

DRAFT

MINUTES – 11 JUNE 2019



PORT STEPHENS COUNCIL

Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 11 June 2019, commencing at 5.31pm.

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 Section Manager.

116	<p>Councillor Chris Doohan Councillor Glen Dunkley</p> <p>It was resolved that the apology from Cr Ken Jordan be received and noted.</p>
117	<p>Councillor Jaimie Abbott Councillor Glen Dunkley</p> <p>It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 28 May 2019 be confirmed.</p>
	<p>There were no Declaration of Interest received.</p>

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MAYORAL MINUTES

MAYORAL MINUTE

ITEM NO. 1

**FILE NO: 19/157236
EDRMS NO: PSC2010-05535**

2019 NATIONAL GENERAL ASSEMBLY CANBERRA 16-19 JUNE 2019

THAT COUNCIL:

- 1) Endorse the attendance of Mayor Ryan Palmer, Councillor Paul Le Mottee, Councillor Glen Dunkley and General Manager Wayne Wallis at the 2019 National General Assembly to be held in Canberra from 16-19 June 2019.

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

118	<p>Mayor Ryan Palmer Councillor Chris Doohan</p> <p>It was resolved that Council endorse the attendance of Mayor Ryan Palmer, Councillor Paul Le Mottee, Councillor Glen Dunkley and General Manager Wayne Wallis at the 2019 National General Assembly to be held in Canberra from 16-19 June 2019.</p>
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BACKGROUND

The purpose of this report is to inform Council of the 2019 National General Assembly to be held in Canberra from 16-19 June 2019.

The conference program is shown at **(ATTACHMENT 1)**.

As Councillors are aware the Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy (the 'Policy') requires that a resolution of Council be sought for all attendance at a conference or seminar.

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

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

ATTACHMENTS

- 1) Program - 2019 National General Assembly.

ITEM 1 - ATTACHMENT 1 PROGRAM - 2019 NATIONAL GENERAL ASSEMBLY.



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[REGISTRATIONS ▾](#)

2019 NGA PROGRAM

Download the Registration brochure here ([NGA19_Registration_Brochure.pdf](#))

Sunday 16 June 2019

8.00am Registration Opens

5.00pm **Welcome Reception**

Monday 17 June 2019

8.00am Registration Opens

9.00am **Opening Ceremony**

9.20am ALGA President's Opening

9.30am **Prime Minister Address**

10.00am ALGA President's Address

10.30am **MORNING TEA**

11.00am » **Keynote Address: How did Local Government Fair Post Election**

Karen Middleton

11.45am » **Panel of Mayors: Opportunities for Local Government Post Election**

12.30pm **LUNCH**

1.30pm » **Keynote Address: Crowd Powered Communities**

Steve Sammartino

Tuesday 18 June 2019

8.00am Registration Opens

9.00am » **Panel Session: Housing, Infrastructure and Population**

Andrew Beer, Dean of Research and Innovation UniSA - *The Role of Local Government in Housing Australians in the 21st Century*

Romilly Madew: CEO Infrastructure Australia – *Australia's Future Infrastructure Demands*

Robert Pradolin and Gary Spivak: TBA – *Why and how local government and the private sector should work together*

10.30am » **Keynote Address: Engaging with your Community into the Future**

Kylie Cochrane, Global Leader in Community Engagement

11.00am **MORNING TEA**

11.30am Debate on Motions

12.30pm **LUNCH**

1.30pm **Concurrent Sessions**

ITEM 1 - ATTACHMENT 1 PROGRAM - 2019 NATIONAL GENERAL ASSEMBLY.

2.30pm	Councils Using Technology to Excel	» Housing your Community
		TBC
3.00pm	AFTERNOON TEA	» Reducing Community Harm
3.30pm	Debate on Motions	Dr Jón Sigfússon - Working with local government in alcohol and drug misuse in youth - a preventative approach from Iceland
4.30pm	Federal Minister for Local Government	Dr Erin Lalor - Local Drug Action Teams - an Australian community led approach to alcohol and drug misuse
4.55pm	ALGA President Close	
5.00pm	Close Day 1	
7.00pm	NETWORKING DINNER, Australian War Memorial	» Built Environment In Your Community
		TBC
		» Your Community, Your Environment
		TBC
3.00pm	AFTERNOON TEA	
3.30pm	Leader of the Opposition Address	
4.00pm	Debate on Motions	
5.00pm	Close Day 2	
7.00pm	NGA DINNER, to be announced	

Wednesday 19 June 2019

9.00am	» The Great Debate: Revenue, Cost Shifting, Rate Capping
10.00am	David Pich, CEO, Institute of Managers and Leaders - Leadership Matters
10.30am	MORNING TEA
11.00am	» Keynote Address: Overcoming the Odds
	Kurt Fearnley
12.00pm	ALGA President's Close - ALGA National Lobbying Priorities
12.30pm	LUNCH

About ALGA

Sponsorship contact

ITEM 1 - ATTACHMENT 1
ASSEMBLY.

PROGRAM - 2019 NATIONAL GENERAL

The Australian Local Government Association is the national voice of local government, representing 537 councils across the country. In structure, ALGA is a federation of state and territory local government associations.

[more](#)

(<http://alga.asn.au/?ID=42&Menu=41,81>)

Registration,
accommodation and
exhibition contact

Conference Secretariat:
Conference Co-ordinators



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Limited sponsorship opportunities for the conference are still available. For more information, please contact Jill Brown, Director of Government Relations and National Events, ALGA



Phone: 02 6122 9436



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COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 19/135908
EDRMS NO: A2004-0654**

ECONOMIC DEVELOPMENT POLICY AND ECONOMIC DEVELOPMENT AND TOURISM STRATEGY

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION
MANAGER

GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the submissions from the public exhibition of the draft Economic Development Policy and Economic Development and Tourism Strategy.
- 2) Adopt the Economic Development Policy shown at **(ATTACHMENT 1)**.
- 3) Revoke the Economic Development Policy dated 25 November 2014 (Minute No: 306) **(ATTACHMENT 2)**.
- 4) Adopt the Economic Development and Tourism Strategy **(TABLED DOCUMENT)**.
- 5) Revoke the Economic Development Strategy dated 30 October 2007 (Minute No: 310).

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

119	<p>Councillor John Nell Councillor Glen Dunkley</p> <p>It was resolved that Council that Council:</p> <ol style="list-style-type: none">1) Receive and note the submissions from the public exhibition of the draft Economic Development Policy and Economic Development and Tourism Strategy.2) Adopt the Economic Development Policy shown at (ATTACHMENT 1).3) Revoke the Economic Development Policy dated 25 November 2014 (Minute No: 306) (ATTACHMENT 2).4) Adopt the Economic Development and Tourism Strategy (TABLED DOCUMENT).5) Revoke the Economic Development Strategy dated 30 October 2007 (Minute No: 310).
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BACKGROUND

The purpose of this report is to report to Council the Economic Development Policy and Economic Development and Tourism Strategy for adoption following the public exhibition period from 4 April 2019 to 2 May 2019.

As a result of public exhibition, two (2) submissions were received. A summary of the submissions is shown at **(ATTACHMENT 3)**.

Economic Development Policy

This Policy was adopted on 25 November 2014 (Minute No: 306). The purpose of the Economic Development Policy is to outline Council's role in the delivery of economic development outcomes for Port Stephens. As part of the review of the Policy, a substantial re-write was required to reflect the direction of Council in economic development.

This Policy outlines Council's role in the delivery of economic development outcomes across the local government area (LGA) and sets the framework for the development of the Economic Development and Tourism Strategy.

The proposed amendments bring this Policy in line with Council's current organisational structure and current Community Strategic Plan (P1.1.1 Support sustainable business in Port Stephens and P1.1.2 Provide funding support to business initiatives that create economic benefit).

Economic Development and Tourism Strategy

The Economic Development and Tourism Strategy has a three year focus on creating connections, building relationships and growing trust to support the development of a strong local economy. This Strategy clarifies Council's role in economic development and ensures the delivery of actions aimed at creating results that matter with a focus on four strategic outcomes:

- Make business growth easier.
- Increase overnight visitor spend.
- Attract events that drive economic benefit.
- Create people friendly and vibrant spaces.

As a result of the public submissions received **(ATTACHMENT 3)**, there are no changes to the Policy or Strategy to that placed on public exhibition.

This Strategy links directly the Economic Development Policy and will ensure the delivery of key outcomes within this Policy.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Strong Economy, Vibrant Businesses, Active Investment	Support and deliver services that attract sustainable visitation to Port Stephens.

FINANCIAL/RESOURCE IMPLICATIONS

The Economic Development Policy has no known financial or resource implications.

Implementation of the Economic Development and Tourism Strategy will be carried out within existing budgets and there are no known financial implications related to the adoption of the Strategy.

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

LEGAL, POLICY AND RISK IMPLICATIONS

There are positive legal, policy and risk implications in updating the Policy and adopting this Strategy as they show that Council is committed to economic development, tourism, events and place making across Port Stephens.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation may be damaged as a result of decisions made in relation to an out of date policy.	Low	Adopt the recommendations.	Yes

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation may be damaged as a result of decisions made in relation to a strategy that does not reflect the needs of residents, visitors and the community.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Economic Development Policy and the Economic Development and Tourism Strategy support the growth of a strong and resilient local economy.

With an improved focus on key outcomes across business, tourism, events and place making, Council can help build capacity in the local business community, facilitate employment opportunities and increase the wellbeing of the resident population.

Participation and inclusion of the Economic Development Advisory Panel (EDAP) and key industry organisations in the development of this Strategy will strengthen relationships and create new partnerships to support Council's commitment to creating a vibrant and liveable place supporting economic growth.

CONSULTATION

Consultation with key stakeholders has been undertaken with both internal and external stakeholders.

External

The draft Policy and draft Strategy were publicly exhibited in the Port Stephens Examiner, on Council's website and in the libraries across the local government area from 4 April 2019 to 2 May 2019. During the public exhibition period two (2) submissions were received as provided in **(ATTACHMENT 3)**.

OPTIONS

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

ATTACHMENTS

- 1) Economic Development Policy.
- 2) Economic Development Policy - 25 November 2014.
- 3) Public Exhibition - Submissions Table.

COUNCILLORS ROOM

- 1) Copy of Public Submissions.

TABLED DOCUMENTS

- 1) Economic Development and Tourism Strategy.

Policy



FILE NO: A2004-0654

TITLE: ECONOMIC DEVELOPMENT POLICY

POLICY OWNER: STRATEGY AND ENVIRONMENT SECTION MANAGER

1. PURPOSE:

1.1 Port Stephens Council is committed to leading an integrated and collaborative approach to the delivery of a vibrant and liveable place supporting economic growth. This policy outlines Council's role in delivering the following key outcomes:

- 1.1.1 Enabling business growth.
- 1.1.2 Attracting events to drive economic benefit.
- 1.1.3 Increasing overnight visitor spend.
- 1.1.4 Creating people friendly spaces.

2. CONTEXT/BACKGROUND:

2.1 Port Stephens is a significant economic hub and forms part of the Hunter Region, the largest regional economy in Australia. The Port Stephens' economy has a diverse industry and employment base built around our natural assets. Well established manufacturing, defence and aviation facilities together with access to markets in Sydney, the Hunter and the Port of Newcastle, are key strengths.

2.2 Location and access to transport infrastructure creates a strong competitive advantage for Port Stephens, with key linkages to national markets via the M1 Pacific Motorway, Pacific Highway Corridor and New England Highway. These transport networks support a robust manufacturing sector at Tomago leading in metals manufacturing, heavy engineering, and light industrial.

2.3 Newcastle Airport is located in Port Stephens and is well recognised as a major economic driver for the Hunter, with over 1.2 million passengers per year and international capability to increase visitation to the area.

2.4 This influence however, does not occur in isolation and key to the growth of the Port Stephens economy is the development of strong partnerships with business, State and Federal agencies, industry organisations and neighbouring Councils.

2.5 This Port Stephens Economic Development and Tourism Strategy 2019-2021 and associated actions aligns directly to this policy along with federal and state government strategies aimed at increasing regional economic development including:

Policy

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ITEM 1 - ATTACHMENT 1 ECONOMIC DEVELOPMENT POLICY.

Policy



- 2.5.1 Hunter Regional Plan.
- 2.5.2 Greater Newcastle Metropolitan Plan.
- 2.5.3 Hunter Regional Economic Development Strategy.
- 2.5.4 NSW Visitor Economy Industry Action Plan.
- 2.5.5 Destination Sydney Surrounds North Destination Management Plan.

3. SCOPE:

3.1 Port Stephens Council understands the critical role it plays in the development of a strong and stable economy. The day to day role of council has a fundamental effect on the ability to attract investment and grow the local economy. Core functions include land use planning, procurement, public asset management, development application processing time, environmental management and the design of our public spaces.

