

Ordinary Council Meeting

Meeting Date: 26/08/2009 - Ordinary Council Meeting

Item 00

Subject NOTICE OF ORDINARY COUNCIL MEETING - 26/08/09

Director

RECOMMENDATION

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PORT MACQUARIE
HASTINGS

**Notice is given that the next Ordinary Council Meeting will be held on
Wednesday, 26 August 2009 at 5.30pm
in the School of Arts Hall
Corner of Laurie & Bold Streets, Laurieton**

A

Andrew Roach, General Manager

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from this Paper before the meeting not be such as to presume the outcome of consideration of the matters therein.



Council's Vision

"A sustainable high quality of life for all".

Council's Mission

"To provide regional leadership and meet the community's needs in an equitable and inclusive way that enhances the area's environmental, social and economic qualities".

Council's Corporate Values

- Sustainability
- Excellence in Service Delivery
- Consultation & Communication
- Openness & Accountability
- Community Advocacy

Council's Corporate Programmes

Social:

To facilitate access to a range of services and facilities, recognising the importance of social well-being and ensuring a safe, inclusive and equitable community.

Governance:

To provide leadership and effective decision making, sound financial and resource management. To undertake the role of advocacy and promote communication and consultation. To provide a safe working environment and value teamwork in all that we do.

Environment:

To protect and enhance environmental values and provide for sustainable growth and development.

Economic:

To facilitate economic growth through the provision of quality services, strategies and infrastructure for the betterment of the community.

How Members of the Public Can Have Their Say at Council Meetings

Council has a commitment to providing members of the public with an input into Council's decision making. The Council's Code of Meeting Practice provides two (2) avenues for members of the public to address Council on issues of interest or concern at the Ordinary Council Meeting. These are:

1. *Addressing Council on an Agenda Item*

If the matter **is** listed in the Council Business Paper, you are required to complete the form "*Request to Speak on an Agenda Item at a Council Meeting*" (Form A1/OCM3). This form can be obtained from any of Council's Offices, by downloading from Council's website or by telephoning Council's Call Centre on 6581 8111. The form can also be faxed to 6581 8100.

The Request Form must be received by Council no later than **4.30pm on the day prior to the Council Meeting**.

Council's Code of Meeting Practice sets out the following guidelines for addressing Council:

- Addresses will be limited to 5 minutes.
- If you wish any written information, drawings or photos to be distributed to the Council to support the address, two (2) copies should be provided to the Manager Governance & Executive Services prior to the commencement of the meeting.
- Where speakers wish to make an audio visual presentation, a copy is to be provided to the Manager Governance & Executive Services by 12 noon on the day of the Council Meeting.
- Council will permit only two (2) speakers "For" and two (2) speakers "Against" the *Recommendation* contained in the Business Paper. If there are more than two speakers for and against, the Administrator will request the speakers to determine who will address Council

2. *Addressing Council in the Public Forum*

If the matter **is not** listed in the Council Business Paper, residents are able to address Council in the Public Forum session on Council related issues. The Public Forum is the first item of the Council meeting and a maximum of five (5) speakers will be heard.

If you wish to address Council in the Public Forum, you are required to complete the form "*Request to Speak in Public Forum at Ordinary Council Meeting*" (Form PF/OCM1). This form can be obtained from any of Council's Offices, by downloading from Council's website or by telephoning Council's Call Centre on 6581 8111. The form can also be faxed to 6581 8100.

The Request Form must be received by Council no later than **4.30pm on the day prior to the Council Meeting**.

Each speaker will be limited to 5 minutes in the Public Forum. Council may ask questions of speakers but speakers *cannot* ask questions of Council.

Council will not determine matters raised in the Public Forum session, however may resolve to call for a further report, when appropriate.

Speakers will be allowed to address Council in the Public Forum on the same issue no more than three (3) times in each calendar year. (Representatives of incorporated community groups may be exempted from this restriction).

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Item **000**















Subject **INDEX - ORDINARY COUNCIL MEETING - 26/08/09**








Director

RECOMMENDATION

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			ITEM NO: 000 SUBJECT:INDEX - ORDINARY COUNCIL MEETING - 26/08/09
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			ITEM NO: 01 SUBJECT:WELCOME TO COUNTRY
		01	That ** from ** be invited to delivery the Welcome to Country.
			ITEM NO: 02 SUBJECT:LOCAL GOVERNMENT PRAYER
		02	That Pastor Carl Moses from the Coastside Church, be invited to deliver the Local Government Prayer.
			ITEM NO: 03 SUBJECT:CONFIRMATION OF MINUTES
		03	That the Minutes of the Ordinary Council Meeting held on 22 July 2009 and the Minutes of the Extra-Ordinary Council Meeting held on 29 July 2009 be confirmed.
			ITEM NO: 04 SUBJECT:DISCLOSURES OF INTEREST
		04	That the disclosures of interest be presented.
			ITEM NO: 05 SUBJECT:CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING C.750.20.80
		05	That Council determine that the Attachment to Item No. 23 be considered as confidential, in accordance with Section 11(3) of the Local Government Act, for the reason listed in the report.
			ITEM NO: 06 SUBJECT:ADMINISTRATOR'S MINUTES
		06	That the Administrator's Minutes be received.
			ITEM NO: 07 SUBJECT:PUBLIC FORUM
		07	Public Forum
			26/08/2009 - Social
			ITEM NO: 08 SUBJECT:LAURIETON COMMON CONCEPT PLAN
		08	1. That Council endorses Version 3 of the Concept Plan for Laurieton Common. 2. That Council's Renaming of Reserves Policy be applied to formally name the site, proposing the name Dooragan Park. 3. That Council consider allocating

		\$9,000 in the 2010-
		ITEM NO: 09 SUBJECT:LOCAL HERITAGE ASSISTANCE FUNDING 2009-10
	09	1. That the Council endorse the Heritage Sub-Committee's funding recommendations as stated in this report. 2. That all applicants be advised in writing of Council's decision.
		ITEM NO: 10 SUBJECT:MAJOR INNES ROAD, PORT MACQUARIE - ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES.
	10	1. That compensation in the amount of \$3,000 (GST exclusive) be paid to the owners of Lot 590 Deposited Plan 754434 for the acquisition of part Lot 590 Deposited Plan 754434 more particularly identified as Lot 4 Deposited Plan 1094444. 2. That on acq
		ITEM NO: 11 SUBJECT:POLICY - CODE OF CONDUCT FOR LOCATION FILMING
	11	1. That Council's current Code of Practice for Film Production, as adopted on 5 November 2007 be deleted and replaced with the Code of Conduct for Location Filming as outlined in the Local Government Filming Protocol 2009, in accordance with the requ
		ITEM NO: 12 SUBJECT:NORTH HAVEN BEACH DRAFT CONCEPT PLAN
	12	That Council adopt the North Haven Beach Reserve & Hughes Road Reserve Concept Plan with the amendment that car parking arrangements for Hughes Road Reserve remain in the current configuration.
		ITEM NO: 13 SUBJECT:WALL RESERVE CONCEPT PLAN
	13	That Council adopt the Wall Reserve Concept Plan with the amendment that a ramp be installed to provide access from the reserve onto the breakwall rather than stairs as proposed in the concept plan.
		26/08/2009 - Governance
		ITEM NO: 14 SUBJECT:MONTHLY REVIEW OF FINANCIAL POSITION - JUNE 2009
	14	That the adjustments in the "Financial Implications" section of the report be adopted.
		ITEM NO: 15 SUBJECT:MONTHLY REVIEW OF FINANCIAL POSITION - JULY 2009
	15	That the adjustments in the "Financial Implications" section of the reported be adopted.
		ITEM NO: 16 SUBJECT:INVESTMENTS - JULY 2009
	16	That the report be received and noted.
		ITEM NO: 17 SUBJECT:QUARTERLY REVIEW OF THE 2008/2009 CORPORATE PLAN AS AT 30 JUNE 2009 Tony Leahy
	17	That the report be received and noted.
		ITEM NO: 18 SUBJECT:2008/09 CARRY-OVER PROJECTS
	18	That the adjustments outlined in the "Financial Implications" section of the report be adopted.
		ITEM NO: 19 SUBJECT:2008/09 DRAFT FINANCIAL REPORTS
	19	That the draft Financial Reports as at 30 June 2009 be signed by the Responsible Accounting Officer, the General Manager and the Administrator, as required by the Local Government Act, 1993.
		ITEM NO: 20 SUBJECT:MOTOR VEHICLE POLICY
	20	That Council's Motor Vehicle Policy adoption and ongoing review be delegated to the General Manager.
		ITEM NO: 21 SUBJECT:TENDERING POLICY REVIEW
	21	That the additions and amendments, as outlined in this report relating to the Tendering Policy be adopted and Council's Policy Register be updated accordingly.
		ITEM NO: 22 SUBJECT:TENDER T-09-14 ELECTRICAL WORKS
	22	1. That Council accept the tender from Mid Coast Telemetry for the provision of

			Programmable Logic Controller (PLC) Circuit & Process Control Design, Documentation & Commissioning for an initial period of twenty four (24) months commencing on the 1s
			ITEM NO: 23 SUBJECT:TIMBERTOWN REVIEW - COMMUNITY CONSULTATION REPORT
		23	1. That Council notes results of the Timbertown community consultation. 2. That this matter be referred to the Port Macquarie-Hastings Council Opportunities Board to review; a) The viability of operating models included in this report in order to for
			ITEM NO: 24 SUBJECT:STATUS OF OUTSTANDING REPORTS TO COUNCIL
		24	That the report be received and noted.
26/08/2009 - Environment			
			ITEM NO: 25 SUBJECT:ACQUISITION OF AN EASEMENT TO DRAIN SEWER - THRUMSTER STREET, THRUMSTER
		25	1. That application be made to the Minister for Local Government and The Governor for the compulsory acquisition of an easement to drain sewer depicted " A" in Deposited Plan 1140275. 2. That all mines and minerals be excluded from the acquisition. 3
			ITEM NO: 26 SUBJECT:T-09-12: DESIGN, SUPPLY & INSTALLATION OF POWER SUPPLY FOR THRUMSTER NO.1 SEWAGE PUMPING STATION
		26	1. That Council accept the tender of \$171,388.18 (exc GST) received from Stowe Australia Pty Ltd for the "Design, Supply & Installation of Power Supply for Thrumster No.1 Sewage Pumping Station". 2. That approval be given for the execution of the nec
			ITEM NO: 27 SUBJECT:T-09-13: TENDER FOR THE CONSTRUCTION OF SEWER RISING MAIN AREA 13, CHAINAGE 00M TO 650M & CHAINAGE 1820M TO 2100M (ZONES PART 1 & 2)
		27	That Council reject all tenders received for Tender T-09-13, and utilise its own day labour force to construct Area 13 sewer rising main from chainage 00m to 650m and chainage 1820m to 2100m (Zones part 1 & 2).
			ITEM NO: 28 SUBJECT:PLANNING PROPOSAL - HASTINGS LEP 2001 ANOMALY
		28	That Council prepare a planning proposal under Part 3 of the Environmental Planning & Assessment Act 1979 (as amended) to clarify the application of definitions in Clause 9 of Hastings LEP 2001.
26/08/2009 - Economic			
			ITEM NO: 29 SUBJECT:PORT MACQUARIE AIRPORT MASTER PLAN 2009 DISCUSSION PAPER - CONSULTATION REPORT
		29	That Council notes the feedback received from the community and airport stakeholders in response to the Airport Master Plan Discussion Paper, and gives further consideration to these views in the development of the draft Master Plan 2009.

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Item 01

Subject WELCOME TO COUNTRY

Director

RECOMMENDATION

That Guy Jones from the Bunyah LALC be invited to delivery the Welcome to Country.

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Item 02

Subject LOCAL GOVERNMENT PRAYER

Director

RECOMMENDATION

That Pastor Carl Moses from the Coastside Church, be invited to deliver the Local Government Prayer.

Ordinary Council Meeting

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Item 03

Subject CONFIRMATION OF MINUTES

Director

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 22 July 2009 and the Minutes of the Extra-Ordinary Council Meeting held on 29 July 2009 be confirmed.

Ordinary Council Meeting

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Item 04
Subject DISCLOSURES OF INTEREST
Director

RECOMMENDATION

That the disclosures of interest be presented.



DISCLOSURE OF INTEREST AT ORDINARY COUNCIL MEETING

Meeting Date:
Item Number:
Subject:
.....

I, declare the following interest:

Pecuniary:
Must leave Chamber, take no part in the discussion and voting.

Non-Pecuniary - Significant Conflict:
Recommended that affected person leaves Chamber, takes no part in discussion and voting.

Non-Pecuniary - Insignificant Conflict:
Affected person may choose to remain in Chamber and participate in discussion and voting.

For the reason that:
.....

Signed: Date:
(Definitions are provided on the next page)

Definitions

(Local Government Act and Code of Conduct)

Pecuniary - An interest that a person has in a matter because of a reasonable likelihood or expectation or appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 Sections 442 and 443).

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Councillor or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter.

(Section 451)

Non-Pecuniary - A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, Council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in Section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

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Item 05

Subject CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Director / GENERAL MANAGER: ANDREW ROACH

In accordance with the provisions of Sections 11(3) and 10A(2) of the Local Government Act 1993, a confidential attachment has been submitted to the Ordinary Council Meeting.

RECOMMENDATION

That Council determine that the Attachment to Item No. # be considered as confidential, in accordance with Section 11(3) of the Local Government Act, for the reason listed in the report.

Discussion

The following confidential attachment has been submitted to the Ordinary Council Meeting:

Item No:	22
Subject:	TENDER T-09-14 ELECTRICAL WORKS
Attachment Description:	Evaluation Analysis Report
Confidential Reason:	<i>Relates to information that would, if disclosed, prejudice the commercial position of the person who supplied it.(Local Government Act, Section 10A(2)(di)).</i>
Item No:	26
Subject:	T-09-12: DESIGN, SUPPLY & INSTALLATION OF POWER SUPPLY FOR THRUMSTER NO.1 SEWAGE PUMPING STATION
Attachment Description:	Evaluation Report
Confidential Reason:	<i>Relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business. (Local Government Act, Section 10A(2)(c))</i>

Item No: 27
Subject: T-09-13: TENDER FOR THE CONSTRUCTION OF SEWER RISING MAIN AREA 13, CHAINAGE 00M TO 650M & CHAINAGE 1820M TO 2100M (ZONES PART 1 & 2)
Attachment Description: Tender Comparison Schedule
Confidential Reason: *Relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business. (Local Government Act, Section 10A(2)(c)).*

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Item 06

Subject ADMINISTRATOR'S MINUTES

Director

RECOMMENDATION

That the Administrator's Minutes be received.

Ordinary Council Meeting

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Item 07
Subject PUBLIC FORUM
Director

RECOMMENDATION

That Council consider the requests to address the Public Forum.

Social

Meeting Date: 26/08/2009 - Social

Item 08

Subject LAURIETON COMMON CONCEPT PLAN

Director LESLEY ATKINSON (CCD)

To report to Council the outcomes of Community Participation activities undertaken in the development of a concept plan for improvement works to Laurieton Common.

RECOMMENDATION

- 1. That Council endorses Version 3 of the Concept Plan for Laurieton Common.**
- 2. That Council's Renaming of Reserves Policy be applied to formally name the site, proposing the name Dooragan Park.**
- 3. That Council consider allocating \$9,000 in the 2010-2011 budget process to undertake pre construction planning for new car parking works as per Version 3 of the concept plan.**
- 4. That Council consider allocating \$60,000 in the 2011-2012 budget process to undertake construction of new car parking works as per Version 3 of the concept plan.**
- 5. That the wording proposed by the Camden Haven Chamber of Commerce for historical and contemporary interpretation plaques for the site be adopted by Council.**

Discussion

Laurieton Common is Council owned operational land known as Lot 2 Section 17, DP 758603. The site is zoned 3(a) General Business and comprises 2023m² of land located on the corner of Bold and Laurie Street, Laurieton. The site forms part of a distinctive heritage and civic precinct for Laurieton being located opposite the state heritage listed Laurieton School of Arts Building, Council Office and Library and east of the Plaza Theatre Building.

The former church building on the site is listed as a local heritage item in the Hastings Local Environment Plan (LEP) 2001. This 110 year old timber clad/metal roof structure has an area of 109m² and is currently leased to the Camden Haven Band. A small hall on the site was demolished by Council in 2007 as the 122 year old timber structure had reached the end of its life span. The building represented a potential risk to Council due to its age, poor condition and safety concerns.



