**

The purpose of this report is to recommend that Council place the Draft Port Stephens Council Disability Access Plan 2014 -2018 on public exhibition for 28 days and the plan be formally adopted subject to no submissions resulting in need to change draft.

Since the introduction of the Disability Discrimination Act (1992) Council has had a Disability Action Plan in place. The Plan is reviewed and updated approximately every four years.

The development and implementation of a Disability Action Plan is an obligation under the Disability Discrimination Act (1992). The Disability Action Plan is a way for Port Stephens Council to plan the elimination, as far as possible, of disability discrimination from the provision of its goods, services, facilities, employment policies and practices.

The Disability Action Plan is a practical tool to assist Council to operate consistently with the goals of best practice in local government and to conciliate disability related complaints that may arise in the future.

The draft Port Stephens Disability Access Plan 2014 -2018 has been developed to continue Council's intention to provide an equitable, inclusive and socially cohesive community.

The Draft Port Stephens Disability Access Plan 2014 – 2018 comprises two key components:

## MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

- 1) Background information - (i.e. information about disabilities and disability Action Plans, a detailed demographic profile, a needs assessment including the outcomes of the community Council internal stakeholder consultation processes)
- 2) Disability Action Plan – (i.e. a detailed list of strategies and actions aimed at addressing the disability issues identified)

The Draft Port Stephens Disability Access Plan 2014 –2018 is linked to Council's Community Strategic Plan 2011- 2021 in the following key measurement areas:

### **Our Citizens:**

*Seniors and People with Disabilities:* Improved access and equitable provision of services and facilities for seniors and people with disabilities.

*Community Planning and Partnerships:* Collaborate with the community of Port Stephens to plan for its facilities and appropriate services.

### **Our Lifestyle:**

*Recreation, Leisure, Arts and Culture:* Port Stephens has a diverse range of passive and active lifestyle opportunities that are considered by users to be safe, convenient, reliable and affordable.

The Draft Port Stephens Disability Access Plan 2014 –2018 also incorporates local Government actions from the National Disability Strategy 2010- 2030 in the following key measurement areas:

- 1) Priority Actions  
Priority actions will be dependant on Local Government support for effective implementation. Actions relate to community facilities, housing and the built environment, arts and culture, transport, planning & employment. e.g. Accessible buildings and planning codes and people with disabilities contributing to the planning and decision making of Local Government.
- 2) Linkages with the local community and community participation  
A number of action areas within the plan highlight the role Local Government will play in supporting local services to become accessible to everyone. e.g people with disabilities making use of local Government provided services or accessing other community services through the networks created by Council.
- 3) Planning & information  
Non Government Organisations (NGOs) and Local Government need to take a collaborative approach regarding planning and information sharing. Council identifying opportunities for improved planning and service linkages for people with disabilities.

**FINANCIAL/RESOURCE IMPLICATIONS**

The implementation of the Draft Port Stephens Disability Access Plan 2014 -2018 is the responsibility of all sections of Council. Therefore Council will continue to resource and budget for certain initiatives such as providing accessible services and facilities; providing awareness and information; and employment and training initiatives.

The Draft Port Stephens Disability Access Plan 2014 - 2018 will be incorporated into Council's performance monitoring systems to ensure it is budgeted in asset management programs and progress is monitored.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		Implementation will be funded from existing and future budgets as required.
Reserve Funds	No		
Section 94	No		
External Grants	Yes		Grants will be sought where appropriate.
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

The Disability Discrimination Act 1992 requires all services and facilities to be accessible for people with a disability. Failure to provide that access or failure to require others to provide access can lead to prosecution.

By developing and lodging a Disability Action Plan with the Human Rights Commission, Council is demonstrating its commitment and intent to act in a reasonable manner in accordance with the Disability Discrimination Act 1992. In doing this, Council reduces it's liability of prosecution, and the document can act as a strong tool to assist with mediation should any complaints arise.

Other relevant legislative requirements relating to a Disability Action Plan for Council are included within:

- NSW Anti-Discrimination Act 1977;
- Local Government Act 1993;
- Building Code of Australia 2010;
- Australian Standards 1428;
- Premises Standards 2011;
- National Disability Strategy 2011-2021.

The Draft Port Stephens Disability Access Plan 2014 -2018 complies with all of the above legislative requirements and is in accordance with Council's Disability Access and Inclusion Policy 2010.

## MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk of non-compliance with Disability Discrimination Act (1992).	Medium	Council endorse the Draft Disability Action Plan 2014-2018 following public exhibition period.	Yes
There is a risk that once the plan is adopted, Council staff will be unaware of their responsibilities.	Medium	Provide awareness and training for relevant Council staff.	Yes

### SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The overall intention of the Draft Port Stephens Disability Access Plan 2014 - 2018 is to create an equitable, inclusive and socially cohesive community. Access, both physical and nonphysical to services and facilities is the right of all people in the community. Access improvements made to the built environment for people with a disability assist the entire community.

Facilitating an accessible community means that people with a disability are able to make a full and meaningful contribution to society (*e.g.; employment, tourism, retail, community events*) thus utilising this otherwise wasted resource.

Retrofitting buildings and amenities to provide access is far more expensive than integrating it into either initial construction or renovation phases. The Draft Port Stephens Disability Action Plan 2013-2017 ensures this early integration of access provisions avoiding costly rework for both Council and private owners.

The Draft Port Stephens Disability Action Plan 2013-2017 will have a positive impact on the environment by providing a framework for the continuation of improvements which will assist in removing physical barriers which deny people with disabilities, parents/carers with prams, elderly etc from interacting and enjoying the local environment of Port Stephens.

Whilst economic implications of the Disability Action plan are broad and in some areas difficult to gauge, several inferences can be drawn:

- Improved physical access in the community will make the area more attractive to visitors and potential residents as well as reduce the risk of accidents and injuries;
- Improved physical access and support networks assist people with a disability to be able to make meaningful economic contribution to the community;
- Improved physical access enhances the viability of business premises by improving their location;

- Implementation of correct building standards for new works avoids costly future upgrades or refits.

## **CONSULTATION**

Public consultation was undertaken to draw input from a wide range of sources including people with disabilities, carers, community organisations, disability service providers, Port Stephens Council Coordinators and Section Managers.

A variety of methods were utilised to obtain the input and feedback such as workshops, surveys and face-to-face interviews.

## **OPTIONS**

- 1) Accept the recommendations, which will further strengthen Council's compliance with the Disability Discrimination Act (1992). It will also help direct Council's role in creating an accessible community.
- 2) Amend the recommendations.
- 3) Reject the recommendations and call for more information to support the report, which will delay Council from having a current Disability Access Plan.

**ATTACHMENTS** - All listed below are provided under separate cover

- 1) Draft Port Stephens Disability Access Plan 2014 – 2018.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

ITEM NO. 2

FILE NO: PSC2013-02399

## DRAFT SOCIAL IMPACT POLICY AND ASSESSMENT GUIDELINES

REPORT OF: BRUCE PETERSEN – COMMUNITY PLANNING AND ENVIRONMENTAL  
SERVICES SECTION MANAGER

GROUP: DEVELOPMENT SERVICES

### RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the draft Social Impact Policy and Assessment Guidelines shown at **(ATTACHMENT 1 and ATTACHMENT 3)**;
- 2) Place the draft Social Impact Policy and Assessment Guidelines on public exhibition for a period of 28 days and should no submissions be received, the policy and guideline be adopted, without a further report to Council;
- 3) Revoke the Social Policy **(ATTACHMENT 2)** dated 27 May 2003 Minute No. 186, should no submissions be received.

### ORDINARY COUNCIL MEETING – 25 MARCH 2014 COMMITTEE OF THE WHOLE RECOMMENDATION

	<b>Councillor Paul Le Mottee</b> <b>Councillor Ken Jordan</b>
	That Council defer Item 2 to allow for further consideration by Councillors.

### MOTION

<b>057</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council defer Item 2 to allow for further consideration by Councillors.

### BACKGROUND

The purpose of this report is to recommend that Council revoke the current Social Policy and endorse the draft Social Impact Policy to go on public exhibition for 28 days.

Council's Social Policy was adopted in 2003. Its primary purpose was to articulate Council's social vision for Port Stephens. A primary objective of the Social Policy is:

To ensure the impacts on people are considered on equal terms with environmental and economic considerations by raising the awareness and consideration of the likely social implications on all Council activities including planning, policy development, decision making and resource allocation.

Despite the objectives of the 2003 Social Policy, no specific social impact assessment guidelines exist to guide officer's considerations of social impacts.

In 2009 the Department of Local Government's Integrated Planning and Reporting Framework was introduced. The framework aims to improve council's long term community, financial and asset planning. The new planning and reporting framework replaces the former Management Plan, Social Plan and Annual Reporting requirements with a hierarchy of documents including a long-term Community Strategic Plan, Resource Strategy, Delivery Program and Operational Plan.

The Community Strategic Plan identifies the community's main priorities and aspirations for the future. The desired community outcomes contained in the Plan are reflective of the principles and policy statements in Council Social Policy. As a result the need for a stand alone Social Policy is no longer necessary.

In addition to the Community Strategic Plan obligations, Council continues to have a statutory obligation under Section 79c of the Environmental Planning and Assessment Act 1979 (EP & A Act) to consider the social impact of a proposal when assessing a specific development application.

Despite the development of the Community Strategic Plan, the Plan does not provide Council with clear direction on the consideration of the social impact of proposed developments or the tools for assessing social issues in its strategic landuse planning and development planning areas.

A Social Impact Policy and associated Social Impact Assessment Guidelines are proposed to address this policy gap and better address its statutory obligations under the EP & A Act.

Adoption of a Social Impact Policy will also assist Council to balance the environmental, social and economic needs as stated in Council's Integrated Community Strategic Plan 2013-2023.

The associated Social Impact Assessment Guidelines will provide the appropriate mechanism required to help formally assess the social impact of proposals in a structured and objective manner. This is commonly referred to as 'Social Impact Assessment'.

Social Impact Policy and Guidelines have been adopted by many local Councils, incorporating specific guidelines for Council staff and the development industry. The development of the draft Social Impact Policy and Guidelines included benchmarking to ensure consistency with similar and neighbouring local government areas. In particular, the policies, procedures and guidelines used by the following Councils in relation to Social Impacts are considered to be best practice:

- City of Newcastle;
- Lake Macquarie City Council;
- Byron Shire Council;
- Holroyd City Council;
- Leichardt Council;
- Port Macquarie – Hastings Council;
- Randwick City Council.

The absence of a Social Impact Policy can leave Council's planning and decision making process open to broad interpretation regarding social impacts. Social impacts are complex and are difficult to assess in a consistent robust manner without clear assessment guidelines.

The need for clear social Guidelines was raised by Council in the lead up to the Land and Environment Court case *Motto Farm Pty Limited v Port Stephens Council* [2011] NSWLEC 1293. The Court case related to a development application for the 'change of use of part of an existing restaurant within an existing motel for a hotel' at Heatherbrae which was refused by Council. Council had difficulty articulating the social impacts of the DA in the absence of any guidelines. However the subsequent Court appeal by *Motto Farm Pty Limited* was dismissed based on unacceptable social impacts of the proposal on the area.

#### Impact on Development Assessment

The Social Impact Assessment Guidelines supports the Policy and provides guidance on how the social impact assessment process for development applications and planning proposals should be conducted.

Two levels of social impact assessment for development assessment apply including:

- a) Social Impact Comment – this is a basic level of assessment that is a part of the environmental effect
- b) Social Impact Assessment – when significant social impacts are anticipated or likely due to the scale and type of development or proposal. This is a stand-alone more detailed assessment.

Examples of a Social Impact Comment and the more detailed Social Impact Assessment are included within the Guidelines to assist applicants. It is anticipated that the vast majority of development applications considered by Council will only warrant a Social Impact Comment.

The Guidelines provide direction (on Page 6) for the applicant and Council staff as to when either a comment or assessment applies. Ultimately this will be at the discretion of the Development Assessment officer.

The Guidelines are anticipated to provide both the development industry and Council staff with greater clarity around the consideration of the social impacts of development proposals in accordance with Section 79c of the EP & A Act.



**FINANCIAL/RESOURCE IMPLICATIONS**

The adoption of the Social Impact Policy and Social Impact Assessment Guidelines will not have any significant financial or resource implications for Council.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Implementation will be funded from existing and future budgets.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

Council is required to take social issues into consideration under the Local Government Act 1993 Section 8(1) and under its Community Strategic Plan, Council is also required to consider social issues in the delivery of its services.

One of the highest risk areas for Council however in relation to social matters is in the area of development assessment. Under the Environmental Planning and Assessment Act Section 79c, Council is required to consider the social impacts of development applications. Council may be legally exposed if it does not adequately assess the social impacts of development applications in an adjective and impartial manner. The adoption of a clear and consistent framework will assist Council to minimise its risks in the area of social impact assessment.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the absence of a clear policy and Guideline may result in an inconsistent approach to assessing social impacts associated with development applications and planning proposals.	Medium	Adoption of the Social Impact Policy.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The adoption of a Social Impact Policy and associated guidelines will assist the development industry and Council planners to better assess the social impacts of

developments and planning proposals. It will help to balance the economic, social and environmental elements of proposals and provide some certainty around social impact assessment. A clear Policy and Guidelines will also help to reduce confusion around Social Impact Assessment and save time in the assessment process.

## **CONSULTATION**

The Social Impact Policy and Social Impact Assessment Guidelines have been developed with input from a broad range of internal and external stakeholders.

Consultation and research included literature reviews and benchmarking of NSW Councils (including a survey sent out to NSW Councils that was completed by 14 Councils). A review of the current processes for considering social impacts was also completed.

An internal Social Impact Stakeholder Group was established in March 2013. The group provided information and feedback in relation to the current process (e.g. Social Policy). The group also scoped the content of the draft Social Impact Policy and associated guidelines.

Extensive input and assistance in the development of the Social Impact Policy and particularly the Social Impact Assessment Guidelines was received from the Development Assessment Team and Strategic Planning Team. The feedback from these Teams was critical as these documents will be used primarily by the planners as part of the development assessment process.

During the public exhibition process it is proposed that the draft Social Impact Policy will be placed on Council's website. It will be available for viewing at Council's libraries and Administration Centre. Copies will also be sent to the Master Builders Assoc, the Property Institute of Australia and other key stakeholders seeking comment.

## **OPTIONS**

- 1) Adopt the recommendation which will provide Council with a policy that will help to ensure consistency and transparency within Council's processes in relation to social impact assessment;
- 2) Reject the recommendation leaving Council with an outdated and obsolete Social Policy that lacks a consistent and transparent process for social impact assessment;
- 3) Amend the Policy and Guidelines.

## **ATTACHMENTS**

- 1) Draft Social Impact Policy;
- 2) Social Policy;
- 3) Draft Social Impact Assessment Guidelines 2014.

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

**ATTACHMENT 1**  
Draft Social Impact Policy



**POLICY**

Adopted: "[CLICK HERE, INSERT DATE]"

Minute No: "[CLICK HERE, INSERT MINUTE NO.]"

Amended:

Minute No:

**FILE NO:** PSC2013- 02399

**TITLE:** SOCIAL IMPACT POLICY

**RESPONSIBLE OFFICER:** COMMUNITY PLANNING AND ENVIRONMENTAL SERVICES SECTION MANAGER

**BACKGROUND**

The purpose of this Policy is to provide a consistent, transparent and equitable framework for analysing and managing social impacts of Council activities and development proposals. This is achieved through the administration and application of the Social Impact Assessment Guidelines.

A Social Impact Assessment (SIA) refers to the assessment of the social consequences of a proposed decision or action e.g. development proposals, plans and projects. An action or decision can positively and/or negatively contribute to social issues and this in turn could result in a social impact.

Social impacts are changes to the status quo (and capacity to sustain these) in groups of people and/or community in one or more of the following ways:

- *'Liveability: people's way of life, life chances, housing, recreation, open space, lifestyles;*
- *Community cohesion and connectedness;*
- *Cultural traditions, shared beliefs and customs;*
- *Health and wellbeing: physical and mental health, safety, personal and community aspirations;*
- *Economic prosperity: jobs, income, business opportunities; and*
- *Human rights and participatory democracy'.*

Port Stephens Council Community Strategic Plan 2013-2023 specifies the following strategic direction for Sustainable Development: -

*11.1 Balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations.*

To deliver this, Council develops strategic land use plans, infrastructure plans and prepares and maintains statutory planning instruments including local environmental plans, development control plans and policies.

Council also has a statutory obligation under Section 79C of the Environmental Planning and Assessment Act 1979 to consider the social impact of a proposal when assessing a specific development application.

Key aims of the draft Port Stephens Local Environmental Plan (LEP) 2013 are:

- 1.2 (2) (b) 'To cultivate a sense of place that promotes community well being and quality of life'
- 1.2 (2) (j) 'Seek to achieve effective inter-generational equity by managing the integration of environmental, social and economic goals in a sustainable and accountable manner'

This Policy will play a key role in supporting the achievement of the strategic outcomes, as stated above, through an integrated and informed approach to considering social impacts across Council.

#### **OBJECTIVE**

- 1) To ensure potential social impacts are balanced with environmental and economic impacts in the consideration of all relevant Council activities including planning, policy and strategy development, decision making and resource allocation.
- 2) To facilitate the preparation and assessment of developments with respect to social considerations in the interests of the developer, the broader community and the future of Port Stephens.

#### **PRINCIPLES**

- **Equity:** Social impacts should not fall disproportionately on certain groups of the population, in particular children and women, the disabled and socially excluded, certain generations or certain religions. The needs of the present generation should be met without compromising the ability of future generations to meet their own needs.
- **Precaution:** Lack of certainty about potential impacts should not be used as a reason to approve planning decisions or not require mitigation measures and monitoring.

- **Prevention:** It is preferable and cheaper in the long run to prevent negative social impacts from happening than having to restore or rectify damage after the event.
- **Diversity:** Communities are demographically structured (age and generation), and they comprise of different groups with various value systems and different skills. Planning decisions should not lead to a loss of social diversity or cohesion in a community.
- **Good Governance:** Consistent processes that are supported by policies are the mechanism for local government to ensure the realisation of human rights.

*Adapted from: Alison Ziller, 2012: 54-55, 'The new social impact assessment handbook'*

### **POLICY STATEMENT**

The purpose of this Policy is to establish a framework under which Port Stephens Council will effectively and efficiently manage social impacts ensuring:

- Council officers, applicants, developers, or consultants who are required to consider the social impacts of a proposed development, planning proposal, or project will be required to prepare either a Social Impact Comment or a Social Impact Assessment.
- The Social Impact Assessment Guidelines provide the process and describe the two types of social assessment. The guidelines will describe the development proposal types which require assessment and provide details on the information that should be included in social assessments. The guidelines will provide consistency with relevant statutory requirements and will assist in the application of this policy.

### **RELATED POLICIES**

- 1) Sustainability Policy;
- 2) Disability Policy;
- 3) Community Engagement Policy;
- 4) Community Services Policy;
- 5) Asset Management Policy.

### **SUSTAINABILITY IMPLICATIONS**

#### **SOCIAL IMPLICATIONS**

The Social Impact Policy facilitates Council's ability to determine, with accurate researched findings, appropriate modifications to developments, infrastructure and plans, where necessary.

**ECONOMIC IMPLICATIONS**

The Social Impact Policy can result in socially favourable development that can contribute to job creation and community safety benefits which in turn can be a catalyst to economic activity and growth.

**ENVIRONMENTAL IMPLICATIONS**

The Social Impact Policy can contribute to protecting and/or enhancing the built and natural environment. This Policy will provide Council a platform to consider social impacts in conjunction with environmental considerations, providing a greater balance of the principles of Ecological Sustainable Development.

**RELEVANT LEGISLATIVE PROVISIONS**

Environmental Planning and Assessment Act 1979  
Disability Discrimination Act 1992  
NSW Disability and Services Act 1993  
Local Government Act 1993  
NSW Gaming Machines Act 2001  
Liquor Legislation Amendment Act 2008  
State Environmental Planning Policy  
Premises Standards 2011

**IMPLEMENTATION RESPONSIBILITY**

All relevant staff involved in Social Impact Assessment.

**PROCESS OWNER**

Community Planning and Environmental Services Manager

**REVIEW DATE**

March 2016

**ATTACHMENT 2**  
Social Policy – 2003



Adopted: 27/5/2003  
Minute No: 186  
Amended:  
Minute No:

**FILE NO: 7120.016**

**TITLE: SOCIAL POLICY**

**RESPONSIBLE OFFICER: SOCIAL PLANNING CO-ORDINATOR**

**BACKGROUND**

The term 'Social' is generally used to describe the interaction of people, participation in communal activities, civic engagement, cultural traditions and practices, and quality of life of all citizens.

In recent years the term 'Social Capital' has been used to describe the social cohesion that binds people together as a community. A number of indicators such as connectedness and trust are commonly used to measure the social capital within a community. The Author Robert Putnam who coined the term 'Social Capital' argues that social capital is equally important for the public good as economic well-being.

Council recognises the inter-connection between responsible economic development and the protection and enhancement of the community's core social values. This is reflected in Council's 'Story of Sustainability' which portrays life in the year 2030 as follows: -

*"Socially, Port Stephens is considered a good place to live. There are a variety of housing, work and transport options. There is access to quality educational and medical services. There is good community infrastructure giving people access to childcare, youth programs, aged services and support networks. There are few homeless, people have access to quality food and they feel safe. Crime rates are well below the state average and when asked, residents say they feel connected to the community through their pursuit of interests and involvement in decision making. They believe there is a strong feeling of community spirit within their area. Honesty, fairness, friendliness and tolerance are all considered important community values on which Council and the broader community base their decision making".*

The aim of this policy is to ensure that the community's social values are recognised, protected and promoted in all Council's activities. The policy will be used to guide Council's decision making, policy setting, planning and the



allocation of resources. This will ensure that Council is moving towards achieving its social vision as outlined in the '*Story of Sustainability*'.

#### **POLICY OBJECTIVE**

To ensure the impacts on people are considered on equal terms with environmental and economic considerations by raising the awareness and consideration of the likely social implications on all Council activities including planning, policy development, decision making and resource allocation.

#### **PRINCIPLES**

The following principles have been developed based on the results of community consultation with residents. Council will aim to both abide by and encourage these principle values within the community:

##### **People:**

- A community where individuals and families are valued regardless of differences such as age, gender, race, religion, culture, ability, income level or place of residence
- A community where people's basic needs of having a roof over their head, access to food, water, clothing, education and health care are met

##### **Opportunity:**

- An empowered community where there are opportunities for people to genuinely participate in community life and in decisions that affect their lives.
- A community where people can get around to where they want to go, and can access appropriate paid and unpaid work
- A community where there are opportunities for potential community leaders to obtain and develop skills in community leadership
- A community where people can create opportunities to better themselves by participating in lifelong learning and by building upon their community's assets and gifts

##### **Sustainability:**

- A community where through our actions, we leave it for our children and grandchildren as good or better than it is now

##### **Support & Connectedness:**

- A community where people can develop good relationships, give support and encouragement to each other, have someone to turn to in times of difficulty
- A community where there are things to do and places to meet that will enable people to participate

**Equity:**

- A community where residents under stress are cared for by providing equitable access to resources for disadvantaged and marginalised groups

**Community Spirit:**

- A community where people have the opportunity to contribute positively and endeavour to make things better for everybody

**Safety:**

- A community where people feel safe at home, at work, and when they are out and about

**POLICY STATEMENT**

**Decision Making:**

- Council planning, policy development, budget setting and decision-making shall give due regard to the above principles when making decisions.
- Council reports shall include an identification and assessment of likely social impacts.
- Council's forward works program shall give recognition and an appropriate weighting to social considerations.
- Council will encourage opportunities for community members to actively participate in the membership of Council committees.
- Council will understand, document and respond to the social needs of the community and establish priorities for community service provision.
- Council's consultative and decision making processes will recognise and encourage broad based community participation reflective of the community's demographic profile

**Community Services & Facilities:**

- Council will plan for, and support the development and provision of a range of community services and facilities that will assist in meeting the community's needs and aspirations.
- Council will where possible support the development and maintenance of a range of external community services delivered by the community sector
- Council will develop a co-operative relationship with all levels of government, acting as an advocate on identified high needs to ensure the highest quality of service and facilities to residents.
- Council will where appropriate seek and encourage partnerships amongst local community service providers, residents and Local/State/Federal Government bodies.
- Council will endeavour to ensure all residents have equitable access to Council services and facilities.

**Socially Responsible Development:**

- Council will where possible encourage the development of a range of housing types in appropriate locations to suit different lifestyles, mobility, age and incomes.
- Council will develop a framework to ensure that the assessment of social impacts of development and decision-making is conducted in a systematic and transparent manner, which is understandable, relevant and embraced by Council staff and the development industry.

**Strengthening Communities:**

- Council will where possible place an emphasis on supporting people under stress.
- Council will encourage the development of a community based skills register to ensure the skills and talents of community members are identified and connected with opportunities to fully utilise these skills in response to community needs.
- Council will where possible encourage opportunities for growth in the number and choice of local employment opportunities.
- Council will where possible encourage the provision of relevant skills based training programs aimed at addressing the training needs of local residents.
- Council will employ community development staff to work with communities in the planning, establishment and maintenance of services.

- Council will encourage programs and activities that celebrate the community's cultural heritage and diversity.
- Council will endeavour to identify, understand and document the communities safety concerns and will where appropriate develop and implement programs and initiatives designed to address these issues.
- Council will endeavour to ensure the Port Stephens community is serviced by an integrated transport network that is safe for all users and encourages choice in modes of travel.
- Council will where possible support initiatives aimed at developing and strengthening social capital, building of community networks and the creation of opportunities for community participation in Council activities and decision-making.
- Council will encourage individual localities to identify and promote their history, unique qualities, lifestyle and the development of these assets.
- Council will where possible promote up to date information on Council and non-Council services and facilities that are available to the community.
- Council will endeavour to identify and promote appropriate opportunities for members of the community to gain skills and experience in community leadership.

**RELATED POLICIES**

- Multicultural Affairs Policy
- Community Services Policy
- Equal Employment Opportunity Policy
- Tenancy Policy
- Community Information & Communication Policy

**REVIEW DATE**

December 2004

**RELEVANT LEGISLATIVE PROVISIONS**

- Local Government Act (1993)
- Local Government Amendment (Community and Social Plans) Regulation (1998)
- NSW Anti-Discrimination Act (1977)

**IMPLEMENTATION RESPONSIBILITY**

The policy shall be implemented on an organisational wide basis.

