

DRAFT

MINUTES – 24 JULY 2018



PORT STEPHENS C O U N C I L

Minutes of Ordinary meeting of the Port Stephens Council held in the Birubi Surf Life Saving Club at James Paterson Street, Anna Bay on – 24 July 2018, commencing at 5.55pm.

PRESENT:

Mayor R Palmer, Councillors J Abbott, G Arnott, C. Doohan, G Dunkley, P. Le Mottee, J Nell, S Smith, S. Tucker, General Manager, Acting Corporate Services Group Manager, Facilities and Services Group Manager, Development Services Group Manager and Governance Manager.

| | |
|------------|---|
| 222 | Councillor Chris Doohan Councillor Steve Tucker It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 10 July 2018 be confirmed. |
| 223 | Councillor Chris Doohan Councillor Steve Tucker It was resolved that the apology from Cr Ken Jordan be received and noted. |

There were no Declaration of Interest received.

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MAYORAL MINUTES

MAYORAL MINUTE**ITEM NO. 1****FILE NO: 18/161674
EDRMS NO: PSC2015-01024****NAIDOC WEEK**

THAT COUNCIL:

- 1) Acknowledge the fantastic celebrations that were undertaken over NAIDOC Week 2018.
 - 2) Recognise the 'Yabang-Gu-Butunga' Agreement between Port Stephens Council, Karuah Land Council and Worimi Land Council, executed during NAIDOC week.
-

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|---|
| 224 | Mayor Ryan Palmer Councillor Sarah Smith It was resolved that Council: <ol style="list-style-type: none">1) Acknowledge the fantastic celebrations that were undertaken over NAIDOC Week 2018.2) Recognise the 'Yabang-Gu-Butunga' Agreement between Port Stephens Council, Karuah Land Council and Worimi Land Council, executed during NAIDOC week. |
|------------|---|

BACKGROUND

The purpose of this report is to acknowledge the fantastic NAIDOC week of celebrations and to recognise the 'Yabang-Gu-Butunga' Agreement between Council and the Worimi and Karuah Aboriginal Land Councils.

Port Stephens Council, together with Karuah and Worimi Local Aboriginal Land Councils, kicked off NAIDOC Week celebrations with the signing of an historic agreement.

The 'Road to Tomorrow' Agreement, or 'Yabang-Gu-Butunga' Agreement in the Worimi language of Gatung, is a first for the region, and sets out the shared objectives and projects that have been identified as priorities for Port Stephens.

MINUTES ORDINARY COUNCIL - 24 JULY 2018

The agreement, which was many years in the making, is a roadmap of how we will work together to improve the lives of Aboriginal people living in our region both now and into the future – not just through talking, but through achieving outcomes.

The celebrations for NAIDOC week across Port Stephens, which included a Touch Football competition, were extremely well attended and celebrated the theme 'Because of Her, We Can!'.

ATTACHMENTS

Nil.

COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 18/110734
EDRMS NO: PSC2017-01798**

PLANNING PROPOSAL - 436 TAREAN ROAD KARUAH (KARUAH RSL CLUB)

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Planning Proposal to amend Schedule 1 of the *Port Stephens Local Environmental Plan 2013* to permit development for the purposes of a registered club and outdoor recreational facility on land known as 434-436 Tarean Road, Karuah (**ATTACHMENT 1**).
 - 2) Forward the Planning Proposal to the NSW Department of Planning and Environment to seek a gateway determination and request delegated authority to make the Plan.
-

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|---|
| 225 | <p>Councillor Chris Doohan Councillor Paul Le Mottee</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Adopt the Planning Proposal to amend Schedule 1 of the <i>Port Stephens Local Environmental Plan 2013</i> to permit development for the purposes of a registered club and outdoor recreational facility on land known as 434-436 Tarean Road, Karuah (ATTACHMENT 1).2) Forward the Planning Proposal to the NSW Department of Planning and Environment to seek a gateway determination and request delegated authority to make the Plan. |
|------------|---|

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Ryan Palmer, Crs Jaimie Abbott, Giacomo Arnott, Chris Doohan, Glen Dunkley, Paul Le Mottee, John Nell, Sarah Smith and Steve Tucker.

Those against the Motion: Nil.

BACKGROUND

The purpose of this report is for Council to adopt a Planning Proposal to amend Schedule 1 'Additional permitted uses' to the *Port Stephens Local Environmental Plan 2013* (LEP 2013) to permit with consent development for the purposes of a 'registered club' and 'recreational facility (outdoor)' over fourteen (14) lots known as 434-436 Tarean Road, Karuah (Locality Map at **ATTACHMENT 2**).

The Planning Proposal notes that the amendment is necessary to facilitate likely future uses related to the Karuah and District RSL Club, which could include additional car parking or relocated bowling greens, subject to development consent (**ATTACHMENT 1**).

A summary of the Planning Proposal and property details are included below:

Date lodged: 16 June 2017

Proponent: Cityscape Planning and Projects

| | | |
|---------------------|----------------------------|----------------------|
| Subject properties: | 436 Tarean Road, Karuah | PT: 164 DP: 753196 |
| | 436A Tarean Road, Karuah | LOT: 174 DP: 753196 |
| | 438 Tarean Road, Karuah | LOT: 167 DP: 753196 |
| | 440 Tarean Road, Karuah | LOT: 168 DP: 753196 |
| | 442 Tarean Road, Karuah | LOT: 169 DP: 753196 |
| | 444 Tarean Road, Karuah | LOT: 170 DP: 753196 |
| | 444A Tarean Road, Karuah | LOT: 166 DP: 753196 |
| | 20 Bundabah Street, Karuah | LOT: 175 DP: 753196 |
| | 22 Bundabah Street, Karuah | LOT: 176 DP: 753196 |
| | 1 Barclay Street, Karuah | LOT: 177 DP: 753196 |
| | 3 Barclay Street, Karuah | LOT: 1781 DP: 609636 |
| | 3A Barclay Street, Karuah | LOT: 179 DP: 753196 |
| | 3B Barclay Street, Karuah | LOT: 1783 DP: 609636 |
| | 5 Barclay Street, Karuah | LOT: 1782 DP: 609636 |

Zoning: R2 Low Density Residential (**ATTACHMENT 3**)

Site area: Cumulative site area of the fourteen (14) lots is 9300m²

Proposed additional land use(s): Registered club and recreation facility (outdoor)

Existing and current use

The subject land is currently operating as the Karuah and District RSL Club, which is made up of one large club building, bowling greens and a car park, located over eleven (11) unconsolidated allotments. The land has a long and established use as a registered club, and maintains existing use rights pursuant to Division 4.11 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) and Part 5 of the *Environmental Planning and Assessment Regulation 2000* (NSW) (EP&A

Regulation). Council's records include a number of development consents issued over the subject land since 1998 in relation to the registered club and associated extensions. The most recent approval was in 2015 (ref: DA 16-2015-718-1) for alterations and additions to the club building. Three allotments not currently utilised as part of the club operation contain dwelling houses and garages. These allotments do not afford existing use rights relating to the Karuah and District RSL Club as identified in (**ATTACHMENT 2**).

Purpose of the amendment

A rezoning is not proposed in this instance. The amendment to Schedule 1 of the LEP 2013 will enable additional uses under the current zoning and limit the additional land uses permissible on the subject site to a 'registered club' and 'recreation facility – outdoor'.

The existing R2 Low Density Residential zone will be retained and will not prohibit future residential use, if desired. The additional land uses are not considered to pose a significant threat to the existing retail/commercial core in Karuah, as the amendment will facilitate the continuation, future enhancement and extension of existing uses on the land. The additional land uses will provide facilities to service the local residents, and promote further economic activity within the area.

Suitability of the subject land

The Karuah Growth Strategy 2011 acknowledges the role and contribution of the Karuah and District RSL Club in providing a community space for activities and interaction. Karuah is also identified in the Hunter Regional Plan 2036 as a 'centre of local significance' in the provision local employment opportunities to the township, supporting economic and population growth.

Investigations carried out during the Karuah bypass project noted loss of employment as a significant concern given there was less opportunity for re-employment of Karuah residents in neighbouring towns.

The Planning Proposal seeks to maintain the ongoing use of the land consistent with the existing uses on the site and to provide the necessary basis for future potential expansion. The use of the adjacent land for potential future uses related to the Karuah and District RSL Club is also considered to be a logical expansion, allowing for modest growth in the use of the club which will support the local economy and increase the capacity for community events and interactions.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|----------------------------------|---|
| Thriving and safe place to live. | Provide land use plans, tools and advice that sustainably support the community. Enhance public safety, health and liveability through use of Council's regulatory controls and services. |

FINANCIAL/RESOURCE IMPLICATIONS

There are no foreseen financial or resource implications for Council as a consequence of the recommendation of this report.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|---------------|---------------------|--|
| Existing budget | Yes | \$5,250 | Stage 1 Rezoning Fees paid 16 June 2017. |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal, policy or risk implications for Council as a consequence of the recommendation of this report.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|--|-----------------------------------|
| There is a risk that the expansion of the commercial enterprise could negatively impact on other identified centres. | Low | Limiting the additional permitted land uses to a 'registered club' and 'recreation facilities (outdoor)' apply within the R2 Low Density Residential Zone. The RSL has existed on the subject site for an extended period of time and has had minimal impact on the existing commercial centres. | Yes |

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|---|-----|--|-----|
| There is a risk that the additional permitted use could compromise the residential use of the land. | Low | The existing residential land use will not change as a result of the Planning Proposal. Future development of the land could result in a residential land use. | Yes |
|---|-----|--|-----|

Port Stephens Local Environmental Plan 2013

The existing R2 Low Density Residential zone that applies to the subject sites under the LEP 2013 will be retained under the Planning Proposal.

The Planning Proposal will permit (with consent) additional land uses which complement the existing registered club use on site and are compatible with the character of the area. By permitting specific additional land uses and retaining the R2 zoning, potential development is limited to those land uses and will not result in an extension of the business zone.

Limiting the land use negates potential negative social impacts associated with allowing other uses through a rezoning, and also facilitates any potential future residential use to reflect population growth demands.

The proposed additional uses on site as defined by the LEP 2013 are:

"recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major)."

"registered club means a club that holds a club licence under the Liquor Act 2007."

Note a 'club licence' is defined by the *Liquor Act 2007* (NSW) as authorising "the licensee to sell liquor by retail on the licensed premises to a member of the club (or a guest of a member of the club) for consumption on or away from the licensed premises."

Environmental Planning and Assessment Act 1979

Under Part 3 of the EP&A Act, only the Minister or Council can initiate a Local Environmental Plan. If Council resolves to proceed with the recommendation and adopt the Planning Proposal, it will be forwarded to the NSW Department of Planning

and Environment for a gateway determination. This will include a request for the delegation of plan making functions.

Hunter Regional Plan 2036

Karuah is identified as a 'centre of local significance' in the Hunter Regional Plan, which calls for the concentration of growth in local centres to support economic and population growth, through providing a mix of uses. The subject site provides for an existing community space, which has substantial capacity to meet community needs arising from population growth before additional space within the area is needed. The proposed 'registered club' and 'recreation facility (outdoor)' uses are not of a scale to have detrimental impact on employment land clusters within the area. Conversely, the additional uses may provide support for the businesses existing within the area. The proposal is consistent with the strategic direction of the Hunter Regional Plan.

Port Stephens Planning Strategy 2011

The Port Stephens Planning Strategy identifies Karuah as a 'village centre', meaning a strip or cluster of shops in a mostly residential area to meet the day to day needs of local residents and workers. The proposed additional permissible uses will enable the continuation of the site's use as a registered club and support future development to satisfy the 'village centre' use, without impacting upon the viability of the commercial lands along Tarean Road. The Proposal is consistent with the strategic direction of the Port Stephens Planning Strategy.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are limited to no environmental implications. A small cluster of trees exist over the subject sites, which form part of a local fauna corridor link along the river. Any impact to this vegetation can be managed at development application stage. There is a positive social and economic impact through allowing modest growth in the use of the club which will support the local economy and increase the capacity for community events and social interactions.

CONSULTATION

Internal

Consultation was undertaken with internal stakeholders including the Engineering, Natural Resources, Social Planning and Economic Development Units. No major concerns were identified with the Planning Proposal, and support for the additional permitted uses was provided. All associated impacts are considered able to be dealt with during the assessment stage of any future development applications.

External

Community consultation and consultation with Government agencies will be undertaken in accordance with the gateway determination.

OPTIONS

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

ATTACHMENTS

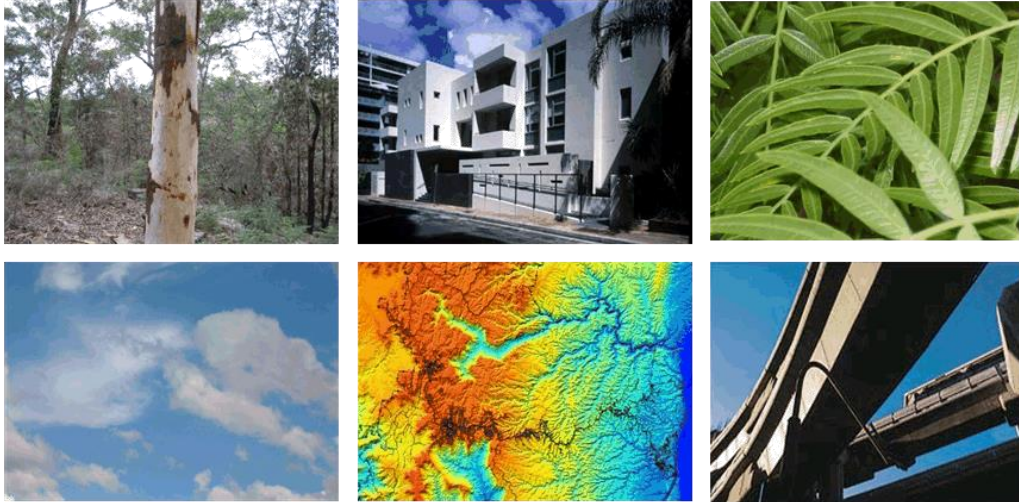
- 1) Planning Proposal - Karuah and District RSL.
- 2) Locality Plan - Karuah and District RSL.
- 3) Locality Plan - Land Use Zones.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.



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PLANNING PROPOSAL

**AMENDMENT TO PORT STEPHENS
LOCAL ENVIRONMENTAL PLAN 2013**

KARUAH RSL CLUB

SUBMITTED TO: PORT STEPHENS COUNCIL

DECEMBER 2017

Version 2

ITEM 1 - ATTACHMENT 1 PLANNING PROPOSAL - KARUAH AND DISTRICT
RSL.

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INTRODUCTION

Cityscape Planning + Projects has been engaged by the *Karuah RSL Club* to prepare a *Planning Proposal* for the subject site. The Planning Proposal explains the intended effect of a proposed Local Environmental Plan (LEP) and sets out the justification for making that plan.

The report has been prepared in accordance with the NSW Department of Planning and Infrastructure requirements as set out in *Guide to Preparing Local Environmental Plans (2016)* and *A Guide to Preparing Planning Proposals (2016.)*

SUBJECT SITE

LOCATION

The subject site is a large irregular shaped parcel of land located on the southern side of Tarean Rd, at its intersection with Bundabah St. Figure 1 identifies the location of the site.

DESCRIPTION

The site is known as 434-436 Tarean Rd, Karuah but is comprised off 16 x lots with the following real property description:

Lot: 164, 166-170, 174-177, 179 DP: 753196

Lot: 1781-1783 DP: 609636

The site has a total area of approximately 9300m². It has a street frontage of 130m to Tarean Rd and a depth of approximately 75m along its frontage to Bundabah St. and Figure 1 provides an overview of the sites cadastral arrangements.

EXISTING ZONING

The subject site is zoned **R2 Low density Residential** pursuant to *Port Stephens Local Environmental Plan 2013*.

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Planning Proposal
Karuah RSL Club

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FIGURE 1: LOCATION OF SITE



FIGURE 2: AERIAL PHOTO OF SITE



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Planning Proposal
Karuah RSL Club

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SITE HISTORY

The site has a long and established lawful use, over many decades, as registered club. Therefore, the site is considered to enjoy the benefit of existing use rights pursuant to Division 10 of the *Environmental Planning & Assessment Act, 1979*.

The lawfulness of this use is demonstrated by approval granted for the development of alterations and additions to the club by Port Stephens Council on 18 March 2016 pursuant to DA 16-2015-718-1.

EXISTING USE OF SITE

The site currently accommodates a large club building together with one bowling green and an at-grade car park. The site also operates in conjunction with a parcel of land located on the western side of Bundabah St which also provided a dwelling and garage type structure at its rear, whilst dwellings are also located at the south western and south eastern corners of the primary site. The location and images of these buildings and land uses are evident in the aerial photo provided at Figure 2.

Recently, the club have purchased two adjoining residential sites located at the north-western corner of Bundabah and Barclay St and the eastern extent of Barclay St and it is their intention to have that those sites absorbed into future development plan and use of the club. Whilst no formal proposal for the use of these lands has been developed it is likely that they could be used for either car parking or relocated bowling greens.

SITE CONTEXT

The site and its immediate environs experience limited topographic relief. Also, the site has been cleared of much of its natural vegetation as part of previous development. Nevertheless, small pockets of vegetation remain at both the north-eastern corner and south-western corner of the site. Images of the site that confirm its cleared status are provided at the aerial photo at Figure 2.

The site sits on the eastern edge of an established town centre but also adjoins park and residential type land uses. Figure 3 provides an aerial photo of the site that demonstrates the sites proximity to adjacent land uses.

FIGURE 3: AERIAL PHOTO OF SITE AND SURROUNDS



PART 1: OBJECTIVES OR INTENDED OUTCOMES

The planning proposal has the following objectives:

- To resolve an existing planning anomaly which currently causes the existing club development to be a prohibited land use on the subject
- To allow immediately adjacent lands, currently owned by the Club, to be developed for the purposes of a club and recreation facility.

PART 2: EXPLANATION OF PROVISIONS

The proposed objective will be achieved by amending the Port Stephens LEP 2013 – *Schedule 1 Additional permitted uses* by identifying the following land uses as being permissible, with Council consent, on the subject site:

- Registered club
- Recreation facility (outdoor)

PART 3: JUSTIFICATION

SECTION A: NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not the result of any strategic study or report.

Rather, it has emerged from a recognition that the current statutory planning framework for the site is somewhat anomalous in that it prohibits the development of the site for the purposes of its current use and as such this potentially frustrates the redevelopment or reconfiguration of the site and immediately adjacent lands.

The most logical planning outcome to resolve this planning anomaly would therefore see the statutory planning framework modified to formally allow use of the site and adjacent lands under club ownership, for the purposes of a registered club and recreation facility.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The same outcome could be achieved by seeking a rezoning of the subject site to a **RE2 Private Recreation** Zone. However, previous discussions with Council officers have confirmed that a Schedule 1 amendment would represent a more appropriate means of achieving that outcome as this would not open up the site for the potential redevelopment for the broad range of land uses that are also permissible under that RE2 Zoning.

As such it is considered that the planning proposal is clearly the best means of achieving the objectives or intended outcomes.

SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plan or strategies)?

ASSESSMENT CRITERIA

a. Does the proposal have strategic merit? Is it:

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*
- Consistent with a relevant local council strategy that has been endorsed by the Department; or*
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

COMMENT:

The planning proposal is limited to a single small site and is not of a scale that is likely to cause an inconsistency with any

metropolitan, regional, or district strategic plan. Nevertheless, as assessment of the planning proposal against relevant planning strategies is provided below:

HUNTER REGIONAL PLAN 2036

This strategy represents a 20-year blueprint for the future of the Hunter region. The plan identifies Karuah as a regionally significant centre and employment land cluster.

