

DRAFT

MINUTES – 8 OCTOBER 2019



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 8 October 2019, commencing at 5.46pm

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

178	Councillor Chris Doohan Councillor Sarah Smith It was resolved that the apology from Cr Jaimie Abbott and Cr Ken Jordan be received and noted, and that leave of absence be granted to Cr John Nell for the period 8 to 18 November 2019.
179	Councillor Chris Doohan Councillor Sarah Smith It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 24 September 2019 be confirmed.
	There were no Declaration of Interest received.

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MAYORAL MINUTES

MAYORAL MINUTE**ITEM NO. 1****FILE NO: 19/328310
EDRMS NO: PSC2015-01024****DONATION TO TATEYAMA, JAPAN**

THAT COUNCIL:

- 1) Donate \$4000 comprising \$1000 from Mayoral funds and \$1000 from each of the three Ward funds to support the rebuild of school facilities in Tateyama, Japan following destruction by typhoon Faxai in September 2019.
-

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

180	Mayor Ryan Palmer Councillor Chris Doohan It was resolved that Council donate \$4000 comprising \$1000 from Mayoral funds and \$1000 from each of the three Ward funds to support the rebuild of school facilities in Tateyama, Japan following destruction by typhoon Faxai in September 2019.
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BACKGROUND

The purpose of this report is to seek Council approval to donate \$4000 comprising \$1000 from Mayoral funds and a further \$1000 from each of the three Ward funds to support the rebuild of school facilities in our sister city Tateyama, Japan.

On 9 September 2019 Chiba prefecture including our sister city Tateyama was hit by typhoon Faxai, causing some deaths and damage to over 20,000 homes and other important infrastructure. It is proposed that Port Stephens Council provide this funding to go some way towards the rebuild of school facilities devastated by the typhoon.

Following the 'super' storm which hit Port Stephens and the Hunter Region in April 2015, the Tateyama International Exchange Association donated \$4133.39 to assist in recovery. At this time the funds were passed onto Dungog Shire Council to spend in their local government area which experienced greater devastation than that which hit Port Stephens.

In November 2019 Port Stephens and Tateyama will celebrate the 10th anniversary of the sister cities friendship which was formalised with a sister cities agreement in 2009.

ATTACHMENTS

Nil.

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: 19/320124
EDRMS NO:

MOTION TO CLOSE

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

RECOMMENDATION:

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

ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION

181	<p>Councillor John Nell Councillor Chris Doohan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) That pursuant to section 10A(2) (c) of the Local Government Act 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely EASEMENT TO DRAIN WATER - KINGSLEY DRIVE AND CORYULE STREET, BOAT HARBOUR.2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none">• information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.3) That the report remain confidential and the minute be released in accordance with Council's resolution.
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COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 19/224600
EDRMS NO: PSC2013-00406**

POLICY REVIEW: DOG NOISE POLICY

REPORT OF: MARC GOODALL - ACTING DEVELOPMENT ASSESSMENT AND
COMPLIANCE SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Notes the submissions received on the revised Dog Noise policy.
 - 2) Endorse the revised Dog Noise Policy shown at **(ATTACHMENT 1)**.
 - 3) Revoke the Dog Noise Policy dated 14 February 2017(Minute No: 008).
-

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

182	<p>Councillor Sarah Smith Councillor Chris Doohan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Notes the submissions received on the revised Dog Noise policy.2) Endorse the revised Dog Noise Policy shown at (ATTACHMENT 1).3) Revoke the Dog Noise Policy dated 14 February 2017(Minute No: 008).
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BACKGROUND

The purpose of this report is to advise Council of the submissions received during the exhibition period and recommend the revised Dog Noise Policy be adopted.

Council has a policy framework for the management and regulation of barking dog noise complaints in the Port Stephens local government area (LGA).

On 23 July 2019 Council endorsed the revised Dog Noise Policy (the revised policy) for the purposes of public exhibition and invited submissions on the revised policy.

The key changes ensure the revised policy reflects that the owner of the offending dog has an opportunity to resolve a barking dog complaint within 14 days rather than being immediately issued with a Noise Abatement Direction as per the current policy. In addition, Council will seek to obtain additional verification to the 1 barking dog

diary previously required to substantiate the validity of any new complaints about barking dog noise.

The verification could include (but is not limited to) site inspections, neighbour interviews, patrols, video and audio recordings. Despite these changes, there is no significant departure from the intent of the existing Dog Noise Policy.

A total of 6 submissions were received as outlined in the summary of submissions provided at **(ATTACHMENT 2)**.

Of the 6 submissions received:

- 5 submissions were supportive of the policy changes.
- 1 submission was against the policy changes.

The submission against the proposed policy changes raised the following comment:

- Council staff are not qualified or experienced enough in investigations to legally implement the relevant legislation or the policy changes.

Of the 5 submissions supportive of the policy changes:

- 1 was supportive of the policy changes without comment or suggestion, and
- 4 were supportive of the policy changes and had no significant concerns or suggestions. It was apparent that the residents were relaying their interpretation of the revised policy back to Council and were wanting to share their previous experiences.

The rate of submissions for this policy review are generally positive in comparison to those against the policy changes. Council staff are of the view that dog noise can be effectively and reasonably managed under the revised policy.

It is recommended that the policy be adopted without change aside from the administrative amendment to the 'version history'.

COMMUNITY STRATEGIC PLAN

In line with Council's strategic direction the Ranger Services Team contributes to public safety and community liveability by reducing offensive noise and seeking resolution between neighbouring residents when a dog noise matter occurs.

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live.	Enhance public safety, health and liveability through use of Council's regulatory controls and services.

FINANCIAL/RESOURCE IMPLICATIONS

There are no direct financial/resource implications as the implementation of the policy will continue to be implemented as part of ongoing operations.

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 reviewing and updating existing policies to assist in facilitating more accurate and robust decision making.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk of making poor decisions as a result of an outdated policy.	Medium	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The policy provides Council with an effective tool for dealing with noise complaints in relation to barking dogs. The policy seeks to protect neighbourhood amenity in a fair and equitable manner.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Ranger Services Team.

Internal

In the initial development of this policy the Ranger Services Team consulted within the Development Assessment and Compliance Section.

The Executive Team has been consulted to seek management endorsement.

External

As part of the development of this policy the Ranger Services Team consulted with other Councils of a similar size and demographic, community members and industry peers.

Council's Ranger Services Team Leader has presented the approach as outlined in the revised policy at Regulatory Industry Workshops (State and National level) in which the methods have been well received.

The policy was placed on public exhibition from 2 August 2019 to 31 August 2019 during which 6 submissions were received.

OPTIONS

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

ATTACHMENTS

- 1) Revised Dog Noise Policy.
- 2) Summary of Submissions.

COUNCILLORS ROOM

- 1) Copy of submissions.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: PSC2013-00406

TITLE: DOG NOISE POLICY

POLICY OWNER: DEVELOPMENT ASSESSMENT AND COMPLIANCE SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of this Policy is to provide a formal framework for the management and regulation of barking dog noise complaints in the Port Stephens Local Government Area (LGA). The Policy also provides an efficient and cost effective method of gathering the information and evidence required to resolve dog noise control issues.

2. CONTEXT/BACKGROUND:

- 2.1 The ~~previous Dog Noise Strategy~~ was first adopted by Council on 3 June 1997 and was most recently amended ~~in its current form as a Policy~~ on 14 February 2017. The Policy sets out to provide Council operational staff with an improved, cost effective method of dealing with noise complaints in relation to barking dogs as well as enabling a sufficient amount of evidence to be obtained in dog noise control matters.
- 2.2 The Dog Noise ~~in the Port Stephens LGA is managed as~~ Policy has undergone some minor changes and the way complaints are dealt with by Council staff has been revised. The way complaint non-compliance and subsequent enforcement is escalated has also been refined. The Policy continues to ~~has shift the focus away from the previous 'nuisance order' pathway available under the Companion Animals Act 1998, to pursue the matter as 'offensive noise' under the Protection of the Environment Operations Act 1997.~~ The Policy requires the submission of a barking dog diary ('the diary') from complainants to establish the validity of their complaints. Approaching the majority of barking dog matters in this manner enables more definitive decision making and requires the submission of only one barking dog diary in comparison to the three previously required, the absence of which more often than not led to complaints remaining unresolved.
- 2.3 The new barking dog diary and fact sheet attached to the new Policy ~~prescriptive than the previous Policy and are more~~ assist the Ranger team in obtaining the critical evidence required to satisfy the 'offensive noise' legislative criteria.
- 2.4 Council is committed to resolving dog noise problems having regard to legislative requirements and can only do so when persons who lodge complaints about barking dogs provide the required a level of information to support the complaint and enable efficient investigation. An integral part of the investigation process includes persons lodging complaints being willing to provide evidence and appear as a witness if necessary.

Policy

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ITEM 1 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



2.5 The new Policy will continue to set Port Stephens Council apart in terms of how other peer Council's manage nuisance dogs and continue to provide demonstrate a consistent and transparent approach to the community.

3. SCOPE:

3.1 The role of Council's Ranger team in the implementation of the Policy this regard is to manage barking dog and regulate complaints about barking dogs in the Port Stephens LGA where the complainants are is able to provide evidence demonstrating the noise created is 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.

4. DEFINITIONS:

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

Nuisance Dog	A dog that makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.
Offensive Noise	Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.
Repeated Barking	More than three episodes of five barks in one hour on multiple occasions during a 24 hour period. (Note – this is a guide for the assessing officer only and does not necessarily constitute offensive noise. A demonstrated impact needs to be identified).

5. POLICY STATEMENT:

5.1 Upon receipt of a first complaint about dog noise, Council staff will attempt to make contact with the dog owner and advise that a complaint has been received. The dog owner will be given fourteen days to resolve the issue without further involvement from Council. Completion of the complaint form will assist in reducing vexatious complaints

5.2. If the dog barking persists past the fourteen day period described above, Council will request a A Council approved offensive noise diary and statement form needs to be completed by the complainant giving time and duration of barking and signed as a statement. Complainants are encouraged to obtain audio recordings of noise episodes where possible, to accompany the diary.

Policy

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ITEM 1 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



5.3. On submitting the diary to Council an investigation will be carried out by the Ranger team and if the noise is deemed offensive via a supplementary method of verification which may include neighbour interviews, patrols, video and audio recordings, then a Council officer will visit the dog owner and issue a Noise Abatement Direction to the owner of the dog. Once issued, the noise abatement direction will remain in force for twenty eight days.

5.4 If further offensive noise is caused within the twenty eight days period described above the complainant is to complete a further will be requested to provide an additional offensive noise diary and take recordings other methods of verification should be obtained where possible. If the evidence provided demonstrates the Noise Abatement Direction has been breached a Council Officer may issue infringements to the owner of the dog, accompanied by a new Noise Abatement Direction.

5.5 If the noise is not deemed offensive by Council staff at the conclusion of their investigation, the complainant will be advised accordingly, and no further action will be taken.

5.5.1 Note – The above process will be repeated while ever the dog noise continues.

5.5.2 After the expiry of the twenty eight days Council staff may take the following action:

5.5.3 If multiple offensive noise diaries and statements have been received and an offence is considered to be committed, issue a Prevention Notice under the Protection of the Environment Operations Act 1997.

a) ~~If multiple offensive noise diaries and statements have been received, issue a Nuisance Order under the Companion Animals Act 1988.~~

5.6 If no further diaries are received the matter will be deemed to be resolved and no further action will be taken.

~~In response to the dog owner being uncooperative additional diaries may be submitted and infringement notices may be issued.~~

5.7. The definition of 'offensive noise' is set out in the Protection of the Environment Operations Act 1997. For the purposes of dog barking noise, it is accepted that dogs may bark for various reasons and this alone does not make the noise offensive. As a guide to dog barking noise interfering unreasonably with comfort or repose, the dog noise would need to meet one or more of the following:

5.7.1 Barking before 7am or after 8pm; or

a) ~~Repeated barking of more than 3 episodes of 4-5 barks per day, or~~

5.7.2 Repeated barking that interrupts Interrupted normal home activity such as sleep, conversations, phone calls, watching television, study etc.

Policy

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ITEM 1 - ATTACHMENT 1 REVISED DOG NOISE POLICY.

Policy



5.8 Should additional complaints **and completed** diaries be received **after a Prevention Notice has been issued**, a decision will be made having consideration to Council's legal procedures Policy as to further action.

5.9 If the matter is not resolved following the above process Council may issue a Court Attendance Notice.

6. POLICY RESPONSIBILITIES:

- 6.1 Coordinator Environmental Health and Compliance.
- 6.2 Ranger Team Leader.
- 6.3 Ranger Team.

7. RELATED DOCUMENTS:

~~Councils Local Orders Policy;~~

- 7.1 Councils Local Companion Animals Management Plan.
- 7.2 Companion Animals Act 1998 (Nuisance Orders).
- 7.3 Protection of the Environment Operations Act 1997 (Prevention Notice, Noise Abatement Order).

