

Minutes 31 January 2006



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 31 January 2006, commencing at 5.51pm.

PRESENT:

Councillors C. Baumann (Mayor); J. Nell, G. Francis; G Robinson; H Brown; K. Jordan, G. Dingle, R. Westbury, J. Hodges, S. Dover, General Manager; Executive Manager – Corporate Management, Facilities and Services Group Manager; Sustainable Planning Group Manager; Business and Support Group Manager.

390	Councillor Hodges Councillor Nell	It was resolved that the apology from Cr Tucker and Cr Swan be received and noted.
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391	Councillor Robinson Councillor Jordan	Resolved that the minutes of the Ordinary meeting of Port Stephens Council held on 13th & 20th December be confirmed.
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MAYORAL MINUTES

MAYORAL MINUTE

ITEM NO. 1

FILE NO: A2004-0216

ACKNOWLEDGEMENT OF PETER COCKBAIN AND ALAN BROADFOOT

THAT COUNCIL:

1. Acknowledges Peter Cockbain's appointment as the President of the Institution of Engineers Australia and
 2. Acknowledges the selection of Alan Broadfoot as the Institution of Engineers Australia Engineer of the Year for 2005.
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BACKGROUND

1. Peter Cockbain has been a member of the Port Stephens business community for 25 years as one of the two founding owners of AMP Control based at Tomago. Currently, Peter and his family own the Hinton Hotel and Peter has been a member of the Institution's Engineering Heritage Committee for many years. As President of the Institution of Engineers he has one year as the head of the association for professional engineers in Australia.
2. Dr Alan Broadfoot is the CEO of AMP Control, an established and successful business with its headquarters located in Port Stephens at Tomago. It is a national company designing and manufacturing electrical equipment for the national and international markets. The company is growing at a significant rate due to exports and national business.

392	Councillor Baumann	There being no objections it was resolved that the Mayoral Minute be adopted.
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MAYORAL MINUTE

ITEM NO. 2

FILE NO: A2004-0217/A2004-0752

COUNCIL'S SUBMISSION, "DRAFT LOWER HUNTER REGIONAL STRATEGY" ON EXHIBITION UNTIL THE 3RD FEBRUARY 2006.

THAT COUNCIL:

Adopt Council's submission to the State government on the draft Lower Hunter Regional Strategy (Attachment One).

NOTE: THIS ITEM WAS DEFERRED TO THE LAST ITEM ON THE AGENDA FOR FURTHER DISCUSSION AFTER A SHORT ADJOURNMENT TO ENABLE COUNCILLORS TO READ THE MAYORAL MINUTE AND THE ATTACHMENT.

393	Councillor Baumann	There being no objections it was resolved that the Mayoral Minute be adopted.
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BACKGROUND

The draft Lower Hunter Regional Strategy was released by the Minister for Planning in early November 2005 for public exhibition. Exhibition was to close on the 20th January 2006. However, this has been extended for Councils until the 3rd February 2006 to allow formal discussion of the Strategy.

The Strategy will guide Council and the State government on managing growth and building communities in the Port Stephens Local Government Area. Preparation of the draft Strategy during 2004 and 2005 was undertaken in consultation with Councils in the Lower Hunter Region. The details of the draft strategy were not made available until its public release.

Council's Settlement Strategy was adopted in October 2002. The strategy was prepared and adopted in the absence of a regional strategy. This did not allow Council to ascertain the appropriateness or viability of the local strategy within a regional economic, environmental and social context.

The release of the draft Lower Hunter Regional Strategy now allows Council to review the Port Stephens Settlement Strategy that is currently underway.

The draft Regional Strategy identifies North Raymond Terrace (NRT) and Medowie as future new release areas with NRT subject to more detailed investigation of noise issues associated with the RAAF Base Williamstown.

Council recently commissioned and received an independent consultant's report that concluded that, provided the requirements of AS 2021-2000 are fulfilled, then there would appear to be no valid reason for prohibiting, or rejecting, the proposed NRT rezoning on the basis that aircraft noise levels either inside or outside those properties do not or cannot

MINUTES FOR THE ORDINARY MEETING – 31 JANUARY 2006

conform to the requirements of the relevant Australian Standards and/or those nominated by the Council or the State Government.

Regardless, Department of Defence have verbally indicated that they will be making a submission to the draft Lower Hunter Regional Strategy stating that; increased development in the vicinity of airfields leads to increased complaints; over time complaints become more voracious; and negatively influence military aircraft operations or even the viability of the base itself. Therefore, Defence cannot support further development at both the NRT and Medowie new release areas.

ATTACHMENT 1

Telephone Inquiries
4980 0326
Please Quote File No:
A2004-0752

Steve Brown
Manager – Hunter Region
Dept of Planning
P.O Box 2213
DANGAR NSW 2309

Dear Steve

Re: Port Stephens Council Submission to the Draft Lower Hunter Regional Strategy

On the 31st January 2006 Council's Strategic Committee discussed the draft Strategy and resolved to submit the following comments for the Department's consideration:

Policy

1. Council supports the government's initiative in preparing the draft Strategy. Regional planning is essential to coordinating and managing growth and building communities in Port Stephens and across the region.
2. Council generally supports the strategic directions identified for the Port Stephens LGA on the strategy map. Council is in the process of reviewing its Settlement Strategy and will incorporate the Regional Strategy directions in to this document. The revised Settlement Strategy may identify more local opportunities that are consistent with the threshold sustainability criteria identified in Appendix One of the Regional Strategy.
3. Forecasting future population growth rates is an inherently difficult exercise. In the interim, policy directions on how to manage population growth across the region should be the focus of the strategy. This and the 5 yearly review of the Regional Strategy will allow necessary adjustments to changing population growth rates.
4. Promoting the management of growth around existing and new mixed use centres and neighbourhoods across the region is supported. The Port Stephens Urban Settlement Strategy promotes this. As part of Council's review of this Strategy it is intended that detailed policies will be developed over time to guide Council and Government policy on managing growth and building mixed use communities at the district and local or neighbourhood level.
5. It is important that the Regional Strategy demonstrates in detail how the objectives of mixed use development and neighbourhood planning can be achieved. This allows Councils, development industry and the community to have more meaningful discussion about the strategic management of population growth at a regional, district and neighbourhood level. The State government's Integrating Land Use and Transport policy package should be refined and adjusted to the regional context and incorporated into the draft Strategy.
6. Infrastructure including schools, roads, rail, hospitals, water and sewer, power etc and provision of human support services and programs are crucial in forming a supporting network for future population growth and management in the region. However, the Strategy does not adequately identify the State government's "forward works program" for infrastructure or human support services and programs for the Lower Hunter Region.
7. Reference in the Strategy to the State Infrastructure Strategy is assumed to refer to the State Infrastructure Strategic Plan 2002. If so, this needs updating and incorporated into the Regional Strategy.

8. The Strategy identifies Raymond Terrace as a “major centre” and that retailing and employment growth is to be located in this centre. Yet page 17 states that the town does not have sufficiently zoned land to accommodate projections in employment growth. This is incorrect. Approximately 70,000m² of additional land in the town centre was recently zoned for commercial uses of which some 25-35,000m² will be used for open space.

9. Item 8 and the generally poor condition of commercial building stock in Raymond Terrace means that future growth in the town can be accommodated on greenfield land and through redevelopment and intensification of existing commercially zoned land. With the development of Kingshill, Raymond Terrace is in a position to become a “major regional centre” (50,000 – 85,000m²) according to Property Council of Australia centre hierarchy classification.

Kingshill – regional significance

10. Kings Hill is a regionally significant site given:

- proximate access to the Hunter's reliable and sustainable water supply;
- proximity to linkages to a national movement network such as F3 Freeway to Sydney, Pacific Highway to Brisbane, and Newcastle Airport.
- it is unconstrained land in immediate proximity to the regional centre of Raymond Terrace;
- significant land area provides for biodiversity Conservation and integrated recreation facilities;
- Immediate access to regional infrastructure;
- proximity to existing and emerging employment growth areas, particularly Newcastle airport and the Williamtown RAAF Base, Thornton/ Beresfield, Tomago, Kooragang and Carrington.
- Proximity to existing Community facilities and recreation facilities;
- Landscape attributes conducive to desirable urban design outcomes

Kingshill – design

11. Kingshill is a new town, not a suburb, with a structure based on neighbourhoods. These have various types of centres (community, local retail, town centre, as well as structured open space) as focal points and nodes for community development.

12. Kingshill is about creating a “liveable community” and has been designed to have:

- a core public transport route that is central to the development area, that captures the majority of the development area within a reasonable walking distance;
- an urban structure that reinforces internal movement networks and external linkages. It comprises a diversity of lot sizes that contributes to the diversity of housing types and people in an area. Social diversity contributes to more active communities, with a significant increase in population size and key social groups.
- a walkable and connected street system that has the potential, with attention to detail in its design, to provide transport choice and convert some local car journeys to walking or cycling journeys;
- a maximised number of lots that are correctly oriented for solar gain and thus for energy efficiency;
- gas supply to the entire development area;
- a compulsory minimum house energy rating of 4.5 star, together with the NatHers concession for sloping sites and an aim to improve on this as technology, builder ability and prices improve;
- a holistic implementation of Water Sensitive Urban Design across the entire development area;
- water management and conservation measures built into all houses;
- a diverse range of facilities and community resources spread across the development to meet the diverse demands of a changing society; and

Kingshill - Noise

13. Council recently appointed an expert noise consultant to gather noise event data from the site and report to Council on the Department of Defence's concerns of potential aircraft noise impacts on the land that may unduly influence the long term viability of RAAF Base Williamstown. This is despite the fact that the site is not located within the Australian Noise Exposure Forecast contours – a system endorsed by the Australian Government to guide land use planning and aircraft noise issues around airfields.

The submitted report concludes that, provided the requirements of Australian Standard 2021-2000 are satisfied and independently certified, there is no valid reason for rejecting the proposed rezoning on the basis that the noise levels either inside or outside of the Kingshill site do not or cannot conform to the requirements of the relevant Australian Standards and/or those nominated by the State government or council.

Council respectfully requests that the draft Strategy be amended to remove reference to noise issues for the Kingshill site. The report by Challis Consulting is attached for your information.

Kingshill - Economic benefits

14. Development of Kingshill with a population of approximately 12,000 people would double the town's primary catchment area and, through new residents with higher average household incomes, will positively influence the amount, quality and diversity of commercial activity within Raymond Terrace. Furthermore, when a population threshold of 25,000 people is reached this allows the Raymond Terrace and Kingshill to generate economies of scale for retailing, facilities and services and employment. The development of the site will allow Raymond Terrace to become a more robust town.

The design philosophy proposed for the site has been found to generate four times more jobs, and in broader categories, for similar types of developments in Western Australia and New Zealand than normally found with conventional development where retailing and services associated with new development are accommodated in standalone shopping malls.

15. Excluding home based businesses, typical suburban development for 10,000 people generates around 10% local employment within the development area. For Kingshill economic analysis expects that approximately 19% of employment will be generated on site due to accessibility and exposure to the Sydney to Brisbane freeway, a mixed use village strategy and the provision of one secondary and two primary schools (in accordance with the Department of Education and Training requirements for new school sites). Further local employment growth will be generated with the commensurate increase in facilities and services in Raymond Terrace and the growth of Williamstown airport and airport related activities.

16. Kingshill will contain controls to provide a commensurate level of local retailing and services with higher order retailing and services retained in Raymond Terrace. This ensures that it complements and not competes with Raymond Terrace in the centres hierarchy.

Kingshill - social benefits

17. Development of Kingshill will:

- attract a large proportion of second and third home owners and continue trends that are evident in the demographic profile of Riverview Ridge (Raymond Terrace) and that experienced by Wyong Council in the recent development of Hamlyn Terrace, Blue Haven and Mardi release areas in the Central Coast.
- Contribute to a diminishing of the lower social demographic by attracting more people with higher incomes into the Raymond Terrace primary trade area.
- an expansion of the Community Health Service, state and federal department officers including Housing, Community Services, Defence, RTA and Centrelink

- provide an increase in the number of buses providing local and regional transport, an increase in local access to post school study opportunities, an expansion of the local library and an increase in local school opportunities. The current high schools operate to maximum capacity and the site would provide the population necessary to attract an additional high school and infants/ primary schools and create the potential for additional private school infrastructure.
- a diversity of housing will broaden the current demographic composition of the district, which will see a significant increase in population size and key social groups. An increased diversity of housing will match demographic needs and provide for the lifecycle of the population and facilitate “age in place”.

In summary, the Kingshill project will implement many government policies relating to sustainability, transport, environment and energy efficiency and the desired outcomes of the Regional Strategy. It presents an opportunity to become a demonstration project on how to integrate environmental, economic and social outcomes to achieve a sustainable community.

Medowie

18. Medowie has been identified in Council's Settlement Strategy and in the Medowie Local Area Plan as a growth area. Council will be approaching the structure planning of Medowie similar to that being developed for Kingshill. Among the many challenges facing the planning and development of the Medowie area is the fragmented land ownership and subsequent coordination of different land owners.

Department of Defence

19. Council recently met with the Department of Defence concerning Item 13. It is understood that Defence will make a submission on the draft Strategy indicating that it cannot support development at both Kingshill and at Medowie due to aircraft noise issues and potential adverse impacts on the long term operation of RAAF Base Williamstown. Despite Council's unanswered request for clarification on whether Defence has concerns with the whole Kingshill site or parts thereof; the fact that Kingshill and Medowie are outside of the ANEF contours; and that current Minister's Section 117 Directions concerning draft LEP's and aircraft noise do not prohibit development in these release areas, Defence's views are unreasonable and not soundly based on existing planning or policy.

Biodiversity

Like much of the Port Stephens local government area, the Kingshill and Medowie new release areas contain threatened species. Under current legislation this may jeopardise planning approval and/or impact on development layout and yield and therefore undermine the desired outcomes of the Regional Strategy for these areas. Council would like to work in partnership with the government through its proposed bio-certification legislation to ensure that these projects can be implemented whilst contributing to the outcomes of the Regional Conservation Plan.

Yours sincerely

Craig Baumann
Mayor

MAYORAL MINUTE

ITEM NO. 3

FILE NO:A2004-0216/P842.265

DEVELOPMENT CONSENT FOR REDEVELOPMENT OF TOURIST RESORT – 265 SANDY POINT ROAD, SALAMANDER BAY

 THAT COUNCIL:

- 1 Write to the Minister for Planning to raise concerns over the way the construction of the tourist facility at 265 Sandy Point Road has been carried out and support the residents in demanding that the unlawful retaining wall and fill be removed, and
- 2 Call for a report detailing any issues which have arisen due firstly to development applications being assessed by the Department of Planning and secondly construction certificates and inspections being carried out by private certifiers.

394	Councillor Baumann	There being no objections it was resolved that the Mayoral Minute be adopted.
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Matter Arising

409	Councillor Nell Councillor Jordan	It was resolved that Council forward a letter to State & Federal members and Minister for Planning on abolition of private certification in NSW and state significant legislation.
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BACKGROUND

In June 2004 a development consent was granted by the then Minister for Infrastructure, Planning and Natural Resources for the redevelopment of an existing Tourist Facility (originally Roche Racquet Resort). The construction certificate for this development was then issued by a private certifier. In this regard Council has had no role in the approval and construction of the development. The purpose of this report is to explain the issues which have arisen largely through the concerns of the neighbours.

The Approved Development

The development consists of ninety-five (95) tourist accommodation units of varying bedroom numbers and associated tourist facilities such as parking, amenities, pools and spas.

Council has received routine concerns since the construction began relating to safety fencing and hours of operation and these have been referred on to the Private Certifier for action.

The concern that was raised in November 2005 related to the filling and retaining which was occurring. This was in respect of the degree or extent of filling and the use of car tyres as the method of retention.

The plans submitted and approved by the then DIPNR did not propose finished site levels and all buildings were approved at the same RL. In this regard the approved plans did not envisage site filling in the order of 2 metres nor were retaining walls of similar heights approved.

Retaining Walls

The site construction has included a level of filling and site modification which was not part of the application. The result is approximately 2 metres of fill on the north western boundary of the site and a retaining wall constructed from tyres. Council does not have details of this construction however pictures provided by a neighbour clearly show the structure to be higher than a standard 1.8 metre fence.

In responding to the concerns from the affected neighbours the certifier issued a draft order on the applicant requiring removal of the retaining walls. In issuing this draft order DIPNR was noted as the consent authority and Port Stephens Council was noted as the authority which could instigate legal proceedings. The draft order was issued on behalf of General Manager, Port Stephens Council without Council's prior knowledge.

Legal Implications

Where a development is privately certified the conditions of consent are required to be enforced by the certifier. Where there are areas of non-compliance and an order is required the certifier essentially issues a draft order on behalf of the consent authority. Whilst this process is workable in theory it does not recognise the legal importance of draft orders. In reality it is unlikely that any Council would pursue litigation based on the draft order issued by a certifier.

With the site in question a draft order has been issued by the private certifier on behalf of Port Stephens Council over a development which Council did not assess or determine with the intent of Council enforcing conditions which Council did not draft.

Council Response

Council has advised the certifier that Port Stephens Council was not and is not the consent authority. Council's understanding is that there is nothing in the Act which would indicate that the local Council should be the consent authority in such circumstances and the logical extension of the development application's determination would be that the Department of Planning continue to be the consent authority.

In further justification of the above the following should be noted:

- The Department of Planning has all of the background detail, assessment reports etc and PSC has only the conditions of consent and the approved plans.
- The DoP is responsible for the assessment process and if there is any accountability for this assessment they must also be responsible for the enforcement of the conditions they drafted.
- Conditions of consent are derived from the assessment process and as such in legal matters it is the assessing officer who is central to enforcement.

Recommendation

It is recommended that Council

1) Write to the Minister for Planning to raise concerns over the way the construction of the tourist facility at 265 Sandy Point Road has been carried out and support the residents in demanding that the unlawful retaining wall and fill be removed, and

2) Call for a report detailing any issues which have arisen due firstly to development applications being assessed by the Department of Planning and secondly construction certificates and inspections being carried out by private certifiers.

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO:PSC 2005-1635

MOTION TO CLOSE MEETING TO THE PUBLIC

AUTHOR: BRONWYN FLINN – BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(c) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary meeting agenda namely ***Sale of Land in Raymond Terrace***. That the reasons for closing the meeting to the public to consider this item be that:- it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business.
- 2) In particular, the information and discussion concerns **Sale of land in Raymond Terrace**.
- 3) On balance it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as the information and discussion need to be carried out confidentially to protect the interests of both parties. Any breach of such confidentiality could prejudice Council's position.
- 4) That the minutes relating to this item be made public on settlement if the proposed acquisition goes ahead or when negotiations are ended.

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

395	Councillor Jordan Councillor Brown	It was resolved that the recommendation be adopted.
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ITEM NO. 2

FILE NO: 1740-168

MOTION TO CLOSE MEETING TO THE PUBLIC

AUTHOR: BRONWYN FLINN – BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(d) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 2 on the Ordinary meeting agenda namely **T14-2005 Tender for Hire of Plant & Equipment.**
- 2) That the reasons for closing the meeting to the public to consider this item be that:
 - i) The report and discussion will include details of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the tenderers; and
 - ii) In particular, the report includes confidential pricing information in respect of **Tender for Hire of Plant & Equipment.**
- 3) That on balance, it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as disclosure of the confidential commercial information could compromise the commercial position of the tenderers and adversely affect Council's ability to attract competitive tenders for other contracts.
- 4) That the report and minutes of the closed part of the meeting are to remain confidential and that Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 20(b) of the Local Government (Tendering) Regulation 1999.

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

396	Councillor Jordan Councillor Brown	It was resolved that the recommendation be adopted.
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397	Councillor Robinson Councillor Jordan	It was resolved that Council move into Committee of the Whole.
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Council moved into Committee of the Whole at 6pm

COMBINED OPERATIONS/STRATEGIC COMMITTEE REPORTS



ITEM NO. 1

FILE NO: A2004-0284

DRAFT REIMBURSEMENT POLICY FOR COUNCILLORS

AUTHOR: TONY WICKHAM – GOVERNANCE COORDINATOR

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Reimbursement Policy for Councillors in ATTACHMENT 1.
-

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

<p>398</p>	<p>Councillor Nell Councillor Jordan</p>	<p>It was resolved that the recommendation be adopted with amendments to read:</p> <p>Item 1.2.3 (a) as follows: Council will reimburse the telephone service and equipment charges for a Councillor's private phone number.</p> <p>Item 1.2.3 (b) Council will reimburse up to \$40.00 per month towards Councillors telephones calls. Claims in excess of \$40.00 will require proof of expense incurred.</p> <p>Item 1.2.6 Council will reimburse the monthly cost of the internet connection for Councillors up to \$40.00 per month. Claims in excess of \$40.00 will require proof of expense incurred.</p>
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Note: Cr Swan entered the meeting at 6.10pm during Item 1

BACKGROUND

Note: This report was considered at the Council Meeting of the 22 November 2005 with the following resolution and is now submitted for Council's consideration. Councillor's will note the receipt of the Memorandum giving a response to the issues raised.

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343	Councillor Hodges Councillor Westbury	It was resolved that Council defer the Reimbursement Policy for Councillors and undertake a review of a range of issues raised by the Councillors
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The purpose of this report is for Council to consider the result following public exhibition of the reviewed Reimbursement Policy for Councillors.

At the Council meeting held on 28 June 2005, Council resolved to place the above policy on public exhibition for a period of 28 days. The exhibition period finished on 29 July 2005, with no submissions received by the community.

LINKS TO CORPORATE PLANS

This report relates Key Result Area No.9 “Involving our Community” with Objective No. 9.1 – “Provide stable and democratic Local Government representing the interests of the local community, acting in the best interest of the community”

FINANCIAL/RESOURCE IMPLICATIONS

The financial implications arising from this policy are covered in the 2005-06 adopted budget.

LEGAL AND POLICY IMPLICATIONS

This policy is developed under Section 252 of the Local Government Act.

Australian Business Excellence Framework

This aligns with Principles 5 and 10 of the ABEF Framework.

- 5) The potential of an organisation is realised through its people’s enthusiasm, resourcefulness and participation
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society

SUSTAINABILITY IMPLICATIONS**SOCIAL IMPLICATIONS**

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

General Manager
Executive Manager – Corporate Management
Councillors
Community of Port Stephens

OPTIONS

- 1) Adopt the recommendation
- 2) Amend the draft policy

ATTACHMENTS

- 1) Draft policy

TABLED DOCUMENTS

- 1) Nil

ATTACHMENT 1



Councillors Reimbursement Policy (Section 252, Local Government Act 1993)

Councillors Expenses Reimbursement Procedures Travel Allowance Conference and Seminar Attendance

Adopted 28 June 1994
Minute No 342
Amended 13 December 1994
Minute No. 691
Amended 14/11/95
Minute No. 562
Amended 10/9/96
Minute No. 528
Amended 23/12/97
Minute No. 1471
Amended 09/03/04
Minute No. 107

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INTRODUCTION

This policy is made under the Local Government Act, 1993, including Sections 248 to 254 and 731 and having regard to the provisions of the Department of Local Government Circular to Councils number 00/22 dated 7 April 2000 and 04/60 dated 22 December 2004.

The Act requires that the Council must adopt a policy concerning the payment of expenses and the provision of facilities to the Mayor and other Councillors.

Section 428 (2)(f) requires a Council to include in its Annual Report:

- Total amount of money expended during the year on Mayoral fees and Councillors fees
- Council's policy on the provision of facilities for, and the payment of expenses to Councillors
- Total amount of money expended during the year on providing those facilities and paying those expenses.

Section 12 of the Local Government Act provides that the public is entitled to inspect the Council's policy concerning the payment of expenses incurred by, and the provision of facilities to, Councillors, free of charge, and may obtain a copy, either free of charge or on payment of reasonable copying charges.

Section 253 of the Act requires Council to give at least 28 days notice of the proposed policy and the policy must be adopted in Open Council (Section 254).

OBJECTIVES

PART 1 – Fees, Expenses and Facilities

1. To ensure Councillors are able to effectively carry out their responsibilities as members of the Council & as community representatives without suffering financial hardship.

PART 2 – Attendance at Conferences and Seminars

2. To be accountable for Council's performance to the community and ensure effective communication including the identification of changing needs and expectations

PART 3 – Travel Arrangements

3. To determine the method of reimbursement of expenses incurred by Councillors for travel costs.

The objectives will be achieved if:-

- (a) Reasonable expenses are paid to Councillors to compensate them for costs incurred in carrying out their duties;
- (b) No Councillor suffers financial hardship as a direct result of performing their functions;
- (c) No expenses are paid for activities that are not essential for Councillors to perform their functions effectively.
- (d) Councillors are provided with an opportunity through training to improve their knowledge and skills;
- (e) Councillors are adequately informed of issues relevant to them;
- (f) Community expectations are observed by not sending more representatives than are necessary.

PART 4 – Insurance – Councillors

To provide appropriate insurance coverage for Councillors in the areas of Personal Accident, Professional Indemnity, Public Liability and Councillors' and Officers' Liability

PART 5 – Legal Assistance for Councillors

To provide legal assistance to Councillors for functions carried out during the Council term.

PART 1

Councillors Fees, Expenses and Facilities

Part 1 is in accordance with Section 252 of the Local Government Act 1993 - Council is to pay expenses incurred or to be incurred, and provide facilities for the Mayor, Deputy Mayor and Councillors to enable them to discharge their functions of Civic Office; and

This Part includes the provision of annual fees paid to the Mayor, Deputy Mayor and Councillors as determined by Council in accordance with Section 248 - 251 of the Local Government Act and subject to the Local Government Remuneration Tribunal.