The plan identifies a series of goal and directions, the most relevant of which are identified below:

GOAL 3 Thriving communities

- *Direction 17: Create healthy built environments through good design*
- *Direction 18: Enhance access to recreational facilities and connect open spaces*
- *Direction 20 – Revitalise existing communities*

The planning proposal seeks to secure and enhance the role of the existing recreational and community facility on site and as such is entirely consistent with the goal and directions.

PORT STEPHENS PLANNING STRATEGY 2011

This strategy identifies Karuah as being within a Village Centre within the retail hierarchy of the LGA.

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It states that Karuah Village is likely to continue to adjust from its previous role as a motoring stop over to a local centre servicing the needs of a growing residential population over the longer term.

It further suggests Commercial/retail floor space demand is forecast to increase by around 1,500m² between 2009 and 2031. This demand could be entirely accommodated within existing vacant buildings and there are also a number of vacant sites which could be developed.

The continued presence and potential further redevelopment of the subject site for the purposes of a club and recreational facility is therefore entirely consistent with this strategy.

KARUAH GROWTH STRATEGY 2011

This strategy was prepared by Port Stephens Council and seeks to provide a spatial and land use plan for the growth of the town. It identifies sufficient land for urban development close to the town to meet growth needs until at least 2035.

The Strategy aims to further underpin local business and employment creation through residential growth. Whilst recognising local businesses will expand and others will establish, the strategy states that the commercial centre is likely to remain a village centre in scale, due to the relatively small local population and the closeness of Raymond Terrace as an alternative shopping venue.

The strategy recognises the important role the Karuah RSL Club provides within the community and its role in ensuring that Tarean

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Rd continues promote the economic health of the village through operating as a traditional main street for the village.

The planning proposal seeks only to confirm and secure the clubs community and commercial role in the village and its presence on Tarean Rd is therefore entirely consistent with this local planning strategy.

b. Does the proposal have site-specific merit and is it compatible with the surrounding land uses, having regard to the following:

- *the natural environment (including known significant environmental values, resources or hazards) and*
- *the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

COMMENT:

The site already accommodates a club, recreational facility, car parks and dwelling houses and there are no built or natural environment constraints that would preclude its continued use or potential redevelopment.

The planning proposal therefore seeks only to confirm the existing use of the site and as such must be considered to demonstrate site-specific merit and compatibility with surrounding land uses.

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4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal causes no inconsistency with the Port Stephens Integrated Plans 2013-2016 comprising, amongst other things, the Community Strategic Plan.

Consistency with Karuah Growth Strategy 2011 was referenced previously in this planning proposal.

5. Is the planning proposal consistent with applicable state environmental planning policies?

An assessment against these planning instruments is provided at Table 1 and demonstrates consistency where relevant with all planning instruments.

TABLE 1: RELEVANT PLANNING INSTRUMENTS

| SEPP TITLE | CONSIS- TENCY | COMMENTS |
|---|------------------|----------|
| SEPP (Three Ports) 2013 | N/A | |
| SEPP (Sydney Drinking Water Catchment) 2011 | N/A | |
| SEPP (State and Regional Development) 2011 | N/A | |
| SEPP (Urban Renewal) 2010 | N/A | |
| SEPP (Western Sydney Employment Area) 2009 | N/A | |
| SEPP (Affordable Rental Housing) 2009 | N/A | |

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ITEM 1 - ATTACHMENT 1 PLANNING PROPOSAL - KARUAH AND DISTRICT RSL.

Planning Proposal
Karuah RSL Club

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|---|-----|---|
| SEPP (Western Sydney Parklands) 2009 | N/A | |
| SEPP (Exempt and Complying Development Codes) 2008 | N/A | |
| SEPP (Rural Lands) 2008 | N/A | |
| SEPP (Kosciuszko National Park - Alpine Resorts) 2007 | N/A | |
| SEPP (Infrastructure) 2007 | N/A | |
| SEPP (Temporary Structures and Places of Public Entertainment) 2007 | NA | |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | N/A | |
| SEPP (Sydney Region Growth Centres) 2006 | N/A | |
| SEPP (Major Development) 2005 | N/A | |
| SEPP (Kurnell Peninsula) 1989 | N/A | |
| SEPP (Building Sustainability Index: BASIX) 2004 | N/A | |
| SEPP (Housing for Seniors or People with a Disability) 2004 | N/A | |
| SEPP (Penrith Lakes Scheme) 1989 | N/A | |
| SEPP No. 71 - Coastal Protection | YES | <p>The subject site is located within an urbanised and previously developed area that is setback well from the foreshore of the Karuah River. As such the development will not adversely effect any ecological, natural or scenic qualities of the foreshore or broader coastal zone.</p> <p>Similarly, the development is wholly contained within private lands and therefore will not cause any loss or disruption of public access to that</p> |

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Karuah RSL Club

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| | | |
|---|-----|--|
| | | <p>foreshore area.</p> <p>Finally, the scale of any future development is relatively limited when viewed within the context of the existing development on site and as such will not cause any adverse impact upon views to and from the coast line nor cause any overshadowing of that area.</p> <p>Nevertheless, a stormwater and drainage plan accompany this report and demonstrates that the site has the potential to manage all waste water on site without adverse impact upon the receiving waters including the Karuah River and its coastal environs.</p> |
| SEPP 70 - Affordable Housing (Revised Schemes) | N/A | |
| SEPP No. 65 - Design Quality of Residential Flat Development | N/A | |
| SEPP No. 64 - Advertising and Signage | N/A | |
| SEPP No. 62 - Sustainable Aquaculture | N/A | |
| SEPP No. 55 - Remediation of Land | N/A | |
| SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas | N/A | |
| SEPP No. 50 - Canal Estates | N/A | |
| SEPP No. 47 - Moore Park Showground | N/A | |

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| | | |
|---|-----|---|
| SEPP No. 44 - Koala Habitat Protection | YES | <p>This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>The site provides only isolated and small pockets of vegetation (some of it exotic species) that makes it unlikely to provide any Koala habitat.</p> |
| SEPP No. 36 - Manufactured Home Estates | N/A | |
| SEPP No. 33 - Hazardous and Offensive Development | N/A | |
| SEPP No. 30 - Intensive Agriculture | N/A | |
| SEPP No. 26 - Littoral Rainforests | N/A | |
| SEPP No. 21 - Caravan Parks | N/A | |
| SEPP No. 19 - Bushland in Urban Areas | N/A | |
| SEPP No. 14 - Coastal Wetlands | N/A | |
| SEPP No. 1 - Development Standards | N/A | |

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6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

An assessment against these directions is provided in Table 2:

TABLE 2: S117 DIRECTIONS

| DIRECTIONS UNDER s.117(2) | | CONSIST- ENCY | COMMENT/JUSTIFICATION (WHERE INCONSISTENT) |
|------------------------------------|--|------------------|--|
| 1. Employment and Resources | | | |
| 1.1 | Business and Industrial Zones | N/A | Site currently has a residential zone and the Planning Proposal seeks to maintain a residential zoning, albeit with an additional land use. This additional land use is a community type activity that is currently operating on site and as such will have no impact upon the existing business zone lands that adjoin the site. |
| 1.2 | Rural Zones | N/A | Site has and seeks to maintain a residential zoning |
| 1.3 | Mining, Petroleum Production and Extractive Industries | N/A | |
| 1.4 | Oyster Aquaculture | N/A | |
| 1.5 | Rural Land | N/A | |
| 2. Environment Heritage | | | |
| 2.1 | Environment Protection Zones | N/A | |
| 2.2 | Coastal Protection | YES | NSW Coastal Policy outlines provides strategic actions |

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| | | <p>pertaining to the natural environment, natural processes and climate change, aesthetics, cultural heritage, ecological sustainable development, human settlement, and public access.</p> <p>The subject site is located within an urbanised and previously developed area that is setback well from the foreshore of the Karuah River. As such the continued use and even potential redevelopment of the site will not adversely impact upon any ecological, natural or scenic qualities of the foreshore or broader coastal zone.</p> <p>Similarly, any further development would be wholly contained within private lands and therefore will not cause any loss or disruption of public access to that foreshore area.</p> <p>Finally, the scale of the any subsequent development would be managed as part of any development application but would be expected to be relatively limited when viewed within the context of the existing development on site and in the broader and as such</p> |
|--|--|--|

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|---|---|-----|---|
| | | | would not be expected to cause any adverse impact upon views to and from the coast line. |
| 2.3 | Heritage Conservation | N/A | |
| 2.4 | Recreation Vehicle Areas | N/A | |
| 3. Housing, Infrastructure and Urban Development | | | |
| 3.1 | Residential Zones | YES | Underlying residential zone will be retained. |
| 3.2 | Caravan Parks and Manufactured Home Estates | N/A | |
| 3.3 | Home Occupations | N/A | |
| 3.4 | Integrating Land Use and Transport | YES | <p>The site is located within the Karuah Village and therefore is highly accessible to the township and its environs.</p> <p>It also enjoys good access to the broader regional road network.</p> <p>Further, the site is also located only 100m to the east of a bus stop that provides regular services to Newcastle, Hawks Nest and Taree and the club also provides its own courtesy bus services for local patrons which represents a highly integrated land use and transport outcome for the site and local community.</p> <p>No change to the existing or proposed land use and transport</p> |

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|-----------------------------|---------------------------------------|-----|---|
| | | | <p>network will arise from this Planning Proposal and the site will retain good accessibility to public and private transport networks.</p> <p>However, it may ultimately facilitate further car parking or development to the sites south on the sites that currently accommodate the dwelling houses and this would represent a good planning and transport outcome for the site.</p> |
| 3.5 | Development Near Licensed Aerodromes | N/A | |
| 3.6 | Shooting Ranges | N/A | |
| 4. Hazard and Risk | | | |
| 4.1 | Acid Sulfate Soils | N/A | |
| 4.2 | Mine Subsidence and Unstable Land | N/A | |
| 4.3 | Flood Prone Land | NA | |
| 4.4 | Planning for Bushfire Protection | N/A | |
| 5. Regional Planning | | | |
| 5.1 | Implementation of Regional Strategies | N/A | Revoked 17 October 2017 |
| 5.10 | Implementation of Regional Plans | N/A | <p>The Planning Proposal seeks only to confirm the existing and lawful land uses of the existing site and as such will not impact upon local planning strategies and similarly has no potential to cause any inconsistency with any existing or future regional strategies. This has been discussed in greater</p> |

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|---------------------------------|--|------------|--|
| | | | detail preceding sections of this Planning Proposal. |
| 6. Local Plan Making | | | |
| 6.1 | Approval and Referral Requirements | YES | |
| 6.2 | Reserving Land for Public Purposes | YES | |
| 6.3 | Site Specific Provisions | YES | <p>The Planning Proposal will facilitate continued use and development of the site for its current lawful and approved use. Such development is currently problematic because of the sites underlying zoning.</p> <p>Accordingly, the Planning Proposal is entirely consistent with the relevant direction objectives of discouraging unnecessarily restrictive site specific planning controls.</p> |
| 7. Metropolitan Strategy | | | |
| 7.1 | Implementation of the Metropolitan Plan for Sydney 2036 | NA | |

SECTION C: ENVIRONMENTAL SOCIAL AND ECONOMIC IMPACT

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The broader site has been extensively modified as part of previous development and such provides limited natural vegetation coverage. It is also well removed from any other larger vegetation or bushland units. This is demonstrated by the aerial photo provided at Figure 3. Nevertheless, there are two small stands of vegetation, some of it exotic, at the north eastern and south-eastern corners of the site.

The isolated and small scale of these pockets of vegetation makes them unlikely to provide any important or significant ecological value to individual species or their communities.

Therefore, there is no likelihood that any critical habitat or threatened ecological communities will be adversely affected by the planning proposal.

However, there is some potential, albeit unlikely, for this vegetation to provide some limited Koala habitat. Council's Comprehensive Koala Plan of Management (CKPoM) provides the following criteria for assessment of rezoning proposals:

- a) not result in development within areas of Preferred Koala Habitat or defined Habitat Buffers;*
- b) allow for only low impact development within areas of Supplementary Koala Habitat and Habitat Linking Areas;*

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- c) minimise the removal of any individuals of preferred koala food trees, where ever they occur on the site; and*
- d) not result in development which would sever koala movement across the site. This should include consideration of the need for maximising tree retention on the site generally and for minimising the likelihood of impediments to safe/unrestricted koala movement.*

The developed and highly modified nature of the site and its adjacent village environment makes it highly unlikely to represent a preferred Koala habitat or habitat buffer.

Further, the planning proposal does not proposes any built development and it is possible that further redevelopment of the site would not involve any removal of native vegetation or tree species.

However, future development proposals will fully examine the impact of development on any trees or habitat and if necessary any important trees or tree hollows could be preserved or even relocated in accordance with the CKPoM.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

BUILT CHARACTER

The built character of the site and its surrounds can generally be described a village environment and as such provides a diverse mix of built forms and land uses including retail, commercial, and educational buildings represented as both and two storey forms, provided as both large and small built forms.

The village is primarily provided as a retail strip strung along the northern side of Tarean Rd and the subject site, together with the public school located opposite provides the terminus to that strip prior to the village transitioning to more recreational and open spaces uses as the village extends to the Karuah River to its east.

The club building therefore sits comfortably within that village environment with a direct address to Tarean Rd. The car park is sited behind the built form, thereby ensuring it is screened from that important viewshed. The bowling greens also provide a sympathetic transition between the built forms of the site and the coastal landscape provide by Karuah River and its immediate environs

Future development of the site will likely extend to the south and occupy the currently residential land uses located on Barclay Street.

This land use change will still contain the club development entirely within the street block bounded by Tarean Rd, Bundabah St, Barclay St and the existing paper road and therefore will provide limited change to the urban structure, character and form of the site and broader village.

TRANSPORT, VEHICLE ACCESS + MOVEMENT

The site is located within the Karuah Village and therefore is highly accessible to the township and its environs.

It also enjoys good access to the broader regional road network including the following arterial and major collector roads:

- Tarean Rd
- Pacific Highway

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Further, the site is also located only 100m to the east of a bus stop that provides regular services to Newcastle, Hawks Nest and Taree. The club also provides its own courtesy bus services for local patrons.

At the local level the site enjoys direct frontages to Tarean Rd, Bundabah St and Barclay St. Currently, no direct vehicle access is provided to Tarean Rd and all vehicle access occurs via Bundabah and Barclay Streets.

This current access arrangement ensures that traffic generated by the development does not adversely impact on traffic movement along Tarean Rd and also allows for movement to and from the site to be suitably managed by the local road network including the signalised intersection at the intersection of Tarean Rd and Bundabah St.

Existing parking demand is managed by the at-grade car park provided to the south of the site.

The planning proposal does not seek to alter existing traffic and vehicular arrangements, however, it may facilitate further car parking or development to the sites south on the sites that currently accommodate the dwelling houses.

This potential future development would sit comfortably within the local traffic and transport environment.

NATURAL HAZARDS

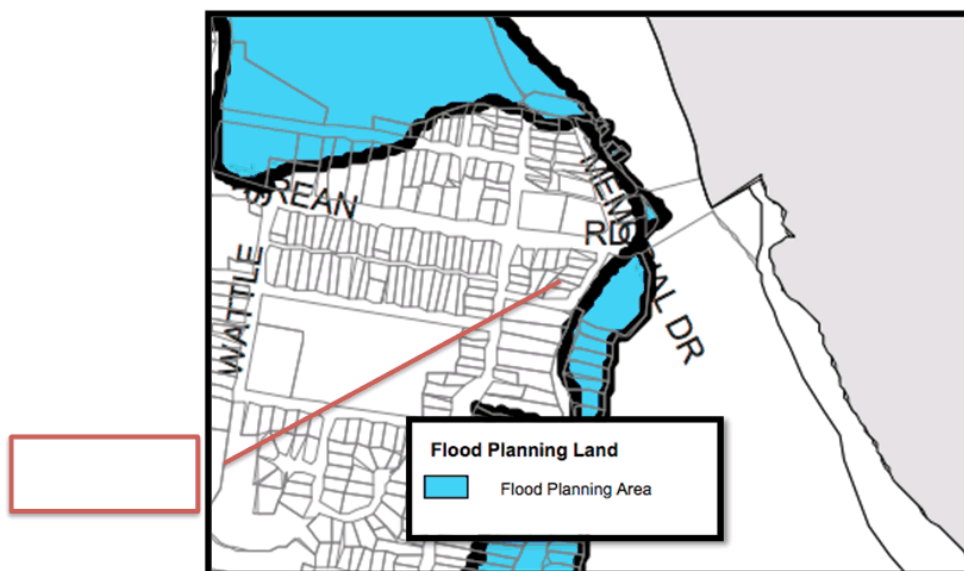
The site is not exposed to any bushfire or flooding hazard as demonstrated by extract of the relevant council maps provided at Figures 4-5.

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FIGURE 3: COUNCIL BUSHFIRE HAZARD MAP



FIGURE 4: TOPOGRAPHIC MAP



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STORMWATER MANAGEMENT

A stormwater management plan accompanies this Planning Proposal and demonstrates that the site has the potential to manage all stormwater on site without adverse impact to local or regional water quality of the local and broader drainage catchment.

9. How has the planning proposal adequately addressed any social and economic effects?

The Karuah Growth Strategy 2011 recognises the important role the Karuah RSL Club provides within the community and its role in ensuring that Tarean Rd continues promote the economic health of the village through operating as a traditional main street for the village.

The planning proposal will allow the club to maintain and strengthen that important community role by providing ongoing opportunities for community and social interaction together with ongoing recreation and sporting opportunities.

Accordingly, the planning proposal is considered to provide a positive social impact.

The planning proposal will also facilitate the orderly and economic use and development of land in accordance with the objects of the *Environmental Planning & Assessment Act, 1979*.

Further, the planning proposal will continue to allow the Club to maintain its presence as part of the Tarean Rd main-street and as such will promote and strengthen that main street role of Tarean Rd with the Karuah Village environment.

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Accordingly, the planning proposal is considered to provide a positive economic impact.

SECTION D: STATE & COMMONWEALTH INTERESTS

10. Is there adequate public infrastructure for the planning proposal?

The site sits within an existing village environment and enjoys access to a full range of urban services and infrastructure including reticulated water and sewer together with a full suite of energy and communication utilities.

The subject site enjoys direct vehicle access through its extensive frontages to both Bundabah St and Barclay St and also enjoys good access to the broader regional road network including the following arterial and major collector roads:

- Tarean Rd
- Pacific Highway

The site is also located only 100m to the east of a bus stop that provides regular services to Newcastle, Hawks Nest and Taree.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities or service providers;

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however, consultation will occur in accordance with the Gateway Determination.

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PART 4: MAPS

The planning proposal will not require the amendment of the Port Stephens LEP 2013 maps.

PART 5: COMMUNITY CONSULTATION

The planning proposal will be exhibited by Council in accordance with the requirements of section 57 of the *Environmental Planning & Assessment Act 1979*.

The planning proposal is considered to represent a 'low' impact planning proposal given that it is:

- consistent with the pattern of surrounding land use zones and/or land uses
- consistent with the strategic planning framework
- presents no issues with regard to infrastructure servicing – not a principal LEP – does not reclassify public land.
- Not a principal LEP
- Does not reclassify public land

It is therefore proposed that the planning proposal will be placed on public exhibition for a minimum of 14 days. Notification of the community consultation will be provided in a local newspaper and on Councils' website. In addition to this, adjoining landowners will be notified in writing.

