

DRAFT

MINUTES – 27 FEBRUARY 2018



PORT STEPHENS C O U N C I L

Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 27 February 2018, commencing at 5.32pm.

PRESENT:

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

027	<p>Councillor Giacomo Arnott Councillor Glen Dunkley</p> <p>It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 13 February 2018 be confirmed.</p>
	<p>Cr Chris Doohan declared a less than significant non-pecuniary conflict of interest in Item 1. The nature of the interest is that Cr Doohan is the former president of the Club Committee.</p>

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MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: 18/31594
EDRMS NO: PSC2016-02363

MOTION TO CLOSE

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

RECOMMENDATION:

- 1) That pursuant to section 10A(2) (c) of the *Local Government Act 1993*, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely ***Subdivision and Sale of 44B Squire Street, Fingal Bay.***
 - 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
 - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
 - 3) That the report remain confidential and the minute be released in accordance with Council's resolution.
-

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION

028	<p>Councillor Ken Jordan Councillor Chris Doohan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) That pursuant to section 10A(2) (c) of the <i>Local Government Act 1993</i>, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 0 on the Ordinary agenda namely <i>Subdivision and Sale of 44B Squire Street, Fingal Bay.</i>2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none">• information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.3) That the report remain confidential and the minute be released in accordance with Council's resolution.
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COUNCIL REPORTS

ITEM NO. 1

FILE NO: 18/18974
EDRMS NO: 16-2015-852-4

**SECTION 96 APPLICATION TO MODIFY DETERMINATION NO. 16-2015-852-1
FOR A COMMUNITY FACILITY, RECREATIONAL FACILITY (OUTDOOR),
ASSOCIATED EARTHWORKS, SIGNAGE AND CAR PARKING AT 36 AND 36A
FERODALE ROAD, MEDOWIE**

REPORT OF: KATE DRINAN - DEVELOPMENT ASSESSMENT AND
COMPLIANCE SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve the Section 96 application for Development Application 16-2015-852-4 subject to the conditions contained in **(ATTACHMENT 3)**.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

029	Mayor Ryan Palmer Councillor Paul Le Mottee It was resolved that Council that Council move into Committee of the Whole.
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COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Chris Doohan Councillor Steve Tucker That the recommendation be adopted.
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In accordance with Section 375 (A) of the *Local Government Act 1993*, a division is required for this item.

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

Those against the Motion: Nil.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION

030	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council approve the Section 96 application for Development Application 16-2015-852-4 subject to the conditions contained in (ATTACHMENT 3) .
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In accordance with Section 375 (A) of the *Local Government Act 1993*, a division is required for this item.

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

Those against the Motion: Nil.

BACKGROUND

The purpose of this report is to present to Council for determination a Section 96 (S.96) application for modifications to an approved community recreation facility on land located at 36 and 36A Ferodale Road, Medowie, identified as Lot 22 DP 1021843 and Lot 1 DP 1003417 ('the subject site').

The original application was determined by the elected Council as the development is located on land of which Council is the owner. The S.96 application to modify the development will therefore also require determination by the elected Council.

DA No. 16-2015-852-1 (Original Consent)

The original development was assessed under *Port Stephens Local Environment Plan 2013* and Development Control Plan (DCP) 2014 and approved by the elected Council.

The original development included the following:

- Community Facility;
- Recreation Facility (Outdoor) and associated Earthworks;
- Signage; and
- Car Parking.

DA No. 16-2015-852-4

The S96 modification to the existing approval is to amend various components of the development and change a number of the consent conditions.

The application proposes to modify the following aspects of the approved development:

- External redesign of community facility. The amended design provides a skillion roof design with large glass façades on the eastern, southern and part of the northern elevations. The panel cladding and entry design on the western and part of the northern elevations has been replaced by face brick and concrete wall finishes. The major change to the footprint is the enclosure of part of the southern viewing deck.
- Facility has been altered by:
 - including two function areas in the eastern section of the building;
 - incorporating a new meeting room within the south western section of the building;
 - redesign of the serving and kitchen facilities; and
 - reconfiguration of the amenities and offices located along the north-western section of the building.
- Relocation of the bowling green's towards the eastern boundary.
- Consolidation of the parking areas in the northern section of the site.
- Inclusion of a new access to Ferodale Road in the north eastern corner of the site that will be limited to traffic exiting the site only.
- Relocation of the playground equipment to the south east of the community facility.
- Amended landscape design to reflect the layout changes.

Assessment Outcomes

The proposed amendments to the original consent meet the provisions of S. 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as follows:

- S96(1A)(a) – Minimal Environmental Impact.

Although numerous, the proposed amendments are considered minor in nature and do not involve significant changes to the approved development as a whole. As a result, there are no significant environmental impacts that will result from the proposed modifications.

- S96(1A)(b) – Substantially The Same Development.

The development as modified is substantially the same as the approved development for the following reasons:

- (a) There are no significant changes to the components included in the original community facility approval; and
- (b) The design changes are predominantly aesthetic in nature and will not change the primary functions of the development.

On this basis, the application is considered substantially the same.

The development application was assessed against relevant controls and objectives as specified under PSLEP2013 and Port Stephens Development Control Plan 2014 (PSDCP2014). A detailed assessment of the proposal against the provisions of s.96 and s.79C *Environmental Planning and Assessment Act 1979* (EP&A Act) is provided at **(ATTACHMENT 2)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Sustainable Development.	Provide Strategic Land Use Planning Services. Provide Development Assessment and Building Certification Services.

FINANCIAL/RESOURCE IMPLICATIONS

There are no anticipated financial or resource implications as a result of the proposed development.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The development application is consistent with Section 96 and Section 79C of the *Environmental Planning and Assessment Act 1979*.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that a third party or the applicant may appeal the determination.	Low	Approve the application as recommended. The assessment carried out details the merits of the proposed development.	Yes
There is a risk that if the application is refused the ability to provide functional community facilities in Medowie will not be realised.	Low	Approve the application as recommended.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The proposed amendments will result in a functional development that is anticipated to have positive social and economic impacts, through the creation of viable employment and economic activity through both the construction of the development and provision of a community facility to local residents. The development is still considered consistent with surrounding developments and the objectives of RE2 zoned land.

The amendments are not anticipated to have significant impact to the natural environment. The subject site is cleared of significant vegetation and the landscaping required will increase the environmental value of the site. Additionally, the development includes appropriate stormwater management systems ensuring the surrounding water quality and quantity leaving the subject site is in accordance with PSC DCP2014.

CONSULTATION

Consultation with key stakeholders has been undertaken, including through the public notification and advertising process.

Internal

The application was referred to Councils Development Engineer and Vegetation Management Officer. Each internal staff member assessed the relevant portion of the original application.

No significant objections were raised by any internal staff to the amended design and relevant conditions have been incorporated into the Schedule of Conditions provided at **(ATTACHMENT 3)**.

External

The application was referred to the Hunter Water Corporation as the subject site is located within the Hunter Water Drinking Water Catchment and stormwater will be discharged into Campvale Drain.

Although the proposal was supported, the response stated that no works are to be directed onto Hunter Water land.

Public Consultation

In accordance with the requirements of PSDCP2014, the development application was notified and advertised for a period of 14 days until 19 January 2018.

No submissions were received in relation to the proposed development.

OPTIONS

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

ATTACHMENTS

- 1) Locality Plan.
- 2) Assessment Report.
- 3) Notice of Determination.

COUNCILLORS ROOM

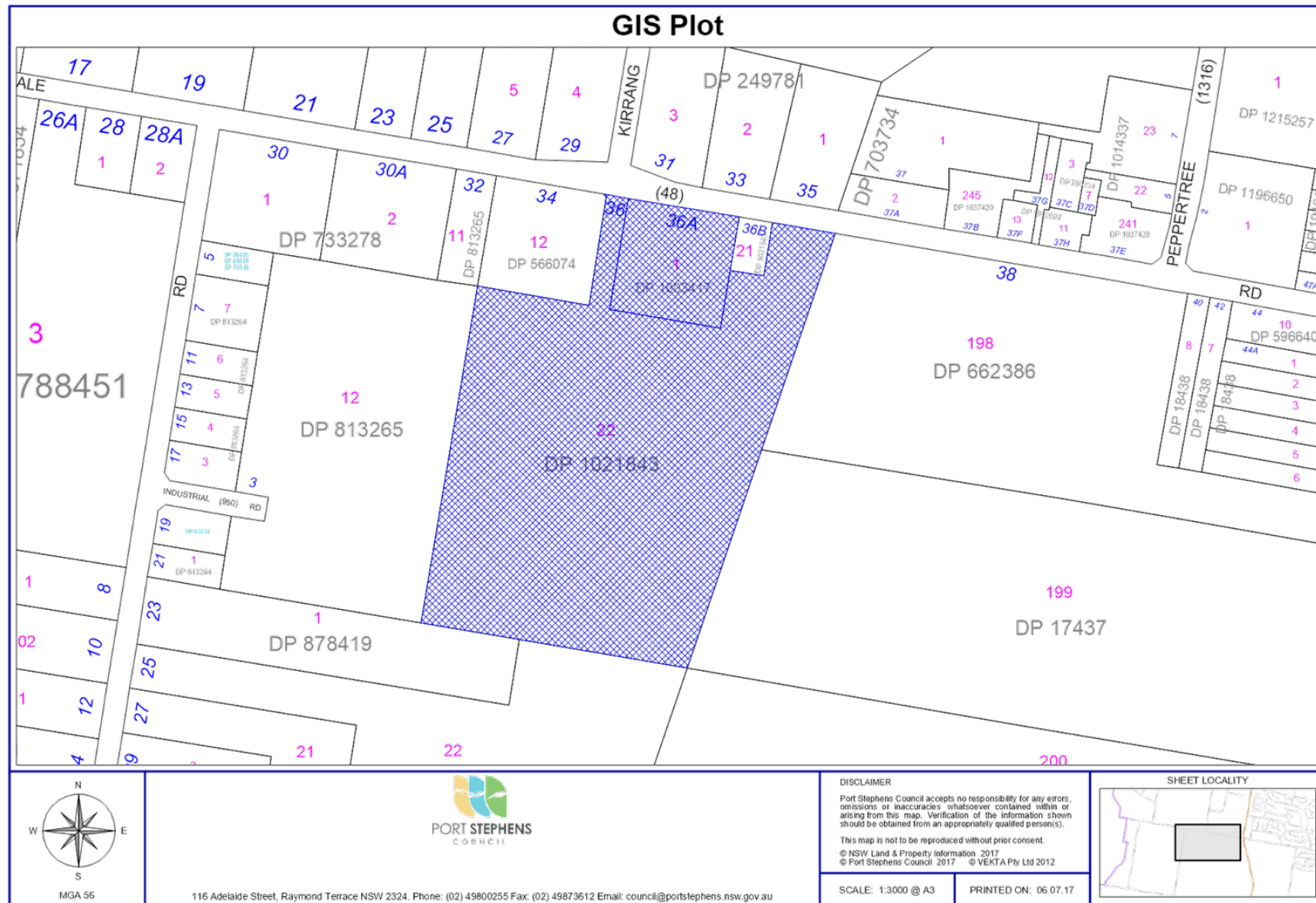
- 1) DA Plans.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

ITEM 1 - ATTACHMENT 1 LOCALITY PLAN.





PORT STEPHENS
COUNCIL

S96(1A) MODIFICATION APPLICATION ASSESSMENT REPORT

APPLICATION DETAILS

Modification Application Number	16-2015-852-4
Development Description	Community Facility, Recreation Facility (Outdoor) and associated Earthworks, Signage and Car Parking
Modification Description	<i>S.96 Amendment to Building Design, Playground, Bowling Greens, Reconfiguration of the Carpark, and addition of Additional Exit Road. Road</i>
Applicant	PORT STEPHENS COUNCIL
Date of Lodgement	12/12/2017

Modification Proposal

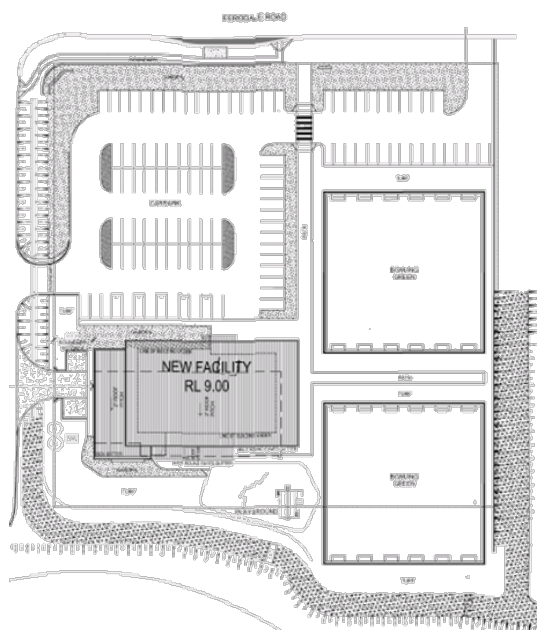


Figure 1: Amended layout of community facility, car park and bowling greens

The application proposes to modify the following aspects of the approved development:

ITEM 1 - ATTACHMENT 2 ASSESSMENT REPORT.

16-2015-852-4

- External redesign of community facility

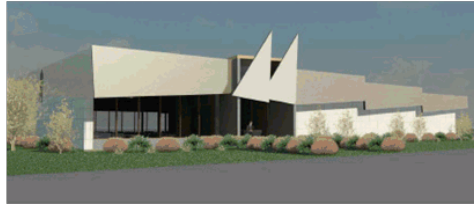


Figure 2: Façade design of the approved building

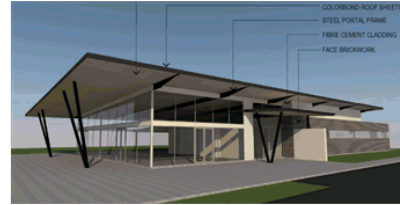


Figure 3: Façade design of the proposed building

The proposal includes changes to the façade design of the community facility.

The amended design provides a skillion roof design with large glass facades on the eastern, southern and part of the northern elevations. The panel cladding and entry design on the western and part of the northern elevations has been replaced by face brick and concrete wall finishes. The major change to the footprint is the enclosure of part of the southern viewing deck.

- Internal redesign of community facility

The internal layout of the community facility has been altered by:

- adding two function areas in the eastern section of the building;
- incorporating a new meeting room within the south western section of the building;
- redesign of the serving and kitchen facilities; and
- reconfiguration of the amenities and offices located along the north western section of the building.

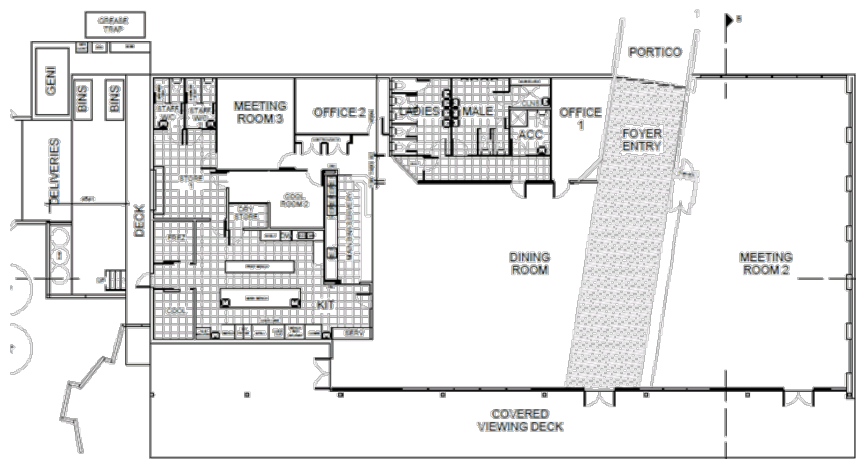


Figure 4: Original floor plan

16-2015-852-4

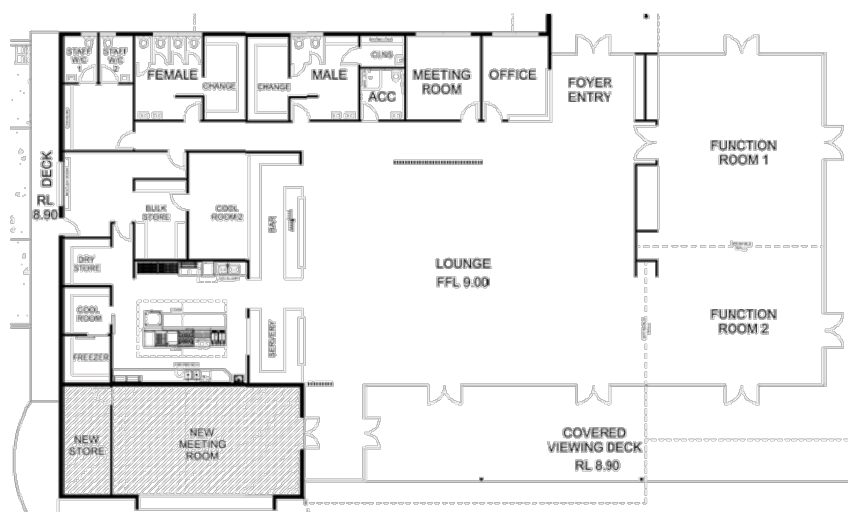


Figure 5 Proposed amended floor plan

- Relocation of the bowling greens

The application proposes the relocation of the bowling greens to the eastern boundary of the site.

- Redesign of the parking areas

The car parking areas will be redesigned to take into account the relocated bowling greens by consolidating the car parking areas in the north and north western portions of the site.

- Addition of exit to Ferodale Road

The redesigned car park includes a new access to Ferodale Road in the north eastern corner of the site. The access will be limited to traffic exiting the site only.

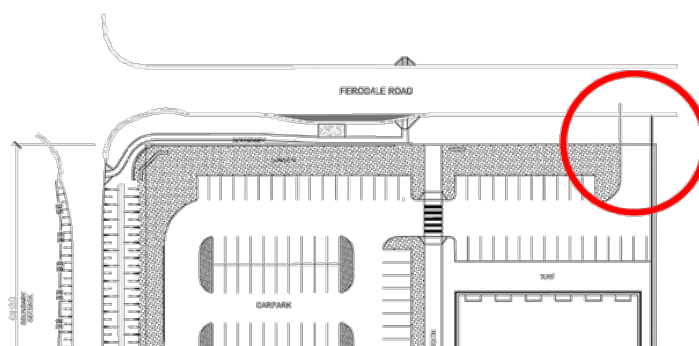


Figure 6: Proposed access to Ferodale Road

ITEM 1 - ATTACHMENT 2 ASSESSMENT REPORT.

16-2015-852-4

- Amended landscape design
The landscape design has been amended to take into account the various changes to the layout of the development.
- Relocation of the playground equipment
The playground equipment has been relocated from the south east of the facility to an area adjacent to the viewing area.

The conditions of consent proposed to be modified have been discussed in further detail below.

PROPERTY DETAILS

Property Address	36 Ferodale Road MEDOWIE, 36A Ferodale Road MEDOWIE
Lot and DP	LOT: 22 DP: 1021843, LOT: 1 DP: 1003417
Zoning	RE1 PUBLIC RECREATION
Site Constraints That Affect The Modification	Hunter Water Corporation – Special Areas Flood Prone Land – High Hazard Floodway, High Hazard Flood Storage, Low Hazard Flood Storage and Low Hazard Flood Fringe Drinking Water Catchment

ASSESSMENT SUMMARY

Designated Development	The application is not designated development
Integrated Development	The application does not require additional approvals listed under s.91 of the EP&A Act
Concurrence	The application does not require the concurrence of another body

Internal Referrals

The proposed modification was referred to the following internal specialist staff. The comments of the listed staff have been used to carry out the assessment against the S79C Matters for Consideration below.

Development Engineer – The application was reviewed and supported without any changes to the existing conditions. Two additional conditions were proposed to ensure further detail on the design of the new access is provided at the Construction Certificate stage and the proposed additional access road is limited to an exit only.

Vegetation management – The application was reviewed, and it was found that the amended landscape plans did include sufficient information to assess. The requirement for the submission of a detailed landscape plan prior to the issue of a Construction Certificate was deleted from the consent.

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ITEM 1 - ATTACHMENT 2 ASSESSMENT REPORT.

16-2015-852-4

External Referrals

The proposed modification was referred to the following external agencies in accordance with clause 120 of the regulations:

Hunter Water – The application was referred to the Hunter Water as the subject site is located within the Hunter Water Drinking Water Catchment and stormwater will be discharged into the Campvale Drain. Hunter Water supported the proposal, but stated that no works should be directed onto Hunter Water assets. This comment has been incorporated in the Notice of Determination as an advice.

MODIFICATIONS INVOLVING MINIMAL ENVIRONMENTAL IMPACT – S96(1A)**S96(1A)(a) – Minimal Environmental Impact**

The proposed amendments are considered minor in nature and do not involve significant changes to the approved development as a whole. The minor changes in the number of car spaces and the alterations to the internal and external design of the development are considered to not have a significant environmental impact. The additional access to Ferodale Road was assessed by Council's engineers and found to be acceptable from a road safety perspective.

S96(1A)(b) – Substantially The Same Development

The development as modified is substantially the same as the approved development for the following reasons:

The use of the development does not change

- (a) There are no significant changes to the components included in the original community facility approval;
- (b) The design changes are predominantly aesthetic in nature and will not change the primary functions of the development.

On this basis, the application is considered substantially the same.

S96(1A)(c) – Notification

The application has been notified and advertised for 14 days in accordance with the Development Control Plan.

S96(1A)(d) – Submissions

There were no submissions received relating to the proposed modification.

S96(3) – S79C(1) Assessment**s79C(1)(a)(i) – The provisions of any EPI****Clause 2.3 Zone Objectives and Land Use Table**

The site subject to this application is zoned RE2 – Private Recreation. The building associated with the subject modification was approved as a permissible land use within this zone.

The proposal will remain the same use and be positioned within the approved development footprint. The proposed changes have minimal environmental impact, and therefore the proposal is still consistent with the zone objectives.

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Clause 7.1 Acid Sulfate Soils

The subject site is nominated as Class 5 Acid Sulfate Soils and the works proposed under this modification are located approximately 350m from the closest Class 4 Acid Sulfate Soils. As no excavations below 5m AHD are proposed and it is unlikely to lower the surrounding water table below 1m AHD in adjoining soil classes, the proposal is considered low risk from an ASS perspective.