1. Payment of Expenses

1.1 Annual Allowance

Council will determine an annual allowance, to be paid monthly in arrears, in accordance with Section 248 - 251 of the Local Government Act and the determination of the Local Government Remuneration Tribunal.

1.2 The following expenses incurred or likely to be incurred will be paid by the Council in accordance with the standards and procedures set out below:-

1.2.1 Sustenance

- a) Councillors will be reimbursed for sustenance expenses if the Councillor is unable to partake of a meal at his or her usual place to partake of meals.
- b) The maximum level of reimbursement will be appropriate to the circumstances of attendance and will be determined by the General Manager.
- c) Councillors seeking reimbursement for sustenance expenses must complete **Form 1A** and provide receipts.
- d) Expenses will be reimbursed with the monthly allowance and itemised.

1.2.2 Travel

- a) Councillors will be reimbursed for travel to activities that directly relate to a Councillors civic function for example - Council and Committee Meetings (including 355b Committees), public meetings and Council site inspections.
- b) See Part 3 - Travel Arrangements

1.2.3 Telephone Expenses

- a) Council will reimburse the telephone service and equipment charges for a Councillor's private phone number upon production of the paid account.
- b) Council will reimburse up to \$40.00 towards Councillors **local** telephone calls. Council will also reimburse the cost of STD calls provided the call was for Council purposes. All reimbursements will be made on production of paid accounts and evidence that calls were Council related.

1.2.4 Mobile Phone Expenses

- a) Council Mobile Phone Accounts are automatically referred to the Executive Manager-Corporate Management. The telephone rental and all calls will be paid by the Council provided the phone is used exclusively for a Councillor to carry out his/her responsibilities as a member of the Council and as a community representative. Should the phone be used for a dual purpose such as private and Council then all calls should be recorded in a log book/diary and submitted with the account
- b) Council will reimburse Council related calls on individual Councillors private mobile upon production of paid account and evidence that the calls were Council related.

1.2.5 Child Care

Reasonable expenses incurred for childcare while attending Council or Committee Meetings, only. Councillors seeking to use childcare facilities should notify the General Manager prior to making arrangements.

1.2.6 Internet Expenses

Council will reimburse the monthly cost of internet connection for Councillors up to \$40.00 per month upon production of the paid account. Should the cost be less than \$40.00 the actual amount will be reimbursed.

2. Provision of Facilities

The following facilities will be provided in accordance with Section 252 of the Local Government Act to assist Councillors discharge their functions of Civic Office.

2.1 Mayor

Motor Vehicle

- a) A fully serviced and maintained motor vehicle for the purposes of discharging the functions of civic office.
- b) Private use of the motor vehicle in accordance with Council's Use of Council Vehicle Agreement.

Office

A furnished office suite located in the Administration Building.

Communication Systems

A mobile telephone with car kit is provided, serviced and maintained.

Motor Vehicle Parking Space

A permanent parking space in the Administration Building carpark will be provided.

2.2 Deputy Mayor

Motor Vehicle

- a) In the absence of the Mayor, a fully serviced and maintained motor vehicle for the purposes of discharging the functions of civic office can be provided.

2.3 Councillors

Motor Vehicle

- a) A Council motor vehicle may be arranged under special circumstances and where no other alternative means of travel is available for attendance at conferences and seminars.
- b) When a Council vehicle is allocated to a Councillor for use on Council business, **only** a Councillor or a staff member are permitted to operate the vehicle.

Office

A furnished Councillors' room is provided in the Administration Building, shared by all Councillors.

Motor Vehicle Parking Spaces

Four permanent parking spaces in the Administration Building carpark will be provided.

2.4 All Councillors

Administration Support

For the Mayor

Administration support shall be provided as determined by the Council and the General Manager.

For all Councillors

Staff assistance will be provided as required for matters pertaining to Council business. Assistance may be in the form of administration support to answer constituents requests; delivery of material from Council and catering for meetings; send and receive facsimiles.

- Note:
- i). Under no circumstances shall Councillors use the administration services or other facilities provided in association with Local, State or Federal Government election material.
 - ii). Under no circumstances shall Councillors use the secretarial services or other facilities provided for the initiation of circular type letters without prior authority of the Council being obtained.

Stationery/Postage

Council will provide each Councillor with stationery, business cards, Christmas cards, and postage for associated mailing. Personal mail will be posted provided the appropriate postage stamp/s are included on the envelope/package.

Refreshments

Beverage and sustenance will be available in the Councillors' Room as required.

Meals

Meals and beverage will be provided after each Council and Committee meeting.

Deliveries

The business paper will be delivered to all Councillors at least three days (number of days will include weekends) prior to the Council or Committee Meeting and general correspondence will be delivered each week, regardless of whether there is a Council or Committee Meeting.

Insignia of Office

Provision of badges, name plates, indicating the wearer holds the office of Councillor, to wear at Civic functions.

Disabilities

In line with Anti-Discrimination Guidelines any Councillor with a special disability or special need may notify the General Manager for adjustments to be made.

Communication Equipment

Councillors will be given the option of a computer (PC or laptop), facsimile, answering machine, modem and mobile phone as their means of communication with Council and the community. At the beginning of a quadrennium, Councillors will be provided with the above equipment at Council's cost. Councillors will be responsible for the maintenance and repairs of equipment following the initial purchase under the warranty. Council staff should not be utilised for maintenance of Councillor's equipment.

Councillors will retain the equipment at the end of their term.

Corporate Uniform

Councillors may choose from a selection of Corporate Uniform provided by Council's approved supplier. Council will contribute a subsidy to 35% of the initial cost to a maximum of \$220 per annum. A sundry debtor account will then be forwarded to the Councillor for payment of the balance. Alternatively, a deduction can be made from the Councillor's monthly allowance.

Protective Apparel

Provision of Protective Apparel, including hard hat, safety vest and safety footwear, to accord with the NSW Occupational Health & Safety Act for on site inspections.

Acts & Regulations

Updated Local Government Act, Regulations and other Acts may be viewed on www.austlii.edu.au or by contacting Corporate Management.

3. Private Benefit

- 3.1 Fees payable to the Mayor, Deputy Mayor and Councillors will not be reduced for any private benefit gained from the private use of facilities;
- 3.2 Councillors are required to make payment for any private use of Council facilities in accordance with Council's Code of Conduct and Guidelines.
- 3.3 Councillors must use Council resources effectively and economically in the course of his or her public or professional duties, and must not use them for private purposes unless such use is lawfully authorised and proper payment is made.
- 3.4 Councillors must not convert any property of the Council for his or her own use.

PART 2

Attendance at Conferences and Seminars

Part 2 stipulates the relevant authorisation required to attend Conferences/Seminars; provides that Council will meet all reasonable out of pocket expenses; and indicates the standard of accommodation to be provided.

2.0 Authorisation

- 2.0.1 Councillors will be notified of all relevant conferences.
- 2.0.2 The total cost of travel undertaken and conferences attended must be included in the Council's Annual Report. [Local Government Act S428(2)(f)]
- 2.0.3 Councillors interested in attending a conference/seminar should contact the Mayor's Executive Assistant. Automatic approval will be granted to attend a conference/seminar within the budget allocation (as determined by Council).
- 2.0.4 Approval to attend Conferences/Seminars over and above an individual Councillor's budget allocation will be determined by the General Manager and Mayor in accordance with their concurrent delegated authority.
- 2.0.5 Requests to exceed the total budget allocation for the financial year will be submitted to Council for determination and re-allocation of funds.
- 2.0.6 In making its decision, the General Manager/Mayor or Council should consider:-
 - i) the relevance of the conference to Council and the potential benefit that may result from attendance;
 - ii) the special interest of the Councillor/s wishing to attend;
 - iii) the total cost to Council of attendance relative to the Program budget;
 - iv) the fair and equitable division of opportunity for Councillors to attend conferences/seminars.

2.1. Reimbursement of Costs

- 2.1.1 All costs associated with Conferences/Seminars will be paid to the Conference Organiser in advance by Council:- ie.
- Registration and associated documentation;
 - Travel (see Part 3);
 - Accommodation (See clause 6) and
 - Sustenance (See Part 1)
- 2.1.2 Councillors seeking to extend their stay in conjunction with Council business shall notify the General Manager prior to making arrangements.
- 2.1.3 Councillors Partners may accompany them on Council business trips subject to all expenses incurred by partners being paid for by the Councillor or by Council if approved under Council's Accompanying Persons policy, if it is deemed to be appropriate for their attendance. Note: An account system can be organised by prior arrangement with the Mayor's Executive Assistant - accounts are payable within thirty days or can be deducted from a Councillors monthly allowance.

2.2 Accommodation

- 2.2.1 Accommodation will be booked and paid for by Council at accommodation where government rates apply. Additional expenses incurred in respect of personal services at the place of accommodation will be paid for by the Council, such as valet parking and laundry (dry cleaning). Note: Video Hire and Mini Bar Facilities will be paid for by the Councillor.
- 2.2.2 Accommodation booked for attendance at a conference will be at the venues suggested by the conference organiser.
- 2.2.3 Reimbursement of Accommodation expenses shall be paid where the representative is unable to reside at the place where he/she ordinarily resides and incurs additional expense.
- 2.2.4 Accommodation shall be paid on a per night basis, based on reimbursement for actual costs involved.
- 2.2.5 The standard of Accommodation is not to exceed four stars except where a conference or seminar venue exceeds four stars, or as determined by the General Manager.

PART 3 **Travel Arrangements**

Part 3 provides that Council will meet all reasonable out of pocket expenses for travel incurred by Councillors to attend activities that directly relate to a Councillors civic function; and standard of travel to and from Conferences/Seminars.

3.1 Overseas Travel

This policy will apply to all Council sponsored attendance conducted within Australia.

Overseas travel arrangements shall be subject to an itinerary approved by the Council (in open Council) and the standard of travel shall be as stated below regardless of destination.

Any proposed overseas travel should be included in Council's Management Plan and Budget Review for community input. (Min 562 14/11/95) Council must report any overseas travel in the Annual Report [Section 428 Local Government Act]

3.2 Privately Sponsored Travel

Any company wishing to privately sponsor travel should be in accordance with the guidelines of ICAC; pecuniary interest provisions and Council's Code of Conduct. Council approval and disclosure of all details should be made known in open Council. (Min 562 14/11/95)

3.3 Standard of Travel

3.3.1 Councillors should advise the General Manager of their preferred normal mode of travel.

3.3.2 Travel

a) Councillors will be reimbursed for reasonable travel expenses to:-

- ⇒ Attend Council Meetings, Committee Meetings (including 355b Committees) Public Meetings and Council Site Inspections;
- ⇒ Attend Conferences and Seminars where the Councillor elects to use his/her private vehicle.
- ⇒ Attend at any duly convened meeting of any organization to which a Councillor has been nominated or elected by specific resolution of Council as an official Council representative and such organization does not provide a travel allowance.

b) Claims including *back payment* for travelling expenses by Councillors must show amounts incurred for:- [Min 528 10/9/96]

- ⇒ Air, train, coach and taxi - (receipts to be provided with Form 1A)
- ⇒ Hire car costs - (receipts to be provided with Form 1A)
- ⇒ Parking and tolls (receipts to be provided with Form 1A)

c) Travelling allowance per kilometre as provided in the Local Government State Award:- (complete Form 1A or Log Book Form 1B)

3.3.3 The General Manager will use his discretion to reimburse Councillors for attendance at activities other than specified above where the Councillor has attended as a designated delegate for Council.

In making his decision the General Manager considers:-

- i) the relevance of the activity to Council and the potential benefit that may result from attendance;
- ii) the special interest of the Councillor/s wishing to attend;
- iii) the total cost to Council of attendance relative to the Program budget;
- iv) the fair and equitable division of opportunity between Councillors.

3.3.4 Transfers

Transfers from transport terminals to accommodation can be arranged by Council prior to departure, alternatively expenses incurred will be reimbursed with Councillors monthly allowance.

3.3.5 Cash Advances

Cash advances will not be made unless under **special** circumstances and require the General Manager's approval.

Upon return all remaining monies are to be rebanked with Council.

3.3.6 Air Travel

In all cases the most economical fares will be sought to ensure the best possible price for Council, whether it be Economy or Business Class.

Where Air Travel exceeds more than 5 hours, Business Class Air Travel will be provided.

Hire Car

A Hire Car will only be provided where no other means of travel is available and is to be equivalent to Council's standard vehicle.

Private Vehicle

Councillors who use a private vehicle for travel in excess of 1000 kilometres will be reimbursed the equivalent cost of an economy class air fare.

3.3.7 Printed itineraries of arranged travel will be supplied at least one week prior to Departure.

3.3.8 Council has in effect a personal accident cover for Councillors covering them 24 hours per day 7 days per week, if the accident causing the injury occurs whilst engaged in or at any activity which directly or indirectly relates to Council business, including travel to and from the activity.

3.3.9 Time Limit for Submitting Claims

All claims for reimbursement of expenses and travel, must be made on the approved form, supported by documents and receipts, within three (3) months of incurring the expense.

PART 4

Insurance - Councillors

4.1 That Councillors are to receive the benefit of insurance cover for:

a) Personal Accident

Personal Accident insurance covers personal injury which is caused by violent, accidental external and visible means that solely and independently of any other cause results in a Councillor's death or disablement. The cover applies anywhere in the world during and while travelling to and from Council business. The capital benefit for the death of a Councillor is \$500,000. The cover does not include medical expenses.

b) Professional Indemnity

Professional Indemnity insurance covers Council where Council becomes legally liable to pay compensation for financial loss as a result of any negligent act, error or omission in the conduct of Council's business activities arising from a breach of professional duty. Cover is subject to any limitations or conditions set out in the NSW Local Government (Jardine) Mutual Liability Scheme wording.

c) Public Liability

Public Liability insurance covers Council's legal liability to pay compensation to third parties arising in connection with the business activities of Council. Matters arising from Councillors' performance of civic duties or exercise of their functions as Councillors are covered subject to any limitations or conditions set out in the NSW Local Government (Jardine) Mutual Liability Scheme policy wording.

d) Councillors' & Officers' Liability

Councillors' & Officers' Liability insurance protects Councillors and officers from the costs incurred in defending themselves against legal actions that arise from honest mistakes in the management of Council. It covers Councillors for personal liabilities as a result of wrongful acts subject to any limitations or conditions set out in the policy of insurance.

Full details of the abovementioned insurance policies are available in Council's Insurance Handbook held by the Risk Management Co-ordinator.

PART 5
Legal Assistance for Councillors

5. Legal Assistance for Councillors

5.1 That in the event of:

- i) An enquiry, investigation or hearing by any of:
- The Independent Commission Against Corruption;
 - The Office of the Ombudsman;
 - Department of Local Government;
 - The Police;
 - The Director of Public Prosecutions; or
 - The Local Government Pecuniary Interest Tribunal,

into the conduct of a Councillor; or

- ii) Legal proceedings being taken by or against a Councillor, arising out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a Councillor (with the exception of defamation proceedings), Council shall reimburse such a Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis, PROVIDED THAT:

- a) the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.
- b) the Councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper.
- c) the amount of such reimbursement be limited to the extent that only fees charged at a rate equivalent to the hourly rate then being charged by Council's Hunter based Solicitors will be paid ie. any portion of the expenses representing any hourly charge rate higher than the hourly rate charge rate of Council's Hunter based Solicitors will not be reimbursed.

- iii) Defamation proceedings, or other proceedings arising from the making of a public statement, where a Councillor is a defendant or anticipated defendant in such proceedings.

(Note: Council may not meet the costs of any action in defamation taken by a Councillor as plaintiff in any circumstances)
(DLG Circular 00/22 & 05/08)

To ensure that indemnity or reimbursement in respect of costs of defending an action in defamation or other action is only available in circumstances where the person to be indemnified or reimbursed was acting properly when making the statement complained of, the threshold criteria for the application of the indemnity or reimbursement will apply.

- iv) Council may indemnify or reimburse the reasonable legal expenses of a councillor for proceedings before the Local Government Pecuniary Interest Tribunal or an investigative body PROVIDED the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.
- v) Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act should be distinguished from expenses incurred in relation to proceedings arising merely from something which a councillor has done during his or her term of office. An example of the latter is expenses arising from an investigation as to whether a councillor acted corruptly by using knowledge of a proposed rezoning for private gain.

Policy

General

Where proceedings have been foreshadowed or commenced against any of the Mayor and Councillors arising from a public statement or statements made or acts done by any of them, and, in the opinion of Council's appointed solicitor the following "Three Criteria" are satisfied through the required procedure set out below namely:

- i) The statement was made or the act was done in relation to discharging the functions of civic office;
- ii) The Councillor concerned was acting in good faith; and
- iii) The statement or the act in question was reasonable in the circumstances and not made or done maliciously or frivolously and, in the case of a statement, was not made with knowledge of its falsity or with recklessness as to whether it was true or false,

then Council will indemnify or reimburse the Councillor for:

- i) all legal expenses properly and reasonably incurred, given the nature of the legal services provided; and
- ii) any other less, expense, liability or cost incurred (including without limitation any order for the payment of damages, interest and/or costs or any other order for the payment of money made against the Councillor),

in responding to or defending such proceeding **PROVIDED THAT** the amount of such indemnity or reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.

Engagement of Legal Representatives – Required Procedure

- 1. The Councillor must, as soon as practicable after they become aware that a claim may be forthcoming or aware that they may have made a statement or action which may give rise to a claim, notify either the General Manager, Public Officer or Mayor that there is a possibility of a claim against the Councillor. This notification must:
 - i) be in written or electronic form;
 - ii) include all details including any correspondence from the alleged injured party concerning the possible claim; and
 - iii) include the Councillor's comments on whether the Councillor considers that the Three Criteria are satisfied.
- 2. The Councillor must not respond to any allegations made or accept any liability in respect to any allegations made unless authorised to do so by council or its solicitor or the insurer or its solicitor. The Councillor must at all times without undue delay keep Council fully

informed of any oral or written communications made to the Councillor by the alleged injured party or the injured party's agents or legal representative in respect of the claim.

3. The General Manager must immediately upon becoming aware that a claim may be forthcoming or aware that a statement has been made which may give rise to a claim, notify and forward to Council's insurer any information relating to the matter with a view to obtaining the Insurer's acceptance and carriage of the claim should the three criteria be satisfied.
4.
 - i) If proceedings are threatened (and not commenced), the General Manager must without undue delay inform Council's appointed Solicitor and Council's insurer of the notification. The Council's solicitor at Council's cost must form a view as to whether the Three Criteria are satisfied, and must notify the General Manager who will in turn notify the Councillor concerned in written or electronic form of that view.
 - ii) If the Council's solicitor considers that the Three Criteria are satisfied, the General Manager will either instruct Council's solicitors or if Council's Insurers have accepted the matter as a possible claim then it will represent the Councillor concerned.
5. If Council's solicitor forms the view that the Three Criteria are not satisfied under clause 4(i); the Councillor may request a review of that advice from an independent legal practitioner as agreed in advance between the Councillor concerned and the General Manager and failing agreement as nominated by the President for the time being of the Law Society of NSW or the President of the NSW Bar Association.
6. If the proceedings are commenced and the Three Criteria are satisfied then the following procedure must be followed:
 - In the case that the claim is accepted by Council's insurer it will have carriage of the matter subject to consultation with the General Manager and the Councillor will be required to abide by any reasonable instruction of the insurer or its nominated lawyer.
 - If the Insurer does not accept the claim as it is of the opinion that the matter is outside the policy then the General Manager in consultation with Council's solicitor will nominate a legal practitioner that they consider should represent the Councillor. If the Councillor considers that such representation is appropriate then the procedures in clause 7 must be followed. If Council's solicitors are not of the same opinion as the insurers the General Manager in consultation with Council's solicitors will take whatever action is necessary (without unduly holding up the defamation proceedings) to have the question determined.
 - If the Councillor considers that the legal practitioner nominated is not appropriate then the Councillor concerned and the General Manager

must attempt to reach agreement on an alternative legal practitioner, and failing agreement the legal practitioner must be as nominated by the President for the time being of the Law Society of NSW or the President of the NSW Bar Association.

7. If Council's insurers have not accepted the claim the General Manager must contact the proposed legal practitioner and must require that an agreement be entered into between the legal practitioner and the Council which will include such terms and conditions as the General Manager sees fit including:
- i) terms and conditions as to costs and disbursements including procedures for costs estimates to be given at appropriate times; and
 - ii) accounts being considered and approved by the General Manager prior to payment; and
 - iii) all instructions provided to the legal representatives by the Councillor concerned to be subject to the concurrence of the General Manager.
8. Notwithstanding the provisions of paragraph 5.1 (ii) and 5 above, once proceedings have actually been commenced then the procedures set out in paragraph 5 above must be followed. (Note: The General Manager should regularly review Council's insurance policies with respect to the application of them to the Council's possible liability pursuant to this policy.)

Exclusion from Policy

This policy will not apply to any defamation or other action brought by any Councillor or Council employee against any Councillor, arising from the making of a statement by any of the latter of and concerning any of the former, unless in addition to the Three Criteria set out above:

- i) the statement complained of is made to a person or body in circumstances where it is likely to be subject to qualified privilege or absolute privilege (including without limitation statements made in good faith to the Police or Director of Public Prosecutions, the Department of Local Government, statements made ancillary to, and in giving evidence to, a Court or Tribunal or other body conducting any inquiry, investigation or hearing, statements made to the Office of the Ombudsman and statements made to any Parliamentary Committee) (but in such circumstances the policy will only apply to the extent of the publication of the statement in these circumstances, and not to any other publication of the statement); or
- ii) the statement:

- is made at a meeting of Council, a briefing of Councillors or a meeting of a Committee of Council in respect of an item on the agenda for that meeting or briefing; and
- is in accordance with the Local Government (Meetings) Regulations 1999 and Council's Code of Meeting Practice current at the time the statement was alleged to have been made; and
- does not breach any other law.



Form 1A

CLAIM FOR EXPENSES INCURRED

COUNCILLOR

MONTH.....

DATE	PURPOSE	DELEGATE EXPENSES <i>(EG. Taxi's, Sustenance) Receipts required</i>	TELEPHONE / INTERNET <i>Copy of account required</i>	TOTAL CLAIM \$ <i>(Office Use Only)</i>
TOTAL				

*** PAYMENT WILL ONLY BE MADE WHERE RECEIPTS AND VEHICLE LOG IS PROVIDED.**

Signature of Claimant..... Date.....



Form 1B

Travel Reimbursement

Month.....Yr.....Cr.....Vehicle Rego.....

DATE	PURPOSE	START	FINISH	Kilometres Travelled
TOTAL				

ITEM NO. 2

FILE NO: A2004-0111

RISK MANAGEMENT POLICY

AUTHOR: DEBORAH MCDONALD – RISK MANAGEMENT CO-ORDINATOR

RECOMMENDATION IS THAT COUNCIL:

- 1) Revoke the current Risk Management Policy contained in **ATTACHMENT 1**
- 2) Adopt the revised Risk Management Policy contained in **ATTACHMENT 2.**

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

399	Councillor Nell Councillor Jordan	It was resolved that the recommendation be adopted with the Policy to be included as part of the Audit Program being developed by the Internal Auditors.
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BACKGROUND

The purpose of this report is to advise Council that the Risk Management Policy has been reviewed and requires only a minor change to reflect the updating of the relevant Australian Standard.

The current policy refers to AS/NZS 4360:1999 which has now been updated to **AS/NZS4360:2004.**

The Risk Management Policy aims to provide a framework for the management of risk and to define the responsibilities of staff and management in the risk management process. It demonstrates Council's commitment to risk management as an integral part of its operations.

LINKS TO CORPORATE PLANS

Under the Key Result Area of Corporate Accountability, Strategic Direction number 5, the Council Plan 2005-2008 requires Council to "manage the risks associated with achieving community objectives".

FINANCIAL/RESOURCE IMPLICATIONS

Sound project and program planning and implementation based on risk management principles will reduce the exposure of the community to losses. A more structured approach to managing the risks associated with provision of services and facilities will reduce the cost of claims and optimise the economic benefit to Council.

LEGAL AND POLICY IMPLICATIONS

Nil.

Australian Business Excellence Framework

This aligns with Principles 1, 4, 6, 8, 10 and 11 of the ABEF Framework:

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 4) to improve the outcome, improve the system and its associated processes
- 6) Continual improvement and innovation depend on continual learning
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Part of Council's mission is to provide services and make decisions to enhance our quality of life, our economy and our natural environment. The identification, measurement and control of risks to protect the community, the Council and its assets against loss will help to ensure the viability of Council services and facilities.

ECONOMIC IMPLICATIONS

The principles of risk management require staff to make informed judgements concerning the level and cost of risk involved in achieving cost-effective outcomes.

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

The original policy was reviewed by Group Manager Business & Support, Finance & Administration Manager and the Risk Management Section. The revised policy has been reviewed by the Risk Management Co-ordinator.

OPTIONS

- 1) Adopt the revised Risk Management Policy
- 2) Revoke the Risk Management Policy

ATTACHMENTS

- 1) Risk Management Policy as adopted on 24 February 2004
- 2) Revised Risk Management Policy

TABLED DOCUMENTS

- 1) Nil

ATTACHMENT 1



POLICY

Adopted: 24/02/2004
Min No: 68

FILE NO: A2004-0111

TITLE: RISK MANAGEMENT

BACKGROUND

AS/NZS 4360:1999 defines Risk Management as “the culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects”. Council is committed to Risk Management as an integral part of its operations, focussing on strategies to minimise risks to corporate goals and objectives.

