

MINUTES 13 MAY 2014



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 13 May 2014, commencing at 5.31pm.

PRESENT: Mayor B MacKenzie; Councillors G. Dingle; C. Doohan; S. Dover; K. Jordan; P. Kafer; 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.

093	Councillor Sally Dover Councillor Chris Doohan
	It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council held on 8 and 15 April 2014 be confirmed.
	There were no declaration of interests received.
	There were no apologies received.

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MOTIONS TO CLOSE

MOTION TO CLOSE

ITEM NO. 1

FILE NO: A2004-0840

MOTION TO CLOSE MEETING TO THE PUBLIC

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(c) of the Local Government Act, 1993, the Council resolve to close to the public that part of its meetings to discuss Confidential Report Item 1 on the Ordinary meeting agenda namely **Purchase Commercial Property**.
- 2) That the reasons for closing the meeting to the public to consider this item be that it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business.
- 3) In particular, the information and discussion concerns **Purchase Commercial Property**.
- 4) On balance it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as the information and discussion need to be carried out confidentially to protect the interests of both parties. Any breach of such confidentiality could prejudice Council's position.
- 5) That the minutes relating to this item be made public.

ORDINARY COUNCIL MEETING –13 MAY 2014

MOTION

	The meeting was advised that this item has been withdrawn from the agenda.
094	Mayor Bruce MacKenzie Councillor Ken Jordan
	It was resolved that the confidential Mayoral Minute be brought forward and dealt with prior to Item 1.

MOTION TO CLOSE

ITEM NO. 2

FILE NO: 14-18

MOTION TO CLOSE MEETING TO THE PUBLIC

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(a) of the Local Government Act, 1993, the Council resolve to close to the public that part of its meetings to discuss Mayoral Minute Confidential Item 1 on the Ordinary Meeting agenda namely ***Appointment of the General Manager***;
- 2) That the reasons for closing the meeting to the public to consider this item be that the report and discussion will include matters and information relating to personnel matters concerning particular individuals;
- 3) That the report of the closed part of the meeting remain confidential.

ORDINARY COUNCIL MEETING –13 MAY 2014

MOTION

095	Councillor Ken Jordan Councillor Chris Doohan
	<p>It was resolved that Council:</p> <ol style="list-style-type: none">1) That pursuant to section 10A(2)(a) of the Local Government Act, 1993, the Council resolve to close to the public that part of its meetings to discuss Mayoral Minute Confidential Item 1 on the Ordinary Meeting agenda namely <i>Appointment of the General Manager</i>;2) That the reasons for closing the meeting to the public to consider this item be that the report and discussion will include matters and information relating to personnel matters concerning particular individuals;3) That the report of the closed part of the meeting remain confidential.

CONFIDENTIAL ITEM

CONFIDENTIAL MAYORAL MINUTE

ITEM NO. 1

FILE NO: 14-18

APPOINTMENT OF THE GENERAL MANAGER

ORDINARY COUNCIL MEETING –13 MAY 2014

MOTION

096	Mayor Bruce MacKenzie Councillor Ken Jordan
	It was resolved that Council: 1) Appoint Wayne Wallis to the position of General Manager. 2) Authorise the Mayor to make the offer of employment based on a five year performance based contract under the Standard Contract for Employment of General Manager's as approved by the Chief Executive of the Office of Local Government with the total remuneration package not to exceed \$302,671 inclusive of salary, superannuation and motor vehicle.

The Mayor adjourned the meeting at 5.37pm for ten minutes to allow the new General Manager to be interviewed by the media.

The meeting reconvened at 5.47pm with all present.

COUNCIL REPORTS

ITEM NO. 1

FILE NO: PSC2013-02344

OUTCOME OF TRIALLED IMPROVEMENTS TO COUNCILS CULTURAL FUND, AND ABORIGINAL PROJECTS FUND

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

GROUP: DEVELOPMENT SERVICES]

RECOMMENDATION IS THAT COUNCIL:

- 1) [Continue its current Cultural Projects and Aboriginal Projects Fund program as trialled over the last 10 months.]

ORDINARY COUNCIL MEETING –13 MAY 2014

MOTION

098	Councillor Chris Doohan Councillor Paul Le Mottee
	It was resolved that Council move into Committee of the Whole.

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor John Nell Councillor Sally Dover
	That the recommendation be adopted.

MOTION

100	Councillor John Nell Councillor Ken Jordan
	[It was resolved that Council continue its current Cultural Projects and Aboriginal Projects Fund program as trialled over the last 10 months.]

BACKGROUND

[The purpose of this report is to inform Council of the outcomes of a trial of improvements made to the Cultural Projects Fund and Aboriginal Projects Fund and make recommendations on future directions as resolved by Council at its meeting of 9 April 2013; Minute No: 082.

The Aboriginal Project Fund was initiated in 2002 as a resource to encourage local organisations to develop projects to meet identified needs within the indigenous community. The Cultural Project Fund commenced in 2004 and has since provided community groups with the opportunity to develop local cultural initiatives across a very broad spectrum of events and arts based activities. Collectively over 200 projects have been supported by Council and delivered by a very diverse range of community groups including indigenous organisations, community based "Not for Profit" groups, schools and local service clubs.

Council's Social Planning Team in consultation with the 355c Aboriginal Strategic Committee and 355c Strategic Arts and Culture Committee, has been responsible for the administration and development of both programs since their inception. In 2010 – 2011, as part of a Council wide sustainability review, it was identified that both programs would benefit from being more strategically and operationally aligned, including joint promotion, improved administrative processes and a stronger focus on encouraging community development outcomes.

The 2012 -2013 funding round for both programs was put on hold while Council considered, in consultation with the relevant 355c Committees, how best to implement these improvements. A 12 month trial then commenced 1 July 2013.

Trialled improvements included the clarification of key objectives and purpose of each funding program which are now more aligned with Council priorities.

Improvements to administrative processes included common application and acquittal forms on line, and improved assessment processes. These changes led to applicants commenting that the two programs were more assessable.

Improvements were also made to the way in which program information was communicated and promoted to community. For the first time a joint launch to promote the opening round of funding was initiated. The joint launch attracted a larger and more diverse audience which helped to raise the profile of both programs across the community.

The new funding format led to many new applications to the Cultural Projects Fund, particularly in Round 2. This can in part be attributed to information workshops being conducted prior to the funding round opening in 2013.

Difficulty was however experienced attracting new applicants to the Aboriginal Projects Fund. It is therefore proposed that in order to help attract new applicants/applications a number of information workshops (for the Aboriginal Projects Fund as well as the Cultural Fund) be conducted prior to the opening of the next funding round in the new financial year.

Overall the improvements introduced in 2013-2014 to both funding programs **(ATTACHMENT 1)** have brought about positive change and are recommended to be maintained. The building of a stronger strategic and operational relationship between the two funding programs has led to stronger partnerships between

MINUTES FOR ORDINARY COUNCIL – 13 MAY 2014

Council and members of the 355c Strategic Arts and Culture Committee and 355c Aboriginal Strategic Committee.

In summary, improvements to the funding programs included a greater understanding and awareness by applicants and stronger applications more aligned with Council priorities than in the past. The community also commented that the funds were more accessible and overall they were more satisfied with the revised funding programs.

One of our challenges is to continue to improve both funding programs. This will mean not only improvements to the way we promote these programs but also the way we establish and maintain partnerships with the community.

Since the completion of the review Council has also endorsed at a meeting 25 March 2014 changes to the Selection Criteria of the Cultural Project Funding Guidelines to allow for individuals and non- incorporated groups to apply for funding (**ATTACHMENT 2**). The changes to the relevant section of the Cultural Project Fund Guidelines are outlined in (**ATTACHMENT 3**).]

FINANCIAL/RESOURCE IMPLICATIONS

[Council provides a total budget allocation of \$95,000 annually towards these two grant programs. This is comprised of \$60,000 for the Cultural Project Fund and \$35,000 for the Aboriginal project Fund.]

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	[Yes]	[95,000]	[Availability of funds subject to endorsement of draft 2014/2015 budget]
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

[The changes introduced to the respective funding programs are based on continuous improvement processes. Ongoing improvements are needed to ensure that both funding programs remain relevant to growing community expectations and changes in Councils strategic direction and/or priorities.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
[There is a risk that if either of these two funding programs were reduced, discontinued or refocused it could be detrimental to Council's well established and respected relationship with the local Aboriginal community and cultural organisations.	[Medium	[Continue to deliver both funding programs under the revised guidelines.	[Yes
There is a risk that programs may become irrelevant and not valued by the community]	Medium]	Promote both programs widely, to increase application numbers and build community interest in programs. Continue to review and improve the way the program is delivered.]	Yes]

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[The high quality of applications received during the trial period reflected the enhanced service provided to our customers through improved communication, administrative processes and program delivery.

Collectively the two funding programs continue to provide Aboriginal and Cultural Groups across the community of Port Stephens with access to grants to finance community driven projects that recognise, value and build on the cultural diversity of Port Stephens. These projects deliver real value for service to our wider community in line with the goals and aspirations of the Community Strategic Plan.

Socially both programs support the ongoing development of partnerships across the community and access to programs and activities for many marginalised residents, including indigenous, elderly and the youth of Port Stephens that enables stronger social networks and participation in community life.]

CONSULTATION

[The outcomes of the trial have been considered by Council's PDSA Review Team and the members of Council's 355c Strategic Arts and Culture Committee and 355c Aboriginal Strategic Committee. Council staff from, the Economic Development Team and Events Team, have also been consulted. These parties are supportive of

the trialled improvements being retained in the operation of the two funding programs.

The proposed changes to the Cultural Project Fund Guidelines have been discussed and endorsed by the 355c Strategic Arts and Culture Committee.]

OPTIONS

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

ATTACHMENTS

- 1) [Summary of Program Improvements and Outcomes Achieved;
- 2) Notice of Motion Council Meeting 25 March 2014;
- 3) Amended Cultural Project Fund Guidelines.]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

[Nil.

ATTACHMENT 1

Summary of Program Improvements and Outcomes Achieved

Summary of improvements to Cultural Project Fund and Aboriginal Project Fund and the outcomes achieved.

Trialled Improvements	Details	Outcome of Improvement	Future Direction
Purpose	<p>New Purpose Statements as follows from June 2013:</p> <p>New succinct purpose statements developed for both programs;</p> <p>Cultural Projects Fund: Its purpose is to support projects that celebrate and promote community in Port Stephens through cultural programs, events, and support activities which increase our sense of belonging and pride to community through the arts.</p> <p>Aboriginal Projects Fund: Its purpose is to support community projects designed and/or intended to empower local Aboriginal people and build greater understanding, connection and appreciation of aboriginal culture.</p>	Clear clarification of distinct purpose of each program has eliminated confusion and risk of misunderstanding amongst customers as to the aims and key objectives of respective funding programs. Note: Cultural Project Fund focuses on 'the arts'.	Retain
Alignment with Council Plans and Strategies	Align funding guidelines and priorities with the objectives in Council's Community Strategic Plan, and other key organisational plans and strategies.	<p>Applications are now focused on resourcing the delivery of Council's strategic directions for Culture which is inclusive of the Arts, Heritage and Aboriginal programs and initiatives.</p> <p>A more integrated understanding and approach to Community Cultural Development across Council.</p>	Retain, and further develop as Cultural Plan and Cultural Framework is revised over time.
Community and Cultural Development	Social Planning has in the past, as part of its community development program/service, provided professional advice on key issues, opportunities, Council priorities, project development	<p>Improved quality of applications.</p> <p>Eliminated risk of applications being duplicated and/or double dipped under both</p>	Retain, recognising need to resource support for project

Trialled Improvements	Details	Outcome of Improvement	Future Direction
	<p>and requirements of the funding programs.</p> <p>Increased opportunity for collaboration</p> <p>Support is extended to successful applicants throughout duration of project, resources permitting, to encourage more sustainable practice and outcomes.</p>	<p>programs.</p> <p>Formulation of partnerships with other service providers in the development and delivery of funded projects has led to better community outcomes and future project sustainability.</p>	<p>development. Responsibility for the delivery of this action will be with the Community Development and Engagement Team (in lieu of Social Planning being dissolved and related business allocated to new teams)</p>
Timing of funding rounds	<p>The Aboriginal Projects Fund is a one off annual funding program;</p> <p>The Cultural Projects Fund is a twice a year funding program.</p> <p>Introduce an annual joint launch of the two funding programs at the start of financial year;</p> <p>Second round of Cultural Projects Fund is opened in line with Council's Financial Assistance Grants program which has two funding rounds a year.</p>	<p>Joint launch has generated greater community interest in the programs, and attracted prospective applicants to both programs with information on what the programs are about, associated processes, guidelines and requirements.</p> <p>Access to the second round of cultural grant funding has provided an added opportunity for organisations seeking funding and aided developmental processes. This was quite a positive initiative with second round comprising a number of first time applicants to the Cultural Projects Fund.</p>	<p>Retain and include information workshops for both programs following joint launch.</p>
Application Processes	<p>Steps in the application process were streamlined and;</p> <p>Introduction of requirement that applicants must discuss their</p>	<p>Increased customer satisfaction and made Aboriginal Project Fund more accessible.</p>	<p>Retain</p>

Trialled Improvements	Details	Outcome of Improvement	Future Direction
	<p>proposal with relevant Council staff prior to lodgement and also demonstrate that they have consulted with other relevant external stakeholders concerning their application.</p> <p>Deleted unnecessary steps including Expressions of Interest and need for endorsement from Local Aboriginal Land Councils for projects under the Aboriginal Projects Fund</p>	Improved applications.	
Application Forms	<p>Introduction of new application forms common to both grant programs.</p> <p>The new user friendly online application form utilises the Survey Monkey online program widely used throughout Council. The use of this software replaces the previous online application software (Smarty Grants) used for the Cultural Projects Fund which has resulted in organisational savings of approximately \$15,000.</p>	<p>Increased customer satisfaction</p> <p>Improved consistency in governance between Council's various grant programs.</p>	Retain
Guidelines – terminology and definitions	<p>The terms and definitions used in the guidelines of the two programs have been revised and updated. This has provided a clearer differentiation in the definitions of what constitutes 'traditional Aboriginal culture' from the definition of 'culture' used under the Cultural Projects Fund</p>	<p>Eliminated confusion and risk of misunderstanding amongst customers.</p> <p>Stronger applications.</p>	Retain
Assessment Process	<p>Social Planning Team provided initial comment on lodged grant applications.</p> <p>Streamline S355C Aboriginal Strategic Committee's meetings to assess applications into a single one-off meeting;</p> <p>To ensure better governance, established a panel of relevant</p>	<p>Increased satisfaction of members of S355C Aboriginal Strategic Committee;</p> <p>Greater transparency for community and accountability demonstrated by Council committees.</p>	Retain. Responsibility for initial assessment will be with the Community Development and Engagement Team (in lieu

Trialled Improvements	Details	Outcome of Improvement	Future Direction
	<p>Council staff and representatives from Council's S355C Strategic Arts & Cultural Committee to finalise assessment and make recommendations to Council on allocation of available Cultural Projects Funds.</p> <p>Input from relevant Council staff and involvement of key internal stakeholders in the assessment process.</p>	<p>Organisational participation of key internal staff, input of Social Planning Team members and members of Committees helps to ensure greater value as a result of shared knowledge and understanding of the local community and cultural sectors.</p>	<p>of Social Planning being dissolved and related business allocated to new teams)</p>
Quantity of applications	<p>Implement a promotional strategy to maximise community interest and participation in the two grant programs.</p>	<p>Increased awareness.</p> <p>Receipt of applications from several first time applicants to both programs.</p> <p>Increased number of applications to the Cultural Projects Fund, but difficulty was experienced in attracting applications to the Aboriginal Projects Fund.</p>	<p>Need to further develop promotional strategy to generate greater interest in the Aboriginal Projects Fund. Will include information workshop at beginning of Round One funding.</p>
New Funding Limit	<p>Introduce a funding limit of \$3,000 per project under the Cultural Projects Fund.</p>	<p>Funding limit now in line with intent to seed 'new initiatives' and build sustainability for ongoing projects under the Cultural Projects Fund.</p>	<p>Retain</p>
Acquittal and Reporting Requirements	<p>Introduce new grant acquittal form common to both grant programs.</p> <p>Introduced Project Snap Shot as part of acquittal</p>	<p>Acquittal forms now in line with forms used under Council's Financial Assistance Grants Program.</p> <p>Project Snap Shots provide a succinct summary of activity focused on developmental nature of funding programs.</p>	<p>Retain</p>

. ATTACHMENT 2

Notice of Motion – Council Meeting 25 March 2014

MINUTES COUNCIL COMMITTEE – 25 MARCH 2014

NOTICE OF MOTION

ITEM NO. 1

FILE NO: A2004-0217

CULTURAL PROJECT FUND

COUNCILLOR: STEVE TUCKER

THAT COUNCIL:

- 1) Amend the Cultural Projects Fund Guidelines to:
 - a) Remove the requirement for individual applicants to be sponsored by an incorporated body; and
 - 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	Councillor Steve Tucker
	Councillor Chris Doohan
	It was resolved that Council amend the Cultural Projects Fund Guidelines to: a) Remove the requirement for individual applicants to be sponsored by an incorporated body; and b) Remove the requirements for auspicing body/organisation applying for funding to be registered Non-Government Organisation or recognised legal entity.