LauCommonLocation.pdf



LauCommon_fromBoldSt.pdf

Background

In October 2002 a public meeting was held in Laurieton to discuss the creation of a publicly owned cultural and heritage reserve on land formerly owned by the Anglican Church in Laurieton (now known as Laurieton Common). A committee was formed as a result of the meeting with the aim of securing the site in public ownership so it could host a range of small-scale cultural, educational, recreational and heritage activities. The Committee was known as the Holy Trinity Property Steering Committee (Steering Committee).

The Steering Committee undertook a range of activities over a number of years including conducting community surveys, developing a concept plan and draft management plan for the reserve and lobbying for the acquisition of the site. A key function of the Steering Committee was the coordination of a community fund raising effort that yielded \$75,000 towards the sites' purchase by Council. With this community assistance Council then finalised the purchase of the site in November 2005.

Development of Concept Plan



LauCommonConceptPlan2003.pdf

With the site secured in public ownership the Steering Committee formally wound up its operations in late 2006. Council then used the concept plan developed by the Steering Committee as a basis to develop a formal concept plan in November 2006. The plan was developed by Council's Landscape Designer in consultation with a number of stakeholders. See attached Version 1.



LauCommonConceptPlan_V1.pdf

Version 1 went out for community participation from 20th December 2006 until 28th March 2007. A number of strategies were implemented to facilitate community participation including:

- Newspaper insert in the Camden Haven Courier displaying the plan and inviting feedback
- Exhibition of the plan in key community buildings in Laurieton such as the Library, Bi Lo Supermarket and Council Administration Building
- Exhibition of the plan at significant community events such as the Camden Haven Music Festival and Camden Haven Show
- Establishment of a Community Reference Group

A total of 70 submissions were received on a variety of issues. These submissions are summarised in the attachment below.



LauCommonConsultResultsMay07.pdf

The Community Reference Group then considered this feedback and recommended a number of changes to the plan, which included:

1. Moving the formal entrance west to the Laurie Street side of the reserve
2. Relocation of the existing bell tower combined with interpretative plaques to the formal entrance area

3. Reduction in size of the proposed community building from approximately 250m² to 187m² to maintain the openness of the reserve and the significance of the former church building
4. Inclusion of a loading bay to service the new community building
5. Incorporation of additional car parking on the Laurie Street rather than Bonser Lane
6. Removal of the public art feature on the eastern side of the reserve
7. Inclusion of additional seating
8. New trees to be of native variety rather than Norfolk Island Pines

An external Landscape Architect was then engaged to work with the Community Reference Group and the results of submissions to further develop the plan.

This resulted in Version 2 of the plan being developed in October of 2007, attached below.



LauCommonConceptPlan_V2.pdf

Version 2 was placed on public exhibition from 7th December 2007 until 21st March 2008. A number of strategies were implemented to facilitate community participation including:

- Newspaper insert in the Camden Haven Courier displaying the plan and inviting feedback
- Exhibition of the plan in key community buildings in Laurieton such as the Library, Bi Lo Shopping Supermarket and Council Administration Building
- Exhibition of the plan on Council's website

A total of 12 submissions were received on a variety of issues. These submissions are summarised below.

Name	Comments
Robert Nixon	Alcohol Free Zoning Community Building to be sound proofed Lighting to be sympathetic to residents
Endel Lane	Retention of Camphor Laurel
Ian Ferguson	Loading bay to be redesigned - catering for small trucks Provision of Parking in Bosner Lane Vehicular access to open area required Indigenous themed public art and name Timber plinth for heritage/recognition plaque Retention of Camphor Laurel Disagreement with removal of old school hall
Joan Lusk	Suggestion of reverse angle parking Provision of bike racks
Anonymous	Tree(s) in the centre of open space
Anonymous	No individual listing of donors for site purchase on plaque
Anonymous	Provision of enclosed children's playground
B. Sole	Increase size of community building
N. Seltin	No plaque to recognise fund-raising contributions Plaque for WW1 soldiers Retention of Camphor Laurel Why is there a need for a fence on Bold Street?

	Rather see improvement of Apex Park
Anonymous	Recognition of Biripai traditional land owners on plaque Use of Indigenous artists for Indigenous art
Joy Ward	Suggestion for types of native plants
Camden Haven Concert Band	Community Building too small

The results of these submissions were considered by the Community Reference Group on 20th April 2008. This resulted in a number of changes being made to the plan, including:

1. Inclusion of additional parking in Bonser Lane including scooter and bike parking
2. Change of parking orientation in Laurie Street from 90 degree reverse to reverse angle parking
3. Removal of south western bench seat to allow for vehicular access to open space
4. Removal of heritage style fence from Bold Street frontage
5. Removal of pedestrian refuge in Laurie Street based on feedback from Local Traffic Committee

This resulted in Version 3 of the plan being developed in November 2008, attached.



[LauCommonConceptPlan_V3.pdf](#)

There are a number of possibly contentious design issues in the concept plan for the development of the site, which are discussed below.

Loading Bay

One issue to emerge through the participation process was the need to facilitate the loading and unloading of equipment used for community events from small/medium sized trucks. Examples of such events include the Camden Haven Music Festival and annual Christmas Carols by Candlelight. A number of investigations were undertaken by Council's Technical Services section regarding the redesign of the loading bay in as shown in Version 2 to allow small/ medium trucks to service the site without the need to reverse in or out.

These investigations resulted in a number of loading bay design options that involved moving the proposed new community building to the east to allow for a loading bay to be located off Bonser Lane. However the consensus of Council staff and the Community Reference Group was that these loading bay options were not viable because they led to the reduction of open space and to an increased area of hard surfacing. The increase in concrete/road was assessed to have a negative effects on the sites appearance and functionality as public open space.

Therefore a compromise was developed to reinstate the parking in Bonser Lane which will provide additional car parking and enable servicing of the site by small to medium sized trucks for the one or two major events per year the site hosts. This can be achieved by closing Bonser Street parking spaces to the general public so it can be used as a loading bay during the set up and pack down times for these major community events.

Size of Community Building

Currently the Camden Haven Concert Band (Band) leases the former church building on Laurieton Common. In the period before and after the site acquisition there appears to be a widely accepted view that the Band would use the former church building and any new building would then primarily become a "home" for the Band. In addition any new building would provide a venue for general community use when not required by Band. This type of building is in keeping with the Community's vision for the creation of a community cultural facility and park on the site.

In order to facilitate this vision Council has made provision in the *Port Macquarie-Hastings Community, Cultural and Emergency Services Development Contributions Plan 2005* (Contribution Plan) for a Camden Haven Cultural Precinct Building with 34% of the cost of the facility to be contributed through the Contribution Plan.

The initial size of the proposed community building was approximately 250m². When the footprint of the building was marked out on site it became apparent that the reserves open space was significantly reduced and that the proposed new building was almost 2.5 times the size of the former Church building (110m²) and significantly bigger than the old school hall (170m²) demolished in 2007. Given the imperative to retain as much open space as possible and the need to maintain the primacy of the former church building it was decided to reduce the proposed new community building to an area 187m², consisting of a 139m² main building and 48m² verandah that could be used as a performance space for community events.

The provision of this new community building is forecast for 2013 in the Contribution Plan. However given the dramatic downturn in section 94 developer contributions in recent times it is possible that this may occur sometime after 2013. When the timing of the building becomes clearer a detailed architectural brief will be developed to produce a specific concept plan for the building. Then a number of community participation strategies can be implemented to elicit community involvement regarding the building's specific design.

Removal of Camphor Laurel

This proposal has produced considerable feedback. The tree in question is one of 151 trees (mostly pines and laurels) planted throughout Laurieton in August 1916 to honour those who enlisted in the World War One (WW1) Australian Defence Forces. It is reported that Laurieton was the first town in the Commonwealth to plant such memorial trees. There are approximately 30 of these trees surviving, such as the tree on Laurieton Common and another on the corner of Laurie and Bold Streets outside the School of Arts Building.

The removal of the existing Camphor Laurel tree located on the north of the site has been proposed to facilitate a number of design outcomes, including:

- Opening up what could be considered a relative small site
- Allow for the clear demarcation of the entrance of Laurie Street
- Provide space for the provision of new street trees on the northern edge of the site

On clarification of the trees significance Council wrote to the Camden Haven Historical Society and the Laurieton RSL Sub-Branch proposing that should the tree be removed, a plaque would be erected near the tree outside of the Laurieton School of Arts detailing why the tree was planted. Currently there is no similar historical interpretation of any of the remaining trees. The history of the trees is not widely known in the community.

The Camden Haven Historical Society and the Laurieton RSL Sub-Branch provided written endorsement of this approach.



LauCommonRSLtree07.pdf



LauCommonHistoricSoctree07.pdf

Council's Heritage Advisor in his report 31 July 2007 did not endorse the removal of the Camphor Laurel tree and installation of recognition plaque at that time and stated that, "The tree should be incorporated into the proposed planting scheme until there is some established planting around it".

It is proposed that the Camphor Laurel be maintained until the proposed street trees are established and then an interpretative plaque be erected for the Camphor Laurel outside the Laurieton School of Arts.

Interpretative Plaques

The role of the Camden Haven Community and Steering Committee in securing the site in public ownership can not be understated. The Committee was able to generate \$89,811 in funds through Community donations of over \$50,000 and a Federal Government grant of \$25,000. On Saturday 2nd September 2006 a public meeting was called by the Steering Committee. At this meeting, attended by 60 people, the Steering Committee tabled that it had contributed \$75,587 towards the purchase of the site leaving residual funds of \$14,224.

At the meeting the Steering Committee put forward a motion implying that part of the residual funds be used to erect a commemorative plinth and interpretative plaques including the names of significant donors. This motion was lost at the meeting.

An amendment was put to this motion that the expenditure of residual money be made towards essential works on the heritage building itself. This amendment/motion was carried by the meeting.

Attached are minutes from the public meeting.



LauCommonPublicMeet020906.pdf

The residual funds have remained in trust with the Camden Haven Chamber of Commerce. Council recently applied to the NSW Heritage Office for funding to undertake capital works to replace the roof of the former church building. This application was based on the premise that the residual funds would be used by Council as an in kind contribution towards the project cost. Unfortunately Council has been unsuccessful with this application. Council is currently investigating other grant funding options for capital works to the building and recently submitted another funding application to the Australian Government Jobs Fundfunding scheme for works to the the former church buidling.

The Chamber of Commerce have proposed a set of wording for interpretative plaques in order to recognise the historical and contemporary history of the site which is attached.



LauCommonPlaqueContemp.pdf



LauCommonPlaqueHeritage.pdf

Council's Heritage Advisor has endorsed the proposed text and it is recommended that Council endorse the wording for interpretative plaques and that these plaques then be incorporated into the bell tower as proposed in Version 3 of the concept plan.

Formal naming of land known as Laurieton Common

A condition placed on the sale of the site by the Anglican Church was that the new name of the property make no reference to "Holy Trinity Church" or "Holy Trinity". As an interim measure Council Officers used the term Laurieton Common to comply with this condition of sale.

During the community participation process regarding the Concept Plan a number of submissions were received about the name of the site. These included a suggestion for a naming competition and the following specific names:

- Laurieton Green (x2)
- Trinity Green
- Trinity Park
- Memorial Park
- Dooragan (Big Brother)
- Longworth Park

Given that the European history of the site will be recognised and preserved through the provision of interpretative plaques and retention of the heritage listed church, it is proposed that the name Dooragan Park be applied to Council Renaming of Reserve Policy process, given that North Brother Mountain provides the backdrop to the site and its importance to both indigenous and non indigenous communities.

Please note that the local Aboriginal community are yet to be consulted over this specific name. If adopted by Council the name will be forwarded to the Birl Birl traditional owners group for their feedback.

Alignment With Strategic Direction

Adoption of the recommendations is aligned with Council's Social Development Focus as the project will facilitate access to a range of services and facilities, recognising the importance of social well-being and ensuring a safe, inclusive and equitable community.

Consultation

In addition to community participation strategies a number of other groups have been consulted including:

- Port Macquarie-Hastings Access Committee
- Local Traffic Committee
- Laurieton Branch RSL
- Camden Haven Historical Society

A number of sections of Council have been consulted including:

- Parks and Recreation
- Property
- Building & Waste Services
- Technical Services

Planning and Policy Impact

The improvement of the site known as Laurieton Common will help to consolidate Laurieton's cultural and heritage precinct and facilitate a range of cultural, educational, recreational and heritage activities.

No Development Application (DA) is required for landscaping or car parking works. A DA will be required for the provision of the new Community Building as per the Port Macquarie-Hastings Community, Cultural and Emergency Services Development Contributions Plan 2005. The proposed community facility is permissible under the site's 3(a) General Business zoning.

Financial & Economic Implications

Council's Corporate Plan includes the provision of \$184,849 in 2010-2011 for landscaping works as Stage 1. Stage 2 will involve the provision of new car parking for the site. The cost of car parking pre construction works is \$9,000 with construction estimated at \$60,000. It is recommended that provision be made in 2010-2011 budget for an additional 9,000 for pre construction works and that \$60,000 be allocated in 2011-2012 for construction of car parking.

Options

1. Council can choose not to endorse the Plan and conduct further community participation.
2. Council can choose to select another name for the Renaming of Reserves Policy process.

Social

Meeting Date: 26/08/2009 - Social

Item 09

Subject LOCAL HERITAGE ASSISTANCE FUNDING 2009-10
Director LESLEY ATKINSON (CCD)

Applications for Financial Assistance under Hastings Local Heritage Assistance Fund

RECOMMENDATION

1. That the Council endorse the Heritage Sub-Committee's funding recommendations as stated in this report.

2. That all applicants be advised in writing of Council's decision.

Discussion

Since August 1998, Council has run a very successful Heritage Assistance Fund with the assistance of matching funding from the Heritage Branch of the NSW Department of Planning. The programme aims to encourage work on heritage items, ie those identified in Hastings LEP 2001. Projects eligible are those involving repair, maintenance or re-instatement of missing items to heritage-listed buildings.

Since its establishment, the Local Heritage Assistance Fund has assisted the owners of thirty - eight (38) items by providing more than \$137,000 in financial assistance to undertake works with a total value of more than \$464,763.62

At the close of applications on 6 August 2009 for the current financial year, Council had received eight (8) applications.

The major criteria that the Committee uses for allocating funding is to provide assistance to those items where work is visible to the public, therefore generally work of an external nature. The Committee also considers the structural need, so importance is placed on roofing, guttering and downpipes and damaged brickwork, weatherboards and windows. Other considerations include weather protection and public safety.

Council's Heritage Advisor has assessed the applications received, and using the above criteria and his knowledge of the properties, made the following funding recommendations to the Heritage Sub Committee.



LHAF09_10Recos.pdf

Alignment With Strategic Direction

Aligns with Social Development direction of Council - A community where people have good access to facilities and services, feel secure, involved and can work together to deal with local issues.

Consultation

Consultation has taken place with Council's Heritage Advisor and Heritage Sub - Committee in writing this report.

Planning and Policy Impact

There are no impacts on Council's Planning and Policies.

Financial & Economic Implications

Council has allocated \$7,500 which is matched \$/\$ by the Heritage Branch of the NSW Department of Planning, in this year's financial budget.

Options

Council has the option of:

1. Approving funding to all projects as recommended in this report.
2. Approving funding to some of the projects listed in this report.
3. Varying the funding proposed for some or all of the projects.

Social

Meeting Date: 26/08/2009 - Social

Item 10

Subject MAJOR INNES ROAD, PORT MACQUARIE - ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES.

Director TONY LEAHY (CBS)

A report to consider the acquisition of land for road widening purposes on Major Innes Road.

RECOMMENDATION

- 1. That compensation in the amount of \$3,000 (GST exclusive) be paid to the owners of Lot 590 Deposited Plan 754434 for the acquisition of part Lot 590 Deposited Plan 754434 more particularly identified as Lot 4 Deposited Plan 1094444.**
- 2. That on acquisition, Lot 4 Deposited Plan 1094444 be dedicated as public road.**
- 3. That the Common Seal of Council be affixed to:**
 - a. Contract for the Sale of Land / Deed of Acquisition**
 - b. Land and Property Information Transfer Form**

Discussion

Council has been progressively acquiring land along Major Innes Road to facilitate its eventual widening. There remains one parcel of land to be acquired in order to complete the land acquisition component of the project. The land to be acquired forms part of Lot 590 Deposited Plan 754434 and is shown highlighted red in the plan below.