OBJECTIVE

To develop and maintain a program of identification, measurement and control of risks to ensure that the community, the Council and its personnel, property and income are protected against loss and to achieve a corporate culture that recognises Risk Management as an integral part of its operations.

PRINCIPLES

- 1) The Council is committed to managing risk pursuant to the Australian/ New Zealand standard “Risk Management” (AS/NZS 4360:1999).
- 2) Promote and support risk management practices across the organisation through the development and implementation of strategies to guide and assist staff in their operational areas.
- 3) Identify, analyse, assess and prioritise all areas of risk
- 4) Reduce the exposure of the community to losses through sound project or program planning and implementation.
- 5) Reduce the cost of claims and optimise economic benefit to Council.
- 6) Make informed judgements concerning the level and costs of risk involved in achieving cost-effective outcomes.
- 7) Protect Council’s corporate image as a professional, responsible and ethical organisation.

POLICY STATEMENT

Council is committed to excellence in Risk Management in order to benefit the community and manage the cost to Council. To meet this commitment, risk is to be every employee's business. All employees are required to be competent and accountable for adequately managing risk within their area of responsibility.

Implementation of risk management strategy will be a Council priority and will be implemented through consultation with the General Manager, Executive Group and all employees.

The General Manager is responsible for risk management across Council.

The Executive Manager – Corporate Management is the senior staff member responsible for establishing the process for managing risk throughout the organisation.

Managers, at all levels, are required to create an environment where managing risk is accepted as the personal responsibility of each member of the Council. The managers are accountable for the implementation and maintenance of sound risk management within their area of responsibility in conformity with the Risk Management Policy. All staff are to be actively involved in the management of risk.

The Risk Management Co-ordinator is responsible for the provision of advice, training and service assistance to all areas on risk management matters.

Risk Management will be integrated into Council's existing planning and operational process and will be given full recognition in the funding and reporting process on the basis of the evaluation of the extent of the risk and Council's exposure.

RELATED POLICIES

Gathering Information
Footpaths & Cycleways
Road Assessment & Maintenance
OH&S Management Directive
Records Management Directive

REVIEW DATE

31 January 2005

RELEVANT LEGISLATIVE PROVISIONS

Local Government Act, 1993
NSW Occupational Health & Safety Act, 2000

IMPLEMENTATION RESPONSIBILITY

Implementation of this policy is the responsibility of the Risk Management Co-ordinator.

ATTACHMENT 2



POLICY

Adopted: 24/02/2004
Min No: 68

FILE NO: A2004-0111

TITLE: RISK MANAGEMENT

BACKGROUND

AS/NZS 4360:2004 defines Risk Management as “the culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects”. Council is committed to Risk Management as an integral part of its operations, focussing on strategies to minimise risks to corporate goals and objectives.

OBJECTIVE

To develop and maintain a program of identification, measurement and control of risks to ensure that the community, the Council and its personnel, property and income are protected against loss and to achieve a corporate culture that recognises Risk Management as an integral part of its operations.

PRINCIPLES

- 8) The Council is committed to managing risk pursuant to the Australian/ New Zealand standard “Risk Management” (**AS/NZS 4360:2004**).
- 9) Promote and support risk management practices across the organisation through the development and implementation of strategies to guide and assist staff in their operational areas.
- 10) Identify, analyse, assess and prioritise all areas of risk
- 11) Reduce the exposure of the community to losses through sound project or program planning and implementation.
- 12) Reduce the cost of claims and optimise economic benefit to Council.
- 13) Make informed judgements concerning the level and costs of risk involved in achieving cost-effective outcomes.
- 14) Protect Council’s corporate image as a professional, responsible and ethical organisation.

POLICY STATEMENT

Council is committed to excellence in Risk Management in order to benefit the community and manage the cost to Council. To meet this commitment, risk is to be every employee's business. All employees are required to be competent and accountable for adequately managing risk within their area of responsibility.

Implementation of risk management strategy will be a Council priority and will be implemented through consultation with the General Manager, Executive Group and all employees.

The General Manager is responsible for risk management across Council.

The Executive Manager – Corporate Management is the senior staff member responsible for establishing the process for managing risk throughout the organisation.

Managers, at all levels, are required to create an environment where managing risk is accepted as the personal responsibility of each member of the Council. The managers are accountable for the implementation and maintenance of sound risk management within their area of responsibility in conformity with the Risk Management Policy. All staff are to be actively involved in the management of risk.

The Risk Management Co-ordinator is responsible for the provision of advice, training and service assistance to all areas on risk management matters.

Risk Management will be integrated into Council's existing planning and operational process and will be given full recognition in the funding and reporting process on the basis of the evaluation of the extent of the risk and Council's exposure.

RELATED POLICIES

Gathering Information
Footpaths & Cycleways
Road Assessment & Maintenance
OH&S Management Directive
Records Management Directive

REVIEW DATE

16 November 2008

RELEVANT LEGISLATIVE PROVISIONS

Local Government Act, 1993
NSW Occupational Health & Safety Act, 2000

IMPLEMENTATION RESPONSIBILITY

Implementation of this policy is the responsibility of the Risk Management Co-ordinator.

ITEM NO. 3

FILE NO: PSC2005-5758

HEALTH RECORDS AND INFORMATION PRIVACY MANAGEMENT PLAN

AUTHOR: TONY WICKHAM – GOVERNANCE COORDINATOR

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Health Records and Information Privacy Management Plan

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

400	Councillor Nell Councillor Jordan	It was resolved that the recommendation be adopted.
------------	--	--

BACKGROUND

The purpose of this report is for Council to consider the Health Records and Information Privacy Management Plan.

As part of the compliance of the Health Records and Information Act 2002, the attached Management Plan has been developed. This is similar to the Personal Information and Privacy Protection Act 1998.

The Management Plan provides an outline of the legislation requirements and the procedure that is followed.

LINKS TO CORPORATE PLANS

Corporate Accountability – *Our Council is open, transparent and accountable in its decision-making.*

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL AND POLICY IMPLICATIONS

Council has obligations under the Local Government Act 1993, Health Records and Information Privacy Act 2002. Also under Council's Accessing Information Policy.

Australian Business Excellence Framework

This aligns with Principle 8 of the ABEF Framework.

- 8) Effective use of facts, data and knowledge leads to improved decisions

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Nil

OPTIONS

- 1) Adopt the recommendation
- 2) Amend the recommendation

ATTACHMENTS

Nil

TABLED DOCUMENTS

- 1) Health Records and Information Privacy Management Plan

ITEM NO. 4

FILE NO: PSC2005-2534

**DRAINAGE STUDY – REES JAMES ROAD AND DAWSON ROAD
RAYMOND TERRACE**

AUTHOR: NALLIAH SIVABALAN – DRAINAGE ENGINEER

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the final Drainage Study Report – Rees James Road and Dawson Road, Raymond Terrace as amended.
 - 2) Undertake drainage construction works as described as Option 1 in the report during 2005/06 and 2006/07
 - 3) Negotiate a three metres easement to drain stormwater with the owners of No 22-32 Rees James Road and following agreement grant authority to affix Council’s seal to the following documents;
 - Transfers creating acquisition of a drainage easement
 - Survey plans
 - Sections 88B instruments
 - 4) If agreement cannot be reached with the owners of No 22-32 Rees James Road, seeks the Minister for Local Government and Governor’s consent to compulsory acquisition for the necessary drainage easement set out in (3) above to gain access to the site to carry out the urgent drainage works.
-

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

401	Councillor Nell Councillor Jordan	1. It was resolved that the recommendation be adopted. 2. That the words “or Options 2” be included in Item 2 in the recommendation.
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Note: Cr Swan left the meeting at 6.40pm and did not return.

BACKGROUND

The purpose of this report is to seek Council’s approval for the final amended drainage study report on Rees James Road and Dawson Road, Raymond Terrace.

Council, at its ordinary meeting of 28 June 2005, resolved to place draft Rees James and Dawson Road drainage study report on public exhibition. The report was placed on public

exhibition from 30 June 2005 to 8 August 2005 for comments and feedback from general public. Copies of the report have also been sent to the individual landowners of No 20-34 Rees James Road and No 40 Dawson Road for comments.

Council has received three written submissions during and after the public exhibition. A complete summary of the issues and comments from all submissions and Council's proposed response is attached as Attachment 1. The overall summary of the submissions are:

- The proposal will undermine the potential value of the future land development
- That Council should meet the full cost of the rectification work including acquisition of drainage easement
- Those affected do not want to enter any negotiations with neighbours or Council to provide a drainage easement
- That at the very least, easement should be shared between the benefited lots and the burdened lots
- That the width of the easement is too large and this will restrict the future development.

LINKS TO CORPORATE PLANS

The drainage study links to the Council's plan which identifies the need to minimise the property flooding. Council's Forward Works Program is also identify this project as a high priority item.

FINANCIAL/RESOURCE IMPLICATIONS

The preliminary estimate for the proposed works to solve the flooding problem is \$110,000. In addition, an upgrade of a small section of downstream drainage system under Dawson Road is required at \$25,000. The total cost is \$135,000.

Funding has been considered within the drainage component in 2005/06 financial year. Savings on completed drainage projects in this financial year (2005/06) have been used to fund the required amount of \$135,000.

LEGAL AND POLICY IMPLICATIONS

Implementation of the proposed solution recommended in the final report will eliminate the existing flooding problems of properties along south - eastern side of Dawson Road. Council has an obligation to protect the properties from local flooding.

Australian Business Excellence Framework

This aligns with Principles 3,6,8,10 and 11 of the ABEF Framework.

- 3) Understanding what customers value, now and in the future, influences organisational direction, strategy and action
- 6) Continual improvement and innovation depend on continual learning
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society

- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Improved drainage system would significantly improve the amenity of the area. Implementation of proposed solutions recommended in the drainage study report would eliminate the existing flooding problem on No 40 Dawson Road and other properties.

ECONOMIC IMPLICATIONS

The proposed solutions recommended in the drainage study report will provide the opportunity for individual owners to develop their properties satisfactorily at any time. The property value of the flood-affected properties along Dawson Road will increase as a result of improved drainage system.

ENVIRONMENTAL IMPLICATIONS

The recommended solutions on the study require removal of a few trees and excavation. There is no environmental implication as a result of these works and proper erosion and sediment control plan will be implemented during and after the construction activities.

CONSULTATION

Draft Rees James Road Drainage Study report was put on public exhibition from 30 June 2005 to 8 August 2005 for comments and feedback from general public. Copies of the report have also been sent to the individual landowners of No 20-34 Rees James Road and No 40 Dawson Road for comments. A copy of the report has also been sent to Council's Sustainable Development Department for comments.

OPTIONS

- 1) Adopt the recommendations
- 2) Amend the recommendations

ATTACHMENTS

- 1) Summary of the comments received
- 2) Map showing the easement

TABLED DOCUMENTS

- 1) Rees James Road Drainage Study – January 2006.

ATTACHMENT 1

Summary of the Comments

1. David & Maksi Morris – No 30 Rees James Road, Raymond Terrace NSW 2324

- David and Maksi are concerned about the size and safety of this proposal with regard to our children and animals.
- We feel that, if implemented, these systems ultimately undermine the potential value of any future development on our land.
- What impact the proposed solution will have on the current use and value of our land? How will this action affect the potential, value and cost of any future subdivision?
- We are reluctant to negotiate with Council until the compensation to landholders for the acquisition of easement is resolved.
- We are currently seeking legal advice regarding this.

Council's comments

- Council would consider the piping option instead of open channel. This will reduce the easement size to 3m and provide required safety for children and animals.
- Reduction of easement size would improve the development potential.
- This option would allow individual owners to develop their land independently.

2. Lea Karen Smith – 28 Rees James Road, Raymond Terrace NSW 2324

- Ms Smith has pointed out in 1992 that there is a drainage problem in this area.
- The original Council's approved plans were not implemented. By agreement between the Senior Council Engineer and the developer, the plans were changed. It is the writer's recollection that there was no notification nor publication nor gazetting ever made in relation to the amendments to the plans.
- Council as the certifying authority allowed the construction of dwellings and is now recommending that the landowners of Rees James Rd bear the burden of an easement to correct a problem that was Council created.
- At the least, the easement should be shared between the benefited lots and the burdened lots.
- Why has Council not kerbed and guttered the affected properties to intercept the road water (Rees James Road) which is the greatest source during heavy storms and then channel the same to the lowest point to meet up with Boots Close?
- Current drainage investigation plan omits to show the proposed middle road, which has been incorporated into LD 16.
- The landowners need to be aware of exactly how much land they are going to lose with both the easement and the middle road, if they are to develop their blocks.

Council's Comments

- Council would like to assist the residents of Dawson Road by solving the existing flooding problems.
- It is not practical to obtain the easement from the properties facing Dawson Road as these properties are already developed with boundary fences and retaining walls.
- The drainage study report has incorporated the plan of LD16.
- The rear easement will be reduced to three metres wide and Council will consider the piping option.

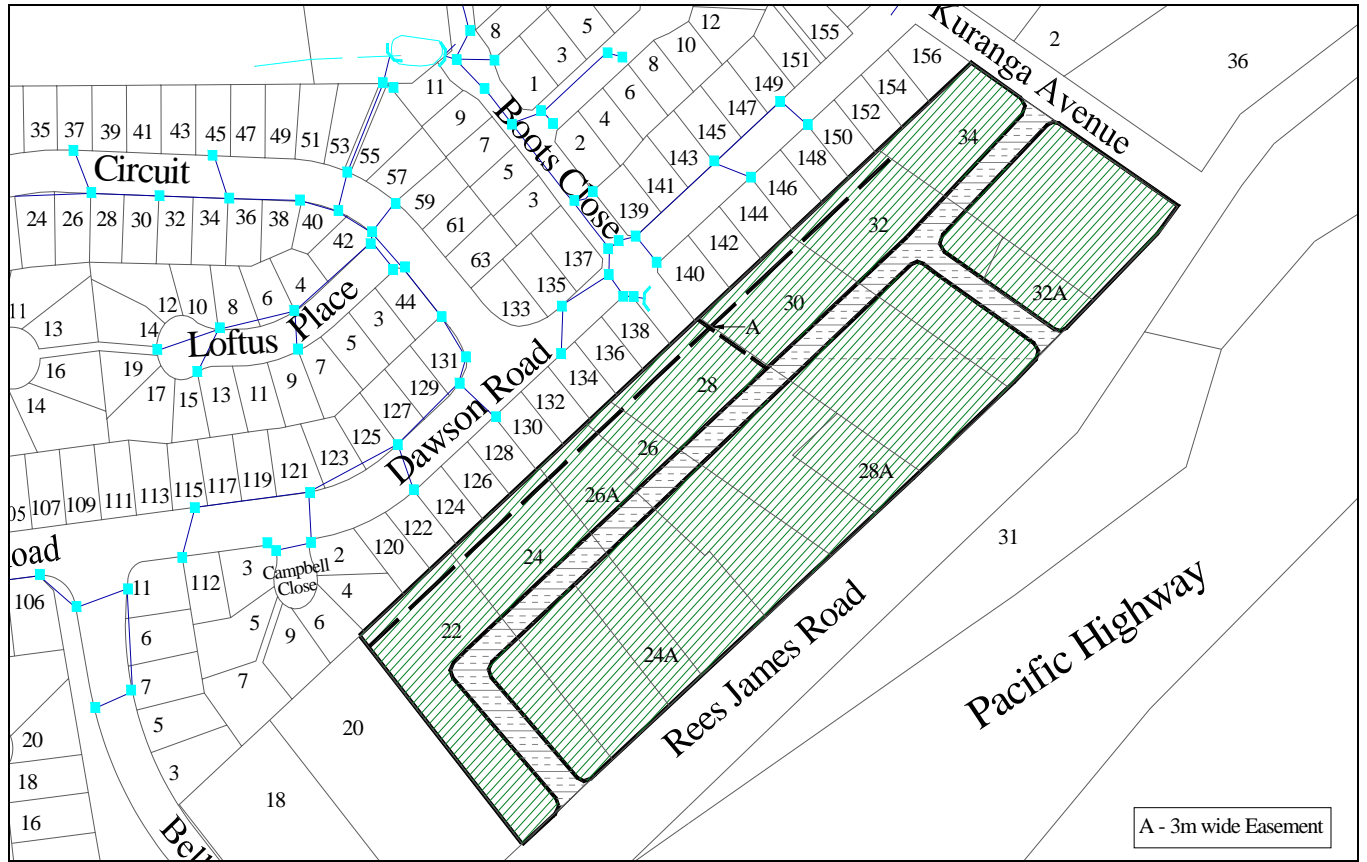
3. Allan & Ann Pugh – 34 Rees James Road, Raymond Terrace NSW 2324

- Allan and Anne Pugh submitted that the problems associated with drainage encountered by residents of Dawson Road are directly the result of Council failing to address the drainage situation in the early 1990's.
- The residents of Rees James Road advised council on several occasions that drainage was not addressed before the subdivision was approved.
- Council should meet the full cost of the rectification works including any acquisition of drainage easement and installation of pipes.
- Open drains are not considered to be an acceptable proposal.
- The land needed for suitable easement should not be wholly obtained from the properties facing Rees James Road. Half the easement width should come from the affected properties, which face Dawson Road.
- We have no wish to enter into any negotiations with neighbours or Council to provide a drainage easement at the rear of our property.

Council's Comments

- Council would like to assist the residents of Dawson Road by solving the existing flooding problems.
- Council will meet the full cost of the construction of the drainage system.
- Council would consider the piping option instead of open channel.
- It is not practical to obtain the easement from the properties facing Dawson Road as these properties are already developed with boundary fences and retaining walls.
- There is no need to acquire an easement within No 34 Rees James Road as this property has the facility to discharge stormwater into Karunga Sreet.

ATTACHMENT 2



Proposed Easement – Rear of 22 - 32 Rees James Road Raymond Terrace

ITEM NO. 5

FILE NO: PSC2005-5205

ENERGY SAVING ACTION PLAN

AUTHOR: SALLY WHITELAW – ENVIRONMENTAL EDUCATION/SUSTAINABILITY OFFICER

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the principle of developing an Energy Savings Action Plan.
- 2) Advise the NSW Department of Energy Utilities and Sustainability that Council does not have the resources to comply with the Department's timeframe and will include the project for consideration in the 2006/07 Budget.
- 3) Request the Premier and Treasurer to provide financial support to allow Councils to meet the Government programme.

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

402	Councillor Nell Councillor Jordan	1. It was resolved that the recommendation be adopted. 2. Council write to the Department of Local Government, Local Government & Shires Association and Hunter Councils to outline the concerns in relation to this request and the imposte it will place on Council resources.
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BACKGROUND

The purpose of this report is to inform council of the recent requirement imposed upon it by the NSW Department of Energy Utilities and Sustainability to prepare an Energy Savings Action Plan (ESAP). Whilst Council supports the principle of this requirement there are financial concerns at the way in which it is being implemented.

The requirement to prepare an ESAP is being imposed on all organisations considered to be high energy users. In the case of Local Government, having a population greater than 50,000 classifies it as being a high energy user. The deadline for organisations to complete an ESAP is 30 September 2006. As a guideline DEUS expects organisations should achieve energy savings of 20%.

The Guidelines provided by DEUS in respect to preparing the ESAP require 5 main components to be addressed. These include:

1. Identifying Council's 10 largest energy consuming sites and their actual level of consumption.

2. Undertaking an Energy Management Review: i.e. Assessment of the systems we have in place for managing energy across all levels of business.
3. Determining Opportunities to Reduce Energy: For each of the 10 sites a level 3 Energy Audit must be completed. This is carried out by an external assessor. The level of detail required for a Level 3 Energy Audit is defined by an Australian Standard.
4. Assessment of the Opportunities: Assess the costs and benefits of each suggested energy saving measure over a 10 year project life. Any energy savings measures that Council has already implemented in the last 5 years can also be included. Grants will also be available on a competitive basis to assist projects become more cost effective.
5. Implement and Review: State which of the identified energy savings will be implemented over a 4 year period. Annual progress reports will be required to be submitted to DEUS detailing progress and the whole plan is to be reviewed every 4 years.

As was reported at Council's November 2005 meeting, Council is a member and recently attained Milestone 4 of the Cities for Climate Protection Program. As a result of this it is expected that Council will already have some of the baseline data needed to complete the ESAP, however it will need to be expanded and updated.

LINKS TO CORPORATE PLANS

This report has links to the Environment section of the Corporate Plan, which has as an objective to:

Encourage sustainable use and reuse of resource by Council, the community and business. This objective has a performance indicator of reducing Council's consumption of resources, which will be assisted by the ESAP.

This report also links in to the Local Action Plan to Reduce Greenhouse Gas Emissions in Port Stephens.

FINANCIAL/RESOURCE IMPLICATIONS

Initial estimates of the cost to undertake the Level 3 energy Audits is around \$30 000 to engage consultants to undertake this work. No allocation for this has been made in the 2005/06 budget. It is proposed that the managers of the 10 highest energy using sites fund the audits from within their existing budgets. Because the plan is due for completion by September 2006, allocation of funding cannot be deferred until the 2006/07 budget. In addition, there will also be financial costs incurred to implement the actions identified in the plan, although in most cases these will be negated by energy savings that result.

Existing staff resources will be utilised to develop the plan under the co-ordination of the Green Energy Team.

LEGAL AND POLICY IMPLICATIONS

This plan (and its implementation) will fulfil council's requirement under the 2005 Amendment of the Energy and Utilities Administration Act 1987 requiring organisations to develop ESAPs.

Australian Business Excellence Framework

This aligns with Principles 1,2,7,8,11 of the ABEF Framework.

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals
- 2) Mutually agreed plans translate organisational direction into actions
- 7) All people work IN a system, outcomes are improved when people work ON the system
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

The ESAP will continue to promote PSC as a role model in reducing greenhouse gas emissions. As PSC implements its own energy savings the process will contribute to raising community awareness and understanding of greenhouse issues.

ECONOMIC IMPLICATIONS

The ESAP will identify a number of areas where by PSC is not using the energy efficiently and therefore missing out on potential cost savings. The plan will identify a number of improvements to infrastructure and systems that will initially require funds for the conversion to more energy efficient practices. However the funds outlaid will be recouped in energy savings over time. The improvement will also be rated according to an internal rate of return and the projects that are the most cost effective or have the quickest pay back period will be implemented first.

ENVIRONMENTAL IMPLICATIONS

The ESAP will identify areas where PSC is not operating as environmentally sustainably as possible in relation to resource consumption and the generation of greenhouse gases. The geographic nature of Port Stephens makes it particularly susceptible to the impacts of climate change. Reducing greenhouse gases from Council activities will therefore contribute to reducing the impacts of this global issue at a local level.

CONSULTATION

Green Energy Team will oversee development and implementation. Council staff in various sections of the organization including Environmental Services, Sport and Recreation, Community and Library Services, Finance and Admin, Business and Development, Resources, Facilities and Services Operations, Project Services and will be consulted during the preparation of the Energy Savings Action Plans.

OPTIONS

- 1) Adopt, reject or amend the recommendation

ATTACHMENTS

- 1) Nil

TABLED DOCUMENTS

- 1) Nil

ITEM NO. 6

INFORMATION PAPERS

AUTHOR: BRONWYN FLINN – BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 31 January, 2006.

Info. Paper No:	Report Title	Page No:
1	Local Government Assn Conference Fair Trade Program	55
2	Petition – Bagnall’s Beach Cycleway	57
3	Petition – Improve Conditions in Streets Surrounding Tanilba Bay Public School	60
4	Access Committee Minutes	61
5	Indigenous Strategic Committee Joint Meeting	65
6	Results of Community Koala Monitoring Survey	69
7	Councillors’ Expenses Quarterly Report	84
8	Medowie Childrens Centre Accredited as High Quality by the National Childcare Accreditation Council	87
9	StateCover Scheme Performance Rebate	96
10	Workers Compensation Premium	97
11	Manager’s Monthly Report December 2005	99

ORDINARY MEETING – 31 JANUARY 2006

RECOMMENDATION

403	Councillor Nell Councillor Jordan	It was resolved that the information papers be received and noted.
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Matter Arising

404	Councillor Nell Councillor Jordan	It was resolved that Council prepare a plan including funding options, for regular re-planting trees in Council’s reserves.
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MINUTES FOR THE ORDINARY MEETING – 31 JANUARY 2006

Note: Cr Hodges left the meeting at 7.17pm during Item 6 and returned at 7.19pm during Item 6

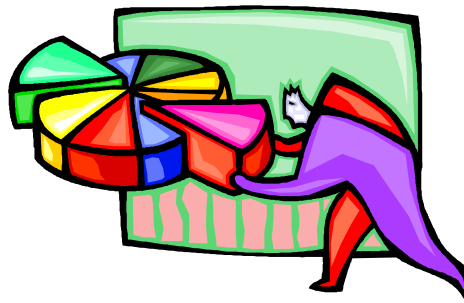
Note: Cr Dover left the meeting at 6.55pm during Item 6 and did not return

Note: Cr Hodges left the meeting at 6.50pm during Item 6 and returned at 6.52pm during Item 6

Note: Cr Robinson left the meeting at 6.47pm during Item 6 and returned at 6.49pm during Item 6

405	Councillor Nell Councillor Jordan	It was resolved that Council return from Committee of the Whole and adjourn for 10 minutes to enable Councillors to read the Mayoral Minute regarding Regional Planning Submission
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COMBINED OPERATIONS/STRATEGIC COMMITTEES INFORMATION PAPERS



INFORMATION ITEM NO. 1

**LOCAL GOVERNMENT ASSOCIATION CONFERENCE – FAIR
TRADE PROGRAM**

**AUTHOR: TONY WICKHAM – GOVERNANCE COORDINATOR
FILE: A2004-0671**

BACKGROUND

The purpose of this report is to inform Council of the resolution from the Local Government Association (LGA) Conference on the Fair Trade Program.

