

DRAFT

MINUTES – 25 AUGUST 2015



PORT STEPHENS

C O U N C I L

Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 25 August 2015, commencing at 5.50pm

PRESENT:

Mayor B MacKenzie, Councillors G. Dingle, S. Dover, K. Jordan, P. Kafer, P. Le Mottee, J. Morello, J Nell, S. Tucker, General Manager, Corporate Services Group Manager, Facilities and Services Group Manager, Development Services Group Manager and Executive Assistant-Councillor Support.

243

Councillor Ken Jordan
Councillor Steve Tucker

That the apology from Cr Chris Doohan be received and noted.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| | |
|------------|---|
| 244 | Councillor Ken Jordan Councillor John Morello That the Minutes of the Ordinary Meeting of Port Stephens Council Ordinary Council held on 11 August 2015 be confirmed. |
| | Declaration of Interest from Cr Paul LeMottee in Item 6 was received and noted. The nature of the interest is that the LeMottee Group assisted the owner in making the application. Declaration of Interest from Cr Peter Kafer in Item 3 was received and noted. The nature of the interest is that Cr Kafer is the secretary of Koastal Warriors Aboriginal Rugby League Club. |

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COUNCIL REPORTS

ITEM NO. 1

**FILE NO: PSC2015-01000/672
TRIM REF NO: PSC2015-01575**

PORT STEPHENS DEVELOPMENT CONTROL PLAN - B1 TREE MANAGEMENT

REPORT OF: TIMOTHY CROSDALE - STRATEGY AND ENVIRONMENT
SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Consider the submissions raised during the exhibition period.
- 2) Endorse the amendments to the Port Stephens Development Control Plan 2014 – B1 Tree Management chapter incorporating the proposed changes to the exhibited draft plan (**ATTACHMENT 1**).
- 3) Provide public notice within 28 days the amendment to Port Stephens Development Control Plan 2014 - B1 Tree Management chapter has been approved in accordance with the Environmental Planning & Assessment Regulation 2000.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|------------|--|
| 245 | Mayor Bruce MacKenzie Councillor Paul Le Mottee It was resolved that Council bring Items 1 and Item 5 forward and that it be dealt with in open council. |
|------------|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|------------|---|
| 246 | Councillor Ken Jordan Councillor Steve Tucker It was resolved that Council: <ol style="list-style-type: none">1) Consider the submissions raised during the exhibition period.2) Endorse the amendments to the Port Stephens Development Control Plan 2014 – B1 Tree Management chapter incorporating the proposed changes to the exhibited draft plan (ATTACHMENT 1).3) Provide public notice within 28 days the amendment to Port Stephens Development Control Plan 2014 - B1 Tree Management chapter has been approved in accordance with the Environmental |
|------------|---|

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Crs Geoff Dingle, Sally Dover, Ken Jordan, Peter Kafer, Paul Le Mottee, Bruce MacKenzie, John Morello, John Nell and Steve Tucker

Those against the Motion: Nil

BACKGROUND

The purpose of this report is to consider 14 submissions received during the public exhibition of a draft amendment to the Port Stephens Development Control Plan (DCP) 2014 – B1 Tree Management ("the draft amendment").

Council endorsement is sought to adopt the draft amendment subject to changes in response to issues raised during the public exhibition period. The draft amendment incorporating the recommended changes is included as **(ATTACHMENT 1)**.

The proposed changes relate to encouraging professional advice in the assessment of dangerous trees and the removal of the previously proposed extension of the exemption from within 5m to within 10m of an approved structure. This is outlined in detail in this report.

Council at its meeting on 9 June 2015 resolved to place the draft amendment on public exhibition for a period of 28 days and following exhibition, report the matter back to Council. The draft amendment, gives effect to Council's earlier resolution of 26 May 2015 regarding dangerous trees arising in response to the natural disaster declaration for storms and flooding on 20 April 2015. Specifically, Council resolved to:

"Provide a moratorium on the need to obtain pre-approval for the removal of trees or vegetation covered by Council's tree preservation requirements where there is a risk to human life or property for a period of 12 months."

The exhibited draft amendment

The draft amendment as exhibited proposes to include, for a 12 month period, two additional circumstances where pre-approval is not required for the removal or pruning of trees or other vegetation where height exceed 3m or circumference breast height exceeds 300mm. The two proposed exemptions are;

- Within 10m of the wall of an approved structure measured from the wall to the trunk of the tree; and
- Is not an immediate threat, but poses a direct threat to human life or property. This is only when Council is provided with a tree removal notification post-event

within 10 working days of removal – onus of proof is on the landholder, photos should be taken before and after removal.

The B1 Tree Management chapter of the DCP applies to urban areas being land to which the *Native Vegetation Act 2003* does not apply. Further, the proposed exemptions are limited to trees and vegetation that are not threatened species listed under the *Threatened Species Conservation Act 1995*; listed as a significant tree; a heritage item or conservation area; Cabbage Tree Palm; or NSW Christmas Bush. For these categories of vegetation the existing tree assessment provisions of the DCP remain unchanged.

In practical terms the amendment that was placed on public exhibition would have the following effect for the 12 month period in comparison to the existing exemptions:

- The proposed increase to extend removal without consent from a distance of 5m to 10m between a structure and a tree provides an additional 5m beyond the existing exemption. In practical terms this has the potential to effect trees located between 5m and 10m of an existing structure.
- For trees and vegetation greater than 10m from an approved structure a 'tree removal notification' post-event, substantiating it posed a 'direct threat to human life or property' may be used to establish the tree(s) removal and not require pre-approval. This being in addition to the existing post-event exemption for urgent removal on 'account of immediate failure'.

A representative application of the proposed amendments of the exhibited policy is provided in **(ATTACHMENT 3)**.

Summary of issues raised during exhibition

During exhibition 14 submissions were received. All 14 submissions objected to the proposed amendments. A summary of key matters raised by the submissions is provided below. A full summary and planning response in relation to each of the submissions is provided in the table at **(ATTACHMENT 2)**.

1) Concerns that an independent assessment is not required by a licensed operator/ arborist

The removal of trees and vegetation under the proposed amendment is permitted without pre-approval in circumstances where a 'tree removal notification' post-event is provided. An alteration to the draft amendment is included in **(ATTACHMENT 1)** is proposed to encourage land owners to seek advice of a qualified arborist to determine the level of threat from the tree.

2) Concerns the amendment will be misused. A safeguard against ignorance, abuse and unsafe practices requested

Council has the ability to safeguard against misuse through the post-event notification process. To ensure trees are not removed for reasons other than 'direct

threat to human life or property', Council will monitor tree removal notifications to determine whether any non-compliance action is required. Council will continue to communicate with the community and industry groups to promote awareness of the requirements.

The proposed increase to extend removal without consent from a distance of 5m to 10m between a structure and a tree provides an additional 5m beyond the existing exemption. In practical terms this has the potential to effect trees located between 5m and 10m of an existing structure but only in urban areas that are not environmentally significant. This would be predominately 'amenity' trees. It is therefore possible that some 'amenity' trees unrelated to the storm event that are not a potential risk to properties would be at risk of removal during the proposed 12 month period.

Further it was apparent through the submissions that there is a level of confusion as to the practical application of the proposed increase in exemption area to 10m from an approved structure.

To overcome these issues it is recommended Council not proceed with the proposed exemption to extend the distance of 5m to 10m between a structure and a tree. The proposed removal of this exemption will not affect the intent of Council's resolution in that there is still appropriate scope to adequately manage dangerous trees.

3) The current system adequately provides for removal of trees that pose a risk to life and property with submissions questioning the evidence base and necessity of the amendment

The proposed amendments seek to expand the current exemptions from Council pre-approval for tree removal. These amendments are in response to a resolution of Council of 26 May 2015 arising from the declared natural disaster of 20 April 2015.

The existing post-event exemption for urgent removal on 'account of immediate failure' does not provide an exemption for trees posing a 'direct threat to human life or property' as proposed. The draft amendment will enable an additional circumstance for the removal of trees without pre-approval for a period of 12 months.

4) Requests a public education campaign that clarifies the explanatory materials to explain changes and effects

Council will continue to provide information and update documents on Council's website to clarify and explain the practical application of the proposed amendments. This will build on information developed through the public exhibition period.

5) Failure to consider; State Environmental Planning Policy (SEPP) No 44; EP & A Act 1979 to protect threatened species, or ecological communities or their habitats; PSC KPoM; PS LEP Clause 5.9 and 5.9AA. Including concerns with threats to wildlife corridor, habitats, and associated environmental impacts

The amendment does not and cannot seek to exclude or override existing legislative requirements for the protection of threatened species, or ecological communities or their habitats.

The proposed exemptions are limited to trees and vegetation that are not threatened species listed under the *Threatened Species Conservation Act 1995*; listed as a significant tree; a heritage item or conservation area; Cabbage Tree Palm; or NSW Christmas Bush. For these categories of vegetation the existing tree assessment provisions of the DCP remain unchanged.

The tree management provisions do not apply to land to which the *Native Vegetation Act 2003* applies as such only urban areas are covered by the B1 Tree Management provisions of the DCP. As such no impact is envisaged on any wildlife corridors.

Section 26 of the *Environmental Planning and Assessment Act 1979* provides that a Local Environmental Plan (LEP) may make provisions for DCPs to specify kinds of trees and vegetation to be included or excluded from requiring approval. This has been carried through to Clause 5.9 (2) of Port Stephens LEP 2013 which provides that a development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner. The proposed amendments have been prepared in accordance with these legislative provisions.

Proposed change to the exhibited draft amendment

Having regard for the issues raised during public exhibition regarding the potential loss of amenity trees and confusion in the practical application of the proposed amendments, it is a recommendation of this report the draft amendment as exhibited be altered so as not to proceed with the proposed exemption for;

- Tree removal within 10m of the wall of an approved structure measured from the wall to the trunk of the tree;

Instead the proposed exemption for removal of a tree posing a 'direct threat to human life or property' provides landowners with the opportunity for the legitimate removal of trees in the spirit of Councils resolution of 26 May June 2015 without pre-approval for the 12 months. The proposed amendments also enable Council to rely on the tree removal notification post-event to avoid the potential wilful removal of amenity trees.

Further it is recommended the draft amendment be altered to include a note that encourages land owners to seek professional advice in determining the level of threat posed by a tree as part of these provisions.

The proposed alterations to the exhibited plan are noted in tracked changes in the DCP - B1 Tree Management chapter (**ATTACHMENT 1**). In addition a representative application of the proposed policy is provided in (**ATTACHMENT 3**).

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|--|--|
| Port Stephens is a community where people feel safe. | Use Council's regulatory powers and Government legislation to enhance public safety. |

FINANCIAL/RESOURCE IMPLICATIONS

There are no foreseen financial or resource implications for Council as a consequence of the proposed recommendation.

The development of the proposed amendments has been managed within the existing budget. Further it is noted that Council had previously resolved to waive the tree removal notification fees for the 2015/2016 financial year, which removes an impediment for land owners to comply with this provision of the DCP.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|------------------------|---------------|---------------------|---|
| Existing budget | Yes | | Managed within existing budget resources. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

Environmental Planning & Assessment Act 1979 (EP&A Act)

The draft plan has been prepared and exhibited in accordance with the provisions of the EP&A Act, which sets a hierarchal relationship between planning documents. For example, the EP&A Act clearly states that a DCP is a key matter for consideration under s79C – Matters for Consideration.

The role of a DCP is to facilitate development under the Port Stephens LEP 2013 by providing local matters for consideration in the determination of a development application. Once adopted, it is then notified by Council in a local newspaper and the proposed plan becomes a key matter for consideration under s79C of the EP&A Act.

S.26 of the EP&A Act provides that a LEP may make provisions for DCPs to specify kinds of trees and vegetation to be included or excluded from requiring approval.

Environmental Planning & Assessment Regulation 2000 (EP&A Reg)

This regulatory framework provides further guidance to the form, structure and subject matter to a DCP. Council has achieved and complied with Part 3 of this Regulation.

Port Stephens Local Environmental Plan 2013

The preservation of trees and vegetation within the Port Stephens LGA is provided for by the provisions of Clause 5.9 of the Port Stephens LEP 2013. As outlined in Clause 5.9(2), Council may define the application of these provisions in its DCP through specifying the species or kinds of trees or other vegetation to which the preservation requirements apply, generally through reference to defined species, size, location or other relevant matters.

Port Stephens Development Control Plan 2014

Council's Port Stephens DCP 2014 gives effect to the Port Stephens LEP 2013 by listing those trees or other vegetation that require approval in urban areas being land to which the *Native Vegetation Act 2004* does not apply. It contains a range of existing exemptions for pre-approval for the removal of trees or vegetation. This amendment extends exemptions in response to the declared natural disaster while ensuring key threatened species are protected.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|--|-----------------------------------|
| There is a risk to human life and property associated with dangerous trees. | High | Implement the proposed amendments to the DCP. | Yes |
| There is a risk that the proposed changes will result in significant impacts to biodiversity and amenity of the LGA. | Medium | The proposed amendments to the DCP are appropriately bounded to provide weight to circumstances related to risk to human life and property. Council maintains the tree removal notification process to provide recourse to address circumstances outside of the specific bounds of the proposed DCP amendments. As noted in the report the proposed changes to the DCP do not affect other relevant legislation that relates to the protection and management of trees or | Yes |

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|---|-----|--|-----|
| | | vegetation. | |
| There is a risk that Council exceeds its legislative powers in relation to tree management. | Low | Amendments to the DCP as provided by the provisions of PSLEP 2013. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

As established in Council's existing DCP, the provisions relating to tree and vegetation management only apply to defined urban areas across the LGA (as defined in Figure BB in **ATTACHMENT 1**). In all areas outside of these defined urban areas the provisions of the *Native Vegetation Act 2003* apply to vegetation removal and management, with Hunter Local Land Services being the consent authority.

Moreover, the recently introduced 10/50 Regulation under the *Rural Fires Act 1997* also provides exemptions for vegetation removal within 10 metres of a habitable dwelling for properties that are located within a defined bushfire prone area. Based on Council's bushfire prone land mapping, the majority of the LGA is subject to the exemptions for approval for the removal vegetation in accordance with 10/50 Code of Practice.

On the basis of the above, the application of Council's tree management provisions under the Port Stephens LEP 2013 and supporting DCP is limited to defined areas within the LGA. Accordingly, the proposed amendments to the DCP would apply to the defined urban areas, outside of those covered by the 10/50 Regulation exemptions.

Furthermore, the specific amendments to the DCP appropriately bound the exemptions for pre-approval to circumstances where there is a risk to human life and property and for a defined period of 12 months. The proposed alternations to the draft amendments are also intended to further bind the amendments to the intent of Council's resolution of 26 May 2015 to manage dangerous trees.

CONSULTATION

Exhibition of the draft amendment to the Port Stephens DCP

The proposed amendments to Port Stephens DCP 2014 – B1 Tree Management were originally placed on public exhibition for a period of 28 days from Thursday, 11 June 2015 to Thursday, 9 July 2015. This was extended by three weeks (47 days) to Thursday, 30 July 2015.

Notification was placed in 'Newcastle Herald', 'The Port Stephens Examiner' and Port Stephens Council's website. The exhibition material was available for viewing at Port Stephens Council Administration Building, Tomaree Library and Councils website

under 'What's on Exhibition'. The proposed changes were clarified by a Tree Moratorium Frequently Asked Questions document which was placed on Council's webpage.

A total of 14 submissions were received during the public exhibition period. All 14 submissions objected the proposed changes. A full summary and planning response in relation to each of the submissions is provided as **(ATTACHMENT 2)**.

Ongoing Consultation

Council is updating the information available on its website to provide further explanation and clarification of the amendments to Council's current tree assessment policy. This includes the provision of information relating to frequently asked questions to ensure that the community is informed of the details of the changes in policy. This will be supported by the development of practical representations of the application of the proposed policy changes (similar to that provided in **(ATTACHMENT 3)**) along with ongoing advice to the community from Council staff. Should Council adopt the proposed changes, Council will include details of access to this information in the formal notice of the DCP amendment.

OPTIONS

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

ATTACHMENTS

- 1) B1 Tree Management DCP
- 2) Submission Summary Planning Response
- 3) Representative Application of Exemptions

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

B1

TREE MANAGEMENT

B1 Tree Management

| Application | | | |
|--|---|-------------|---|
| <ul style="list-style-type: none"> This Part applies to development to remove or prune trees or other vegetation within urban areas. Development to remove or prune trees or other vegetation within non-urban areas is provided under the Native Vegetation Act 2003 | | | |
| Objective | | | |
| B1.A | <table border="1"> <tr> <th>Urban Areas</th> <td> <ul style="list-style-type: none"> To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval </td> </tr> </table> | Urban Areas | <ul style="list-style-type: none"> To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval |
| Urban Areas | <ul style="list-style-type: none"> To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval | | |
| Requirement | | | |
| B1.1 | <ul style="list-style-type: none"> Council approval is required to remove or prune trees or other vegetation listed under Column 1, except where those circumstances listed under Column 2 are satisfied | | |
| Column 1 – Approval Required | Column 2 – When approval is not required | | |
| <ul style="list-style-type: none"> NSW Christmas Bush - <i>Ceratopetalum gummiferum</i> Cabbage Tree Palm – <i>Livistona australis</i> species listed under the TSC Act 1995 trees or vegetation listed under the register of significant trees³ trees or vegetation positioned on land containing a heritage item or within a heritage conservation area trees or other vegetation where height exceeds 3m or circumference breast height exceeds 300mm | <ul style="list-style-type: none"> Dead, if native fauna habitat does not exist Urgent removal on account of immediate failure when Council is provided with a tree removal notification post-event, onus of proof is on the landholder, photos should be taken before and after removal within 5m of the wall of an approved structure measured from the wall to the trunk of the tree in accordance with a construction/subdivision certificate a tree grown for fruit or nut production vegetation clearing work authorised under the Rural Fires Act 1997 – e.g. covered by the 10/50 Vegetation Clearing Code of Practice maintenance of less than 12 months growth or 10% of foliage in accordance with AS4373-2007 declared as an exotic species within parks, easements or reserves when work is undertaken by a responsible authority Dead, if native fauna habitat does not exist | | |

B-1

B1

TREE MANAGEMENT

| | |
|--|---|
| | <ul style="list-style-type: none"> ▪ Urgent removal on account of immediate failure. This is only when Council is provided with a tree removal notification post-event, onus of proof is on the landholder, photos should be taken before and after removal ▪ In response to the Natural Disaster Declaration for storms and flooding occurring from 20 April 2015 for a period of 12 months following the date of commencement of this amendment the following circumstances also applies: <ul style="list-style-type: none"> e within 10m of the wall of an approved structure measured from the wall to the trunk of the tree, or o removal on the grounds that it is not an immediate threat, but poses a direct threat to human life or property. This is only when Council is provided with a tree removal notification post-event within 10 working days of removal – onus of proof is on the landholder, photos should be taken before and after removal <p>Note: Refer to A.3 (p. A-8) for the date this amendment commenced.</p> <p><i>Landowners are encouraged to seek the advice of a qualified arborist in determining the direct threat of the tree.</i></p> |
| | <p>Note: Applicants for tree clearing and removals will also need to consider the provisions of other legislation including but not limited to the following:</p> <ul style="list-style-type: none"> ▪ Environment Protection and Biodiversity Conservation Act 1999 (Cth) – protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. Contact the Commonwealth Department of the Environment. ▪ National Parks and Wildlife Act 1974 (NSW) – fauna habitat, protected plants. Contact the National Parks and Wildlife Service at the NSW Office of Environment and Heritage (OEH). ▪ Threatened Species Conservation Act 1995 (NSW) – ecological communities, critical habitat, endangered and vulnerable species, key threatening processes, recovery plans. Contact NSW OEH. ▪ Native Vegetation Act 2003 (NSW) – clearing of native vegetation, regional vegetation management plans, property agreements. Contact NSW OEH. ▪ Fisheries Management Act 1994 (NSW) – prohibits cutting of mangroves. Contact the NSW Department of Industry and Investment. ▪ Water Management Act 2000 (NSW) – A controlled activity approval under the WMA is required for certain types of development and activities that are carried out in or near a river, lake or estuary (e.g. for the removal of material or vegetation). Contact NSW Department of Primary Industries (DPI). ▪ Rural Fires Act 1997 (NSW) - '10/50 Vegetation Clearing Code of Practice for NSW', and authorised removal of fire hazards. Contact the NSW Rural Fire Service. ▪ Heritage Act 1977 (NSW) – sites under conservation orders, relics, etc. Contact NSW OEH. |

Comment [JF1]: deleted

Comment [JF2]: deleted

B1

TREE MANAGEMENT

| | | | |
|---|---|-------------------------------|--|
| <ul style="list-style-type: none"> ▪ Noxious Weeds Act 1993 (NSW) – clearing of noxious weeds. Contact DPI. | | | |
| Objective | | | |
| B1.B | <table border="1"> <tr> <td>Heads of Consideration</td> <td> <ul style="list-style-type: none"> ▪ To ensure adequate consideration is provided to the relevant matters for the removal of trees or vegetation </td> </tr> </table> | Heads of Consideration | <ul style="list-style-type: none"> ▪ To ensure adequate consideration is provided to the relevant matters for the removal of trees or vegetation |
| Heads of Consideration | <ul style="list-style-type: none"> ▪ To ensure adequate consideration is provided to the relevant matters for the removal of trees or vegetation | | |
| Requirement | | | |
| B1.2 | <ul style="list-style-type: none"> ▪ Council approval to remove or prune trees or other vegetation has regard for: <ul style="list-style-type: none"> • damage to an existing structure or utility service substantiated by a qualified person • interfering with a solar photovoltaic/hot water system • interfering with the amenity of a habitable room • threatened by a development consent • consistency with a flora, fauna or conservation strategy • the tree is interfering, or likely to interfere, with the provision of a public utility or road/driveway construction, provided the impact on the trees has been considered in the design phase • impact on threatened species, populations or ecological communities and their habitats • retention value under the tree technical specification¹ • other relevant circumstances | | |
| Objective | | | |
| B1.C | <table border="1"> <tr> <td>Supporting Information</td> <td> <ul style="list-style-type: none"> ▪ To ensure adequate information is provided to determine the application for the removal of trees or vegetation </td> </tr> </table> | Supporting Information | <ul style="list-style-type: none"> ▪ To ensure adequate information is provided to determine the application for the removal of trees or vegetation |
| Supporting Information | <ul style="list-style-type: none"> ▪ To ensure adequate information is provided to determine the application for the removal of trees or vegetation | | |
| Requirements | | | |
| B1.3 | <ul style="list-style-type: none"> ▪ An arborist report consistent with tree technical specification¹ is required: <ul style="list-style-type: none"> • for a tree or other vegetation listed under register of significant trees³ • to assess the impact on existing trees as part of a Development Application as per AS 4970-2009 • to support reassessment of applications for tree removal on a technical basis • to support the release of a tree bond | | |
| B1.4 | <ul style="list-style-type: none"> ▪ A tree bond consistent with the tree technical specification¹ is imposed where Council deems a public tree is at risk | | |
| B1.5 | <ul style="list-style-type: none"> ▪ A request to remove 20 or more trees requires a vegetation management plan consistent with vegetation technical specification² <p>Note: B4.4 (p. ##) requires an application to remove 20 or more trees to be provided to Hunter Water by the assessing officer for a period of 14 days</p> | | |
| B1.6 | <ul style="list-style-type: none"> ▪ Compensatory planting consistent with the tree technical specification¹ may be required when council approval to remove trees is provided | | |
| B1.7 | <ul style="list-style-type: none"> ▪ A hollow tree assessment is required to remove hollow bearing trees <ul style="list-style-type: none"> • Two replacement hollows are provided for each hollow tree identified by the hollow tree assessment • Salvaged hollows are preferred over nest boxes, which are consistent with the nest box technical specification⁵ <p>Note: B2.1 (p. ##) requires a hollow tree assessment and replacement or</p> | | |