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During the public exhibition period the following documents will be placed on public exhibition:

- The Planning Proposal;
- The Gateway determination;
- Relevant council reports

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PART 6: PROJECT TIMELINE

| No. | Task | Commence | Complete |
|-----|---|---|----------------|
| 1 | Gateway Determination | March 2018 | July 2018 |
| 2 | Completion of Studies | No further studies required | |
| 3 | Government Agency Consultation | Agency and community consultation to be undertaken as part of the formal public exhibition of the Planning Proposal in accordance with any conditions of the Gateway Determination. | |
| 4 | Public Exhibition | August 2018 | September 2018 |
| 5 | Public Hearing | NA | NA |
| 6 | Consider Submissions | October 2018 | October 2018 |
| 7 | Document Finalisation | November 2018 | November 2018 |
| 8 | Submission to NSW Planning & Environment | December 2018 | December 2018 |
| | | | |

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[illegible]

Note: Lots with no existing use rights are hatched in blue



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DISCLAIMER

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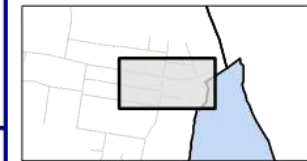
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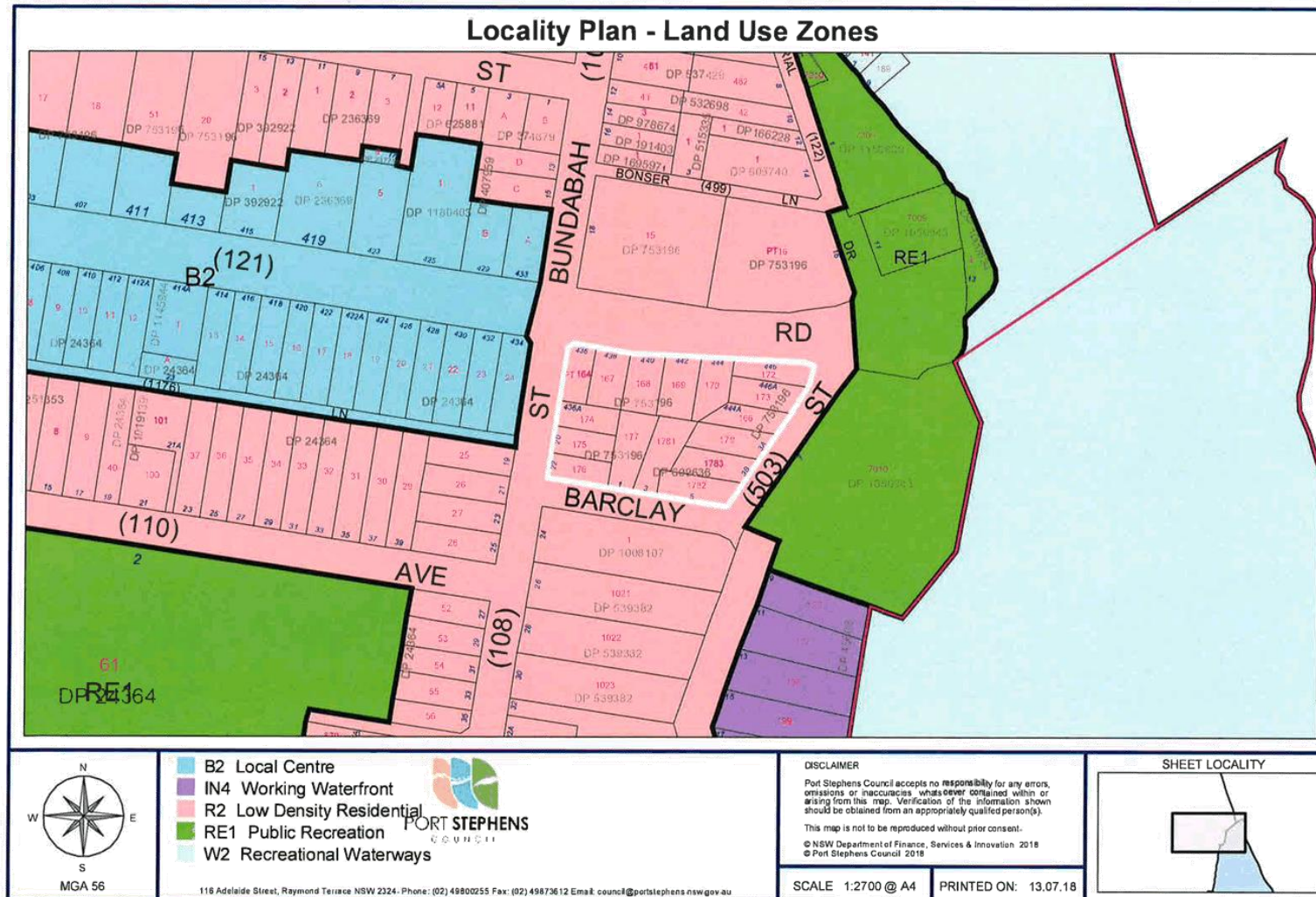
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SHEET LOCALITY





ITEM NO. 2

FILE NO: 18/124200
EDRMS NO: PSC2005-3572

355C COMMITTEES ANNUAL FINANCIAL SUMMARY 2017

REPORT OF: STEVEN BERNASCONI - COMMUNITY SERVICES SECTION
MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive the 355c Committees Annual Financial Statements for the period 1 January 2017 to 31 December 2017.
 - 2) Note that all but one 355c committee have received the 2018 annual operating subsidy.
-

ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION

| | |
|------------|---|
| 226 | <p>Councillor Jaimie Abbott Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Receive the 355c Committees Annual Financial Statements for the period 1 January 2017 to 31 December 2017.2) Note that all but one 355c committee have received the 2018 annual operating subsidy. |
|------------|---|

BACKGROUND

The purpose of this report is to receive the 2017 355c Committees' Annual Financial Statements for 2017 and to note the disbursement of the annual operating subsidies to eligible committees and sports councils.

(ATTACHMENT 1) is a summary of opening and closing balances of all committees (1 January 2017 - 31 December 2017) and also indicates payment of the 2018 annual operating subsidy to eligible committees.

(ATTACHMENT 2) shows the detailed financial statements of committee cash books (1 January 2017 - 31 December 2017).

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|----------------------------|---|
| Community Diversity. | Support volunteers to deliver appropriate community services. |

FINANCIAL/RESOURCE IMPLICATIONS

The total amount of funds held by the 40 committees as at 31 December 2017 was \$887,402.68, a decrease of \$109,738.15 from 31 December 2016.

- 11 committees held over \$20,000 (total value of \$627,867.22).
- 13 committees held between \$10,000 and \$20,000 (total value of \$181,014.91)
- 16 committees held less than \$10,000 (total value \$78,520.55)

Payment of the 2018 annual operating subsidy was made in July 2018 to all eligible committees and sports councils. The 2018 subsidy payment was not made to one committee as it has not fulfilled their 2017 financial reporting requirements as required.

The use of committee funds should be in line with Council's strategic directions and be committed to the objectives of each committee's Terms of Reference Appendix. A focus on maintenance, renewal and rehabilitation of facilities and reserves will ensure the long-term sustainability of these community assets.

Council's Assets Section works with committees and sports councils to allocate committee funds to projects that assist in maintaining or upgrading Council's assets. For example, in the 2017 calendar year, the following large investments by committees included:

Tomaree Sports Council:

- \$9,900 to establish 25 new car spaces at Salamander Sports Complex.
- \$2,500 contribution for trial of LED light fittings for floodlight on Field five.
- \$10,000 contribution for long-jump run ups at Dick Burwell Oval.
- \$2,250 for second-hand roller for Nelson Bay Cricket Club.
- \$45,750 for engagement of Moir Landscape Architects for Tomaree Sports Complex Master Plan.
- \$8,150 for installation of directional signage at Tomaree Sports Complex.
- \$12,200 for supply and installation of weld mesh fencing along roadside of Don Waring Oval.

West Ward Sports Council:

- \$3000 for over sow program for Lakeside Sports Complex.

MINUTES ORDINARY COUNCIL - 24 JULY 2018

Tilligerry Sports Council:

- \$500 for floodlights at Mallabula Tennis Club adjusted to light up Field four at Mallabula Sports Complex.
- \$7,000 for over sow program at Mallabula Sports Complex.

Medowie Sports Council:

- \$5,400 for supply and installation aluminum seats at Ferodale Sports Complex.
- \$2,000 for concreting works for Cricket Club Shed at Ferodale Sports Complex.
- \$5,750 for pressure clean of two hard courts and painting of lines for hot shot courts.
- \$6,600 for storage shed kit for Medowie Cricket Club.
- \$6,450 for retaining wall at Kindlebark Oval.
- \$14 675 for Boyd Oval Building improvements.

Other:

- \$9,500 for shade sails over new playground - Corlette Headland and Hall Committee.
- \$12,000 for kitchen renovation - Medowie Community Centre Committee.
- \$40,000 for an additional 20 x 60 sand arena - Salt Ash Sports Ground Committee.
- \$8,500 for installation of seating at Seaham Cemetery - Seaham Park and Wetlands Committee.
- \$7,600 for installation of power to new BBQ on south side of beach - Boat Harbour Parks and Reserves Committee.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|--------|--------------|--|
| Existing budget | Yes | 85,500 | Total cost of the operational subsidy for 355c committees & sports councils from the 2018/2019 budget. |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | Yes | 887,402.68 | Funds held in individual bank accounts by 355c committees as at 311217. |

LEGAL, POLICY AND RISK IMPLICATIONS

Section 355c of the *Local Government Act 1993* allows Council to delegate certain functions. A Section 355c committee is an entity of Port Stephens Council and as

MINUTES ORDINARY COUNCIL - 24 JULY 2018

such is subject to the same legislation, accountability and probity requirements as Council.

All funds and assets held by the committee belong to Council, and the committee is responsible for the care and control of these funds. Funds administered by 355c committees must meet Council's standards of compliance, management and transparency. Committees are required to comply with standard record keeping practices, including submission of financial reporting requirements by due dates.

355c committees use a cashbook style financial record keeping system (format supplied by Council in the form of a carbonised book or Excel spreadsheet). The cash book is completed each month and the totals of each month are entered into the Annual Summary Reporting page, which is forwarded to Council annually.

This system was developed in line with recommendations of Council's auditors to provide a uniform format and transparent auditing of committee financial transactions, which meet the requirements for accountability and GST reporting. The system provides committees with a simplified financial process and staff support.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|--|-----------------------------------|
| There is a risk that funds held in 355c committee bank accounts may be subject to fraudulent acts resulting in legal, financial and reputation damage. | Medium | This risk will be reduced by ensuring Council is noted on individual committee bank account names, and ensuring two Council staff are signatories to committee accounts. The 355c Committee Terms of Reference and Appendix clearly outlines committee responsibilities with regard to recording and reporting on committee funds. Additional information has been provided to committees, is available on Council's website, and includes meeting guidelines and templates, financial record keeping guide, purchasing guide. Financial training is also offered to relevant committee executive members. | Yes |

MINUTES ORDINARY COUNCIL - 24 JULY 2018

| | | | |
|--|-----|--|-----|
| There is a risk that funds held in 355c committee bank accounts are not used to contribute to cost of asset renewal resulting in greater drain on ratepayer revenue. | Low | This risk will be reduced as staff work with committees to combine asset and community input to develop asset management plans with agreed funding contributions from the facility income. | Yes |
|--|-----|--|-----|

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social Implications

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

Volunteers provide strong social and community benefits including an avenue for communication, planning, strategic planning, community consultation as well as community capacity building and strong social networks for the community. A community with a high rate of participation in community activities is an indicator of a well-functioning community.

Economic Implications

Committees and volunteers of Port Stephens Council provide assistance often where funding is not available. Their activities are value adding with a large number of the facilities and services provided in the local government area enhanced through the direct involvement of volunteers. In the 2016 submission to the Boundaries Commission on the proposed merger of Port Stephens Council and Newcastle City Council, Council estimated that "volunteer work on 355c committees saves the Council \$5.2 million per year".

The provision of financial support to Council committees is provided within current resources. The annual operating subsidy is a direct budget item (\$85,500 in 2018-2019).

Environmental Implications

Volunteers operate under direction from Council staff to ensure their activities are performed in accordance with recognised environmental practices. Projects and activities relating to the environment are encouraged and supported and often provide long term benefits to the environment.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Community Services Section to ensure the provision of relevant and accurate information.

Internal

- Executive Leadership Team.
- Volunteers Coordinator.
- Community and Recreation Assets Coordinator.
- Finance Officer – Organisational Support.
- Facilities and Services Projects Officer.

External

- 355c committees and sports councils.

OPTIONS

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

ATTACHMENTS

- 1) 355c Committees Annual Financial Statement Summary.
- 2) 355c Committees Annual Financial Statement Spreadsheet.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 2 - ATTACHMENT 1 355C COMMITTEES ANNUAL FINANCIAL STATEMENT SUMMARY.**ATTACHMENT 1****355c Committees Annual Financial Statement Summary
for period 1 January 2017 to 31 December 2017**

| 355(c) Committee | Opening Balance including Investments 01/01/2017 | Closing Balance including Investments 31/12/2017 | Annual Operating Subsidy to be paid in 2018 |
|---|---|---|--|
| Anna Bay/Birubi Community Hall and Landcare Group | 11,383.43 | 15,933.54 | 1,500.00 |
| Boat Harbour Parks and Reserves Committee | 9,997.45 | 3,859.00 | 1,500.00 |
| Bobs Farm Hall Committee | 8,230.00 | 8,116.55 | 1,000.00 |
| Community Choir Committee ¹ | 5,691.28 | 0.00 | - |
| Corlette Headland and Hall Committee | 23,711.14 | 14,721.66 | 1,500.00 |
| Corlette Parks Reserves and Landcare Group | 1,770.75 | 4,048.45 | 1,500.00 |
| Fern Bay Community Centre Committee | 10,351.71 | 12,386.01 | 1,000.00 |
| Fingal Bay Parks and Reserves Committee | 7,063.12 | 9,408.91 | 1,500.00 |
| Hinton School of Arts Parks and Foreshore Committee | 27,709.83 | 2,625.69 | 1,500.00 |
| Karuah Community Hall Committee | 9,032.70 | 9,996.56 | 1,000.00 |
| Karuah Landcare Group | 14,840.18 | 11,023.69 | 1,500.00 |
| Lemon Tree Passage Old School Centre Committee | 22,373.64 | 13,713.17 | 1,000.00 |
| Lemon Tree Passage Parks Reserves and Landcare Group | 3,222.12 | 1,676.36 | 1,500.00 |
| Mallabula Community Centre Committee | 37,985.49 | 27,636.58 | 1,000.00 |
| Mallabula Parks and Reserves Committee | 3,152.23 | 4,598.23 | 1,500.00 |
| Mambo Wanda Wetlands Reserves and Landcare Committee | 8,640.01 | 10,169.32 | 1,500.00 |
| Medowie Community Centre Committee | 43,581.82 | 22,738.05 | 1,000.00 |
| Medowie Sports Council | 62,915.36 | 52,239.09 | 9,000.00 |
| Medowie Tidy Towns Committee | 5,516.57 | 4,355.65 | 1,500.00 |
| Nelson Bay Australia Day 355c Sub Committee ² | 15,069.66 | 16,182.78 | - |
| Nelson Bay Community Hall Committee | 32,893.50 | 43,092.04 | 1,000.00 |
| Nelson Bay West Landcare Committee ³ | 4,427.61 | 7,638.81 | - |
| Port Stephens Native Flora Garden Committee | 2,169.00 | 3,174.13 | 1,500.00 |
| Port Stephens Sister Cities Committee | 20,748.69 | 17,187.92 | 1,000.00 |
| Raymond Terrace Parks Reserves and Tidy Towns Committee | 20,390.16 | 21,863.79 | 1,500.00 |
| Raymond Terrace Senior Citizens Hall Management Committee | 51,456.52 | 51,300.43 | 1,000.00 |

ATTACHMENT 1 - 355(c) Committees Annual Financial Statement Summary - 2017

ITEM 2 - ATTACHMENT 1 355C COMMITTEES ANNUAL FINANCIAL STATEMENT SUMMARY.

| | | | |
|--|---------------------|---------------------|--------------------|
| Salt Ash Community Hall Park and Reserves Committee | 9,516.35 | 13,308.39 | 1,500.00 |
| Salt Ash Sports Ground Committee | 81,380.54 | 51,791.59 | 1,000.00 |
| Seaham Park and Wetlands Committee | 14,915.90 | 10,811.05 | 1,500.00 |
| Shoal Bay Beach Preservation Committee | 4,612.58 | 5,698.86 | 1,500.00 |
| Soldiers Point / Salamander Bay Landcare Group | 6,898.79 | 7,188.57 | 1,500.00 |
| Tanilba Bay Parks Reserves and Hall Committee | 11,067.77 | 22,501.13 | 1,500.00 |
| Tilligerry Landcare Group | 14,531.15 | 16,088.96 | 1,500.00 |
| Tilligerry Sports Council | 23,095.02 | 18,511.83 | 9,000.00 |
| Tomaree Cemeteries Committee ⁴ | 4,012.42 | 3,510.67 | - |
| Tomaree Multi-Purpose Centre Management Committee ⁵ | 19,020.22 | 21,849.57 | - |
| Tomaree Sports Council | 230,707.57 | 228,917.09 | 9,000.00 |
| West Ward Cemeteries Committee | 7,370.65 | 2,624.11 | 1,000.00 |
| West Ward Sports Council ⁶ | 65,376.33 | 83,847.86 | 18,000.00 |
| Williamtown Hall Committee | 16,838.77 | 10,976.59 | 1,000.00 |
| Totals | \$977,140.83 | \$887,402.68 | \$85,500.00 |

Notes

1. The Community Choir Committee was dissolved as per Council resolution on 11 July 2017, with cash and assets transferred to the Salvation Army (Raymond Terrace) for continued use by the community.
2. Nelson Bay Australia Day is a Sub Committee of the Port Stephens Australia Day Committee and receives funding from Council via alternate means.
3. The Nelson Bay West Landcare Committee is undergoing a "cashless trial" for the 2018 calendar year, as supported by the Executive Leadership team in March 2018. Instead of the 2018 annual subsidy being provided directly to the committee, Council will be providing the committee with their needs and resources via alternative means.
4. Tomaree Cemeteries Committee has not fulfilled their 2017 financial reporting requirements, and as such will not be paid the annual operating subsidy in July 2018.
5. Tomaree Education Complex Multi-Purpose Centre Committee is not paid the annual operating subsidy.
6. Council resolved to pay West Ward Sports Council an annual subsidy of \$18,000 as per Council resolution on 8 March 2016.