At the recent LGA conference in Mudgee the following resolution was passed:-

“That in response to the urgent global need to alleviate world poverty, the Local Government Association and member councils actively support and promote the Fairtrade program being promoted by Oxfam and other aid agencies (ie. providing the opportunity for poor farmers and workers from developing countries to get a fair price for their goods and labour, and sustainable development)”.

Investigations are being undertaken into the possibility of Council utilising some of these products such as coffee, tea and chocolates.

ATTACHMENTS

- 1) Letter to Council's – How Councils can support Fair Trade Communities.

ATTACHMENT 1



HOW COUNCILS CAN SUPPORT FAIR TRADE COMMUNITIES

WHAT IS FAIR TRADE?

Fair Trade is a growing international movement which ensures that producers in poor countries get fair prices for their products. A fair price is one which covers the cost of production and also provides a sustainable livelihood.

WHY MIGHT COUNCILS AND SHIRES CONSIDER FAIR TRADE?

Local government association policy is to pursue a fairer, more just and equal society, including support for the International Covenant on Economic, Social and Cultural Rights as well as the Universal Declaration of Human Rights.

Using Fair Trade products is a way of ensuring that councils support these rights in all countries, including poorer nations, making sure that all citizens have access to a reasonable standard of living adequate for health and well being including food, clothing, housing, education, medical care and necessary social services.

Participating in the Fair Trade Communities Program extends the knowledge of Fair Trade in the local area and the ability of the community to contribute to fairness in world trade.

HOW CAN COUNCILS PARTICIPATE IN FAIR TRADE?

Councils can participate by becoming Fair Trade Communities. Six goals for Fair Trade Communities have been set by the Fair Trade Association of Australia and New Zealand based on a successful program in the United Kingdom which has 121 declared Fair Trade Towns and a further 238 towns working towards accreditation.

The first goal is for the council to pass a resolution supporting Fair Trade and committing the council to serve Fairtrade certified coffee and tea at its offices, canteens, meetings and functions. (There are an increasing number of suppliers of Fairtrade certified products across NSW.)

Further actions to meet the goals would include setting up a Fair Trade steering group to promote the use of Fair Trade products in local businesses, cafes and retailers and attracting media coverage to the program.

HOW CAN COUNCILS FIND OUT MORE ABOUT FAIR TRADE?

Further information on Fair Trade and the Fair Trade awards Program is available at www.fta.org.au or by contacting the Fair Trade Association of Australia and New Zealand at aust@fta.org.au or phone (03) 9662 2919.

Suppliers of Fair Trade coffee and other products can be found on the Fair Trade website, www.fta.org.au/locator

INFORMATION ITEM NO. 2

PETITION – BAGNALL’S BEACH CYCLEWAY

AUTHOR: ANN EDWARDS – EXECUTIVE ASSISTANT
FILE: PSC2005-2568

BACKGROUND

The purpose of this report is to advise Council of a petition received from Port Stephens Walking for Pleasure Group who wish to register an objection to the proposed concrete cycleway at Bagnall’s Beach.

The petition states:

“Please leave the walkway at Bagnall’s Beach in its natural state. We do not want it concreted. Foreshore Drive is preferred.”

It should be noted that in regard to this project Council on 22/11/05 resolved to accept the \$183,000 Grant from the NSW Government towards the construction of a 1.4km long shared cycleway along Burbong Street and Bagnall Beach Reserve, subject to the satisfactory resolution of any environmental issues and community concerns. This project forms the first stage of the NSW Coastline Cycleway route.

ATTACHMENTS

- 1) Petition.

ATTACHMENT 1

Petition

7th December 06

To Port Stephens Council,
 from Port Stephens Walking for Pleasure
 Pres. Heather Wilson
 Please leave the walkway
 at Bagnalls Beach in
 its natural state. We
 do not want it concreted.
 Foreshore Drive is preferred.

Name	Address
Patricia	1/6 THE BOLLARD CORLETTE
Helen Brady	93 Ronald Ave.
BETTYE GARRIER	11 ASAX AVE. NELSON BAY
BEAIVRE TAMSETT	815 Alder's Wd Nelson Bay
ATHLEEN HARRIS	1/6 THE BOLLARD CORLETTE
JILL SIMPSON	20 IRAMBANG ST, NELSON BAY
Memorie Cashen	3 SPINNAKER - Corlette
E. Cashen	4 YAWL CLOSE, CORLETTE
Nevaine Goldsworthy	7/59 Donald St Nelson Bay
Suzanne Hughes	12 The Bulwark Corlette
Joy Robinson	14 Bay St, Nelson Bay
Marian Taylor	19A Galata Drive Nelson Bay
Jeanette Whiteman	2/15 KRAFT CL NELSON BAY
BARBARA WOJCIK	7/25 DONALD ST. NELSON BAY
RENIS PITTORINO	43 Trumpeter Ct Corlette
PATRICIA DOUGLAS	73 Seawinds Village PROSTRONNA
Tina McMillan	

ATTACHMENT 1

Ann. Trieman 36 Yoolarai Cres. Nelson Bay (8)

Marie Gan 51 SeaWinds Village

KLO. WEA 22 PANTDORA ST Corlette.
144 SLOGGITT IL FARM AV CORLETTE

Barry Conner 34 Mariner Crescent B. Conner

PAT PHIPPS 4 DART PL. CORLETTE P Phipps

Bob PHIPPS 4 DART PL CORLETTE R. Phipps

Evelyn Conner 34 Mariner Cres. E. Conner

Ross JENNING 25/2 Bay Parklands

Annette Van Leeuwen 145 Sandy Pt. Rd. Corlette

Jean. Margaret Giffle 1/3 MITCHELL ST. SOLDIERS POINT Giffle

David Charters 4 The Jib Salamander Bay 2317

Bruce Seales 1/24 Waratah AV Salamander Bay B. Seales

Pam Besmuel 571 Read Place, Albany, NSW 2640

Kenn Lewis 14 Swordfish St Nelson Bay K. Lewis

REX FARRINGTON 98 GUYA RD N. BAY R. Farrington

Yvonne Hill 2/14 COMAL ST Fingal Bay Y. Hill

HEATHER WILSON 41 PARKS ST. NELSON BAY H. Wilson

Gordon Thwait 47A Harbouride Haven Shoal Bay G. Thwait

INFORMATION ITEM NO. 3

**PETITION TO IMPROVE CONDITIONS IN THE STREETS
SURROUNDING TANILBA BAY PUBLIC SCHOOL**

**AUTHOR: ANN EDWARDS – EXECUTIVE ASSISTANT
FILE: PSC2005-3189**

BACKGROUND

The purpose of this report is to advise Council of a petition that has been received requesting improvements to conditions in the streets surrounding Tanilba Bay Public School.

The petition states:

“We the undersigned respectfully request the dangerous traffic conditions in the streets surrounding and in front of Tanilba Bay Public School be improved. The Landcom subdivision development will, sometime in the future, years from now, upgrade the other school exits, but not the existing King Albert Avenue one which urgently needs:

- 1. Level footpaths, well drained with kerb and guttering from the end of the Bike Track to President Wilson Walk;*
- 2. President Wilson Walk urgently needs to have a footpath/cycleway from King Albert Avenue to the shopping centre as this is the most used route on our Peninsula. Currently cyclists and parents needing to use prams or wheelchairs must walk on the road dodging between parked cars and moving vehicles.*

In the wet, dodging pools of water, splashings from passing vehicles and a pedestrian crossing half covered with ankle deep water make this area, in peak times, treacherous.

Do not wait until a major accident has occurred to prove this is a necessity. We value our children and their safety is more important than that.”

It should be noted that Council has recently approved works to proceed as recommended by the Traffic Committee that should address traffic issues in front of the school. The Draft Integrated Pedestrian and Cycleway Plan also identifies the need for a footpath and or cycleway in President Wilson Walk and will therefore be listed in Council’s Forward Works Plan.

TABLED DOCUMENT

- 1) Petition.

INFORMATION ITEM NO. 4

ACCESS COMMITTEE MINUTES

AUTHOR: MICHAEL ELLIOTT – DISABILITY ACCESS OFFICER

FILE: A7200-001

BACKGROUND

The purpose of this report is to present to Council the minutes of the Access Committee Meeting held on the 29th November 2005.

Key issues addressed at the meetings were:

- 1) Chairperson's Report
- 2) Annual International Day of People with Disability Picnic Preparations

ATTACHMENTS

- 1) Minutes of the Access Committee Meeting held on the 29th November 2005

ATTACHMENT 1

**PORT STEPHENS ACCESS COMMITTEE
MINUTES OF MEETING HELD 29 NOVEMBER 2005
AT RAYMOND TERRACE COMMUNITY CENTRE**

Present:

Ken Whiting, Karen Whiting, Carol Last, Erin Devlin, Joe Delia, Kathy Delia, Margaret O’Leary, Alice De Carle, Susan Rosier, Judy Rosier, Melissa Foster, Rachel Nelson, Cathy Jennings, Tony Kean, Bill Bobbins, David Painter, Valda Painter, Liz Osborne, Robert Harper, Michael Elliott, Councillor Sally Dover, Deborah Franklin

Apologies:

Kathy Lee, Cr. Helen Brown, Tony Cremens, Anne Cooper, Paul Procter, Sue Spleit

1. MINUTES OF PREVIOUS MEETING

The Minutes of 1 November 2005 were accepted as a record of the previous meeting.
Moved: Ken Whiting Seconded: David Painter.

2. CHAIRPERSON’S REPORT

Committee Chairperson, Ken Whiting, presented his report raising the following issues: -

- The 2006 meeting schedule showing some incorrect dates
- Completion of works at Little Beach in preparation for the Disability Day Picnic.
- Stimulating the Committee to think about future directions of the Committee and how to avoid stagnation and keep things moving in a positive direction

Action: Michael Elliott to clarify and publish 2006 meeting schedule

3. GENERAL BUSINESS

- David Painter requested an update on the progress of the Port Stephens Access Map. Michael Elliott stated that he was in the process of reviewing the progress to date and will then put together a project plan
- David Painter requested an update on the Little Beach Access Ramp project. Michael Elliott stated that the project was still progressing and was currently in the hands of Council Engineers who were investigating materials to be used in construction. Budget figures and construction dates were not yet available
- David Painter raised the issue of an access checklist for developers putting in D.A’s to Council. Michael Elliott informed the Committee that this was currently being investigated with the possibility of integrating it into the Council’s DA assessment processes.

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- Michael Elliott put forward a claim for reimbursement of expenses claimed by Chairperson Ken Whiting in carrying out his duties as Chair. These expenses related to telephone calls, postage and travel and totalled \$253.52. A motion to pay these expenses was put forward by Judy Rosier and seconded by Erin Devlin. This stimulated discussion about the Access Committee budget.

Action: Michael Elliott confirms the Access Committee budget is \$500 per annum that does not carry over to the next period if unspent.

- Councillor Dover raised discussion around promotion of the specialised beach wheelchair available for hire from O'Carrollyns Resort, Nelson Bay.

Action: Michael Elliott to develop poster for display at Nelson Bay Visitor Information Centre

- Margaret O'Leary introduced two of her students present at the meeting, Melissa and Rachel, who would be volunteering to assist at the Picnic. They were extended a special welcome from the Chairperson Ken Whiting.
- Margaret O'Leary enquired with Michael Elliott as to the possibility of Council making alterations to the driveway of a specific Department of Housing property in order to improve access for the tenant who uses a mobility scooter.

Action: Michael Elliott to investigate further.

- Margaret O'Leary reported that she had made initial preparations for the access awareness training for Port Stephens Council staff in the New Year.
- Councillor Dover extended an open invitation to the Christian Outreach Concert / Luncheon for Seniors, their carers and families. This event is sponsored by Port Stephens Council and is to be held on Tuesday the 6th of December 2005.

4. REPORT OF THE PICNIC SUBCOMMITTEE

David Painter put forward the picnic subcommittee report with the following items: -

- 402 acceptances received and David was confident of at least 500 people attending
- The invitation mailing list requires an update for next year's event
- Details were presented around catering with no problems encountered
- Some minor program changes
- 40 Prizes confirmed to be drawn on the day
- Soldiers Point Fire Brigade will be present with a fire truck from 12.30 – 1.00 pm
- Budget details were presented with the picnic coming in on budget

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- 300 lolly bags are to be packaged up on the weekend before the picnic
- 450 chairs and 50 tables have been organised
- Signs for toilets to be organised by Michael Elliott
- Unlocking of the power box and two fluorescent vests to be organised by Karen Whiting
- A request that future end of year Access Committee Meetings being held at Port Stephens to help facilitate final preparations for the picnic day.

6. NEXT MEETING

The next meeting will be held downstairs at the Raymond Terrace Community Centre at 10.30am on Tuesday the 1st February 2006.

INFORMATION ITEM NO. 5

INDIGENOUS STRATEGIC COMMITTEE JOINT MEETING

AUTHOR: PAUL PROCTER – SOCIAL PLANNING CO-ORDINATOR

FILE: A7030-008

BACKGROUND

The purpose of this report is to present to Council the minutes of the joint meeting between Council and the Indigenous Strategic Committee on 15 November 2005.

Key issues considered at the meeting included:

- 1) Address by Worimi Local Aboriginal Land Council
- 2) Address by Karuah Local Aboriginal Land Council

ATTACHMENTS

- 1) Minutes of Joint Meeting between Port Stephens Council and the Indigenous Strategic Committee held on 15 November 2005.

ATTACHMENT 1

**MINUTES OF JOINT MEETING
BETWEEN PORT STEPHENS COUNCIL
AND INDIGENOUS STRATEGIC COMMITTEE
15 NOVEMBER 2005**

Present:

Val Merrick	Worimi LALC	Cr Geoff Dingle	PSC
Jackie Henderson	Worimi LALC	Cr Ron Swan	PSC
Janice MacAskill	Worimi LALC	Cr Glenys Francis	PSC
John Ridgeway	Worimi LALC	Cr Helen Brown	PSC
Sandra Ridgeway	Worimi LALC	Cr Ken Jordan	PSC
Leigh Ridgeway	Worimi LALC	Cr Steve Tucker	PSC
Steve Larkins	Worimi LALC	Cr Bob Westbury	PSC
Elaine Larkins	Worimi LALC	Cr Sally Dover	PSC
Colleen Perry	Karuah LALC	Paul Douglass	PSC
Bev Manton	Karuah LALC	Mike Triglar	PSC
Raylene Slater	Karuah LALC	Paul Procter	PSC
Fiona Manton	Karuah LALC	Stewart Murrell	PSC

Apologies:

Cr Craig Baumann	PSC
Cr John Nell	PSC
Cr Josh Hodges	PSC
Cr Geoff Robinson	PSC
Peter Gesling	PSC
Cliff Johnson	PSC
Delece Manton	Worimi LALC

1. TRADITIONAL WELCOME (John Ridgeway – Worimi Elder)

Worimi Elder, John Ridgeway brought the traditional welcome to the land of the traditional tribe, the Worimi people.

2. MAYORAL ADDRESS (Deputy Mayor – Councillor Ron Swan)

The Deputy Mayor welcomed the Elders and members of the Worimi and Karuah Local Aboriginal Land Councils along with fellow Councillors and members of staff.

He congratulated the Land Councils on their efforts throughout the year and for their ongoing support of Council's Indigenous Strategic Committee and said that Council is looking forward to building upon these in the future.

3. ADDRESS BY WORIMI LALC (Janice MacAskill)

Janice thanked Council for their support throughout the year and is looking forward to this ongoing support in 2006. The Land Council is still under Administration. She indicated that

Lennie Anderson has resigned from Worimi and on a personal level; she said Lennie's valued input would be missed.

4. ADDRESS BY KARUAH LALC (Bev Manton)

Bev wished Worimi LALC well and acknowledged the struggles they are currently experiencing whilst being under Administration.

She went on to say that it has been a good year for Karuah Land Council with lots of programs (eg; boat building, Beacon Artefacts Project) being established. In regards to the changes to the Aboriginal Land Rights Act, Bev along with other members of the northern coast alliance of Land Councils in the northern zone of NSW have met with the Minister to discuss the proposed changes to the Act.

Cr Jordan commended Karuah LALC on the boat building project and the efforts of boat builder David Benson who is overseeing the project.

5. AMENDMENTS TO PREVIOUS MINUTES

Paul Procter outlined the following amendments to the minutes of the previous Joint meeting held on 15th July 2005: -

Item 6.3: OLD KARUAH FISHERIES COTTAGE

- Interest was indicated in Karuah Land Council's proposed plans with respect to the old Karuah Fisheries Cottage. Paul Procter indicated that the building was incorrectly referenced in the previous minutes, it was in fact the old Karuah Boathouse, not the old fisheries cottage.

Item 7.1: READING IN THE STREETS PROGRAM

- Paul Procter indicated that Councillor Robinson's commendation of the reading in the streets program and the value of this program to all families including local Aboriginal families failed to mention that his commendation was for Port Stephens library that had selected an Indigenous story as part of this program.

6. BUSINESS ARISING FROM PREVIOUS JOINT MEETING

6.1 COUNCIL'S ABORIGINAL PROJECT FUND

Paul Procter indicated that Council is currently seeking expressions of interest under Council's Aboriginal Project Fund with closing date being 2 December 2005.

6.2 JUSTIN RIDGEWAY

Paul Procter indicated that he has forwarded details of Council's Aboriginal Project Fund onto Police Officer, Justin Ridgeway in response to his proposal to hold an Inaugural Koori Debutante Ball in 2006, to support local Aboriginal young people.

7. GENERAL BUSINESS

7.1 Tidy Town Awards

Cr Brown indicated that at the recent Tidy Town Awards, some scenes of Croc fest 2004 were shown. She indicated that as Hunter River High performed brilliantly in this event, it would be worth showing the video of their performance to Council.

To add to this, Leigh Ridgeway added that he is taking 50 students from Hunter River High to Croc fest 2005 in Moree. The students have greatly appreciated the support from Council. Next year the school will again be performing at Croc fest 2006 with a focus upon troubled kids in the area.

7.2 Stockton Bight

Jackie Henderson extended on behalf of Worimi LALC their appreciation to Mike Trigar and other Council Officers for their support and participation on the interim committee which has been established with key stakeholders including Worimi, Council and NPWS to look at what people want to see achieved with Birubi Headland, to ensure that this special and precious place for local Aboriginal people is protected.

7.3 Soldiers Point Hall

Steve Larkins from Worimi LALC raised concerns over the recent alleged discriminatory treatment of a family who had hired the Soldiers Point Hall for a private function. He indicated that the letter of response to his concerns by Council was inadequate in appropriately addressing the matter.

Mike Trigar indicated that he would review the content of the letter. He reiterated that whilst it is hoped that this is an isolated incident, Council is actively planning to go back to all of its 355 Committees to re-affirm the strict adherence of all Committees to Council's anti-discriminatory policy.

8. DATE OF NEXT MEETING

To be advised

Meeting closed at 7:25pm.

INFORMATION ITEM NO. 6

RESULTS OF COMMUNITY KOALA MONITORING SURVEY

AUTHOR: STEVE WILSON – NATURAL RESOURCES CO-ORDINATOR
FILE: PSC2005-5700

BACKGROUND

The purpose of this report is to provide Councillors with the results of the Community Koala Monitoring Survey conducted in October 2004.

One of the actions included in the Comprehensive Koala Plan of Management (CKPoM) is to conduct an annual community based koala monitoring program. The purpose of such monitoring is to provide an indication of changes in the extent and location of the Port Stephens koala population over time as well as to record community perceptions in relation to koala management issues. It is also an important educational tool in that it encourages the community to be aware of koalas in their local area and the issues affecting them.

The community survey conducted in October 2004 was the first undertaken since adoption of the CKPoM in **2001** and was funded by the Port Stephens Environment Levy. Only one other community koala survey has previously been undertaken in Port Stephens, which was in 1992. The 2004 survey was largely modelled on this 1992 survey so that direct comparisons between the two could be made. The key difference between the two was that the 2004 survey also asked respondents to record sightings on the particular day of 23rd October 2004.

A summary of the results obtained from the 2004 survey is included in Attachment 1. This report compares the responses received in the survey to those received in 1992. Attachment 2 shows the distribution across the local government area (LGA) of koala sightings recorded in the 1992 survey. Attachment 3 shows the distribution of all historic koala sightings across the LGA reported by 2004 respondents, while Attachment 4 shows the distribution of sightings reported by 2004 respondents since 2000.

Attachment 5 includes a copy of the survey form that was distributed to all households in the LGA.

The results of the survey have been referred to the CKPoM Steering Committee for further analysis and interpretation.

ATTACHMENTS

- 1) 2004 Community Koala Survey Results
- 2) 1992 map of koala sightings
- 3) 2004 map showing total koala sightings
- 4) 2004 map showing koala sightings observed since 2000
- 5) Community Koala Monitoring Survey Form

**ATTACHMENT 1
2004 COMMUNITY KOALA SURVEY RESULTS**

Introduction

One of the actions arising from the Port Stephens Council Comprehensive Koala Plan of Management (CKPoM) is to conduct an annual community koala monitoring program. The purpose of these surveys is to identify changes in koala numbers, locations and community perceptions of koala issues. The first community survey was conducted in 1992 prior to the development and implementation of the CKPoM.

The 2004 survey was the first community survey conducted since the implementation of the CKPoM. Survey forms and maps were mailed out to 28,600 households and businesses in the Port Stephens Local Government Area (LGA) in October 2004. The surveys questions were the same as those on the 1992 survey form, although the 2004 survey included an additional question relating to koala sightings specifically on Saturday 23 October 2004.

Results

Survey Response

The response rate was lower for the 2004 survey as compared to the 1992 survey. In 2004, 2047 (or 7%) of the 28,600 forms were returned, whereas in 1992, 2995 (or 18%) of the 16,500 forms were returned.

Frequency of Koala Sightings

Changes in the frequency of koala sightings are shown in Table 1. Only 1823 respondents answered this question in 2004.

Table 1. Frequency of koala sightings in 1992 and 2004.

Year	Monthly/Quarterly	At Least Once	Never
1992	15%	57%	43%
2004	17%	69%	31%

Who Sees Koalas and Where

The frequency of koala sightings, based on the 2004 survey, is tabulated against locality in Table 2. Only 1799 of the 2047 records contained data for both the locality and frequency of sighting fields. Over 30% of respondents from Lemon Tree Passage, Tanilba Bay, Mallabula, Salt Ash, Anna Bay, One Mile Beach and Boat Harbour reported seeing koalas monthly or quarterly.

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Table 2. How often respondents in various localities see koalas, according to the 2004 survey.

Suburb	Monthly		Never		Occasionally		Once Only		Quarterly		Yearly		TOTAL No.
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
ANNA BAY	30	28%	9	8%	41	38%	13	12%	12	11%	4	4%	109
BALICKERA							1	50%			1	50%	2
BOAT HARBOUR	16	31%	3	6%	16	31%	4	8%	8	15%	5	10%	52
BRANDY HILL			11	65%	2	12%	3	18%	1	6%			17
BUTTERWICK			3	100%									3
CORLETTE			78	50%	38	24%	33	21%	1	1%	6	4%	156
DUNS CREEK			6	67%	1	11%	2	22%					9
EAGLETON			3	33%	2	22%	2	22%	1	11%	1	11%	9
EAST SEAHAM			4	31%	6	46%	2	15%			1	8%	13
FERN BAY			9	82%			1	9%			1	9%	11
FINGAL BAY	1	2%	28	58%	11	23%	8	17%					48
FISHERMANS BAY			2	67%					1	33%			3
FULLERTON COVE			16	80%	2	10%	2	10%					20
GLEN OAK			3	60%			2	40%					5
HEATHERBRAE			3	43%	2	29%	1	14%	1	14%			7
HINTON			3	75%							1	25%	4
KARUAH			16	67%	4	17%	4	17%					24
LEMON TREE PASSAGE	51	31%	2	1%	73	45%	3	2%	23	14%	12	7%	164
MALLABULA	17	31%			26	47%	1	2%	10	18%	1	2%	55
MEDOWIE	7	3%	58	29%	70	35%	35	17%	13	6%	19	9%	202
NELSON BAY	2	1%	82	50%	42	26%	31	19%	1	1%	5	3%	163
NELSONS PLAINS			9	100%									9
ONE MILE BEACH	12	80%			1	7%	1	7%	1	7%			15
OSTERLEY			1	100%									1
OYSTER COVE					1	100%							1
RAYMOND TERRACE	3	2%	69	40%	53	31%	33	19%	7	4%	6	4%	171
SALAMANDER BAY	13	7%	41	22%	73	39%	29	16%	17	9%	13	7%	186
SALT ASH	6	11%	6	11%	21	40%	3	6%	11	21%	6	11%	53
SEAHAM			20	95%			1	5%					21
SHOAL BAY	2	3%	31	53%	13	22%	10	17%	2	3%	1	2%	59
SOLDIERS POINT	1	2%	19	35%	19	35%	10	19%	1	2%	4	7%	54
SWAN BAY			3	43%	1	14%	3	43%					7
TANILBA BAY	16	15%	7	7%	51	48%	8	7%	17	16%	8	7%	107
TAYLORS BEACH	1	33%							1	33%	1	33%	3
TOMAGO			1	33%	2	67%							3
WALLALONG			2	100%									2
WILLIAMTOWN	1	4%	3	13%	14	61%	3	13%	1	4%	1	4%	23
WOODVILLE			6	75%	1	13%	1	13%					8
TOTAL No.	179		557		586		250		130		97		1799

Figure 1 gives the change over the twelve year period between 1992 and 2004 in the proportion of respondents in each locality that see koalas at least monthly/quarterly.