3.2 Council will lead industry with a focused approach to the delivery of economic development outcomes, build capacity in the local business community, facilitate employment opportunities and increase the wellbeing of the resident population. In order to achieve this Council will:

- 3.2.1 Implement the Economic Development and Tourism Strategy.
- 3.2.2 Support the growth of business through evidence based decision making, advocacy and business networks with clear outcomes.
- 3.2.3 Invest directly in local business initiatives.
- 3.2.4 Provide ongoing financial and strategic support to Destination Port Stephens to allow the organisation to implement programs to grow overnight visitor spend.
- 3.2.5 Coordinate the Economic Development Advisory Panel (EDAP).
- 3.2.6 Work in partnership with key stakeholders to attract and deliver events, educate Council and the community on the value of events and seek funding to deliver events.
- 3.2.7 Develop strategic plans to guide the sustainable growth of the visitor economy, encourage the development of high quality tourism product and experiences and build trust and understanding of the strategic value of the visitor economy.
- 3.2.8 Build partnerships with Newcastle Airport, neighbouring councils and key stakeholders to deliver economic development outcomes.
- 3.2.9 Promote placemaking processes and partnerships, activate public spaces and support a place-led approach to design and development.

4. DEFINITIONS:

Economic Development Activity to enable sustainable growth, provides infrastructure and services, and directed at job retention and creation.

Policy

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ITEM 1 - ATTACHMENT 1 ECONOMIC DEVELOPMENT POLICY.

Policy



Place Management A coordinated, place-based, multi-stakeholder approach to improve locations, harnessing the skills, experiences and resources of those in the private, public, and community sectors. This is a collaborative approach with the aim of making places better.

5. POLICY STATEMENT:

5.1 Port Stephens Council will build relationships, grow trust and create connections to support the development of a strong local economy with a focus on the following outcomes:

- 5.1.1 Make business growth easier.
- 5.1.2 Attract events that drive economic benefit.
- 5.1.3 Increase overnight visitor spend.
- 5.1.4 Create people friendly spaces.

6 POLICY RESPONSIBILITIES:

- 6.1 The Economic Development and Tourism unit is responsible for the development of a strategy aligned to this policy, monitoring, reviewing and providing advice on the policy across the organisation.
- 6.2 The EDAP will hold the Economic Development unit accountable for this delivery of this strategy objectives.

7 RELATED DOCUMENTS:

- 7.1 Port Stephens Community Strategic Plan
- 7.2 Port Stephens Economic Development and Tourism Strategy
- 7.3 Hunter Regional Plan
- 7.4 Greater Hunter Metropolitan Plan
- 7.5 Hunter Region Economic Development Strategy
- 7.6 Visitor Economy Industry Action Plan
- 7.7 Destination Sydney Surrounds North Destination Management Plan
- 7.8 Tourism Policy

CONTROLLED DOCUMENT INFORMATION:

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Policy



EDRMS container No	A2004-0654	EDRMS record No	TBA
Audience	Council		
Process owner	Strategy and Environment Section Manager		
Author	Economic Development and Tourism Coordinator		
Review timeframe	Two years	Next review date	March 2021
Adoption date	25/11/2014		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	25/11/2014	Economic Development Manager	Original policy adopted by Council.	306
2	March 2019	Economic Development and Tourism Coordinator	Reviewed the previous Policy (Economic Development Policy), included numbering to each paragraph and updated the version control. Substantial re-write of the Policy which necessitates replacing the existing Policy dated November 2014. Intent of existing Policy remains unchanged.	TBA

Policy

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Port Stephens
C·O·U·N·C·I·L

POLICY

Adopted: 25/11/2014

Minute No: 306

Amended:

Minute No:

FILE NO: A2004-0654/042
TITLE: ECONOMIC DEVELOPMENT POLICY
RESPONSIBLE OFFICER: ECONOMIC DEVELOPMENT MANAGER

BACKGROUND

Local Economic Development involves the implementation of a range of activities with the goal of building up the economic capacity of a local area to improve its economic future and the quality of life for all. Central to this concept is communities continually improving their investment climate and business enabling environment to enhance their competitiveness, create and retain jobs and improve incomes in the local area.

Local economic development is heavily influenced and shaped by the economic path that has led to an area's current economic position and characteristics. For Port Stephens this has resulted in a local economy that is clearly defined from a sectorial (manufacturing, government, defence and tourism), and locational perspective, with a strong sense of local initiative and development that takes advantage of the natural and locational assets of the LGA.

Council recognises that it is the private sector that remains the most significant contributor to local economic development via the development of business. Council's overarching role is to provide the appropriate environment to enable sustainable economic development by influencing the private sector's motivation to grow and generate profits – which can then create local economic development and employment opportunities.

The first Port Stephens Economic Development Strategy was launched in 2007 as the guiding document to shape the economic future of the area. The strategy set out a clear vision for the future of Port Stephens.

An Economic Development Unit (EDU) was created to deliver the strategy, with an Economic Development Advisory Panel (EDAP) also being assembled to ensure local business/community input was provided on local economic development issues.

Council recognises the valuable role local businesses plays in contributing to a sustainable region and has placed a high priority on proactive policies and actions to improve investment, employment and business performance across Port Stephens.

**ITEM 1 - ATTACHMENT 2 ECONOMIC DEVELOPMENT POLICY - 25
NOVEMBER 2014.**

Typically local Government in Australia has focussed externally on local business support from an economic development team as their primary activity in the delivery of economic development services. This approach only partially captures a local government's responsibilities and potential to positively impact local economic development. This policy has Port Stephens Council moving to an internally-biased approach to economic development that identifies all services across Council that have a direct impact on local economic development.

OBJECTIVE

This Policy establishes a whole of council approach to the delivery of services that enhance Council's contribution to local economic development in the local government area (LGA) in an effort to create local employment opportunities and improve incomes in the local area.

There are 8 key service areas that have a direct economic development impact:

- 1) Civic Leadership and Governance;
- 2) Organisational Financial Sustainability;
- 3) Economic Development Program;
- 4) Land Use Planning;
- 5) Capital Works Delivery;
- 6) Development Planning;
- 7) Tourism and Events;
- 8) Property Development.

PRINCIPLES

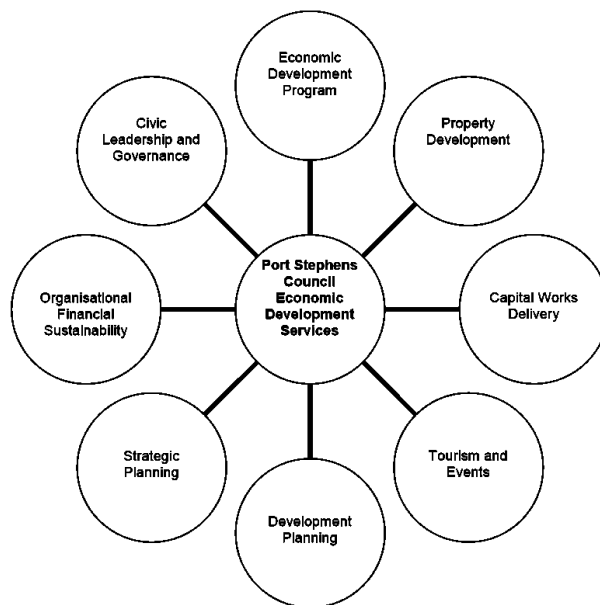
Port Stephens Council is committed to the following service-delivery principles regarding local economic development:

- 1) Civic Leadership and Governance – Council will have an Economic Development Policy that acknowledges a whole-of-council approach to local economic development and will use the business levy to foster economic development initiatives throughout the community.
- 2) Organisational Financial Sustainability – We will deliver an ongoing business improvement program to ensure a sustainable financial position that will provide us with the best ability to impact on local economic development through reinvestment in our community.
- 3) Economic Development Program – The EDU will manage local economic information, data, analysis and advice, local networking and learning opportunities, small business development and major industry support. The EDU will also take the lead in facilitating collaboration with other levels of government, regional organisations and local and regional business associations to facilitate and attract investment in the LGA.
- 4) Land Use Planning – Council's strategic land use planning will be informed by the latest data and trends and deliver plans to maintain staged growth and

ITEM 1 - ATTACHMENT 2 ECONOMIC DEVELOPMENT POLICY - 25 NOVEMBER 2014.

- development in the LGA. Where appropriate, specific controls will be incorporated into the strategic land use planning framework to encourage and facilitate local economic development. This will include a defined implementation schedule and process for measuring success.
- 5) **Development Planning** – Council will take a lead position by providing a positive business development environment, and we will manage our development assessment process via a focus on responsive customer service and efficient decision making.
 - 6) **Capital Works Delivery** – Council acknowledges the role of infrastructure (roads, open space, sport and recreation/ leisure, community facilities, flood and drainage) in underpinning local economic development. Our financial sustainability principle will allow funds to be released for planned infrastructure works.
 - 7) **Tourism and Events** – We will run the Port Stephens Visitor Centre and licence and sponsor events to capture visitor spend and further investment in our local community. We will strategically and financially support Destination Port Stephens to deliver the LGAs Destination Management Plan.
 - 8) **Property Development** – As a significant property manager in the LGA, Council will undertake property development activities as a way to activate and contribute to local economic development in localities within Port Stephens.

Figure 1: Local Economic Development Services, Port Stephens Council



**ITEM 1 - ATTACHMENT 2 ECONOMIC DEVELOPMENT POLICY - 25
NOVEMBER 2014.**

POLICY STATEMENT

Council has an all-of-organisation approach to economic development and will monitor and measure performance against the 8 identified service delivery areas and principles. The monitoring and measuring will be in relation to specific metrics designed to measure the effectiveness of Council's service delivery to provide a tangible measure of Council's impact on local economic development.

RELATED POLICIES

National, State and Regional Policy Context

NSW 2021
NSW 2021 Hunter Regional Action Plan
Regional Development Australia
Indigenous Economic Development Strategy 2011-2018
NSW Economic Development Framework
State Infrastructure Strategy
New Planning System
Visitor Economy Action Plan
Regional Industries Investment Fund
Lower Hunter Regional Strategy
Lower Hunter Regional Conservation Plan

Local Policy Context

Futures Strategy
Integrated Strategic Plans
Asset Management Plan
Port Stephens Planning Strategy 2011
DAREZ Business Park
Commercial and Industrial Land Strategy 2008
Town Centre Strategic Plans

- Nelson Bay
- Anna Bay
- Medowie
- Karuah

SUSTAINABILITY IMPLICATIONS

Economists often define sustainability as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The whole of Council approach to the delivery of services which advance local economic development will ensure an overarching role that provides the appropriate environment to enable sustainable economic development.

SOCIAL IMPLICATIONS

Economic development can have positive social implications through promoting inclusive growth as investment occurs in the community. Economic development

**ITEM 1 - ATTACHMENT 2 ECONOMIC DEVELOPMENT POLICY - 25
NOVEMBER 2014.**

can generate strong social outcomes on the standard-of-living of local residents. Primarily, positive economic development can lead to increased job growth and opportunities for the local resident workforce encouraging a strong sense of purpose and local participation in the community.

ECONOMIC IMPLICATIONS

The Port Stephens Economic Development Policy aligns with the long term Port Stephens Community Strategic Plan 2014-2024, within the Community Plan are five community goals, including Community Goal 4 'Our Economy' that states "Port Stephens has a sustainable and diversified economy". This Policy focuses on a whole of Council economic development approach to achieve this community goal.

ENVIRONMENTAL IMPLICATIONS

Council has a role to play in providing quality local infrastructure and stewardship of natural assets as part of Council's vision of a treasured environment. Access to reliable and high quality infrastructure along with a well-managed environment drives business growth and influences decisions about business locations.

RELEVANT LEGISLATIVE PROVISIONS

Broadly, NSW local councils have responsibilities under a wide range of state and commonwealth legislation and, while, there is no specific legislative provision that mandates the delivery of economic development services, Port Stephens Council has a business-rate-levy in place that is reported on annually.

Specific relevant legislation includes:

- Local Government Act 1993;
- Environmental Planning & Assessment Act 1979.

IMPLEMENTATION RESPONSIBILITY

Economic Development Manager.

PROCESS OWNER

Economic Development Manager.

REVIEW DATE

December 2016

ITEM 1 - ATTACHMENT 3 PUBLIC EXHIBITION - SUBMISSIONS TABLE.

Submissions Table – Economic Development Policy and Economic Development and Tourism Strategy

No.	Author of submission	Comment	Council response
1.	Tomaree Business Chamber.	<p>a. Discontinuation of funding for business chambers – concern that PSC will “disincentivizing the business community”.</p> <p>b. The need for higher education – request to embrace the development of higher education on the Tomaree Peninsula to upskill our existing workforce.</p> <p>c. Development Manager – Request for Council to consider the Appointment of a Development Manager to attract business and investment.</p> <p>d. Business Incubator – consideration of a facility such as a Business Incubator / Business Centre to help business start-ups and emerging business.</p>	<p>a. Council is not considering discontinuing funding for business chambers and there is no mention of this in the strategy. The strategy provides the framework for Council to investigate opportunities for new programs for funding of industry organisations to allow the delivery of more targeted business programs across Port Stephens. Council is currently reviewing the existing Community Economic Development Funding model with the objective of more equitable allocation of funds in line with Council’s stated objectives.</p> <p>b. Council has a strong focus on creating opportunities for ongoing education as an enabler for workforce development across the LGA. This is outlined on page 5 of the strategy under Labour Force and Employability and acknowledged under the key priorities of Increase the capacity and competitiveness of business and Facilitate evidence based decision making. Associated actions under these priorities include:</p> <ul style="list-style-type: none"> • Council is currently participating in the Tomaree Tertiary Education Working Group and providing professional advice and support to this group to determine best practice models for further education. Council is supporting research to facilitate decisions based on evidence which will ensure investment is made in the delivery of the education services that meet the needs of both the community and industry across Port Stephens, including the Tomaree Peninsula. • Council is an active participant in a range of working groups focused on education and work force development. These include Let’s Talk Tomago, RDA Hunter, P Tech and is strengthening

ITEM 1 - ATTACHMENT 3 PUBLIC EXHIBITION - SUBMISSIONS TABLE.