Clause 7.6 Essential Services

The original assessment concluded that the site could be serviced by all necessary utilities.

The additional access to the site is considered appropriate as it will provide an additional exit that will divert traffic leaving the site away from the western access road.

Clause 7.8 Drinking Water Catchments

The subject site is located within the Grahamstown drinking water catchment. Hunter Water provided comment on the amended design and requested that no additional works be undertaken on Hunter Water land. Although no works are proposed on Hunter Water owned land, the advisory notes contained in the Notice of Determination has been amended to reflect the referral comments.

s79C(1)(a)(ii) – Any Draft EPI

There are no draft EPI's applicable to the site.

s79C(1)(a)(iii) – Port Stephens Development Control Plan 2014

The proposal is generally compliant with Chapter B – General Controls.

In regards to parking requirements contained in Chapter B.9, the DCP requires 30 car spaces for the first bowling green and 15 spaces for each additional bowling green. The parking requirement for community facilities is determined on a merits-based assessment as specified under PSDCP2014. As part of the merit assessment undertaken, the proposal was assessed against parking provisions set out for Registered Clubs. Registered Clubs required to provide 1 space / 3.5m² of floor space.

Approximately 550m² of the building floor space has been allocated for community purposes, which calculates to a requirement of 40 spaces. The bowling greens require 45 spaces, resulting in 85 spaces allocated to the proposal.

The amended car parking areas will facilitate 100 parking spaces, a reduction of 5 spaces from the original application. The proposal is therefore still well in excess of the parking requirements contained in the DCP and the reduction in parking spaces is therefore considered acceptable.

The proposed access to Ferodale Road was assessed and supported by Council's Development engineers.

s79C(1)(a)(iiia) – Any planning agreement or draft planning agreement entered into under section 93F

	Notes (where needed)
<input checked="" type="checkbox"/> There are no planning agreements that have been entered into under section 93F relevant to the proposed development.	

ITEM 1 - ATTACHMENT 2 ASSESSMENT REPORT.

16-2015-852-4

s79C(1)(a)(iv) – The regulations

	Notes (where needed)
<input checked="" type="checkbox"/> There are no matters within the regulations that are relevant to the determination of the application.	

s79C(1)(a)(v) – Any coastal management plan

	Notes (where needed)
<input checked="" type="checkbox"/> There are no coastal management plans that are relevant to the determination of the application.	

S79C(1)(b) – Likely Impacts

Social and Economic Impacts – The proposed changes will provide for an improved internal layout that would result in a better outcome for community group utilising the facility. The proposal is similar to the approved development and it is therefore expected that the proposal will not reduce the number of part time and full time job opportunities expected from the original development.

Built Environment – The proposal involves the relocation of the bowling greens to along the eastern boundary and consolidation of the car parking along the northern boundary. It is considered that the proposed planting along the Ferodale Road frontage will provide sufficient screening to limit the impacts on passing motorists and existing development located to the north of Ferodale Road. The amended façade design is considered a better outcome than the existing by allowing more natural light and replacing the dated wall panels with glass and face brick.

Natural Environment – The proposed amendments do not alter the development footprint and the proposal is therefore consistent with the original approval.

S79C(1)(c) – Site Suitability

It is considered that the minor changes will not impact on the developments suitability of the site.

S79C(1)(d) – Submissions

The application was notified and advertised for 14 days. During this period no submissions were received.

S79C(1)(e) – Public Interest

No public interest issues arise as a consequence of the proposed modification. It is noted that the proposed amendments will not create additional adverse impacts.

MODIFIED CONDITIONS

Existing Condition

- 1A. The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent or as noted in RED by Council on the approved plans:

ITEM 1 - ATTACHMENT 2 ASSESSMENT REPORT.

16-2015-852-4

Plan/Doc. Title	Plan Ref. No.	Sheet.	Date	Drawn By
Site Analysis Plan (As Amended)	PSC2015-02578	01 of 05	08/06/2017	Port Stephens Council
Landscape, Playground & Signage Plan (As Amended)	PSC2015-02578	02 of 05	13/06/2017	Port Stephens Council
Floor Plan (As Amended)	PSC2015-02578	03 of 05	08/06/2017	Port Stephens Council
Elevations	PSC2015-02578	04 of 05	08/06/2017	Port Stephens Council
Sections	PSC2015-02578	05 of 05	08/06/2017	Port Stephens Council
Stormwater Management and Levels Plan	PSC2015-02578	01 of 01	08/06/2017	Port Stephens Council

In the event of any inconsistency between conditions of this consent and the drawings / documents referred to above, the conditions of this consent prevail. If there is any inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of any inconsistency.

Amended Condition

- 1B. The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent or as noted in RED by Council on the approved plans:

Plan/Doc. Title	Plan Ref. No.	Sheet.	Rev.	Date	Drawn By
Proposed Site Plan / Roof Plan	11808	A01	C	24/02/2018	EJE Architects
Proposed S96 Floor Plan	11808	A02	B	01/12/2017	EJE Architects
Elevations	11808	A03	B	01/12/2017	EJE Architects
Medowie Sports And Recreation Facility	11802.5	1/1	B	24/01/2018	Terras Landscapae Architects
Stormwater Management and Levels Plan	NL170783	DA01	B	01/12/2018	Northrop

In the event of any inconsistency between conditions of this consent and the drawings / documents referred to above, the conditions of this consent prevail. If there is any

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ITEM 1 - ATTACHMENT 2 ASSESSMENT REPORT.

16-2015-852-4

inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of any inconsistency.

Existing Condition

- 23.1 **Prior to the issue of the Construction Certificate**, a landscape plan will be submitted and be consistent with Port Stephens Council Landscape Technical Specification for commercial development.

Amended Condition

- 23.1 CONDITION DELETED UNDER DA 16-2015-852-4

Existing Condition

35. **Prior to the issue of an Occupation Certificate**, the PCA is to certify that 105 formalised car parking spaces, with six (6) disabled spaces have been provided in accordance with the requirements of the Port Stephens Council DCP and AS2890. Parking is to be appropriately line marked and signposted.

Amended Condition

- 35A. **Prior to the issue of an Occupation Certificate**, the PCA is to certify that 100 formalised car parking spaces, with six (6) disabled spaces have been provided in accordance with the requirements of the Port Stephens Council DCP and AS2890. Parking is to be appropriately line marked and signposted.

New Condition

- 23.2 **Prior to the issue of a Construction Certificate**, signage and line marking plans are to be provided to prevent vehicles from using the access point of Ferodale Road as an entry. The signage and line marking are to be installed prior to the issue of the Occupation Certificate.

New Condition

- 43.1 At all times, the access in the north eastern corner (providing access to Ferodale Road) will be utilised as an exit only.

DETERMINATION

The modification application is recommended to be approved subject to amended conditions as shown above.

REAN LOURENS

Senior Development Planner



Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

SCHEDULE 1

REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

CONDITIONS THAT IDENTIFY APPROVED PLANS AND LIMITATIONS OF CONSENT

- 1B. The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent or as noted in RED by Council on the approved plans:

Plan/Doc. Title	Plan Ref. No.	Sheet.	Rev.	Date	Drawn By
Proposed Site Plan / Roof Plan	11808	A01	C	24/02/2018	EJE Architects
Proposed S96 Floor Plan	11808	A02	B	01/12/2017	EJE Architects
Elevations	11808	A03	B	01/12/2017	EJE Architects
Medowie Sports And Recreation Facility	11802.5	1/1	B	24/01/2018	Terras Landscape Architects
Stormwater Management and Levels Plan	NL170783	DA01	B	01/12/2018	Terras Landscape Architects
Overall Site Plan	NL170783	C2.00	1	05/02/2018	Terras Landscape Architects

In the event of any inconsistency between conditions of this consent and the drawings / documents referred to above, the conditions of this consent prevail. If there is any inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of any inconsistency.

2. A Construction Certificate is required prior to commencement of works approved by this application. The person having the benefit of this consent must appoint a Certifying Authority. If Council is not appointed as the Certifying Authority then

Adelaide Street (PO Box 42), Raymond Terrace NSW 2324
DX 21406 Raymond Terrace • Phone 4980 0255
Email council@portstephens.nsw.gov.au

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ITEM 1 - ATTACHMENT 3 NOTICE OF DETERMINATION.



Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

Council must be notified of who has been appointed. Note: at least two (2) days' notice must be given to Council of intentions to start works approved by this application.

3. The person having the benefit of the development consent must surrender DA 16-2000-1559-1 to Council by submitting a completed copy of Clause 97 of the *Environmental Planning and Assessment Regulation 2000*.

CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION

4. **Prior to the commencement of works**, a construction waste storage facility is to be established on-site and regularly serviced for the duration of the works.
5. **Prior to the commencement of works**, erosion and sediment control measures shall be put in place to prevent the movement of soil by wind, water or vehicles onto any adjoining property, drainage line, easement, natural watercourse, reserve or road surface, in accordance with *Managing Urban Stormwater – Soils and Construction, Volume 1* (Landcom, 2004).
6. **Prior to the commencement of work**, the person having the benefit of this consent shall contact Hunter Water Corporation (HWC) to ensure that the approved works do not impact upon existing or proposed HWC infrastructure. A copy of the information received by HWC shall be provided to Council within 10 days of receipt. Should HWC require modification to the approved development a Section 96 Modification Application and/or modified Construction Certificate Application should be lodged.
7. Hunter Water Corporation shall be notified at least fourteen days **prior to the commencement** of works within the vicinity of Campvale Drain.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

8. **Prior to the issue of a Construction Certificate**, documentary evidence is to be provided to the Certifying Authority that DA 16-2000-1559-1 has been surrendered to Council in accordance with Condition 3 of this consent.
- 9A. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify that on-site car parking shall be provided for a minimum of 100 vehicles, with provision for six disabled parking spaces, and such being set out generally in accordance with Council's Car Parking requirements. The plans submitted in association with the Construction Certificate application are to demonstrate compliance with this requirement.
10. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify that the design of parking spaces, access and manoeuvring areas are in accordance with Council's Development Control Plan and AS 2890 as applicable.

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Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

- a. Required access and manoeuvring areas are to be designed for swept path clearances for the 85th percentile vehicle per AS 2890.1 2004.
 - b. Visitor parking spaces are to be located in proximity to the building entrance and clearly linemarked and signposted.
 - c. Disabled parking spaces are to be designed in accordance with AS 2890.6 2009 and be located in proximity to the building disabled access and be clearly linemarked and signposted.
 - d. Loading/unloading areas are to be separated from parking and storage areas. Loading areas must be designed to accommodate appropriate turning paths in accordance with AS 2890.2 2002.
11. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify that full geometric, drainage and certified structural details for retaining walls intended for use as earth retaining structures together with existing and proposed earthworks levels are satisfactory.
12. Campvale Drain shall be widened 1.2m immediately south of Ferodale Road for approximately 50m and to the northern extent of the Maundia Habitat Drain illustrated on the approved Site Analysis Plan. The drain widening is to taper to the southern extent so as not to significantly impact upon the Maundia Habitat. **Prior to the issue of a Construction Certificate**, design plans shall be prepared in accordance with Council's Infrastructure Specification and be approved by Council as the Asset Owner.
- 13A. All hardstand and roofed area shall be collected and conveyed to Campvale Drain generally in accordance with the approved Stormwater Management Plans. **Prior to the issue of a Construction Certificate**, design plans shall be prepared in accordance with Council's Infrastructure Specification and be approved by Council and Hunter Water Corporation. A Construction Certificate cannot be issued until full details of the stormwater drainage design, including associated calculations, has been provided to the Certifying Authority and Hunter Water Corporation for assessment and determined to be satisfactory.
- Note: Hunter Water requested that the applicant specifically address the following matters in the detailed Stormwater Management Plan:
- The proposed plant species to be used in the bio-swales should be appropriate for stormwater treatment at the site, and must be able to withstand extended periods of dry weather. It is suggested that provision of a submerged zone be considered by the applicant to help with sustaining bio-filter moisture during dry periods.
 - Underdrains included in the bio-swales must have sufficient capacity to transport water to prevent ponding on the surface for extended periods of time and excessive overtopping, and these must not limit the filtering capacity of the bio-filter.
14. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify that design plans provide for kerb & gutter, ancillary drainage and an adjacent

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ITEM 1 - ATTACHMENT 3 NOTICE OF DETERMINATION.



Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

sealed road shoulder pavement, making a smooth connection to the existing bitumen seal, for the entire road frontage of the development site.

15. All work required to be carried out within a public road reserve must be separately approved by Council, under Section 138 of the Roads Act 1993.

Engineering plans for the required work within a public road must be prepared and designed by a suitably qualified professional and constructed in accordance with Council's 'Infrastructure Design and Construction Specification – AUS Spec', and Development Control Plan.

The required works to be designed are as follows:

- a. Half width road including kerb and guttering, subsoil drainage, footpath formation, drainage and a minimum width of 5.5 metres wide road pavement across the full frontage of the site in Ferodale road.
- b. Footway formation graded at +2% from the top of kerb to the property boundary, across the frontage of the site in Ferodale road.
- c. 1.2m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath in an approved location across the frontage of the site in Ferodale road.
- d. All redundant dish crossings and/or damaged kerb and gutter are to be removed and replaced with new kerb and gutter.
- e. Roadside furniture and safety devices including fencing, signage, guide posts, chevrons, directional arrows and guard rail in accordance with RMS and Australian Standards.
- f. Signage and line marking. The signage and line marking plan shall be approved by the Council Traffic Committee.
- g. Pram ramps at the intersection of Ferodale road and the site access point to both sides of Ferodale Road to the satisfaction of Council.
- h. A bus stop is to be provided to comply with the requirements of AS/NZS 1428.4.1:2009 and the Disability Discrimination Act 1992.
- i. The bus stop shall have a seat installed, with other devices as required, in accordance with AS/NZS 1428.4.1:2009 > Appendix D > Figure D1 BUS STOP WITHOUT SHELTER – SET BACK FROM FOOTPATH.
- j. Rubber rumble strips for traffic calming on both sides of the Ferodale Road / Kirrang Drive roundabout along Ferodale Road.

The engineering plans must be approved by Council as the Roads Authority **prior to the issuing of a Construction Certificate** required under this consent.

16. **CONDITION DELETED UNDER DA 16-2015-852-3**

17. **Prior to the issue of a Construction Certificate**, a geotechnical report confirming the adequacy of the foundation material in respect of the proposed construction works for the facility is to be provided to the Certifying Authority. Structural engineering plans for the reinforced concrete slab are to reference the geotechnical report and incorporate any recommendations in respect of the works which are contained in the report.

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Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

18. **Prior to the issue of a Construction Certificate**, a vaulted system or structural soil placement for the instalment of trees within the car park to be provided to the Certifying Authority. The design is to comply with the requirements of the Port Stephens Council Tree Technical Specification 2014.
19. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify that the design of the kitchen facilities complies with the provisions of AS 4674-2004 *Design, construction and fit-out of food premises*. Particular reference is made to Sections 2.4 (garbage handling) and 4.4 (hand wash basins).
20. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify that the floor plan has been amended to provide for a cleaners/sluice sink in close proximity to the kitchen.
21. **Prior to the issue of a Construction Certificate**, the Certifying Authority is to certify compliance of the cook line and associated mechanical ventilation with AS 4674-2004 and AS 1668.1 and 1668.2.
22. **Prior to issue of the Construction Certificate**, the Section 50 Hunter Water compliance certificate which refers to the development application must be obtained and submitted to both Council and the Certifying Authority.
23. **Prior to the issue of a Construction Certificate**, certification of any existing fill on-site associated with the development is to be prepared by a suitably qualified consultant and provided to the Certifying Authority. Only material consistent with the following may be used as part of the development:
 - a. Virgin Excavated Natural Material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997 (POEO)*; or
 - b. Any other waste-derived material the subject of a resource recovery exemption under s.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.

Any fill material that is inconsistent with the above is to be removed from the site **prior to the issue of a Construction Certificate** and disposed of at an appropriate waste disposal facility.

23.1 CONDITION DELETED UNDER DA 16-2015-852-4

23.2 **Prior to the issue of a Construction Certificate**, signage and line marking plans are to be provided to prevent vehicles from using the access point of Ferodale Road as an entry. The signage and line marking are to be installed prior to the issue of the Occupation Certificate.

CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION AND CONSTRUCTION PHASES

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Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

24. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
25. Construction work that is likely to cause annoyance due to noise is to be restricted to the following times:
- Monday to Friday, 7.00am to 6.00pm;
 - Saturday, 8.00am to 1.00pm; and
 - No construction work to take place on Sunday or Public Holidays.

When the construction site is in operation the L10 level measured over a period of not less than 15 minutes must not exceed the background by more than 10dB(A). All possible steps should be taken to silence construction site equipment.

26. It is the responsibility of the applicant to erect a Principal Certifying Authority (PCA) sign (where Council is the PCA, the sign is available from Council's Administration Building at Raymond Terrace or the Tomaree Library at Salamander Bay free of charge). The applicant is to ensure the PCA sign remains in position for the duration of works.
27. Where no sanitary facilities currently exist onsite for construction workers toilet accommodation for all tradespersons shall be provided from the time of commencement until the building is complete.
28. A fire safety certificate as prescribed by Section 174 Environmental Planning & Assessment Regulations 2000 which certifies the performance of the implemented fire safety measures in accordance with Section 170 of the Regulation must be submitted to the PCA and the Commissioner of New South Wales Fire Brigades. A copy of fire safety certificate needs to be forwarded to Council, If Council is not nominated as the PCA. A further copy of the certificate must also be prominently displayed in the building.
29. The construction of any habitable floor level shall not be less than the Flood Planning level for the site RL 9.0 m AHD. A survey certificate prepared by a Registered Surveyor is to be submitted to the PCA, and approved by the PCA before works proceed above the Flood Planning Level. A copy is to be provided to Council.
30. The development shall be constructed in accordance with the NSW Government Floodplain Management Manual (2005).
31. All outdoor lighting is to be installed in accordance with Australian Standard - AS4282 – Control of the obtrusive effects of outdoor lighting.

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ITEM 1 - ATTACHMENT 3 NOTICE OF DETERMINATION.



Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

32. The flood lighting associated with the bowling greens is to be installed in accordance with the provisions of Australian Standard – AS2560.2.6 Guide to Sports Lighting.
33. The only fill material that may be received at the development site is:
- c. Virgin Excavated Natural Material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997 (POEO)*; or
 - d. Any other waste-derived material the subject of a resource recovery exemption under s.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.

Note: Any waste-derived fill material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

34. All drainage and civil works shall be carried out in accordance with the Construction Certificate and Council's Design and Construction Specification, Policies and Standards, to the satisfaction of Council or the Certifying Authority **prior to issue of the Occupation Certificate.**
- 35A. **Prior to the issue of an Occupation Certificate**, the PCA is to certify that 100 formalised car parking spaces, with six disabled spaces have been provided in accordance with the requirements of the Port Stephens Council DCP and AS2890.1. Parking is to be appropriately line marked and signposted.
36. **Prior to the issue of an Occupation Certificate**, the PCA is to certify that site landscaping has been installed and established in accordance with the approved landscaping plans.
- 36.1 **Prior to the issue of an Occupation Certificate**, the PCA is to certify that the 3.0m high pre-cast concrete panel acoustic wall, as detailed on the approved plans, has been constructed and is of a continuous solid design.

CONDITIONS TO BE SATISFIED AT ALL TIMES

- 37A. At all times, the hours of operation for the community facility are to be restricted to:
- Monday to Thursday – 9.00am to 10.00pm
 - Friday and Saturday – 9.00am to 12.00am
 - Sunday – 9.00am to 10.00pm (12.00am on long weekends)

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Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

Other internal operations such as cleaning, preparation and office administration may be undertaken outside of the above hours provided that no disturbance to the amenity of the neighbourhood occurs.

38. At all times, the bowling greens and associated flood lighting must not be used later than 9.00pm.
39. At all times, the hours of operation for the loading dock and site deliveries are restricted to 7.00am and 6.00pm.
40. At all times, all lighting is to be restricted to operation in keeping with the community facility's operating hours. Incidental lighting in accordance with the NSW Police guidelines for 'Crime Prevention through Environmental Design' and illumination associated with entry signage is exempted from this condition.
41. At all times, the community facility is to operate in a manner so as not to create 'offensive noise' as defined under the *Protection of the Environment Operations Act 1997*.
42. The stormwater system, including any water quality, quantity or infiltration components, shall be maintained in perpetuity for the life of the development.
43. At least once in each twelve (12) month period, fire safety statements as prescribed by Section 175 Environmental Planning & Assessment Regulations 2000 in respect of each required essential fire safety measure installed within the building are to be submitted to Council. Such certificates are to state that:
 - a. The service has been inspected and tested by a person (chosen by the owner of the building) who is competent to carry out such inspection and test; and
 - b. That the service was or was not (as at the date on which it was inspected and tested) found to be capable of operating to a standard not less than that specified in the fire safety schedule for the building.
- 43.1 At all times, the access in the north eastern corner (providing access to Ferodale Road) will be utilised as an exit only.

ADVICES

- A. Environmental assessment associated with any works on adjoining properties required to facilitate Hunter Water Corporation service connections are not approved under this consent. Separate approval and design to the satisfaction of Hunter Water Corporation and the land owner as part of the Section 50 process is required. No works must be directed onto Hunter Water land as part of this proposal.

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Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

SCHEDULE 2

RIGHT OF APPEAL

If you are dissatisfied with this decision:

- a review of determination can be made under Section 82A of the Act, or
- a right of appeal under Section 97 of the Act can be made to the Land and Environment Court within six (6) months from the date on which that application is taken to have been determined.

NOTES

- This is not an approval to commence work. Building works cannot commence until a construction certificate is issued by Council or an accredited certifier.
- Consent operates from the determination date. For more details on the date from which the consent operates refer to section 83 of the Environmental Planning and Assessment Act 1979.
- Development consents generally lapse five years after the determination date, however different considerations may apply. For more details on the lapsing date of consents refer to section 95 of the Environmental Planning and Assessment Act 1979.

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Notice of Determination

Under section 80, 80A, 80(1), 81(1)(a) and 96 of the Environmental Planning and Assessment Act 1979.