**ATTACHMENT 3**

Draft Social Impact Assessment Guidelines 2014

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Social Impact Assessment Guidelines



**SOCIAL IMPACT ASSESSMENT  
GUIDELINES  
2014**

**SOCIAL IMPACT ASSESSMENT GUIDELINES**

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## **1.0 INTRODUCTION**

These guidelines have been developed according to international and national best practice in social impact assessment, and are to be used as a resource to ensure Council and the community benefit from socially responsible decision making.

These guidelines outline the information and processes required for a proposed development.

The guidelines describe:

- what a social impact is,
- the two types of social assessment,
- the development types which require assessment, and
- the information to be included within social assessments.

### **1.1 Defining Social Impact**

A Social Impact Assessment (SIA) refers to the assessment of the social consequences of a proposed decision or action e.g. development proposals, plans and projects. An action or decision can positively and/or negatively contribute to social issues and this in turn could result in a social impact.

Social impacts are changes to the status quo (and capacity to sustain these) in groups of people and/or community in one or more of the following ways:

- *'Liveability: people's way of life, life chances, housing, recreation, open space, lifestyles;*
- *Community cohesion and connectedness;*
- *Cultural traditions, shared beliefs and customs;*
- *Health and wellbeing: physical and mental health, safety, personal and community aspirations;*
- *Economic prosperity: jobs, income, business opportunities; and*
- *Human rights and participatory democracy'.*

### **1.2 Purpose of Guide**

This guide aims to:

- Assist applicants and Council to identify and quantify social impacts;
- Provide best practice guidelines so to ensure that social issues are considered at the earliest stage of a development;

- Ensure consistency and transparency in assessing and commenting on the social impacts of development applications;
- To enhance positive social changes and either mitigate or eliminate negative social changes to achieve a more sustainable and equitable environment.

### **1.3 Legislative Context**

#### Environmental Planning and Assessment Act 1979

Council has a statutory obligation under Section 79C of the Environmental Planning and Assessment Act 1979 to consider the social impact of a proposal, where relevant, when assessing a development application and planning proposal.

#### Port Stephens Community Strategic Plan 2013-2023

Council's Integrated Community Strategic Plan 2023 and the 2013-2017 Delivery Program, outlines sustainable development as a key objective to *balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations.*

#### Draft Port Stephens Local Environmental Plan (LEP) 2013

The key aims of the Draft Port Stephens Local Environmental Plan (LEP) 2013 assist in explaining the need for the guidelines:

- 1.2 (2) (b) *'To cultivate a sense of place that promotes community well being and quality of life'*
- 1.2 (2) (i) *'Seek to achieve effective inter-generational equity by managing the integration of environmental, social and economic goals in a sustainable and accountable manner'*

These guidelines should also be read in conjunction with other relevant legislation, statutory plans, Council reports and policies. Such as:

Disability Discrimination Act 1992  
Premises Standards 2010  
Liquor Act 2007  
NSW Liquor Regulation 2008  
Gaming Machines Act 2001  
Port Stephens Council, Sustainability Policy 2003



## 2.0 LEVELS OF SOCIAL IMPACT ASSESSMENT

Two levels of social impact assessment for developments apply including:

- i) Social Impact Comment - This is a basic level of assessment that is a part of the environmental effect.
- ii) Social Impact Assessment - When significant social impacts are anticipated or likely due to the scale and type of development or proposal a social impact assessment is required to be submitted. This is a standalone more detailed assessment.

### 2.1 Social Impact Comment

#### 2.1.1 Where it applies?

The Social Impact Comment process is triggered by the submission of a development application.

A Social Impact Comment will **not** be required for the following:

- development types listed for Social Impact Assessment; or
- minor DAs such as: minor building works, alterations, additions, outbuildings

#### 2.1.2 Types of impacts to consider

Below provides some broad examples of social impacts that may be relevant and require analysis in the SIC (particularly comparative examples on existing social conditions and predicted impacts from the proposed development). Note the assessment checklist and mitigation strategies appendix 4.2 and 4.3).

Demographic change (population size and characteristics)	Health Impacts
Interaction between new development, surrounding and existing community	Public safety and crime
Accessibility	Social equity
Accommodation & housing	Recreation facilities & open space
Community identity & cohesion	Employment
Community services & facilities	Impact on future generations
Community values	Groups with particular needs (women, men, elderly, people with disabilities, children, youth, indigenous, and people from culturally and linguistically diverse backgrounds)
Cultural Impacts	
Economic Impacts	

**2.1.3 What a Social Impact Comment should include?**

For the majority of cases the anticipated social impacts can be adequately addressed by a social impact comment in the Statement of Environmental Effects which is required to be lodged with all Development Applications.

The social impact comment should:

- identify and describe any potential social impacts of a proposal (positive and negative/ benefits and losses);
- provide basic information and details about the community likely to be impacted by the proposal (i.e. likely affected groups and individuals);
- include community consultation with key stakeholders and immediate neighbours; and
- consider how to enhance positive social impacts and mitigate negative social impacts.

**2.2 Social Impact Assessment****2.2.1 Where it applies?**

The Social Impact Assessment process is triggered by the submission of a development application for the following, but not limited to:

- Controversial and sensitive uses (e.g. sex service premises, drug rehabilitation centres, gaming or liquor outlets, licensed premises, registered clubs and restricted premises);
- Boarding houses, hostels, student housing, caravan parks, backpacker accommodation, seniors housing, group homes and manufactured home estates; or
- Applications for new development for entertainment facilities and large scale tourist accommodation.

In addition to the triggers above, an application may require a Social Impact Assessment depending on the answer to the following questions.

If the answer to any of the following questions is YES (or LIKELY) the issue needs to be appropriately addressed in a SIA, when a development type is not automatically triggered.

1. Is the proposal likely to give rise to a significant increase or reduction in the number of persons living or working on or visiting the locality?
2. Is the proposal likely to disadvantage or benefit any particular social group?
3. Is the proposal likely to give rise to an increase or decrease in employment opportunities in the locality?

4. Is the proposal likely to have a significant impact on the existing housing stock in the locality, particularly low rental housing?
5. Is the proposal likely to have an impact upon existing community meeting places or give rise to an increased demand for community facilities or services in the locality?
6. Will on-site support services be required?
7. Does the proposal have the potential to give rise to increased conflict in the community?
8. Is the proposal likely to adversely impact upon community identity?
9. Is the proposal likely to enhance or detract from the cultural life of the community?
10. Will the proposal create areas of risk for occupants or pedestrians within or adjacent to the development?
11. Is the proposal likely to give rise to increased community concern regarding public safety?

The above list is indicative only. Council reserves the right to request a Social Impact Assessment when it determines it necessary, depending upon the circumstance, scale and nature of the proposal.

### 2.2.2 Types of impacts to consider

Below provides some broad examples of social impacts that may be relevant and require analysis in the SIA (particularly comparative examples on existing social conditions and predicted impacts from the proposed development). Note the assessment checklist and mitigation strategies appendix 4.2 and 4.3).

Demographic change (population size and characteristics)	Health Impacts
Interaction between new development, surrounding and existing community	Public safety and crime
Accessibility	Social equity
Accommodation & housing	Recreation facilities & open space
Community identity & cohesion	Employment
Community services & facilities	Impact on future generations
Community values	Groups with particular needs (women, men, elderly, people with disabilities, children, youth, indigenous, and people from culturally and linguistically diverse backgrounds)
Cultural Impacts	
Economic Impacts	

### 2.2.3 What a SIA should include?

As impacts are diverse and vary with the circumstances, the social impact assessment should be tailored to the proposed development issues and should be prepared by a qualified professional.

Generally an SIA should contain the following information:

Scoping and Profiling	<ol style="list-style-type: none"> <li>1. <b>Scope of Assessment</b> – The breadth of the SIA should be defined including: the geographical boundaries of the study area; examination of the surrounding land uses; stakeholders including the developer, affected individuals, groups or communities and the way in which they are to be included in the assessment process.</li> <li>2. <b>Proposal</b> – A description of the proposed development and scope of change. Maps and drawings may be utilised where relevant.</li> <li>3. <b>Community/social profile</b> – A detailed description of the current community affected by the proposal (includes residents and workers). As a minimum, the profile should describe the existing social characteristics of the affected community and preliminary investigation of possible issues.</li> </ol>
Prediction and Identification of impacts	<ol style="list-style-type: none"> <li>1. <b>Social Changes</b> – Identification of social changes that may occur as a result of the proposal, including significant change, positive and negative, long term and short term, temporary and cumulative changes.</li> <li>2. <b>Probable Impact</b> – The probable impact of the change and who is likely to be affected by the development. This should include who will be advantaged or disadvantaged, indicating whether the group impacted are identifiable by their income levels, race, cultural affiliations, gender, age, physical or mental ability, and place of residence.</li> <li>3. <b>Comparative Impact</b> – The proposal should be examined in relation to available alternatives. An assessment must examine and compare alternatives and their social impacts (including the 'no go' option and an option that includes significant modification of the proposal).</li> </ol>
Assessment and evaluation	<ol style="list-style-type: none"> <li>1. <b>Relative Equity</b> – Identification of the relative equity of the impacts and how benefits and losses will be distributed to different sections of the community (i.e. describe if many or few people will experience the benefits and losses). It should include the long-term risks and impact on future generations.</li> <li>2. <b>Consultation</b> – The type of consultation used will depend upon the type of proposed development and its potential impacts. Consultation should identify public values and concerns. It should occur with the community, stakeholders, relevant groups and experts (e.g. local Police for crime statistics). It can include personal contact, focus groups, surveys and workshops. Feedback from</li> </ol>

	<p>stakeholders should be discussed.</p> <p>3. <b>Analysis</b> – Analysis of the negative and positive impacts, direct and indirect impacts, likelihood to affect minority groups, marginalised groups, different ages, income and cultural groups, and future generations.</p>
Recommendations and mitigation strategies	<p>1. <b>Recommendations</b> – Outlines overall benefits and costs of the proposal, including the level of importance of the predicted impacts. This should outline the responses or conditions that should be implemented to help mitigate or avoid any social impacts, and to enhance the social benefits. A review mechanism should be included where appropriate and include a review of effectiveness of mitigation methods.</p> <p>2. <b>Mitigation Strategies</b> - Where an assessment identifies negative impacts, mitigation measures must be investigated. The measures (both short term and long term) should aim to minimise the impact of the proposal where possible so that impacts are acceptable within the context of the proposal. The proposal should demonstrate an overall net benefit to the community (see appendix 4.3 for information on mitigation strategies).</p> <p>3. <b>SIA Author</b> – Description of the report author, their qualifications and capacity to complete assessment.</p>

#### 2.2.4 Determining levels of impact significance

Consideration of the significance of social impacts should include:

- The degree of change likely to arise relative to existing circumstances;
- The number of people likely to be affected;
- The likelihood of controversy that the development will cause, in relation to perceived negative social impacts;
- The type and duration of impact (either benefit or cost, direct or indirect, short-term or long-term or cumulative impact); and
- How the impact will affect the community (both in the short-term or long-term) with regards to social justice principles of equity, access, fairness, participation) and inter-generational impacts?

#### 2.2.5 Competency to undertake Social Impact Assessment

To identify potential impacts early in the process and ensure better decisions can be made about how to proceed with mitigation measure; it is important to ensure assessments are completed by technically skilled or qualified impact assessors.

An appropriately qualified professional will have:

- Qualifications in social or urban/town planning;
- Referees (in the profession or within Government) who can validate the relevant experience within the SIA field;

- Demonstrated competent experience in undertaking SIA and provide evidence of similar technical reports for other agencies; and
- Be a member, or be eligible to be a member, of the Social Planning Chapter of the Planning Institute of Australia.

### **2.2.6 Monitoring**

An applicant should identify any impacts that need monitoring and how monitoring will be achieved. Council may require regular reports to be provided on specific impacts. If it is established by a condition of development consent that monitoring is a requirement, the onus will be on the developer/ owner to undertake and submit to Council, at the nominated frequencies.

Compliance with these conditions of development consent will be monitored by Council. If the conditions are not complied with (e.g. if not provided at the appropriate time or found to contain the required information), Council may initiate action for failing to comply with the conditions of development consent.

## **3.0 REFERENCES AND ADVICE**

### **3.1 Council Advice**

Applicants should consult with Council early in the development stage on social assessment requirements and issues.

Council staff are available to discuss particular matters and provide guidance in completing the Social Impact Assessment that are relevant to the proposal.

Please contact Council for further assistance on when and how to prepare a Social Impact Assessment:

- Duty Planner (9am-12pm) on (02) 4900 440;
- Social Planning Team on (02) 4900 288; or
- visit Council's Administrative Building at 116 Adelaide Street, Raymond Terrace during business hours.

### **3.2 Helpful Resources & Data Sources**

Alison Ziller. (2012) 'The new social impact assessment handbook'  
Australian Bureau of Statistics, available at: [www.abs.gov.au/](http://www.abs.gov.au/)  
Centrelink- Department of Human Services, available at:  
[www.humanservices.gov.au/customer/information/centrelink-website](http://www.humanservices.gov.au/customer/information/centrelink-website)  
Department of Education, Employment and Workplace Relations, available at: [deewr.gov.au/](http://deewr.gov.au/)



Department of Education and Training- NSW Government, available at: [www.det.nsw.edu.au/](http://www.det.nsw.edu.au/)  
Department of Planning and Infrastructure - NSW Government, available at: [www.planning.nsw.gov.au/](http://www.planning.nsw.gov.au/)  
Destination NSW, available at: [www.destinationnsw.com.au/](http://www.destinationnsw.com.au/)  
Family & Community Services- NSW Government, available at: [www.community.nsw.gov.au/](http://www.community.nsw.gov.au/)  
Health- NSW Government, available at: [www.health.nsw.gov.au/](http://www.health.nsw.gov.au/)  
Health- NSW Government South Western Sydney Local Health District, Healthy Urban Development Checklist, available at: [www.sswahs.nsw.gov.au/populationhealth/healthy\\_urban\\_development\\_checklist.html](http://www.sswahs.nsw.gov.au/populationhealth/healthy_urban_development_checklist.html)  
Hunter New England Population Health. (2007) Building Liveable Communities in the Lower Hunter Region  
Housing NSW, available at: [www.housing.nsw.gov.au/](http://www.housing.nsw.gov.au/)  
International Association for Impact Assessment. (2003) International Principles for Social Impact Assessment, available at: [www.iaia.org](http://www.iaia.org)  
NSW Bureau of Crime Statistics and Research, available at: [www.bocsar.nsw.gov.au/](http://www.bocsar.nsw.gov.au/)  
NSW Department of Urban Affairs and Planning. (2001) Crime Prevention and the Assessment of Development Applications  
NSW Police, available at: [www.police.nsw.gov.au/](http://www.police.nsw.gov.au/)  
Planning Institute of Australia – NSW Branch. (2010) Social Impact Assessment National Position Statement, PLA: Kingston, ACT  
Port Stephens Council, Integrated Plans (Community Strategic Plan 2013-2023)  
Transport for NSW – NSW Government, available at: [www.transport.nsw.gov.au/](http://www.transport.nsw.gov.au/)  
Griffiths University Urban Research Program (URP) Toolbox  
<https://app.secure.griffith.edu.au/03/toolbox/>

### **3.3 Acknowledgements and References**

Byron Shire Council, 2009, Policy No. 09/008 Social Impact Assessment Policy  
City of Newcastle, 1999, Social Impact Assessment Policy for development applications  
Holroyd City Council, 2012, Social Impact Assessment Policy  
Lake Macquarie City Council, 2012, Social Impact Assessment Guideline  
Leichhardt Council, 2009, Guidelines for Council Officers for completing social impact assessments for significant projects, policies, or plans  
Leichhardt Council, 2009, Social Impact Assessment Policy  
Leichhardt Council, 2009, Social Impact Guidelines for Development Applicants  
Port Macquarie- Hastings, 2009, Social Impact Assessment Policy  
Randwick City Council, 2006, Social Impact Assessment Guidelines for Assessing Development Applications  
Cessnock Council, 2010, Development Control Plan Chapter 8 Social Impact Assessment and Crime Prevention Through Environmental Design Guidelines for a Proposed Development

## 4.0 APPENDICIES

### 4.1 Glossary

#### Assessment

An opinion, a judgement, an appraisal, an evaluation, an analysis of the worth or value of something

#### Equity

The state, quality or ideal of being just, impartial, and fair

#### Social

'Of or relating to human society and its modes of organisation: social classes, social problems; a social issue' and 'of relating to, or occupied with matters affecting human welfare: social programs'

#### Social Impact Assessment

A Social Impact Assessment (SIA) refers to the assessment of the social consequences of a proposed decision or action e.g. development proposals, plans and projects. An action or decision can positively and/or negatively contribute to social issues and this in turn could result in a social impact.

#### Social Impact Comment

Is a statement which can be addressed in the Statement of Environmental Effects and is required to be lodged with all Development Applications. The social impact comment briefly identifies any potential social impacts of a proposal; basic information about the community likely to be impacted; and consideration of how to enhance or mitigate social impacts.

#### Social Wellbeing

A society that is healthy and well educated, in which unemployment and poverty are insignificant and the benefits and resources of the society are equitable distributed. Social wellbeing is a relative concept and is often discussed in terms of indicators, for example mortality rates and unemployment rates. Indicators are attempts to measure aspects of wellbeing, but are not the phenomenon itself.



## 4.2 Assessment Reference Checklist

<b>Social Impact Checklist</b>			
<b>Impact</b>	<b>Likely to result from the proposed development</b>		<b>Comments: (impact analysis and mitigation strategies)</b>
	<b>Yes</b>	<b>No</b>	
<i>Demographic change</i> <ul style="list-style-type: none"> <li>Changing population size and characteristics</li> </ul>			
<i>Accommodation &amp; housing</i> <ul style="list-style-type: none"> <li>Low income housing, affordable housing, housing for special needs groups, housing for older people and those with a disability</li> </ul>			
<i>Access</i> <ul style="list-style-type: none"> <li>Equitable access for all</li> <li>Easy access to surrounding development and community</li> <li>Public transport needs</li> </ul>			
<i>Needs of older people</i> <ul style="list-style-type: none"> <li>Access issues</li> <li>Availability of support services</li> </ul>			
<i>Needs of people with a disability</i> <ul style="list-style-type: none"> <li>Access issues</li> <li>Availability of support services</li> </ul>			
<i>Needs of young people</i> <ul style="list-style-type: none"> <li>Children, youth and childcare needs</li> </ul>			
<i>Community identity, cohesion and values</i> <ul style="list-style-type: none"> <li>changing community needs, equity and expectations</li> <li>public safety and crime</li> </ul>			

prevention strategies <ul style="list-style-type: none"> <li>▪ opportunities for social interactions</li> <li>▪ connectivity and interaction between developments (new and old)</li> <li>▪ enhance or detract cultural heritage or cultural life</li> </ul>			
<i>Facility and infrastructure needs</i> <ul style="list-style-type: none"> <li>▪ recreational and open space needs</li> <li>▪ on-site community/support facilities</li> <li>▪ transport needs (public and private)</li> <li>▪ social/community services and facilities</li> <li>▪ state government provided facilities (education and health)</li> <li>▪ local meeting places</li> </ul>			
<i>Cultural Impacts</i> <ul style="list-style-type: none"> <li>▪ needs of Aboriginal and Torres Strait Islander issues</li> <li>▪ people from culturally and linguistically diverse backgrounds</li> <li>▪ religious needs</li> </ul>			
<i>Economic Impacts</i> <ul style="list-style-type: none"> <li>▪ local employment generation</li> <li>▪ unemployment</li> <li>▪ business development</li> </ul>			
<i>Health Impacts</i> <ul style="list-style-type: none"> <li>▪ physical activity and connectivity</li> <li>▪ air and water quality</li> <li>▪ noise, odour and light pollution</li> <li>▪ potential for hazards (both natural and man made)</li> <li>▪ risk perceptions in community</li> </ul>			

Impact on future generations			
<ul style="list-style-type: none"> <li>Affects of similar types of developments in the locality</li> <li>Redundant facilities and possible re-use</li> <li>Social equity - displacement</li> </ul>			

### 4.3 Mitigation Strategies

Information on mitigation strategies can be found in the following publications:

For social impact mitigation measures	<ul style="list-style-type: none"> <li>Health Urban Development Checklist (2009) from the NSW Department of Health, North Sydney. Strategies for: <ul style="list-style-type: none"> <li>Health and Urban Development</li> <li>Physical Activity</li> <li>Housing and affordable housing</li> <li>Transport and Physical connectivity</li> <li>Employment</li> <li>Public open space</li> <li>Social infrastructure</li> <li>Social cohesion and social connectivity</li> </ul> </li> <li>Building Liveable Communities in the Lower Hunter Region (2007) from Hunter New England Population Health. Strategies for: <ul style="list-style-type: none"> <li>Connectivity</li> <li>Sustainability</li> <li>Accessibility</li> <li>Flexibility</li> </ul> </li> <li>Port Stephens Liveable Communities Assessment: Final Report 2011</li> </ul>
For crime prevention measures	<ul style="list-style-type: none"> <li>Crime Prevention and the Assessment of Development Applications (2001) from the NSW Department of Urban Affairs and Planning. Strategies for: <ul style="list-style-type: none"> <li>Surveillance</li> <li>Access control</li> <li>Territorial reinforcement</li> <li>Space management</li> </ul> </li> </ul>

**ITEM NO. 3****FILE NO: PSC2013-00251****SPONSORSHIP REQUEST: 2014 CAMPERVAN AND MOTORHOME CLUB OF AUSTRALIA RALLY, NELSON BAY****REPORT OF: ROSS SMART - ECONOMIC DEVELOPMENT & COMMUNICATIONS SECTION  
MANAGER****GROUP: DEVELOPMENT SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Provide \$20,000 in sponsorship from the Major Sponsorship Fund for the 2014 Campervan and Motorhome Club of Australia (CMCA) Rally, to be held in October 2014;
- 2) Approve the use of the Tomaree Sports Complex for this event;
- 3) Waive fees of \$30,000 associated with the hire of the Tomaree Sports Complex.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014  
COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Nell</b> <b>Councillor Sally Dover</b>
	That the recommendation be adopted.

**MOTION**

<b>058</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council:  <ol style="list-style-type: none"><li>1) Provide \$20,000 in sponsorship from the Major Sponsorship Fund for the 2014 Campervan and Motorhome Club of Australia (CMCA) Rally, to be held in October 2014;</li><li>2) Approve the use of the Tomaree Sports Complex for this event;</li><li>3) Waive fees of \$30,000 associated with the hire of the Tomaree Sports Complex.</li></ol>

**BACKGROUND**

The purpose of this report is to confirm Port Stephens Council's support for the 2014 Campervan and Motorhome Club of Australia (CMCA) Rally, which will be held at the Tomaree Sports Complex, Nelson Bay between 6<sup>th</sup> and the 12<sup>th</sup> of October 2014.

Supporting major events such as the CMCA Rally fulfils objective 12.1.1.4 in Council's operational plan 2013-14: "Sponsor major events that deliver economic benefit to the Port Stephens community".

The rally will be the largest single event ever staged in the Nelson Bay – Tomaree Peninsula area due to its size and duration and will deliver significant economic impact. It is expected that over 1,000 motor homes and Campervans will attend the site resulting in approximately 2,000 visitors staying a minimum of seven nights in the region. In addition, towns across the region are also expected to benefit with staging areas to be set up to allow for the orderly ingress and egress of participants in the days leading up to and post the event.

Council's Tourism & Events unit has been working closely with the CMCA for a period of over 12 months to secure and plan for the event. To allow for planning and promotion, the General Manager, Tourism & Events Coordinator, and Public Domain & Services Manager attended 2013 rallies in Maryborough, Queensland and Narrabri, NSW. They will also attend the next rally to be held in Robinvale, NSW in March 2014.

This event is expected to deliver significant economic benefit to all kinds of business in the local area, including retailers, tourism operators, restaurants & leisure providers, as well as via catering and transport contracts offered to local sporting clubs and tour operators.

Further expected benefits include:

- Opportunity to promote Port Stephens to a national travelling audience;
- Exposure in the Wanderer Magazine leading up to the event (distributed to 60,000 members);
- The CMCA has agreed to support the local sporting community with a \$10,000.00 donation to go towards field remediation for Tomaree Sports Complex;
- The CMCA has also offered Council the opportunity to man the entrance gate on the planned public open day, with collected entrance fees to further boost the above donation.

**FINANCIAL/RESOURCE IMPLICATIONS**

Adoption of the recommendation does not present any significant financial or resource implications for Council as it will be funded from already allocated budget. Funds are provided from the Major Sponsorship Fund program under 12.1.1.4 of the 2013-2014 Operational Plan.

## MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

It is proposed that Council waive fees related to the hiring of the Tomaree Sports Complex, with the CMCA in return agreeing to make a donation of \$10,000 in cash in addition to the entry fees gathered on the event open day. These funds will be paid to Council for the remediation of the grounds after the event.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	20,000	Major Sponsorship Fund in existing Tourism & Events budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

### LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal implications associated with this recommendation though risk is a factor. Tourism & Events staff have liaised with Legal Services on the drafting of the sponsorship agreement, to be signed by the General Manager in accordance with Council's Corporate Sponsorship Policy.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation will be affected if sponsorship support is not forthcoming.	Medium	Adopt the recommendation.	Yes

### SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Economic benefits of the event will be far reaching with CMCA members expected to stay a minimum of seven nights in the region. Multiplier effects supplied by Tourism Research Australia (TRA) estimate that the rally will inject more than \$2 million dollars into the Port Stephens economy, in direct spend.

Social benefits will be varied and far reaching with an open day held during the rally to encourage the local community to become involved in the event.

Environmental implications have been assessed in consultation with our environmental, compliance and asset management officers and strict guidelines discussed to manage issues relevant to this event being held on our sporting fields which include grey water, dump points, dogs onsite etc.

## **CONSULTATION**

Internal council stakeholders including the General Manager, Mayor and East Ward Councillors, Tomaree Sports Council Executives and member groups.

External stakeholders including the event organiser and volunteer rally committee.

## **OPTIONS**

- 1) Adopt the recommendation;
- 2) Amend the recommendation;
- 3) Reject the recommendation.