~~Dog Noise Diary Statement~~
~~Dog Noise Fact Sheet~~

CONTROLLED DOCUMENT INFORMATION:

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RM8 container No	PSC2013-00406	RM8 record No	TBA
Audience	Staff and public		
Process owner	Development Assessment and Compliance Section Manager		
Author	Ranger Team Leader		
Review timeframe	Two years	Next review date	March 2021
Adoption date	3/6/1997		

Policy

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Policy

**VERSION HISTORY:**

Version	Date	Author	Details	Minute No.
1	3/6/1997		Policy adopted by Council	1083
2	30/1/2001		Amended	016
3	19/10/2004		Amended	375
4	13/8/2013		Amended	216
5	14/02/2017	Coordinator Environmental Health and Compliance.	Changes to Policy and approach based on Protection of Environmental Operations Act offensive noise, rather than Companion Animals Act nuisance order. New noise diary and supplementary fact sheet. Provides for a robust yet effective way to manage noise.	008

Policy

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Policy



6	TBA	Coordinator Environmental Health and Compliance.	<p>Updated to new template. Minor punctuation and grammatical changes made throughout.</p> <p>2.2. Feedback from customers and an internal process review has led to the Policy now seeking that the complainant's diary be supplemented by one additional diary from another affected neighbour to assist in establishing validity of complaints. The onus of gathering the additional diary from another affected neighbour rests solely with the primary complainant.</p> <p>4.1. Definitions updated to include 'Continuous Barking'.</p> <p>5.1 Upon receipt of a first complaint about dog noise, Council staff will attempt to make contact with the dog owner and advise that a complaint has been received. The dog owner will be given fourteen days to resolve the issue without further involvement from Council.</p>	TBA
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Policy



			<p>Completion of the complaint form will assist in reducing vexatious complaints</p> <p>5.2. If the dog barking persists past the fourteen day period described above, Council will request a</p> <p>A Council approved offensive noise diary and statement form needs to be completed by the complainant giving time and duration of barking and signed as a statement.</p> <p>5.3. On submitting the diary to Council an investigation will be carried out by the Ranger team and if the noise is deemed offensive via a supplementary method of verification which may include neighbour interviews, patrols, video and audio recordings, then a Council officer will visit the dog owner and issue a Noise Abatement Direction to the owner of the dog. Once issued, the noise abatement direction will remain in force for twenty eight days.</p> <p>5.4 If further offensive noise is caused within the twenty eight days</p>	
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Policy

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Policy



			<p>period described above the complainants is to complete a further will be requested to provide an additional offensive noise diary and take recordings other methods of verification should be obtained where possible. If the evidence provided demonstrates the Noise Abatement Direction has been breached a Council Officer may issue infringements to the owner of the dog, accompanied by a new Noise Abatement Direction.</p> <p>5.5 If the noise is not deemed offensive by Council staff at the conclusion of their investigation, the complainant will be advised accordingly, and no further action will be taken</p> <p>5.5.3 If multiple offensive noise diaries and statements have been received and an offence is considered to be committed, issue a Prevention Notice under the Protection of the Environment Operations Act 1997.</p> <p>a) If multiple offensive noise diaries</p>	
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Policy

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Policy



			<p>and statements have been received, issue a Nuisance Order under the Companion Animals Act 1988.</p> <p>5.6 If no further diaries are received the matter will be deemed to be resolved and no further action will be taken.</p> <p>In response to the dog owner being uncooperative additional diaries may be submitted and infringement notices may be issued.</p> <p>5.6.1a Deleted - If multiple offensive noise diaries and statements have been received, issue a Nuisance Order under the Companion Animals Act 1988.</p> <p>6. Policy Statement – Deleted - In response to the dog owner being uncooperative additional diaries may be submitted and infringement notices may be issued.</p> <p>7. Related Documents Deleted: - Councils Local Orders Policy</p>	
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Policy



			<ul style="list-style-type: none">- Deleted Dog Noise Diary Statement- Deleted Dog Noise Fact Sheet	
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ITEM 1 - ATTACHMENT 2 SUMMARY OF SUBMISSIONS.**Dog Noise Policy – Review of Submissions**

Policy Review: Dog Noise Policy Submissions Table

No.	Author of submission	Comment	Council response
1	Resident	Supports policy.	No action
2	Resident	Supports policy. Does not like the wording around Version History:6, 2.2 re additional diary.	Version History updated
3	Resident	Opposed to policy. Objections noted.	No action required
4	Resident	Generally supports. Would like a lot of words defined in the 'definitions'.	No action required as definitions considered appropriate for effective application of the policy.
5	Resident	Generally supports. Asks for an extra step which already exists in the new policy.	No action
6	Resident	Generally supports. Does not like the wording around Version History:6, 2.2 re additional diary.	Version History updated

ITEM NO. 2

**FILE NO: 19/245608
EDRMS NO: PSC2014-01768-01**

COMMUNITY ENGAGEMENT STRATEGY

REPORT OF: STEVEN BERNASCONI - COMMUNICATIONS SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the draft Community Engagement Strategy provided at **(ATTACHMENT 1)**.
 - 2) Place the draft Community Engagement Strategy on public exhibition for a period of 28 days and should no submissions be received, the strategy be adopted without a further report to Council.
 - 3) Revoke the Community Engagement Policy adopted by Council on 26 June 2018, Minute No. 179, should no submissions be received **(ATTACHMENT 2)**.
-

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

183	<p>Councillor Sarah Smith Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Endorse the draft Community Engagement Strategy provided at (ATTACHMENT 1).2) Place the draft Community Engagement Strategy on public exhibition for a period of 28 days and should no submissions be received, the strategy be adopted without a further report to Council.3) Revoke the Community Engagement Policy adopted by Council on 26 June 2018, Minute No. 179, should no submissions be received (ATTACHMENT 2).
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BACKGROUND

The purpose of this report is for the consideration and exhibition of a draft Community Engagement Strategy (the strategy) **(ATTACHMENT 1)**.

Subject to adoption, the strategy will supersede Council's existing Community Engagement Policy and align Council with industry best practice in community engagement and participation, as per the International Association for Public Participation (IAP2) model for engagement.

The draft strategy includes 2 distinct sections, being Section 1 – 'Our Community Engagement Approach' and Section 2 – 'Community Participation Plan'.

Section 1 of the strategy provides the model by which all community engagement activities are considered and deployed for all of Council's activities. This part of the strategy ensures compliance with the Local Government Act 1993.

Section 2 is a new requirement under the Environmental Planning and Assessment Act 1979 (EP&A Act). A Community Participation Plan outlines how and when Council, as a planning authority, engages the community across its planning functions. The purpose of the Community Participation Plan is to provide a single document that the community can access that sets out all of Council's community participation requirements under the planning legislation, including all minimum mandatory exhibition timeframes for both strategic and statutory matters.

The confluence of these 2 separately legislated sections of the one strategy relating to community engagement/participation has triggered the creation of a comprehensive approach to community engagement as outlined in the draft strategy.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Communication and Engagement	Provide a voice for the community.
Thriving and Safe Place to Live	Enhance public safety, health and liveability through use of Council's regulatory controls and services.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications.

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 strategy will replace the current Community Engagement Policy which was last adopted by Council on 26 June 2018, Minute No. 179 (**ATTACHMENT 2**).

Adopting the recommendations ensures compliance with the Local Government Act 1993 relating to community engagement strategies.

Adopting the recommendations will ensure compliance with the Environment and Planning Assessment Act 1979 - Division 2.6.

The Community Participation Plan will replace Chapter A.11 – Development Notification in the current Port Stephens Development Control Plan 2014 (DCP 2014) that currently applies to statutory planning matters. As a result, the Community Participation Plan contains the same notifications required as those provided in the DCP 2014, with the exception of the following:

- Strata subdivisions will not be notified to adjoining properties.
- Torrens/community subdivisions of 10 or less lots will be notified to adjoining properties.
- Torrens/community subdivisions of more than 10 lots will be notified to adjoining properties and advertised in the local newspaper.
- Wholesale Supplies and Heavy Industrial Storage establishments will require notification to adjoining properties.

Should the Community Participation Plan be adopted following exhibition, amendments to the Port Stephens Development Control Plan 2014 (DCP 2014) will be completed and reported to Council.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may be in breach of the Environment and Planning Assessment Act 1979 if it does not have a Community Participation Plan adopted by 1 December 2019.	Low	Adopt the recommendations.	Yes

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may be exposed to reputation damage if Council does not have a clear and comprehensive approach to community engagement that aligns with Local Government Act 1993 requirements.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Adopting the recommendations and ultimately endorsing the Strategy ensures that Council will continue to follow best practice when consulting and informing the community about land use planning and general local government activities. Informed and engaged communities builds social cohesion through awareness and trust.

There are no significant economic or environmental implications resulting from the adoption of the recommendations.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Communications Section. The objective of the consultation was to ensure all professional advice has been factored into the final draft document prior to reporting to Council.

Internal

Key internal stakeholders involved in preparing the draft Community Engagement Strategy include all sections in the Development Services Group, the Executive Team and a Two Way presentation was delivered to Council on 17 September 2019.

External

Advice was provided from the NSW Office of Local Government and the NSW Department of Planning, Industry and Environment for the preparation of the draft Community Engagement Strategy. Benchmarking and advice was also sought from representatives from other Hunter councils.

The draft strategy draws on industry best practice through the International Association for Public Participation (IAP2) model for engagement.

In accordance with legislation the draft Community Engagement Strategy will go on public exhibition for 28 days. Should Council receive submissions from the public exhibition period, final amendments will be made to the strategy, with a further report scheduled for Council on 26 November 2019. This timeframe is required to ensure compliance with the EP&A Act deadline of 1 December 2019.

OPTIONS

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

ATTACHMENTS

- 1) Draft Community Engagement Strategy.
- 2) Community Engagement Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.



PORT STEPHENS
COUNCIL

Engaging with our community

Community Engagement Strategy

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1 Port Stephens Council

About this strategy

The Community Engagement Strategy reflects Port Stephens Council's commitment to involving our community in effective engagement that actively shapes and influences the future of the Port Stephens area.

This Strategy will support us in undertaking quality engagement to ensure our community are informed and we understand what matters most to our community now and into the future.

This Strategy is divided into two distinct parts:

Section 1: Our community engagement approach and principles across a range of Council functions. This section is required under section 402 of the Local Government Act 1993: The council must establish and implement a strategy (its community engagement strategy), based on social justice principles, for engagement with the local community when developing the community strategic plan.

Section 2: Community participation plan. This section is a new requirement under the Environmental Planning and Assessment Act 1979 (EP&A Act). These changes now provide a single document where the community can access all of Council's community participation requirements under the planning legislation, including all minimum mandatory requirements. It sets out how and when we will engage the community across our planning functions under the EP&A Act.

Delivering a best practice approach to engagement means:

- ensuring our community has better access to and understanding of information
- increased participation, allowing for a range of voices to be heard
- stronger community connections and trust.

Why do we need to engage?

- efficient and effective spending and resource allocation
- identification of solutions for complex problems
- social cohesion and reduced conflict
- reduction of unplanned risks
- improved services that meet community needs
- strengthened governance and accountability

Section 1

Our community engagement approach



Our community engagement approach

Engaging with the community is one of the guiding principles for councils under section 8A of the Local Government Act 1993 and is an important part of local democracy.

Our core principles for engagement

Relationships and respect	
What this means	How do we do this
<ul style="list-style-type: none"> We act with transparency and honesty in a way that values strong relationships and builds trust with our community and stakeholders. Good engagement helps us to identify shared values, benefits and outcomes. 	<ul style="list-style-type: none"> We will say what we are doing, maintain ongoing partnerships and deliver regular updates to our stakeholders and community. We cultivate a culture of information sharing to ensure information is accurate and informed. We respect people's time and will listen to our community. We will accurately define the community's role in the decision making process.
Inclusive and enabling	
What this means	How do we do this
<ul style="list-style-type: none"> We believe good decisions are grounded in information and input from many sources. We will allow for a range of voices to be heard, not just those who are loud, angry or powerful. 	<ul style="list-style-type: none"> We will actively seek to ensure a range of views are represented. We engage appropriately and in a variety of formats to address barriers to participation. We will make our information easy to understand, consistent and timely.
Transparency and the right to participation	
What this means	How do we do this
<ul style="list-style-type: none"> Community input and feedback is recognised as enhancing the quality of our decision making processes. The community has the right to access information, be consulted and actively participate in planning and decision making that affects them. 	<ul style="list-style-type: none"> We make decisions in an open and transparent way. Information is timely, clear and relevant. We work towards consistent standards and report back on decisions made. We build our community's capacity to contribute through education and empowerment practices.
Continuous Improvement	
What this means	How do we do this
<ul style="list-style-type: none"> Engagement is a rapidly changing field. We recognise the need to adapt to ensure more effective engagement outcomes. 	<ul style="list-style-type: none"> New and innovative solutions will be sought to better listen to and communicate with our community. We will evaluate the work we do to improve our practice. We will use technology to ensure better access and more opportunity to engage.

How we engage

Community engagement model



Engagement is led by both the organisation and the community. The type of engagement is dependent on the nature of the relationships, activities and goals.



Source: International Association of Public Participation

International Association of Public Participation Spectrum (IAP2 Spectrum)

The IAP2 Spectrum is an internationally regarded tool to select the level of participation in any community engagement program. The Spectrum shows that differing levels of participation are required depending on the goals, time frames, resources and levels of concern in the decision to be made.