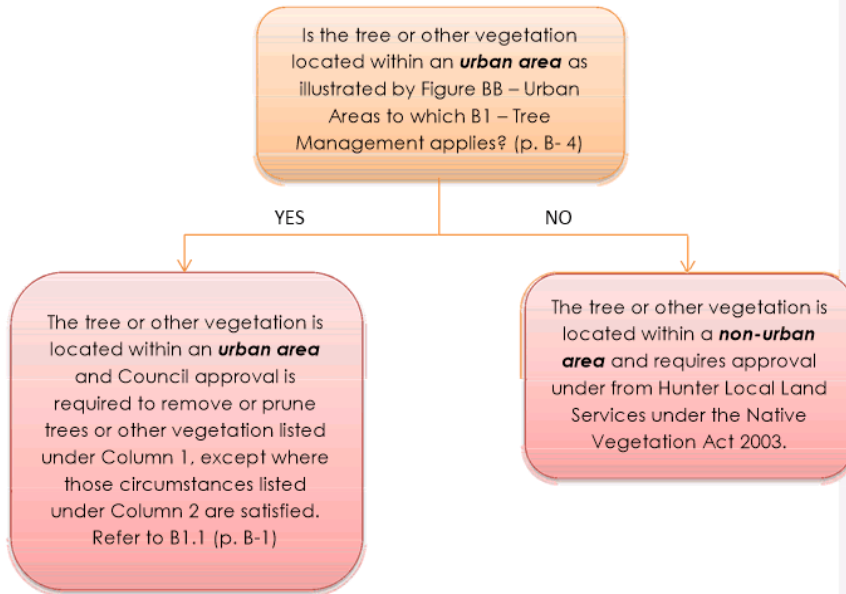
B-3

B1

TREE MANAGEMENT

salvaged hollows if a *Flora and Fauna Survey* Report proposes their removal

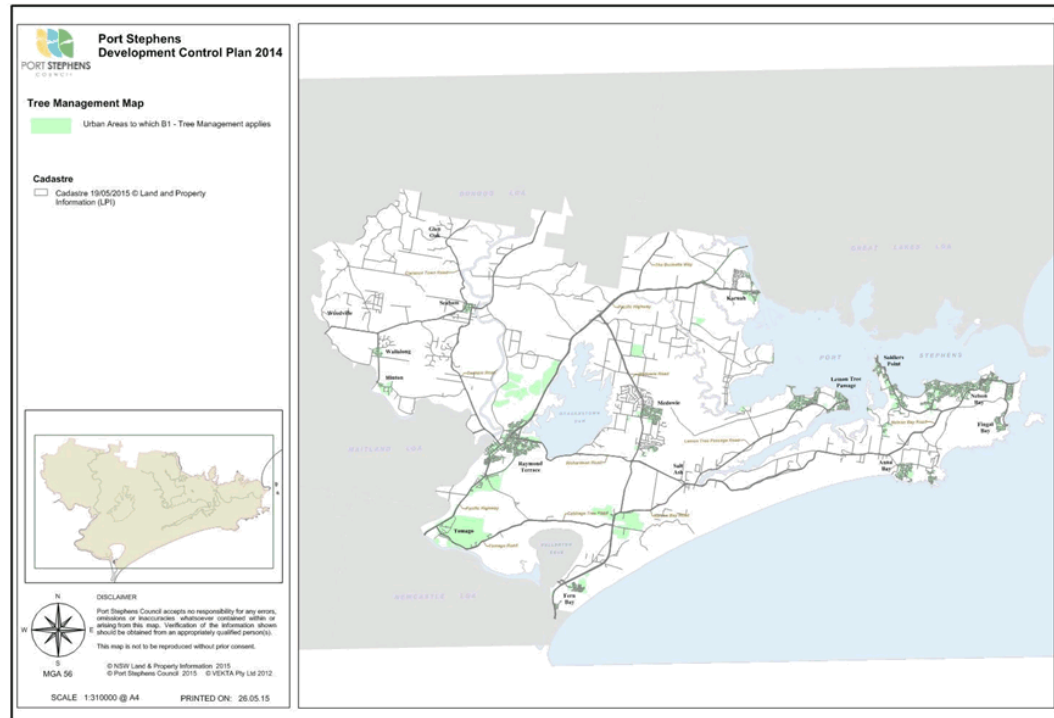
Figure BA: Explanation of Requirement B1 – When approval is required (p. B-15)



B1

TREE MANAGEMENT

Figure BB:
Urban Areas
to which B1 –
Tree
Management
applies



B-5

ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

ATTACHMENT – SUBMISSION SUMMARY AND PLANNING RESPONSE

| Draft Amendments to the Port Stephens Development Control Plan 2014 – Tree Management | | | |
|--|--------------------|---|---|
| No | Stakeholder | Submission Summary | Planning Comment |
| 1 | Individual | <ol style="list-style-type: none"> 1. Concerns no independent assessment on the degree of hazard of individual trees. 2. Concerned with householders abusing for amenity improvements. 3. Concerns the amendment will not assist, rather increase the cost of removal of unsafe trees for households who can't afford it. 4. Current system is considered adequate. 5. Concerns with increased removal of trees will leave the remaining more vulnerable to future storms. 6. Consideration on the revision of guidelines for power-line tree clearance including Council managed land. | <ol style="list-style-type: none"> 1. The removal of trees and vegetation under the proposed amendment is permitted without pre approval in circumstances where a 'tree removal notification' post-event is provided. An arborist assessment is encouraged to be used by land owners to accompany the post-event notification to demonstrate compliance. This requirement has been included in an alteration to the amended DCP provisions (ATTACHEMENT 1). 2. Council has the ability to safeguard against misuse through the post-event notification process. To ensure trees are not removed for amenity improvements rather than satisfying the requirement to be a 'direct threat to human life or property'. It is therefore possible that some 'amenity' trees within urban areas unrelated to the storm event that are not a potential risk to human life or properties would be at risk of removal during the proposed 12 month period, due to the proposed increase to extend removal without consent from a distance of 5m to 10m between a structure and a tree. To overcome this issue it is recommended Council not proceed with the proposed exemption to extend the distance of 5m to 10m between a structure and a tree (ATTACHMENT 1). 3. There is no evidence that costs will increase due to the proposed changes. Landowners will have the option to seek pre-approval if they do not wish to use the proposed post-notification process. 4. The proposed amendments seek to expand the current exemptions from Council pre-approval for tree removal. The amendments are in response to a resolution of Council which was made following the declared natural disaster of 20 April 2015. The existing post-event exemption for urgent removal on 'account of immediate failure' does not provide an exemption |

ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| | | | <p>for trees posing a 'direct threat to human life or property' as proposed. The draft amendment will enable an additional circumstance for the removal of trees without the need for pre-approval for a period of 12 months.</p> <p>5. The proposed amendment seeks to allow the removal of trees that pose a direct threat to human life or property only.</p> <p>6. Noted. Not considered part of this amendment.</p> |
| 2 | Individual | <ol style="list-style-type: none"> 1. Current policy is considered adequate. 2. Concerns landowners will take advantage of the amendment. 3. Concerns for koala habitat, erosion and other environmental impacts. | <ol style="list-style-type: none"> 1. Noted. See submission 1, planning comment 4. 2. See submission 1, planning comment 2. 3. The amendment does not and cannot seek to exclude or override existing legislative requirements for the protection of threatened species, or ecological communities or their habitats. The proposed exemptions are limited to trees and vegetation that are not species; under the Threatened Species Conservation Act 1995; listed as a significant tree; a heritage item or conservation area; Cabbage Tree Palm; or NSW Christmas Bush. The tree management provisions do not apply to land to which the Native Vegetation Act applies as such only urban areas are cover by the B1 Tree Management chapter of the DCP. As such no impact is envisaged on any wildlife corridors. |
| 3 | Individual | <ol style="list-style-type: none"> 1. Concerns' leaving the decision up to residents has the potential to see trees being removed that do not pose a threat. 2. Loss of trees will further threaten wildlife corridors. 3. Has the potential to significantly change the character of some areas of the community. 4. Concerns with residents abusing the amendment to improve views. | <ol style="list-style-type: none"> 1. Noted. See submission 1, planning comment 2. 2. Noted. See submission 2, planning comment 3. 3. Noted. See submission 1, planning comment 2. 4. Noted. See submission 1, planning comment 2. |
| 4 | Individual | <ol style="list-style-type: none"> 1. Concerns allowing unqualified people assessing the threat of trees. 2. Concerns with endangering the public by haphazard assessments and unskilled | <ol style="list-style-type: none"> 1. Noted. See submission 1, planning comment 2. 2. The manner in which a tree is removed is not changed by the proposed amendment. The proposed amendment related only to the circumstances which approval for removal is required. |

ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| 5 | Individual | <p>labour.</p> <p>3. Current policies (LEP and DCP) adequately provide for the removal of dangerous trees that pose an immediate threat.</p> <p>4. Concerns the amendment is subject to misuse and will not be used for its intended purpose.</p> <p>5. No adequate consideration given to the potential environmental impacts on threatened and endangered ecological communities.</p> <p>6. Council should consider encouraging more tree planting; similar to the City of Sydney's Urban Forest Strategy.</p> <p>1. Proposed changes considered unnecessary.</p> <p>2. No evidence has been provided of any problem or unmet demand.</p> <p>3. Changes run the risk of abuse by those that want to remove trees for other reasons.</p> <p>4. Unsafe 'do-it-yourself' clearance.</p> <p>5. Consideration on better safeguards against ignorance, abuse and unsafe practices if amendment is approved.</p> <p>6. Clearly state rural landowners need to ensure compliance with Native Vegetation Act.</p> | <p>3. Noted. See submission 1, planning comment 4.</p> <p>4. Noted. See submission 1, planning comment 2.</p> <p>5. Noted. See submission 2, planning comment 3.</p> <p>6. Noted. This is outside the scope of the proposed amendment.</p> |
| 6 | Environmental Sub Committee, Soldiers Point Community Group | <p>1. Considers the proposal undermines the PS LEP2013 Part 5 Clause 5.9 'Preservation of trees or vegetation'.</p> <p>2. Considers the proposal does not satisfy the requirements under the E, P & A Act 1979 No 203 Section 5A 'Significant effect on threatened species populations or ecological communities, or their habitats'</p> | <p>1. Noted. See submission 1, planning comment 4.</p> <p>2. The amendment gives effect to the Council resolution on the 26th May 2015 in response to the declared natural disaster of 20 April 2015 for a period of 12 months.</p> <p>3. Noted. See submission 1, planning comment 2.</p> <p>4. Noted. See submission 4, comment 2.</p> <p>5. Noted. See submission 1, planning comment 2.</p> <p>6. Noted. The DCP chapter already incorporates this information at the 'application' section of this chapter. Council will continue to provide information and update documents and website to clarify some of the concerns raised during the exhibition period.</p> <p>1. Clause 5.9 of Port Stephens LEP (LEP2013) provides that a development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner. The proposed amendment provides for this. See submission 2, planning comment 3.</p> <p>2. All legislative requirements still apply. The DCP cannot override this legislative requirement. See submission 2,</p> |

ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| | <p>(2)(d)(i).</p> <ol style="list-style-type: none"> 3. Considers the proposal fails to consider the PS KPoM and SEPP 44 principle aims, creating an adverse effect. 4. Concerns with landholders having little or no experience in fundamental law or environmental restraint. 5. Concerns the amendment will place the community at risk, by incorrect assessments and the use of unskilled labour. 6. Considers the current PS LEP and DCP adequately provides for the removal of dangerous trees. | <p>planning comment 3.</p> <ol style="list-style-type: none"> 3. Noted. See submission 2, planning comment 3. 4. Noted. See submission 1, planning comment 1. 5. Noted. See submission 1, planning comment 1 and submission 4, planning comment 2. 6. S.26 of the Environmental Planning and Assessment Act 1979 provides that a Local Environmental Plan may make provisions for development controls plans to specify kinds of trees and vegetation to be included or excluded from requiring approval. This has been carried through to Clause 5.9 of Port Stephens LEP (LEP2013) which provides that a development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner. See submission 1, planning comment 4. |
| 7 | <p>Port Stephens Greens</p> <ol style="list-style-type: none"> 1. Considers the amendment to be undesirable in that it may have adverse consequences and undermine the objectives of Clauses 5.9 and 5.9AA of the PS LEP2013 and the Tree Management provisions of the DCP. 2. Considered unnecessary as the DCP already adequately provides removal for trees that pose a risk to life and property. 3. Questions the need to inclusion of "<i>direct threat</i> to human life or property". The DCP already has the category "immediate failure". 4. Concerns the amendment would be undermined if landholders could simply make their own assessment of risk, remove a tree, and then simply assert that it was a risk without any professional confirmation. 5. The DCP should maintain a balance that does not unduly favour the private interests | <ol style="list-style-type: none"> 1. Noted. See submission 6 planning comment 1. 2. Noted. See submission 1, planning comment 4. 3. Noted. See submission 1, planning comment 4. 4. Noted. See submission 4, planning comment 1. 5. Council is responding to a resolution which has been a response to the declared natural disaster of 20 April 2015. The provisions are proposed for a 12 month period. The amendment only relates to the removal of trees that pose a direct threat to human life or property. It is recommended not to proceed with the proposed extension of the exemption from 5m to 10m of a dwelling to ensure amenity trees are not at risk (ATTACHMENT 1). 6. The proposed amendments seek to expand the current exemptions from Council pre-approval for tree removal. Council is responding to a resolution which has been a response to the declared natural disaster of 20 April 2015. 7. Noted. See submission 1, planning comment 2. 8. Noted. See submission 1, planning comment 3. 9. Noted. It is recommended these amendments proceed. 10. Include the word 'to' to read 'pose a direct threat to human life |

ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| <p>of landowners over community interests. The amendment shifts the balance in that direction without any evidence to support the change.</p> <p>6. The policy should be evidence based. Requests up to date figures on tree removal in the LGA under the provisions of the DCP, including the number of applications for removal over the last year should be published along with the approval/refusal rate and the number of 'post-removal' notifications and subsequent assessment of the justification in those. Other relevant evidence such as the number of known or suspected 'unlawful' removals should be given to Council and the wider community to consider.</p> <p>7. Consideration and concern should be given on the commercial gains and/or view improvements this amendment will allow, the cost will not be a deterrent for those seeking to remove trees for reasons other than safety.</p> <p>8. The amendment will create a shortage of suppliers, increase waiting times, and push up the price – all to the detriment of anyone who has a genuine safety risk.</p> <p>9. The other proposed amendments – two references to require 'before and after' photographs and the inclusion of a note listing the other legislation which applies to tree removal, are helpful and should be adopted.</p> <p>10. Seek confirmation that both new conditions need to be satisfied. That is, that removal</p> | <p>or property'. It is recommended not to proceed with the proposed extension of the exemption from 5m to 10m of a dwelling. This will reduce confusion in relation to the application of the amendments to relate to dangerous trees only.</p> <p>11. Agreed. Council will continue to provide information and update documents on website to clarify some of the concerns raised during the exhibition period.</p> <p>12. Noted. It is recommended not to proceed with the proposed extension of the exemption from 5m to 10m of a dwelling. This will reduce confusion in relation to the application of the amendments to relate to dangerous trees only.</p> <p>13. Agreed. Council will continue to provide information and update documents and website to clarify some of the concerns raised during the exhibition period.</p> <p>14. Council is responding to a resolution which has been a response to the declared natural disaster of 20 April 2015. See submission 1 planning comment 1 and submission 6 planning comment 1.</p> <p>15. Noted. See submission 4 planning comment 2.</p> <p>16. Noted. The legal implications are outlined in the Council report.</p> <p>17. Agreed. See planning comment 11 in this submission.</p> |
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| <p>without prior approval will only be permissible when the tree in question is both within a zone between 5-10 metres from an approved structure <i>and</i> assessed to 'pose a direct threat to' [*this word is missing from the consultation draft] human life or property'.</p> <ol style="list-style-type: none">11. Request the explanatory material such as FAQs should emphasise that the conditions are cumulative.12. Request wording the new criterion be changed from 'within 10 metres' to 'between 5 and 10 metres'.13. Request a new form be introduced specifically designed for post-removal notification.14. The amendment is inconsistent with the PS LEP and DCP as landholders will be given absolute and unfettered discretion.15. Concerns with no requirement for tree removal or lopping to be carried out by qualified or licensed operators and no restriction on 'do-it-yourself' without quality control or safety standards.16. Request Councillors recommend a staff briefing on the safety, quality and legal liability issues that may arise from the proposed changes.17. Request that Council ensures a comprehensive public education campaign is undertaken to clearly explain the changes and their effects. This education material should also explain the 10/50 vegetation clearing scheme under the Rural Fires Act and the fact it overrides any DCP. | |
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ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| 8 | Individual | <ol style="list-style-type: none"> 1. Considers the current approvals and policy are generally accepted as satisfactory and change is unnecessary. 2. Considers the current proposed changes allow an avenue for abuse and unsafe practices. 3. Considers all urban cases should be assessed by a qualified person to ensure that removal is necessary. 4. Considers Council to have an obligation to ensure that all flora and fauna is protected within the LGA. | <ol style="list-style-type: none"> 1. Noted. See submission 1, planning comment 4. 2. Noted. See submission 1, planning comment 2. 3. Noted. See submission 1, planning comment 1 4. Noted. See submission 2, planning comment 3. |
| 9 | Hunter Koala Preservation Society Inc. | <ol style="list-style-type: none"> 1. Concerns with the potential for further and unnecessary habitat removal. 2. Concerned with the necessity of the amendment. The DCP already provides adequately for removal of trees that pose a risk to life or property due to 'imminent failure'. 3. Concerns with the practicality of implementation, increased costs for tree removal will not be a deterrent for landowners seeking removal of trees for reasons other than safety. 4. Concerns with increased demand for tree removal could create a shortage of suppliers, increased wait times and push up prices – all a detriment to people who have a genuine safety risk. 5. Concerns with the amendment bringing in unqualified/ inexperienced loppers for financial gain. 6. Concerns with people removing trees themselves which is a risk to themselves, property and neighbours. | <ol style="list-style-type: none"> 1. Noted. See submission 2, planning comment 3. 2. Noted. See submission 1, planning comment 4. 3. Noted. See submission 1, planning comment 2. 4. Noted. See submission 1, planning comment 3. 5. Noted. See submission 4, planning comment 2. 6. Noted. See above. 7. Noted. See submission 7, planning comment 11. 8. Noted. See submission 1, planning comment 2. 9. Noted. See submission 7, planning comment 11. |