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.

MINUTES COUNCIL COMMITTEE – 25 MARCH 2014

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 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.

ATTACHMENT 3
Amended Cultural Project Fund Guidelines

Amended Cultural Project Fund Guidelines – Section 6

6. ORGANISATION ELIGIBILITY CRITERIA

The Cultural Project Fund is open to; incorporated community organisations; organisations without a recognised legal entity including NGO status with Department of Fair Trading; individuals who can satisfy program objectives and criteria; schools and other recognised government agencies.

To be eligible to apply for funding the additional criteria listed below must also be addressed by the applicant:

- Applications submitted by community groups and individuals must demonstrate a clear project management plan and budget.
- The applicant, and other people contracted to deliver activities directly supported by Cultural Project Funds, has appropriate insurances to carry out scope of work identified including public liability insurance.
- Permission has been granted by appropriate Council Officer(s) when identified project activity is to take place on Council land and/or involves a Council asset.
- Applicants must have appropriately satisfied the conditions of funding for any grants previously received from Council under the Cultural Projects Funds and/or another Council funding program.
- An applicant must not receive funding from another Council funding program to support the specific project activity proposed in your Cultural Project Funding application.

Original Cultural Project Fund Guidelines – Section 6

6. ORGANISATION ELIGIBILITY CRITERIA

To be eligible to apply for funding under the Cultural Project Fund all of the following criteria must be met by the organisation:

- The applicant must be an incorporated, community based not for profit organisation that has an experienced and recognised management structure.

If your organisation is not incorporated, or you are an individual you should approach an eligible organisation to sponsor the project under its name. This means that the sponsoring organisation will take full responsibility for the legal and financial accountability of the proposed project and work with you in delivering the project. You would have to negotiate your involvement in the delivery of the project with this organisation.

- The organisation applying for funding has appropriate insurances to carry out scope of work identified including public liability insurance.
- Permission has been granted by appropriate Council Officer(s) when identified project activity is to take place on Council land and/or involves a Council asset.
- Applicants must have appropriately satisfied the conditions of funding for any grants previously received from Council under the Cultural Projects Funds and/or another Council funding program.
- Your organisation must not receive funding from another Council funding program to support the specific project activity proposed in your Cultural Project Funding application.

ITEM NO. 2

FILE NO: PSC2009-02408V4

TENDER T04-2014 REMOVAL OF SAND AND T05-2014 SALAMANDER SHOPPING PRECINCT EXPANSION, 155 SALAMANDER WAY, SALAMANDER BAY

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

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 2 on the Ordinary Council agenda namely **Tender T04-2014 Removal of Sand & T05-2014 Salamander Shopping Precinct Expansion, 155 Salamander Way, Salamander Bay - Tenders.**]
 - 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 T04-2014 Removal of Sand & T05-2014 Salamander Shopping Precinct Expansion.**]
 - 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) Reject Tenders for the civil works (T05 – 2014) and removal of sand (T04 – 2014).]
-

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor John Nell Councillor Paul Le Mottee
	That the recommendation be adopted.

MOTION

101	Councillor John Nell Councillor Ken Jordan
	It was resolved that Council reject Tenders for the civil works (T05 – 2014) and removal of sand (T04 – 2014).

BACKGROUND

The purpose of this report is to provide the rationale for the consideration of not accepting any of the tenders for the works associated with the subdivision of Council owned land at 155 Salamander Way, Salamander Bay.

Council prepared a DA for a three (3) lot subdivision of the land to facilitate the sale of Lot 2 to one of the lots to Woolworths for the development of a Big W.

A contract for the sale of the proposed Lot 2 was entered into in March 2012 between Port Stephens Council and Fabcot Pty Ltd (a Woolworths owned company).

Council obtained development consent for the subdivision in April 2013. Fabcot obtained development consent for a Big W discount department store in July 2013.

The strategy in the development of the Salamander land was to enable the construction of the subdivisional works and all associated infrastructure to be fully funded by the sale of Lot 2 to Fabcot, this would also include a surplus amount of funds.

Council prepared tenders for the construction of the civil works (T05 – 2014) and for the removal of a quantity of sand (T04 – 2014) from the proposed Lot 2. Tenders closed on 4 March 2014.

Fabcot has advised Council that they no longer wish to proceed with the development at Salamander, based on a review of their network plan, market conditions and demographics. This analysis indicated that the retail changes that are currently being experienced are considered structural and not cyclical therefore the Fabcot Board have made some significant decisions on its portfolio structure with an impact on the provision of discount department stores throughout Australia.

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On 13 March 2014 Solicitors for Fabcot issued a rescission notice of the contract for sale of land.

The Tenders were evaluated by the Tender Panel in accordance with the Tender procedure however in light of the Fabcot decision, it is considered inappropriate to proceed, at this time, with the construction of the subdivision, without the benefit of income to offset the construction costs.

Other development options remain a possibility for the site including Lot 2. Property Services have held discussions with a number of interested parties in recent times and previously over the past one to two years, they may now consider advancing their level of interest. An Expression of Interest process would be a way of determining the level of genuine interest in purchasing and developing the site.]

FINANCIAL/RESOURCE IMPLICATIONS

[In the event that tenders are not rejected, Council will be required to source the construction funding through borrowings, without a predetermined sale of land to allow for the discharge of the loan. This course of action is not recommended.]

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	Yes	4.3m	Bank loan

LEGAL, POLICY AND RISK IMPLICATIONS

[Under Part A, Section 2 "Invitation" and Part A, Section 7 "Value for Money Assessment Criteria" of the Request for Tenders Contract: Council is not bound to accept the lowest tender or any tender submitted and may decline to accept any of the tenders in accordance with Local Government (General) Regulation 2005 – REG 178.

Council is pursuing legal action against Fabcot to recover costs associated with the preparation of the DA.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
[There is a risk that if the tenders are not rejected Council will not comply with Clause 178 of the General Regulations of the Local Government Act 1993.	Medium	Reject the tenders through the appropriate process.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[Development of the site will be delayed to allow for options to be explored through negotiations with other potential end users.

Should a willing buyer/developer be identified for Lot 2, the possibility of the proceeds of sale, meeting the costs of construction of the subdivision is realistic.

Obtaining a pre-committed end user for the site is fundamental for the works to proceed. The works do not only include the subdivision, they also include essential upgrades of infrastructure in the form of shared pedestrian footpaths, cycle ways, a bus interchange, external road networks and landscaping. All of these improvements will enhance the future development of the balance of the site.]

CONSULTATION

- 1) [Two Way Conversation held with Councillors on 15 March 2014;
- 2) Harris Wheeler Lawyers;
- 3) Group Manager Corporate Services;
- 4) Environmental Property Services;
- 5) Geoff Craig & Associates.]

OPTIONS

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

ATTACHMENTS

[Nil.]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

[Nil.]

ITEM NO. 3**FILE NO: PSC2009-02408V4****REQUEST FOR PROPOSALS – 155 SALAMANDER WAY, SALAMANDER BAY****REPORT OF: CARMEL FOSTER – PROPERTY SERVICES SECTION MANAGER****GROUP: CORPORATE SERVICES]**

RECOMMENDATION IS THAT COUNCIL:

- 1) [Approves the commencement of a Request for Proposal process for Lots 1 and 2 (Lot 284 DP 806310), 155 Salamander Way, Salamander Bay.]

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor John Nell Councillor John Morello
	That the recommendation be adopted.

MOTION

102	Councillor John Nell Councillor Ken Jordan
	It was resolved that Council [approves the commencement of a Request for Proposal process for Lots 1 and 2 (Lot 284 DP 806310), 155 Salamander Way, Salamander Bay.]

BACKGROUND

[The purpose of this report is to obtain Council approval to seek a Request for Proposal (RFP) for Lot 1 and Lot 2 (Lot 284 DP806320) located at 155 Salamander Way, Salamander Bay. Previously Lot 2, a two hectare allotment situated to the north of the existing shopping centre, was under contract to Fabcot Pty Ltd (Woolworths) to provide for the construction of a discount department store (Big W). The sale of the allotment would have enabled the construction of the subdivisional works and all associated infrastructure, the proceeds would also include a surplus amount of funds.

On 13 March 2014, Solicitors for Fabcot Pty Ltd issued a notice of rescission to the contract for sale of land. In light of this decision, it is considered inappropriate at this time, to proceed with the construction of the subdivision, without the benefit of

MINUTES FOR ORDINARY COUNCIL – 13 MAY 2014

income to offset the construction costs. Property Services has prepared a separate business paper to address the rejection of Tenders - T04-2014 Removal of Sand and T05-2014 Salamander Shopping Precinct Expansion.

However, other development options remain a possibility for the site, including Lot 2. Property Services have held discussions with a number of interested parties that have contacted Council to register their interest in the land. It would be prudent now to investigate if they would consider advancing their level of interest. An RFP process would be a way of determining the level of genuine interest in purchasing and developing the site.]

FINANCIAL/RESOURCE IMPLICATIONS

[The RFP process will be managed by the Property Services Section Officers. There will be a requirement for an Information Memorandum to be prepared and the process will incur advertising costs.]

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	[Yes]	[10,000]	[The RFP process will be managed internally however budget from Council's property reserve will be required for advertising purposes.]
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

[The RFP process will be conducted in accordance with Council's procurement guidelines.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
[There is a risk that if an RFP process is not conducted, Council may fail to benefit from potential development interests and associated revenue.]	[Medium]	[Approve the RFP process.]	[Yes]
[There is a risk that if a portion of the land is not sold there will be a delay	[High]	[Approve the RFP process.]	[Yes]

MINUTES FOR ORDINARY COUNCIL – 13 MAY 2014

in providing essential infrastructure to the shopping precinct.]			
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SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[Development of the site will be delayed to allow for the RFP process and negotiations to be undertaken with potential end users.

Should a willing buyer/developer be identified for Lot 1 and/or Lot 2, the possibility of the proceeds of sale meeting the costs of construction of the subdivision are realistic.

Obtaining a pre-committed end user for the site is fundamental for the works to proceed. The works do not only include the subdivision, they also include essential upgrades of infrastructure in the form of shared pedestrian footpaths, cycle ways, a new bus interchange, external road networks and landscaping. All of these improvements will enhance the future development of the balance of the site.]

CONSULTATION

- 1) [Two Way Conversation with Councillors 15 April 2014;
- 2) Group Manager Corporate Services;
- 3) Financial Services Section Manager;
- 4) Property Services Development Coordinator.]

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: A2004-0242

QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2014

REPORT OF: TIM HAZELL – FINANCIAL SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES]

RECOMMENDATION IS THAT COUNCIL:

- 1) [Approve the discretionary changes to the adopted budget as detailed under separate cover (**TABLED DOCUMENT 1**) presented as the 2013-2014 Quarterly Budget Review Statement – March 2014.]

ORDINARY COUNCIL MEETING –13 MAY 2014

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Ken Jordan Councillor Sally Dover
	That the recommendation be adopted.

MOTION

103	Councillor John Nell Councillor Ken Jordan
	[It was resolved that Council approve the discretionary changes to the adopted budget as detailed under separate cover (TABLED DOCUMENT 1) presented as the 2013-2014 Quarterly Budget Review Statement – March 2014.]

BACKGROUND

[The purpose of this report is to amend the budget by bringing to Council's attention the proposals and issues that have an impact on the 2013-2014 budget that are detailed in the Quarterly Budget Review Statement – March 2014. This statement sets out the details of variations between Council's original budget and the proposed budget as part of the March Quarterly Budget Review.

Council adopted its Integrated Strategic plans on 28 May 2013 (Minute No.147) and these plans include the budget estimates for the 2013-2014 financial year.]

FINANCIAL/RESOURCE IMPLICATIONS

Council's underlying result is expected to be \$0.895 million (surplus) being an improvement of \$0.867 million with the adoption of the recommended changes. The original projected underlying surplus adopted by Council in May 2013 was \$1.585 million.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	Yes	867,000	Positive Movement

LEGAL, POLICY AND RISK IMPLICATIONS

Clause 203 (1) of the Local Government (General) Regulation 2005 requires Council's Responsible Accounting Officer to prepare and submit a Quarterly Budget Review Statement (QBRs) to Council.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the underlying operating result may return to a deficit.	Low	Long Term Financial Plan forecasts to maintain an underlying surplus from 2014 onwards.	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

- Executive Leadership Team.

OPTIONS

- Accept the recommendation;
- Amend the recommendation;
- Reject the recommendation.

ATTACHMENTS

[Nil.]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

- 1) [2013-2014 Quarterly Budget Review Statement – March 2014.]

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ITEM NO. 5

FILE NO: PSC2013-00688

SUSTAINABILITY REVIEW: CORPORATE STRATEGY AND PLANNING

REPORT OF: WAYNE WALLIS – GROUP MANAGER

GROUP: CORPORATE SERVICES]

RECOMMENDATION IS THAT COUNCIL:

- 1) [Note the information contained in the Sustainability Review – Corporate Strategy and Planning as presented as **(TABLED DOCUMENT 1)** and endorse the findings of the review.]

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Paul Le Mottee Councillor John Morello
	That the recommendation be adopted.

MOTION

104	Councillor John Nell Councillor Ken Jordan
	It was resolved that Council [note the information contained in the Sustainability Review – Corporate Strategy and Planning as presented as (TABLED DOCUMENT 1) and endorse the findings of the review.]

BACKGROUND

[The purpose of this report is to present to Council the outcomes of the Sustainability Review of Corporate Strategy and Planning in the Office of the Group Manager Corporate Services.

The comprehensive review of this package of services has been undertaken in accordance with Clauses 17.1 and 18.1 of the Community Strategic plan to ensure that Port Stephens has strong governance, civic leadership with citizens who are informed and involved.

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 could best be delivered (service delivery method).

Corporate Strategy and Planning (CSP)

Corporate Strategy and Planning forms part of the Office of the Group Manager, Corporate Services. Its purpose is to provide high level professional service to Council in corporate strategic planning, implementation and reporting and to undertake special projects and research. CSP has an EFT of 1.0 and this EFT has remained static for the last 8.5 years.

The key functions of CSP are corporate planning, corporate reporting, organisational research including customer satisfaction surveys. In 2012 the fees and charges process was transferred from Financial Services to CSP. From 2011 CSP has also facilitated and coordinated Council's nominations for prestigious and strategically important awards. In terms of special projects from 2012 CSP has participated on Council's behalf with LGMA NSW and the Office of Local Government in the development of performance indicators and other measures of councils' performance; and has drafted all Council's responses to the various Destination 2036 reviews. CSP projects also included research into Community Service Obligations that may inform future asset management planning.

Council currently receives at least twelve (12) requests each year to complete surveys provided by external agencies, many of which carry penalties for non-completion. In the past, Council's response has been ad hoc and part of this Sustainability Review recommends that responses be coordinated through CSP to minimise risk and ensure accuracy and quality of information supplied to other agencies both public and private.

Services and outputs provided and proposed by Corporate Strategy and Planning are presented in the Service Strategy (**ATTACHMENT 1**).

In summary, the key findings of the Sustainability review are:

- Business as usual for planning, reporting, surveys and special projects;
- Fees and charges: Software to capture costs and streamline process is being investigated;
- Award nominations to be coordinated through CSP with input from Communications section;
- Annual reports: Fully statutory report and Your Port Stephens – summary for Spring edition;
- Coordination of all external survey requests through CSP to mitigate risks – financial and reputation;
- No additional expenditure/savings but doing more with less.

Benchmarking data:

Staff ratios for equivalent service provision identified from other councils in the Hunter and Central Coast, indicate that 2.0-3.0 EFT is considered normal compared to 1.0 EFT for CSP. |

FINANCIAL/RESOURCE IMPLICATIONS

The total budget for CSP in 2013-2014 is \$203,900 (including salary costs and overheads). This is a decrease of \$6,500 pa. since the 2011 Sustainability review of CSP.]

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	203,900	Sourced from revenue
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council's community engagement, planning and reporting requirements are legislated under the Local Government Act and Regulations. Council has a legal responsibility to comply with this legislation.

Specifically Council needs to manage risks associated with financial penalties for non-completion of surveys such as those required by the Australian Bureau of Statistics.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may fail in its statutory planning and reporting duties leading to poor outcomes for its community and loss of reputation of Council.]	[Low]	[Continue agreed levels of service within statutory timeframes.]	[Yes]
There is a risk that Council may fail to complete statutory survey returns leading to significant financial loss.]	[Low]	[CSP coordinates responses to external survey requests and maintains a survey register.]	[Yes]

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Corporate Strategy and Planning plays a key role in community engagement for planning the LGAs future, for planning and reporting on Council's contributions to its LGA and monitoring the contribution of other agencies. Transparent reporting to the

Council and the community is the basis for sound governance and decision-making. CSPs' role in across-Council coordination ensures that all operations and strategies are aligned with Council's goals in the Community Strategic plan.]

CONSULTATION

- 1) [Executive Leadership team;
- 2) Organisational leaders of key planning/reporting initiatives: Financial Services Manager, Civil Assets Manager, Business Improvement Manager, Human Resources Manager;
- 3) Other integrated planning and reporting sections of Hunter and Central Coast councils.]

OPTIONS

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

ATTACHMENTS

[Nil.]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

- 1) [Corporate Strategy and Planning Service Strategy.]