Increasing the level of public impact 
Level of community influence over decisions 

Inform	Consult	Involve	Collaborate	Empower
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making and/or developed budgets in the hands of the public.
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into decisions to the maximum extent possible.	We will implement what you decide.

Figure 1: IAP2 Public Participation Spectrum. Source: International Association of Public Participation.

What this looks like at Port Stephens Council

Engagement design

Engagement can take many forms and there is no one size fits all approach. In some cases we are guided by legislation. In other cases we seek informed feedback on a particular plan, policy or project. Each project's level of engagement will be determined by assessing:

- objectives, scope and context of the project (including legislative requirements)
- level of impact including risk and complexity
- level of interest and influence on decisions to be made
- level of resources available including time and budget.

Key elements of engagement design:



Community engagement plans are tailored to the needs of each project. Our approach reflects the social justice principles of equity, access and participation. At all levels of engagement, our objective is to ensure our community can easily access balanced, timely and accurate information on our projects and programs.

Table 1 provides a snapshot of the types of activities and projects undertaken in the framework. The framework is not limited to the example projects and engagement techniques contained in the table.

Refer to Section 2 of this document for statutory decision making obligations and timeframes under the EP&A Act.

Table 1

IAP 2 Level	Description	Engagement techniques examples	Project type examples
Inform	<ul style="list-style-type: none"> share balanced information to increase awareness and understanding one way process can clarify level of impact and help build relationships 	<ul style="list-style-type: none"> advertising newsletters fact sheets displays media website 	<ul style="list-style-type: none"> maintenance, renewal of capital works changes to local activity policy updates
Consult	<ul style="list-style-type: none"> community views and feedback are sought we will listen and acknowledge your concerns 	<ul style="list-style-type: none"> focus groups workshops surveys polls one-on-one meetings public exhibition and hearings plus Inform activities 	<p>Key social planning and strategic documents, for example:</p> <ul style="list-style-type: none"> youth strategy plans of management public domain plans masterplans new policies with broad impact
Involve	<ul style="list-style-type: none"> work with the community throughout the process to ensure your priorities and aspirations are reflected in the decision 	<ul style="list-style-type: none"> advisory committees workshops world cafes community visioning workshops town centre implementation panels plus inform and consult activities 	<ul style="list-style-type: none"> Community Strategic Plan and Operational Plan <p>Other examples:</p> <ul style="list-style-type: none"> placemaking projects early development infrastructure and capital works projects like playgrounds and recreation facilities
Collaborating	<ul style="list-style-type: none"> actively working with community to ensure their aspirations and priorities strongly influence the outcome shared responsibility for decision making 	<ul style="list-style-type: none"> community reference group design workshops advisory committees plus Inform and Consult activities 	<ul style="list-style-type: none"> S355 Advisory Committees
Empowering	<ul style="list-style-type: none"> decision making is in the hands of the community particularly useful in engaging under represented or marginalised groups 	<ul style="list-style-type: none"> project teams 	<ul style="list-style-type: none"> community development programs

Inclusive engagement

We know there are some groups in our community that are harder to reach and less likely to participate in engagement activities. Council is committed to using inclusive methods and settings to make it easy for all of our community to participate. Some of these harder to reach groups identified in Port Stephens are:

- Aboriginal and Torres Strait Islander
- people with a disability
- young people
- young families / primary carers

Barriers such as language, physical ability, digital comprehension, lack of time and social isolation are considered in engagement planning.

Key strategies for inclusive engagement:

- adaptation of methods
- make it fun
- go to where the people are and targeted outreach
- make it as easy as possible for people — choose appropriate locations and accessible venues
- provide incentives

Section 2

Community participation plan



Community participation plan

It is a statutory requirement for councils in New South Wales to prepare a Community Participation Plan that sets out how and when it will undertake community participation when exercising relevant planning functions under the EP&A Act.

How is community participation carried out

The Community Participation Plan specifies requirements including notification and public exhibition. This can include:

- Giving written notice to neighbours, individual landowners or occupiers;
- Advertising in a local newspaper notice; and
- Making documents publicly available online.

Other methods may be used for notification and exhibition on a case by case basis and depending on statutory requirements.

If the exhibition period is due to close on a weekend or public holiday we may extend the exhibition to finish on the first available work day. In accordance with the planning legislation, the period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

Plans or applications cannot be made or determined until after the minimum period of public exhibition. If a longer timeframe is placed on public exhibition, the matter cannot be determined until after the specified period.

Making a submission

The community can participate during public exhibition by making a submission. The planning legislation sets out some requirements for submissions. In addition to these requirements, when making a submission to Council, the submission should be:

- Received on or before the last day of the nominated timeframe for exhibition;
- Made in writing (through the mail, email or hand delivered to Council);
- Contain the name and address (or email address) of the person making the submission;
- Include the application number for reference (for development applications) or the name of the exhibited planning matter; and
- Include a statement of objection or support and reasons.

Community participation requirements

Under the EP&A Act, the following minimum community participation requirements apply to local planning functions:

Table 2

Mandatory timeframes	Minimum community participation requirement
Division 1 — Schedule 1 to the EP&A Act	
Draft community participation plans	28 days
Draft local strategic planning statements	28 days
Planning proposals for local environmental plans subjects to a gateway determination	28 days or as specified by the Gateway Determination
Draft development control plans	28 days
Draft contributions plans	28 days
Division 2 — Schedule 1 to the EP&A Act	
Development Application for designated development	28 days
Environmental Impact Statement obtained under Division 5.1 (An Environmental Impact Statement prepared for certain development such as state significant development.)	28 days
Re-exhibition of any amended application or matter referred to above	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter.

Exhibition timeframes are measured in calendar days and include weekends.

Development applications

Table 3 outlines Council's minimum notification requirements for development applications. Where there is an inconsistency between the notification requirements of this Community Participation Plan and legislative requirements, the legislative requirements will prevail.

Table 3 Community Participation Categories (Refer to Appendix A for details)

Exhibition types	
Type	Requirements
A	Not Notified Development. Council may at its discretion decide to notify any of this type of development that may significantly impact on the amenity of adjoining land owners.
B	Advertised Development, written notification in accordance with 'type B' requirements and an advertisement published in the local newspaper. Development Application (DA) information published on DA Tracker At Council's discretion, additional advertisements may be placed in newspapers and/or through such other mechanisms as may be appropriate to ensure that the public is reasonably aware of the proposal. Council may also at its discretion decide not to advertise development.
Not included in Table 1	Notified Development. A 14 day notification period will apply for development types not included in Appendix A. Written notification will be sent to all owners of land directly adjoining or opposite the development site. Additional owners and occupiers may be notified at the discretion of Council staff. Council may at its discretion decide not to notify development where impacts on adjoining land owners are considered minor in nature.

Modification Applications

The need or otherwise to notify an application to modify a development consent will be undertaken in accordance with the requirements of the Act and Regulations or at the discretion of Council in consideration of the nature of the modifications proposed.

Appendix A — Exhibition periods

Development category	Exhibition types	
	A	B
Rural Development		
Agriculture		
Farm buildings		
Forestry		
Residential Accommodation		
Dwelling — single storey		
Residential ancillary (sheds, pools, etc.)		
Rural worker's dwellings		
Secondary dwellings		
Subdivision (all types of subdivision)		
Strata Subdivision		
More than ten Torrens or Community title lots		
Tourist and visitor accommodation		
Caravan parks / Camping grounds		
Commercial development		
Home business / occupation		
Entertainment facilities		
Function centres		
Sex services premises / Home occupation (sex services)		
Restricted premises		
Community and entertainment facilities		
Places of public worship		
Recreation facility (major)		
Industrial Development		
General industry		
Industrial retail outlets		
Industrial training facilities		
Light industry		
Storage premises		
Warehouse or distribution centres		
Freight transport facilities		
Miscellaneous		
Boatshed		
Electricity generating works		
Environmental Facilities / Environmental Protection works		
Moorings / Mooring Pens		
Signage — other than advertising structures		
Extractive industries / open cut mines		
Air transport facility		
Airstrip		
Cemetery / crematorium / mortuaries		
Correction centre		
Helipad		
Marinas		
Passenger transport facilities		
Port facilities		



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ITEM 2 - ATTACHMENT 2 COMMUNITY ENGAGEMENT POLICY.**Policy**

FILE NO: PSC2014-01768
TITLE: COMMUNITY ENGAGEMENT POLICY
POLICY OWNER: COMMUNICATIONS SECTION MANAGER

1. PURPOSE:

- 1.1 Port Stephens Council is committed to involving our community in activities that actively shape and influence the future of the area.
- 1.2 Council benefits from positive consultation with its community and other stakeholders. The process facilitates better access to and understanding of information, increased participation, raised awareness and strengthened community.

2. CONTEXT/BACKGROUND:

- 2.1 This policy continues Council's commitment to community engagement. It has been developed following a review of the previously endorsed policy (14 July 2015, Minute No. 192).
- 2.2 It is based on the principles that:
 - good decisions are based on information and views from many sources; and
 - the people of Port Stephens have the right to access information, provide feedback, be consulted and actively participate in planning and decision-making.

3. SCOPE:

- 3.1 To encourage community understanding, involvement and informed opinion about future plans for the community by:
 - encouraging active community participation and engagement in the development of decisions for planning, substantial development assessments, policy making and infrastructure growth and other operational and strategic matters as defined by Council; and
 - establishing consistent methods of timely and accurate dissemination and gathering of information about issues of significant public interest.

4. DEFINITIONS:

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

Community Engagement Community engagement involves our community in activities that actively shape and influence the future of the area.

Policy

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Policy



5. POLICY STATEMENT:

- 5.1 Council provides leadership and commitment to information, consultation and active participation of the community in planning and decision-making.
- 5.2 Consultation activities provide opportunities for individual community members and/or community interest groups to contribute and be heard.
- 5.3 The role of the community in participating in engagement, Councillors in factoring engagement outcomes into their decision making and Council staff in embedding engagement into their work are clear to all and consultation objectives are well defined.
- 5.4 Consultation is undertaken as early in the process as possible to allow for effective community engagement and a range of options and solutions to emerge.
- 5.5 Information provided by Council during consultation is objective, accurate, accessible and clearly articulated.
- 5.6 Council records the use it makes of information received through feedback, public consultation and active participation.
- 5.7 Council undertakes regular evaluation of its performance in providing information, consultation and in engaging with the community.
- 5.8 Council report the outcomes of the consultation process to the community.
- 5.9 Council will use agreed protocols and procedures to guide staff and Councillors in community engagement.

6. POLICY RESPONSIBILITIES:

- 6.1 Community Development and Engagement Coordinator for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993
- 7.2 Environmental Planning and Assessment Act 1979
- 7.3 Port Stephens Code of Conduct
- 7.4 Port Stephens Community Strategic Plan

Policy

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Policy

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EDRMS container No	PSC2014-01768	EDRMS record No	18/126533
Audience	Councillors, Staff and Community		
Process owner	Communications Section Manager		
Author	Community Development and Engagement Coordinator		
Review timeframe	Two years	Next review date	June 2020
Adoption date	22 September 2007		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	22 September 2007	Communications Section Manager		392
2	14 July 2015	Communications Section Manager	Significant rewrite of Policy following creation of CD&E unit.	192
3	13 February 2018	Communications Section Manager	Wording changes as outlined in Council Report 13 February 2018.	011
4	26 June 2018	Communications Section Manager	Transfer Policy into the new policy template. Minor wording changes as a result of submission during public exhibition period.	179

Policy

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ITEM NO. 3**FILE NO: 19/237390
EDRMS NO: PSC2009-02488****POLICY REVIEW: ROAD NAMING & ADDRESSING GUIDELINES**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Road Naming and Addressing Guidelines Policy shown at **(ATTACHMENT 1)**.
 - 2) Place the Road Naming and Addressing Guidelines Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended without a further report to Council.
 - 3) Revoke the Road Naming and Addressing Guidelines Policy dated 8 September 2015 Minute No. 265, should no submissions be received.
-

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

184	Councillor Paul Le Mottee Councillor Glen Dunkley It was resolved that Council: <ol style="list-style-type: none">1) Endorse the revised Road Naming and Addressing Guidelines Policy shown at (ATTACHMENT 1).2) Place the Road Naming and Addressing Guidelines Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended without a further report to Council.3) Revoke the Road Naming and Addressing Guidelines Policy dated 8 September 2015 Minute No. 265, should no submissions be received.
------------	---

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Road Naming and Addressing Guidelines Policy (the 'policy').

The Road Naming and Addressing Guidelines Policy is currently under the ownership of the Property Services Section Manager.

The intent of the policy is to provide guidance and consistency in the naming of roads and addressing of new roads, roads within subdivisions to be dedicated to Council or renaming/readdressing of existing roads within the Port Stephens local government area (LGA).

Adopting this policy will result in Council adopting the Geographical Names Board of NSW Address Policy and NSW Addressing User Manual as the method in which roads are named and properties are addressed.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

FINANCIAL/RESOURCE IMPLICATIONS

Adopting the proposed policy will have no financial impact on the existing costs already associated with the service of naming roads. The application for naming and renaming roads is covered under the Council adopted fees and charges to recover the administration/advertising costs of this service.