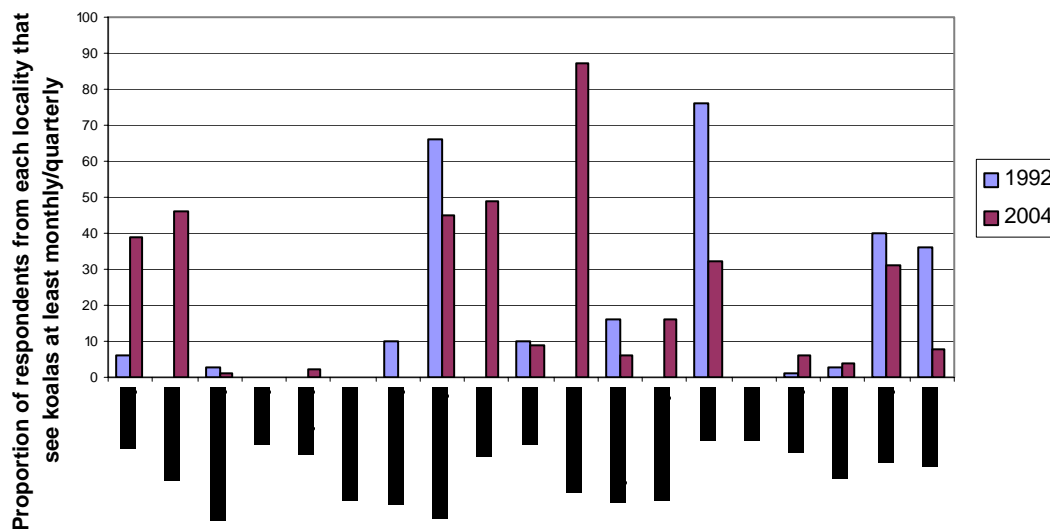


Figure 1 Change in proportion of respondents from each locality that report seeing koalas monthly/quarterly (* no data available for 1992).

Figure 2 gives the change over the twelve year period between 1992 and 2004 in the proportion of respondents in each locality that have never seen a koala.

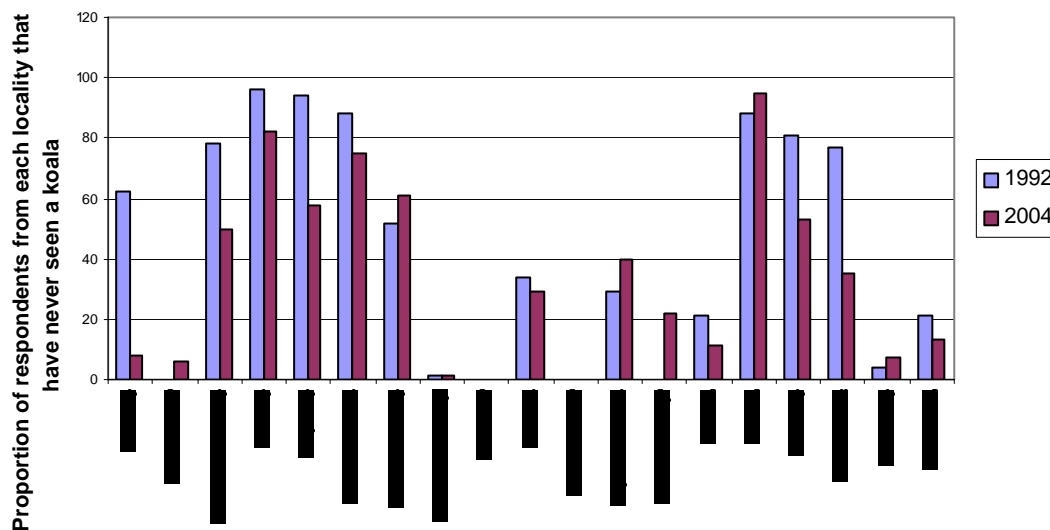


Figure 2. Change in proportion of respondents from each locality that have never seen a koala (* no data available for 1992).

Frequency of Koala Sightings According to Age of Respondents

The frequency of koala sightings, based on the 2004 survey, is tabulated against age in Table 3. Only 1672 of the 2047 records contained data for both the age and frequency of sighting fields.

Table 3. Frequency of koala sightings according to the age of respondents, 2004 survey.

Age Range	Monthly		Never		Occasionally		Once Only		Quarterly		Yearly		TOTAL No.
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
0-19	1	6%	3	18%	8	47%			3	18%	2	12%	17
20-29	9	11%	21	25%	31	37%	8	10%	5	6%	9	11%	83
30-39	15	7%	56	27%	64	31%	44	21%	17	8%	10	5%	206
40-49	33	12%	75	26%	79	28%	49	17%	30	11%	18	6%	284
50-59	55	15%	92	25%	131	36%	34	9%	28	8%	21	6%	361
60-69	42	11%	119	30%	145	36%	47	12%	27	7%	20	5%	400
70+	12	4%	154	48%	91	28%	49	15%	6	2%	9	3%	321
TOTAL No.	167		520		549		231		116		89		1672

Table 4. Comparison between 1992 and 2004 survey results for frequency of sightings according to age of respondents.

Age Range	Monthly Sightings		Lower Frequency Sightings		Never Seen a Koala	
	1992	2004	1992	2004	1992	2004
0-19	6%	6%	61%	76%	33%	18%
20-29	9%	11%	49%	64%	42%	25%
30-39	9%	7%	50%	66%	41%	27%
40-49	14%	12%	47%	62%	39%	26%
50-59	17%	15%	42%	60%	41%	25%
60-69	14%	11%	43%	59%	43%	30%
70+	8%	4%	39%	48%	53%	48%

In 2004, frequent sightings (i.e. at least monthly) were made most often by respondents in the 50-59 year age range. As shown by Table 4, this is a similar result to the 1992 survey. Lower frequency sightings (i.e. those that see koalas quarterly, occasionally, yearly or once only) were most common by the younger age groups for both surveys. The age group most likely never to have seen a koala in both surveys was the oldest age bracket (i.e. 70+). There is a consistent decrease in the proportion of respondents who have never seen a koala and an increase in the proportion of respondents who make lower frequency sightings across each age range between 1992 and 2004.

Sightings of Sick/Dead/Breeding Koalas and Sightings on Private and Public Land

Table 5 gives the results for these questions from both the 1992 and 2004 surveys. For the 2004 survey, only the surveys of respondents that had seen koalas in their local area (i.e. answered 'a', 'b', 'c', 'd', or 'e' for question 1) were considered. There were 1260 respondents that had seen koalas in their local area in the 2004 survey.

Table 5. Numbers of respondents that have seen sick, breeding or dead koalas and koalas on private or public land.

Of those respondents that have seen koalas, who has seen ...	1992 Survey		2004 Survey	
	No.	%	No.	%
Sick koalas?	134	8	163	13
Koalas with young?	763	48	405	32
Dead koalas?	543	34	303	24
Of these, how many were dead on a road?	473	84	257	85
Koalas on private land?	-	-	866	69
Koalas on public land?	-	-	869	69
Koalas in a State Forest?	234	15	-	-

Changes in Koala Populations

1763 respondents answered this question in the 2004 survey. Results are shown in Table 6. The change in koala population, based on the 2004 survey, is cross-tabulated against suburb and age in Tables 7 and 8 respectively.

Table 6. Public perception of the change in the koala population in 1992 and 2004.

Observed Change	1992 Survey	2004 Survey
Increased	4%	4%
Unchanged	17%	16%
Decreased	17%	25%
Don't know	62%	55%

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Table 7. Public perception of the change in the koala population according to suburb, based on the 2004 survey (only 1740 respondents answered both the locality and koala questions).

Suburb	Decreased		Don't Know		Increased		Unchanged		TOTAL No.
	No.	%	No.	%	No.	%	No.	%	
ANNA BAY	15	14%	59	54%	9	8%	27	25%	110
BALICKERA			1	50%			1	50%	2
BOAT HARBOUR	15	29%	18	35%	12	23%	7	13%	52
BRANDY HILL			12	75%	1	6%	3	19%	16
BUTTERWICK			2	100%					2
CORLETTE	9	6%	122	81%	2	1%	18	12%	151
DUNS CREEK	1	11%	5	56%			3	33%	9
EAGLETON	3	33%	3	33%			3	33%	9
EAST SEAHAM	1	8%	6	46%	1	8%	5	38%	13
FERN BAY			7	70%			3	30%	10
FINGAL BAY	4	9%	31	72%	2	5%	6	14%	43
FISHERMANS BAY	1	33%	1	33%	1	33%			3
FULLERTON COVE			13	68%			6	32%	19
GLEN OAK			4	100%					4
HEATHERBRAE	1	14%	5	71%			1	14%	7
HINTON			3	75%			1	25%	4
KARUAH	3	13%	15	65%			5	22%	23
LEMON TREE PASSAGE	103	63%	34	21%	4	2%	22	13%	163
MALLABULA	33	60%	14	25%	1	2%	7	13%	55
MEDOWIE	42	21%	119	60%	5	3%	33	17%	199
NELSON BAY	18	12%	104	68%	3	2%	27	18%	152
NELSONS PLAINS			4	67%			2	33%	6
ONE MILE BEACH	3	21%	1	7%	3	21%	7	50%	14
OSTERLEY			1	100%					1
OYSTER COVE							1	100%	1
RAYMOND TERRACE	48	28%	107	63%	1	1%	14	8%	170
SALAMANDER BAY	30	17%	107	60%	15	8%	25	14%	177
SALT ASH	23	43%	11	20%	5	9%	15	28%	54
SEAHAM	1	5%	15	79%			3	16%	19
SHOAL BAY	3	5%	46	82%	4	7%	3	5%	56
SOLDIERS POINT	2	4%	33	72%	5	11%	6	13%	46
SWAN BAY			3	50%			3	50%	6
TANILBA BAY	56	53%	34	32%	3	3%	13	12%	106
TAYLORS BEACH			1	25%			3	75%	4
TOMAGO			3	100%					3
WALLALONG			1	50%			1	50%	2
WILLIAMTOWN	10	43%	8	35%			5	22%	23
WOODVILLE			5	83%	1	17%			6
TOTAL No.	425		958		78		279		1740

change in population

MINUTES FOR THE ORDINARY MEETING – 31 JANUARY 2006

Table 8. Public perception of the change in the koala population according to age (only 1618 respondents answered both the age and change in koala population questions in the 2004 survey).

Age Range	Decreased		Don't Know		Increased		Unchanged		TOTAL No.	
	1992	2004	1992	2004	1992	2004	1992	2004	1992	2004
0-19	12	2	25	10	2	2	6	3	45	17
20-29	29	19	170	55	4	1	29	8	232	83
30-39	88	31	329	127	14	9	92	34	523	201
40-49	72	71	207	155	13	10	69	43	361	279
50-59	57	85	160	177	16	23	57	67	290	352
60-69	78	112	213	198	16	11	75	65	382	386
70+	35	76	115	180	8	8	27	36	185	300
Total No.	371	396	1219	902	73	64	355	256	2018	1618

Perceptions of changes in koala populations have also been cross-tabulated with whether respondents had seen breeding or dead koalas. Results for both surveys are given in Table 9. Comparing these results with those from Table 6 suggests that for both surveys, respondents who had seen breeding or dead koalas were more likely to perceive that koala numbers had increased or decreased and less likely to answer 'don't know'.

Table 9. Cross-tabulation of respondent's perceptions of changes in the koala population with sightings of breeding/dead koalas (both surveys).

Observed Change	Koalas with Young				Dead Koalas			
	1992		2004		1992		2004	
	No.	%	No.	%	No.	%	No.	%
Increased	69	9%	45	11%	24	5%	19	6%
Unchanged	213	29%	83	20%	114	22%	52	15%
Decreased	267	37%	195	47%	147	28%	146	43%
Don't know	181	25%	93	22%	231	45%	121	36%
TOTALS	730	100%	416	100%	516	100%	338	100%

Number of Koalas Sighted by Respondents

The majority of respondents answered the questions relating to the number of koalas they have seen in the last year and since they have lived in the Local Government Area (LGA). Results are given in Table 10.

Part B of the 2004 survey involved koalas sighted on Saturday 23 October 2004. In total, there were 318 sighting records and 251 individual sightings (determined by a 'double-counting' analysis involving a review of the address, time and comment fields of each record).

Table 11 includes the total number of individual koalas sighted in each locality as well as the number of young koalas (and cubs) sighted in each locality on this day.

Table 10 Number of koala sightings by respondents (2004 survey).

Number of koalas sighted	Since living in LGA	In the last year
0	37%	52%
1-4	33%	37%
5-9	12%	6%
10-19	8%	3%
20-49	6%	1%
50+	4%	< 1%

Table 11. Number of koala sightings on Saturday 23 October 2004 by locality.

Locality	Number of individual sightings	Individual sightings of young koalas/cubs
Anna Bay	36	10
One Mile	38	12
Boat Harbour	8	1
Salamander Bay	36	6
Lemon Tree Passage	49	14
Mallabula	14	1
Tanilba Bay	20	3
Salt Ash	13	2
Medowie	9	3
Other	28	2
TOTALS	251	54

Perceived Threats to Koalas and Options for their Conservation and Management

Comparisons between answers to these questions in the 1992 and 2004 surveys are given in Figures 3 and 4.

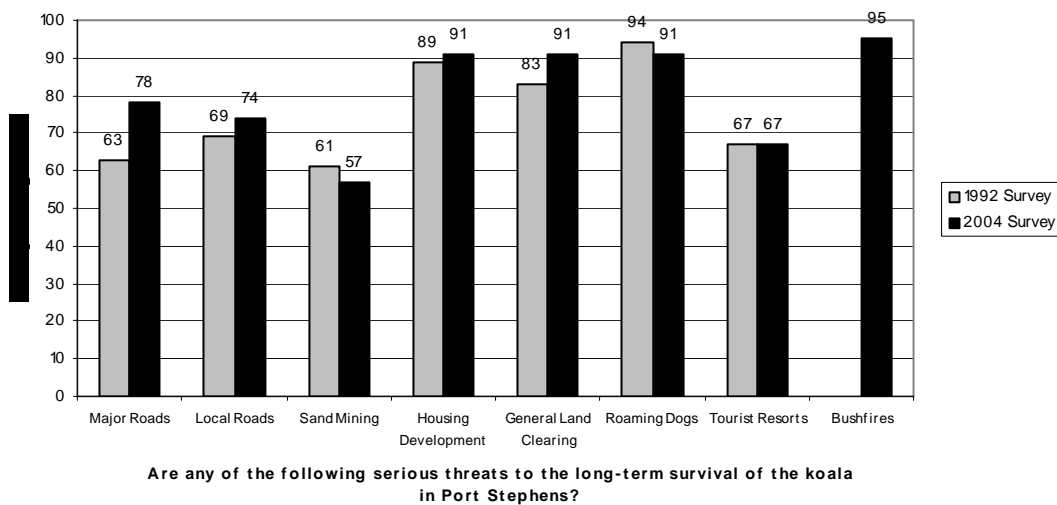


Figure 3. Comparison between 1992 and 2004 surveys for questions regarding threats to koalas.

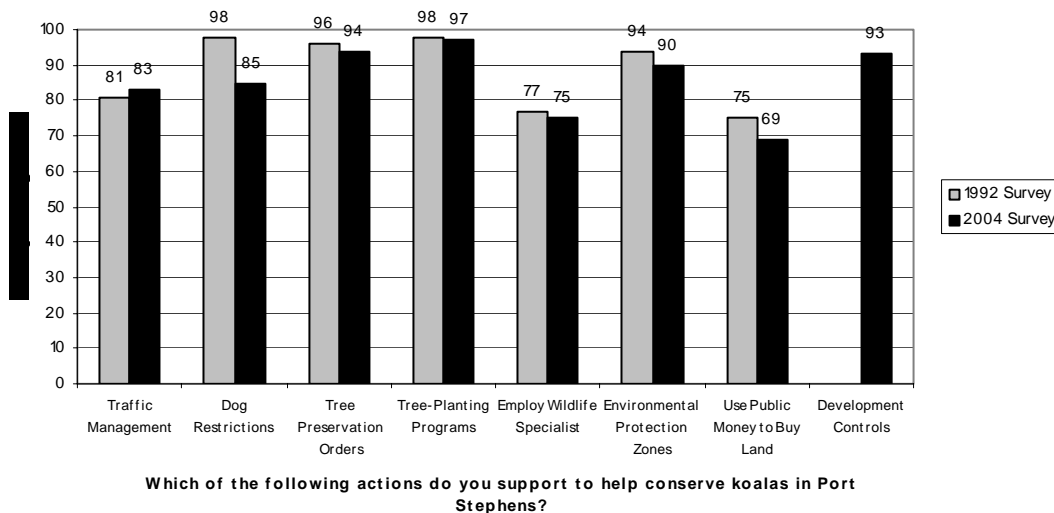
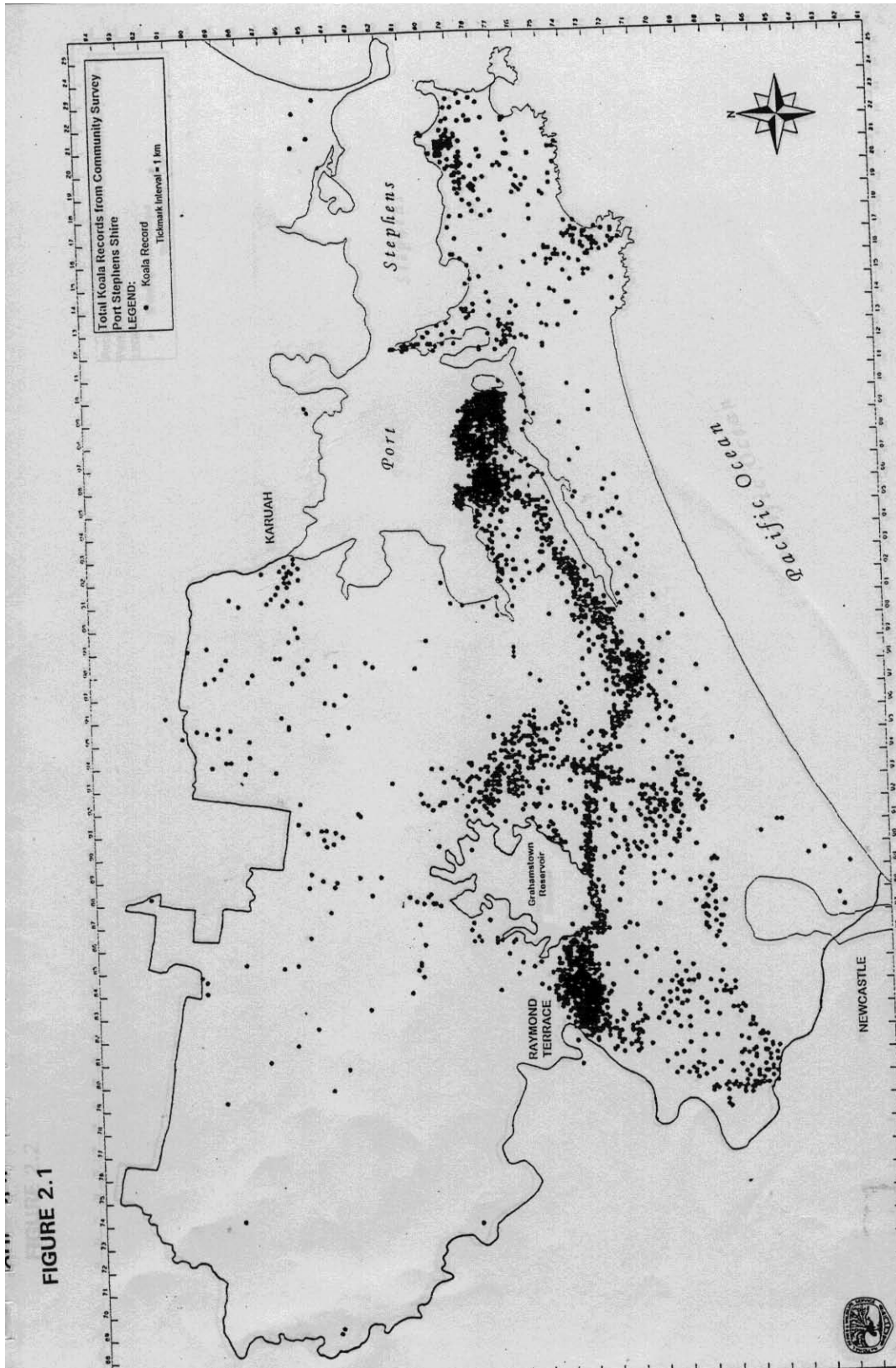
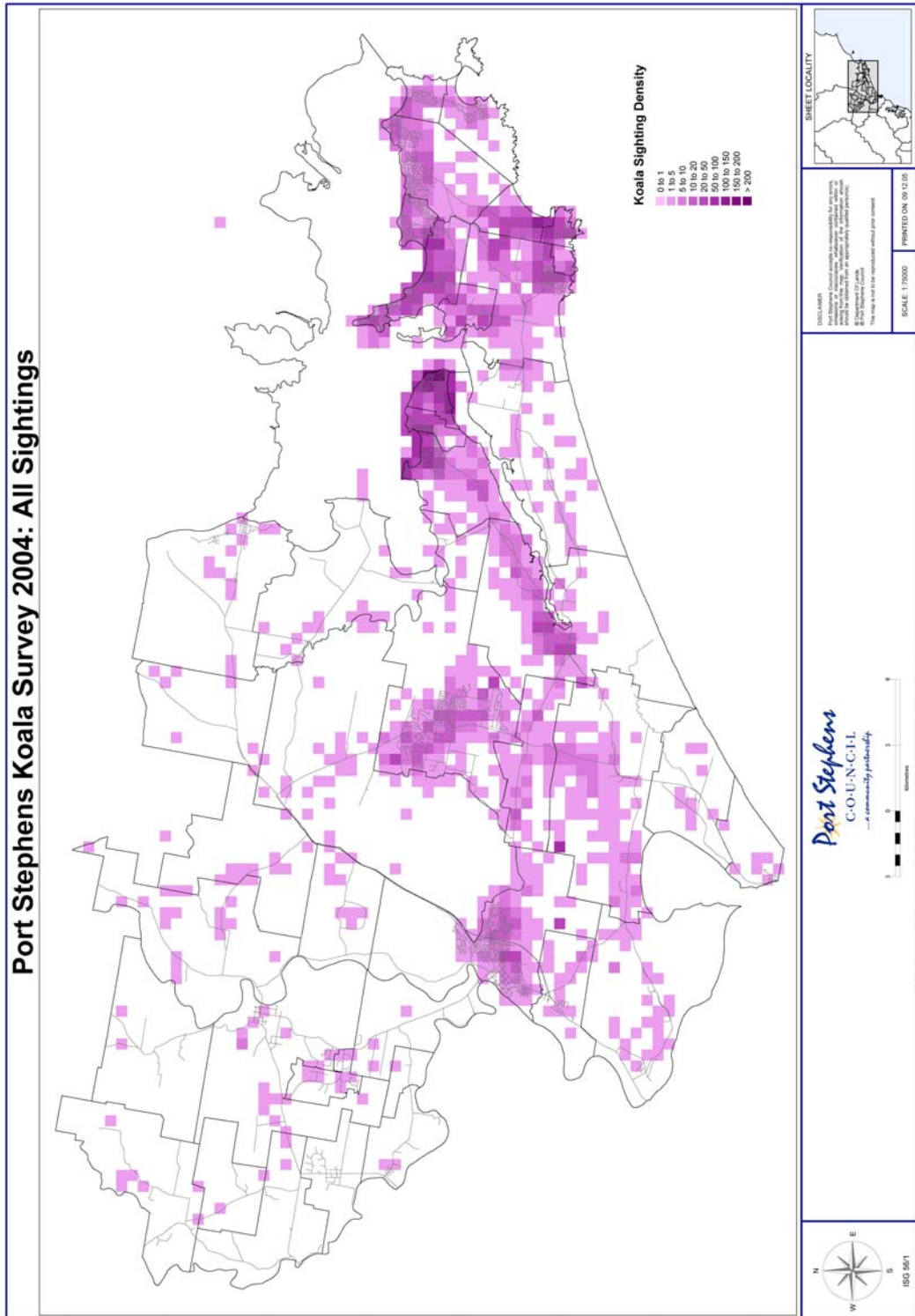


Figure 4. Comparison between 1992 and 2004 surveys for questions regarding koala conservation.