			<p>relationships with local high schools, TAFE and the University of Newcastle.</p> <ul style="list-style-type: none"> • Council currently invests in the coordination and delivery of the Port Stephens Mayoral Academic Scholarship Program which is designed to support and foster tertiary education amongst local students. • Council is investing, via its ownership of Newcastle Airport, in the development of the Astra Aerolab facility. Preliminary work is being undertaken in understanding the workforce demands to support further education particularly in the aerospace and defence industries. <p>Council has met with TAFE NSW last year to initiate discussions on the programs to support existing and emerging industries including aged care, hospitality and tourism.</p> <p>These actions are also supported by ongoing projects managed via the PSC Economic Development Advisory Panel.</p> <p>c. While Council is committed to attracting new business to Port Stephens and is working on the development of both a regional and local approach to attracting business investment, the critical importance of supporting and growing our existing businesses cannot and should not be understated. Business establishment, growth and attraction activities are undertaken in partnership with a range of stakeholders including Economic Development Advisory Panel, Department of Premier and Cabinet, RDA Hunter, Hunter Joint Organisation of Councils and neighbouring Councils. A Business Investment Prospectus and supporting marketing and communications campaign are under development.</p>
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ITEM 1 - ATTACHMENT 3 PUBLIC EXHIBITION - SUBMISSIONS TABLE.

			<p>d. Port Stephens is already home to a number of facilities designed to support start ups and emerging business including the Newcastle University I2N Hub and Spark Co Work Space which hosts business support programs via the Business Centre on a regular basis. Funding to support the development of a new standalone incubator is not available at this stage, however, Council is working with Destination Sydney Surrounds North and The Business Centre to investigate funding opportunities for a Start House Program focused on start-ups and scale ups for Port Stephens. Please note that evidence to support the demand for such a centre will be required to source funding and investment.</p>
2.	Tomaree Residents and Ratepayers Association (TRRA)	<p>a. Our Environment – consideration given to including an objective relating to “Ecologically Sustainable Development” be included in the strategy.</p> <p>b. Contradiction between Economic Development and Tourism Strategy and Nelson Bay Strategy - Concern that statements in relation to Land Use Planning and Transport connectivity contradict the vision of the Nelson Bay Strategy.</p> <p>c. Transport Connectivity – Concerns regarding commitment to the completion of dual carriageway for Nelson Bay Road and clarity around the statement “strategies to increase pedestrian traffic in town centres are ongoing”.</p>	<p>a. This strategy recognises that the unique environment of Port Stephens is an important factor in the growth of the local economy. This strategy is not focused on development or planning issues, but more about how Councils Economic Development and Tourism Unit can facilitate opportunities for local business to grow. Environmental and developmental considerations are articulated in other key planning strategies.</p> <p>b. See 2 (a).</p> <p>c. Council will continue to lobby for the completion of the dual carriageway for Nelson Bay Road. In regard to pedestrian traffic in town centres, this statement relates to overall strategies designed to make town centres across Port Stephens more attractive places to live and visit. This includes investment in the public domain as outlined in the Nelson Bay Public Domain Plan and Raymond Terrace & Heatherbrae Strategy along with wayfinding, place activation and events.</p>

ITEM NO. 2

**FILE NO: 19/130236
EDRMS NO: PSC2019-00384**

POLICY REVIEW - COMMERCIAL OPERATORS

REPORT OF: AARON MALLOY - ACTING COMMUNITY SERVICES SECTION
MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the submission (**ATTACHMENT 1**).
 - 2) Adopt the draft Commercial Operators Policy (**ATTACHMENT 2**).
 - 3) Revoke the Commercial Operators Policy dated 10 November 2015 Min. No. 342 (**ATTACHMENT 3**), the Events Policy dated 24 March 2015 Min. No. 055 (**ATTACHMENT 4**), the Markets Policy dated 8 December 2015 Min. No. 389 (**ATTACHMENT 5**) and the Mobile Food Vehicle Policy dated 22 November 2016 Min. No. 340 (**ATTACHMENT 6**).
-

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

120	<p>Councillor Sarah Smith Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Receive and note the submission (ATTACHMENT 1).2) Adopt the draft Commercial Operators Policy (ATTACHMENT 2).3) Revoke the Commercial Operators Policy dated 10 November 2015 Min. No. 342 (ATTACHMENT 3), the Events Policy dated 24 March 2015 Min. No. 055 (ATTACHMENT 4), the Markets Policy dated 8 December 2015 Min. No. 389 (ATTACHMENT 5) and the Mobile Food Vehicle Policy dated 22 November 2016 Min. No. 340 (ATTACHMENT 6).
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BACKGROUND

The purpose of this report is to seek Council's adoption of the draft Commercial Operators Policy following the public exhibition period of 1 April to 29 April 2019.

As a result of the public exhibition, 1 submission was received in relation to the Policy. The submission did not require the advertised policy to be modified or changed.

Commercial Operators Policy

The draft Policy is designed to replace the currently endorsed version of the Commercial Operators Policy plus three further policies that serve similar functions, namely the Markets Policy, Events Policy and Mobile Food Vehicle Policy.

The draft Policy aims to encourage a diversity of users on Council owned and managed land to create vibrant and active places for all people to enjoy a great lifestyle.

The following table provides a summary of the changes and outcomes relating to the amalgamation of the existing policies that will be captured by the draft Commercial Operators Policy:

Existing Policy	Changes under the draft Commercial Operators Policy.	Customer outcomes.
Markets Policy	Markets of more than four per year will be assessed and managed as commercial operators.	<ul style="list-style-type: none"> • Security of tenure (up to five years). • Reduced administration. • Reduced fees and charges. • Support small business growth. • Increase appeal to high quality market operators. • Improved assessment process which takes into consideration quality of markets and impact on local business. • Manage use of key sites.
	Markets of four or less per year will be assessed as a temporary event.	<ul style="list-style-type: none"> • Encourages markets as part of major events. • Ensures effective risk management and compliance with intermittent market operators.

MINUTES ORDINARY COUNCIL - 11 JUNE 2019

Existing Policy	Changes under the draft Commercial Operators Policy.	Customer outcomes.
Mobile Food Vehicle Policy	Mobile food retailers will be assessed as commercial operators.	<ul style="list-style-type: none"> Streamlined application process. Opportunity to attract new operators. Support small business growth. Improved assessment process which takes into consideration quality of operators and impact on local business.
	All mobile food vendor licensing will be managed through one section of Council (Community Services Section).	<ul style="list-style-type: none"> Reduced administration. More effective risk management processes. Security of tenure (up to five years).
Commercial Operators Policy	Provision for trial agreements.	<ul style="list-style-type: none"> Allow short term use of commercial sites to trial new business ideas for viability.
	Addition of not for profit guidelines and process.	<ul style="list-style-type: none"> Charities and not for profit organisations can be assessed equitably.
Events Policy	Intention and delivery of Events policy was captured in the Tourism Policy adopted 110717 (Min.165). Events policy is now redundant with the inclusion of "temporary events" in the draft Commercial Operators Policy.	<ul style="list-style-type: none"> Rescind the Events policy.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Community Partnerships	Provide recreational and leisure services.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications from adopting the recommendations. All revenue from licence fees is used to offset the cost of maintaining public open space and the subsequent cost to ratepayers.

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

LEGAL, POLICY AND RISK IMPLICATIONS

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

Any activity on Council land classified as Community Land requires formal approval as per the Local Government Act 1993, Section 47 and 47A.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that not having a Commercial Operators Policy may result in unapproved activities being undertaken on Council land resulting in safety, legal, financial, environmental and reputation damage.	Medium	Adopt the recommendations.	Yes
There is a risk that not having a Commercial Operators Policy may result in conflict between prospective operators and the general community resulting in safety and reputation damage.	Low	Adopt the recommendations.	Yes

MINUTES ORDINARY COUNCIL - 11 JUNE 2019

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that not having a Commercial Operators Policy may result in lengthy decision making processes when assessing requests for use of Council land resulting in added costs to small business and reputation damage to Council.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Adopting the recommendations creates opportunities for people to participate in fun, healthy, educational and creative activities on Council owned and managed land. Managing the allocation of foreshores and park areas needs to be carefully considered through this policy as these areas attract large numbers of people at peak times and the interaction between passive users and commercial operators has the potential to create conflict.

The local economy benefits from this Policy because small to medium enterprises are able to access Council owned and managed land and conduct their business at reasonable rates for their customers.

This Policy, its guidelines and conditions in standard lease and licences ensures that environmental constraints at any given site are fully considered and managed.

CONSULTATION

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

The objectives of the consultation has been to ensure all stakeholders are included in the review of the Policy and to provide initial feedback on working drafts of the Policy prior to public exhibition.

Internal

- Executive Team.
- Strategy and Environment Section - Economic Development and Tourism Team.
- Assets Section – Community and Recreation Assets Team.
- Public Domain and Services Section – Parks Team.

- Property Services Section – Commercial Investments Team.
- Governance Section – Legal Services Team.
- Development Assessment and Compliance Section – Environmental Health and Compliance Team.

External

Existing licenced commercial operators and market operators have been contacted to provide feedback on the draft policy prior to its public exhibition. Initial feedback has been focused on fees payable under the Policy and the process around renewal of existing licences.

In accordance with local government legislation the draft Commercial Operators Policy was placed on public exhibition in the Port Stephens Examiner, on Council's Website and in Council's libraries across the local government area from 1 April to 29 April 2019 for 28 days.

OPTIONS

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

ATTACHMENTS

- 1) Submissions Summary Response.
- 2) Draft Commercial Operators Policy.
- 3) Current Commercial Operators Policy.
- 4) Current Events Policy.
- 5) Current Markets Policy.
- 6) Current Mobile Food Vehicle Policy.

COUNCILLORS ROOM

- 1) Copy of Full Submission.

TABLED DOCUMENTS

Nil.

ITEM 2 - ATTACHMENT 1 SUBMISSIONS SUMMARY RESPONSE.

Draft Commercial Operators Policy – Post Exhibition Period 1 April to 29 April, 2019

No.	Author of submission	Comment	Council response
1	One resident submission received 28 April 2019 which focused on requested changes to the Draft Commercial Operators Policy.	Request for clarification on the Nelson Bay entries for land - based commercial operations, and the potential for a land based site on Nelson Bay foreshore, Victoria Parade adjacent Fly Point amenities to support a mobile operation.	<p>Nelson Bay foreshore currently has; (one) land based site on the reserve adjacent to the public wharf amenities, (available) (one) water based site adjacent Fly Point amenities (available) (two) water-based sites adjacent Dolphin Inn kiosk and public carpark. There is currently (one) water-based site incorrectly shown in the revised Commercial Operators policy, In responding to the submission Council will update the site list from 1 to 2 sites. Both sites are (occupied)</p> <p>The new policy provides the mechanism for mobile food vendors to apply for sites across the LGA. There is no specified location or limit for mobile food sites. All applications will be assessed in accordance with the Commercial Operators Policy Guideline.</p>
		Request for a commercial operator Blue Bru Boat service (coffee snack boat) or similar to be encouraged to operate from a foreshore site , especially through the holiday periods	This particular agreement would be managed by the relevant waterway authority. If they wish to apply for a foreshore site they can apply under the proposed Commercial Operators Policy.
		Concerns over any land or water based activities being	The Port Stephens Sailing School application for a

ITEM 2 - ATTACHMENT 1 SUBMISSIONS SUMMARY RESPONSE.

No.	Author of submission	Comment	Council response
		<p>allowed at Roy Wood Reserve. In particular a recently approved sailing school operation.</p>	<p>water based site at Roy Wood Reserve, Corlette was subject to the formal Commercial Operators licence approval process where the proposed activity was assessed by Councils internal review panel.</p> <p>All land and water based sites approved in 2016 were subject to a public exhibition process where Roy Wood Reserve was included and supported by the broader Port Stephens community.</p>
		<p>The carpark is very small and there are 2 spaces taken up with the storage of the trailer and the boats.</p>	<p>In relation to boats and parking. The approved licence states; Point 3 – Storage of equipment will be off site in a trailer. The licensee may park the trailer anywhere within available designated carpark spaces that are not time limited. Compliance to this licence requirement will be monitored by Council</p>
		<p>Boats have to be dragged across the sand flats by Children</p>	<p>The approved licence states; Point 6 – Sailing vessels and equipment are not permitted to be dragged across the reserve or foreshore - all equipment is required to be carried in. Licence compliance will be monitored by Council.</p>
		<p>I am aware that the Licensee has conditions placed on the approval relating to foreshore erosion damage.</p>	<p>The approved licence states; Point 1 – Any damage of the licensed site caused by the licensee or its participants during its operation must be rectified</p>

ITEM 2 - ATTACHMENT 1 SUBMISSIONS SUMMARY RESPONSE.