In March 2006, Deposited Plan 1094444 depicting all the lands along Major Innes Road to be acquired as part of the road widening project, was registered by Land and Property Information. Lot 4 Deposited Plan 1094444 as depicted in the plan above comprises an area of 259m².

Alignment With Strategic Direction

The acquisition of Lot 4 Deposited Plan 1094444 will allow the infrastructure works associated with the road widening to commence. The road widening will provide for the safe movement of vehicles and pedestrians along Major Innes Road.

Consultation

There has been consultation with the owners of the land to be acquired as well as consultation with Council's consulting surveyor, Council's consulting valuer, and consultation with Council's Technical Services staff.

Planning and Policy Impact

There are no planning and policy impacts.

Financial and Economic Implications

Compensation is payable by Council to the owners of Lot 590 Deposited Plan 754434 for the acquisition of that part of their land required for road widening. Council's consulting valuer has assessed fair compensation for the acquisition of Lot 4 Deposited Plan 1094444 in the amount of \$3,000 (GST exclusive). An offer of compensation in this amount has been made to the landowners who have now provided their written acceptance of the offer.

There is funding in the 2009-10 Management Plan to meet the acquisition costs.

Options

Given Council's prior acquisitions of land along Major Innes Road, and given the acceptance of the offer of compensation by the landowner, the acquisition is recommended to Council.

Social

Meeting Date: 26/08/2009 - Social

Item 11

**Subject POLICY - CODE OF CONDUCT FOR LOCATION FILMING
Director (ACTING) JEFFERY SHARP (INFRA)**

Legislative changes require our current policy document to be replaced.

RECOMMENDATION

- 1. That Council's current Code of Practice for Film Production, as adopted on 5 November 2007 be deleted and replaced with the Code of Conduct for Location Filming as outlined in the Local Government Filming Protocol 2009, in accordance with the requirements of the NSW Department of Local Government.**
- 2. That Council's Code Register be updated accordingly.**

Discussion

The Local Government Filming Protocol 2009 was developed following amendments in June 2008 to the Local Government Act 1993. The legislative changes build on the reforms implemented by the government in 2000, which introduced a single application system for council approvals related to filming. The changes also allowed for the development of a Local Government Filming Protocol under the Act.

The Local Government Filming Protocol 2009 reflects the significant changes arising from these reforms. Councils are now to ensure that requests for location film productions are able to occur, unless there are exceptional circumstances, or legislation requires the council to refuse to grant the approval. Also, local councils are to comply with this revised filming protocol when determining applications or setting fees.

The Code of Conduct for Location Filming, as adopted by the screen industry and NSW Film and Television Office, is contained within the protocol. Filmmakers and crews are obliged to comply with the code of conduct which forms part of any approval issued by councils to filmmakers.

The legislation and protocol, which came into force on 30 June 2009, are binding on councils and will be revised by the Department of Local Government after two years of operation.

The Local Government Filming Protocol 2009 is attached for your information.



LG_FilmingProtocol09.pdf

The proposed Port Macquarie Hastings Council Code of Conduct for Location Filming as outlined in the protocol is attached separately below.



CodeConductLocationFilming09.pdf

Alignment With Strategic Direction

Adoption of this protocol aligns with the Social focus of Council in allowing the use of open space for use by various film productions.

Consultation

The replacement of Port Macquarie-Hastings Council's Code of Practice with the Code of Conduct for Location Filming is necessary to comply with the directive from the Department of Local Government.

Consultation has taken place with Screenlinks, the NSW regional screen office for the Mid North Coast and Armidale regions.

Planning and Policy Impact

Adoption of this revised policy will require modifications to the Policy register as highlighted. No other planning or policy impacts will be generated by adoption of this modified protocol.

Financial & Economic Implications

None

Options

Under the legislation, Councils may adopt an alternative policy, however such a policy must be approved by the Director-General of the Department of Local Government.

Social

Meeting Date: 26/08/2009 - Social

Item 12

Subject NORTH HAVEN BEACH DRAFT CONCEPT PLAN
Director (ACTING) JEFFERY SHARP (INFRA)

This report discusses the feedback generated through community participation regarding proposed improvement works for North Haven Beach Reserve and Hughes Road Reserve.

RECOMMENDATION

That Council adopt the North Haven Beach Reserve & Hughes Road Reserve Concept Plan with the amendment that car parking arrangements for Hughes Road Reserve remain in the current configuration.

Discussion

This matter was deferred from the May 2009 Council meeting to allow the Administrator time to gain a greater understanding of the issues and talk further with Mrs Hardy and other interested parties.

Draft Concept Plans for North Haven Beach Reserve & Hughes Road Reserve

The draft concept plan for North Haven Beach Reserve proposes to increase the area of available open space, improve landscaping within the site, improve pedestrian safety through the reserve, and to alter traffic flows through the site.

An increase in the open space area would be achieved by altering the upper level car park configuration. This would allow for additional recreational infrastructure to be installed between the car park and the back of the dunes.

The draft concept plan also proposes the installation of traffic calming devices and vehicle bollards and changing the traffic flows to one direction which will allow for safer pedestrian movement through the site to the beach.

The draft concept plan for Hughes Road Reserve proposes to reduce the number of car parking spaces to increase the open space area within the reserve. The plan proposes to provide additional nose in car parks along Hughes Road as an offset for the reduction in the size of the car park. The plan also proposed to provide additional picnic facilities within this reserve.

Following the May 2009 Council meeting, a revised carparking plan has been developed which is attached for information. Modifications to the plan include 90° Parking at the beach as opposed to the previous plan of angled parking in the "top" carpark area.



NorthHavenBeach.pdf

Community Participation

The draft concept plan was on public exhibition for 24 days between 8 April & 1 May 2009.

Key stakeholders including the Camden Haven Surf Life Saving Club, Camden Haven Chamber of Commerce, Camden Haven Protection Society, the Department of Lands and the Department of Environment and Climate Change were also informed of these plans and were invited to make submissions.

A total of 10 submissions were received regarding the North Haven Beach Reserve draft Concept Plan. The two key issues raised in the submissions were the proposed reduction in the size of the Hughes Road Reserve car park and the format changes to North Haven Beach Reserve car park.

Of the submissions five were against the proposed changes to the North Beach Reserve car park, while four were in support of the proposed alterations. The submissions against this proposal related to the loss of seven car parking spaces within the upper level, and the confusion that would be created by having different parking configurations within the car park. This has now been addressed by the modified parking arrangement contained in this report.

A total of five submissions were against the proposed changes to the Hughes Road Reserve car park, while one submission supported the proposed changes.

Alignment With Strategic Direction

Social:

To facilitate access to a range of services and facilities, recognising the importance of social well-being and ensuring a safe, inclusive and equitable community.

Environmental:

To protect and enhance environmental values and provide for sustainable growth and development.

Consultation

Further consultation has been undertaken with Camden Haven Surf Life Saving Club representatives concerning the revised carparking layout. The representatives undertook to provide the Administrator with their comments on the revised plan.

Consultation was also undertaken with Technical Services staff regarding comments made in the submissions about the proposed car parking layout for North Haven Beach Reserve. They advised that car park designs usually contain one parking configuration, however it is acceptable to contain more than one. Technical Services staff advise that it is possible to change the lower car parking configuration to match the upper level if users are confused by the different configurations.

Consultation was undertaken with Camden Haven Surf Life Saving Club representatives who advised that the lower level of the car park receives little use outside of peak use periods, and on this basis the reduction in the number of parks in the upper level of the car park will not have a major impact on the use of this area. There is potential for the provision of additional car parking spaces along Hughes Road if required.

Planning and Policy Impact

The draft concept plan is aligned with Council's Plan of Management - Parks.

The provision of an equal access pathway onto North Haven Beach is aligned with the draft DDA Action Plan 2009-2013.

Financial & Economic Implications

\$90,000 was included in the 2008/09 budget to undertake Stage 1 of the works included in the draft Concept Plan.

The Department of Environment & Climate Change have also contributed \$90,000 of grant funding in 2008/09 for Stage 1 of these works.

These funding allocations have been carried over into 2009/10 awaiting resolution of this item.

Options

Council has the option of not adopting the recommendation of this report and leaving the status quo in place. This is not considered the ideal outcome in this instance as improvements detailed in the Concept plan will benefit the broader community.

Social

Meeting Date: 26/08/2009 - Social

Item 13

Subject WALL RESERVE CONCEPT PLAN
Director (ACTING) JEFFERY SHARP (INFRA)

RECOMMENDATION

That Council adopt the Wall Reserve Concept Plan with the amendment that a ramp be installed to provide access from the reserve onto the breakwall rather than stairs as proposed in the concept plan.

Discussion

This matter was deferred from the May 2009 Council meeting to allow the Administrator time to gain a greater understanding of the issues and talk with Mrs Hardy.

Current Situation

Wall Reserve is located in North Haven adjacent to the Camden Haven River. The reserve consists of parkland and bushland open space areas.

The tree population within the reserve has reached an age and condition that has seen the increase in branch drop and some tree failures. The failures have become more frequent and more significant in recent times.

In 2005 Councils Tree Management team conducted a full tree survey and audit. Of the 254 trees audited 174 were found to have a Safe Useful Life Expectancy (SULE) of less than 5 years and 54 had a SULE of between 5 and 15 years. Tree Management staff reported that the extent of limb failure was expected to continue and increase in frequency as the trees continued to age, which has proven to be the case. This has resulted in an increase in the amount of time Parks maintenance staff have spent in Wall Reserve in recent years following storm events.

During the survey Tree Management staff noted that many of the trees were hollow bearing trees which were potential habitat for threatened species. Due to the number of hollow bearing trees captured in the audit, Darkheart EcoConsultancy was subsequently engaged to provide an ecological report on fauna in the reserve. The results of the survey suggest the site offers value to at least 5 species classified as threatened under the *Threatened Species Conservation Act* (1995), namely the Squirrel Glider, Grey-Headed Flying Fox, Little Bent-Wing Bat, Eastern Freetail Bat and Glossy Black Cockatoo. The Grey-Headed Flying Fox is also listed as vulnerable under the *Environment Protection and Biodiversity Conservation Act*. Darkhearts report also suggested that the site offers considerable value to a diverse range of other fauna, especially birds, many of which were nesting and rearing young at the time of the survey.

Of particular significance was the detection of a Squirrel Glider breeding group and the possibility of a Glossy Black Cockatoo pair utilising the site for nesting. Both species are considered sensitive to the removal of key habitat components, specifically tree hollows for denning and nesting.

The recommendations of the Darkheart Report were to:

- retain all tree hollows on the reserve to service the detected fauna assemblage
- lop dangerous limbs off threatening trees if required
- regenerate with dry sclerophyll forest species (e.g. Allocasuarinas) to improve habitat values.
- plant more trees to increase linkages to adjacent Crown land
- replant cleared areas with Winter flowering Coastal Banksia to replace senescent trees
- undertake strategic urban bushland management of the narrow link to the east
- consider fencing the bushland area.

Ethos NRM was engaged by Council's Natural Resources section in 2008 to undertake a review of a number of reserves in the area. This document, which is currently in draft form, recommends that the proposed revegetation area within the draft concept plan should be managed as bushland as it provides habitat for gliders.

Council's Insurer, Statewide Mutual undertook a site inspection on 11 September 2008 and provided risk management advice regarding the safety and potential public liability arising from trees within the proposed revegetation area. Statewide Mutual provided a number of management options including:

- Remove existing signage and provide specific signage for the at-risk area
- Provide delineation between the at-risk area and the areas that remain acceptable for use
- Inform the community why measures are being taken
- Remove all picnic and barbecue structures from the area
- consider fencing the bushland area.

Wall Reserve draft Concept Plan

The Wall Reserve draft Concept Plan proposes to define and enhance revegetation areas, provide an equal access children's playspace, and improvements to landscaping. The plan also includes a set of steps to provide access to the breakwall from Wall Street to replace the ramp that was removed earlier this year due to safety concerns.

There are essentially two key areas within the Wall Reserve plan, the parkland area between Edith Street and Leighton Close, and the treed area west of Leighton Close. The idea behind the plan is to significantly improve the recreational opportunities and visual aesthetics within the parkland area.

The revegetation area within Wall Reserve has been proposed to incorporate recommendations made by Darkheart EcoConsultancy, Ethos NRM and Statewide Mutual in respect to the area of bushland.

Whilst a fence around the entire area was considered an option to minimise risk, Council Officers preferred to provide pedestrian access through the site on maintained accessways to allow local residents to safely move through the site.



WallReserveConceptPlan.pdf

Community Participation

The draft concept plan was on public exhibition for 24 days between 8 April & 1 May 2009.

Key stakeholders including the Camden Haven Chamber of Commerce, Camden Haven Protection Society, the Friends of Grants Beach, and the Department of Lands were also informed of these plans and were invited to make submissions.

A total of 38 submissions were received regarding the Wall Reserve draft Concept Plan. The two key issues raised in the submissions were the proposed revegetation area and the installation of stairs onto the breakwall near Wall Street.

Of the submissions, 25 proposed that a ramp be installed to provide access from the reserve onto the breakwall rather than stairs as proposed in the draft concept plan.

There were 8 submissions that supported the proposed revegetation area, two of these submissions were from key stakeholders, namely the Camden Haven Protection Society and the Friends of Grants Beach.

Alternatively, 11 submissions received were against the establishment of the revegetation area. The issues raised in these submissions included:

- the proposed revegetation area poses a fire risk to adjacent properties
- the revegetation area will become a haven for vermin
- the proximity of the revegetation area to the playground increases the likelihood of children being bitten by snakes.
- the revegetation area will not be maintained and that weeds species will dominate the area.

It should be noted that a large number of childrens playgrounds in the LGA are located adjacent to bushland areas. To date there have been no documented snake bites within childrens playgrounds in Council's parks and reserves, and that vermin are a natural occurrence and will provide a source of food for other species of fauna in the area.

There were also 2 submissions in general support of the overall draft concept plan.

Consultation

Further consultation has been undertaken with internal stakeholders, namely Natural Resources and Insurance staff regarding the draft concept plan.

It was raised in submissions that the revegetation area will not be maintained and that weeds species will dominate the area. Natural Resources staff have advised that the revegetation area will be actively managed by bush regenerators.

Ethos NRM and Darkheart Ecoconsultancy have been consulted regarding the ecological issues associated with Wall Reserve.

In relation to the perceived risks regarding bushfire, Parks & Recreation staff have consulted with the NSW Rural Fire Service on this matter and have been advised that the area is not a bushfire risk at this point in time. The roadway acts as a 20 metre Asset Protection Zone between the proposed revegetation area and residents of The Parade. The *Bushfire Assessment Code* states that the maximum distance required as an Asset Protection Zone is 20 metres. On this basis the proposed revegetation area does not pose a bushfire risk to adjacent properties.

Alignment With Strategic Direction

Social:

To facilitate access to a range of services and facilities, recognising the importance of social well-being and ensuring a safe, inclusive and equitable community.

Environmental:

To protect and enhance environmental values and provide for sustainable growth and development.

Planning and Policy Impact

The draft concept plan is aligned with Council's Plan of Management - Parks.

The provision of an equal access play facility in the Camden Haven is aligned with the draft DDA Action Plan 2009-2018.

Financial & Economic Implications

\$40,000 was included in the 2008/09 budget to undertake revegetation and reserve improvement works. No allocation currently exists in the 2009/10 budget for the revegetation and reserve improvement works. Adoption of the recommendation may require reprioritisation of the Parks and Recreation works program to allow the project to continue.

\$50,000 is included in the draft 2009/10 Corporate Plan to allow for play facility upgrade and associated improvements.

The Department of Lands have confirmed that they will financially contribute to the construction of the ramp near Wall Street.

Options

Council has the option of not adopting the recommendation as presented. This is not supported by Council Officers however as by continuing to maintain the proposed bushland area as parkland, a significant ongoing drain on Council resources will be realised in the tree management area due to the current condition of the trees and the significant risk they pose to the public using this open space.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 14

Subject MONTHLY REVIEW OF FINANCIAL POSITION - JUNE 2009

Director TONY LEAHY (CBS)

Each month Council's budgets are reviewed by Managers and Directors and any required adjustments are reported.

RECOMMENDATION

That the adjustments in the "Financial Implications" section of the report be adopted.

Discussion

The final monthly review for the financial year 2008/09 forecasts an interim deficit for general fund of \$176,285. Whilst this is a \$117,581 deterioration over the May forecast the overall outcome for the year is pleasing considering forecasts of large deficits earlier in the year (\$785k as at December 08).