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 naming of roads is a low risk service that the Council provides. This policy is linked to the NSW Roads Act 1993 which says:

- A roads authority may name and number all public roads for which it is the roads authority.
- Neither a roads authority nor the Roads & Maritime Services (RMS) may name a public road, or alter the name of a public road, unless it has given the Geographical Names Board at least one month's notice of the proposed name.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the naming of roads does not follow the NSW Address Policy and NSW Addressing User Manual and Practices leading to a non-consistent approach and duplication of road names.	Low	Adopt the recommendations.	Yes
There is a risk that the naming of roads does not follow the NSW Address Policy and NSW Addressing User Manual resulting in duplicate road names leading to the public and emergency services not arriving at their destination in the most efficient and timely way.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The consistent naming and addressing of roads allows the public and emergency services to utilise the road network for direction and travel in the most efficient way. The naming and addressing of roads also allows for themes that provide the community with a sense of place.

There are no environmental or economic implications with this policy.

CONSULTATION

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

Internal

- Commercial Investments Manager.
- Senior Property Officer.
- Assets Section Manager.
- Executive Team.

External

In accordance with local government legislation the draft Road Naming and Addressing Guidelines Policy will go on public exhibition for 28 days.

OPTIONS

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

ATTACHMENTS

- 1) Revised Road Naming & Addressing Guidelines Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

**ITEM 3 - ATTACHMENT 1 REVISED ROAD NAMING & ADDRESSING
GUIDELINES POLICY.**

Policy

**FILE NO: PSC2009-00938****TITLE: ROAD NAMING & ADDRESSING GUIDELINES POLICY****POLICY OWNER: PROPERTY SERVICES SECTION MANAGER****1. PURPOSE:**

1.1 This policy is to provide consistency in the naming and addressing of new roads, roads within subdivisions to be dedicated to Council or renaming/readdressing of existing roads within the Port Stephens Local Government Area.

2. CONTEXT/BACKGROUND:

2.1 Previous Council policies for the naming of roads have been based on the Geographical Names Board (GNB) Guidelines which linked into the existing standards of the time being:

- a) Roads Act 1993,
- b) Roads Regulation 1994,
- c) Australian Standard AS1742.5 1986.

2.2 In March 2015, The Geographical Names Board of New South Wales formally adopted the new NSW Address Policy and NSW Addressing User Manual. The new NSW Address Policy and NSW Addressing User Manual is aligned with the new Australian/New Zealand Rural and Urban Addressing Standard AS/NZS 4819:2011.

2.3 The Geographical Names Board has urged road naming authorities such as Councils to utilize the new NSW Address Policy, NSW Addressing User Manual and online Road Naming System as the adherence to the principles, procedures and processes will ensure consistency and unambiguous road naming and addressing across NSW.

3. SCOPE:

3.1 To fulfil the consistent approach and adopt a 'single source of truth' to the principles, procedures and processes for the naming and addressing of roads under this policy, Council shall adopt the NSW Land and Property Information and Geographical Names Board of New South Wales Address Policy and NSW Addressing User Manual.

Policy

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Page: 1 of 4

**ITEM 3 - ATTACHMENT 1 REVISED ROAD NAMING & ADDRESSING
GUIDELINES POLICY.**

Policy



4. DEFINITIONS:

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

Single Source of Truth	"In the context of the custodian of the NSW Address Database, LPI aggregate and apply quality assurance mechanisms to address data from data producers in NSW and provision this as a single source of truth" GNB ISSN:2204-9460.
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5. POLICY STATEMENT:

5.1 That Council adopts the Geographical Names Board of NSW Address Policy and NSW Addressing User Manual when naming and addressing new roads, roads within subdivisions to be dedicated to Council or renaming/readdressing of existing roads within the Port Stephens Local Government Area.

6. POLICY RESPONSIBILITIES:

6.1 Asset Section Manager:	Responsible for the policy framework.
6.2 Property Services Section Manager:	Responsible for implementation, monitoring and evaluation.

7. RELATED DOCUMENTS:

7.1 Roads Act 1993.

7.2 Australian/New Zealand Rural and Urban Addressing Standards AS/NZS 4819:2011.

7.3 Geographical Names Board of NSW Address Policy.

7.4 Geographical Names Board of NSW Addressing User Manual.

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Page: 2 of 4

ITEM 3 - ATTACHMENT 1 REVISED ROAD NAMING & ADDRESSING GUIDELINES POLICY.

Policy



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EDRMS container No	PSC2009-00938	EDRMS record No	19/237597
Audience	Community, Public Domain and Services, Assets Section and Corporate Services		
Process owner	Property Services Section Manager.		
Author	Property Services Section Manager.		
Review timeframe	2 years	Next review date	
Adoption date	10 October 1995		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	10/10/95	John Maretich	Road Naming Guidelines.	315
2	08/09/2015	Property Services Section Manager	Changes to reflect the new NSW Address Policy and the NSW Addressing User Manual that was adopted by the Geographical Names Board (GNB) in March 2015.	265

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ITEM 3 - ATTACHMENT 1
GUIDELINES POLICY.

REVISED ROAD NAMING & ADDRESSING

Policy



3		Property Services Section Manager	<p>Reviewed information and transferred into new template. Inserted full stops at 2.1 a), b) and c). 2.2 – Insert 'the' to improve sentence readability. 2.3 – Updated utilized to utilised and inserted full stop. 4.1 – Removed use of inverted commas. Added 7.3 and 7.4 to 'Related Documents'. Updated EDRMS record number.</p>	
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Page: 4 of 4

ITEM NO. 4

FILE NO: 19/315999
EDRMS NO: PSC2009-02488

POLICY REVIEW: PROCUREMENT POLICY

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Procurement Policy as shown at **(ATTACHMENT 1)**.
- 2) Place the Procurement Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended without a further report to Council.
- 3) Revoke the Procurement Policy dated 12 December 2017, Minute No. 319 should no submissions be received.

ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION

185	<p>Councillor Paul Le Mottee Councillor Chris Doohan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Endorse the revised Procurement Policy as shown at (ATTACHMENT 1).2) Place the Procurement Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended without a further report to Council.3) Revoke the Procurement Policy dated 12 December 2017, Minute No. 319 should no submissions be received.
------------	---

BACKGROUND

The Mayor's Notice of Motion dated 9 July 2019 (**ATTACHMENT 2**) was considered during the revision process of the Procurement Policy. In line with Port Stephens Council's Economic Advisory Panels key priorities, procurement practices have been reviewed and engagement with local business continues to be a key priority.

Careful consideration has been given in terms of defining 'local business' as well as the definition of 'locally' sourced goods and services. As outlined in the policy, a local supplier is deemed to be 'a business or contractor employing full-time staff permanently operating from established premises within the Port Stephens local government area for not less than six months prior to the procurement or tender being initiated.'

Council prefers to buy from local suppliers and contractors where possible, as this supports Council's local economic development initiatives. Where it is cost effective to do so (that is, within the annual rate peg rate factor for the year), staff must purchase from local suppliers with all other criteria being equal.

As part of Port Stephens Council's pledge to address climate change, it is committed to 'properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development' as per the Local Government Act 1993 (NSW) (The Act). Prior to purchasing supplies staff must consider whether the purchase is necessary or whether it is possible to use or re-use existing resources including sharing with other sections. Requisitioning Officers must consider the environmental impact associated with the manufacture, use and disposal of proposed supplies, e.g. sustainability of raw materials, energy used, pollution, recyclability or biodegradability.

The purpose of this report is to seek Council's endorsement of the revised Procurement Policy (the 'policy'). Several changes have been updated throughout the policy, notably:

- Additional definition has been applied.
- References to the procurement management directive have been applied.
- Current process information has been applied.
- Preference given to local suppliers (as defined in the policy) where it is cost effective to do so (within the annual rate peg factor for the year).

The purpose of the policy is to outline the principles to be used in all aspects of procurement. The policy is required to ensure Council's procurement is ethical, transparent and accountable.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Financial Management	Maintain strong financial sustainability.

FINANCIAL/RESOURCE IMPLICATIONS

The policy prescribes economical, efficient and effective procurement. Adoption of this policy will be within existing budget allocations.

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 Procurement Policy is written in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Council's procurement principles are to achieve the best value for money whilst being ethical, transparent and accountable. They promote fairness and competition.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council will fail to secure goods and services at the most competitive price.	Low	Adopt the revised policy.	Yes
There is a risk that fraud and corruption will occur leading to financial and reputational loss.	Low	Adopt the revised policy.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The policy prescribes a preference for Australian made, local suppliers thereby supporting the local economy.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Financial Services section.

Internal

- Executive Team.

External

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

In line with Port Stephens Council's Economic Advisory Panels key priorities, Council's procurement practices were reviewed to consider ways of increasing engagement with Port Stephens businesses.

OPTIONS

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

ATTACHMENTS

- 1) Revised Procurement Policy.
- 2) Notice of Motion - Review Local Procurement Practices.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: PSC2009-02488

TITLE: PROCUREMENT POLICY

POLICY OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of this policy is to state Council's position on procurement matters and to provide clear direction to Council officials (Councillors, staff and delegates of Council) making procurement decisions.
- 1.2 Environmentally sustainable procurement results in minimisation of unnecessary purchasing, waste minimisation, water and energy saving, pollution minimisation, avoidance of toxic chemicals, reduction in greenhouse gases and decision making that incorporates biodiversity and conservation objectives.

2. CONTEXT/BACKGROUND:

- 2.1 Council procurement is required to achieve best value for money in the expenditure of public funds while being ethical, ecologically sustainable, transparent, accountable and promoting fairness and competition. This policy prescribes Council's approach to procurement and is supported by the Procurement Management Directive.

3. SCOPE:

- 3.1 This policy has been written considering the following principles:
 - a) All parties engaged in procurement activities will display high standards of behaviour and ethics.
 - b) Procurement activities aim to be efficient, effective and balance risk and total cost.
 - c) Due economy shall be exercised in all purchasing decisions.
 - d) Purchasing decisions shall consider relevant evaluation criteria including environmental sustainability, support of local suppliers, registered disability employers and Australian made goods.
 - e) Parties will conduct all procurement and business relationships with fairness and honesty.
 - f) The process for awarding contracts on government projects will be open, clear and defensible.
 - g) A party with a potential conflict of interest will declare and address that interest as soon as the conflict is known to that party.
 - h) Parties shall comply with all legal obligations.
 - i) Parties shall not engage in practices that are anti-competitive.
 - j) Parties shall not engage in practices that aim to give a party an improper advantage over

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Policy



- another.
- k) Parties shall not seek or submit tenders without a firm intention and capacity to proceed with a contract.
 - l) Parties will maintain business relationships based on open and effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.

4. DEFINITIONS:

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

Procurement The act of obtaining or buying goods and services. The process includes preparation and processing of a demand as well as the end receipt and approval of payment.

Local Supplier A business or contractor employing full-time staff permanently operating from established premises within the Port Stephens local government area for not less than 6 months prior to the procurement or tender being initiated.

5. POLICY STATEMENT:

5.1 Standards of behaviour

5.1.1 Council has adopted a Statement of Business Ethics that sets out the high ethical standard expected of Council officials, contractors and business associates. In addition to this, the following statements are made in relation to procurement:

- a) Council processes shall be fully documented and defensible.
- b) Council will treat all potential tenderers consistently.
- c) All parties shall comply with the rule of law and avoid practices that are anti-competitive or collusive.
- d) Council will not engage in practices that give one party improper advantage over another outside its local and Australian made preference and Registered Disability Employer preference policies.
- e) Council will not invite or submit tenders without a firm intention and capacity to proceed.
- f) Parties shall maintain open, effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.
- g) Staff involved in procurement of goods and services shall make themselves aware of and comply with all relevant policies, management directives and procedures. Related policies and management directives are listed at the end of this document.

5.2 Environmental sustainability

5.2.1 Council is committed to "properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is

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consistent with and promotes the principles of ecologically sustainable development" as per the *Local Government Act 1993* (NSW) (The Act). The principles of ecologically sustainable development (ESD) are defined in The Act as the "effective integration of economic and environmental considerations in decision-making processes". Prior to purchasing supplies staff must consider whether the purchase is necessary or whether it is possible to use or re-use existing resources including sharing with other sections. Requisitioning Officers must consider the environmental impact associated with the manufacture, use and disposal of proposed supplies, eg. sustainability of raw materials, energy used, pollution, recyclability or biodegradability. Council is committed to effective implementation for the following principles of ESD in procurement decision making; the precautionary principle; intergenerational equity; conservation of biological diversity and ecological integrity; and improved valuation, pricing and incentive mechanisms.

5.3 Local preference

- 5.3.1 Best value for money does not always mean lowest price. Council functions contribute to the economic success of the Local Government Area and Council expends considerable amounts annually on local economic development. Council prefers to buy from local suppliers and contractors where possible as this supports Council's local economic development initiatives. Where it is cost effective to do so (that is, within the annual rate peg factor for the year), staff must purchase from local suppliers with all other criteria being equal.

5.4 Preference for Australian made products

- 5.4.1 Council prefers to buy goods made in Australia and encourages a culture of buy Australian in Council officials when evaluating the merits of purchases. Where it is cost effective to do so staff must purchase Australian made/origin supplies.