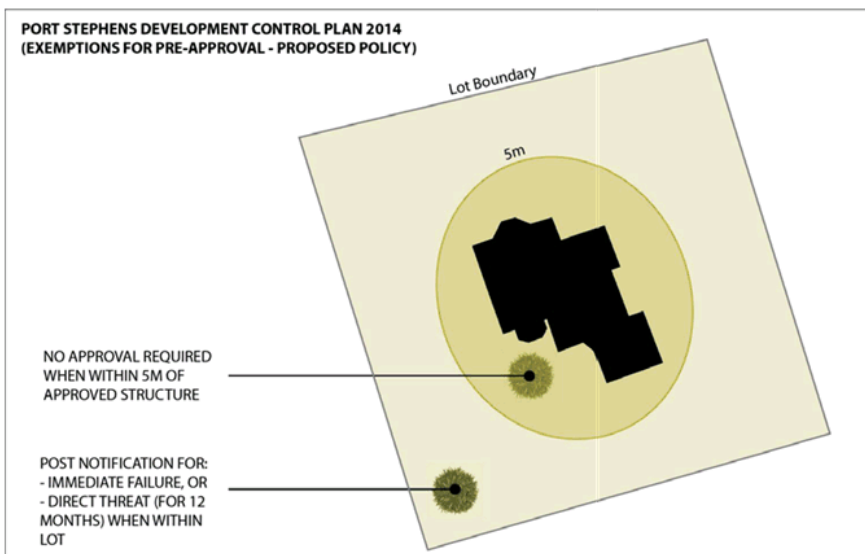
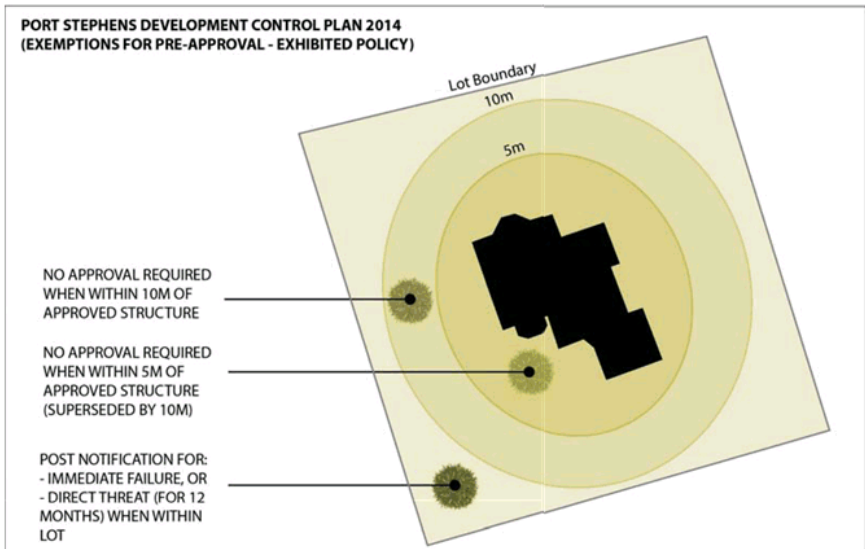
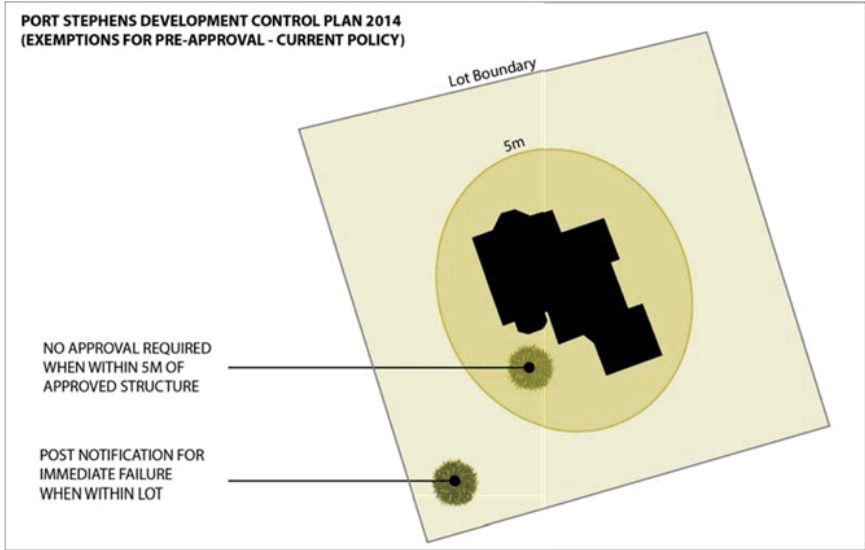
ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| | | <ol style="list-style-type: none"> 7. If the recommendations are approved, Council should undertake a comprehensive public education campaign to clearly explain the changes and effects. This should include what is permitted / not allowed and how to deal with and document / report illegal removal. 8. Request safeguards in relation to quality control for removal seeing as there are no requirements for removal to be carried out by qualified or licensed operators. 9. Considers Council has a duty to ensure any tree removal contrary to policy is avoided where possible (education) and acted on when occurs. | |
| 10 | Individual | <ol style="list-style-type: none"> 1. Proposed changes are considered unnecessary. 2. Concerned there is no evidence provided of any problems or unmet demand with the current system. 3. Concerned the changes run the risk of abuse by individuals wanting to remove trees for other reasons and of unsafe 'do-it-yourself' clearance. 4. If amendments are approved, request better safeguards against abuse and unsafe practices. | <ol style="list-style-type: none"> 1. Noted. See submission 1, planning comment 4. 2. Noted. See submission 5, planning comment 2. 3. Noted. See submission 4, planning comment 2. 4. Noted. See submission 1, planning comment 2. |
| 11 | Individual | <ol style="list-style-type: none"> 1. Considers the proposed changes aren't required. 2. Concerned that landowners will opt to 'do-it-yourself', putting themselves at greater risk of personal injury. 3. Concerns with increased costs of tree removal. 4. Concerned with abuse of amendment with | <ol style="list-style-type: none"> 1. Noted. See submission 1, planning comment 4. 2. Noted. See submission 4, planning comment 2. 3. Noted. See submission 1, planning comment 3. 4. Noted. See submission 4, planning comment 2. 5. Noted. See submission 1, planning comment 2. |

ITEM 1 - ATTACHMENT 2 SUBMISSION SUMMARY PLANNING RESPONSE

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| | | <p>people removing trees to improve views.</p> <p>5. Requests Council have a plan to counter dangers to the public and a process for operators who abuse the system.</p> | |
| 12 | Individual | <p>1. Considers the existing policy adequate</p> <p>2. Concerned there isn't any evidence to suggest the need for change, if a tree is dangerous it is able to be removed under the current regulations.</p> <p>3. No proof that by extending the distance from an approved structure from 10-20m will ensure safety.</p> | <p>1. Noted. See submission 1, planning comment 4.</p> <p>2. Noted. See submission 5, planning comment 2.</p> <p>3. The proposed changes, based on community feedback now do not include an extension to the distance of 5m to 10m between a structure and a tree.</p> |
| 13 | Individual | <p>1. Considers the current provisions adequate</p> <p>2. Considers the proposed amendments are a knee-jerk reaction to the April 2015 storms.</p> <p>3. Concerns with the amendment allowing landholders to removal trees for no other than personal reasons.</p> | <p>1. Noted. See submission 1, planning comment 4.</p> <p>2. Noted. See submission 5, planning comment 2.</p> <p>3. Noted. See submission 1, planning comment 2.</p> |
| 14 | Individual | <p>1. Concerned the amendment will exacerbate the significant loss and be a detriment to the liveability of the area.</p> <p>2. Concerns with the hazard of house owners removing trees causing a hazard to them, other and property.</p> <p>3. Considers current provisions satisfactory.</p> <p>4. Concerns that the proposed amendment goes beyond the legal requirements of the Environmental Protection and Assessment Act, 1979, to protect threatened species, populations or ecological communities or their habitats; the State Environmental Planning Policy (SEPP) No 44 and Council's Koala Plan of Management.</p> | <p>1. Noted. See submission 1, planning comment 2</p> <p>2. Noted. See submission 3, planning comment 3.</p> <p>3. Noted. See submission 1, planning comment 4.</p> <p>4. Noted. See submission 2, planning comment 3.</p> |

ITEM 1 - ATTACHMENT 3 REPRESENTATIVE APPLICATION OF EXEMPTIONS



ITEM NO. 2

**FILE NO: PSC2015-01000/562
TRIM REF NO: PSC2014-01593**

CULTURAL PROJECTS FUND 2015-2016

REPORT OF: ROSS SMART - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the allocation of \$51,450 for the Cultural Projects Fund 2015-2016 annual grant round in accordance with the amounts and purposes prescribed below.
 - a) \$2,500 to Tilligerry Adult and Community Education Inc. for the Port Stephens Literature Awards and related workshops;
 - b) \$3,000 to Shane Kennedy (Up & Up) for the *It's Okay* podcast project;
 - c) \$3,000 to Tilligerry Chamber of Commerce and Industry Inc. for the *Lemon Jam* program;
 - d) \$2,700 to Medowie Public School for the Boo-larng mural project;
 - e) \$3,000 to Sea Side Singers Inc. for the *Ready to Perform* program;
 - f) \$1,500 to Ted Arneson (Raymond Terrace Writers Group) for the Celebration of Words writing workshops & debate;
 - g) \$3,000 to Liz Stephens (Raymond Terrace Markets) for the Port Stephens Multicultural Fiesta;
 - h) \$3,000 to Raymond Terrace Arts and Craft Inc. for their multimedia Workshops;
 - i) \$3,000 to Octapod for the *Port Stephens Arts – Inclusive and Accessible* project;
 - j) \$3,000 to Northern Settlement Services for the *Multicultural Music and Arts* program;
 - k) \$3,000 to the King Street Preservation Society for the Step Back into King Street 2016 event;
 - l) \$3,000 to Karuah Progress Association for the *A Bluegrass Christmas* project and workshops;
 - m) \$3,000 to Karuah Working Together Inc. for the Karuah Interpretive Centre project;
 - n) \$3,000 to Irrawang High School for the development of a documentary based on the school's Creative and Performing Arts – North South East West tour to remote NSW & South Australia;
 - o) \$2,500 to Hook Line and Sinker Inc. for the *From Script to Film* project;
 - p) \$1,500 to the Port Stephens Celtic Association for the Clans on the Coast event;
 - q) \$3,000 to Aspect (Autism Spectrum Australia) for the *Inspired Port Stephens Youth* project;

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

- r) \$2,500 to Musical Matinees for the *Opera and Operetta* project; and
- s) \$2,250 to Lifestyle Solutions for the delivery of the *Morning Mingles* program.
- 2) Place the funding of individuals Shane Kennedy, Ted Arneson and Liz Stephens on public exhibition for a period of 28 days and, should no submissions be received, adopt the recommendations for funding without a further report to Council.
- 3) Allocate the balance of Cultural Projects Fund (\$8,550) for the delivery of specific actions in Port Stephens Cultural Plan 2015-2018 including cultural sustainability forum and public art as determined by the 355c Strategic Arts Committee.

ORDINARY COUNCIL MEETING - 25 AUGUST 2015

MOTION

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| 247 | Councillor Ken Jordan Councillor Paul LeMottee It was resolved that Council move into Committee of the Whole. |
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ORDINARY COUNCIL MEETING - 25 AUGUST 2015 COMMITTEE OF THE WHOLE RECOMMENDATION

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| | Councillor Steve Tucker Councillor John Morello That the recommendation be adopted. |
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ORDINARY COUNCIL MEETING - 25 AUGUST 2015 MOTION

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| 248 | Councillor Ken Jordan Councillor Steve Tucker It was resolved that Council: <ul style="list-style-type: none">1) Endorse the allocation of \$51,450 for the Cultural Projects Fund 2015-2016 annual grant round in accordance with the amounts and purposes prescribed below.<ul style="list-style-type: none">a) \$2,500 to Tilligerry Adult and Community Education Inc. for the Port Stephens Literature Awards and related workshops;b) \$3,000 to Shane Kennedy (Up & Up) for the <i>It's Okay</i> podcast project;c) \$3,000 to Tilligerry Chamber of Commerce and Industry Inc. for the |
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| | <p><i>Lemon Jam</i> program;</p> <p>d) \$2,700 to Medowie Public School for the Boo-larng mural project;</p> <p>e) \$3,000 to Sea Side Singers Inc. for the <i>Ready to Perform</i> program;</p> <p>f) \$1,500 to Ted Arneson (Raymond Terrace Writers Group) for the Celebration of Words writing workshops & debate;</p> <p>g) \$3,000 to Liz Stephens (Raymond Terrace Markets) for the Port Stephens Multicultural Fiesta;</p> <p>h) \$3,000 to Raymond Terrace Arts and Craft Inc. for their multimedia Workshops;</p> <p>i) \$3,000 to Octapod for the <i>Port Stephens Arts – Inclusive and Accessible</i> project;</p> <p>j) \$3,000 to Northern Settlement Services for the <i>Multicultural Music and Arts</i> program;</p> <p>k) \$3,000 to the King Street Preservation Society for the Step Back into King Street 2016 event;</p> <p>l) \$3,000 to Karuah Progress Association for the <i>A Bluegrass Christmas</i> project and workshops;</p> <p>m) \$3,000 to Karuah Working Together Inc. for the Karuah Interpretive Centre project;</p> <p>n) \$3,000 to Irrawang High School for the development of a documentary based on the school's Creative and Performing Arts – North South East West tour to remote NSW & South Australia;</p> <p>o) \$2,500 to Hook Line and Sinker Inc. for the <i>From Script to Film</i> project;</p> <p>p) \$1,500 to the Port Stephens Celtic Association for the Clans on the Coast event;</p> <p>q) \$3,000 to Aspect (Autism Spectrum Australia) for the <i>Inspired Port Stephens Youth</i> project;</p> <p>r) \$2,500 to Musical Matinees for the <i>Opera and Operetta</i> project; and</p> <p>s) \$2,250 to Lifestyle Solutions for the delivery of the <i>Morning Mingles</i> program.</p> <p>2) Place the funding of individuals Shane Kennedy, Ted Arneson and Liz Stephens on public exhibition for a period of 28 days and, should no submissions be received, adopt the recommendations for funding without a further report to Council.</p> <p>3) Allocate the balance of Cultural Projects Fund (\$8,550) for the delivery of specific actions in Port Stephens Cultural Plan 2015-2018 including cultural sustainability forum and public art as determined by the 355c Strategic Arts Committee.</p> |
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BACKGROUND

The purpose of this report is to seek Council's endorsement for the allocation of 2015-2016 Cultural Projects Fund grants for projects as recommended by Council's Cultural Project Fund Assessment Panel, in consultation with Council's 355c Strategic Arts Committee.

The purpose of the Cultural Projects Fund is to support projects that celebrate and promote culture in Port Stephens through the delivery of programs, events and other activities that increase participation in cultural life in line with the key objectives of the Port Stephens Cultural Plan 2015-2018.

Applications to the 2015-2016 round of funding opened on 20 May 2015 and closed on 21 June 2015. The total amount of funding available is \$60,000. A total of nineteen applications were received, valued at \$51,450 as outlined in **(ATTACHMENT 1)**.

Of the applications received, five were from organisations who have not previously applied to the funding program, offering new ideas and support networks to local cultural development. Three were from individuals working in partnership with recognised community organisations. A further five of the applicants received funding in 2014-2015 and are looking to build on their achievements, while another six applicants have applied to the funding program at some stage over the past five years and are now proposing new ideas that compliment past achievements.

One application (from Lifestyle Solutions) was referred by the Aboriginal Strategic Committee as it was considered more appropriate for the Cultural Projects Fund.

All past funding recipients who have applied in 2015 have successfully delivered and acquitted previous projects.

With regard to the unspent figure of \$8,550, the Strategic Arts Committee recommended it be allocated towards actions to support the delivery of the Port Stephens Cultural Plan 2014-2018. The Committee identified that training and skills development in the management of volunteer cultural organisations was a priority issue as part of the Cultural Plan. Offering this training to cultural groups in Port Stephens would assist in the longer term sustainability of many volunteer groups. The commissioning of public art was also highlighted as a strategic way to raise Port Stephens cultural profile through specific, place making projects.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|--|--|
| Port Stephens has a vibrant cultural life. | Plan for and promote multiculturalism and Port Stephens' heritage, arts and culture. |

FINANCIAL/RESOURCE IMPLICATIONS

A total of \$60,000 is available to fund projects under Council's Cultural Projects Fund in the 2015-2016 financial year. The projects recommended in this report total \$51,450, with the remaining funds recommended to be allocated towards the delivery of specific actions in Port Stephens Cultural Plan 2015-2018.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|------------------------|---------------|---------------------|---|
| Existing budget | Yes | 60,000 | Sourced from the 2015-2016 allocation for Cultural Projects Fund. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal, policy or risk implications related to the adoption of the recommendations.

Recipients of funding under the Cultural Projects Fund shall accept full responsibility for the liability of any programs or projects funded.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|---|-----------------------------------|
| There is a risk of adverse public perception regarding projects that are funded. | Low | Ensure proper processes are followed in accordance with the Cultural Projects Fund guidelines and conditions. | Yes |
| There is a risk that some grant recipients may fail to comply with required terms of funding, reporting and acquittal processes. | Low | Through ongoing communication ensure proper processes are followed in accordance with the Cultural Projects Fund guidelines and conditions. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Cultural Projects Fund directly supports ongoing investment in organisations and individuals involved in cultural activities, ones which are accessible to people from a range of social, economic and cultural backgrounds.

The proposed projects will:

- Provide arts/performance based learning opportunities for residents of all ages;
- Encourage strong community partnerships and compliment the work of a number of established community organisations e.g. Tilligerry Adult Community Education, Thou Walla Schools as Community Centre;
- Build the capacity of local volunteer groups to provide a cultural service to the wider community;
- Support inclusive practice amongst community organisations that benefits in particular people from different ethnic backgrounds and people with a disability; and
- Provide high quality events, attractive to a regional audience, that encourage local participation.

CONSULTATION

- 1) Funding launch and grant writing workshop – 20 May 2015.
- 2) Cultural interagency workshop – 11 June 2015.
- 3) Port Stephens Councils 355c Strategic Arts Committee – 1 July 2015.
- 4) Cultural Projects Fund Assessment Panel – 2 July 2015.
- 5) Advertisements in the *Port Stephens Examiner*, placement on Council's website, and on social media.
- 6) One-on-one consultations with potential applicants.

OPTIONS

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

ATTACHMENTS

- 1) Cultural Projects Fund 2015-2016 Business Paper.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

ITEM 2 - ATTACHMENT 1 CULTURAL PROJECTS FUND 2015-2016 BUSINESS PAPER.

Attachment 1 – Cultural Projects Fund 2015-2016 Business Paper

| No | Applicant name and project title | Amount Request | Brief description | Strategic Arts Committee (SAC) Recommend. | Assessment Panel Final Recommendation |
|----|--|----------------|---|---|---------------------------------------|
| 1 | Tilligerry Adult and Community Education <i>Port Stephens Literature Awards</i> | \$2500 | There are very few opportunities locally for recognition of writers and in 2015-2016 the groups aim is to focus on engaging local writers and developing partnership with local writing groups. New opportunities to participate in writing workshops and public readings will also be introduced this year. <i>Strategic Link</i> Objective 1 (Cultural Plan) | Yes \$2500 | FUND as per SAC recommendation |
| 2 | Up and Up (Shane Kennedy) <i>It's Okay Podcast</i> | \$3000 | Involves engaging young people in a conversation on well-being, using digital media tools to produce local radio/podcast program. This program will then be released into the community using social media. The project builds on the work of the Port Stephens Youth Advisory Panel and includes partnerships with the panel and other key players such as Headspace. <i>Strategic Link</i> Objective 1 (Cultural Plan) Action 5.1 (Youth Strategy) | Yes \$3000 | FUND as per SAC recommendation |
| 3 | Tilligerry Business Chamber <i>Lemon Jam</i> | \$3000 | Lemon Jam is an event that brings the community of Tilligerry together on a monthly basis. It makes use of Council public space and generates income through local sponsorship that enables events to be sustained. Local musicians get the opportunity to perform and are paid for their services, along with other associated businesses including sound production company. The event also provides a regular stimulus to the local economy. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 4 (Cultural Plan): | Yes \$3000 | FUND as per SAC recommendation |
| 4 | Medowie Public School <i>Boo-larng Mural</i> | \$3000 | A mural that depicts the idea of land and place, as designed by all students at Medowie Public, who will each paint a tile. In all 380 tiles will contribute to a design developed by a local artist. The mural will be installed at front of the school and help reinforce the schools commitment to Worimi people. <i>Strategic Link</i> | Yes Part fund \$2700 | FUND as per SAC recommendation |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

ITEM 2 - ATTACHMENT 1 CULTURAL PROJECTS FUND 2015-2016 BUSINESS PAPER.

Attachment 1 – Cultural Projects Fund 2015-2016 Business Paper

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|---|--|--------|--|-------------------|--------------------------------|
| 5 | Sea Side Singers <i>Ready to Perform</i> | \$3000 | Objective 1 (Cultural Plan): Currently new equipment and repairs to existing resources is required to ensure Seaside Singers are Ready to Perform. This will support a busy schedule ahead with key events in 2016 including Seniors Week, Anzac Day and Annual Fundraising Concert. In between the choir will be singing across the community in support of local organisations. <i>Strategic Link</i> Objective 1 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |
| 6 | Raymond Terrace Writers Group <i>COWS (Celebration of Word's) Workshops Readings and Debate</i> | \$1500 | As part of the proposed COW'S event, RT Writers will conduct writing and poetry workshops open to the public, host a 'reading' of works by local authors and poets and facilitate a debate(s) between local high school students. The overall aim is to celebrate words out in the community. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 3 (Cultural Plan) | Yes \$1500 | FUND as per SAC recommendation |
| 7 | Raymond Terrace Markets <i>Raymond Terrace Multicultural Fiesta</i> | \$3000 | To promote and celebrate the cultural diversity in the community of Port Stephens, engaging participation from a wide demographic including local ethnic community groups and cultural performers. To provide a free event for community to come and learn and build an better understanding of cultural differences while learning about local services and support groups. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 3 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |
| 8 | Raymond Terrace Arts and Craft Inc <i>Multi Media workshops</i> | \$3000 | The arts and craft group has built up over the past two years a strong membership base that is inclusive of a diverse demographic, with a strong commitment to people with a disability. Project aim is to build on the learning opportunities available to local residents by offering workshops across a wide range of artistic mediums. All participants are given the opportunity to be involved in the revitalised annual Raymond Terrace Art Show run by the group. <i>Strategic Link</i> Objective 1 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

ITEM 2 - ATTACHMENT 1 CULTURAL PROJECTS FUND 2015-2016 BUSINESS PAPER.

Attachment 1 – Cultural Projects Fund 2015-2016 Business Paper

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|----|---|--------|--|-------------------|--------------------------------|
| | | | Objective 3 (Cultural Plan) | | |
| 9 | Octapod <i>Port Stephens Arts: Inclusive and Accessible</i> | \$3000 | Facilitate a one day workshop that will bring together the arts and disability communities of Port Stephens. Participants will hear from guest speakers and be engaged in learning workshops that will assist with the development of a positive framework to support inclusive arts practice in Port Stephens in the future. Access and inclusion 'health checks' for artists and arts organisations and groups will be offered. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 3 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |
| 10 | Northern Settlement Services <i>Multicultural Music and Arts</i> | \$3000 | A partnership between local agencies and groups who support people from multicultural backgrounds will provide the foundation for the development of a local multicultural support group through engagement with music and art. This will be supported by the group's involvement in local events. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 3 (Cultural Plan) Objective 4 (Youth Strategy) | Yes \$3000 | FUND as per SAC recommendation |
| 11 | King St Preservation Society Inc. <i>Step Back into King St 2016</i> | \$3000 | A festival involving local organisations and schools and which highlights the history and heritage of the original main street of Raymond Terrace in its heyday as a river port. The event is linked with the Australia Heritage Festival program with the theme for 2016 being Discovery and Rediscovery. Includes a visit by The William the Forth replica paddle steamer. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 3 (Cultural Plan) Objective 4 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |
| 12 | Karuah Progress Association <i>A Bluegrass Christmas</i> | \$3000 | To provide a strong focus on involving local residents, including the indigenous community from the Karuah Mission, by offering singing and circus workshops leading up to the event. The focus on bluegrass is intended to build stronger links between the Lost Highway Bluegrass Festival staged in Karuah every May and the locals. <i>Strategic Link</i> | Yes \$3000 | FUND as per SAC recommendation |

ITEM 2 - ATTACHMENT 1 CULTURAL PROJECTS FUND 2015-2016 BUSINESS PAPER.

