

# DRAFT

## MINUTES – 13 SEPTEMBER 2016



# PORT STEPHENS C O U N C I L

Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 13 September 2016, commencing at 5.30pm.

**PRESENT:**

Mayor B MacKenzie, Councillors C. Doohan, S. Dover, K. Jordan, P. Le Mottee, J Nell, S. Tucker, General Manager, Acting Corporate Services Group Manager, Acting Facilities and Services Group Manager, Development Services Group Manager and Governance Manager.

250	<p><b>Councillor Paul Le Mottee</b> <b>Councillor Steve Tucker</b></p> <p>It was resolved that the apologies from Cr John Morello, Cr Peter Kafer and Cr Geoff Dingle be received and noted.</p>
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Cr Ken Jordan entered the meeting at 5.35pm during Notice of Motion, Item No.1.

<b>MINUTES ORDINARY COUNCIL - 13 SEPTEMBER 2016</b>
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<b>251</b>	<b>Councillor Sally Dover</b> <b>Councillor John Nell</b>  It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 23 August 2016 be confirmed.
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	There were no declaration of interests received.
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# MOTIONS TO CLOSE

**ITEM NO. 1**

**FILE NO: 16/399705  
RM8 REF NO: PSC2009-02408V4**

**MOTION TO CLOSE**

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

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**RECOMMENDATION:**

- 1) That pursuant to section 10A(2) (c) of the *Local Government Act 1993*, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely **Sale of part of Proposed Lot 4, 155 Salamander Way, Salamander Bay.**
- 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
  - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- 3) That the report remain confidential and the minute be released in accordance with Council's resolution.

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**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>252</b>	<p><b>Councillor John Nell</b> <b>Councillor Chris Doohan</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) That pursuant to section 10A(2) (c) of the <i>Local Government Act 1993</i>, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely <b>Sale of part of Proposed Lot 4, 155 Salamander Way, Salamander Bay.</b></li><li>2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none"><li>• information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.</li></ul></li><li>3) That the report remain confidential and the minute be released in accordance with Council's resolution.</li></ol>
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**ITEM NO. 2**

**FILE NO: 16/399708  
RM8 REF NO: PSC2009-02408V4**

**MOTION TO CLOSE**

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

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**RECOMMENDATION:**

- 1) That pursuant to section 10A(2) (d)ii of the *Local Government Act 1993*, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 2 on the Ordinary agenda namely **Change of name of Purchaser for Proposed Lot 2, 155 Salamander Way, Salamander Bay**.
- 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
  - information that would, if disclosed, confer a commercial advantage on a competitor of the council.
- 3) That the report remain confidential and the minute be released in accordance with Council's resolution.

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**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>253</b>	<p><b>Councillor John Nell</b> <b>Councillor Chris Doohan</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) That pursuant to section 10A(2) (d)ii of the <i>Local Government Act 1993</i>, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 2 on the Ordinary agenda namely <b>Change of name of Purchaser for Proposed Lot 2, 155 Salamander Way, Salamander Bay</b>.</li><li>2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none"><li>• information that would, if disclosed, confer a commercial advantage on a competitor of the council.</li></ul></li><li>3) That the report remain confidential and the minute be released in accordance with Council's resolution.</li></ol>
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**ITEM NO. 3**

**FILE NO: 16/405888  
RM8 REF NO: PSC2007-0620**

**MOTION TO CLOSE**

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

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**RECOMMENDATION:**

- 1) That pursuant to section 10A(2) (d)i of the *Local Government Act 1993*, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 3 on the Ordinary agenda namely **Proposed sale of 54 Boundary Road Medowie, Lot 21 DP 570152.**
- 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
  - commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
- 3) That the report remain confidential and the minute be released in accordance with Council's resolution.

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**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016**  
**MOTION**

<b>254</b>	<p><b>Councillor John Nell</b> <b>Councillor Chris Doohan</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) That pursuant to section 10A(2) (d)i of the <i>Local Government Act 1993</i>, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 3 on the Ordinary agenda namely <b>Proposed sale of 54 Boundary Road Medowie, Lot 21 DP 570152.</b></li><li>2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none"><li>• commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.</li></ul></li><li>3) That the report remain confidential and the minute be released in accordance with Council's resolution.</li></ol>
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**ITEM NO. 4**

**FILE NO: 16/405885  
RM8 REF NO: PSC2015-01018**

**MOTION TO CLOSE**

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

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**RECOMMENDATION:**

- 1) That pursuant to section 10A(2) (i) of the *Local Government Act 1993*, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 4 on the Ordinary agenda namely **Code Of Conduct**.
  - 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
    - alleged contraventions of any code of conduct requirements applicable under section 440.
  - 3) That the report remain confidential and the minute be released in accordance with Council's resolution.
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**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>255</b>	<p><b>Councillor John Nell</b> <b>Councillor Chris Doohan</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) That pursuant to section 10A(2) (i) of the <i>Local Government Act 1993</i>, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 4 on the Ordinary agenda namely <b>Code Of Conduct</b>.</li><li>2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none"><li>• alleged contraventions of any code of conduct requirements applicable under section 440.</li></ul></li><li>3) That the report remain confidential and the minute be released in accordance with Council's resolution.</li></ol>
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# COUNCIL REPORTS

## MINUTES ORDINARY COUNCIL - 13 SEPTEMBER 2016

ITEM NO. 1

FILE NO: 16/381451  
RM8 REF NO: A2004-0242

### 2015-2016 BUDGET ITEMS CARRIED FORWARD

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

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#### RECOMMENDATION IS THAT COUNCIL:

- 1) Approve the revotes from the 2015-2016 budget as detailed in **(ATTACHMENT 1)** in this report and vote the necessary funds to meet expenditure.
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### ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016 MOTION

	Council did not move into Committee of the Whole.
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### ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016 MOTION

256	<p><b>Mayor Bruce MacKenzie</b> <b>Councillor Chris Doohan</b></p> <p>It was resolved that Council approve the revotes from the 2015-2016 budget as detailed in <b>(ATTACHMENT 1)</b> in this report and vote the necessary funds to meet expenditure.</p>
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### BACKGROUND

The purpose of this report is to advise of budget items from 2015-2016 that were not completed in that year and are proposed to be carried forward to 2016-2017.

### COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
A Sustainable Council.	<p>Council will maintain its underlying financial performance to budget at break even or better.</p> <p>Council will increase its revenue from non-rates sources.</p>

## MINUTES ORDINARY COUNCIL - 13 SEPTEMBER 2016

	Manage risks across Council. Attract, retain and develop staff to meet current and future workforce needs. Provide enabling business support services for Council's operations.
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### FINANCIAL/RESOURCE IMPLICATIONS

The works included in this report were partially or wholly unexpended at the end of last financial year, however, the funds are not automatically carried forward and require Council resolution. The majority of the works are funded from reserves and grants, and have no negative impact on Council's Long Term Financial Plan.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	Yes		Budget from 2015-2016.
Section 94	Yes		Budget from 2015-2016.
External Grants	Yes		Budget from 2015-2016.
Other	Yes		Budget from 2015-2016.

### LEGAL, POLICY AND RISK IMPLICATIONS

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulations 2005*, all budgets lapse at the end of the financial year and require a Council resolution to be reinstated. Failure to reinstate these budget votes would result in these projects being cancelled.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that unspent grant funds may have to be returned.	Low	Revote budget to allow projects to proceed.	Yes

### SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

A budget forms part of the integrated planning approach to sustainable service delivery.

### MERGER PROPOSAL IMPLICATIONS

There are no merger proposal implications as this is a legislative requirement.

## **CONSULTATION**

Consultation with key stakeholders has been undertaken for the purpose of peer-reviewing the need for projects to be carried forward.

### Internal

- 1) Property Services Section Manager.
- 2) Investment and Asset Manager.
- 3) Asset Section Manager.
- 4) Community and Recreation Coordinator.

### External

Nil.

## **OPTIONS**

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

## **ATTACHMENTS**

- 1) Revotes and rollovers from 2016 to 2017 ledger year.