5.5 Preference for registered disability employers

- 5.5.1 Council prefers to buy products made by registered disability enterprises and encourages such consideration in the evaluation of purchases. Where it is cost effective to do so, staff are encouraged to buy from registered disability employers.

5.6 Purchase orders

- 5.6.1 Council will always issue a purchase order number for approved purchases. This is to be obtained by entering an online requisition into the Authority software. An online requisition must be entered before supplies are ordered. Suppliers are expected to cooperate by quoting the purchase order number on invoices. Council will not pay invoices where an approved purchase order number is absent. Council staff must refer to the Procurement management directive to ensure due process regarding purchases is followed.

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5.7 Asset disposal

5.7.1 Council will dispose of surplus plant, vehicles, stores, materials, equipment, furniture, scrap metal, technology and other items in a competitive, transparent, cost effective and environmentally sustainable manner.

6. **POLICY RESPONSIBILITIES:**

- 6.1 Section Managers generally
- 6.2 Procurement and Contractor Management Specialist
- 6.3 Expenditure Coordinator

7. **RELATED DOCUMENTS:**

- 7.1 Local Government Act 1993 (NSW).
- 7.2 Local Government (General) Regulation 2005.
- 7.3 Competition and Consumer Act 2010 (Cth).
- 7.4 NSW Government Procurement Code of Practice.
- 7.5 NSW Government Procurement Policy Framework.
- 7.6 NSW Government Sustainability Policy.
- 7.7 Port Stephens Council Code of Conduct.
- 7.8 Procurement Management Directive.
- 7.9 Financial Business Rules Management Directive.
- 7.10 Asset Disposal (other than property) Policy.
- 7.11 Petty Cash Management Directive.
- 7.12 Purchasing Card Management Directive.
- 7.13 Statement of Business Ethics.
- 7.14 Sustainability Policy.
- 7.15 Sustainability Procurement Policy.
- 7.16 Sustainable Energy Planning and Design for Projects and Activities Management Directive

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EDRMS container No	PSC2009-02488	EDRMS record No	17/210686 19/300363
Audience	Council staff		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	2 years	Next review date	
Adoption date	25 March 2014		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	25/03/14	Financial Services Section Manager	Policy adopted.	64
2	25/11/14	Financial Services Section Manager	<ul style="list-style-type: none"> Amended policy adopted. 	317
3	27/11/15	Financial Services Section Manager	<ul style="list-style-type: none"> This policy has been reviewed and formatted into the new template. Port Stephens Code of Conduct added to related documents. Reference to Procurement Management Directive added to the Context / Background. 	
4	09/02/16	Financial Services Section Manager	<ul style="list-style-type: none"> Amended policy adopted. 	018

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Version	Date	Author	Details	Minute No.
5	12/12/17	Financial Services Section Manager	<ul style="list-style-type: none"> Updated references from TRIM to RM8. Updated RM8 record from 487 to 17/210686. Removed NSW Government Procurement Code of Tendering from the Related Documents Section. Added NSW Government Procurement Policy Framework, Procurement Management Directive, Asset Disposal (other than property) Policy, and Financial Business Rules Management Directive to the Related Documents Section. 	319

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Version	Date	Author	Details	Minute No.
6		Financial Services Section Manager	<p>Updated Policy into the new template.</p> <p>4.1 – Added 'Local Supplier'. Added; 5.1 g) –</p> <p>5.2.1 – Added 'Prior to purchasing supplies staff must consider whether the purchase is necessary or whether it is possible to use or re-use existing resources including sharing with other sections. Requisitioning Officers must consider the environmental impact associated with the manufacture, use and disposal of proposed supplies, eg. sustainability of raw materials, energy used, pollution, recyclability or biodegradability.'</p> <p>5.3.1 – Added 'Where it is cost effective to do so (that is, within the annual rate peg factor for the year), staff must purchase from local suppliers with all other criteria being equal.'</p> <p>5.6.1 – Added 'Council staff must refer to the Procurement management directive to ensure due process regarding purchases is followed.'</p> <p>Added: 7.11, 7.12, 7.13, 7.14, 7.15 and 7.16 to 'Related Documents'.</p> <p>Updated EDRMS file number in version history.</p>	

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ITEM 4 - ATTACHMENT 2 NOTICE OF MOTION - REVIEW LOCAL PROCUREMENT PRACTICES.**MINUTES ORDINARY COUNCIL - 9 JULY 2019****ITEM 3 - ATTACHMENT 1 PROCUREMENT POLICY.****Policy****FILE NO: PSC2009-02488****TITLE: PROCUREMENT POLICY****POLICY OWNER: FINANCIAL SERVICES SECTION MANAGER****PURPOSE:**

The purpose of this policy is to state Council's position on procurement matters and to provide clear direction to Council officials (Councillors, staff and delegates of Council) making procurement decisions.

Environmentally sustainable procurement results in minimisation of unnecessary purchasing, waste minimisation, water and energy saving, pollution minimisation, avoidance of toxic chemicals, reduction in greenhouse gases and decision making that incorporates biodiversity and conservation objectives.

CONTEXT/BACKGROUND:

Council procurement is required to achieve best value for money in the expenditure of public funds while being ethical, ecologically sustainable, transparent, accountable and promoting fairness and competition. This policy prescribes Council's approach to procurement and is supported by the Procurement Management Directive.

SCOPE:

This policy has been written considering the following principles:

- 1) All parties engaged in procurement activities will display high standards of behaviour and ethics.
- 2) Procurement activities aim to be efficient, effective and balance risk and total cost.
- 3) Due economy shall be exercised in all purchasing decisions.
- 4) Purchasing decisions shall consider relevant evaluation criteria including environmental sustainability, support of local suppliers, registered disability employers and Australian made goods.
- 5) Parties will conduct all procurement and business relationships with fairness and honesty.
- 6) The process for awarding contracts on government projects will be open, clear and defensible.
- 7) A party with a potential conflict of interest will declare and address that interest as soon as the conflict is known to that party.

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ITEM 4 - ATTACHMENT 2 NOTICE OF MOTION - REVIEW LOCAL
PROCUREMENT PRACTICES.

MINUTES ORDINARY COUNCIL - 9 JULY 2019

ITEM 3 - ATTACHMENT 1 PROCUREMENT POLICY.

Policy



- 8) Parties shall comply with all legal obligations.
- 9) Parties shall not engage in practices that are anti-competitive.
- 10) Parties shall not engage in practices that aim to give a party an improper advantage over another.
- 11) Parties shall not seek or submit tenders without a firm intention and capacity to proceed with a contract.
- 12) Parties will maintain business relationships based on open and effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.

DEFINITIONS:

Procurement	The act of obtaining or buying goods and services. The process includes preparation and processing of a demand as well as the end receipt and approval of payment.
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POLICY STATEMENT:

1) Standards of behaviour

Council has adopted a Statement of Business Ethics that sets out the high ethical standards expected of Council officials, contractors and business associates. In addition to this, the following statements are made in relation to procurement:

- Council processes shall be fully documented and defensible.
- Council will treat all potential tenderers consistently.
- All parties shall comply with the rule of law and avoid practices that are anti-competitive or collusive.
- Council will not engage in practices that give one party improper advantage over another outside its local and Australian made preference and Registered Disability Employer preference policies.
- Council will not invite or submit tenders without a firm intention and capacity to proceed.
- Parties shall maintain open, effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.

2) Environmental sustainability

Council is committed to "properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development" as per the *Local Government Act 1993* (NSW) (The Act). The principles of ecologically sustainable development (ESD) are

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ITEM 4 - ATTACHMENT 2 NOTICE OF MOTION - REVIEW LOCAL PROCUREMENT PRACTICES.**MINUTES ORDINARY COUNCIL - 9 JULY 2019****ITEM 3 - ATTACHMENT 1 PROCUREMENT POLICY.**

Policy



defined in The Act as the "effective integration of economic and environmental considerations in decision-making processes".

Council is committed to effective implementation for the following principles of ESD in procurement decision making; the precautionary principle; intergenerational equity; conservation of biological diversity and ecological integrity; and improved valuation, pricing and incentive mechanisms.

3) Local preference

Best value for money does not always mean lowest price. Council functions contribute to the economic success of the Local Government Area and Council expends considerable amounts annually on local economic development. Council prefers to buy from local suppliers and contractors where possible as this supports Council's local economic development initiatives.

4) Preference for Australian made products

Council prefers to buy goods made in Australia and encourages a culture of buy Australian in Council officials when evaluating the merits of purchases. Where it is cost effective to do so staff must purchase Australian made/origin supplies.

5) Preference for registered disability employers

Council prefers to buy products made by registered disability enterprises and encourages such consideration in the evaluation of purchases. Where it is cost effective to do so, staff are encouraged to buy from registered disability employers.

6) Purchase orders

Council will always issue a purchase order number for approved purchases. Suppliers are expected to cooperate by quoting the purchase order number on invoices. Council will not pay invoices where an approved purchase order number is absent.

7) Asset disposal

Council will dispose of surplus plant, vehicles, stores, materials, equipment, furniture, scrap metal, technology and other items in a competitive, transparent, cost effective and environmentally sustainable manner.

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ITEM 3 - ATTACHMENT 1 PROCUREMENT POLICY.

Policy



POLICY RESPONSIBILITIES:

- 1) Section Managers generally.
- 2) Procurement and Contractor Management Specialist.
- 3) Expenditure Coordinator.

RELATED DOCUMENTS:

- 1) *Local Government Act 1993 (NSW)*.
- 2) *Local Government (General) Regulation 2005*.
- 3) *Competition and Consumer Act 2010 (Cth)*.
- 4) NSW Government Procurement Code of Practice.
- 5) NSW Government Procurement Policy Framework.
- 6) NSW Government Sustainability Policy.
- 7) Port Stephens Council Code of Conduct.
- 8) Procurement Management Directive.
- 9) Financial Business Rules Management Directive.
- 10) Asset Disposal (other than property) Policy.

CONTROLLED DOCUMENT INFORMATION:

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RM8 container No	PSC2009-02488	RM8 record No	17/210686
Audience	Council Staff		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	Two years	Next review date	###/###/2019
Adoption date	25/03/14		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	25/03/14	Financial Services Section Manager	Policy adopted.	64

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Policy



2	25/11/14	Financial Services Section Manager	<ul style="list-style-type: none"> Amended policy adopted. 	317
3	27/11/15	Financial Services Section Manager	<ul style="list-style-type: none"> This policy has been reviewed and formatted into the new template. Port Stephens Council Code of Conduct added to related documents. Reference to the Procurement Management Directive added to the Context/Background. 	
4	09/02/16	Financial Services Manager	<ul style="list-style-type: none"> Amended policy adopted. 	018

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ITEM 3 - ATTACHMENT 1 PROCUREMENT POLICY.

Policy



5	12/12/17	Financial Services Section Manager	<ul style="list-style-type: none"> • Updated references from TRIM to RM8. • Updated RM8 record from 487 to 17/210686. • Removed NSW Government Procurement Code of Tendering from the Related Documents Section. • Added NSW Government Procurement Policy Framework, Procurement Management Directive, Asset Disposal (other than property) Policy, and Financial Business Rules Management Directive to the Related Documents Section. 	319
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ITEM 4 - ATTACHMENT 2 NOTICE OF MOTION - REVIEW LOCAL PROCUREMENT PRACTICES.**MINUTES ORDINARY COUNCIL - 9 JULY 2019****ITEM 3 - ATTACHMENT 2 PROCUREMENT MANAGEMENT DIRECTIVE.**

Management directive

**FILE NO:** PSC2013-00551**TITLE:** PROCUREMENT**OWNER:** FINANCIAL SERVICES SECTION MANAGER**PURPOSE:**

To prescribe procurement processes, particularly:

- 1) Procurement considerations;
- 2) Procurement methods and hierarchy;
- 3) Procurement source hierarchy;
- 4) To define terms, roles and responsibilities;
- 5) To clarify sources of further guidance.

CONTEXT/BACKGROUND:

The Procurement Management Directive supports the Procurement Policy and prescribes procurement requirements.

SCOPE:

- 1) Procurement processes shall be designed to ensure implementation of Council's Procurement Policy.
- 2) The general scope stated in the Procurement Policy applies to this management directive.
- 3) Procurement activities should be structured to minimise costs for all parties.

DEFINITIONS:

An outline of the key definitions of terms included in the management directive.

Authorised Approval Officer	A staff member permitted to approve purchase orders subject to the limit of their delegation.
Authorised Approval Officer List	List of authorised Council officers with delegated purchase limits.
Contractor	A contractor (sometimes called an independent contractor) is a 'person or company that provides goods or services to a business under the terms set out in a contract'.