## **ATTACHMENTS**

Nil.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

**ITEM NO. 4****FILE NO: PSC2013-00927****ACQUISITION BY AGL OF EASEMENTS UNDER THE PIPELINES ACT 1967  
– GLOUCESTER GAS PROJECT****REPORT OF: JOHN MARETICH – CIVIL ASSETS MANAGER**  
**GROUP: FACILITIES AND SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Consents to the creation of easements over various roads in the Port Stephens Local Government Area under the Pipelines Act 1967 for the purpose of the Gloucester Gas Project pipeline;
- 2) Consents to \$13,500 as the agreed amount of compensation for the acquisition of the easements;
- 3) Authorises the Mayor and General Manager to sign and affix the Seal of the Council to the relevant documents.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014**  
**COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Paul Le Mottee</b> <b>Councillor Chris Doohan</b>
	That the recommendation be adopted.

**MOTION**

<b>059</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council:  <ol style="list-style-type: none"><li>1) Consents to the creation of easements over various roads in the Port Stephens Local Government Area under the Pipelines Act 1967 for the purpose of the Gloucester Gas Project pipeline;</li><li>2) Consents to \$13,500 as the agreed amount of compensation for the acquisition of the easements;</li><li>3) Authorises the Mayor and General Manager to sign and affix the Seal of the Council to the relevant documents.</li></ol>



**BACKGROUND**

The purpose of this report is for Council as the Roads Authority to consent to the creation of easements over various roads in the Port Stephens Local Government Area under the Pipelines Act 1967 for the Gloucester Gas project pipeline.

AGL has requested Council to consider the acquisition by agreement under the Land Acquisition (Just Terms Compensation) Act 1991. The proposed easements are 20 metres wide and would cross the following roads:

- East Seaham Road
- Clarence Town Road at Seaham
- Hinton Road at Hinton
- Pacific Highway at Tomago

Comprehensive discussions and negotiation have occurred in relation to the proposed terms for the easements. The pipeline will cross under the roads.

The proposed easements plan is shown in **(ATTACHMENT 1)**.

**FINANCIAL/RESOURCE IMPLICATIONS**

Council will receive \$13,500 compensation as assessed by a Registered Valuer for the easements plus disbursements being legal costs. The proposed compensation has been considered by council's qualified valuer and found to be based on sound methodology and fair & reasonable. All costs for the project will be the responsibility of AGL. Income gained is to be allocated to road maintenance in the vicinity of these easements.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	No		
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

The acquisition of the easements would take place as a compulsory acquisition under the Pipelines Act even if Council did not agree to the acquisition. In agreeing to the acquisition Council is able to negotiate the terms of the easement.

The actions necessary for this matter fall under the Pipelines Act 1967, Local Government Act 1993, Roads Act 1993, Land Acquisition (Just Terms Compensation) Act 1991, Conveyancing Act 1919 and the Real Property Act 1900.

In accordance with s377 of the Local Government Act, it is necessary for have a resolution of the Council for this acquisition by agreement.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that the road users may be affected or disrupted if the pipeline is compromised.	Medium	The pipeline will be installed at an appropriate depth so as to not interfere with the road or pipeline long term integrity.	Yes
There is a risk that other service authorities and Council staff may not be aware of the pipeline under the roads unless the easements are registered.	Medium	Create easements, provide work as executed plans and dial-before-you-dig notification.	Yes
There is a risk that is the acquisition by agreement is not approved by Council then it will take place through the compulsory process and Council may not be able to influence the terms of the easements.	High	The acquisition be approved.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The social, economic and environmental implications for accepting these easements is minimal. Through the negotiated terms of easement Council is still able to undertake maintenance and works on our road as required.

The social, economic and environmental implications of the pipeline project itself has been addressed by AGL through their legislative requirements.

## **CONSULTATION**

- 1) Manager Legal Services;
- 2) Civil Assets Engineer.

## **OPTIONS**

- 1) Adopt the recommendation;
- 2) Reject the recommendation;
- 3) Amend the recommendation.

**ATTACHMENTS**

- 1) Plan of Proposed Easements.

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

ATTACHMENT 1

PLAN FORM 6 (2013)		WARNING: Creasing or folding will lead to rejection																						
DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 2 sheet(s)																						
<p>Registered: _____ Office Use Only</p> <p>Title System: _____</p> <p>Purpose: _____</p>		<p>Office Use Only</p>																						
<p><b>PLAN OF PROPOSED EASEMENT FOR PIPELINE</b></p>		<p>LGA: Port Stephens</p> <p>Locality: Tomago, Osterley, Nelsons Plains, Brandy Hill and Clarence Town</p> <p>Parish: Stockton, Seaham</p> <p>County: Gloucester, Durham</p>																						
<p><b>Crown Lands NSW/Western Lands Office Approval</b></p> <p>I, _____ (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature: _____</p> <p>Date: _____</p> <p>File Number: _____</p> <p>Office: _____</p>		<p><b>Survey Certificate</b></p> <p>I, Benjamin John Belfield of MONTEATH &amp; POWYS, PO BOX 726, NEWCASTLE, 2300 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p><del>*(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on _____</del></p> <p><del>*(b) The part of the land shown in the plan (*being/*excluding _____) was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on _____ the part not surveyed was compiled in accordance with that Regulation.</del></p> <p>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>.</p> <p>Signature: _____ Dated: _____</p> <p>Surveyor ID: 8462</p> <p>Datum Line: -</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous.</p> <p>*Strike through if inapplicable.</p> <p>^Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</p>																						
<p><b>Subdivision Certificate</b></p> <p>I, _____ *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature: _____</p> <p>Accreditation number: _____</p> <p>Consent Authority: _____</p> <p>Date of endorsement: _____</p> <p>Subdivision Certificate number: _____</p> <p>File number: _____</p> <p>*Strike through if inapplicable.</p>		<p>Plans used in the preparation of survey/compilation.</p> <table border="0"> <tr> <td>DP 598945</td> <td>DP 830246</td> <td>DP 1173564</td> </tr> <tr> <td>DP 708057</td> <td>DP 1006516</td> <td></td> </tr> <tr> <td>DP 717925</td> <td>DP 1018399</td> <td></td> </tr> <tr> <td>DP 739336</td> <td>DP 1083911</td> <td></td> </tr> <tr> <td>DP 753216</td> <td>DP 1091900</td> <td></td> </tr> <tr> <td>DP 770353</td> <td>DP 1099571</td> <td></td> </tr> <tr> <td>DP 815759</td> <td>DP 1101305</td> <td></td> </tr> </table> <p>If space is insufficient continue on PLAN FORM 6A</p>		DP 598945	DP 830246	DP 1173564	DP 708057	DP 1006516		DP 717925	DP 1018399		DP 739336	DP 1083911		DP 753216	DP 1091900		DP 770353	DP 1099571		DP 815759	DP 1101305	
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DP 753216	DP 1091900																							
DP 770353	DP 1099571																							
DP 815759	DP 1101305																							
<p>Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.</p>		<p>Surveyor's Reference: 12/0279 DPG 2014M7100 (18) ADDITIONAL SHEETS</p>																						
<p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p>																								

# MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PLAN FORM 6A (2012)

WARNING: Creasing or folding will lead to rejection

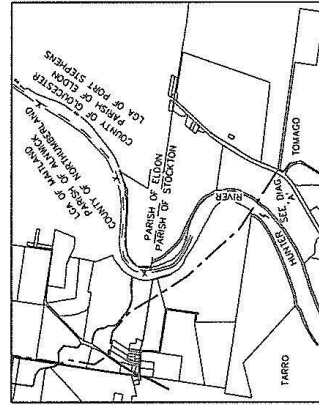
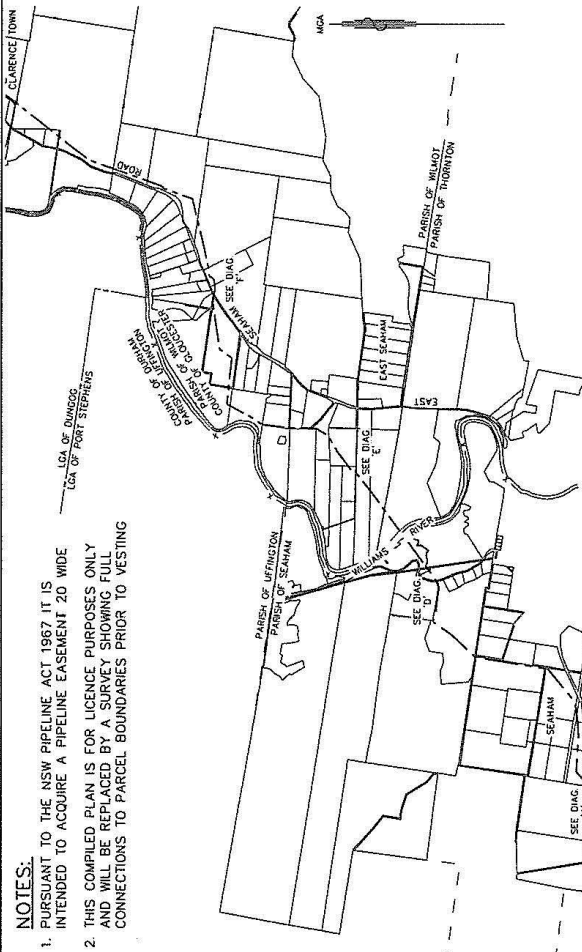
DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 2 of 2 sheet(s)
Registered:	Office Use Only	Office Use Only
<b>PLAN OF PROPOSED EASEMENT FOR PIPELINE</b>		This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> <li>• A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2012</i></li> <li>• Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i></li> <li>• Signatures and seals- see 195D <i>Conveyancing Act 1919</i></li> <li>• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</li> </ul>
Subdivision Certificate number: ..... Date of Endorsement: .....		
<p>PURSUANT TO THE NSW PIPELINES ACT 1967,</p> <p>IT IS INTENDED TO ACQUIRE:</p> <p>1. PROPOSED EASEMENT FOR GAS PIPELINE 20 WIDE</p> <p>THIS COMPILED PLAN IS FOR LICENCE PURPOSES ONLY AND WILL BE REPLACED BY A SURVEY SHOWING FULL CONNECTIONS TO PARCEL BOUNDARIES PRIOR TO VESTING OF EASEMENTS.</p> <p>If space is insufficient use additional annexure sheet</p>		
Surveyor's Reference: 12/0279 DPG 2014M7100 (18) ADDITIONAL SHEETS		

Sheet 1 of 2 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2 (A2)

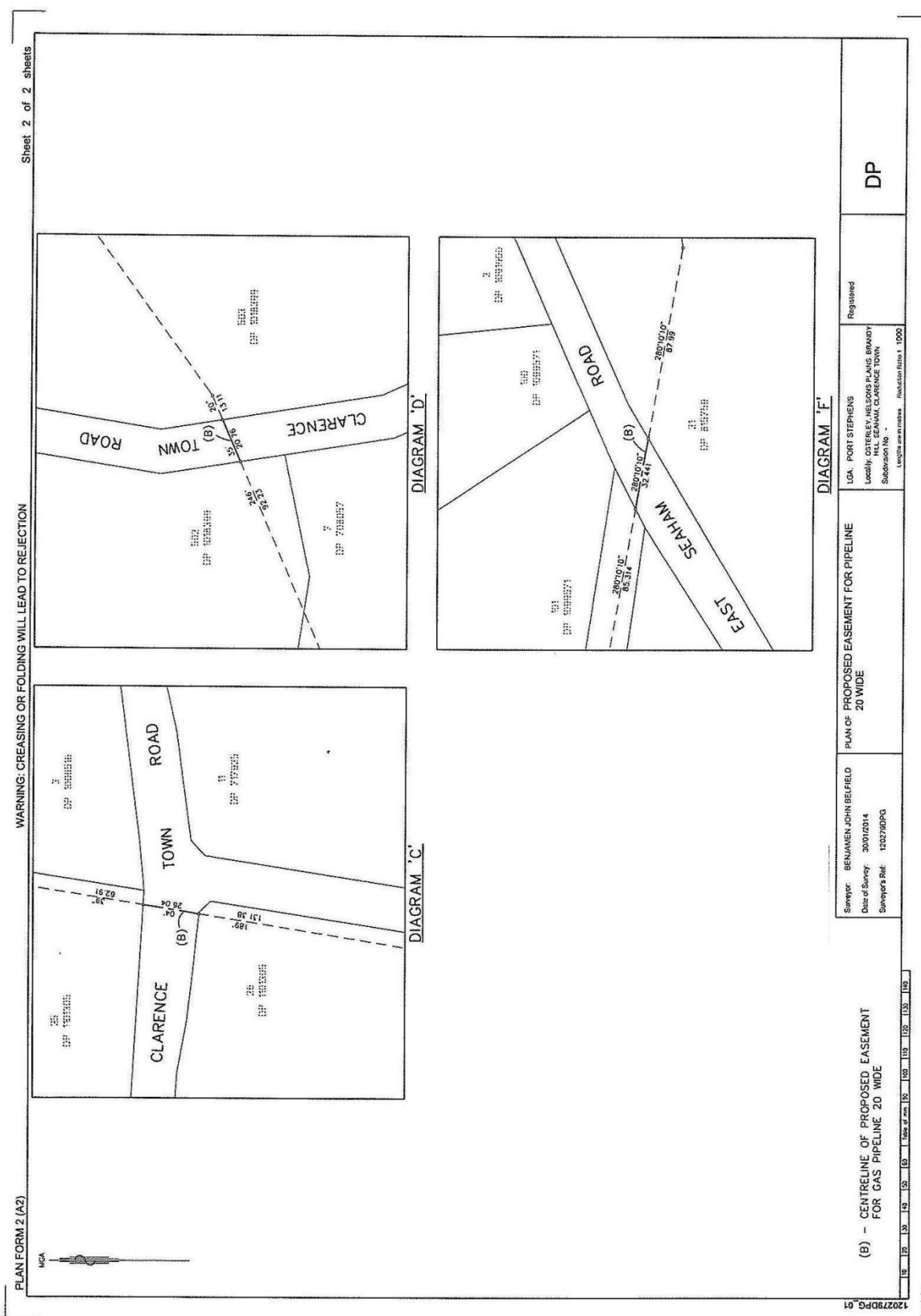
- NOTES:**
1. PURSUANT TO THE NSW PIPELINE ACT 1967 IT IS INTENDED TO ACQUIRE A PIPELINE EASEMENT 20 WIDE
  2. THIS COMPILED PLAN IS FOR LICENCE PURPOSES ONLY AND WILL BE REPLACED BY A SURVEY SHOWING FULL CONNECTIONS TO PARCEL BOUNDARIES PRIOR TO VESTING



(B) – CENTRELINE OF PROPOSED EASEMENT FOR GAS PIPELINE 20 WIDE

Surveyor: BENJAMIN JOHN BELFIELD Date of Survey: 30/01/2014 Surveyor's Ref: 120270070	LGA: PORT STEPHENS Locality: OSTERLEY MELSONS PLAINS BRANDY HILL Subdivision: SEAHAM CLARENCE TOWN Longitude: 153° 00' 00" E Elevation: 100m - 4000m	Registered DP
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**ITEM NO. 5****FILE NO: A2004-0511****LOCAL TRAFFIC COMMITTEE REPORT – 4 FEBRUARY 2014****REPORT OF: JOHN MARETICH – CIVIL ASSETS MANAGER****GROUP: FACILITIES AND SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopt the recommendations contained in the minutes of the Local Traffic Committee meeting held 4 February 2014.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014  
COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Morello Councillor Sally Dover</b>
	That Council: 1) Defer Item C8 of the Traffic Committee Minutes and that a site inspection be arranged for East Ward Councillors. 2) All other Items of the Minutes of the Local Traffic Committee meeting held 4 February 2014 be adopted.

**MOTION**

<b>060</b>	<b>Councillor Chris Doohan Councillor Paul Le Mottee</b>
	It was resolved that Council: 1) Defer Item C8 of the Traffic Committee Minutes and that a site inspection be arranged for East Ward Councillors. 2) All other Items of the Minutes of the Local Traffic Committee meeting held 4 February 2014 be adopted.

**BACKGROUND**

The purpose of this report is to bring to Council's attention traffic issues raised and detailed in the minutes of the Local Traffic Committee meeting and to meet the legislative requirements for the installation of any regulatory traffic control devices associated with Traffic Committee recommendations. (Community Strategic Plan Section 5.4)



**FINANCIAL/RESOURCE IMPLICATIONS**

Council has an annual budget of \$44 000 (\$25 000 grant from Roads and Maritime Services and the balance from General Revenue) to complete the installation of regulatory traffic controls (signs and markings) recommended by the Local Traffic Committee. The construction of capital works such as pedestrian facilities and intersection improvements resulting from the Committee's recommendations are not included in this funding and are to be listed within Council's "Forward Works Plan" for consideration in the annual budget process.

Source of Funds	Yes/No	Funding	Comment
Existing budget	Yes	19,000	Approximately 60% of the annual budget spent so far
Reserve Funds	No		
Section 94	No		
External Grants	No	25,000	
Other	No		

**LEGAL, POLICY AND RISK 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 of the Local Traffic Committee extended to the following stakeholder representatives; the Local Member of NSW Parliament, NSW Police, Roads & Maritime Services and Port Stephens Council.

The procedure followed by the Local Traffic Committee satisfies the legal requirements under the Transport Administration Act 1988 and the Road Transport Act 2013. Furthermore, there are no policy implications resulting from any of the Committee's recommendations.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that recommendations may not meet community expectations	Medium	Ensure that proper consultation is carried out when required, prior to meetings	Yes
There is a risk that recommendations may not meet required standards and guidelines	Medium	Traffic Engineer to ensure that all relevant standards and guidelines are applied	Yes

### **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

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

### **CONSULTATION**

The Committee's technical representatives are the Police, Roads and Maritime Services, 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 and Council's Road Safety Officer. During this period comments are received and taken into consideration during discussions at the Local Traffic Committee meeting.

### **OPTIONS**

- 1) Adopt all or part of the recommendations;
- 2) Reject all or part of the recommendations;
- 3) Council may choose to adopt a course of action other than recommended by the Port Stephens Local Traffic Committee for a particular item. In which case, Council must first notify the RMS and NSW Police representatives in writing. The RMS or Police may then lodge an appeal to the Regional Traffic Committee.

### **ATTACHMENTS**

- 1) Local Traffic Committee minutes – 4/2/2014

### **COUNCILLORS ROOM**

Nil.

### **TABLED DOCUMENTS**

Nil.

**MINUTES OF THE PORT STEPHENS  
LOCAL TRAFFIC COMMITTEE MEETING**

**HELD ON TUESDAY 4<sup>TH</sup> FEBRUARY 2014  
AT 9.30AM**

**Present:**

Cr Peter Kafer, Senior Constable Cain Emslie – NSW Police , Mr Joe Gleeson (Chairperson), Ms Lisa Lovegrove - Port Stephens Council

**Apologies:**

Craig Baumann MP, Cr Geoff Dingle, Mr Mark Morrison – Roads and Maritime Services, Mr John Meldrum – Hunter Valley Buses

**A. ADOPTION OF THE LOCAL TRAFFIC COMMITTEE MINUTES OF 3<sup>RD</sup> DECEMBER, 2013**

**B. BUSINESS ARISING FROM PREVIOUS MEETING**

**C. LISTED MATTERS**

- C.1 01\_02/14 SANDY POINT ROAD CORLETTE - REQUEST FOR 15 MINUTE PARKING AT THE CORLETTE STORE**
- C.2 02\_02/14 BAGNALL BEACH ROAD CORLETTE - REQUEST FOR PARKING RESTRICTIONS IN THE U-TURN BAYS**
- C.3 03\_02/14 VICTORIA PARADE NELSON BAY - REQUEST FOR IMPROVED SIGNAGE AND DELINEATION AT THE EASTERN END OF THE ONE-WAY SECTION**
- C.4 04\_02/14 JAMES PATERSON STREET ANNA BAY - REQUEST FOR INSTALLATION OF BUS ZONE AND NO STOPPING SIGNS AT BIRUBI HEADLAND**
- C.5 05\_02/14 BURBONG STREET NELSON BAY - REQUEST FOR INSTALLATION OF NO STOPPING RESTRICTIONS AT DUTCHMANS BEACH RESERVE CAR PARK**
- C.6 06\_02/14 SHOAL BAY ROAD SHOAL BAY - REQUEST FOR INSTALLATION OF NO STOPPING LINE**
- C.7 07\_02/14 IRRAWANG STREET RAYMOND TERRACE – SAFETY CONCERNS AT THE CHILDREN'S CROSSING AT ST BRIGIDS SCHOOL**
- C.8 08\_02/14 BOULDER BAY ROAD FINGAL BAY – REQUEST FOR ONE-WAY TRAFFIC IN THE UNNAMED LANEWAY BETWEEN BOULDER BAY ROAD AND MARKET STREET**

**D. INFORMAL MATTERS**

**E. GENERAL BUSINESS**

- E.1 601\_02/14 BRANDY HILL DRIVE BRANDY HILL - SAFETY CONCERNS  
REGARDING BUS STOPS**
- E.2 602\_02/14 STURGEON STREET RAYMOND TERRACE – REQUEST FOR ACCESSIBLE  
PARKING IN THE RAYMOND TERRACE TOWN CENTRE**

**C. Listed Matters**

---

**C.1 Item: 01\_02/14****SANDY POINT ROAD CORLETTE - REQUEST FOR 15 MINUTE PARKING AT THE CORLETTE STORE**

**Requested by:** A business operator

**File:**

**Background:**

The operator of the Corlette Store contacted Council to request the installation of short-term parking at the store. People attending the Gym next door are staying for extended periods making it difficult for his customers to find convenient parking.

**Comment:**

Traffic Inspection Committee members noted that there was a previous Local Traffic Committee item regarding this issue which recommended installing 1 hour parking at this location. There is room adjacent to the shop to allow some short-term parking .

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules –Part 12 Div.2 – Rule 205 – Parking for longer than indicated

NSW Road Rules –Part 12 Div.2 – Rule 199 – Stopping near a post box

RMS signs database – R5-15

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

**Recommendation to the Committee:**

Install 15 minute parking in Sandy Point Road Corlette at the Corlette Store, as shown on the attached sketch, Annexure A.

**Discussion:**

**Support for the recommendation:**

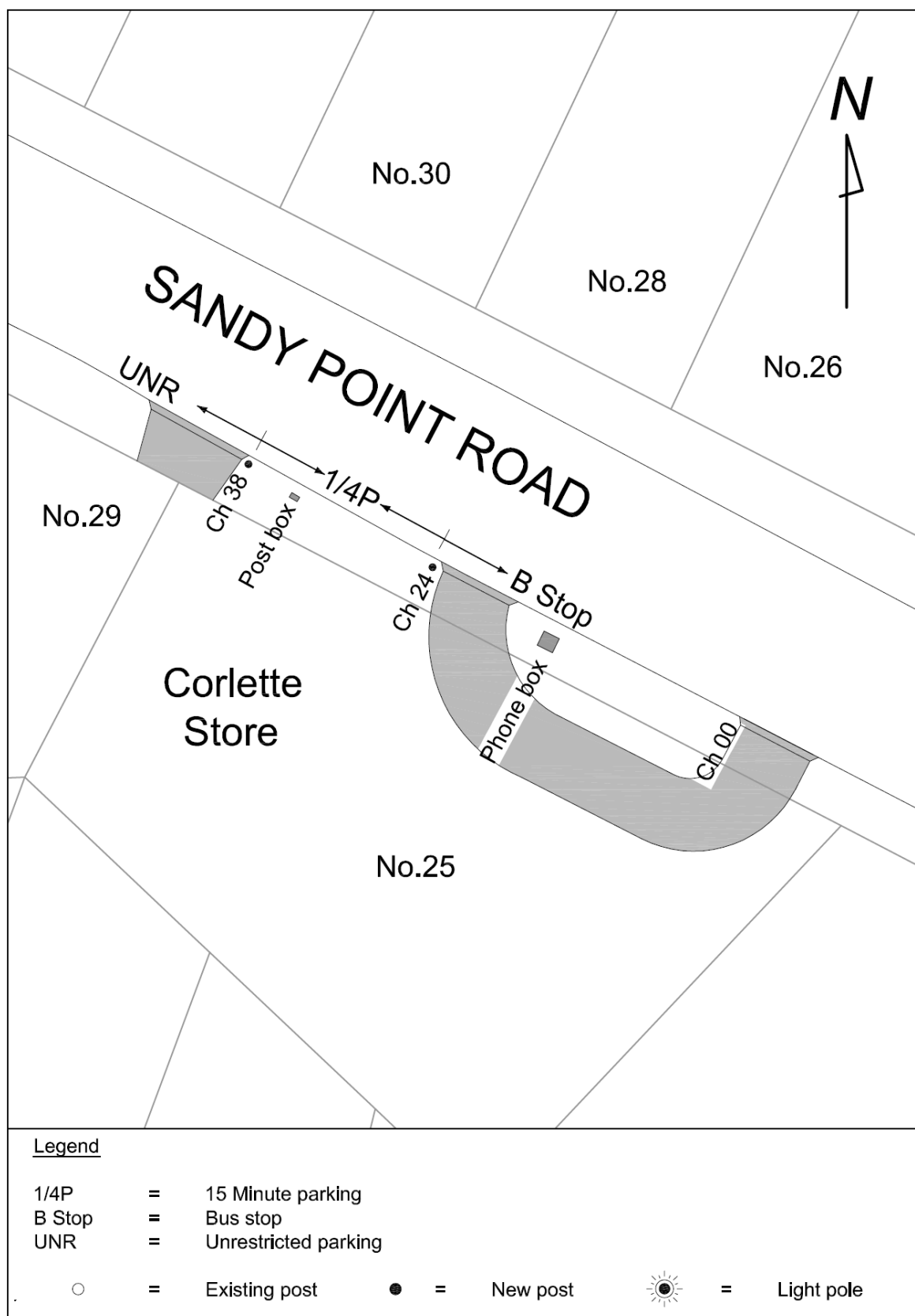
1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

# MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PORT STEPHENS TRAFFIC COMMITTEE  
Tuesday 4 February 2014

ITEM NO. 01\_02/14  
Street: Sandy Point Road

ANNEXURE A  
Page 1 of 1



**C.2    Item:   02\_02/14**

**BAGNALL BEACH ROAD CORLETTE - REQUEST FOR PARKING RESTRICTIONS IN THE U-TURN BAYS**

**Requested by:**    A resident  
**File:**                CRM 171109/2013  
**Background:**

A Bagnall Beach Road resident has requested parking restrictions be installed to deter people from parking in the U-Turn bay at 64-68 Bagnall Beach Road. It is a safety issue with vehicles having to 3-point turn in order to U-turn on this busy road.