No.	Author of submission	Comment	Council response
			by the licensee at Councils discretion and at the Licensees cost. Licence compliance will be monitored by Council

Policy



FILE NO: PSC2019-00384
TITLE: COMMERCIAL OPERATORS POLICY
POLICY OWNER: COMMUNITY SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of the Commercial Operators Policy is to confirm Council's approach to commercial activities on Council owned and managed land.
- 1.2 The policy aims to achieve well managed commercial operations that create vibrant public spaces, promote community participation and connections, improve the visitor experience and grow the Port Stephens economy.
- 1.3 The policy also provides the framework for a streamlined process for managing the use of Council owned or managed land by private business, markets, events and mobile food/retailers.

2. CONTEXT/BACKGROUND:

- 2.2 Port Stephens has a diverse range of open space including parks, sports fields, foreshores, beaches, and bushland reserves. These open spaces are well suited to a wide range of passive and active uses and, as these open spaces have become more popular, demand has risen for the use of Council owned and managed land to conduct commercial operations.
- 2.3 By ensuring a consistent approach to the approval and management of commercial activities on Council owned or managed land, Council can facilitate the economic and social benefits across the community whilst also ensuring a diversity of quality product complimentary to each location.
- 2.4 The policy aims to achieve well managed commercial operations that create vibrant public spaces, promote community participation and connections, improve the visitor experience and grow the Port Stephens economy.

Policy

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Policy



3. SCOPE:

- 3.1 The Commercial Operators Policy applies to the management of Commercial Operations within the Port Stephens Council local government area. The total open space deemed suitable for these activities is 490 hectares of Port Stephens Councils total open space provision (refer to Table 1).
- 3.2 Commercial Operations include both land and water based activities ranging from events, markets, mobile food/retailers, including but not limited to personal and group fitness classes, bicycle hire, surf schools, watercraft hire and lessons in watercraft use and sport adventure activities.
- 3.3 Approval to issue a licence under the Commercial Operators Policy does not negate the need for nor is intended as a substitute for development consent under the *Environmental Planning and Assessment Act 1979*, where required.
- 3.4 Licensed activities involving the retail sale of food and drink products are required to comply with the relevant legislative provisions of the *NSW Food Act 2003*, the *Australia/NSW Zealand Food Standard Codes* and related guidelines and policies, where required.
- 3.5 The Commercial Operators Policy does not apply to commercial operations on land that is not owned or managed by Council. Commercial operations on land that is not owned or managed by Council may require other development approvals.
- 3.6 The policy does not apply to the following activities that may be subject to separate approval processes:
- 3.6.1 Commercial activities subject to a lease arrangement;
 - 3.6.2 Commercial use of community halls;
 - 3.6.3 Commercial use of sporting facility buildings;
 - 3.6.4 Commercial activities on land that is not owned or managed by Council;
 - 3.6.5 Activities not considered to be a commercial activity.

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Policy



4. DEFINITIONS:

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

Commercial operator	A person or entity that intends to conduct an activity for profit or personal gain on Council owned and managed land.
Commercial operators licence	A contract to operate across and or on Council owned and managed land.
Council owned and managed land	Land that is owned or managed by Port Stephens Council, including Crown Land where Council is the corporate trust manager.
Land based activity	Activities that are conducted on Council owned and managed land. Examples of land based activities include, but are not limited to: personal fitness trainers, group fitness, hiring of bicycles, dog obedience schools, mobile food/retailers, markets and events.
Water based activity	Activities that are conducted mostly in waterways but require access to the waterway from Council owned and managed land. Examples of water based activities include but are not limited to; learn to surf schools, hire of water craft, lessons in water craft use, sport adventure activities, mobile food/retailers, events.
Mobile Food/Retail Operator	A Company or individual that operates a mobile food or other retail vehicle, cart or stall.
Mobile Food/Retail Vehicle	All mobile vans, mobile trailers, carts or maritime vessels (whether registered or not) used for the purpose of selling any article of food or merchandise on Councils owned and managed land.
Ongoing Markets	A regularly scheduled outlet for the sale of goods and services at the same or regular location with the majority of goods and services provided by the producer, grower, craftperson or service person (<i>in excess of four times per year</i>).
Temporary Markets	A temporary outlet for the sale of goods and services at the same or regular location with the majority of goods and services provided by the producer, grower, craftperson or service person (<i>up to four times per year</i>).

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Temporary Events	A temporary one off or annual activity on Council owned and managed land.
Not For Profit Operations	A Company or individual that operates a business on a cost recovery basis and does not make a profit.
Licensing terms and conditions	This includes guidelines, processes and other internal documents used by Council staff in the assessment and approval of Commercial Operator licence applications.

5. POLICY STATEMENT:

- 5.1 Port Stephens Council will support and facilitate commercial operations on Council owned or managed land that provide economic and community benefit, enhance the local culture and ensure the safety of residents and visitors. In order to achieve this Council will:
 - 5.1.1 Permit the use of Council owned and managed land for commercial operations that meet the purpose of the land as defined in the Local Environment Plan, any Plan of Management for the land, the *Crown Lands Management Act 2016*, the *Local Government Act 1993* and the licensing terms and conditions of any specific site.
 - 5.1.2 Encourage commercial operations on Council owned and managed land that provide economic, social and environmental benefit.
 - 5.1.3 Ensure Council owned and managed land is used in a safe manner.
 - 5.1.4 Permit 5 year licenses for the use of Council owned and managed land by approved commercial operators ensuring security of tenure for approved Commercial Operators. Accordingly, those Commercial Operators shall be offered a 5 year licence term for any new licence subject to all requirements of the *Local Government Act 1993* and the *Crown Lands Management Act 2016*.
 - 5.1.5 At Council's sole discretion permit short term licenses for the use of Council owned and managed land by approved commercial operators.
 - 5.1.6 Commit to implementing and keeping current terms and conditions that ensure that occupiers of licenced sites do not cause nuisance to neighbours and other stakeholders.
 - 5.1.7 Assess and apportion licence fees that are determined by market demand and the Setting of Fees and Charges Management Directive.
 - 5.1.8 Provide locations suitable for site specific commercial operations as listed in Table 1.
 - 5.1.9 As required, Council may initiate a process to identify supplementary sites for land and water based commercial operations to activate a particular location.

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Policy



Table 1: Council owned and managed land that may be licensed for site specific commercial operations, excluding temporary events and temporary markets (operating less than 4 times per year). Mobile food/retail operator sites will be assessed upon application.

Suburb	Location	Lot / DP	Number of Sites	
			Land Based Activities	Water Based Activities
Anna Bay	Birubi Beach	Lot 7325, DP 1156724	2	1
Anna Bay	Robinson Reserve	Lot 7325, DP 1156724	2	0
Boat Harbour	Boat Harbour Beach Reserve	Lot 7324, DP 1205289	1	1
Corlette	Bagnall Beach Reserve, corner of Sandy Point Road and Pantowarra Street (A)	Lot 540, DP 823768	1	0
Corlette	Bagnall Beach Foreshore Reserve, adjacent corner of Pantowarra Street (B)	Lot 540, DP 823768	0	1
Corlette	Roy Wood	Lot 356, DP 27845	0	1
Corlette	Conroy Park	Lot 256, DP 27048	1	1
Fingal Bay	Fingal Bay Foreshore Reserve	Lot 475, DP 728127	2	0
Fingal Bay	Fingal Bay Oval	Lot 418, DP 257378	2	0
Fingal Bay	Fingal Beach (A)	Lot 475, DP 728127	1	2
Fingal Bay	Fingal Beach Boat ramp end(B)	Lot 475, DP 728127	1	1

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Policy



Fisherman's Bay	Fisherman's Bay Park	Lot 278, DP 753204	1	0
Hinton	Hinton Foreshore Reserve	Lot 26, DP 109540	1	1
Hinton	Stuart Park	Lot 1, DP 915417	2	0
Karuah	Aliceton Reserve	Lot 61, DP 24364	2	0
Karuah	Lionel Morton Oval	Lot 153, DP 753196	1	0
Karuah	Longworth Park	Lot 710 DP 1050943	1	0
Karuah	Memorial Park Boat Ramp	Lot 710 DP 1050943	1	0
Lemon Tree Passage	Kooindah Park	LOT:PT 93 DP 217567	3	0
Mallabula	Caswell Reserve	Lot 93, DP 11392	0	1
Mallabula	Mallabula Sports Complex	Lot 398, DP 1142139	4	0
Medowie	Boyd Oval	Lot 1, DP 408155	2	0
Medowie	Coachwood Drive Reserve	Lot 37, DP 807956	1	0
Medowie	Ferodale Sports Park	Lot 22, DP 1021843	2	0
Medowie	Kindlebark Oval	Lot 59 DP 730472 LOT:129 DP 710216	2	0
Medowie	Yulong Oval	Lot 49, DP 249781	2	0
Nelson Bay	Apex Park	PLT 154, DP753204	2	0
Nelson Bay	Bill Strong Oval,	Lot 101, DP 1175980	2	0
Nelson Bay	Dutchman's Beach Reserve	Lot 7318, DP1138620	3	0

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Policy



Nelson Bay	Dutchman's Beach Foreshore	Lot 7318, DP1138620	0	2
Nelson Bay	Fly Point Reserve	Lot 101, DP 1175980	3	0
Nelson Bay	Little Beach Reserve	Lot 101, DP 1175980	1	0
Nelson Bay	Neil Carroll Park	Lot 101, DP 1175980	2	0
Nelson Bay	Nelson Bay Foreshore adjacent to the Nelson Bay public wharf amenities (A)	Lot 550,559, DP 1033413	1	0
Nelson Bay	Nelson Bay Foreshore adjacent Nelson Bay Kiosk and carpark (B)	Lot 550 559, DP 1033413	0	2
Nelson Bay	Nelson Bay Foreshore, Victoria Parade adjacent Fly Point amenities (C)	Lot 550,559 DP 1033413	0	1
Nelson Bay	Tomaree Sports Complex	Lot 1, DP 1136350	4	0
Nelson Bay	Tom O Dwyer Oval	Lot 402, DP 753204	1	0
Nelson Bay	Yaccaba St	Lot 1, 2, DP1236311	1	0
One Mile	One Mile Beach	Lot 7311, DP 1120641	1	1
Raymond Terrace	Alton Park Reserve	Lot 61, DP 24364	1	0
Raymond Terrace	Boomerang Park	Lot 1, DP 1018979	3	0
Raymond Terrace	Bettles Park		1	0
Raymond Terrace	Fitzgerald Bridge Boat Ramp area	Lot 131, DP 1120122	0	1

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Policy



Raymond Terrace	King Park Sports Complex	Lot 1, DP 733011 Lot 131, DP 1120122	3	0
Raymond Terrace	Lakeside Reserve 2	Lot 261, DP 263821	1	0
Raymond Terrace	Lakeside Reserve 3	Lot 116, DP 262378	1	0
Raymond Terrace	Lakeside Sports Complex	Lot PT2, DP 502401	2	0
Raymond Terrace	Ross Walbridge Reserve	Lot 1, DP 115898	2	0
Raymond Terrace	Riverside Park	Lot 7005, DP 94774	1	0
Raymond Terrace	Vi Barnett Oval	Lot 131, DP 1120122	1	0
Salamander Bay	Bagnall Beach Road Detention Basin	Lot 5072, DP 841259	1	0
Salamander Bay	George's Reserve	Lot 1, DP 852661	0	1
Salamander Bay	Joe Redman Reserve	Lot 356, DP 27845	1	0
Salamander Bay	Korora Oval	Lot 541, DP 27274	3	0
Salamander Bay	Roy Wood Reserve	Lot 356, DP 27946	1	1
Salamander Bay	Salamander Sports Complex	Lot 1, DP 1117732	2	0
Seaham	Brandon Park	Lot 11, DP 26452	2	0
Seaham	Seaham Park	Lot 1, DP 758899	3	0
Shoal Bay	Shoal Bay Foreshore - Boat Ramp (A)	Lot 7022,7023 DP 1126832	0	1

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Shoal Bay	Shoal Bay Foreshore Adjacent public wharf (B)	Lot; 7022,7023 DP 1126832	0	1
Shoal Bay	Shoal Bay Foreshore Beach Road adjacent to Harbourside Haven (C)	Lot; 7022,7023 DP 1126832	0	1
Shoal Bay	Shoal Bay Foreshore intersection of Harwood Avenue and Beach Road (D)	Lot: 7022,7023 DP 1126832	0	1
Shoal Bay	Marrungbangbaa Reserve	Lot 7305, DP 1130568	1	1
Soldiers Point	Everitt Park	Lot 322, DP 636840	1	0
Tanilba Bay	Forster Park	Lot: 7322 DP 1154060	0	1
Tanilba Bay	Peace Park	Lot 1, DP 265326	0	1
Taylors Beach	Taylors Beach Foreshore	Lot 637, DP 27626	0	1
Wallalong	Bowthorne Park	Lot 1, DP 703382	1	0

6. POLICY RESPONSIBILITIES:

- 6.1 Overall review and evaluation of this policy lies with the Community Services Section Manager.
- 6.2 Key areas for implementation are delegated to the following positions:
 - 6.2.1 Contracts and Services Coordinator – implement the policy, review and update the Licensing Terms and Conditions and supporting documents relating to this policy; issuing of licence approvals under delegation; internal and external relationship management.