ITEM NO. 6**FILE NO: PSC2005-3989****NEW SOUTH WALES PUBLIC LIBRARY FUNDING CAMPAIGN****REPORT OF: STEVEN BERNASCONI – COMMUNITY SERVICES SECTION MANAGER****GROUP: FACILITIES AND SERVICES**

RECOMMENDATION IS THAT COUNCIL:

Provide support to the campaign mounted by the NSW Public Library Association for increased State funding to local government for public libraries by:

- 1) Making representation to the local State Member in relation to the need for additional funding from the NSW State Government for the provision of public library services;
- 2) Writing to the Hon. Troy Grant, Minister for the Arts, calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries;
- 3) Approving the distribution of NSW Public Library Association campaign information in Council libraries;
- 4) Taking a lead role in activating the campaign locally.

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Peter Kafer Councillor Paul Le Mottee
	That the recommendation be adopted.

MOTION

105	Councillor John Nell Councillor Ken Jordan
	<p>It was resolved that Council provide support to the campaign mounted by the NSW Public Library Association for increased State funding to local government for public libraries by:</p> <ol style="list-style-type: none">1) Making representation to the local State Member in relation to the need for additional funding from the NSW State Government for the provision of public library services;2) Writing to the Hon. Troy Grant, Minister for the Arts, calling upon the Government to implement the Reforming Public Library Funding

	<p>submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries;</p> <p>3) Approving the distribution of NSW Public Library Association campaign information in Council libraries;</p> <p>4) Taking a lead role in activating the campaign locally.]</p>
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BACKGROUND

[The NSW public library funding situation is an historic issue that has been ignored by successive NSW governments. The funding level has now reached a crisis point. The key issues are:

- NSW receives the lowest per-capita funding for public libraries from the State Government of all states in Australia;
- State Government expenditure on public libraries has decreased as a proportion of total public library expenditure from 23% in 1980 to 7% in 2013;
- NSW Local Government councils are currently paying 93% of the costs to operate public libraries in NSW (which are governed by state legislation);
- The current NSW Public Library Funding Strategy includes three components:
 1. Per capita subsidy (legislated at \$1.85 per NSW resident) - \$13,503,243 in 2012-13;
 2. Disability & Geographic Adjustment - includes a component of population-based payments and a proportion of payments based on five disability factors developed by the NSW Local Government Grants Commission (pre-school children; people over 65; people from a Non English Speaking Background; population distribution; isolation) - \$6,551,966;
 3. Library Development Grants - \$549,996 (this amount has reduced from \$3.3m in 2005-06).
- The NSW Public Library Funding Strategy is not indexed to population growth or the consumer price index. This means that:
 - Funds have been taken from the Library Development Grant pool over a number of years to meet the increased per capita subsidy costs (and the per-capita component of the Disability and Geographic Adjustment fund) as the NSW population increases each year. If the government had not provided an “additional” \$2m to maintain the Country Public Libraries fund contribution in 2013-14, there would be no funding left for Library Development Grants; and
 - If the current funding situation is not addressed urgently, NSW councils will suffer a reduction in their Disability and Geographic Adjustment payments to meet the increase in legislated per-capita subsidy costs for additional NSW population.]

FINANCIAL/RESOURCE IMPLICATIONS

[Should Council adopt the recommendations and the campaign is successful it will mean greater State government grant funding to operate our public libraries. This in turn results in a reduction in ratepayer funding for libraries and thus a contribution towards Council underlying financial position. The table below shows the current ratepayer funding and the state government grant funding for all Port Stephens Council libraries.]

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	[Yes]	[1,970,000]	[Current annual ratepayer funding for Port Stephens Council library services.]
Reserve Funds	[No]	[No]	
Section 94	[No]	[No]	
External Grants	[Yes]	[(182,230)]	[Current state government per capita subsidy for all Port Stephens Council library services.]
Other	[No]	[No]	

LEGAL, POLICY AND RISK IMPLICATIONS

[Adopting the recommendations may result in the following risks.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
[There is a risk that some corners of the community will view this campaign as a waste of time and money resulting in reputation damage to Council.]	[Low]	[Use facts to advise detractors of the importance of increasing state funding for public libraries.]	[Yes]
[There is a risk that the State government might view this campaign negatively and transfer that negativity onto other library grant programs resulting in financial loss.]	[Low]	[Maintain key relationships with NSW State Library.]	[Yes]

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[There no implications to the local economy or ecology from adopting the recommendations.]

Adopting the recommendations may have an impact on society generally as the benefits of an adequately funded public library service has shown to contribute to social cohesion, literacy and numeracy development, computer literacy and improved education and career development.]

CONSULTATION

[In 2012 the Library Council of NSW provided a submission to the State Government called *Reforming Public Library Funding* (ATTACHMENT 1) in October 2012. The evidence-based submission recommended a fairer, simplified and more transparent method for the distribution of funds. The NSW Public Library Association is now coordinating a targeted campaign to bring the situation to the attention of politicians and funding decision makers to address the problem.]

Given that 44% of the state's population and XX% of Port Stephens residents are library users, it is anticipated that there will be strong support for the campaign in the community. Research also highlights the high value placed on public libraries by users and non-users alike. There will be high level media engagement and local and national champions of public libraries will be advocating for funding reform.

Internally consultation has taken place with the Mayor Bruce Mackenzie, Library Services Manager, library managers from neighbouring council areas, NSW Public Library Association, Library Council of NSW.]

OPTIONS

- 1) [Adopt the recommendations;
- 2) Amend the recommendations;
- 3) Reject the recommendations.]

ATTACHMENTS

- 1) [Summary of "Reforming Public Library Funding" submission of the Library Council of NSW in 2012".]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

[Nil.]

ATTACHMENT 1

**Summary of
"Reforming Public Library Funding"**

The NSW State Government currently provides \$26.5M annually to local government in support of public libraries.

The Library Act 1939 sets out that the Library Council of NSW advises the Minister for the Arts on matters of public library policy and administration, and the provision of assistance to local libraries.

In 2012 the Library Council commissioned the State Library of NSW to work with local government stakeholders on a comprehensive review of the efficacy, administration and level of State funding in support of public libraries. As a result of this review, key stakeholders NSW Metropolitan Public Libraries Association, Public Libraries NSW and the Local Government and Shires Association have unanimously agreed on a new approach to the State Government Public Library Grants and Subsidies recommended by the Library Council of NSW. This new approach is necessary to ensure that NSW councils are able to continue to maintain and develop quality library services and ancillary services for the people of NSW.

Enabling communities

In 2012 there are 374 public libraries across NSW, operated by 151 local authorities. They operate as 99 services, some standalone and some through regional library agreements.

Over the past 10 years in NSW visits to libraries have grown by 24% to almost 36 million per annum. 3.3 million people in NSW (or 46% of the NSW population) in 2010/11 are library members. Loans of books and other materials have increased to almost 50 million per annum, and Internet usage in libraries continues to grow with more than 2.7 million hours of Internet access provided by NSW public libraries in 2010/11.¹ Public libraries are thus a key resource for community well being and the delivery of government services.

The sustained growth in demand from the people of NSW demonstrates the need for library services, and has placed pressures on local governments which are endeavouring to meet the demand.

Transparent reform

The Library Council recommends a fairer, simplified and more transparent method for the distribution of funds. The following principles for a new approach are recommended:

¹ State Library of NSW (2012) *Public Library Statistics 2010-11*

- **Establish a base level of funding** for councils with populations below 20,000 people (*a safety net* for small councils).
- **Grant a modest increase in per capita allocations** for all councils to recognise cost movements since 1994
- **Address disadvantage transparently** through the application of appropriate disability factors
- **Phase out anomalies** in current allocations due to former council amalgamations
- **Ensure sustainability** by providing that no council receives less recurrent funding than 2012/13
- **Build and maintain infrastructure** via a substantial capital fund, entitled the *Building Library Infrastructure Program*.

A modest proposal

The Library Council recommends that recurrent public library funding to councils be modestly adjusted from the current \$26.5M to \$30M per annum from 2013/14 and indexed from the following year. This would be allocated as follows: 68% (\$20.4M in 2013/14) to councils by population with a base level of funding for councils with fewer than 20,000 residents, 17% (\$5.1M) to councils by NSW Local Government Grants Commission (LGGC) disability factors to explicitly address disadvantage and 15% (\$4.5M) applied to Statewide Programs.

Capital Needs

In addition, a *Building Library Infrastructure Program* of \$30M per annum for building and maintaining infrastructure is recommended to replace the now defunct provision of grants from operating funds. This program will enable councils to renew library buildings, systems, collections and equipment in regional, urban and growth areas. It is proposed that this be phased in, rising to \$30M over the 4 years from 2013/14 and indexed thereafter.

The State Library is currently seeking State Government support for this funding increase and model change.

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ITEM NO. 7

FILE NO: A2004-0511

LOCAL TRAFFIC COMMITTEE REPORT – 4 MARCH 2014

REPORT OF: JOHN MARETICH – CIVIL ASSETS MANAGER

GROUP: FACILITIES AND SERVICES]

RECOMMENDATION IS THAT COUNCIL:

- 1) [Adopt the recommendations contained in the minutes of the Local Traffic Committee meeting held 4th March 2014.]

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Ken Jordan Councillor Chris Doohan
	That the recommendation be adopted.

MOTION

106	Councillor John Nell Councillor Ken Jordan
	[It was resolved that Council adopt the recommendations contained in the minutes of the Local Traffic Committee meeting held 4 th March 2014.]

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]	[44,000]	[Approximately 60% of the annual budget spent so far]
Reserve Funds	No		
Section 94	No		
External Grants	No		
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 leading to unsatisfied community and road users.]	[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 leading to community and road users being placed in an unsafe situation when using our transport and road facilities.]	[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 NSW 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 the recommendations;
- 2) Amend the recommendations;
- 3) Reject the recommendations.]

ATTACHMENTS

- 1) [Local Traffic Committee minutes – 4/3/2014.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES OF THE PORT STEPHENS

LOCAL TRAFFIC COMMITTEE MEETING

**HELD ON TUESDAY 4TH MARCH 2014
AT 9.30AM**

Present:

Ms Michelle Mexon, representing Craig Baumann MP, Cr Peter Kafer, Cr Geoff Dingle, Mr Mark Morrison – Roads and Maritime Services, Mr Joe Gleeson (Chairperson), Ms Lisa Lovegrove, Ms Melanie Finlay - Port Stephens Council, Mrs Margarete Ritchie – (Brandy Hill Drive item only)

Apologies:

Senior Constable John Simmons – NSW Police, Mr John Meldrum – Hunter Valley Buses, Port Stephens Coaches,

A. ADOPTION OF THE LOCAL TRAFFIC COMMITTEE MINUTES OF 4TH FEBRUARY, 2014

B. BUSINESS ARISING FROM PREVIOUS MEETING

08_02/14 BOULDER BAY ROAD FINGAL BAY – REQUEST FOR ONE-WAY TRAFFIC IN THE UNNAMED LANEWAY BETWEEN BOULDER BAY ROAD AND MARKET STREET

C. LISTED MATTERS

09_03/14 ADELAIDE STREET RAYMOND TERRACE - SAFETY CONCERNS AT THE BELLEVUE STREET INTERSECTION

10_03/14 SOLDIERS POINT ROAD SALAMANDER BAY- REQUEST FOR '40' SPEED LIMIT AT THE WANDA SHOPS

11_03/14 NANDU BOULEVARD CORLETTE - REQUEST FOR PARKING RESTRICTIONS AT THE SPINNAKER WAY INTERSECTION

12_03/14 DONALD STREET NELSON BAY- REQUEST FOR ACCESSIBLE PARKING IN THE DONALD STREET WEST CAR PARK

13_03/14 STURGEON STREET RAYMOND TERRACE - REQUEST FOR ANGLE PARKING SIGNS BETWEEN GLENELG STREET AND JACARANDA AVENUE

14_03/14 BULLECOURT STREET SHOAL BAY – INSTALLATION OF A WORKS
ZONE AT NO.4-8

15_03/14 LEMON TREE PASSAGE ROAD SALT ASH – INSTALLATION OF A
PEDESTRIAN REFUGE AT THE BROWNS ROAD INTERSECTION

D. INFORMAL MATTERS

E. GENERAL BUSINESS

601_02/14 BRANDY HILL DRIVE BRANDY HILL - SAFETY CONCERNS
REGARDING BUS STOPS

602_03/14 PEPPERTREE ROAD MEDOWIE - PEDESTRIAN SAFETY CONCERNS

603_03/14 NELSON BAY ROAD SALT ASH - REQUEST FOR IMPROVED
PEDESTRIAN FACILITIES

BUSINESS ARISING FROM PREVIOUS MEETING

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 98 – One way signs, Rule 100 – No entry signs

RMS signs database –R2-2, R2-4

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

Recommendation to the Committee:

For discussion

Discussion:

Item deferred.

Support for the recommendation:

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

C. Listed Matters

ITEM: 09_03/14

ADELAIDE STREET RAYMOND TERRACE - SAFETY CONCERNS AT THE BELLEVUE STREET INTERSECTION

Requested by: A resident

File:

Background:

Concerns have been raised that drivers have been seen turning from Bellevue Street onto the wrong side of Adelaide Street. The intersection needs some better signage or linemarking or both,

Comment:

Traffic Inspection Committee members noted that the intersection is well lit with a low crash history. Improving signage and visibility of the median could improve safety.

Legislation, Standards, Guidelines and Delegation:

NSW Road Rules – Rule 135 – Keeping to the left of a median strip

RTA signs database – R2-3

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

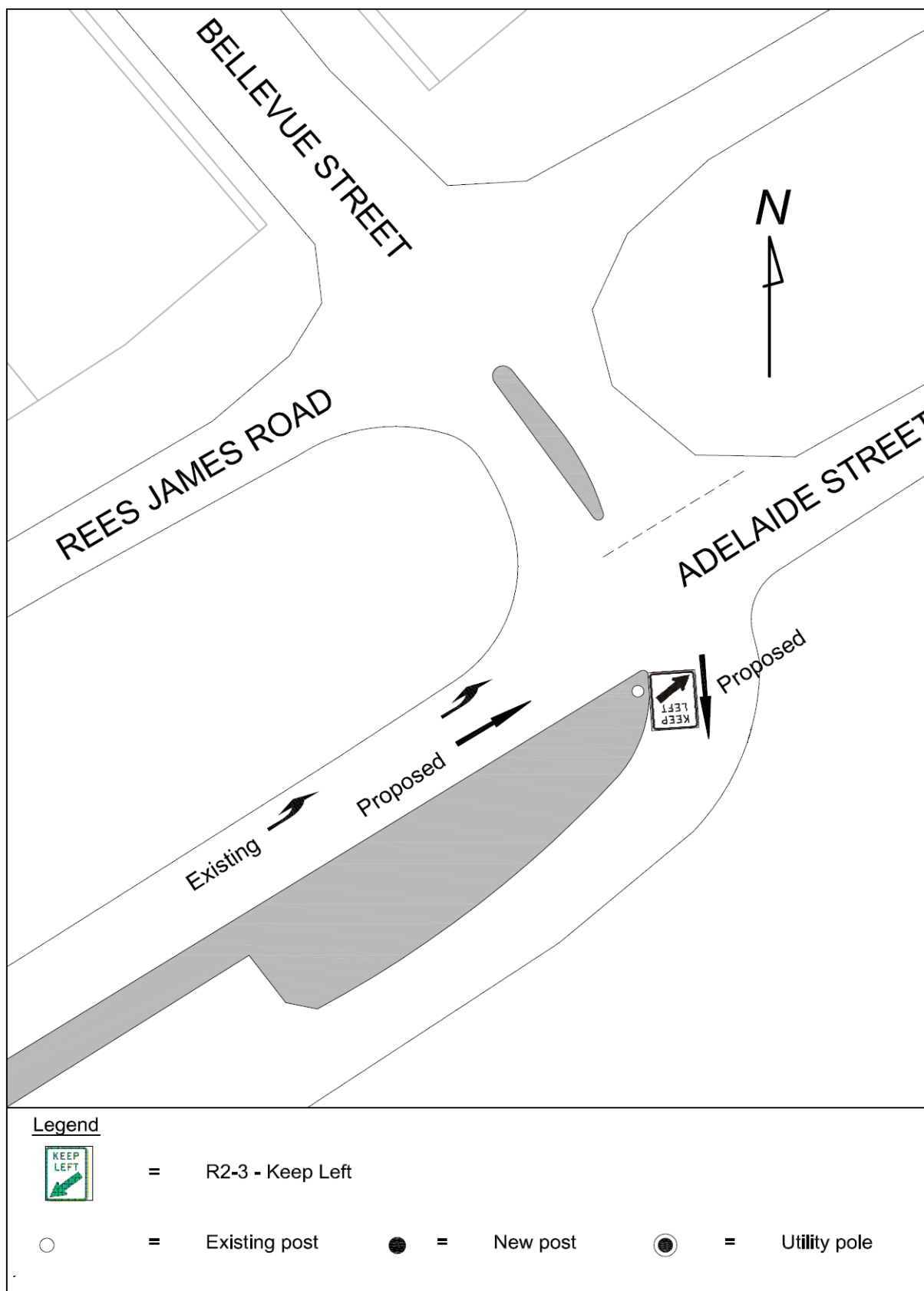
Committee's recommendation:

In addition to the 'Keep Left' sign, extend/repaint the arrows on the road northbound on Adelaide Street and add another at the entrance to the southbound lane, Annexure A to be updated.