| ATTACHMENT 2 - 355c Committees Annual Financial Statements Spreadsheet for year ending 31 December 2017 | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------|-------------------|----------------------------------|---------------|--------------------|------------------|-------------------|---------------------|---------------|-------------------------|------------------|------------------|-------------------|---------------------------|--------------------------|-------------------|---------------------|-------------------------|------------------------|----------------------|------------------------------------|-------------------|
| Committee Name | Opening Balance | Income | | | | | Expenses | | | | | | Closing Balance | Less Outstanding Deposits | Plus Unpresented Cheques | Adjusted Balance | Investment Accounts | | | | | TOTAL FUNDS HELD |
| | | General Income | Grants (Other than from Council) | Interest | Funds from Council | GST | Costs | Payments to Council | Bank Charges | Project Costs / Capital | Other Expenses | GST | | | | | Opening Balance | Plus New Funds Invested | Plus Interest Received | Less Funds Withdrawn | Investments as at 31 December 2017 | |
| Anna Bay/Birubi Community Hall and Landcare Group | 11,383.43 | 4,055.20 | - | - | 3,500.00 | 455.29 | 1,585.09 | - | - | 1,420.00 | - | 205.88 | 15,933.54 | - | 220.50 | 16,154.04 | - | - | - | - | - | 15,933.54 |
| Boat Harbour Parks and Reserves Committee | 9,997.45 | - | - | 34.90 | 3,000.00 | - | 737.35 | 8,436.00 | - | - | - | 32.21 | 3,859.00 | - | - | 3,859.00 | - | - | - | - | - | 3,859.00 |
| Bobs Farm Hall Committee | 8,230.00 | 42.00 | - | - | 1,000.00 | 3.82 | 785.88 | 185.67 | 183.90 | - | - | 71.07 | 8,116.55 | - | - | 8,116.55 | - | - | - | - | - | 8,116.55 |
| Community Choir Committee | 5,691.28 | 995.00 | - | - | 1,000.00 | 89.18 | 2,005.00 | - | - | - | 5,681.28 | 181.64 | 0.00 | - | - | 0.00 | - | - | - | - | - | 0.00 |
| Corlette Headland and Hall Committee | 23,711.14 | 7,193.75 | - | 1.78 | 1,500.00 | 650.05 | 2,120.91 | 15,518.10 | 2.00 | - | 44.00 | 157.98 | 14,721.66 | - | - | 14,721.66 | - | - | - | - | - | 14,721.66 |
| Corlette Parks Reserves and Landcare Group | 1,770.75 | - | - | 0.71 | 9,500.00 | - | - | 5,377.50 | - | 1,040.99 | 804.52 | 78.05 | 4,048.45 | - | - | 4,048.45 | - | - | - | - | - | 4,048.45 |
| Fern Bay Community Centre Committee | 10,351.71 | 1,937.00 | - | - | 1,500.00 | 30.90 | 1,402.70 | - | - | - | - | 39.02 | 12,386.01 | - | - | 12,386.01 | - | - | - | - | - | 12,386.01 |
| Fingal Bay Parks and Reserves Committee | 7,063.12 | - | - | - | 3,000.00 | - | - | - | 3.50 | 548.85 | 101.86 | - | 9,408.91 | - | - | 9,408.91 | - | - | - | - | - | 9,408.91 |
| Hinton School of Arts Parks and Foreshore Committee | 27,709.83 | 970.00 | - | - | 1,060.00 | - | 1,307.47 | 10,573.87 | - | 15,232.80 | - | 1,503.65 | 2,625.69 | - | - | 2,625.69 | - | - | - | - | - | 2,625.69 |
| Karuah Community Hall Committee | 9,032.70 | 2,767.20 | - | - | 1,000.00 | 134.92 | 2,803.34 | - | - | - | - | 240.29 | 9,996.56 | - | - | 9,996.56 | - | - | - | - | - | 9,996.56 |
| Karuah Landcare Group | 14,865.64 | 2,000.00 | 1,000.00 | 50.94 | - | - | 6,890.89 | - | 2.00 | - | - | - | 11,023.69 | - | - | 11,023.69 | - | - | - | - | - | 11,023.69 |
| Lennon Tree Passage Old School Centre Committee | 18,607.07 | 7,845.74 | 175.50 | 4.38 | 1,000.00 | 692.84 | 4,473.42 | 13,288.00 | - | - | - | 343.08 | 9,871.27 | - | - | 9,871.27 | 3,766.57 | - | 75.33 | - | 3,841.90 | 13,713.17 |
| Lennon Tree Passage Parks Reserves and Landcare Group | 3,222.12 | - | - | - | 3,500.00 | - | 3,172.40 | 1,869.96 | 3.40 | - | - | 272.74 | 1,676.36 | - | - | 1,676.36 | - | - | - | - | - | 1,676.36 |
| Mallabula Community Centre Committee | 26,518.00 | 3,106.30 | - | 5.39 | 3,000.00 | 35.61 | 891.92 | 15,250.00 | - | - | 663.65 | 14.55 | 15,824.12 | - | - | 15,824.12 | 11,467.49 | - | 344.97 | - | 11,812.46 | 27,636.58 |
| Mallabula Parks and Reserves Committee | 3,152.23 | - | - | - | 1,500.00 | - | 54.00 | - | - | - | - | 4.90 | 4,598.23 | - | - | 4,598.23 | - | - | - | - | - | 4,598.23 |
| Mambo Wanda Wetlands Reserves and Landcare Committee | 8,640.01 | 801.27 | 1,198.73 | 2.17 | 1,500.00 | - | - | 386.68 | - | - | 1,586.18 | 95.75 | 10,169.32 | - | - | 10,169.32 | - | - | - | - | - | 10,169.32 |
| Medowie Community Centre Committee | 43,581.82 | 37,751.92 | - | 32.95 | 1,000.00 | 2,999.71 | 28,389.41 | 4,918.63 | - | 26,320.60 | - | 1,889.34 | 22,738.05 | - | - | 22,738.05 | - | - | - | - | - | 22,738.05 |
| Medowie Sports Council | 36,279.55 | 22,157.40 | - | 9.38 | 9,000.00 | 1,911.66 | 42,257.17 | 110.06 | - | - | 13.90 | 3,591.93 | 25,065.20 | - | - | 25,065.20 | 26,635.81 | - | 628.08 | - | 27,263.89 | 52,329.09 |
| Medowie Tidy Towns Committee | 5,516.57 | - | - | - | 2,500.00 | - | - | 3,083.46 | - | - | 577.46 | 80.05 | 4,355.65 | - | - | 4,355.65 | - | - | - | - | - | 4,355.65 |
| Nelson Bay Australia Day 355c Sub Committee | 15,069.66 | 1,200.00 | - | 1.37 | 14,146.71 | - | 14,234.96 | - | - | - | - | - | 16,182.78 | - | - | 16,182.78 | - | - | - | - | - | 16,182.78 |
| Nelson Bay Community Hall Committee | 17,893.50 | 27,094.80 | - | - | 1,000.00 | 1,393.62 | 15,534.66 | 2,767.15 | - | - | - | 461.50 | 27,686.49 | - | - | 27,686.49 | 15,000.00 | - | 405.55 | - | 15,405.55 | 43,092.04 |
| Nelson Bay West Landcare Committee | 4,427.61 | - | - | 0.57 | 3,500.00 | - | 126.93 | - | - | - | 162.44 | 10.17 | 7,638.81 | - | - | 7,638.81 | - | - | - | - | - | 7,638.81 |
| Port Stephens Native Flora Garden Committee | 2,169.00 | 430.00 | - | - | 1,500.00 | - | 924.87 | - | - | - | - | 54.28 | 3,174.13 | - | - | 3,174.13 | - | - | - | - | - | 3,174.13 |
| Port Stephens Sister Cities Committee | 1,878.81 | 940.00 | - | - | - | - | 2,052.87 | - | 2.00 | - | - | - | 763.94 | - | - | 763.94 | 19,431.32 | - | 245.65 | 3,252.99 | 16,423.98 | 17,187.92 |
| Raymond Terrace Parks Reserves and Tidy Towns Committee | 20,390.16 | - | - | 21.38 | 3,500.00 | - | 390.25 | - | 7.50 | - | 1,650.00 | 17.18 | 21,863.79 | - | - | 21,863.79 | - | - | - | - | - | 21,863.79 |
| Raymond Terrace Senior Citizens Hall Management Committee | 12,160.57 | 22,832.25 | - | - | - | 965.72 | 13,099.81 | 3,996.21 | - | - | 6,940.50 | 1,189.57 | 10,956.30 | - | 427.00 | 11,383.30 | 39,295.95 | - | 1,048.18 | - | 40,344.13 | 51,300.43 |
| Salt Ash Community Hall Park and Reserves Committee | 9,516.35 | 13,552.01 | - | 2.78 | 1,500.00 | 921.38 | 11,262.75 | - | - | - | - | 703.83 | 13,308.39 | - | - | 13,308.39 | - | - | - | - | - | 13,308.39 |
| Salt Ash Sports Ground Committee | 81,380.54 | 24,294.00 | - | 32.52 | 1,000.00 | 2,208.38 | 54,766.14 | 149.33 | - | - | - | 4,992.20 | 51,791.59 | - | - | 51,791.59 | - | - | - | - | - | 51,791.59 |
| Seaham Park and Wetlands Committee | 14,915.90 | - | - | 0.82 | 4,000.00 | - | 6,210.87 | - | 5.00 | 1,889.80 | - | 259.93 | 10,811.05 | - | - | 10,811.05 | - | - | - | - | - | 10,811.05 |
| Shoal Bay Beach Preservation Committee | 4,612.58 | 1,110.00 | - | - | 1,500.00 | - | 87.80 | - | 5.00 | 1,430.92 | - | 135.97 | 5,698.86 | - | - | 5,698.86 | - | - | - | - | - | 5,698.86 |
| Soldiers Point / Salamander Bay Landcare Group | 1,898.79 | 128.47 | - | - | 3,100.00 | 11.68 | - | - | - | - | 3,059.74 | 103.60 | 2,067.52 | - | - | 2,067.52 | 5,000.00 | - | 121.05 | - | 5,121.05 | 7,188.57 |
| Tanilba Bay Parks Reserves and Hall Committee | 11,067.77 | 3,588.95 | 11,000.00 | 3.00 | 3,500.00 | 1,348.80 | 6,658.59 | - | - | - | - | 92.49 | 22,501.13 | - | - | 22,501.13 | - | - | - | - | - | 22,501.13 |
| Tilligerry Landcare Group | 14,531.15 | - | - | 5.07 | 7,500.00 | - | 2,069.26 | 3,600.00 | - | - | 278.00 | 535.01 | 16,088.96 | - | - | 16,088.96 | - | - | - | - | - | 16,088.96 |
| Tilligerry Sports Council | 23,095.02 | 9,409.65 | - | 6.14 | 9,000.00 | - | 22,998.98 | - | - | - | - | - | 18,511.83 | - | - | 18,511.83 | - | - | - | - | - | 18,511.83 |
| Tomaree Cemeteries Committee | 4,012.42 | - | - | - | - | - | 501.75 | - | - | - | - | 45.61 | 3,510.67 | - | - | 3,510.67 | - | - | - | - | - | 3,510.67 |
| Tomaree Multi-Purpose Centre Management Committee | 19,020.22 | 4,200.00 | - | - | - | - | - | 300.00 | - | - | 1,070.65 | 21.24 | 21,849.57 | - | - | 21,849.57 | - | - | - | - | - | 21,849.57 |
| Tomaree Sports Council | 120,087.41 | 77,081.55 | - | 51.20 | 9,518.30 | 6,983.47 | 45,315.06 | 31,124.60 | - | 15,000.00 | - | 3,404.00 | 115,298.80 | - | - | 115,298.80 | 110,620.16 | - | 2,998.13 | - | 113,618.29 | 228,917.09 |
| West Ward Cemeteries Committee | 7,370.65 | - | 1,000.00 | 0.38 | - | - | - | 5,159.00 | 5.25 | - | 582.67 | 17.64 | 2,624.11 | - | - | 2,624.11 | - | - | - | - | - | 2,624.11 |
| West Ward Sports Council | 65,376.33 | 9,501.05 | - | 32.80 | 18,000.00 | - | 6,062.32 | - | - | 3,000.00 | - | - | 83,847.86 | - | - | 83,847.86 | - | - | - | - | - | 83,847.86 |
| Williamstown Hall Committee | 16,838.77 | 6,500.00 | - | - | 1,000.00 | 265.80 | 6,982.18 | 6,350.00 | 30.00 | - | - | 194.83 | 10,976.59 | - | - | 10,976.59 | - | - | - | - | - | 10,976.59 |
| Total | 743,037.63 | 293,485.51 | 14,374.23 | 300.63 | 132,325.01 | 21,102.83 | 308,157.00 | 132,444.22 | 249.55 | 65,883.96 | 23,216.85 | 21,041.18 | 653,571.43 | - | 647.50 | 654,218.93 | 231,217.30 | - | 5,866.94 | 3,252.99 | 233,831.25 | 887,402.68 |

ITEM NO. 3**FILE NO: 18/134660
RM8 REF NO: PSC2017-02842****2018 NATIONAL CONGRESS & BUSINESS EXPO - CANBERRA 22-24 AUGUST 2018****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the attendance of Mayor Ryan Palmer, Cr Glen Dunkley, Cr Sarah Smith and Cr Paul Le Mottee at the 2018 National Congress & Business Expo to be held in Canberra from 22 to 24 August 2018.
- 2) Allow a 'one off' increase of the conference allowance under the Policy for the Mayor and Councillors to attend the conference.

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|---|
| 227 | Councillor Paul Le Mottee Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the attendance of Mayor Ryan Palmer, Cr Glen Dunkley, Cr Sarah Smith and Cr Paul Le Mottee at the 2018 National Congress & Business Expo to be held in Canberra from 22 to 24 August 2018.2) Allow a 'one off' increase of the conference allowance under the Policy for the Mayor and Councillors to attend the conference. |
|------------|---|

BACKGROUND

The purpose of this report is to inform Council of the 2018 National Congress & Business Expo to be held in Canberra from 22 to 24 August 2018.

The conference is open to all Councillors.

As Councillors are aware of 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 Region.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|----------------------------------|---|
| Governance and Civic Leadership. | Provide strong civic leadership and government relations. |

FINANCIAL/RESOURCE IMPLICATIONS

The costs associated with registration, travel and accommodation will be covered from within the existing budget, subject to any individual Councillor not exceeding the conference budget limits in the Policy.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|------------------------|---------------|---------------------|------------------------------------|
| Existing budget | Yes | | Within existing Councillor budget. |
| 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 of the Hunter Region. Councillors' conference costs are limited to \$5,000 per year under the Policy excluding costs associated with attendance at the Local Government NSW annual conference.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|-------------------------------------|-----------------------------------|
| There is a risk that Port Stephens Council will not be represented on matters at the conference. | Low | That the recommendation be adopted. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Ensuring the local government area is well represented in all matters at the conference will benefit the Port Stephens Community. Information received will be distributed to the appropriate members of the community and relevant Council staff.

CONSULTATION

Nil.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) 2018 National Congress & Business Expo Program.

ITEM NO. 4**FILE NO: 18/146384
EDRMS NO: PSC2016-02968****PROCLAMATION OF THE HUNTER JOINT ORGANISATION****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the Proclamation of the Hunter Joint Organisation and the passage of the Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018.
 - 2) Note it be recorded that the legal name of the newly created entity is the 'Hunter Joint Organisation' and that such name will be used in future official correspondence.
-

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|---|
| 228 | Councillor Chris Doohan Councillor Glen Dunkley It was resolved that Council: <ol style="list-style-type: none">1) Note the Proclamation of the Hunter Joint Organisation and the passage of the Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018.2) Note it be recorded that the legal name of the newly created entity is the 'Hunter Joint Organisation' and that such name will be used in future official correspondence. |
|------------|---|

BACKGROUND

The purpose of this report is to advise Council that by Proclamation on 11 May 2018 the Hunter Joint Organisation was created.

As listed in the Proclamation, the members of the Hunter Joint Organisation are:

- Cessnock City Council;
- Dungog Shire Council;
- Lake Macquarie City Council;
- Maitland City Council;

- MidCoast Council;
- Muswellbrook Shire Council;
- Newcastle City Council;
- Port Stephens Council;
- Singleton Council;
- Upper Hunter Shire Council.

A map of the area covered by the Hunter Joint Organisation is noted at **(ATTACHMENT 1)**.

As a result of the 11 May 2018 Proclamation, the Hunter Joint Organisation is now a statutory authority under the *Local Government Act 1993*. To assist in the start-up processes of what are very different structures for local government in NSW, the *Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018* was passed.

The object of the *Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018* is:

- (a) to apply certain provisions of the Regulation to Joint Organisations and to modify the application of other provisions of the Regulation to Joint Organisations.
- (b) to require a Joint Organisation to include certain matters in its charter and to make the charter publicly available within 30 days of adoption of the charter.
- (c) to provide for matters relating to meetings of Joint Organisations.
- (d) to provide for the election of chairpersons of Joint Organisations.
- (e) to provide for the appointment of alternates for voting representatives on the boards of Joint Organisations and for the conduct of meetings other than in person.
- (f) to require a Joint Organisation to prepare a statement of strategic regional priorities, an annual revenue statement, an annual statement reporting on the implementation of its strategies and plans for delivery of those priorities and a policy concerning the payment of expenses.
- (g) to specify functions that may not be delegated by a Joint Organisation.
- (h) to provide for annual financial contributions and other contributions by member councils to Joint Organisations.
- (i) to provide for matters relating to the staff of Joint Organisations, including the appointment of first executive officers and staff entitlements on transfers between Joint Organisations or councils and Joint Organisations.
- (j) to exclude provisions conferring land acquisition powers and provisions relating to the determination of certain charges from applying to Joint Organisations.
- (k) to provide for other transitional and consequential matters.

First meeting of the Hunter Joint Organisation

The first meeting of the Hunter Joint Organisation took place in the Council Chamber at Maitland Town Hall on Thursday 28 June 2018.

What are Joint Organisations?

Joint organisations are new local government entities under the Local Government Act with legal powers to support councils to work together for better rural and regional outcomes. They are an important initiative to build stronger councils and improve service delivery and infrastructure across regional communities.

Legislative context

In 2017, amendments to the Local Government Act were passed to enable joint organisations to be established. These amendments also provided the basic operating framework for joint organisations. Regulations to support amendments to the Act have also been introduced. These Regulations are 'light touch' and provide flexibility for joint organisations to focus on core business and build organisations that reflect the unique characteristics of their region.

How will joint organisations operate?

The operation and priorities of each joint organisation are determined by a Joint Organisation board which comprises voting and non-voting representatives.

The voting members of a Joint Organisation are representatives of member councils. A NSW government employee nominated by the Secretary of the Department of Premier and Cabinet (DPC) also sits on each board as a non-voting representative. In the Hunter's case, the State Government representative is the Regional Director, Hunter, for DPC.

It is intended that Joint Organisations will 'elevate' the shared priorities of member councils' strategic plans, programs, priorities and policies and that they do so through focusing on three principal focus areas:

- Strategic planning and priority setting;
- Intergovernmental collaboration;
- Shared leadership and advocacy.

An important first step in this process will be identification of a series of annual Strategic Priorities.

This will be done through a consultation process with all member councils.

Joint Organisations are not another level of government

Joint Organisations exist as a mechanism to facilitate regional performance. The critical relationships that already exist, for example, between individual councils and State Government agencies, will continue and hopefully be strengthened through the support of the regional entity.

Joint Organisations across the State

As listed in the 11 May 2018 Proclamation, the Joint Organisations in New South Wales and their member councils (**ATTACHMENT 2**) are as follows:

| Joint organisation | Council areas forming joint organisation area |
|---|--|
| Canberra Region Joint Organisation | Bega Valley, Eurobodalla, Goulburn Mulwaree, Hilltops, Queanbeyan-Palerang Regional, Snowy Monaro Regional, Upper Lachlan Shire, Wingecarribee, Yass Valley |
| Central NSW Joint Organisation | Bathurst Regional, Blayney, Cabonne, Cowra, Forbes, Lachlan, Oberon, City of Orange, Parkes, Weddin |
| Hunter Joint Organisation | City of Cessnock, Dungog, City of Lake Macquarie, City of Maitland, Mid-Coast, Muswellbrook, City of Newcastle, Port Stephens, Singleton, Upper Hunter Shire |
| Illawarra Shoalhaven Joint Organisation | Kiama, City of Shellharbour, City of Shoalhaven, City of Wollongong |
| Mid North Coast Joint Organisation | Bellingen, Kempsey, Port Macquarie-Hastings |
| Namoi Joint Organisation | Gunnedah, Gwydir, Liverpool Plains, Tamworth Regional, Walcha |
| New England Joint Organisation | Armidale Regional, Glen Innes Severn Shire, Inverell, Moree Plains, Tenterfield, Uralla |
| Northern Rivers Joint Organisation | Ballina, Byron, Kyogle, City of Lismore, Richmond Valley, Tweed |

MINUTES ORDINARY COUNCIL - 24 JULY 2018

| Joint organisation | Council areas forming joint organisation area |
|--|---|
| Orana Joint Organisation | Cobar, Gilgandra, Mid-Western Regional, Narromine, Warrumbungle Shire |
| Riverina and Murray Joint Organisation | City of Albury, Berrigan, Edward River, Federation, City of Griffith, Hay, Leeton, Murray River, Murrumbidgee |
| Riverina Joint Organisation | Bland, Coolamon, Cootamundra-Gundagai Regional, Greater Hume Shire, Junee, Lockhart, Temora |

The Hunter Joint Organisation is by far the largest Joint Organisation in terms of regional population and the scope of services provided.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|----------------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

The government will provide up to \$3 million in seed funding to NSW Joint Organisations to support their establishment. The government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisations, with maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|---------------|---------------------|----------------|
| Existing budget | Yes | | |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed Joint Organisation (JO) model is generally consistent with the operation of Hunter Councils and Pilot Hunter JO and the regionally cooperative approach undertaken by Council.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|--|-----------------------------------|
| There is a risk that the JO model will fail to meet stated objectives and outcomes. | Low | Participation in the Pilot Hunter Councils JO has demonstrated a workable model. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability issues identified.