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

**ITEM 1 - ATTACHMENT 1 REVOTES AND ROLLOVERS FROM 2016 TO 2017 LEDGER YEAR.**

<b>Revotes from 2016 to 2017 Ledger Year</b>		
<b>Civil Assets</b>	<b>Parks &amp; Reserves Assets - Little Beach - Park furniture replacements</b>	<b>\$15,000</b>
<b>Civil Assets</b>	<b>Parks &amp; Reserves Assets - Conroy Park Corlette - Park furniture replacements - Parks &amp; Reserves Committee</b>	<b>\$15,000</b>
<b>Civil Assets</b>	<b>Parks &amp; Reserves Assets - Ross Walridge Reserve - Clean up</b>	<b>\$5,000</b>
<b>Civil Assets</b>	<b>Community Hall Assets - Fern Bay Hall - Window replacements</b>	<b>\$8,000</b>
<b>Civil Assets</b>	<b>Community Hall Assets - Fern Bay Tennis Court new amenities building</b>	<b>\$400,000</b>
<b>Civil Assets</b>	<b>Sports Assets - Salt Ash Sportsground - Installation of BMX track</b>	<b>\$10,000</b>
<b>Civil Assets</b>	<b>Boomerang Park Amenities</b>	<b>\$54,850</b>
<b>Civil Assets</b>	<b>Boomerang Park Croquet Courts</b>	<b>\$40,000</b>
<b>Civil Assets</b>	<b>Sunset Park Process Study</b>	<b>\$100,000</b>
<b>Civil Assets</b>	<b>Horace St Drainage</b>	<b>\$400,000</b>
<b>Public Domain &amp; Services</b>	<b>Depot Safety Compliance - Fire Safety System</b>	<b>\$19,250</b>
<b>Property Services</b>	<b>Convert 12 Holiday Van sites to 12 powered tourist sites</b>	<b>\$34,992</b>
<b>Property Services</b>	<b>Convert 7 Holiday Van sites to 6 large vehicle ensuite sites</b>	<b>\$300,000</b>
<b>BSSS</b>	<b>Sharepoint</b>	<b>\$74,667</b>
<b>BSSS</b>	<b>Human Resource Information Systems (HRIS)</b>	<b>\$140,000</b>
<b>BSSS</b>	<b>Eplanning Project</b>	<b>\$75,000</b>
<b>BSSS</b>	<b>ICT Infrastructure &amp; Hardware</b>	<b>\$25,000</b>
<b>BSSS</b>	<b>CAMMS</b>	<b>\$20,000</b>
<b>TOTAL REVOTES</b>		<b>\$1,736,759</b>

**ITEM 1 - ATTACHMENT 1 REVOTES AND ROLLOVERS FROM 2016 TO 2017 LEDGER YEAR.**

<b>Rollovers from 2016 to 2017 Ledger Year ....continued</b>		
<b>Community Services</b>	<b>Capping of the old landfill site on Newline Rd</b>	<b>\$19,439</b>
<b>Civil Assets</b>	<b>Community Hall Assets - Karuah Hall - Replace roof with colourbond &amp; repairs to ceiling</b>	<b>\$33,486</b>
<b>Civil Assets</b>	<b>Community Hall / Multi purpose community facility Assets - Fern Bay Hall - Replacement</b>	<b>\$369,291</b>
<b>Civil Assets</b>	<b>Sports Assets -Lakeside Sports Complex - Install irrigation at No 3 oval (\$22k) repealed plus \$35k for holding tanks</b>	<b>\$94,180</b>
<b>Civil Assets</b>	<b>Library Assets -RT Library - Replace box gutters and roof sections</b>	<b>\$27,022</b>
<b>Civil Assets</b>	<b>Surf Club Assets - One Mile - Replacement of lifeguard facilities</b>	<b>\$457,669</b>
<b>Civil Assets</b>	<b>Waterway Assets - Henderson Park Aquatic Infrastructure - Upgrade</b>	<b>\$332,231</b>
<b>Civil Assets</b>	<b>Waterway Assets - Seaham Boat Ramp - Upgrade</b>	<b>\$257,543</b>
<b>Community Services</b>	<b>Medowie Sports Club - Building</b>	<b>\$2,073,189</b>
<b>Community Services</b>	<b>Medowie Sports Club - Grounds, landscaping</b>	<b>\$1,304,814</b>
<b>Community Services</b>	<b>MIDDEN-Soldiers Point</b>	<b>\$71,527</b>
<b>Property Services</b>	<b>Cabin Refurbishment Project</b>	<b>\$94,843</b>
<b>Property Services</b>	<b>Survey Northern Park Boundary &amp; construct new boundary fence</b>	<b>\$27,179</b>
<b>Property Services</b>	<b>Replace damaged concrete slabs - Stage 2</b>	<b>\$10,006</b>
<b>Property Services</b>	<b>Replace BBQ's, convert to gas &amp; new picnic structures - Stage 1</b>	<b>\$64,809</b>
<b>Property Services</b>	<b>Replace safari tents with new onsite tent product, reconfigure and landscape Lot 3</b>	<b>\$28,453</b>
<b>Property Services</b>	<b>Cabin Refurbishment Project</b>	<b>\$25,709</b>
<b>Property Services</b>	<b>Recreation Room Upgrade</b>	<b>\$23,351</b>
<b>Property Services</b>	<b>Reconstruct Amenities</b>	<b>\$108,650</b>

**ITEM 1 - ATTACHMENT 1 REVOTES AND ROLLOVERS FROM 2016 TO 2017 LEDGER YEAR.**

<b>Rollovers from 2016 to 2017 Ledger Year ....continued</b>		
<b>Property Services</b>	<b>Replace BBQ Convert to Gas &amp; Structure</b>	<b>\$75,428</b>
<b>Property Services</b>	<b>Cabin Refurbishment Project</b>	<b>\$109,558</b>
<b>Civil Assets</b>	<b>Drainage Study - Medowie FRMS</b>	<b>\$43,864</b>
<b>Civil Assets</b>	<b>Drainage Study - Paterson River Flood</b>	<b>\$12,167</b>
<b>Civil Assets</b>	<b>Drainage Study - Anna Bay Flood</b>	<b>\$66,641</b>
<b>Civil Assets</b>	<b>Drainage Study - Williamtown / Salt Ash</b>	<b>\$33,382</b>
<b>Civil Assets</b>	<b>Future Roads Works</b>	<b>\$121,370</b>
<b>Civil Assets</b>	<b>Foreshore Drive - Widening of Mambo wetland outlet and shared path link</b>	<b>\$304,722</b>
<b>Civil Assets</b>	<b>Shoal Bay Road - SEG 170, Nelson Bay Road. Pavement Rehabilitation from Dixon Drive to Gowrie Avenue</b>	<b>\$377,252</b>
<b>Civil Assets</b>	<b>East Seaham Road- Gravel road sealing STAGE 2</b>	<b>\$136,601</b>
<b>Civil Assets</b>	<b>Brandy Hill Drive - Warrigal Cl to 33 Brandy Hill Drive Guardrail Construction</b>	<b>\$8,674</b>
<b>Civil Assets</b>	<b>Traffic Project - Raised Pedestrian crossing, Benjamin Lee Drive, Raymond Terrace</b>	<b>\$30,808</b>
<b>Civil Assets</b>	<b>Clemenceau Crescent, Tanilba Bay, Pavement Reconstruction inc K&amp;G from Tanilba Ave to Poilus Pde</b>	<b>\$584,348</b>
<b>Civil Assets</b>	<b>Hinton Road - Hinton. Pavement Reconstruction from Shiraz Close to Swan Street</b>	<b>\$38,020</b>
<b>Civil Assets</b>	<b>Blackspot - Traffic Signals, Shoal Bay Road &amp; Government Road, Shoal Bay</b>	<b>\$398,410</b>
<b>Civil Assets</b>	<b>Hinton Rd Guardrail</b>	<b>\$52,124</b>
<b>Civil Assets</b>	<b>CPTIGS Bus Stops 2013-2014</b>	<b>\$9,818</b>
<b>Mayor's Office</b>	<b>Mayor Special Events</b>	<b>\$4,612</b>
<b>Councillor Services</b>	<b>Unspent 356 grants</b>	<b>\$99,750</b>
<b>TOTAL ROLLOVERS</b>		<b>\$7,930,940</b>

**ITEM NO. 2**

**FILE NO: 16/374536  
RM8 REF NO: PSC2009-02488**

**POLICY REVIEW - NAMING AND RENAMING OF RESERVES POLICY**

REPORT OF: GLENN BUNNY - PROPERTY SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the revised Naming and Renaming of Reserves Policy shown at **(ATTACHMENT 1)**.
  - 2) Place the Naming and Renaming of Reserves Policy, as amended, on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended without a further report to Council.
  - 3) Revoke the Naming and Renaming of Reserves Policy adopted 9 October 2012, Minute No 263 and amended on 12 August 2014, Minute No 208 **(ATTACHMENT 2)**, should no submissions be received.
- 

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>257</b>	<p><b>Mayor Bruce MacKenzie Councillor Chris Doohan</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Endorse the revised Naming and Renaming of Reserves Policy shown at <b>(ATTACHMENT 1)</b>.</li><li>2) Place the Naming and Renaming of Reserves Policy, as amended, on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended without a further report to Council.</li><li>3) Revoke the Naming and Renaming of Reserves Policy adopted 9 October 2012, Minute No 263 and amended on 12 August 2014, Minute No 208 <b>(ATTACHMENT 2)</b>, should no submissions be received.</li></ol>
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**BACKGROUND**

The purpose of this report is to seek Council's endorsement of the revised Naming and Renaming of Reserves Policy. Minor wording changes have been made to the policy relating to advertising by the Geographical Names Board (GNB), referencing



## MINUTES ORDINARY COUNCIL - 13 SEPTEMBER 2016

the GNB website and related documents were amended. No material changes have been made.