Policy

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- 6.2.2 Economic Development and Tourism Coordinator – review and update the Temporary Events Assessment and Markets Guidelines and supporting documents relating to this policy; issue Temporary Events Licences and Market approvals under delegation.
- 6.2.3 Environmental Health and Compliance Coordinator – review and update the Mobile Food Operators Guideline and supporting documents relating to this policy. Issue permit in accordance with the requirements of the *NSW Food Act 2003* under delegation.
- 6.2.4 Property Officer Community Leasing – prepare and administer licence documentation.
- 6.2.5 Environmental Health and Compliance Coordinator, Economic Development and Tourism Coordinator, Community Development and Engagement Coordinator, Asset Coordinator, Parks Coordinator, Traffic Coordinator, Corporate Risk Team – provide advice on the implementation of the Policy relating to asset planning, traffic management and planning, scheduled improvements, liaison with Sports Councils, risk management, environmental health, safety and compliance requirements and liaison relating to the coordination of market and events and bookings on Council owned and managed land.

7. RELATED DOCUMENTS:

- 7.1 Setting of Fees and Charges Management Directive (PSC).
- 7.2 Commercial Operator Guideline (PSC).
- 7.3 Temporary Event /Market Guidelines (PSC).
- 7.4 Mobile Food Vehicle Guideline (PSC).
- 7.5 Not for Profit Guide (PSC).
- 7.6 Tourism Policy (PSC).
- 7.7 Advertising Signs Policy (PSC).
- 7.8 Alcohol in Parks and Reserves Policy (PSC).
- 7.9 Temporary Structures on Footways Policy (PSC).
- 7.10 Port Stephens Council Plans of Management for community land (PSC).
- 7.11 Land Environment Plan(LEP).
- 7.12 *Roads Act 1993 and Roads Regulation 2008.*
- 7.13 *Food Act 2003 and Food Regulation 2010.*
- 7.14 *Protection of the Environment and Operations Act, 1997.*
- 7.15 *Local Government Act 1993.*
- 7.16 *Crown Lands Management Act 2016.*
- 7.17 *Environmental Planning and Assessment Act 1979.*

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EDRMS container No	PSC2019-00384	EDRMS record No	001
Audience	Existing and potential commercial operators, Sports Councils; Parks and Reserves 355c Committees; local business associations and their members; Destination Port Stephens and their members.		
Process owner	Community Services Section Manager		
Author	Contracts and Services Coordinator		
Review timeframe	Every 2 years	Next review date	June 2021
Adoption date			

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	26 March 2019	Contracts and Services Coordinator	New policy to incorporate all commercial activity on council owned or managed land covering commercial operators, temporary events, markets and mobile food vendors.	

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Policy



FILE NO: PSC2015-01929
TITLE: COMMERCIAL OPERATORS POLICY
POLICY OWNER: COMMUNITY SERVICES SECTION MANAGER

PURPOSE:

The purpose of the Commercial Operators Policy ('Policy') is to establish a streamlined approach to the approval of Commercial Operators on Council owned and managed land. It aims to achieve well managed commercial operations that complement the other uses of the locations, adds value to the local tourism and fitness sector and minimises negative impacts on neighbouring property owners and other site users.

CONTEXT/BACKGROUND:

Port Stephens has a diverse range of open space including parks, sports fields, foreshores, beaches, and bushland reserves. These open spaces are well suited to a wide range of passive and active recreation activities. As these open spaces have become more popular, a demand has arisen for the use of Council owned and managed land to conduct commercial operations specifically activities centred on tourism, education and healthy lifestyles. The total open space deemed suitable for these activities is 367 hectares or approximately 28% of Port Stephens Councils total open space provision (refer to Table 1).

SCOPE:

The Commercial Operators Policy applies to the management of Commercial Operators on Council owned and managed land within the Port Stephens Council local government area.

Approval to issue a license or lease under the Commercial Operators Policy does not negate the need for nor is intended as a substitute for development consent under the *Environmental Planning and Assessment Act 1979*, where required.

The Commercial Operators Policy does not apply to commercial operations on land that is not owned or managed by Council. Commercial operations on land that is not owned or managed by Council may require other development approvals.

The Policy applies to land based activities and water based activities.

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The Policy does not apply to the following activities that may be subject to separate approval processes:

- Commercial activities deemed to be an event;
- Commercial activities subject to a lease arrangement;
- Commercial use of community halls;
- Commercial use of sporting facility buildings;
- Markets on Council owned and managed land; and
- Activities not considered to be a commercial activity.

DEFINITIONS:

Commercial operator	A person or entity that intends to conduct an activity for profit or personal gain on Council owned and managed land.
Commercial operators licence	A contract to operate across and or on Council owned and managed land.
Council owned and managed land	Land that is owned or managed by Port Stephens Council, including Crown Land that Council is the corporate trust manager.
Event	An activity on Council owned and managed land that is defined in the Events Policy or any related policy.
Land based activity	Activities that are conducted on Council owned and managed land. Examples of land based activities include but are not limited to: personal fitness trainers, group fitness, hiring of bicycles and tricycles, dog obedience schools.
Licensing terms and conditions	This includes guidelines, processes and other internal documents used by Council staff in the assessment and approval of Commercial Operator licence applications.
Market	An activity on Council owned and managed land that is defined in the Community and Cultural Markets Policy or any related policy.
Water based activity	Activities that are conducted mostly in waterways but require access to the waterway from Council owned and managed land. Examples of water based activities include but are not limited to: dive sites, learn to surf schools, hire of water craft, lessons in water craft use, sport adventure activities.

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POLICY STATEMENT:

Council is committed to:

- 1) Permitting the use of Council owned and managed land for commercial operations that meet the purpose of the land as defined in the Local Environment Plan, any Plan of Management for the land, the *Crown Lands Act 1989*, the *Local Government Act 1993* and the licensing terms and conditions of any specific site;
- 2) Encouraging commercial operations on Council owned and managed land that encourages tourism, healthy lifestyles and education;
- 3) Ensuring Council owned and managed land is used in a safe manner;
- 4) Permitting 5 year licences for the use of Council owned and managed land by approved commercial operators;
- 5) Ensuring security of tenure for approved Commercial Operators. Accordingly, those Commercial Operators shall be offered a 5 year licence term for any new licence subject to all requirements of the *Local Government Act 1993* and the *Crown Lands Act 1989*;
- 6) Council is committed to implementing and keeping current terms and conditions that ensure that occupiers of licenced sites do not cause nuisance to neighbours and other stakeholders;
- 7) The assessment and apportioning of licence fees that are determined by market demand and the Setting of Fees and Charges Management Directive;
- 8) Providing the locations listed in Table 1 as locations that may be licensed for commercial operations.

Table 1: Council owned and managed land that may be licensed for commercial operations.

SUBURB	LOCATION	Lot/DP	NUMBER OF SITES	
			Land based activities	Water based activities
Anna Bay	Birubi Beach	Lot 7325, DP 1156724	2	1
Anna Bay	Robinson Reserve	Lot 7325, DP 1156724	1	0
Boat Harbour	Boat Harbour Beach Reserve	Lot 7324, DP 1205289	0	1

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SUBURB	LOCATION	Lot/DP	NUMBER OF SITES	
			Land based activities	Water based activities
Corlette	Bagnall Beach Reserve, corner of Sandy Point Road and Pantawarra Street (A)	Lot 540, DP 823768	1	0
Corlette	Bagnall Beach Foreshore Reserve, adjacent corner of Pantawarra Street (B)	Lot 540, DP 823768	0	1
Corlette	Conroy Park	Lot 256, DP 27048	1	0
Fingal Bay	Fingal Bay Foreshore Reserve	Lot 475, DP 728127	2	0
Fingal Bay	Fingal Bay Oval	Lot 418, DP 257378	2	0
Fingal Bay	Fingal Beach (A)	Lot 475, DP 728127	1	1
Fingal Bay	Fingal Beach Boat ramp end(B)	Lot 475, DP 728127	1	1
Fingal Bay	Tom O Dwyer Oval	Lot 402, DP 753204	1	0
Fisherman's Bay	Fisherman's Bay Park	Lot 278, DP 753204	1	0
Hinton	Hinton Foreshore Reserve	Lot 26, DP 109540	1	0
Hinton	Stuart Park	Lot 1, DP 915417	2	0
Karuah	Aliceton Reserve	Lot 61, DP 24364	2	0
Karuah	Lionel Morton Oval	Lot 153, DP 753196	1	0
Lemon Tree Passage	Kooindah Park	LOT:PT 93 DP 217567	3	0
Mallabula	Caswell Reserve	Lot 93, DP 11392	0	1

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SUBURB	LOCATION	Lot/DP	NUMBER OF SITES	
			Land based activities	Water based activities
Mallabula	Mallabula Sports Complex	Lot 398, DP 1142139	4	0
Medowie	Boyd Oval	Lot 1, DP 408155	2	0
Medowie	Coachwood Drive Reserve	Lot 37, DP 807956	1	0
Medowie	Ferodale Sports Park	Lot 22, DP 1021843	2	0
Medowie	Kindlebark Oval	Lot 59 DP 730472 LOT:129 DP 710216	2	0
Medowie	Yulong Oval	Lot 49, DP 249781	2	0
Nelson Bay	Bill Strong Oval,	Lot 101, DP 1175980	2	0
Nelson Bay	Dutchman's Beach Reserve	Lot 7318, DP1138620	3	0
Nelson Bay	Dutchman's Beach Foreshore	Lot 7318, DP1138620	0	2
Nelson Bay	Fly Point Reserve	Lot 101, DP 1175980	3	0
Nelson Bay	Little Beach Reserve	Lot 101, DP 1175980	1	0
Nelson Bay	Neil Carroll Park	Lot 101, DP 1175980	2	0
Nelson Bay	Nelson Bay Foreshore adjacent to the Nelson Bay public wharf amenities (A)	Lot 550,559, DP 1033413	1	0
Nelson Bay	Nelson Bay Foreshore adjacent Nelson Bay Kiosk and carpark (B)	Lot 550 559, DP 1033413	0	1

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SUBURB	LOCATION	Lot/DP	NUMBER OF SITES	
			Land based activities	Water based activities
Nelson Bay	Nelson Bay Foreshore, Victoria Parade adjacent Fly Point amenities (C)	Lot 550,559 DP 1033413	0	1
Nelson Bay	Tomaree Sports Complex	Lot 1, DP 1136350	4	0
One Mile	One Mile Beach	Lot 7311, DP 1120641	1	1
Raymond Terrace	Alton Park Reserve	Lot 61, DP 24364	1	0
Raymond Terrace	Boomerang Park	Lot 1, DP 1018979	3	0
Raymond Terrace	Fitzgerald Bridge Boat Ramp area	Lot 131, DP 1120122	0	1
Raymond Terrace	King Park Sports Complex	Lot 1, DP 733011 Lot 131, DP 1120122	3	0
Raymond Terrace	Lakeside Reserve 2	Lot 261, DP 263821	1	0
Raymond Terrace	Lakeside Reserve 3	Lot 116, DP 262378	1	0
Raymond Terrace	Lakeside Sports Complex	Lot PT2, DP 502401	2	0
Raymond Terrace	Ross Walbridge Reserve	Lot 1, DP 115898	2	0
Raymond Terrace	Vi Barnett Oval	Lot 131, DP 1120122	1	0
Salamander Bay	Bagnall Beach Road Detention Basin	Lot 5072, DP 841259	1	0
Salamander Bay	George's Reserve	Lot 1, DP 852661	0	1

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SUBURB	LOCATION	Lot/DP	NUMBER OF SITES	
			Land based activities	Water based activities
Salamander Bay	Joe Redman Reserve	Lot 356, DP 27845	1	0
Salamander Bay	Korora Oval	Lot 541, DP 27274	3	0
Salamander Bay	Roy Wood Reserve	Lot 356, DP 27946	0	1
Salamander Bay	Salamander Sports Complex	Lot 1, DP 1117732	2	0
Seaham	Brandon Park	Lot 11, DP 26452	2	0
Seaham	Seaham Park	Lot 1, DP 758899	3	0
Shoal Bay	Shoal Bay Foreshore - Boat Ramp (A)	Lot 7022,7023 DP 1126832	0	1
Shoal Bay	Shoal Bay Foreshore Adjacent public wharf (B)	Lot; 7022,7023 DP 1126832	0	1
Shoal Bay	Shoal Bay Foreshore Beach Road adjacent to Harbourside Haven (C)	Lot; 7022,7023 DP 1126832	0	1
Shoal Bay	Shoal Bay Foreshore intersection of Harwood Avenue and Beach Road (D)	Lot: 7022,7023 DP 1126832	0	1
Soldiers Point	Everitt Park	Lot 322, DP 636840	1	0
Tanilba Bay	Forster Park	Lot: 7322 DP 1154060	0	1
Tanilba Bay	Peace Park	Lot 1, DP 265326	0	1
Taylors Beach	Taylors Beach Foreshore	Lot 637, DP 27626	0	1

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SUBURB	LOCATION	Lot/DP	NUMBER OF SITES	
			Land based activities	Water based activities
Wallalong	Bowthorne Park	Lot 1, DP 703382	1	0

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:

- 1) Contracts and Services Coordinator – implement the policy, review and update the Licensing Terms and Conditions and supporting documents relating to this policy; issuing of licence approvals under delegation; internal and external relationship management;
- 2) Property Officer Community Leasing – prepare and administer licence documentation;
- 3) Community and Recreation Assets Coordinator and the Parks and Programs Coordinator – provide advice on the implementation of the policy, asset planning and scheduled improvements, liaison with Sports Councils;
- 4) Events and Tourism Coordinator – liaison relating to coordination of events and markets bookings on Council owned and managed land.