Discussion:

Support for the recommendation:

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



ITEM: 10_03/14

SOLDIERS POINT ROAD SALAMANDER BAY - REQUEST FOR '40' SPEED LIMIT AT THE WANDA SHOPS

Requested by: Port Stephens Veterans & Citizens Aged Care Pty Ltd

File: PSC2005-4031/180

Background:

Port Stephens Veterans & Citizens Aged Care Pty Ltd has written to Council requesting consideration be given to installation of a 40km/h high pedestrian activity area at the Wanda shops. Many frail and elderly people cross to the Wanda shops and a reduction of the speed limit would improve safety.

Comment:

Traffic Inspection Committee members supported the concept of a high pedestrian activity area in this location. The RMS guidelines for identifying and implementing 40km/h speed limits in high volume pedestrian areas sets out the steps required in the process which includes receiving comment from the Local Traffic Committee.

Legislation, Standards, Guidelines and Delegation:

NSW Road Rules – Rule 22 – Speed limit in a speed limited area

NSW Speed zoning guidelines

RTA signs database – R4-236, R4-237, R4-11

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

Committee's recommendation:

That Council refine and submit a draft proposal including indicative costs, to the Roads and Maritime Service Regional Manager for Road Safety for the introduction of a 40km/h high pedestrian activity area at Soldiers Point Road Salamander Bay, as shown on the attached sketch, Annexure A.

Discussion:

Traffic Committee members noted that final decision on speed limit determinations rest with Roads and Maritime Services in NSW.

Support for the recommendation:

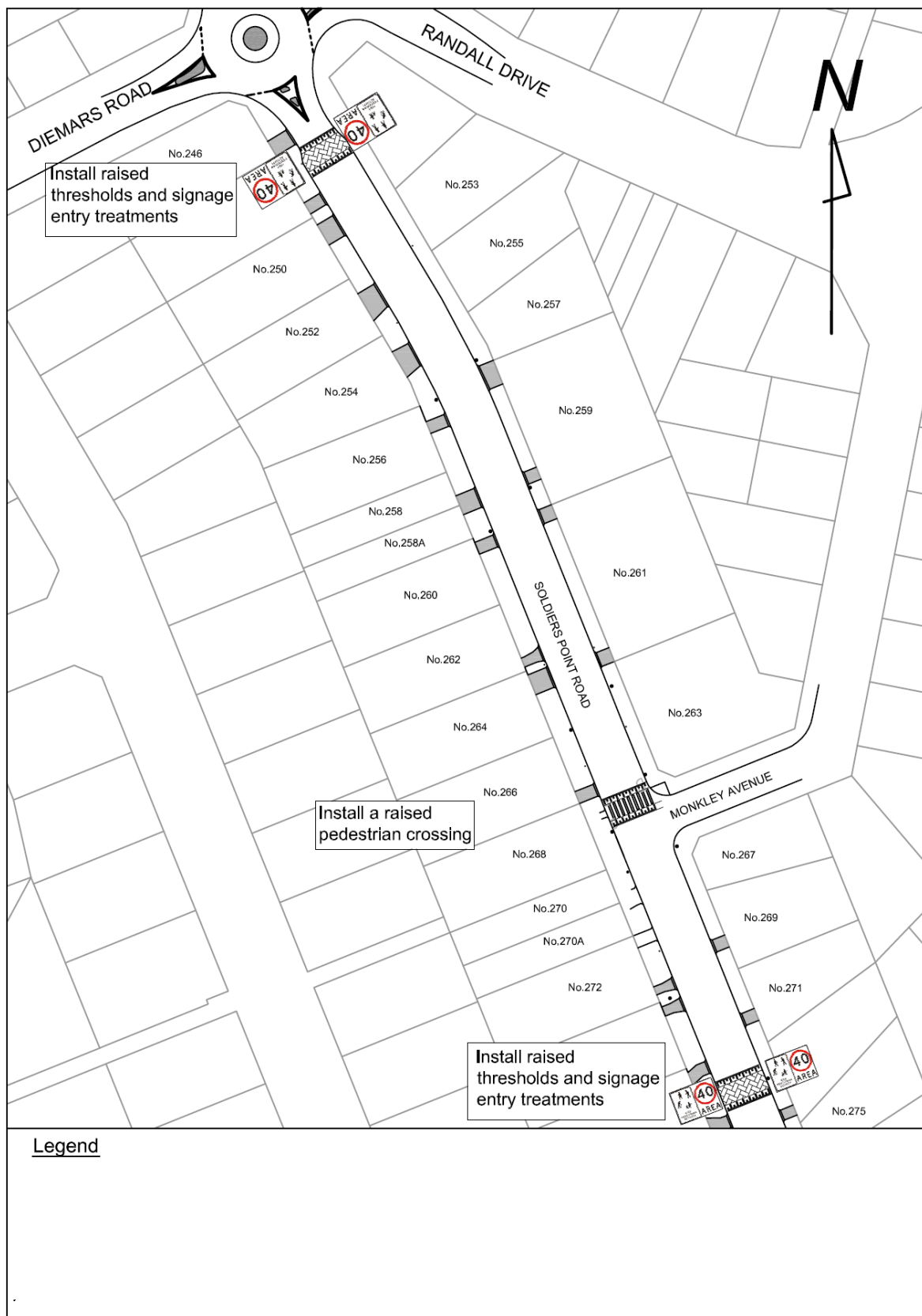
1	Unanimous	✓
2	Majority	
3	Split Vote	
4	Minority Support	
5	Unanimous decline	

MINUTES FOR ORDINARY COUNCIL – 13 MAY 2014

PORT STEPHENS TRAFFIC COMMITTEE
Tuesday 4 March 2014

ITEM NO. 10_03/14
Street: Soldiers Point Road

ANNEXURE A
Page 1 of 1



ITEM: 11_03/14

NANDU BOULEVARD CORLETTE - REQUEST FOR PARKING RESTRICTIONS AT THE SPINNAKER WAY INTERSECTION

Requested by: A resident
File: PSC2005-4019/496
Background:

A resident has contacted Council requesting an inspection of kerbside parking near the corner of Nandu Boulevard and Spinnaker Way. There is a traffic island in the same area which reduces room for passing when vehicles are parked kerbside. According to the resident this issue, along with the camber of the road promotes a vehicle sight hazard both entering Nandu Boulevard and when reversing from driveways.

Comment:

The Traffic Inspection Committee members noted that Nandu Boulevard is wide enough to allow parking between the median and the kerb without restricting traffic flow. It was also noted that removing parking would lead to increased speeds and would impact on the adjacent residents by taking away potential visitor parking. Installation of 'No Stopping' restrictions would improve sight distance at the intersection.

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

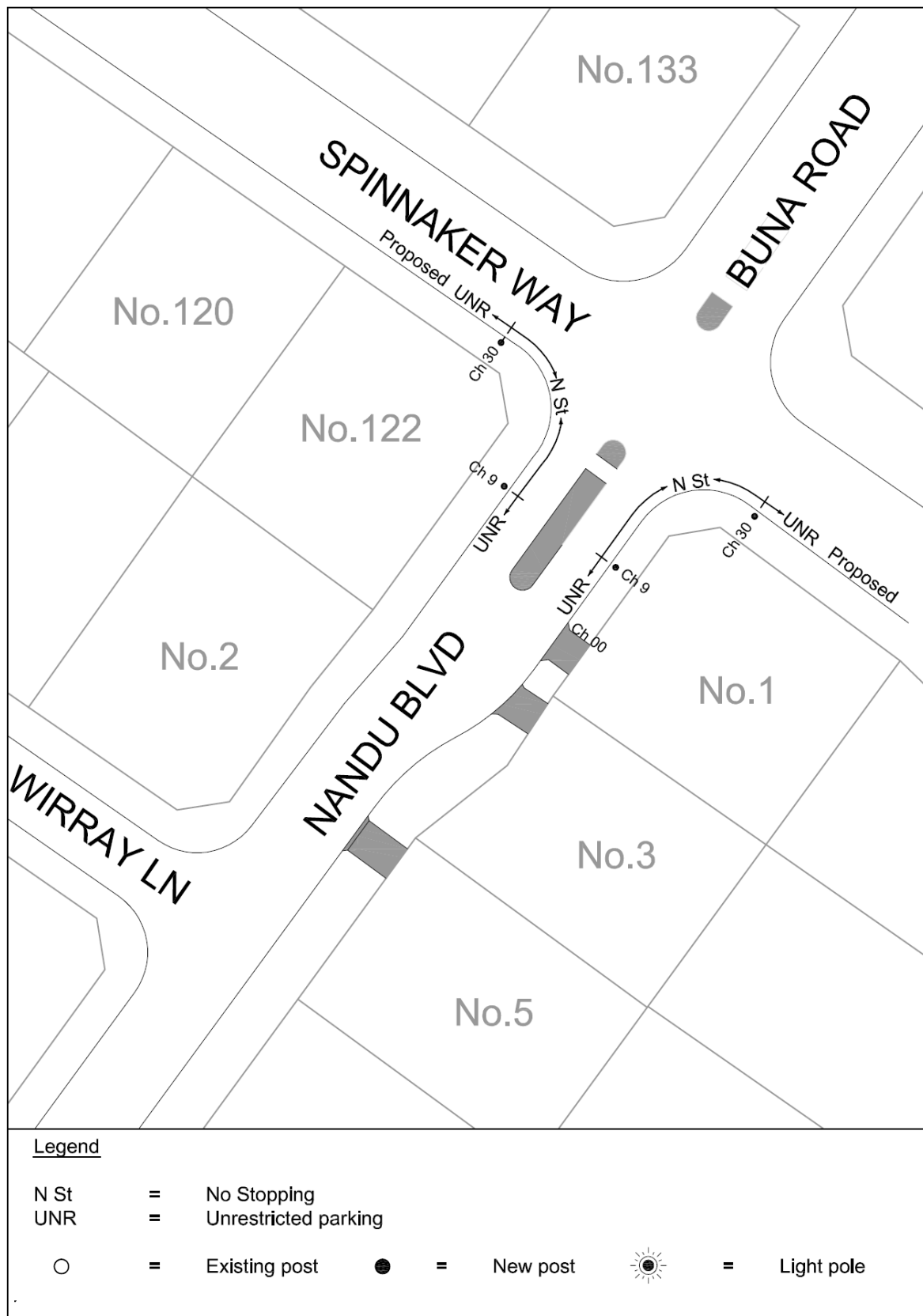
Recommendation to the Committee:

Install 'No Stopping' restrictions in Nandu Boulevard 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	



ITEM: 12_03/14

DONALD STREET NELSON BAY- REQUEST FOR ACCESSIBLE PARKING IN THE DONALD STREET WEST CAR PARK

Requested by: A resident
File: PSC2005-4021/013
Background:

A resident has complained that the current disabled parking is too far from the arcade entrance and would like to see disabled parking near the shop entrances.

Comment:

Traffic Inspection Committee members noted that the crossfall and longitudinal grade at the location may not meet the required standard for accessible parking.

Legislation, Standards, Guidelines and Delegation:

NSW Road Rules – Rule 203 - Stopping in a parking area for people with disabilities
AS2890.5 – Parking Facilities – On-street parking
RTA signs database – R5-1-3
Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

Recommendation to the Committee:

Install 2 accessible parking spaces in the existing motorbike parking area in the Donald Street west car park as shown on the attached sketch, Annexure A.

Discussion:

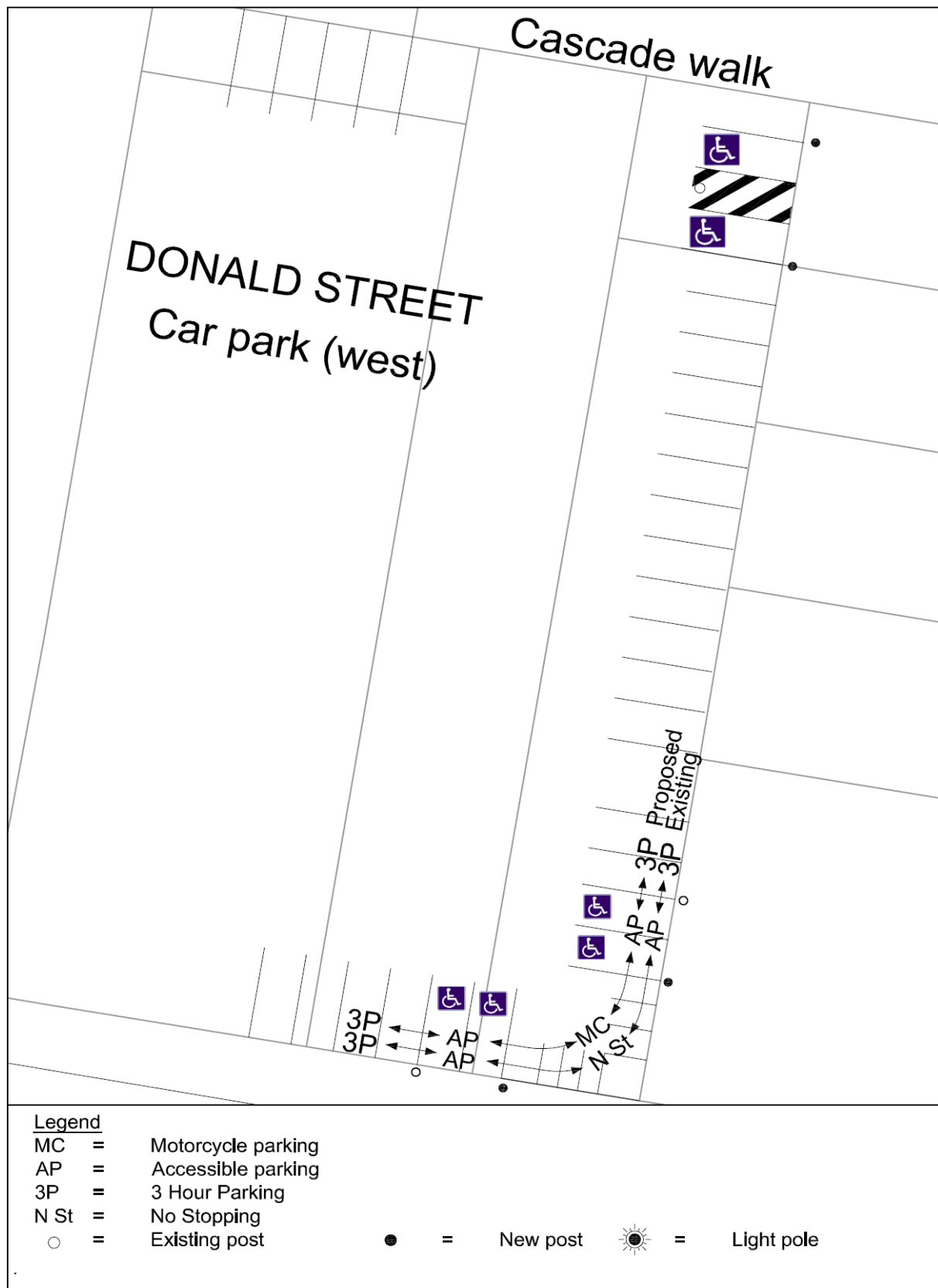
The RMS representative suggested relocating the motorbike parking to a nearby area that is not accessible by car.
The committee discussed the need to retain the existing accessible parking or return it to standard parking.

Committee's recommendation:

The Committee supported installation of the accessible parking and relocation of the motorcycle parking subject to the location meeting the required standards.

Support for the recommendation:

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



ITEM: 13_03/14

STURGEON STREET RAYMOND TERRACE - REQUEST FOR ANGLE PARKING SIGNS BETWEEN GLENELG STREET AND JACARANDA AVENUE

Requested by: A resident
File: PSC2005-4189/165
Background:

A resident has written to Council complaining that large vehicles are parking parallel in Sturgeon Street and blocking driveway access to their residence on the northern side of the street.

Comment:

Traffic Inspection Committee members noted that the southern side of Sturgeon Street is signposted for angle parking and that the road width is adequate to allow angle parking on both sides. Currently drivers do angle park along this side however this is not formalised.