The purpose of this policy is to provide consistency in the process of naming and renaming reserves.

### COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Engagement.	Engage our community in conversations and provide timely & accurate information.

### FINANCIAL/RESOURCE IMPLICATIONS

The Naming and Renaming of Reserves Policy has no known financial or resource implications.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		The policy has been reviewed as part of the ELT major projects program of work.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

### LEGAL, POLICY AND RISK IMPLICATIONS

The Naming and Renaming of Reserves Policy is written in accordance with the *Geographical Names Board Act 1966* and the *Local Government Act 1993*.

Council's Naming and Renaming of Reserves Policy provides guidelines to be followed in accordance with the *Geographical Names Board Act 1966* when naming or renaming reserves in the care and control of Council.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the GNB will not support a proposal to name or rename a reserve.	High	Accept the recommendations.	Yes

### **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

There are no known Social, Economic or Environmental Implications.

Adoption of uniform guidelines endorsed by the GNB will enable ratepayers and public authorities such as the Police and Ambulance Services to more easily find specified reserves.

### **MERGER PROPOSAL IMPLICATIONS**

There are no known merger proposal implications.

### **CONSULTATION**

Consultation with key stakeholders has been undertaken both internally and externally to determine if there were any substantial amendments to the policy that could be justified.

#### Internal

Property Officer.  
Land Acquisition and Development Manager.  
Property Services Section Manager.

#### External

Geographical Names Board.

In accordance with local government legislation, the draft Naming and Renaming of Reserves Policy will go on public exhibition for 28 working days.

### **OPTIONS**

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

### **ATTACHMENTS**

- 1) Revised Naming and Renaming of Reserves Policy.
- 2) Naming and Renaming of Reserves Policy adopted 9 October 2012 and amended 12 August 2014.

### **COUNCILLORS ROOM**

Nil.

### **TABLED DOCUMENTS**

Nil.

**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES POLICY.**

## Policy



**FILE NO:** PSC2009-02488

**TITLE:** NAMING AND RENAMING OF RESERVES POLICY

**POLICY OWNER:** PROPERTY OFFICER

**PURPOSE:**

The purpose of this policy is to provide consistency in the process of naming and renaming reserves.

**CONTEXT/BACKGROUND:**

The naming and renaming of reserves is a process defined within the Geographical Names Board (GNB) guidelines to comply with the *Geographical Names Board Act 1966*. Council must comply with this Act when naming or renaming its reserves. It involves consultation with GNB, the community, Crown Lands, Historical Society and Local Aboriginal Land Council (where applicable).

**SCOPE:**

- 1) To provide consistency in the process of naming and renaming of Council owned reserves or Crown reserves over which Council has been appointed Trust Manager.
- 2) This policy applies to the naming and renaming of Council owned reserves (either public reserves or drainage reserves) and Crown reserves over which Council has been appointed Trust Manager. Requests for the naming of other Crown lands should be referred back to the applicant with the advice they should contact the relevant Crown office directly.

**DEFINITIONS:**

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

Crown Reserve	Crown reserves are land set aside on behalf of the community for a wide range of public purposes including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.
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## Policy

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Issue Date: 09/10/2012

Printed: 06/08/2016

Review Date: xx/xx/xxxx

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**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES POLICY.**

## Policy



### **POLICY STATEMENT:**

- 1) It is Council's intent that this policy specifies the requirements of naming and renaming a Council owned reserve or Crown reserves over which Council has been appointed Trust Manager.

### **PART A - THE NAMING OF COUNCIL OWNED RESERVES**

(ie Council holds freehold title)

- 1) An application/enquiry is received at Council either from a person or agency or by a section of Council with the proposal to name or rename a reserve. Initial consultation between Council's Property Officer and relevant Council staff will determine if naming is required or appropriate (eg reserve possibly already named).
- 2) Requests for the naming of reserves are to comply with the Placename Application Form (fact sheet) and guidelines as set by the GNB for determination (located on the GNB website [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)). An extract of the guidelines is annexed to this policy at Schedule 1. Where an application is received seeking commemoration of a living person, the application shall be refused.
- 3) Where the application is received seeking the commemoration of a deceased person (12 months must have passed since they deceased) then a Commemorative Naming Form and guidelines as set by the GNB should also be completed.
- 4) Where the proposed name has an historical connotation, the relevant local Historical Society shall be notified by mail or email of the proposal and requested to comment on the historical suitability of the name.
- 5) Where the proposed name has an Aboriginal connotation, the relevant Local Aboriginal Land Council shall be notified by mail or email of the proposal and requested to comment on the suitability of the name.
- 6) A recommendation will be prepared for the Ordinary Council Meeting providing relevant details requesting Council apply to the GNB with the proposed name.
- 7) If recommendation is approved, Council's Property Section will complete the required application form after liaising with the applicant to obtain all details. This form will be submitted to the GNB with any other required documents for the Board to determine.
- 8) If the recommendation is not approved, the applicant is advised to propose a new name and the process will begin again from point 3.

## Policy

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**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES POLICY.**

## Policy



- 9) If the GNB determines the name is appropriate that Department will advertise in a local newspaper circulating in the area of the reserve proposed to be named/renamed with a copy of the advertisement to be placed in each Councillor's mail tray. The advertisement shall include the following: "That comments and submissions on the proposal shall be in writing and will be received by Council for a period of 28 days from the date of advertisement/written notification".
- 10) At the close of the advertising/public consultation period and if objection(s) have been received, copies of all objections will be reported to Council.
- 11) If Council resolves to proceed and change the original proposed name to one provided through the objection process and agrees upon a name(s), application shall be made to the GNB for formal approval of the name(s) resolved.
- 12) The reserve(s) is taken to be officially named upon publication of a notice by the GNB in the New South Wales Government Gazette and local newspaper.
- 13) That the persons/organisations listed in Schedule 2 be advised of the naming.
- 14) Suitable signage to be erected upon the reserve(s) at such position(s) as determined by the required Facilities and Services staff or his/her nominated representative.

### **PART B - THE NAMING OF CROWN RESERVES OVER WHICH COUNCIL HAS BEEN APPOINTED TRUST MANAGER**

- 1) Requests are to comply with Point 2 Part A of this policy.
- 2) Approval shall be obtained from the District Office of Crown Land prior to advertising/public consultation.
- 3) If approval is obtained, compliance with requirements of Points 3 to 14 inclusive of Part A of this policy.

### **RELEVANT LEGISLATIVE PROVISIONS**

- 1) This Policy must conform to the requirements of the *Geographical Names Act 1966* and *Local Government Act 1993* and where applicable the requirements of the Historical Society and Local Aboriginal Land Council.

## Policy

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**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES  
POLICY.**

## Policy



### **POLICY RESPONSIBILITIES:**

- 1) Roles and responsibilities - the Property Officer is responsible for the implementation of this policy.
- 2) Support and advice - can be obtained from the GNB, Historical Society and Local Aboriginal Land Council and Crown Land where applicable.
- 3) Communication - Council staff and the community will be kept informed via local newspapers and either mail or email for the consultation period and after the name is finalised, the GNB will publish the name in the NSW Government Gazette.
- 4) Implementation of this policy with adoption of uniform guidelines endorsed by the GNB will enable ratepayers and public authorities such as the Police and Ambulance Services to more easily find specified reserves.
- 5) The applicant would be responsible for costs. Therefore if Council was the applicant the costs would be minimal, generally only for signage.