This report represents an interim result based on the actuals achieved by each section of Council for the financial year 2008/09 including the majority of required overhead allocations. There are a number of end of year accounting processes still underway that may affect the ultimate operating result on a consolidated basis. The final result published is therefore likely to vary from the interim figure stated in this report.

Commentary on Key Variance Items

The primary reason for the improvement from early forecasts is the deferral or cancellation of a number of civil infrastructure projects in the May review, and reductions in operating expenditure identified through the financial review process that was undertaken late in 2008.

The majority of line item adjustments merely reflect changes to match budgets to the actual income, expenditure or overhead cost results that were achieved as at the 30th June. Included in the report are a number of large surpluses in various sections including street lighting. This budget was increased in the July monthly review to cover an expected increase in electricity prices which, as at balance date, hadn't fully flowed through.

In the Development & Environment division, Competitive Services' final income amount was down \$277k on previous forecast.

Several very large adjustments in the Sewer fund represent deferrals of certain projects to the subsequent financial year. Water and Waste Management both achieved operational surpluses with Sewer recording a minor operating loss.

Consultation

Consultation in this matter has occurred across each division and section with input from the General Manager, Directors and Managers.

Planning and Policy Impact

Nil

Financial & Economic Implications

Attached below for information are the following reports:

1. Each individual change by division and program.
2. Major Projects Report



AdjustmentsJune2009.pdf



2008_09MajorProjectsJune.pdf

Chief Financial Officer Statement

Whilst this is a \$117,581 deterioration over the May forecast the overall outcome for the year is pleasing considering forecasts of large deficits earlier in the year (\$785k as at December 08). Council Finance staff have a degree of optimism that the remaining year end accounting procedures may identify further opportunities to improve the ultimate annual result.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 15

Subject MONTHLY REVIEW OF FINANCIAL POSITION - JULY 2009

Director TONY LEAHY (CBS)

Each month Council's budgets are reviewed by Managers and Directors and any required adjustments are reported.

RECOMMENDATION

That the adjustments in the "Financial Implications" section of the reported be adopted.

Discussion

The 2009/10 Corporate Plan forecasts a deficit for the 2009/10 financial year of \$1,005,286. The July monthly review has seen a number of budget adjustments but the overall general fund deficit has remained unchanged.

Commentary on Key Variance Items

The primary change in the July review is the consolidation of various sectional advertising budgets into one centralised budget under the Communications section. This is to cover the new Council advertising page in local papers.

Budget funds from savings made within the Administrators section have been transferred to fund the 2030 Strategic Planning process, an increase in the organisational development (training) budget and the purchase of a corporate stage & marquee.

The reimbursement of programme charges received from the Rural Fire Services is greater than expected. This has been transferred to cover increased electricity and insurance costs for the fire brigades and to cover part of the new contribution that Council has to make to the State SES. Once the final cost of the SES contribution is known a final adjustment to this budget will be required.

Council has received various other grants/contributions that need to be recognised along with the expenditure budget for these funds, the net budget impact of these is nil.

A number of other sections have adjusted budget allocations within overall budget limitations for that section (no net impact).

Consultation

Consultation in this matter has occurred across each division and section with input from the General Manager, Directors and Managers.

Planning and Policy Impact

Nil

Financial & Economic Implications

Attached below for information are the following reports:

1. Each individual change by division and program.
2. Major Projects Report



AdjustmentsJuly2009.pdf



2009_10MajorProjectsJuly.pdf

Chief Financial Officer Statement

At this stage there is no change to the forecast from the deficit published in the annual Corporate Plan. Council staff will need to use the rest of the financial year to find further savings to reduce the \$1m budget deficit.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 16

Subject INVESTMENTS - JULY 2009

Director TONY LEAHY (CBS)

Investment management performance for the month of July 2009.

RECOMMENDATION

That the report be received and noted.

Discussion

This report provides details of all funds that the Council has invested under Section 625 of the Local Government Act, for the period of July 2009.

All investments were made in accordance with the Act, Regulations and Council's Investment Policy.

Developments

- During the month there was an important precedent decision in the English High Court. Council staff are cautiously optimistic that the decision may lead to eventual recovery of the collateral from council's Miami CDO (\$3m). The decision Perpetual Trustee Company Limited ("Perpetual"), acting in its capacity as trustee for retail investors, obtained is to the effect that certain provisions which allow for the subordination of the rights or beneficial entitlements of Lehman Brothers Special Financing Inc. ("LBSF") on its bankruptcy or default are valid and effectual under English law. The action, which is called *Perpetual Trustee Company Limited v BNY Corporate Trustee Services Limited and Lehman Brothers Special Financing Inc.*, has been closely monitored by market participants given its potentially far-reaching significance to similar CDOs and other derivative transactions. The decision confirms that provisions in contracts governed by English law that subordinate the rights or beneficial entitlements of the swap counterparty on an insolvency or other default will not generally be prohibited by English law. The validity of provisions such as these as a matter of US law has yet to be determined by the US courts and is presently the subject of litigation in the US. Leave to appeal has been granted.

- Per last month's report, (litigation funder) IMF (Australia) Limited has made a Federal Court application on behalf of Parkes Shire Council and the City of Swan to overturn the Lehman Brothers Australia Limited DOCA (with a view to placing LBA in liquidation instead). PMHC has 'signed on' to participate in this and future actions as required. Council's solicitors (Piper Alderman) have in the meantime sought to test the validity of certain DOCA provisions in the Federal Court. These provisions relate to releases granted to Lehman's related entities by the DOCA. These "seperate questions" of the Federal Court need to be resolved prior to dealing with any other DOCA related issues such as prejudice, oppression and/or fairness. The seperate questions were subsequently referred to the Full Federal Court by the Federal Court. If the applications are successful the trial judge may excise the offending provisions from the DOCA or entertain arguments as to whether the DOCA ought to be terminated. The hearings continue.
- Per last month's report, Council is considering several approaches to possible litigation against the international credit ratings agencies (including Moody's, Standard & Poor's, and Fitch Ratings) focusing on the agencies failure to accurately and appropriately value the credit risk of the instruments involved.
- Staff continue to monitor opportunities to switch to allowable alternate investments with a greater forecast investment return to maturity.
- Council's total investment portfolio performed **1.27%** below the benchmark (1.88% against 3.15%) for July 2009. Accrued investment income is **57.54%** above the year-to-date budget. Whilst this variance is likely to normalise somewhat, the investment income assumption in the budget is very conservative in recognition of the risk attached to the CDO component of the portfolio.

PORT MACQUARIE-HASTINGS COUNCIL

**Port Macquarie Hastings Council
Investment Summary
As at 31 July 2009**

Alternative Investment Group											
Investment	Counter	Rating	Maturity	Face value \$	Current value \$	Unrealised Gain / (Loss)	% total current	Date Last coupon	Yield to Date (%pa)	Comments	
CBA Hedge Fund	Shield21	CBA	AA	28-Feb-11	1,000,000	1,153,540.00	153,540	3.6%	n/a	0.00%	Deliver - CBA zero coup bond
Longreach Series 7		LOM	A+	06-Jul-11	1,000,000	907,080.00	(92,920)	2.9%	07-Jul-08	5.07%	Deliver - UBS zero coup bond
Octagon Limited Series 2005-3	Emu	FIG	AAA	30-Oct-15	1,000,000	764,200.00	(235,800)	2.4%	30-Jun-08	3.78%	Deliver - IBRD zero coup bonds
Longreach Series 12		LOM	A+	29-Sep-11	1,000,000	871,680.00	(128,320)	2.8%	30-Mar-09	4.38%	Capital protected, UBS
Westpac Ethical Note		WBC	AA-	05-Jul-12	1,000,000	880,342.00	(119,658)	2.8%	05-Jan-09	5.51%	Deliver - Westpac zero coup bond
Westpac Global Property Note		WBC	AA-	17-Sep-12	1,000,000	854,562.00	(145,438)	2.7%	14-Sep-08	2.68%	Deliver - Westpac zero coup bond
Longreach Series 24		LOM	A+	13-Dec-12	3,000,000	2,535,000.00	(465,000)	8.0%	13-Dec-07	2.46%	Deliver - Deutsche zero coup bond
ANZ Asprit		ANZ	AA-	23-Nov-12	1,000,000	876,610.00	(123,390)	2.8%	20-Jul-07	3.07%	Deliver - ANZ zero coup bond
Longreach Series 32		LOM	A+	23-Nov-14	3,000,000	1,994,100.00	(1,005,900)	6.1%	02-Jun-08	2.07%	Capital protected, UBS
Westpac Focus Note		WBC	AA-	20-Dec-12	1,000,000	886,796.00	(113,204)	2.7%	20-Dec-08	3.99%	Deliver - Westpac zero coup bond
				14,000,000	11,643,910	(2,356,090)	36.8%				
Pooled Managed Investment Group											
Investment	Counter	Rating	Maturity	Face value \$	Current value \$	Unrealised Gain / (Loss)	% total current		Current Yield		
BT Institutional Managed Cash Fund	BT	AAA	At call	438	438.22	0	0.0%		3.11%	Operating surplus cash account	
				438	438	0	0.0%				
Current Account Investment Group											
Investment	Counter	Rating	Maturity	Face value \$	Current value \$	Unrealised Gain / (Loss)	% total current		Current Yield		
Westpac Maxi Account	Westpac	A-1+	At call	64,439	64,439.40	0	0.2%		3.05%		
				64,439	64,439	0	0.2%				
Credit Linked Note Investment Group											
Investment	Custodian	Rating	Maturity	Face value \$	Current value \$	Unrealised Gain / (Loss)	% total current	Roll over	Current Yield		
Beech Trust Notes Series 2	Beech	WBC	AA-	20-Dec-10	3,000,000	2,357,742.60	(642,257)	7.5%	20-Mar-09	4.80%	Policy compliant
Perpetual Trustees aft the Jacar	Jacaranda	WBC	AA-	21-Jun-10	1,500,000	1,374,607.20	(125,393)	4.3%	23-Mar-09	4.85%	Policy compliant
Walleri Trust 2005-1	Walleri	WBC	AAA	04-Jan-10	4,000,000	3,821,824.80	(178,175)	12.1%	06-Apr-09	4.12%	Policy compliant
<i>Subtotal compliant</i>				8,500,000	7,554,175	(945,825)	23.9%				
Cypress Tree Synthetic CDO Lt	Blaxland	ANZ	CCC+	30-Mar-12	1,000,000	679,563.60	(320,436)	2.1%	30-Mar-09	4.64%	No secondary market
Aphex Pacific Capital Series 201	Glenelg	ANZ	CCC+	22-Dec-14	3,000,000	210,870.00	(2,789,130)	0.7%	23-Mar-09	4.95%	No secondary market
Ethical CDO I Ltd Series 2	Green	ANZ	CCC-	20-Mar-14	5,000,000	200,135.50	(4,799,865)	0.6%	20-Mar-09	4.25%	No secondary market
Zircon Finance Ltd Series 2007-	Mani	ANZ	NR	20-Mar-17	3,000,000	16,200.00	(2,983,800)	0.1%	23-Mar-09	4.75%	No secondary market
Helium Capital Series 64	Scarborough	ANZ	CCC-	23-Jun-14	1,500,000	21,795.45	(1,478,205)	0.1%	23-Mar-09	5.04%	No secondary market
Corsair (Cayman Islands) No 4:	Torquey	ANZ	CCC-	20-Jun-13	3,000,000	41,790.90	(2,958,209)	0.1%	20-Mar-09	4.85%	No secondary market
<i>Subtotal non-compliant</i>				16,500,000	1,170,355	(15,329,645)	3.7%				
				25,000,000	8,724,530	(16,275,470)	27.6%				
Floating Rate Note Investment Group											
Investment	Custodian	Rating	Maturity	Face value \$	Current value \$	Unrealised Gain / (Loss)	% total current		Current Yield		
Elders Rural Bank Subordinated Debt	ANZ	BBB-	13-Jul-10	1,000,000	964,408.00	(35,592)	3.1%		3.97%	Aust Govt regulated ADI	
Homebuilding Society Subordinated Debt	WBC	A-	17-Aug-09	2,000,000	2,015,360.00	15,360	6.4%		4.51%	Aust Govt regulated ADI	
Homebuilding Society Subordinated Debt	ANZ	BBB-	25-Jul-11	2,000,000	1,867,020.00	(142,980)	5.9%		4.11%	Aust Govt regulated ADI	
Maday Permanent Building Society Subordinat	WBC	ADI	21-Nov-11	1,000,000	770,810.00	(229,190)	2.4%		4.22%	Aust Govt regulated ADI	
Saving and Loans Credit Union	WBC	ADI	23-Mar-10	1,500,000	1,408,666.00	(91,305)	4.5%		4.39%	Aust Govt regulated ADI	
Holiday Coast Credit Union Ltd Subordinated	HCCU	ADI	16-Apr-13	2,000,000	1,929,220.00	(70,780)	6.1%		6.89%	Aust Govt regulated ADI	
United Credit Union Ltd	ANZ	ADI	15-Nov-11	1,000,000	780,375.57	(219,624)	2.5%		5.41%	Aust Govt regulated ADI	
Bananacoast Community Credit Union Ltd	WBC	ADI	30-Nov-09	1,500,000	1,449,843.96	(50,156)	4.6%		4.68%	Aust Govt regulated ADI	
				12,000,000	11,175,733	(824,267)	35.4%				
				51,064,878	31,609,050	(19,455,827)	100.0%				

Other Issues

'Current value \$' in the table above is the estimate of current realisable value for the investment as provided by Oakvale Capital. It should be noted that this is not necessarily the amount that is expected to be received from the investment e.g. investments in the 'Alternative Investment Group' are 'capital protected' and 100c in the dollar should be received if held to maturity. Also some CDO's (particularly those rated AA- or better) could 'make it' to maturity in which case 100c of invested capital would be returned.

The Glenelg, Green, Miami, Scarborough, Blaxland & Torquay CDO investments remain outside of legislative and policy guidelines which technically requires remedy though given there is effectively no secondary market for these investments the opportunities to do so are limited.

As reported previously a number of ALN's have been deleveraged meaning no further coupons will be received. Invested capital for those products has reverted to underlying zero coupon bonds (low risk instruments with highly rated institutions).

The valuation for CBA hedge Fund (Shield 21) is as at 30 June 2009 as the updated valuation was not available at the time of reporting.

Investment Portfolio Summary (Oakvale Capital Limited)

The improved domestic outlook has provided increased confidence in the strength of the domestic banks. Since the onset of the global financial crisis, the credit ratings of most global financial institutions have come under downward rating's pressure by the ratings agencies. However, the ratings on major Australian banks remain at "AA", underpinned by their earnings stability and asset quality relative to their global peers. Despite the expected weak economic growth ahead, earnings for major Australian banks are anticipated to remain positive with capital reserve levels unlikely to come under threat in the near future, according to the rating's agency, Standard and Poors.

Councils overweight position in structured products and non major bank issued securities will continue to be impacted by the turbulence of the credit markets. The continued contraction in credit spreads has improved the marked to market valuation of some of Council's credit linked notes but valuations for those in distress are not expected to improve appreciably. Whilst credit spreads are back to the levels immediately pre the collapse of Lehman Bros, it is expected that credit spreads will contract at slower pace going forward with a decreasing possibility of a reversal in the trend of credit spread contraction on the back of further economic deterioration.

Following on from the strong close at the end of the last financial year, Council's overall investment portfolio backed up with a strong first month in the new 2009/10 financial year. The portfolio outperformed the bank bill index benchmark. This can be attributed to the credit spread contraction on most of Council's long term securities which resulted in positive revaluation.

Global issues:

The worst US economic slump since the Great Depression abated in the second quarter as US government spending programs helped the economy.

The latest release of US new home sales revealed an 11% gain, the biggest jump in 8 years.

In Europe, Germany is showing signs of stabilisation helping raise some hopes that the euro zone's recession may ease.

Domestic issues:

The RBA acknowledged that the downside risk to domestic growth has diminished: *“The outlook thus remained for a gradual recovery to begin later in the year, and downside risks to that had diminished”* .

The NAB survey showed business confidence turned positive for the first time since December 2007.

Employment rose in July by 32,200, boosted by a large part-time employment figure. The unemployment rate remained at 5.8%.

Interest rates:

The Reserve Bank of Australia kept the official cash rate on hold at 3% at their 4 August 2009 Board meeting commenting: *“The most likely outcome in the near term is a period of sluggish output, with consumer spending likely to slow somewhat and investment remaining weak.”*

Alignment With Strategic Direction

Interest earned on investments is applied towards the provision of infrastructure in accordance with Council's objectives.