Management directive

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Issue Date: 28/02/2014

Printed: 22/09/2017

Review Date: 14/09/2019

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ITEM 4 - ATTACHMENT 2 NOTICE OF MOTION - REVIEW LOCAL PROCUREMENT PRACTICES.**MINUTES ORDINARY COUNCIL - 9 JULY 2019****ITEM 3 - ATTACHMENT 2 PROCUREMENT MANAGEMENT DIRECTIVE.****Management directive**

	<p>A contractor:</p> <ul style="list-style-type: none"> • Works for you as part of their own business (they are not your employee); • Uses their own resources eg computer, vehicle or tools; • Controls the method and times to perform the work; and • Will often perform roles that require specialist knowledge that is not required by your business on an ongoing basis.
Council Contractor Management System	<p>Contractor registration is the process of verifying and documenting that the proposed contractor meets the requirements of Council. Completion of contractor registration in SitePass and CIMS is required to establish that the proposed contractor has appropriate:</p> <ul style="list-style-type: none"> • Safety documentation and relevant licences – SitePass; • Insurance – CIMS.
Local Supplier	<p>A business or contractor employing full-time staff permanently operating from permanent premises within the Port Stephens Local Government Area for not less than six months prior to the procurement or tender being initiated.</p>
Pre-approved contractors and suppliers	<p>Current suppliers on Council's Contract Management System.</p>
Procurement	<p>The act of obtaining or buying goods and services. The process includes preparation and processing of a demand as well as the end receipt and approval of payment.</p>
Requisitioning Officer	<p>A staff member procuring supplies.</p>
Supplier	<p>An individual or organisation that provides Council with goods or services.</p>
Supplies	<p>Goods or services.</p>

MANAGEMENT DIRECTIVE STATEMENT:**1) Responsibilities:**

- a) Staff involved in procurement of goods and services shall make themselves aware of and comply with all relevant policies, management directives and procedures. Related policies and management directives are listed at the end of this document.

Management directive

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- b) Requisitioning Officers must endeavour to achieve best value for all procurements and appropriately research the market.
 - c) Staff must exercise economy in purchase decisions.
 - d) Staff must follow correct accounting, taxation, procurement and grant acquittal practices when procuring goods and services.
 - e) Requisitioning Officers must keep records of procurement processes undertaken and decisions made where required.
 - f) Responsible Officers must implement sound processes and keep sufficient records to verify Council's liability to pay for goods, services and utilities including telephone, electricity, gas and water and promptly investigate and resolve billing anomalies.
- 2) Purchase approval:
- a) Staff require formal delegation of authority to procure supplies.
 - b) Purchases require approval by the requisitioner's supervisor or above for all purchase orders.
 - c) The procurement limits in the Authorised Approval Officer List apply to purchases excluding petty cash and purchasing card.
 - d) Authorised Approval Officers need to satisfy themselves that quotes have been obtained in accordance with the procurement methods.
 - e) Tenders to the value of \$150,000 or over may be authorised by Level 4 Officers, as per the Authorised Approval Officer List on MyPort, after the tender has been approved by the Tender Approval Panel (TAP).
 - f) An Authorised Approval Officer List is maintained by the Finance Expenditure Coordinator and updated from time to time as authorised by the appropriate level of authority shown below:

Level	Position Title
1 & 2	Financial Services Section Manager
3	Group Manager Corporate Services
4	General Manager

- 3) Procurement methods:
- a) Procurement approaches are highly dependent upon the nature, value and context of the supplies.
 - b) The procurement methods in (TABLE 1) below prescribe the minimum requirements.

Management directive

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MINUTES ORDINARY COUNCIL - 9 JULY 2019

ITEM 3 - ATTACHMENT 2 PROCUREMENT MANAGEMENT DIRECTIVE.

Management directive



TABLE 1

Estimated expenditure level (inc GST)	Primary method	Optional
Below \$5,000	Purchasing card (preferred) or purchase order from pre-approved contractors and suppliers with no self approval.	Verbal quote where appropriate.
\$5,001 to \$10,000	Two written quotes from pre-approved contractors and suppliers.	Additional quotes.
\$10,001 to \$50,000	Two written quotes from pre-approved contractors and suppliers.	Additional quotes. Request for quote (RFQ).
\$50,001 to \$100,000	RFQ – Three written quotes from pre-approved contractors and suppliers.	Advertise.
\$100,001 to \$149,999	RFQ – Three written quotes – advertised.	N/A.
\$150,000 and over	Tender – advertised.	N/A.

- c) Requisitioning Officers shall store written quotes in a RM8 container.
- d) Where a Requisitioning Officer believes the primary method requirements are not appropriate to the requisition, the reasons for departure from the requirements are to be written out, signed by an Authorised Approval Officer with an appropriate limit and stored in a RM8 container.
- e) Where one or no quote is obtained, Requisitioning Officers should check with other suppliers to ensure the proposed supplies are competitive.
- f) Where the lowest priced bid is not accepted, the reasons must be documented, signed by an Authorised Approval Officer with an appropriate limit and stored in a RM8 container.
- g) All RFQs and Tenders shall have a separate RM8 container.
- 4) Procurement hierarchy:
 - a) Suppliers shall be sourced in accordance with the hierarchy contained in (TABLE 2). Council has a preference to purchase locally sourced goods and services. Refer to clause 7 'Local preferences'.
 - b) Suppliers may be procured outside this hierarchy where quotes have been obtained that evidence best value decision, then signed by an Authorised Approval Officer with an appropriate limit and stored on a RM8 container.

Management directive

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ITEM 3 - ATTACHMENT 2 PROCUREMENT MANAGEMENT DIRECTIVE.

Management directive



TABLE 2

Priority	Supplier
1 st	Current PSC contracts
2 nd	Pre-approved contractors and suppliers
3 rd	Regional procurement, Local Government Procurement
4 th	Local suppliers
5 th	Non-local suppliers

5) Purchase orders:

- a) All purchases other than by petty cash and purchasing card require a purchase order to be entered into the Authority software purchasing module.
- b) A purchase order must be entered before supplies are ordered. Do not wait for an invoice to enter a purchase order.
- c) Requisitioning Officers must ensure there is an approved budget before preparing a purchase order.
- d) Staff without access to the software may use a purchase order book, with written orders given to the F&S Customer Liaison Officer for entry into Authority by the following Monday or next business day.
- e) Staff entering purchase orders into Authority must complete training.
- f) Purchase orders must be approved by an Authorised Approval Officer (refer to clause 2c).
- g) A Requisitioning Officer who is also an Authorised Approval Officer may both enter and approve a purchase order within their delegated limit.
- h) For purchases above their delegated limit Requisitioning Officers must seek approval from the Authorised Approval Officer in their unit, section or group with the necessary delegated limit.
- i) Orders must not be split to bypass procurement limits or methods.
- j) An approved purchase order must be provided to suppliers at the time of requesting supplies (except in the case of petty cash and purchasing card purchases).
- k) The Requisitioning Officer must ensure the supplier quotes the purchase order number on invoices.
- l) Ask the supplier to quote "VISA" as the order number on invoices paid with a purchasing card.
- m) When supplies are received the Requisitioning Officer must enter a purchase order receipt or advise the Finance Officer - Procurement and Contract Management Specialist of receipt within one day.
- n) If supplies have already been received at the time of entering the purchase order, this must be advised by entering Delivery Code one "Goods Received".
- o) An estimate of the price (exclusive of GST) is to be entered.
- p) Where a price estimate is not possible a best estimate should be made.
- q) Where an invoice is received and there is no corresponding purchase order or it has not been entered as "received" in Authority, it will be routed to the Requisitioning Officer (if

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- known) for verification and purchase order entry/receipting.
- r) Where the Requisitioning Officer is not known and no purchase order exists the invoice will be deemed an unauthorised purchase, payment will be declined and the invoice returned to the supplier referring to Council's policy requiring an approved purchase order to be quoted.
 - s) All invoices must be formally reviewed by the Requisitioning Officer prior to payment.
- 6) Environmental sustainability:
- a) Prior to purchasing supplies staff must consider whether the purchase is necessary or whether it is possible to use or re-use existing resources including sharing with other sections.
 - b) Requisitioning Officers must reasonably estimate quantities ordered to ensure they are used within the products useful life.
 - c) Full life cycle costing must be used to evaluate bids.
 - d) Requisitioning Officers must consider the environmental impact associated with the manufacture, use and disposal of proposed supplies, eg sustainability of raw materials, energy used, pollution, recyclability or biodegradability.
 - e) When evaluating bids an appropriate percentage of the evaluation criteria should be applied to environmental sustainability.
- 7) Local preference:
- a) Council's preference for using local suppliers is contained in the Procurement Policy.
 - b) Where bids from a local supplier and a non-local supplier are equal, preference shall be given to the local supplier.
 - c) A "buy in Port Stephens" staff culture is encouraged including purchases made with purchasing cards.
 - d) Staff must seek local suppliers when obtaining quotes in addition to established non-local suppliers.
 - e) Where it is feasible to do so, staff must purchase low value supplies within Port Stephens LGA to support local employment.
- 8) Preference for Australian made products:
- a) A "buy Australian" staff culture is encouraged including purchases made with purchasing cards.
 - b) Where it is cost effective to do so, staff must purchase Australian made/origin low value supplies.
- 9) Preference for registered disability employers:
- a) Where it is cost effective to do so, staff are encouraged to buy from registered disability employers.

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10) Current suppliers:

- a) Council may enter into current supplier agreements following a competitive quotation process.
- b) Current supplier agreements shall only be considered where it is very likely that the particular type of supplies will be required more than once within the next 12 months and the aggregate value of that particular type of supplies is likely to exceed \$20,000 and be below \$150,000.
- c) Preferred supplier agreements will be included with the pre-approved contractors and suppliers.
- d) The decision to add a type of supplier to the pre-approved contractors and suppliers rests with the Finance Officer - Procurement and Contract Management Specialist.
- e) The following staff are responsible for populating the pre-approved contractors and suppliers:

Officer	Responsibility
Requisitioning Officer	Develop quotation specification.
Risk Management Coordinator	Specify insurance requirements.
Work Health and Safety Manager	Specify WHS requirements.
Finance Officer - Procurement and Contract Management Specialist	Complete quotation documents, advertise receive quotations.
Requisitioning Officer Finance Officer – Procurement and Contract Management Specialist	Review quotation responses, conduct capability assessment, reference checks.
Risk Management Coordinator	Review insurance response.
Work Health and Safety Manager	Review WHS response.
Finance Officer - Procurement and Contract Management Specialist Requisitioning Officer	Determine inclusion on pre-approved contractors and suppliers.
Finance Officer - Administration Support	Notify submitters.

- f) current PSC contract or the pre-approved contractors and suppliers will have had their insurance details confirmed.
- g) All RFQ and Tender documentation involving contractors required to come onto Council sites is to clearly inform intending suppliers/contractors that they will be required to register with the relevant Contractor Management System in order to supply to Council.

11) Tenders:

- a) All staff involved in tendering must read and conduct tenders in accordance with the Tendering Guidelines for NSW Local Government.

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- b) All tenderers must be advised of Council's local preference policy and preference for Australian made products.
 - c) All tender documents must be approved by the Finance Officer - Procurement and Contract Management Specialist prior to advertising.
 - d) Documents must be stored in a separate RM8 container for each tender process.
 - e) Evaluation criteria and weightings must be established before tenders close.
 - f) A tender evaluation panel must be formed to evaluate all tenders consisting of at minimum:
 - Finance Officer - Procurement and Contract Management Specialist, or Finance Expenditure Coordinator.
 - Officer responsible for tender.
 - An independent Council staff member.
 - g) Record must be kept of all communication with tenderers.
 - h) Tenderer communication is not permitted except for the tenderer to notify a mistake or anomaly or for Council to clarify something. Any clarification that involves an interpretation of the tender documents shall be provided to all tenderers;
 - i) Communication that occurs with tenderers is to be advised to all members of the tender evaluation panel.
 - j) Tenders must be evaluated promptly using the tender evaluation spreadsheet which uses weighted criteria and a normalised price score method.
 - k) Tenders must be reported to Council as soon as is practicable.
 - l) Debriefings with tenderers must maintain confidentiality of other tenderers and focus on how the tenderer's tender performed against the evaluation criteria.
- 12) Fraud and corruption prevention:
- a) Under no circumstances may staff solicit or receive gifts or benefits of any kind in return for placing orders or arranging work with a supplier. Gifts or benefits offered should be politely refused with an explanation of Council's policy on the matter. Gifts or benefits that are token in nature may be accepted, however, need to be declared. Refer to the Code of Conduct.
 - b) All suppliers/contractors must be treated equally. Where a Requisitioning Officer is making procurement decisions or a staff member is evaluating quotes or tenders he/she must declare any interest he/she has with any supplier in writing to their supervisor who may then require the staff member take no further part in the procurement decision. Refer to the Code of Conduct for further information about conflicts of interest.
 - c) Secondary employment must be declared to Council. Refer to the Code of Conduct.
 - d) Staff must not participate in any arrangement whereby a supplier is paid for goods or services that are not provided.
 - e) Authorised Approval Officers must satisfy themselves that the Requisitioning Officer's procurement is actually "needed" and in the quantities proposed. This may require the

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Authorised Approval Officer to ask questions or seek technical advice independent of the Requisitioning Officer.