**Comment:**

Traffic Inspection Committee members noted that 'No Stopping' was installed in other U-turn bays along Bagnall Beach Road in previous years.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules – Rule 169 - No stopping on a road with a yellow edge line  
RMS Delineation Guidelines – Section 13 – Pavement markings for kerbside parking restrictions  
Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

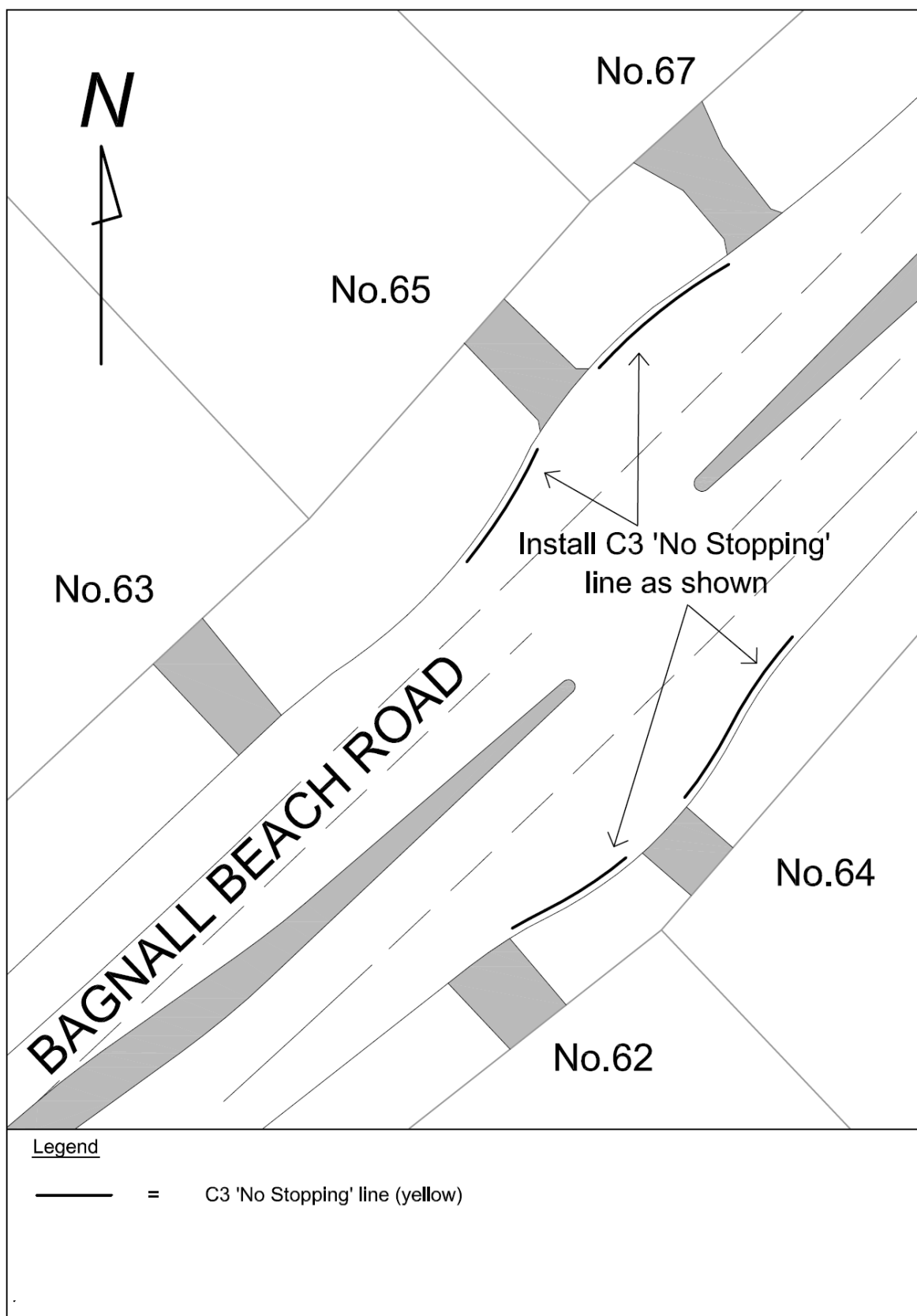
**Recommendation to the Committee:**

Install yellow 'No Stopping' lines in the u-turn bays along Bagnall Beach Road Corlette, as shown on the attached sketch, Annexure A.

**Discussion:**

**Support for the recommendation:**

1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	



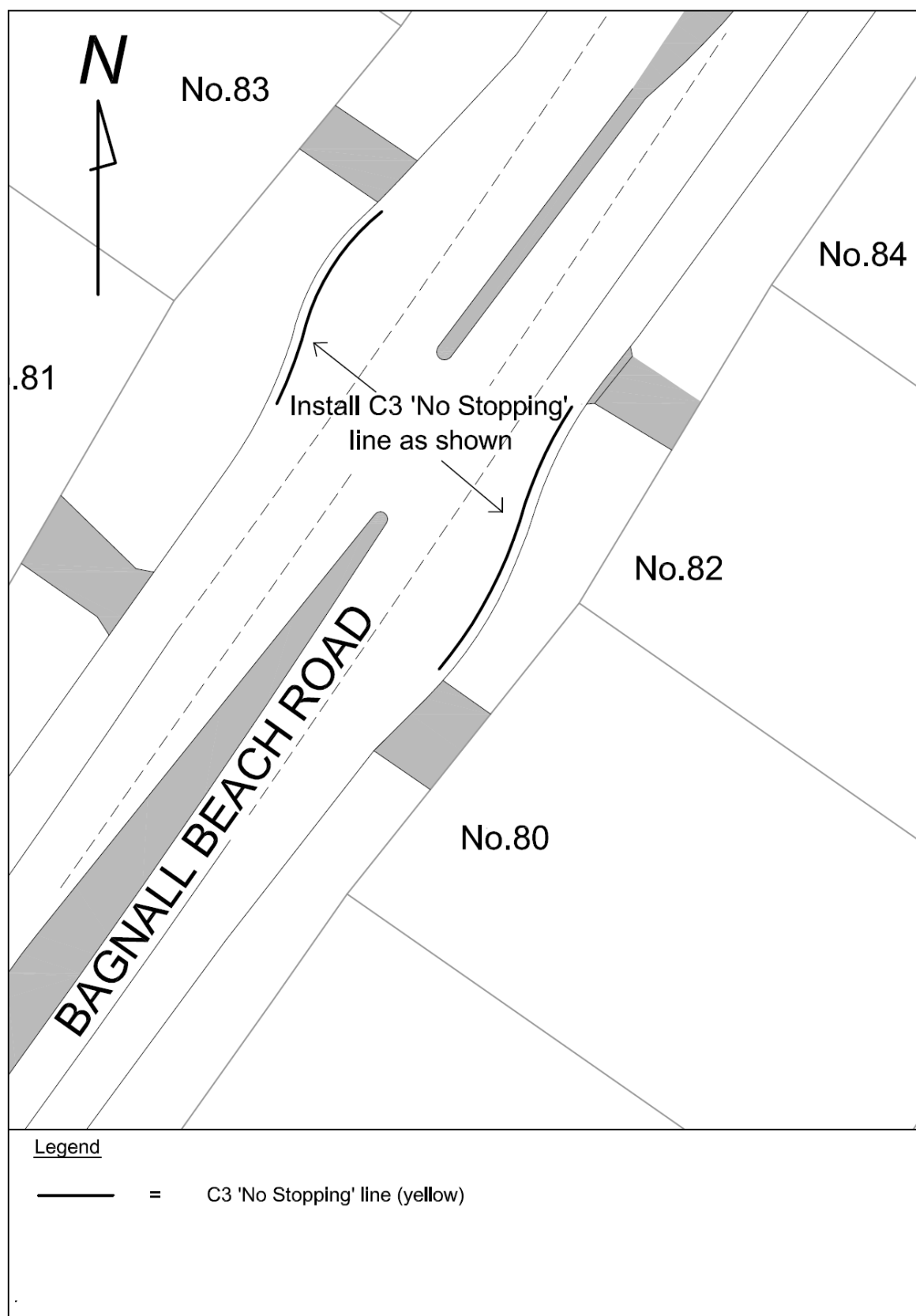


MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PORT STEPHENS TRAFFIC COMMITTEE  
Tuesday 4 February 2014

ITEM NO. 02\_02/14  
Street: Bagnall Beach Road

ANNEXURE A  
Page 2 of 2



**C.3    Item:   03\_02/14****VICTORIA PARADE NELSON BAY - REQUEST FOR IMPROVED SIGNAGE AND DELINEATION AT THE EASTERN END OF THE ONE-WAY SECTION**

**Requested by:**    A business operator

**File:**

**Background:**

A local business operator has contacted Council to complain that drivers are turning the wrong way out of the car park at the Little Beach Marina onto Victoria Parade. The eastern section of the road is 2-way to allow access to the car park at the marina however there is currently nothing to indicate that traffic should turn left only out of the car park.

**Comment:**

Traffic Inspection Committee members noted that better signage is required to direct drivers in the correct direction from the car park.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules: Rule 88 – Left turn signs, Rule 98 – One Way signs, Rule 100 - No Entry signs

RMS signs database – R2-14, R2-11, R2-4

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

**Discussion:**

Council's Road Safety Officer noted that cyclists would not be legally allowed to pass the 'No Entry' signs in order to travel westwards on the shared path to Fly Point. It was recommended that 'Bicycles Excepted' be added to the 'No Entry' signs.

It was also noted that the pedestrian/cycle lane needs to be better delineated from the traffic lane to improve safety for pedestrians and cyclists.

**Committee's Recommendation:**

Install 'Left Only' sign, two-way sign, 'bicycles excepted' sign and relocate the 'No Entry' sign at the eastern end of Victoria Parade Nelson Bay, as shown on the attached sketch, Annexure A.

**Support for the recommendation:**

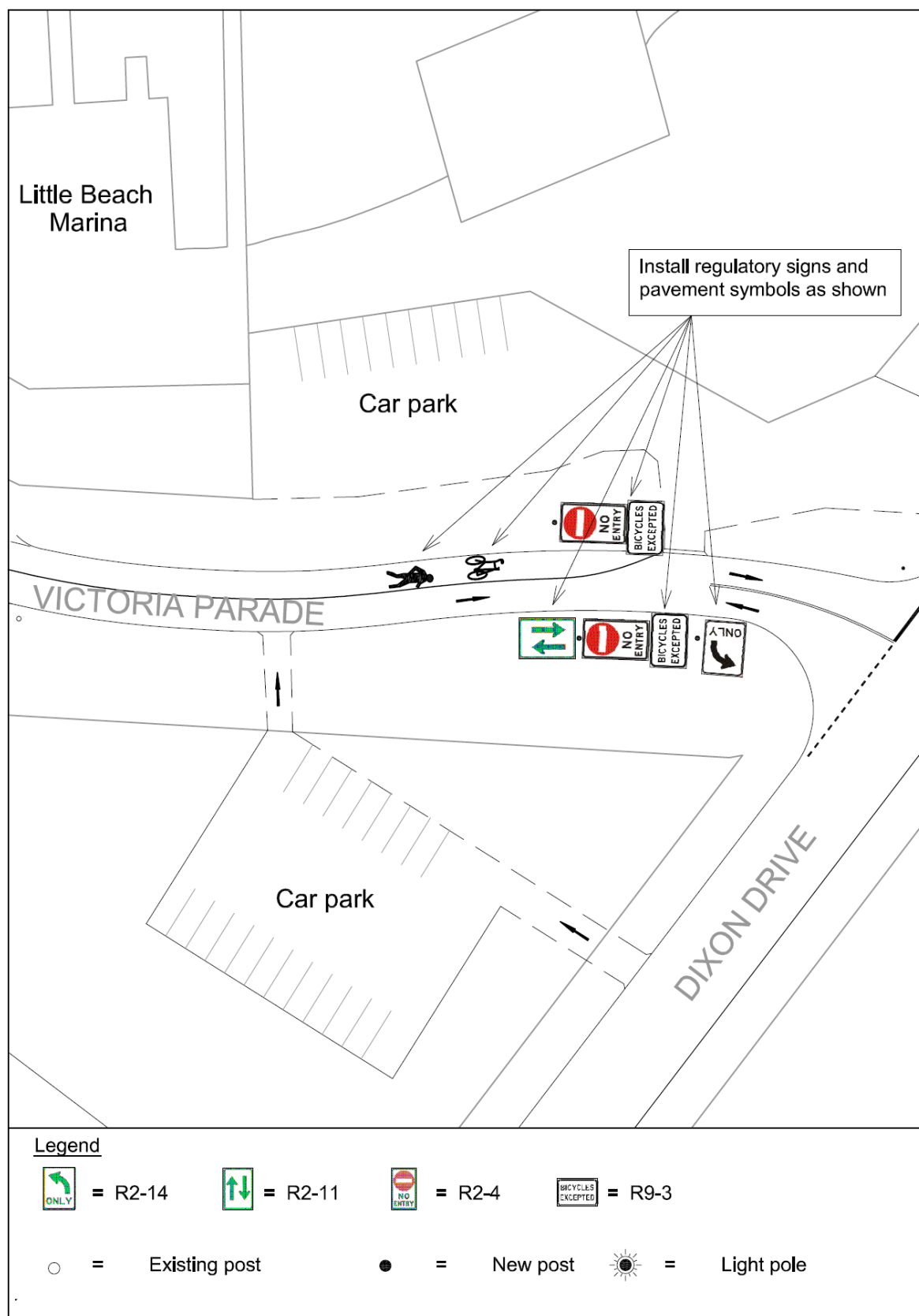
1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

# MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PORT STEPHENS TRAFFIC COMMITTEE  
Tuesday 4 February 2014

ITEM NO. 03\_02/14  
Street: Victoria Parade

ANNEXURE A  
Page 1 of 1



**C.4    Item:   04\_02/14****JAMES PATERSON STREET ANNA BAY - REQUEST FOR INSTALLATION OF BUS ZONE AND NO STOPPING SIGNS AT BIRUBI HEADLAND**

**Requested by:**    Port Stephens Council

**File:**                CRM 172033/2013

**Background:**

The new Birubi Surf Club is now complete and operating. Some minor alteration of parking restrictions is required to assist with traffic flow.

**Comment:**

There is now an indented bus drop-off area adjacent to the new club house which needs to be identified as a bus zone. There is also a new accessible parking area and 'No Stopping' areas that need to be formalised. Traffic Inspection Committee members noted that at the time of inspections there were large numbers of vehicles illegally parked in the area.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules – Rule 167 – No stopping signs, Rule 179 – Stopping in a loading zone, Rule 183 – Stopping in a bus zone, Rule 203 - Stopping in a parking area for people with disabilities

RMS signs database –R5-400, R5-20, R5-1-3, R5-23

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

**Recommendation to the Committee:**

Approve installation of the bus zone, accessible parking, loading zone and 'No Stopping' at Birubi Headland, as shown on the attached sketch, Annexure A.

**Discussion:**

**Support for the recommendation:**

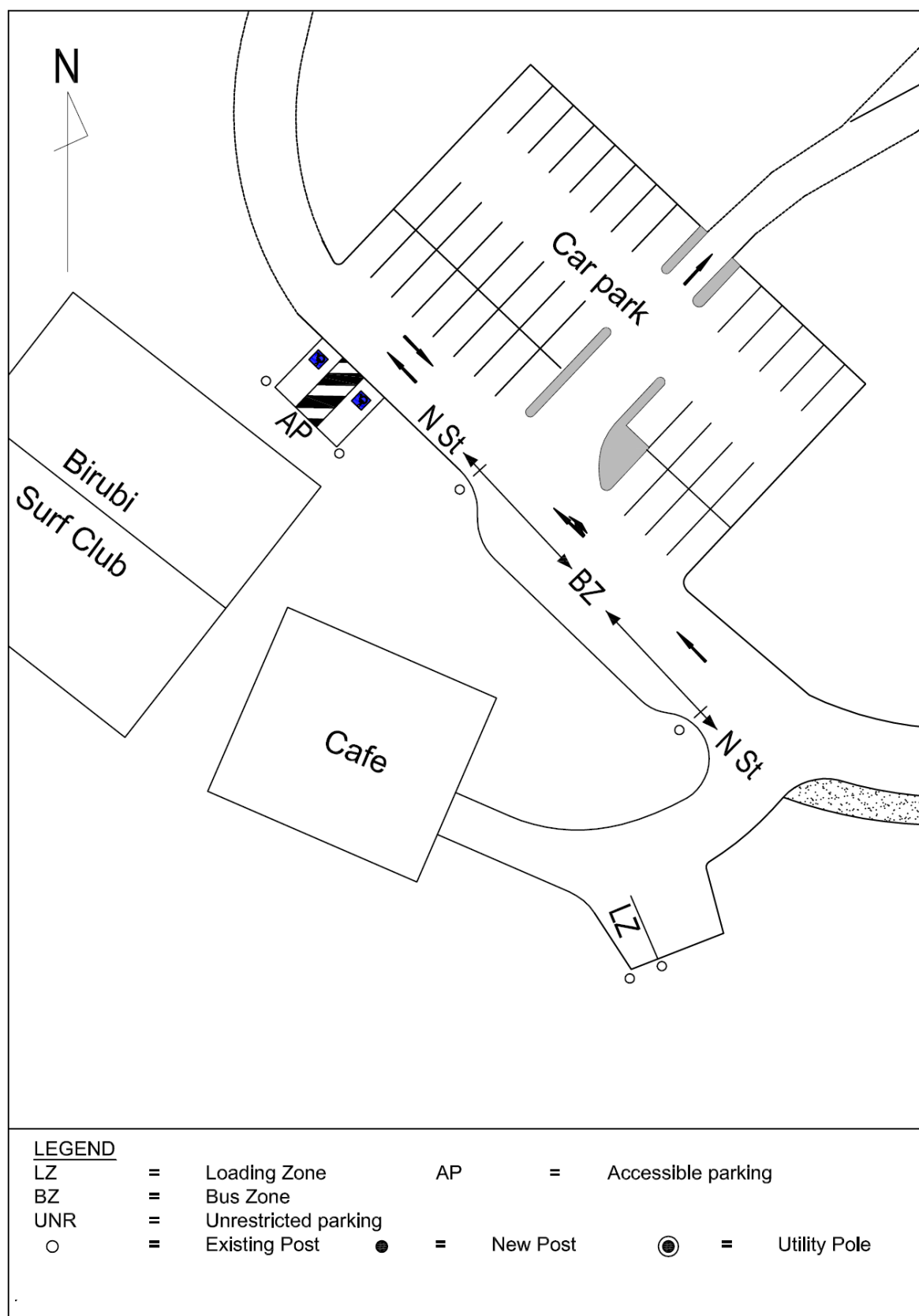
1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

# MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PORT STEPHENS TRAFFIC COMMITTEE  
Tuesday 4 February 2014

ITEM NO. 04\_02/14  
Street: James Paterson Street

ANNEXURE A  
Page 1 of 1



**C.5    Item:   05\_02/14****BURBONG STREET NELSON BAY - REQUEST FOR INSTALLATION OF NO STOPPING RESTRICTIONS AT DUTCHMANS BEACH RESERVE CAR PARK**

**Requested by:**    Port Stephens Council

**File:**                PSC2005- 4189/167

**Background:**

Council rangers have requested installation of 'No Stopping' restrictions in the car park at Dutchies Beach car park.

**Comment:**

The car park area has angle parking along the beach front and a single entry/exit road to Burbong Street. Problems arise during peak times when vehicles are parked parallel along the car park fence, restricting access for the angle-parked vehicles.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules – Rule 167 – No stopping signs

RMS signs database –R5-400,

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

**Recommendation to the Committee:**

Install 'No Stopping' signs in the Dutchmans Beach Reserve car park, as shown on the attached sketch, Annexure A.

**Discussion:**

**Support for the recommendation:**

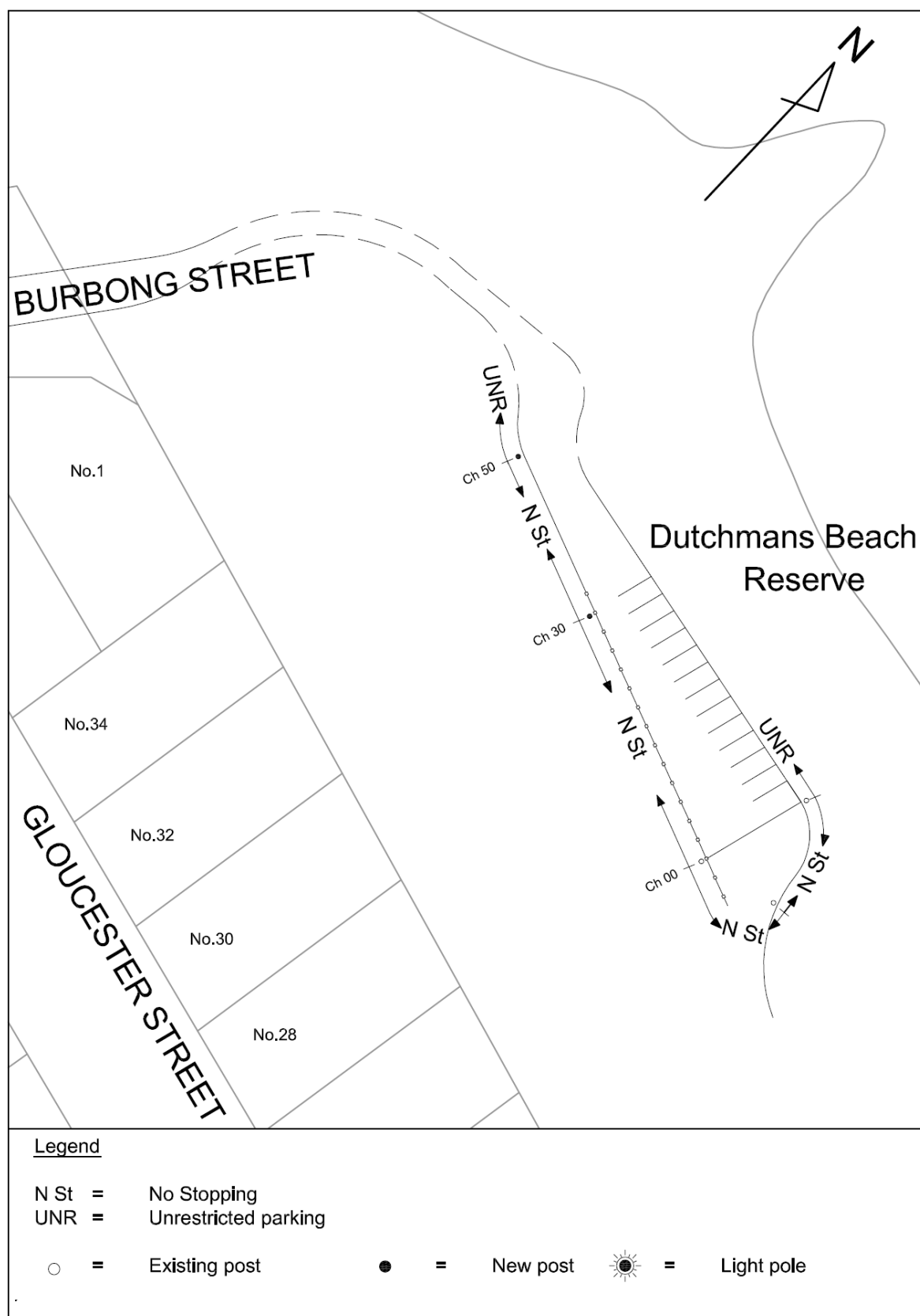
1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

# MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PORT STEPHENS TRAFFIC COMMITTEE  
Tuesday 4 February 2014

ITEM NO. 05\_02/14  
Street: Burbong Street

ANNEXURE A  
Page 1 of 1



**C.6    Item:   06\_02/14****SHOAL BAY ROAD SHOAL BAY - REQUEST FOR INSTALLATION OF NO STOPPING LINE**

**Requested by:**     Port Stephens Council

**File:**                 PSC2005- 4189/166

**Background:**

Council rangers have requested installation of 'No Stopping' restrictions in Shoal Bay Road to prevent parked vehicles restricting traffic flow.

**Comment:**

The area concerned is opposite the exit from Lillian Street where Shoal Bay Road is quite narrow. At peak times people have been parking at the kerb between the angle parking sections, restricting traffic flow to a single lane.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules – Rule 169 - No stopping on a road with a yellow edge line  
RMS Delineation Guidelines – Section 13 – Pavement markings for kerbside parking restrictions

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

**Recommendation to the Committee:**

Install yellow 'No Stopping' lines between the angle parking bays along Shoal Bay Road Shoal Bay, as shown on the attached sketch, Annexure A.