Consultation

In order to remain as informed as possible and to stay abreast of market changes, there are a number of different sources Council uses for reference, they are listed below.

- Consultation takes place with the following institutions regarding market outlook and the status of Council's current investments :
 - Oakvale Capital
 - ANZ
 - Longreach
 - Westpac Banking Corporation
 - FIIG Securities

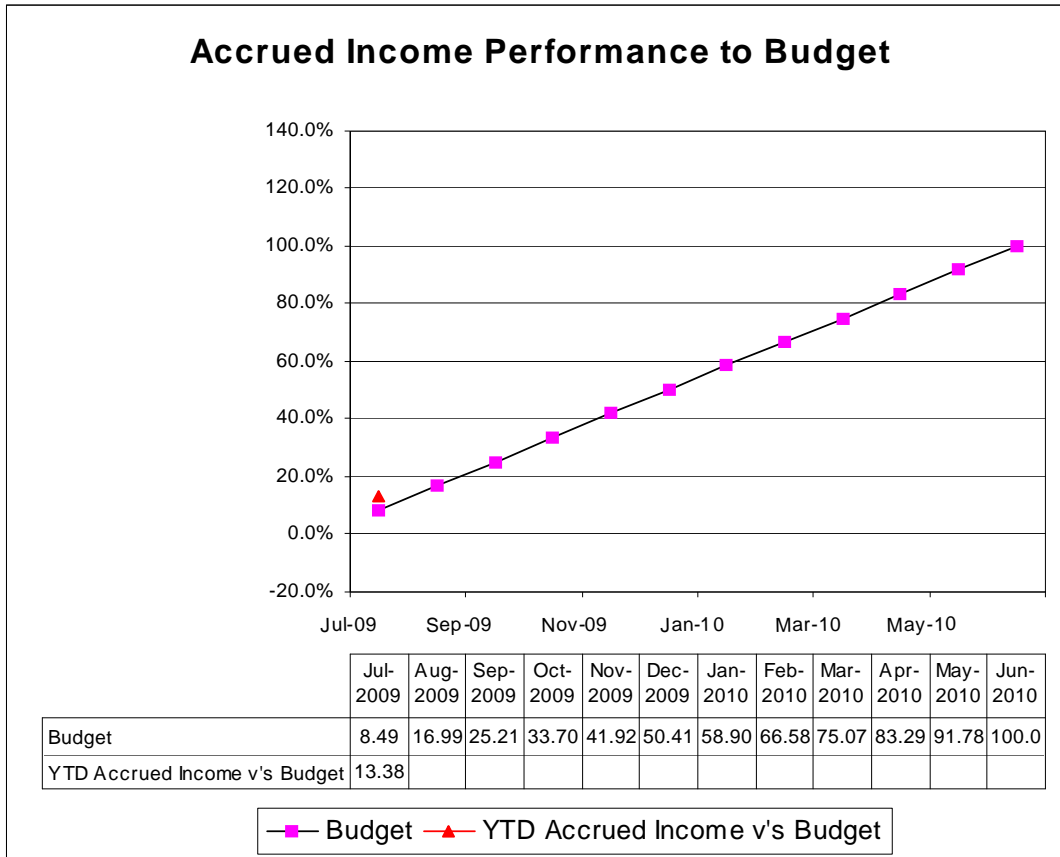
- Economic Commentary is also referred to from the following:
 - Financial Press (eg. Financial Review)
 - Macquarie Research Economics
 - St George
 - FIIG Securities
 - BankWest
 - CBA
 - TCorp
 - HSBC
 - Newcastle Permanent
 - Westpac Banking Corporation

Planning and Policy Impact

Not Applicable

Financial & Economic Implications

Details of Investment Income Performance (Year to Date):



Summary of Actual Interest for July 2009		
Total Budget	Budget YTD	Accrued Revenue YTD
\$1,080,000	\$91,726	\$144,506

Options

This is an information report.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 17

Subject QUARTERLY REVIEW OF THE 2008/2009 CORPORATE PLAN AS AT 30 JUNE 2009

Director TONY LEAHY (CBS)

To report to Council on the achievement of the Corporate Plan targets as at 30 June 2009.

RECOMMENDATION

That the report be received and noted.

Discussion

A Quarterly Review, as at 30 June 2009, of Council's Corporate Plan Targets for the 2008/2009 year has been carried out. This review is part of Council's overall Corporate Plan monitoring process. The review comments on key actions which had a target date of 30 June 2009.

The attached tables show targets for the 2008/2009 year and comments:



Q_Review_June09.pdf

Some of the major projects in this report include the following:

The Glasshouse

To complete the Glasshouse building project on time and within budget

Comment on Progress:

Reached practical completion (PC) on 20 May 2009.

Staff moved in from that date and the venue was set for opening on 1 July 2009.

As at 30 June – the date of this report that target date was to be met as there were no delays to a 'general opening', on 30 June.

Some works are still continuing – ie forecourt and commercial kitchen.

A 12 month defects liability period is now underway.

VIC relocated to the site in the week of 29 June 2009.

Water Cycle Management

Develop specific integrated water management plans to guide development control plans for major urban release areas at Area 13 & 14

Comment on Progress:

Strategies for both area 13 & 14 adopted by Council. Detailed water supply design strategies now being developed for each area.

Emergency Services

Establish an integrated Emergency Services complex in Central Road, Port Macquarie including: new Ambulance Station, new Fire Station, new SES Headquarters, Emergency Operations Centre

Comment on Progress:

*Ambulance Service Station completed in Sept 2007
New SES Headquarters & Emergency Operations Centre -
Tender let & opened December 2008
Land swap with NSW Fire Brigades - completed in August 2008*

Infrastructure Planning & Design

To provide a safe and functional road network

Comment on Progress:

*Majority of works completed. Some works carried over to
2009/10 due to adverse weather conditions and resourcing
constraints.*

Tourism Services

Develop federal, state & regional alliances to maximise funding opportunities

Comment on Progress:

*Partnership with TNSW and Virgin Blue to implement
Virgin/destination campaign – in market October 2008.
(\$150,000).
Successful submission to access \$100,000 from TNSW for
Demand Building Campaign (Jan-Jun 2009).*

Consultation

Consultation has taken place with the General Manager, Divisional Directors and Managers in the preparation of this report.

Alignment With Strategic Direction

This report is in align with Council's Strategic Direction.

Planning and Policy Impact

There are no planning and policy impacts.

Financial & Economic Implications

There are no financial or economic implications as a result of this report.

Options

There are no options associated with this report.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 18

Subject 2008/09 CARRY-OVER PROJECTS

Director TONY LEAHY (CBS)

This report lists projects from the Works Program that were not completed in the financial year 2008/09. These projects need to be carried over into the current year's works program so that they can be completed.

RECOMMENDATION

That the adjustments outlined in the "Financial Implications" section of the report be adopted.

Discussion

It is customary for Council to carry forward projects from the Works Program that are either not completed or have not started. This report brings forward the remaining budgets for each project and will allow the project to be completed in the current financial year. It also brings forward operational projects that have been approved by the Executive Group.

A number of the projects in the carry-over report are subject to grant conditions or have owner contributions applied to them so Council is obligated to complete them (and hence carry them over).

Attached is a full listing of the carry-over projects along with a comment as to why the project was carried over.

The carry-over report has reduced in size from \$34,890,610 in 2007/08 to \$12,073,297 in 2008/09. This is primarily due to the completion of The Glasshouse plus a bid process initiative for carry-over works which has seen greater scrutiny and some projects removed from the program.

It should also be noted that some projects listed in the carry-over report are now complete (ie subsequent to year end), and some have had to be carried over because of funding spanning two (2) financial years for the total project.

It is recognised however, that Council still needs to be active in ensuring the completion of the Works Program which is set in the Corporate Plan process.

Council's approach to regular monthly monitoring by the Executive Group through the formal Monthly Reporting process will continue to see a greater focus on project completion.

Consultation

Consultation has taken place with all Divisions of Council.

Planning and Policy Impact

There are no planning and policy impacts.

Financial & Economic Implications

Please click on the icon below to view the projects to be carried forward and the budgets attached to each project.



Carryovers2008-2009.pdf

Options

Council has the option to either accept or not accept any or all of the carry-over projects.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 19

Subject 2008/09 DRAFT FINANCIAL REPORTS

Director TONY LEAHY (CBS)

Section 413 of the Local Government Act, 1993, requires Council to prepare a Statement in the approved form as to its opinion on the general purpose financial report.

RECOMMENDATION

That the draft Financial Reports as at 30 June 2009 be signed by the Responsible Accounting Officer, the General Manager and the Administrator, as required by the Local Government Act, 1993.

Discussion

The draft financial reports for the year ended 30 June 2009 are nearing completion. Audit is due to commence on the 7 September and will run for approximately two weeks. This resolution allows Council to refer the reports to the auditors for auditing. It also allows for the signing of two statements in the approved form by the Council as to its opinion on the general purpose financial report and the special purpose financial report.

The auditors aim to complete their audit by 25 September 2009. The statutory deadline of 31 October 2009 will be met.

After the audit is complete, a full set of the reports will be distributed and the final financial reports will be put before a meeting of the Administrator and staff.

A copy of Council's statement in the approved form is attached for information.



GeneralPurposeStatement.pdf



SpecialPurposeStatement.pdf

Consultation

Consultation in completing the financial reports has taken place with all Divisions.

Planning and Policy Impact

There are no planning and policy impacts.

Financial & Economic Implications

There are no financial and economic impacts.

Options

There are no options available.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 20

Subject MOTOR VEHICLE POLICY
Director TONY LEAHY (CBS)

The purpose of this report is to request that Council's Motor Vehicle policy become an operational policy to be approved by Council's Executive Management.

RECOMMENDATION

That Council's Motor Vehicle Policy adoption and ongoing review be delegated to the General Manager.

Discussion

Council's existing motor vehicle policy was first adopted by Council in December 2002. Since then there have been many amendments made to the policy from 2003 through to 2008. In general these changes related to operational issues, however each amendment was presented to Council for adoption as required at the time.

In August 2008, Council's General Manager requested that a complete review be done of the existing motor vehicle policy. This review was to address issues relating to the allocation of vehicles to staff, general usage of Council vehicles and other operational issues related to motor vehicles, including fair wear and tear etc.

To this end, a cross-sectional motor vehicle review team was formed, led by the Manager Business Services, to review the existing policy and to draft a revised version of the policy. The existing motor vehicle policy (a copy of which is attached for your reference) has historically included reference to elected officials and in particular the role of Mayor, as this role has a vehicle allocated to it. It is because of the inclusion of this reference to elected officials and the Mayors vehicle that this policy has historically been adopted by Council.



MotorVehiclePolicy_Aug09.pdf

The review that has been taking place for the past 12 months in relation to the motor vehicle policy is nearing completion and one of the changes to the policy is the removal of any reference to elected officials or the Mayors vehicle. The reason for this is that Council's Executive Group have agreed that the motor vehicle policy should be an operational policy as it relates directly to Council staff who have a vehicle allocated to them, not elected officials. In the future, requirements for vehicles for elected officials will be dealt with under the policy titled 'Payment of Expenses and Provision of Facilities to Councillors, which was first adopted in January 2007. Upon adoption of the recommendation included in this report, the above-mentioned policy will be updated to reflect the conditions by which elected officials are allocated a vehicle if required.

For information, it is anticipated that the revised motor vehicle policy will be finalised and presented to Council's Executive Group by the end of September 2009.

Alignment With Strategic Direction

This report aligns with the focus areas of Governance and in particular, with Council's core value of 'Openness & Accountability'. The recommendations contained within this report reinforce and promote Council's continued focus on processes that are transparent and accountable and that can withstand public scrutiny.

Consultation

Consultation has taken place with the following Council Officers:

- General Manager;
- Executive Group;
- Motor Vehicle Review Team

Planning and Policy Impact

There are no planning impacts as a result of this report, however the impact on the motor vehicle policy is that it will no longer be adopted by Council, but by Council's Executive Management Group.

Financial & Economic Implications

There are no financial or economic implications as a result of this report.

Options

Council's Administrator has the option of adopting the recommendation as included in this report, or not accepting same.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 21

Subject TENDERING POLICY REVIEW

Director TONY LEAHY (CBS)

To recommend changes to Council's Tendering policy.

RECOMMENDATION

That the additions and amendments, as outlined in this report relating to the Tendering Policy be adopted and Council's Policy Register be updated accordingly.

Discussion

Council's tendering policy was first adopted by Council in November 2003. Since that time, there have been several amendments made to the policy in order to keep up with changes either in the Local Government (General) Regulation 2005 Part 7, or tendering best practice in general.

In recent months, as part of Council's ongoing efforts to ensure our policies remain current and relevant, legal advice was sought from one of Council's appointed legal advisers in relation to ensuring that the tendering policy was as robust as possible and that it continues to reflect the relevant Regulations etc. To this end, Maddocks Lawyers offered advice to Council on the policy, which is largely the subject of the amendments being made to the tendering policy as included in this report.

In addition to the legal advice previously sought, Council's Internal Audit Committee engaged NorthCorp Accountants in March 2009 to perform an audit on Council's tendering processes. The results of that audit were largely positive, with some of the recommendations from that audit being incorporated into the changes being included in the tendering policy as it is presented in this report.

For your reference, attached below is a copy of the current tendering policy as last adopted by Council in July 2006.



TenderingPolicy_17July06.pdf

In relation to this report, the main changes to the tendering policy are as follows:

- Ensuring all members of an evaluation panel sign and return declarations of confidentiality (Page 1);
- Confirming Council's treatment of confidential information contained in tender submissions (Page 2),
- Clarifying Council's document management processes in relation to tenders (Page 2);

- Ensuring all members of an evaluation panel declare conflicts of interest prior to the evaluation process beginning (Page 2);
- Clarification on the tender threshold of \$150,000. This has been clarified to be \$150,000 including GST for the life of the contract (Page 3);
- Clarification of the status of Preferred Suppliers and how they are appointed (Page 4);
- Clarification on what documentation needs to be recorded during the tender evaluation process and what the involvement of each evaluation panel member should be in signing off on completed evaluations (Page 6);
- Clarification on the deadlines for advertisements of tenders and expressions of interest (Page 7 & 8);
- Inclusion of a clause ensuring that all submissions received electronically are included on the formal list of tenders received (Page 8);
- Further details relating to Council's use of electronic tendering and the requirements for tenderers to be registered on Council's tendering web site (Page 9);
- Clarification on how variations to tenders are to be treated by Council (Page 10);
- Reinforcing that all notifications to tenderers at the end of the tender process are to be filed in Council's electronic document management system (Page 10);
- Inclusion information relating to Council's Contract Management System (Page 11).
- Addition to the Tender Record Keeping Checklist of a declaration / sign off sheet where the responsible officer acknowledges that all relevant sections of the checklist have been completed and documents compiled as required (Page 13).

For your reference, a copy of the amended policy is attached below, with all the changes shaded (in grey) for easy reference.



TenderingPolicyReview_Aug09.pdf

Alignment With Strategic Direction

This report aligns with the focus area of Governance and in particular with Council's core value of "Openness & Accountability". The recommendation to adopt these policy changes reinforce and promote Council's continued focus on processes that are transparent and accountable and that can stand up to public scrutiny.

Consultation

Consultation has taken place with the following:

- Director Corporate & Business Services;
- Internal Audit Committee;
- Maddocks Lawyers

Planning and Policy Impact

There are no planning impacts as a result of this report, however if the recommendation included in this report is adopted, Council's Tendering policy will be updated to reflect the changes as included in this report, resulting in a more robust and comprehensive tendering policy.

Financial & Economic Implications

There are no financial or economic implications as a result of this report.

Options

Council Administrator can choose to either adopt or reject the recommended changes to the Tendering Policy.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 22

Subject TENDER T-09-14 ELECTRICAL WORKS

Director TONY LEAHY (CBS)

To recommend to Council that Council accept tenders for electrical works.