Legislation, Standards, Guidelines and Delegation:

NSW Road Rules – Rule 210 – Angle parking
RTA signs database – R5-505
Traffic control devices installed under Part 5.3 Div. 2 Road Transport Act 2013

Discussion:

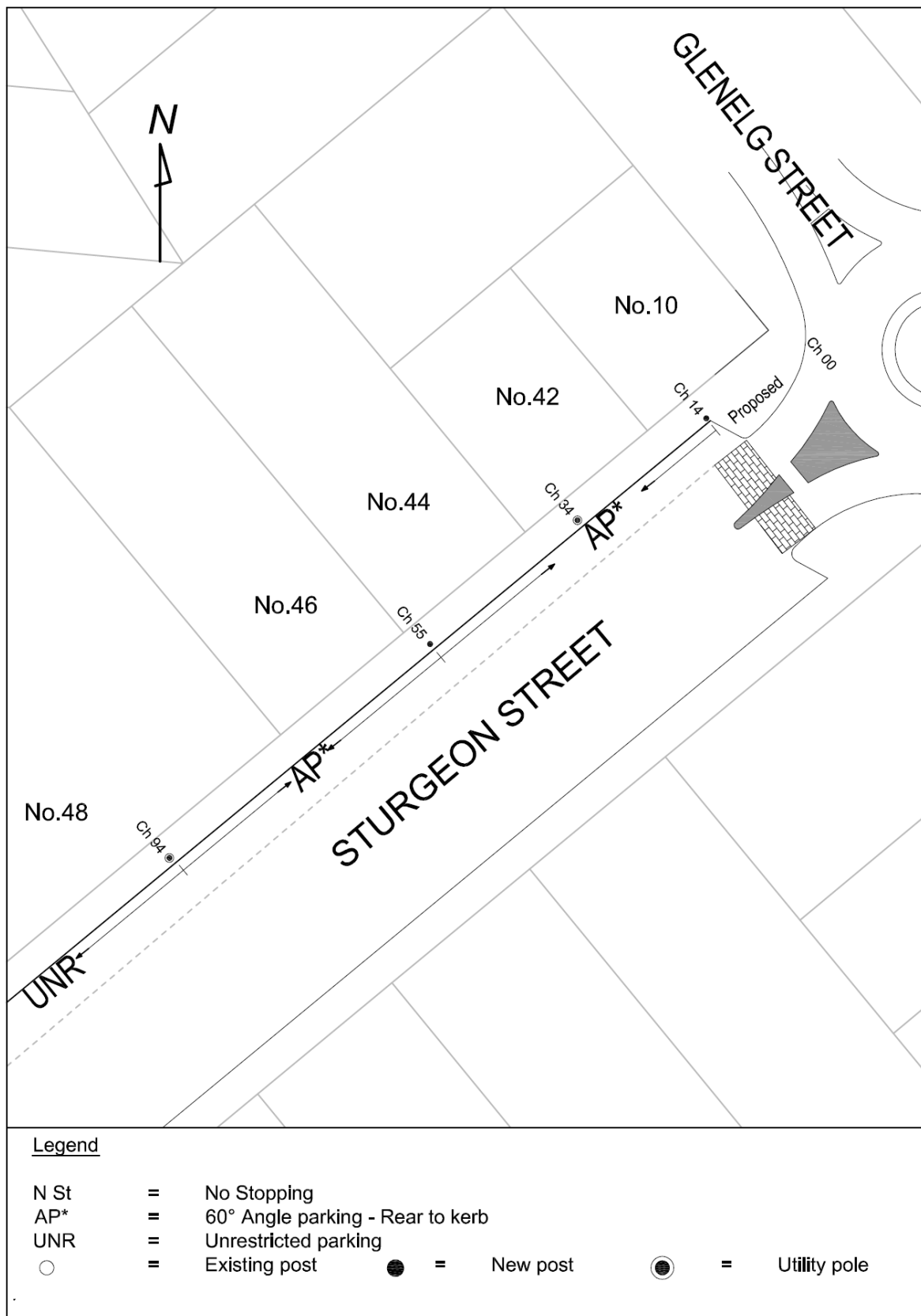
Committee members discussed the need to retain some parking in the area for longer vehicles such as caravans and mini buses.

Committee's recommendation:

Install angle parking restrictions from the Glenelg Street intersection to No 46 Sturgeon Street Raymond Terrace 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	



ITEM: 14_03/14

BULLECOURT STREET SHOAL BAY - INSTALLATION OF A WORKS ZONE AT NO.4-8

Requested by: Infinity Constructions Group Pty Ltd

File: PSC2005-4189/165

Background:

A construction company has requested installation of a works zone to cater for construction vehicles at No.4-8 Bullecourt Street Shoal Bay. This project has been dormant for some time and is now about to recommence construction.

Comment:

Legislation, Standards, Guidelines and Delegation:

NSW Road Rules – Rule 181 - Stopping in a works zone

RTA signs database – R5-25

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

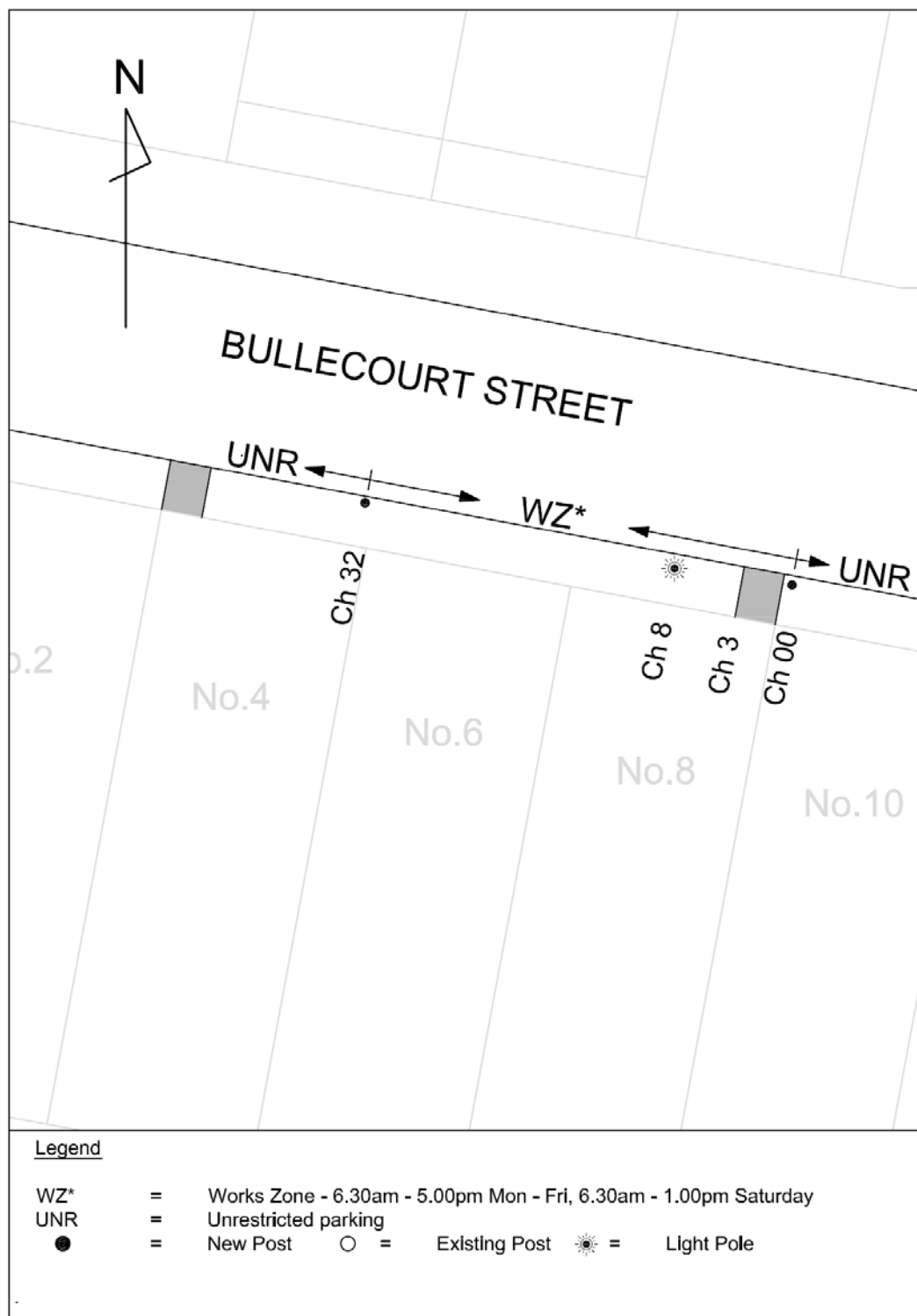
Recommendation to the Committee:

Install 'Works Zone' signs in Bullecourt Street Shoal Bay as shown on the attached sketch, Annexure A. The parking will return to unrestricted parking in 6 months' time on expiry of the 'Works Zone'.

Discussion:

Support for the recommendation:

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



ITEM: 15_03/14

LEMON TREE PASSAGE ROAD SALT ASH – INSTALLATION OF A PEDESTRIAN REFUGE AT THE BROWNS ROAD INTERSECTION

Requested by: Port Stephens Council

File: PSC2012-01073

Background:

Council is currently undertaking major road works on Lemon Tree Passage Road at Salt Ash. Part of these works includes upgrading of existing bus stops and provision of pedestrian facilities at key locations. Council is seeking Traffic Committee endorsement of plans for a pedestrian refuge, bus laybys and associated intersection treatments at the intersections of Lemon Tree Passage Road with Rookes Road and Browns Road.

Comment:

Roads and Maritime Services have been consulted with regard to the type and design of pedestrian facility that is appropriate for this situation.

Legislation, Standards, Guidelines and Delegation:

Austroads Guide to Road Design Part 4A (with RMS supplements)

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

Recommendation to the Committee:

That the Local Traffic Committee support the installation of a pedestrian refuge, bus laybys and intersection treatments in Lemon Tree Passage Road, Salt Ash, 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	



D. INFORMAL MATTERS

E. GENERAL BUSINESS

ITEM: 601_02/14

BRANDY HILL DRIVE BRANDY HILL – SAFETY CONCERNS REGARDING BUS STOPS

Requested by: A resident

Background:

There are ongoing issues for residents of and around Brandy Hill Drive concerning pedestrian safety, guardrails, bus stops, traffic volume, and lack of a footpath/cycleway.

Discussion:

The Local Traffic Committee meeting was attended by a Brandy Hill Dr resident Margarete Ritchie who listed the following concerns:

1. Guideposts were removed during roadworks and have not replaced, leaving trip hazards in the road reserve that could cause a pedestrian trip hazard.
2. A shared path is required to improve pedestrians safely and to provide safe passage for the increasing number of cyclists using the road, both on Seaham Road and Brandy Hill Drive.
3. The compression braking signage is poorly positioned and too small to be of use.
4. Wildlife awareness signage was also removed during roadworks and not replaced; this has allegedly caused an increase in wildlife fatalities along Brandy Hill Drive.
5. At the Brandy Hill Drive / Warrigal Close intersection where the lack of line marking, street lighting and poorly positioned street signage create a situation particularly at night where drivers frequently end up driving in the bus bay rather than on the road.
6. Guardrails are missing, damaged or just insufficient

Actions for Council:

1. Issue a Customer Request to replace missing guideposts and fill any trip hazards.
2. The resident to arrange a meeting between Hanson's Quarry representatives, local residents and Cr's Dingle and Kafer to discuss provision of a shared path.
3. Follow up on action to update the compression braking signage.
4. Forward a request for wildlife awareness signage to Council's Natural Resources Coordinator for consideration.
5. Install line marking and relocate the existing street sign to a more prominent location at Warrigal Close as previously recommended by Traffic Committee – Item 29_12/13
6. Guardrail replacement is listed for next financial year.

ITEM: 602_03/14

PEPPERTREE ROAD MEDOWIE - PEDESTRIAN SAFETY CONCERNS

Requested by: Cr Dingle

Background:

The Woolworths development in Medowie is going ahead and concerns have been expressed regarding the safety of pedestrians who will be crossing Peppertree Road between the existing Coles supermarket and Woolworths. There is no provision for any improvement to pedestrian facilities now that the roundabout will not to be constructed.

Discussion:

Committee members discussed the need for Council to ensure that suitable arrangements are in place for pedestrians. The existing pedestrian refuge at the intersection of Peppertree and Ferodale Roads will be too remote to assist people crossing directly between the supermarkets.

Actions for Council:

Council officers to investigate suitable pedestrian facilities and report back to Local Traffic Committee.

ITEM: 603_03/14

NELSON BAY ROAD SALT ASH - REQUEST FOR IMPROVED PEDESTRIAN FACILITIES

Requested by: Craig Baumann MP

Background:

A Salt Ash resident has approached Craig Baumann MP with concerns regarding children crossing Nelson Bay Road between the bus stops near Pauls Corner.

Discussion:

Committee members were advised that this matter should be referred to Roads and Maritime Services as Nelson Bay Road is a State Road.

Actions for Council:

Refer this matter to RMS]

ITEM NO. 8

FILE NO: A2004-0511

LOCAL TRAFFIC COMMITTEE PROCESS REFORM

REPORT OF: JOHN MARETICH – CIVIL ASSETS MANAGER

GROUP: FACILITIES AND SERVICES]

RECOMMENDATION IS THAT COUNCIL:

- 1) [That Council sub-delegate the powers delegated to Council by the Chief Executive of Roads and Maritime Services (**ATTACHMENT 1**), to the General Manager.]

ORDINARY COUNCIL MEETING –13 MAY 2014

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Paul Le Mottee Councillor John Nell
	That the recommendation be adopted.

MOTION

107	Councillor John Nell Councillor Ken Jordan
	[It was resolved that Council sub-delegate the powers delegated to Council by the Chief Executive of Roads and Maritime Services (ATTACHMENT 1), to the General Manager.]

BACKGROUND

[The purpose of this report is to seek Council endorsement of the proposed changes to the Local Traffic Committee approval process. The proposed changes to the process will improve customer response times by reducing the time that staff spend in the final steps of implementing Local Traffic Committee recommendations.

The Local Traffic Committee (LTC) is primarily a technical review committee, which is required to advise the Council on matters related to prescribed traffic control devices and facilities for which Council has delegated authority. Any member of the community can raise matters for consideration by the Local Traffic Committee. These items are reviewed, inspected, and recommendations made that aim to improve road user safety.

The current Local Traffic Committee process requires all recommendations of the Local Traffic Committee to be brought before Council through the Business Paper. Only when endorsed by the elected Council can the recommendations be adopted and implemented. The timeframe from Local Traffic Committee meeting to Council adoption can be 6-10 weeks.

The approval step of the Local Traffic Committee process could be improved substantially by sub-delegating authority to the General Manager or to a delegated employee of Council to adopt the Local Traffic Committee recommendations on Council's behalf. The sub-delegation of authority is authorised by the attached document "*Delegation to Council for the regulation of traffic*" (Attachment 1).

The proposed reformed Local Traffic Committee process would be:

- The Traffic Committee inspections and meeting process would be unchanged.
- Where previously the recommendations would go to Council for adoption, the minutes of the Local Traffic Committee meeting would be prepared and distributed to the elected Councillors following each Local Traffic Committee meeting.
- Councillors would then have 2 weeks to request further information or clarification with regard to listed items. If still concerned, Councillors would have the option to call individual item(s) to Council.
- All items not called up would be approved under delegated authority by the General Manager or to a delegated employee of Council at the conclusion of the consultation period.
- Particular items nominated by Councillors could be referred to Council through the Business Paper or referred back to Local Traffic Committee for further consideration if needed.

This proposed process change could reduce the length of time required for the implementation of Local Traffic Committee recommendations by 4 to 8 weeks. Councillors will still have the opportunity to have input into decisions. In addition, the proposed Local Traffic Committee process change builds-in opportunity for Councillors to discuss listed items with Council staff during the consultation period following the Local Traffic Committee meeting or to seek clarification from the Councillor representatives who are members of the Local Traffic Committee or who are in attendance at Local Traffic Committee meetings.]

FINANCIAL/RESOURCE IMPLICATIONS

[The proposed changes to Local Traffic Committee process would reduce the time staff spend documenting the Local Traffic Committee recommendations in Council's Business Paper. This would also reduce the size of the Council Business Paper and allow for an improved response rate to implement Local Traffic Committee recommendations.]

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

LEGAL, POLICY AND RISK IMPLICATIONS

Roads and Maritime Services (RMS) are legislated as the organisation responsible for the control of traffic on all roads in New South Wales. Roads and Maritime Services has delegated certain aspects of the control of traffic to the Councils of Local Government areas. The relevant legislation also provides an option for Councils to sub-delegate these powers to Councillors, the General Manager or to a delegated employee of Council.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation may be impacted by slow processing of requests	Medium	Sub-delegation to the General Manager will improve the LTC process and reduce time required for implementation of LTC recommendations	Yes
There is a risk that the community may be exposed to unnecessary safety risk if implementation of LTC recommendations are delayed	Medium	Sub-delegation to the General Manager will reduce the time required for implementation of LTC recommendations, improving safety	Yes
There is a risk that the elected Council will not be aware of the LTC recommendations	Low	LTC recommendations will be distributed to Councillors as per the proposed LTC process	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[The proposed Local Traffic Committee process improvements will quicken the implementation of Local Traffic Committee recommendations, increasing Council's response rate to our Community and hence improve customer service. Implementing traffic improvements faster should also reduce Council's risk exposure to accidents and provide the Community with a safer road user experience.]

CONSULTATION

- 1) [The proposed changes to the Local Traffic Committee process has been endorsed by the members and advisors of the Port Stephens Local Traffic Committee.]

OPTIONS

- 1) [Accept the recommendation;
- 2) Reject the recommendation.]

ATTACHMENTS

- 1) [Delegation to Council for the regulation of traffic.
- 2) Flowchart for the Traffic Committee Process]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

[Nil.