**Discussion:**

**Support for the recommendation:**

1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

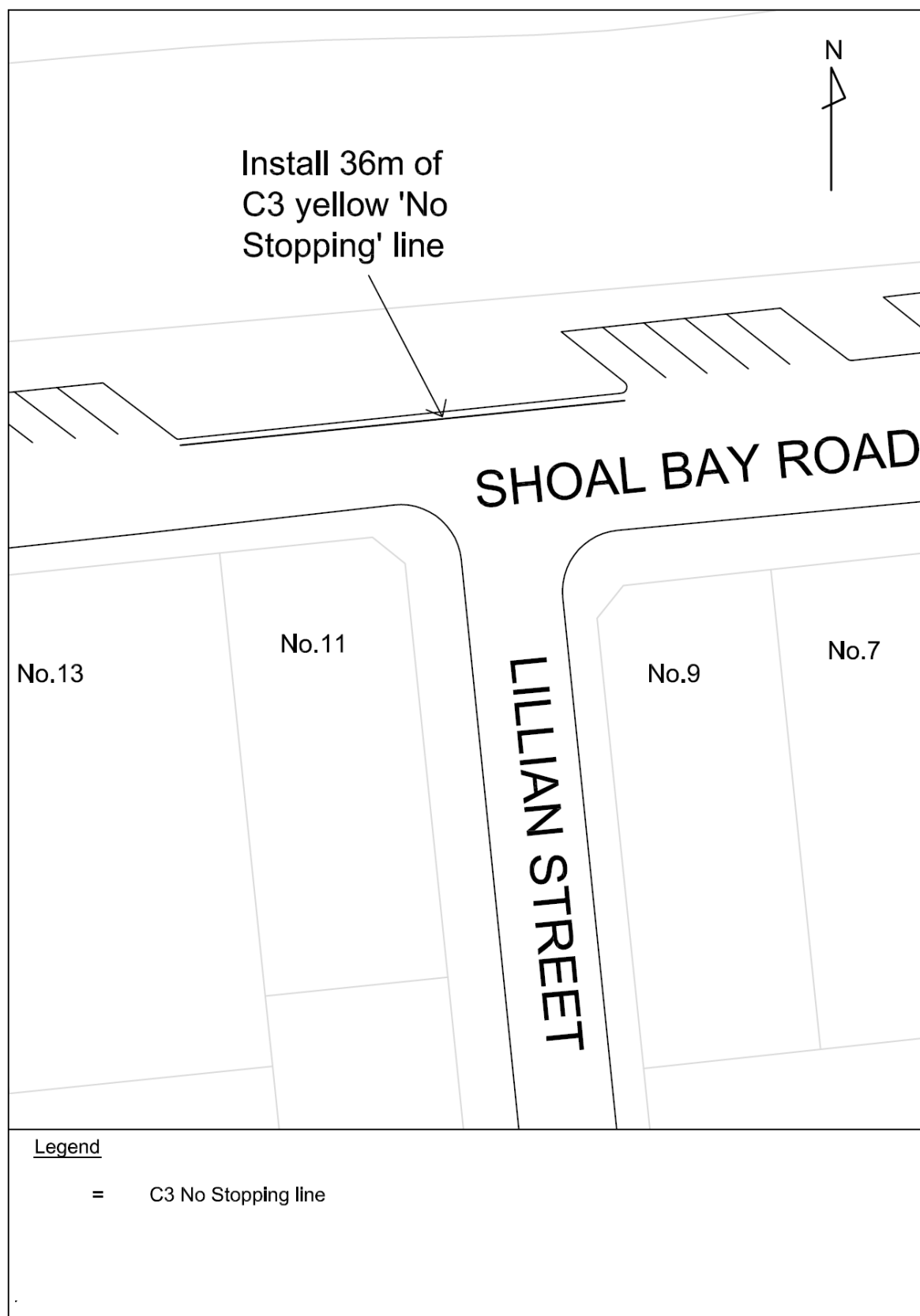


MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

PORT STEPHENS TRAFFIC COMMITTEE  
Tuesday 4 February 2014

ITEM NO. 06\_02/14  
Street: Shoal Bay Road

ANNEXURE A  
Page 1 of 1



**C.7    Item:   07\_02/14****IRRAWANG STREET RAYMOND TERRACE - SAFETY CONCERNS AT THE CHILDREN'S CROSSING AT ST BRIGIDS SCHOOL**

**Requested by:**    Port Stephens Council

**File:**                622\_12/13

**Background:**

Staff at the Raymond Terrace Combined OSHC at Boomerang Park have requested safety improvements at the children's crossing at Irrawang Street Raymond Terrace.

**Comment:**

The initial requests to remove the pedestrian refuge and right turn lane and install kerb extensions or to install a raised pedestrian crossing are not possible at this location given the traffic and pedestrian volumes and the width of road involved. The recommendation from Traffic Committee inspections is to improve sight distance at the crossing by increasing the 'No Stopping' distance on the northern approach.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules – Rule 167 – No stopping signs

RMS signs database –R5-400,

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

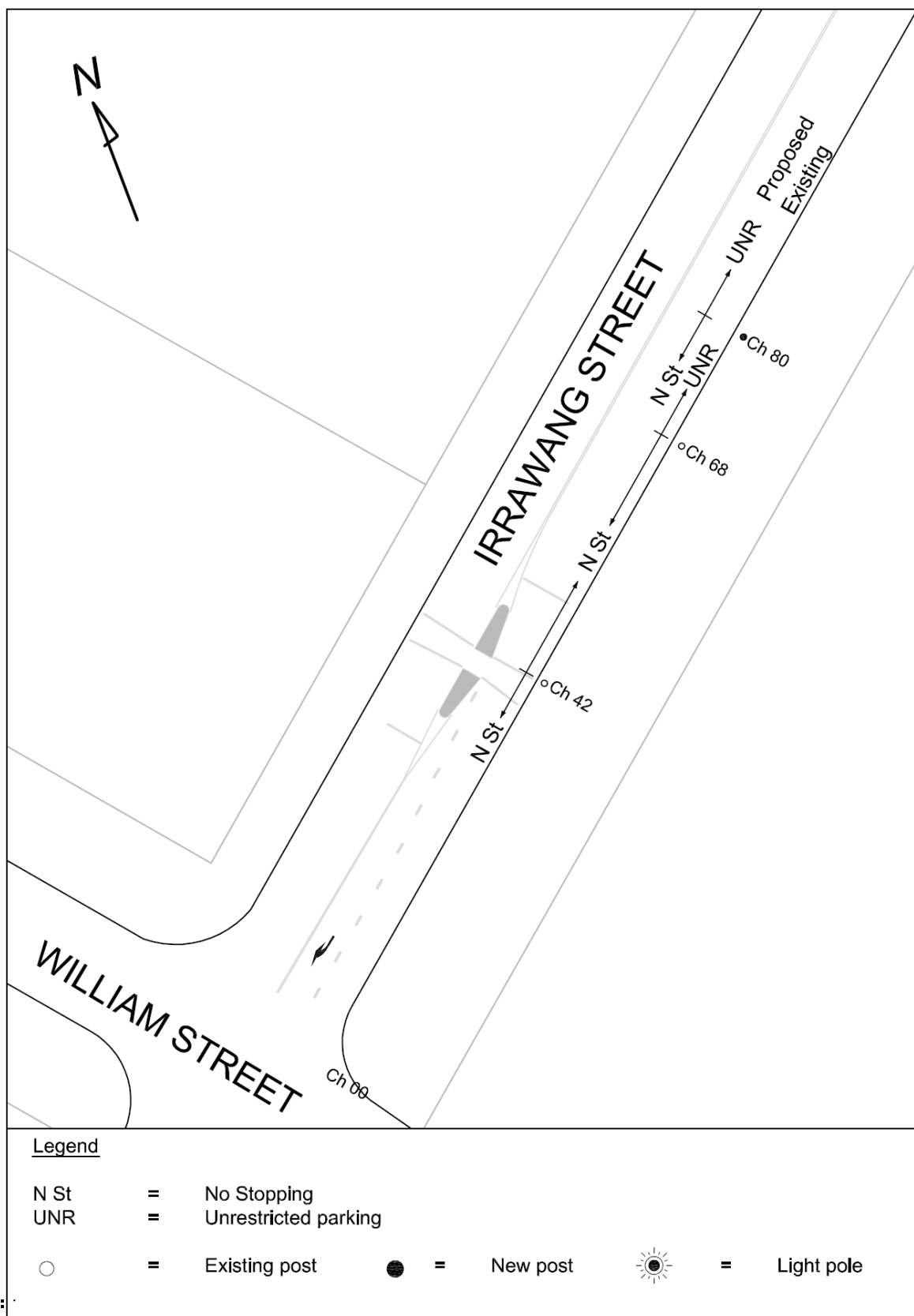
**Recommendation to the Committee:**

Relocate the 'No Stopping' sign on the eastern side of Irrawang Street Raymond Terrace, 12m further from the children's crossing at St Brigid's school, as shown on the attached sketch, Annexure A.

**Discussion:**

**Support for the recommendation:**

1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	



**C.8    Item:   08\_02/14****BOULDER BAY ROAD FINGAL BAY – REQUEST FOR ONE-WAY TRAFFIC IN THE UNNAMED LANEWAY BETWEEN BOULDER BAY ROAD AND MARKET STREET****Requested by:**    Port Stephens Council**File:**                PSC2009-00502/033**Background:**

This item stems from a request from local business operators to remove the 'No Stopping' restrictions on Boulder Bay Road in front of Port Stephens Tyres and the bottleshop. Traffic Committee has in the past, refused requests for removal of the 'No Stopping' restrictions due to safety concerns brought about through poor sight distance for vehicles exiting the laneway behind Market Street.

**Comment:**

The sight distance issues would be addressed by making the unnamed laneway into a one-way street with entry only from Boulder Bay Road.

Consultation has been undertaken with property owners and business operators in the area regarding this proposal. Responses received by Council generally supported the proposal however strong concerns were expressed by some respondents with regard to the operations of the business on the corner of the laneway and the likelihood of access being blocked by parked vehicles and goods being stored in the lane.

Copies of the responses received are attached for information.

**Legislation, Standards, Guidelines and Delegation:**

NSW Road Rules – Rule 167 – No stopping signs

RMS signs database –R5-400,

Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

**Recommendation to the Committee:**

For discussion

**Discussion:**

This item was deferred due to the absence of several Traffic Committee members.

**Support for the recommendation:**

1	Unanimous	
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

**D. INFORMAL MATTERS**

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**E. GENERAL BUSINESS**

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**E.1 Item: 601\_02/14**

**BRANDY HILL DRIVE BRANDY HILL – SAFETY CONCERNS REGARDING BUS STOPS**

**Requested by:** A resident

**Background:**

**Discussion:**

**Committee's recommendation:**

Deferred

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**E.2 Item: 602\_02/14**

**STURGEON STREET RAYMOND TERRACE – REQUEST FOR ACCESSIBLE PARKING IN THE RAYMOND TERRACE TOWN CENTRE**

**Requested by:** Cr Kafer

**Background:**

Cr Kafer raised concerns about the difficulty experienced finding suitable accessible parking for mini-buses around the Raymond Terrace town centre.

**Discussion:**

It was discussed that Council has concept plans to include a zone for smaller buses in a redevelopment of part of the parking area in The Close. This will be included in the broader Raymond Terrace Master Plan currently being developed.

Traffic Committee members discussed dedicating a suitable space in the council car park at the YMCA. This would require negotiation with the asset owner.

**Committee's recommendation:**

Council officers to investigate options and report back to Traffic Committee.

ITEM NO. 6

FILE NO: PSC2013-00717

**SUSTAINABILITY REVIEW – PORT STEPHENS COMMUNITY OPTIONS**

**REPORT OF: STEVEN BERNASCONI – COMMUNITY SERVICES SECTION MANAGER**  
**GROUP: FACILITIES AND SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Note the information in the Service Strategy – Community Options and endorse the findings of the review **(TABLED DOCUMENTS 1 AND 2)**;
- 2) Cease auspice of Port Stephens Community Options by and no later than 30 June 2015 when the current funding agreements expire.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014**  
**COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Chris Doohan</b> <b>Councillor Ken Jordan</b>
	That the recommendation be adopted.

**MOTION**

<b>061</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council:  <ol style="list-style-type: none"><li>1) Note the information in the Service Strategy – Community Options and endorse the findings of the review (TABLED DOCUMENTS 1 AND 2);</li><li>2) Cease auspice of Port Stephens Community Options by and no later than 30 June 2015 when the current funding agreements expire.</li></ol>

**BACKGROUND**

The purpose of this report is to present the outcomes of the sustainability review for Community Options and seek endorsement of the recommendations contained in the Service Strategy Community Options **(TABLED DOCUMENT 1)**.

The service links to the Community Strategic Plan specifically:  
2.1.1.3 and 3.1.1.2 – "Supply in home care services through Port Stephens Community Options"

Port Stephens Community Options is a government funded program that brokers in home care support services to people with disabilities and the aged. The program services around 60 clients and operates with an EFT of 2.68. Adopting the recommendations will see the Community Options funded programs transitioned to another agency via new agreement between the agencies and the funding bodies.

Further information is detailed in the Service Strategy Annexure Community Options **(TABLED DOCUMENT 2)**.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The service is subsidised by general revenue by 22% or \$113,174. This amount relates to the corporate overhead allocation for the program. Adopting the recommendations will result in this corporate overhead being redistributed across the organisation thus there will be a nil net impact to Council. Refer to TABLED DOCUMENT 1 "Recommendations" for details.

Adopting the recommendations will result in Council not renewing the funding agreements with the Australian and New South Wales Governments after June 2015.

The Community Options team has an EFT of 2.68. Adopting the recommendations will result in these positions being made redundant should no redeployment options be available within the organisation. This would result in a one off cost pay out for staff entitlements of approximately \$56,000.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes	513,874	Total expenditure plus corporate overheads with overheads being 23%
Reserve Funds	No		
Section 94	No		
External Grants	Yes	(400,700)	Grant funds from Australian and New South Wales governments plus user fees
Other	No		

### **LEGAL, POLICY AND RISK IMPLICATIONS**

There are no legal impediments to adopting the recommendations however the following legal matter must be considered:

The Community Options Team has an EFT of 2.68. At present this is made up of 1.68 EFT permanent and 1 EFT temporary contract. Should Council adopt a recommendation to reduce or cease the internal provision of Community Options then the conditions of the Port Stephens Council Enterprise Agreement Clause 28 will come into effect. This clause establishes Council's duty to notify affected staff and relevant Unions regarding an intention to introduce major changes to programs, sets

out duties of the parties, establishes procedures to be followed and conditions relating to staff redeployment or redundancies. Redundancies could incur costs of up to 39 weeks ordinary pay for each employee displaced.

There are no policy implications in adopting the recommendations. Identified risks are outlined in the table below:

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that ceasing to auspice the service prior to the end of the current agreement in June 2015 may result in legal damage from the breaking of the contract	Low	Continue to liaise with the funding bodies to determine the most appropriate time to transition the agreement to another service provider.	Yes
There is a risk that ceasing to auspice the service may result in reputation damage from clients and the wider community perceiving Council as backing out of an important social service	Low	Communication with clients on the process involved in transitioning to another provider will be coordinated to ensure clients and their families are fully informed of the changes.  Factual information on the reduced involvement of local government and the subsequent increased involvement of non-government organisations in aged and disability services will allay the concerns of most people.	Yes
There is a risk that rejecting the recommendations may result in Council continuing to auspice the service under a structure that is not resilient to the legislative and industry changes that are occurring resulting in a higher cost	Medium	Adopt the recommendations	Yes



service and a greater call on general revenue subsidy.			
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## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

There are no ecological implications associated with adopting the recommendations.

The local economy will be marginally improved by way of the reallocation of the Community Options funding agreements to other agencies.

Socially, the clients of Community Options will not be adversely affected as the agreements to provide the services will be handed back to the funding bodies in a time frame that will allow new service providers to be secured and transition of clients to occur.

## **CONSULTATION**

Executive Leadership Team, Human Resources Manager, Community Option Coordinator, Community Options Case Worker, Consultative Committee, Contracts and Services Coordinator, contract coordinator from NSW Family and Community Services Ageing and Disability Home Care, Two Way Conversation with Councillors on 18 March 2014.

## **OPTIONS**

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

## **ATTACHMENTS**

Nil.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

- 1) Service Strategy Community Options and Service Strategy Annexure Community Options.

ITEM NO. 7

FILE NO: PSC2009-02488

## POLICY REVIEW: BUDGET CONTROL AND AUTHORISATION POLICY

REPORT OF: TIM HAZELL – FINANCIAL SERVICES SECTION MANAGER

GROUP: CORPORATE SERVICES

### RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the amendments to the Budget Control and Authorisation policy shown at **(ATTACHMENT 1)**;
- 2) Place the Budget Control and Authorisation policy, as amended on public exhibition of a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council;
- 3) Revoke the Budget Control and Authorisation policy dated 20 September 2011 (Min No. 349), should no submissions be received.

### ORDINARY COUNCIL MEETING – 25 MARCH 2014 COMMITTEE OF THE WHOLE RECOMMENDATION

	<b>Councillor Ken Jordan</b> <b>Councillor Steve Tucker</b>
	That the recommendation be adopted.

### MOTION

<b>062</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	<p>It was resolved that Council:</p> <ol style="list-style-type: none"> <li>1) Endorse the amendments to the Budget Control and Authorisation policy shown at <b>(ATTACHMENT 1)</b>;</li> <li>2) Place the Budget Control and Authorisation policy, as amended on public exhibition of a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council;</li> <li>3) Revoke the Budget Control and Authorisation policy dated 20 September 2011 (Min No. 349), should no submissions be received.</li> </ol>

**BACKGROUND**

The purpose of this report is to review the Budget Control and Authorisation policy, adopted by Council on 21 July 1998 (Min No.336) and last amended on 20 September 2011 (Minute number 349).

The objective of the Policy is to ensure that all Council expenditure is legally authorised and that effective systems of budgetary control are in place to monitor and report on actual income and expenditure compared with budgeted income and expenditure.

The Policy was developed in accordance with Council's Community Strategic plan and in particular, Section 15.1.1.4 of its Operational plan.

No significant amendments to the policy are proposed.

**FINANCIAL/RESOURCE IMPLICATIONS**

The implementation of this Policy ensures that all Council expenditure is legally authorised and ensures the sound financial management of Council's assets.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		Resources required to review this policy are covered within existing budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

Implementation of the Budget Control and Authorisation policy ensures that all Council expenditure is authorised under the provisions contained in the Local Government Act 1993 and the Local Government (General) Regulations 2005.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that Council's legal responsibilities will not be met if the policy is not implemented which	Medium	Adopt the Budget Control and Authorisation policy.	Yes

could cause financial and/or reputational damage.			
There is a risk that failing to effectively monitor and control actual income and expenditure in conjunction with budgeted income and expenditure could compromise Council's financial position.	Medium	Adopt the Budget Control and Authorisation policy.	Yes.

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications.

Council's budget is fundamental for operational sustainability and to the provision of facilities and services to the community.

**CONSULTATION**

- 1) Council's Financial Analysis team.

**OPTIONS**

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

**ATTACHMENTS**

- 1) Budget Control and Authorisation policy.

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

ATTACHMENT 1



POLICY

Adopted: 21 July 1998  
Minute No: 336  
Amended: 20 September 2011  
Minute No: 349

**FILE NO:** PSC2009-02488

**TITLE:** BUDGET CONTROL AND  
AUTHORISATION POLICY

**RESPONSIBLE OFFICER:** FINANCIAL SERVICES  
**SECTION MANAGER**

**BACKGROUND**

On the ~~20<sup>th</sup> December 2005~~ 20 September 2011, Council adopted a Budget Control and Authorisation policy Minute No. ~~384~~ 349. Council is committed to ensuring the allocation of its resources is responsible and appropriate.

**OBJECTIVE**

- 1) To ensure that all Council expenditure is legally authorised and that effective systems of budgetary control are in place to monitor and report on actual income and expenditure compared with budgeted income and expenditure.

**PRINCIPLES**

- 1) The elected Council is responsible for the allocation of Council's resources for the benefit of the area (Section 232 Local Government Act 1993).
- 2) Council cannot delegate its authority to vote money for expenditure on works, services and facilities (Section 377 Local Government Act 1993).
- 3) The Council is responsible to regularly review and monitor its financial performance (Section 232 Local Government Act 1993).

Insert: Policy

Delete: Section

Delete: 20<sup>th</sup> December 2005

Insert: 20 September 2011

Delete: 384

Insert: 349

- 4) The General Manager is responsible for the efficient and effective allocation of resources and ensuring appropriate policies and delegations of authority (Section 335 Local Government Act 1993).
- 5) Responsible budget officers are responsible for carrying out activities within their area of responsibility in accordance with their delegations from the General Manager.

#### POLICY STATEMENT

##### General

- 1) Each year, Council will approve estimated income and expenditure for works and services as detailed in the Community ~~Integrated~~ Strategic plan. The estimates will be submitted to Council in the form of a 10-year Long Term Financial plan. ~~However, they will be supported by detailed estimates at activity (prime job number) level.~~ For the purposes of the Local Government (General) Regulation 2005, Council will be deemed to have approved the budget at section level.
- 2) No employees shall incur a liability unless Council has approved such expenditure, and they must have the necessary authority delegated to incur a liability on behalf of Council.
- 3) As the Responsible Accounting officer, the General Manager is to ensure:
  - that appropriate budgeting and accounting systems (including internal control systems) are established and maintained;
  - that a system of budgetary control is established and maintained that will enable Council's actual income and expenditure to be monitored each month and to be compared with the estimate of Council's income and expenditure. If any instance arises, where the actual income or expenditure of the Council is materially different from its estimated income or expenditure, the General Manager must report the instance to the next meeting of Council.

Insert: detailed in the  
Community  
Delete: Integrated

Delete: However, they will  
... (prime job number)  
level.

Voting and Authorising new Expenditure

- 1) The voting and authorising of additional expenditure not included in the original budget is the statutory responsibility of Council and cannot be delegated to the General Manager or any other person. This requirement is valid irrespective of whether new items of expenditure are offset by additional income not included in the original estimates.
- 2) Council authority for such new items are to be obtained by either:
  - including details in a Quarterly Budget review; or
  - in a separate report to Council.
- 3) To ensure that all decisions by Council, have taken into account the overall impact on the budget and Council priorities:
  - Reports to standing committees are to include recommendations from the relevant section manager, of the impact on the current or future budgets.
  - The funding/budget implications will be referred to the a Council Committee meeting as part of the Quarterly Budget Review Statement, with a recommendation from the Executive Leadership team based on a corporate assessment of overall budget implications and priorities.
  - ~~The Committee will then make a recommendation to Council, after considering the full budgetary implications of all proposals, based on overall planning priorities and budget/financial implications.~~

Delete: to standing committees

Delete: the  
Insert: a  
Delete: Committee

Delete: The Committee will then ... financial implications.

Transferring Votes

- 1) The General Manager has delegated authority to approve the transfer of votes, within the same group, up to a maximum of \$10,000. Such transfers and the reasons for the transfers are to be included in the next Quarterly Budget Review Statement.
- 2) The transfer of votes between groups must be submitted to Council for approval.
- 3) The transfer of votes within groups for amounts in excess of \$10,000 or between operational and capital, must be submitted to Council for approval.

Budget Reviews

- 1) The General Manager will prepare and submit to Council a Quarterly Budget Review Statement within two months ~~weeks~~ of the end of each quarter.
- 2) The Quarterly Budget Review Statement will show the actual income and expenditure at the end of the quarter and a revised estimate of income and expenditure for the year.
- 3) The Quarterly Budget Review Statement will itemise any votes transferred within the same group during the period under delegated authority, as well as any additional votes or transfers that require Council approval.
- 4) The Quarterly Budget Review Statement must include a report as to whether the General Manager believes that the Statement indicates if Council's financial position is satisfactory or unsatisfactory and recommendations for remedial action if necessary.
- 5) The Quarterly Budget Review Statement must include a report that provides sufficient information to alert Council to any issues or potential problems that may impact its ability to achieve stated financial targets.
- 6) The Quarterly Budget Review Statement must include a report that provides sufficient information to inform Council as to whether Council's Capital Works program is on track to deliver the projects outlined in its Asset Management plan.

Delete: weeks

Insert: information

Unexpended Votes (Revotes)

- 1) All approvals and votes lapse at the end of the financial year or whenever ~~the~~ Council's term of office ends. However, this does not apply to approvals and votes relating to:
  - work carried out, work in progress or contracted to be carried out;
  - any service provided, or contracted to be provided;
  - goods and materials provided, or contracted to be provided;
  - facilities provided, or contracted to be provided before the term of office of the Council ends.

Delete: the



- 2) The General Manager will be responsible to determine if the criteria in one above will apply and to authorise the carrying forward of a vote into the next financial year. ~~He~~ The General Manager will submit a report to Council detailing these carried forward votes. ~~as part of the June Quarterly Budget Review.~~
- 3) Once an approval or vote has lapsed, it can only be reinstated by a resolution of the Council. In the case of a newly elected Council, a report will be submitted to the first meeting of ~~the~~ Council recommending the approval and voting of expenditure to enable the day-to-day operations of Council to continue. In the case of votes unexpended at the end of the financial year, a report is to be submitted to Council itemising the lapsed votes that in the opinion of the General Manager, should be revoted for the next period.

Delete: He  
Insert: The General Manager  
Delete: as part of the June Quarterly Budget Review.

Delete: the

#### **RELATED POLICIES**

- 1) Nil.

#### **SUSTAINABILITY IMPLICATIONS**

#### **SOCIAL IMPLICATIONS**

~~Nil.~~ Council's budget is fundamental for operational sustainability and for the provision of facilities and services to the community.

Delete: Nil  
Insert: Council's budget is fundamental ... to the community.

#### **ECONOMIC IMPLICATIONS**

Council's budget is fundamental for operational sustainability and to the provision of facilities and services to the community.

#### **ENVIRONMENTAL IMPLICATIONS**

Nil.

#### **RELEVANT LEGISLATIVE PROVISIONS**

- 1) Local Government Act 1993;
- 2) Local Government Act (General) Regulation 2005.

**IMPLEMENTATION RESPONSIBILITY**

- 1) ~~Commercial Services Group~~ Financial Services Manager.

**PROCESS OWNER**

- 1) Financial Services Manager.

**REVIEW DATE**

- 1) ~~Two years from adoption~~ 11 March 2016.

Delete: Commercial Services Group  
Insert: Financial Services Manager

Insert: Process Owner  
Insert: 1) Financial Services Manager

Delete: Two years from adoption  
Insert: 11 March 2016.

**ITEM NO. 8****FILE NO: PSC2009-02488****ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY****REPORT OF: TIM HAZELL – FINANCIAL SERVICES SECTION MANAGER****GROUP: CORPORATE SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the Asset Disposal (other than property) policy shown at **(ATTACHMENT 1)**;
- 2) Place the Asset Disposal (other than property) policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted without a further report to Council.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014  
COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Morello</b> <b>Councillor Steve Tucker</b>
	That the recommendation be adopted.

**MOTION**

<b>063</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council: <ol style="list-style-type: none"><li>1) Endorse the Asset Disposal (other than property) policy shown at <b>(ATTACHMENT 1)</b>;</li><li>2) Place the Asset Disposal (other than property) policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted without a further report to Council.</li></ol>

**BACKGROUND**

The purpose of this report is to provide Council with the draft Asset Disposal (other than property) policy.

The Asset Disposal (other than property) policy is required to ensure the disposal of Council assets is ethical, transparent and accountable. The Policy is supported by the Asset Disposal (other than property) management directive that prescribes the considerations and processes to be applied in the disposal of Council owned assets.

The Asset Disposal (other than property) policy has been written in accordance with Council's Community Strategic plan and in particular section 15.1.1.3 of its Operational plan.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The principles of the Asset Disposal (other than property) policy require Council officials (Councillors, staff and delegates of Council) to disposal of assets in a suitable public marketplace that maximises Council's financial returns.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		The policy was created as part of the end-to-end contractor PDSA project, which was funded within the existing budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

### **LEGAL, POLICY AND RISK IMPLICATIONS**

Council's asset disposal principles are to achieve the best value for money whilst being ethical, transparent and accountable. They promote fairness and competition. This Policy mirrors Council's principles. Adopting the recommendations will thereby reduce potential legal ramifications.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that Council will fail to maximise its return from asset sales.	Medium	Adopt the Asset Disposal (other than property) policy to guide the organisation.	Yes
There is a risk that fraud and corruption will occur, leading to financial and reputational loss.	Medium	Adopt the Asset Disposal (other than property) policy to guide the organisation.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The disposal of assets by resale supports Council's environmental sustainability principles.