RECOMMENDATION

- 1. That Council accept the tender from Mid Coast Telemetry for the provision of Programmable Logic Controller (PLC) Circuit & Process Control Design, Documentation & Commissioning for an initial period of twenty four (24) months commencing on the 1st September 2009 to 31st August 2011 with a further twelve (12) month option available.**
- 2. That Council accept the tender from Mid Coast Telemetry for the provision of Telemetry & Communications, Instrumentation Activities, design documentation and commissioning for an initial period of twenty four (24) months commencing on the 1st September 2009 to 31st August 2011 with a further twelve (12) month option available.**
- 3. That Council accept the tender from Mid Coast Telemetry for the provision of Standard Electrical Repairs, Maintenance, Alterations & Minor New Work for an initial period of twenty four (24) months commencing on the 1st September 2009 to 31st August 2011 with a further twelve (12) month option available.**
- 4. That approval be given for the execution of the necessary documents under Council seal.**

Discussion

Council currently has in place electrical works contracts as detailed below. These contracts have been in place since 2006 and are now due for renewal, hence the recent tender known as T-09-14. The three categories of electrical works recently tendered for are as follows;

- 1. Programmable Logic Controller (PLC) Circuit & Process Control Design, Documentation & Commissioning;*
- 2. Telemetry & Communications, Instrumentation Activities, design documentation and commissioning.*
- 3. Standard Repairs, Maintenance, Alterations & Minor New Works and*

Tender T-09-14 is for an initial period of 24 months with a further 12 month option available, beginning on the 1st September 2009.

The tender documents were developed in such a way so that each of the above sections could be evaluated on their own merits and so that suppliers could submit a tender for one or more of the categories, due to the specialised nature of some of the categories.

Tender T-09-14 was first advertised on the 23rd June 2009 with tenders closing on the 23rd July 2009. At the closing of the tender submissions were received from the following suppliers for the following categories in no particular order:

1. Programmable Logic Controller (PLC) Circuit & Process Control Design, Documentation & Commissioning:
 - Mid Coast Telemetry
 - Stowe Australia
2. Telemetry & Communications, Instrumentation Activities, design documentation and commissioning:
 - Mid Coast Telemetry
 - Stowe Australia
3. Standard Repairs, Maintenance, Alterations & Minor New Works:
 - Mid Coast Telemetry
 - S.P. Barker
 - Stowe Australia
 - Never Late Electrical

Each of the above sections were evaluated individually and had their own set of individual evaluation criteria included in the tender documentation. Each member of the Evaluation Panel independently scored each suppliers submission against each the relevant section, then these scores were averaged to give us the final evaluation scores upon which the tenders are to be awarded.

The three sections of this tender were evaluated in the weeks following the closing of the tenders by an evaluation panel comprising of the following Council employees;

Manager Business Services;
Procurement Coordinator;
Manager Engineering Trades.

A formal evaluation analysis has been circulated under separate cover to Council's Administrator in hard copy as a confidential document. *(Relates to information that would, if disclosed, prejudice the commercial position of the person who supplied it. (Local Government Act, Section 10A(2)(di)).*

Below is a summary of the evaluation of each section of the tender:

1. Programmable Logic Controller (PLC) Circuit & Process Control Design, Documentation & Commissioning

Upon evaluation of this section, it was noted that both submissions from Mid Coast Telemetry and Stowe Australia made mention of, but failed to include copies of confined spaces legislation certificates. Due to this minor oversight, it was decided to allow both Mid Coast Telemetry and Stowe Australia the opportunity to provide copies of these certificates so they could be evaluated against this criteria. Both parties subsequently have supplied this information.

However, during evaluation of this section of the tender, it became evident that Stowe Australia failed to demonstrate their ability to compile and document operation manuals & WAX

information as required by one of the evaluation criteria. As a result of this, the Stowe Australia tender submission was considered to be non-conforming. As a result of the evaluation, the Mid Coast Telemetry submission was considered the most advantageous to Council.

(Please note that Mid Coast Telemetry are currently Councils incumbent supplier for these services)

2. Telemetry & Communications, Instrumentation Activities, design documentation and Commissioning

As with the above section, upon evaluation, it was noted that the submissions from both Mid Coast Telemetry and Stowe Australia failed to include copies of confined spaces legislation certificates. Due to this minor oversight, it was decided to allow both Mid Coast Telemetry and Stowe Australia the opportunity to provide copies of these certificates so they could be evaluated against this criteria. Both parties subsequently have supplied this information.

Again as with the above section, Stowe Australia failed to demonstrate their ability to compile and document operation manuals & WAX information as required by one of the evaluation criteria and as a result of this, their submission was therefore considered to be non-conforming. As a result of the evaluation, the Mid Coast Telemetry submission was considered the most advantageous to Council.

(Please note that Mid Coast Telemetry are currently Councils incumbent supplier for these services)

3. Standard Repairs, Maintenance, Alterations & Minor New Work

The four (4) tender submissions for this section were of a similar standard, however Mid Coast Telemetry addressed the evaluation criteria in a more comprehensive manner than other tenderers. This combined with more competitive pricing resulted in Mid Coast Telemetry being considered the most advantageous offer to Council for standard electrical works.

(Please note that Mid Coast Telemetry are currently Councils incumbent supplier for these services)

Alignment With Strategic Direction

This report aligns with the focus areas of Governance and in particular, with Council's core value of 'Openness & Accountability'. The recommendations contained within this report reinforce and promote Council's continued focus on processes that are transparent and accountable and that can withstand public scrutiny.

Consultation

Consultation was taken place between the following people;

Manager Business Services;
Procurement Coordinator;
Telemetry Services Coordinator;
Electrical Services Coordinator;
Manager Engineering Trades.

Planning and Policy Impact

There are no planning or policy impacts related to this tender.

Financial & Economic Implications

The successful tenderer will be used on an as needs basis for jobs with an approved budget.

Options

Council has the option of accepting the recommended tenders or not accepting same, in which case Council would be required to re-tender for these services.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 23

Subject TIMBERTOWN REVIEW - COMMUNITY CONSULTATION REPORT

Director TONY LEAHY (CBS)

The purpose of this report is to provide an update and information on the community consultation process that has taken place during July / August 2009 in relation to the future of Timbertown and to list some potential future operating models for Timbertown.

RECOMMENDATION

- 1. That Council notes results of the Timbertown community consultation.**
- 2. That this matter be referred to the Port Macquarie-Hastings Council Opportunities Board to review;**
 - a) The viability of operating models included in this report in order to form a view on the viability of those options.**
 - b) That a report be prepared for Council on these issues.**
- 3. That Council prepare and advertise an Expression of Interest for the Sale, Lease or Joint Venture of Timbertown Heritage Theme Park.**

Discussion

At an Ordinary Council meeting held on the 24th June 2009 in Wauchope, Council's Administrator stated the following in response to a series of questions from the Wauchope Chamber of Commerce & Industry relating to Timbertown:

'The Administrator advised that there were a number of compliance issues that Council needed to address and that he was aware that to resolve the compliance issues with the main building (and other Timbertown infrastructure) it would require approximately \$8 million to address the issues and Council had also received advice that to ensure that Timbertown was more viable an additional \$7-8 million would need to be expended making a total of \$15-16 million. He also advised that even if this work was carried out there would be an annual operational budget of well in excess of \$1 million. The Administrator advised that he had requested staff to provide him with a number of options ranging from the closure of Timbertown right up to a viable and ongoing Timbertown and all options in between. He further advised that Council had no preferred solution and once the preliminary work has been done on this matter, Council will go to the public asking them as to what they think through a series of public meetings, surveys and stakeholder meetings with business and community groups. The Administrator advised that he was well aware of the economic impact of Timbertown on Wauchope and the local government area in general and from the series of consultations that Council will undertake a list of options will be prepared and the community will then be involved in the solution.'

As stated above by Council's Administrator, there are many operational, compliance, risk and OH&S issues facing Timbertown that need to be urgently addressed. This culmination of issues is what has prompted Council to move towards determining the future of Timbertown, as it is clear that Council can no longer operate Timbertown in its current form without reducing the risks involved in running the operation. Some of the main issues facing Timbertown are as follows:

- Major maintenance & infrastructure upgrade requirements;
- Increasing risks associated with regulatory pressures;
- Increasing annual operating costs;
- Lack of control associated with the current operating model & brand;
- Entry prices are below market preparedness and less than similar attractions;
- Lack of a shared vision;
- Lack of community involvement in decision-making;
- Lack of new activities & attractions to enhance the customer experience
- Limited signage and promotion;
- Long-term lack of capital works investment

In light of the comments made above by Council's Administrator based on the above issues, a series of public community consultation forums was organised as detailed below, plus an independent random telephone survey was commissioned of local residents and Council launched a new web forum called PMHC Listening which gave the community the opportunity to comment on issues related to Timbertown via the Internet. The series of public community consultation forums were held at the following locations on the following dates :

- | | |
|-----------------------------|-------------------------|
| - Monday 13th July 2009: | Wauchope (6:00pm) |
| - Tuesday 14th July 2009: | Port Macquarie (6:00pm) |
| - Wednesday 15th July 2009: | Wauchope (2:00pm) |
| - Thursday 16th July 2009: | Laurieton (6:30pm) |
| - Monday 27th July 2009: | Wauchope (6:00pm) |

A total of 217 people attended the public forums, whilst 600 residents were surveyed as part of the random telephone survey. In addition to attending the public forums, 191 of the people present at the forums completed the same survey as used for the random telephone survey, plus 73 comments were posted on Council's PMHC Listening web forum.

For your reference, attached you will find the following documents that have been used throughout the consultation process:

- Random Telephone Survey;
- Cost estimates in relation to compliance and redevelopment issues at Timbertown;
- One-page fact sheet listing current issues relating to Timbertown.

Prior to discussing the results of the community consultation, it is important to explain where the cost estimates have come from that were mentioned by Council's Administrator at the June 24th Council meeting.

There are two components to the cost estimates. The first component relates to the cost of the compliance issues currently being faced at Timbertown. The compliance issues listed are the result of a range of regulatory reports and internal Council reports relating to current issues at Timbertown. The costs were estimated using internal Council engineers and other experts, as well as Council contractors where required.

The second component of the cost estimates are based around the results of community consultation done in February 2009. The proposed attractions listed have come directly from the community, not Council and these have been costed based on like buildings and other works being done either by Council or other entities, but are estimates only. If Council was to move forward with some or all of these redevelopment proposals, then full and comprehensive estimates would be produced. It is interesting to note that several of the proposed attractions listed in the cost estimates have also been highlighted again as part of the most recent community consultation process.



[T_townComResearchFinalSurvey.pdf](#)



[T_townFactSheet_Consult.pdf](#)



[T_townRedevelop_Estimates1.pdf](#)

Below is a summary of the results of the various forms of consultation over the past 4 to 6 weeks:

Community Consultation Forums

The five (5) community consultation sessions followed the World Cafe style of consultation, where groups of approximately seven (7) people are seated at a table with a Table Host. This form of consultation was chosen as it allows for a much more robust discussion where each person has an opportunity to have their say in a non-threatening environment. The job of the Table Host was to encourage discussion and to write down all thoughts and ideas that are produced during the discussion.

The consultation covered three main issues in relation to Timbertown and at the end of each discussion, participants were given the opportunity to vote on the top three issues that their table has listed for that particular topic. It is the most voted issues that are reported on below. Please note that the information provided below represents the combined votes of all participants across all of the public forums. Please also note that it is not possible nor practical to list all the suggestions in this report that were raised and documented as part of the community forums, hence our decision to focus on the most voted items under each of the key issues discussed. The three main issues discussed were as follows:

- The impact of Timbertown:
What does the community most value about Timbertown & what effect will it have if it is not here, both socially & economically?
- Redevelopment:
If Timbertown was to be redeveloped, what additional activities & customer experiences do you see into the future to ensure its sustainability? and Are these additional activities / experiences viable?
- Funding:
How do you see Timbertown being funded into the future? How will the initial development costs be funded? How do we ensure the ongoing financial sustainability of Timbertown?

Please note that it is not possible nor practical to list all the suggestions in this report that were raised and documented as part of the community forums, hence our decision to focus on the most voted items under each of the key issues listed above.

Impacts

Below is listed the top ten most voted issues in relation to the impact on the community if Timbertown was to close:

Impacts on the Community	Total No. Votes	Overall %
Economic Impact	84	17.32%
Negative impact on Tourism	60	12.37%
Heritage Loss	60	12.37%
General Community impact	59	12.16%
Loss of Wauchope identity	45	9.28%
Social impact	39	8.04%
Educational impact	38	7.84%
Loss of home for Community groups	28	5.77%
Loss of Jobs in Wauchope	23	4.74%
Impact on Timbertown businesses	17	3.51%

Redevelopment

Below is listed the top ten most voted issues in relation to redevelopment options for Timbertown:

Redevelopment Opportunities	Total No. Votes	Overall %
Additional Structures / Facilities	62	10.54%
Heritage Train to run again	61	10.37%
Accommodation on site	58	9.86%
Increased Commercial Focus	46	7.82%
More Family Friendly Attractions	44	7.48%
Increased Historical Activities	40	6.80%
Increased Educational Facilities	40	6.80%
General Additional Activities / Rides	39	6.63%
Improved Management & Operating Model	37	6.29%
Increased Marketing	27	4.59%

Funding

Below is listed the top ten most voted funding options for the redevelopment of Timbertown:

Funding Opportunities	Total No. Votes	Overall %
Government Funding (State & Federal)	145	20.95%
Different Management model for Timbertown	83	11.99%
Corporate Sponsorship	69	9.97%
More effective business planning	57	8.24%
Increased entry fee	55	7.95%
Labour Assistance from volunteers etc	50	7.23%
Increased Marketing	41	5.92%
Land (Sale or Lease)	34	4.91%
Increased special events	27	3.90%
Business Partnerships	25	3.61%

Telephone Survey Results

The survey was conducted during the period 6th July - 8th July 2009 from 5:00pm to 8:00pm. The sample consisted of 600 residents, with respondents being selected by means of a computer based random selection process, using the electronic White Pages. A sample size of 600 residents provides a maximum sampling error of plus or minus 3.98% at 95% confidence. The Likert Scale of 1 to 5 was used in all rating questions, where 1 was the lowest importance or attractiveness and 5 the highest importance or attractiveness.

As the purpose of this survey was to gain the views of the entire Local Government Area, following is the sample survey size per township:

Community	Est pop'n	Sample size	Statistical validity
Port Macquarie area	40,710	314	+/-5.5%
Wauchope area	5,915	69	+/-11.6%
Camden Haven area	8,552	71	+/-11.7%
Lake Cathie & Bonny Hills area	5,433	71	+/-11.6%
Rural (remainder of the LGA)	8,429	75	+/-11.7%
Total	69,039	600	+/-3.98%

A total of 92% of respondents were aware that Council was undertaking a review of Timbertown.

Respondents were asked to rate the attractiveness of four (4) different options for funding improvements to Timbertown, with the results shown below:

Timbertown is:	% attractive	% neutral	% unattractive	Mean rating	Overall level of attractiveness
Redeveloped using funding supplied by the state or federal government	85%	9%	6%	4.4	High
Redeveloped using funding via a reduction in other Council services, thereby freeing up other expenditure	13%	23%	64%	2.1	Low
Redeveloped using funding via an increase in your rates	7%	21%	72%	1.9	Very low
Closed and the land sold, with the proceeds used for other projects	10%	9%	81%	1.6	Very low

It is noted from the above results that respondents rated the attractiveness of Timbertown being redeveloped using funding supplied by the State or Federal government as 'high', with all other options rated as 'low' or 'very low'.

The above results are not an indication of how viable any particular option is, rather a measure of the attractiveness or otherwise of certain options.

A total of 11% of respondents took the opportunity that presented itself in Question 4 of the survey, asking for other options for Timbertown that respondents believed should be considered. Of these respondents, 46 % of responses stated that Timbertown should be sold to private enterprise.

As per Question 5 of the survey regarding redevelopment options for Timbertown, overall the most important inclusions were considered to be 'interactive historical experiences' and 'interactive educational experiences', with over 82% of respondents rating them as 'important' or 'very important'. 'More physical activities' and 'more rides and attraction' were also considered to be important, with 71% and 69% of respondents respectively, rating them as 'important' or 'very important'. 'Increasing food and retail outlet' was considered to be of lower importance with 50% of respondents rating this as 'important' or 'very important' .

As per Question 6 of the survey which addressed what admission fee people would be willing to pay for an enhanced and redeveloped Timbertown, the results are shown below:

- 27% of respondents stated that the admission fee for a family of four that they would be prepared to pay was \$0-\$20;
- 56% were prepared to pay \$21-\$40;
- 16% were prepared to pay more than \$41-60;
- 1% of respondents stated a figure of greater than \$60.

Respondents aged 55+ were generally prepared to pay less than the younger age demographics.