- f) Supervisors must not cause a subordinate to make a purchase to avoid the approval process.
- g) All quotes must be stored in a RM8 container with the purchase order number, requisitioning officer's name, supplier's/contractor's name and date included in the document name.
- h) Ordering and verification of delivery of supplies is to be carried out by separate staff. Stocktake of stores is to be carried out by staff independent of the stores.
- i) Personal rewards/loyalty cards/schemes must not be used in conjunction with Council purchases to accrue personal benefits.
- j) Supplier/contractor products, credits, gift cards and gift vouchers must not be accepted or used by staff for personal benefit. Suppliers /contractors should instead be encouraged to reduce Council's invoice price.
- k) Two staff must be present during negotiations with suppliers and buyers and written records created and stored in a RM8 container.
- l) Unauthorised invoices must not be paid pending completion of a legitimate purchase order and verification of receipt of supplies.
- m) Contractors must record sub-contractor usage and ask permission to use sub-contractors.
- n) Suspected fraud or corruption will be dealt with according to the Code of Conduct and the Port Stephens Council Enterprise Agreement.

MANAGEMENT DIRECTIVE RESPONSIBILITIES:

- 1) Section Managers generally.
- 2) Finance Officer - Procurement and Contract Management Specialist.
- 3) Finance Expenditure Coordinator.

RELATED DOCUMENTS:

- 1) Procurement Policy.
- 2) Code of Conduct.
- 3) Contract Management Management Directive.
- 4) Contractor Management Procedure.
- 5) Fraud and Corruption Control Policy.
- 6) Hunter Council's Management Directive.
- 7) Petty Cash Management Directive.
- 8) Purchasing Card Management Directive.
- 9) Statement of business ethics.
- 10) Sustainability Policy.
- 11) Sustainability Procurement Policy.

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CONTROLLED DOCUMENT INFORMATION:

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RM8 container No.	PSC2013-00551	RM8 record No.	17/168402
Audience	Council staff		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	Two years	Next review date	14/09/2019
Adoption date	28/02/2014		

VERSION HISTORY:

Version	Date	Author	Details
1	28/02/2014	Financial Services Section Manager	Management directive adopted.
2	09/12/2014	Financial Services Section Manager	Revised management directive adopted.
3	15/04/2016	Financial Services Section Manager	Management Directive reviewed and formatted into the new template. Position titles updated to reflect organisational chart. Updated authorisation of the Authorised Approval Officer List from the General Manager to the appropriate level of authority – as detailed in clause 2f. Closer alignment to other relevant Management Directives.
4	06/06/2016	Financial Services Section Manager	Endorsed by the Executive Team and approved by the General Manager.

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5	25/08/2017	Financial Services Section Manager	<p>Updated RM8 number from 16/318007 to 17/168402.</p> <p>Updated the procurement limits in Table 1 from "below \$2,000" to "below \$5,000" and from "\$2,0001 to \$10,000" to "\$5,001 to \$10,000".</p> <p>Updated 2e to state that tenders to the value of \$150,000 will be approved by the Tender Approval Panel (TAP) rather than a Council resolution.</p> <p>Removed CIMS from the list of definitions.</p> <p>Added definition of Council Contractor Management System.</p> <p>Added definition of pre-approved contractors and suppliers.</p> <p>Changed pre-approved contractors and suppliers list' to 'pre-approved contractors and suppliers'.</p>
6	14/09/2017	Financial Services Manager	Endorsed by the Executive Team and approved by the General Manager.

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ITEM NO. 5**FILE NO: 19/307610
EDRMS NO: PSC2005-3157****EASEMENT TO DRAIN SEWAGE - 15 KARA CLOSE, TAYLORS BEACH**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Consents to the granting of an Easement to Drain Sewage over a public road at 15 Kara Close, Taylors Beach.
 - 2) Authorises the Mayor and General Manager to sign and affix the Council Seal to all documentation required to legalise the easement.
-

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

186	Councillor John Nell Councillor Sarah Smith It was resolved that Council: <ol style="list-style-type: none">1) Consents to the granting of an Easement to Drain Sewage over a public road at 15 Kara Close, Taylors Beach.2) Authorises the Mayor and General Manager to sign and affix the Council Seal to all documentation required to legalise the easement.
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BACKGROUND

The purpose of this report is legalise a private sewer line which drains sewage from a private property at 15 Kara Close, Taylors Beach through Council's road reserve to the Hunter Water network located in Innovation Close.

The occupier of 15 Kara Close installed a private sewer line from that premises to the sewer network in Innovation Close. The line of pipes runs from 15 Kara Close (Lot 16 in DP1010867) through 12 Innovation Close (Lot 3 in DP1159740) into the road reserve of Innovation Close which is a Council public road, shown in black at **(ATTACHMENT 1)**.

After installation, the owner of the pipes requested a licence from Council to legalise the pipes. Representatives from Property Services, Legal Services and Facilities and Services met to discuss the request and decided an easement would be a more secure option as easements are created in perpetuity, they bind all successive owners of the land, and maintenance and repair requirements are set out in the Conveyancing Act 1919. A licence is a personal right only and cannot be transferred to or enforced against third parties.

The risk to Council with a licence is there would be no binding agreement in place governing use, repair or maintenance of the pipes. If the owner of the pipes were to vacate the premises, a new owner may not agree to take responsibility for the pipes as they were not responsible for their installation, exposing Council to potential risk.

In the absence of a binding agreement, Council may ultimately end up responsible for the pipes as consent could be implied if Council as landowner takes no action to have the pipes removed from its land, or as consent authority takes no action to have the pipes removed in their entirety.

The occupier and landowner were advised of Council's requirement for an easement and the landowner has provided Council with a survey plan.

The documentation confirms the easement will burden privately owned 12 Innovation Close Taylors Beach and public road known as Innovation Close, and will benefit privately owned 15 Kara Close, Taylors Beach.

The documentation has been executed by the owners of 15 Kara Close and 12 Innovation Close, Taylors Beach.

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 as creation of the easement is being managed by the owner of 15 Kara Close, Taylors Beach, at their cost.

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

MINUTES ORDINARY COUNCIL - 8 OCTOBER 2019

Source of Funds	Yes/No	Funding (\$)	Comment
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

An easement best protects Council's interest as the terms are binding in perpetuity against all future owners of the land. The section 88B Instrument specifically states that the benefitted party must indemnify the burdened party against any claims for damage or injury to property or persons arising from the use of the easement.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the existing pipes will not be repaired or maintained due to an absence of legal requirement.	High	Adopt the recommendations.	Yes
There is a risk that other landowners will attempt to unlawfully use the existing pipes.	Medium	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The terms of the easement govern the use, repair and maintenance of the pipes and require any work to be undertaken as quickly as possible in a proper and workmanlike manner, and require the burdened party to restore any damage caused including any collateral damage.

CONSULTATION

Consultation on risks and options has been undertaken with the following persons:

Internal

- Commercial Investment Manager.
- Community Leasing Officer.
- Senior Development Engineer.
- Legal Services Manager.
- Senior Survey & Land Information Manager.

External

- Affected landowners.

OPTIONS

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

ATTACHMENTS

- 1) Aerial Map - Location of Easement.

TABLED DOCUMENTS

Nil.

COUNCILLORS ROOM

Nil.



ITEM NO. 6**FILE NO: 19/319294
EDRMS NO: PSC2009-08122****TATEYAMA, JAPAN SISTER CITIES VISIT 14-16 NOVEMBER 2019****REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse attendance of Mayor Palmer, Councillor Dunkley and the General Manager at the 10th Anniversary of Sister Cities celebrations in Tateyama, Japan from 14-16 November 2019.
-

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

187	Councillor Chris Doohan Councillor Steve Tucker It was resolved that Council endorse attendance of Mayor Palmer, Councillor Dunkley and the General Manager at the 10 th Anniversary of Sister Cities celebrations in Tateyama, Japan from 14-16 November 2019.
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BACKGROUND

The purpose of this report is to inform Council of an invitation received by Mayor Ryan Palmer (and associates) to attend a special Sister Cities 10th Anniversary celebration in Tateyama, Japan from 14 to 16 November 2019.

The celebration will recognise the 10th Anniversary of the sister cities friendship between Port Stephens and Tateyama, which was formalised with a sister cities agreement in 2009.

The Council delegation will experience the Japanese culture and a formal dinner reception to celebrate the 10th Anniversary friendship between Port Stephens and Tateyama.

COMMUNITY STRATEGIC PLAN

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

FINANCIAL/RESOURCE IMPLICATIONS

Participants will personally meet all travel and accommodation costs associated with attending the celebration in Tateyama, Japan. There will be no cost to Council.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		Nil net cost to Council.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

As per the Payment of Expenses and Provision of Facilities to Mayor/Councillors Policy, a report must be presented to a full Council meeting prior to International travel being taken.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that relationships between Australia and international communities might be missed.	Medium	Adopt the recommendation.	

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Sister City affiliations provide a forum for cultural, economic and educational interchange between communities and encourage friendship, cooperation and understanding to improve peaceful co-existence.

CONSULTATION

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

Internal

- General Manager.

External

- Port Stephens 355c Sister Cities Committee.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 7**FILE NO: 19/316845
EDRMS NO: PSC2017-00178****REQUEST FOR FINANCIAL ASSISTANCE**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from the respective Mayor and Ward Funds to the following:
 - a. Nelson Bay Tennis Club Inc. – Mayoral funds - \$2000 donation towards the 2019 Port Stephens Seniors Tennis Tournament.
 - b. Plastic Free Port Stephens – Mayoral funds - \$4000 donation towards a project to reduce the use of single-use plastic in Port Stephens.
 - c. Karuah Progress Association – West Ward Funds - \$1700 donation towards 2019 Karuah Christmas Event.
 - d. Tilligerry Peninsula Chamber of Commerce & Industry – Cr Steve Tucker - \$100 donation towards catering costs of Chamber Business networking dinner.
 - e. Tilligerry Peninsula Community Event – Cr Steve Tucker - \$413 donation towards 2019 Tilligerry Peninsula Community Event costs.

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

188	<p>Councillor Chris Doohan Councillor Glen Dunkley</p> <p>It was resolved that Council approves provision of financial assistance under Section 356 of the Local Government Act 1993 from the respective Mayor and Ward Funds to the following:</p> <ol style="list-style-type: none">a. Nelson Bay Tennis Club Inc. – Mayoral funds - \$2000 donation towards the 2019 Port Stephens Seniors Tennis Tournament.b. Plastic Free Port Stephens – Mayoral funds - \$4000 donation towards a project to reduce the use of single-use plastic in Port Stephens.c. Karuah Progress Association – West Ward Funds - \$1700 donation towards 2019 Karuah Christmas Event.d. Tilligerry Peninsula Chamber of Commerce & Industry – Cr Steve Tucker - \$100 donation towards catering costs of Chamber Business networking dinner.e. Tilligerry Peninsula Community Event – Cr Steve Tucker - \$413 donation towards 2019 Tilligerry Peninsula Community Event costs.
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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.

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

Nelson Bay Tennis Club Inc.	A community sporting group whose mission it is to provide high quality tennis experiences for players of all ages and abilities.	\$2000	Donation towards 2019 Port Stephens Seniors Tennis Tournament.
Plastic Free Port Stephens.	A not-for-profit community organisation whose aim is to work with Port Stephens businesses and residents in reducing the use of single-use plastic.	\$4000	Donation towards a project to reduce the use of single-use plastic in Port Stephens.

MINUTES ORDINARY COUNCIL - 8 OCTOBER 2019
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WEST WARD – Councillors Arnott, Jordan and Le Mottee

Karuah Progress Association.	A community group that works to enhance Karuah as a place to work and visit.	\$1700	Donation towards 2019 Karuah Christmas Event.
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CENTRAL WARD – Councillors Doohan, Smith and Tucker

Tilligerry Peninsula Chamber of Commerce & Industry.	A not for profit organisation representing the business community of the Tilligerry Peninsula.	\$100	Donation towards catering costs of Chamber Business networking night.
Tilligerry Peninsula Community Event.	A community event bringing prevention and response together.	\$413	Donation towards 2019 Tilligerry Peninsula Community event costs.

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		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL AND POLICY IMPLICATIONS

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

The Policy interpretation required is whether the Council believes that:

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

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

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

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

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

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 8**FILE NO: 19/320116
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 8 October 2019.

No:	Report Title	Page:
1	Australian Institute of Company Directors Course - August 2019	99
2	Designated Persons Returns - Pecuniary Interest 1 July 2018 to 30 June 2019	101
3	Designated Persons' Return	104
4	Council Resolutions	105

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

189	Councillor Chris Doohan Councillor Sarah Smith It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 8 October 2019. <hr/> No: Report Title Page: 1 Australian Institute of Company Directors Course - August 2019 2 Designated Persons Returns - Pecuniary Interest 1 July 2018 to 30 June 2019 3 Designated Persons' Return 4 Council Resolutions
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INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 19/313169
EDRMS NO: PSC2017-00739**

AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS COURSE - AUGUST 2019

REPORT OF: JOHN NELL - COUNCILLOR
GROUP: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to provide information on the Australian Institute of Company Directors Course.

I attended this course in Sydney 2019 from 5-9 August 2019, together with some 30 other participants with an interesting background ranging from those working in the not-for profit sector, private companies to small and large ASX listed companies as well as local government. All the lecturers gave interesting and challenging presentations, which commenced at 8.30am and completed at 4.30pm, although I learned just as much from talking to the other participants.

The Company Directors Course gives a comprehensive grounding in the roles and duties of board directors and included the following topics:

- 1) Governance and the Practice of Directorship.
- 2) The Legal Environment.
- 3) Risk and Strategy.
- 4) Financial Literacy and Performance.
- 5) Achieving Board effectiveness.