## **CONSULTATION**

Research was undertaken and consultations conducted with key system stakeholders, the majority of which were customers, but also included suppliers, process experts and naïve participants. This Policy was created as part of the overall Sustainability Review process. General discussions held with Volunteer Coordinator, Executive Officer, Contracts and Services Coordinator, Waste Management Coordinator and ICT Coordinator.

## **OPTIONS**

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

## **ATTACHMENTS**

- 1) Draft Asset Disposal (other than property) policy.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

**ATTACHMENT 1**



**DRAFT POLICY**

Adopted:  
Minute No:  
Amended:  
Minute No:

**FILE NO:** PSC2009-02488

**TITLE:** ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY

**RESPONSIBLE OFFICER:** FINANCIAL SERVICES MANAGER

**BACKGROUND**

The Asset Disposal (other than property) policy is required to ensure that the disposal of Council assets is ethical, transparent and accountable. The Policy is supported by the Asset Disposal management directive that prescribes the considerations and processes to be applied in the disposal of Council owned assets.

**OBJECTIVE**

- 1) The objectives of this Policy are to provide a systematic and accountable method to Council officials (Councillors, staff and delegates of Council) for the disposal of surplus assets, excluding real property, and to ensure the process is transparent and complies with Council's Code of Conduct and Statement of Business Ethics.

**PRINCIPLES**

This Policy has been written considering the following principles:

- 1) High standards of behaviour and ethics are required of all parties to asset disposal activities;
- 2) Asset disposal activities aim to be efficient, effective and balance risk and total cost;
- 3) Due economy shall be exercised in all asset disposal decisions;
- 4) Asset disposal decisions shall consider relevant evaluation criteria including environmental sustainability, the support of registered disability employers and the support of local industry.

#### **POLICY STATEMENT**

- 1) Surplus assets will be disposed of in a cost effective manner that complies with relevant regulations in a fair, transparent, environmentally sustainable manner to maximise financial return to Council.
- 2) Prior to the disposal, assets will be reviewed concerning whether they have alternate uses within Council, contain hazardous materials or identifying marks.
- 3) Council has adopted a Statement of Business Ethics that sets out the high ethical standards expected of Council officials and delegates, contractors, and business associates.

#### **RELATED POLICIES**

- 1) Code of Conduct;
- 2) Procurement policy;
- 3) Fraud and Corruption Control policy;
- 4) Statement of Business Ethics.

#### **SUSTAINABILITY IMPLICATIONS**

#### **SOCIAL IMPLICATIONS**

Council has a leadership role to play in areas of ethical and environmentally sustainable asset disposal.

#### **ECONOMIC IMPLICATIONS**

All proceeds of the sale of assets are returned as Council revenue.

#### **ENVIRONMENTAL IMPLICATIONS**

Environmentally sustainable asset disposal results in minimisation of unnecessary purchasing, waste minimisation, water and energy saving, pollution minimisation, avoidance of toxic chemicals, reduction in greenhouse gases and decision making that incorporates biodiversity and conservation objectives.

#### **RELEVANT LEGISLATIVE PROVISIONS**

- 1) Local Government Act 1993:
  - o S.23A Director General's Guidelines – Tendering Guidelines for NSW Local Government October 2009
  - o S.55 tendering requirements
- 2) Local Government (General) Regulation 2005:
  - o Part 7 Tendering
- 3) Competition and Consumer Act 2010 (Cth);
  - o Part IV Restrictive Trade Practices

**IMPLEMENTATION RESPONSIBILITY**

- 1) Financial Services Manager.

**PROCESS OWNER**

- 1) Contracts Coordinator.

**REVIEW DATE**

- 1) 11 March 2016.



**ITEM NO. 9****FILE NO: PSC2009-02488****PROCUREMENT POLICY****REPORT OF: TIM HAZELL – FINANCIAL SERVICES SECTION MANAGER****GROUP: CORPORATE SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the draft Procurement policy shown at **(ATTACHMENT 1)**;
- 2) Place the draft Procurement policy on public exhibition for a period of 28 days and should no submissions be received, the draft Procurement policy be adopted without a further report to Council.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014****COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Steve Tucker</b> <b>Councillor Paul Le Mottee</b>
	That the recommendation be adopted.

**MOTION**

<b>064</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council:  <ol style="list-style-type: none"><li>1) Endorse the draft Procurement policy shown at <b>(ATTACHMENT 1)</b>;</li><li>2) Place the draft Procurement policy on public exhibition for a period of 28 days and should no submissions be received, the draft Procurement policy be adopted without a further report to Council.</li></ol>

**BACKGROUND**

The Procurement policy is required to ensure Council's procurement is ethical, transparent and accountable and is supported by the Procurement management directive. This Policy compliments Council's Sustainable Procurement policy by providing principles and standards of behaviour to ensure products and services purchased by Council best meets the needs of users and the local community in its widest sense.

The Procurement policy has been written in accordance with Council's Community Strategic plan and in particular Section 15.1.1.3 of its Operational plan.

## **FINANCIAL/RESOURCE IMPLICATIONS**

The Procurement policy prescribes economical, efficient and effective procurement.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		The policy was created as part of the end-to-end contractor PDSA project, which was funded within the existing budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

## **LEGAL, POLICY AND RISK IMPLICATIONS**

The Procurement policy is written in accordance with the Local Government Act 1993; the Local Government (General) Regulation 2005 and Council's Sustainable Procurement policy.

Council's Procurement principles are to achieve the best value for money whilst being ethical, transparent and accountable. They promote fairness and competition. This policy mirrors Council's principles. Adopting the recommendation will thereby reduce potential legal ramifications.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that Council will fail to secure goods and services at the most competitive price.	Medium	Adopt the Procurement policy to guide the organisation.	Yes
There is a risk that fraud and corruption will occur leading to financial and reputational loss.	Medium	Adopt the Procurement policy to guide the organisation.	Yes

## **SUSTAINABILITY IMPLICATIONS**

The policy prescribes a preference for local suppliers thereby supporting the local economy.

Council is committed to environmental sustainability and has a separate Sustainable Procurement policy, which defines that commitment.

## **CONSULTATION**

Research was undertaken and consultations conducted with key system stakeholders, the majority of which were customers, but also included suppliers, process experts and naive participants. This policy was created as part of the overall Sustainability Review process. Preliminary conversations with Committee Co-ordinators has taken place and information will be disseminated to committees and volunteers.

## **OPTIONS**

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

## **ATTACHMENTS**

- 1) Draft Procurement policy.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

**ATTACHMENT 1**



**DRAFT POLICY**

Adopted:  
Minute No:  
Amended:  
Minute No:

**FILE NO:** PSC2009-02488  
**TITLE:** PROCUREMENT POLICY  
**RESPONSIBLE OFFICER:** FINANCIAL SERVICES MANAGER

**BACKGROUND**

Council procurement is required to achieve best value for money in the expenditure of public funds while being ethical, transparent, accountable and promoting fairness and competition. This Policy prescribes Council's approach to procurement.

**OBJECTIVE**

The objectives of this Policy are to:

- 1) State Council's policy on procurement matters;
- 2) Provide clear direction to Council officials (Councillors, staff and delegates of Council) making procurement decisions.

**PRINCIPLES**

This policy has been written considering the following principles:

- 1) All parties engaged in procurement activities will display high standards of behaviour and ethics;
- 2) Procurement activities aim to be efficient, effective and balance risk and total cost;
- 3) Due economy shall be exercised in all purchasing decisions;
- 4) Purchasing decisions shall consider relevant evaluation criteria including environmental sustainability, support of local suppliers, registered disability employers and Australian made goods.

## **POLICY STATEMENT**

### **1) Standards of Behaviour**

Council has adopted a Statement of Business Ethics that sets out the high ethical standards expected of Council officials, contractors and business associates. In addition to this, the following statements are made in relation to procurement:

- Council processes shall be fully documented and defensible;
- Council will treat all potential tenderers consistently;
- All parties shall comply with the rule of law and avoid practices that are anti-competitive or collusive;
- Council will not engage in practices that give one party improper advantage over another outside its local and Australian Made preference and Registered Disability Employer preference policies;
- Council will not invite or submit tenders without a firm intention and capacity to proceed;
- Parties shall maintain open, effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.

### **2) Environmental Sustainability**

Council is committed to environmental sustainability and has a separate [Sustainable Procurement Policy](#) which defines that commitment.

### **3) Local Preference**

Best value for money does not always mean lowest price. Council functions contribute to the economic success of the Local Government Area and Council expends considerable amounts annually on local economic development. Council prefers to buy from local suppliers and contractors where possible as this supports Council's local economic development initiatives.

### **4) Preference for Australian Made Products**

Council prefers to buy goods made in Australia and encourages a culture of buy Australian in Council officials when evaluating the merits of purchases. Where it is cost effective to do so staff must purchase Australian made/origin supplies.

### **5) Preference for Registered Disability Employers**

Council prefers to buy products made by registered disability enterprises and encourages such consideration in the evaluation of purchases. Where it is cost effective to do so, staff are encouraged to buy from registered disability employers.

6) Purchase Orders

Council will always issue a purchase order number for approved purchases. Suppliers are expected to cooperate by quoting the purchase order number on invoices. Council will not pay invoices where an approved purchase order number is absent.

7) Asset Disposal

Council will dispose of surplus plant, vehicles, stores, materials, equipment, furniture, scrap metal, technology and other items in a competitive, transparent, cost effective and environmentally sustainable manner.

**RELATED POLICIES**

- 1) Code of Conduct;
- 2) Fraud and Corruption Control policy;
- 3) Statement of Business Ethics;
- 4) Sustainability policy;
- 5) Sustainable Procurement policy;
- 6) Asset Disposal (other than property) policy.

**SUSTAINABILITY IMPLICATIONS**

**SOCIAL IMPLICATIONS**

Council has a leadership role to play in areas of ethical and environmentally sustainable procurement.

**ECONOMIC IMPLICATIONS**

Local supplier preference supports the local economy.

**ENVIRONMENTAL IMPLICATIONS**

Environmentally sustainable procurement results in minimisation of unnecessary purchasing, waste minimisation, water and energy saving, pollution minimisation, avoidance of toxic chemicals, reduction in greenhouse gases and decision making that incorporates biodiversity and conservation objectives.

**RELEVANT LEGISLATIVE PROVISIONS**

- 1) Local Government Act 1993:
  - o S.23A Director General's Guidelines – Tendering Guidelines for NSW Local Government October 2009
  - o S.55 tendering requirements

- 2) Local Government (General) Regulation 2005:
  - o Part 7 Tendering
- 3) Competition and Consumer Act 2010 (Cth);
  - o Part IV Restrictive Trade Practices
- 4) NSW Government Procurement Code of Practice;
- 5) NSW Government Sustainability policy.

**IMPLEMENTATION RESPONSIBILITY**

- 1) All those involved in purchasing goods and services or engaging contractors or consultants.

**PROCESS OWNER**

- 1) Contracts Coordinator.

**REVIEW DATE**

- 1) 11 March 2016.

**ITEM NO. 10****FILE NO: PSC2013-00710****PROPERTY SERVICES SUSTAINABILITY REVIEW**

**REPORT OF: CARMEL FOSTER – PROPERTY SERVICES SECTION MANAGER**  
**GROUP: CORPORATE SERVICES GROUP**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Note the information contained in the Sustainability Review – Property Services Service Strategy presented as **(TABLED DOCUMENT 1)** and endorse the findings of the review.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014**  
**COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Morello</b> <b>Councillor Chris Doohan</b>
	That the recommendation be adopted.

**MOTION**

<b>065</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council note the information contained in the Sustainability Review – Property Services Service Strategy presented as <b>(TABLED DOCUMENT 1)</b> and endorse the findings of the review.

**BACKGROUND**

The purpose of this report is to present to Council the outcomes of the Sustainability review for the Property Services section and seek endorsement of the recommendations contained in the Service strategy.

A comprehensive review of this package has been undertaken in accordance with Clause 15.1 of the Community Strategic plan to ensure that services and assets delivered to the community are sustainable in the longer term.

The sustainability review comprises three key stages:

- Stage 1 – reviewing what is currently delivered (service drivers);  
Stage 2 – reviewing what should be delivered (service levels);  
Stage 3 – reviewing how services should be best delivered (service delivery method).



## Property Services

The Property Services section forms part of the Corporate Services Group. Its purpose is to generate alternate revenue streams to supplement Councils rate revenue. Additionally, the section provides professional property advice to other sections of Council to assist them in delivering their services. The Section is structured around the key areas of lease and licence management; asset and facilities management; holiday park operations; and business and land development. The Section comprises 46.56 equivalent full time positions predominately located within the holiday park operations area.

Currently land acquisition for public purposes is being undertaken by the Facilities and Services Section of Council with Property Services acquiring land for business purposes. It is proposed to centralise the complete land acquisition function within Property Services to ensure a consistent approach to the acquisition and divestment of land within Port Stephens Council.

### Benchmarking Data

The majority of Property Services is benchmarked against industry. All data indicates that Property Services is providing a service at less cost than the external market can provide, however still achieving the appropriate market returns and yields.

Council managed holiday parks continue to achieve occupancy rates on par or above the region average and have received numerous awards, industry recognition and accreditation. Oncosts and overheads associated with the service require further refinement.

It is recommended that a review of the Property Services organisational structure be undertaken to maximise opportunities for business growth and asset management through the utilisation of specialist skills and expertise.

## FINANCIAL/RESOURCE IMPLICATIONS

There is no requirement to increase the Property Services budget. Structure reviews may achieve additional savings, which will be reported to Council through the review process that has been undertaken.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Resources used to conduct the Sustainability review and structure review are covered within the existing budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

## **LEGAL, POLICY AND RISK IMPLICATIONS**

Council is required to manage Crown Reserves, follow statutory provisions under various Acts applicable to property, manage its own property land bank and provide a Land register among other services. Property Services provide specialist property advice to ensure the public and other sections of Council can manage its land and asset holdings.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that a reduction in the levels of service provided will lead to increased expenditure by recoverable costs not being managed.	Medium	Agreed levels of service to meet the needs of our customers.	Yes
There is a risk that outsourcing asset management will substantially increase costs reducing Property Services contribution to revenue.	High	Continue to provide current services whilst continuing to control discretionary costs.	Yes
There is a risk that a reduction in the provision of specialist advice may lead to non-compliance with legislative requirements resulting in fines and reputational damage.	High	Property Services continues to provide Port Stephens Council with specialist property advice to inform decision making.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The Property Services section plays a key role in generating additional revenue and assisting other sections of Council by providing specialist property advice and services to ensure delivery of quality services and to ensure there is an alignment with Council's strategic direction.

## **CONSULTATION**

- 1) Councillors;
- 2) Executive Leadership team;
- 3) Section Managers.

## **OPTIONS**

- 1) Adopt the recommendation;
- 2) Amend the recommendation;
- 3) Reject the recommendation.

## **ATTACHMENTS**

Nil.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

- 1) Property Services Service Strategy.

ITEM NO. 11

FILE NO: A2004-0865

# **RIGHT OF CARRIAGE WAY OVER COUNCIL LAND LOT 683 DP 9165 NELSON BAY**

**REPORT OF: CARMEL FOSTER – PROPERTY SERVICES SECTION MANAGER**  
**GROUP: CORPORATE SERVICES**

## **RECOMMENDATION IS THAT COUNCIL:**

- 1) Consents to the creation of a Right of Carriageway variable width over Lot 683 DP 9165 as shown on **(ATTACHMENT 1)** in favour of Lot 155 DP 9165;
- 2) Requires the owner of Lot 155, DP 9165 to be responsible for all costs including, but not limited to, survey, plan lodgement, preparation of necessary documentation and production of Certificates of Title to allow registration at the office of Land & Property Information (LPI) in Sydney;
- 3) Requires the owner of Lot 155, DP 9165 to be responsible for any and all construction and maintenance necessary for the required access within the proposed easement area, to permit practical use to satisfy the owner's requirements, without interfering with any existing trees;
- 4) Authorise the Mayor and the General Manager to sign and affix the seal of Council to any related documentation.

## **ORDINARY COUNCIL MEETING – 25 MARCH 2014 COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Nell</b> <b>Councillor Sally Dover</b>
	That the recommendation be adopted.

## **MOTION**

<b>066</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council: <ol style="list-style-type: none"> <li>1) Consents to the creation of a Right of Carriageway variable width over Lot 683 DP 9165 as shown on <b>(ATTACHMENT 1)</b> in favour of Lot 155 DP 9165;</li> <li>2) Requires the owner of Lot 155, DP 9165 to be responsible for all costs including, but not limited to, survey, plan lodgement, preparation of necessary documentation and production of Certificates of Title to allow registration at the office of Land &amp;</li> </ol>

	<p>Property Information (LPI) in Sydney;</p> <p>3) Requires the owner of Lot 155, DP 9165 to be responsible for any and all construction and maintenance necessary for the required access within the proposed easement area, to permit practical use to satisfy the owner's requirements, without interfering with any existing trees;</p> <p>4) Authorise the Mayor and the General Manager to sign and affix the seal of Council to any related documentation.</p>
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## **BACKGROUND**

The purpose of this report is to recommend the creation of a Right of Carriage Way variable width (RoW) within Council's Operational Land known as Lot 683, DP 9165, to permit vehicle access to be constructed to benefit Lot 155, DP 9165.

In 2007, all owners adjoining Council's land (Lot 683, DP 9165) were contacted regarding formalising their access requirements to reduce Council's risk as some property owners were 'illegally' using this land to access the rear of their properties. Licences were prepared and taken up by those who required them to gain limited vehicular access over Council's land, while those who did not require such access were asked to remove any wider gates to allow only pedestrian access.

At that time, the owners of Lot 155 did not enter into a Licence Agreement, however now, as the property has changed ownership; the current owners are investigating the possible subdivision of their land to provide a dual occupancy development. Before a development application can be submitted, the owner will require approval from Council for the RoW to gain permanent access from the end of the current Public Laneway, across Lot 683 to the rear of the property.

The property owner will be responsible for all costs associated with the creation of the RoW and the construction and maintenance of the new access in accordance with Council's current standards. No tree growth will be permitted to be destroyed or damaged through the construction and maintenance of the access.

Undertaking a valuation of the easement to determine if there should be any consideration payable to Council is by the creation of a legal interest in the land to benefit an adjoining property owner is an option however it is not recommended. The easement will benefit the adjoining owner by allowing a subdivision which may substantially increase the value of the land by providing access to the rear of the allotment. However, the legal fees, construction of the road and maintenance in perpetuity may result in a nil value given the restricted marketability of the land and Council will bear the valuation cost.

Alternatively, an option for Council is to agree to extend the current Public Laneway commencing from Wahgunyah Road, between Lots 153 and 154, DP 9165 to include the whole of Lot 683, DP 9165 which would provide access to the rear of all

properties adjoining it. There would only be four properties which could utilise this access due to the size of their rear access and the fall of the land which prevents them gaining access to their allotments. This option is not recommended as Council would then be required to maintain the access. Should other properties utilise the access Council would have no agreements in place to ensure that the users maintain the access to a suitable standard.

### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no financial implications for Council as the benefiting property owner will be responsible for all costs associated with the matter including approved administration fees which have been included in the 2014-2015 fees and charges.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	No	800	This amount is recorded in the 2014-2015 Fees and Charges document.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

### **LEGAL, POLICY AND RISK IMPLICATIONS**

Lot 683 DP 9165 is classified 'Operational Land' and under the provisions of the Local Government Act a RoW can be created over it. The Conveyancing Act 1919 controls the actions required for the creation and the RoW will be registered at Land Planning and Information.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that not entering into a legal agreement for access will result in unauthorised access over Council's land.	Medium	Adopt the recommendation.	Yes

### **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The proposal will allow an all weather access to be available to the benefiting property and will have little impact on the environment on Council's property. No tree

growth is to be disturbed within the easement area. There will not be any impact on neighbours or the general public as there is already a public laneway from Wahgunyah Road to this RoW.

### **CONSULTATION**

- 1) Property Investment Coordinator;
- 2) Property Officer;
- 3) Property Owner and Sorensen Design & Planning;
- 4) Development Engineering Coordinator;
- 5) Civil Assets Engineer;
- 6) Development Assessment Team Leader.

### **OPTIONS**

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

### **ATTACHMENTS**

- 1) Proposed Right of Carriage Way site plan;
- 2) Location map;
- 3) Aerial photo of properties.

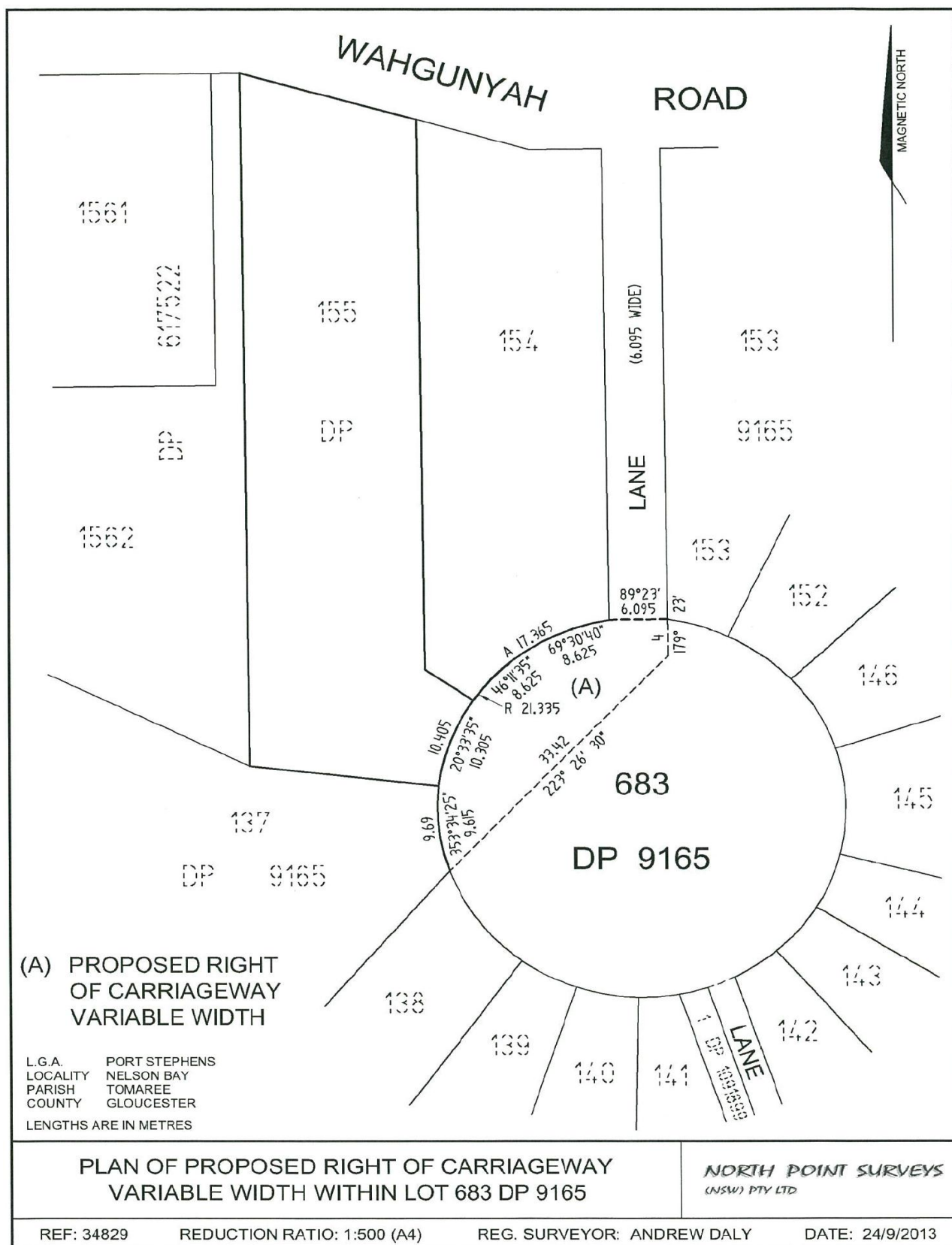
### **COUNCILLORS ROOM**

Nil.

### **TABLED DOCUMENTS**

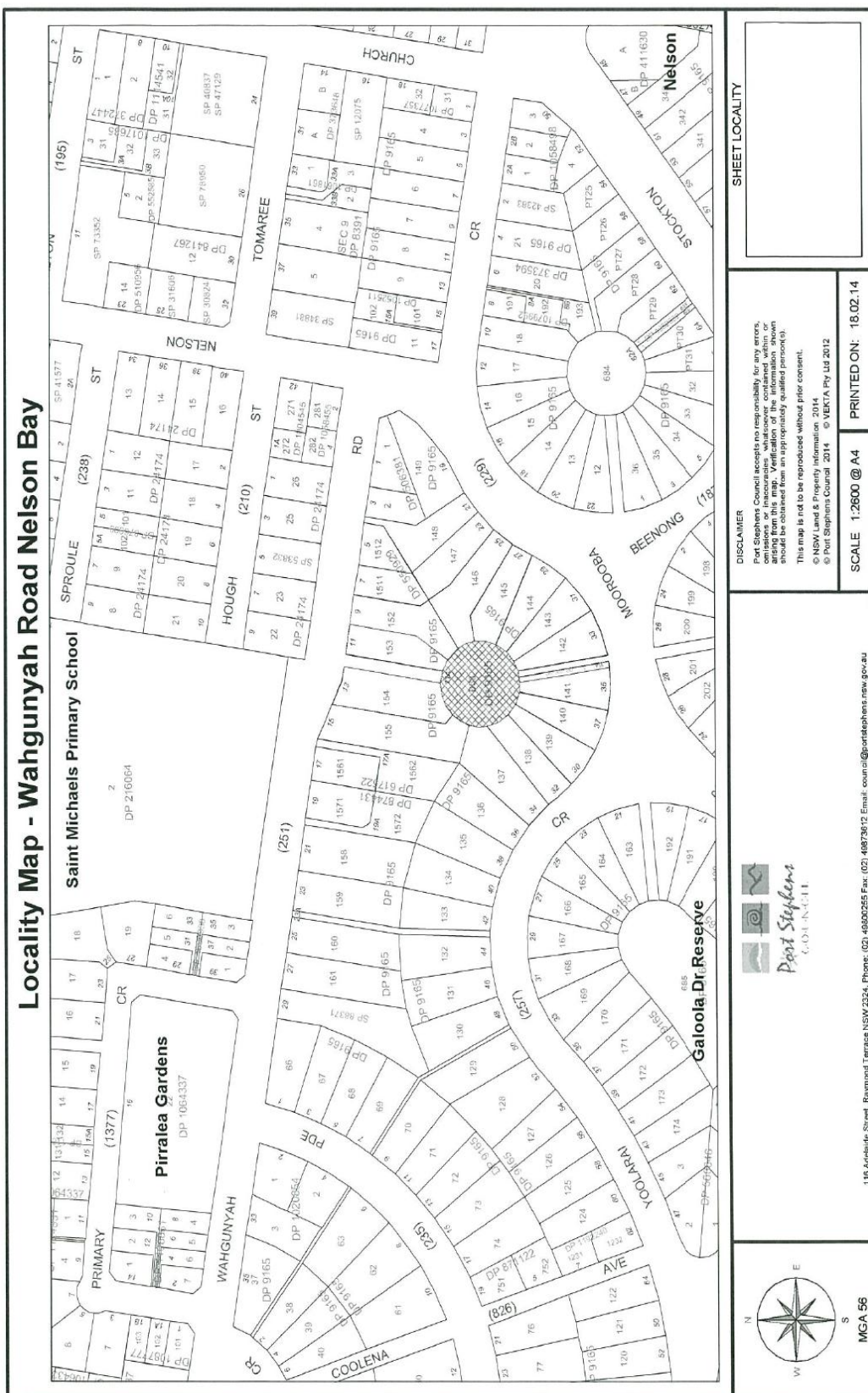
Nil.