HOW TO READ MODIFIED CONDITIONS

The following conventions are used within this modified condition set:

- New conditions will generally be added to the end of the existing condition set and will be subsequently numbered. If a condition is added within the existing condition set, it will be suffixed with the appendage .1. For example if a new condition is to be added after existing condition 12, the new condition will be condition 12.1. If a second condition is to be added, it will be condition 12.2 and so on;
- The condition number of an amended condition is suffixed with the letter A. For example if condition 4 is amended, it becomes condition 4A. If the condition is amended a second time, it will become condition 4B and so on; and
- If a condition is deleted, the condition number will remain within the condition set with only the text 'CONDITION DELETED UNDER (DA REFERENCE NUMBER)' shown.

Should you have any questions about how to interpret this modified condition set, please contact Council.

ITEM NO. 2**FILE NO: 18/13668
EDRMS NO: PSC2005-4386****HUNTER ESTUARY COASTAL ZONE MANAGEMENT PLAN**

REPORT OF: MARC GOODALL - ACTING STRATEGY & ENVIRONMENT
SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the resubmission of the Hunter Estuary Coastal Zone Management Plan to the Minister for Planning for certification under the *Coastal Protection Act 1979*.
- 2) Note the amendments to the Hunter Estuary Coastal Zone Management Plan in light of the Department of Industry – Crown Lands and Water concerns.

Councillor Glen Dunkley left the meeting at 5:55pm in Committee of the Whole.
Councillor Glen Dunkley returned to the meeting at 5:56pm in Committee of the Whole.

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor John Nell Councillor Paul Le Mottee That the recommendation be adopted.
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**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

031	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the resubmission of the Hunter Estuary Coastal Zone Management Plan to the Minister for Planning for certification under the <i>Coastal Protection Act 1979</i>.2) Note the amendments to the Hunter Estuary Coastal Zone Management Plan in light of the Department of Industry – Crown Lands and Water concerns.
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BACKGROUND

The purpose of this report is to update Council on the certification of the Hunter Estuary Coastal Zone Management Plan (the Plan).

The Hunter Estuary Coastal Zone Management Plan was submitted for certification under the *Coastal Protection Act 1979* in December 2016 as per a resolution of Council on 13 December 2016. In November 2017, Council received advice from the Office of Environment and Heritage on behalf of the Coastal Panel that some concerns by the Department of Industry – Crown Lands and Water were required to be resolved before the Plan could be certified. Prior to providing the document to the Coastal Panel for review the Office of Environment and Heritage also requested an additional action.

Representatives from the Hunter Estuary Working Party; consisting of Port Stephens Council, Maitland City Council, Newcastle Council, Hunter Local Land Service and Office of Environment and Heritage reviewed the concerns and some minor amendments to the Plan were made. A summary table of these changes are provided as **(ATTACHMENT 1)**.

These amendments have been reviewed by the Department of Industry – Crown Lands and Water, and Council has been advised that the Plan can be resubmitted for certification.

The 2016 Hunter Estuary Coastal Zone Management Plan is a revision of the 2009 version to improve its alignment with the provisions of Part 4A of the *Coastal Protection Act 1979*. The current *Coastal Protection Act 1979* will soon be replaced by the *Coastal Management Act 2016*. As part of the proposed *Coastal Management Act 2016*, the NSW Government announced that only those Councils with certified plans would be given priority access to funding under the Estuary Grants Program.

Certification of the current Plan is important as once the *Coastal Management Act 2016* is enacted new coastal management requirements will be put in place and Estuary Coastal Zone Management Plans will be replaced with Coastal Management Programs. Council was advised if their current Plan is submitted for certification prior to the end of 2016 they would be assessed under the *Coastal Protection Act 1979* and not be subject to the additional requirements of the new Act, thus avoiding a potential funding lag. Council will have until 2021 to transition to a Coastal Management Program.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Environmental Sustainability.	Develop and implement catchment and biodiversity programs. Continue to implement initiatives that reduce Council's greenhouse gas emissions.

FINANCIAL/RESOURCE IMPLICATIONS

The implementation of the proposed management strategies requires an integrated approach by all relevant key stakeholders. This will be facilitated through the ongoing work of the Hunter Estuary Technical Working Party.

The strategies/actions that identify Council as the lead agency represent tasks that are already the direct responsibility of local government. The implementation of these actions will follow the normal process of prioritisation within Council's work program as resourcing allows.

Regarding those actions that will require additional external funding certification of the Plan will enable Council to be eligible to apply for NSW Government estuary management funding.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Section 94	No		
External Grants	Yes		Enables application for NSW Government funding.
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Implementation of the Plan by Council will be undertaken via the Integrated Planning and Reporting framework.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that if not certified coastal management implementation funding for the Hunter Estuary from the NSW Government for actions contained within the Plan will not be accessible by Port Stephens Council or partner Councils.	Medium	Progress with endorsement pathway for certification.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Hunter Estuary is one of the largest estuaries in NSW and arguably one of the most complex from a land use and administrative perspective covering three local government areas. The Plan is a strategic and long term direction developed through a specifically designed and legislated framework. It aims to provide guidance for achieving a sustainable estuary in the future while giving balanced consideration to the environmental, social and economic demands on the estuarine system and its extensive catchment area. Without such documents leverage for external funding is not possible and Councils will be left to absorb the cost.

The extensive consultation undertaken during the Plans development ensures it is reflective of the values and desires of the community.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Natural Resources unit.

Internal

Relevant internal Council staff have reviewed and provided comment during the 2016 review.

External

Representatives from the Hunter Estuary Working Party; consisting of Port Stephens Council, Maitland City Council, Newcastle Council, Hunter Local Land Service and Office of Environment and Heritage reviewed the concerns raised by Department of Industry – Crown Lands and Water and some minor amendments were made **(ATTACHMENT 1)**.

In 2016 Hunter Estuary Technical Working Party Council reviewed and provided comment on the 2009 Plan to reflect the status of the management strategies, current planning context and the meet the provisions of 4A of the *Coastal Protection Act 1979*. The following Councils and agencies were involved:

- Port Stephens Council
- Maitland City Council
- Newcastle City Council
- Local Land Services
- National Parks & Wildlife Services
- Hunter Water
- Port of Newcastle
- Office of Environment and Heritage

Roads and Maritime Authority, Department of Primary Industries (incorporating Fisheries, Agriculture and Water, Department of Planning & Environment and the Environmental Protection Authority provided comment and letters of support.

Department of Industry – Crown Lands and Water were approached for comment but were unable to provide this within the required timeframe. At the time of the Plans revision Council had been advised that all Plans must be submitted prior to the conclusion of December 2016 to be eligible for certification under the *Coastal Protection Act 1979*.

On 25 October 2016, Council resolved to endorse the revised Plan and place it on public exhibition for a period of 28 days from 26 October 2016 to 22 November 2016. Notifications were placed in the Port Stephens Examiner and the Newcastle Herald. Copies of the draft Plan were made available on Councils website, Administration Building and Tomaree Library. No community comments were received.

Extensive community consultation was undertaken across the three Council areas through the development of the 2009 version.

OPTIONS

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

ATTACHMENTS

- 1) Summary - Hunter Estuary Coastal Zone Management Plan 2016.

COUNCILLORS ROOM

- 1) Hunter Estuary Coastal Zone Management Plan 2016.

TABLED DOCUMENTS

Nil.

ITEM 2 - ATTACHMENT 1 SUMMARY - HUNTER ESTUARY COASTAL ZONE MANAGEMENT PLAN 2016.**ATTACHMENT 1: Summary of Suggested Amendment to the Hunter Estuary Coastal Zone Management Plan 2016**

No.	Section	Suggested Action	Action Undertaken
Office of Environment & Heritage			
1	New action for consideration	Add 18.3 "Assess the vulnerability of access arrangements to sea level rise impacts and consider options for long term adaptation."	Updated
Department of Industry – Crown Lands and Water			
1	General comment Abbreviations (Terms and Agency Names) p. XII	Update throughout to: Department of Industry – Lands and Forestry (Dol Lands & Forestry)	Updated
2	General Comment	Comment on a more detailed overview of public land ownership and management arrangement	This level of detail will be undertaken at the time of project management of individual actions as ownership and management arrangements are not static.
3	New action for consideration.	Identify and map the location of existing hard (or engineered) structures on the foreshore of the estuary. Ensure that the agency responsible for the works has an appropriate maintenance regime in place and proper authorisation if not on land under their management/control	The plan recognises review of infrastructures that impact risk and safety. A review of every structure on the foreshore would need to have an agreed lead agency to undertake unless Dol – Lands & Forestry is offering to undertake this. This could be an action undertaken by Dol- Lands & Forestry outside of this plan and does not need to be noted as an action. Any structures that are considered in need of management would have this level of detail investigated at the time of project management.
4	Figure 3-2 Management Zones for the Hunter Estuary p. 21	Comment on additional information on a figure showing extent of Port licence and shipping channel	This detail is subject to change and would be reviewed at the time of project management.

ITEM 2 - ATTACHMENT 1 SUMMARY - HUNTER ESTUARY COASTAL ZONE MANAGEMENT PLAN 2016.

5	Table 3-3 Agencies with implementation Responsibilities p.23	Suggested re-word of DoI Lands & Forestry Role: Manages certain Crown land and Crown reserves, and oversees the management of Crown land more generally in accordance with relevant legislation	Updated
6	S1.3 Coastal Zone Management Plans p.3, second last para.	Recommended text (bold): "Once certified, all the strategies recommended in an Estuary Coastal Zone Management Plan are may be eligible for funding from the NSW State Government. "	Updated
7	Table 3.1 Summary of Strategies p.18-p.19	Provide an explanation for footnote (2)	The referencing (2) is removed as it is no longer required as most actions are ongoing
8	Section 3.5 Funding Opportunities p.25	This section may wish to acknowledge the Public Reserves Management Fund administered by DoI Lands & Forestry which provides financial support for the development, maintenance and improvement of public reserves.	Updated
9	Strategy #5 Remove barriers to fish passage	DoI Lands and Forestry not listed as support agency. Suggested re-word, recommended Text (bold): 5.1 Conduct an audit of all estuarine waterways within the Hunter, including identifying relevant land managers/asset owners , and establish which barriers continue to impede fish passage... 5.2 In collaboration with relevant agencies, eg DoI Lands & Forestry, E establish a	Agency added as support agency. Amended wording: 5.1 Conduct an audit of all estuarine waterways within the Hunter, and establish which barriers continue to impede fish passage. On priority works as part of project management identify relevant land managers/asset owners..... 5.2 In consultation with relevant

ITEM 2 - ATTACHMENT 1 SUMMARY - HUNTER ESTUARY COASTAL ZONE MANAGEMENT PLAN 2016.

		prioritisation for the removal of....	agencies , establish a prioritisation for removal of.....
10	Strategy #6 Conservation Masterplan for Estuary p.32	<p>DoI Lands & Forestry is listed as a support agency and question is raised here and throughout agency response asking for clarification of their role.</p> <p>Sub action should be included, as follows: Identify the relevant land owners / managers / administration arrangements</p>	<p>Definition at start of document is now provided. That "support agency will be consulted at the time of project management". (Page 4)</p> <p>6.3 Prepared a practical map based Masterplan showing current on-ground works and identifying priority areas for future works including areas that require further consultation with stakeholders. For priority projects identify the relevant land owners/ managers / administration arrangements at the time of project management.</p>
11	Strategy #8 Bank erosion remediation p.34	<p>Recommended text (bold): 8.3 "Identify built and environmental assets at risk from erosion at all individual hotspot locations and identify relevant land managers/asset owners."</p> <p>8.6 In partnership with relevant land managers /asset owners, P prioritise sites for rehabilitation works based on assets at risk, timeframe for expected asset compromise, costs of works, availability of alternative asset management options and land tenure.</p>	<p>Amended wording: 8.3 Identify built and environmental assets at risk from erosion at all individual hotspot locations and consideration of impacts on instream habitats. Identify relevant land managers/asset owners for priority projects at the time of project management.</p> <p>Accepted 8.6 suggested wording.</p>
12	Strategy #9 Support Regeneration Teams p.35	Clarify the role of DoI Lands & Forestry as support agency	Definition at start of document is provided that "support agency will be consulted at the time of project management". (Page 4)
13	Strategy #12 Inter-gvt forum for	This action is supported	No action necessary

14	decision making p.38 Strategy #16 Biobanking & PVP's for private conservation p.42	Further discussion required on the role of Dol Lands & Forestry	Crown land makes up a substantial amount of the estuary area and recognition of the agency as a support group is only suggesting that they could undertake biobanking or Councils may wish to approach them to discuss Crown lands that they have care and control over.
15	Strategy #17 Habitat restoration p.43	Clarify/rephrase 'alternative management practices of assets and infrastructure...' Recommended text (bold): 17.3 "In collaboration, key stakeholders undertake a multi criteria assessment for prioritising rehabilitation sites utilise (utilising?) existing tools, and establish a forward restoration works program." 17.4 "Lobby Work collaboratively to identify funding pathways with NSW and Commonwealth Governments for funding of works, especially urgent restoration works".	Rephrase 'alternative' to 'change' management practices. Alternative was a recognition of new ideas and better management practices over time. 17.3 In consultation with key stakeholders undertake a multi criteria assessment for prioritising rehabilitation sites utilising existing tools, and establish an agreed forward restoration works program. 17.4 Work with NSW and Commonwealth Governments for funding of works, especially urgent restoration works.
16	Strategy #18 Relocate / formalise public access p.44	Recommend text (bold): 18.2 Undertake a field-based audit of existing formal and informal access to the water throughout the estuary, on both public and private lands. Characterise the usage of each access location (ie volume, purpose, management agency etc) 18.5 Prepare and implement a plan in	18.2 updated 18.5 Prepare and implement a plan in consultation with relevant land managers that aims to relocate existing access points within important habitat areas to alternative sites, and formalises existing high usage locations that are not already formalised, providing that any

17	Strategy #22 Contaminated sediments assessment p.48	<p>collaboration with relevant land managers that aims to relocate existing access points within important habitat areas to alternative sites, and formalises existing high usage locations that are not already formalised, providing that any environmental and social issues can be addressed.</p> <p>Suggested additional action 18.6 Ensure recreational assets and public access nodes developed by Council such as boat launching facilities, carparks and associated infrastructure are under Council jurisdiction / management to streamline ongoing use, maintenance and redevelopment. Further discussion required on the role of DoI Lands & Forestry in relation to "undertake assessments for contaminated sediments in the Hunter Estuary".</p>	<p>environmental and social issues can be addressed.</p> <p>18.6 Unclear what this action is suggesting. Is "under Council jurisdiction" proposing to provide the land ownership to Council or ensuring Council maintains the infrastructure on this land? This would be more appropriate to be determined at a project management stage then an action in this plan, as each situation may be different.</p> <p>Outside of the RMS area, the Crown is the owner of the bed of the river and would be consulted.</p>
18	Strategy #23 Reuse of dredged sediments p.49	<p>Remove DoI Lands & Forestry as lead agency, change to 'support agency' and clarify role as support agency.</p> <p>Recommend including a reference to: National Assessment Guidelines for Dredging (NAGD 2009, p.9- p.10) Section 4.1 Disposal alternatives and waste minimisation. 4.1.1 Evaluating Alternatives</p>	<p>Agency changed to support agency.</p> <p>Guidelines have not been included in this document to avoid having outdated documents referred to at the time of project management.</p>

ITEM NO. 3**FILE NO: 18/14177
EDRMS NO: PSC2016-03328****POLICY REVIEW: ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY**

REPORT OF: MARC GOODALL - ACTING STRATEGY & ENVIRONMENT
SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the draft Alcohol Management on Public Land Policy **(ATTACHMENT 1)**.
 - 2) Place the Alcohol Management on Public Land Policy on public exhibition for a period of 28 days and, should no submissions be received, adopt the policy as amended, without a further report to Council.
 - 3) Revoke the Alcohol on Parks and Reserves Policy dated 27/03/2001, Minute No: 128, should the Alcohol Management on Public Land Policy be adopted.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Chris Doohan Councillor Ken Jordan That the recommendation be adopted.
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**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

032	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the draft Alcohol Management on Public Land Policy (ATTACHMENT 1).2) Place the Alcohol Management on Public Land Policy on public exhibition for a period of 28 days and, should no submissions be received, adopt the policy as amended, without a further report to Council.3) Revoke the Alcohol on Parks and Reserves Policy dated 27/03/2001, Minute No: 128, should the Alcohol Management on Public Land Policy be adopted.
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BACKGROUND

The purpose of this report is to recommend the adoption of the draft Alcohol Management on Public Land Policy (**ATTACHMENT 1**).

The draft Policy will assist the NSW Police Force with their enforcement of alcohol restrictions on public land under the *Local Government Act 1993* (section 632A) and to advocate for the responsible service of alcohol at Council facilities.

The policy has been developed to meet requirements of the Ministerial Guidelines – Alcohol Free Zones 2009 as part of the *Local Government Act 1993* (section 632A).

The objectives of this Policy are:

- To assist in the prevention of excessive or illegal consumption of alcohol on Public land.
- To provide guidelines for the issuing of Limited Liquor Licences within Alcohol Prohibited Areas.
- To advocate for the responsible service and consumption of alcohol at Council facilities.

The draft Policy now defines Alcohol Prohibited Areas (APA), where they are currently located and during what times they apply. This approach provides one location (i.e. the Policy) where APAs and Alcohol Free Zones (AFZ) are defined. This improvement will assist others in understanding the framework for the regulation of alcohol on public land within Port Stephens.

The adoption of this draft Policy will result in an audit of existing signage against the requirements of the *Local Government Act 1993* (section 632A(7)). Once an audit has been completed, the signage will be updated to reflect this proposed policy, if adopted.

The draft Policy has streamlined the statements contained under the existing Policy given that they are now covered by the NSW Department of Local Government, 2009, Ministerial Guidelines on Alcohol Free Zones.

The draft Policy has been broadened to acknowledge the AFZs and APAs that currently exist and the need to advocate for the responsible sale, supply and consumption of alcohol at Council community facilities.

Although the policy applies to all public land, the only public land that will be impacted, is land where an alcohol prohibited sign is erected under the *Local Government Act 1993* (section 632A(7)). It is not the intention of Council to erect signs and prohibit alcohol at caravan parks located on public land.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Community Safety.	Use Council's regulatory powers and Government legislation to enhance public safety.

FINANCIAL/RESOURCE IMPLICATIONS

The costs of installation of new park signage will be required under this revised Policy and will be covered by Community and Recreation Assets as agreed.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Community and Recreation Assets budget.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The policy has been developed to meet the requirements of the Ministerial Guidelines – Alcohol Free Zones 2009 as part of the *Local Government Act 1993* (section 632A).

Non-compliant alcohol restricted signage – All existing signage that specifies the areas and times that APAs apply are non-compliant with the *Local Government Act 1993*.

This non-compliant signage means that the NSW Police Force cannot currently enforce their responsibility to confiscate or tip-out alcohol within these APA under that Act.

Implementation Responsibility – The Draft Policy more clearly defines responsibility for the management of alcohol on public land for a number of sections in Council.

The Strategy and Environment Section will be responsible for:

1. Administration of applications to establish, suspend and vary all AFZ and APA.
2. Administration of updating relevant signage in accordance with legislation.
3. Advocate for the responsible service of alcohol at Council community facilities.
4. Two-year review of this Policy.

The Development Assessment and Compliance Section will continue to be responsible for providing a response to Liquor and Gaming NSW for all limited liquor licences proposed within Council's community facilities.

The proposed Policy has been updated to identify primary responsibilities for the Strategy & Environment and Development Services & Compliance of the Development Services Group.

The existing Policy contains a list of statements that are now covered by the NSW Department of Local Government, 2009, Ministerial Guidelines on Alcohol Free Zones.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that without the adoption of the revised policy to install and upgrade signage on specified public land within Port Stephens that NSW Police Force cannot enforce the confiscation of alcohol pertaining to anti-social behaviour.	High	Adopt the recommendation.	Community and Recreation Assets will fund the ongoing upgrade of the signage as required under the <i>Local Government Act 1993</i> .

SUSTAINABILITY IMPLICATIONS

Under this draft Policy, Council, when approving Liquor Licenses, has the opportunity to advocate for the responsible sale, supply and consumption of alcohol at Council facilities.

All existing signage that specifies the areas and times that APAs apply are non-compliant and must be compliant with *Local Government Act 1993* to enable law enforcement.

This non-compliant signage means that the NSW Police Force cannot currently enforce their responsibility to confiscate or tip-out alcohol within these APAs under the *Local Government Act 1993* (section 632A). This will impact on anti-social behaviour regarding the Alcohol Management on Councils Public Land.

CONSULTATION

Internal

The policy has been endorsed by Council's Executive Team.

Consultation with key stakeholders has been undertaken internally by the Strategic Planning Section with discussions with the Development Assessment and Compliance Section and Community and Recreation Assets.

The costs of installation of new park signage that will be required under this revised Policy were discussed and accepted by the Community and Recreation Coordinator. The existing Policy lists the Community and Recreation Services Department – Sport and Recreation as the part of Council that is responsible for signage replacement.

The Development Assessment and Compliance Section will continue to be responsible for providing a response to Liquor and Gaming NSW for all limited liquor licences proposed within Council's community facilities.

External

Council is required to publicly exhibit the policy for a period of 28 days, seeking public comment.

OPTIONS

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

ATTACHMENTS

- 1) Draft Alcohol Management on Public Land Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 DRAFT ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY.**Policy**

FILE NO: PSC2016-03312

TITLE: DRAFT ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY

POLICY OWNER: STRATEGY AND ENVIRONMENT

PURPOSE:

The purpose of this Policy is to manage anti-social behaviour and improve public safety through alcohol regulation in public areas.

CONTEXT/BACKGROUND:

The NSW Government has made clear its determination to tackle the growing problem of anti-social behaviour and alcohol-related violence in the community. To that end, Ministerial Guidelines on Alcohol-Free Zones (2009) have been developed in accordance with the *Local Government Act 1993* to give Police and local Council enforcement officers more power to enforce alcohol-free zones.

There are two forms of alcohol regulation that are available to manage alcohol consumption in public areas. These are Alcohol Free Zones and Alcohol Prohibition Areas.

Alcohol Free Zones

The principal object of an Alcohol Free Zone is to prevent disorderly behaviour caused by the consumption of alcohol on public roads, footpaths or in public car parks in order to improve public safety.

Alcohol-Free Zones provide an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

Alcohol-Free Zones have been established 24 hours per day, seven days per week in the following areas:

No	Area	Precinct
1	Anna Bay	Town Centre
2	Raymond Terrace	Town Centre
3	Lakeside	Neighbourhood Shops
4	Medowie	Town Centre
5	Nelson Bay	Town Centre
6	Shoal Bay	Town Centre

Policy

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ITEM 3 - ATTACHMENT 1 DRAFT ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY.