CONSULTATION

Consultation with key stakeholders has been undertaken.

Internal

- Mayor, Councillors and General Manager.

External

- Hunter Councils.

OPTIONS

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

ATTACHMENTS

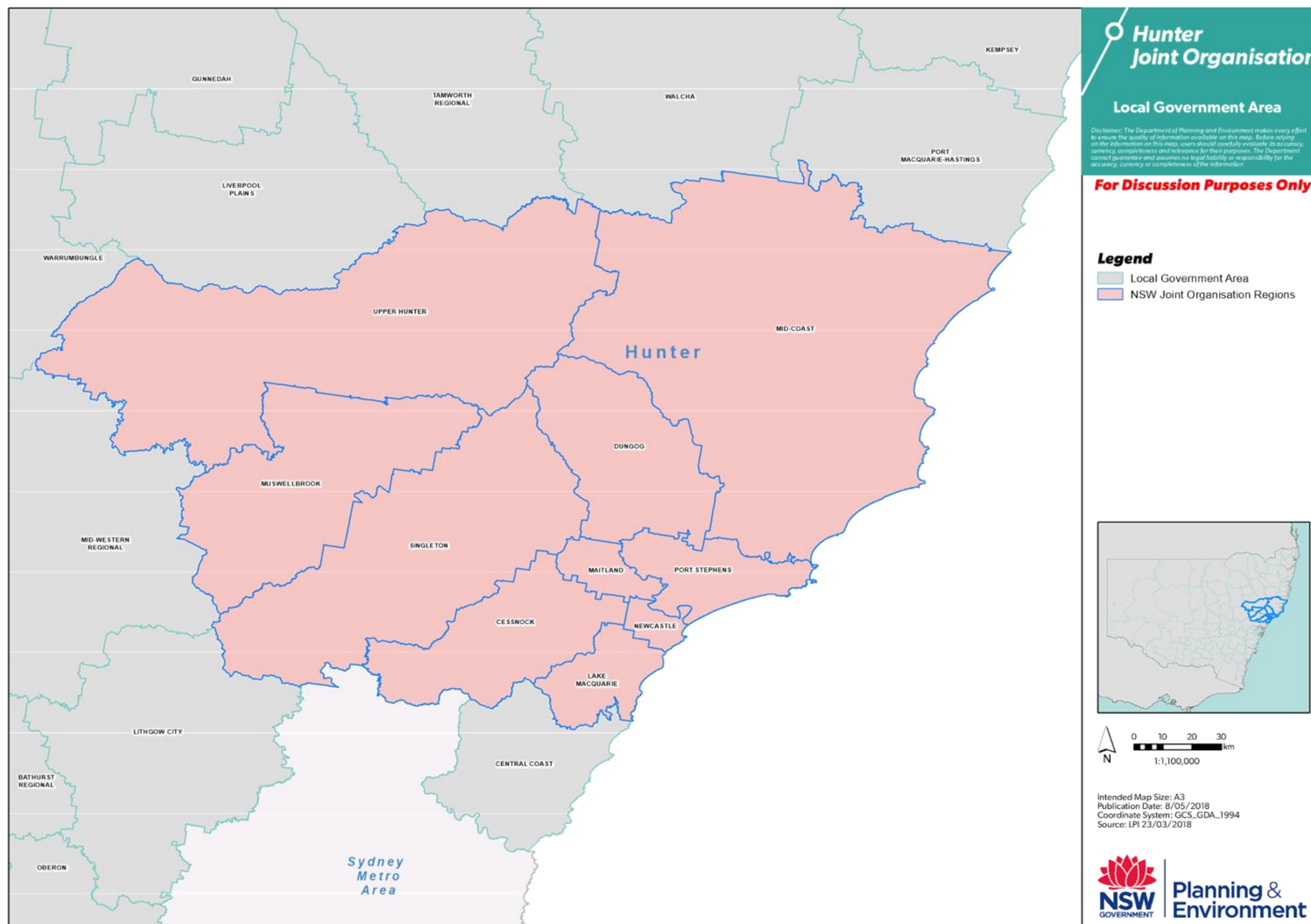
- 1) Map Hunter Joint Organisation.
- 2) Map Hunter Joint Organisation Regions.

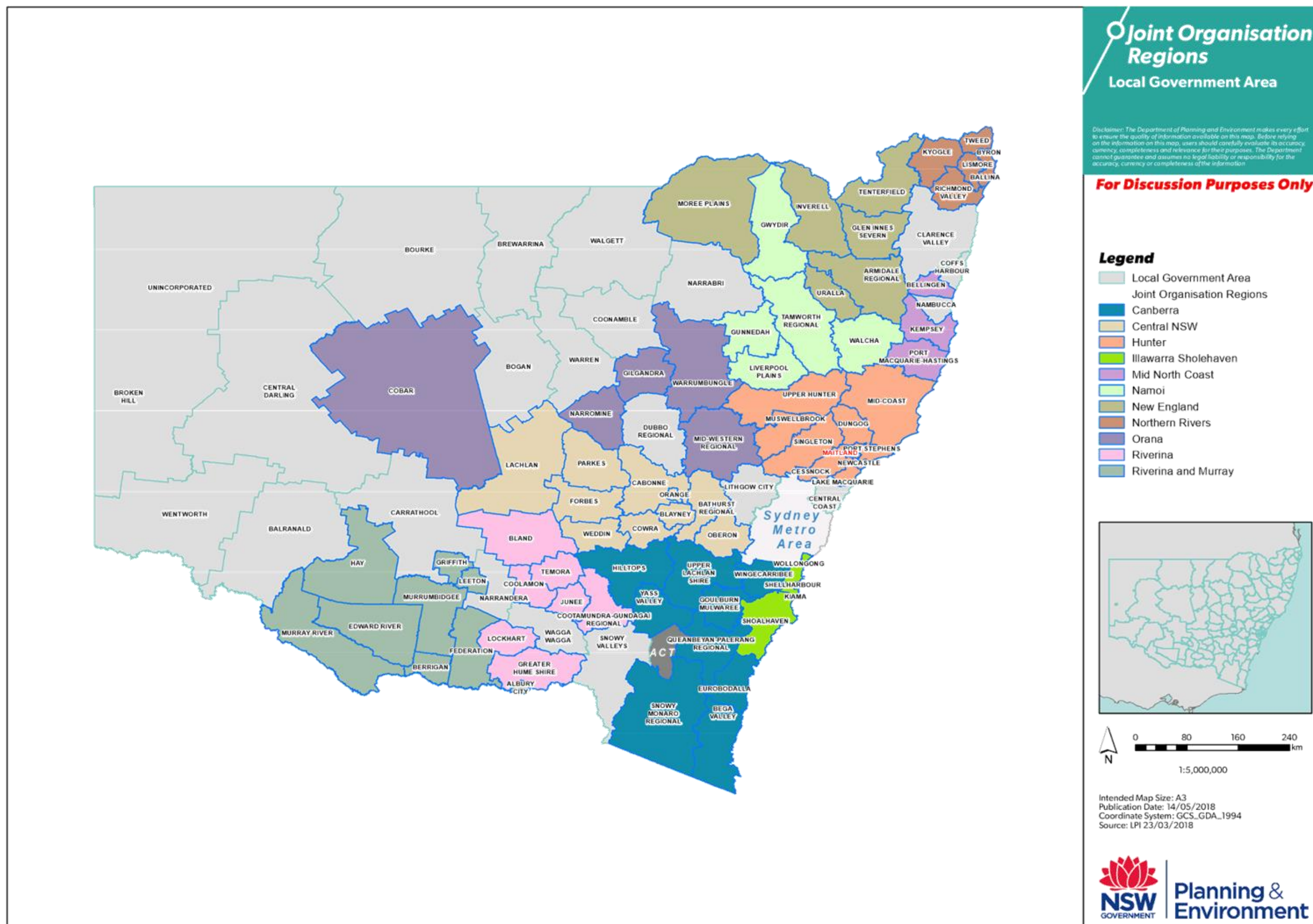
COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.





ITEM NO. 5**FILE NO: 18/146407
EDRMS NO: PSC2016-02968****ELECTION OF CHAIRPERSON OF THE HUNTER JOINT ORGANISATION****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the information report on the election of the inaugural Chairperson of the Hunter Joint Organisation.

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|--|
| 229 | Councillor Paul Le Mottee Councillor Jaimie Abbott It was resolved that Council receive and note the information report on the election of the inaugural Chairperson of the Hunter Joint Organisation. |
|------------|--|

BACKGROUND

The purpose of this report is to inform Council of the first important step for the Hunter Joint Organisation which was the election of its first Chairperson.

The *Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018* identified the processes by which the election could be undertaken and mandated that the Board elect a chairperson from among the voting representatives of the Joint Organisation Board. In the Hunter the voting members of the Board are the Mayors of the Member Councils.

The election process was overseen by a Returning Officer – in our region's case the General Manager of Maitland City Council – who was appointed by the CEO of the Office of Local Government for that purpose.

The voting representatives were:

| | |
|-----------------|---------------------|
| Cessnock: | Mayor Bob Pynsent |
| Dungog: | Mayor Tracy Norman |
| Lake Macquarie: | Mayor Kay Fraser |
| Maitland: | Mayor Loretta Baker |
| MidCoast: | Mayor David West |

MINUTES ORDINARY COUNCIL - 24 JULY 2018

Muswellbrook: Mayor Martin Rush
Newcastle: Lord Mayor Nuatali Nelmes
Port Stephens: Mayor Ryan Palmer
Singleton: Mayor Sue Moore
Upper Hunter: Mayor Wayne Bedggood

Only one nomination for the position of Chairperson was received – that of the Mayor of Cessnock, Cr Bob Pynsent. Cr Pynsent was duly elected unanimously as the Hunter Joint Organisation's inaugural Chairperson.

The Board determined that an election process for the position of Deputy Chairperson would not take place.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|---------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

The government will provide up to \$3 million in seed funding to NSW Joint Organisations to support their establishment. The government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisation, will maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|--------|--------------|---------|
| Existing budget | Yes | | |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed Joint Organisation (JO) model is generally consistent with the operation of Hunter Councils and Pilot Hunter JO and the regionally cooperative approach undertaken by Council.

MINUTES ORDINARY COUNCIL - 24 JULY 2018

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|--------------------------------|--|---|
| There is a risk that the JO model will fail to meet stated objectives and outcomes. | Low | Participation in the Pilot Hunter Councils JO has demonstrated a workable model. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability issues identified.

CONSULTATION

Consultation with key stakeholders has been undertaken.

Internal

- Mayor, Councillors and General Manager.

External

- Hunter Councils.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 6**FILE NO: 18/146431
EDRMS NO: PSC2016-02968****CHARTER OF THE HUNTER JOINT ORGANISATION****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Hunter Joint Organisation Draft Charter as presented and advise the Hunter Joint Organisation accordingly.

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|--|
| 230 | Councillor Chris Doohan Councillor Steve Tucker It was resolved that Council: <ol style="list-style-type: none">1) Endorse the Hunter Joint Organisation Draft Charter as presented and advise the Hunter Joint Organisation accordingly.2) Appoint the Deputy Mayor as the alternate Voting Representative in the absence of the Mayor, in accordance with clause 5.1 of the Hunter Joint Organisation Charter. |
|------------|--|

BACKGROUND

The *Local Government Act 1993* – and specifically section 8 of the Act – sets out the roles and responsibilities (commonly known as the Principles for Local Government) of local councils in New South Wales.

The *Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018* requires that Joint Organisation prepare a Charter and that they consult with their member councils prior to its adoption. To assist in this process a Joint Organisation Charter template was developed as a guideline. Joint organisations may alternatively prepare a different Charter provided that their Charter still meets legislative requirements.

There are relatively few prescribed elements for a Joint Organisation Charter under the Act and Regulation.

These include:

- Operational principles for the joint organisation;
- Governance principles for the joint organisation;
- A methodology for determining annual financial contributions to the joint organisation by member councils.

Once adopted in final form the Joint Organisation Charter must be made publicly available on a website administered by the Joint Organisation within 30 days of its adoption.

A draft Charter was considered and adopted for consultation by the Board of the Hunter Joint Organisation at its 28 June 2018 meeting. The draft is relatively straightforward and largely conforms to the layout and intent of the template provided by the Office of Local Government.

In regard to the draft:

1. Voting membership has been limited to the Mayor of each member Council.
2. Non-voting membership of the Board has been provided to member Council General Managers/CEOs. This has been included to facilitate the active involvement of General Managers in the business of Board Meetings (legislation applying to Joint Organisations requires that the State Government representative on the Board is a non-voting member).
3. Alternates to Board Members have not been included.

Other critical components include:

2.1 Vision and principles

The Draft Charter identifies a series of strategic approaches that will guide the Joint Organisation's endeavours:

Research and analysis

Developing and communicating a strong evidence base for planning and advocacy

Knowledge and learning

Sharing best practice and capacity building approaches to operations and service delivery for the benefit of all member councils

Foresight and direction

Planning together for agreed regional priorities and outcomes in close collaboration with partners

Joint action

Taking action on areas where we can make a real difference for the region's communities Voice and impact, providing a strong and united voice which advocates for the needs and interests of the region

2.2 Principal functions

The Draft Charter focuses on the three core areas identified in the legislation as being central to the operation of Joint Organisations:

- Establish strategic regional priorities for the Joint Organisation area and develop strategies and plans for delivering these priorities;
- Provide regional leadership for the Joint Organisation area and to be an advocate for strategic regional priorities;
- Identify and take up opportunities for intergovernmental cooperation on matters relating to the Joint Organisation area.

Joint Organisations are also able to undertake a range of other activities including, where considered appropriate by member Councils, functions delegated to them by those Members.

The Draft Charter of the Hunter Joint Organisation identifies that additional roles could be carried out. Such roles are not, however, accorded a priority given the importance of the core functions to our region.

Consultation with member Councils

A copy of the Draft Charter (**ATTACHMENT 1**) is attached for the information of councillors.

The Joint Organisation will consider any feedback received from member Councils at its 9 August 2018 meeting.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|----------------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

The government will provide up to \$3 million in seed funding to NSW Joint Organisations to support their establishment. The government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisation, will maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|---------------|---------------------|----------------|
| Existing budget | Yes | | |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed Joint Organisation (JO) model is generally consistent with the operation of Hunter Councils and Pilot Hunter JO and the regionally cooperative approach undertaken by Council.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|--|-----------------------------------|
| There is a risk that the JO model will fail to meet stated objectives and outcomes. | Low | Participation in the Pilot Hunter Councils JO has demonstrated a workable model. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability issues identified.

CONSULTATION

Consultation with key stakeholders has been undertaken.

Internal

- Mayor, Councillors and General Manager.

External

- Hunter Councils.

OPTIONS

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

ATTACHMENTS

- 1) Draft Charter Hunter Joint Organisation.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Hunter Joint Organisation

DRAFT CHARTER

1. Introduction

1.1 Name and legal status

The name of the Organisation is Hunter Joint Organisation.

The Organisation is a body corporate established on 11 May 2018 by proclamation under Part 7 Chapter 12 of the Local Government Act 1993.

1.2 Interpretation

This Charter is to be interpreted in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005 and the Interpretation Act 1987.

1.3 Definitions

The following definitions apply in this Charter:

Act means the Local Government Act 1993.

Associate Member means those councils and other organisations that are members of the Organisation by virtue of clause 3.2 of this Charter.

Board means the Joint Organisation board, consisting of the mayors of each member council, any additional voting representatives of these member councils appointed under section 400T of the Act and any other non-voting representatives who may attend, but are not entitled to vote at, a meeting.

Charter means this document, outlining the operational and governance principles for the Joint Organisation and any other agreed matters, consistent with the Act and other laws.

Chairperson means the person, who is a mayor, elected to the office of chairperson by the voting representatives on the board from among the voting representatives who are mayor.

Councillor means a person elected or appointed to civic office and includes a Mayor.

Executive Officer means the person employed by the Joint Organisation to conduct the day-to-day management of the Joint Organisation in accordance with strategic regional priorities and other plans, programs, strategies and policies of the Joint Organisation and to implement without delay the lawful decisions of the Joint Organisation.

General Manager / Chief Executive Officer means the person employed by a council to conduct the day-to-day management of the council in accordance with strategic plans, programs, strategies and policies of the council and to implement without delay the lawful decisions of the council.

Member Councils means the councils proclaimed under the Act to be the members of the Organisation.

Mayor means the mayor of a Member Council.

Non-Voting Representative means the chosen representative of a non-voting member of the board (sometimes called an 'associate member').

This includes:

- An employee of the Public Service nominated by the Secretary, Department of Premier and Cabinet
- The General Manager / Chief Executive Officer of a member Council
- Any other individual or representative of a council or other organisation invited by the board to represent a non-voting member of the board, and
- Any other person or a member of a class of persons prescribed by the Regulation.

Organisation means Hunter Joint Organisation.

Principal Functions means the functions set out in clause 2.2 of this Charter or as otherwise prescribed by the Act or Regulations.

Regulations means the Local Government (General) Regulation 2005, Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018 and such other Regulations as may from time to time apply to the Joint Organisation.

Supplementary Functions means the functions approved by the Board under clause 2.3 of this Charter.

1.3 Adopting the Charter

This charter, in the form originally adopted by the Board, was approved in consultation with member councils.

This Charter was adopted by the Board on [date]

1.4 Amending the Charter

This Charter may be amended from time to time by Special Resolution.

2. Establishment

2.1 Vision and principles

The vision of the Organisation is set from time to time by the Board to reflect the collective regional priorities and aspirations of its Member Councils. The following strategic approaches

will guide the Joint Organisation's endeavours:

Research and analysis

Developing and communicating a strong evidence base for planning and advocacy

Knowledge and learning

Sharing best practice and capacity building approaches to operations and service delivery for the benefit of all member councils

Foresight and direction

Planning together for agreed regional priorities and outcomes in close collaboration with partners

Joint action

Taking action on areas where we can make a real difference for the region's communities
Voice and impact Providing a strong and united voice which advocates for the needs and interests of the region

2.2 Principal functions

The principal functions of the Hunter Joint Organisation will be to:

- establish strategic regional priorities for the Joint Organisation area and develop strategies and plans for delivering these priorities
- provide regional leadership for the Joint Organisation area and to be an advocate for strategic regional priorities
- identify and take up opportunities for intergovernmental cooperation on matters relating to the Joint Organisation area.

2.3 Other functions

The Organisation may perform functions, supplementary or ancillary to its Primary Functions, if:

- the objective of undertaking those functions is to provide support for the operations of its Member Councils aimed at strengthening local government in its Joint Organisation area; and
- the scope, operational principles and business plan for those Supplementary Functions is approved by a Special Resolution of the Board.

3. Membership

3.1 Member Councils

The Member Councils of the Organisation as at the date of its establishment are:

- Cessnock City Council

- Dungog Shire Council
- Lake Macquarie City Council
- Maitland City Council
- MidCoast Council
- Muswellbrook Shire Council
- Newcastle City Council
- Port Stephens Council
- Singleton Council
- Upper Hunter Shire Council.

3.2 Associate Members

There are no Associate Members of the Joint Organisation.

3.3 Additions to membership

An additional council may become a Member Council if:

1. It applies in writing the Organisation to become a Member Council pursuant to a resolution to that effect by its governing body;
2. It is approved as a Member Council by [Special Resolution of] the Board; and
3. The proclamation establishing the Organisation is amended to include the additional Member Council and the area of the Organisation is extended to include the local government area of that council.