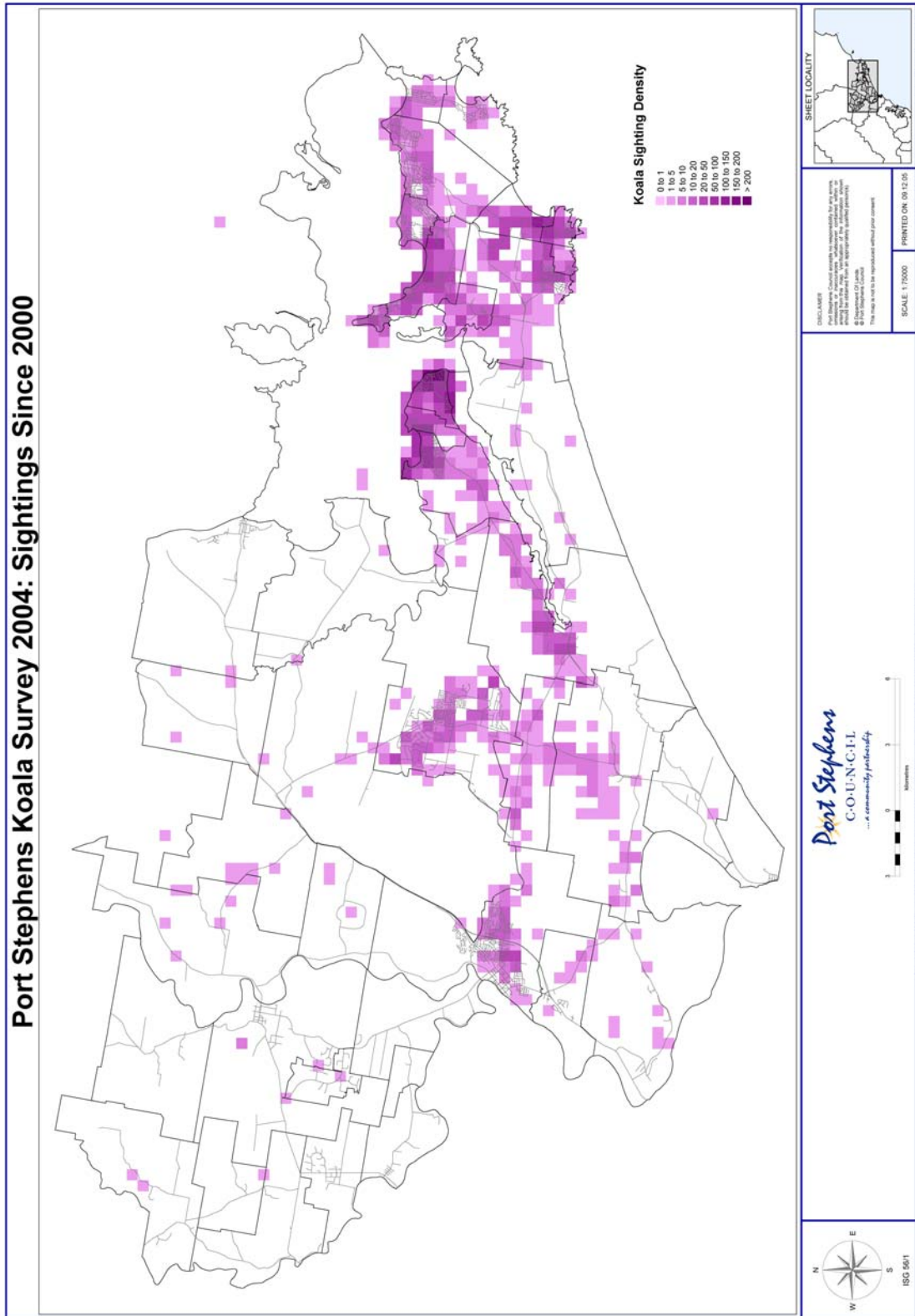
ATTACHMENT 2
1992 MAP OF KOALA SIGHTINGS



ATTACHMENT 3
2004 MAP SHOWING TOTAL KOALA SIGHTINGS



ATTACHMENT 4
2004 MAP SHOWING KOALA SIGHTINGS OBSERVED SINCE 2000



ATTACHMENT 5

2004 COMMUNITY KOALA MONITORING SURVEY FORM

2004
Community Koala
Survey



Dear Resident,

You are invited to participate in the 2004 Community Koala Survey. The purpose of the survey is to provide information on the number and distribution of koalas in Port Stephens. The survey also seeks to identify community attitudes on koalas and their conservation. The last community survey was conducted in 1992.

The 2004 survey has been designed with advice from the NSW National Parks and Wildlife Service.

There are 2 parts to the survey:

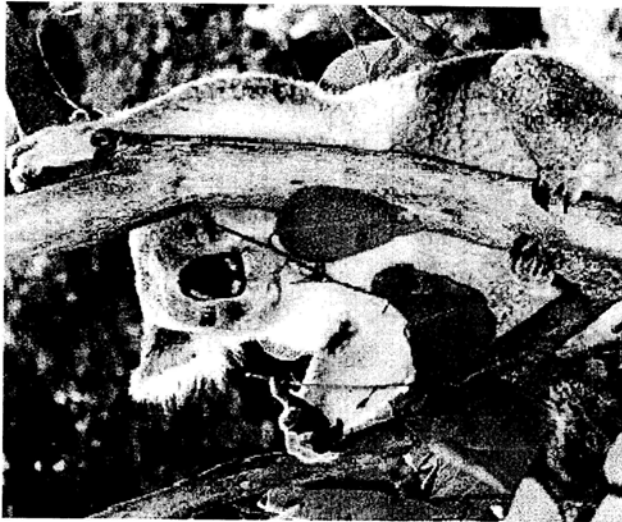
- PART A:** General questions
- PART B:** Koala sightings on 23 October 2004

To complete Part B, you are invited to look around your property and local area for koalas on Saturday 23 October 2004.

We realise that many people may never have seen koalas in Port Stephens. But even if this is the case, you are still invited to complete Part A. A lack of koalas is still important information.

Be in the draw to win a **\$300 Coles Myer Gift Card** by returning the completed survey form and map in the reply paid envelope provided by 29 October 2004. This card can be used at any Coles Myer store including Myers, K Mart and Target.

Thank you for your help. If you have any questions about the survey please call Stuart Gray at Port Stephens Council on 4980 0139.



**Tips for
Koala
Sighting ...**



1) Look out for olive pit shaped koala droppings at the base of trees (example right)



2) Look on trees for scratch marks (example right)

3) Koalas are often found in Swamp Mahogany trees

4) Juvenile koalas are about the size of a football; adult koalas can be nearly twice that size

5) Male koalas have a dark vertical marking on their chests; females may have young on their backs

**PLEASE DO NOT TOUCH OR
DISTURB KOALAS**

A sick koala may have infected eyes and/or a wet, dirty tail. Sick or injured koalas also sit low (at about 2 metres height) in the tree. If you think a koala is sick or injured, please report it to your local wildlife rescue group on the numbers below:

Hunter Koala Preservation Society (Tilligerry)
4984 5168 or 4982 3539

Native Animal Trust Fund (other areas)
0500 502 294 (24 hours)

Sponsors



Supporters



2004 KOALA SURVEY FORM

PARTICIPANT DETAILS

Name: _____ Age: _____ Phone No: _____
 Address or Local Area: _____ Email: _____
 How many years have you lived in the Port Stephens Local Government Area? _____

(All personal information will be collected and stored in accordance with the Privacy and Personal Information Protection Act (1998). If you would prefer not to give some of the above details please still indicate your local area and fill in the other details on the form and map)

SIGHTING DETAILS

PART A

1. How often do you see koalas in your local area (please circle)?
 a) Monthly b) Quarterly c) Yearly d) Occasionally
 e) Once only f) Never
2. In the time you have lived in your local area the number of koalas has (please circle):
 a) Increased b) Unchanged c) Decreased d) Don't Know
 If you have noticed a change, in what year did this begin? _____
3. Have you seen sick koalas in your local area? Yes/No
4. Have you seen koalas with young in your local area? Yes/No
5. Have you seen dead koalas in your local area?
 If Yes, was the koala dead on a road? Yes/No
6. Have you seen koalas on private land?
 Have you seen koalas on public land
 (e.g. State Forest, National Parks, Crown Land, Water Catchment Area)? Yes/No
7. Approximately how many koalas have you seen:
 since living in the Local Government Area? _____
 in the last year? _____

8. Using the attached map, please mark with a cross (X) the locations of all your koala sightings within the Local Government Area.

9. In your view, are any of the following serious threats to the long-term survival of koalas in the Port Stephens Local Government Area?

- | | |
|--|--------|
| 1) Major roads (e.g. Pacific Highway, Nelson Bay Road) | Yes/No |
| 2) Local roads | Yes/No |
| 3) Sand mining | Yes/No |
| 4) Housing development | Yes/No |
| 5) General land clearing | Yes/No |
| 6) Roaming dogs | Yes/No |
| 7) Tourist resorts | Yes/No |
| 8) Bushfires | Yes/No |
| 9) Other _____ | Yes/No |

10. Which of the following actions do you support to help conserve koalas in Port Stephens:

- | | |
|---|--------|
| 1) Traffic management (e.g. speed limits and improved signage) | Yes/No |
| 2) Restrictions on dogs (e.g. limit off-lead areas) | Yes/No |
| 3) Tree Preservation Orders (to protect koala food trees) | Yes/No |
| 4) Tree-planting programs (to increase koalas' food supply) | Yes/No |
| 5) Employ a wildlife specialist at Port Stephens Council | Yes/No |
| 6) Environmental Protection Zones (to restrict development in areas used by koalas) | Yes/No |
| 7) Use public money (from rates or levies) to buy land for koala habitat | Yes/No |
| 8) Development controls to protect koala habitat | Yes/No |
| 9) Other _____ | Yes/No |

11. In the space below, please make any additional comments and indicate if you have any records or historical information on koalas in the Port Stephens Local Government Area:

12. May we contact you for more details? Yes/No

PART B

13. Please fill in the following table for koala sightings ON SATURDAY 23rd OCTOBER ONLY (please use additional paper if required):

	Address of sighting ^a	Date/Time	Comment ^b
1			
2			
3			

a. please be as accurate as possible
 b. adult or young, male or female, general health (if known)

INFORMATION ITEM NO. 7

COUNCILLORS' EXPENSES QUARTERLY REPORT

**AUTHOR: JULIE SIMMONS – MAYOR'S EXECUTIVE ASSISTANT
FILE: A2004-0151**

BACKGROUND

The purpose of this report is to present to Council the Councillors Expenses for the period of October/November/December 2005.

ATTACHMENTS

- 1) Councillors Expenses Quarterly Report

ORDINARY MEETING - 31 JANUARY 2006

COUNCILLORS ALLOWANCES, EXPENSES AND CLAIMS Oct/Nov/Dec 2005

Oct 05								
Name	Meetings	Mayor Fee	Cr Fee	Ext Payments	Conf/Dele gate Exp	Ph & Internet	Travel	Total Amt Rec'd
Robinson			1,077.08					1,077.08
Nell			1,077.08				Sept 512.46	1,589.54
Francis			1,077.08			Ph Aug, Sept 68.60	July 149.04 Aug 233.28	2,050.72
Brown			1,077.08		LGA Mudgee 770.00	Int July, Aug, Sept 148.50		1,077.08
Jordan Dover			1,077.08 1,077.08			Ph Sept 71.10	Sept 323.40	1,077.08 1,471.58
Baumann Swan		2,351.25	1,077.08 1,077.08					1,077.08 1,077.08
Dingle			1,077.08					1,077.08
Tucker			1,077.08			Int Sept 40.75	Sept 293.76	1,411.59
Westbury			1,077.08		LGA Mudgee 770.00	Phone July 134.29	Sept 314.28	1,559.56
Hodges			1,077.08		LGA Mudgee 770.00	Int September 33.91		1,077.08
TOTAL								15,622.55

Nov 05								
Name	Meetings	Mayor Fee	Cr Fee	Ext Payments	Conf/Dele gate Exp	Ph & Internet	Travel	Total Amt Rec'd
Robinson			1,077.08				Sept/Oct 175.08	1,252.16
Nell			1,077.08			Nov 165.44	Oct 216.38	1,458.90
Francis			1,077.08					1,077.08
Brown			1,077.08				Sept/Oct/Nov 876.03 (Includes travel to Tidy Towns & LGA Mudgee)	1,953.11
Jordan			1,077.08					1,077.08

ORDINARY MEETING - 31 JANUARY 2006

Dover		1,077.08			Phone Oct/Nov Oct/Nov 120.55 Internet Aug/Sept /Oct 45.00	879.12		2,121.75
Baumann	2,351.25	1,077.08			<i>AAA Conf Hobart 705.00</i>			3,428.33
Swan		1,077.08						1,077.08
Dingle		1,077.08						1,077.08
Tucker		1,077.08			Int Nov 40.95	Oct 314.96		1,432.99
Westbury		1,077.08			Ph/Int Nov 114.42	Oct 558.00		1,749.50
Hodges		1,077.08			Phone Sept/Oct 82.39 Internet Sept/Oct 50.00	Sept/Oct/ Nov 883.44 (<i>Includes travel to LGA Mudgee</i>)		2,092.91
								TOTAL 19,797.97

Dec 05	Name	Meetings	Mayor Fee	Cr Fee	Ext Payments	Conf/Dele gate Exp	Ph & Internet	Travel	Total Amt Rec'd
	Robinson			1,077.08					1,077.08
	Nell			1,077.08				Nov 503.44	1,580.52
	Francis			1,077.08					1,077.08
	Brown			1,077.08			Oct 174.81		1,251.89
	Jordan			1,077.08					1,077.08
	Dover			1,077.08			Nov 62.20	Dec 242.46	1,381.74
	Baumann	2,351.25		1,077.08					3,428.33
	Swan			1,077.08					1,077.08
	Dingle			1,077.08					1,077.08
	Tucker			1,077.08					1,077.08
	Westbury			1,077.08			Dec 117.27	Nov 646.96	1,841.31
	Hodges			1,077.08					1,077.08
								TOTAL 17,023.35	

***CONFERENCE/DELEGATE ESPENSES IN ITALICS ARE AMOUNTS INCURRED WITHIN THE ANNUAL DELEGATES EXPENSES ALLOWANCE THESE ARE NOT MONIES RECEIVED**

***MEETINGS - ATTENDANCE AT STRATEGIC/OPERATIONS/ORDINARY COUNCIL MEETINGS**

***EXT PAYMENTS - RECEIVED FROM OTHER ORGANISATIONS ON WHICH COUNCILLORS SERVE**

INFORMATION ITEM NO. 8

**MEDOWIE CHILDREN'S CENTRE ACCREDITED AS HIGH QUALITY
BY THE NATIONAL CHILDCARE ACCREDITATION COUNCIL**

**AUTHOR: JODIE COX – DIRECTOR - MEDOWIE CHILDREN'S CENTRE
FILE: PSC2005-3898**

BACKGROUND

The purpose of this report is to inform Council that our Medowie Children's Centre has been accredited through the National Childcare Accreditation Council (NCAC) as a High Quality Long Day Care Centre.

Medowie Children's Centre is a 39 place Long Day Care Centre and provides care for over seventy-five children a week. Care is provided from 7am to 6pm for children aged 0 – 5 years of age. In July 2005 the centre submitted their self-study report to the NCAC and was visited by a Validator in September 05. The Validator observed practices and procedures at the centre for two days and completed a report on the centre, which concluded all the Quality indicators were occurring.

This report was then sent back to the NCAC and a final accreditation decision was made. This decision took into account the report as well as feedback from staff and parents. In November 2005 Medowie Children's Centre received notification that the centre had been accredited as High Quality in all 10 Quality Areas.

The centre has a history of High Quality and all staff worked together to maintain this quality even with various staff changes occurring throughout the year. All staff contributed to the process through surveys, policy and procedure development as well as each staff member being responsible for documenting how the centre met the indicators in their area.

The NCAC began administering the Quality Improvement and Accreditation System (QIAS) for Long Day Care Centres in January 1994. The original principles were evaluated and refined in 2000 and new principles developed in 2002. The areas and principles were refined again in 2005 and a new guide will be implemented in 2006. Of the centres that have progressed through QIAS to June 2005, 41% have achieved all 10 Quality Areas at a High Quality level. This indicates that Medowie Children's Centre sets and maintains high quality long day care services for the families in the Medowie area.

Our next self-study report is due in December 2007.

ATTACHMENTS

- 1) The Quality Areas and Principles
- 2) The Quality Profile Certificate

ATTACHMENT 1

The Quality Areas and Principles of Quality Care

Quality Area 1: Relationships with children

Principle 1.1: Staff create a happy, engaging atmosphere and interact with children in a warm and friendly way.

Principle 1.2: Staff guide children's behaviour in a positive way.

Quality Area 2: Respect for children

Principle 2.1: Staff initiate and maintain communication with children, and their communication conveys respect and promotes equity.

Principle 2.2: Staff respect the diverse abilities and the social and cultural backgrounds of all children and accommodate the individual needs of each child.

Principle 2.3: Staff treat children equitably.

Principle 2.4: Mealtimes are pleasant, culturally appropriate occasions and provide an environment for social learning and positive interaction.

Quality Area 3: Partnerships with families

Principle 3.1: Staff and families use effective spoken and written communication to exchange information about individual children and about the centre.

Principle 3.2: Family members are encouraged to participate in the centre's planning, programs and operations.

Principle 3.3: The centre has an orientation process for all new children and their families.

Quality Area 4: Staff interactions

Principle 4.1: Staff communicate effectively with each other and function well as a team.

Quality Area 5: Planning and evaluation

Principle 5.1: Programs reflect a clear statement of centre philosophy and a related set of broad centre goals.

Principle 5.2: Records of children's learning and well-being are maintained by the centre and are used to plan programs that include experiences appropriate for each child.

Principle 5.3: Programs cater for the needs, interests and abilities of all children in ways that assist children to be successful learners.

Principle 5.4: Programs are evaluated regularly.

Quality Area 6: Learning and development

Principle 6.1: Programs encourage children to make choices and take on new challenges.

Principle 6.2: Programs foster physical development.

Principle 6.3: Programs foster language and literacy development.

Principle 6.4: Programs foster personal and interpersonal development.

Principle 6.5: Programs foster curiosity, logical inquiry and mathematical thinking.

Principle 6.6: Programs foster creative and aesthetic development using movement, music and visual-spatial forms of expression.

ATTACHMENT 1

Quality Area 7: Protective care

- Principle 7.1: The centre has written policies and procedures on child protection, health and safety; and staff monitor and act to protect the health, safety and well-being of each child.
- Principle 7.2: Staff supervise children at all times.
- Principle 7.3: Toileting and nappy-changing procedures are positive experiences and meet each child's individual needs.
- Principle 7.4: Staff ensure that children are dressed appropriately for indoor and outdoor play and that rest/sleep-time and dressing procedures encourage self-help and meet individual needs for safety, rest and comfort.

Quality Area 8: Health

- Principle 8.1: Food and drink are nutritious and culturally appropriate and healthy eating habits are promoted.
- Principle 8.2: Staff implement effective and current food-handling standards and hygiene practices.
- Principle 8.3: Staff encourage children to follow simple rules of hygiene.
- Principle 8.4: The centre acts to control the spread of infectious diseases and maintains records of immunisation.

Quality Area 9: Safety

- Principle 9.1: Buildings and equipment are safe.
- Principle 9.2: Potentially dangerous products, plants and objects are inaccessible to children.
- Principle 9.3: The Centre promotes occupational health and safety.

Quality Area 10: Managing to support quality

- Principle 10.1: Management consults appropriately with families and staff and written information about the centre's management is readily available to families and staff.
- Principle 10.2: Staffing policies and practices facilitate continuity of care for each child.
- Principle 10.3: Management provides an orientation program for new staff with a focus on the centre's philosophy, goals, policies and procedures.
- Principle 10.4: Management provides and facilitates regular professional development opportunities for staff.

ATTACHMENT 2

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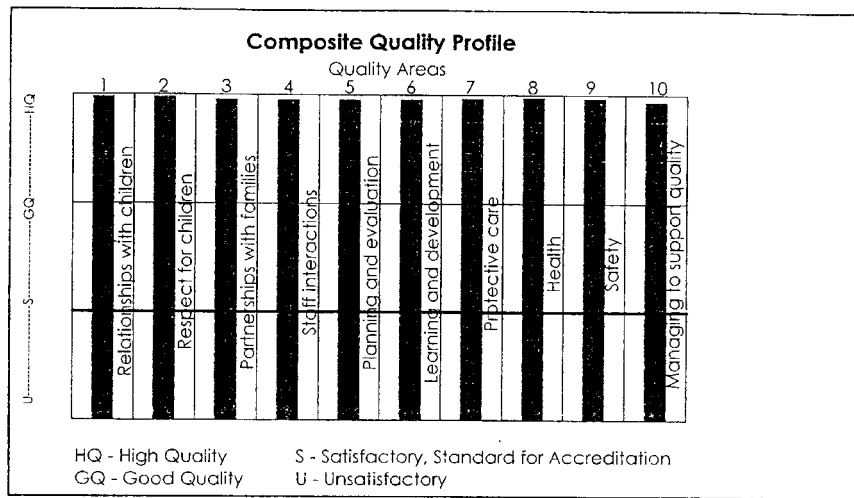
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Medowie Children's Centre
40 Brushbox Avenue
MEDOWIE NSW 2318

Accreditation Decision: November 2005

NCAC Ref.: RQ2116

Visit No: VQ15468



Service Staff who contributed to the achievement of this quality profile:

- Jodie Cox
- Michelle Bestwick
- Nicole Buchan
- Daniel Dobbin
- Nikki Frost
- Sue Hawkins
- Jill Holstein
- Debbie Kaminski
- Jodi O'Connor
- Debrah Solomon
- Donna Spohr

John Tainton
Chairperson
National Childcare Accreditation Council
7 November 2005

let0133a-12/10/05

INFORMATION ITEM NO. 9

**CONFERENCE REPORT - LOCAL GOVERNMENT INFORMATION
TECHNOLOGY CONFERENCE 2005**

**AUTHOR: MICHAEL MAEDER
FILE: PSC2005-2250**

BACKGROUND

The purpose of this report is to present a Conference Report on the Local Government Information Technology Conference held in Coffs Harbour from 15 to 18 November 2005.

ATTACHMENTS

- 1) Conference Report

ATTACHMENT 1

Conference/Seminar Report

Conference Title:	Local Government Information Technology Conference
Dates of Conference:	15 to 18 November 2005
Location:	Coffs Harbour
Attendees:	Michael Maeder
Conference Overview:	<p><i>Please provide a summary of the points raised and how this relates to our organisation by either completing the area below or attaching a one page overview.</i></p> <p>The conference was held over 2½ days and covered a wide variety of topics that were a combination of Council case study's and technical presentations or commentaries.</p> <p>The following presentations were the most relevant and interesting:</p> <p><u>Experiencing the Visual</u> Steven Axford – Urban Futures Consulting</p> <p>The complexity of urban design is increasing and people, the Community and professionals, are looking for more visual ways to view and present concepts and design.</p> <p>2D maps have been the traditional way that this information has been presented and viewed, but 2D maps are too small scale and there is often miscommunication between what is presented and how it is interpreted.</p> <p>The sophistication of the community in general is increasing, as more people are exposed to increasingly complex and detailed forms of information. This is best shown in a lot of current computer games. There are several games on the market that have detailed and very accurate street scapes of major cities in live game play environments. Exposure to this technology is driving expectations from the community to use this technology in day to day activities.</p> <p>This will increase the pressure on Urban Design environments to look for affordable ways to capture designs in 3D, to allow visual submissions and ultimately provide more meaningful presentations of design concepts and their implications on the surrounding environment.</p>

The cost of developing this information is reducing but is still restrictive and we would need to consider the following issues:

- Hardware requirements to run and access the system
- Internal skill requirements to populate and administer
- Financial implications
- Responsibility – who should manage

Relevance

This is a technology that would be useful for PSC. It would allow a visual presentation of submissions that would be particularly useful in contentious areas.

The initial outlay of money and resources would be significant and it would only be suggested to capture information for sensitive areas (eg Nelson Bay).

This technology will be submitted to the IT Strategic Advisory Panel for prioritisation.

How IT Governance helps Corporate Governance
Graeme Philipson – Industry writer consultant & analyst

IT Governance is an integral part of Corporate Governance, which is top of mind for most organisations minds nowadays.

Governance may seem onerous but with the right mindset compliance can deliver bonuses for Council. It increases transparency across the organisation and assists in aligning IT with the business.

The majority of Corporate Governance regulations apply to information and hence by association are related to IT:

- Information capture
- Storage
- Protection
- Audit trails

Performing Governance provides an opportunity to:

- Formalise processes
- Realise efficiencies
- Align IT objectives with those of the business
- Improve Corporate performance

IT Governance is:

- Management – policies and procedures necessary to ensure that Information systems meet corporate objectives
- The process of setting parameters for, & monitoring the performance of IT Management
- Governance is not Management

Keys to successful IT Governance:
Establish clearly understood responsibilities for IT
Plan IT to best support the organisation
Use IT validly
Ensure IT performs well whenever required
Ensure IT conforms with formal rules

Relevance

This is extremely relevant to PSC as we continue to evolve our process and procedures to deliver sound, effective IT governance.

Storage – Vision, Reality and Evolution

Willie Lusted – Hewlett Packard

Data storage is incredibly cheap and as a result the amount of storage owned by organisations continues to increase and often without consideration of the real cost. This increase also means the gap between the amount of storage and the number of support staff continues to increase.

The ultimate question as we store more and more data is when does data become information.