Attachment 1 – Cultural Projects Fund 2015-2016 Business Paper

| | | | Objective 1 (Cultural Plan) Objective 4 (Cultural Plan) | | |
|----|--|--------|--|--------------------------------|--------------------------------|
| 13 | Karuah Working Together (KWT) <i>Karuah Interpretive Centre</i> | \$3000 | The Karuah Interpretive Centre is in the Karuah Centre on the main street of town. With recent renovations completed the project aims to bring travellers and tourists from the highway for a visit and an opportunity to learn about the rich local history. To fund display items including large story panels, and promotional material including brochures, produced and ready for the official opening later in 2015. <i>Strategic Link</i> Objective 3 (Cultural Plan) Objective 4 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |
| 14 | Irrawang High School <i>CAPA – North South East and West</i> | \$3000 | The Creative and Performing Arts students of the school are going on tour to western NSW and remote South Australia. To fund a documentary of this event to promote the school and local learning opportunities amongst our feeder schools. We will create opportunity for peer learning, using the documentary as an engagement tool, in dance, drama, music and visual arts. The aim is to celebrate the assets (the school) and strength of the local community. <i>Strategic Link</i> Objective 1 (Cultural Plan) | Yes \$3000 | FUND as per SAC recommendation |
| 15 | Hook Line and Sinker (HLS) <i>From script to film</i> | \$2500 | With the formation of a young persons 'film and support crew' for Port Stephens HLS now wish to build on mentor based learning opportunities for budding young film makers. What is proposed includes workshops in script writing, acting and design/promotion, with the aim of producing a short film that will be featured at future local screenings when the opportunity arises. <i>Strategic Link</i> Objective 1 (Cultural Plan) Has potential to evolve into; Objective 3 (Cultural Plan) | Yes \$2500 | FUND as per SAC recommendation |
| 16 | Port Stephens Celtic Assoc. <i>Clans on the Coast</i> | \$3000 | Clans on the Coast is now in its 8 th year, providing a platform for amateur artists (locals and visitors) to participate in music, dance song and sporting activity of the Celtic kind. Local service clubs and food service providers also are involved. The event, scheduled for 19 September, is | Yes Part Fund \$1500 | FUND as per SAC recommendation |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

ITEM 2 - ATTACHMENT 1 CULTURAL PROJECTS FUND 2015-2016 BUSINESS PAPER.

Attachment 1 – Cultural Projects Fund 2015-2016 Business Paper

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| | | | preceded by a celebration dinner on the Friday evening, and then on the Sunday afterwards, a Kirkin of the Tartan performance with pipe band at D'Albora Marina in Nelson Bay. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 4 (Cultural Plan) | | |
| 17 | ASPECT (Autism Spectrum Australia) <i>Inspired Port Stephens Youth: video art expressing mental health</i> | \$3000 | Aim is to build on the efforts of the Port Stephens Youth Advisory Panel to engage local young people in a conversation about mental health and well-being. Students from Hunter River High and Irawang High, who participated in the panels 'Imagine This' forum, will be engaged in workshops that will guide them through the process of creating a one minute video art piece using words, sounds and images. These works will support the youth panels advocacy work and will be uploaded to a website that will include information pertaining to youth mental health services and needs for youth of Port Stephens. <i>Strategic Link</i> Objective 1 (Cultural Plan) Action 5.1 (Youth Strategy) | Yes \$3000 | FUND as per SAC recommendation |
| 18 | Musical Matinees Inc. <i>Opera and Operetta</i> | \$3000 | A quartet of Sydney Opera Stars will delight the audience with beautiful operatic arias and ensembles, operetta favourites and a chance to sing along. Young performers from Port Stephens and local schools will be asked to audition for the performance as musicians and or MC for the event. For many older local residents the opportunity to experience professional quality opera is limited as it largely occurs in major cities...well here is a chance to enjoy such a cultural experience in our own backyard. <i>Strategic Link</i> Objective 1 (Cultural Plan) Objective 3 (Cultural Plan) | Yes Part fund \$2500 Artist Fees | FUND as per SAC recommendation |
| 19 | Lifestyle Solutions <i>Morning Mingles</i> | \$2250 | Local disabilities groups and clients, indigenous and non-indigenous from across the LGA, having the opportunity to experience the Murrook Cultural Centre, Williamtown and learn from the Murrook team about Aboriginal cultural through | Yes \$2250 | FUND as per SAC recommendation |

ITEM 2 - ATTACHMENT 1 CULTURAL PROJECTS FUND 2015-2016 BUSINESS PAPER.

Attachment 1 – Cultural Projects Fund 2015-2016 Business Paper

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| | | | creative activities. The funding will assist a previously trialled program to continue and expand. <i>Strategic Link</i> Objective 3 (Cultural Plan) | | |
|--|--|--|---|--|--|

Strategic Links references:

Objective 1 (Cultural Plan 2015-2018): Support the development of a diverse range of practices associated with local culture.

Objective 3 (Cultural Plan 2015-2018): Support strategic partnerships with organisations involved in planning, promotion and delivery of local cultural activities.

Objective 4 (Cultural Plan 2015-2018): Places and spaces are activated as drivers of cultural vitality and identity.

Objective 4 (Youth Strategy 2015-2018): Address limited transport options and geographic isolation through the development and promotion of localised initiatives.

Action 5.1 (Youth Strategy 2015-2018): Support the Youth Advisory Panel to advocate and lobby on issues that are important to them.

ITEM NO. 3

**FILE NO: PSC2015-01000/642
TRIM REF NO: PSC2014-01592**

ABORIGINAL PROJECTS FUND 2015-2016

REPORT OF: ROSS SMART - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the allocation of \$35,000 for the Aboriginal Projects Fund 2015-2016 annual grant round in accordance with the amounts and purposes prescribed below:
 - a) \$8,000 to the Mission Chew Café for the delivery of barista and food harvesting training;
 - b) \$4,000 to Medowie Public School for the Bush Tucker Learning Centre;
 - c) \$6,000 to Hunter River High School for the Ngarralbaa Outdoor Learning Centre;
 - d) \$3,000 to Karuah Public School for dance troupe costumes, the *Sista Speak* program, and school mosaic project;
 - e) \$4,000 to the YMCA for the *Healthy Body Healthy Mind* program;
 - f) \$1,000 to the Worimi Warriors Under 17 Rugby League Club for team jerseys;
 - g) \$4,000 to the Worimi Dolphins Rugby League Football Club to participate in the 2015 Koori Knockout;
 - h) \$5,000 to Wahroonga Aboriginal Corporation for the *Kidn & Tidda* Women's and Men's Business Cultural Program.

Councillor Peter Kafer left the meeting at 6:31pm during Committee of the Whole.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
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| | <p>Councillor Ken Jordan Councillor Paul Le Mottee</p> <p>That the recommendation be adopted.</p> |
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**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

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|------------|---|
| 249 | <p>Councillor John Nell Councillor John Morello</p> <ol style="list-style-type: none">1) Endorse the allocation of \$35,000 for the Aboriginal Projects Fund 2015-2016 annual grant round in accordance with the amounts and purposes prescribed below:<ol style="list-style-type: none">a) \$8,000 to the Mission Chew Café for the delivery of barista and food harvesting training;b) \$4,000 to Medowie Public School for the Bush Tucker Learning Centre;c) \$6,000 to Hunter River High School for the Ngarralbaa Outdoor Learning Centre;d) \$3,000 to Karuah Public School for dance troupe costumes, the <i>Sista Speak</i> program, and school mosaic project;e) \$4,000 to the YMCA for the <i>Healthy Body Healthy Mind</i> program;f) \$1,000 to the Worimi Warriors Under 17 Rugby League Club for team jerseys;g) \$4,000 to the Worimi Dolphins Rugby League Football Club to participate in the 2015 Koori Knockout;h) \$5,000 to Wahroonga Aboriginal Corporation for the <i>Kidn & Tidda</i> Women's and Men's Business Cultural Program.2) Amend item f) change Worimi Warriors to the correct name of Koastal Warriors (\$1,000 to the Koastal Warriors Under 17 Rugby League Club for team jerseys) |
|------------|---|

BACKGROUND

The purpose of this report is to seek Council's endorsement for the allocation of 2015-2016 Aboriginal Projects Fund grants for projects as recommended by Council's Aboriginal Strategic Committee.

The Aboriginal Projects Fund is an annual, one-off small grants program. The fund's purpose is to support community projects that empower local Aboriginal and Torres Strait Islander people.

Applications to the 2015-2016 annual round of funding opened on 20 May 2015 and closed on 21 June 2015. The total amount of funding available is \$35,000. Ten applications were received, valued at \$60,788. One application from Lifestyle Solutions for its *Morning Mingles* program (\$2,250) was referred to the Cultural Projects Fund 2015-2016. One application from KU Pre-school for its *Children's*

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

Cultural Identity & Engagement in the Community program (\$3,000) was withdrawn due to the applicant being unavailable to make a presentation to the Aboriginal Strategic Committee for consideration.

Of the applications received, nine were from organisations who have not previously applied to the Aboriginal Projects Fund. The other two applicants had successfully delivered and acquitted previously funded Aboriginal projects Fund projects.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|--|--|
| Port Stephens has a vibrant cultural life. | Plan for and promote multiculturalism and Port Stephens' heritage, arts and culture. |

FINANCIAL/RESOURCE IMPLICATIONS

A total of \$35,000 is available to fund projects under Council's Aboriginal Projects Fund in the 2015/2016 financial year. The projects recommend in this report total \$35,000.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|-----------------|--------|--------------|---|
| Existing budget | Yes | 35,000 | Sourced from the 2015-2016 allocation for the Aboriginal Projects Fund. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal, policy or risk implications as a result of the proposed recommendations.

Recipients of funding under the Aboriginal Projects Fund shall accept full responsibility for the liability of any programs or projects funded.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|--|-----------------------------------|
| There is a risk that there is adverse public perception regarding projects that are funded. | Low | Ensure proper processes are followed in accordance with the Aboriginal Projects Fund guidelines and conditions of funding. | |
| There is a risk that some grant recipients may fail to comply with required terms of funding. | Low | Through ongoing communication, ensure proper processes are followed in accordance with the Aboriginal Projects Fund guidelines and conditions. | |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The funding directly supports the empowerment of the local Aboriginal and Torres Strait Islander community through programs that support identity and cultural awareness. The participation of Aboriginal people in the programs will be from primary school aged children to adults receiving cultural support and education. Programs provide training for future employment opportunities and will utilise environmental and creative programs for further learning on aboriginal culture.

CONSULTATION

- 1) Funding launch and grant writing workshop – 20 May 2015.
- 2) Advertisements in the *Port Stephens Examiner*, on Council's website, and via social media.
- 3) One on one consultations with potential applicants.
- 4) Council's Aboriginal Strategic Committee meeting for presentations and assessment of applicants – 14 July 2015.

OPTIONS

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

ATTACHMENTS

- 1) Aboriginal Projects Fund 2015 - 2016: Recommendations Summary.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

**ITEM 3 - ATTACHMENT 1 ABORIGINAL PROJECTS FUND 2015 - 2016:
RECOMMENDATIONS SUMMARY.**

Attachment 1

Aboriginal Projects Fund 2015/2016 Recommendations Summary

| Project Name & Organisation | Project summary | Amount requested | Amount recommended by Aboriginal Strategic Committee |
|---|--|------------------|---|
| KU Pre-school <i>Children's Cultural Identity & Engagement in the Community</i> | Engage pre-school children in experiencing aboriginal culture. | \$3,000 | Withdrawn |
| Lifestyle Solutions <i>Morning Mingles</i> | Local disability groups experiencing aboriginal culture at the Murrook Cultural Centre | \$2,250 | Referred to Cultural Projects Fund 2015/2016 |
| Mission Chew Cafe | The Mission Chew Increase employment opportunities and training in the hospitality sector for Aboriginal people in Karuah. | \$8,703 | \$8,000 Equipment costs, materials, training |
| Medowie Public School <i>Bush Tucker Learning Centre</i> | Development of an environmental learning space for all children at the school to experience aboriginal culture. | \$10,000 | \$4,000 First stage of the development of the learning space, including shelter, seating, fire pit and cooking area. |
| Hunter River High School <i>The Ngarralbaa Outdoor Learning Centre (Place of Listening & Learning)</i> | Design and construct an outdoor area for all children at the school and the wider community to explore, learn and experience aboriginal culture. | \$8,550 | \$6,000 Shade sail, fire pit, seating and tables and bush tucker plants. |
| Karuah Public School <i>Dance Troupe, Sista Speak & Mosaic</i> | Costumes for school dance troupe, implementation of Sista Speak program for aboriginal girls at the school and materials for creation of a mosaic artwork for the front of the school. | \$3,000 | \$3,000 Implementation of all three projects |
| YMCA <i>Healthy Body</i> | Development of individual fitness and lifestyle | \$5,695 | \$4,000 Development of |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015**ITEM 3 - ATTACHMENT 1 ABORIGINAL PROJECTS FUND 2015 - 2016:
RECOMMENDATIONS SUMMARY.**

| | | | |
|---|---|----------|---|
| <i>Healthy Mind</i> | programs for young aboriginal teenagers. | | individual programs and fitness and lifestyle education |
| Koastal Warriors Rugby League Club <i>Working Warriors</i> | Team jerseys for the Under 17s team | \$1,000 | \$1,000 Team jerseys |
| Worimi Dolphins Rugby League Football Club | Support for the Worimi Dolphins RLFC to participate in the Koori Knockout Football Tournament 2015 to be held in Dubbo. | \$10,000 | \$4,000 Football kits and team nominations |
| Wahroonga Aboriginal Corporation <i>Wahroonga Kidn & Tidda Women's & Men's Business Cultural Program</i> | Cultural and health awareness education and support for children and men in the Raymond Terrace area. | \$10,000 | \$5,000 for cultural activities, program materials and travel expenses. |

ITEM NO. 4

**FILE NO: PSC2015-01000/639
TRIM REF NO: PSC2014-03969**

GRANTS, SPONSORSHIPS AND DONATIONS REVIEW

REPORT OF: ROSS SMART - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the grants, donations and sponsorship review included as **(ATTACHMENT 1)**.
- 2) Endorse key recommendations a) through t), listed on pages five and six of the review document.

Councillor Peter Kafer returned to the meeting at 6:33pm during Committee of the Whole.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

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| | Councillor Sally Dover Councillor Steve Tucker That the recommendation be adopted. |
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**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

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| 250 | Councillor John Nell Councillor John Morello It was resolved that Council: <ol style="list-style-type: none">1) Note the grants, donations and sponsorship review included as (ATTACHMENT 1).2) Endorse key recommendations a) through t), listed on pages five and six of the review document.3) Receive and note the supplementary information as per the below amended recommendation. |
|------------|---|

SUPPLEMENTARY RECOMMENDATION IS THAT COUNCIL:

- 1) Note the grants, donations and sponsorship review included as **(ATTACHMENT 1)**.
- 2) Endorse key recommendations a) through t), listed on pages **six** and **seven** of the review document.

BACKGROUND

The purpose of this report is to detail to Council the results of an internal review undertaken into the financial assistance programs it currently operates, and to provide recommendations for the future of these programs.

Port Stephens Council currently runs 18 formal financial assistance programs and other informal or one-off funding arrangements with an annual value of approximately \$1.22 million. These programs support a diverse range of services and projects directly benefitting the community that cover:

- Community – building community;
- Culture - celebrating culture and creativity;
- Economy – supporting the economy and business; and
- Environment – supporting environmental sustainability.

This support is provided through a diverse range of grants, sponsorships, donations and loan programs. There are also a number of one-off support agreements managed by different areas of Council.

A staff project team, led by the community development and engagement unit, was established to initially review the grants and sponsorship programs offered by Council. This was broadened to include all financial assistance programs.

The review included at **(ATTACHMENT 1)** provides a summary of the factors considered and makes eighteen recommendations for improvements to the programs. These recommendations ensure that Council provides a range of programs that are consistent, equitable, transparent and accountable.

The review largely identified that these programs have been a great success over the years and have provided strong support for community groups and various community initiatives. However, the review did highlight a number of issues to address:

- Inconsistent approaches to:
 - eligible and ineligible applicants;
 - assessment processes;
 - approval processes;

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

- Community confusion on guidelines, eligible projects and applicant eligibility;
- Some programs do not adequately meet Council's obligations under s356 under the *Local Government Act 1993* (the Act);
- Some programs have small amounts of funds and cumbersome application processes; and
- Some programs are underutilised.

The recommendations aim to:

- Improve understanding in the community as to what programs are available and to whom;
- Strengthen assessment and approval processes across all programs;
- Reduce one-off funding agreements to ensure equity and transparency;
- Clarify the intent and purpose of sponsorship as a key marketing and branding tool for Council, rather than a way of providing financial assistance under s356 of the Act;
- Strengthen sponsorship agreements to ensure maximum return on investment for Council;
- Strengthen Council's fiduciary responsibilities under s356 and s377 of the Act; and
- Reduce risk of default by reducing eligibility of individuals to Heritage program only.

It is envisaged that, if the recommendations are endorsed by Council, these changes would be put in place by mid-2016, with a revitalised grant program promoted at this time.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|---|---|
| Port Stephens has strong governance and civic leadership. | Coordinate Council's Cultural and Aboriginal Projects Funds; Manage the use of Grahamstown Dam Aquatic Reserve for use by Sailability; Provide funds, operational and strategic support to Destination Port Stephens; Sponsor major events that deliver economic benefit to the Port Stephens community; Provide financial, governance and strategic support to Port Stephens trader associations; Manage Council's corporate brand. |

FINANCIAL/RESOURCE IMPLICATIONS

Council's financial support is funded from a variety of sources including general revenue, the business rate levy, external grants, and profits from land sales. Details are provided in (**ATTACHMENT 1**).

There are no additional financial or resource implications related to the review or the recommendations associated with it, although the implementation of the recommendations may result in some future savings on account of efficiencies resulting from this review.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|------------------------|---------------|---------------------|---|
| Existing budget | Yes | 991,350 | Includes ward funds and business rate levy. |
| Reserve Funds | Yes | 200,000 | Funds from the Community and Recreation Loans Reserve. |
| Section 94 | No | | |
| External Grants | Yes | 7,500 | Heritage Grant funds from NSW Office of Environment & Heritage. |
| Other | Yes | 23,000 | Includes cash sponsorship from businesses for Mayoral Scholarships and in-kind rate waiver. |

LEGAL, POLICY AND RISK IMPLICATIONS

There are strong legal and legislative frameworks for the disbursement of public money. These exist to ensure that the disbursement processes are consistent, equitable, transparent and, if needed, the decisions are defensible.

Council is required under s356 of the *Local Government Act 1993* to ensure clear processes are in place for the disbursement of funds.

Given the significance of the programs to the community and the responsibility of managing the disbursement and acquittal of public money in the community, it is important to ensure that appropriate mechanisms are in place.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|---|-----------------------------------|
| There is a risk that lack of appropriate assessment and approval processes will result in legal, financial and reputation damage. | Medium | Assessment panels established for each program and recommendations made to Council for approval. | Yes |
| There is a risk that inconsistent programs will lead to confusion and frustration in the community. | Medium | Consistent, streamlined, transparent programs and guidelines are made available to the community. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Streamlined financial assistance programs and strengthened guidelines provide consistency and clarity, reduce red tape, and ensure greater assurance that Council is meeting its fiduciary responsibilities under the Act.

CONSULTATION

The staff project team has consulted extensively within the organisation over the past eight months.

A two-way conversation was held with Councillors on 14 July 2015.

Communication and community engagement plans will be developed for the various grants and sponsorship programs should the recommendation be accepted.

OPTIONS

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

ATTACHMENTS

- 1) Grants, Donations and Sponsorships Review 2015. (Provided under separate cover)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

This Item was brought forward and dealt with prior to Item 2 in open Council.

ITEM NO. 5

FILE NO: PSC2015-01000/710

TRIM REF NO: T17-2015

T17-2015: RAYMOND TERRACE MEN'S SHED

REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER

GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) That pursuant to section 10A(2)(d) of the *Local Government Act, 1993*, the Council resolve to close to the public that part of its meetings to discuss Item 5 on the Ordinary Council agenda namely T17-2015: Raymond Terrace Men's shed;
 - 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 the T17-2015: Raymond Terrace Men's shed;
 - 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 of the closed part of the meeting is to remain confidential and that Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179 of the Local Government (General) Regulation 2005;
 - 5) That Council accept the tender submitted from GWH Build for \$663,000 for the design and construction of the Raymond Terrace Men's Shed.
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MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

ORDINARY COUNCIL MEETING - 25 AUGUST 2015 MOTION

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| | <p>Councillor John Nell Councillor Peter Kafer</p> <p>Cr J Nell moved an amendment that this Item be deferred for further information.</p> |
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The Motion was lost.

ORDINARY COUNCIL MEETING - 25 AUGUST 2015 MOTION

| | |
|------------|--|
| 251 | <p>Councillor Ken Jordan Councillor Paul Le Mottee</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Accept the tender submitted from GWH Build for \$663,000 for the design and construction of the Raymond Terrace Men's Shed. |
|------------|--|

BACKGROUND

The purpose of this report is to recommend the acceptance of a tender received from GWH Build for \$663,000 for the design and construction of the Raymond Terrace Men's Shed.

The tender was advertised and closed on 26 May 2015 with a total of three conforming submissions received at the close of the tender period, a summary which is included as **(ATTACHMENT 1)**.

Council has had ongoing negotiations with the preferred tenderer to reduce the scope of works by eliminating separable portions of the tender and reduce upfront costs. The revised tender amount reflects the outcome of these negotiations and allows for staged works to be funded or undertaken by the Men's Shed, as funds or labour become available. It should be noted that the Men's Shed movement has committed to allocate \$85,000 upfront towards the project. This will be used for work on the kitchenette, office and lunchroom.

Negotiations will continue with the Men's Shed Executive to determine inclusions and exclusions from the original scope and schedule continuing works. Raymond Terrace Men's Shed will continue to pursue funding and provide works in kind until the project is completed.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

The weightings agreed for this tender were:

| Criteria | Weighting (%) |
|------------|---------------|
| Price | 35 |
| Compliance | 5 |
| Capability | 10 |
| Experience | 25 |
| Referees | 25 |
| Total | 100 |

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|---|---|
| Improve facilities and services for an ageing population. | Identify and plan for the future needs of an ageing population. |

FINANCIAL/RESOURCE IMPLICATIONS

Program is within existing budget allocations. Funding for this project was initially set aside from the surplus achieved in the 2013/2014 financial year. Funds were set aside into the Asset Rehabilitation restricted asset specifically for this project on the understanding that the restricted asset would be reimbursed from the land sales of 3 Tarrant Road, Salamander Bay development.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|-----------------|--------|--------------|-------------------------------|
| Existing budget | Yes | | Funding from existing budget. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | Yes | 85,000 | Club contribution. |

LEGAL, POLICY AND RISK IMPLICATIONS

There are no significant legal or policy implications. The risks are defined in the table below.

| Risk | Risk Ranking | Proposed Treatments | Within Existing Resources? |
|---|--------------|---|----------------------------|
| There is a risk that costs for designing and constructing the Raymond Terrace Men's Shed could exceed previous estimates. | Low | Accept tender as per recommendation and project manage. | Yes |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| | | | |
|---|-----|---|-----|
| There is a risk that the Men's Shed could be constructed without reference to appropriate building codes. | Low | Accept tender as per recommendation and project manage. | Yes |
|---|-----|---|-----|

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Men's Shed movement has a proven record of assisting older male community members in networking. This will have positive social implications by providing a new venue and forum for community members to meet and network.