ATTACHMENT 1

TRANSPORT ADMINISTRATION ACT

DELEGATION - SECTION 50

I, **PETER DUNCAN**, Chief Executive of Roads and Maritime Services ("RMS") pursuant to Section 50 of the *Transport Administration Act 1988* and all other enabling powers delegated by instruments of delegation to councils dated 23 February 2009 ("the delegation") HEREBY REVOKES the delegation and DELEGATES to the councils constituted under the *Local Government Act 1993* listed in Schedule 1 and Schedule 2 respectively ("delegates") the functions of RMS set out in Schedule 3 ("the functions") subject to the limitations set out in Schedule 4 and authorises delegates to sub-delegate the functions to the persons in Schedule 5 ("sub-delegates") subject to the limitations in Schedule 4.

Dated this 31 day of October 2011.

The SEAL of ROADS AND
MARITIME SERVICES

was hereunto

affixed in the presence of:

)

)

)

L. S.

SIGNED



Peter Duncan
Chief Executive
Roads and Maritime Services



SCHEDULE 3

(Functions)

The exercise of all the functions of RMS under:

- 1 Division 2 of Part 8 (Regulation of traffic by roads authorities) of the *Roads Act 1993*.
- 2 Division 1 of Part 4 (Traffic control devices) of the *Road Transport (Safety and Traffic Management) Act 1999*.
- 3 Division 2 of Part 5 (Special event parking schemes) of the *Road Transport (Safety and Traffic Management) Regulation 1999*.

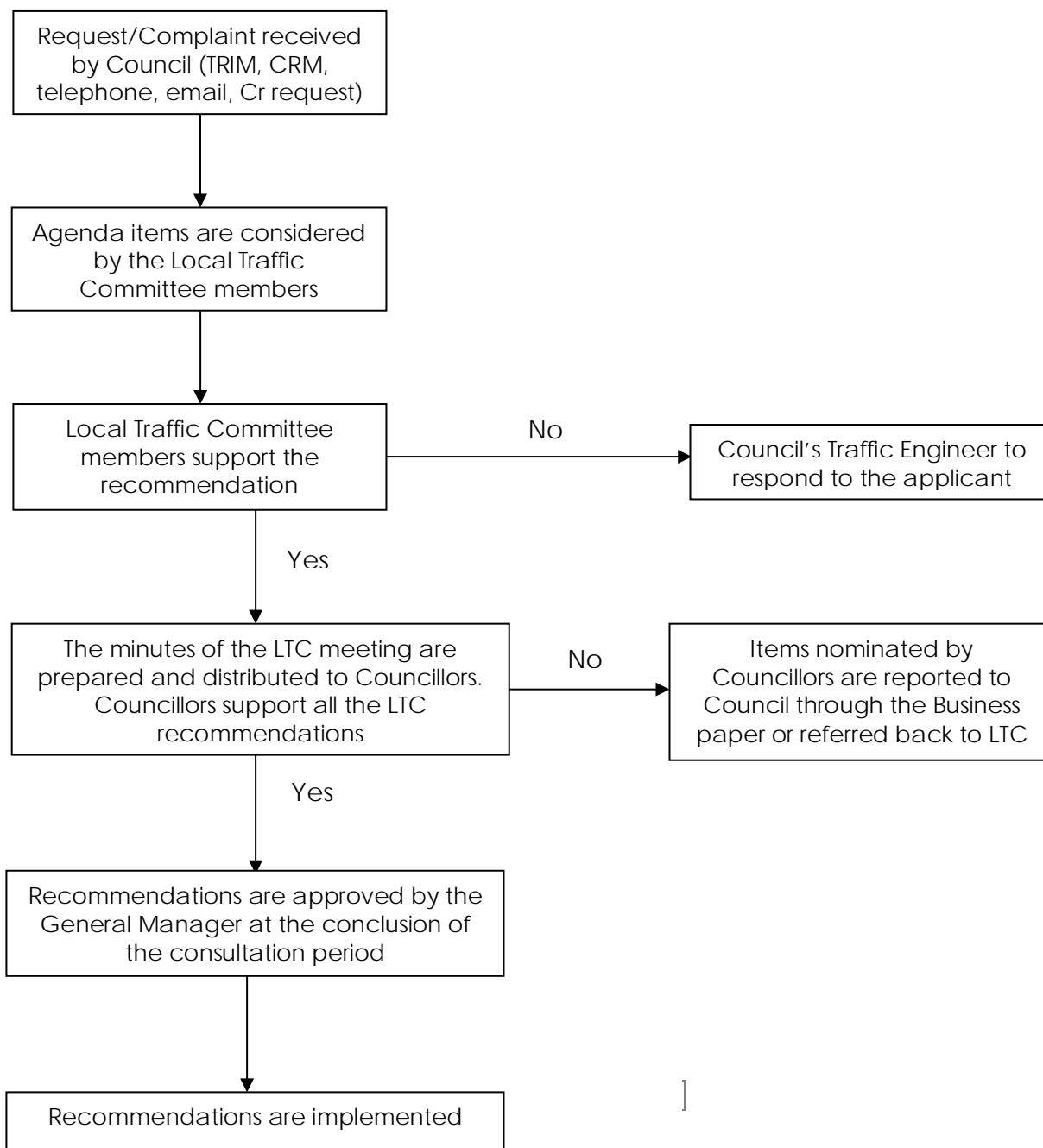
SCHEDULE 5

(Sub-delegates)

- 1 A councillor.
- 2 The general manager.
- 3 An employee of the council.

ATTACHMENT 2

Flowchart for Local Traffic Committee



ITEM NO. 9**FILE NO: PSC2014-00693****REQUEST FOR ASSISTANCE – LEGAL COSTS – CANTERBURY CITY COUNCIL****REPORT OF: PETER GESLING – GENERAL MANAGER****GROUP: GENERAL MANAGER'S OFFICE]****RECOMMENDATION IS THAT COUNCIL:**

- 1) [Resolve to contribute \$558.11 to assist Canterbury City Council with legal costs it incurred in a recent Supreme Court appeal regarding an easement over Council owned community land.]

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Steve Tucker Councillor Ken Jordan
	That the recommendation be adopted.

MOTION

108	Councillor John Nell Councillor Ken Jordan
	[It was resolved that Council contribute \$558.11 to assist Canterbury City Council with legal costs it incurred in a recent Supreme Court appeal regarding an easement over Council owned community land.]

BACKGROUND

[The purpose of this report is to seek Councillor support for a financial contribution to Canterbury City Council (CCC) to assist with off-setting costs it incurred in a recent appeal in the NSW Supreme Court.

Council has received the request for contribution from Local Government NSW (LG NSW) on behalf of CCC. Council's contribution has been calculated as \$558.11 in accordance with the usual formula used by LG NSW to calculate contributions.

The matter concerned a land locked piece of land in the Canterbury City local government area purchased by a private owner with no legal access to a public road. The land was previously owned by the former Roads and Traffic Authority (RTA),

which informed Council of its intention to sell the land to the adjoining owners. In 2006 the land was subject to an LEP that rezoned the land as residential and included a provision requiring the land have suitable road access before any approval could be given.

The RTA proceeded to sell the property on the open market without consulting Council. The new owner contacted Council and sought an easement to the public road over Council owned land zoned Open Space and classified as Community Land. When Council indicated it did not have the power to grant the easement, the owner successfully made application to the Supreme Court to impose the easement.

CCC appealed the decision in the Court of Appeal, arguing that if allowed to stand the decision would lower the bar for people seeking easements over community land and could have major adverse implications for other councils in terms of undermining their attempts to protect public recreation land from alienation for private purposes. The Court of Appeal upheld the decision to impose the easement and CCC was ordered to pay the owner's costs of the proceedings.

Council's Request for Assistance – Legal Costs policy states that requests from LG NSW for financial assistance for legal costs incurred by other Councils will only be granted if the issue(s) arising from and/or the outcomes of legal proceedings involving those Councils directly benefit the Port Stephens local government area. The principle in this matter would apply also to this local government area. On this basis, it is recommended that Council agree to provide assistance by payment of the amount calculated as this Council's contribution.]

FINANCIAL/RESOURCE IMPLICATIONS

[Council has from time to time provided assistance to other Councils to help defray the cost of legal proceedings the result of which may impact local government across NSW. Council has called on such assistance in the past by way of seeking support from LG NSW for contributions from other Councils.]

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	[Yes]	[558.11]	[To be paid from the Legal Services budget]
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

[This matter is of direct relevance to Council and the Port Stephens local government area and so meets the requirements of Council's Request for Assistance – Legal Costs policy.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
[There is a risk that, should Council decline to provide this contribution, it may not receive reciprocal support if needed in future.]	[Medium]	[Show support by resolving to contribute the amount requested]	[Yes]

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[Council needs to ensure public recreation land is protected from attempts to alienate it for private purpose(s).]

CONSULTATION

- 1) [Legal Services Manager;
- 2) Group Manager Facilities and Services;
- 3) Manager Community Services;
- 4) Manager Property Services;
- 5) Property Officer.]

OPTIONS

- 1) [Adopt the recommendation;
- 2) Amend the recommendation;
- 3) Refuse to support the recommendation.]

ATTACHMENTS

[Nil.]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

[Nil..]

ITEM NO. 10

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) Mayoral Funds – Mayor Bruce MacKenzie – Salamander Bay Recycling – 50% of the purchase price of a new Defibrillator Unit - \$1,150.00;
 - b) Central Ward Funds – Cr Geoff Dingle – Medowie Rural Fire Brigade – Assisting with the purchase of a lighting unit for the catering brigade - \$500.00;
 - c) Central Ward Funds – Cr Geoff Dingle – YMCA Lakeside Leisure Centre – Funds to support YMCA Annual Fundraising event for the Swimability Programme - \$500.00;
 - d) Central Ward Funds – Cr Geoff Dingle – Raymond Terrace Water Polo – To support Hunter Hurricanes U/16 State Championships at Lakeside Pool - \$400.00;
 - e) West Ward Funds – Cr Ken Jordan -- Raymond Terrace RSL - Reimbursement of Sound System Costs for ANZAC Day - \$500.00;
 - f) East Ward Funds – Cr John Nell -- Newcastle Neptunes Underwater Club - Reimbursement of fees for Spear Fishing Tournament - \$400.00;
 - g) Mayor Bruce MacKenzie – Mayoral Funds - PCYC – Time 4 Kids - Reimbursement of Training Room Equipment – Internet Cyber Bullying Equipment - \$500.00.
-

ORDINARY COUNCIL MEETING –13 MAY 2014

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor John Nell Councillor John Morello
	That the recommendation be adopted.

MOTION

109	<p>Councillor John Nell Councillor Ken Jordan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"> 1) Approves provision of financial assistance under Section 356 of the Local Government Act from the respective Mayor and Ward Funds to the following:- <ol style="list-style-type: none"> a) Mayoral Funds – Mayor Bruce MacKenzie – Salamander Bay Recycling – 50% of the purchase price of a new Defibrillator Unit - \$1,150.00; b) Central Ward Funds – Cr Geoff Dingle – Medowie Rural Fire Brigade – Assisting with the purchase of a lighting unit for the catering brigade - \$500.00; c) Central Ward Funds – Cr Geoff Dingle – YMCA Lakeside Leisure Centre – Funds to support YMCA Annual Fundraising event for the Swimability Programme - \$500.00; d) Central Ward Funds – Cr Geoff Dingle – Raymond Terrace Water Polo – To support Hunter Hurricanes U/16 State Championships at Lakeside Pool - \$400.00; e) West Ward Funds – Cr Ken Jordan -- Raymond Terrace RSL - Reimbursement of Sound System Costs for ANZAC Day - \$500.00; f) East Ward Funds – Cr John Nell -- Newcastle Neptunes Underwater Club - Reimbursement of fees for Spear Fishing Tournament - \$400.00; g) Mayor Bruce MacKenzie – Mayoral Funds - PCYC – Time 4 Kids - Reimbursement of Training Room Equipment – Internet Cyber Bullying Equipment - \$500.00.
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BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by Councillors as deserving of public funding. The 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)

MINUTES FOR ORDINARY MEETING – 13 MAY 2014**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

Raymond Terrace RSL	Reimbursement of Sound System Costs for ANZAC Day	\$500.00
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CENTRAL WARD – Councillors Dingle, Doohan & Tucker

Medowie Rural Fire Brigade	Assisting with the purchase of a lighting unit for the catering brigade	\$500.00
YMCA Lakeside Leisure Centre	Funds to support YMCA Annual Fundraising event for the Swimability Programme	\$500.00
Raymond Terrace Water Polo	To support Hunter Hurricanes U/16 State Championships at Lakeside Pool	\$400.00

EAST WARD – Councillors Dover, Morello & Nell

Newcastle Neptunes Underwater Club	Spear Fishing Tournament	\$400.00
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MAYORAL FUNDS – Mayor MacKenzie

Salamander Bay Recycling	50% of the purchase price of a new Defibrillator Unit	\$1,150.00
PCYC – Time 7 Kids	Training Room Equipment – Internet Cyber Bullying Equipment	\$500.00

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	3,950.00	\$500.00 West Ward Funds; \$1,400.00 Central Ward Funds; \$400.00 East Ward Funds; \$1,650.00 Mayoral 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 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) Amend the recommendation;
- 3) Reject the recommendation.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil. []

ITEM NO. 11

FILE NO: PSC2012-03983

COUNCILLOR REIMBURSEMENTS

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER
GROUP: GENERAL MANAGER'S OFFICE]

RECOMMENDATION IS THAT COUNCIL:

- 1) [For Council's consideration.]

ORDINARY COUNCIL MEETING –13 MAY 2014**COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor John Nell Councillor Sally Dover
	That Council approve all reimbursements shown at (ATTACHMENT 1) .

MOTION

110	Councillor John Nell Councillor Ken Jordan
	It was resolved that Council approve all reimbursements shown at (ATTACHMENT 1) .

BACKGROUND

[The purpose of this report is to seek Council's consideration of Councillor reimbursements from Cr Paul Le Mottee for the period June 2013 to December 2013.

Clause 2.2.1 of Council's Payment of Expenses and Provision of Facilities to Councillors Policy (Policy) requires Councillors to submit claims for reimbursement within three (3) months of incurring the expense.

Cr Le Mottee submitted claims shown at **(ATTACHMENT 1)** on 13 March 2014, which is outside the three (3) month limit for such claims. It also should be noted that one month is not within the current financial year and therefore has an impact on this year's budget.

In accordance with the Policy, the matter is required to be reported to Council to seek a resolution to the matter. Council officers do not have authority to approve claims that are outside the scope of the Policy.]

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	[Yes]	[3,882.73]	[The budget does make provision for funds sought in the current financial year.]
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

[Clause 2.2.1 of Council's Payment of Expenses and Provision of Facilities to Councillors Policy requires Councillors to submit claims for reimbursement within three (3) months of incurring the expense.]

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
[There is a risk that Council is setting a precedent should Council be inclined to approve the claims sought.]	[High]	[Council adhere to the provisions of the Policy.]	[Yes]

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

[Nil.]

CONSULTATION

- 1) [Cr Le Mottee;
- 2) General Manager.]

OPTIONS

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

ATTACHMENTS

- 1) [Monthly claims received by Cr Le Mottee.]

COUNCILLORS ROOM

[Nil.]

TABLED DOCUMENTS

[Nil.]

ATTACHMENT 1

CR PAUL LE MOTTEE – COUNCILLOR REIMBURSEMENTS
June 2013 to December 2013

Date of claim	Amount
June 2013	\$575.31
July 2013	\$476.01
August 2013	\$383.28
September 2013	\$344.74
October 2013	\$1,685.55
November 2013	\$418.21
December 2013	\$574.94
Total	\$4,458.04

ITEM NO. 12

FILE NO: PSC2014-01047

LOCAL GOVERNMENT INNOVATION 2014

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER

GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the attendance of Mayor Bruce MacKenzie at the Local Government Innovation 2014 Conference;
- 2) Allow a "one-off" increase of the Conference allowance under the Policy for Mayor Bruce MacKenzie to attend the Conference.

ORDINARY COUNCIL MEETING –13 MAY 2014

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor John Nell Councillor Sally Dover
	That the recommendation be adopted.

MOTION

111	Councillor John Nell Councillor Ken Jordan
	It was resolved that Council: <ol style="list-style-type: none"> 1) Endorse the attendance of Mayor Bruce MacKenzie at the Local Government Innovation 2014 Conference; 2) Allow a "one-off" increase of the Conference allowance under the Policy for Mayor Bruce MacKenzie to attend the Conference.

BACKGROUND

The purpose of this report is to inform Council of the Local Government Innovation 2014 Conference to be held on the Gold Coast on 24 and 25 July 2014.

The Conference details are shown at **(ATTACHMENT 1)**.

The Conference is open to all Councillors.

As Councillors would be aware the Payment of Expenses and Provision of Facilities to Councillors Policy requires that a resolution of Council be sought for all travel outside of the Hunter Councils area.

FINANCIAL/RESOURCE IMPLICATIONS

The costs associated with registration, travel and accommodation would be covered from the budget, subject to an individual Councillor not exceed the conference budget limits in the Policy.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	1,600	Registration costs is \$1,600 Travel & Accommodation shall be additional.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The Payment of Expenses and Provision of Facilities to Councillors Policy requires Council to approve all Councillor conference attendances outside the Hunter Region. Councillors' conference costs are limited to \$3,500.00 per year under the Policy.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk of reputation when elected members attend conferences on behalf of Council.	Low	Adopt the recommendation.	Yes.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Port Stephens community may benefit from the Mayor and Councillors attending this Conference to be informed about the new innovations for local government.