One significant impact of this increasing data storage is the ability to back it all up. Backup windows become too small, the continual need for faster and large tape drives and more licenses for backup software

Information Lifecycle Management (ILM) is about automating the capture/ management/ retention and delivery of information. The key is to be able to put information where it belongs, on storage tiers aligned with its value. The objective is to migrate information that hasn't been accessed for predefined periods from fast disk (SCSI) to slower disk (SATA) and then to tape or other solid state medium.

Where do you start?

The first step in this process before purchasing any software, is to know and understand your data, this would include:

- Discover / classify all the data
- Investigate / define storage tiers
- Consider / define movement policies
- Investigate ILM solutions
- Analyse business case

Relevance

This is relevant to any organisation and particularly where data storage is growing. PSC is mindful of this issue and will give it due consideration when replacing key server and tape backup hardware and software next year.

Council Case Study: The empowerment of IP Telephony
John Dundas – Maitland Council

Like many organisations, Maitland City Council relied heavily on a traditional PBX to control its telecommunications. Apart from the shortcomings inherent in these systems, the equipment was over 8 years old and the leases for Council's three PABX systems were expiring. This provided the perfect opportunity to review Council's telecommunication needs.

The main issues with the current environment were:

- Inadequate reporting for customer service
- Heavy reliance on external service provider
- Limited functionality
- Continuing increase in maintenance costs

One of the main requirements of the new system was simple Computer Telephony Integration. One of the decisive issues in the evaluation was that the hybrid solutions did not provide seamless management of the CTI functionality from the desktop & phone.

After a lengthy tender process, the IPX IP telephony solution was finally accepted

Relevance

This presentation was highly relevant due to the comparable sizes of Maitland Council and PSC and the PBX tender process that PSC is currently undertaking

INFORMATION ITEM NO. 10

STATECOVER SCHEME PERFORMANCE REBATE

AUTHOR: ANNE SCHMARR – ORGANISATION DEVELOPMENT MANAGER
FILE: PSC2005-5494

BACKGROUND

The purpose of this report is to advise Council of a rebate of \$98,601-80 received from StateCover Mutual Limited, due to the performance of the StateCover Scheme.

The Local Government and Shires Association of NSW established a specialised insurer for local government workers compensation in NSW, commencing operations from 30 June 2001 as StateCover Mutual. Port Stephens Council has been a member of StateCover since July 2004. As at 1/8/2005, StateCover insured 90% of Council's in NSW.

Although still subject to NSW workers compensation legislation, WorkCover and APRA regulations, the Specialised Licence allows StateCover to tailor its own functions, including premium collection, claims / injury management and occupational health & safety – to achieve increased effectiveness and better financial and social outcomes for all stakeholders.

Due to the performance of the StateCover Scheme and its members, including Port Stephens Council, the StateCover Board is able to return some \$5 million to its members as a "Scheme Performance Rebate".

The rebate is based on 10% of the actual premium. In addition to the rebate of \$98,601-80, Council also received a risk management subsidy of \$20,000 to be used for improvements to our health and safety system.

ATTACHMENTS

- 1) Nil

INFORMATION ITEM NO. 11

WORKERS' COMPENSATION PREMIUM

AUTHOR: ANNE SCHMARR – ORGANISATION DEVELOPMENT MANAGER
FILE: PSC2005-5494

BACKGROUND

During the past year, there has been a greater focus on Occupational Health and Safety and Workers Compensation at Council. Our survey, conducted by Stephen Clarke soon after his commencement in December 2004, indicated that we had room for improvement, specifically in the areas of ownership and education.

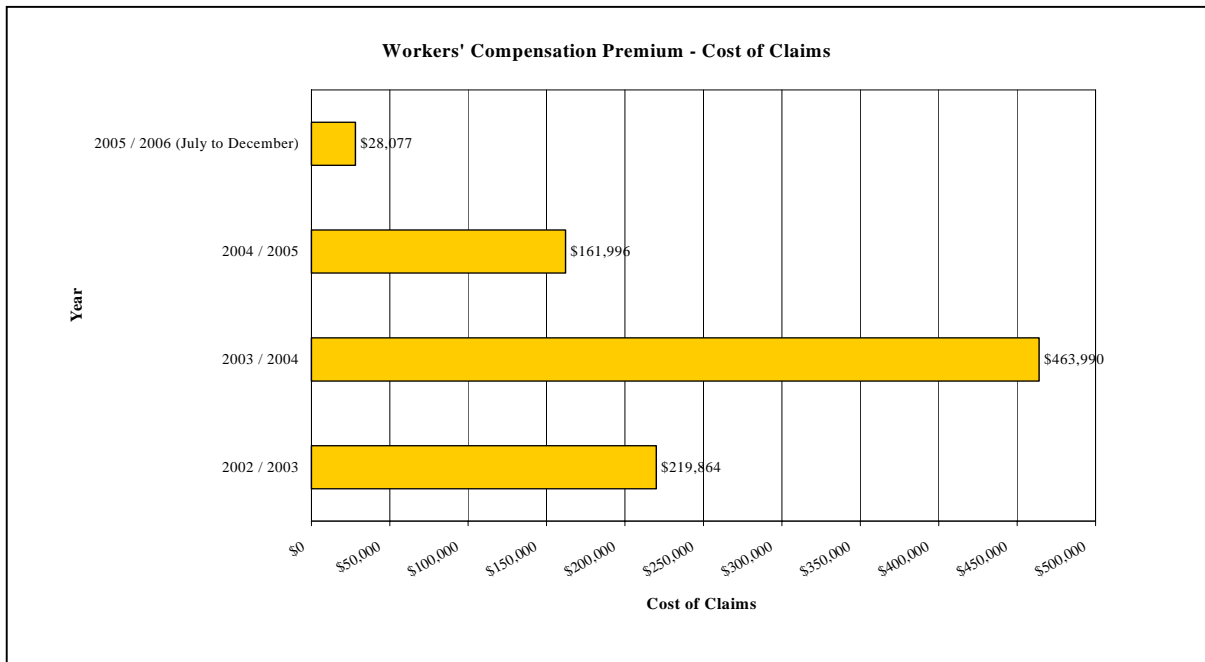
THE VERY POSITIVE CONSEQUENCE OF THIS HAS BEEN THAT OUR GENERAL MANAGER HAS BECOME OUR CHIEF SAFETY OFFICER AND EVERY MANAGER IS NOW VERY AWARE OF THEIR RESPONSIBILITIES FOR THE WELL-BEING OF THEIR STAFF, CONTRACTORS AND VOLUNTEERS. SAFETY IS NOW PERMANENTLY ON THE AGENDA AT PORT STEPHENS COUNCIL.

Good safety management rewards in many ways. Apart from the obvious benefits, there are also financial benefits. The purpose of this report is to advise Councillors of a "good news" story in relation to the cost of our workers' compensation claims.

Councillors would be aware that the cost of our workers' compensation premium is made up of two components. Firstly, a tariff component (the tariff rate for local government x estimated wages for the year); and secondly, an experience component which is based on the cost of the last 3 years claims experience.

While there are some aspects to the premium that we have no control over, the cost of our claims is the one area that can and does substantially impact on the premium.

The cost of claims includes all payments made by the insurer in respect of the claims, including benefit payments to employees, and medical, injury management or legal service provider costs. The cost of claims also includes the estimated cost of all future payments arising from the claims.



THE SIGNIFICANT REDUCTION IN THE COST OF CLAIMS FROM 1/7/05 TO 31/12/05 IS INDICATIVE OF THE IMPROVEMENTS IN THE MANAGEMENT OF SAFETY AND WORKERS COMPENSATION OVER THE PAST YEAR.

It is anticipated that should this trend continue, our premium for 2006/07 will reduce from the current \$1.5M to around \$1M. With good management, this figure will continue to reduce over time.

INFORMATION ITEM NO. 12

MANAGER'S MONTHLY REPORT DECEMBER 2005

AUTHOR: BRONWYN FLINN – BUSINESS PAPER CO-ORDINATOR
FILE: 3200-001

BACKGROUND

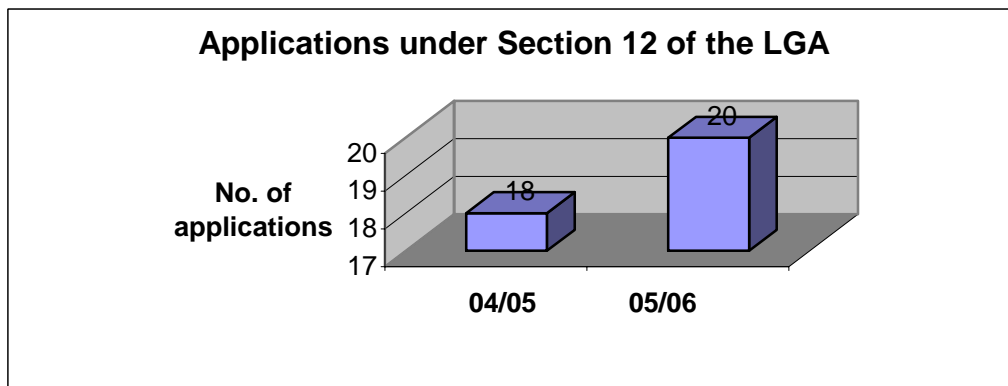
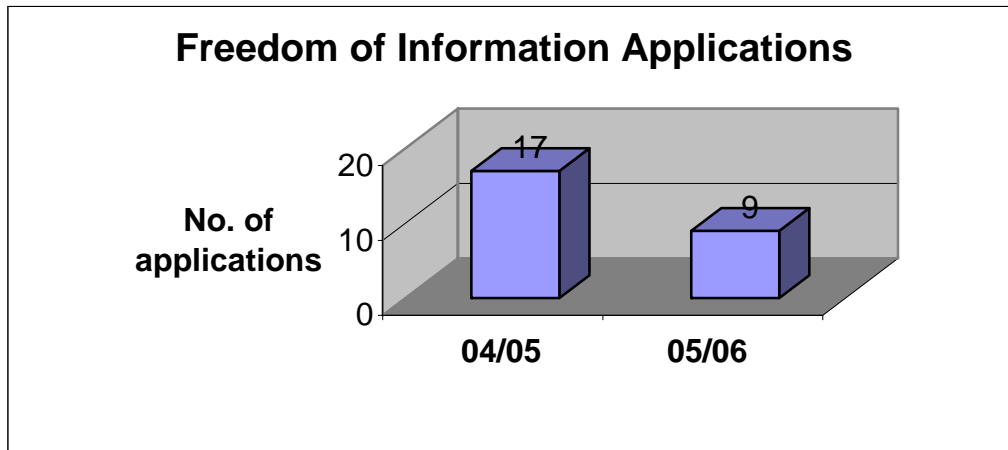
The purpose of this report is to present the December 2005 Monthly Report in ATTACHMENT 1.

ATTACHMENTS

Monthly Manager's Report – December 2005.

MANAGERS
MONTHLY REPORT
DECEMBER 2005 STATISTICS

CORPORATE
MANAGEMENT



ORDINARY MEETING - 31 JANUARY 2006

2005/2006 ALLOCATION OF MINOR WORKS				
WARDS	EAST	CENTRAL	WEST	TOTAL
BALANCE B/FWD 30 JUNE 2005	4,408	-22,759	10,423	-7,928
2005/2006 BUDGET ALLOCATION	20,000	20,000	20,000	60,000
TOTAL AVAILABLE 1 JULY, 2005	24,408	-2,759	30,423	52,072
ALLOCATED TO:-				
Rotary Club of Nelson Bay 2005-2746/001	2,720			2,720
Port Stephens Sister Cities 26/7/2005	380			380
Nelson Bay Pistol Club 26/7/2005	1,500			1,500
Medowie Soccer Club 26/7/2005		1084		1,084
Medowie Scout Group 26/7/2005		500		500
Medowie Community Pre-school 26/7/2005		5000		5,000
Little Beach Power Box 2005-3738/001	1260	1260	1260	3,780
Transferred \$20,000 from Salamander Funds		-20000		-20,000
Towing of Life Education Van August Meeting	1400	1400	1400	4,200
Gyro Spinner Alma Street reserve 2005-3622/17			5500	5,500
Hunter Valley Vaulting Centre 27/09/2005		100		100
St Bridgids School 27/09/2005			1000	1,000
Tar Seal Pomona Place Tanilba Bay 2005-5376/01		2500		2,500
Irrawang High School CM 346/05			200	200
Hunter River High CM 346/05			220	220
PS Business Chamber CM346/05			500	500
Hinton Public School CM346/05			1000	1,000
Seaham Public School CM346/05			1000	1,000
Anna Bay Community Centre CM346/05	6258			6,258
Tilligerry Adult and Community Centre CM346/05		500		500
Hunter New England NSW Health CM 346/05		154		154
Tanilba Bay Rural Fire Brigade Comm. CM346/05		330		330
Toilligerry Chamber of Commerce CM346/05		1000		1,000
Lions Club Tilligerry Pen. CM 346/05		1000		1,000
Medowie Public School CM346/05			200	200
Hunter River High CM 346/05			200	200
				0
TOTAL ALLOCATED	13,518	-5,172	12,480	20,826
BALANCE AVAILABLE as at 9/01/06	10,890	2,413	17,943	31,246

ORDINARY MEETING - 31 JANUARY 2006

2005/2006 PROJECT FUNDS - WARDS				
WARDS	EAST	CENTRAL	WEST	TOTAL
BALANCE B/FWD 30 JUNE 2005	383,148	498,148	508,251	1,389,547
Estimate for 2005/6	2,100,000	2,100,000	2,100,000	6,300,000
TOTAL AVAILABLE 1 JULY 2005	2,483,148	2,598,148	2,608,251	7,689,547
ALLOCATED TO:-				
Transfer \$20,000 to Minor Works		20,000		20,000
2005/2006 Original Budget				0
Main Road Medowie Upgrade		100,000		100,000
Seaham Rd and Clarencetown Rd - Reconstruction			138,000	138,000
Fingal Bay link road - acquisition and design	574,000			574,000
LTP Road Upgrade near Salt Ash		250,000		250,000
Footpath Construction - West,East and Central Wards	50,000		30,000	80,000
Cycleway Medowie - Warapora Road		110,000		110,000
Gateway signage West,Central and East Wards	20,000		20,000	40,000
Karuah main street - Bypass mitigation works			200,000	200,000
Cycleway Anna Bay to Salamander Stage 4		0		0
Cycleway along Mustons Rd Karuah			120,000	120,000
Cycleway Soldiers Point Rd - Diemars Rd to Gilchrist Rd - Stage 2	15,000			15,000
Pedestrian Access mobility plan	50,000		25,000	75,000
Various Minor Works East Ward	180,000			180,000
Footpaths Community Survey		30,000		30,000
Bus Shelters Medowie		25,000		25,000
Bus Shelters Anna Bay		25,000		25,000
Bus Shelters Lemon Tree Passage		25,000		25,000
LTP Coast Guard Access Sealing		15,000		15,000
Karuah Community Hub Project			100,000	100,000
Raymond Terrace Senior Citizens Centre			425,000	425,000
Wallalong Multi Purpose Centre			10,000	10,000
Seaham Hall Upgrade			22,000	22,000
Salt Ash Hall		8,500		8,500
Hinton Community Hall			31,000	31,000
Mayo Building Verandah			165,000	165,000
Raymond Terrace Library Concept Plan			25,000	25,000
RT Community Centre Upgrade			88,000	88,000
Medowie Community Upgrade		50,000		50,000
Fern Bay Hall		60,000		60,000
Tanilba Hall		5,000		5,000
Tomaree Sports Complex Carpark and Access Upgrade	90,000			90,000
Mallabula Sports Complex floodlighting		160,000		160,000

ORDINARY MEETING - 31 JANUARY 2006

Bowthorne Park Floodlighting			10,000	10,000
Anzac Park Carpark and Access	190,000			190,000
Soldiers Point Boat Ramp Amenities	120,000			120,000
Tomaree Aquatic Centre Development design	200,000			200,000
Tomaree Sports Complex Lighting Upgrade	15,000			15,000
Sabre Jet Monument, Bettles Park			80,000	80,000
Tomaree Aquatic Centre liner replacement	150,000			150,000
Nelson Bay Tennis Courts	35,000			35,000
Little Beach Disability Ramp Upgrade	20,000			20,000
Donald Street Carpark Additions	100,000			100,000
Raymond Terrace F'shore Upgrade Stage 1,2, &3			220,000	220,000
Lakeside Leisure Centre Upgrade			210,000	210,000
Aliceton Reserve & Boat Ramp			104,000	104,000
Hinton Foreshore Lanscaping			18,000	18,000
Raymond Terrace Skate Park Stage 2			35,000	35,000
Karuah BMX & Mini Skate Park			50,000	50,000
Lakeside Sports Field G'Stand Stage 2			20,000	20,000
Rural West Sportsfield Drainage			21,000	21,000
Seaham Park Stand Restoration and Trail			20,000	20,000
Hinton River Toilets Installation			10,000	10,000
Medowie Amenities Block	80,000			80,000
Medowie Car Park Entrance	100,000			100,000
Medowie Skate Park	150,000			150,000
Medowie Sports Facilities Upgrades	5,000			5,000
Birubi Surf Club	25,000			25,000
4WD Access	200,000			200,000
Stockton Bight Public Toilets	10,000			10,000
Tilligerry Pool Car Park	200,000			200,000
Tilligerry Pool Cover	50,000			50,000
Tilligerry Skate Park	60,000			60,000
Stephens Square	20,000			20,000
Caswell Reserve	30,000			30,000
McCann Park Amenities	30,000			30,000
Tanilba Sailing Club Amenities	10,000			10,000
Tanilba Park	100,000			100,000
Tanilba Lighting of Stone Gates	10,000			10,000
Koala Park Project	25,000			25,000
RT SES/RFS Operations Centre Extension			85,000	85,000
Medowie RFS Station Extensions	60,000			60,000
King Park Shade Shelters CM 20/12/2005			7,000	7,000
RT Tennis Courts CM 20/12/2005			50,000	50,000
				0
TOTAL ALLOCATED	1,809,000	2,048,500	2,339,000	6,176,500
BALANCE as at 9 January 2006	674,148	549,648	269,251	1,513,047

**ENGINEERING
SERVICES &
OPERATIONS**

- Road rehabilitation has been completed in Silver Wattle Drive, Medowie.
- Reseal Program is nearing completion with minor cul-de-sacs to be completed in January 2006.
- Scheduled line marking program has been completed.
- New Waste Minimisation Officer commenced on 5/12/05.
- Gan Gan Road and Blanch Street retaining walls, kerb and gutter completed ready for roundabout construction in January.
- Pram ramps on Adelaide Street commenced and completed.
- New SES storm rescue truck valued at \$80,000 was delivered and commissioned.

SPORT & RECREATION

- Successful hosting of the Interbranch Surf Life Saving Championships at Fingal Bay. Council has received letters of thanks from the Fingal Bay Surf Club and Hunter Branch.
- Five break-ins occurred at Lakeside Leisure Centre over the Xmas/New Year period and as a result security has been upgraded. We will continue to monitor the success of the changes in the security arrangements.
- Council staff and the management of the YMCA have initiated a process to improve site safety management systems at Lakeside Leisure Centre. Feedback on progress in this area will be provided to Councillors in the coming months.
- There were three incidents where people broke into the pools at Mallabula and Tomaree and emptied rubbish into the pool. There was also one incident at Tomaree Pool involving a break in and the turning on of the water slide. We are currently investigating new security methods for those sites as well.
- Staff have progressed to the final draft stage of the strategy for the supply of open space and playground facilities. Progress on this will be communicated to Councillors by March 2006.
- The tender for two new Raymond Terrace tennis courts has been completed with work to commence in late January 2006.
- Staff have completed work with Tennis NSW in the development of plans for the proposed Boat Harbour tennis facility.

PROJECT SERVICES

- Anzac Park Embellishment program has been delayed due to design modifications and additional traffic information being required for DA. The agreed completion date is September 2006.
- Little Beach Restricted Mobility Landings and Jetties tenders are being assessed. Contracts for the work are to be let by the end of January 2006. There is a 14-week supply time for the timber once ordered, due to sourcing and treatment processes.
- Medowie Community Centre amenities building has been installed.
- RT Tennis Courts construction will commence in mid January, the agreed completion date is the end of February 2006.

ORDINARY MEETING - 31 JANUARY 2006

- Salamander Bay Recreation Area Amenities Building construction is still progressing well and is scheduled for completion March 06.
- Salamander Recreation Area - Stage 2 construction work is still on target for the agreed completion date of March 2006.
- Soldiers Point boat ramp amenities has been installed.
- Soldiers Point Holiday Park swimming pool shell has been completed
- Soldiers Point Retaining Wall construction will commence 1 February, the agreed completion date is the end of February 2006.
- Tomaree Sport Complex No1 Car Park construction has commenced and the agreed completion date is February 2006.
- Tomaree Sports Touch/Soccer Amenities construction is scheduled to commence after the conclusion of the Regional Touch Championships.

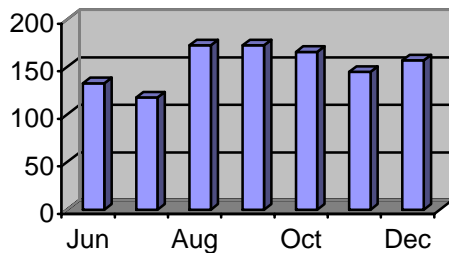
COMMUNITY PLANNING

- Exempt and complying LEP on exhibition
- DCP LD1 Raymond Terrace adopted
- EOIs sent out for Medowie structure plan.
- EOIs sent out for Lemon Tree Passage DCP
- Noise consultant appointed and report submitted concerning aircraft and vehicular noise impacts on Kingshill.
- International Day for People with a Disability Picnic held at Little Beach (600 people in attendance)
- Temporary appointment of new Community Development & Planning Officer, Simone Silberberg
- Made a presentation to Medowie Progress on the Council's new '2006-2010 Social & Community Plan
- Conducted safety audits for community groups (eg; Thou Walla Family Centre)
- Engaged Hunter Valley Research Foundation to undertake Community Planning's '2006 Community Survey'
- Engaged UTS-Centre for Local Government to undertake a review of Council's community consultation processes
- Engaged the AEC Group to undertake a review of the standards guiding the provision of Council's community and recreational facilities
- Provided a briefing to Council on the Karuah Community & Economic Redevelopment Project
- Launched the new Community & Policing Services Project
- Council adoption of new Cultural Plan
- Karuah Main St Concept Plan placed on public exhibition
- Newcastle Permanent Carols by the Bay
- Valuation undertaken of Councils Art Works
- Smart Bus
- Holiday Packs
- Gazettal Hinton rezoning to 1(c3)(1 hectare)
- Tenders called for Williams River Flood Study

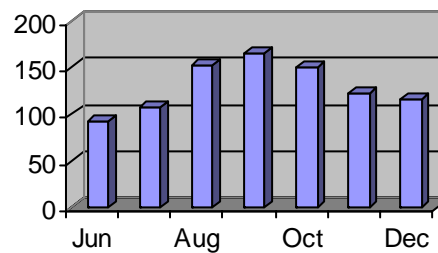
Development Approvals

DA's determined during the month	157
Modifications to DA's during the month	15
Construction Certificates approved during the month	116

DA's Determined



CC's Determined



ENVIRONMENTAL SERVICES

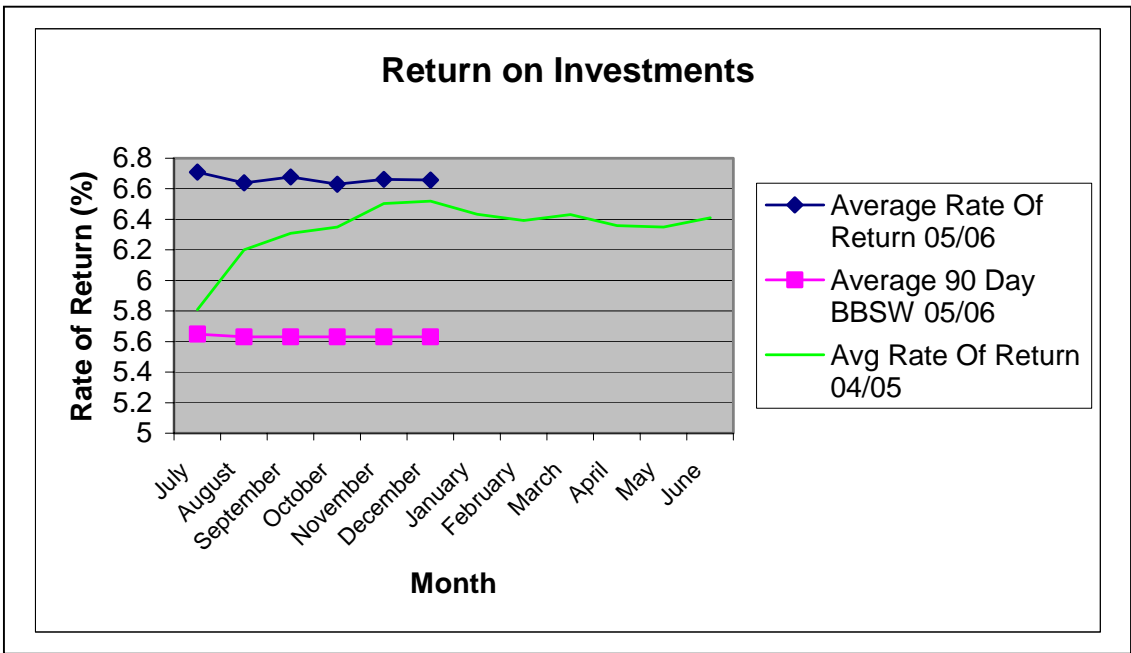
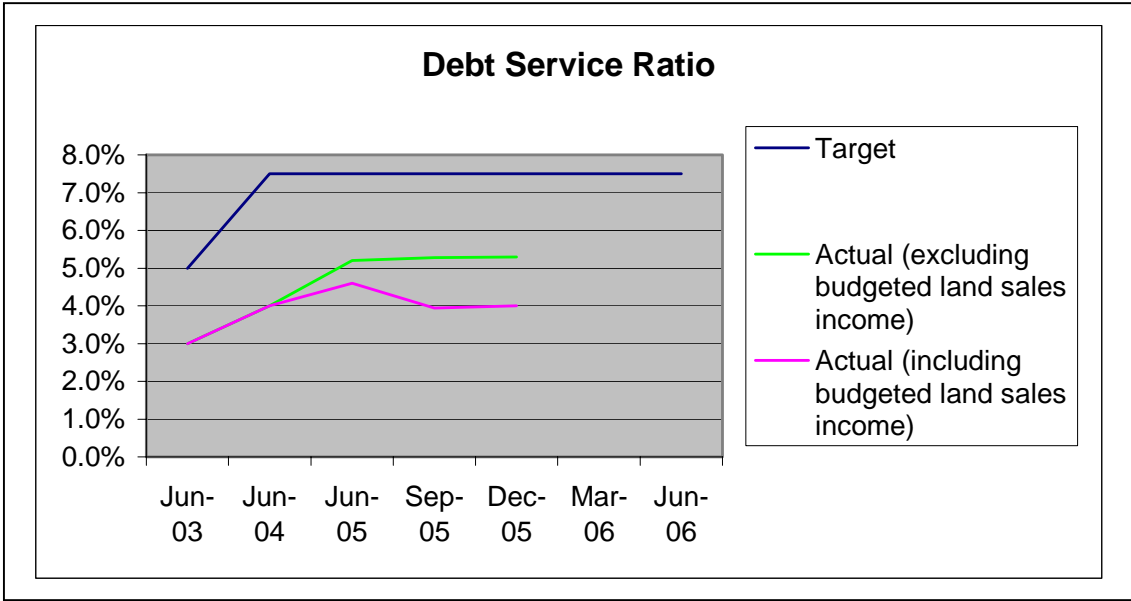
- Greencorp Graduation
- School Environmental Awards Presentation
- Tilligerry Creek Contamination Information Days

BUSINESS & DEVELOPMENT

- The Parramatta Eels Rugby Club first grade held a bonding/training camp at Shoal Bay Holiday Park. Fifteen top of the range cabins were used by the club for 3 days.
- `Daily Telegraph: Newcastle section. PR. Interview with Frances O'Shea resulting in article on Port Stephens maintaining reputation as one of Australia's premier holiday destinations.