CONSULTATION

- 1) Capital Works Section Manager.
- 2) Structures and Projects Team Leader.
- 3) Architectural Projects Officer.
- 4) Raymond Terrace Men's Shed Members.
- 5) Ward Councillors.
- 6) The Mayor.

OPTIONS

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

ATTACHMENTS

- 1) CONFIDENTIAL Weighted criteria methodology summary.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 6

**FILE NO: PSC2015-01000/705
TRIM REF NO: PSC2015-01894**

RESTRICTION AS TO USER - 57 PORT STEPHENS STREET, RAYMOND TERRACE

REPORT OF: GLENN BUNNY - PROPERTY SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Resolve to grant a "Restriction as to User" over the Council owned property at 57 Port Stephens Street, Raymond Terrace;
- 2) Authorise the Mayor and General Manager to sign and affix the Seal of Council to all relevant documents.

Councillor Paul Le Mottee left the meeting at 6:36pm during Committee of the Whole.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|---|
| | <p>Councillor Sally Dover Councillor Ken Jordan</p> <p>That the recommendation be adopted.</p> |
|--|---|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|------------|---|
| 252 | <p>Councillor John Nell Councillor John Morello</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Resolve to grant a "Restriction as to User" over the Council owned property at 57 Port Stephens Street, Raymond Terrace;2) Authorise the Mayor and General Manager to sign and affix the Seal of Council to all relevant documents. |
|------------|---|

BACKGROUND

The purpose of this report is to recommend Council resolve to grant a "Restriction as to User" over Council property at 57 Port Stephens Street, Raymond Terrace, required as a consent condition for the conversion of the adjoining two level commercial property into permanent residential accommodation.

Development Application 16-2015-195-1 was lodged on 1 April 2015 for Change of Use for Shoptop Housing (Partial Building) for 55 Port Stephens Street, Raymond Terrace. The proposal is to convert the existing two level commercial building into residential apartments for permanent accommodation. During assessment, Council advised the applicant that it would require a "Restriction as to User" over part of the adjoining property to meet BCA requirements for the installation of ground floor windows as part of the development proposal. The adjoining property at 57 Port Stephens Street is Council owned. The applicant's planning consultant wrote to Council during June 2015 requesting consent to the "Restriction as to User".

The Restriction would apply to a three metre wide strip of the Council property (black hatching on **ATTACHMENT 1**) immediately adjoining the building on 55 Port Stephens Street and would prevent the erection of any buildings in the restricted area. The Council property is leased to Integrated Living Ltd which has a Dementia Garden within this section of the property.

The Council property is currently burdened by an easement for underground electricity supply and access to a substation (tan colour on **ATTACHMENT 1**) which precludes the erection of any type of major structure. The "Restriction as to User" will partially overlay the current easement and this lessens the impact of the "Restriction as to User" on the Council property. The impact will be assessed by an independent valuer for the payment of compensation by the applicant to Council for the granting of the "Restriction as to User".

Both the Community Services Section Manager and the Investment & Asset Manager were consulted about the request, have no objection and see the development proposal as adding another level of security for the Council property via permanent residents with views over the Council property. Council's legal advisers have been consulted and advise that the only requirement will be for the current Lessee of the Council property to provide its consent on its letterhead, to go to LPI at the time the Restriction is registered on the title of the Council property. Council consequently advised of its support for the proposal subject to the following conditions:

- 1) Council approve the wording of the "Restriction as to User";
- 2) Council will use its best endeavours to have its Lessee provide consent;
- 3) Council's reasonable legal, valuation and other professional fees are paid by the applicant regardless of the Restriction being registered or not;
- 4) The applicant to pay compensation for the granting of the Restriction, as assessed by Council's valuer;
- 5) A formal resolution of the Council being obtained to grant the Restriction.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

The wording of the Restriction was provided by Council's planning consultant and has been approved by Harris Wheeler. Advice was received by Council on 3 August 2015 that the applicant has accepted the above conditions.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|--|---|
| Balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations. | Provide strategic planning and land use services. Provide Development Assessment and Building Certification services. |

FINANCIAL/RESOURCE IMPLICATIONS

Costs applicable to having Council obtain advice on this matter will be payable by the applicant. Council will receive compensation for granting the Restriction, to be assessed by a consultant valuer instructed by Council.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Council has obtained legal advice. There are no known policy implications. There is a risk that without the granting of the Restriction, the development may not proceed in its current form, resulting in the loss of much needed town centre residential accommodation.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|---------------------|--|----------------------------|
| There is a risk that much needed town centre residential accommodation will not be available if the | Medium | Accept the recommendation and obtain compensation for the grant. | Yes |

| | | | |
|-----------------------------|--|--|--|
| Restriction is not granted. | | | |
|-----------------------------|--|--|--|

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The granting of the Restriction will enable conversion of the adjoining building to provide much needed residential accommodation in the town centre.

Permanent residents will provide an added level of security for the Council owned property particularly after hours and on the weekends.

CONSULTATION

- 1) Community Services Section Manager.
- 2) Investment & Asset Manager.
- 3) Land Acquisition & Development Manager.
- 4) Senior Development Planner.

OPTIONS

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

ATTACHMENTS

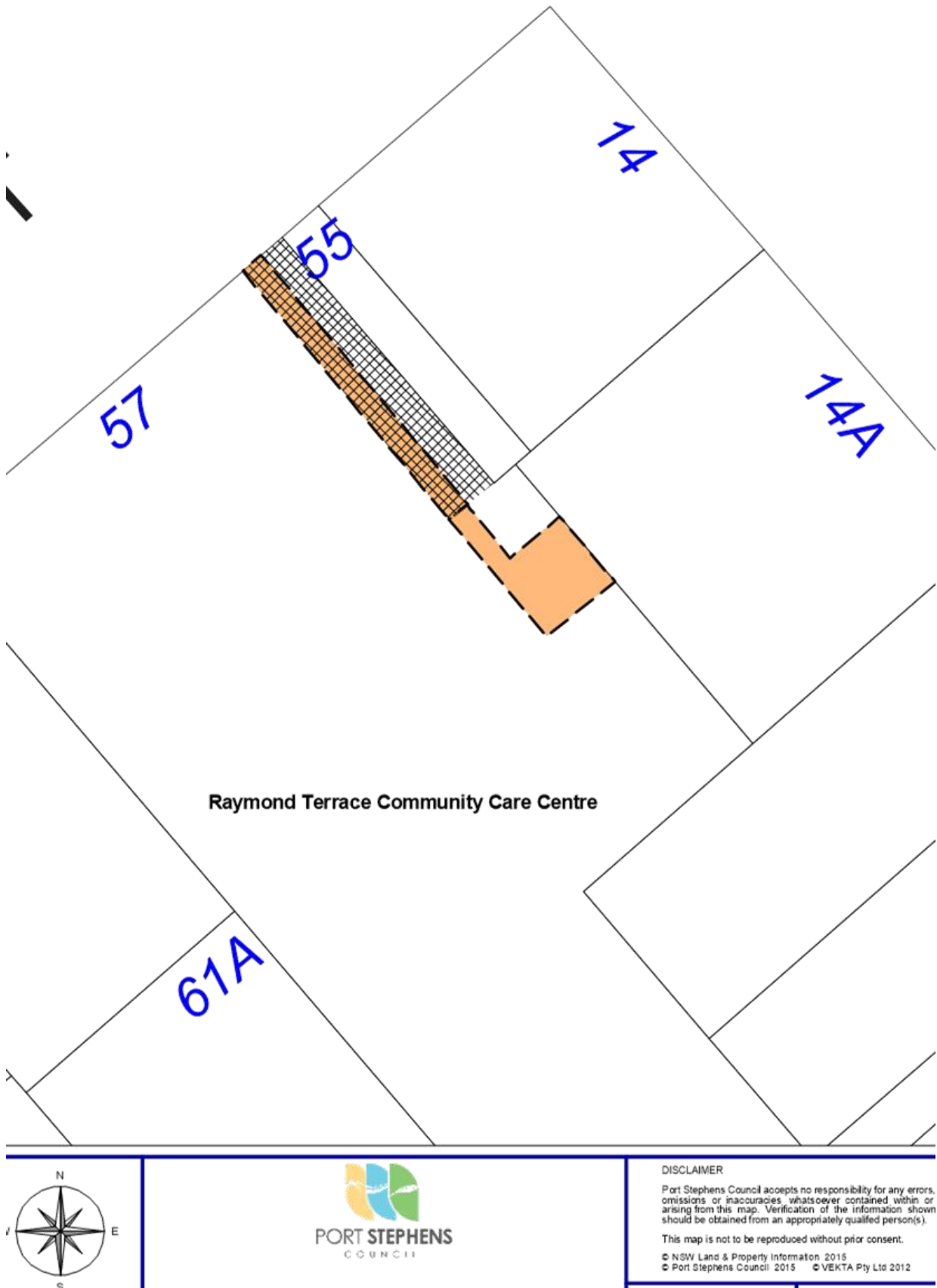
- 1) Plan of Proposed Restriction as to User.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.



ITEM NO. 7

**FILE NO: PSC2015-01000/587
TRIM REF NO: PSC2008-9317**

**MEDOWIE FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN -
PUBLIC EXHIBITION**

REPORT OF: JOHN MARETICH - CIVIL ASSETS SECTION MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the Medowie Floodplain Risk Management Study and Draft Plan **(TABLED DOCUMENT)** on public exhibition for a period of 28 days.
- 2) Receive a report after the public exhibition period to allow for adoption of the Medowie Floodplain Risk Management Study and Plan.

Councillor Paul Le Mottee returned to the meeting at 6:36pm during Committee of the Whole.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|--|
| | <p>Councillor Geoff Dingle Councillor Steve Tucker</p> <p>That the recommendation be adopted.</p> |
|--|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|-------------------|--|
| <p>253</p> | <p>Councillor John Nell Councillor John Morello</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Place the Medowie Floodplain Risk Management Study and Draft Plan (TABLED DOCUMENT) on public exhibition for a period of 28 days.2) Receive a report after the public exhibition period to allow for adoption of the Medowie Floodplain Risk Management Study and Plan. |
|-------------------|--|

BACKGROUND

The purpose of this report is to recommend that the Medowie Floodplain Risk Management Study and Draft Plan be placed on public exhibition.

The State Government has issued a direction to all councils under the *Environmental Planning and Assessment Act* (Section 117) that flood studies are required to adequately assess rezoning and development approvals. Also, these flood studies must be consistent with the NSW Flood Prone Land Policy and the Floodplain Development Manual 2005.

The Medowie Floodplain Risk Management Study and Draft Plan is two-thirds funded by The NSW Office of Environment and Heritage. The condition of the funding agreement requires Floodplain Development Manual 2005 be followed. To follow the Floodplain Development Manual 2005 requires the flood study to follow five stages.

These five stages are:

1. Data Collection.
2. Flood Study – build hydraulic model and define the nature and extent of the flood problem in technical rather than map form.
3. Floodplain Risk Management Study – update the hydraulic model and determine options in consideration of triple bottom line and risk.
4. Floodplain Risk Management Plan – planned actions to be adopted for Council.
5. Plan Implementation – doing the works.

The Medowie Floodplain Risk Management Study and Draft Plan was created in accordance with the State Government's Floodplain Development Manual 2005 and was prepared by WMA Water consultancy firm. The Medowie Floodplain Risk Management Study and Draft Plan is now at Stage 4 and requires Council adoption to place the flood study on public exhibition.

The public exhibition is to allow the community and other stakeholders to review the recommendations provided in the report. The report analyses a number of options, with each costed and weighed up against the 'benefit' (avoided flood damages cost). Only those measures where the avoided flood damages cost was greater than the cost to implement (benefit to cost ratio greater than 1) were recommended in the final plan (**ATTACHMENT 1**). These include:

- Flood modification works (such as improving the hydraulics of the lower end of Campvale Drain).
- Property modification measures (such as property purchases and local levees to reduce local flooding and improve access).
- Planning controls (such as providing flood risk information to residents).
- Emergency warning and response actions (such as installing flood depth indicators in the catchment).

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

Following public exhibition, any comments received will be reviewed and if need be the Floodplain Risk Management Study and Draft Plan will be modified. The Floodplain Risk Management Study and Draft Plan will then be presented to Council for adoption.

Hunter Water Corporation (HWC) has been involved in the preparation of the flood report through their participation on the Medowie Floodplain Risk Management Committee. HWC have emphasised throughout the process that they have an obligation to protect drinking water quality for its customers under the Australian Drinking Water Guidelines and that the Grahamstown Dam catchment (including the majority of the Medowie urban catchment) is a gazetted Catchment Area ('Special Area') under the Hunter Water Act 1991 and the Hunter Water Regulation 2010. HWC have agreed to work with Council to find solutions that address flooding issues as well as water quality issues.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|--|---|
| Balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations. | Provide strategic land use services. Provide development assessment and building certification services. |

FINANCIAL/RESOURCE IMPLICATIONS

The cost of the public exhibition of the Medowie Floodplain Risk Management Study and Draft Plan will be carried out within existing budgets.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|-----------------|--------|--------------|--|
| Existing budget | Yes | | Within existing budget and not material. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The Local Government Act (Section 733) provides Council with a general exemption from liability with respect to flood liable land if the necessary studies and works are carried out in accordance with the State Government's Floodplain Development Manual 2005. The Medowie Floodplain Risk Management Study and Draft Plan provides the framework and recommendation options to manage the full range of

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

floodplain risks through effective measures that address existing, future and continuing risks.

The State Government has issued a direction regarding the advice to be provided on Section 149 Certificates where land is subject to flood related development controls. The direction promotes the appropriate use of flood prone land and designates the land into areas dependent upon:

- Frequency of inundation.
- Their hydraulic function (floodways in which floodwaters are conveyed, flood storage areas where flood waters are temporarily stored during flood events, and flood fringe areas).
- Flood hazard (a minimum of two categories, high and low).

The Insurance Council of Australia has indicated that while insurance companies use a variety of flood data sources to make their own assessment of risk, it is likely that they will take a conservative view of risk. A conservative view without up to date data will result in an increase in insurance premiums for residents. Hence having up-to-date flood studies in accordance with the latest State Government guidelines and the Floodplain Development Manual will benefit residents and potentially reduce insurance premiums.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|---|-----------------------------------|
| There is a risk that not placing the study on exhibition will result in defaulting on the funding agreement leading to reputation risk from the public and funding agency. | Medium | Adopt Recommendations and place the study on public exhibition. | Yes |
| There is a risk that the proposed study recommendations will create concern from residents, land holders and other public utilities. | Medium | Adopt Recommendations and place the study on public exhibition so the residents, land holders and other public utilities can provide comment. Comments will be used to review the study before being reported back to Council. | Yes |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|--|-----------------------------------|
| There is a risk that not following the State Government's Floodplain Development Manual 2005 to undertake flood studies will result in Council having to fund the whole study and Council not meeting legislative obligations leading to financial and legal risk to Council. | High | Adopt Recommendations and place the study on public exhibition to continue with the State Government's Floodplain Development Manual 2005 process. | Yes |
| There is a risk that not following the State Government's Floodplain Development Manual 2005 will allow the insurance companies to continue to take a conservative view of flood risk which results in increased insurance premiums for residents | High | Adopt Recommendations and place the study on public exhibition. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Medowie Floodplain Risk Management Study and Draft Plan aims to systematically reduce the impact of flooding and flood liability on individual owners in Medowie and reduce the private and public losses resulting from floods.

The Medowie Floodplain Risk Management Study and Draft Plan also recognises that flood prone land is a value resource to the community, land holders and the economy and these lands should not be sterilised by unnecessarily restricting its development.

The implementation of the Medowie Floodplain Risk Management Study and Draft Plan will also help local State Emergency Service personnel to better plan and respond to floods, and therefore reduce the overall community cost of these natural disasters.

CONSULTATION

The Medowie Floodplain Risk Management Study and Draft Plan has been reviewed by officers from the State Government's Office of Environment and Heritage and by Council's Medowie Floodplain Risk Management Committee.

The next phase of consultation is the public exhibition of the Medowie Floodplain Risk Management Study and Draft Plan. A community engagement and communications plan has been developed and includes:

- A drop-in session at Medowie Hall on 10 September 2015.
- Information provided by media release/public notice/web update/social media.

OPTIONS

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

ATTACHMENTS

- 1) Draft Medowie Floodplain Risk Management Plan (extract pages 90-94).

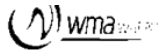
COUNCILLORS ROOM

- 1) Medowie Floodplain Risk Management Study and Draft Plan, dated July 2015

TABLED DOCUMENTS

- 1) Medowie Floodplain Risk Management Study and Draft Plan, dated July 2015

ITEM 7 - ATTACHMENT 1 DRAFT MEDOWIE FLOODPLAIN RISK MANAGEMENT PLAN (EXTRACT PAGES 90-94).



Medowie Floodplain Risk Management Study and Draft Plan

8. DRAFT FLOODPLAIN RISK MANAGEMENT PLAN FOR MEDOWIE

8.1 Introduction

The draft Floodplain Risk Management Plan (FRMP) for Medowie has been prepared in accordance with the NSW Floodplain Development Manual (Reference 1) and is:

- Based on a comprehensive and detailed evaluation of all factors that affect and are affected by the use of flood prone land; and
- Provide a long-term path for the future development of the community.

The Plan only includes recommended works and does not describe options that have been discarded as part of the floodplain risk management study.

Before the Plan is adopted, it must be accepted by Council and the FMC. Following this it is placed on public exhibition for the community and other stakeholders to comment. Once the consultation period is over, any necessary changes are made and the Draft Plan will be revised to the Final Plan so it can be adopted by Council.

ITEM 7 - ATTACHMENT 1 DRAFT MEDOWIE FLOODPLAIN RISK MANAGEMENT PLAN (EXTRACT PAGES 90-94).

8.2 Draft Plan

DRAFT MEDOWIE FLOODPLAIN RISK MANAGEMENT PLAN

Flood mitigation and management measures are set out below for the Medowie Floodplain Risk Management Plan. These measures have been identified through the floodplain risk management process in accordance with the NSW Government Flood Prone Land Policy and the Floodplain Development Manual (2005). THIS PLAN COMPRISES THE DRAFT PLAN ONLY AND IS TO BE FINALISED FOLLOWING A PERIOD OF PUBLIC CONSULTATION, APPROVAL FROM COUNCIL AND THE FLOODPLAIN RISK MANAGEMENT COMMITTEE.

| Option | Priority | Details | Benefits | Concerns | Implementation, Costs and Funding |
|---|----------|--|--|---|--|
| Option A2 – Campvale drain improvements (Section 7.3.2) | High | Reduces the ponding in the CDIA by increasing flow towards the Campvale WPS. | Increased amenity for landholders within the CDIA. | HWC do not support options which reduce the duration of ponding in the CDIA. | Council would be responsible for implementation and funding. Council would need to undertake discussions with HWC regarding their water quality concerns. It is suggested that HWC should undertake a detailed assessment of water quality in the catchment, to establish the required detention time in relation to the required water quality. |
| Option G – Improve lateral drain connectivity in the CDIA (Section 7.3.2) | High | Improves drainage times for isolated ponding areas in the CDIA which would otherwise not drain. | Increased amenity for land holders within the CDIA. | Regular maintenance is needed to ensure drains do not become blocked or overgrown. Most lateral drains are in private land, not within Council's acquired easements so Council would need to discuss with landholders regarding maintenance responsibilities. | Council to implement initial improvement and subsequently inform landholders of their maintenance responsibilities. Alternatively Council may need to extend their easements for access. |
| Clearance of Campvale Drain (Section 7.3.2 and 7.3.3) | High | Highly vegetated and silted channels will convey less flow so clearance will aid conveyance and thus minimise ponding. | Would improve nuisance ponding/flooding but provide little benefit in flood events greater than a 0.2 EY event. | Presence of protected plant species requiring a licence for removal from OEH. | Council would fund and implement on a regular basis. |
| Option M2 – Open drain improvements (Section 7.3.3) | High | Upgrading the lower reach of open drain and culvert under Kirrang Drive. | Reducing flood levels at properties near Kirrang Drive / Kula Road intersection, reducing above road flood levels thus improving road access and evacuation. | Minor increases in peak flood levels downstream | Council would be responsible for implementation and funding. |
| Drainage infrastructure maintenance (Section 7.3.3) | On-going | To check hydraulic structures and channels for potential causes of blockage or damages which would reduce effectiveness. | Reduce the risk of culvert blockage. | Council need regular access to the drain. | Council would implement this as part of their regular infrastructure checks. |
| On-site detention (OSD) (Section 7.3.5) | High | Requirement for OSD to be included for new development where appropriate. | In the upper catchment areas OSD will assist in reducing peak flood levels due to new development. | Only reduces effect on increased runoff rates due to new development but does not reduce the increased volumes. OSD is not appropriate in all areas of the catchment such as those within the 1% AEP flood extent or draining directly to the CDIA. | OSD requirements are already included in Council's Draft DCP 2014. |

ITEM 7 - ATTACHMENT 1 DRAFT MEDOWIE FLOODPLAIN RISK MANAGEMENT PLAN (EXTRACT PAGES 90-94).