RELATED DOCUMENTS:

- 1) Setting of Fees and Charges Management Directive (PSC)
- 2) Events Policy (PSC)
- 3) Event Guidelines (PSC)
- 4) Advertising signs Policy (PSC)
- 5) Alcohol in Parks and Reserves Policy (PSC)
- 6) Temporary Structures on Footways Policy (PSC)
- 7) Port Stephens Council Plans of Management for community land (PSC)
- 8) *Local Government Act 1993 (NSW)*
- 9) *Crown Lands Act 1989 (NSW)*

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TRIM container No	PSC2015-01929	TRIM record No	001
Audience	Existing and potential commercial operators, Sports Councils; Parks and Reserves 355c Committees; local business associations and their members; Destination Port Stephens and their members.		
Process owner	Contracts and Services Coordinator		
Author	Contracts and Services Coordinator		
Review timeframe	Every 4 years	Next review date	June 2019
Adoption date			

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	28/8/07	Recreation Services Manager	Commercial Operators Policy	236
2	26/3/13	Community & Recreation Services Section Manager	Policy for the Use of Council Reserves for Commercial Fitness Groups and Personal Trainers.	73
3.1	28/7/15	Community Services Section Manager	Draft Commercial Operators Policy for Public Exhibition	221

<p>Policy</p> <p><small>WARNING: This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website www.portstephens.nsw.gov.au</small></p>	
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Policy



3.2	27/10/15	Community Services Section Manager	<p>Draft Commercial Operators Policy – Post Exhibition Period.</p> <p>Two submissions were received and focused on amendments to the draft policy to include:</p> <ol style="list-style-type: none"> 1. More areas for surfing schools at all Council managed surf beaches. <p>This is not supported based on the small areas of beach actually managed by Council and the potential for beach user and operator conflict with flagged swimming areas, and other surf craft using these areas.</p> <ol style="list-style-type: none"> 2. The first right of refusal for existing licencees. <p>The first right of refusal statement has now been deleted and the draft policy now offers the approved commercial operator an increase from 2 to a total licence term of 5 years.</p> <p>The Scope was amended to clarify the that the Policy does not negate the need for nor is intended as a substitute for development consent under the <i>Environmental Planning and Assessment Act 1979</i>, where required.</p>	
3.3	10/11/15	Community Services Section Manager	Draft Commercial Operators Policy adopted by Council.	342

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Issue Date:10/11/2015

Printed: 29/05/2015

Review Date: 30/06/2019

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Port Stephens
C·O·U·N·C·I·L

POLICY

Adopted: 24th March 2015

Minute No: 055

Amended:

Minute No:

FILE NO: PSC2015-01072

TITLE: EVENTS POLICY

RESPONSIBLE OFFICER: TOURISM & EVENTS COORDINATOR

BACKGROUND

Port Stephens Council (Council) recognises the economic and social benefits that events provide the community. Not only do events provide a benefit to the local community, businesses and visitors, Council also recognises the important role it plays in ensuring these events are conducted in a safe and environmentally sustainable way.

The development of the viable and prosperous events industry is important to the long term sustainability of the Port Stephens economy and as such requires clear framework and guidelines to manage the assessment, approval and delivery of events in the region.

OBJECTIVE

The objective of this policy is to state Council's position around the attraction, facilitation and delivery of events held on Council owned and managed land, and to provide a framework of key principles used to guide decision making.

PRINCIPLES

The following principles will guide our consideration and decision making around the facilitation of appropriate events across the local government area.

- 1) Council's approach to the assessment, approval and delivery of events on Council owned and managed land will reflect its vision of ensuring 'A great lifestyle in a treasured environment' for the community as a whole.
- 2) Events are recognised for the valuable contribution they make to the vibrancy and culture of the Port Stephens community.
- 3) The use of public space for events is balanced against the community's right to access to parks and open space for the purposes of recreation.

ITEM 2 - ATTACHMENT 4 CURRENT EVENTS POLICY.

- 4) Council encourages events that offer the potential to showcase Port Stephens as a tourism destination, or the potential to encourage economic growth for and through tourism.
- 5) Council encourages events that offer the potential to activate communities across the wider local government area, or to grow local businesses and industries.
- 6) Council encourages events that support the development of the Port Stephens community, that build the capacity of people, that foster local talent, or recognise artistic and cultural strengths evident within the local government area.
- 7) Event approvals are provided on a per-event basis. Multi-year or recurring events may require separate approval prior to each event being held.
- 8) Events are approved on the proviso they do not negatively or adversely affect existing local traders, core users of sporting facilities, or other planned or approved events as judged by the Council.
- 9) Council's support for events is strategic in nature with procurement of events only undertaken where there is considered at net benefit to Council.
- 10) Council will actively seek to attract events outside of the peak tourist season (December – February) in an effort to support existing industry and develop year-long visitor and tourist product throughout the community.
- 11) Council reserves the right to support low impact events run by community or not for profit groups through the application of a special fee-free category.
- 12) Council will assess event applications in accordance with these principles and the criteria set out in its Event Guidelines.

POLICY STATEMENT

Port Stephens Council will actively pursue and facilitate events that provide economic and community benefit, enhance our local culture and ensure the safety of people and place. The success of this policy will be measured by the number of events approved per annum, the economic benefit provided, the reduction (or elimination) in the incidence of non-compliant events.

This policy applies to all outdoor events in Port Stephens whether they are public or privately managed. It applies to all applications from bodies or individuals (external to Council) for events held on Council owned and managed outdoor space and public reserves, with the exception of the following:

- Community sporting club activities (competition games, training, gala days & presentation days) at sporting facilities, or casual sporting use of sportsgrounds consistent with the purpose of the facility (governed by and defined within the Sports Facility User Agreements)
- Activities deemed as commercial operations (e.g. Personal trainers)
- Regular Markets
- Footway Dining
- Busking, collections, raffles or other fundraising activities
- Events that exceed 52 days in one calendar year

ITEM 2 - ATTACHMENT 4 CURRENT EVENTS POLICY.**RELATED POLICIES**

- Community and Cultural Markets Policy
- Advertising signs Policy
- Alcohol in Parks and Reserves Policy
- Mobile Food Vending Vehicle Policy
- Temporary Structures on Footways Policy
- Corporate Sponsorship Policy
- Sports Ground Generic Plan of Management
- Pricing Policy
- Event and Activity Procedure

SUSTAINABILITY IMPLICATIONS**SOCIAL IMPLICATIONS**

Well managed events are an important part of the development of vibrant, sustainable local communities, contributing to the community social fabric.

ECONOMIC IMPLICATIONS

The attraction, procurement and facilitation of events has become an important way for Council to support and encourage local economic development, leading to infrastructure and facility improvements. Events held on sporting facilities have also historically provided an income stream to Council's sports councils which is diverted through the sports councils for investment back into those facilities. This practice will continue under this policy via cooperation between the sports councils, Tourism & Events, and Community & Recreation units.

ENVIRONMENTAL IMPLICATIONS

Poorly managed events can result in significant environmental harm. Council has an important role in identifying opportunities, providing support and resources to ensure events are conducted in a safe and environmentally sustainable way.

RELEVANT LEGISLATIVE PROVISIONS

- Port Stephens Local Environmental Plan 2013
- Local Government Act 1993
- Roads Act 1993
- Food Act 2010

IMPLEMENTATION RESPONSIBILITY

Tourism and Event Coordinator

PROCESS OWNER

Communications Section Manager

REVIEW DATE

March 2017

Policy



FILE NO: PSC2015-01866

TITLE: MARKETS POLICY

POLICY OWNER: STRATEGY AND ENVIRONMENT SECTION MANAGER

PURPOSE:

The purpose of this policy is to establish an approach to the approval of markets and the level of commitment it requires from Market Operators to achieve quality markets. It aims to achieve well-managed markets that complement the offerings of local businesses.

CONTEXT/BACKGROUND:

Port Stephens Council (Council) recognises the benefit that markets provide the community. Well-managed markets are an important part of the development of vibrant and sustainable local communities.

Council has held a policy position on markets since 1993. The approach to markets over these years has been to enable community groups to run monthly craft and cultural markets on Council owned and managed land. Since these early times though, the demand for Council owned and managed land has increased and the standards for community health, safety and environmental controls have changed.

The intent of this policy is to clearly define how Council will continue to approve markets that complement the local businesses, support the visitor economy and provide diverse social opportunities.

SCOPE:

1. The Markets Policy applies to Ongoing Markets on Council owned and managed land within the Port Stephens Council local government area. Ongoing Markets are classified as markets that operate more than four occasions in a calendar year.
2. Markets that are not covered by this policy include:
 - 2.1. Markets that are part of an event;
 - 2.1.1. Markets that are part of an event are managed under the Council's Event Policy and must meet requirements of the Event and Activity Assessment Guidelines and receive an event approval before operation.
 - 2.2. Temporary Markets that operate up to four occasions within a calendar year;

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Policy



- 2.2.1. Temporary markets are managed under the Council's Event Policy and must meet requirements of the Event and Activity Assessment Guidelines and receive an event approval before operation.
- 2.3. Markets on land that is not Council owned or managed land;
- 2.3.1. The Markets Policy does not apply to markets on land that is not owned or managed by Council. Markets on land that is not owned or managed by Council may require other development approvals.

DEFINITIONS:

Council Land	Land that is owned or managed by Council.
Event	A planned (public or private) activity held on publicly owned or managed land requiring formal assessment and approval.
Event Approval	Formal approval granted by Council for an event or temporary market.
Event Advisory Group	A group comprising a minimum of three Council representatives with relevant knowledge of outdoor events and trading. It may engage additional members to provide expert advice on specific site and issues.
Event and Activity Assessment Guidelines	Includes guidelines, processes and other internal documents used by Council staff in the assessment and approval of event applications and market applications.
Market Approval	Formal approval granted by Council for a market to begin operation.
Market Operator	The individual or group who intend to operate the market and who will enter into an agreement with Council for use of the site.
Market Proposal	A detailed document describing the layout, management and preliminary operational plans for a market. The Market Proposal is submitted after a Market Application has been given in principal support to finalise approval.
Market Application	An application form enabling Market Operators to indicate interest in using a site on Council land to operate a market.
Ongoing Market	A regularly scheduled outlet for the sale of goods and services at the same or similar location, with the majority of goods and services provided by the producer, grower, craftsperson or service person.

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ITEM 2 - ATTACHMENT 5 CURRENT MARKETS POLICY.

Policy



Priority Locations	A site that may be activated as required if deemed necessary or appropriate by Council.
Temporary Market	A market that operates up to 4 times within a calendar year.

POLICY STATEMENT:

Council is committed to:

1. Supporting quality markets that demonstrate capacity to meet community needs, strengthen the local economy and complement the offerings of local businesses;
2. Ensuring a consistent assessment framework including an equitable fee structure for the approval of Market Proposals and Market Applications;
3. Markets that minimise the impact on the environment, local residents and nearby businesses;
4. Market sites being well maintained by Market Operators;
5. Markets that ensure community health and well-being;
6. Assessing applications for markets based on this policy and the criteria set out in the Events and Activity Assessment Guidelines;
7. Approving Ongoing Markets at the following locations:
 - 7.1. Karuah, Longworth Park – Lot 7010 / DP 1050943,
 - 7.2. Lemon Tree Passage, Henderson Park – Lot 93 / DP 217567,
 - 7.3. Nelson Bay, Apex Park – Lot 7145 / DP 1063859 and Lot 155 / DP 753204,
 - 7.4. Nelson Bay, Neil Carrol Park – Lot 101 / DP 1175980,
 - 7.5. Nelson Bay, Tomaree Sports Complex – Lot 1 / DP 1136350,
 - 7.6. Nelson Bay, Town Centre – various lots,
 - 7.7. Raymond Terrace, Riverside Park – Lot 7005 / DP 94774,
 - 7.8. Raymond Terrace, Bettles Park – Lot 1 / DP 1093118.
8. Approving Ongoing Markets at Priority Locations;
 - 8.1. From time to time Council may initiate a process to identify suitable markets for locations that require activation;
9. A one year moratorium from the commencement date of this policy on the terms and conditions of all current markets on Council owned and managed land, after which these markets shall be assessed and approved under this policy and the Event and Activity Assessment Guidelines; and

Policy

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Policy



10. Ensuring security of tenure for approved Market Operators. Accordingly, those Market Operators shall be offered the first right of refusal for any new licence subject to all requirements of the *Local Government Act 1993*, the *Crown Lands Act 1989* and the assessment criteria set out in Council's Event and Activity Assessment Guidelines.