### **RELATED DOCUMENTS:**

- 1) GNB Placename Application Form – Fact Sheet and Guidelines

## Policy

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**ITEM 2 - ATTACHMENT 1 REVISED NAMING AND RENAMING OF RESERVES POLICY.**

## Policy

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<b>RM8 container No</b>	PSC2009-02488	<b>RM8 record No</b>	16/390130
<b>Audience</b>	Council Staff		
<b>Process owner</b>	Property Officer		
<b>Author</b>	Property Officer		
<b>Review timeframe</b>	Two years	<b>Next review date</b>	#
<b>Adoption date</b>	9 October 2012		

**VERSION HISTORY:**

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Details</b>	<b>Minute No.</b>
1	9 Oct 2012	Property Officer	Policy Adopted.	263
2	12 Aug 2014	Property Officer	Policy Amended.	208

## Policy

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**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES POLICY.**

Policy



Version	Date	Author	Details	Minute No.
3	17 Aug 2016	Property Officer	<p>Policy updated to new template.</p> <p>The Related Documents section of the current policy incorrectly refers to two Road Naming policies. These have now been replaced with the correct related document being the GNB Placename Application Form Factsheet and Guidelines.</p> <p>The Geographical Names Board website is now referenced in the policy.</p>	

**Policy**

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**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES POLICY.****Policy****ANNEXURE 1, SCHEDULE 1  
GUIDELINES FOR THE DETERMINATION OF PLACE NAMES**

- 1) When a name is suggested that owes its origin to the peculiarity of a topographic feature such as shape, vegetation and animal life etc, care should be exercised in avoiding duplication of names already used for other features. The GNB prefers to avoid the repetition of commonly used names. Sugar Loaf, Sandy, Back, Bald, Deep, Long, Kangaroo, Reedy, Rocky, Spring and Stony are examples of such names.
- 2) Easily pronounced names should, as far as possible, be used.
- 3) Names of Aboriginal origin or with a historical background are preferred.
- 4) Names acknowledging the multicultural nature of our society are encouraged.
- 5) The changing of long established names is generally not preferred, except where necessary to avoid ambiguity or duplication.
- 6) If considered appropriate, names may perpetuate the names of eminent person particularly those of early explorers, settlers and naturalists.
- 7) Names of persons should normally only be given posthumously but the GNB, at its discretion, may approve a feature name which honours a living person. Such a person's contribution to the local community should have been of outstanding benefit to the community. Ownership of land is not sufficient reason for the application of the owner's name to be a geographical feature. The GNB will not approve the naming of a feature after a person still holding public office.
- 8) The GNB may approve a first or given name as part of a geographical name only where it is necessary to appropriately honour the person referred to or where it is necessary to avoid ambiguity.
- 9) Long and clumsily constructed names and names composed of two or more words should be avoided.
- 10) The multiplication of names for different parts of the same topographical feature such as a stream or mountain range will be avoided whenever possible and the one name applied to a stream or mountain range throughout its entire length.
- 11) The naming of forks, arms and branches of a river as North Branch and South Branch is not favoured. Generally, it is preferable to assign independent names to river branches.

**Policy**

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ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES  
POLICY.

## Policy



- 12) The use of cardinal points of the compass as a prefix or suffix to an existing name is not favoured. However, well established names, which carry such a prefix, may be approved.
- 13) Where names have been changed or corrupted by long established local usage, it is not usually advisable to attempt to restore the original form; that spelling which is sanctioned by general usage should be adopted.
- 14) When a choice is offered between two or more names for the same place, locality or feature, all sanctioned by local usage, the GNB may adopt one of such names as is considered appropriate in accordance with the rules outlined above.
- 15) The possessive form should be avoided wherever possible without destroying the sound of the name eg Smith's Reserve should ideally be Smith Reserve.
- 16) The use of hyphens in connecting parts of names should, as far as possible, be avoided.
- 17) Names considered offensive or likely to give offence will not be approved

## Policy

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**ITEM 2 - ATTACHMENT 1      REVISED NAMING AND RENAMING OF RESERVES  
POLICY.**

Policy



**ANNEXURE 2, SCHEDULE 2  
PERSONS OR ORGANISATIONS TO BE NOTIFIED ONCE A NAME HAS BEEN ADOPTED**

- 1) The applicant making the initial request.
- 2) All persons/organisation who made submissions (whether objection or in support).
- 3) If Crown Land (reserve) has been named the Newcastle/Maitland District Office of Crown Land.
- 4) Any relevant Progress Associations who have been involved in the naming process.
- 5) The relevant Local Historical Society (if the name has historical connotations).
- 6) The relevant Local Aboriginal Land Council (if the name has Aboriginal connotations).

Policy

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**ITEM 2 - ATTACHMENT 2 NAMING AND RENAMING OF RESERVES POLICY  
ADOPTED 9 OCTOBER 2012 AND AMENDED 12 AUGUST 2014.**

*Port Stephens*  
C·O·U·N·C·I·L

**POLICY**

Adopted: 9 October 2012

Minute No: 263

Amended: 12 August 2014

Minute No: 208

**FILE NO: PSC2012-03228**

**TITLE: NAMING AND RENAMING OF RESERVES POLICY**

**RESPONSIBLE OFFICER: PROPERTY OFFICER**

**BACKGROUND**

The naming and renaming of reserves is a process defined within the Geographical Names Board (GNB) guidelines to comply with the Geographical Names Board Act 1966. Council must comply with this Act when naming or renaming its reserves. It involves consultation with GNB, the Community, Crown Lands, Historical Society and Local Aboriginal Land Council (where applicable).

The purpose of this Policy is to provide consistency in the process of naming and renaming reserves.

**OBJECTIVE**

- 1) To provide for consistency in the process of naming and renaming of Council owned reserves or Crown reserves over which Council has been appointed Trust Manager.

**PRINCIPLES**

- 1) This Policy applies to the naming and renaming of Council owned reserves (either public reserves or drainage reserves) and Crown reserves over which Council has been appointed Trust Manager. Requests for the naming of other Crown lands should be referred back to the applicant with the advice they should contact the relevant Crown office directly.

**POLICY STATEMENT**

- 1) It is Council's intent that this Policy specify the requirements of naming and renaming a Council owned reserve or Crown reserves over which Council has been appointed Trust Manager.

**ITEM 2 - ATTACHMENT 2 NAMING AND RENAMING OF RESERVES POLICY  
ADOPTED 9 OCTOBER 2012 AND AMENDED 12 AUGUST 2014.****PART A - THE NAMING OF COUNCIL OWNED RESERVES**

(ie. Council holds freehold title)

1. An application/enquiry is received at Council either from a person or agency or by a section of Council with the proposal to name or rename a reserve. Initial consultation between Council's Property Officer and relevant Council staff will determine if naming is required or appropriate (eg. reserve possibly already named).
2. Requests for the naming of reserves are to comply with the Placename Application Form (fact sheet) and Guidelines as set by the GNB for determination. An extract of the Guidelines is annexed to this Policy at Schedule 1. Where an application is received seeking commemoration of a living person, the application shall be refused.
3. Where the application is received seeking the commemoration of a deceased person (12 months must have passed since they deceased) then a Commemorative Naming Form and Guidelines as set by the GNB should also be completed.
4. Where the proposed name has an historical connotation, the relevant local Historical Society shall be notified by mail or email of the proposal and requested to comment on the historical suitability of the name.
5. Where the proposed name has an Aboriginal connotation, the relevant Local Aboriginal Land Council shall be notified by mail or email of the proposal and requested to comment on the suitability of the name.
6. A recommendation will be prepared for the Ordinary Council Meeting providing relevant details requesting Council apply to the GNB with the proposed name.
7. If recommendation is approved Council's Property Section will complete the required application form after liaising with the applicant to obtain all details. This form will be submitted to GNB with any other required documents for the Board to determine.
8. If the recommendation is not approved the applicant is advised to propose a new name and the process will begin again from point 3.
9. If the GNB determine the name is appropriate that Department will advertise in a local newspaper circulating in the area of the reserve proposed to be named/renamed with a copy of the advertisement to be placed in each Councillors mail tray. The advertisement shall include the following: "That comments and submissions on the proposal shall be in writing and will be received by Council for a period of 28 days from the date of advertisement/written notification".

**ITEM 2 - ATTACHMENT 2 NAMING AND RENAMING OF RESERVES POLICY  
ADOPTED 9 OCTOBER 2012 AND AMENDED 12 AUGUST 2014.**

10. At the close of the advertising/public consultation period and if objection(s) have been received, copies of all objections will be reported to Council.
11. If Council resolve to proceed and change the original proposed name to one provided through the objection process and agrees upon a name(s), application shall be made to the GNB for formal approval of the name(s) resolved.
12. The reserve(s) is taken to be officially named upon publication of a notice by the GNB in the New South Wales Government Gazette and local newspaper.
13. That the persons/organisations listed in Schedule 2 be advised of the naming.
14. Suitable signage to be erected upon the reserve(s) at such position(s) as determined by the required Facilities and Services staff or his/her nominated representative.

**PART B - THE NAMING OF CROWN RESERVES OVER WHICH COUNCIL HAS BEEN APPOINTED TRUST MANAGER**

1. Requests are to comply with Point 2 Part A of this Policy.
2. Approval shall be obtained from the District Office of Crown Land prior to advertising/public consultation.
3. If approval is obtained, compliance with requirement of Points 3 to 14 inclusive of Part A of this Policy.