Medowie Floodplain Risk Management Study and Draft Plan

| Option | Priority | Details | Benefits | Concerns | Implementation, Costs and Funding |
|--|----------|--|---|--|--|
| Maintenance of existing levees (Section 7.3.7) | Ongoing | Existing levees at Kirrang Drive, County Close and elsewhere in the catchment should be regularly checked and maintained. | Reduces risk of failure of levees and ensures they are operating as designed. | None | Council can implement as part of their regular drainage infrastructure checks and maintenance program. |
| Voluntary Purchase (Section 7.4.2 and Appendix G) | High | One property has been highlighted for potential voluntary purchase. The property is located in high hazard floodway and cannot be protected by other means, or doing so would increase flooding to adjacent properties. In addition, voluntary purchase removes obstructions from the floodway and allows better conveyance of flow. | This is the only means of removing these residents from flood prone areas where there is not only high potential costs of flood damages but also significant risk to people. AAD per property in Medowie averages at \$ 1,700 but it is approximately 50 times this for the property identified for voluntary purchase. The B/C ratio is good at 2.76. (Properties identified for potential voluntary purchase are not noted here for privacy reasons). | For this property voluntary purchase is the only way to remove the residents from the high hazard and in some instances, frequent flooding however, residents may not want to move, or may feel that the price for their property should be higher. | Council will be responsible for implementation. Partial funding may be possible from the Floodplain Management Program if a number of criteria are met. Under OEH guidelines, if approved for a voluntary purchase scheme Council would have access to the state-wide Voluntary Purchase / Voluntary House Raising Pool for a three-year period. Council are required to review the scheme every three years. |
| Flood Proofing (section 7.4.3) | High | Should be required for all non-residential development which has a floor level below the FPL. | Can reduce damages and losses due to flooding. | Appropriate materials and construction techniques must be used. | Council already include requirements for flood proofing in their Draft DCP 2014 where floor levels of commercial and industrial development may be below the FPL. |
| Minor Property Adjustments (Section 7.4.4 and Appendix G) | High | Can be used to prevent over floor flooding of dwellings or provide safe flood access. Minor modification have been identified for particularly flood prone dwellings. (Dwellings not detailed here due to privacy reasons). | Reduces flood damages and losses and also reduces risk to life. Can reduce localised flooding issues at a number of properties and can improve dwelling access during flooding. | If Council were to undertake works for a single private dwelling then other residents may expect the same to be done for them. Works should only be undertaken by Council where there is a genuine and serious flood risk problem. However, Council should not discourage residents from funding their own works subject to DA approval. | For single dwellings the property owner would usually be responsible although Council can provide funding and support, and in some cases undertake the works if measures are on public land or associated with drainage infrastructure. Council would need to approve minor property modification put forward by individuals to ensure they do not worsen the situation for neighbouring properties. Council can support individual property owners through the DA process, provide advice and assessments undertaken for selected properties in this FRMS&P). |
| Restrict filling in the Campvale catchment (Section 7.4.5) | High | Filling below a level of 7.7 mAHD was shown to cause cumulative increases in peak flood levels and should be avoided | Would reduce potential cumulative peak level increase effects of future development. | Residents within the no-fill zone may feel that their land value is decreased due to lack of development potential. | Council would implement through their DCP. |

ITEM 7 - ATTACHMENT 1 DRAFT MEDOWIE FLOODPLAIN RISK MANAGEMENT PLAN (EXTRACT PAGES 90-94).

| Option | Priority | Details | Benefits | Concerns | Implementation, Costs and Funding |
|--|----------|---|--|--|--|
| Acquire drainage easements (Section 7.4.6) | On-going | Drainage easements allow Council access through private land to undertake drainage maintenance. Council is currently acquiring drainage easements on the Campvale Drain and this process should be accelerated. | Allows Council access to undertake drain maintenance. | Residents who have given over easements have concerns that the easements are not being used for access and that the drains are not being maintained. Property owners affected are likely to have concerns with loss of developable land. | Council are already in the process of obtaining easements and should continue to do so for the full length of the drain. Consultation is required with each of the individual land owners affected. Easements should be noted on s149(2) certificates. |
| Protect key infrastructure (Section 7.4.7) | High | HWC should consider the implication of flooding above the sump level at the sewer pumping station on Ferodale Road and perhaps put measures in place to ensure this is not a health concern. | Prevent health concerns and failure of sewer pumping station when inundated. | None. | Hunter Water Corporation |
| Establish records of road inundation to aid road closures and diversions during flooding (Section 7.5.3) | Medium | Council should maintain records of roads likely to become inundated and prepare protocols for road closures and diversions when flooding occurs. | Road closures during flooding will improve safety by preventing people from traversing flood water unnecessarily. | Need to be developed into a formal plan or protocol to ensure that roads are closed during flooding as needed. | Council would be responsible as most roads in the area are under their jurisdiction. |
| Install flood depths indicators at Ferodale Road, Kirrang Drive and the Kirrang Drive / Kula Road intersection (Section 7.5.3) | Medium | Flood depth indicators can discourage people traversing through floodwaters. | Safety | None | Generally a low cost measures which can be implemented by Council. |
| Do not allow road raising on flood prone areas of the catchment (Section 7.5.3) | High | Some roads run perpendicular to flow and therefore raising these roads to reduce their inundation would have adverse impacts on flood levels for upstream areas. | Care must be taken in the catchment so that any development does not increase flood levels elsewhere. Restrictions on raising of roads will prevent backing up of flood waters and increases in peak flood levels in areas upstream. | In some areas works may require road raising otherwise future development could be hindered. In these exceptional circumstances a flood assessment should be undertaken to assess the impacts for all design events to ensure no adverse impacts occur as result of the works. | Council can make provisions for the non-raising of flood prone roads in their DCP and policy documents. |
| Community Awareness Campaign (Section 7.5.4) | Medium | The community tend to be aware of the ponding issues but less so of design event flooding. An awareness campaign could assist to clarify these issues. | Can give the community a better understanding of both the ponding and flooding issues in Medowie. Can provide information to residents on interpreting the BOM's weather warnings in light of no other formal flood warning system for the Medowie area. | None | To be implemented by Council on a regular basis such as every two years. Awareness campaigns are also undertaken by the SES. It is strongly suggested that HWC are also involved in the process. Funding would likely come from all parties involved. |
| Define a Flood Planning Area (FPA) for Medowie in the LEP (Section 7.4.8 and 7.4.11) | High | The LEP must contain a Flood Planning Area map identifying areas to which flood planning controls apply. | Both the FPA and FPL make sure that requirements of state legislation are met and ensures that flood related development controls are applied appropriately across the catchment. | None | Council are responsible for implementation. The LEP should include an updated FPA map based on the findings of this FRMS&P. |

ITEM 7 - ATTACHMENT 1 DRAFT MEDOWIE FLOODPLAIN RISK MANAGEMENT PLAN (EXTRACT PAGES 90-94).

| Option | Priority | Details | Benefits | Concerns | Implementation, Costs and Funding |
|--|----------|--|--|--|--|
| Make use of the Flood Planning Level to define minimum floor levels and other development requirements (Section 7.4.9) | High | Flood Planning Levels are used to set minimum floor level requirements for development. | For residential properties, the FPL ensures habitable floor levels remain flood free in the 1% AEP event. Commercial and industrial development is also required to have floor levels at the FPL unless in exception circumstances. | New developers may have issues with having to have floor levels higher than neighbouring properties. However, the social benefits of reduced flood damages and risk outweigh this. | Council are responsible for implementation. The Draft DCP 2014 already contains minimum floor level requirements of the 1% AEP flood level plus 0.5 m and this is supported. |
| Considerations for flooding in land use zoning (Section 7.4.10) | Medium | It is understood that the land use zoning envisaged in the Medowie Strategy will be reviewed. This should be reviewed against the flood extents as well as high hazard and floodway areas and recommendations for not filling in the CDIA. | Will ensure that future development is not at unnecessary flood risk. | Rezoning private land as non-developable land can be objected to by landholders. There is also a need for future development in Medowie and this should be balanced with flood risk. | Council should identify future land zoning and include in their future strategies. Flood data from this FRMS&P is available to assist in this. |
| Amendments to the DCP regarding flooding and drainage (Section 7.4.11) | High | The DCP is used to control development with regard to flooding and it is important that suitable controls are applied. Recommendations have been made regarding floor levels for more sensitive development, filling in the floodplain, OSD, drainage easement and road raising. | Appropriate development controls ensure that new development does not increase the risk of flooding elsewhere in the catchment and does not increase the population at risk in the catchment. | Changes to the DCP will usually require a period of public exhibition. | Council can implement changes to the DCP while it is in draft format. |
| Developer contribution for drainage maintenance of Campvale Drain and drains within the CDIA (Section 7.4.12) | Medium | Developer contributions can be used by Council to assist in funding for improvements to the Campvale Drain and other drains within the CDIA. | Upstream development can have implications on the ponding in the CDIA due to increased volume. OSD features on site will not eliminate the increased volume of runoff from a developed site and therefore drain improvements are to reduce the effects of new development on the ponding situation. | None | Council should implement this through their current Developer Contribution Plans. |
| Modification to s149 certificates (Section 7.4.13) | Low | Issued to residents to identify any hazards at their property and development controls that apply. Council should offer additional information on Part(5) where it is available. Under Part(2) it is compulsory to note if development controls relating to flooding apply. | Can inform of the flood risk at each property and apply additional information if part(5) is also included. Ensures residents are aware of development controls, such as minimum floor levels, that affect their property. Can also inform residents of drainage easements through properties and their responsibilities | Some residents do not like the additional information provided under part(5) and believe it can affect insurance premiums and value of land. | To be implemented by Council as new s149 certificates are requested. |

ITEM NO. 8

**FILE NO: PSC2015-01000/724
TRIM REF NO: PSC2014-02792**

**WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND
DRAFT PLAN - PUBLIC EXHIBITION**

REPORT OF: JOHN MARETICH - CIVIL ASSETS SECTION MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the Williamtown/Salt Ash Floodplain Risk Management Study and Draft Plan (**TABLED DOCUMENT**) on public exhibition for a period of 28 days.
- 2) Receive a report after the public exhibition period to allow for adoption of the Williamtown/Salt Ash Floodplain Risk Management Study and Plan

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|--|
| | <p>Mayor Bruce MacKenzie Councillor Steve Tucker</p> <p>That the recommendation be adopted.</p> |
|--|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|------------|---|
| 254 | <p>Councillor John Nell Councillor John Morello</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Place the Williamtown/Salt Ash Floodplain Risk Management Study and Draft Plan (TABLED DOCUMENT) on public exhibition for a period of 28 days.2) Receive a report after the public exhibition period to allow for adoption of the Williamtown/Salt Ash Floodplain Risk Management Study and Plan |
|------------|---|

BACKGROUND

The purpose of this report is to recommend that the Williamtown/Salt Ash Floodplain Risk Management Study and Draft Plan be placed on public exhibition.

The State Government has issued a direction to all councils under the *Environmental Planning and Assessment Act* (Section 117) that flood studies are required to adequately assess rezoning and development approvals. Also, these flood studies must be consistent with the NSW Flood Prone Land Policy and the Floodplain Development Manual 2005.

The Williamtown/Salt Ash Floodplain Risk Management Study and Draft Plan is two-thirds funded by The NSW Office of Environment and Heritage. The condition of the funding agreement requires Floodplain Development Manual 2005 be followed. To follow the Floodplain Development Manual 2005 requires the flood study to follow five stages. These five stages are:

1. Data Collection.
2. Flood Study – build hydraulic model and define the nature and extent of the flood problem in technical rather than map form.
3. Floodplain Risk Management Study – update the hydraulic model and determine options in consideration of triple bottom line and risk.
4. Floodplain Risk Management Plan – planned actions to be adopted for Council.
5. Plan Implementation – doing the works.

The Williamtown/Salt Ash Floodplain Risk Management Study and Draft Plan was created in accordance with the State Government's Floodplain Development Manual 2005 and was prepared by BMT WBM consultancy firm. The Williamtown/Salt Ash Floodplain Risk Management Study and Draft Plan is now at Stage 4 and requires Council adoption to place the flood study on public exhibition.

The public exhibition is to allow the community and other stakeholders to review the recommendations provided in the report. The report analyses a number of options, with each costed and weighed up against the 'benefit' (avoided flood damages cost). Only those measures where the avoided flood damages cost was greater than the cost to implement (benefit to cost ratio greater than 1) were recommended in the final plan (**ATTACHMENT 1**). These include:

- Flood modification works (such as future upgrade of flood gates and levees).
- Property modification measures (such as voluntary house raising program).
- Planning controls (such as providing flood risk information to residents).
- Emergency warning and response actions (such as installing flood depth indicators in the catchment).

Following public exhibition, any comments received will be reviewed and if need be the Floodplain Risk Management Study and Draft Plan will be modified. The Floodplain Risk Management Study and Draft Plan will then be presented to Council for adoption.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

Hunter Water Corporation (HWC) has been involved in the preparation of the flood report through their participation on the Williamstown/ Salt Ash Floodplain Risk Management Committee. HWC have both water treatment infrastructure (at Tomago) and wastewater treatment infrastructure (at Raymond Terrace) in the catchment area and a significant part of the catchment is the Tomago Sandbeds Catchment Area, a gazetted Catchment Area ('Special Area') under the Hunter Water Act 1991 and the Hunter Water Regulation 2010.

The Williamstown/Salt Ash Floodplain Risk Management Study has been reviewed and aligned in conjunction with the Williamstown/Salt Ash Land Use Strategy.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|--|---|
| Balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations. | Provide strategic land use services. Provide development assessment and building certification services. |

FINANCIAL/RESOURCE IMPLICATIONS

The cost of the public exhibition of the Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan will be carried out within existing budgets.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|-----------------|--------|--------------|--|
| Existing budget | Yes | | Within existing budget and not material. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The *Local Government Act 1993*(Section 733) provides Council with a general exemption from liability with respect to flood liable land if the necessary studies and works are carried out in accordance with the State Government's Floodplain Development Manual 2005. The Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan provides the framework and recommendation options to manage the full range of floodplain risks through effective measures that address existing, future and continuing risks.

The State Government has issued a direction regarding the advice to be provided on Section 149 Certificates where land is subject to flood related development controls. The direction promotes the appropriate use of flood prone land and designates the land into areas dependent upon:

- Frequency of inundation.
- Their hydraulic function (floodways in which floodwaters are conveyed, flood storage areas where flood waters are temporarily stored during flood events, and flood fringe areas).
- Flood hazard (a minimum of two categories, high and low).

The Insurance Council of Australia has indicated that while insurance companies use a variety of flood data sources to make their own assessment of risk, it is likely that they will take a conservative view of risk. A conservative view without up to date data will result in an increase in insurance premiums for residents. Hence having up-to-date flood studies in accordance with the latest State Government guidelines and the Floodplain Development Manual will benefit residents and potentially reduce insurance premiums.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|---|-----------------------------------|
| There is a risk that not placing the study on exhibition will result in defaulting on the funding agreement leading to reputation risk from the public and funding agency. | Medium | Adopt Recommendations and place the study on public exhibition. | Yes |
| There is a risk that the proposed study recommendations will create concern from residents, land holders and other public utilities. | Medium | Adopt Recommendations and place the study on public exhibition so the residents, land holders and other public utilities can provide comment. Comments will be used to review the study before being reported back to Council. | Yes |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---|----------------------------|--|-----------------------------------|
| There is a risk that not following the State Government's Floodplain Development Manual 2005 to undertake flood studies will result in Council having to fund the whole study and Council not meeting legislative obligations leading to financial and legal risk to Council. | High | Adopt Recommendations and place the study on public exhibition to continue with the State Government's Floodplain Development Manual 2005 process. | Yes |
| There is a risk that not following the State Government's Floodplain Development Manual 2005 will allow the insurance companies to continue to take a conservative view of flood risk which results in increased insurance premiums for residents. | High | Adopt Recommendations and place the study on public exhibition. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan aims to systematically reduce the impact of flooding and flood liability on individual owners in Williamstown/Salt Ash area and reduce the private and public losses resulting from floods.

The Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan also recognises that flood prone land is a value resource to the community, land holders and the economy and these lands should not be sterilised by unnecessarily restricting its development.

The implementation of the Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan will also help local State Emergency Service personnel to better plan and respond to floods, and therefore reduce the overall community cost of these natural disasters.

CONSULTATION

The Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan has been presented to the State Government's Office of Environment and Heritage and to Council's Williamstown/Salt Ash Floodplain Risk Management Committee.

The next phase of consultation is the public exhibition of the Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan. A community engagement and communications plan has been developed and includes:

- A drop-in session at Williamstown Hall on 17 September 2015
- Information provided by media release/public notice/web update/social media

OPTIONS

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

ATTACHMENTS

- 1) Williamstown/Salt Ash Floodplain Risk Management Study and draft Plan Executive Summary.

COUNCILLORS ROOM

- 1) Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan, dated August 2015

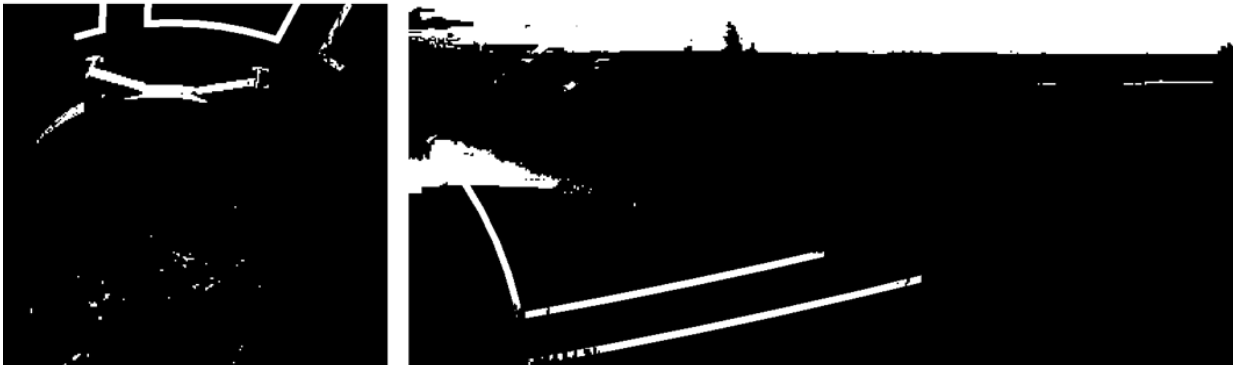
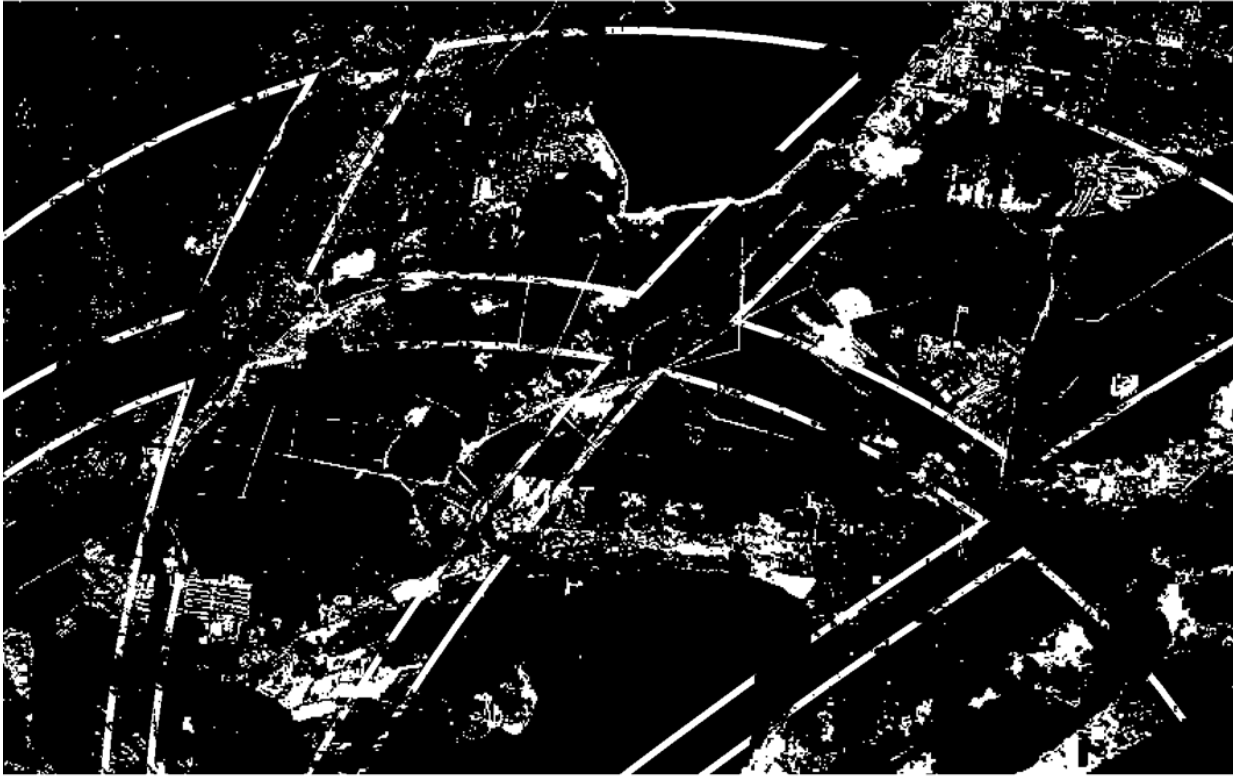
TABLED DOCUMENTS

- 1) Williamstown/Salt Ash Floodplain Risk Management Study and Draft Plan, dated August 2015

ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.



"Where will our knowledge take you?"



**Williamtown - Salt Ash Floodplain
Risk Management Study & Plan
Draft Report**

August 2015

Port Stephens

ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK
MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.

Williamtown Salt Ash Floodplain Risk Management Study and Plan

Prepared for: Port Stephens Council

Prepared by: BMT WBM Pty Ltd (Member of the BMT group of companies)

Offices

*Brisbane
Denver
London
Mackay
Melbourne
Newcastle
Perth
Sydney
Vancouver*

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ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.

Document Control Sheet

| | | |
|---|--------------------------|--|
| <p>BMT WBM Pty Ltd 126 Belford Street Broadmeadow NSW 2292 Australia PO Box 266 Broadmeadow NSW 2292</p> <p>Tel: +61 2 4940 8882 Fax: +61 2 4940 8887</p> <p>ABN 54 010 830 421 www.cmtwbm.com.au</p> | Document: | R N20209 001 00 docx |
| | Title: | Williamtown Salt Ash Floodplain Risk Management Study and Plan |
| | Project Manager: | Darren Lyons |
| | Author: | Daniel Williams and Darren Lyons |
| | Client: | Port Stephens Council |
| | Client Contact: | Michael Osborne |
| | Client Reference: | |
| <p>Synopsis: This report documents the Williamtown Salt Ash Floodplain Risk Management Study and Plan which investigates and presents a flood risk management strategy for the Williamtown / Salt Ash area. The study identifies the existing flooding characteristics and canvasses various measures to mitigate the effects of flooding. The end product is the Floodplain Management Plan, which describes how flood liable lands within the Williamtown / Salt Ash area are to be managed in the future.</p> | | |

REVISION/CHECKING HISTORY

| Revision Number | Date | Checked by | Issued by |
|-----------------|------------|------------|-----------|
| 0 | 12/08/2015 | DJL | DJL |

DISTRIBUTION

| Destination | Revision | | | | | | | | | | |
|-----------------------|----------|---|---|---|---|---|---|---|---|---|----|
| | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Port Stephens Council | 1c | | | | | | | | | | |
| BMT WBM File | 1e | | | | | | | | | | |
| BMT WBM Library | | | | | | | | | | | |

ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.