Policy



The boundaries of these areas are mapped on Council's website. A temporary suspension of an Alcohol-Free Zone for special events can be considered in accordance with the Department of Local Government, 2009, Ministerial Guidelines- Alcohol Free Zones.

Alcohol Prohibited Areas

Pursuant to section 632(2)(e) of the *Local Government Act 1993*, Council can prohibit the carrying and/or consumption of alcohol in public areas such as parks, reserves and beaches by the placing of signs prohibiting these activities. These areas are referred to as Alcohol Prohibited Areas.

Alcohol Prohibited Areas cover all parks, beaches and reserves across the Local Government Area from 9.00pm to 8.00am, except for Apex Park, Nelson Bay, where the consumption of alcohol is prohibited 24 hours per day, seven days per week.

A temporary suspension of an Alcohol Prohibited Area for special events can be considered in accordance with the Department of Local Government, 2009, Ministerial Guidelines on Alcohol Free Zones.

Limited Liquor Licences for Council community facilities in Alcohol Prohibited Areas

Within Council community facilities such as community halls, sporting centres, senior citizens centres etc, located in Alcohol Prohibited Areas where there is a wish to sell and/or supply alcohol under the *Liquor Act 2007*, a Limited Liquor Licence is required. Typically this is for functions held by a non-profit organisation.

In this instance, an application for a limited liquor licence is sought from the Liquor and Gaming NSW. In considering this application, Liquor and Gaming NSW will consider submissions from the NSW Police Force, Council and others.

When the local consent authority (Council) notice is received by the applicant of the proposed limited liquor licence, Council will request a site plan identifying a designated wet area. The wet area indicates where the consumption of alcohol within the Council community facility is proposed. This will assist in the responsible service of alcohol by the licence holder and the limited liquor licence parameters issued by Liquor and Gaming NSW.

Council may notify the Liquor and Gaming NSW or the NSW Police Force, if it is suspected that alcohol is being sold, served or consumed at a Council community facility without a liquor licence.

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ITEM 3 - ATTACHMENT 1 DRAFT ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY.

Policy



SCOPE:

This policy applies to all Alcohol-Free Zones and Alcohol Prohibited Areas across the local government area.

DEFINITIONS:

Alcohol Free Zone (AFZ)	Applies to identified public roads, footpaths and car parks that have been declared as AFZs in accordance with the Department of Local Government, 2009, Ministerial Guidelines on Alcohol Free Zones. This declaration prohibits the consumption of alcohol 24 hours per day, seven days per week.
Alcohol Prohibited Areas (APA)	Applies to all parks, beaches and reserves that have been declared by resolution of Council under the <i>Local Government Act (632(2)(e))</i> . The consumption of alcohol is prohibited from 9.00pm to 8.00am in all APAs, except for Apex Park, Nelson Bay, which is a park that the consumption of alcohol is prohibited 24 hours per day, seven days per week.
Public land	Council owned or controlled land, including Crown land that Council is the Trust manager of and Community and Operational land as classified under the <i>Local Government Act 1993 (Part 2)</i> . A register of public land and associated maps is available from Council's website.
Council community facilities	A Council community facility means land or building owned, vested or under Council management, such as community halls, senior citizen centres, multi-purpose centres, youth centres and libraries.

POLICY STATEMENT:

The objectives of this Policy are:

- To assist in the prevention of excessive or illegal consumption of alcohol on public land;
- To provide guidelines for the issuing of Limited Liquor Licences within Alcohol Prohibited Areas; and
- To advocate for the responsible service and consumption of alcohol at Council facilities.

POLICY RESPONSIBILITIES:

- The Strategy and Environment Section is responsible for administering applications regarding the use of alcohol on public land and at Councils facilities;
- The Development Assessment and Compliance Section is responsible for providing a response to Liquor and Gaming NSW for all limited liquor licences proposed within Council's community facilities; and

Policy

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ITEM 3 - ATTACHMENT 1 DRAFT ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY.

Policy



- The Strategy and Environment Section is responsible for the implementation, monitoring, evaluating and reviewing the Policy.

RELATED DOCUMENTS:

Related documents, policies and legislation:

No	Document, Policy or Legislation	Relevance
1	<i>Local Government Act 1993</i>	<ul style="list-style-type: none"> s632A states that a council may declare any public place to be an APA and police have the responsibility to enforce this APA. s642 states that a Council enforcement officer or police have the responsibility to enforce an APZ. s646 states that the Minister may prepare guidelines that must be followed by Council in the establishment of an AFZ.
2	NSW Department of Local Government, 2009, Ministerial Guidelines on Alcohol Free Zones	<ul style="list-style-type: none"> These guidelines are the most recent that have been prepared by the Minister for Local Government. They are provided power under the <i>Local Government Act 1993 (s646)</i>.
3	NSW Liquor Act 2007	<ul style="list-style-type: none"> s7 states that a liquor licence is required to sell liquor. Division 7 of Part 3 details the requirements for a limited liquor licence.

CONTROLLED DOCUMENT INFORMATION:

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RM8 container No	PSC2016-03312	RM8 record No	
Audience	Community and NSW Police Force		
Process owner	Strategic Planning Coordinator		

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ITEM 3 - ATTACHMENT 1 DRAFT ALCOHOL MANAGEMENT ON PUBLIC LAND POLICY.

Policy



Author	Strategic Planning Coordinator		
Review timeframe	Two years	Next review date	February 2020
Adoption date			

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	28/11/2000	Facilities and Services	Review of Alcohol in Parks and Reserves Policy adopted.	654
1.1	27/03/2001	Facilities and Services	Review of Alcohol in Parks and Reserves Policy adopted.	128
1.2	27/02/2018	Strategy and Environment	The draft Alcohol in Parks and Reserves Policy has been broadened to acknowledge the AFZs and APAs that exist and to advocate for the responsible sale of alcohol within Council community facilities.	

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ITEM NO. 4

FILE NO: 17/127573
EDRMS NO: PSC2010-03626

POLICY REVIEW: MEDIA LIAISON POLICY

REPORT OF: STEPHEN CROWE - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the draft Media Liaison Policy shown at **(ATTACHMENT1)**.
 - 2) Place the Media Liaison Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.
 - 3) Revoke the Media Liaison Policy dated 9 December 2014 (Min No. 336), should no submissions be received.
-

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Paul Le Mottee Councillor Jaimie Abbott That the recommendation be adopted.
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ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION

033	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the draft Media Liaison Policy shown at (ATTACHMENT1).2) Place the Media Liaison Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the Policy be adopted as amended, without a further report to Council.3) Revoke the Media Liaison Policy dated 9 December 2014 (Min No. 336), should no submissions be received.
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BACKGROUND

The purpose of this report is to review the Media Liaison Policy, adopted by Council on 9 December 2014 (Min. No. 336).

Port Stephens Council is committed to keeping its local and wider community well informed about its activities. To achieve this outcome Council recognises that a good working relationship with the media is essential. Social, electronic, digital and print media are principal means by which Council can inform and consult effectively with its community.

The purpose of the Policy is to encourage community understanding and informed judgement about Council's actions and decisions by:

- Establishing and maintaining a good working relationship between Council and the media;
- Establishing consistent methods for managing communications between Council and the media to ensure accurate, timely, balanced and reliable information reaches the community.

The need for Council to maintain a working relationship with the media is identified in item 5.5.1.6 (Manage external communications) of Council's 2017-2018 Operational Plan.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Reputation.	Strengthen Council's brand and reputation.

FINANCIAL/RESOURCE IMPLICATIONS

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

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal, policy and risk implications in adopting the revised policy. The Policy will assist in sustaining a positive working relationship between Council and the media to encourage and facilitate communication to the community on behalf of Port Stephens Council.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that without the Media Liaison Policy in place, Council may not maintain a positive relationship with the media, which may have an effect on how Council is perceived within the community.	Low	Adopt the Media Liaison Policy.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with internal stakeholders has been undertaken by the Communications Section.

The objective of the consultation was to ensure the policy was in line with the overall strategic direction of the Communications Section and Council's vision to strengthen its brand and reputation.

Internal

- Communications Section Manager.
- Public Relations and Marketing Coordinator.

External

Nil.

In accordance with local government legislation, the draft Media Liaison Policy will go on public exhibition for 28 days, once adopted.

OPTIONS

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

ATTACHMENTS

- 1) Draft Media Liaison Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: PSC2015-03550
TITLE: MEDIA LIAISON POLICY
POLICY OWNER: COMMUNICATIONS SECTION MANAGER

PURPOSE:

Port Stephens Council is committed to keeping its local and wider community well informed about its activities, as well as strengthening Council's brand and reputation.

In doing so, it is important that Council is open, honest and transparent in its dealings with media representatives and uses appropriate language and spokespeople.

To achieve this outcome Council recognises that a good working relationship with media organisations is essential. Social, electronic, digital and print media are principal means by which Council can inform and consult effectively with its community.

This policy also seeks to clarify the respective roles and responsibilities of staff and Councillors and clearly delineate between personal opinions and Council communications.

CONTEXT/BACKGROUND:

This policy continues Council's commitment to these relationships and follows a review of the previous policy (9 December 2014, Minute No. 336).

The current media landscape is a rapidly changing one. Technology is increasing the speed of communication and is influencing audiences' behaviours and expectations regarding how they receive and consume information.

News no longer runs on a weekly or even a 24-hour cycle; as soon as it breaks, there is a waiting audience, with social media beating traditional media, such as newspapers, television and radio, to the punch every time.

Despite the overwhelming changes to the media landscape and the rapidity of this change, there are still portions of the audience, particularly at the local community level, who continue to consume their information via more traditional means. This may be due to factors such as limited access to technology, failure to adopt new technology as a result of age, choice or socio-economic status, a matter of trust, or simply preferring the ritual of turning on the television, tuning into the radio or holding a paper in our hands.

Policy

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While most traditional media outlets have adopted a digital-first approach to stay in touch with a broader audience, the burgeoning social media landscape has seen an exponential rise in the number of digital channels.

The changes have allowed brands and organisations, such as Port Stephens Council, to adapt our communications in response. Where we once relied almost exclusively on traditional media to reach our community and help tell our stories, we now create our own content and can communicate with a portion of our community in real-time in a targeted fashion.

Working with the traditional media with a shared understanding of the importance of a digital-first approach has and will continue to foster solid relationships and allow us to convey our messages to our community in more ways than ever before. With this in mind it is important for Council to establish and maintain strong working relationships with all forms of media.

SCOPE:

To encourage community understanding and informed judgement about Council's actions and decisions by:

- 1) Establishing and maintaining a good working relationship between Council and the media; and
- 2) Establishing consistent methods for managing communications between Council and the media to ensure accurate, timely, balanced and reliable information reaches the community.

DEFINITIONS:

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

Media liaison	Media liaison involves the working relationship Council staff has with representatives from the print, broadcast and digital media.
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POLICY STATEMENT:

- 1) Port Stephens Council is committed to open communication with its community through the media. Council will be open and honest in its dealing with the media, notwithstanding that Council will comply with its duty of care to protect confidential or personal information and does not infringe any laws in providing information.
- 2) Council representatives will not knowingly provide information to the media which is untruthful or inaccurate.

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- 3) Council will make all reasonable attempts to deal with media inquiries promptly and accurately. Council will also try at all times to have relevant Council or staff representatives available to respond to the media in a timely manner.
- 4) As elected community representatives, Councillors may express their personal view on any matter to the media.
- 5) As the elected leader of the Council, the Mayor is Council's spokesperson on matters of policy and interpretation of Council's position or decisions. In the absence of the Mayor, the Deputy Mayor will be Council's spokesperson on these matters.
- 6) When authorised to do so by the Mayor, Councillors may also represent Council to the media in respect of:
 - a) Matters of interest to their Ward that they have been personally involved in;
 - b) Matters related to the activities of committees, which they chair or are involved in.
- 7) In addition to operational issues, the General Manager may also represent Council to the media on matters of policy.
- 8) Staff may represent Council to the media on matters of factual information only if approved to do so by the General Manager, their Group Manager or the Communications Section Manager. Staff must not express personal views regarding Council matters and in general should only provide information in respect of their area of responsibility.
- 9) From time to time, the General Manager may also authorise individuals other than staff or Councillors to represent Council to the media, for example Chairperson of Audit Committee.
- 10) Written statements to the media on behalf of Council must be issued through the Public Relations and Marketing Unit and approved by the Communications Section Manager. Where appropriate, they will seek approval from the Mayor, General Manager or relevant Group Manager. Where other staff have been quoted in written statements, approval will be sought from the individual(s) prior to distribution to the media.
- 11) All Council staff contact with the media is to be co-ordinated through Council's Public Relations and Marketing Unit. Council will use agreed protocols and procedures to guide staff and Councillors to ensure that this policy is followed.

Policy

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POLICY RESPONSIBILITIES:

- 1) This policy is to be implemented by all areas of Council.
- 2) The Communications Section Manager is responsible for the implementation, monitoring, evaluating and reviewing the policy.

RELATED DOCUMENTS:

- 1) Code of Conduct
- 2) Communications Plan

CONTROLLED DOCUMENT INFORMATION:

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RM8 container No		RM8 record No	PSC2015-03550
Audience	Staff, Councillors and the Community		
Process owner	Communications Section Manager		
Author	Public Relations and Marketing Coordinator		
Review timeframe	Two years	Next review date	February 2020
Adoption date	28 May 2002		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	28 May 2002	Communications Section Manager		Minute No.208
1.1	9 December 2014	Communications Section Manager		Minute No.336

Policy

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Policy



1.2		Public Relations and Marketing Coordinator	Changes to the exiting policy to include a broader definition and context with regard to the changing media landscape. Change in reference from 'Communications Unit' to Public Relations and Marketing Unit.	
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Policy

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Printed: xx/02/2018

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ITEM NO. 5**FILE NO: 18/13627**
EDRMS NO: PSC2005-2681**POLICY REVIEW: FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Financial Assistance for the Disposal of Waste in Port Stephens policy shown at **(ATTACHMENT 1)**.
 - 2) Place the Financial Assistance for the Disposal of Waste in Port Stephens policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council.
 - 3) Revoke the Financial Assistance for the Disposal of Waste in Port Stephens policy dated 24 September 2013 (Minute No 273), should no submissions be received.
-

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Ken Jordan Councillor Chris Doohan That the recommendation be adopted.
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ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION

034	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the revised Financial Assistance for the Disposal of Waste in Port Stephens policy shown at (ATTACHMENT 1).2) Place the Financial Assistance for the Disposal of Waste in Port Stephens policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as
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MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

	amended, without a further report to Council.
	3) Revoke the Financial Assistance for the Disposal of Waste in Port Stephens policy dated 24 September 2013 (Minute No 273), should no submissions be received.

BACKGROUND

The purpose of this report is to gain Council's endorsement to place the revised Financial Assistance for the Disposal of Waste in Port Stephens Policy on public exhibition.

The program was developed and adopted in 2000 under the Donations Policy and Section 356 of the *Local Government Act 1993* and is funded by the Waste Reserve. The program was then formalised as a specific policy in 2007 and was later amended in 2013 following an extensive consultation process with the users of the program.

The program lessens the financial burden of waste disposal for charitable, not for profit and benevolent organisations that provide a *bona fide* community service within the Port Stephens Council Local Government Area. It does this by subsidising waste disposal costs through a co-contribution arrangement as outlined in the policy.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Waste Management.	Provide waste and recycling services.

FINANCIAL/RESOURCE IMPLICATIONS

There are no additional financial or resource implications created by this revised policy in excess of those already provided under the previous version of the policy.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	70,000	Funded by the Waste Management Charge.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal or policy impediments for adopting the recommendation. Risks associated with the recommendation are outlined in the table below.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that not adopting the policy may result in the cancellation of financial assistance to charitable which could pose a financial risk for them and a reputation risk for Council.	Low	Adopt the recommendations.	Yes
There is a risk that lowering the financial contribution level from the users of the program could result in increased amounts of waste disposed of to landfill, which would have an increased financial impact on Council.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Should the reviewed policy be adopted after public consultation the social implications are that charitable organisations will be able to spread their resources further creating a social benefit.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Community Services Section to ensure that the current policy meets the goals that it is aimed to achieve.

Internal

Consultation was held with the staff members within Council's Waste Services team who communicate with the program users and administer this program prior to finalising the draft reviewed policy document.

External

As the revised policy contains no changes to how the financial assistance program operates or the level of assistance provided to the organisations using the program, no consultation was held with these users in drafting the revised policy.

The organisations using the program will be notified in writing that the policy is on public exhibition so that if they have any comments they can make them as part of that public exhibition process.

In accordance with local government legislation it is anticipated the draft Financial Assistance for the Disposal of Waste in Port Stephens policy will go on public exhibition from 2 March 2018 to 30 March 2018 for 28 days.

OPTIONS

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

ATTACHMENTS

- 1) Revised Financial Assistance for the Disposal of Waste in Port Stephens Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 5 - ATTACHMENT 1 REVISED FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



FILE NO: PSC2005-2681

TITLE: FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS

POLICY OWNER: WASTE MANAGEMENT COORDINATOR

PURPOSE:

To lessen the financial burden of waste disposal for charitable, not for profit and benevolent organisations that provide a bonafide community service within the Port Stephens Council Local Government Area.

CONTEXT/BACKGROUND:

The program was developed and adopted in 2000 under the Donations Policy and Section 356 of the *Local Government Act 1993* and is funded by the Waste Reserve.

The program was then formalised as a specific policy in 2007 and was amended in 2013.

Currently the approved organisations may deliver their waste to either the Salamander Bay Waste Transfer Station or the SUEZ Newline Road waste facility in Raymond Terrace.

There are currently 28 organisations approved to receive financial assistance under this policy. The average annual cost to provide this service is \$70,000

SCOPE:

This policy provides financial assistance for waste disposal to charitable, not for profit or benevolent organisations that perform a *bona fide* service of Council.

In order to qualify for financial assistance an organisation must submit the application form and supply evidence that demonstrates compliance with the Policy Statement. The application is assessed against the Policy Statement to determine if the organisation qualifies for assistance.

DEFINITIONS:

Full Gate Fee The advertised per tonne disposal rate at the waste facility.

Waste Levy The NSW Environmental Protection Authority per tonne levy for solid waste to landfill.

CPI The Consumer Price Index (All Groups Sydney).

Policy

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ITEM 5 - ATTACHMENT 1 REVISED FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



POLICY STATEMENT:

Eligible organisations are entitled to the level of financial assistance included within Council's annual fees and charges. These charges will increase by CPI annually and will be included within Council's Annual Fees and Charges presented to Council.

The charges applicable to the organisations are based on the tonnage of waste they deliver over the financial year, the tonnage brackets are as outlined in the below table;

Tonnes	Price
0 to 20	Free
20.01 to 60	As per Council's Fees and Charges
60.01 to 150	As per Council's Fees and Charges
Over 150	Full gate rate – Waste levy

Port Stephens Council will provide financial assistance for the disposal of waste to organisations that meet the following requirements:

- Organisations must be registered as a charitable, not for profit or a benevolent organisation (supporting documentation must be supplied with application).
- Organisations must apply to the NSW Environment and Protection Authority for an exemption from the waste levy and supply this information to Council with their application.
- The waste generated by the organisation for disposal must be generated by a community service and that service must be a *bona fide* function of Council as described in the *Local Government Act 1993*.
- Organisations are required to reduce waste to landfill by sorting waste into recyclable and non recyclable items prior to disposal.
- Organisations are to adopt procedures and work with Council to reduce the amount of waste they generate or receive.
- Schools which conduct volunteer working bees may be approved for one off waste disposal vouchers.

Policy

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ITEM 5 - ATTACHMENT 1 REVISED FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



POLICY RESPONSIBILITIES:

- 1) Waste Projects Officer – Responsible for the administrative tasks of the policy.
- 2) Waste Management Coordinator – Responsible for the overall implementation of the policy.
- 3) Community Services Section Manager – Responsible for monitoring of the policy.

RELATED DOCUMENTS:

- 1) Financial Assistance for Waste Disposal Application Form.
- 2) *Local Government Act 1993*.
- 3) Waste Management and Resource Recovery Policy.

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No	PSC2005-2681	EDRMS record No	
Audience	Local Charitable, Not for Profit and Benevolent organisations		
Process owner	Waste Management Coordinator		
Author	Waste Management Coordinator		
Review timeframe	Two years	Next review date	31/3/2020
Adoption date	24 April 2007		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	24/4/2007	Waste Management Coordinator	Initial Policy	106
2	24/9/2013	Waste Management Coordinator	Amended Policy Adopted	273

Policy

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ITEM 5 - ATTACHMENT 1 REVISED FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



3		Waste Management Coordinator	Revised draft policy for review and endorsement by Executive Leadership Team. Revised to new Policy template. Changes made to pricing table to remove actual charges and replace with as per Council's Fees and Charges. Draft for Public Exhibition.	
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Policy

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ITEM NO. 6

**FILE NO: 18/13914
EDRMS NO: PCS2007-3163**

POLICY REVIEW: WASTE MANAGEMENT AND RESOURCE RECOVERY

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Waste Management and Resource Recovery policy shown at **(ATTACHMENT 1)**.
 - 2) Place the Waste Management and Resource Recovery policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council.
 - 3) Revoke the Waste Management and Resource Recovery policy dated 23 June 2015 (Minute No: 176), should no submissions be received.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Steve Tucker Councillor Chris Doohan That the recommendation be adopted.
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**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

035	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the revised Waste Management and Resource Recovery policy shown at (ATTACHMENT 1).2) Place the Waste Management and Resource Recovery policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council.3) Revoke the Waste Management and Resource Recovery policy dated 23 June 2015 (Minute No: 176), should no submissions be received.
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BACKGROUND

The purpose of this report is to endorse the review of the Waste Management and Resource Recovery policy.

Port Stephens Council currently provides domestic and non-domestic waste services in accordance with sections 496 and 501 of the *Local Government Act 1993*.

Council's existing Waste Management and Resource Recovery policy was adopted on 27 November 2007 and has undergone amendments on 24 November 2009 and 23 June 2015. The policy defines Council's position on solid waste management and resource recovery as well as outlining the waste services that are provided to residents, businesses and visitors of Port Stephens.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Waste Management.	Provide waste and recycling services.