POLICY RESPONSIBILITIES:

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

Key areas for implementation are delegated to the following positions:

- Tourism and Event Coordinator – implement the policy, review and update the Events and Activity Assessment Guidelines and supporting documents relating to this policy; issuing of market approvals under delegation; Internal and external relationship management.
- Community and Recreation Assets Coordinator – provides advice on the implementation of the policy.
- Tourism & Events Team: Operational implementation of the policy and associated documentation.

RELATED DOCUMENTS:

- 1) Events Policy (PSC2015-01072)
- 2) Setting of Fees and Charges Management Directive
- 3) Port Stephens Local Environment Plan 2013
- 4) Local Government Act 1993
- 5) Food Act 2003
- 6) Advertising Signs Policy
- 7) Alcohol in Parks and Reserves Policy
- 8) Mobile Food Vending Vehicle Policy 2014
- 9) Temporary Structures on Footways Policy
- 10) Port Stephens Foreshores Generic Plan of Management
- 11) Port Stephens General Community Use Generic Plan of Management
- 12) Port Stephens Natural Areas Generic Plan of Management
- 13) Port Stephens Urban Parks Generic Plan of Management
- 14) Port Stephens Sportsgrounds Generic Plan of Management
- 15) Port Stephens Council Event and Activity Assessment Guidelines

Policy

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TRIM container No	PSC2015-01866	TRIM record No	001
Audience	Existing and potential Market Operators; Event Operators; local business associations and their members; Destination Port Stephens and its members, Tomaree Sports Council.		
Process owner	Tourism and Events Coordinator.		
Author	Tourism and Events Coordinator. Community Services Section Manager.		
Review timeframe	Every four years	Next review date	December 2019.
Adoption date	08/12/2015		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	18/11/1997	Community Services Section Manager.	Regulate markets and fairs for Port Stephens.	1362
2.0	22/09/2015	Tourism and Events Coordinator. Community Services Section Manager.	To replace the existing out dated policy which has been superseded by the Event and Activity Assessment Guidelines developed as part of the Events Policy.	293
3.0	08/12/2015	Community Services Section Manager.	Amended document post public exhibition - addition of Bettles Park for approved market location.	389

Policy

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Policy



FILE NO: PSC2013-00406
TITLE: MOBILE FOOD VEHICLE POLICY
POLICY OWNER: MANAGER DEVELOPMENT ASSESSMENT AND COMPLIANCE
SECTION MANAGER

PURPOSE:

The purpose of this policy is to provide a framework in which mobile food vehicles may safely operate within the Port Stephens Local Government Area without impact on land-based businesses.

CONTEXT/BACKGROUND:

Mobile food vehicles and street vending has become common practice in today's experience of commercial and tourist destinations, often filling a need in the market that is otherwise not met by existing retail and service offerings.

Mobile food vehicles are not normally subject to development approval as they fall outside the *Environmental Planning and Assessment Act 1979*. However, this type of business needs to be regulated as they are serving food to the public similar to traditional land based food outlets. Many mobile food vehicles park in locations that at times may create a hazard for pedestrians and traffic. Due to the nature of mobile food vehicles, there is the need for a strong policy that provides for food safety, pedestrian and traffic safety.

This policy does not relate to permanent land based food vans that may be subject of a development application under the *Environmental Planning and Assessment Act 1979*. The policy does however place a number of operational restrictions on mobile food businesses to afford a level of protection to the viability of land based food businesses and to ensure that both types of businesses can mutually co-exist.

SCOPE:

This policy captures all mobile food vehicles whether self propelled or not that operate within the LGA for the purpose of selling food. It includes vehicles designed to perform complex food preparation, single step/simple food preparation or the sale of only pre-packaged foods. The policy is relevant to land, air or water based vehicles. The policy does not capture food vending machines (land-based) or food transport vehicles licenced through the NSW Food Authority.

Policy

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Policy



DEFINITIONS:

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

Mobile Food Vehicle	All food vending vans, mobile trailers, carts and maritime vessels (whether registered or not) used for the purpose of selling any article of food on a public reserve or within public or private property.
Mobile Food Vendor	A company or individual that operates a mobile food vehicle
Development Application	A formal request for permission to carry out a development under the Environmental Assessment and Planning Act, 1979.
Approved Vehicle	A mobile food vehicle holding an approval currently in-force with PSC or another local Council.
Council	Port Stephens Council
LGA	Local Government Area
Sell	As defined in the <i>Food Act 2003</i> – "Sell" includes: (a) barter, offer or attempt to sell, or (b) receive for sale, or (c) have in possession for sale, or (d) display for sale, or (e) cause or permit to be sold or offered for sale, or (f) send, forward or deliver for sale, or (g) dispose of by any method for valuable consideration, or (h) dispose of to an agent for sale on consignment, or (i) provide under a contract of service, or (j) supply food as a meal or part of a meal to an employee, in accordance with a term of an award governing the employment of the employee or a term of the employee's contract of service, for consumption by the employee at the employee's place of work, or (k) dispose of by way of raffle, lottery or other game of chance, or (l) offer as a prize or reward, or (m) give away for the purpose of advertisement or in furtherance of trade or business, or (n) supply food under a contract (whether or not the contract is made with the consumer of the food), together with accommodation, service or entertainment, in consideration

Policy

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Policy



- of an inclusive charge for the food supplied and the accommodation, service or entertainment, or
- (o) supply food (whether or not for consideration) in the course of providing services to patients in public hospitals (within the meaning of the Health Services Act 1997) or inmates in correctional centres (within the meaning of the Crimes (Administration of Sentences) Act 1999), or
 - (p) sell for the purpose of resale.

POLICY STATEMENT:

This policy will provide a consistent and equitable framework for all matters relating to the approval, operation and construction of mobile food vehicles within Port Stephens Local Government Area. It will allow mobile food vehicles to operate legitimately in those locations where the policy permits without significant impact on land based food businesses. Applicants are advised to read and familiarise themselves with the policy prior to making a formal application.

POLICY RESPONSIBILITIES:

- 1) The Environmental Health team are responsible for implementing, monitoring, evaluating, reviewing and providing advice on the policy.

RELATED DOCUMENTS:

- 1) *Local Government Act 1993 and Local Government (General) Regulation 2005.*
- 2) *Food Act 2003 and Food Regulation 2015.*
- 3) *Environmental Planning and Assessment Act 1979.*
- 4) FSANZ Food Standards Codes.
- 5) *Roads Act 1993 and Roads Regulation 2008.*
- 6) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Subdivision 27A – Mobile food and drink outlets),
- 7) Guidelines for mobile food vending vehicles, NSW Food Authority, NSW/FA/FI055/1302.
- 8) PSC Commercial Operators Policy, PSC2015-01929.

CONTROLLED DOCUMENT INFORMATION:

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Policy



RM8 container No	PSC2013-00406	RM8 record No	
Audience	Existing and potential commercial food operators		
Process owner	Section Manager Development Assessment and Compliance		
Author	Coordinator Environmental Health and Compliance		
Review timeframe	Two years	Next review date	November 2018
Adoption date	22 November 2016		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
V1	22/11/2011	Coordinator Environmental Health and Compliance	Mobile Food Vending Policy,	396
V2	26/8/2014	Coordinator Environmental Health and Compliance	Mobile Food Vending Policy.	225
V2.1	22/11/2016	Coordinator Environmental Health and Compliance	Mobile Food Vehicle Policy updated to new template.	340

Policy

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ITEM NO. 3

**FILE NO: 19/132483
EDRMS NO: PSC2019-00530**

NAMING OF RESERVE - BOWER RESERVE, MEDOWIE

REPORT OF: JANET MEYN - PROPERTY SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Make application to the Geographical Names Board of NSW (GNB) to approve the name of Bower Reserve.
- 2) Progress the application without a further report to Council if no objections are received by the GNB.

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

121	<p>Councillor Chris Doohan Councillor Steve Tucker</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Make application to the Geographical Names Board of NSW (GNB) to approve the name of Bower Reserve.2) Progress the application without a further report to Council if no objections are received by the GNB.
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BACKGROUND

The purpose of this report is to recommend Council apply to the Geographical Names Board of NSW (GNB) to formally adopt the name of 'Bower Reserve' at Medowie as shown at **(ATTACHMENT 1)**.

The name has been suggested due to the native Satin Bowerbird that is known to frequent the area and to denote conservation management as an area of importance to the community.

The Bower Estate in which the "Bower Reserve" is situated has taken inspiration from the male Satin Bowerbird that reflects the impressive home building design of his bower and the meticulous effort taking in maintaining same and as such the Reserve parklands area will be maintained for the local community to enjoy.

If GNB agree to the proposed name, they will advertise in the local newspaper with a submission period of 28 days. Should no submissions be received GNB will proceed with publishing a Gazettal Notice to complete the formal naming process.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Infrastructure and Facilities	Plan civil and community infrastructure to support the community.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications to Council in submitting the application to the GNB. The developer is responsible for sign placement and costs.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The application will be prepared in accordance with Council’s Naming of Reserves policy and the GNB will prepare, advertise and Gazette as required by the Geographical Names Board Act 1996.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that GNB will reject the proposed name.	Low	Seek alternative name and reapply to GNB.	Yes
There is a risk that reserves not identified cause difficulties in locating for the general public and Emergency Services.	Low	Gazette all Reserve names.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no social, economic or environmental implications.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Property Section to determine that the name is appropriate to the area.

Internal

- Commercial Investments Manager.
- Projects Officer - Property.
- Senior Community and Recreation Planning Officer.

External

- Project Director – McCloy Group.
- Geographical Names Board of NSW.
- Local Newspaper for public submissions.

OPTIONS

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

ATTACHMENTS

- 1) Aerial Location Map Bower Reserve.

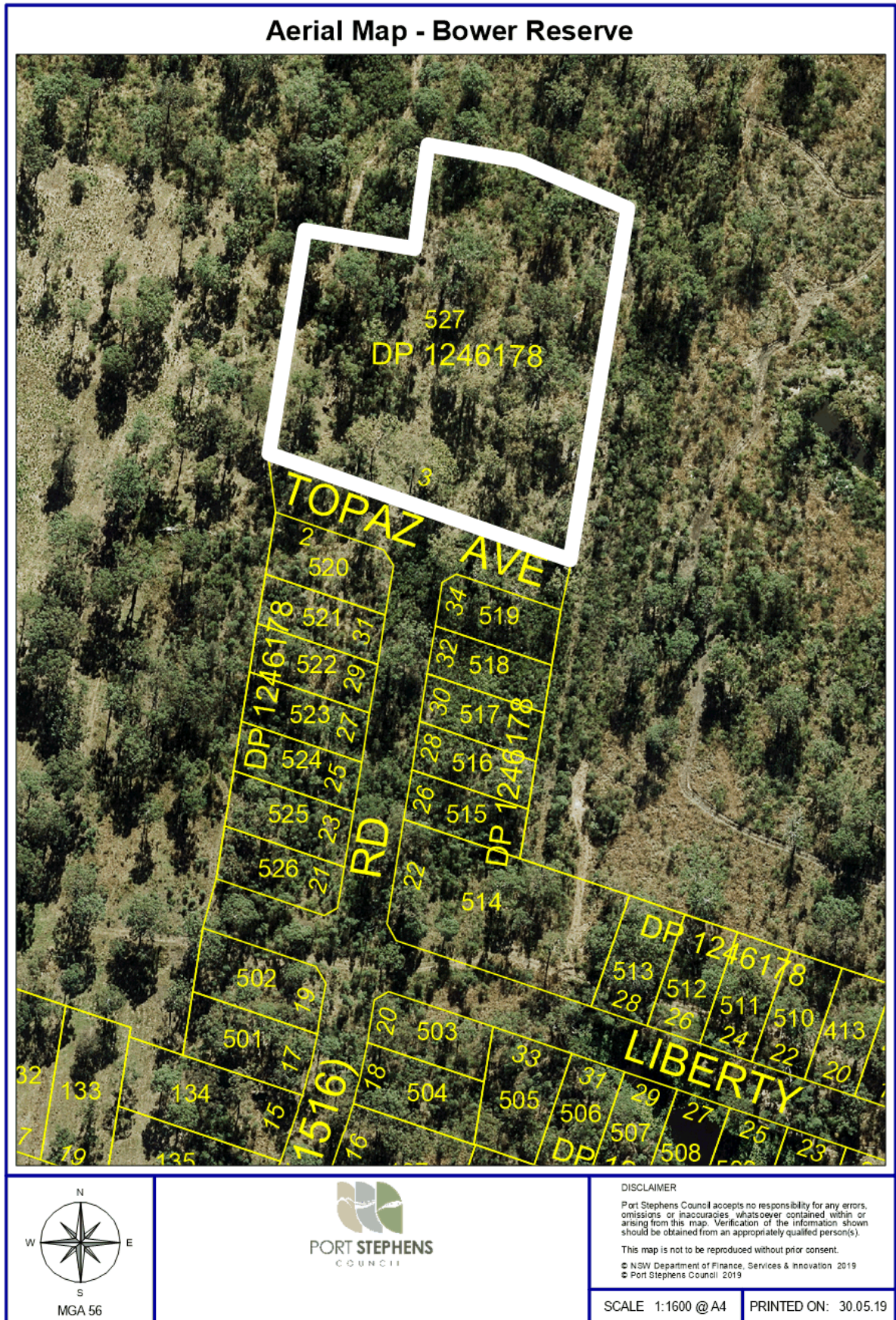
COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 AERIAL LOCATION MAP BOWER RESERVE.