**RELATED POLICIES**

- 1) Geographical Names Board NSW Road Naming Policy;
- 2) Council Road Naming Policy.

**SUSTAINABILITY IMPLICATIONS**

Implementation of this policy with adoption of uniform guidelines endorsed by the GNB will enable ratepayers and public authorities such as the Police and Ambulance Services to more easily find specified reserves.

The applicant would be responsible for costs therefore if Council were the applicant the costs would be minimal, generally only for signage.

**RELEVANT LEGISLATIVE PROVISIONS**

- 1) This Policy must conform with the requirements of the Historical Society and Local Aboriginal Land Council where applicable and ultimately the requirements of the Geographical Names Act 1966 and Local Government Act 1993.

**ITEM 2 - ATTACHMENT 2 NAMING AND RENAMING OF RESERVES POLICY  
ADOPTED 9 OCTOBER 2012 AND AMENDED 12 AUGUST 2014.**

**IMPLEMENTATION RESPONSIBILITY**

- 1) Roles and responsibilities - the Property Officer is responsible for the implementation of this Policy.
- 2) Support and advice - can be obtained from the GNB, Historical Society and Local Aboriginal Land Council and Crown Land where applicable.
- 3) Communication - Council staff and the community will be kept informed via local newspapers and either mail or email for the consultation period and after the name is finalised, the GNB will publish the name in the NSW Government Gazette.

**PROCESS OWNER**

- 1) Property Officer.

**REVIEW DATE**

- 1) Immediate review of this policy by the Property Officer should any changes to Crown Land, GNB or Council procedures occur;
- 2) 1 August 2016.

**ITEM 2 - ATTACHMENT 2 NAMING AND RENAMING OF RESERVES POLICY  
ADOPTED 9 OCTOBER 2012 AND AMENDED 12 AUGUST 2014.**

**ANNEXURE 1  
SCHEDULE 1**

**GUIDELINES FOR THE DETERMINATION OF PLACE NAMES**

- 1) When a name is suggested that owes its origin to the peculiarity of a topographic feature such as shape, vegetation and animal life etc. care should be exercised in avoiding duplication of names already used for other features. The GNB prefers to avoid the repetition of commonly used names. Sugar Loaf, Sandy, Back, Bald, Deep, Long, Kangaroo, Reedy, Rocky, Spring and Stony are examples of such names.
- 2) Easily pronounced names should, as far as possible, be used.
- 3) Names of Aboriginal origin or with a historical background are preferred.
- 4) Names acknowledging the multicultural nature of our society are encouraged.
- 5) The changing of long established names is generally not preferred, except where necessary to avoid ambiguity or duplication.
- 6) If considered appropriate, names may perpetuate the names of eminent person particularly those of early explorers, settlers and naturalists.
- 7) Name of persons should normally only be given posthumously but the GNB, at its discretion, may approve a feature name which honours a living person. Such a person's contribution to the local community should have been of outstanding benefit to the community. Ownership of land is not sufficient reason for the application of the owner's name to be a geographical feature. The GNB will not approve the naming of a feature after a person still holding public office.
- 8) The GNB may approve a first or given name as part of a geographical name only where it is necessary to appropriately honour the person referred to or where it is necessary to avoid ambiguity.
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- 10) The multiplication of names for different parts of the same topographical feature such as a stream or mountain range will be avoided whenever possible and the one name applied to a stream or mountain range throughout its entire length.
- 11) The naming of forks, arms and branches of a river as North Branch and South Branch is not favoured. Generally, it is preferable to assign independent names to river branches.



**ITEM 2 - ATTACHMENT 2 NAMING AND RENAMING OF RESERVES POLICY  
ADOPTED 9 OCTOBER 2012 AND AMENDED 12 AUGUST 2014.**

- 12) The use of cardinal points of the compass as a prefix or suffix to an existing name is not favoured. However, well established names, which carry such a prefix, may be approved.
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- 15) The possessive form should be avoided wherever possible without destroying the sound of the name eg. Smith's Reserve should ideally be Smith Reserve.
- 16) The use of hyphens in connecting parts of names should, as far as possible be avoided.
- 17) Names considered offensive or likely to give offence will not be approved

**ANNEXURE 2****SCHEDULE 2****PERSONS OR ORGANISATIONS TO BE NOTIFIED ONCE A NAME HAS BEEN ADOPTED**

- 1) The applicant making the initial request.
- 2) All persons/organisation who made submissions (whether objection or in support).
- 3) If Crown land (reserve) has been named the Newcastle/Maitland District Office of Crown Land
- 4) Any relevant Progress Associations who have been involved in the naming process.
- 5) The relevant Local Historical Society (if the name has historical connotations).
- 6) The relevant Local Aboriginal Land Council (if the name has Aboriginal connotations).

**ITEM NO. 3**

**FILE NO: 16/391561  
RM8 REF NO: PSC2007-2377**

**POLICY REVIEW: PRICING POLICY**

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

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**RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the revised Pricing Policy shown at **(ATTACHMENT 1)**.
  - 2) Place the revised Pricing Policy on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.
  - 3) Revoke the Pricing policy dated 12 August 2014 Minute no. 209 **(ATTACHMENT 2)**, should no submissions be received.
- 

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>258</b>	<p><b>Mayor Bruce MacKenzie Councillor Steve Tucker</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Endorse the revised Pricing Policy shown at <b>(ATTACHMENT 1)</b>.</li><li>2) Place the revised Pricing Policy on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.</li><li>3) Revoke the Pricing policy dated 12 August 2014 Minute no. 209 <b>(ATTACHMENT 2)</b>, should no submissions be received.</li></ol>
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**BACKGROUND**

The purpose of this report is to seek Council's resolution to place the revised Pricing Policy on public exhibition for 28 days and to invite submissions. The revised draft is the fourth iteration of the Pricing Policy, first adopted in 2007 and subsequently reviewed and amended in June 2012 and August 2014. Changes in the revised Pricing Policy relate to updating the policy template to recognise the new Council branding and responsible officer.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2013-2017</b>
A Sustainable Council.	Council will maintain its underlying financial performance to budget at break even or better. Council will increase its revenue from non-rates sources. Manage risks across Council. Attract, retain and develop staff to meet current and future workforce needs. Provide enabling business support services for Council's operations.

**FINANCIAL/RESOURCE IMPLICATIONS**

The Pricing Policy sets out the guidelines on the methodology for setting of fees and charges to ensure optimal returns to Council; and recognises Council's commitment to affordability for its residents in accessing services and facilities. The Pricing Policy also recognises Council's community service obligations related to costs and pricing.

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

**LEGAL, POLICY AND RISK IMPLICATIONS**

Section 610B of the *Local Government Act 1993* requires that fees are to be determined in accordance with pricing methodologies adopted by Council.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that Council may breach legislation and suffer loss of reputation, should a Pricing Policy not be in place.	Low	Adopt the recommendations.	Yes
There is a risk that Council may endure a potential financial loss through inappropriate setting of fees and charges, should a Pricing Policy not be in place.	Low	Adopt the recommendations.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

A Pricing Policy protects the financial interests of the Council whilst at the same time ensuring that its community service obligations are met.

**MERGER PROPOSAL IMPLICATIONS**

Nil.

**CONSULTATION**

Consultation with key stakeholders has been undertaken by Corporate Strategy & Planning to ensure the current draft Pricing Policy meets Council's financial and social obligations.

**Internal**

Financial Services Section; Executive Team.

**External**

It is proposed to place the draft Pricing Policy on public exhibition for a period of 28 days and invite members of the community to make submissions.

**OPTIONS**

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

**ATTACHMENTS**

- 1) Revised Pricing Policy.
- 2) Current Pricing Policy.

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

**ITEM 3 - ATTACHMENT 1 REVISED PRICING POLICY.****Policy****FILE NO: PSC2007-2377****TITLE: PRICING POLICY****POLICY OWNER: FINANCIAL SERVICES MANAGER****PURPOSE:**

This Pricing policy ('Policy') outlines the principles to be used when setting fees and charges. It needs to be read in conjunction with Council's annual fees and charges document and any guidelines developed by Council's Financial Services Section to assist Council staff in calculating the amount of fees and charges.

**CONTEXT/BACKGROUND:**

In accordance with Sections 608 - 610 of the *Local Government Act 1993* and other relevant legislation, Council charges and recovers approved fees and charges for any services it provides as contained within Council's annual fees and charges document.

**SCOPE:**

This Policy applies to all fees and charges levied by Council, its 355c Committees and others as authorised by Council to levy fees and charges on its behalf and/or for the use of facilities and provision of services. These are known as discretionary fees.