FINANCIAL/RESOURCE IMPLICATIONS

There are no additional financial or resource implications created by this revised policy in excess of those already provided under the previous version of the policy.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	16 Million	All waste services and programs provided by Council are funded by either the Waste Service Charge or the Waste Management Charge.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal or policy impediments to adopting the recommendations.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation could be damaged if it is using a policy that is not up to date.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no sustainability implications created by this reviewed policy in excess of those already accounted for under the previous version of the policy.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Community Services Section. This consultation with both internal and external stakeholder was undertaken to ensure that the position taken by Council on waste management and resource recovery practices was in line with current trends in the industry as well as safe, convenient and affordable for the residents and businesses of Port Stephens.

Internal

All internal staff associated with the delivery of the suite of waste services were consulted in person during the drafting of this reviewed policy.

External

As part of this policy review Waste Services Unit staff consulted with a number of peers at other Councils to benchmark waste services. This consultation process showed that waste services provided by Council are either on par with or exceed those provided by other Councils in the surrounding geographical area.

In accordance with local government legislation it is anticipated that the revised policy for Waste Management and Resource Recovery will go on public exhibition from 2 March 2018 to 30 March 2018 for 28 days.

OPTIONS

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

ATTACHMENTS

- 1) Revised Waste Management and Resource Recovery Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 6 - ATTACHMENT 1

REVISED WASTE MANAGEMENT AND RESOURCE RECOVERY POLICY.

Policy



FILE NO: PSC2007-3163

TITLE: WASTE MANAGEMENT AND RESOURCE RECOVERY POLICY

POLICY OWNER: WASTE MANAGEMENT COORDINATOR

PURPOSE:

The purpose of this policy is to detail Council's position on solid waste management within the Port Stephens Council Local Government Area in order to facilitate the delivery of a Waste Management and Resource Recovery Plan.

CONTEXT/BACKGROUND:

Port Stephens Council currently provides domestic and non-domestic waste services in accordance with sections 496 and 501 of the *Local Government Act 1993*.

These services include:

- The provision of mobile garbage bins.
- Weekly residual waste (red bin) collection service.
- Fortnightly dry recycling (yellow bin) collection service.
- On-call bulky and green waste collection.
- Processing of recyclables.
- Processing of residual waste via an Advanced Resource Recovery Technology (ARRT) Facility.
- Green waste drop off days.
- Where required, the land filling of residual wastes.
- Environmental monitoring of decommissioned landfills.
- Community education about waste services provided by Council, how to correctly use the provided services and how waste generation can be reduced.

Port Stephens Council also coordinates the collection of certain hazardous and problem waste not suitable for collection in either waste or recycling household bins. These include the provision of permanent drop off sites or drop off events for the collection of household chemical, paints, oil, gas bottles, electronic waste, mattresses, tyres, car and household batteries, mobile phone, printer cartridges and fluorescent tubes.

Port Stephens Council also provides waste and recycling services to events held within Port Stephens and in public places such as parks and reserves, sporting fields and streets where Council's asset owners have determined the need for this service.

Policy

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ITEM 6 - ATTACHMENT 1**REVISED WASTE MANAGEMENT AND RESOURCE RECOVERY POLICY.**

Policy



Residents and businesses of Port Stephens have self-haul access to one Council-owned Waste Transfer Station at Salamander Bay. Waste delivered to the transfer station is sorted and separated for reuse, recycling or disposal.

The management of waste provides significant outcomes for human health and for the quality of our environment. Since the mid 1990's Council's approach to waste management has moved from simple landfilling of all wastes to kerbside recycling and the utilisation of technology designed to efficiently collect and sort waste for maximum resource recovery. Through these actions Port Stephens Council has improved the sustainability of its waste management services to the community.

SCOPE:

This policy outlines what services are provided to the residents, ratepayers and businesses of Port Stephens as well as Council's position on solid waste management.

DEFINITIONS:

Domestic Waste Management	Collection, processing and disposal of solid waste collected from the kerbside of residential properties
Non-Domestic Waste Management	Collection, processing and disposal of solid waste collected from non-domestic (commercial) properties.
Public Place Waste Management	Collection, processing and disposal of waste collected from streets, parks and central business districts

POLICY STATEMENT:

Council provides the following waste management to the residents, ratepayers and businesses of Port Stephens.

1) Domestic and Non-domestic (Commercial) Waste Management.

Council is committed to:

- Providing convenient and accessible waste services that meet the needs of the community.
- Reasonable costing of waste services in accordance with Sections 496 and 501 the *Local Government Act 1993*.
- The source separation of commercially viable recyclables from residual waste both in its kerbside collections and bulk waste collections.

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ITEM 6 - ATTACHMENT 1 REVISED WASTE MANAGEMENT AND RESOURCE RECOVERY POLICY.

Policy



- Processing residual waste via Advanced Resource Recovery Technology (ARRT) Facility until at least 2027.
- The disposal of inert domestic waste to licensed landfill sites.
- The provision of waste collection services via contracts with commercial operators.
- The provision of alternative waste technology via contracts with commercial operators.
- Continually educating the community about its range of waste services and how to correctly use them.

2) Toxic/Hazardous/Medical Waste.

Council is committed to:

- Creating solutions that source separate these wastes from the domestic/commercial waste streams.
- Supporting extended producer responsibility schemes for the collection and disposal of hazardous and medical wastes.
- Run drop off events for problem wastes such as chemicals, mattresses, tyres and electronic waste.
- Continue to operate the Community Recycling Centre (CRC) at the Salamander Bay Waste Transfer Station that accepts hazardous household chemicals free of charge from residents of Port Stephens.
- Continue to have a medical sharps collection points in amenities across Port Stephens LGA to allow safe disposal of these items in public places.

3) Public Place Waste Management.

Council is committed to:

- Providing mobile garbage bins and bulk containers in public places where the need is determined by Council's asset owners including;
 - CBD areas
 - Streets
 - Parks & Reserves
 - Sporting Facilities
- The source separation of commercially viable recyclables in locations where trials have deemed it successful.
- The provision of waste services for special events where Council has approved the waste management plans for these events.
- The maintenance of all public place waste infrastructure to ensure that it is safe and clean for the users of the area.

Policy

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ITEM 6 - ATTACHMENT 1
RECOVERY POLICY.

REVISED WASTE MANAGEMENT AND RESOURCE

Policy



4) Management of Waste Transfer Stations.

Council is committed to:

- The provision and operation of Salamander Bay Waste Transfer Station at 4 Tarrant Road Salamander Bay as per Council's Community Strategic Plan.

5) Landfill Management.

Council is committed to:

- The rehabilitation of decommissioned landfills to meet or exceed the licence requirements.
- The continued monitoring of decommissioned landfill sites for due diligence purposes so that the environmental impacts are known.
- Reducing the community's reliance on land filling as the primary waste management method. Financial Assistance for the Disposal of Waste in Port Stephens.

6) Financial Assistance for the Disposal of Waste in Port Stephens.

Council is committed to:

- The provision of financial assistance for the disposal of waste to charitable, not for profit or benevolent organisations in accordance with Council's Policy "Financial Assistance for the Disposal of Waste in Port Stephens" under section 356 of the *Local Government Act 1993*.

7) Illegal Dumping.

Council is committed to:

- Minimising illegal dumping as it is an offence under the *NSW Protection of the Environment Operations Act 2001* and those carrying out such activities may be fined. Council's Compliance Policy addresses the issues surrounding illegal dumping, in terms of its regulation and the need to prioritise activities that educate the community.

8) Information / Education.

Council is committed to:

- Providing clear and concise information on the range, cost and availability of waste services provided.
- Providing education to residents and visitors to the area in order to maximise the potential of its services.
- Working with Environmental Services to educate the community via its association with community groups, schools and other interest groups.

Policy

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ITEM 6 - ATTACHMENT 1
RECOVERY POLICY.

REVISED WASTE MANAGEMENT AND RESOURCE

Policy



9) Development Planning.

Council is committed to:

- Ensuring that waste management issues are managed in the Local Environment Plan and related Development Control Plans.

10) In pursuing this policy Council will comply with legislation, specifically.

- In the management of waste services Council will observe the principles of ecological sustainable development (as defined in the *Local Government Amendment (Ecologically Sustainable Development) Act 1997*) specifically; inter-generational equity; improved valuation, pricing and incentive mechanisms (eg: polluter pays and full life cycle costing); the precautionary principle and the conservation of ecological integrity.
- Council will comply with NSW Environment Protection Licences for the Salamander Bay Waste Transfer Stations and the surrender notices for all decommissioned landfill sites.
- Council will comply with the *Local Government Act 1993* by continuing to provide waste services to domestic and non-domestic properties under sections 496 and 501 of the Act.
- Council will comply with the *Work Health and Safety Act 2011 (NSW)*.
- Council will give due consideration to state and commonwealth guidelines and strategies including but not limited to:
 - *NSW Waste Avoidance and Resource Recovery Act 2001*.
 - *NSW Waste Avoidance and Recovery Strategy 2014-21*.
- The NSW Waste Hierarchy of Avoid, Reuse, Recycle, Dispose, will guide decision making processes (*Waste Avoidance & Resource Recovery Act 2001*).
- Council will comply with Australian Standards relating to mobile garbage bin design and standard colours (AS4123.6 2006 and AS4123.7 2006).
- Council will provide services and education material that is consistent with regional, state and national strategies and programs.
- Where opportunities exist, Council will participate in local and regional initiatives to address waste issues.

POLICY RESPONSIBILITIES:

Overall review and evaluation of this policy lies with the Community Services Section Manager.

Key areas for implementation are delegated to the following positions:

- Waste Management Coordinator – Domestic and non-domestic waste management; toxic, hazardous and medical wastes; public place waste management; landfill management; Financial Assistance for the Disposal of Waste in Port Stephens.

Policy

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ITEM 6 - ATTACHMENT 1 REVISED WASTE MANAGEMENT AND RESOURCE RECOVERY POLICY.

Policy



- Waste Transfer Station Coordinator – Management of waste transfer stations.
- Waste Management Officer – Information/education.
- Waste Projects Officer – Customer Service/Information
- Waste Compliance and Strategy Coordinator – Illegal dumping and litter management

RELATED DOCUMENTS:

- 1) Financial Assistance for the disposal of waste in Port Stephens Policy (Adopted 24/04/20017, Minute No. 268 – Amendment (currently being reviewed)
- 2) Compliance Policy (Adopted 28/8/07, Minute No. 235 – Amended 28/03/2017, Minute No. 065).

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No	PSC2007-3163	EDRMS record No	
Audience	Residents, Ratepayers and Businesses of Port Stephens.		
Process owner	Community Services Section Manager		
Author	Waste Management Coordinator		
Review timeframe	Two years	Next review date	31/3/2020
Adoption date	27/11/2007		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	27/11/2007	Steve Bernasconi	Policy Adopted.	337
2	24/11/2009	Steve Bernasconi	Amended Policy Adopted.	396
3	23/6/2015	Aaron Malloy	Amended Policy Adopted.	176

Policy

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ITEM 6 - ATTACHMENT 1
RECOVERY POLICY.

REVISED WASTE MANAGEMENT AND RESOURCE

Policy



4		Aaron Malloy	<ul style="list-style-type: none"> • Reformatting the policy into the new format. • Inclusion of additional information to cover new services under Toxic/Hazardous/Medical Waste and Public Place Waste Management. • Some minor wording changes through the document to make it reflect current trends in the waste industry and levels of services provided. • Revised draft policy for review and endorsement by Executive Leadership Team. • Draft for Public Exhibition. 	
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Policy

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ITEM NO. 7**FILE NO: 18/16192
EDRMS NO: PSC2006-1589****POLICY REVIEW: REDUCTION OR WAIVING OF OVERDUE LIBRARY ITEM CHARGES**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Reduction or Waiving of Overdue Library Item Charges policy shown at **(ATTACHMENT 1)**.
 - 2) Place the Reduction or Waiving of Overdue Library Item Charges policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council.
 - 3) Revoke the Reduction or Waiving of Overdue Library Item Charges policy dated 12 May, 2015 Minute No.110 should no submissions be received.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Sarah Smith Councillor Giacomo Arnott That the recommendation be adopted.
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**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

036	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Endorse the revised Reduction or Waiving of Overdue Library Item Charges policy shown at (ATTACHMENT 1).2) Place the Reduction or Waiving of Overdue Library Item Charges policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council.
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MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

- | | |
|--|---|
| | 3) Revoke the Reduction or Waiving of Overdue Library Item Charges policy dated 12 May, 2015 Minute No.110 should no submissions be received. |
|--|---|

BACKGROUND

The purpose of this report is to endorse the review of the Reduction or Waiving of Overdue Library Item Charges policy.

Library staff are required to respond to customer requests for the reduction or waiving of overdue charges due to the late return of library items. Generally charges are only reduced or waived as a result of extenuating or unforeseen circumstances such as accident or illness. This policy sets the criteria under which staff may consider and grant reductions or full waivers on overdue library item charges.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Arts and Culture.	Plan for and promote multiculturalism and Port Stephens' heritage, arts and culture.

FINANCIAL/RESOURCE IMPLICATIONS

Overdue library charges account for around 2.5% (or \$40,000) of the cost to run library services. The revenue from these charges assists in funding the library operations. Adopting the recommendation will have a nil effect on the current library finances as it is a "business as usual" approach. Rejecting the recommendations will impact on finances and resources as without this policy, staff will not be authorised to manage these requests and as such, all requests for reductions or waivers of library item charges will need to be referred to Council via a business paper, thus creating more paperwork to resolve each request.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Recommendation has a nil effect on existing library revenue.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal impediments to adopting the recommendations. The *Local Government Act 1993* is clear in that only Council has the authority to waive an adopted fee or charge. This authority may be directed to staff through the adoption of a policy.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that not adopting the recommendations may lead to library items not being returned resulting in a greater call on general revenue to replenish stock.	Low	Adopt the recommendations.	Yes
There is a risk that not adopting the recommendations may lead to customers being frustrated at the lengthy process required to seek Council endorsement for their request to reduce or waive a charge resulting in reputation damage.	Low	Adopt the recommendations.	Yes
There is a risk that not adopting the recommendations may lead to staff negotiating fee reductions out of the spirit of charity to the customer, leading to bias by others and resulting in reputation damage and breaches of the Code of Conduct.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Whilst overdue library charges per item are minimal, the overall cost incurred by some customers may impact on their future use of the library services. Overdue charges are designed to discourage users from keeping materials beyond their

allocated loan period, which disadvantages other users. Adopting the recommendations will ensure that libraries continue to provide fair access for all people to library resources regardless of financial status.

Adopting the recommendation has no impact on the local economy or ecology.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Community Services Section.

The objective of the consultation has been to ensure that the revised policy aligns with the requirements of the *Local Government Act 1993* and Council's Code of Conduct.

Internal

Consultation has been undertaken with the Library Services Manager, Library staff and the Governance Manager. The reviewed policy has been endorsed by the Executive Leadership Team.

External

The policy review is consistent with the approach other public libraries take in the Regional Library Cooperative of which Council is a member.

In accordance with local government legislation the draft policy will go on public exhibition for 28 days.

OPTIONS

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

ATTACHMENTS

- 1) Reduction or Waiving of Overdue Library Item Charges Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

**ITEM 7 - ATTACHMENT 1
ITEM CHARGES POLICY.****REDUCTION OR WAIVING OF OVERDUE LIBRARY****Policy****FILE NO: PSC2006-1589****TITLE: REDUCTION OR WAIVING OF OVERDUE LIBRARY ITEM CHARGES****POLICY OWNER: LIBRARY SERVICES MANAGER****PURPOSE:**

The policy outlines the criteria under which applications for the reduction or waiving of overdue charges can be made and the circumstances under which applications are considered.

CONTEXT/BACKGROUND:

Library staff are often required to respond to customer requests for the reduction or waiving of overdue charges due to the late return of library items. Generally charges are only reduced or waived as a result of extenuating or unforeseen circumstances such as incident or illness.

While the overdue charge per item is minimal, the overall cost incurred by customers may impact on their future use of the library service. Overdue charges are designed to discourage borrowers from keeping materials beyond their allocated loan period, which disadvantages other users. Overdue charges assist in the management and maintenance of library collections and resources, providing equitable access to information and a greater social benefit to the wider community.

The library provides equal opportunity to all individuals and groups within the community to access resources, regardless of financial status.

SCOPE:

This policy enables library staff to make decisions based on individual customer circumstances and provides for staff to refer more complex requests to a branch supervisor or the Library Manager where necessary.

DEFINITIONS:

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

Overdue charges	An amount incurred for the late return of library items.
Library items	Books, Audio Books, Audio Navigators, CDs, DVDs and Magazines.
Reduction of charges	To reduce incurred charges to a lesser amount.
Waiving of charges	To set aside or dispense with incurred charges.

Policy

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Issue Date: xx/xx/xxxx

Printed: xx/xx/xxxx

Review Date: xx/xx/xxxx

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**ITEM 7 - ATTACHMENT 1
ITEM CHARGES POLICY.**

REDUCTION OR WAIVING OF OVERDUE LIBRARY

Policy



POLICY STATEMENT:

- 1) The General Manager has delegation to write-off rates and charges under the Local Government (General) Regulation 2005, once approved by Council.
- 2) Library staff are delegated by the General Manager to reduce or waive overdue library item charges as per the following categories:
 - a. General library staff (Library Assistant, Library Technician) – up to \$20.
 - b. Branch Library (Team Leader/Supervisor) – Up to \$100.
 - c. Library Manager – Up to \$500.
- 3) Requests for the reduction or waiving of overdue charges will only be considered once overdue items have been returned to the library.
- 4) Overdue charges in an amount that exceeds staff delegation may be waived on the following grounds:
 - a. Serious illness of customer or immediate family member.
 - b. Incident involving customer or immediate family member.
 - c. Death of customer or immediate family member.
 - d. Presentation of Medical Certificate or Statutory Declaration.
 - e. Library error.
 - f. Library discretion (taking into account library branch guidelines and all circumstances of an individual's explanation for the late return of items).
- 5) At times Port Stephens Library Service may run campaigns such as 'Food for Fines' to support charitable organisations. These campaigns invite library customers to donate non-perishable food and toiletry items in lieu of paying accrued overdue charges.

POLICY RESPONSIBILITIES:

The key position/s responsible for this policy are:

- 1) Library Services Manager - implementing, complying with, monitoring, evaluating, reviewing and providing advice.
- 2) Team Leaders/Supervisors - implementing, complying with, reviewing and providing advice.
- 3) Library Staff – implementing and complying with.

RELATED DOCUMENTS:

Local Government Act 1993

Local Government (General) Regulation 2005

Policy

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ITEM 7 - ATTACHMENT 1 REDUCTION OR WAIVING OF OVERDUE LIBRARY
ITEM CHARGES POLICY.

Policy



NSW Library Act 1939
NSW Library Regulation 2010
Port Stephens Council Code of Conduct

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No	PSC2006-1589	EDRMS record No	
Audience	Library users		
Process owner	Community Services Section Manager		
Author	Library Services Manager		
Review timeframe	Two years	Next review date	30 March 2020
Adoption date	22/08/2006		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	22/08/2006	Library Services Manager	Original policy adopted	650
2	12/05/2015	Library Services Manager	Policy reviewed	110
3		Library Services Manager	Policy review – changes made to format and content updated.	

Policy

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ITEM NO. 8

**FILE NO: 18/23364
EDRMS NO: PSC2011-02657**

**SIX-MONTHLY REPORT JULY TO DECEMBER 2017 AGAINST PORT STEPHENS
COUNCIL DELIVERY PROGRAM 2013-2017**

REPORT OF: CARMEL FOSTER - GROUP MANAGER CORPORATE SERVICES
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Six-Monthly Report July to December 2017 on the progress of Council's Delivery Program 2013-2017.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Glen Dunkley Councillor Ken Jordan That the recommendation be adopted.
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**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

037	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council adopt the Six-Monthly Report July to December 2017 on the progress of Council's Delivery Program 2013-2017.
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BACKGROUND

The purpose of this report is to provide to Council and the community an update of the progress of Council with respect to the principal activities of its Delivery Program 2013-2017.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Governance and Civic Leadership.	Manage the civic leadership and governance functions of Council. Manage relationships with all levels of government, stakeholder organisations and Hunter Councils Inc.

FINANCIAL/RESOURCE IMPLICATIONS

This Six-Monthly Report is generated from a combination of Council's CAMMS strategy software, information and data provided from across Council's operations. There are no financial or resource implications in providing this report.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Section 404(5) of the *Local Government Act 1993* requires this report: "The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months."

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council will not adopt the Six-Monthly Report July to December 2017 in breach of legislation leading to reputational loss.	Low	Council adopts the report.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications.

Council's Delivery Program has been formulated according to principles of access, equity and social justice to contribute to the Community Strategic Plan, which has goals for the community of Port Stephens encompassing social, economic and environmental implications. The report reflects consideration of those implications and key result measures.

CONSULTATION

The Six-Monthly Report July to December 2017 has been compiled from information and data provided from across Council's operations and reviewed by the Executive Leadership Team of Council.

OPTIONS

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

ATTACHMENTS

- 1) Six-Monthly Report July to December 2017.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.



**SIX-MONTHLY REPORT
JULY TO DECEMBER
2017**



ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

The Six-Monthly Report July to December 2017 has been prepared in accordance with the requirements of Section 404(5) of the *Local Government Act 1993*:

"The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months."

© Port Stephens Council 2018

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.**GENERAL MANAGER'S REPORT**

The past six months have seen many changes and achievements at Port Stephens Council. It is with great pleasure that I present the progress report for July to December 2017.

Key highlights for the six month period are as follows:

New Council

With mergers off the table, elections were held for a new Council in September 2017. In this process we farewelled Mayor MacKenzie, Councillors Dover, Morello, Dingle and Kafer. We welcomed Mayor Palmer, Councillors Dunkley, Abbott, Smith and Arnott along with existing Councillors Nell, Doohan, Tucker, Jordan and Le Mottee to form Council's elected representatives for the next three years.

Planning for our Future

With a new Council onboard initial discussions have begun with the community on their aspirations for the Community Strategic Plan. A number of workshops and sessions were held with members of the community on developing a new Community Strategic Plan from October to December 2017. Officers have collated this input and begun developing a draft Community Strategic Plan together with Council's Delivery program (3 year plan), Operational Plan (annual plan) and resourcing strategies to respond to the community's objectives.

The drafts of these plans are to be considered by the elected Council in March 2018 and if endorsed will be placed on public exhibition for community comment during April 2018.