Williamtown Salt Ash Floodplain Risk Management Study and Plan
Executive Summary

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Executive Summary

Introduction

The Williamtown Salt Ash Flood Study and Williamtown Salt Ash Flood Study Review were prepared for Port Stephens Council (Council) by BMT WBM in 2005 and 2012 respectively, to define the flood behaviour of the Williamtown / Salt Ash area. Through the establishment of appropriate numerical models, the study produced information on flood flows, velocities, levels and extents for a range of flood event magnitudes under existing catchment and floodplain conditions.

The outcomes of the Williamtown Salt Ash Flood Study Review (BMT WBM, 2012) established the basis for subsequent floodplain management activities in the catchment. This Floodplain Risk Management Study (FRMS) aims to derive an appropriate mix of management measures and strategies to effectively manage flood risk in accordance with the Floodplain Development Manual. The findings of this study will be incorporated in a Plan of recommended works and measures and program for implementation.

The objectives of the Williamtown Salt Ash Floodplain Risk Management Study and Plan are to:

- Identify and assess measures for the mitigation of existing flood risk;
- Identify and assess planning and development controls to reduce future flood risks; and
- Present a recommended floodplain management plan that outlines the best possible measures to reduce flood damages in the Williamtown / Salt Ash locality.

This report documents the FRMS and presents a recommended Floodplain Risk Management Plan (FRMP) for the Williamtown / Salt Ash area.

The following provides an overview of the key findings and outcomes of the study, incorporating a review of design flood conditions within the catchment, assessment of potential floodplain management measures and a recommended Floodplain Management Plan.

This project has been conducted under the State Assisted Floodplain Management Program and received State financial support.

Flooding Behaviour

The Williamtown / Salt Ash district is located adjacent to the lower reaches of the Hunter River. The Hunter River drains a catchment area of approximately 21,000⁺km², nearly all of which lies upstream of Raymond Terrace. The study area lies partly within the Hunter River floodplain, but also includes the floodplains at a number of local catchments including:

- Windeyers Creek located south and east of Raymond Terrace;
- The Moors Drain flowing between the Williamtown RAAF base and Salt Ash into Tilligerry Creek;
- Tilligerry Creek between Fullerton Cove Nelson Bay Road, Salt Ash; and
- Minor drainage channels draining to Tilligerry Creek or directly to Fullerton Cove.

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Williamtown Salt Ash Floodplain Risk Management Study and Plan
Executive Summary

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Much of the study area floodplain is located between Fullerton Cove to the west and Port Stephens to the east. Nelson Bay Road limits the transfer of flood waters from Fullerton Cove into the Williamtown floodplain. Tilligerry Creek, which flows to Port Stephens, has a set of flood gates and levee located at Salt Ash. These structures typically prevent elevated water levels in Port Stephens from flooding the Salt Ash floodplain.

Flooding in the Williamtown / Salt Ash study area is primarily caused by three mechanisms:

- Flooding due to local runoff,
- Flooding due to backwater effects of flooding in the Hunter River or elevated ocean tide, which may include overtopping of the levee system surrounding Fullerton Cove; and
- Flooding due to backwater effects of flooding in Port Stephens, which may include overtopping of the levee system at Salt Ash.

The dominant flooding mechanism (in terms of peak design water levels) for the Williamtown / Salt Ash locality is mainstream Hunter River flooding. Under these conditions, Hunter River flooding results in Fullerton Cove filling and discharging into the Tilligerry Creek floodplain, under cross-drainage structures and through overtopping of Nelson Bay Road.

The Williamtown / Salt Ash Flood Study (BMT WBM, 2005) included the development of a hydraulic model for the study area. Subsequent to completion of the Flood Study, further modelling of the Lower Hunter River system has been undertaken for the Williams River Flood Study (BMT WBM, 2009) and Williamtown Salt Ash Flood Study Review (BMT WBM, 2012). Further refinement of the existing models has been undertaken as part of the Floodplain Risk Management Study following detailed review of the previous modelling.

The key updates for the revised modelling include:

- Updated topographical data using the 2013 LiDAR data set acquired by NSW Land and Property Information. Previous modelling utilised the 2007 LiDAR data set acquired by NSW Department of Planning.
- Update of Hunter River design flood flows through revised flood frequency analysis (FFA) at Raymond Terrace. A FFA from a 1994 study has been used as the basis for design flood estimation in the Hunter Estuary for subsequent studies and has now been revised as part of the current study; and
- Additional climate change scenario modelling. This included establishment of design flood conditions consistent with definition of design flood planning levels in current Council planning policy.

The 2013 LiDAR data provided for the best representation of current floodplain development conditions incorporating modified landforms for major development completed subsequent to the previous studies (e.g. WesTrac facility, Tomago).

As part of ongoing studies in the Lower Hunter, BMT WBM has undertaken an updated FFA at Raymond Terrace incorporating an additional 23 years of complete annual maxima data and more advanced analysis of gauge data. A comparison of the design flood levels at Raymond Terrace from the revised FFA with those from the 1994 study is presented in Table E-1. Significantly, the

ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.

Williamstown Salt Ash Floodplain Risk Management Study and Plan
Executive Summary

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1% Annual Exceedance Probability (AEP) event, which is the principal flood planning event is consistent between the analyses.

Table 0-1 Comparison of Design Flood Levels from the 1994 and Revised FFAs

| | | |
|----------|-----------------|-----|
| 20% AEP | 2.1 | 2.4 |
| 10% AEP | 2.7 | 2.9 |
| 5% AEP | 3.1 | 3.2 |
| 2% AEP | 3.7 | 4.1 |
| 1% AEP | 4.8 | 4.8 |
| 0.5% AEP | (not estimated) | 5.2 |

Existing and Future Flood Risk

Current practice in floodplain management generally requires consideration of the impact of potential climate change scenarios on design flood conditions. For the Williamstown / Salt Ash area this includes both increases in design rainfall intensities and sea level rise scenarios impacting on ocean boundary conditions. Accordingly, these potential changes will translate into increased design flood inundation, such that future planning and floodplain management in the catchment will need to take due consideration of this increased flood risk.

Low-lying coastal areas, such as those surrounding Fullerton Cove and Tilligerry Creek are at particularly high risk to climate change. The potential for future sea level rise is now expected to be the biggest driver for floodplain management around coastal and estuarine systems such as the Hunter Estuary and Port Stephens. The issue of future sea level rise presents particular challenges to future development, as the risks associated with flooding will progressively increase during the lifetime of the development. It may be such that risks do not manifest until the development is nearing the end of its design life.

A flood damages databases has been developed to identify potentially flood affected properties and to quantify the extent of damages in economic terms for existing flood conditions. In developing the damages database, a floor level survey of all existing properties identified within the 1% AEP extent was undertaken. Key results from the flood damages database indicate:

- 14 residential homes, 4 commercial buildings and 1 community building have floor levels below the existing 1% AFP flood level
- 192 residential homes, 25 commercial buildings and 4 community building /public infrastructure have floor levels below the future 1% AEP flood level (incorporating 0.4m sea level rise allowance and 20% increase in flow) used to establish current flood planning levels

The property inundation statistics confirms the relatively low flood risk exposure under existing floodplain conditions. However, the results also clearly demonstrate the increasing flood risk across the study area and relative vulnerability of the existing community to potential climate change influence. Accordingly, the floodplain risk management for the catchment is likely to have a focus on climate change adaptation rather than immediate flood protection works.

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Williamtown Salt Ash Floodplain Risk Management Study and Plan
Executive Summary

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Community Consultation

Community consultation is aimed at informing the community about the development of the Floodplain Risk Management Study and its likely outcome as well as improving the community's awareness and readiness for flooding. The consultation process provides an opportunity to collect information on the community's flood experience, their concern on flooding issues and to collect feedback and ideas on potential floodplain management measures and other related issues. The key elements of the consultation program involved:

- Consultation with the Floodplain Management Committee through meetings and presentations;
- Public exhibition of the Draft Floodplain Risk Management Study and Plan (to be completed); and
- Community information sessions (to be undertaken during the public exhibition period) to present and discuss the outcomes of the study and recommended floodplain risk management options.

Floodplain Management Options Considered

The principal flooding mechanism in the study area is major Hunter River flooding. Accordingly, there is limited opportunity for flood modification options to mitigate flooding on a catchment scale. Moreover, in the context of the study area, the existing flood risk exposure to existing property is relatively limited such that expensive, broad scale catchment flood management solutions are not required at this stage.

Under climate change scenarios, existing flooding conditions are expected to gradually exacerbate in the study. With increasing flood risk, the floodplain risk management options provide a focus on progressive climate change adaptation.

The Williamtown / Salt Ash Floodplain Risk Management Study considered and assessed a number of floodplain management measures, summarised below.

- *Nelson Bay Road Upgrades* – Nelson Bay Road is the principal flood access route through the study area. It is presently elevated well above the floodplain and typically provides for existing 1% ACP flood access. The existing flood immunity of the road will gradually decrease with progressive climate change impacts increasing design peak flood level conditions. Whilst not specifically requiring immediate works, road upgrades may be undertaken in association with regular maintenance programs (e.g. resurfacing) to provide progressive lifting of the existing road surface profile and maintain appropriate flood immunity.
- *Salt Ash Flood Gate Modification* – the existing flood gate and levee arrangement limits tidal water ingress to the floodplain upstream. The existing arrangement has limited control on peak flood level conditions, particularly in relation to Hunter River derived flooding. No modification works are therefore recommended to address existing flood risk. However, the floodplain management study notes the potential change in flood gate performance associated with progressive sea level rise. Accordingly, future modification of the existing structures will need to be considered in climate change adaptation programs.

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Williamtown Salt Ash Floodplain Risk Management Study and Plan
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- *Hunter River Levee Review* – the existing Hunter River flood levees provide existing protection for lower order flood events (<5% AEP) for the floodplain areas in the vicinity of Tomago and Fullerton Cove. Existing and future design flood conditions established in the current study are based on the current levee configurations. Ongoing floodplain risk management for Williamtown and Salt Ash needs to consider potential changes in the configuration or maintenance of these levees that may have a significant influence on design flood conditions in the study area. Future climate change conditions may warrant reassessment of the levee function, not just from a flood management perspective, but also ecological response in the broader Fullerton Cove/Lower Hunter River system which includes significant wetland areas. An initial review from a Williamtown – Salt Ash floodplain risk management perspective may be considered as an initial phase to a broader Plan of Management for the levee system.
- *Voluntary Purchase Schemes*: are generally applicable only to areas where flood mitigation is impractical and the existing flood risk is unacceptable. No property has been identified as suitable for voluntary purchase within the study area and therefore there is no recommendation for such a scheme in the Floodplain Risk Management Plan. However, the current predictions for sea level rise may improve the viability of such a scheme in the future.
- *Voluntary house raising* - raising floor levels where practical to elevate habitable floor levels to required levels above the flood planning level. Not all houses are suitable for raising. Houses of brick construction or slab on ground construction are generally not suitable for house raising due to expense and construction difficulty. Generally this technique is limited to structures constructed on piers. This scheme has been recommended for further investigation within the Plan to identify suitable properties and funding. The current predictions for sea level rise may further improve the viability of such a scheme in the future. A house raising program may form part of a broader climate change adaptation strategy for the study area.
- *Flood Proofing* – Flood proofing is proposed as part of the Plan for those properties that are below the 1% AEP flood level. A detailed list of individual property levels relative to predicted flood levels has been established. For those properties identified within the 1% AEP flood envelope, advice may be provided to individual landowners on available opportunities to reduce on site flood damages.
- *Planning and development controls* - Land use planning and development controls are key mechanisms by which Council can manage flood-affected areas within Williamtown-Salt Ash. This will ensure that new development is compatible with the flood risk, and allows for existing problems to be gradually reduced over time through sensible redevelopment. The Plan has recommended the adoption of the established 1% AEP flood level plus 0.5m freeboard as the flood planning level (maintains the existing design flood standard) and a review of current land-use zoning with respect to Floodway areas. It is noted the adopted FPL includes climate change allowance as per current Council policy. The recommendation also provides for adoption of the updated flood risk mapping including flood planning areas and hydraulic and hazard classifications.
- *Flood Warning* –The issuing of flood warnings in the region is the responsibility of the Lower Hunter Division of the State Emergency Services (SES). At present flood warnings and

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Williamtown Salt Ash Floodplain Risk Management Study and Plan
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estimates of the time of arrival of the flood peak are based on floodwater levels at gauges located upstream including Singleton, Greta, Maitland and Raymond Terrace. The current study has established specific flood warning trigger levels and timings for Williamtown-Salt Ash linked to the existing Raymond Terrace, Hexham Bridge and Stockton Bridge water level gauges. The additional data in concert with the official Hunter River flood warning system should be used to establish appropriate flood warning and response triggers for the study area and update of Local Flood Plans accordingly.

- *Flood Response* – The key improvements to emergency response considered in the current study is the update of Local Flood Plans to incorporate the flood intelligence data borne out of the revised understanding of catchment flooding conditions. This data includes the updated flood modelling, property inundation and flood damages analysis. It is recognised that a major event throughout the Lower Hunter River would provide for coincident flooding of numerous localities stretching already limited emergency response resources. Accordingly, it may unrealistic for the Williamtown-Salt Ash community to rely on external support for flood response. The concept of a “Community Flood Emergency Response Plan” should be explored. The Plan would provide information regarding evacuation routes, refuge areas, what to do/not to do during a flood event etc. If such a plan is developed and embraced at a community level, the self-sufficiency in terms of flood response would maximise potential for effective emergency response and a non-reliance on formal emergency services. Council and the SES would be expected to have a key role in developing the CFERP for the vulnerable areas.
- *Improved flood awareness* – raising and maintaining flood awareness will provide the community with an appreciation of the flood problem and what can be expected during flood events. An ongoing flood awareness program should be pursued through collaboration of the SES and Council (e.g. FloodSafe program specific for the study area). The focus of this program should encourage landowners to develop their own Flood Plan for appropriate emergency response in lieu of reliance on Emergency Services as noted above.
- *Strategic planning* – the study investigated a number of potential large scale redevelopment areas within the Port Stephens LGA. Investigated in isolation, a number of these areas show potential for future redevelopment (including large scale filling/earthworks) with limited impact on existing flood conditions. However, a more coordinated flood impact assessment is recommended comprising a full cumulative development assessment with consideration of regional development opportunities across the Lower Hunter River floodplain incorporating the Port Stephens and Newcastle LGAs. Such an investigation is likely to consider broader regional land use planning and identify future development areas within the floodplain that duly consider overall flood risk and potential impacts under an ultimate development scenario. The outcomes of this cumulative impact assessment would further inform future LEP and DCP amendments (e.g. rezoning, development controls such as fill limitations).

The Recommended Floodplain Management Plan and Implementation

A recommended floodplain management plan showing preferred floodplain management measures for Williamtown-Salt Ash is presented in Section 8 in the main body of the report. The key features of the plan are tabulated below with indicative costs, priorities and responsibilities for implementation.

ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.

Williamstown Salt Ash Floodplain Risk Management Study and Plan
Executive Summary

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Recommended options that modify flood behaviour

| | | | |
|--|-------------------------------|---------------|------|
| Nelson Bay Road upgrade works road raising and culvert upgrades (note this may be progressive works in response to incremental climate change impacts) | t.b.c. (future works program) | Council | Low |
| Salt Ash flood gate and levee upgrades (note this may be progressive works in response to incremental climate change impacts) | t.b.c. (future works program) | Council | Low |
| Hunter River Levee Scheme Review | \$15k | Council / OEH | High |

Recommended options that modify property

| | | | |
|---|-------------|---------------------|--------|
| Planning and development controls | Staff costs | Council | High |
| Flood proofing of individual buildings (installation of flood gates at commercial centre) | \$5k | Landowner | Medium |
| Investigate voluntary house raising program | \$10k | Council / Landowner | Medium |

Recommended options that modify flood response

| | | | |
|---|-------------|---------------|------|
| Improved flood awareness through issue of flood information and community flood emergency response planning | \$20k | Council / SES | High |
| Update of Local Flood Plans with current design flood information and intelligence | Staff costs | Council / SES | High |
| Improve flood warning system | \$20k | Council / SES | High |

Other recommended options

| | | | |
|---|-------------|------------------------------------|--------|
| Regional Floodplain Development Strategy incorporating cumulative development flood impact assessment | \$50k | Port Stephens / Newcastle Councils | Medium |
| Long-term strategic planning and climate change adaption (specific to Williamstown-Salt Ash) | Staff Costs | Council | Medium |

The steps in progressing the floodplain management process from this point forward are as follows:

1. Council allocates priorities to components of the Plan, based on available sources of funding and budgetary constraints;

ITEM 8 - ATTACHMENT 1 WILLIAMTOWN/SALT ASH FLOODPLAIN RISK MANAGEMENT STUDY AND DRAFT PLAN EXECUTIVE SUMMARY.

Williamtown Salt Ash Floodplain Risk Management Study and Plan
Executive Summary

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2. Council negotiates other sources of funding as required such as through OEH and the "Natural Disaster Mitigation Package" (NDMP); and
3. as funds become available, implementation of the Plan proceeds in accordance with established priorities.

The Plan should be regarded as a dynamic instrument requiring review and modification over time. The catalyst for change could include new flood events and experiences, legislative change, alterations in the availability of funding or changes to the area's planning strategies. In any event, a thorough review every five years is warranted to ensure the ongoing relevance of the Plan. Flood risk in the study area is intrinsically linked to climate change response and the Flood Plan is expected to evolve with the underlying climate change science and policy at the various tiers of government.

ITEM NO. 9

**FILE NO: PSC2015-01000/706
TRIM REF NO: PSC2015-00490**

PORT STEPHENS COUNCIL CUSTOMER SATISFACTION SURVEY 2015

REPORT OF: FRAN FLAVEL - CORPORATE STRATEGY & PLANNING
MANAGER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Port Stephens Council Customer Satisfaction Survey Report 2015 **(ATTACHMENT 1)**.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|--|
| | Councillor John Nell Councillor Paul Le Mottee That the recommendation be adopted. |
|--|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

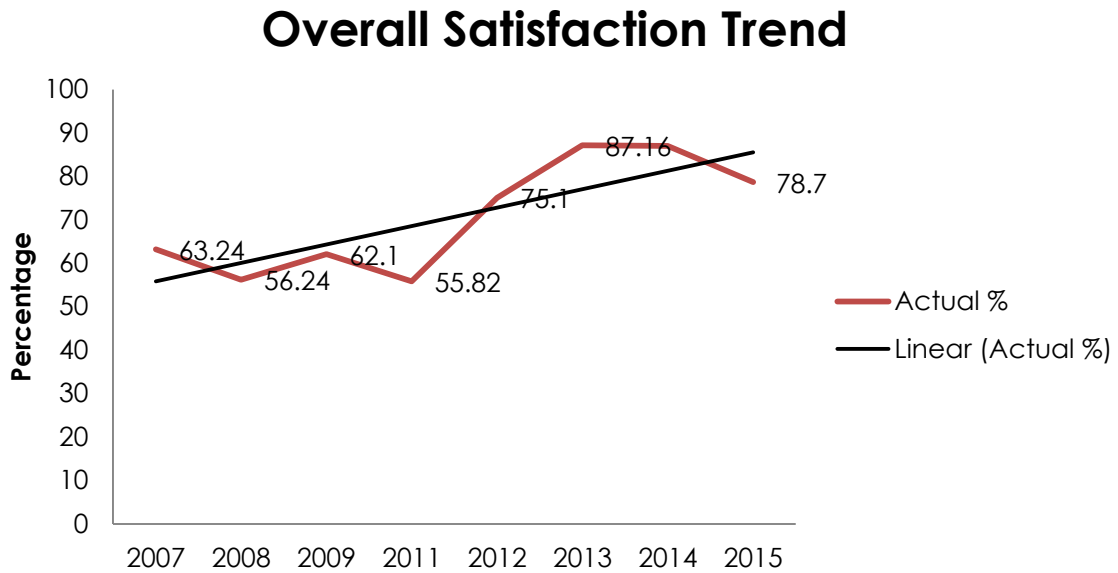
| | |
|------------|---|
| 255 | Councillor John Nell Councillor John Morello It was resolved that Council: 1) Adopt the Port Stephens Council Customer Satisfaction Survey Report 2015 (ATTACHMENT 1) . |
|------------|---|

BACKGROUND

The purpose of this report is to provide to Council the outcomes of the survey of a statistically valid sample of residents of the Port Stephens local government area pertaining to facilities, services and general perceptions of Council's performance.




The survey is normally carried out in April/May of each year; however due to the super storm event in late April, the 2015 general survey was conducted between 25 June and 31 July 2015.

The overall satisfaction rating was 78.7%. Trend details are shown in the graph below:



MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| Facilities/Services | 2014 Satisfaction Score % | 2015 Satisfaction Score % |
|--|---------------------------|---------------------------|
| Libraries | 72.24 | 99.3 |
| Children's Services | 99.6 | 98.0 |
| Visitor Information Centre – overall satisfaction with visit to centre | 96 | 93.1 |
| Development building services | 93.3 | 87.7 |
| Swimming pools | 93.8 | 87.2 |
| Community public halls | 91.6 | 87.0 |
| Garbage collection services | 93.3 | 86.1 |
| Managing traffic flow (eg lights, roundabouts, street signs) | 77.8 | 84.3 |
| Maintaining parks and gardens | 77.6 | 83.5 |
| Sport and recreational facilities | 92.1 | 83.2 |
| Playground equipment | 87.6 | 81.8 |
| Roadside maintenance (eg trees, litter, slashing) | 60.7 | 81.3 |
| Managing street trees | 60.8 | 76.0 |
| Managing nature reserves, wetlands, beaches and foreshores | 64.5 | 75.2 |
| Public toilet amenities (Council owned park/community amenities – not those in shopping centres) | 82.5 | 73.9 |
| Maintaining footpaths | 55.3 | 73.0 |
| Access to waste depots and waste transfer stations | 82.1 | 72.2 |
| Maintaining cycleways/walking tracks | 54.2 | 71.7 |
| Built environment | 74.8 | 69.2 |
| Managing storm water drainage systems | 58.7 | 68.7 |
| Environmental management | 74.8 | 67.8 |
| Controlling weeds | 48.8 | 64.0 |
| Ranger services (eg animal management) | 63.6 | 62.6 |
| Ranger services (parking) | 61.1 | 61.5 |
| Managing illegal dumping | 47 | 60.1 |
| Maintaining local roads | 64 | 58.8 |

-  Increase in satisfaction from previous year for the same service.
-  Decrease in satisfaction from previous year for the same service.
-  Move is within 5% of 2014 satisfaction score.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|---|---|
| The Port Stephens community is informed and involved in decisions that affect them. | Conduct a community satisfaction survey annually. |

FINANCIAL/RESOURCE IMPLICATIONS

The Customer Satisfaction Survey comprised a general survey of residents; leveraged existing surveys in Children's and Library Services; and specific survey of customers of services within the Development Assessment and Compliance section; and an interview-style survey of customers who visited the Visitor Information Centre.