**DEFINITIONS:**

Discretionary fees/charges	Fees that are set by Council itself for services provided, as opposed to fees mandated from time to time by other levels of government.
Community Service Obligation (CSO)	Recognition that facilities have been provided using community's resources (via Council) for the benefit of the community. This recognition often takes the form of discounted user fees for residents/rate payers.

**POLICY STATEMENT****OBJECTIVES**

- 1) To provide a decision-making framework for the determination of fees and charges;

**Policy**  
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## Policy



- 2) To enable determination of fees and charges that is equitable, consistent, timely and accountable;
- 3) To provide opportunities for cost recovery whilst meeting Council's community service obligations;
- 4) To meet Council's statutory requirements under the *Local Government Act 1993* and other relevant legislation in relation to setting fees and charges;
- 5) To assist Council staff, when reviewing existing fees and charges and/or considering new fees and charges for recommendation to Council.

### PRINCIPLES

- 1) Council has a charter under the *Local Government Act 1993* for fair imposition of fees and charges.
- 2) Council has a charter under the *Local Government Act 1993* to effectively account for and manage the assets for which it is responsible.
- 3) Council will strive to provide equitable access to its facilities and services.
- 4) Council recognises that as a monopoly provider of some facilities and services it has a duty to deliver value for money to ratepayers and residents.

#### 1) General

Port Stephens Council recognises that it has community service obligations which are non-commercial requirements for identified social purposes, and that these obligations constitute a significant component of the social policies of Council. The concept of community service obligations informs the Council's Pricing Policy.

#### 2) Pricing Policy

Sections 608-610 of the *Local Government Act 1993* authorise Council to charge and recover fees for any service it provides apart from services for which the charging of a fee is prohibited. Council may waive all or part of a fee unless it is a fee regulated directly by the State Government. In determining whether a fee should be charged for a service Council will consider a number of principles, firstly, whether the service provides a public benefit or a private benefit.

A 'public' service is one where there is a general benefit to the community and where there is limited opportunity of collecting a fee, for example, roads and parks.

A 'private' service is one which provides a discernible private benefit to persons and which offers an opportunity of collecting a fee, for example processing a rezoning application. Where a service generates a private benefit then recovery of costs through a fee is appropriate.

**Policy**

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## Policy



In determining the cost of providing a service, Council will:

- identify and quantify the fully absorbed cost including appropriate overheads, which reflect the proportion of 'centralised' support cost that should be recovered;
- consider any community service obligations (CSO) where there are clear social or equity objectives in the provision of the service. In assessing the existence and level of a CSO, Council will consider:
  - the social or community objectives achieved or assisted by the consumption of the service;
  - the social or community values promoted by wider availability of the service;
  - whether the direct consumers are unable to purchase a socially desirable level of service; and
  - whether direct beneficiaries of the service are deserving of favourable pricing.
- if it is determined that a CSO is present, then Council will consider setting a fee below the level of full cost recovery. In determining the amount of discount or subsidy, Council will consider:
  - the level of CSO in the service;
  - the objectives of the service;
  - the consumers' ability to pay;
  - price sensitivity of the service; and
  - the application of a suggested industry reference price.

In the case of fees set by statute, the fee will be set in accordance with the relevant statute.

### 3) Pricing methods

Fees and charges made by Council will be classified according to the pricing structures as outlined below. Full cost pricing will apply to all of Council's fees and charges, except in the circumstances outlined in the alternative pricing structures.

#### Full cost pricing

Council will recover all direct and indirect costs of the service (including on-costs, overheads and depreciation of assets employed).

#### Partial cost pricing

Council will recover less than the full cost (as defined above).

Partial cost pricing may be used if shared benefits are derived from the provision of the service that accrue to the community as a whole as well as to individual users. It may also be applied where charging full cost recovery pricing will result in widespread evasion.

**Policy**

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ITEM 3 - ATTACHMENT 1 REVISED PRICING POLICY.

## Policy



The price structure may also be used to stimulate demand for a service in the short term, although foregoing full cost recovery must be for a defined term only.

### Statutory pricing

The price of this service is determined by legislation and dependent on that price, Council may or may not recover its full costs, but has no discretion to do so.

### Market pricing

The price of the service is determined by examining alternative prices of surrounding service providers (this also may or may not recover the full cost of the service).

This pricing structure should apply in cases where the service is in competition with that provided by another council, agency or commercial provider and there is consequent pressure to set a price that will attract adequate usage of the service.

Market pricing should also apply where a service is predominantly provided for Council's in-house use, but sale to external markets will defray costs.

### Free (zero priced)

Some services may be provided free of charge and the whole cost determined as a community service obligation and may fall within the class of a public good. This price structure may be used where the services provide a broad community benefit; and/or it is impractical or inconceivable to charge for the service on a user basis.

The price structure may also apply where the service is a minor part of the overall operation of Council and the potential for revenue collection is so minor as to be outweighed by the cost of collection.

### **POLICY RESPONSIBILITIES:**

- 1) Financial Services Manager, Corporate Services.

### **RELATED DOCUMENTS:**

- 1) *Local Government Act 1993*;
- 2) Office of Local Government Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality (2014);
- 3) *(Federal) A New Tax System (Goods and Services Tax) Act 1999* and regulations.

**Policy**

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Policy



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<b>RM8 container No</b>	PSC2007-2377	<b>RM8 record No</b>	
<b>Audience</b>	Port Stephens Community, Council, Council staff		
<b>Process owner</b>	Financial Services Manager		
<b>Author</b>	Corporate Strategy & Planning Manager		
<b>Review timeframe</b>	Two years	<b>Next review date</b>	
<b>Adoption date</b>	26/06/2012		

**VERSION HISTORY:**

Version	Date	Author	Details	Minute No.
1	26 June 2012	Corporate Strategy & Planning Manager	Review with no change.	155
2	12 August 2014	Corporate Strategy & Planning Manager	Review with no change.	209

**Policy**

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3		Corporate Strategy & Planning Manager	<ul style="list-style-type: none"> <li>• Responsibility changed from Corporate Strategy &amp; Planning Manager to Financial Services Manager.</li> <li>• Change to name of Competitive Neutrality Guide.</li> <li>• Name change from Division of Local Government to Office of Local Government.</li> <li>• Revised Policy developed in new format.</li> </ul>	
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Policy

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*Port Stephens*  
C·O·U·N·C·I·L

**POLICY**

Adopted: 26 June 2012

Minute No: 155

Amended: 12 August 2014

Minute No: 209

**FILE NO:** PSC2007-2377

**TITLE:** PRICING POLICY

**RESPONSIBLE OFFICER:** FINANCIAL SERVICES MANAGER

**BACKGROUND**

In accordance with section 608 of the Local Government Act, 1993 and other relevant legislation, Council charges and recovers approved fees and charges for any services it provides as contained within Council's annual fees and charges document.

This Policy outlines the principles to be used when setting fees and charges. It needs to be read in conjunction with Council's annual fees and charges document and any guidelines developed by Council's Financial Services Section to assist Council staff in calculating the amount of fees and charges.

**OBJECTIVE**

- 1) To provide a decision-making framework for the determination of fees and charges;
- 2) To enable determination of fees and charges that is equitable, consistent, timely and accountable;
- 3) To provide opportunities for cost recovery whilst meeting Council's community service obligations;
- 4) To meet Council's statutory requirements under the Local Government Act, 1993 and other relevant legislation in relation to setting fees and charges;
- 5) To assist Council staff, when reviewing existing fees and charges and/or considering new fees and charges.

**PRINCIPLES**

- 1) Council has a charter under the Local Government Act, 1993 of fair imposition of fees and charges.
- 2) Council has a charter under the Local Government Act, 1993 to effectively account for and manage the assets for which it is responsible.
- 3) Council will strive to provide equitable access to its facilities and services.
- 4) Council recognises that as a monopoly provider of some facilities and services it has a duty to deliver value for money to ratepayers and residents.

**ITEM 3 - ATTACHMENT 2      CURRENT PRICING POLICY.****POLICY STATEMENT****1)    General**

Port Stephens Council recognises that it has community service obligations which are non-commercial requirements for identified social purposes, and that these obligations constitute a significant component of the social policies of Council. The concept of community service obligations informs the Council's Pricing Policy.

**2)    Pricing Policy**

Section 608-610 of the Local Government Act, 1993 authorises Council to charge and recover fees for any service it provides apart from services for which the charging of a fee is prohibited. Council may waive all or part of a fee unless it is a fee regulated directly by the State Government. In determining whether a fee should be charged for a service Council will consider a number of principles, firstly, whether the service provides a public benefit or a private benefit.

A 'public' service is one where there is a general benefit to the community and where there is limited opportunity of collecting a fee, for example, roads and parks.