Achievements and Awards

Council has continued its commitment to delivering high quality facilities and services to the community, of notable mention are:

- Construction of a new surf lifesaving facility at One Mile Beach;
- Construction of a new skate park, croquet court, accessible playground equipment and fitness hub at Boomerang Park;
- Unveiling the first stage of the \$3M Koala Sanctuary Port Stephens at Treescape Holiday Park, One Mile Beach;
- Lighting up Boomerang Park in Raymond Terrace with the Illuminate Festival attracting 7,000 visitors;
- Investing in 12 events in the local government area generating an estimated economic impact of more than \$3M;
- Completion of construction at 155 Salamander Way, Salamander Bay including new entry and improved roadworks, bus interchange, entry statement and traffic lights;
- Reconstruction of 1.6 kilometres of Cabbage Tree Road (State Road) under budget and ahead of time;
- And many more road safety projects, drainage improvements works, flood studies, capital, recreational projects and community services as outlined in the Principal Activities below.

Port Stephens Council Six Monthly Report July to December 2017

3

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

Council consistently performs well across its operations, attaining the following awards over the reporting period.

- Winner – IPWEA NSW Public Works Leader of the Year 2017.
- Reece Arday won the Trainee of the Year Award in the Business Administration category as well as the Overall Trainee of the Year Award of the Hunter Region Apprentice and Trainee Awards.
- Winner - 2017 Premier's Award for Making Housing More Affordable.
- Winner – Culture Change Innovation and Excellence award for a 'Large Regional Council' at the first Local Government NSW (LGNSW) Planning Awards.
- Winner - Excellence in Workplace Health and Safety Culture at the 2017 SafeWork NSW Awards.
- Finalist - 20th Local Government NSW Excellence in the Environment Awards - Environmental Management System (EMS) Development Project received a Highly Commended award in the category of Innovation in Planning, Policies and Decision Making.
- Two Silver 2017 NSW Tourism Awards for Thou Walla Sunset Retreat in the Unique Accommodation category and Fingal Bay Holiday Park for Caravan and Holiday Parks.
- Finalist - Employer of Choice (Public Sector & NFP) category of the 2017 Australian HR Awards.
- Finalist - 2017 Hunter Safety Awards - Best Work Health and Safety Improvement (Large Organisation).

Financial Sustainability

Council's original budget was formulated on the basis that a small surplus of \$497,000 was anticipated to the 30 June 2018. This figure has been subsequently revised to an anticipated budget surplus of \$1.351M at the September 2017 quarterly budget review, and a year to date underlying surplus of \$1.039M as per the December Quarterly Budget Review. Council continues to meet asset renewal and maintenance accounting criteria as established by the Office of Local Government and is on trend to further reduce the overall asset infrastructure backlog as at 30 June 2018.

People

Despite beginning 2017 under the threat of an unwanted merger, staff continued to be resilient, maintaining focus and energy to deliver a large program of works to date. A personal highlight was our improved staff engagement score, coming in at 70%.

There is certainly much for Council to be proud of over the past six months and I take this opportunity to thank our Councillors, staff and volunteers for our ongoing strong performance in the six months to 31 December 2017.

Wayne Wallis
General Manager



OUR COUNCIL

Community's Vision

A great lifestyle in a treasured environment

Council's Vision

Engaged people, working together, delivering values services

Council's Purpose

To deliver services valued by our community in the best possible way.

Elected Council

In September 2017 the following Councillors were elected to Council for a term of 3 years:

Mayor: Ryan Palmer

East Ward Councillors: Cr Glen Dunkley, Cr Jaimie Abbott, Cr John Nell

Central Ward Councillors: Cr Chris Doohan, Cr Sarah Smith, Cr Steve Tucker

West Ward Councillors: Cr Giacomo Arnott, Cr Ken Jordan, Cr Paul Le Mottee



ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.**SNAPSHOT OF HIGHLIGHTS & ACHIEVEMENTS - 1 JULY TO 31 DECEMBER 2017**

- Welcome new elected Council.
- Port Stephens Council wins multiple awards.
- 10 year Community Strategic Plan conversation begins.
- Annual Report and Audited Financial Statements adopted for the 2016- 2017 financial year.
- Year to date underlying operating surplus of \$1.039M as per the December Quarterly Budget Review.
- Over 98% of 2017-2018 Operational Plan Actions were On track.
- Less than 2% of 2017-2018 Operational Plan Actions were Off track.
- Unveiling first stage of the \$3M Koala Sanctuary Port Stephens at Treescape Holiday Park One Mile Beach.
- Construction of 155 Salamander Way, Salamander Bay.
- Holiday Parks have a Trip Advisor Certificate of Excellence and achieve 'world class' Net Promoter Score.
- Construction of a new surf lifesaving facility at One Mile Beach.
- New skate park, croquet court, accessible playground equipment and fitness hub at Boomerang Park.
- Completion of a new skate park, shade sail and other reserve improvements at Lakeside Reserve.
- Various community hall upgrades.
- Increase in domestic waste recycling rate from 58% to 60% diversion from landfill.
- New self-checkout facilities installed at libraries.
- Aquatic Centres – the Royal Life Saving Society rated Port Stephens Aquatic Centres were the best for water safety.
- Reconstruction of 1.6 kilometres of Cabbage Tree Road (State Road).
- Implementing Holiday Time Road Safety Program.
- Completing RMS Road Safety Projects, Raymond Terrace Mentor Driver Program.
- Drainage studies and improvement works at Shoal Bay (Shoal Bay Road, Government Road and Bullecourt St, Horace Street and Rigney Street) Woodville (Iona Lane), Williamtown (Williamtown Drive) Nelson Bay (Tomaree Sports Complex) and Corlette (Foreshore Drive).
- Disability Inclusion Action Plan, Birubi Point Aboriginal Place Master Plan and Draft Delivery Program - Progress of the Nelson Bay Town Centre and Foreshore Strategy endorsed by Council.
- 49,500 visitors and over \$500,000 in tours and accommodation booked at Port Stephens Visitor Information Centre.
- \$3M estimated economic impact from Council investment in 12 events (including Surfing NSW Port Stephens Pro at Birubi Beach, Tastes at the Bay in Nelson Bay, DSA Disability Bowls Championships and the Cricket NSW Country Championships at Raymond Terrace, the NSW Country Junior Rugby Championships and the Ultimate Frisbee Championships at Salamander Bay)










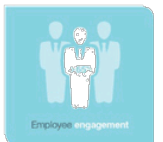

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

- Customer First Framework – developed and presented to Council's Executive Leadership Team.
- Social media engagement levels have increased more than 100%
- 70% employee engagement
- Commitment to safety resulting in less workplace injuries, less severe injuries and a reduction in workers compensation premiums
- A whole of Council approach to ICT improvement initiatives has been developed including a structured ICT Asset Management program, implementation of new server and storage infrastructure and a new integrated telephone system

PRINCIPAL ACTIVITIES - 1 JULY TO 31 DECEMBER 2017

How well are we doing

Underpinning what we do at Port Stephens Council are six main result measures: Customer Satisfaction, Employee Engagement, Financial Sustainability, Governance, Risk Management and Service Delivery.

Six Main Result Measures		Status
	1. Service Delivery <i>Target:</i> >90% Integrated Plans delivered on time <i>Achievement:</i> 98% Actions On track, 2% Off track	
	2. Customer Satisfaction <i>Target:</i> >75% customer satisfaction <i>Achievement:</i> 79.03% ¹	
	3. Governance <i>Target:</i> >90% Governance Health Check <i>Achievement:</i> Target exceeded with overall rating 96.13% ²	
	4. Risk Management <i>Target:</i> 65% Risk Management Maturity score <i>Achievement:</i> Target exceeded with risk maturity score 83% ³	
	5. Financial Sustainability <i>Target:</i> Underlying Financial Surplus <i>Achievement:</i> Underlying Operating Surplus \$1.039M year to date	
	6. Employee Engagement <i>Target:</i> >65% Employee Engagement <i>Achievement:</i> 70% ⁴	

¹ 2017 Customer Satisfaction Survey

² Actual as at April 2017

³ Actual in 2016

⁴ Actual as at September 2017

- Legend:
- Target exceeded
 - Target achieved or on track to be achieved
 - Target not achieved
 - Data not available at the time of reporting



By balancing these key metrics, we ensure that we're delivering on what we say we're going to do, the community is satisfied with the level of service, Council is financially sustainable, the right practices and governance are in place, has an appropriate risk maturity and has engaged employees who deliver on what we say we're going to do.

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.**1. Service Delivery**

For the reporting period, progress made on the Actions within the 2017-2018 Operational Plan which contribute to delivering the Delivery Program objectives are as follows:

- Over 98% of Actions were On Track;
- Less than 2% of Actions were Off Track.

Following is a summary of completed Road, Community and Recreation Projects as at 31 December 2017.

Road projects

Shoal Bay Traffic Lights	\$ 659,042
Bullecourt Street Drainage	\$ 459,598
Francis Ave, Lemon Tree Passage - Reconstruction	\$ 670,000
East Seaham Road - Stage 4	\$ 1,553,728
Shearman Ave, Lemon Tree Passage - Rehabilitation	\$ 150,000
Purcell Avenue, Lemon Tree Passage	\$ 75,000
Benjamin Lee Drive Pedestrian Crossing	\$ 184,606
Boulder Bay Road - Market Street, Fingal - Footpath and blister	\$ 82,000
Medowie Road Seg 270	\$ 193,039
Medowie Road Seg 330	\$ 263,150
Cassias Avenue, Medowie,	\$ 153,760
Lloyd George Grove, Tanilba Bay	\$ 175,000
The Parkway North, Mallabula	\$ 50,000
Wemyss Way, Tanilba Bay	\$ 50,000
TOTAL	\$ 4,718,923

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.Community & Recreation projects

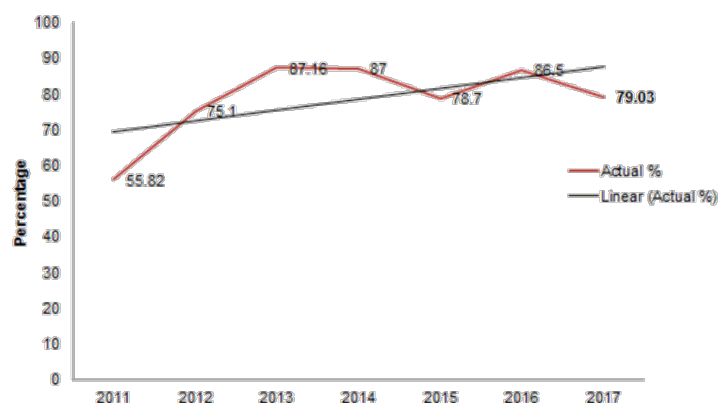
Karuah Boat Ramp	\$ 460,097
Boomerang Park Fitness Trail	\$ 30,514
Boomerang Park Skate Park	\$ 179,582
Boomerang Park Croquet	\$ 279,139
Boomerang Park Carousel	\$ 50,618
Boomerang Park amenities	\$ 52,570
Boomerang Park paths	\$ 50,000
Lakeside Skatepark, paths and shade sail	\$ 132,060
Ross Wallbridge Reserve Lighting	\$ 25,000
Lemon Tree Passage Old school - replace vinyl flooring	\$ 20,000
Tanilba Bay senior citizens- replace vinyl flooring	\$ 25,000
Tanilba Bay amenities - switchboard replacement	\$ 5,000
Mallabula Skate Park	\$ 10,000
Medowie Skate Park	\$ 15,000
TOTAL	\$ 1,334,580

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

2 Customer Satisfaction

In April and May 2017 Council conducted its annual community satisfaction survey, which yielded an overall satisfaction level of 79.03% against a target of 75% satisfaction. The next survey is to be conducted in mid-2018.

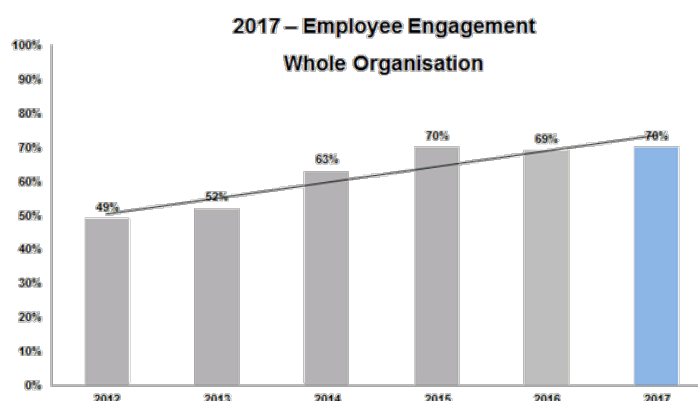
Overall Satisfaction Trend



3 Employee Engagement

The Employee Engagement Survey was conducted during September 2017 with a 70% engagement score remaining stable and exceeding Council's target of 65%. This is an excellent result given the uncertainty produced through a number of service reviews being conducted during the period as a flow on effect of the amalgamation issues of the previous 18 month period. Key areas for improvement have been identified around communication, brand, senior leadership and career opportunities. The combined leadership team has been briefed by AON Hewitt and is now working to improve engagement in their individual areas.

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.



Work experience places are continually provided throughout Council. Year to date we have placed 11 students across various areas including customer relations, environmental, engineering, planning, libraries, information services, human resources, surveying and event management.

Recruitment of another eight apprentice, trainee and cadets is finalised and the successful applicants of the positions below commencing work with Council in January 2018.

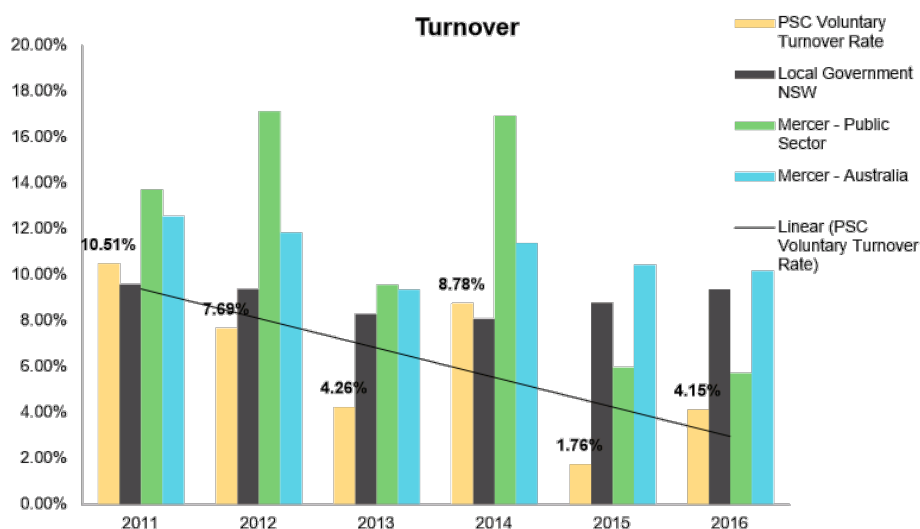
- Governance Trainee
- Graphic Design Trainee
- GIS Trainee
- Accounting Cadet
- Business Administration Trainee
- School Based Trainee - Business
- Cadet Natural Resources Officer

Work has continued on the implementation of the Human Resource Information System, Cornerstone with a significant number of improvements rolled out, continuing productivity savings across Council as these initiatives are implemented.

Management of Council's employer brand continues. 2017 was an enormous year for the human resources of Council. Since the announcement of no amalgamations which occurred on 14 February 2017, a large number of temporary staff positions have been recruited. As at 31 December 2017, Council had advertised 113 positions and received approximately 3,000 applications for these positions which needed to be processed and assessed. These applications rates are pleasing and the majority of applications are of a high standard, indicating the labour market views Port Stephens Council as a desirable employer.

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

Of concern to Council in the past was an increasing voluntary turnover rate. Port Stephens Council has been able to effectively reduce turnover to less than broad industry rates. A dramatic decrease was seen following the introduction of the Port Stephens Council Enterprise Agreement in September 2008 which provides a broader suite of work/life balance initiatives and a revamped salary system linked to market.

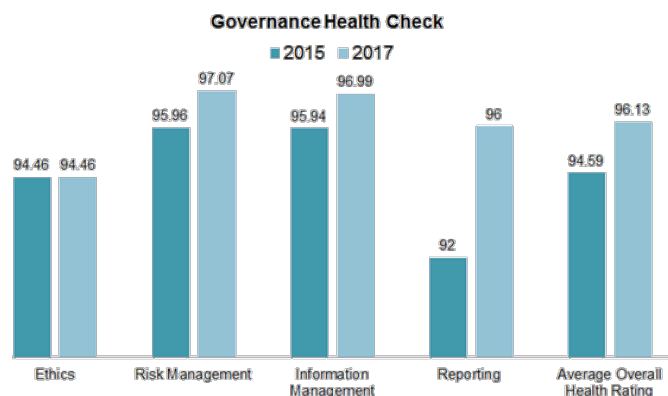


The total staff turnover across all industries (at the median) has decreased to 10.18% compared to 10.44% reported in 2015 and in the public sector it has decreased from 5.97% to 5.72% over the same period.

Voluntary turnover for Port Stephens Council for the year ending 30 June 2016 was 4.15%, which is within the target range of 10% and below comparative benchmarks. This showed that our brand was still strong in the market irrespective of the uncertainty around future status.

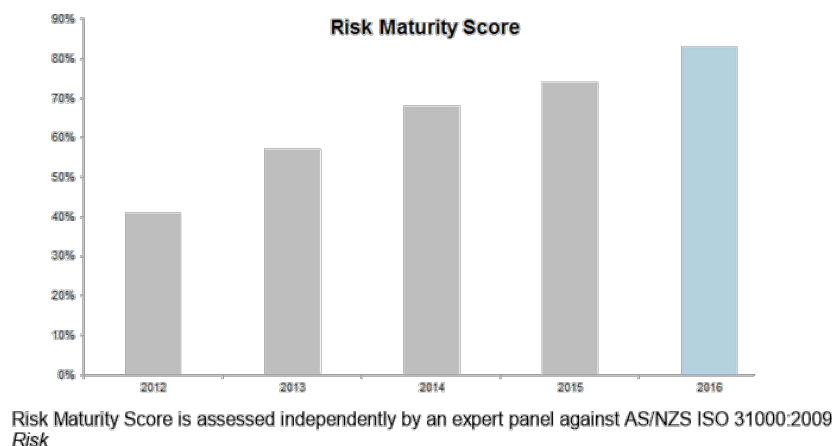
Voluntary turnover for 2017-18 is projected to be under 10%, currently tracking at 4.6% for the six months to 31 December 2017.

4 Governance



Council's Governance Health Check was last conducted in April 2017 and is reviewed on an annual basis. The overall rating of 96.13% still remains current, exceeding Council's target of 90%. The Governance Health Check is a tool to measure Council's governance and how well it performs. It covers four areas, ethics, risk management, information management and reporting.

5 Risk Management



Port Stephens Council's Integrated Risk Management Framework is reviewed and updated on an annual basis, the most recent review having taken place during this reporting period, along with the Integrated Risk Management Policy which will shortly be presented to Council for adoption.

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

The Integrated Risk Management Framework provides a comprehensive overview of Council's risk management approach, systems and processes to help all employees manage risk and it is aligned to the risk management standard AS/NZS ISO31000:2009.

How we approach risk management is a reflection of our commitment to our success and our own safety and that of the community and is the lens through which we will be judged as custodians of the municipality.

The corporate and group risk registers are reviewed by risk owners and the Audit Committee on a quarterly basis and presented to the Executive Leadership team on a regular basis.

Risk management is part of the Port Stephens Council culture and is integrated into corporate and business plans and everyday activities, rather than being viewed or run as a separate program. The effectiveness of the risk management practices across the organisation is evident in the latest risk maturity score of 83% compared to a previous score of 75%.



Pictured: Port Stephens Mayor Ryan Palmer, Council's Work Health and Safety Manager, Nicole Le Grange and General Manager Wayne Wallis at the 2017 SafeWork NSW Awards.

In October 2017 Port Stephens Council received the award for 'Excellence in Workplace Health and Safety Culture for big business' at the 2017 SafeWork NSW Awards. The awards recognise businesses and workers with the highest standards of workplace health and safety and return to work outcomes in the state.

For Port Stephens Council to be recognised as having the best Work Health and Safety culture in the state is an amazing achievement. Developing a workplace culture isn't a simple fix, it takes a mammoth team effort over a long period of time to establish and maintain. This award is truly a credit to each and every Council worker.

ITEM 8 - ATTACHMENT 1 SIX-MONTHLY REPORT JULY TO DECEMBER 2017.

Our commitment to safety has resulted in less workplace injuries, less severe injuries and a reduction in workers compensation premiums – saving Council over a million dollars per year.

StateCover continues to recognise our excellence in this area through the provision of rebates earned due to performance. In 2017-18 Port Stephens Council will receive:

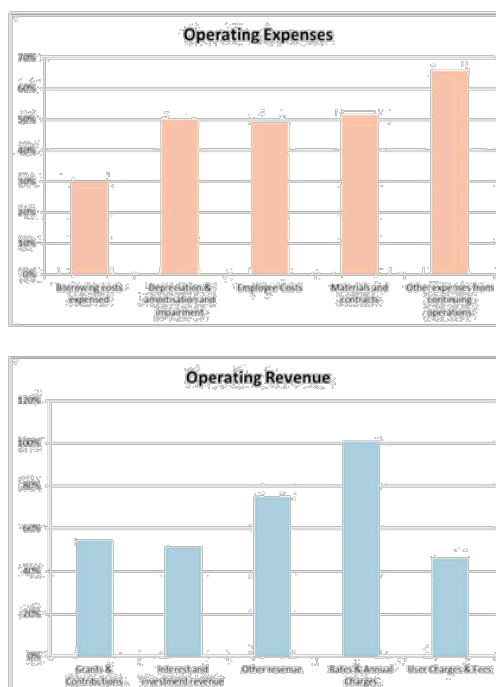
- Member Discount: \$35,366.94;
- Work Health and Safety Incentive: \$ 126,784.80;
- 2016-2017 Hindsight Performance Payment: \$25,000.00;
- Mutual Performance Rebate: \$159,457(paid in two equal instalments in March 2018 and March 2019).

6 Financial Sustainability

Council continues to meet asset renewal and maintenance accounting criteria as established by the Office of Local Government and is on trend to further reduce the overall asset infrastructure backlog as at 30 June 2018.