In summary, the research indicates a very high level of awareness in the Port Macquarie-Hastings Council area that Council is currently considering the future of Timbertown. Within the research, respondents were provided with a brief background of the current development requirements of Timbertown and asked to rate the attractiveness of four potential options regarding the site. The only option of the four that was considered to be attractive to the community was:

"That Timbertown is redeveloped using funding supplied by the state or federal government"

The redevelopment of Timbertown by using funding sourced via a cut in other Council services or via a Council rates increase was rated low or very low in attractiveness. The option of closing Timbertown and selling the land, with the proceeds to be used for other services, was very low in attractiveness.

Were Timbertown to be redeveloped, respondents considered the most important inclusions to be:

- Interactive historical experiences;
- Interactive educational experiences

Forum Survey Results (Surveys completed at the Community Consultation Forums)

As stated above, 191 of the 217 people who attended the Community Consultation forums completed the same survey as was used for the random telephone survey.

Respondents were asked to identify the township where they lived as shown in the table below. A comparison with the telephone survey results is also included in the table below for comparison purposes:

	Community consultation survey	Phone survey
Port Macquarie	21%	52%
Wauchope	49%	12%
Camden Haven	7%	12%
Lake Cathie & Bonny Hills	1%	12%
Rural (remainder of LGA)	22%	12%

An overwhelming majority of residents that participated in the public forums and who completed surveys were from Wauchope. This is not a surprising result as three of the five public forums were held in Wauchope.

Respondents were asked to identify their age group as shown below along with a comparison with the telephone survey.

	Community consultation survey	Phone survey
18 to 34 years old	6%	17%
35 to 54 years old	27%	37%
Greater than 55 years old	67%	46%

As shown above, there is a considerable age difference between respondents of the survey at the public forums compared to the telephone survey.

As with the telephone survey, respondents were asked to rate the attractiveness of four (4) different options for funding improvements to Timbertown, with the results shown below:

Timbertown is ...	% attractive	% neutral	% unattractive	Mean score	Overall attractiveness
Redeveloped using funding supplied by state or federal government	98% (85%)	1% (9%)	1% (6%)	4.7 (4.4)	High (High)
Redeveloped using funding via a reduction in other Council services, thereby freeing up other expenditure	23% (13%)	21% (23%)	56% (64%)	2.4 (2.1)	Moderate (Low)
Redeveloped using funding via an increase in rates	26% (7%)	18% (21%)	56% (72%)	2.6 (1.9)	Moderate (Low)
Closed and the land sold with the proceeds used for other projects	2% (10%)	1% (9%)	97% (81%)	1.1 (1.6)	Very low (Very low)

(Please note the telephone survey results are shown in brackets for comparison purposes).

As can be seen from the above table, the results are generally in line with those from the telephone survey. Similarly, respondents were asked to rate the importance of the following redevelopment options:

	Mean score
Interactive educational activities	4.67 (4.30)
More rides and attractions	4.42 (4.28)
More physical activities	4.35 (3.96)
Interactive historical experiences	4.69 (3.93)
Increased food and retail outlets	4.25 (3.51)

(Please note the telephone survey results are shown in brackets for comparison purposes).

As with the telephone survey, the options of Interactive Educational activities & Interactive historical activities were the most popular choices.

PMHC Listening Web Forum

In July 2009, Council launched a new community consultation tool called PMHC Listening, which is a web-based forum where people can make comments related to various hot issues of the day. PMHC Listening was launched with Timbertown being the first issue listed for discussion. The web forum on Timbertown ran from the 14th July and ended on the 10th August 2009.

The three main issues listed above were posted on the PMHC Listening web site for discussion, those issues being the impact of Timbertown, the potential redevelopment options for Timbertown and potential funding sources for the redevelopment of Timbertown.

Below is a summary of the number of comments posted on the web forum related to each issue:

- How the community values Timbertown (impact): 17 comments & 460 views
- Redevelopment of Timbertown: 42 comments & 705 views
- Funding sources for Timbertown: 14 comments & 319 views.

(Please note that the word 'views' above refers to the number of people who visited the web site and actually viewed the comments posted per issue.)

The views expressed online have been grouped into the above three topics / issues and can be found in the attached report titled 'Timbertown Review Comments Report'. As with all other forms of community consultation related to Timbertown, the issues raised online have supported the view that redevelopment is a favoured option for Timbertown, however the issue of funding still remains as one of the key issues moving forward in relation to Timbertown.

Written Submissions / Letters

During the consultation period and in addition to the above forms of community consultation, Council has received numerous submissions / letters and emails relating to the issue of Timbertown. These submissions cover a range of issues from redevelopment and maintenance to funding etc; the key topics of which are listed in the attached document titled 'Timbertown Written Submissions'.



T_town_SubmissionsAug09.pdf

Community Consultation Summary

As can be seen from the information provided above from each avenue of community consultation that has taken place, there is a large level of support for Timbertown to remain operational in some form. Whilst there have been many suggestions from the community on what a redeveloped Timbertown should look like, there are very few new funding options that have come out of the consultation process.

As can be seen from the results of the telephone survey, if State & Federal government cannot fund the compliance requirements and redevelopment requirements of Timbertown, then a vast majority of the community surveyed are not interested in either a rate increase to cover these ongoing works (72% of respondents found this option unattractive) or are not willing to see a reduction in other services in order for Council to be able to fund the works required (64% of respondents found this option unattractive). These figures are also reflected in the surveys completed by people in attendance at the community forums.

This result means that if the State & Federal government cannot fund the Timbertown upgrade via some grant funding etc, then taking into account how unattractive the community view an increase in rates or a reduction in other Council services, Council is not left with many viable options for funding the compliance and redevelopment works at Timbertown. Whilst initial approaches have been made to both State & Federal members of Parliament, it appears highly unlikely at this early stage that funding would be available for the redevelopment of Timbertown. In fairness to both these levels of government, it should be stated that until such time as a defined revised operating model and or business plan is in place for Timbertown, it is highly unlikely that the State or Federal government would consider offering funding support. At this stage Council has not been able to determine what the future operating model of Timbertown should look like, as this is one of the main purposes of the current consultation process, to determine what the future operating model of Timbertown should be.

Potential Operating Models for Timbertown

As mentioned above, one of the main purposes of the recent community consultation was to gain a clearer understanding of what some of the future options might be for Timbertown. As stated previously by Council's Administrator (June 2009), all options would be considered from closure to redevelopment and all other options in between.

Following are listed six (6) potential operating models for Timbertown. The proposed models are presented below (in no particular order), with a brief description of what each model would involve in very basic terms. The proposed models are listed here for information only at this stage. The next step is for Council to work through each of the proposed models in an effort to ascertain which models are viable into the future, taking into account the current compliance issues Council is facing at Timbertown.

Proposed Model	Brief Description
1) Current Operating Model	Business as usual model providing for day-to-day management of Timbertown with current ownership & management as well as existing budget allocations, with reliance on tenant, community groups and volunteers for assistance in maintaining Timbertown on an ongoing basis.
2) Board of Management / Directors	Council hands control & management of Timbertown over to a Board of Management / Directors, with responsibility for day-to-day management of Timbertown, with funding continued to be provided by Council.
3) Sale of Land & Closure of Timbertown	Council closes Timbertown and sells the land to interested parties for private purposes, with proceeds from the sale funding other projects within the Wauchope area.

4) Sale of Timbertown to Private Enterprise	Council sells Timbertown (incl land) as a going concern to an interested party, with proceeds from the sale funding other projects within the Wauchope area.
5) Long Term Lease to an Interested Party	Council leases the operation of Timbertown (incl all land) to a private interested party for a long-term lease.
6) Commercialisation of Timbertown	<p>A) Council to fund the compliance & redevelopment of Timbertown (from sources yet to be determined) with the focus being on a commercial return on investment from Timbertown, limiting the continued involvement of tenants and community groups;</p> <p>B) Potential joint venture with an interested party where funding requirements, risk and management are shared between Council and the joint venture partner.</p>

As previously stated, now that there is a defined list of proposed operating models for Timbertown, Council will begin to work through the viability of each of the models, taking into account the current issues already identified with Timbertown, being the compliance issues related to risk and OH&S, as well as the proposed redevelopment of Timbertown for the future. It is important that a thorough analysis is done for each of the models listed above in order for Council to be able to make a final determination on the future of Timbertown. To do this, Council will take into account the views expressed by the community in the recent consultation processes relating to funding and redevelopment options, as well as Council's responsibility to the entire community in making financially sustainable decisions for the future.

It should be noted in relation to the potential operating models listed above, that the possibility of funding the compliance upgrade and redevelopment of Timbertown by State or Federal government, whilst not specifically mentioned above, would be one of the funding options investigated in relation to the proposed operating model numbers 1, 2 & 6 (a).

Expression of Interest for the Sale or Lease of Timbertown

As part of Council's analysis of some of the proposed operating models listed above, one of the recommendations included in this report is that Council formally advertise an Expression of Interest for the Sale and or Lease of Timbertown. The purpose of calling for Expressions of Interest is a key part of testing the viability of the proposed options listed above, namely options 3, 4 & 5. This call for Expressions of Interest should not be seen as indicating Council's preferred position for Timbertown, but rather as part of a thorough investigation process into which proposed operating models are most viable for the future. If Council chose not to pursue an Expression of Interest at this time, the report that is to come back to Council in October / November recommending a way forward for Timbertown would be incomplete, as there would have been no market testing done on the viability of three of the proposed operating models listed above. It is anticipated that the Expression of Interest be advertised as soon as possible after this Council meeting, with submissions due by the end of September, allowing Council time to analyse and evaluate the submissions in a timely manner prior to the October Council meeting.

Alignment With Strategic Direction

This report aligns with the focus areas of Governance and in particular, with Council's core value of 'Openness & Accountability'. The recommendations contained within this report reinforce and promote Council's continued focus on processes that are transparent and accountable and that can withstand public scrutiny.

Consultation

Consultation has taken place with the following:

- Port Macquarie-Hastings Community;
- Timbertown Stakeholders;
- Council's Administrator;
- Council's General Manager;
- Director, Corporate & Business Services;
- Manager Business Services;
- Chief Financial Officer;
- Business Analyst

Planning and Policy Impact

There are no planning or policy impacts as a result of this report

Financial & Economic Implications

Whilst there are no direct financial or economic implications as a result of this particular report, any decisions on the future of Timbertown will potentially have financial and economic implications for Council and the community.

Options

Council's Administrator has the option of adopting the recommendations as included in this report, or not accepting same.

Governance

Meeting Date: 26/08/2009 - Council Meeting

Item 24




**Subject STATUS OF OUTSTANDING REPORTS TO COUNCIL
Director / GENERAL MANAGER: ANDREW ROACH**

To advise on the status of reports.

RECOMMENDATION

That the report be received and noted.

Reports Outstanding

Report	Status	Reporting Officer	Current Anticipated Date for Report
Structural Assessments of Port Macquarie and Wauchope Swimming Pools (Item 19 - ORD 17/12/08) 		INFRA	Oct 09
Sancrox Rural Residential Investigation Area - Update (Item 28 - ORD 24/06/09) 		DES	Mar '10
Draft Wauchope Town Centre Urban Design Framework (Item 29 - ORD 24/06/09) 		DES	Sept 09

Environment

Meeting Date: 26/08/2009 - Environment

Item 25

**Subject ACQUISITION OF AN EASEMENT TO DRAIN SEWER -
THRUMSTER STREET, THRUMSTER
Director TONY LEAHY (CBS)**

A report to consider making an application to the Minister for Local Government and The Governor for the compulsory acquisition of an easement to drain sewer situated at 16 Thrumster Street, Thrumster.

RECOMMENDATION

- 1. That application be made to the Minister for Local Government and The Governor for the compulsory acquisition of an easement to drain sewer depicted " A" in Deposited Plan 1140275.**
- 2. That all mines and minerals be excluded from the acquisition.**
- 3. That the Common Seal of Council be affixed to:**
 - a. Deed of Acquisition**
 - b. Land and Property Information Transfer Form.**

Discussion

The development of Thrumster for urban purposes brings with it the requirement to provide various infrastructure such as sewage reticulation. The placement of sewer pipes within land situated at 16 Thrumster Street has been identified as an integral component of the Thrumster development and an easement to drain sewer 5 metres wide is required 'over' the pipes once they are placed within the ground.

The location of the easement to be acquired is depicted in the plan below.



As can be seen in the plan above, the property to be the subject of the easement is located adjoining the principal Country Energy substation for the Port Macquarie Area, and at this time the property does not contain a dwelling. So as to minimise disturbance to the property, the southern portion of the easement to be acquired has been located within an existing easement for electricity supply (no dwellings or structures can occur within the electricity easement); with the western portion of the easement placed along the property boundary.

The site of the 5 metre wide easement to be acquired has been surveyed and the plan registered with Land and Property Information as Deposited Plan 1140275. The easement is depicted as "A" in Deposited Plan 1140275.

Alignment With Strategic Direction

The acquisition of the easement will provide for infrastructure to service the community.

Consultation

There has been initial consultation with the land owner who elected to appoint a legal representative to act on her behalf. Subsequently, all correspondence has been forwarded to the legal representative. Despite correspondence dating back to late 2007, the acquisition has essentially not progressed. This can be attributed to the lengthy intervals between responses, if any, to Council's correspondence. In order to progress the acquisition in a timely manner and to allow for the provision of the infrastructure, it is appropriate that the acquisition proceed by compulsory process.

Guidelines for compulsory acquisitions published by the Department of Local Government (DLG) require that Council notify a landowner of its intention to proceed by compulsory acquisition and consider any response as an integral part of its application for compulsory acquisition. Council is advised that correspondence dated 19 January 2009 informed the landowner that consideration of the acquisition by compulsory process may occur. Comment on the proposal was invited. A reply dated 29 January 2009 acknowledged receipt of Council's letter but nothing further has been received.

In May 2009, Council served notice on the owner that its surveyor would enter upon the land to conduct the survey to fully depict the easement to be acquired. The survey was subsequently registered as Deposited Plan 1140275. There was no response from the landowner to the serving of the Notice of Entry.

Council has satisfied the requirements of the DLG and in order to progress the acquisition, application must now be made to acquire the easement by compulsory process. The landowner will be advised of Council's action to proceed by compulsory process. This action does not preclude the landowner from either accepting or negotiating compensation prior to the acquisition being published by Notice in the NSW Government Gazette.

Consultation has also occurred with Council's consulting surveyor, Council's consulting valuer and with Officers of Council's Sewer Section.

Planning and Policy Impact

The acquisition of the easement will provide for the continued urban planning of Thrumster.

Financial and Economic Implications

Council is required to pay compensation to the landowner for the acquisition of the easement. Council's consulting valuer has assessed fair compensation payable for the acquisition in the amount of \$2,500 (GST exclusive). An offer in this amount has been made through the owners legal representative. The offer has neither been accepted or rejected.

If the acquisition proceeds to compulsory acquisition, by legislation, the Valuer General will determine compensation. It is reasonable to assume that the quantum of compensation that would be assessed by the Valuer General would not be substantially different to that assessed by Council's consulting valuer.

Options

There is the option to:

1. Make application for the compulsory acquisition of the easement.
2. Not make application for the compulsory acquisition of the easement.

Environment

Meeting Date: 26/08/2009 - Environment

Item 26

Subject T-09-12: DESIGN, SUPPLY & INSTALLATION OF POWER SUPPLY FOR THRUMSTER NO.1 SEWAGE PUMPING STATION
Director (ACTING) JEFFERY SHARP (INFRA)

To recommend to Council the appointment of Stowe Australia Pty Ltd for the provision of works detailed in Tender T-09-12.

RECOMMENDATION

- 1. That Council accept the tender of \$171,388.18 (exc GST) received from Stowe Australia Pty Ltd for the "Design, Supply & Installation of Power Supply for Thrumster No.1 Sewage Pumping Station".**

- 2. That approval be given for the execution of the necessary documents under Council Seal.**

Discussion

The tender for the construction of Thrumster No.1 sewage pumping station was awarded at Council's meeting of 27 May 2009. The design, supply and installation of power supply for the station was not part of the tender as previous experience with similar installations indicated that Council could achieve significant savings by tendering this component separately.

Consequently, tenders were called on 9 June 2009 and closed at 11.00am on 9 July 2009.

Tenders were received from:

NJ Constructions
 PowerServe Pty Ltd
 Stowe Australia Pty Ltd

A Tender Evaluation Panel (TEP) was formed as follows:

Ken Strong	NSW Department of Commerce	Project Manager (TEP Chairperson)
Andrew Doig	Port Macquarie Hastings Council	Acting Manager Sewerage Services
Tom Angus	Port Macquarie Hastings Council	Sewerage Investigations Engineer

The selection criteria and weightings had been determined prior to the opening of the Tenders.