116 Adelaide Street, Raymond Terrace NSW 2224. Phone: (02) 4980255 Fax: (02) 49873612 Email: council@portstephens.nsw.gov.au

ITEM NO. 4

**FILE NO: 19/141440
EDRMS NO: PSC2010-05281**

SALE OF BIOBANKING CREDITS FROM THE KARUAH BIOBANKING SITE

REPORT OF: JANET MEYN - PROPERTY SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Authorise the sale of 10 biodiversity credits from the Karuah Biobanking site at the rate of \$2,300 per credit.
 - 2) Authorise the General Manager to sign all documentation required to effect the sale, including the application to transfer biodiversity credits in accordance with section 377 Local Government Act 1993.
-

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

122	<p>Councillor Paul Le Mottee Councillor John Nell</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Authorise the sale of 10 biodiversity credits from the Karuah Biobanking site at the rate of \$2,300 per credit.2) Authorise the General Manager to sign all documentation required to effect the sale, including the application to transfer biodiversity credits in accordance with section 377 Local Government Act 1993.
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BACKGROUND

The purpose of this report is to request Council to approve the sale of 10 biodiversity credits from Council's biobanking site at 210-262 Tarean Road, Karuah **(ATTACHMENT 1)**.

On 20 March 2013, the land was registered with the Office of Environment & Heritage (OEH) as Biobanking Agreement No 97 (the Agreement) under the Threatened Species Conservation Act 1995. The Agreement sets out annual maintenance and management requirements for the land, and requires the first \$555,819 from credit sales to be paid into OEH's trust fund (known as the Part A Payment). The land owners then receive annual payments from the trust fund, to assist with meeting the annual maintenance and management requirements.

Since entering into the Agreement, Council has sold 236 credits to three different parties, for the total sum of \$533,800. This amount has been paid into the trust fund leaving \$22,019 outstanding from the Part A Payment. Once the Part A Payment has been made in full, the proceeds from any future credit sales can be retained by Council. This sale will finalise the Part A Payment.

Of the 236 credits already sold, 45 were sold at \$2,100 per credit and 191 at \$2,300 per credit. The proposed rate per credit for this sale is consistent with previous sales.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Financial Management	Maximise non-rate revenue and investment to support Council services.

FINANCIAL/RESOURCE IMPLICATIONS

The sale proceeds total \$22,300, with \$22,019 to be paid into the trust fund to finalise the Part A Payment, and the remaining \$981 will be retained by Council.

The sale of credits will be ongoing until all of the 1,768 credits generated from the land have been sold. On completion of this sale Council will have 1,532 credits remaining. A business paper will be prepared each time a sale has been negotiated, for Council's endorsement

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

LEGAL, POLICY AND RISK IMPLICATIONS

Biobanking was established by the NSW Government, is fully legislated and is managed by OEH. The proposal is consistent with the legislation and the Agreement.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the purchaser could source credits from another Biobanking site.	Medium	Accept the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council receives annual payments from the Office of Environment & Heritage to undertake management actions and maintenance of the site. It provides a mechanism and method to address the loss of biodiversity and threatened species.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Property Services Section as follows:

Internal

- Group Manager Corporate Services.
- Commercial Investment Manager.
- Property Development Coordinator.

External

- Office of Environment and Heritage.

OPTIONS

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

ATTACHMENTS

- 1) Karuah Biobanking Site Boundaries.

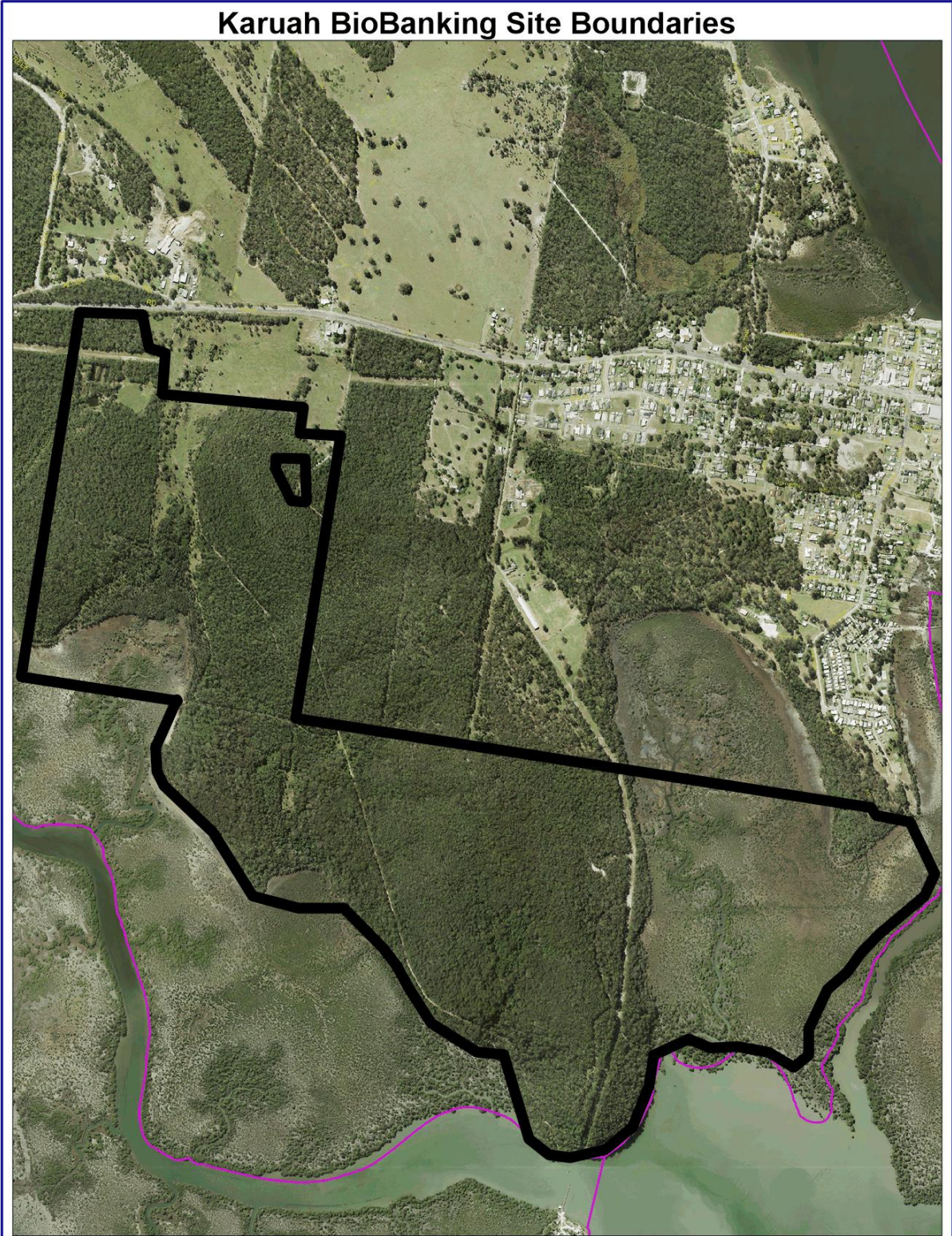
COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 4 - ATTACHMENT 1 KARUAH BIOBANKING SITE BOUNDARIES.



Karuah BioBanking Site Boundaries

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ITEM NO. 5

**FILE NO: 19/146223
EDRMS NO: PSC2017-00178**

REQUEST FOR FINANCIAL ASSISTANCE

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from the respective Mayoral Funds to the following:
 - a. All Saints Anglican Church – Mayoral Funds - \$2000 donation towards Church projects to beat poverty ‘Just one Thing’ and ‘Hope Cottage’.
 - b. Sailability NSW Port Stephens – Mayoral Funds - \$250 donation towards costs associated with the Australian Para Sailing team attending the Para World Sailing Championships in Puerto Sherry, Spain in July 2019.

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

123	<p>Councillor Chris Doohan Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from the respective Mayoral Funds to the following:<ol style="list-style-type: none">a. All Saints Anglican Church – Mayoral Funds - \$2000 donation towards Church projects to beat poverty ‘Just one Thing’ and ‘Hope Cottage’.b. Sailability NSW Port Stephens – Mayoral Funds - \$250 donation towards costs associated with the Australian Para Sailing team attending the Para World Sailing Championships in Puerto Sherry, Spain in July 2019.
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BACKGROUND

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

MINUTES ORDINARY COUNCIL - 11 JUNE 2019

Council's Grants and Donations Policy provides the community, the Mayor 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:

MAYORAL FUNDS – Mayor Palmer

All Saints Anglican Church.	A local religious congregation.	\$2000	Donation towards Church projects to beat poverty 'Just one Thing' and 'Hope Cottage'.
Sailability NSW Port Stephens.	A registered charity.	\$250	Donation towards costs associated with the Australian Para Sailing team attending the Para World Sailing Championships in Puerto Sherry, Spain in July 2019.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Community Partnerships	Support financially creative and active communities.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		

MINUTES ORDINARY COUNCIL - 11 JUNE 2019

Source of Funds	Yes/No	Funding (\$)	Comment
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL AND POLICY IMPLICATIONS

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

The Policy interpretation required is whether the Council believes that:

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

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

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

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

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

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 6

**FILE NO: 19/148009
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 11 June 2019.

No:	Report Title	Page:
1	Annual Designated Persons – Pecuniary Interest Returns 2019-2020	84

**ORDINARY COUNCIL MEETING - 11 JUNE 2019
MOTION**

124	<p>Councillor Steve Tucker Councillor Chris Doohan</p> <p>It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 11 June 2019.</p> <hr/> <p>No: Report Title:</p> <p>1 Annual Designated Persons – Pecuniary Interest Returns 2019-2020</p>
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INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 19/144848
EDRMS NO: PSC2018-01339**

ANNUAL DESIGNATED PERSONS - PECUNIARY INTEREST RETURNS 2019-2020

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

BACKGROUND

The purpose of this report is to advise Council of the persons designated for the submission of Pecuniary Interest Returns for the period 1 July 2019 to 30 June 2020.

Councillors

Mayor Ryan Palmer
Cr Jaimie Abbott
Cr Giacomo Arnott
Cr Christopher Doohan
Cr Glen Dunkley
Cr Kenneth Jordan
Cr Paul Le Mottee
Cr John Nell
Cr Sarah Smith
Cr Steve Tucker

General Manager's Office

General Manager
Governance Manager
Legal Services Manager
Lawyer

Corporate Services Group

Business Systems Support Section Manager
Commercial Investment Manager
Corporate Analyst
Facilities Manager
Financial Services Section Manager
Group Manager Corporate Services
Holiday Parks Operations Manager
Investment and Asset Manager
Land Acquisition and Development Manager
Marketing and Promotions Manager
Organisation Development Section Manager
Property Services Section Manager

Development Services Group

Building and Developer Relations Coordinator
Bushland Management Officer
Cadet Planner
Communication Section Manager
Development Assessment and Compliance Section Manager
Development Compliance Officer
Development Contributions Officer
Development Planner (3)
Environment Health and Compliance Project Officer
Environmental Health and Compliance Coordinator
Environmental Health Officer (3)
Environmental Health Team Leader
Environmental Planner
Group Manager Development Services
Health and Building Surveyor (5)
Natural Resources Coordinator
Planning and Developer Relations Coordinator (2)
Principal Planner
Principal Strategic Planner
Ranger (5)
Ranger Team Leader and Compliance (2)
Senior Building Surveyor (4)
Senior Development Planner (3)
Senior Environmental Health Officer
Senior Environmental Planner (2)
Senior Health and Building Survey Fire Safety
Senior Health and Building Surveyor Swim
Senior Ranger (2)
Senior Strategic Planner (3)
Strategic Planner (3)
Strategic Planning Coordinator
Strategy and Environment Section Manager
Vegetation Management Officer
Waste Compliance and Strategy Coordinator

Facilities & Services Group

Assets Section Manager
Capital Works Section Manager
Community Services Section Manager
Group Manager Facilities and Services
Public Domain and Services Manager

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

There being no further business the meeting closed at 5.42pm.