## ATTACHMENT 1



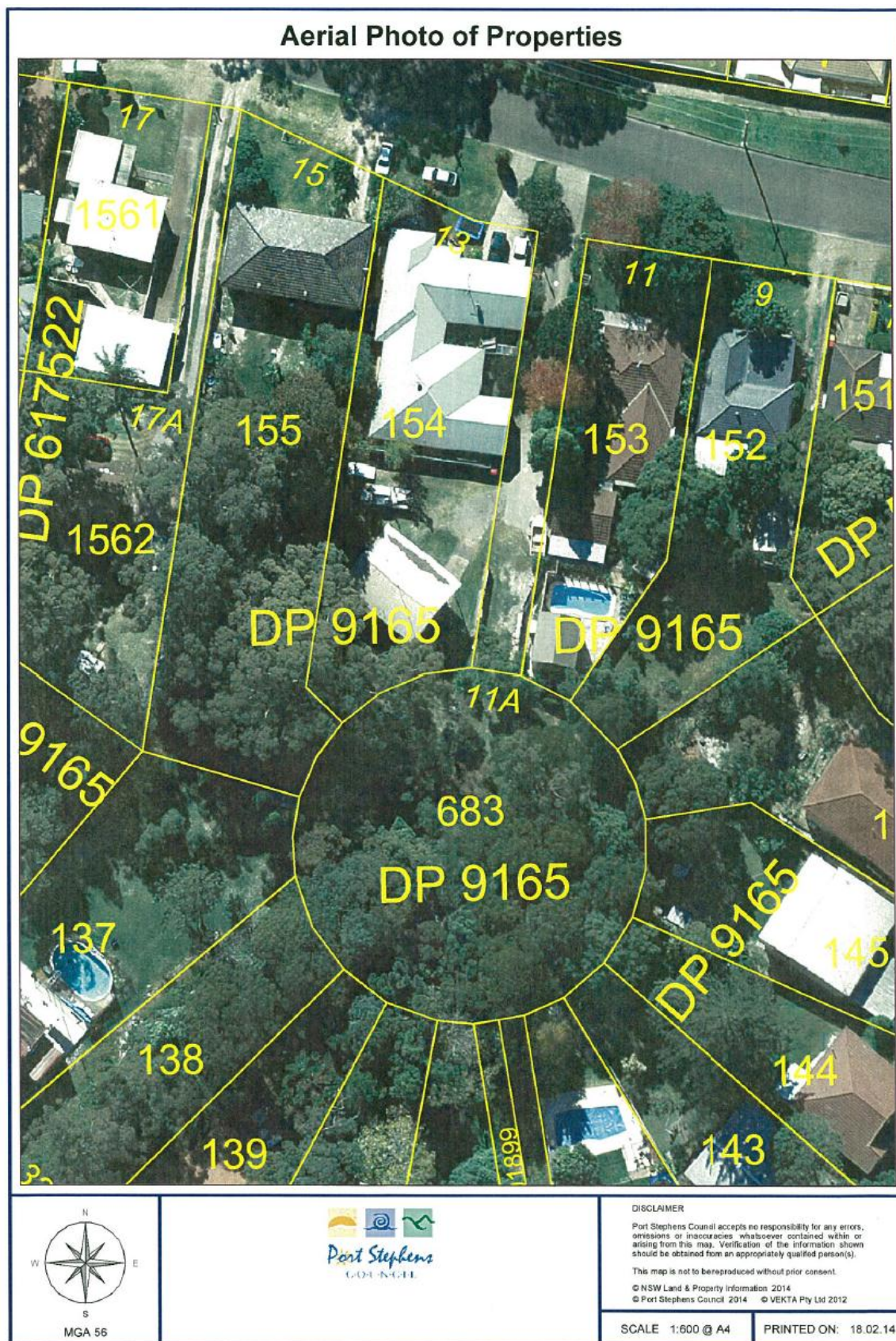


ATTACHMENT 2





ATTACHMENT 3



**ITEM NO. 12****FILE NO: PSC2007-0060****ASSIGNMENT OF LEASE – PETER DRON STREET CAR PARK, RAYMOND TERRACE**

**REPORT OF: CARMEL FOSTER – PROPERTY SERVICES SECTION MANAGER**  
**GROUP: CORPORATE SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Authorise the Mayor and the General Manager to sign and affix the seal to the deed of assignment giving effect to the transfer of the Lease of land being Lots 10 and 11 in Section E DP 939306 and Lot 21 DP 788588 and known as Peter Dron Street car park to the purchaser (Indigenous Business Australia) of the building currently leased to the Department of Defence at 15 King Street Raymond Terrace;
- 2) Authorise the Mayor and the General Manager to sign and affix the seal to any further lease documentation relating to the exercise of further options under the current Lease agreement for the car park land.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014**  
**COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Paul Le Mottee</b> <b>Councillor Ken Jordan</b>
	That the recommendation be adopted.

**MOTION**

<b>067</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council:  <ol style="list-style-type: none"><li>1) Authorise the Mayor and the General Manager to sign and affix the seal to the deed of assignment giving effect to the transfer of the Lease of land being Lots 10 and 11 in Section E DP 939306 and Lot 21 DP 788588 and known as Peter Dron Street car park to the purchaser (Indigenous Business Australia) of the building currently leased to the Department of Defence at 15 King Street Raymond Terrace;</li><li>2) Authorise the Mayor and the General Manager to sign and affix the seal to any further lease documentation relating to the exercise of further options under the current Lease agreement for the car park land.</li></ol>

**BACKGROUND**

The purpose of this report is to advise Council that a request has been received to transfer (assign) the current lease of the Peter Dron Street car park to a new Lessee.

This matter arises due to the sale of the development at 15 King Street Raymond Terrace which is occupied by the Department of Defence ('DoD').

The DoD premises was developed in 2007 and the developer, Buldev was required to provide 65 car spaces under the terms of the development consent in addition to a further 41 spaces under the terms of an agreement with DoD. In total, 37 car spaces were provided on site at 15 King Street with the balance required (69 spaces) provided within the 110 space car park on the land at Peter Dron Street.

The development at 15 King Street has been sold by Buldev and accordingly the assignment of the current Lease to the new owners is now required.

**FINANCIAL/RESOURCE IMPLICATIONS**

The assignment provisions within the current Lease provide for an increase in revenue as a result of the proposed assignment. This increase of \$5,796 takes the value of the rental received to \$28,982 plus GST per annum.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	5,796	The assignment provisions under the Lease provide for an increase in rent.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

The current Lease expires on 25 May 2023 and in accordance with the provisions of the Conveyancing Act, leases in excess of three years total duration, including the option period, are to be registered upon the title of the land to which they apply both at the time of execution and at the time of any subsequent assignments. Accordingly, if the lease is to be registered the common seal must be affixed upon signing under Clause 400, Local Government (General Regulation) 2005.

The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.

In having a valid and enforceable Lease with the new owners of 15 King Street Raymond Terrace Council is able to protect its income stream derived from leasing

the car park. Further, having the ability to recover costs means that the property returns funds to Council as opposed to contributing as a liability for rates, maintenance, asset management and other factors.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that should a formalised Lease dealing (assignment) not be entered into with the new owners then Councils income stream would not be protected.	High	Accept the Recommendations.	Yes

### **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Nil.

### **CONSULTATION**

- 1) Harris Wheeler Lawyers;
- 2) Property Services Manager;
- 3) Property Investment Coordinator.

### **OPTIONS**

- 1) Accept the Recommendations;
- 2) Amend the Recommendations;
- 3) Reject the Recommendation.

### **ATTACHMENTS**

Nil.

### **COUNCILLORS ROOM**

Nil.

### **TABLED DOCUMENTS**

Nil.

**ITEM NO. 13****FILE NO: PSC2013-03793****PORT STEPHENS COUNCIL DRAFT FEES AND CHARGES 2014-2015****REPORT OF: WAYNE WALLIS - GROUP MANAGER****GROUP: CORPORATE SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Agree to place the Draft Fees and Charges 2014-2015 on public exhibition from 1 to 30 April 2014 and invite written submissions from the public.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014  
COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Paul Le Mottee</b> <b>Councillor Steve Tucker</b>
	That the recommendation be adopted.

**MOTION**

<b>068</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council place the Draft Fees and Charges 2014-2015 on public exhibition from 1 to 30 April 2014 and invite written submissions from the public.

**BACKGROUND**

The purpose of this report is to present the proposed fees and charges for 2014-2015 to Council and recommend the Draft Fees and Charges 2014-2015 document be placed on public exhibition for the period 1 to 30 April 2014 in accordance with section 610F of the Local Government Act - Public notice of fees.

(1) A council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.

The draft Fees and Charges 2014-2015 contain an addendum relating to fees to be charged by childcare educators in the Family Day Care system. These fees are not set by Council but by the educators in direct negotiations with parents/carers/guardians. However, the Federal government requires them to be listed together with Council's fees and charges for Family Day Care services.

At its meeting on 28 May 2013, (Minute No. 146) Council adopted the recommendation for three categories of users of Council's community owned facilities from 1 July 2014. The Draft Fees and Charges 2014-2015 implement that resolution of Council.

## **FINANCIAL/RESOURCE IMPLICATIONS**

Fees and charges represent more than 33% of Council's annual revenue. Council must adopt a schedule of fees and charges each financial year before 30 June for the following financial year. Fees and charges form part of the Operational Plan 2014-2015 and are presented in a separate document with cross-reference in the Operational plan at page 54.

Section 491 of the Local Government Act 1993 states that Council may raise income from fees and charges. Section 608 allows Council to recover fees for services it provides; Section 610 (1) and (2) provide for Council to recover fees under other Acts (Statutory Fees); Section 610E provides for Council to waive or reduce its fees but only after public exhibition as per Section 405 and (after consideration of submissions) only in open Council. Section 610F provides that Council must not make a fee or charge until it has placed fees and charges on public exhibition each year and has considered any submissions received.

Copies of the Draft Fees and Charges 2014-2015 will be placed on Council's website, and hard copies will be available at Council's Administration building and libraries. Advertisements inviting written submissions will be placed in the Port Stephens Examiner newspaper.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes	800	Resources are covered within the existing Corporate Strategy and Planning budget
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

## **LEGAL, POLICY AND RISK IMPLICATIONS**

The Draft Fees and Charges 2014-2015 were prepared in accordance with Section 610B(1) of the Local Government Act that requires fees and charges to be made in accordance with Council's pricing methodology. Council's Pricing policy was used to assist in determining the proposed fees.

The Australian Taxation Office is continuing its review of all fees and charges in NSW government – State and local – and issues ruling in relation to the GST status of individual fees. These rulings are issued outside the parameters of the Local



Government Act timelines so if a ruling results in a change of GST status for a fee or charge it is applied without being required to go to public exhibition.

From time to time, the State government agencies review the fees and charges that can be charged by Council. These result in changes to the category of fees that are 'statutory' and are applied without reference to further public consultation.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that if the Draft Fees and Charges 2014-2015 are not exhibited as required the fees therein cannot be charged leading to loss of revenue to Council.	Low	Place the Draft Fees and Charges 2014-2015 on public exhibition from 1 to 30 April 2014.	Yes

### **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The Draft Fees and Charges 2014-2015 have implications for Council's economic sustainability as revenue derived from fees and charges represent over 33% of Council's revenue.

### **CONSULTATION**

The Draft Fees and Charges 2014-2015 were developed according to a process of benchmarking against other relevant councils in consultation with Sports Councils and Halls Committees at the Halls Forum, and with individual committees. Councillors provided input at a workshop held on 11 February 2014.

### **OPTIONS**

- 1) Adopt the recommendation;
- 2) Amend the recommendation;
- 3) Reject the recommendation.

### **ATTACHMENTS**

Nil.

### **COUNCILLORS ROOM**

Nil.

### **TABLED DOCUMENTS**

- 1) Draft Fees and Charges 2014-2015.



**ITEM NO. 14****FILE NO: PSC2013-02542****DRAFT INTEGRATED PLANS, LONG TERM FINANCIAL PLAN AND STRATEGIC ASSET MANAGEMENT PLAN 2014-2024****REPORT OF: WAYNE WALLIS - GROUP MANAGER****GROUP: CORPORATE SERVICES**

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Agree to place the Draft Integrated plans, Long Term Financial plan and Strategic Asset Management plan 2014-2024 on public exhibition from 1 to 30 April 2014 and to invite written submissions.

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**ORDINARY COUNCIL MEETING – 25 MARCH 2014****COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Nell</b> <b>Councillor Paul Le Mottee</b>
	That the recommendation be adopted.

**MOTION**

<b>069</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council place the Draft Integrated plans, Long Term Financial plan and Strategic Asset Management plan 2014-2024 on public exhibition from 1 to 30 April 2014 and to invite written submissions.

**BACKGROUND**

The purpose of this report is to seek Council's approval to place the draft Integrated plans, Long Term Financial plan and Strategic Asset Management plan on public exhibition. While the adopted Community Strategic plan and the Delivery program are not changed from previous years, in order to demonstrate the integration of these cascading plans, Council's practice is to include them all as one document and place the integrated documents on public exhibition.

The Integrated Planning and Reporting guidelines require that Council reviews and rolls forward each year the Resource strategy, comprising the Long Term Financial plan, the Asset Management plan and the Workforce strategy. A review of the Workforce Strategy 2013-2017 proposes no changes and is not required to be placed

on exhibition. In accordance with the Local Government Act Section 403 the Long Term Financial Plan 2014-2024 and the Strategic Asset Management Plan 2014-2024 with its associated Works program are required to be placed on public exhibition for a period of not less than 28 days.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The draft documents will be produced in hard copy and will be available for inspection at Council's libraries, the Administration building and on Council's website. Advertisements will be placed in the Port Stephens Examiner inviting submissions, as well as on Council's website. Hard copies are available for sale at cost.

The financial implications include printing and stationery and advertising costs.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes	2,500	Resources are covered within the existing Corporate Strategy and Planning budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

### **LEGAL, POLICY AND RISK IMPLICATIONS**

The draft Integrated plans, Long Term Financial plan and Strategic Asset Management plan 2014-2024 have been prepared to comply with the provisions of the Local Government Act 1993.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that Council's draft Integrated plans, Long Term Financial plan and Strategic Asset Management plan do not comply with legislation leading to loss of reputation.	Low	Corporate Strategy and Planning checklist against requirements completed.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Section 402 (3) (a) of the Local Government Act requires that the Council's Community Strategic plan "addresses civic leadership, social, environmental and economic issues in an integrated manner."

Section 402 (3) (b) requires that the Council's Community Strategic plan "is based on social justice principles of equity, access, participation and rights."

The adopted Community Strategic Plan 2013-2023 and Delivery Program 2013-2017 were developed in alignment with the principles of sustainability and social justice. The draft Integrated plans document at page 9 demonstrates the linkage of Council's service packages with social, economic and environmental sustainability and governance.

## **CONSULTATION**

The review of the Integrated plans and development of the draft Operational Plan 2014-2015 was undertaken by the Council's combined leadership team in October 2013 and then by Councillors at a workshop on 19 November 2013. The Long Term Financial Plan 2014-2024 and the Strategic Asset Management Plan 2014-2024 were reviewed and amendments proposed at a workshop with Councillors held on 11 February 2014.

These draft Operational Plan 2014-2015 and the Resource strategy documents derive from the Community Strategic Plan 2013-2023 and Delivery Program 2013-2017 the development of which was undertaken with the community of Port Stephens in October and November 2012.

## **OPTIONS**

- 1) Adopt the recommendation;
- 2) Amend the recommendation;
- 3) Reject the recommendation.

## **ATTACHMENTS**

Nil.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

- 1) Draft Integrated Plans 2014-2024;
- 2) Draft Long Term Financial Plan 2014-2024;
- 3) Draft Strategic Asset Management Plan 2014-2024.

ITEM NO. 15

FILE NO: T12-2013

## T12 – 2013 TENDER FOR EXTERNAL AUDIT SERVICES 2014-2019

REPORT OF: TIM HAZELL – FINANCIAL SERVICES SECTION MANAGER

GROUP: CORPORATE SERVICES

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### RECOMMENDATION IS THAT COUNCIL:

- 1) That pursuant to section 10A(2)(d) of the Local Government Act, 1993, the Council resolve to close to the public that part of its meetings to discuss Item 15 on the Ordinary Council agenda namely **Tender for External Audit Services 2014-2019**.
  - 2) That the reasons for closing the meeting to the public to consider this item be that:
    - i) The report and discussion will include details of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the tenderers; and
    - ii) In particular, the report includes confidential pricing information in respect of the **Tender for External Audit Services 2014-2019**.
  - 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 disclosure of the confidential commercial information could compromise the commercial position of the tenderers and adversely affect Council's ability to attract competitive tenders for other contracts.
  - 4) That the report of the closed part of the meeting is to remain confidential and that Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179) of the Local Government (General) Regulation 2005.
  - 5) Engage the services of Pitcher Partners for the provision of external audit services for the financial years ending 30 June 2014 to 30 June 2019.
  - 6) That appreciation be expressed to PriceWaterhouse Coopers for the provision of audit services to Port Stephens Council over an extensive number of years.
-

**ORDINARY COUNCIL MEETING – 25 MARCH 2014  
COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Ken Jordan</b> <b>Councillor John Nell</b>
	That Council:  1) Engage the services of Pitcher Partners for the provision of external audit services for the financial years ending 30 June 2014 to 30 June 2019; 2) That appreciation be expressed to PriceWaterhouse Coopers for the provision of audit services to Port Stephens Council over an extensive number of years.

**MOTION**

<b>070</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council:  1) Engage the services of Pitcher Partners for the provision of external audit services for the financial years ending 30 June 2014 to 30 June 2019; 2) That appreciation be expressed to PriceWaterhouse Coopers for the provision of audit services to Port Stephens Council over an extensive number of years.

**BACKGROUND**

The purpose of this report is to appoint an external auditor for the purpose of reviewing Council's annual financial statements, grant acquittals, notional rating returns and pensioner subsidy claims.

Port Stephens Council's current external audit contract expired with the completion of the 2013 Annual Financial Statements audit.

Council needs to appoint a new external auditor for a term of six (6) years as per section 424(1) of the Local Government Act 1993. This appointment may be to reappoint the incumbent or appoint a new firm to the role.

Council advertised for new external auditors through the tender process in November 2013, with tenders closing on Tuesday 10 December 2013. Council received eight (8) submissions from the tender invitation. Tenders were received from the following companies:

- (1) Pitcher Partners
- (2) UHY Haines Norton
- (3) Hills Rogers Spencer Steer

- (4) Prosperity
- (5) Forsyths
- (6) PWC
- (7) Intentus
- (8) Crowe Howarth Auswild

In accordance with Council's Procurement Guidelines a tender panel was established to conduct a review of the tenders and each tender was assessed in accordance with the agreed weightings noted in **(ATTACHMENT 1)**.

The weightings assigned to each criterion are disclosed in Table 1 below.

Criteria	% Weighting
Price	30
Inclusions	10
References	15
Local Government experience	25
Location	10
Size of firm	10

Table 1 – Evaluation criteria weighting

After reviewing all submissions received, the results for the top three (3) tenders were separated by a margin of less than 2%. It was decided that Pitcher Partners although not the cheapest tender, represented the best value for money based upon the evaluation of local government experience, location and references.

After the initial assessment was made by the tender evaluation panel the findings were discussed with a subcommittee of the Council's Audit Committee. This review examined the relevance of the criterion selected and the scores allocated against each criterion. The subcommittee concluded that the recommended tender should be endorsed to Council.

The Pitcher Partners association is a Top 10 Accounting firm represented in Melbourne, Sydney, Adelaide, Perth, Brisbane and now in the Hunter region (comprising of Farrow Wyatt's offices Newcastle, Maitland and Singleton). The combined firms have 95 partners and more than 1,000 staff. The tender is being fulfilled from the Newcastle office and the local partner for the firm is well known to Port Stephens Council being a former partner at PriceWaterhouse Coopers.

## **FINANCIAL/RESOURCE IMPLICATIONS**

The appointment of an external auditor for the six year period is a statutory appointment under the Local Government Act. The funding for this appointment is provided for under the Financial Services budget.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	80,000	Financial Services annual budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

## LEGAL, POLICY AND RISK IMPLICATIONS

The main risks associated with the auditing of the financial statements are financial risk and reputation risk. Mitigation strategies are addressed below.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the provision of audit services costs more than the budget.	Medium	There is a project team which reviews the progress of completing the financial statements and the preparation of audit evidence.	Yes
There is a risk that the financial audit is not completed on time thus damaging Port Stephens Council's reputation.	Medium	Discussions with senior audit staff are held regularly throughout the engagement to ensure the project is on track.	Yes

## SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

## CONSULTATION

- 1) Subcommittee of Port Stephens Council Audit Committee.

## OPTIONS

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

**ATTACHMENTS** – Confidential (Provided under separate cover)

- 1) Evaluation scores for tender submissions.

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.



**ITEM NO. 16****FILE NO: 1190-001****REQUEST FOR FINANCIAL ASSISTANCE****REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER****GROUP: GENERAL MANAGER'S OFFICE****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) Requisition for Funds – Cr Ken Jordan – Karuah Men's Shed - Joint funding for the purchase of a defibrillator for Karuah Men's Shed - \$1,500;
  - b) Rapid Response – Cr Paul Le Mottee – Seaham Cricket Club - Turf around the pitch for Seaham District Cricket Club - \$500;
  - c) Rapid Response – Cr Peter Kafer – The Smith Family - Reimbursement of fees paid for Riverside Park Hire for The Smith Family - \$110;
  - d) Rapid Response – Cr Peter Kafer – Karuah Community Hall Committee - Reimbursement for the purchase of light weight tables for Karuah Community Hall Committee - \$500.

**ORDINARY COUNCIL MEETING – 25 MARCH 2014**  
**COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Ken Jordan</b> <b>Councillor Paul Le Mottee</b>
	That the recommendation be adopted.

**MOTION**

<b>071</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	<p>It was resolved that Council approves provision of financial assistance under Section 356 of the Local Government Act from the respective Mayor and Ward Funds to the following:-</p> <ol style="list-style-type: none"> <li>a) Requisition for Funds – Cr Ken Jordan – Karuah Men's Shed - Joint funding for the purchase of a defibrillator for Karuah Men's Shed - \$1,500;</li> <li>b) Rapid Response – Cr Paul Le Mottee – Seaham Cricket Club - Turf around the pitch for Seaham District Cricket Club - \$500;</li> <li>c) Rapid Response – Cr Peter Kafer – The Smith Family -</li> </ol>

## MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

	Reimbursement of fees paid for Riverside Park Hire for The Smith Family - \$110;
	d) Rapid Response – Cr Peter Kafer – Karuah Community Hall Committee - Reimbursement for the purchase of light weight tables for Karuah Community Hall Committee - \$500.

### 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 Financial Assistance Policy gives Councillors a wide discretion to either grant or to refuse any requests.

The new Financial Assistance Policy provides the community and Councillors with a number of options when seeking financial assistance from Council. Those options being:

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

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the Local Government Act. 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.

The requests for financial assistance are shown below is provide through Mayoral Funds, Rapid Response or Community Capacity Building:-

#### WEST WARD – Councillors Jordan, Kafer & Le Mottee

Karuah Men's Shed	Funding 50% of purchase costs for defibrillator for Karuah Men's Shed.	\$1,500
Seaham & District Cricket Club	Turf around the pitch	\$500
The Smith Family	Reimbursement for fees paid for Riverside Park Hire	\$110
Karuah Community Hall Committee	Reimbursement for the purchase of light weight tables	\$500

### FINANCIAL/RESOURCE IMPLICATIONS

Council Ward, Minor Works and Mayoral Funds are the funding source for all financial assistance.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	2,610	\$2,610 West Ward Funds
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

## LEGAL AND POLICY IMPLICATIONS

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

The policy interpretation required is whether the Council believes that:

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

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

## SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

## CONSULTATION

- 1) Mayor;
- 2) Councillors;
- 3) Port Stephens Community.

**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.

ITEM NO. 17

**INFORMATION PAPERS**

**REPORT OF:** TONY WICKHAM – EXECUTIVE OFFICER  
**GROUP:** GENERAL MANAGERS OFFICE

**RECOMMENDATION IS THAT COUNCIL:**

Receives and notes the Information Papers listed below being presented to Council on 25 March 2014.

No:	Report Title	Page:
1	Cash and Investments Held at 28 February 2014	
2	Local Government NSW Tourism Conference 2014	

**ORDINARY COUNCIL MEETING – 25 MARCH 2014  
COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor John Nell</b> <b>Councillor Ken Jordan</b>
	That the recommendation be adopted.