3.4 Withdrawal as a Member

A Member Council may withdraw as a Member Council of the Organisation if:

1. It has given 12 months' notice in writing to the Organisation to withdraw as a Member Council pursuant to a resolution to that effect by its governing body; and
2. The proclamation establishing the Organisation is amended to remove the Member Council and the area of the Organisation is amended to excise the local government area of that council.

An Associate Member:

1. may withdraw as an Associate Member on giving [6 months] notice in writing to the Organisation; and
2. may be removed as an Associate Member by Special Resolution of the Joint Organisation Board.

4. Financial Contributions

1. The quantum of any annual financial contribution required to be made by each Member Council to the Joint Organisation is to be determined on an annual basis and is to be

predicated on equal contributions from Member Councils no matter their size, population base or resourcing

2. The annual financial contribution required to be made by each Associate Member is to be based on a methodology adopted by the Board
3. Notwithstanding points 1 and 2 above, the Board may resolve to rebate council contributions either through the resources of the Joint Organisation or those of a related entity.

5. The Board

5.1 Membership of the Board

The Board consists of:

- the Mayors of each Member Council, who are the Voting Representatives (or a replacement Councillor of a Member Council if the Mayor is removed from office as a Voting Representative by the Minister under the Act)
- the alternate for a Voting Representative while acting, by formal resolution of a Member Council, in the place of the Voting Representative, and
- the Non-Voting Representatives appointed under clause 5.2.

5.2 Non-voting representatives

The following persons are Non-Voting Representatives on the Board:

- an employee of the public service nominated by the Secretary of the Department of Premier and Cabinet
- General Managers / Chief Executive Officers of Member Councils, and
- any other person or a member of a class of persons prescribed by the Regulations.

Non-Voting Representatives may attend and speak at meetings of the Board but may not move, second, amend or vote on motions.

The following persons may attend meetings of the Board in an advisory capacity and may be members of committees established by the Board:

- the Joint Organisation Chief Executive Officer.

6. Powers of the Board

Except as otherwise required by the Act, any other applicable law or this Charter, the Board:

1. has power to direct and control the affairs of the Organisation in carrying out its functions, in consultation with the Joint Organisation Chief Executive Officer, and
2. may exercise every right, power or capacity of the Organisation.

7. Exercise of powers

A power of the Board can be exercised only:

1. by resolution passed at a meeting of the Board; or
2. in accordance with a delegation of the power under clause 4.5

8. Power to delegate

1. The Board may delegate any of its powers.
2. The Board may revoke a delegation previously made whether or not the delegation is expressed to be for a specified period.

A delegation of powers may be made:

1. to the Joint Organisation Chief Executive Officer, to a committee established under clause 4.9, to a Member Council or to any other person or body;
2. for a specified period or without specifying a period; and
3. on the terms (including power to further delegate) and subject to any restrictions the Board decides.

9. Acceptance of delegations

The Organisation may not accept the delegation to it by a Member Council of a function of that Member Council except in accordance with the terms and conditions set out in a Special Resolution.

10. Chairperson and Deputy Chairperson

1. The Chairperson is to be elected from amongst the Voting Representatives who are Mayors and will hold office in accordance with the Act and Regulations.
2. The Chairperson while acting as such:
 - (i) has a deliberative vote, and
 - (ii) does not have a casting vote.
3. The Board may elect a Deputy Chairperson from amongst the Voting Representatives who are Mayors following the election of the Chairperson, to hold office for the term of the Chairperson.
4. In the absence of the Chairperson, the voting representatives at the meeting of the Board are to determine which of their number is to preside at the meeting. The representative thus elected does not have a casting vote.

11. (Chief) Executive Officer

The Board must appoint a (Chief) Executive Officer in accordance with the Act and Regulations.

12. Committees

For the purpose of carrying out its functions, the Organisation may by resolution of the Board establish:

- standing committees or divisions within the Organisation
- ad hoc advisory committees, and
- working groups

and determine their membership and terms of reference.

12.1 Permanent Standing Committee

A permanent standing committee be established constituted by a representative of each of the five lower Hunter councils to oversee the development and implementation of the Greater Newcastle Metropolitan Plan including establishing a charter and / or terms of reference with the Departments of Premier and Cabinet and Planning and Environment

13. Common seal

1. The Board may decide whether or not the Organisation has a common seal.
2. The common seal may only be used with the authority of the Board.
3. The fixing of the common seal to a document must be witnessed:
 - by two Voting Representatives; or
 - by one Voting Representative and the Joint Organisation Chief Executive Officer.

14. MEETINGS**14.1 Meeting frequency**

The Board will meet:

- at least once in each quarter on such date and at such place and time as the Board decides; and
- at such other times as the Chairperson may decide.

14.2 Use of technology

1. A Board meeting may be held using any means of audio or audio visual communication by which each Board member participating can hear and be heard by each other Board member participating. A Board meeting held solely or partly by technology is treated as held at the place at which the greatest number of the Board members is present or, if an equal number of Board members is located in each of two or more places, at the place where the Chairperson of the meeting is located.
2. The proceedings of Board Meetings will be recorded for the purpose of the taking of minutes.

14.3 Quorum

The quorum for a meeting of the board is a majority of voting representatives entitled to vote under the Joint Organisation charter.

No business may be transacted at a meeting of the Board without a quorum being present at the time the business is transacted.

14.4 Voting and Decision Making

1. Each Member Council has one vote at a meeting of the Board.
2. A decision of the board supported by a majority at which a quorum is present is a decision of the Hunter Joint Organisation.
3. A motion at a meeting of the board is taken to be defeated if:
 - in the case of an Ordinary Resolution, an equal number of votes is cast for and against a resolution, and
 - in the case of a Special Resolution, if less than 75% of the votes cast are in favour of it.
3. Unless otherwise stated in this Charter, all decisions of the Board are to be made by Ordinary Resolution.

15. Annual General Meeting

An Annual General Meeting is to be held by the end of November in each calendar year.

16. Consultation and publication

The Hunter Joint Organisation will consult with all members in preparing the following documents required under the Act and will publish the adopted versions on the Joint Organisation website:

- statement of Strategic Regional Priorities
- annual revenue statement
- audited financial reports.

The Hunter Joint Organisation will also publish an annual performance statement on its website.

17. Records

The Hunter Joint Organisation will keep records and provide access to information in accordance with all relevant legislation.

Contact details for the public officer of the Joint Organisation are available on our website.

18. Indemnity and Insurance**18.1 Indemnity**

1. Subject to and so far as permitted by the Act and any other applicable law the Organisation must indemnify every member of the Board and the staff of the Organisation against any Liability incurred as such, unless the Liability arises out of conduct involving a lack of good faith.
2. This indemnity is a continuing indemnity. It applies in respect of all acts done by a person while a member of the Board or the staff of the Organisation even though the person is not member of the Board or the staff of the Organisation at the time the claim is made.
3. In this clause, Liability means a liability of any kind (whether actual or contingent and whether fixed or unascertained) and includes costs, damages and expenses, including costs and expenses incurred in connection with any investigation or inquiry by a government agency or a liquidator.

19.2 Insurance

Subject to the Act and any other applicable law, the Organisation may enter into, and pay premiums on, a contract of insurance in respect of any person.

19.3 Liability on winding up

The liability of a Member Council or an Associate Member to contribute towards the payment of the debts and liabilities of the Organisation or the costs, charges and expenses of the winding up of the Organisation is limited to the amount, if any, unpaid by the Member Council or Associate Member in respect of the financial contributions required by clause 4 in this Charter.

20. Policies

The Hunter Joint Organisation has adopted the following policies:

- Expenses and Facilities Policy
- Code of Meeting Practice, and
- Code of Conduct

Further policies may be adopted by the board from time to time and will be published on the Joint Organisation's website.

ITEM NO. 7**FILE NO: 18/146455
EDRMS NO: PSC2016-02968****DRAFT EXPENSES AND FACILITIES POLICY OF THE HUNTER JOINT ORGANISATION****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Hunter Joint Organisation Draft Expenses and Facilities policy as presented and advise the Hunter Joint Organisation accordingly.
-

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|--|
| 231 | Councillor Paul Le Mottee Councillor Chris Doohan It was resolved that Council endorse the Hunter Joint Organisation Draft Expenses and Facilities policy as presented and advise the Hunter Joint Organisation accordingly. |
|------------|--|

BACKGROUND

The purpose of this report is seek Council feedback on the Hunter Joint Organisation's draft Expenses and Facilities policy.

All Joint Organisations must, in consultation with their member councils, adopt a policy for payment of expenses and the provision of facilities to board members who are voting representatives on the Joint Organisation Board.

The adopted policy must comply with the Office of Local Government's Guidelines for the payment of expenses and the provision of facilities for mayors and councillors in NSW and should be designed to complement and supplement the expenses and facilities policies of Member Councils.

Because membership of the board of a Joint Organisation arises from a board member's role as Mayor (or in the case of any alternate or additional voting representatives such as the Deputy Mayor), the exercise of functions as board members in effect forms part of the exercise of the function which gave rise to the Board membership. This means that many of the expenses incurred by board members (e.g. travel expenses incurred to attend board meetings) may be

MINUTES ORDINARY COUNCIL - 24 JULY 2018

recoverable under member council expenses and facilities policies or through the provision of a Member Council funded vehicle.

The Hunter Joint Organisations' expenses and facilities policies has therefore been framed with this in mind and is designed to cover any needs associated with the exercise by board members and chairpersons of their Joint Organisation functions that are not otherwise covered under their member council expenses and facilities policies. The Draft Policy contains provisions to prevent 'double dipping' and makes clear that board members are not entitled to make a claim under the Joint Organisation's expenses and facilities policy where the claim has been covered under a member council policy and vice versa.

The Hunter Joint Organisation is now seeking feedback on the Draft Expenses and Facilities Policy (**ATTACHMENT 1**) prior to considering its formal adoption at the Joint Organisation's 9 August 2018 meeting.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|---------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

The government will provide up to \$3 million in seed funding to NSW Joint Organisations to support their establishment. The government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisation, will maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|--------|--------------|---------|
| Existing budget | Yes | | |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed Joint Organisation (JO) model is generally consistent with the operation of Hunter Councils and Pilot Hunter JO and the regionally cooperative approach undertaken by Council.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|--------------------------------|--|---|
| There is a risk that the JO model will fail to meet stated objectives and outcomes. | Low | Participation in the Pilot Hunter Councils JO has demonstrated a workable model. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability issues identified.

CONSULTATION

Consultation with key stakeholders has been undertaken.

Internal

- Mayor, Councillors and General Manager.

External

- Hunter Councils.

OPTIONS

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

ATTACHMENTS

- 1) Draft Expenses and Facilities Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.



DRAFT EXPENSES AND FACILITIES POLICY

Preamble

All joint organisations must, in consultation with their member councils, adopt a policy for payment of expenses and the provision of facilities to board members who are voting representatives on the Joint Organisation Board.

The adopted policy must comply with the Office of Local Government's Guidelines for the payment of expenses and the provision of facilities for mayors and councillors in NSW and should be designed to complement and supplement the expenses and facilities policies of Member Councils.

Because membership of the board of a Joint Organisation arises from a board member's role as Mayor (or in the case of any alternate or additional voting representatives such as the Deputy Mayor), the exercise of functions as board members in effect forms part of the exercise of the function which gave rise to the Board membership. This means that many of the expenses incurred by board members (e.g. travel expenses incurred to attend board meetings) may be recoverable under member council expenses and facilities policies or through the provision of a Member Council funded vehicle.

The Hunter Joint Organisation's expenses and facilities policy is therefore framed with this in mind and is designed to cover any needs associated with the exercise by board members and chairpersons of Joint Organisation functions that are not otherwise covered under their Member Council expenses and facilities policy. The policy therefore contains provisions to prevent "double dipping" and board members are not entitled to make a claim under the Joint Organisation's expenses and facilities policy where the claim has been covered under a member council policy and vice versa.

Provisions

1. EXPENSES

(a) Conferences, Seminars and other Board approved activities:

The Joint Organisation will directly fund all costs associated with attendance at Conferences, Seminars and other activities when such attendance has received the prior approval of the Board.

Costs met by the Joint Organisation will include:

- (i) Conference / Seminar Registration fees including costs associated with official luncheons, dinners and tours relevant to the conference.

ITEM 7 - ATTACHMENT 1 DRAFT EXPENSES AND FACILITIES POLICY.

- (ii) Accommodation costs including breakfast, lunch and dinner unless such costs are included in any activity registration fee.
- (iii) Reasonable land line telephone costs during the duration of a Conference / Seminar / other approved activity.
- (iv) Accommodation, where necessary, for the night before or after a Conference / Seminar / other approved activity.
- (v) Accommodation expenses associated with the attendance of a spouse/partner at a Conference / Seminar / other approved activity when such attendance has been approved by the Board and generates a fee over and above a single room rate. Accommodation expenses will include breakfast and attendance in Conference Dinners and other such events where such events are an integral part of the Conference / Seminar / other approved activity.
- (vi) Accommodation, Conference, Seminar and other approved activities bookings / registrations and travel arrangements (if involving other than in a Board Member's member council supplied vehicle+ will be made by the Joint Organisation and in the name of the Joint Organisation. Payments will be made by corporate credit card or direct deposit.

Costs not met by the Joint Organisation during attendance at Conferences, Seminars and other Board approved activities will include:

- (i) Mini bar expenses and other, one-off personal purchases.

(b) Travel Expenses

- (i) Board Members must cover their own costs for accommodation and travel to and from meetings of the Joint Organisation Board and its Committees.
- (ii) Board Members must cover their own travel costs to a Conference / Seminar / other approved activity unless the venue for such an activity requires travel by air.
- (iii) Travel by air to an approved Conference, Seminar and other approved activity will be booked and paid for by the Joint Organisation and will be by economy class.

2. FACILITIES

(a) Voting Members

Voting Members of the Board of the Joint Organisation are to receive the benefit of the following Joint Organisation facilities:

- (i) Meals and refreshments associated with Joint Organisation Committee and Working Parties / Special Committee meetings.
- (ii) Meeting facilities for Joint Organisation, Committee and Working Parties / Special Committee meetings.
- (iii) Photocopying facilities at the Joint Organisation's offices for official purposes.

(b) Chairperson

In addition to those facilities provided to Board Members, the Chairperson is to receive the benefit of:

- (i) Word processing and administrative support provided by the Chief Executive Officer
- (ii) Assistance with functions, organisation, meetings and the like for official purposes.

(c) In addition to those facilities provided to the Members, a Deputy Chairperson (if appointed) is to receive the benefits of the Chairperson when acting in the office of Joint Organisation Chairperson

3. EXPENDITURE COVERED BY A MEMBER COUNCIL EXPENSES AND FACILITIES POLICY

The Hunter Joint Organisation Expenses and Facilities Policy does not cover items already addressed by a Member Council Expenses and Facilities Policy. No double payment of claims (either at a council or Joint Organisation level) should be sought or will be made.

4. DISPUTE RESOLUTION

The Chairperson, the Deputy Chairperson (if one is appointed and when a claim is made by the Chairperson) and the Chief Executive Officer will be responsible for determining whether any claims in relation to the Policy are reasonable and within the guidelines set. Any Board Member dissatisfied with a determination received can request the matter be submitted to the Joint Organisation Board for consideration.

5. NON-VOTING MEMBERS

The Hunter Joint Organisation Expenses and Facilities Policy will apply to non-voting members of the Board as if they are voting members.

ITEM NO. 8**FILE NO: 18/146507
EDRMS NO: PSC2016-02968****DRAFT BUDGET 2018-2019 OF THE HUNTER JOINT ORGANISATION****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the information regarding the draft budget 2018-2019 of the Hunter Joint Organisation.

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|--|
| 232 | Councillor Glen Dunkley Councillor Chris Doohan It was resolved that Council note the information regarding the draft budget 2018-2019 of the Hunter Joint Organisation. |
|------------|--|

BACKGROUND

The purpose of this report is inform Council that a draft consolidated Budget 2018-2019 (**ATTACHMENT 1**) for the Hunter Councils group of corporate entities was included in the business paper of the 12 April 2018 meeting of the Board of the Hunter Trial Joint Organisation. The timing of the presentation of the draft consolidated budget was in accord with the provisions of the Constitution of Hunter Councils Inc. (which housed the Hunter Trial Joint Organisation) and its content was consistent with the long-standing policy position of Hunter Councils Inc. that no member council contributions be sought to fund the ongoing core strategic activities of the entity.

As a result of discussion at the meeting in regard to the draft consolidated budget and, separately, in regard to matters of staffing and resourcing a number of themes/requirements emerged which necessitated a fundamental reassessment of the consolidated budget and its parameters.

These themes / requirements included but were not limited to:

1. A decision to increase the strategic capacity of the Joint Organisation through recruitment of a new CEO and the engagement of additional staff resources (such staffing changes to take effect from the beginning of 2019), and

2. Consideration of the reintroduction of general member Council contributions to help fund the core activities of the Joint Organisation following its formal commencement

As a result of the above a range of budgetary scenarios was investigated and developed. These scenarios were reviewed at a meeting of the General Managers Advisory Committee in May 2018 and led to the final Draft Budget presented to the Joint Organisation Board on 28 June 2018.

Moving towards the reintroduction of member Council core funding contributions

Discussion at the 12 April 2018 Trial Joint Organisation Board Meeting and subsequently at a meeting of the Board of Hunter Councils Inc. on 14 June 2018 turned to the possibility of the reintroduction of member Council core funding contributions.

In the 2004-2005 financial year the full and associate members of Hunter Councils provided funds of \$725,673 to assist in the operation of the regional entity. This funding contribution supported on-going central administration as well as dedicated programs such as environmental programs with the largest single council contribution being provided by Newcastle City Council (\$112,214) and the smallest from the then Gloucester Shire Council (\$24,471).

As a result of the introduction of commercial activities through Strategic Services Australia Ltd the range of services by the then Hunter Councils Inc. expanded rapidly while at the same time member council contributions were reduced and, for central/strategic purposes, eliminated.

A measure of the success of the commercial operations is the fact that in the last 10 years they contributed over \$7 million to regional strategic initiatives.

As directed by the Board at its April 2018 Meeting, the matter of budgets was referred to the Council General Managers. The General Managers reviewed and endorsed for consideration by the Mayoral Board a consolidated budget for the Hunter Councils entities that would ultimately result in an end of 2018-2019 financial year surplus for the Hunter Joint Organisation of \$18,208.

How was this achieved?

The draft Hunter Joint Organisation budget includes:

1. \$400,000 to fund consultancies and other projects deemed strategically important by the Joint Organisation Board, with at least \$300,000 of that allocation preserved for the second half of the financial year.
2. \$150,000 to fund an increase in staffing from 1 January 2019. This increase will provide policy, strategy and communications expertise not currently available to the regional entity.

MINUTES ORDINARY COUNCIL - 24 JULY 2018

3. Funding for an Annual Conference and two meetings in Parliament House (with associated costs).
4. \$445,000 subsidisation of the Hunter Joint Organisation by Strategic Services Australia Ltd – the commercial operation wholly owned by the Councils of the Hunter.
5. \$100,000 subsidisation of the Hunter Joint Organisation by Hunter Councils Legal Services Ltd – the legal firm wholly owned by Strategic Services Australia Ltd.
6. \$300,000 from the Office of Local Government.
7. \$200,000 contributions from member councils (**equal contribution of \$20,000 from each council**) with \$35,133 of that amount being refunded by Strategic Services Australia Ltd to the smaller councils.

It should be noted that the proposed \$20,000 contribution from member councils is amongst the lowest proposed in the State and contrasts with current or proposed regional entity contributions in other regions which tend to be between \$40,000 and \$90,000 per member council.

4 Sandringham Avenue, Thornton

The property at 4 Sandringham Avenue, Thornton (the Local Government Training Institute building which houses the Training Institute and Local Government Legal) is owned by Hunter Councils Inc.