CONSULTATION

Nil.

OPTIONS

Nil.

ATTACHMENTS

- 1) Conference details.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ATTACHMENT 1

A major event for Australian Local Government:

Local Government INNOVATION 2014

Crowne Plaza Gold Coast – 24 & 25 July



Incorporating the launch of the 'Local Government Innovation Network'

This exciting two-day event will highlight proven ways for local governments to achieve significant cost savings and service improvements through real innovation.

The showcase will feature Australian and international case studies proving that innovation is one of the key elements of future local government sustainability.

Special Bonus Offer!
Members of the Local Government Innovation Network (LGIN) will also receive a further \$100 discount on top of the discounts listed below!

Alliancing Forums

Key Topics Include:

- Achieving Financial Independence
- Innovative Service Delivery Strategies
- Income Growth Initiatives
- Innovation Capabilities
- Council Automation Breakthroughs

LGIN.org
Local Government Innovation Network
Driving Smarter Community Outcomes

Australian and International Speakers Currently Being Finalised!

INNOVATION 2014 Registration

Full 2-day Conference Registration (incl Networking Drinks & Conference Dinner)	\$1,600 (incl GST)
Single Day Conference Registration	\$ 900 (incl GST)

* **EARLYBIRD DISCOUNT** of 20% if paid by 31 May 2014
* Every 3rd person from the same Council attends FREE

To register or obtain more information about this exciting 2-day Local Government event please email pa.arnold@lgin.org.au or call us on 07 3210 6816 or 02 9659 2602



Participants at the 2013 Strategic Alliancing Showcase

Exhibitor & Sponsorship Packages Available!



ITEM NO. 13

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 13 May, 2014.

No: Report Title

- 1) Community Safety Precinct Meeting Minutes
 - 2) Cash And Investments Held At 31 March 2014
 - 3) Smart Urban Futures Conference 2014
 - 4) Legal Services – Extension Of Contract T01-2012
-

ORDINARY COUNCIL MEETING –13 MAY 2014

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Ken Jordan Councillor Chris Doohan
	That the recommendation be adopted.

099	Councillor John Morello Councillor Chris Doohan
	It was resolved that Council move out Committee of the Whole.

MOTION

112	Councillor John Nell Councillor Ken Jordan
	It was resolved that Council receive and notes the Information Papers listed below being presented to Council on 13 May, 2014.

INFORMATION PAPERS



INFORMATION ITEM NO. 1

COMMUNITY SAFETY PRECINCT MEETING MINUTES

REPORT OF: BRUCE PETERSEN- COMMUNITY PLANNING & ENVIRONMENTAL
SERVICES SECTION MANAGER
GROUP: DEVELOPMENT SERVICES
FILE: PSC2013-00487

BACKGROUND

The purpose of this report is to provide Council with the Minutes from the Community Safety Precinct Meeting which was held in February 2014.

Community Safety Precinct Committees (CSPCs) provide an opportunity for local Councils and community members to meet with Police Local Area Commanders to share their perspective on local crime and safety issues. It provides the opportunity for community members and business owners to get involved in strategies designed to address local crime concerns. It also provides an opportunity for Local Area Commanders to promote accurate local crime information and raise awareness of crime prevention approaches.

Council actions arising from the February 2014 meeting include matters relating to numerous reports of theft from motor vehicles both private and hire cars that park on the road reserve on Slades Rd, Williamstown in lieu of parking on the secure designated airport car parks. A meeting has been set up between representatives from Newcastle Airport, Hire Car companies and Council. Community Planner & Development Officer, Michelle Page has spoken to Civil Assets and requested the matter be discussed at Traffic Committee.

The meeting included discussion of the establishment of Alcohol Free Zones between Halifax Park and Fingal Bay, and whether signs can be located at beaches and on certain Crown Land taking into account the regulatory requirements that would need to be followed.

Numerous reports of damage have been reported to Police regarding the Lakeside Leisure Centre Complex. Senior Constable Stewart has met with Council risk and asset staff. Investigations into solutions to reduce crime at the complex are ongoing.

Reporting of Minutes

There is a time lag between the date of these meetings, and when the minutes are provided to Council. The completion of the CSPC minutes is the responsibility of NSW Police. Minutes of the 14 February 2104 meeting were received on the week

MINUTES FOR ORDINARY MEETING – 13 MAY 2014

commencing 29 March 2014. Council Staff involved in CSPC meetings will continue to provide the minutes to the Council in the timeliest manner after they are received.

Any queries regarding matters in the minutes can be discussed with Bruce Petersen - 49800 223.

Meetings of the CSPC are held bimonthly with Council representatives being the Mayor/& or his representative and the Community Development & Planning Officer – Crime Prevention, Social Planning. These meeting representatives are decided by the Commander PSLAC.

ATTACHMENTS

- 1) CSPC Meeting Minutes-February 2014.

COUNCILLORS ROOM

- 1) Parliament Public Works Report on Graffiti – Craig Baumann.

ATTACHMENT 1
CSPC Meeting Minutes - February 2014

**Port Stephens
Community Safety Precinct Meeting
Port Stephens LOCAL AREA COMMAND**

19 February 2014

Meeting commenced: 10.20am

Attendance:

Commander Rae, Detective Inspector George Radmore, Graham Booth, Senior Constable Stewart, Sgt Rod Harrison, Craig Baumann MP, David Series PSGAT, Michelle Page Port Stephens Council, Craig Deasey, Dungog Shire Council.

Apologies:

Meeting Chair: Commander Craig Rae

Meeting Minute Taker: Vicki Thompson

Commander Rae opened the meeting and welcomed everyone.

Minutes of the previous meeting:

MOVED by Craig Baumann
SECONDED by David Series

ACTIONS FROM PREVIOUS MEETING:

ACTION	MEMBER	COMMENTS
Vandaltrak/Graffiti system	Snr Cst Stewart	Discussion over Vandaltrak. Commander reiterated Police Force will not endorse any one Company as it breaches the Corporate Policy. Discussion over Council purchasing – associated cost too expensive to buy. *ACTION – Snr Cst Stewart to give Mr

		Series email address.
Number plate screws initiative	Colleen Mulholland/Alison Stewart	<p>Snr Cst Stewart advised Tabella funded by Attorney General and Blackwood's supply equipment. Permission needed to run it.</p> <p>*Commander advised LAC will fund and run it at Market Place.</p> <p>CARRY OVER</p>
Airport parking – bush off Slade Road	Michelle Page	<p>Discussion over cars parking in bush off Slade Road near airport being broken into etc.</p> <p>ACTION – Council to set up meeting between rep from Airport, Hire Car rep and Council.</p>
Alcohol Free Zones – Nelson Bay	Alison Stewart And Council	<p>Permanent signs from Halifax to Fingal</p> <p>ACTION: Snr Cst Stewart to liaise with Council.</p>
Raymond Terrace Leisure Centre – damage etc.	Michelle Page - Alison Stewart	<p>Having problems lately with damage etc.</p> <p>ACTION: Snr Cst Stewart to liaise with Michelle Page.</p>
Dungog - extra Police Presence over upcoming holidays and rodeo	Craig Deasey	<p>Upcoming problems with Easter and Rodeo – influx of tourists.</p> <p>ACTION: Trail Bike operation and HWP taskings</p>

Commander Rae gave a presentation of Port Stephens LAC crime statistics for the period November 2013 to January 2014 – compared to same period previous 12 months. Very happy with the summer stats.

Advised that the Command has been given five additional Police, three of which started yesterday. This will allow us to form a Permanent full time Pro

Active Team – four people put wherever they need to be responding to crime issues. Should become operational Mid March.

Dungog will have two Police by April

Four additional Police by May which will allow 1 extra to Lemon Tree Passage. Sectors will become more flexible with their boundaries and will be able to hit crime where it is happening.

We have a great CIB and Intelligence Office with experienced officers, getting great results which is paying dividends.

GENERAL BUSINESS:

Craig Deasey – asked about Dungog re response times and manpower. Especially busy time with Easter coming up and Dungog Rodeo – tourists come to town camping etc. Commander suggested trail bike op and HWP taskings.

Michelle Page – Discussion on Alcohol Free Zones – how long should they stay up – need to be made full time at certain trouble spots at Port Stephens. Perhaps Gowrie Ave, problems at the Beach during last long weekend. Michelle advised that the Leisure Centre at Raymond Terrace is getting smashed.

David Series – low incident rates since last meeting – over the last 18 months less incidents than ever. New Legislation was introduced at Christmas, perhaps that had an effect on them.

MEETING CONCLUDED: 11.30AM

NEXT MEETING: Wednesday 14 May 2014, 10am.

INFORMATION ITEM NO. 2

CASH AND INVESTMENTS HELD AT 31 MARCH 2014

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 31 March 2014.

ATTACHMENTS

- 1) Cash and investments held at 31 March 2014;
- 2) Monthly cash and investments balance March 2013 to March 2014;
- 3) Monthly Australian term deposit index March 2013 to March 2014.

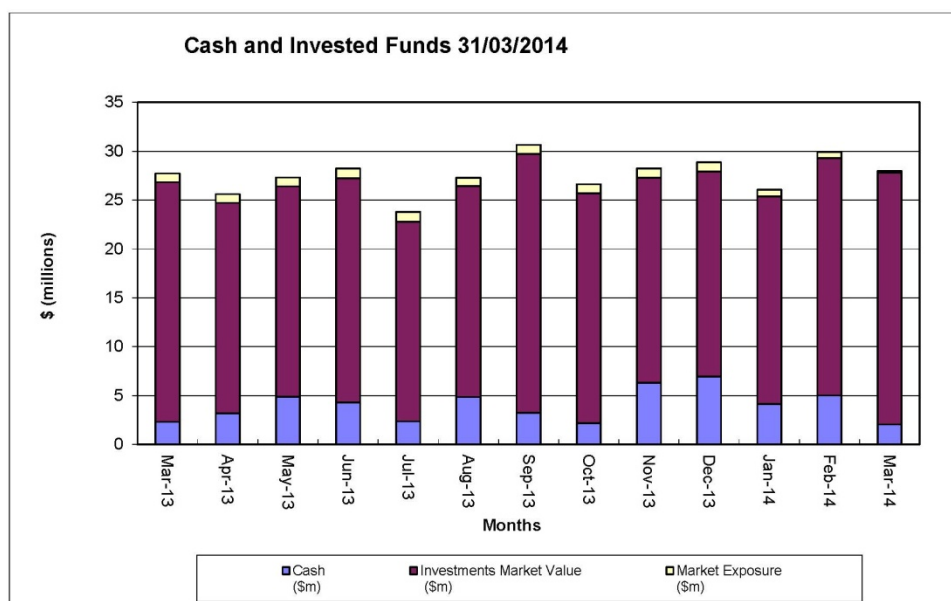
ATTACHMENT 1

CASH AND INVESTMENTS HELD AS AT 31 MARCH 2014								
ISSUER	BROKER	RATING*	DESC.	YIELD %	TERM DAYS	MATURITY	AMOUNT INVESTED	MARKET VALUE
TERM DEPOSITS								
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
GATEWAY CREDIT UNION LTD	CURVE	N/R	TD	3.61%	98	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
INVESTEC BANK (AUSTRALIA) LTD	FIIG	BBB-	TD	3.76%	112	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
ME BANK	ME BANK	BBB+	TD	3.80%	183	24-Sep-14	2,000,000	2,000,000
RURAL BANK LTD	CURVE	A-	TD	3.72%	196	8-Oct-14	2,000,000	2,000,000
NATIONAL AUSTRALIA BANK LTD	NAB	AA-	TD	3.74%	266	17-Dec-14	1,000,000	1,000,000
SUB TOTAL (\$)							23,500,000	23,500,000
OTHER INVESTMENTS								
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	901,055
SUB TOTAL (\$)							2,430,376	2,259,372
INVESTMENTS TOTAL (\$)							25,930,376	25,759,372
CASH AT BANK (\$)							2,047,616	2,047,616
TOTAL CASH AND INVESTMENTS (\$)							27,977,992	27,806,988
CASH AT BANK INTEREST RATE				2.50%				
BBSW FOR PREVIOUS 3 MONTHS				2.68%				
AVG. INVESTMENT RATE OF RETURN				3.62%				
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

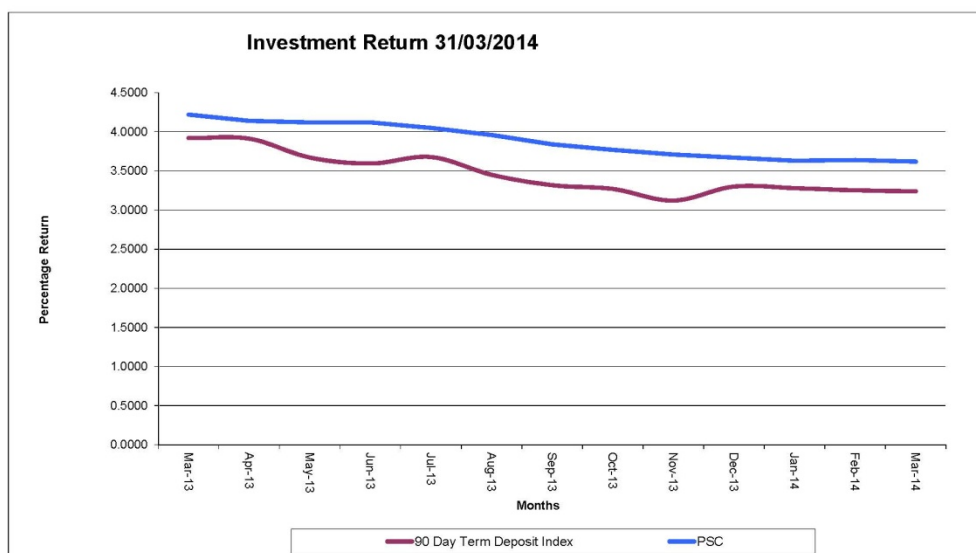
Date	Cash (\$m)	Investments Market Value (\$m)	Market Exposure (\$m)	Total Funds (\$m)
Mar-13	2.301	24.525	0.906	27.731
Apr-13	3.192	21.527	0.903	25.623
May-13	4.870	21.531	0.900	27.301
Jun-13	4.302	22.926	1.005	28.232
Jul-13	2.366	20.426	1.005	23.797
Aug-13	4.847	21.578	0.852	27.278
Sep-13	3.221	26.489	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
Mar-14	2.048	25.759	0.171	27.978



ATTACHMENT 3

Australian Term Deposit Accumulation Index

Date	90 Day Term Deposit Index	PSC
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
Mar-14	3.2397	3.62



INFORMATION ITEM NO. 3

SMART URBAN FUTURES CONFERENCE 2014

REPORT OF: CR GEOFF DINGLE
GROUP: GENERAL MANAGERS OFFICE

FILE: PSC2013-05547

BACKGROUND

The purpose of this report is to provide an update on the conference held 26-27 March 2014 at the Spring Street Conference Centre, Melbourne.

I thank the council for the opportunity to attend an excellent conference workshop in the City of Melbourne hosted by the Municipal association of Victoria and based on the theme building liveable walkable sustainable communities.

A range of speakers both local and international plus case studies presented by professional planners and Council staff across the state gave this conference its credibility and demonstrated that when it comes to walkable living spaces Victoria is well ahead of all other Australian States.

The term walkscore has been discussed on local 2NC radio over the past week and this term was explained in detail by Victorian Walks Chair representing an organisation supported by the Victorian State Government recognizing that walking is fundamental to good health and wellbeing of people, that economic performance of commercial areas is intrinsically linked to walkability and private property values rise as the walkscore rating rises. Evidence shows the construction of ever increasingly expensive freeway networks just transfers the bottle necks down the line and communities are now sending a message to governments State and Federal that its public transport they seek not more roads systems, the problems highlighted in Melbourne's outer city suburbs are replicated all over Australia.

Dr Rodney Tolley, Staffordshire University Director, pointed out that the link between health, wellbeing, economic performance environmental improvement reduced risk all have powerful economic links and opportunities in Australian communities are being taken up by Councils in towns and cities across the county.

A presentation by Larry Frank transportation Chair of the British Columbia University gave us an insight into the amazing improvements introduced to US cities and towns focusing on strategic planning where public transport and links to walkable neighbourhoods make these communities fantastic places to live.

A number of forums were held with range of technical and social experts providing an opportunity for the audience to ask questions about their particular issues and to

throw what ifs and how could we scenarios to the panel. It was evident that serious efforts are being made between Victoria Walks and the equivalent of RMS in NSW to work closely with local schools and communities to improve pedestrian links and get children walking to school. The current reliance on private transport therefor the danger associated with high levels of traffic at local schools with parents insisting on dropping kids off at the front gate has become a real conundrum and one we recognise in Port Stephens Schools. Case studies planning for walking in the Victorian community of Frankston and the city of Moonee linking school travel planning to infrastructure placed a practical face to the problems of making communities walkable and liveable.

The emphasis on seniors walking by Victorian health experts results from research showing that as the population ages walking becomes increasingly important, in both reducing health risks and supporting a population with less access to private transport.