Council contained expenditure (\$52.7M) to 51% of revised annual budget against a target of 50% year to date. Council's revenue (\$81.97M) represented 78% of the annual revenue budget.

As per the December Quarterly Budget Review the year to date underlying operating surplus is \$1.039M.



Port Stephens Council Six Monthly Report July to December 2017



ITEM NO. 9**FILE NO: 18/31042
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 Mayor and Ward Funds to the following:-
 - a. Marine Rescue – Cr Tucker Central Ward funds - \$500 donation towards Marine Rescue Information sign to be located at Lemon Tree Passage launching ramp.
 - b. Nelson Bay Diggers Bowls Club – Mayoral funds - \$500 donation towards transportation costs when travelling to other clubs.

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Giacomo Arnott Councillor Chris Doohan That the recommendation be adopted.
--	---

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

038	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council approve provision of financial assistance under Section 356 of the <i>Local Government Act 1993</i> from the respective Mayor and Ward Funds to the following:- <ol style="list-style-type: none">a. Marine Rescue – Cr Tucker Central Ward funds - \$500 donation towards Marine Rescue Information sign to be located at Lemon Tree Passage launching ramp.b. Nelson Bay Diggers Bowls Club – Mayoral funds - \$500 donation towards transportation costs when travelling to other clubs.
------------	---

BACKGROUND

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

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

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

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

CENTRAL WARD – Councillors Doohan, Smith and Tucker

Marine Rescue	Donation towards Marine Rescue Information sign to be located at Lemon Tree Passage launching ramp	\$500
---------------	--	-------

MAYORAL FUNDS – Mayor Palmer

Nelson Bay Diggers Bowls Club	Donation towards transportation costs when travelling to other clubs.	\$500
-------------------------------	---	-------

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2013-2017
Governance and Civic Leadership.	Manage the civic leadership and governance functions of Council. Manage relationships with all levels of government, stakeholder organisations and Hunter Councils Inc.

FINANCIAL/RESOURCE IMPLICATIONS

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

LEGAL AND POLICY IMPLICATIONS

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

The policy interpretation required is whether the Council believes that:

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

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may set a precedent when allocating funds to the community and an expectation 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. 10**FILE NO: 18/31601
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 27 February 2018.

No:	Report Title	Page:
1	Pedestrian Access and Mobility Plan - Tomaree Planning District	115
2	Cash and Investments held at 31 January 2018	124
3	Designated Persons' Return	128

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
COMMITTEE OF THE WHOLE RECOMMENDATION**

	Councillor Giacomo Arnott Councillor Ken Jordan That the recommendation be adopted.
039	Councillor Giacomo Arnott Councillor Ken Jordan It was resolved that Council move out of Committee of the Whole.

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

040	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council receive and notes the Information Papers listed below being presented to Council on 27 February 2018. -----
------------	---

MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

	No:	Report Title
	1	Pedestrian Access and Mobility Plan - Tomaree Planning District
	2	Cash and Investments held at 31 January 2018
	3	Designated Persons' Return

INFORMATION PAPERS

ITEM NO. 1**FILE NO: 18/16574
EDRMS NO: PSC2017-01589****PEDESTRIAN ACCESS AND MOBILITY PLAN - TOMAREE PLANNING DISTRICT****REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES****BACKGROUND**

The purpose of this report is to advise Council that the revision of the Port Stephens Pedestrian Access and Mobility Plan (PAMP) for the Tomaree Planning District has been finalised (**TABLED DOCUMENT**). The Executive Summary of the PAMP for the Tomaree Planning District is attached (**ATTACHMENT 1**).

In order to improve the health, liveability and sustainability of its community, Council commissioned a revision to the PAMP. The previous PAMP for this area was finalised in 2004. The purpose of the PAMP is to plan for safe, convenient and reliable pedestrian infrastructure across the eight planning districts representing the Local Government Area (LGA).

Based on the receipt of grant funds from Roads and Maritime Services (RMS), Council was able to undertake Stage 1 of the PAMP revision process. Stage 1 focussed on the Tomaree planning district incorporating the towns of Anna Bay, Boat Harbour, Corlette, Fingal Bay, Fishermans Bay, Nelson Bay, One Mile, Salamander Bay, Shoal Bay, Soldiers Point and Taylors Beach. Further stages of the PAMP revision process will focus on the remaining planning districts and will be undertaken in the future as funds become available.

The PAMP revision methodology followed a multi-phased approach with outcomes as follows:

1. Background review, community and stakeholder consultation
 - A background review of relevant plans, strategies, reports and data was undertaken to inform the study. Feedback from stakeholder organisations (including Port Stephens Council, RMS, hospitals and schools, medical centres, transport service providers, child care facilities, sporting facilities, aged care facilities and retirement villages) as well as the community was obtained.
2. Network development
 - The pedestrian network was established with consideration of the following factors:
 - Building on the existing networks.
 - Connection to key land uses.
 - Connection to public transport.
 - Cater for vulnerable communities.
 - Stakeholder and community comments.

- Cater for demand.
- The pedestrian network developed for the Tomaree Planning District covers 161.6 kilometres of existing and proposed paths (covering both footpaths and shared paths).
- 3. Network assessment audit
 - Following the development of the pedestrian network, a site audit was undertaken of the network and included the following:
 - Identification and recording of pedestrian infrastructure.
 - Assessment of pedestrian infrastructure for issues and non-compliance against design standards.
 - Facility width measurements.
- 4. Identified Issues
 - Issues in the transport network that limit pedestrian connectivity and safety were identified. Of the 161.6 kilometres of existing and proposed paths audited, 107 kilometres (~66%) of paths were missing, 39.1 kilometres (~24%) comprised of existing footpaths and 15.5 kilometres (~10%) comprised of existing shared paths. Footpath provision and widths were generally very good within town centres but less consistent in the surrounding residential areas. Issues for pedestrians include path defects, unsafe crossings and non-compliant infrastructure.
- 5. Recommended Improvements
 - To eliminate or mitigate the issues identified and develop a safe, direct and complete pedestrian network across the Tomaree Planning District infrastructure improvements have been recommended. These infrastructure improvements are also supplemented by behavioural change and educational initiatives. These initiatives can help to increase knowledge and understanding of the active travel choices available, develop skills and confidence, and provide motivation and encouragement to make travel behaviour changes towards sustainable transport modes.

The total cost to implement the recommended improvements for the Tomaree Planning District PAMP has been estimated as \$23,542,430.

The estimated cost per town is provided in the Table below.

MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

Precinct	Footpath	Shared path	Kerb ramp	Refuge	Other	Estimated Cost
Anna Bay and Fishermans Bay	\$2,936,974	\$539,233	\$376,200	\$28,000		\$3,880,407
Boat Harbour	\$970,012		\$102,300	\$28,000	\$1,540	\$1,101,852
Corlette	\$2,045,713	\$330,074	\$290,400	\$252,000	\$9,260	\$2,927,447
Fingal Bay	\$1,494,155	\$157	\$231,000	\$56,000	\$660	\$1,781,972
Nelson Bay	\$3,387,158	\$422,490	\$679,800	\$420,000	\$34,435	\$4,943,883
One Mile	\$467,255	\$681,074	\$19,800			\$1,168,129
Salamander Bay	\$2,750,839	\$378,686	\$350,900	\$392,000	\$181,450	\$4,053,875
Shoal Bay	\$1,232,859	\$153,122	\$187,000	\$56,000	\$28,635	\$1,657,616
Soldiers Point	\$879,437		\$229,900		\$1,100	\$1,110,437
Taylors Beach	\$845,217	\$314	\$70,400		\$880	\$916,810
Total	\$17,038,585	\$2,665,584	\$2,544,300	\$1,232,000	\$258,180	\$23,542,430

The recommended improvement works were prioritised to provide best value for money in accordance with the following implementation timeframe:

- High priority: 0 – 2 years;
- Medium priority: 2 – 5 years.
- Low priority: 5 – 15 years.

A breakdown of the estimated cost by town and priority level is provided in the Table below.

Precinct	Low priority	Medium priority	High priority	Total Per Precinct
Anna Bay and Fishermans Bay		\$2,483,721	\$1,396,686	\$3,880,407
Boat Harbour	\$229,235	\$872,616		\$1,101,852
Corlette	\$312,719	\$2,614,728		\$2,927,447
Fingal Bay	\$193,918	\$1,588,055		\$1,781,972
Nelson Bay		\$1,458,647	\$3,485,236	\$4,943,883
One Mile	\$122,417	\$1,045,712		\$1,168,129
Salamander Bay	\$603,584	\$1,039,257	\$2,411,034	\$4,053,875
Shoal Bay		\$939,610	\$718,006	\$1,657,616
Soldiers Point		\$1,110,437		\$1,110,437
Taylors Beach	\$840,789	\$76,021		\$916,810
Total	\$2,461,566	\$12,923,917	\$8,156,946	\$23,542,430

The cost estimates prepared are indicative only and are prepared for budgetary purposes. Further analysis and assessment will be required to confirm the exact cost impact for individual locations, taking into account site-specific constraints and limitations.

The PAMP for the Tomaree Planning District aligns with Port Stephens Council's plans to:

- Promote sustainable, accessible and flexible transport modes.
- Identify and plan for the future needs of an ageing population.
- Make future provision for people with disabilities, their families and carers.
- Provide strategic land use planning services.
- Reduce the infrastructure backlog on all Council assets.

The PAMP provides a strategic and co-ordinated framework to seek funding in pedestrian infrastructure on key routes that have been identified by the community.

ATTACHMENTS

- 1) Executive Summary Port Stephens Pedestrian Access and Mobility Plan (PAMP) - Tomaree Planning District - dated 25 October 2017.

COUNCILLORS ROOM

- 1) Port Stephens Pedestrian Access and Mobility Plan (PAMP) – Tomaree Planning District dated 25 October 2017.

TABLED DOCUMENTS

- 2) Port Stephens Pedestrian Access and Mobility Plan (PAMP) – Tomaree Planning District dated 25 October 2017.

ITEM 1 - ATTACHMENT 1 EXECUTIVE SUMMARY PORT STEPHENS
PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) - TOMAREE PLANNING
DISTRICT - DATED 25 OCTOBER 2017.

Port Stephens Pedestrian Access and Mobility Plan

Tomaree Planning District

Cardno reference: 80017083

Prepared for
Port Stephens Council

25 October 2017



ITEM 1 - ATTACHMENT 1 EXECUTIVE SUMMARY PORT STEPHENS PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) - TOMAREE PLANNING DISTRICT - DATED 25 OCTOBER 2017.



Port Stephens Pedestrian Access and Mobility Plan
Tomaree Planning District

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Document Information

Prepared for	Port Stephens Council
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File Reference	Port Stephens Council PAMP - Tomaree Final 171025.docx
Job Reference	80017083
Date	25 October 2017
Version Number	3

Document History

Version	Effective Date	Description of Revision	Prepared by:	Reviewed by:
1	14 Jul 2017	Draft Report	Bahman Mehrpour Rachel Kohan Elizabeth Muscat Asith Nagodavithane	Koosha Dehghan Larissa Miller Mitchell Lee
2	4 Aug 2017	Revised Draft Report	Bahman Mehrpour	Koosha Dehghan
3	25 Oct 2017	Final Report	Bahman Mehrpour	Koosha Dehghan

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**ITEM 1 - ATTACHMENT 1 EXECUTIVE SUMMARY PORT STEPHENS
PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) - TOMAREE PLANNING
DISTRICT - DATED 25 OCTOBER 2017.**

Executive Summary

To improve the health, liveability and sustainability of its community, Port Stephens Council commissioned a revision to its Pedestrian Access and Mobility Plan (PAMP). The purpose of the PAMP is to plan for walking across eight planning districts representing the Council Local Government Area (LGA).

This plan covers Stage 1 (Tomaree Planning District) of the PAMP revision process, incorporating the towns of Anna Bay, Boat Harbour, Corlette, Fingal Bay, Fishermans Bay, Nelson Bay, One Mile, Salamander Bay, Shoal Bay, Soldiers Point and Taylors Beach.

Council's vision to promote walking in the area has arisen due to several identified needs; these include:

- > To support future growth of the Tomaree Planning District;
- > To increase capacity and reduce congestion in the overall transport network;
- > To reduce environmental impacts caused by vehicle congestion;
- > To improve public health; and
- > To improve community wellbeing and social inclusion.

This was achieved by assessing the existing walking networks, understanding community preferences and recommending infrastructure improvements to deliver safe and accessible walking networks for the residents and visitors of the Tomaree Planning District.

Community and stakeholder consultation

Feedback from stakeholder organisations included Port Stephens Council, Roads and Maritime Services (RMS), hospitals and schools, medical centres, transport service providers, child care facilities, sporting facilities, aged care facilities and retirement villages.

Additionally, all residents were encouraged to comment via a community survey and an online mapping tool where they could identify locations of concern. The majority of issues identified in the consultation process were concentrated around the Anna Bay, Corlette and Shoal Bay areas.

A lack of path facilities and poor quality of the existing paths were the issues raised most regularly both through the key stakeholder consultation and the community survey / online map. Respondents cited these as the main reasons why they were discouraged from walking in their local area.

A lack of crossing facilities and concern for pedestrian safety was also raised as an issue by respondents, citing high vehicle speeds and volumes. The interaction between vehicles and pedestrians was also identified as a safety concern at key locations including along Bagnall Beach Road near the Salamander Bay Shopping Centre and around schools across the Tomaree Planning District.

Network development

The pedestrian network in the Tomaree Planning District was developed with consideration of the following factors:

- > **Building on the existing networks:** The existing pedestrian network was analysed and new routes were identified to enhance the network to reinforce the coherence of the existing routes and maintain network legibility.
- > **Connection to key land uses:** Routes were proposed to connect to pedestrian-generating land uses, such as residential areas, retirement villages, schools, retail and business, parks and recreation, and health services to provide safe and direct access for pedestrians accessing them.
- > **Connection to public transport:** The network addresses pedestrian desire lines (the most direct and frequently used routes) to access bus stops across the ten towns.
- > **Cater for vulnerable communities:** The proposed network aims to deliver improved connectivity and safety benefits for vulnerable demographic groups that rely on compliant pedestrian facilities for their walking trips.

**ITEM 1 - ATTACHMENT 1 EXECUTIVE SUMMARY PORT STEPHENS
PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) - TOMAREE PLANNING
DISTRICT - DATED 25 OCTOBER 2017.**

Port Stephens Pedestrian Access and Mobility Plan
Tomaree Planning District

- > **Stakeholder and community comments:** Stakeholder and community comments on missing pedestrian links in the network were considered and incorporated, where possible, into the network development process.
- > **Cater for demand:** The network was planned to cater for current and future demand including connections to recreational routes and future land uses and developments.

Site audit

Following the development of the pedestrian network, a site audit was undertaken to address the following items:

- > **Identification and recording of pedestrian infrastructure:** Every pedestrian facility and its condition was recorded by the site auditors. These facilities included footpaths, kerb ramps, pedestrian refuges, zebra crossings, signalised pedestrian crossings and shared path facilities.
- > **Assessment of pedestrian infrastructure for issues and non-compliance against design standards:** Every non-compliance associated with the existing pedestrian facilities was recorded by the site auditors.
- > **Facility width measurements:** The width of all existing pedestrian paths and lanes were measured by site auditors.

The site audit phase of the PAMP was completed during the week of 26th June to 30th June 2017. The audits were conducted by a combination of walking and driving along the proposed pedestrian network.

Key issues

The pedestrian network developed for the Tomaree Planning District covers 161.6 kilometres of existing and proposed paths (covering both footpaths and shared paths). The site audit found that of this 161.6 kilometres, 107 kilometres of paths were missing, 39.1 kilometres comprised of existing footpaths and 15.5 kilometres comprised of existing shared paths.

Of the existing footpath facilities, 22.6 kilometres were audited as having a compliant width (at least 1.2 metres wide) and 15 kilometres having a minor non-compliant width (between 1.1 metres and 1.2 metres wide). 1.5 kilometres of the existing footpaths were deemed to be of non-compliant width (less than 1.1 metres wide). Footpath provision and widths were generally very good within town centres but less consistent in the surrounding residential areas.

Of the existing shared path facilities, 10.1 kilometres were audited as having a compliant width (at least 2.5 metres wide), 3.5 kilometres had a minor non-compliant width (between 2.4 metres and 2.5 metres wide) and 1.9 kilometres had a non-compliant width (less than 2.4 metres wide).

In addition to auditing the presence and width of path facilities, the site audit also assessed the pedestrian routes for a number of specific path issues which affect safety and amenity. These issues included:

- > Hazards or obstructions;
- > Poor path condition;
- > Steep grades;
- > Potential pedestrian/cyclist conflict on shared paths;
- > No delineation on shared paths; and
- > Personal security.

The site audit assessed 1,038 locations for kerb ramps on the pedestrian and shared path network. Of these locations, there were 535 missing kerb ramps, 310 compliant kerb ramps and 193 non-compliant kerb ramps.

The site audit assessed 58 existing pedestrian refuges for compliance. Of these, the majority (48) were found to have either insufficient waiting space for pedestrians, or they were too narrow or too short. 10 pedestrian refuges were found to be compliant.

**ITEM 1 - ATTACHMENT 1 EXECUTIVE SUMMARY PORT STEPHENS
PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) - TOMAREE PLANNING
DISTRICT - DATED 25 OCTOBER 2017.**



Port Stephens Pedestrian Access and Mobility Plan
Tomaree Planning District

The site audit assessed 14 zebra crossings across the Tomaree Planning District. It found that six of the crossings had various defects including faded line markings, narrow crossing widths, lack of signage or tactiles. Eight of the zebra crossings were found to be compliant.

68 locations across the Tomaree Planning District were identified as potentially hazardous crossing locations, including at roundabouts, along high speed roads or wide carriageways.

Recommended improvements

For the issues identified across the pedestrian network, improvements were recommended to eliminate or mitigate the issues (where possible), as described in **Section 9** of this report.

The infrastructure improvements recommended in this report are also supplemented by behavioural change and educational initiatives. These incentives can help to increase knowledge and understanding of the active travel choices available, develop skills and confidence, and provide motivation and encouragement to make travel behaviour changes towards sustainable transport modes.

A cost estimate was prepared for the recommended improvement works based on estimated unit costs. The total cost for the Tomaree Planning District PAMP was estimated as \$23,542,430. The recommended improvement works to address each identified issue were prioritised against a range of criteria agreed with Port Stephens Council. Works were prioritised to provide best value for money in accordance with the following implementation timeframe:

- > **High priority:** 0 – 2 years;
- > **Medium priority:** 2 – 5 years; and
- > **Low priority:** 5 – 15 years.

A cost breakdown of all recommended improvement works is provided in **Section 10.2**.

ITEM NO. 2

**FILE NO: 18/23620
EDRMS NO: PSC2006-6531**

CASH AND INVESTMENTS HELD AT 31 JANUARY 2018

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

BACKGROUND

The purpose of this report is to present Council's schedule of cash and investments held at 31 January 2018.

ATTACHMENTS

1) January Cash and Investments.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

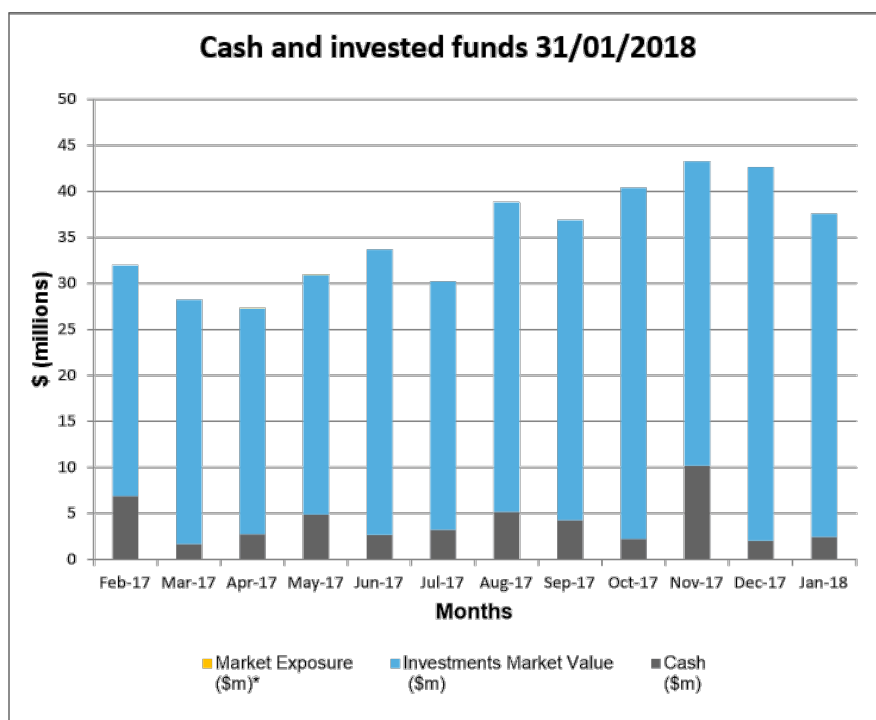
Nil.