Ownership of the property will transfer in due course to the Hunter Joint Organisation.

The property is valued (8 June 2018 valuation report) at \$1.5 million and is free of debt apart from an internal loan from Strategic Services Australia Ltd. This internal loan was \$1.3 million and has been paid down to \$973,000. The Joint Organisation has no other debt.

Budget Overview

A budget overview for the core strategic function of the Hunter Joint Organisation is shown at (**ATTACHMENT 1**). It should be noted that, in addition to the core functions to be funded through that budget, the Hunter Joint Organisation will have responsibility for the provision of a very wide range of additional environmental, film and television and other services. These activities are separately funded.

Cumulatively, the strategic and operational services of the Joint Organisation and its related entities are effectively equivalent to all the services of the other Joint Organisation's in our State combined.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|---------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

The government will provide up to \$3 million in seed funding to NSW Joint Organisations to support their establishment. The government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisation, will maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

Council has made provision within its 2018-2019 budget to fund the proposed member contribution.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|---------------|---------------------|----------------|
| Existing budget | Yes | | |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed Joint Organisation (JO) model is generally consistent with the operation of Hunter Councils and Pilot Hunter JO and the regionally cooperative approach undertaken by Council.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|--|-----------------------------------|
| There is a risk that the JO model will fail to meet stated objectives and outcomes. | Low | Participation in the Pilot Hunter Councils JO has demonstrated a workable model. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability issues identified.

CONSULTATION

Consultation with key stakeholders has been undertaken.

Internal

- Mayor, Councillors and General Manager.

External

- Hunter Councils.

OPTIONS

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

ATTACHMENTS

- 1) Draft 2018-2019 Hunter Joint Organisation Budget.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 24 JULY 2018**ITEM 8 - ATTACHMENT 1 DRAFT 2018-2019 HUNTER JOINT ORGANISATION BUDGET.****Budget Overview:**

| Income | Total |
|---|----------------------------|
| OLG Joint Organisation Seed Funding | +300,000 |
| Subscriptions | +200,000 |
| SSA Ltd contribution | +445,000 |
| Hunter Councils Legal Services contribution | +100,000 |
| Total Income | <u>+\$1,045,000</u> |
| Expenses | |
| General & Administrative | |
| Administration and overheads - Internal | 60,625 |
| Audit & Assurance | 4,000 |
| Insurance - PI & PL | 3,500 |
| Miscellaneous | 1,800 |
| Telephone - Landline & Fax | 300 |
| Telephone - Mobile | 1,800 |
| Website / Portal | 25,000 |
| Employment | |
| Salaries & Superannuation | 357,180 |
| Recruitment | 5,000 |
| Fringe Benefits Tax | 10,504 |
| Payroll Tax | 19,466 |
| Workers' Compensation | 1,786 |
| Staff Amenities & Misc. | 600 |
| Board Meetings & Conference | |
| Catering & Functions | 13,500 |
| Venue Hire | 13,500 |
| Buildings & Accommodation | |
| Rent - SSA Admin - CEO office | 12,600 |
| Rent - JO Boardroom | 12,000 |
| Direct Project Costs | |
| Funding Disbursement (Environment Division) | 85,000 |
| Future Funding Projects | 400,000 |
| Travel & Accommodation | |
| Accommodation | 1,500 |
| Fare, Parking, Sustenance | 1,020 |
| Motor Vehicle Costs | 2,700 |
| Depreciation & Amortisation | |
| Vehicles | 4,500 |
| Finance | |
| Bank Charges | 300 |
| Total Expenses | <u>1,038,181</u> |
| Sandringham Avenue income | <u>+11,389</u> |
| Surplus / (Deficit) | <u>+\$18,208</u> |

ITEM NO. 9**FILE NO: 18/146524
EDRMS NO: PSC2016-02968****HUNTER JOINT ORGANISATION STRATEGIC PLAN 2018-2021****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the Hunter Joint Organisation Strategic Plan 2018-2021.
-

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|---|
| 233 | Councillor Glen Dunkley Councillor Chris Doohan It was resolved that Council note the Hunter Joint Organisation Strategic Plan 2018-2021. |
|------------|---|

BACKGROUND

The purpose of this report is to inform Council that at its 28 June 2018 meeting the Board of the Hunter Joint Organisation adopted its Strategic Plan for 2018-2021. The Strategic Plan was developed utilising the services of Elton Consulting and was funded through a contribution from Strategic Services Australia Ltd.

The Strategic Plan (**TABLED DOCUMENT 1**) drew upon the content and direction of Member Councils IP&R frameworks and content and is structured around six interconnected priority areas:

1. Our communities stay inclusive, proud and safe and celebrate diversity.
2. Our enviable environment is protected for future generations and our resources are used efficiently.
3. Our economy is multifaceted, resilient and is Australia's leading regional economy.
4. Our people and products move across the region easily on integrated and accessible transport networks.
5. Our educational facilities support and encourage our young people and foster lifelong learning and encourage our young people.
6. Our people have access to the full range of health care fostering active and healthy communities.

MINUTES ORDINARY COUNCIL - 24 JULY 2018

These areas are discussed in the Strategic Plan and detail is provided as to how the Hunter Joint Organisation will work with partners to make a difference across the region.

For example, in relation to Transport and Connectivity, the Strategic Plan identifies the following strategic initiatives:

1. Establish a Transport Connectivity Sub Committee, made up representatives from member councils, to coordinate the transport and associated infrastructure planning activity of the Hunter Joint Organisation and report to the Board.
2. Coordinate and prepare submissions on regional planning initiatives such as the 2056 Freight and Ports Plan.
3. Work with the Transport for NSW and other partners to access and analyse detailed transport data across the region and understand gaps in infrastructure and services.
4. Engage at a senior level with key transport stakeholders including Transport for NSW, Roads and Maritime Authority, Newcastle Airport, Port of Newcastle and Keolis Downer to better understand their forward planning for the region.
5. Use an in-depth evidence base to prepare a Hunter Joint Organisation agreed priority list of infrastructure, system and service improvements which will make the greatest difference to communities and businesses across the region. This will include expansion and connectivity between cycleways.
6. Develop and implement a targeted advocacy program to gain commitments from infrastructure and service delivery agencies, including the Australian Government, to deliver agreed priorities.

Annual Priorities

Each year the Hunter Joint Organisation is required to prepare a Statement of Regional Strategic Priorities. This Statement will utilise the broad framework of the Strategic Plan. Feedback from all member councils on local and regional priorities will be vital in ensuring that the Priorities Statement reflects the “top of mind” issues and opportunities presenting to our region.

The Annual Priorities Statement will be posted on the Hunter Joint Organisation website.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|---------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

The government will provide up to \$3 million in seed funding to NSW Joint Organisations to support their establishment. The government will identify

MINUTES ORDINARY COUNCIL - 24 JULY 2018

opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisation, will maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|--------|--------------|---------|
| Existing budget | Yes | | |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed Joint Organisation (JO) model is generally consistent with the operation of Hunter Councils and Pilot Hunter JO and the regionally cooperative approach undertaken by Council.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|---------------------|--|----------------------------|
| There is a risk that the JO model will fail to meet stated objectives and outcomes. | Low | Participation in the Pilot Hunter Councils JO has demonstrated a workable model. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability issues identified.

CONSULTATION

Consultation with key stakeholders has been undertaken.

Internal

- Mayor, Councillors and General Manager.

External

- Hunter Councils.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Hunter JO Strategic Plan 2018-2021.

ITEM NO. 10**FILE NO: 18/151816
EDRMS NO: PSC2017-00178****REQUEST FOR FINANCIAL ASSISTANCE**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the *Local Government Act 1993* from the respective Mayoral Funds to the following:
 - a. Nelson Bay Golf Club – Mayoral Funds - \$500 donation towards 2018 Junior Golf Tournament.
 - b. Alesco Senior College – Mayoral Funds - \$3,500 donation towards Kitchen at the Austral Street learning centre.

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|------------|--|
| 234 | <p>Councillor Chris Doohan Councillor Glen Dunkley</p> <p>It was resolved that Council approves provision of financial assistance under Section 356 of the <i>Local Government Act 1993</i> from the respective Mayoral Funds to the following:</p> <ol style="list-style-type: none">a. Nelson Bay Golf Club – Mayoral Funds - \$500 donation towards 2018 Junior Golf Tournament.b. Alesco Senior College – Mayoral Funds - \$3,500 donation towards Kitchen at the Austral Street learning centre. |
|------------|--|

BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by the Mayor or Councillors as deserving of public funding. The Financial Assistance Policy gives the Mayor and Councillors a wide discretion either to grant or to refuse any requests.

Council's Financial Assistance Policy provides the community, Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

MINUTES ORDINARY COUNCIL - 24 JULY 2018

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

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the *Local Government Act 1993*. This would mean that the financial assistance would need to be included in the Operational 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:

MAYORAL FUNDS – Mayor Palmer

| | | | |
|-----------------------|--|---------|---|
| Nelson Bay Golf Club | Nelson Bay Golf Club is a members club with a special charter to ensure the course is open every day to the thousands of visitors to Port Stephens each year. | \$500 | Donation towards 2018 Junior Golf Tournament. |
| Alesco Senior College | A registered and accredited, non-government independent school specifically designed for the inclusion of young people who cannot or will not complete their education within a traditional setting. | \$3,500 | Donation towards a kitchen at the Austral Street learning centre. |

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2018-2021 |
|---------------------|---|
| Governance | Provide strong civic leadership and government regulations. |

FINANCIAL/RESOURCE IMPLICATIONS

| Source of Funds | Yes/No | Funding (\$) | Comment |
|----------------------------------|---------------|---------------------|-------------------------|
| Existing budget | Yes | | Within existing budget. |
| Reserve Funds | No | | |
| Developer Contributions (\$7.11) | 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 those funds will always be available. | Low | Adopt the recommendations. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with key stakeholders has been undertaken by the General Manager's Office.

Consultation has been taken with the key stakeholders to ensure budget requirements are met and approved.

OPTIONS

- 1) Accept the recommendation.
- 2) Vary the dollar amount before granting each or any request.
- 3) Decline to fund all the requests.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 11**FILE NO: 18/151184
EDRMS NO: PSC2017-00015****INFORMATION PAPERS****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 24 July 2018.

No: Report Title**Page:**

1 Mountain Bike Trails Around Gan Gan Mountain

115

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION****235****Councillor Paul Le Mottee
Councillor Glen Dunkley**

It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 24 July 2018.

No: Report Title

1 Mountain Bike Trails Around Gan Gan Mountain

INFORMATION PAPERS

ITEM NO. 1

FILE NO: 18/145622
EDRMS NO: PSC2005-0749

MOUNTAIN BIKE TRAILS AROUND GAN GAN MOUNTAIN

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

BACKGROUND

The purpose of this information paper is to report to Council as determined in Councillor Nell's Notice of Motion on 8 May 2018 (Minute No. 108) regarding the mountain bike trails around Gan Gan Mountain **(ATTACHMENT 1)**.

"It was resolved that Council request the General Manager to evaluate the plan by Hunter Mountain Bike Association for mountain bike trails around Gan Gan Mountain and report back to Council."

The Hunter Mountain Bike Association has provided further details in relation to their mountain bike proposal. The proposed location is on NSW Crown Land and is not under Council's care and control. As Council is not the approving body on this parcel of land, the Hunter Mountain Bike Association will now progress their proposal with the NSW Crown Land Department. Council staff have provided a letter of support to Hunter Mountain Bike Association **(ATTACHMENT 2)** in favour of the proposal to aid their application to the Crown.

ATTACHMENTS

- 1) Notice of Motion - Minute No. 108 - 8 May 2018.
- 2) Letter of Support.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 1 - ATTACHMENT 1 NOTICE OF MOTION - MINUTE NO. 108 - 8 MAY 2018.**MINUTES ORDINARY COUNCIL - 8 MAY 2018****NOTICE OF MOTION****ITEM NO. 1****FILE NO: 18/85627
EDRMS NO: PSC2017-00019****MOUNTAIN BIKE TRAILS AROUND GAN GAN MOUNTAIN****COUNCILLOR: JOHN NELL****THAT COUNCIL:**

- 1) Request the General Manager to evaluate the plan by Hunter Mountain Bike Association for mountain bike trails around Gan Gan Mountain and report back to Council.

**ORDINARY COUNCIL MEETING - 8 MAY 2018
MOTION**

| | |
|------------|---|
| 108 | Councillor John Nell Councillor Giacomo Arnott It was resolved that Council request the General Manager to evaluate the plan by Hunter Mountain Bike Association for mountain bike trails around Gan Gan Mountain and report back to Council. |
|------------|---|

BACKGROUND REPORT OF: JOHN MARETICH – ASSETS SECTION MANAGER**BACKGROUND**

The purpose of this report is a response to a Notice of Motion requesting an evaluation of the proposal received by Council from the Gan Gan Mountain Bike Trails.

The properties proposed for use by the Gan Gan Mountain Bike Trails are located over several separate allotments. These allotments vary in ownership with land owned by Port Stephens Council, land owned by Crown Lands, land managed by Port Stephens Council as part of the Crown Reserve Trust and privately owned land.

Before Council progresses further investigations into the feasibility of this plan, consultation with all relevant landholders would need to be undertaken by Gan Gan Mountain Bike Trails. Should lease or licence arrangements exist with other parties, this documentation would need to be provided to Council for review. Letters of support referencing the proposed plan would also be required.

MINUTES ORDINARY COUNCIL - 8 MAY 2018

Council staff agree that the development of designated mountain bike trails in Port Stephens would be a valuable asset for increasing overnight visitation, attracting events and improving recreation opportunities for residents.

ATTACHMENTS

Nil.

ITEM 1 - ATTACHMENT 2 LETTER OF SUPPORT.



25th July 2018

To Whom it May Concern,

Re: Letter of Support for Gan Gan Mountain Bike Trails Development

On the 8th May 2018, the Mayor of Port Stephens and fellow Councillors supported a Notice of Motion to evaluate the plan by Hunter Mountain Bike Association for mountain bike trails around Gan Gan Mountain in Port Stephens.

Port Stephens is one of NSW leading regional destinations, attracting almost 1.5 million visitors and generating more than \$438.511 million in economic output.

For several years, Port Stephens Council, in partnership with Destination Port Stephens have been working to develop and market new products and experiences to attract visitation from key domestic and international markets. Mountain biking has been one of these experiences. Although there has been some success with these campaigns, without dedicated experiences and trails, it has been difficult to create sustainable growth in this market.

The development of dedicated mountain bike trails and associated services would provide a genuine opportunity for Port Stephens. The combination of our proximity from Sydney combined with a diverse range of accommodation and supporting visitor experiences would position Port Stephens as a unique mountain bike destination.

The economic impacts of this type of experience development are significant. With one overnight visitor to Port Stephens spending an average of \$205 per person per night across the LGA, the development of this type of visitor experience would the potential to have an economic impact of more than \$2,000,000 per annum across our local economy.

This year, Port Stephens lost the opportunity to host day one of the iconic Port to Port Mountain Bike Event. There were a number of factors associated with this however; one of the key issues was the lack of suitable trails available for riders in the event. The development of dedicated trails and services to support mountain biking would provide Council with much needed support to attract this event to Port Stephens, again, increasing the economic impact of mountain biking tourism across the LGA.

If you have any questions on the above, please do not hesitate to contact me at any time.

Kind regards

A black rectangular box redacting the signature of Janelle Gardner.

Janelle Gardner

Economic Development and Tourism Coordinator

PORT STEPHENS COUNCIL

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Raymond Terrace NSW 2324

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NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 18/145112

EDRMS NO: PSC2017-00019

LOT 424 - HALIFAX HOLIDAY PARK

COUNCILLOR: JOHN NELL

THAT COUNCIL:

- 1) Request the General Manager to seek legal advice on the status of Lot 424 next to the Halifax Holiday Park, because in an open meeting on 11 May 2010 it was resolved that Council:
 - a. Endorse the proposed revisions to the draft Plan of Management for Halifax Holiday Park, excluding Lot 424.
 - b. Amend the draft Plan of Management document and plans to reflect the revisions outlined in the attachment to this report, excluding Lot 424.
 - c. Request the Minister for Lands to approve and adopt the amended Plan of Management, excluding Lot 424.

However, on 8 March 2016 in a confidential meeting, without the resolution from the Council meeting of 11 May 2010, having been rescinded, it was resolved that regarding Lot 424:

"Trust endorsed that inclusion and development of the lot should proceed but not before community/consultation plan had been developed and taken back to the trust for comment before implementation. Plan would initially set out status and control of the land for the local community before and consultation on its actual development."

**ORDINARY COUNCIL MEETING - 24 JULY 2018
MOTION**

| | |
|--|--|
| | <p>Councillor John Nell Councillor Giacomo Arnott</p> <p>That Council request the General Manager to seek legal advice on the status of Lot 424 next to the Halifax Holiday Park, because in an open meeting on 11 May 2010 it was resolved that Council:</p> <ol style="list-style-type: none">a. Endorse the proposed revisions to the draft Plan of Management for Halifax Holiday Park, excluding Lot 424.b. Amend the draft Plan of Management document and plans to reflect the revisions outlined in the attachment to this report, excluding Lot 424. |
|--|--|

MINUTES ORDINARY COUNCIL - 24 JULY 2018

| | |
|--|---|
| | <p>c. Request the Minister for Lands to approve and adopt the amended Plan of Management, excluding Lot 424.</p> <p>However, on 8 March 2016 in a confidential meeting, without the resolution from the Council meeting of 11 May 2010, having been rescinded, it was resolved that regarding Lot 424:</p> <p>"Trust endorsed that inclusion and development of the lot should proceed but not before community/consultation plan had been developed and taken back to the trust for comment before implementation. Plan would initially set out status and control of the land for the local community before and consultation on its actual development."</p> |
|--|---|

ORDINARY COUNCIL MEETING - 24 JULY 2018 AMENDMENT

| | |
|------------|---|
| 236 | <p>Councillor Jaimie Abbott Councillor Chris Doohan</p> <p>It was resolved that Council defer Notice of Motion item 1 for a site inspection by Council.</p> |
|------------|---|

The amendment on being put became the motion, which was carried.

BACKGROUND REPORT OF: CARMEL FOSTER – GROUP MANAGER CORPORATE SERVICES

BACKGROUND

From February 2009 to December 2009, Port Stephens Council undertook the development of Plans of Management (PoM) for Crown Land owned Holiday Parks for which Council was the Trust Manager. This process involved significant consultation with the community, as is required by this process.

PoM are required under the *Crown Land Act 1989* and detail the proposed development works to be undertaken at the relevant Crown Land Holiday Parks over the forthcoming 5 year period.

The Draft PoM were submitted to Council for endorsement at its meeting held on 11 May 2010. The PoM for Halifax Holiday Park was not endorsed as presented which was to include the adjoining Lot 424 (4,169m²) into the Halifax Holiday Park to allow camping on the allotment. As stated previously, Council did not endorse the inclusion of Lot 424 as per the Council Minute at **(ATTACHMENT 1)**.

MINUTES ORDINARY COUNCIL - 24 JULY 2018

In 2010, Crown Lands engaged Deloitte's to undertake a review of Council's Management of the Crown Holiday Parks and put in place an embargo on any capital development within the Crown Parks during the term of the review, and then for a 2 year period following the review until all of the recommendations from the Deloitte report were implemented.

All recommendations from the Deloitte report were implemented by Council, which included the establishment of the Port Stephens Holiday Park Reserve Trust (separated from Port Stephens Council) to manage the governance of the Crown Holiday Parks.

Crown Lands instigated a process to formally include Lot 424 into the current Halifax Reserve. This was gazetted on 27 September 2013 (Government Gazettal No. 118).

From 2014 capital works have been undertaken in accordance with the PoM's. However the data used to develop the PoM's is now well out of date. Additionally the 5 year term has expired.