Despite the participants' diverse backgrounds, we could all relate to the topics and the discussions that followed. After all, the topics discussed relate equally to the running of a council, a not-for profit organisation or an ASX listed company.

However, once I got home, I still had to do the challenging assessment tasks and that reinforced the learning from the course, from being a team player serving on the board of a company.

One of the more interesting assessments tasks included the review of an imaginary agribusiness company "Organic Supplies Limited", a company with a rather dysfunctional board facing great financial challenges. My recommendations included that the board be reformed by complying to ASX listing rules, thus removing conflicts of interests as well as the selection of new board members using a skills matrix to determine the expertise required on the board as well as providing options for saving the company from insolvency.

I would like to thank Port Stephens Council for the opportunity to attend this very interesting and useful course.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 2

**FILE NO: 19/315496
RM8 REF NO: PSC2017-01523**

**DESIGNATED PERSONS RETURNS - PECUNIARY INTEREST 1 JULY 2018 TO
30 JUNE 2019**

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

BACKGROUND

The purpose of this report is to advise Council of designated persons who have submitted returns for the 2018-2019 period.

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

GENERAL MANAGER'S OFFICE

General Manager
Governance Manager
Legal Services Manager
Lawyer

CORPORATE SERVICES

Business Systems Support Section Manager
Commercial Investments Manager
Facilities Coordinator
Financial Services Section Manager
Group Manager Corporate Services
Holiday Parks Section Manager
Marketing and Promotions Manager
Organisation Development Section Manager
Property Development Coordinator
Property Services Section Manager

DEVELOPMENT SERVICES

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

FACILITIES & SERVICES

Assets Section Manager
Building Trades Coordinator
Building Trades Team Leader Electrical
Building Trades Team Leader Painting
Building Trades Team Leader Plumbing
Capital Works Program Coordinator
Capital Works Section Manager
Childrens Services Coordinator
Civil Assets Planning Manager

Civil Assets Engineer
Civil Projects Engineer
Community and Recreation Asset Officer
Community and Recreation Coordinator
Construction Coordinator
Coordinator - Roads
Development Engineer (2)
Engineering Services Manager
Facilities and Services Officer (3)
Fleet and Depot Services Coordinator
Fleet Management Supervisor
Group Manager Facilities and Services
Library Services Manager
Parks Programs Coordinator
Public Domain and Services Manager
Roadside & Drainage Coordinator
Senior Community and Recreation Planning Officer
Senior Development Engineer
Senior Drainage and Flooding Engineer
Traffic Engineer
Waste Management Coordinator

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

1) Pecuniary Interest returns 1 July 2018 to 30 June 2019.

ITEM NO. 3

**FILE NO: 19/311893
EDRMS NO: PSC2019-02300**

DESIGNATED PERSONS' RETURN

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

BACKGROUND

The purpose of this report is to table Designated Persons' Return/s (Return) submitted by new Council employees.

In accordance with the Part 4 – Pecuniary Interest of the Code of Conduct, all new employees are required to submit a Return within three (3) months of commencement. Returns are to be tabled at the first Council meeting after the lodgement date.

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

- Principal Development Planner (PSC079).

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

ITEM NO. 4

**FILE NO: 19/189295
EDRMS NO: PSC2017-00105**

COUNCIL RESOLUTIONS

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

BACKGROUND

The purpose of this report is to inform Elected Members of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

ATTACHMENTS

- 1) Corporate Services Group Report.
- 2) Development Services Group Report.
- 3) Facilities & Services Group Report.
- 4) General Manager's Office Report.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 4 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets	Committee:	Ordinary Council	Date To:	24/09/2019
Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2017	Meyn, Janet	Ground Lease over Part of 4 Leisure Way, Raymond Terrace for Telecommunications Facility	31/10/2019	29/11/2017	
1 297		Foster, Carmel				17/236078
27 Sep 2019 - The Lease has been executed by both parties and is currently awaiting registration with Lands Registry Services.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/03/2018	Meyn, Janet	COMPULSORY ACQUISITION OF AN EASEMENT FOR ACCESS OVER PART OF 6 GOVERNMENT ROAD, SHOAL BAY	31/12/2019	28/03/2018	
13 066		Foster, Carmel				18/66656
27 Sep 2019 - Office of Local Government has requested further information in which Property Services has now provided. Property Services have also requested an update on status of assessment.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/07/2018	Meyn, Janet	398 CABBAGE TREE ROAD, WILLIAMTOWN	31/12/2019		
2 221		Foster, Carmel				18/151411
27 Sep 2019 - Williamtown Sand Syndicate are in the process of completing the final conditions precedent. It is expected that Council will be able to sign the lease agreement by October 2019 due to issues with the Roads Maritime and Services approvals.						

ITEM 4 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets	Committee:	Ordinary Council	Date To:	24/09/2019
Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/08/2018	Meyn, Janet	Proposed Partial Road Closure - The Close, Raymond Terrace for future Development of Terrace Central Shopping Centre	24/12/2019	15/08/2018	
1		Foster, Carmel				18/179364
254						
27 Sep 2019 - Extending date due to the sale potentially exceeding 6 weeks.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/02/2019	Meyn, Janet	King Street, Raymond Terrace Easements	31/05/2020	14/02/2019	
3		Foster, Carmel				19/39843
27 Sep 2019 - Office of Local Government has requested further information evidencing negotiations with both Lubrano and Scouts. Property Services are currently sourcing this information to provide.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/05/2019	Meyn, Janet	DEBT RECOVERY	24/12/2019	15/05/2019	
1		Foster, Carmel				19/136619
099						
27 Sep 2019 - Debt recovery is underway.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Meyn, Janet	PROPOSED ACQUISITION OF FORMER FIRE STATION SITE - 51 WILLIAM STREET, RAYMOND TERRACE	29/11/2019	29/05/2019	
5		Foster, Carmel				19/148388
109						
27 Sep 2019 - Council is awaiting approval from the Office of Local Government. Property Services have requested a status update from Office of Local Government.						

ITEM 4 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets	Committee:	Ordinary Council	Date To:	24/09/2019
Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Meyn, Janet	COMPULSORY ACQUISITION OF PART OF VICTORIA PARADE RESERVE NELSON BAY FOR ROAD PURPOSES	29/11/2019	29/05/2019	
6		Foster, Carmel				19/148388
110						
27 Sep 2019 - The application has been lodged with the Office of Local Government. The Property Team are following statutory regulations and processes.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/06/2019	Meyn, Janet	Naming of Reserve - Bower Reserve, Medowie	25/10/2019	12/06/2019	
3		Foster, Carmel				19/160026
121						
27 Sep 2019 - Extending date due to not receiving outcome from Geographical Naming Board.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Hazell, Tim	COMMUNITY PROJECTS FUND 2019-2020	30/09/2019		
8		Foster, Carmel				19/186501
148						
26 Sep 2019 - Final payment to be completed on 27 September 2019. Following this the action can be closed.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Meyn, Janet	Sale of 2 Jessie Road, Anna Bay (formerly Anna Bay Oval)	30/11/2019		
1		Foster, Carmel				19/186501
158						
27 Sep 2019 - The purchasers Lawyer is finalising the contract.						

ITEM 4 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.


Outstanding	Division:	Corporate Services	Date From:	26/09/2017
Action Sheets	Committee:	Ordinary Council	Date To:	24/09/2019
Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 23/07/2019	Meyn, Janet	GRANT OF EASEMENTS IN FAVOUR OF AGL - PUNT ROAD, TOMAGO	25/10/2019		
7 169		Foster, Carmel				19/200498
27 Sep 2019 - Extending date due to statutory paperwork process.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/08/2019	Hazell, Tim	COMMUNITY PROJECTS FUND - FRIENDS OF TOMAGO HOUSE	1/10/2019		
11 208		Foster, Carmel				19/238998
25 Sep 2019 - It is anticipated that an update will be provided by Friends of Tomago House at least by 1 October 2019.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/09/2019	Meyn, Janet	PCYC LEASE - 42 WILLIAM STREET, RAYMOND TERRACE	31/12/2019	25/09/2019	
5 165		Foster, Carmel				19/321198
27 Sep 2019 - Amended lease has been prepared by Council's Lawyers and has been sent to lessee for review.						

ITEM 4 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP REPORT.

Outstanding	Division: Development Services	Date From: 26/09/2017
Action Sheets	Committee: Ordinary Council	Date To: 24/09/2019
Report		Printed: Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Peart, Steven	Draft Fern Bay and North Stockton Strategy	22/10/2019	29/05/2019	
1		Crosdale, Timothy				19/148388
105						
27 Sep 2019 - Report scheduled for Council meeting 22 October 2019.						

ITEM 4 - ATTACHMENT 3 FACILITIES & SERVICES GROUP REPORT.


Outstanding	Division:	Facilities & Services	Date From:	26/09/2017
Action Sheets	Committee:	Ordinary Council	Date To:	24/09/2019
Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/02/2018	Maretich, John	SPORTS GROUND IRRIGATION SYSTEMS	28/04/2020	14/02/2018	
2 026		Kable, Gregory				18/32353
26 Sep 2019 - This will be reported back to Council as part of the Strategic Asset Management Plan.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/03/2018	Malloy, Aaron	Lease of grounds of 43, 45, 47 and 47A Tanilba Avenue Tanilba Bay (Lot 238, Lot 270 and Lot 271 DP753194, Lot 342 DP704442) to Calvary Retirement Communities Hunter- Manning Limited ACN 102625212.	30/12/2019	28/03/2018	
14 067		Kable, Gregory				18/66656
26 Sep 2019 - Once approval from Crown Lands comes through it then has to go to both the Worimi Land Council and the NSW Local Aboriginal Council as both have land claims on this parcel of land.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/04/2018	Maretich, John	BOBS FARM DRAINAGE	31/12/2020	11/04/2018	
2 084		Kable, Gregory				18/75830
26 Sep 2019 - Currently examining funding options to determine if Council can adopt these as public assets.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/06/2019	Maretich, John	Funding for Proposed Community Projects	31/10/2019		
1 136		Kable, Gregory				19/171142
26 Sep 2019 - Further report to go to Council on 221019 if submissions are received.						

ITEM 4 - ATTACHMENT 3 FACILITIES & SERVICES GROUP REPORT.


Outstanding	Division:	Facilities & Services	Date From:	26/09/2017
	Committee:	Ordinary Council	Date To:	24/09/2019
Action Sheets Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2019	Maretich, John	ROCK REVETMENT AT KANGAROO POINT, SOLDIERS POINT	31/07/2020		
2155		Kable, Gregory				19/186501
26 Sep 2019 - Council staff will seek to identify grant funding opportunities for this project.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/09/2019	Stewart, Adam	PSC2020 Proposed Community Projects - Central Ward Amendment	30/11/2019	25/09/2019	
8168		Kable, Gregory				19/321198
26 Sep 2019 - Revised Target Date changed by: Turner, Debbie From: 8 Oct 2019 To: 30 Nov 2019						

ITEM 4 - ATTACHMENT 4 GENERAL MANAGER'S OFFICE REPORT.


Outstanding	Division:	General Manager's Office	Date From:	26/09/2017
Action Sheets	Committee:	Ordinary Council	Date To:	24/09/2019
Report			Printed:	Monday, 30 September 2019

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/08/2019	Wickham, Tony	NEWCASTLE AIRPORT COMPANIES - DEEDS OF INDEMNITY	31/10/2019		
14		Wallis, Wayne				19/238998
211						

26 Sep 2019 – Execution of this document is in progress.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/09/2019	Wickham, Tony	WARD BOUNDARY REVIEW	30/11/2019		
5		Wallis, Wayne				19/307531
222						

26 Sep 2019 – Discussion with NSW Electoral Commission continuing prior to public exhibition.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/09/2019	Wickham, Tony	POLICY REVIEW: MANAGEMENT OF COMPETITIVE NEUTRALITY	31/10/2019	25/09/2019	
10		Wallis, Wayne				19/321198
170						

25 Sep 2019 - Public exhibition to commence 3 October 2019.

CONFIDENTIAL ITEM

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

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

ORDINARY COUNCIL MEETING - 8 OCTOBER 2019 MOTION

190	Councillor Chris Doohan Councillor Glen Dunkley It was resolved that Council move into confidential session.
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The following Council officers were present for the Confidential Session:

Public Relations and Marketing Coordinator
Public Relations and Marketing Officer

CONFIDENTIAL

ITEM NO. 1

**FILE NO: 19/307614
EDRMS NO: PSC2010-05161**

**EASEMENT TO DRAIN WATER - KINGSLEY DRIVE AND CORYULE STREET,
BOAT HARBOUR**

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

**ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION**

191	<p>Councillor Sarah Smith Councillor John Nell</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Acquires an Easement to drain water 1.5 metres wide through the properties outlined within the report in Kingsley Drive and Coryule Street, Boat Harbour.2) Authorises the Mayor and the General Manager to sign and affix the Council Seal to all documentation required to create the Easement.
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ORDINARY COUNCIL MEETING - 8 OCTOBER 2019
MOTION

192	Councillor Steve Tucker Councillor Chris Doohan It was resolved that Council move out of confidential session.
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There being no further business the meeting closed at 6.32pm.