CASH AND INVESTMENTS HELD AS AT 31 JANUARY 2018

ISSUER	BROKER	RATING*	DESC.	YIELD %	TERM DAYS	MATURITY	AMOUNT INVESTED	MARKET VALUE
TERM DEPOSITS								
ING BANK AUSTRALIA	CURVE	A-	TD	2.61%	242	6-Feb-18	2,000,000	2,000,000
HUNTER UNITED EMPLOYEES CU	RIM	NR	TD	2.45%	133	21-Feb-18	1,000,000	1,000,000
COMMONWEALTH BANK	CBA	AA-	TD	2.55%	270	6-Mar-18	750,000	750,000
SUNCORP	SUNCORP	A+	TD	2.45%	210	21-Mar-18	1,500,000	1,500,000
AMP BANK	CURVE	A+	TD	2.60%	182	6-Apr-18	800,000	800,000
MYSTATE	FARQUHARSON	BBB	TD	2.60%	246	2-May-18	1,000,000	1,000,000
AMP BANK	FARQUHARSON	A+	TD	2.60%	272	16-May-18	600,000	600,000
ME BANK	FARQUHARSON	BBB	TD	2.60%	273	23-May-18	1,000,000	1,000,000
POLICE CREDIT UNION (SA)	CURVE	NR	TD	2.75%	180	28-May-18	1,400,000	1,400,000
DEFENCE BANK	LAMINAR	BBB+	TD	2.77%	376	30-May-18	1,000,000	1,000,000
AUSWIDE BANK LTD	CURVE	BBB	TD	2.62%	182	4-Jun-18	2,500,000	2,500,000
BANANA COAST CREDIT UNION	CURVE	NR	TD	2.85%	369	13-Jun-18	750,000	750,000
COMMONWEALTH BANK	CBA	AA-	TD	2.53%	314	13-Jun-18	2,000,000	2,000,000
COMMONWEALTH BANK	CBA	AA-	TD	2.58%	300	27-Jun-18	1,000,000	1,000,000
SUNCORP	SUNCORP	A+	TD	2.61%	210	3-Jul-18	1,500,000	1,500,000
POLICE CREDIT UNION (SA)	FARQUHARSON	NR	TD	2.75%	218	13-Jul-18	600,000	600,000
COMMONWEALTH BANK	CBA	AA-	TD	2.55%	356	25-Jul-18	2,250,000	2,250,000
POLICE CREDIT UNION (SA)	FARQUHARSON	NR	TD	2.90%	365	2-Aug-18	750,000	750,000
COMMONWEALTH BANK	CBA	AA-	TD	2.61%	361	27-Aug-18	1,000,000	1,000,000
AUSTRALIAN MILITARY BANK	CURVE	NR	TD	2.65%	364	5-Oct-18	900,000	900,000
COMMONWEALTH BANK	CBA	AA-	TD	2.59%	365	9-Oct-18	500,000	500,000
AUSWIDE BANK LTD	FARQUHARSON	BBB	TD	2.65%	363	10-Oct-18	1,350,000	1,350,000
AMP BANK LTD	CURVE	A	TD	2.65%	272	25-Oct-18	1,500,000	1,500,000
COMMONWEALTH BANK	CBA	AA-	TD	2.56%	335	4-Nov-18	1,250,000	1,250,000
CREDIT UNION AUSTRALIA	FARQUHARSON	BBB	TD	2.65%	349	29-Nov-18	1,000,000	1,000,000
WESTPAC BANKING CORPORATION	WESTPAC	AA-	TD	2.56%	371	13-Dec-18	1,200,000	1,200,000
COMMONWEALTH BANK	CBA	AA-	TD	2.62%	365	20-Dec-18	1,400,000	1,400,000
BANANA COAST CREDIT UNION	IMPERIUM	NR	TD	2.75%	365	20-Dec-18	600,000	600,000
WESTPAC BANKING CORPORATION	WESTPAC	AA-	TD	2.64%	363	23-Jan-18	2,000,000	2,000,000
SUB TOTAL (\$)							35,100,000	35,100,000
INVESTMENTS TOTAL (\$)							35,100,000	35,100,000
CASH AT BANK (\$)							2,471,672	2,471,672
TOTAL CASH AND INVESTMENTS (\$)							37,571,672	37,571,672
CASH AT BANK INTEREST RATE				1.80%				
BBSW FOR PREVIOUS 3 MONTHS				1.81%				
AVG. INVESTMENT RATE OF RETURN				2.62%				
TD = TERM DEPOSIT								
*STANDARD AND POORS LONG TERM RATING								
CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER								
I HEREBY CERTIFY THAT THE INVESTMENTS LISTED ABOVE HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, CLAUSE 212 OF THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 AND COUNCIL'S CASH INVESTMENT POLICY								
T HAZELL								

ITEM 2 - ATTACHMENT 1 JANUARY CASH AND INVESTMENTS.
CASH AND INVESTMENTS BALANCE

Date	Cash (\$m)	Investments Market Value (\$m)	Market Exposure (\$m)*	Total Funds (\$m)
Feb-17	6.916	25.011	0.007	31.934
Mar-17	1.689	26.512	0.005	28.206
Apr-17	2.747	24.513	0.005	27.265
May-17	4.894	26.014	0.003	30.912
Jun-17	2.685	31.000	-	33.685
Jul-17	3.232	27.000	-	30.232
Aug-17	5.201	33.600	-	38.801
Sep-17	4.271	32.600	-	36.871
Oct-17	2.230	38.150	-	40.380
Nov-17	10.214	33.050	-	43.264
Dec-17	2.043	40.600	-	42.643
Jan-18	2.472	35.100	-	37.572

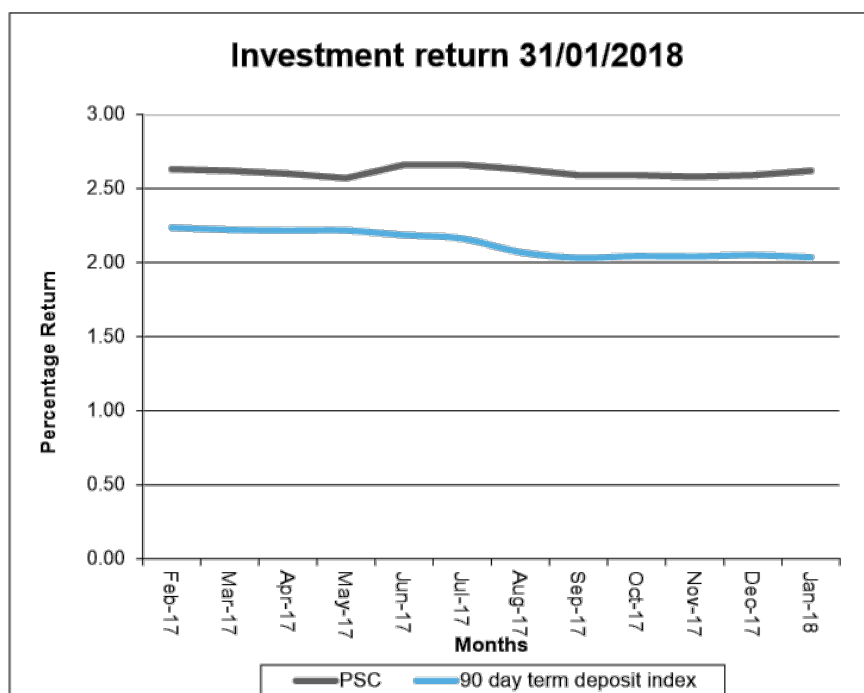


*market exposure is the difference between the face value of an investment and its current market value.

ITEM 2 - ATTACHMENT 1 JANUARY CASH AND INVESTMENTS.

AUSTRALIAN TERM DEPOSIT ACCUMULATION INDEX

Date	90 day term deposit index	PSC
Feb-17	2.2357	2.63
Mar-17	2.2214	2.62
Apr-17	2.2163	2.60
May-17	2.2168	2.57
Jun-17	2.1860	2.66
Jul-17	2.1627	2.66
Aug-17	2.0703	2.63
Sep-17	2.0324	2.59
Oct-17	2.0442	2.59
Nov-17	2.0411	2.58
Dec-17	2.0501	2.59
Jan-18	2.0356	2.62



ITEM NO. 3

**FILE NO: 18/36640
EDRMS NO: PSC2017-01523**

DESIGNATED PERSONS' RETURN

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

BACKGROUND

The purpose of this report is to advise Council of new Council staff who have submitted their Designated Persons' Return/s (Return).

In accordance with Section 450A of the *Local Government Act 1993*, all new staff are required to lodge a Return within three (3) months of commencement. These Returns are to be tabled at the first Council meeting after the lodgement date.

The following is a list of position/s who has submitted Return/s:

- Development Services Group Manager.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

NOTICES OF MOTION

NOTICE OF MOTION**ITEM NO. 1****FILE NO: 18/30868****EDRMS NO: PSC2017-00019****COUNCIL MEETINGS****COUNCILLOR: RYAN PALMER**

THAT COUNCIL:

- 1) Hold one regular Council meeting in the community for the remainder of the Council term, with the meeting to be held during Local Government Week or the closest date prior to the start of Local Government Week.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

041	Mayor Ryan Palmer Councillor Giacomo Arnott It was resolved that Council hold one regular Council meeting in the community for the remainder of the Council term, with the meeting to be held during Local Government Week or the closest date prior to the start of Local Government Week.
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BACKGROUND REPORT OF: TONY WICKHAM – GOVERNANCE MANAGER**BACKGROUND**

Local Government Week is an annual celebration to promote the importance of local government to ratepayers, residents, businesses – the whole community.

Local Government Week is held late July/early August each year. In 2018 Local Government Week will be held from 30 July to 5 August 2018. The closest scheduled Council meeting to Local Government Week in 2018 is 24 July 2018.

Council has the ability to hold its Council meetings around the local government area on occasion, by resolution.

It is proposed that one meeting would be held in each Ward for the remainder of the Council term. The schedule would be:

2018 – Central Ward
2019 – East Ward
2020 – West Ward

It is envisaged that Council would utilise community halls/community centres where possible, should Council resolve to proceed with the Notice of Motion.

ATTACHMENTS

Nil.

NOTICE OF MOTION**ITEM NO. 2****FILE NO: 18/35091****EDRMS NO: PSC2017-00019****PORT STEPHENS KOALAS**

COUNCILLOR: JOHN NELL
SARAH SMITH
GLEN DUNKLEY
JAIMIE ABBOTT
CHRIS DOOHAN

THAT COUNCIL:

- 1) Provide Port Stephens Koalas (PSK) an accommodation rent free period for the remainder of 2018.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

042	Councillor John Nell Councillor Chris Doohan It was resolved that Council provide Port Stephens Koalas (PSK) an accommodation rent free period for the remainder of 2018.
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**BACKGROUND REPORT OF: CARMEL FOSTER – CORPORATE SERVICES
GROUP MANAGER****BACKGROUND**

Late 2016 Port Stephens Koalas (PSK) raised the concept of a Koala Hospital in partnership with Port Stephens Council (PSC) to be constructed at Council's Treescape Holiday Park property located in Anna Bay. This property was considered appropriate due to its location adjacent to the National Parks and the appropriate feed trees on and adjacent to the site.

PSK had obtained a \$124,000 grant from the State government and wanted to utilise the funds towards the construction of the Koala Hospital. Early in 2017 Council resolved to spend \$64,000 to undertake a feasibility study on a proposed rehabilitation/tourism facility with a view to constructing the facility at Treescape with supporting infrastructure and upmarket accommodation. The results were positive

MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

and the vision was to build the facility, improve the bottom line on the Treescape Park and generate an income stream for PSK so that they could become self-funding and not continually have to source donations/grants to be able to continue their operations.

In mid-2017 Council applied to the Regional Growth - Environment and Tourism Fund for \$3M to construct the facilities and the funding outcome is expected to be known late March, early April 2018.

PSK met with Council to discuss constructing the rehabilitation pens on site prior to the approval of the full facility as its home carers were at capacity and they were consequently euthanising koalas prematurely. The rehabilitation pens did not require a DA and Council agreed (with Crown Lands concurrence) to construct the pens and provided PSK with a licence over the site. As the koalas in rehabilitation pens would require full time supervision, some form of carer accommodation was also required.

The cost to construct temporary carer accommodation would have used over half of the available budget and therefore PSC suggested that those funds could be used more wisely by Treescape taking a unit off line and discounting the fees for the unit which would be substantially less than constructing temporary accommodation. PSK agreed to the proposal and the construction commenced. PSC resolved to fund the DA development and submission and allocated \$100,000 to commence the process.

The Treescape business case that was developed after the Samurai Beach Resort closed to rebrand and reopen leveraging on the natural environment is coming to fruition with the occupancy increasing each year in line with predictions.

It is important to note that some of the accommodation options to achieve the income results have not been able to be constructed due to a conflict with the proposed location of the Koala Sanctuary facility. The forecast operational income for Treescape has been adjusted down by \$89,000 to account for the 17 powered camping sites not currently being able to be brought on line. Until the koala facility design is completed and a master plan incorporating additional accommodation options finalised, Treescape financial performance is limited by its currently available accommodation offerings.

The villa that is being utilised by PSK has the forecast potential to earn up to \$49,579. The same villa in the previous 12 months earned \$27,153 in actual revenue. However that result would be expected to exceed the previous figure as occupancy throughout Treescape continues to increase year on year as outlined in the business case.

Treescape Financial Performance YTD:

Component - Revenue	This year YTD Actual	Budget YTD
Treescape Revenue YTD	413,615	422,289
Treescape Expenditure YTD	387,338	394, 869
Profit / (Loss)	26, 277	27,420

The current forecast financial year end profit for Treescape without any adjustments is approximately \$31,450. Any adjustment to the budget will negatively impact on the bottom line.

PSK currently pays \$350 per week for the villa at Treescape, and have paid \$8,050 in rent to date.

Jackson Teece Architects have been awarded the contract to provide development application documentation for the koala sanctuary. The development application is expected to be lodged by the end of April 2018 and construction to commence following the development application and grant funding approval.

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 3

FILE NO: 18/35106

EDRMS NO: PSC2017-00019

GRAHAMSTOWN DAM IMPROVED PUBLIC UTILISATION

COUNCILLOR: CHRIS DOOHAN

THAT COUNCIL:

- 1) Review the current lack of use of the 'Grahamstown Dam Aquatic Centre facility' with a view to allowing increased public access and Dam/facility utilisation.
 - 2) Discuss with Hunter Water the restrictions on the Dam can be relaxed to enable better utilisation for the public – personal, area and non-powered watercraft.
 - 3) Collectively with Hunter Water, develop a revised operational model to maintain water quality, whilst allowing increased public use to a restricted area, ensuring longevity and enjoyment of this fantastic local resource for the Port Stephens community.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

043	<p>Councillor Chris Doohan Councillor Ken Jordan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Review the current lack of use of the 'Grahamstown Dam Aquatic Centre facility' with a view to allowing increased public access and Dam/facility utilisation.2) Discuss with Hunter Water the restrictions on the Dam can be relaxed to enable better utilisation for the public – personal, area and non-powered watercraft.3) Collectively with Hunter Water, develop a revised operational model to maintain water quality, whilst allowing increased public use to a restricted area, ensuring longevity and enjoyment of this fantastic local resource for the Port Stephens community.
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**BACKGROUND REPORT OF: STEVE BERNASCONI – COMMUNITY SERVICES
SECTION MANAGER**

BACKGROUND

Grahamstown Dam is the potable water supply for the lower Hunter Region and is owned and managed by the Hunter Water Corporation.

The Hunter Water Corporation license Port Stephens Council to use an area of the dam catchment and waterbody for use as an aquatic reserve. The licence requires Council to manage the aquatic reserve via a plan of management which is approved by Hunter Water Corporation.

The plan allows for the use of the aquatic reserve by Sailability NSW. Sailability NSW is permitted to conduct in-vessel sail training and racing for people with disabilities as well as manage the public usage of the reserve. Members of the general public are permitted to use the reserve for land based recreation from October to April each year whilst Sailability NSW volunteers are on site.

Staff will write to the Hunter Water Corporation to clarify their position on this Notice of Motion.

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 4

FILE NO: 18/35454

EDRMS NO: PSC2017-00019

INSTALLATION OF DEFIBRILLATORS AT SPORTS COMPLEXES

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Offer West Ward Sports Council a 50/50 funding arrangement to facilitate the installation of six (6) defibrillators across West Ward at an estimated cost of \$2,200 per item to be installed at King Park Sports Complex, Raymond Terrace; Lakeside Sports Complex, Raymond Terrace; Raymond Terrace Netball/Tennis/Athletics complex; Brandon Park, Seaham; Bowthorne Sports Complex, Wallalong and Hinton Sports Complex, Hinton.
- 2) Offer Tilligerry Sports Council a 50/50 funding arrangement to facilitate the installation of two (2) defibrillators across Central Ward at an estimated cost of \$2,200 per item to be installed at Mallabula Sports Complex, Mallabula and Salt Ash Sports Ground, Salt Ash.
- 3) Offer Tomaree Sports Council a 50/50 funding arrangement to facilitate the installation of four (4) defibrillators across East Ward at an estimate cost of \$2,200 per item at Bill Strong Oval, Nelson Bay; Tomaree Sports Complex, Nelson Bay, Fingal Bay Oval, Fingal Bay and Salamander Bay Sports Complex, Salamander Bay.

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

	<p>Councillor Giacomo Arnott Councillor Steve Tucker</p> <p>That Council:</p> <ol style="list-style-type: none">1) Offer West Ward Sports Council a 50/50 funding arrangement to facilitate the installation of six (6) defibrillators across West Ward at an estimated cost of \$2,200 per item to be installed at King Park Sports Complex, Raymond Terrace; Lakeside Sports Complex, Raymond Terrace; Raymond Terrace Netball/Tennis/Athletics complex; Brandon Park, Seaham; Bowthorne Sports Complex, Wallalong and Hinton Sports Complex, Hinton.2) Conduct an audit on existing defibrillators within Central and East Wards.
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MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

	3) Report back to Council on funding options.
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ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018 AMENDMENT

044	<p>Councillor Ken Jordan Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Conduct an audit on existing defibrillators within West, Central and East Wards.2) Report back to Council on funding options.
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The amendment on being put became the Motion, which was put and carried.

BACKGROUND REPORT OF: JOHN MARETICH – ASSET SECTION MANAGER

BACKGROUND

At present not all of Council's community and recreation buildings contain defibrillators. While there is not a legislative requirement to have defibrillators, there is a real request to have devices placed in central locations so they can be easily accessed and used.

Medowie Sports Council, Raymond Terrace Athletics Club and Karuah RLFC have in the past already purchased their own defibrillators which they have installed.

The estimated costs noted in the Notice of Motion do not include expenses for re-keying of some building doors to ensure central user access, installation costs, ongoing consumable replacements and inspections to ensure the devices are operational and fit for purpose. There is also the option to purchase and maintain services where the supplier of the device also maintains and services the defibrillator. The future expense agreement would need to be determined to ensure the devices are maintained and work when needed.

If guided defibrillators are required an additional \$1,000 per device may be needed.

At present the Sports Councils do have a balance of funds to purchase the defibrillators outright, though this figure ignores any future plans for this money. It should be noted that if Council is to part pay for the defibrillators that Council's procurement process needs to be followed to source the best price and the best maintenance service.

There are currently no Council funds allocated for the purchase and maintenance of these proposed defibrillators.

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 5

FILE NO: 18/36581

EDRMS NO: PSC2017-00019

SMOKE ALARMS IN COUNCIL OWNED/MANAGED COMMUNITY BUILDINGS

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Install at least one battery-operated smoke alarm in every council-owned or managed community building in the Local Government Area that does not have smoke alarms already installed.
 - 2) Ensure that buildings with no smoke alarms currently installed are prioritised in this rollout to get smoke alarms installed as soon as possible.
-

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

	The Notice of Motion was withdrawn with the consent of the Chair.
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BACKGROUND REPORT OF: JOHN MARETICH – ASSET SECTION MANAGER

BACKGROUND

The purpose of this background is to provide the Mayor and Councillors with information on smoke alarms and the requirement in our Council Buildings.

The fire safety measures required for each building are defined in the Building Code Australia (BCA) and the previous standard being Ordinance 70. A building must comply with the fire safety requirements at the time the structure was built or upgraded as per the associated condition of consent. As covered in Section E2.2 of the BCA, smoke alarms are generally only required where people sleep.

When a building is occupied, a conscious person would ordinarily detect the fire by sense of smell or observation well before a smoke alarm would detect the presence of smoke (in parts per million). Smoke alarms are installed to wake sleeping persons when a person's sense of smell is reduced. Fire and Rescue NSW makes it clear "smoke alarms save lives", but this relates to sleeping environments.

The essential fire safety element in our buildings is a quality evacuation plan that is developed, practiced and maintained. Over the past two years Council has ensured that evacuation plans have been installed throughout our childcare, community halls and multipurpose centre asset classes.

If smoke alarms were to be installed throughout the Port Stephens Council asset portfolio, it would be best practice to follow the spacing requirements outlined in Australian Standard AS1670 Fire Detection and Alarms. This would include a minimum of 5 to 6 linked 240V detectors per site on average. For a typical community hall to install the required 240V linked detectors would cost approx. \$3,000 per facility.

While there is no legal requirement to fit each of our existing buildings with smoke alarms, once a smoke alarm is installed there is a required inspection and testing maintenance schedule. Australian Standard AS1851-2012 calls for "All fire detection and alarm systems shall be inspected and tested on a monthly basis" (clause 6.2.1). There are also six monthly and annual required services, scheduled to be maintained which leads to an additional \$1,800 in operational costs per facility/year. Table 6.4.2.3 also states detectors to be replaced where service life is exceeded (most are 10 years).

Community and Recreation Assets have 185 buildings which will require additional funding to implement the introduction of smoke alarms:

- \$555,000 original capital investment;
- \$10,000 per year to manage lifecycle costing;
- \$333,000 per year for operational costs.

There are currently no allocated funds to install and maintain smoke alarms in every building.

ATTACHMENTS

Nil.

CONFIDENTIAL ITEMS

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

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

ORDINARY COUNCIL MEETING – 27 FEBRUARY 2018 MOTION

045	Councillor Chris Doohan Councillor Sarah Smith It was resolved that Council move into confidential session.
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The following Council officers were present for the Confidential Session:

Communications Section Manager
Public Relations and Marketing Coordinator
Digital Marketing and Social Media Officer

MINUTES ORDINARY COUNCIL - 27 FEBRUARY 2018

Councillor Giacomo Arnott left the meeting at 6:56pm prior to confidential item 1 and did not return to the meeting.

CONFIDENTIAL**ITEM NO. 1****FILE NO: 18/21952
EDRMS NO: PSC2016-02363****SUBDIVISION AND SALE OF 44B SQUIRE STREET, FINGAL BAY**

REPORT OF: MARK STACE - PROPERTY SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

**ORDINARY COUNCIL MEETING - 27 FEBRUARY 2018
MOTION**

046	Councillor Steve Tucker Councillor Glen Dunkley It was resolved that Council: <ol style="list-style-type: none">1) Prepare and lodge a Development Application and a Construction Certificate Application to subdivide 44B Squire Street, Fingal Bay into residential lots.2) Call Public Tenders for the civil works for the subdivision.3) Authorise the Mayor and the General Manager to affix the Council Seal and execute all documents required to complete the subdivision and register a Plan of Subdivision.4) Authorise the payment of all statutory fees and charges required to obtain all relevant consents, complete the civil works and register the Plan of Subdivision.
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Cr John Nell recorded his vote against the motion.

**ORDINARY COUNCIL MEETING – 27 FEBRUARY 2018
MOTION**

047	Councillor Steve Tucker Councillor Chris Doohan It was resolved that Council move out of confidential session.
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There being no further business the meeting closed at 7.06pm.