At the Port Stephens Holiday Park Reserve Trust meeting held on 8 March 2016, the inclusion of Lot 424 as per the 2013 Gazettal was discussed. The resulting action from that meeting in the table below is still outstanding.

| | | | |
|--------------|---|----------|----------|
| 8 March 2016 | Lot 424 Halifax Trust endorsed that inclusion and development of the Lot should proceed but not before a communication/consultation plan had been developed and taken back to the Trust for comment before implementation. Plan would initially set out status and control of the land for the local community before any consultation on its actual development. | 1/3/2017 | Underway |
|--------------|---|----------|----------|

On 1 July 2018, the new *Crown Land Management Act 2016* commenced and placed the governance of the Crown owned Holiday Parks under the control of Council as Land Manager. PoM's are now known as Land Management Plans (LMP's). Council is currently going to the market to engage consultants to develop new Land Management Plans for the Crown owned Holiday Parks.

It is proposed that through the new Land Management process that the outstanding Trust Resolution for L424 at Halifax Reserve will be actioned and the Draft Land Management Plans will be presented to Council early in 2019 for consideration.

ATTACHMENTS

- 1) Minute 130 - Council Meeting of 11 May 2010.

MINUTES ORDINARY COUNCIL – 11 MAY 2010**ITEM NO. 5****FILE NOS: PSC2009-02594****HALIFAX CROWN LAND HOLIDAY PARK - DRAFT PLAN OF MANAGEMENT****REPORT OF: PHIL BUCHAN – MANAGER, COMMERCIAL ENTERPRISES**
GROUP: COMMERCIAL SERVICES**RECOMMENDATION IS THAT COUNCIL (AS CROWN RESERVE TRUST MANAGER):**

- 1) Endorse the proposed revisions to the draft Plan of Management for Halifax Holiday Park
- 2) Amend the draft Plan of Management document and plans to reflect the revisions outlined in the attachments to this report.
- 3) Request the Minister for Lands to approve and adopt the amended Plan of Management

COUNCIL COMMITTEE MEETING – 11 MAY 2010**RECOMMENDATION:**

| | | |
|--|---|--|
| | Councillor John Nell Councillor Geoff Dingle | That Council : <ol style="list-style-type: none">1. Not endorse the proposed revisions to the draft Plan of Management for Halifax Holiday Park.2. Not amend the draft Plan of Management document and plans to reflect the revisions outlined in the attachments to this report.3. Not request the Minister for Lands to approve and adopt the amended Plan of Management. |
|--|---|--|

Councillor Peter Kafer called for a division.

Those for the Motion: Crs Peter Kafer, Glenys Francis, Steve Tucker, Shirley O'Brien, Geoff Dingle and John Nell.

Those against the Motion: Crs Ken Jordan, Frank Ward, Bob Westbury, Sally Dover and Bruce MacKenzie.

MINUTES ORDINARY COUNCIL – 11 MAY 2010**ORDINARY COUNCIL MEETING – 11 MAY 2010**

| | | |
|------------|---|---|
| 130 | Councillor John Nell Councillor Steve Tucker | <p>It was resolved that Council :</p> <ol style="list-style-type: none">1. Endorse the proposed revisions to the draft Plan of Management for Halifax Holiday Park, excluding Lot 424.2. Amend the draft Plan of Management document and plans to reflect the revisions outlined in the attachments to this report, excluding Lot 424.3. Request the Minister for Lands to approve and adopt the amended Plan of Management, excluding Lot 424. |
|------------|---|---|

COUNCIL COMMITTEE – 11 MAY 2010**ITEM NO. 5****FILE NOS: PSC2009-02594****HALIFAX CROWN LAND HOLIDAY PARK - DRAFT PLAN OF MANAGEMENT****REPORT OF: PHIL BUCHAN – MANAGER, COMMERCIAL ENTERPRISES**
GROUP: COMMERCIAL SERVICES**RECOMMENDATION IS THAT COUNCIL (AS CROWN RESERVE TRUST MANAGER):**

- 1) Endorse the proposed revisions to the draft Plan of Management for Halifax Holiday Park
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- 3) Request the Minister for Lands to approve and adopt the amended Plan of Management

BACKGROUND

Council resolved on 27th April 2010 that:

That the item be deferred to allow Councillors to view the financial model.

This report has been prepared for Council as Corporate Manager of the reserve trust for the operation of Halifax Holiday Park (Crown Reserve 91621). As Reserve Trust Manager Council is required to operate in the interests of the trust and as such this report is to be considered separate from Council as the elected body representing Port Stephens' local government area.

The content and recommendations of this report link to the Council's Corporate Plan – Goal 14 “Success & Sustainability” and to the Crown Lands Caravan Parks Policy.

The purpose of this report is to seek the Corporate Manager's endorsement of the proposed amendments to the draft Plan of Management for Halifax Holiday Park and to request the Minister for Lands to approve and adopt the Plan of Management as amended.

The following is a summary of the actions undertaken to progress the draft Plan of Management for Halifax Holiday Park:

Feb 09 - Councillors inspect the Crown Holiday Parks followed by a Council two way conversation to introduce the draft PoMs
Jun 09 - Council endorses a request for the Minister for Lands to place draft PoMs on public exhibition
Jul 09 - Public Exhibition commences (ending 30 Sep)
Oct 09 - Two way conversation with Regional Manager LPMA (providing a perspective from the Authority)

COUNCIL COMMITTEE – 11 MAY 2010

Oct to Dec 09 - Collation and recording of issues from submissions (137 submissions relating specifically to Halifax and another 10 which included all three Parks, the majority of submissions made reference to the inclusion of Lot 424)

Dec 09 to Feb 10 - Meetings with senior staff to provide comment and discuss options

Feb 10 - Stakeholder meetings - Park Managers, LPMA, PSCCA & Commercial Enterprises Advisory Panel

Feb 10 – The draft Plans of Management were revised and presented to Council at a two way conversation. The objective was to seek input to finalise the content of the Plan for the preparation of a business paper report.

The revised draft Plan of Management for Halifax Holiday Park has been developed in consideration of the comments received and reviewed through the consultation process together with financial analysis to ensure there is a business case to justify the proposed changes.

The attachments following include:

A summary of the significant issues raised through the public exhibition process and the proposed actions and recommendations, a summary of the proposed amendments to the draft Plan of Management, a summary of the proposed development phases for over 5 years and a revised map of the proposed site layout.

FINANCIAL/RESOURCE IMPLICATIONS

Council's endorsement and the Ministers consent to the implementation of the Plan of Management will provide a five year planning strategy to the development and operation of Halifax Holiday Park. The annual operations of the Park are funded directly from the revenue generated by its operation while the capital development costs are funded from low interest Crown loans or directly from the trust's financial reserve.

The implementation of the Plan of Management represents capital development that will improve tourist occupancy, and access to improved Park services which contribute to the long term financial sustainability, enhancement and maintenance of Crown land reserves within Port Stephens.

LEGAL, POLICY AND RISK IMPLICATIONS

Council as Corporate Manager for Reserve Trusts is required to operate in the interest of the trust under Part 5, Division 4 of the Crown Lands Act 1989.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Plan of Management acknowledges natural and conservation values, recreation and tourism values and social and economic values. These are also reflected in the management principles and strategies that promote ecological sustainable development.

COUNCIL COMMITTEE – 11 MAY 2010**CONSULTATION**

Land & Property Management Authority
Port Stephens Caravan & Campers Association
Individual Holiday Van owners
Commercial Enterprises Advisory Panel (including the General Manager and
Commercial Services Group Manager)
Integrated Planning Manager
Recreation Services Manager
Environmental Services Manager
Holiday Park Managers
Marketing & Administration Manager

OPTIONS

- 1) Accept the recommendations
- 2) Defer the report pending further information

ATTACHMENTS

- 1) Summary of issues raised through public exhibition and proposed actions & recommendations
- 2) Summary of the proposed amendments to the draft Plan of Management
- 3) Summary of the proposed development phases for over 5 years
- 4) Revised map of the proposed site layout

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

COUNCIL COMMITTEE – 11 MAY 2010**ATTACHMENT 1****Summary of main issues, responses & recommendations**

Issue: Opposition to the loss of camping sites as this will change the focus of the holiday park impacting on families wanting camping facilities.

Response: The proposed removal of camping has met with negative comments, the site profile has been reassessed and under the proposed revised draft Plan of Management camping will be retained and enhanced by relocating it to Lot 424 the proposed extension of the Park. This proposal provides a complete mix of accommodation types on the Park and addresses the concerns arising from the submissions ensuring that the significant native vegetation is maintained.

Recommendation: That camping be retained by including camping sites in Lot 424 and the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4.

Issue: The PoM provides no compensation for the loss in Holiday Van sites as there are no alternate sites available for relocation.

Response: Three possible sites have been identified for Holiday Van relocation. A ballot process is considered to be the fairest means for reallocation of those Holiday Van owners wishing to remain on site. The annual occupancy agreement signed by both tenant and Park Manager clearly outlines the terms and conditions of occupancy and termination of Holiday Van agreements. Discussions with the LPMA have suggested that an 'implementation panel' be established to facilitate communication through the various phases of the Plan of Management implementation.

Recommendations: (1) That an implementation panel is established for Halifax Holiday Park consisting of Park Management and Holiday Van owners. (2) That the Holiday Van owners affected are provided with information about the proposed development timing and the ballot option.

Issue: Opposition to the proposed reduction in holiday van sites as this will impact on the local economy and community.

Response: The reduction in holiday van sites will be gradual over the five year development. The sites are being replaced with tourist sites and cabins research suggests that tourists will contribute more to the local economy as genuine tourists tend to spend more per head than most holiday van owners.

Recommendations: (1) That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4. (2) That the Plan of Management includes the addition of drawings that depict each development phase proposed.

COUNCIL COMMITTEE – 11 MAY 2010

Issue: Opposition to the proposed inclusion and development of Lot 424 as it will result in a loss of public open space, picnic and recreational facilities and restrict access to the beach.

Response: There is significant public open space in the area between Anzac Park and Little Beach. The inclusion of Lot 424 into the holiday park does not restrict access though the area as the old 20 metre road reservation is not reduced and the vegetated buffer is maintained. Information obtained from Integrated Planning and Recreation Services indicates that the proposed inclusion of Lot 424 into the Holiday Park is supported as there is sufficient open space in this area and public access is available to connect the foreshore reserve. Furthermore the picnic and recreational facilities can be enhanced and relocated to improve public usage. There is alternative beach access available which can be upgraded to improve access and maintenance.

Recommendations: (1) That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4. (2) That the Holiday Park fund the replacement of existing together with additional picnic and recreation facilities in nearby locations determined by Recreation Services Section.

Issue: Opposition to the proposed inclusion and development of Lot 424 as it will cause disturbance of the existing natural bushland with the removal of trees impacting on the wildlife corridor.

Response: The inclusion of Lot 424 provides opportunity to grow the Holiday Park's tourism component. A review of the development proposals contained in the exhibited draft Plan of Management has resulted in a proposal to create a camping area within Lot 424. This alternative to cabins provides opportunity to maintain the significant native vegetation with the staged removal of the Coral trees. A vegetation planting and management plan can be developed and implemented to enhance the vegetation corridor by planting native vegetation between the Holiday Park and Anzac Park. This proposal is supported by Recreation Services and Environmental Services Sections.

Recommendation: That the Holiday Park coordinate the development and contribute to the implementation of a vegetation planting and management plan for the foreshore reserve between Nelson Head and Anzac Park.

Issue: Opposition to the proposed inclusion and development of Lot 424 as it will increase the volume of people to the area further overcrowded in holiday periods, noise affecting local residents.

Response: The revised site profile replaces the proposed cabins in Lot 424 with camping sites while the overall site profile increases the total number of site by 6. This increase will have negligible impact on traffic and pedestrian movements or noise generation. Park rule apply to assist in managing noise after 10.00pm

Recommendation: That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4.

COUNCIL COMMITTEE – 11 MAY 2010

Issue: Opposition to the proposed inclusion and development of Lot 424 due to the perception that adjacent property values will be downgraded with cabin development adding to the eyesore the park presents and people staying in the units would lose the bushland outlook and a tree covered play area for their children.

Response: A review of the park profile has proposed changes to the development proposed for this lot the scale of development will be limited to camping this will enable the retention of significant native vegetation ensuring the outlook from adjoining units will not change significantly. The extension of the park includes improvements to fencing and screening through landscaping which is highly unlikely to have a negative impact on property values or holiday rental.

Recommendation: That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4.

Issue: Concern that the vision in the draft plan changes the holiday accommodation direction from its original use, as affordable alternatives for camping and caravanning to offer mainly cabin and villa style accommodation.

Response: The site profile has been reassessed to provide a balanced approach to provide access for tourists while maintaining Holiday Van sites. The holiday park will continue to offer a range of accommodation types that are affordable within the context of the Port Stephens tourism market.

Recommendation: That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4.

Issue: Concern that there is ample tourist accommodation available in Little Beach area. No need to remove parkland to provide further accommodation options.

Response: The Tourism Strategy supports the industry experience that holiday parks are the second most preferred form of accommodation in Port Stephens. The majority of accommodation being proposed supports the growing caravan, motor home and camping trends. The revised Plan of Management proposal supports a modest increase in cabin/villa accommodation will maintaining camping.

Recommendation: That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4.

Issue: Concern that the draft plan does not provide an accurate assessment of the development potential within the 5 year term of the Plan of Management and no timeframes have been given.

Response: The development proposed in the revised draft Plan of Management has been assessed against occupancy trends and preliminary cost estimates to represent a 5 year planning horizon. The proposed development is dependent on financial and operational performance together with stakeholder funding support.

COUNCIL COMMITTEE – 11 MAY 2010

Recommendations: (1) That the draft Plan of Management be amended to reflect the proposed park layout depicted in attachment 4. (2) That the Plan of Management includes the addition of drawings that depict each development phase proposed.

COUNCIL COMMITTEE – 11 MAY 2010**ATTACHMENT 2****Summary of the proposed amendments to the draft Plan of Management**

- Retain and improve camping facilities by relocating and developing Lot 424 to accommodate camping sites while minimising the impact on the native vegetation.
- Establish a vegetation planting and management plan for the foreshore reserve between Nelson Head and Anzac Park. The Holiday Park will contribute to the establishment of the Plan and ongoing management and improvement of the vegetated reserve.
- The Holiday Park will financially contribute to the relocation and improvement of the picnic and recreational facilities from Lot 424.
- The Holiday Park will financially contribute to the improvement of the beach access next to Lot 424.
- Establish a small amenities building in Hobart Highway to service the camping area within Lot 424.
- Establish an additional 19 tourist van sites by converting holiday van sites located in the islands between Hobart Highway and Sydney Street, Sydney Street and Adelaide Avenue.
- Establish an additional 10 Cabins by converting holiday van sites along the outside edge of Hobart Highway.
- Re-fence the perimeter of the Park to include Lot 424 and improve landscaping
- The revised Park profile provides 22 Holiday van sites 13% of total, 92 tourist van sites 53%, 12 camping sites 7% and 45 cabins 26% of total.
- Establish a park specific implementation panel consisting of Park Management members of the Port Stephens Caravan and Campers Association and other holiday van owners. The purpose of the panel to guide the implementation and communication strategy for the staged development phases within the Plan of Management.
- Include additional drawings that depict each phase of development and the areas affected.
- Delete the pool and replace with outdoor covered all weather recreational area located near main amenities Brisbane Boulevard & Melbourne Mall
- Remove the cleaning store in Perth Parade and replace with 2 bedroom cabin, re-establish cleaning store near workshop behind the reception building.
- Convert existing camping sites in Brisbane Boulevard to tourist van sites.
- Upgrade existing amenities block and laundry near Melbourne Mall

COUNCIL COMMITTEE – 11 MAY 2010**ATTACHMENT 3**

Summary of the proposed development phases for over 5 years

PHASE 1

Replace perimeter fence and include fencing of Lot 424
Establish new picnic facilities and improve beach access
Relocate cleaning shed to behind Office and replace with one 2 bedroom cabin
Upgrade existing amenities

PHASE 2

Establish camping area in Lot 424 including road construction, services and lighting.
Construct new amenities block off Hobart Highway (sites 42 to 44)
Convert Camping sites to Tourist van sites (Brisbane Boulevard sites 94 to 108)

PHASE 3

Construct five new 2 bedroom villas between Hobart Highway and the dune (sites 28 to 33)
Converts HV sites to Tourist van sites (Darwin Drive sites 71 & 72, Sydney Street sites 146 to 151 & Adelaide Avenue sites 152 to 157)

PHASE 4

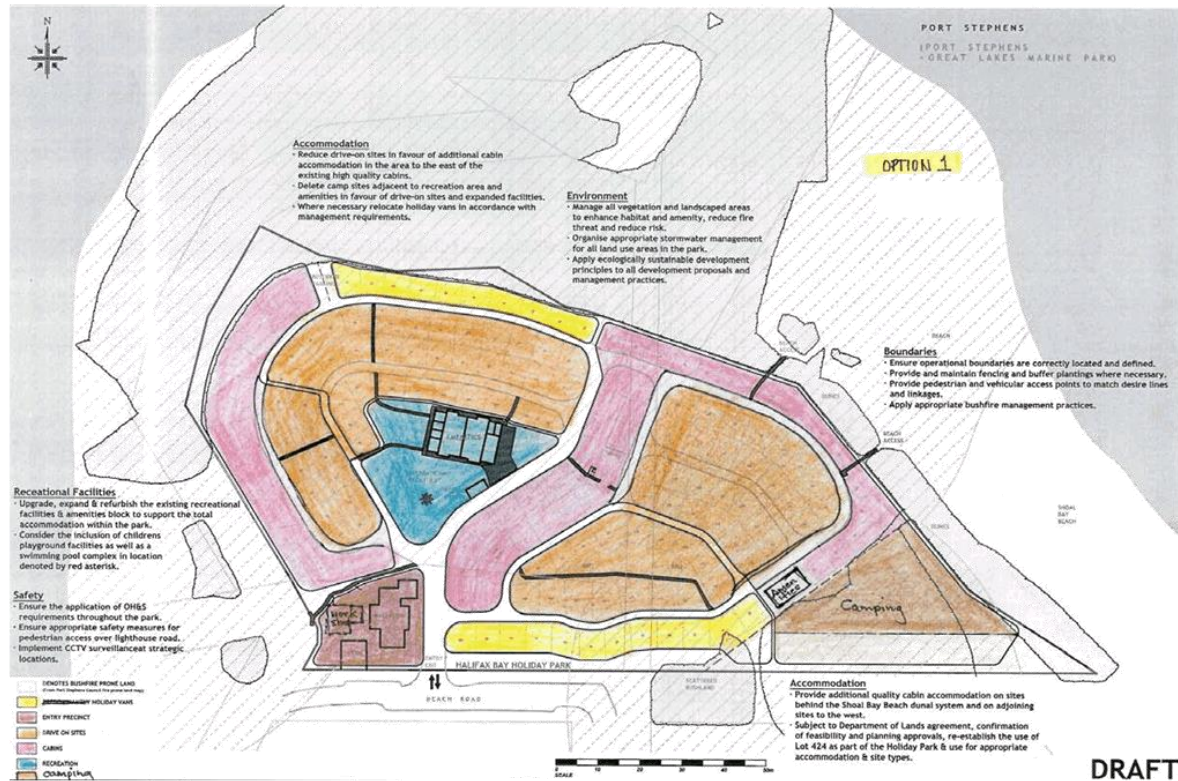
Construct one new 3 bedroom and two new 2 bedroom villas off Hobart Highway (sites 38 to 43)

PHASE 5

Convert HV sites to Tourist Van sites (Hobart Highway & Sydney Street sites 158 to 172)
Outdoor covered all weather recreational area near main amenities Brisbane Boulevard & Melbourne Mall)

COUNCIL COMMITTEE – 11 MAY 2010

ATTACHMENT 4



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| MINUTES ORDINARY COUNCIL - 24 JULY 2018 |
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There being no further business the meeting closed at 6.51pm.