A 'private' service is one which provides a discernible private benefit to persons and which offers an opportunity of collecting a fee, for example processing a rezoning application. Where a service generates a private benefit then recovery of costs through a fee is appropriate.

In determining the cost of providing a service, Council will:

- identify and quantify the fully absorbed cost including appropriate overheads, which reflect the proportion of 'centralised' support cost that should be recovered;
- consider any community service obligations (CSO) where there are clear social or equity objectives in the provision of the service. In assessing the existence and level of a CSO, Council will consider:
  - the social or community objectives achieved or assisted by the consumption of the service;
  - the social or community values promoted by wider availability of the service;
  - whether the direct consumers are unable to purchase a socially desirable level of service; and
  - whether direct beneficiaries of the service are deserving of favourable pricing.
- if it is determined that a CSO is present, then Council will consider setting a fee below the level of full cost recovery. In determining the amount of discount or subsidy, Council will consider:
  - the level of CSO in the service;
  - the objectives of the service;
  - the consumers' ability to pay;
  - price sensitivity of the service; and
  - the application of a suggested industry reference price.

In the case of fees set by statute, the fee will be set in accordance with the relevant statute.

**ITEM 3 - ATTACHMENT 2      CURRENT PRICING POLICY.**

3)    Pricing methods

Fees and charges made by Council will be classified according to the pricing structures as outlined below. Full cost pricing will apply to all of Council's fees and charges, except in the circumstances outlined in the alternative pricing structures.

Full cost pricing

Council will recover all direct and indirect costs of the service (including on-costs, overheads and depreciation of assets employed).

Partial cost pricing

Council will recover less than the full cost (as defined above).

Partial cost pricing may be used if shared benefits are derived from the provision of the service that accrue to the community as a whole as well as to individual users. It may also be applied where charging full cost recovery pricing will result in widespread evasion.

The price structure may also be used to stimulate demand for a service in the short term, although foregoing full cost recovery must be for a defined term only.

Statutory pricing

The price of this service is determined by legislation and dependent on that price, Council may or may not recover its full costs, but has no discretion to do so.

Market pricing

The price of the service is determined by examining alternative prices of surrounding service providers (this also may or may not recover the full cost of the service).

This pricing structure should apply in cases where the service is in competition with that provided by another council, agency or commercial provider and there is consequent pressure to set a price that will attract adequate usage of the service.

Market pricing should also apply where a service is predominantly provided for Council's in-house use, but sale to external markets will defray costs.

Free (zero priced)

Some services may be provided free of charge and the whole cost determined as a community service obligation and may fall within the class of a public good. This price structure may be used where the services provide a broad community benefit; and/or it is impractical or inconceivable to charge for the service on a user basis.

The price structure may also apply where the service is a minor part of the overall operation of Council and the potential for revenue collection is so minor as to be outweighed by the cost of collection.

**ITEM 3 - ATTACHMENT 2      CURRENT PRICING POLICY.**Rate of return pricing

This price includes the full cost pricing as defined above, with the addition of a profit margin to factor in a return to Council for assets employed.

This pricing structure should be applied when the service is a profit-making activity and the price is paid by users. The pricing should recover an amount greater than full cost recovery for providing that service. This pricing structure should also be used when it is necessary to create a penalty that is to act as a pricing disincentive.

**RELATED POLICIES**

- 1) Budget Control and Authorisation policy.

**SUSTAINABILITY IMPLICATIONS****SOCIAL IMPLICATIONS**

The Policy allows Council to exercise its community service obligations and to ensure equitable access to and consistent pricing of Council's services.

**ECONOMIC IMPLICATIONS**

The Policy optimises returns to Council on the use of its assets and resources. At the same time, it recognises the principles associated with users' ability to pay, competition and market conditions.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this Policy.

**RELEVANT LEGISLATIVE PROVISIONS**

- 1) Local Government Act, 1993;
- 2) Division of Local Government Competitive Neutrality Guidelines;
- 3) (Federal) A New Tax System (Goods and Services Tax) Act 1999 and regulations.

**IMPLEMENTATION RESPONSIBILITY**

- 1) Financial Services Manager.

**REVIEW DATE**

- 1) 1 July 2016.

# NOTICES OF MOTION



**NOTICE OF MOTION**

**ITEM NO. 1**

**FILE NO: 16/406744  
RM8 REF NO: PSC2015-01247**

**DANGEROUS TREES**

**COUNCILLOR: MAYOR BRUCE MACKENZIE**

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**THAT COUNCIL:**

- 1) Provide a moratorium on the need to obtain a pre-approval for the removal of trees or vegetation covered by Council's tree preservation requirements where there is risk to human life or property for an extended period of 12 months.
  - 2) Consider allocation of funds for tree removal on Council reserves and footpaths.
- 

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>259</b>	<b>Mayor Bruce MacKenzie Councillor Chris Doohan</b>  It was resolved that Council:  <ol style="list-style-type: none"><li>1) Provide a moratorium on the need to obtain a pre-approval for the removal of trees or vegetation covered by Council's tree preservation requirements where there is risk to human life or property for an extended period of 12 months.</li><li>2) Allocate \$100,000 for tree removal on Council reserves and footpaths.</li></ol>
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Cr Ken Jordan entered the meeting at 5.35pm during Notice of Motion, Item No.1 prior to voting on the matter.

**BACKGROUND REPORT OF: MIKE MCINTOSH – GROUP MANAGER,  
DEVELOPMENT SERVICES**

**BACKGROUND**

On 26 May 2015 Council resolved to:

*“Provide a moratorium on the need to obtain pre-approval for the removal of trees or vegetation covered by Council's tree preservation requirements where there is a risk to human life or property for a period of 12 months.”*

In order to give effect to Council's resolution, temporary amendments to the Port Stephens Development Control Plan (DCP) relating to tree management were made. The DCP was amended from the date of formal notification at 3 September 2015. The temporary amendments ceased on 3 September 2016.

The amendments aimed to ensure that appropriate weight was given to the consideration of community safety in the management of trees across the Local Government Area (LGA) in response to the natural disaster declaration from the unprecedented super storm in April 2015.

The amendments do not override the provisions of other key legislation and controls relating to vegetation and biodiversity conservation and management, including but not limited to legislation related to threatened species, native vegetation protection, and heritage conservation.

In order to implement a repeat of the Dangerous Trees moratorium for a further 12 months, Council's existing tree preservation policies would again require amendment to ensure that all relevant matters are considered and appropriate weight is given to the consideration of community safety in the management of trees across the LGA.

Council staff are currently in the process of preparing a report to the General Manager and executive team to be tabled later this month. The report will outline the key issues and findings from the recent Dangerous Trees moratorium and present recommended actions for consideration.

At the time of preparing this Notice of Motion not all data and reporting has been completed. However, key matters for consideration would include the following:

- The moratorium did not result in any discernible increase in tree removal applications from the year before. However, anecdotal evidence suggests there has been an increase in tree removal, only 12 post notifications were submitted to Council.
- There is a likely increase in non-compliance with Council's Local Environmental Plan (LEP) and DCP, the *Environmental Planning & Assessment Act* and other related legislation when tree removal fails to follow both pre or post removal notification.
- Ability of Council to provide high level arboricultural and ecological advice is compromised under amended moratorium conditions.
- Alignment of any recommendation with Council's Environment Policy (adopted 8 March 2016).
- Consideration of the two recommendations outlined within this Notice of Motion.

**MERGER PROPOSAL IMPLICATIONS**

There are significant merger proposal implications as a consequence of the proposed recommendation. It is anticipated that alignment of LEP and DCP controls of respective local government areas will be addressed as part of a standard work program for any new merged entity to address over time.

**ATTACHMENTS**

Nil.

**NOTICE OF MOTION**

**ITEM NO. 2**

**FILE NO: 16/392550  
RM8 REF NO: PSC2005-2767**

**PATHWAY PLAN TO BE INCLUDED AS A REVISION OF THE SECTION 94 PLAN**

**COUNCILLOR: SALLY DOVER**

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**THAT COUNCIL:**

- 1) Commence the background work required to inform the inclusion of the Port Stephens Council's Pathway Plan endorsed by Council on 24 May 2016 including cycle ways within a revised Section 94 Plan.
  - 2) Complete the background work in time to inform a full review of the Section 94 Plan, pending the outcome of the current merger proposal.
- 

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>260</b>	<p><b>Councillor Sally Dover</b> <b>Councillor John Nell</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Commence the background work required to inform the inclusion of the Port Stephens Council's Pathway Plan endorsed by Council on 24 May 2016 including cycle ways within a revised Section 94 Plan.</li><li>2) Complete the background work in time to inform a full review of the Section 94 Plan, pending the outcome of the current merger proposal.</li></ol>
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In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Bruce MacKenzie, Crs Chris Doohan, Sally Dover, Ken Jordan, Paul Le Mottee, John Nell and Steve Tucker.