This conference highlighted for me just how far we have to go in Port Stephens and how important strategic planning is. The problems are reinforced in my community of Medowie with the \$20 million upgrade of the local commercial centre close to opening yet this delivers more traffic more congestion, no bus bays which are desperately needed, no intersection treatment and no plan for pedestrian safety and no costed plans for alternative routes. The conference highlighted that pedestrians must be treated as first class passengers not second class citizens, road construction, footpaths and public transport are intrinsically linked to healthy communities.

Walking the streets and lanes of Melbourne city and making use of the public transport particularly their free city circle tram route confirms that Melbourne's forefathers had great vision and the cities wide roads and park land make Melbourne one of the world's most liveable cities, we should all learn from that.

Go to walkscore.au and type in your address and find out just how walkable your community is, I did and the response was:

43 Kirrang Drive has a Walk Score of 12 out of 100. This location is a Car-Dependent neighbourhood so almost all errands require a car.

Clearly I will not be living in this community as I age.

ATTACHMENTS

- 1) Smart Urban Futures Conference Brochure 2014.

ATTACHMENT 1

SMART URBAN FUTURES



**March
26 & 27
2014**

Spring Street
Conference Centre,
corner Spring and
Flinders Streets,
Melbourne

Building Liveable, Walkable, Sustainable Communities

The world is transforming rapidly. Communities of the future will have older populations and be more energy conscious, with residents struggling to balance their lifestyle and health. Cities and towns will compete with each other to provide the best lifestyle, in order to attract residents, visitors and businesses. Communities that are not built for people will face a declining future.

This conference will examine how to design communities to meet the challenges of the 21st century. Key themes include:

- Cities for everyone – planning for mobility including children, seniors and disadvantaged communities.
- Urban sustainability and retrofitting/regenerating existing urban areas
- The walking economy – why the knowledge economy will be powered by feet.
- Common solutions to the multiple challenges of climate change, the obesity epidemic and an ageing population in a time-poor society.
- Climate change, peak oil and energy vulnerability
- Healthy communities and strategies to combat obesity
- Technology and the impact on lifestyle
- Ageing populations
- The need for social inclusion and local connectivity
- Designing streets for people
- Optimising local business outcomes
- Localisation
- Empowering the community to own their own streets

This ground-breaking, inclusive event will feature a range of significant local and international case studies and world-class presenters including:

- **Larry Frank**, Bombardier transportation chair at the University of British Columbia in Vancouver
- **Rodney Tolley**, Staffordshire University (UK), author of "The Greening of Urban Transport: Planning for Walking and Cycling in Western Cities", Director of Walk21
- **Janette Sadik-Khan**, Transportation Commissioner for New York City
- **Charlie Hales**, Mayor of Portland, Oregon

Who Should attend: Councillors, Directors, Strategic Planners, Urban Designers, Sustainability officers, Transport Planners, Asset Managers, Organisational Development Managers, Corporate Planners, Stakeholders and Health Promotion Practitioners.

Conference presented by MAV and Victoria Walks






Wednesday, March 26

8.30am	Registration and coffee
9am	Welcome from MAV President and Victoria Walks Chair
9.15am	'The Walking Economy,' Dr Rodney Tolley, Staffordshire University, Director Walk 21.
	Rodney Tolley has authored and edited a number of books, most notably "The Greening of Urban Transport: Planning for Walking and Cycling in Western Cities". We 'know' that walking is good for us, personally, in terms of improving physical and mental health. However, there is a growing realisation across governments that by encouraging walking a myriad of topical community issues can be addressed, including traffic congestion; air pollution and greenhouse gas emissions; urban sprawl; social exclusion; community alienation; death and injury in crashes; and all of these – and more besides – have powerful economic effects. It is also becoming clearer how important walkers are to expenditure in shops, the economic vitality of city centres and in supporting the knowledge economy. This presentation will bring up to date our understanding of the economic and other benefits of more people walking more often.
10.05am	'The 20 Minute City', Rob Adams, Director, City Design, City of Melbourne.
	Professor Rob Adams is one of the champions of urban design in Australia today, with more than 38 years' experience as a practising designer in private enterprise and public service. More recently, he has made a significant contribution to the City's 'Zero Emissions 2020' project through such buildings as the East Melbourne Library, Queen Victoria Market solar panels and the multi-award winning CH2 building – Australia's first six star commercial building. Rob's division has received more than 120 state and national awards for design excellence. Currently, he is exploring what the '20-minute city' could mean for Melbourne: a central concept underpinning the ideas, debate and discussion about the economics of building the necessary infrastructure; how transport priorities are determined; the sociology underpinning behavioural change; and the latest planning methodologies, technological innovations and social media available to assist.
10.50am	Morning tea
11.20am	'Remaking the Streets of New York', Janette Sadik-Khan, Transportation Commissioner for New York City (pre-record).
	In the six years that Janette Sadik-Khan has headed the New York City Department of Transportation, streets have been transformed. Across the five boroughs, 26 acres of asphalt were converted into 50 pedestrian plazas. New bus lanes are speeding transit trips on major thoroughfares in Manhattan, the Bronx, Staten Island, and soon Brooklyn. The city added dozens of miles of protected on-street bike lanes — groundbreaking designs for an American city — and 350 miles of bikeways overall. The biggest bike-share system in the country launched this May, and now regularly sees 40,000 trips per day. So what is the lesson from this new era of change on New York City's streets? "You can remake your streets, quickly, inexpensively — they can provide immediate benefits and it can be quite popular," says Sadik-Khan. These changes have improved safety, boosted retail performance, and elicited impressive public approval ratings. Janette emphasises that it wouldn't have been possible to accomplish so much in such a short time frame if it weren't for the original stroke of genius: the decision to test things out to see what succeeds.
11.45am	'Retro-fitting urban communities to improve outcomes', Joan Ko, Senior Sustainability Consultant, Arup.
	Joan is a sustainability consultant working with local governments, property developers and industry associations around the world on organisational strategy, urban development, planning policy and sustainability management. Her background in carbon management and assessment has fed her interest in how to develop neighbourhood-scale sustainable infrastructure through development strategy, planning provisions and community trusts. She has helped the City of Melbourne set efficiency benchmarks for new buildings and precincts as part of its planning process. Joan will present findings on analysis undertaken on 20 examples of major community-scale retrofit programmes around the world.
12.20pm	'Urban design and social inclusion', Janet Stanley, Chief Research Officer, Monash Sustainability Institute.
	Prior to her current role, Janet was Senior Manager, Research and Policy at the Brotherhood of St. Laurence. Janet's current research interests are in relation to social policy, transport, equity and policy on climate change, bushfire arson, social exclusion, social capital and community development, and project evaluation. Janet is a member on the Ministerial Advisory Council for the Victorian Minister for the Environment, Climate Change and Innovation. Janet has co-authored 'No Way to Go: Transport and Social Disadvantage in Australian Communities'.
12.55pm	Lunch



1.45pm	'Urban Renewal Models in NYC and Unintended Cities', Marcus Spiller, SGS Principal and former President, Planning Institute of Australia.
	Dr Marcus Spiller is a Principal, Partner and Director of SGS Economics & Planning Pty Ltd. His consulting experience spans land economics, regional development, housing policy, infrastructure funding and policy co-ordination systems. He has taken up secondments as lecturer in urban economics at the University of Melbourne, adviser to the Minister for Planning and Housing in Victoria and senior executive in the Queensland Department of Housing, Local Government and Planning. He is an Adjunct Professor in Urban Management at the University of Canberra, a former member of the National Housing Supply Council and a former National President of the Planning Institute of Australia.
2.25pm	Panel session: 'How to improve urban sustainability: design versus politics'.
	Rob Adams, Joan Ko, Janet Stanley, Marcus Spiller
2.55pm	Case studies
	<ul style="list-style-type: none"> • 'Network Planning for Walking; the Frankston Principal Pedestrian Network', Clare Davey, Traffic and Transport Coordinator, Frankston Council • 'Linking school travel planning to infrastructure', David Meiklejohn, Senior Consultant, Urbantrans and Lisa Bagnati, Transport Officer, City of Moonee Valley • 'Planning, designing and building open space in Ryde City Council', Fiona Morrison, Open Space Planner, Ryde City Council
2.55pm	Breakout workshop (alternative) 'Past, Present, Future - Port Phillip Council's journey toward a Liveable, Vibrant and Sustainable City.'
	Port Phillip City Council has established itself as a leader in urban design and liveability, in all its dimensions from policy to decision-making to implementation. This interactive workshop will be delivered by a team of senior Council officers and Councillors, and will explore in some depth how positive outcomes have been achieved over time.
3.55pm	Afternoon tea
4.15pm	'Seniors and walking: Obstacles and opportunities', Dr Jan Garrard, Deakin University.
	Jan Garrard is an active travel research consultant and Senior Lecturer in the School of Health and Social Development at Deakin University. Her research interests are in physical activity, active transport, women's participation in cycling, and road safety. Jan recently completed the extensive study Senior Victorians and Walking: Obstacles and Opportunities, for Victoria Walks and the Council on the Aging. Other recent research projects have included evaluation of the Victorian Ride2School program, assessment of the cost and health benefit of active transport in Queensland, and a comparative analysis of trends in active travel to school in Victoria and New South Wales. Jan is a member of the Expert Advisory Committee of the Cycling Promotion Fund, the Board of Road Trauma Support Services, Victoria, and the OECD/ITF Cycling Safety Working Group.
4.45pm	'Creating communities for children and busy parents', Associate Professor Paul Tranter, University of NSW.
	Paul Tranter is a Geographer in the School of Physical, Environmental and Mathematical Sciences (PEMS) at UNSW Canberra (the Australian Defence Force Academy) in Canberra. He lectures in global change, social geography and transport geography, and has been the recipient of three teaching awards. His research has made a pioneering contribution in the areas of child-friendly environments, active transport, and healthy and sustainable cities. These themes are brought together in a recent book – Children and Their Urban Environment: Changing Worlds, which Paul co-authored with Claire Freeman.
5.15pm	Informal networking function
6pm	Close

Thursday, March 27

9am	'Are 20 minute neighbourhoods possible in outer suburbs?' Carolyn Whitzman, Professor in Urban Planning at the University of Melbourne.
	'Carolyn Whitzman is a Professor in Urban Planning at the University of Melbourne. She is the author of Suburb, Slum, Urban Village: Transformation in Toronto's Parkdale Neighbourhood, The Handbook of Community Safety, Gender, and Violence Prevention: practical planning tools and is co-author of Building Inclusive Cities: women's safety and the right to the city. Professor Whitzman has an international reputation for her work on the prevention of violence. Her current research interests include the policy implications of planning for liveable and equitable cities in a national and international context, the 20 Minute City concept in Melbourne's growth areas, planning interventions to increase independent mobility for children, and the development of participatory planning tools with women, children and people with disability.

MINUTES FOR ORDINARY MEETING – 13 MAY 2014

9.45am	Health and Community Design: The Impact Of The Built Environment On Physical Activity', Larry Frank, Canada
	Dr. Frank is a Professor and Director of the Health and Community Design Lab at the School of Community and Regional Planning, University of British Columbia. He is cross-appointed with the School of Population and Public Health and specializes in the interaction between land use, travel behaviour, air quality, and health. He has been studying the effects of neighbourhood walkability on travel patterns and sustainability for nearly 20 years. He has lead or co-authored dozens of papers and two books Health and Community Design, The Impacts of The Built Environment on Physical Activity and Urban Sprawl and Public Health. He and his colleagues have also been conducting detailed assessments of fuel consumption and climate change impacts of urban form policies. Over the past decade Dr. Frank has been working directly with local governments to help translate results from research into practice-based tools that can provide direct feedback on the health and environmental impacts of alternative transportation and land development proposals.
10.35am	Morning Tea
11.05am	'Sustainable City and Community Futures', Paul Donegan, Deputy Program Director, Grattan Institute
	Paul Donegan is Cities Senior Associate at the Grattan Institute. He has played public strategy and policy roles for both the Commonwealth and Victorian governments, advising on issues including economic policy, infrastructure procurement, health, industry support, social security, Commonwealth-State relations and public administration. Paul was also the disability adviser to the Commonwealth Minister for Families, Housing, Community Services and Indigenous Affairs at the introduction of the National Disability Insurance Scheme.
11.35am	'Reflections on our changing journeys: past, present and future', Ben Rossiter, Executive Officer, Victoria Walks
	Ben has a background in cross sectoral partnerships, research, policy and program development, community development and health promotion. He has led Victoria Walks since its inception in 2008. Ben has presented papers, published articles and book chapters on walking and the urban experience. He is a member of the Victorian Pedestrian Advisory Council, the Victorian Government's Cycling Reference Group and a board member of the International Federation of Pedestrians. Ben's presentation will explore the recent evolution of walking promotion and creation of walkable environments and set out directions for the future.
12.10pm	Panel session: 'How can we make it happen?'
	Carolyn Whitzman, Larry Frank, Paul Donegan, Ben Rossiter
12.40pm	Lunch
1.30pm	Case studies
	<ul style="list-style-type: none"> • 'Design Parramatta: New Ideas To Shape The City', Kati Westlake, Senior Urban Designer, Parramatta City Council • 'Retrofitting the suburbs for people,' Charles Nilsen, Manager, Urban Design, Monash City Council • 'Realising emission reductions via passive transport strategies', Jane Waldock, Manager Sustainability and Strategic Transport City of Yarra
2.35pm	'Ensuring Portland (Oregon) is a liveable and healthy city', Charlie Hales, Mayor (video)
	As Mayor of Portland, Charlie has vowed to ensure the quality of life for all by working with neighborhoods to identify their needs. Portland is already a model for sustainable transport – Walkscore calls it the most 'bikeable' large city in the U.S. – but Charlie sees much room for improvement. The next step is to improve safety and comfort for all by creating more Complete Streets, filling the gaps in the active transportation network, extending street design features such as advance bike boxes at intersections, 20 mph residential speed limits, and pedestrian/bicycle signal improvements. Charlie's work has been honored by the Bruner Foundation for Urban Excellence, the American Society of Landscape Architects, the Oregon Chapter of the American Planning Association, the League of Oregon Cities and the Portland Bicycle Transportation Alliance.
3pm	'Implications and actions for local government': general brainstorming and planning session
3.30pm	Close

Cost:

\$550 (including GST)

To Register:

For online registration and conference details go to www.mav.asn.au/events (click on 'upcoming events' and scroll down to March 26).

Queries:

jhennessy@mav.asn.au

Note: Program subject to change.

Accommodation:

Mercure Hotel, 13 Spring Street, Melbourne. Toll free: 1800 813442
Rydges Melbourne, 186 Exhibition Street (03 96620511)



INFORMATION ITEM NO. 4

LEGAL SERVICES – EXTENSION OF CONTRACT T01-2012

REPORT OF: PETER GESLING - GENERAL MANAGER

GROUP: GENERAL MANAGER'S OFFICE

FILE: T01-2012

BACKGROUND

The purpose of this report is to inform Councillors that the option to extend the legal services contract T01-2012 has been taken up.

Councillors would be aware that the current contract commenced 1 April 2012. The contract is for two years with a two year option to extend.

There are three legal service providers under the contract – Harris Wheeler Lawyers, Lindsay Taylor Lawyers and Local Government Legal. All three have agreed to the extension of the contract based upon the original terms and conditions.

The extension of the contract is in line with Council's 2013-2017 Delivery Program 15.1.3 – Manage Risks across Council. It also reflects the success in recent years of achieving ongoing and increasing reduction in net expenditure on legal costs resulting in annual expenditure being under budget.

ATTACHMENTS

Nil.

NOTICE OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: A2004-0217, PSC2011-01947

DEVELOPMENT APPLICATION FEES – COUNCIL OWNED ASSETS

MAYOR: BRUCE MACKENZIE

THAT COUNCIL:

- 1) Not charge community groups development application fees where a development application is required for a community group funded project on a Council owned asset;
 - 2) The Council Asset owner be responsible for development application fees associated with proposed changes to a Council Asset.
-

ORDINARY COUNCIL MEETING –13 MAY 2014

MOTION

113	Mayor Bruce MacKenzie Councillor Sally Dover
	It was resolved that Council: <ol style="list-style-type: none">1) Not charge community groups development application fees where a development application is required for a community group funded project on a Council owned asset;2) The Council Asset owner be responsible for development application fees associated with proposed changes to a Council Asset.

BACKGROUND REPORT OF: JOHN MARETICH – CIVIL ASSETS SECTION MANAGER

BACKGROUND

Many of Council's Community and Recreation facilities are utilised by community groups that have plans to improve the facility. These groups use varying means to raise the capital to fund the development of the plans ranging from general fundraising, grant funding as well as accessing Sports Council funding. Depending on the scale of the plans, many of these may require a development application in order to proceed or to seek additional funding. The Development Assessment fees are part of the initial stages of a project and hence it could be funded through the Council's Capital Works program for that project. A lodged Development Application requires owner's consent, in this case being the relevant Council Officer

or Asset Owner. Projects would need to be developed through the Asset Owner prior to Development Assessment being lodged.

CONFIDENTIAL ITEMS



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

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

There being no further business the meeting closed at 6.40pm.

I certify that pages 1 to 107 of the Open Ordinary Minutes of Council 13 May 2014 and the pages 108 to 110 of the Confidential Ordinary Minutes of Council 13 May 2014 were confirmed by Council at its meeting held on 27 May 2014.

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Bruce MacKenzie
MAYOR