<b>055</b>	<b>Councillor Steve Tucker</b> <b>Councillor Chris Doohan</b>
	It was resolved that Council move out Committee of the Whole.

**MOTION**

<b>072</b>	<b>Councillor Chris Doohan</b> <b>Councillor Paul Le Mottee</b>
	It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 25 March 2014.

# INFORMATION PAPERS



**INFORMATION ITEM NO. 1**

**CASH AND INVESTMENTS HELD AT 28 FEBRUARY 2014**

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**REPORT OF:** TIM HAZELL – FINANCIAL SERVICES SECTION MANAGER

**GROUP:** CORPORATE SERVICES

**FILE:** PSC2006-6531

**BACKGROUND**

The purpose of this report is to present Council's schedule of cash and investments held at 28 February 2014.

**ATTACHMENTS**

- 1) Cash and investments held at 28 February 2014;
- 2) Monthly cash and investments balance February 2013 to February 2014;
- 3) Monthly Australian term deposit index February 2013 to February 2014.

ATTACHMENT 1

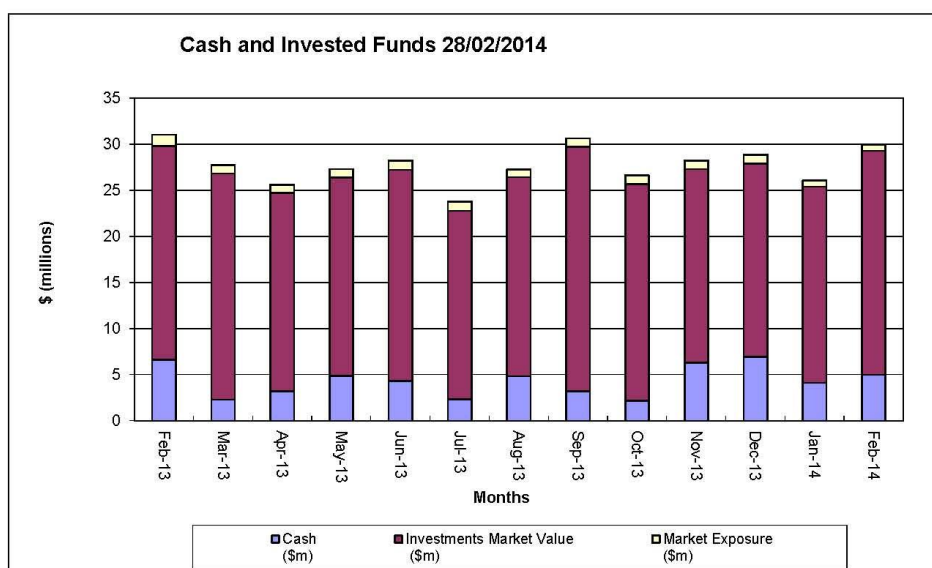
CASH AND INVESTMENTS HELD AS AT 28 FEBRUARY 2014								
ISSUER	BROKER	RATING*	DESC.	YIELD %	TERM DAYS	MATURITY	AMOUNT INVESTED	MARKET VALUE
TERM DEPOSITS								
INVESTEC BANK (AUSTRALIA) LTD	FIIG	BBB-	TD	3.87%	182	12-Mar-14	1,000,000	1,000,000
RAILWAYS CREDIT UNION LTD	FARQUHARSON	N/R	TD	3.59%	154	12-Mar-14	1,000,000	1,000,000
NATIONAL AUSTRALIA BANK LTD	NAB	AA-	TD	3.80%	182	26-Mar-14	1,000,000	1,000,000
RURAL BANK LTD	CURVE	A-	TD	3.75%	182	26-Mar-14	1,000,000	1,000,000
RURAL BANK LTD	CURVE	A-	TD	3.75%	181	26-Mar-14	1,000,000	1,000,000
ARAB BANK AUSTRALIA LTD	RIM	BB+	TD	3.65%	97	9-Apr-14	1,000,000	1,000,000
AMP BANK LTD	FARQUHARSON	A+	TD	3.75%	96	9-Apr-14	1,000,000	1,000,000
THE MUTUAL	THE MUTUAL	N/R	TD	3.70%	98	23-Apr-14	1,000,000	1,000,000
WIDE BAY AUSTRALIA LTD	CURVE	BBB	TD	3.70%	112	7-May-14	1,000,000	1,000,000
WIDE BAY AUSTRALIA LTD	CURVE	BBB	TD	3.70%	85	7-May-14	1,000,000	1,000,000
BANK OF SYDNEY LTD	FIIG	N/R	TD	4.00%	182	21-May-14	1,000,000	1,000,000
BANK OF SYDNEY LTD	RIM	N/R	TD	4.00%	184	18-Jun-14	1,000,000	1,000,000
NATIONAL AUSTRALIA BANK LTD	NAB	AA-	TD	3.69%	126	2-Jul-14	1,000,000	1,000,000
MYSTATE LTD	RIM	BBB	TD	3.76%	147	16-Jul-14	2,000,000	2,000,000
SUNCORP BANK	SUNCORP	A+	TD	3.92%	182	30-Jul-14	2,000,000	2,000,000
INVESTEC BANK (AUSTRALIA) LTD	CURVE	BBB-	TD	3.88%	182	13-Aug-14	1,000,000	1,000,000
ARAB BANK AUSTRALIA LTD	RIM	BB+	TD	3.75%	182	13-Aug-14	1,000,000	1,000,000
BANK OF QUEENSLAND LTD	BOQ	A-	TD	3.90%	266	10-Sep-14	1,500,000	1,500,000
AMP BANK LTD	CURVE	A+	TD	3.90%	266	10-Sep-14	1,000,000	1,000,000
SUB TOTAL (\$)							21,500,000	21,500,000
OTHER INVESTMENTS								
GRANGE SECURITIES "KAKADU AA"	GRANGE	CCC-	CDO	4.35%	7yrs	20-Mar-14	1,000,000	526,126
DEUTSCHE BANK TELSTRA LNK DEP. NTE	FIIG SECURITIES	A	FRN	4.43%	7yrs	30-Nov-14	500,000	485,000
THE MUTUAL	THE MUTUAL	N/R	FRSD	4.99%	10yrs	31-Dec-14	500,000	500,000
NEXUS BONDS LTD "TOPAZ AA-"	GRANGE	A	CDO	0.00%	10yrs	23-Jun-15	412,500	373,317
ANZ ZERO COUPON BOND	ANZ	AA-	BOND	0.00%	9yrs	1-Jun-17	1,017,876	890,062
SUB TOTAL (\$)							3,430,376	2,774,505
INVESTMENTS TOTAL (\$)							24,930,376	24,274,505
CASH AT BANK (\$)							5,006,587	5,006,587
TOTAL CASH AND INVESTMENTS (\$)							29,936,963	29,281,092
CASH AT BANK INTEREST RATE				2.50%				
BBSW FOR PREVIOUS 3 MONTHS				2.67%				
AVG. INVESTMENT RATE OF RETURN				3.64%				
TD = TERM DEPOSIT				FRN = FLOATING RATE NOTE				
CDO = COLLATERALISED DEBT OBLIGATION				FRSD = FLOATING RATE SUBORDINATED DEBT				
*STANDARD AND POORS LONG TERM RATING								
CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER								
I HEREBY CERTIFY THAT THE INVESTMENTS LISTED ABOVE HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, CLAUSE 212 OF THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 AND COUNCIL'S CASH INVESTMENT POLICY								
P GESLING								



## ATTACHMENT 2

### Cash and Investments Held

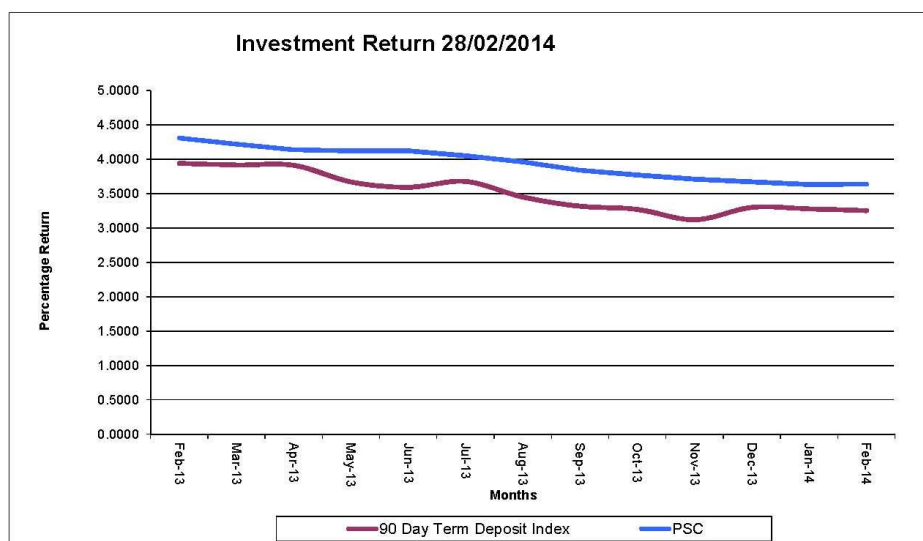
Date	Cash (\$m)	Investments Market Value	Market Exposure (\$m)	Total Funds (\$m)
Feb-13	6.608	23.191	1.240	31.038
Mar-13	2.301	24.525	0.906	27.731
Apr-13	3.192	21.527	0.903	25.623
May-13	4.870	21.531	0.900	27.301
Jun-13	4.302	22.926	1.005	28.232
Jul-13	2.366	20.426	1.005	23.797
Aug-13	4.847	21.578	0.852	27.278
Sep-13	3.221	26.489	0.941	30.652
Oct-13	2.193	23.484	0.946	26.623
Nov-13	6.305	20.992	0.939	28.236
Dec-13	6.932	20.992	0.939	28.863
Jan-14	4.122	21.271	0.659	26.052
Feb-14	5.006	24.274	0.656	29.936



ATTACHMENT 3

Australian Term Deposit Accumulation Index

Date	90 Day Term Deposit Index	PSC
Feb-13	3.9400	4.31
Mar-13	3.9185	4.22
Apr-13	3.9119	4.14
May-13	3.6715	4.12
Jun-13	3.5944	4.12
Jul-13	3.6774	4.05
Aug-13	3.4506	3.96
Sep-13	3.3183	3.84
Oct-13	3.27	3.77
Nov-13	3.1212	3.71
Dec-13	3.3007	3.67
Jan-14	3.2797	3.63
Feb-14	3.2527	3.64



**INFORMATION ITEM NO. 2**

**LOCAL GOVERNMENT NSW TOURISM CONFERENCE 2014**

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**REPORT OF:** CR JOHN NELL  
**GROUP:** GENERAL MANAGERS OFFICE

**FILE:** PSC2006-2327

**BACKGROUND**

- 1) The purpose of this report is to provide an update on the conference held 10 - 12 March 2014 at the Crowne Plaza, Hunter Valley.

Various speakers talked about Visitor Information Centres (VIC's), although the numbers of tourists using VIC's has levelled off, tourists still like to exchange information with local residents in a VIC. However, notwithstanding the ongoing benefit of VIC's, social media is of increasing importance to people on the road looking for holiday information. In addition, it was also pointed out that the interaction with residents is also important in promoting destinations. Residents need to be educated about the benefits of tourism and how it underpins local businesses and community facilities.

**ATTACHMENTS**

- 1) Local Government NSW Tourism Conference Brochure 2014.



## PROGRAM

# TOURISM CONFERENCE 2014

HARVESTING THE VALUE OF TOURISM

10-12 MARCH 2014 | CROWNE PLAZA HUNTER VALLEY

CO-HOSTED BY:



PARTNERED BY:



[LGNSW.ORG.AU](http://LGNSW.ORG.AU)

# WELCOME



**CR KEITH RHOADES AFSM**  
PRESIDENT OF LOCAL  
GOVERNMENT NSW

Welcome to the Hunter Valley for the annual LGNSW Tourism Conference. For the last ten years, LGNSW has been presenting this Conference to shine light upon the vital contributions NSW councils make towards our state's tourism industry and to raise its profile within Local Government.

What better way to increase awareness of the economic benefits, the innovative management of tourism and potential developments, than here amongst the Hunter Valley vineyards – a thriving tourism destination. The Conference will discuss support measures for tourism staff, highlight operational issues, develop networks with tourism stakeholders and, most importantly, celebrate the entrepreneurial tourism work being carried out by councils across the state.

Last year we introduced a new segment in the Conference program – the 'State Your Case!' competition. Following its success and the great feedback we received from the participating councils, we are running it again this year. The three entries will receive valuable feedback from a panel of industry experts and one council will win the \$3000 prize to help put solutions into practice.

I would like to thank our Official Partner, Destination NSW, for their unwavering and invaluable support of this Conference, co-host Cessnock City Council, our Premier sponsor, countryNSW.expo, as well as Bookeasy, Holiday Rental Solutions Pty Ltd, The Senior, Aurora Research and Development, JLT Pty Ltd, MytravelResearch.com, WISDOM, Caravan & Camping Industry Association NSW, and Regional Development Australia Hunter for their generous support.



**CR BOB PYNSENT**  
MAYOR OF CESSNOCK

As Mayor of Cessnock City, I would like welcome you to our friendly community.

I am enormously proud to have seen Cessnock evolve from a series of coal mining villages into an exciting city at the centre of the Hunter Valley destination.

You may be familiar with our region's renowned wine legacy and the legendary hospitality of our vineyards and resorts. We also boast a rich

hinterland of outstanding natural environment in our National Parks, State Forests and Conservation areas – all of which are naturally beautiful and untouched.

There is a wonderful spirit of cooperation and a strong sense of community in the Cessnock LGA that I have not experienced elsewhere. I hope you enjoy your stay here for the LGNSW Tourism Conference.



**SANDRA CHIPCHASE**  
CHIEF EXECUTIVE OFFICER  
DESTINATION NSW

Welcome to the Hunter Valley and the 2014 Local Government NSW Tourism Conference.

Over the last year Destination NSW has implemented major reforms to the way our tourism industry is supported via the implementation of the NSW Visitor Economy Industry Action Plan and this has involved working even more closely with Local Government stakeholders.

This year's Conference provides an excellent opportunity to review that work and ways together we can further grow the visitor economy in our local communities across NSW.

I wish all delegates a productive and enjoyable Conference in the beautiful Hunter Valley.

# PROGRAM



THIS PROGRAM WAS ACCURATE AT THE TIME OF PRINTING. IF CHANGES OCCUR, THE ONLINE PROGRAM WILL BE UPDATED.

CONFERENCE MC: NIGEL COLLIN

MONDAY 10 MARCH  
CROWNE PLAZA  
HUNTER VALLEY

12.00pm – 3.00pm	Exhibitors set up for Trade Exhibition	
1.00pm – 5.00pm	Registration opens at Crowne Plaza Hunter Valley Resort	
1.30pm – 5.30pm	Optional Summit: Reinvigorating VICs to adapt to the contemporary visitor economy! For all AVIC network and VIC tourism and operations staff and volunteers, this half day session will deal directly with the operational challenges of your VIC. Facilitated by John Larkin, CEO, Aurora Research.	
1.30pm – 2.15pm	How to Generate Income Streams for your VIC Including events, ticketing, merchandise, and bookings	Panel discussion with: • Glenn Caldwell, Tourism Manager, Coffs Coast Marketing, Coffs Harbour City Council • Glenn Mickle, Tourism Manager, Enterprise Services, Orange City Council • John Sommerlad, Director, Business and Events, Tamworth Regional Council (Tamworth Tourism) • Nicole Collins, Site Co-ordinator Echo Point VIC, Blue Mountains City Council
2.15pm – 2.45pm	Promoting the Value of your Visitors Centre to Key Decision Makers and the Broader Community	Mitch Lowe, Tourism and Events Manager, Lismore City Council
2.45pm – 3.30pm	The Role of Volunteers in a Contemporary VIC	Panel discussion with: • Nanette Burnham, Visitors Services Co-ordinator, Great Lakes Council • Malcolm Wallis, Tourism Economic Development Officer, Kyogle Council • Wendy Hughes, Tourism Manager, Gloucester VIC
3.30pm – 3.50pm	Afternoon Tea	
3.50pm – 4.20pm	Harnessing the Power of Visiting Friends and Relatives (VFR), Marketing and Ambassadors	Steve Rosa, Group Manager, Tourism, Economic Development and Events, Destination Southern Highlands
4.20pm – 4.40pm	Open question and answer session	
4.40pm – 5.20pm	Reconfiguring your VIC Space – Walk the Talk Visit the Cessnock VIC at the bottom of the hill from Crowne Plaza and discussion	Rhiannon Stevens, Economic Development Officer, Cessnock City Council
6.00pm – 9.00pm	Opening Ceremony and Welcome Reception, Speed Networking and Casual Dinner at Crowne Plaza - sponsored by countryNSW.expo Welcome to Country Welcome from the LGNSW President Delegate registration will be available at this event.	





## MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

TUESDAY 11 MARCH  
CROWNE PLAZA  
HUNTER VALLEY

8.15am	Trade exhibition opens	
8.50am – 9.00am	MC Introduction and Housekeeping	
9.00am – 9.10am	Welcome to Cessnock	Cr Bob Pynsent, Mayor of Cessnock City Council
9.10am – 9.40am	Tourism Keynote Address	Simonne Shepherd, General Manager, Industry Partnerships & Government Policy, Destination NSW
9.40am – 10.00am	Topic 1 - Destination Management Plans One Year On. Are they adding value?	Facilitated by Andrew Sargent, Director, Regional Alliances and Events, Destination NSW
10.00am – 10.20am	How to Put Together a DMP	Alby Stafford, Director, The Stafford Group
10.20am – 10.40am	A Local Government Area Perspective	Andrea Roberts, Community Development Manager, Broken Hill City Council
10.40am – 11.00am	Topic 1 - Open question and answer session	
11.00am – 11.20am	Morning Tea - sponsored by Bookeasy	
11.20am – 11.50am	Collaboration in the Visitor Economy	Graham Perry, CEO, Inland Tourism
11.50am – 12.30pm	Topic 2 - Harvesting the Value of Tourism: Return on Investment How much does tourism pump into your economy? How many of your people owe their jobs to tourism?	Facilitated and presented by Tom Phillips PSM, Executive Officer, South Coast Regional Tourism Organisation Inc and Peter Valerio, Tourism Strategy Development Services
12.30pm – 12.50pm	Topic 2 - Open question and answer session	
1.00pm – 1.20pm	Keynote from Cessnock: The Hunter RE-Invention Prior to site inspections	Jane Holdsworth, Economic Development Manager, Cessnock City Council
1.20pm – 2.00pm	Lunch - sponsored by Bookeasy	
2.00pm – 4.30pm	Site Inspection 1: Kurri Kurri Town of Murals A bus tour of a selection of the 54 outdoor murals within Kurri Kurri and surrounds, set up by Towns with Heart, to bring new life to the area. A great example of volunteering and community driven product development and ownership of tourism. Sponsored by The Senior	Facilitated by Lesley Morris, Community Projects Manager, Towns with Heart
	Site Inspection 2: Creating Opportunities Beyond the Obvious Travel back to 1830 and to Wollombi, and understand how heritage can be part of the tourism experience in different ways. Come and experience The Convict Trail Project – commemorating the Great North Road. Sponsored by The Senior	Facilitated by Lori Modde, Managing Director, Lorick Management
	Site Inspection 3: Hunter Valley Delights This indulgent trip includes an exclusive sparkling winery tour, and tastings at both the Hunter Valley Olive Centre and Chocolate Company – The Barn. Learn how these operators have enhanced the value of tourism to the destination by changing the product mix. Sponsored by The Senior	Facilitated by Rhiannon Stevens, Economic Development Officer, Cessnock City Council
4.30pm – 5.00pm	Return to Crowne Plaza Hunter Valley	
From 7.00pm – 7.30pm	Bus transfers to 'New Beginnings: End of Vintage' Conference Dinner at Hope Estate	
11.00pm – 11.30pm	Bus Transfers return to Crowne Plaza Hunter Valley	

## MINUTES FOR ORDINARY MEETING – 25 MARCH 2014

WEDNESDAY 12 MARCH  
CROWNE PLAZA  
HUNTER VALLEY

8.15am	Trade exhibition opens	
9.00am – 10.30am	<b>State Your Case!</b> – sponsored by Caravan and Camping Industry Association NSW A competition to find a resolution to three councils tourism challenges. Three industry experts will offer their solutions to the listed challenges, then voted on by the audience, with a single prize of \$3000 awarded to one of the three councils. A great opportunity to learn practical solutions to tourism challenges.	Facilitated by Lyndel Gray, CEO, Caravan and Camping Industry Association NSW
9.10am – 9.30am	<b>Case Study 1: Briefcases to Backpacks – how can we build and diversify the City's offer?</b>	Rebecca Grasso, Manager City Culture, Parramatta City Council
9.35am – 9.55am	<b>Case Study 2: Moving Them On...</b>	Glenn Caldwell, Tourism Manager, Coffs Coast Marketing, Coffs Harbour City Council
10.00am – 10.20am	<b>Case Study 3: Sitting on a Rich Heritage and Modern Gold Mine</b>	Jeff Stien, Senior Economic Development and Tourism Advisor, Bland Shire Council, President of the Gold Trails
10.25am – 10.30am	Winners Presentation	
10.30am – 11.00am	Morning Tea - sponsored by Holiday Rental Solutions	
11.00am – 11.40am	Topic 3 - Short Term and Holiday Rentals	Facilitated by Jenny Dennis, Senior Policy Officer Planning, LGNSW: • Kim Bray, Manager Strategic Planning, Kiama Municipal Council • Daniel Kobeleff, Director / Owner, Holiday Rental Solutions
11.40am – 12.00pm	Topic 3 - Open question and answer session	
12.00pm – 12.10pm	Topic 4 - Lifecycle of an Event Introduction	Facilitated by Andrew Walsh AM, Artistic Director / Executive Producer, Accolade Event Management, White Night Melbourne
12.10pm – 12.25pm	Case Study 1: Vivid Sydney	Ignatius Jones, Creative Director, Vivid Sydney
12.25pm – 12.40pm	Case Study 2: The Deni Ute Muster (and the Deniliquin Blues and Roots Festival)	John Harvie, Economic and Business Development Manager, Deniliquin Council
12.40pm – 12.55pm	Case Study 3: Kurri Kurri Nostalgia Festival	Lesley Morris, Community Projects Manager, Towns With Heart
12.55pm – 1.10pm	Topic 4 - Open question and answer session	
1.10pm	Lunch - sponsored by Holiday Rental Solutions Close	

### State Your Case!

State Your Case! is an innovative way of hearing about three different tourism challenge case studies from Parramatta City, Coffs Harbour City and Bland Shire Councils. You, the audience, will hear the cases presented. A panel of three industry experts will be on hand to give their ideas for solutions. As an audience, you will then vote on the resolution that best answers the case study challenge. The winning council initiative will receive \$3000 towards implementing change.

### Accommodation and Transport:

LGNSW have secured a great Conference room rate at the Crowne Plaza Hunter Valley and have asked, in the name of event sustainability, that all our Conference delegates stay at the Resort. Accordingly, we are not supplying transfers from any other accommodation to the Conference or social events.

### Transfers to the Conference Dinner at Hope Estate:

Transfers to the Conference dinner will be by your own vehicle or in the double-decker bus, which can seat 90. The bus will leave the Crowne Plaza on Tuesday night at 7.00pm and return for a second pick up at 7.30pm. Following the dinner, return buses will leave Hope Estate at 11.00pm and 11.30pm.

### Conference Logistics:

The Conference dates were selected to allow for travel time within the working week and for the first time we are offering a half-day seminar to assist staff working in Visitors Information Centres deal with issues specific to them, to give more flexibility in the choices and pricing options, along with a Group Rate to encourage younger staff to be involved.

### Twitter:

If you are tweeting about the LGNSW Tourism Conference, please use the hashtag #lgtourism2014



# NOTICE OF MOTION

# NOTICE OF MOTION

ITEM NO. 1

FILE NO: A2004-0217

## CULTURAL PROJECT FUND

COUNCILLOR: STEVE TUCKER

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### THAT COUNCIL:

- 1) Amend the Cultural Projects Fund Guidelines to:
    - a) Remove the requirement for individual applicants to be sponsored by an incorporated body;
    - b) Remove the requirements for auspicing body/organisation applying for funding to be registered Non-Government Organisation or recognised legal entity.
- 

### ORDINARY COUNCIL MEETING – 25 MARCH 2014

### MOTION

073	<b>Councillor Steve Tucker</b> <b>Councillor Chris Doohan</b>
	It was resolved that Council amend the Cultural Projects Fund Guidelines to: <ol style="list-style-type: none"><li>a) Remove the requirement for individual applicants to be sponsored by an incorporated body;</li><li>b) Remove the requirements for auspicing body/organisation applying for funding to be registered Non-Government Organisation or recognised legal entity.</li></ol>

### BACKGROUND REPORT OF: BRUCE PETERSEN – COMMUNITY PLANNING AND ENVIRONMENTAL SERVICES

#### BACKGROUND

The current Cultural Projects Fund Guidelines require all applicants to be incorporated or sponsored by an incorporated body. The Guidelines also require auspice bodies or organisations to be a registered NGO or recognised legal entity.

Both of these requirements have been included within the guidelines to minimise any risks associated with the distribution of funds which may result in a personal benefit as opposed to a community benefit.

If individual applicants were not required to be sponsored by an incorporated body, and/or if a non-incorporated group was to apply for funding it would be a requirement under Section 356 of the Local Government Act to advertise any potential grants that would be paid to that individual or unincorporated body.

Council currently applies this requirement to relevant applications to the Financial Assistance Grant Program. Arguably this approach provides the opportunity for more community members to access these funds.

Regardless of the legal status (or governance framework) of an applicant, all applicants would still need to successfully address the specific guidelines of the Cultural Projects Funds, including delivering on community cultural development outcomes, in order to be considered for funding. Employing this approach will continue to minimise any risk to Council around funds being distributed for personal as opposed to community gain.

Should the Notion Of Motion be endorsed it is recommended that the changes be discussed with the Cultural Projects Fund Committee and they be embedded into the improvements made to the Cultural Projects Fund as part of the recent review of the funding program (that is to be reported to Council in May 2014).

There being no further business the meeting closed at 5.56pm.

*I certify that pages 1 to 143 of the Open Ordinary Minutes of Council 25 March 2014 were confirmed by Council at its meeting held on 8 April 2014.*

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**Bruce MacKenzie**  
**MAYOR**