Those against the Motion: Nil.

**BACKGROUND REPORT OF: DAVID ROWLAND – STRATEGY AND ENVIRONMENT SECTION MANAGER**

**BACKGROUND**

On 24 May 2016 Council resolved to adopt the Port Stephens Pathways Plan. In response, Council will now determine how this can be achieved within the Integrated Planning and Reporting Framework. This includes the potential amendment of the Port Stephens Section 94 Development Contributions Plan.

To enable the Pathways Plan to be funded from the current Port Stephens Section 94 Development Contributions Plan and Port Stephens Section 94A Development Contributions Plan both plans will need to be amended to include a provision for the Pathways Plan. The process to amend the plans must follow the procedure outlined in the Environmental Planning and Assessment Act, its Regulations and any relevant State Government circulars and guidelines including community consultation process.

An analysis of the proposed works will need to be undertaken to determine what items in the Pathways plan could be funded from Section 94. The key principles used to assess the amount of Section 94 funding include:

- Definition of use – how are the pathways defined.
- Nexus – the relationship between the demand and the need for new infrastructure.
- Apportionment – justification for the correct nexus to ensure that a charge under Section 94 only ever reflects the demands of development and no other demands.

The Recreation and Community Standards Report attached to the Port Stephens Section 94 Development Contributions Plan will also need to be reviewed. This report provides definitions and benchmarking for the provision of community and recreational facilities in the Port Stephens Local Government Area. The Report identifies the infrastructure as follows:

- Population projections and forecast demand for services.
- Comparable LGAs.
- Construction costs for each community and recreational facility.

**MERGER PROPOSAL IMPLICATIONS**

The Office of Local Government released guidelines on Council decision making during merger proposal periods. The guidelines fall under section 23A of the Local Government Act meaning that all Councils must consider them when exercising their functions. These matters will also need to be considered in any review of the current plans. Council should not consider any amendments to the current Port Stephens

<b>MINUTES ORDINARY COUNCIL - 13 SEPTEMBER 2016</b>
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Section 94 Development Contributions Plan and Port Stephens Section 94A Development Contributions Plan during a merger proposal period.

**ATTACHMENTS**

Nil.

**NOTICE OF MOTION**

**ITEM NO. 3**

**FILE NO: 16/402838  
RM8 REF NO: PSC2009-02408V4**

**PATHWAY EXTENSIONS - SALAMANDER ROUNDABOUT**

**COUNCILLOR: SALLY DOVER**

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**THAT COUNCIL:**

- 1) Arrange for the current plans for the proposed shared pathway from McDonalds in Bagnall Beach Road to be extended around the roundabout with Salamander Way to continue west to connect with the driveway of the Car Wash.
  - 2) Allocate funding for this extension from the profits of land sales from Salamander Centre land.
- 

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>261</b>	<p><b>Councillor Sally Dover</b> <b>Councillor John Nell</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Arrange for the current plans for the proposed shared pathway from McDonalds in Bagnall Beach Road to be extended around the roundabout with Salamander Way to continue west to connect with the driveway of the Car Wash.</li><li>2) Allocate funding for this extension from the profits of land sales from Salamander Centre land.</li></ol>
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**BACKGROUND REPORT OF: CARMEL FOSTER – GROUP MANAGER  
CORPORATE SERVICES**

**BACKGROUND**

Council secured approval in April 2016 to subdivide 155 Salamander Way, Salamander Bay into seven lots including five current development lots over the eastern side of the site and two future development lots over the northern and western sides of the site.

Following a Tender process, Council awarded a contract for the civil subdivision works which commenced in August 2016. The works include an extensive shared

pathway network both inside and outside the subdivision and a full traffic light/pedestrian crossing intersection at Bagnall Beach Road and Town Centre Circuit.

Outside the scope of the contracted works, Council has committed to a contract variation to extend the shared pathway a further 35 metres south along Bagnall Beach Road to the Salamander Way roundabout, and then part way west along Salamander Way to an existing pram ramp.

A subsequent request to extend the shared pathway further west to the Car Wash for another 88 metres would require a Section 96 Amendment to the existing development consent and an amendment to the Tender which may not be able to be achieved and could result in delays to the completion of the contract and works.

Cost to provide this additional 88 metres of pathway has been estimated at \$16,852. The cost estimate also considered extending the shared pathway to Town Centre Circuit (ie beyond the Car Wash and across the frontage of the Shell Service Station) from the roundabout - the cost estimate was a further \$35,427.

The missing link is currently identified in the Council adopted Pathways Plan and hence is a project in the Capital Works Plan Plus. The Capital Works Plan Plus is a list of proposed works that are currently not yet funded. Once funding is allocated the project would be placed in the Capital Works Program and works would be scheduled.

## **MERGER PROPOSAL IMPLICATIONS**

There are no merger implications as part of this Notice of Motion.

## **ATTACHMENTS**

Nil.



# CONFIDENTIAL ITEMS

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

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

## ORDINARY COUNCIL MEETING – 13 SEPTEMBER 2016 MOTION

262	<b>Councillor Steve Tucker</b> <b>Councillor Paul Le Mottee</b>  It was resolved that Council Move into confidential session.
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The following Council officers were present for the Confidential Session:

Strategy and Environment Section Manager  
Communications Section Manager  
Acting Public Relations and Marketing Coordinator

**CONFIDENTIAL**

**ITEM NO. 1**

**FILE NO: 16/386549  
RM8 REF NO: PSC2009-02408V4**

**SALE OF PART OF PROPOSED LOT 4, 155 SALAMANDER WAY, SALAMANDER BAY**

**REPORT OF: GLENN BUNNY - PROPERTY SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES**

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>263</b>	<p><b>Mayor Bruce MacKenzie Councillor Steve Tucker</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Sell part of Proposed Lot 4 155 Salamander Way, Salamander Bay to the purchaser identified in this report, and enter into a conditional Contract of Sale on the terms and conditions specified in this report.</li><li>2) Authorise the Mayor and the General Manager to sign and affix the Seal of Council to all relevant documentation required to secure and finalise the sale.</li></ol>
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**CONFIDENTIAL****ITEM NO. 2****FILE NO: 16/390354  
RM8 REF NO: PSC2009-02408V4****CHANGE OF NAME OF PURCHASER FOR PROPOSED LOT 2, 155 SALAMANDER WAY, SALAMANDER BAY****REPORT OF: GLENN BUNNY - PROPERTY SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES****ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>264</b>	<b>Mayor Bruce MacKenzie Councillor Steve Tucker</b>  It was resolved that Council:  <ol style="list-style-type: none"><li>1) Rescind Item No 2 of the Council report titled "Change of Purchaser for Proposed Lot 2, 155 Salamander Way, Salamander Bay" dated 28 June 2016 Minute No 200.</li><li>2) Resolve to sell Proposed Lot 2 and enter into an Option to Purchase incorporating a draft Contract of Sale to the Purchaser identified in this report on the same terms and conditions.</li><li>3) Authorise the Mayor and the General Manager to sign and affix the Seal of Council to all documents necessary to enable the sale to proceed.</li></ol>
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**CONFIDENTIAL**

**NOTICE OF MOTION**

**ITEM NO. 3**

**FILE NO: 16/401108  
RM8 REF NO: PSC2007-0620**

**PROPOSED SALE OF 54 BOUNDARY ROAD MEDOWIE, LOT 21 DP 570152**

**COUNCILLOR: MAYOR BRUCE MACKENZIE**

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>265</b>	<p><b>Councillor Sally Dover</b> <b>Councillor Chris Doohan</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Sell 54 Boundary Road, Medowie, Lot 21, DP570152 to the purchaser identified in the report, based on the terms and conditions specified in the report.</li><li>2) Authorise the Mayor and the General Manager to affix the Council Seal and sign all documentation and dealings necessary for the disposal.</li></ol>
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**CONFIDENTIAL**

**ITEM NO. 4**

**FILE NO: 16/405397  
RM8 REF NO: PSC2015-01018**

**CODE OF CONDUCT**

REPORT OF: TONY WICKHAM - GOVERNANCE MANAGER  
GROUP: GENERAL MANAGER'S OFFICE

**ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2016  
MOTION**

<b>266</b>	<b>Mayor Bruce MacKenzie Councillor John Nell</b>  It was resolved that Council defer Item 4 to the next Ordinary Council meeting.
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**ORDINARY COUNCIL MEETING – 13 SEPTEMBER 2016  
MOTION**

<b>267</b>	<b>Councillor Paul Le Mottee Mayor Bruce MacKenzie</b>  It was resolved that Council Move out of confidential session.
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There being no further business the meeting closed at 5.55pm.