The TEP generated a Tender Evaluation Management Plan (TEMP) consistent with the conditions of tendering in the Request for Tender (RFT) documents and that of the Local Government (General) Regulations 2005 (DLG Regs), which was prepared and signed off by the TEP prior to close of tenders. It should be noted that our policy requires that the Manager Business Services be in attendance and a part of the TEP. Due to the timing of the evaluation meetings and the nature of this tender it was considered acceptable that the Manager Business Services not be part of the TEP in this instance.

The TEP met to assess the three (3) tenders received against the adopted TEMP. A formal evaluation report was generated as a result of this meeting and has been circulated separately to Council's Administrator in hard copy as a *Confidential* document. (*Relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business. (Local Government Act, Section 10A(2)(c))*).

Alignment With Strategic Direction

The undertaking of construction of sewerage services for the Area 13 development area will align with Council's social focus in the facilitation of community growth and through the provision of quality services, strategies and infrastructure for the betterment of the community.

Consultation

Consultation has taken place within the TEP and with various other Council and Department of Commerce staff.

Planning and Policy Impact

A number of major development applications within the Area 13 development area are awaiting the finalisation of this and other Tenders and the adoption of the recommendation will allow these applications to proceed with a degree of certainty.

Financial & Economic Implications

The Sewerage Services Section has a significant works program to be delivered over the next two (2) years with projects already established and budgets allocated. Within that program of \$7.5M there is currently an uncommitted amount of \$650,000 available to undertake the design, installation and construction of power supply for the Pumping Station.

Options

Council has the option of not accepting this recommendation and calling new tenders, however, the the construction of the pumping station is currently underway and the provision of power is required to commission the station. Consequently, any delay would cause significant time constraints on the overall project and may not deliver any additional savings.

Environment

Meeting Date: 26/08/2009 - Environment

Item 27

Subject T-09-13: TENDER FOR THE CONSTRUCTION OF SEWER RISING MAIN AREA 13, CHAINAGE 00M TO 650M & CHAINAGE 1820M TO 2100M (ZONES PART 1 & 2)
Director (ACTING) JEFFERY SHARP (INFRA)

To recommend that Council reject all Tenders and utilise its own day labour force to construct Area 13 sewer rising main from chainage 00m to 650m & chainage 1820m to 2100m.

RECOMMENDATION

That Council reject all tenders received for Tender T-09-13, and utilise its own day labour force to construct Area 13 sewer rising main from chainage 00m to 650m and chainage 1820m to 2100m (Zones part 1 & 2).

Discussion

Selective tenders were called on 19 June 2009 from five (5) preferred contractors for the construction of Area 13 sewer rising main from chainage 00m to 650m and chainage 1820m to 2100m (Zones part 1 & 2) following the selection of these preferred contractors under EOI-07-16, reported to and resolved by Council on 3 December 2007.

At the close of tenders at 11.00am on Friday 10 July 2009 two (2) tenders were received from:-

- Eire Constructions
- TCM Civil

The original expression of interest for suitable contractors was called due to a lack of resources Council wide and the need to complete an extensive works program. It was always Council's intention to utilise its own workforce where possible to undertake conventional sewerage infrastructure construction (trenched pipelaying) within Area 13.

Following the close of tenders the Water Supply Services Section indicated that due to a change in resources and works program they were now available to undertake additional work.

The conventional pipelaying sections of the sewer rising main for the provision of sewage services in Area 13 is becoming critical. Utilisation of Council resources allows for maximum flexibility in meeting the construction program around other contractual constraints in the area.

A report comparing the estimate provided by the Water Supply Services Section and the two (2) tenders has been circulated separately to Council's Administrator in Hard Copy as a *Confidential* document. (*Relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business. (Local Government Act, Section 10A(2)(c))*).

Following due consideration of the submitted price and program and the level of experience of the Water Supply Section, the Sewerage Section is comfortable in proposing Council work crews undertake the sections of rising mains previously described in Tender T-09-13.

Current best estimates of the completion of the transfer system for Area 13 is June 2010.

Alignment With Strategic Direction

The undertaking of the construction of sewerage services for the Area 13 development area will align with Council's social focus in the facilitation of community growth and through the provision of quality services, strategies and infrastructure for the betterment of the community.

Consultation

Consultation has taken place with staff of Sewerage and Water Supply Services and the Acting Director Infrastructure Services.

Planning and Policy Impact

A number of major development applications within the Area 13 development area are awaiting the finalisation of this and other Tenders and the adoption of the recommendation will allow these applications to proceed with a degree of certainty.

Financial & Economic Implications

The Sewerage Services Section has a significant works program to be delivered over the next two (2) years with projects already established and budgets allocated. Within that program of \$7.5M there is currently an uncommitted amount of \$650,000 available the construction of the above works.

Options

Council has the option of not accepting this recommendation and processing the tenders received.

Environment

Meeting Date: 26/08/2009 - Environment

Item 28

Subject PLANNING PROPOSAL - HASTINGS LEP 2001 ANOMALY
Director MATT ROGERS (DES)

The purpose of this report is to address an anomaly that has been identified in Hastings Local Environmental Plan (LEP) 2001. The anomaly relates to the permissibility of industry in Rural zones and the need for strategic planning for such landuse to avoid adverse impacts.

It is proposed that Council prepare a planning proposal for submission to the NSW Department of Planning to amend the LEP to clarify the application of definitions in Clause 9 of Hastings LEP 2001.

RECOMMENDATION

That Council prepare a planning proposal under Part 3 of the Environmental Planning & Assessment Act 1979 (as amended) to clarify the application of definitions in Clause 9 of Hastings LEP 2001.

Discussion

Council has been asked to provide pre-lodgement advice regarding a proposal for an industrial use in a 1(a1) Rural zone in Hastings LEP 2001, on the basis that "light industry" is a permissible with development consent in that zone.

The proposal has highlighted a potential anomaly in Hastings LEP 2001, which arises due to the use of the plural term "industries" in the zone tables in Clause 9 of the LEP, which list amongst other things, the prohibited uses in various zones.

It is clear that industrial uses should be considered in a strategic manner, having regard to matters such as co-ordinated infrastructure and servicing requirements to avoid adverse impacts from isolated and/or ad hoc industrial development. For this reason, Council is prioritising strategic planning to facilitate industrial development in areas such as Sancrox, in accordance with Council's adopted Industrial Land Strategy.

It is proposed that Council prepare a planning proposal to the NSW Department of Planning to address this anomaly.

Alignment With Strategic Direction

The preparation of a planning proposal to remedy an anomaly in LEP 2001 is consistent with Council's strategic direction.

Consultation

Consultation requirements will be specified by the Department of Planning as part of the planning proposal process.

Planning and Policy Impact

There are no planning or policy impacts to report at this time.

Financial & Economic Implications

There are no financial and economic implications.

Options

Council has the option of either preparing a planning proposal to clarify the application of definitions in Clause 9 of Hastings LEP 2001 or not. Having regard to the circumstances, it is recommended that a planning proposal be prepared.

Economic

Meeting Date: 26/08/2009 - Economic

Item 29

**Subject PORT MACQUARIE AIRPORT MASTER PLAN 2009
DISCUSSION PAPER - CONSULTATION REPORT
Director TONY LEAHY (CBS)**

This report is submitted to Council for information. The report provides an overview of the consultation process undertaken and a summary of the formal submissions received in response to the public exhibition of the Airport Master Plan Discussion Paper which was exhibited in June 2009.

RECOMMENDATION

That Council notes the feedback received from the community and airport stakeholders in response to the Airport Master Plan Discussion Paper, and gives further consideration to these views in the development of the draft Master Plan 2009.

Discussion

Background

Council is currently reviewing and updating the Airport Master Plan to guide the future development of Port Macquarie Airport. In order to obtain feedback from the community and airport stakeholders as an input into the master planning process, Council prepared a Discussion Paper which identified a range of development issues, constraints and options for consideration and comment.

Consultation Process

Following approval by Council at the Ordinary Council Meeting on 27 May 2009, the Discussion Paper was placed on public exhibition from 1 to 30 June 2009. Copies of the paper were available at Council's Customer Service Centres in Port Macquarie, Wauchope and Laurieton, at Port Macquarie Airport in both departure lounges, and also available for download on Council's website. A number of copies were also sent directly to key stakeholders.

Council also delivered approximately 1500 letters and information brochures to residents living adjacent to the airport, with an invitation to attend an Information Session on the Discussion Paper. An Information Session was held at Council's offices on the evening of Monday 15 June 2009 - this session was attended by 16 residents. A second session planned for Tuesday 16 June was cancelled due to the small number of pre-registrations received - those residents who had registered for this session were contacted and asked to attend the Monday presentation. An Information Session was also held for on-airport stakeholders on Thursday 18 June which was attended by 10 stakeholders.

In addition to the Information Sessions, a number of presentations were given to other stakeholder groups during the exhibition period, including Council's Opportunities and Future Development Boards (17 June), and the Greater Port Macquarie Tourism Association (22 June).

Submission Received

Submissions were received from a cross-section of potentially affected residents, airport stakeholders and local business and tourism organisations as shown in the table below:

Bailey, G.	Greater Port Macquarie Tourism Assoc.	QantasLink
Brindabella Airlines	Hastings District Flying Club	Revell, A.
Burley, K. & G. (and Hastings Residential Village)	Horton, A. & J.	Rose, M. (x2)
Carswell, A.	Luke & Company	St. Agnes Catholic Church, Port Macquarie
Cook, J. & F.	Mercure Hotel	Sutton, D.
Coote, B.	Osborn, L.	Swanson, J.
Corben, J.	Parkinson, D.	Trotter, K.
Crawford, M.	Pendlebury, N.	Warne, P.
Dunn, J.	Port Macquarie Chamber of Commerce	
Goldie, I.	Port Macquarie Rifle Club	

The submission received from K & G Burley included a petition signed by residents of the Hastings Residential Village expressing concerns regarding some of the development options.

What the submissions said

Strategic Direction / Vision / Objectives

There was strong support from local business and tourism industries for further development of the airport as critical transport infrastructure to promote continued economic development of the region. Other submissions however expressed disappointment at the focus on economic benefits and that the Discussion Paper did not adequately address the potential negative impacts of further development of the airport on the quality of life for residents living adjacent to the airport.

Forecast Passenger Growth

A number of submissions commented that the passenger forecasts included in the Discussion Paper were overly optimistic.

Development Constraints and other Environmental Considerations

The submissions identified a number of issues for attention, including concerns regarding aircraft flight paths, noise and pollution, and stormwater drainage, flooding and water quality. The submissions included calls for detailed aircraft noise assessment and monitoring, ongoing noise management, mitigation, and consideration of compensation and night curfews. The submissions also called for detailed stormwater drainage and flood modelling analysis to be undertaken prior to any further development.

Submissions also suggested that the environmental constraints (eg wetland areas) identified in the Discussion Paper be reviewed in light of considerations of public safety and amenity and alternative development options.

Main Runway 03/21 (north-south)

The submissions were mixed in their preference for either Option 1 (existing runway) or Option 2 (new runway). Of those objecting to Option 2 (and supporting Option 1), the main reasons given were the potential impacts on adjacent residential areas through the shift in the flight path to the west and issues with aircraft noise, loss of amenity, effect on land values, and safety. One submission put forward an alternative option of a skewed runway running on a more north-south alignment so that the flight path avoided existing residential areas to the north of the airport. Another submission expressed safety concerns with regard to the proximity of aircraft over the sports fields on Tuffins Lane.

Grass Runway 10/28 (east-west)

Submissions received from general aviation stakeholders expressed strong support for retaining the grass runway for reasons of aircraft safety, pilot training, emergency landing, and runway congestion. Other submissions supported closure of the runway so as to maximise the development and economic potential of the airport site.

Taxiways

Generally the submissions supported the need for a parallel taxiway - one submission suggested that it was unnecessary. On-airport stakeholders expressed the view that there is an urgent need for a parallel taxiway for safety and capacity reasons and that as a first stage could be constructed for light aircraft only.

Regular Public Transport (RPT) Apron

There was little feedback on the RPT apron options. One submission supported expansion of the current apron to the north and west. Another suggested that development of a new apron (and passenger terminal precinct) should be located to the west of the main runway.

Passenger Terminal

Submissions supported the need for upgraded terminal facilities in the short-term, either in the current location or a contemporary new terminal building.

Car Parking Facilities

Submissions supported the need for an improved mix of car parking facilities and integrated public transport options as identified in the Discussion Paper.

General Aviation Facilities

Whilst there was recognition of the importance of RPT airline operations, many of the submissions expressed the view that Council should not overlook the needs of general aviation users. Submissions called for further expansion of the general aviation facilities including additional hangar space, and the provision of smaller T hangars. In general submissions favoured expansion of the general aviation precinct to the east of the current area, and close to the future commercial development area in order to maximise the benefits of these precincts. One submission favoured development of a new precinct to the west of the main runway.

Support Facilities

A range of comments were received including the need to upgrade the power supply at the airport (incl. 3-phase power), provide covered access for passengers and baggage to aircraft, and to relocate the fuel facilities. Concerns were also expressed regarding the mix of jet and turbo prop aircraft traffic, and mix of pilot experience, and the possible need for air traffic control or Unicom radio operator facilities to enhance safety at the airport.

Access Roads

Submissions raised concerns regarding the existing level of traffic congestion and additional traffic likely to be generated by future development in the area. There was general support for upgrading the airport access roads to ensure all-weather / flood free access and minimise traffic congestion at peak times, including Boundary Street and the intersection with Hastings River Drive. Submissions also stated the desire to retain secondary access via Tuffins Lane if possible. There was also support for the Outer Link Road to the Oxley Highway to improve access to the airport from the south, and an alternative connection to the existing roundabout on Hastings River Drive at Hughes Place was suggested as an alternative to Boundary Street. Another suggestion for the Outer Link Road was upgrading Fernbank Creek Road and providing a new access to the airport from the west. A further comment highlighted the need to ensure that the airport access roads were of high quality as the gateway to the Port Macquarie-Hastings region.

Commercial Property Development

Submissions supported the objective to develop a commercial precinct adjacent to the airport and requested specific development control with regard to the type, nature and aesthetics of compatible development in order to promote and safeguard the desired gateway image to the Port Macquarie-Hastings region.

New Airport Site

Submissions were split between the views of potentially affected residents and airport stakeholders. The former clearly stated their desire for investigation and development of a new airport site located away from residential areas. The latter stated that this issue had been examined previously by Council and was found to be not feasible. Airport stakeholders also expressed the view that the current site was convenient for business and tourist travel and there was no economic justification for re-location of the airport.

Development Options

Submissions varied in their preference - each option was supported, with there being no clear favourite.

Staging

Submissions ranged from stating that the timing of future development needed to be carefully considered with regard to the market conditions, airline strategies, infrastructure and capital expenditure required, to an immediate call for the airport to be upgraded.

Funding Options

Concerns were raised with regard to:

- the level of capital investment required and the potential impact on airport users (airlines and general aviation operators)
- the cost of associated off-airport infrastructure works and how these would be funded
- the potential duplication in works and costs if the current airport site is upgraded only to find that a new airport site is required in the future
- the development options not being fully costed.

A number of submissions stated that Council should investigate opportunities to partner with the private sector or sell the airport as a commercial strategy to remove risk and generate revenue to offset the costs of development.

Next step

The comments received will be given further detailed consideration as part of the development of the draft Master Plan which is due to be available towards the end of this year.

Alignment With Strategic Direction

This report aligns with the "Economic" focus area and in particular with Council's core value of "Consultation and communication". The recommendation contained within this report reinforces and promotes Council's focus on consulting and communicating with our community and to actively listen to and respond to their input.

Planning and Policy Impact

Feedback received on the *Discussion Paper* will assist Council to prepare the *draft* Master Plan 2009 which will ultimately provide the strategic direction for the future development of Port Macquarie Airport.

Financial & Economic Implications

Port Macquarie Airport is a key driver in the economic development of the Port Macquarie Hastings and wider Mid North Coast region. As such, it is important that the airport is positioned to handle the forecast growth in airline services and passenger numbers.

It is envisaged that significant works will be required to upgrade the existing airport infrastructure and facilities to cater for larger jet aircraft up to B737-800 and A320 series aircraft. The airport is funded solely by airport operations on a "user pays" basis, and as such this work will need to be planned to suit the level of funding available and staged as necessary to suit demand brought about through passenger growth and / or the introduction of new aircraft.

Options

Council may accept the recommendation as proposed or alter as necessary.