FINANCE

- Participated in a video conference with DLG regarding the Special Rate application
- Completed Administration Building rollout of TRIM. Refresher courses will be conducted early in the new year. Remote sites rollout will begin in February 2006. On target to meet the objective in the Council Plan by the completion of the TRIM rollout in July 2006.
- EUC provided the results of the Telephone tender with savings of \$88,000 expected



ORDINARY MEETING - 31 JANUARY 2006

CASH & INVESTMENTS HELD - AS AT 31 DECEMBER 2005							
INVESTED WITH	INV. TYPE	DATE INVESTED	MATURITY OR COUPON DATE	NO. OF DAYS	AMOUNT INVESTED	INTEREST RATE	% OF TOTAL FUNDS HELD
GRANGE SECURITIES							
THUNDERBIRD INVESTMENTS PLC - SERIES 3 "BALMORAL AA"	Floating Rate CDO	5-Dec-05	6-Mar-06	91	1,000,000.00	6.91%	3.11%
WIDE BAY CAPRICORN BUILDING SOCIETY SAPHIR FINANCE PLC 2004 - 4 "ENDEAVOUR AAA"	Floating Rate Sub Debt	15-Dec-05	15-Mar-06	90	500,000.00	7.29%	1.56%
GREEN FOREST SECURITIES 2004 - 12 "HOTHAM AAA"	Floating Rate CDO	4-Nov-05	6-Feb-06	94	1,000,000.00	6.94%	3.11%
SAVINGS & LOANS CREDIT UNION (SA) LTD (2008) AA"	Floating Rate CDO	22-Dec-05	22-Mar-06	90	1,000,000.00	6.64%	3.11%
APHEX CAPITAL PLC "JADE AA"	Floating Rate Sub Debt	12-Dec-05	14-Mar-06	92	500,000.00	8.38%	1.56%
NEXUS BONDS LTD "TOPAZ AA-"	Floating Rate CDO	20-Sep-05	20-Dec-05	91	2,000,000.00	7.13%	6.23%
BISHOPSGATE CDO LTD "WENTWORTH AA-"	Floating Rate CDO	20-Dec-05	20-Mar-06	90	1,000,000.00	6.85%	3.11%
HERALD LTD "QUARTZ AA"	Floating Rate CDO	24-Nov-05	22-May-06	179	1,500,000.00	8.55%	4.67%
STARTS CAYMAN LTD "BLUE GUM AA-"	Floating Rate CDO	30-Dec-05	30-Mar-06	90	2,000,000.00	7.15%	6.23%
CYPRESS TREE CDO LTD "LAWSON AA"	Floating Rate CDO	20-Dec-05	20-Mar-06	90	1,000,000.00	7.15%	3.11%
	Floating Rate CDO	22-Dec-05	22-Mar-06	90	2,000,000.00	7.04%	6.23%
	Floating Rate CDO	21-Dec-05	30-Mar-06	99	1,000,000.00	6.95%	3.11%
TOTAL GRANGE SECURITIES					\$14,500,000.00		45.15%
ABN AMRO MORGANS							
REMBRANDT ISOSCELES SERIES 1	Floating Rate CDO	20-Dec-05	20-Mar-06	90	2,000,000.00	7.05%	6.23%
TOTAL ABN AMRO MORGANS					\$2,000,000.00		6.23%
ANZ INVESTMENTS							
ECHO FUNDING PTY LIMITED SERIES 16 "3 PILLARS AA-"	Floating Rate CDO	6-Oct-05	6-Jan-06	92	500,000.00	6.82%	1.56%
PRELUDE EUROPE CDO LTD "CREDIT SAIL AAA"	Floating Rate CDO	15-Nov-05	15-Feb-06	92	1,000,000.00	7.14%	3.11%
TOTAL ANZ INVESTMENTS					\$1,500,000.00		4.67%
MACQUARIE FINANCIAL SERVICES							
HERITAGE BUILDING SOCIETY LTD (2008) (2010)	Floating Rate Sub Debt	31-Oct-05	30-Jan-06	91	500,000.00	7.35%	1.56%
GENERATOR INCOME NOTE AAA (2011)	Property Linked Note	19-Dec-05	20-Mar-06	91	2,000,000.00	2.00%	6.23%
	Floating Rate CDO	7-Oct-05	6-Jan-06	91	1,000,000.00	7.62%	3.11%
TOTAL MACQUARIE F.S.					\$3,500,000.00		10.90%
WESTPAC INVESTMENT BANK							
HOME BUILDING SOCIETY (2010)	Floating Rate Sub Debt	27-Oct-05	27-Jan-06	92	500,000.00	6.65%	1.56%
WESTPAC INVESTMENT BANK					\$500,000.00		1.56%

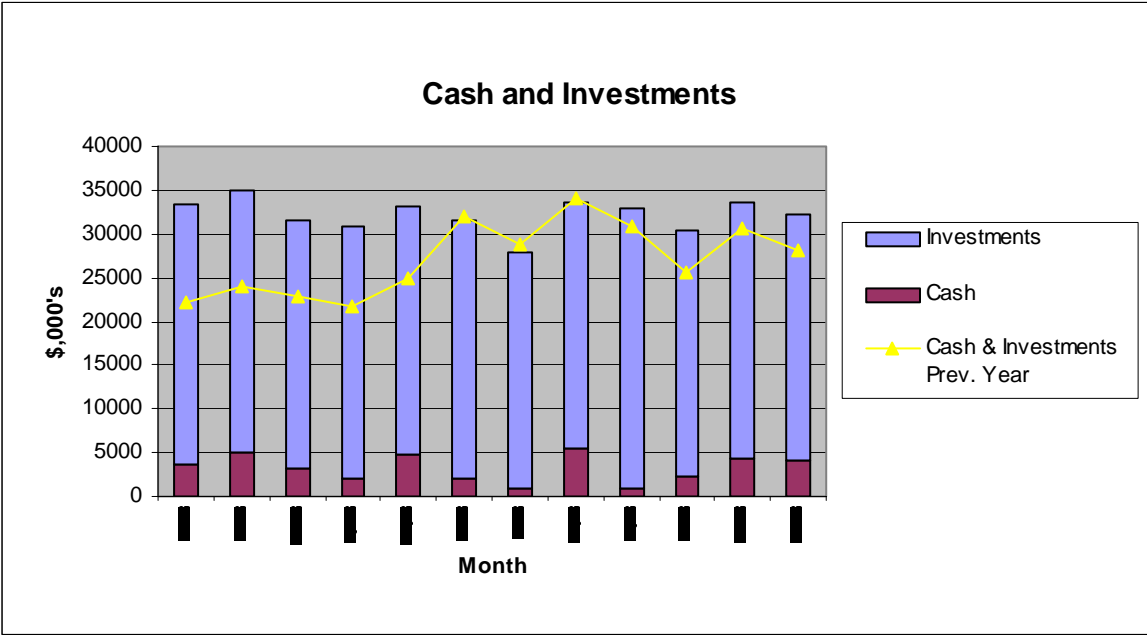
ORDINARY MEETING - 31 JANUARY 2006

FUND MANAGERS						RATE OF RETURN - MONTH	RATE OF RETURN - FYTD	
DEUTSCHE ASSET MANAGEMENT					1,071,227.57	6.35%	6.39%	3.34%
MERRILL LYNCH INVESTMENT MANAGERS					1,040,747.89	6.23%	6.44%	3.24%
PERPETUAL INVESTMENTS					1,090,844.38	6.68%	6.52%	3.40%
TOTAL FUND MANAGERS					\$3,202,819.84			9.97%
MAITLAND MUTUAL	Floating Rate Sub Debt	16-Oct-05	16-Jan-06	92	500,000.00	6.65%		1.56%
	Term Deposit	4-Dec-05	4-Mar-06	90	1,897,402.28	5.91%		5.91%
	Floating Rate Sub Debt	11-Dec-05	11-Mar-06	90	500,000.00	6.63%		1.56%
TOTAL M'LAND MUTUAL					\$2,897,402.28			9.02%
TOTAL INVESTMENTS					\$28,100,222.13			87.49%
CASH AT BANK					\$4,016,501.86	5.45%		12.51%
TOTAL CASH & INVESTMENTS					\$32,116,723.99			100.00%

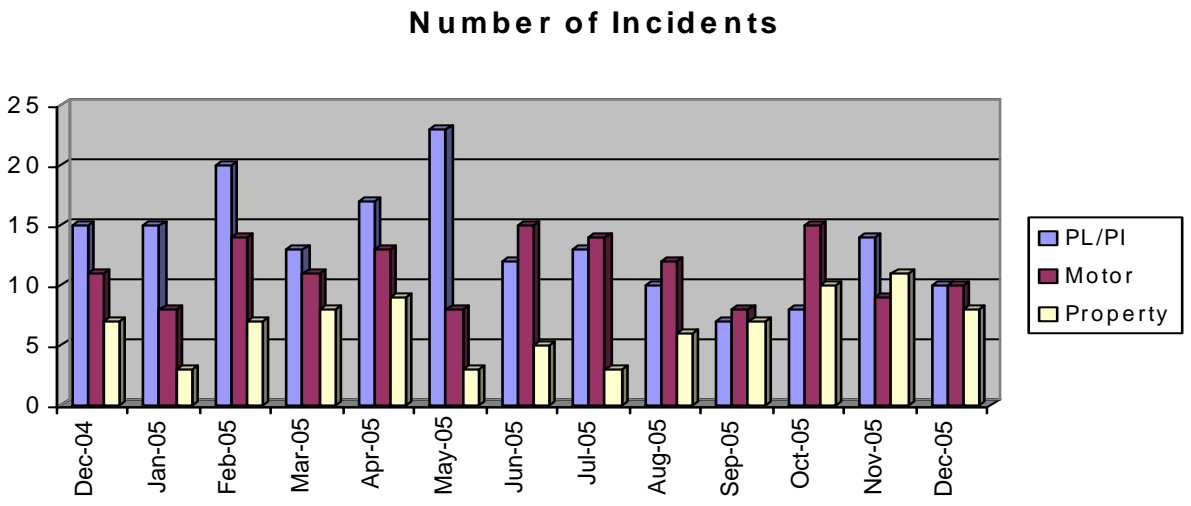
CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

I, Peter Gesling, being the Responsible Officer of Council, hereby certify that the Investments have been made in accordance with the Local Government Act 1993, the Regulations and Council's investment policy.

P GESLING

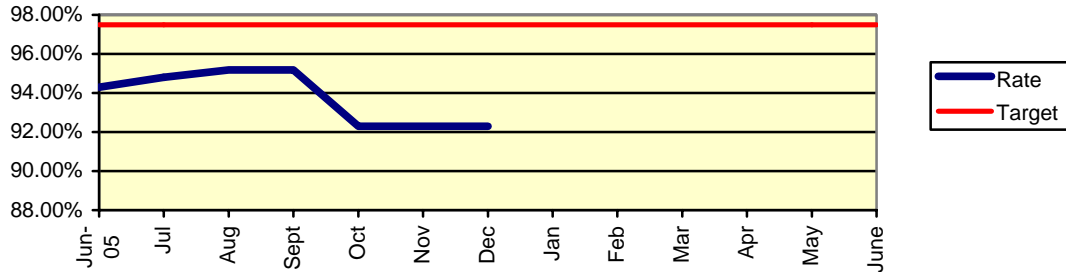


RISK MANAGEMENT

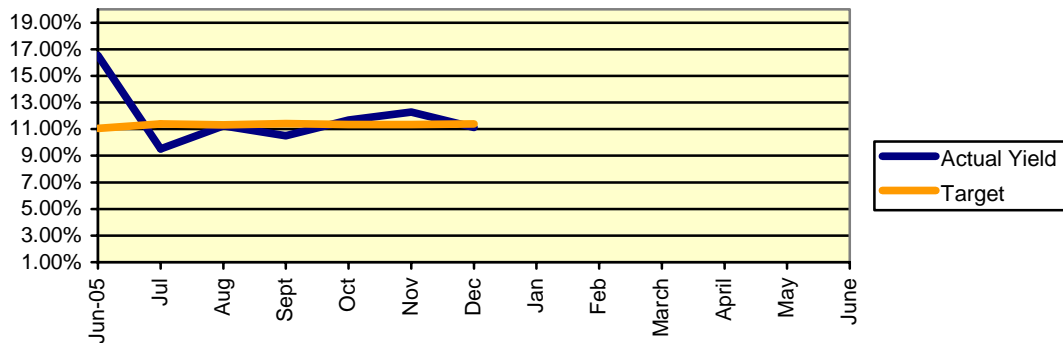


PROPERTY

Property Occupancy Rates @ 31st December, 2005



**Return on Investments @ 31st December 2005
(Target is double the 90 Day Swap Rate)**



ORGANISATION DEVELOPMENT

Resignations

Employee	Section	Date
▪ Karla Collins	Corporate Clean Team Leader	9 th December 2005
▪ Brad Horan	Recreation Services Manager	9 th December 2005
▪ Bruce Burns	Operator B	2 nd December 2005
▪ Debra Harding	Casual Corporate Clean	
▪ Susan Wylie	Casual Corporate Clean	

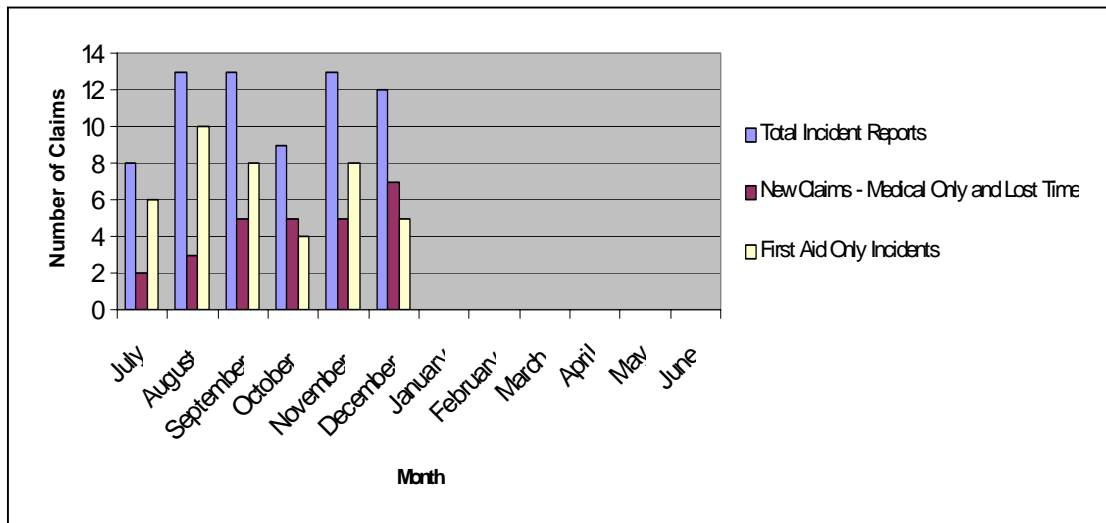
New Staff

Employee	Section	Date
▪ Kim Moore	Customer Service / Admin VIC	5 th December 2005
▪ Kate Baker	Waste Minimisation Officer	5 th December 2005
▪ Jeff Kemp	Operator B	12 th December 2005
▪ Barry Peters	Operator B	12 th December 2005

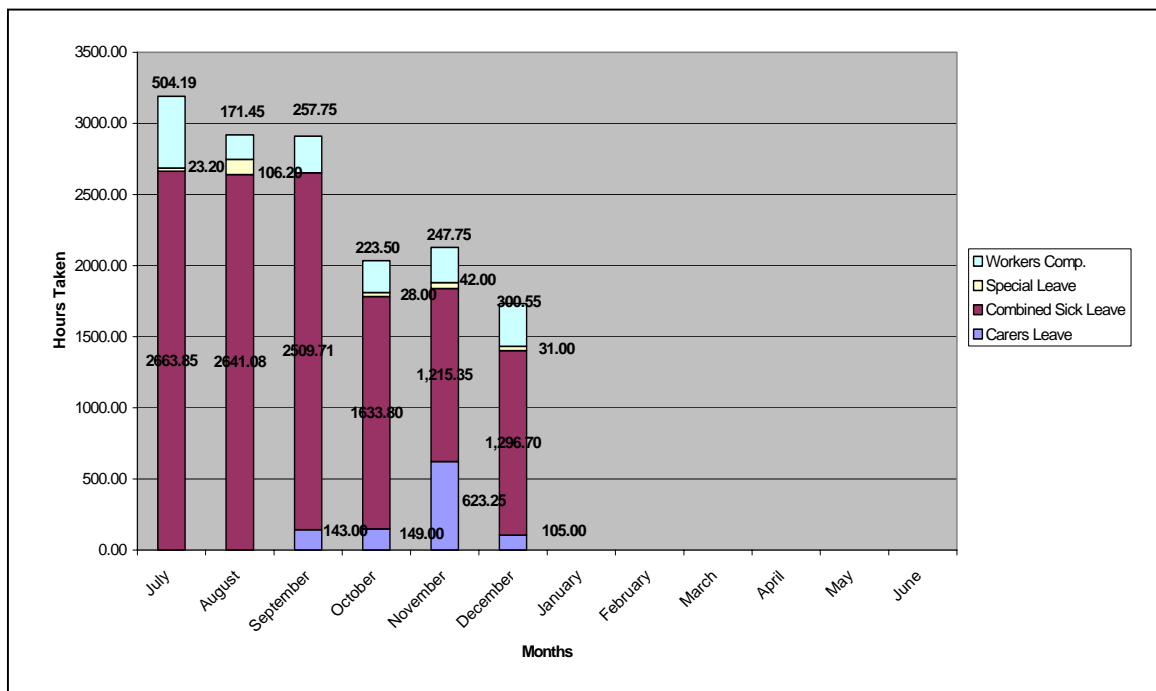
Number of Vacancies

- 36

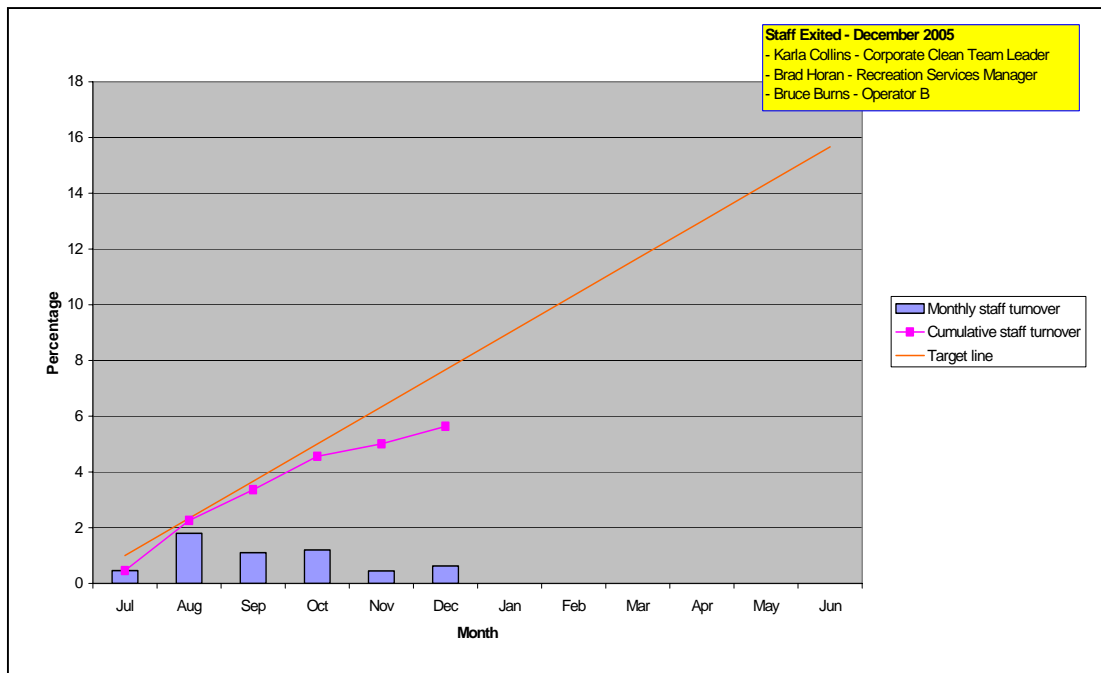
Monthly Incidents and New Claims



Unplanned Leave Taken 2005 Comparison



Ratio of Employment Departures to EFT as a Percentage



RESOURCES

- PBX Tender – 3 companies have been short listed and product presentations will be held in the first week of February
- Initial install of the e-services is complete. Training to commence in February 2006

Port Stephens WebPage Hits

December 2005 WebPage Statistics were not available due to a technical issue at the date of compiling this report. Statistics will be provided in next month’s Manager’s Report.

GENERAL MANAGER'S REPORT

**PETER GESLING
GENERAL MANAGER**

ITEM NO. 1

INFORMATION PAPER

AUTHOR: BRONWYN FLINN – BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 31 January, 2006.

Info. Paper No:	Report Title	Page No:
1	General Managers Performance Review	117

406	Councillor Nell Councillor Francis	It was resolved that the information paper be received and noted.
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GENERAL MANAGERS INFORMATION PAPER



INFORMATION ITEM NO. 1

GENERAL MANAGER'S PERFORMANCE REVIEW

AUTHOR: PETER GESLING – GENERAL MANAGER
FILE: PETER GESLING – PERSONNEL FILE

BACKGROUND

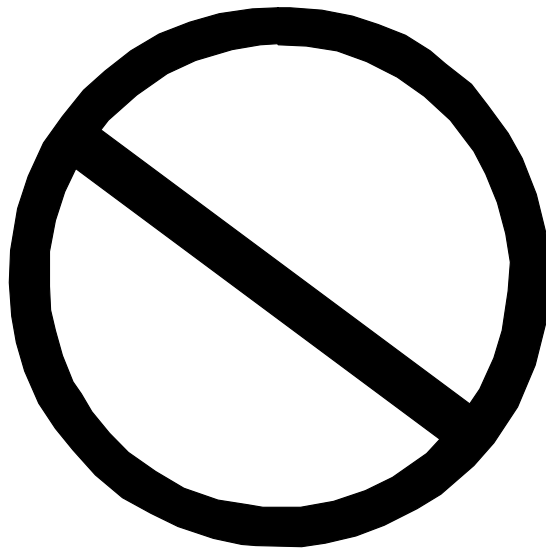
The purpose of this report is to present the General Manager's Performance Review documentation to Council.

The Monitoring Review for 05/06 is scheduled for 7 & 8 February 2006.

TABLED DOCUMENTS

- 1) Performance Review documents for review conducted on 13 September 2005.

CONFIDENTIAL ITEMS



I certify that pages 1-131 of the Ordinary Minutes of Council dated 31 January 2006 were confirmed by Council at its meeting held on Tuesday 28th February 2006.

Cr Craig Baumann
MAYOR