The survey was designed and implemented in-house using existing resources.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Although customer satisfaction surveys are not mandated by legislation, the office of Local Government recommends in its Integrated Planning & Reporting Manual (page 32) such surveys as a valuable tool to gauge the community's views on how councils are performing in such areas as service delivery and provision of facilities and governance.

Port Stephens Council commenced formal customer satisfaction surveys in 2007 using external providers until 2011, when as a result of the sustainability review the decision was made to continue the survey but to conduct it in-house. Since then the survey methodology has been enhanced to expand the reach of the survey.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|--|-----------------------------------|
| There is a risk that the statistical sample could be inadequate to support the findings in the Report of the Survey. | Low | The National Statistical Service recommended that the response rate for the Port Stephens population should be 718 with 95% confidence level – the actual response was 966 with direct correlation to the age profile of the population. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The 2015 Customer Satisfaction Survey was designed to ensure that Council is aware of the level of community satisfaction with Council services. The Report (**ATTACHMENT 1**) demonstrates overall satisfaction but also where there are opportunities to enhance Council's operations and service delivery.

CONSULTATION

This year there was a major effort to ensure that the sample was representative for the survey. Aside from a sampling mail out to ratepayers, email sampling occurred for Children's and Library Services, and from the Name and Address Register (NAR). Facebook and Twitter were also employed to reach demographics that in the past have not readily participated in the survey. A telephone survey of Development Application service customers occurred each week during July 2015. We also employed Australia Post's bulk service to deliver approximately 30,000 postcards to addresses throughout the local government area inviting participation.

Survey design was also reviewed prior to the commencement and it was deemed that too many questions did not elicit sufficient data to warrant their continued inclusion; and questions related to environmental health inspection regimes were not relevant to determining customer satisfaction. The Executive Leadership Team were consulted together with the Communications Section to maximise the opportunity for participation across the whole population 18 years and over.

OPTIONS

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

ATTACHMENTS

- 1) 2015 Customer Satisfaction Survey Report. (Provided under separate cover)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 10

**FILE NO: PSC2015-01000/499
TRIM REF NO: A2004-0984**

POLICY: GIFTS AND BENEFITS

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Gifts and Benefits Policy shown at **(ATTACHMENT 1)**.
- 2) Place the Gifts and Benefits Policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted without a further report to Council.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|--|
| | <p>Councillor Steve Tucker Councillor John Morello</p> <p>That the recommendation be adopted.</p> |
|--|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|-------------------|--|
| <p>256</p> | <p>Councillor John Nell Councillor John Morello</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Endorse the Gifts and Benefits Policy shown at (ATTACHMENT 1).2) Place the Gifts and Benefits Policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted without a further report to Council. |
|-------------------|--|

BACKGROUND

The purpose of this report is to provide Council with a new Gifts and Benefits Policy ('Policy') for consideration.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

The new Policy will provide guidance to all council officials with respect to gifts and benefits, and is linked to the Code of Conduct to ensure all council officials meet their obligations. The Code of Conduct is supported by Council policy in a number of areas.

The new Policy provides clear definitions with respect to terms such as: benefit; cash-like gifts; token or nominal value gifts.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|---|--|
| Port Stephens has strong governance and civic leadership. | Manage the civic leadership and governance functions of Council. Manage relationships with all levels of government, stakeholder organisations and Hunter Councils Inc. |

FINANCIAL/RESOURCE IMPLICATIONS

| Source of Funds | Yes/No | Funding (\$) | Comment |
|-----------------|--------|--------------|---|
| Existing budget | Yes | | Advertising costs within existing budget. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The Port Stephens Council Code of Conduct requires certain obligations of a council official. Offers of and management of gifts and benefits is an area of the Code of Conduct that must be managed in an appropriate manner to remove any perception of inappropriate behaviour by a council official. This Policy and the Code of Conduct together with the *Local Government Act 1993* will provide a legislative framework to manage this area of the Code.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|--|----------------------------|----------------------------|-----------------------------------|
| There is a risk that a council official may be in breach of the Code of Conduct without clear guidance and an appropriate policy framework in place. | Low | Adopt the recommendation. | Yes |

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

- 1) General Manager
- 2) Group Managers
- 3) Section Managers
- 4) Port Stephens Council Consultative Committee

OPTIONS

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

ATTACHMENTS

- 1) Draft Gifts and Benefits policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: A2004-0984
TITLE: GIFTS AND BENEFITS POLICY
POLICY OWNER: GOVERNANCE MANAGER

PURPOSE:

The purpose of this policy is to ensure that all Port Stephens Council officials are aware of and adhere to the obligations of a Council official under the adopted Port Stephens Council Code of Conduct, in particular, to gifts and benefits.

The policy will clearly define the behaviour required as a Council official. It will also provide a transparent and accountable process with regard to gifts and benefits that promotes confidence in the good governance of Port Stephens Council.

CONTEXT/BACKGROUND:

Port Stephens Council and its Council officials are required to adhere to the requirements of the model Code of Conduct published by the Office of Local Government. Council has adopted the model Code of Conduct with a number of enhancements, which are not inconsistent with the provisions of the model Code of Conduct.

This policy has been developed in order to recognise that the conduct of Council business may give rise to gifts or benefits of appreciation being offered to Council officials.

SCOPE:

This policy applies to all Council officials. Council officials must avoid situations that give rise to the appearance that a person or body, through the provision of gifts, benefits, bribes or hospitality of any kind, is attempting to gain favourable treatment from a Council official or the Council.

Council officials must ensure that all reasonable steps are taken to ensure that immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to gain favourable treatment.

Only gifts and benefits that fall within the definition of token or nominal value may be accepted under the Code and this policy.

Policy

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Policy



Gifts and benefits that have more than a token value must not be accepted and they include, but not limited to, tickets to major sporting events (such as State or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.

A Council official must not:

- a) seek or accept a bribe or other improper inducement;
- b) seek gifts or benefits of any kind;
- c) accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty;
- d) accept any gift or benefit of more than token value;
- e) accept an offer of cash or a cash-like gift, regardless of the amount.

Where a Council official receives a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the General Manager. The recipient, supervisor, Mayor or General Manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical.

A Council official that receives a gift or prize as a result of entering a competition, being involved in a purchasing scheme, or attending a conference while engaging in official duties must surrender the gift or prize to Council.

A Council official must never accept money as a gift, it is to be refused and reported immediately to the General Manager, the relevant Group Manager, Governance Manager or the Mayor where the bribe relates to the General Manager.

Any Council official offered any type of bribe in an effort to gain favourable treatment, must report the incident to the General Manager, Governance Manager or the Mayor where the bribe relates to the General Manager. All such situations will be reported to the ICAC and/or the NSW Police.

All reported gifts and benefits will be recorded in Council's Gifts and Benefits Register.

DEFINITIONS:

Benefit May include, but is not limited to, hospitality, preferential treatment, access to confidential information, free access to services which are normally charged a fee, or access to a private spectator box at a sporting or entertainment event.

Policy

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Policy



| | |
|---------------------------|---|
| Bribes | Gift or benefits given to specifically for the purpose of winning favours or to influence the decision or behaviour of a Council official to benefit someone or something. |
| Cash-like gift | Includes but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts. |
| Code | Code of Conduct. |
| Council | Port Stephens Council. |
| Council official | Mayor, Councillors, General Manager, Council employees, administrators, Council committee members, delegates of Council (volunteers) and contractors. |
| Gift | May include, but is not limited to, items such as cash or cash-like gift, alcohol, clothes, products to tickets to a sporting or entertainment event. |
| Hospitality | Means the provision of a meal, refreshments to other forms of entertainment. |
| ICAC | Independent Commission Against Corruption. |
| Immediate family | Ordinarily means grandparents, parents, spouses, partners, children or siblings. |
| Token/nominal value gifts | token gifts and benefits include: a) free or subsidised meals, beverages or refreshments provided in conjunction with: i) the discussion of official business; ii) Council work related events such as training, education sessions, workshops; iii) conferences; iv) Council functions or events; v) social functions organised by groups, such as council committees and community organisations. |

Policy

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Policy



- b) invitations to and attendance at local social, cultural or sporting events;
- c) gifts of single bottles of reasonably priced alcohol to individual Council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address);
- d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers;
- e) prizes of token value.

POLICY STATEMENT:

Council is committed to open and transparent government, in particular, ensuring that Council is free from any reputation damage concerning **gifts**, benefits or bribes.

All Council officials must adhere to the requirements of the Code of Conduct and this policy. Any departure from the Code or this policy will result in consideration of the matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

POLICY RESPONSIBILITIES:

All Council officials are required to comply with this policy. The Executive Team and Section Managers will be responsible for day to day management of compliance within their areas.

The Governance Manager will monitor, evaluate, review and provide advice on this policy.

RELATED DOCUMENTS:

- Local Government Act 1993
- Port Stephens Council Code of Conduct
- Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW

| | | | |
|--|-------------------|------------------------|--|
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| TRIM Container No: | A2004-0984 | TRIM Record No: | |
| Audience: | Council officials | | |

Policy

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Policy



| | | | |
|--------------------------|--------------------|------------------------------------|-----------|
| Process Owner: | Governance Manager | | |
| Author: | Governance Manager | | |
| Review Timeframe: | Two years | Next Scheduled Review Date: | July 2017 |
| Approval: | | Date: | |

Version History

| Version | Date | Author | Details | Minute No. |
|---------|------|--------------------|------------|------------|
| 1.0 | | Governance Manager | New policy | |
| | | | | |
| | | | | |

Policy

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ITEM NO. 11

**FILE NO: PSC2015-01000/718
TRIM REF NO: PSC2015-02594**

HOLISTIC COMMUNITY SAFETY CONFERENCE - SYDNEY SEPT 2015

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the attendance of Cr Ken Jordan at the 2015 Holistic Community Safety Conference to be held in Sydney, 29 September – 1 October 2015.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|--|
| | <p>Mayor Bruce MacKenzie Councillor Ken Jordan</p> <p>That the recommendation be adopted.</p> |
|--|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|-------------------|--|
| <p>257</p> | <p>Councillor John Nell Councillor John Morello</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Endorse the attendance of Cr Ken Jordan at the 2015 Holistic Community Safety Conference to be held in Sydney, 29 September – 1 October 2015. |
|-------------------|--|

BACKGROUND

The purpose of this report is to inform Council of the 2015 Holistic Community Safety Conference to be held in Sydney from 29 September to 1 October 2015.

The Conference Programme is shown at **(ATTACHMENT 1)**.

The Conference is open to all Councillors.

As Councillors would be aware the Payment of Expenses and Provision of Facilities to Councillors Policy requires that a resolution of Council be sought for all travel outside of the Hunter Councils area.

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|---|--|
| Port Stephens has strong governance and civic leadership. | Manage the civic leadership and governance functions of Council. Manage relationships with all levels of government, stakeholder organisations and Hunter Councils Inc. |

FINANCIAL/RESOURCE IMPLICATIONS

The costs associated with registration, travel and accommodation would be covered from the existing budget, subject to an individual Councillor not exceeding the conference budget limits in the Policy.

| Source of Funds | Yes/No | Funding (\$) | Comment |
|------------------------|---------------|---------------------|--|
| Existing budget | Yes | 1,599 | \$1,599 registration costs. Travel & accommodation shall be additional to this cost. |
| Reserve Funds | No | | |
| Section 94 | No | | |
| External Grants | No | | |
| Other | No | | |

LEGAL, POLICY AND RISK IMPLICATIONS

The Payment of Expenses and Provision of Facilities to Councillors Policy requires Council to approve all Councillor conference attendances outside the Hunter Region. Councillors' conference costs are limited to \$3,500 per year under the Policy.

| Risk | <u>Risk Ranking</u> | Proposed Treatments | Within Existing Resources? |
|---------------------------|----------------------------|----------------------------|-----------------------------------|
| There is a risk that Port | Low | That Councillor Jordan | Yes |

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| | | | |
|--|--|--|--|
| Stephens Council will not be represented on matters at the conference. | | attends the summit and represents Port Stephens Council. | |
|--|--|--|--|

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

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

CONSULTATION

Nil.

OPTIONS

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

ATTACHMENTS

- 1) Holistic Community Safety Conference Programme.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 11 - ATTACHMENT 1 HOLISTIC COMMUNITY SAFETY CONFERENCE PROGRAMME.



KEY SPEAKERS



Ingrid Stonhill, Chief Executive Officer, Neighbourhood Watch Australasia



Liz Campbell, Mayor, Kempsey Shire Council



Daniel Sheehy, Marketing Communications and Digital Media Executive, NSW Police Force



Julie Salomon, Director, Community Development and Services, Monash City Council



Cr Gary Eddiehausen APM, Chair, Healthy & Safe a City Committee, Division 7 Representative, Townsville City Council



Peter Home, Principal Criminologist, Crime Prevention, Australian Institute of Criminology



Michael McMahon, General Manager, Burwood Council



Dr Nathaniel Bavinton, Community Safety Facilitator, City of Newcastle



Teresa Mok, Manager Community Development, Randwick City Council



Suzie Matthews, Director, Customer & Engagement, NSW Trade and Investment Office of Liquor, Gaming & Racing



Sam Hunter, Chief Executive Officer, Crime Stoppers Victoria



Edwina Marks, Chief Executive Officer, Barkly Regional Council



Charles Allen, Superintendent, Priority Communities Division, Victoria Police



John Green, Director of Liquor and Policing, Australian Hotels Association



Cr Des Hudson, South Ward Councillor, People and Communities Portfolio, City of Ballarat



Fiona Dowsley, Chief Statistician, Crime Statistics Agency, Department of Justice & Regulation, Victoria, Australia



Geoff Munro, National Policy Manager, Australian Drug Foundation



Sarah Edwards, Team Leader Health Promotion and Planning, Melton City Council



Rick Draper, Director, International CPTED Association



Dr Elizabeth Coombs, NSW Privacy Commissioner, Information and Privacy Commission



Adam Janco, Manager, Eyewatch Unit, NSW Police Force



Tony Eid, Director Operations, Sydney Trains



Alastair Leighton, Chair of the Valley Safety Group, Fortitude Valley Chamber of Commerce



Rodger Watson, Deputy Director, Designing Out Crime



Bernadette Waghorn, Operational Services Coordinator, Property Management, Townsville City Council



Alan Blackshaw, Community Development Coordinator, Shoalhaven City Council



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ITEM 11 - ATTACHMENT 1 HOLISTIC COMMUNITY SAFETY CONFERENCE PROGRAMME.

2ND ANNUAL HOLISTIC COMMUNITY SAFETY SUMMIT



Dear Colleagues,

All levels of government and community organisations are acknowledging the need for local communities to be engaged in the prevention of crimes of violence, as well as property crime.

Akolade's timely Holistic Community Safety Conference, tailored specifically for the local government sector, will explore current issues and initiatives in crime prevention and community safety, and how approaches can effectively improve and augmented to optimise safety and create secure and inclusive communities.

I welcome this opportunity for sector wide discussion addressing the increasing use of drugs, including methylamphetamine within communities, as well as how to continue leveraging Crime Prevention Through Environmental Design (CPTED) as a tool for crime prevention, along with further consideration around CCTV as a crime risk management strategy.

Join me along with a panel of highly experienced speakers this coming September 2015.

Very best regards



Rick Draper
Director, International CPTED Association

Testimonials

It was a good mix with high level decision makers and council leaders as well as people who implement the projects

Boris Pointing, Senior Research Officer,
The Cairns Institute

All speakers and the information provided was extremely informative and very interesting

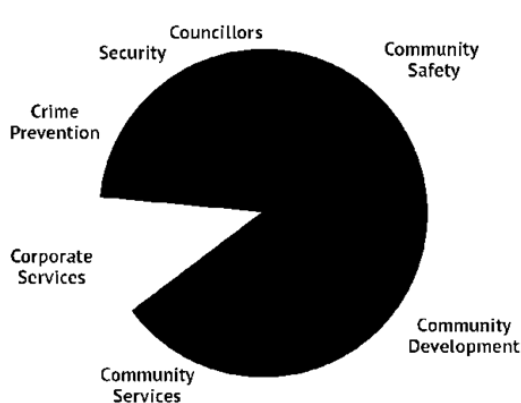
Colleen Jenkins, Security Administrator,
Sutherland Shire Council

This conference will address:

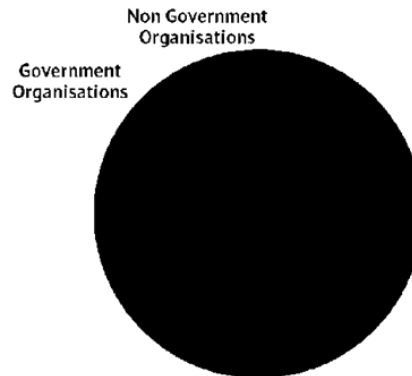
- How to enhance compliance around the privacy aspect of surveillance for a sustainable CCTV system
- Optimising passive methods to prevent crime through community collaboration
- How to effectively tackle domestic and alcohol fuelled violence
- Methods to address the increasing use of drugs, including methylamphetamine, within communities
- How to use Crime Prevention Through Environmental Design (CPTED) as a tool to build safe communities

Delegate Target Market

DELEGATE JOB TITLES



DELEGATE INDUSTRY AND SECTOR



ITEM 11 - ATTACHMENT 1 HOLISTIC COMMUNITY SAFETY CONFERENCE PROGRAMME.

2ND ANNUAL HOLISTIC COMMUNITY SAFETY SUMMIT



DAY ONE: TUESDAY 29TH SEPTEMBER 2015

8:00 Registration opens

9:00 Opening remarks from the Chair

Cr Des Hudson, *South Ward Councillor, People and Communities Portfolio, City of Ballarat*

EMBEDDING COMMUNITY SAFETY THROUGH CHANGING POLICY

9:10 Evaluating implications of the "One Punch" and "Early Lockout" laws

- Examining State law changes and its role in community safety
- Exploring Crimes and Other Legislation Amendment (Assault and Intoxication) Act 2014 (NSW)
- Assessing the effectiveness of the recent "lockout" laws in NSW

Suzie Matthews, *Director, Customer & Engagement, NSW Trade and Investment Office of Liquor, Gaming & Racing*

9:40 Strengthening community engagement in remote and vulnerable communities

- Community development and capacity building to create safety as a priority
- Increasing safety awareness and education through stakeholder engagement

Ingrid Stonhill, *Chief Executive Officer, Neighbourhood Watch Australasia*

10:10 What data can tell you about community safety

- How we monitor the trends in crime and criminal justice
- Identifying factors that contribute to crime within communities
- Working with policy makers and local councils

Fiona Dowsley, *Chief Statistician, Crime Statistics Agency, Department of Justice & Regulation, Victoria, Australia*

10:40 Morning Tea

11:10 The role of local government in crime prevention: Strengths and limits

- Exploring the key strengths and limitations of local government's role in crime prevention using recent local studies. Comparisons are also drawn with similar experience overseas
- Emerging opportunities and threats within the role of crime prevention and community safety into the future

Peter Homel, *Principal Criminologist, Crime Prevention, Australian Institute of Criminology*

11:40 INTERACTIVE PANEL DISCUSSION

Are early lockouts proving to be effective?

- Examining the challenges and opportunities of early lockouts
- How can other councils implement this model?
- What is the impact on businesses?

Panellists:

Suzie Matthews, *Director, Customer & Engagement, NSW Trade and Investment Office of Liquor, Gaming & Racing*

Nathaniel Bavinton, *Safety and Strategic Manager, City of Newcastle*

John Green, *Director of Liquor and Policing, Australian Hotels Association*

TACKLING DOMESTIC VIOLENCE AND SUBSTANCE USE ISSUES

12:10 Multi-agency response to complex issues

- Effectively working with the vulnerable young people from emerging communities who are over-represented as offenders, victims and in police contacts
- Inclusions and development strategies to re-engage and develop disengaged within communities

Charles Allen, *Superintendent, Priority Communities Division, Victoria Police*

12:40 Luncheon

1:40 The Newcastle 'Intervention' and the night-time economy

- The 'Internet of Things' and smart city opportunities for community safety
- Beyond CCTV to smart surveillance and sensor-based technology
- Integrating a smart crime prevention platform into a holistic strategy for the city at night

Dr Nathaniel Bavinton, *Community Safety Facilitator, The City of Newcastle*

2:10 CASE STUDY

Generating equality and respect: Preventing violence against women

- Using a place-based approach to prevent violence against women and promote gender equity
- Changing organisational and community cultures, attitudes and behaviours to promote equal and respectful relationships between men and women
- Key achievements and impacts of the innovative partnerships program

Julie Salomon, *Director, Community Development and Services, Monash City Council*

2:40 Taking drug prevention seriously

- Why does prevention play the role of 'Cinderella' when everyone agrees preventing is better than curing?
- What is the mutual relationship between drug prevention and community safety?
- How can we promote the success of drug prevention to the people who matter?

Geoff Munro, *National Policy Manager, Australian Drug Foundation*

3:10 Afternoon Tea

3:40 PANEL DISCUSSION

How do we address the growing 'ice epidemic'?

- Strategies to improve awareness and education around the impact of drugs
- Why is there a growing demand for crystal methamphetamine?

Panellists:

Geoff Munro, *National Policy Manager, Australian Drug Foundation*

Edwina Marks, *Chief Executive Officer, Barkly Regional Council*

Peter Homel, *Principal Criminologist, Crime Prevention, Australian Institute of Criminology*

ITEM 11 - ATTACHMENT 1 HOLISTIC COMMUNITY SAFETY CONFERENCE PROGRAMME.

2ND ANNUAL HOLISTIC COMMUNITY SAFETY SUMMIT



PROMOTING SAFETY THROUGH COMMUNITY COLLABORATION

4:10 Community intelligence: Harnessing community participation in crime prevention

- How do we value community intelligence
- Why community engagement matters
- Working through community partnerships

Sam Hunter, *Chief Executive Officer, Crime Stoppers Victoria*

4:40 Planning a community safety strategy via collaboration with other stakeholders

- Taking the first step – preparation and planning
- Effectively collaborating with other stakeholders
- Implementing your plan – the potential challenges to look out for

Teresa Mok, *Manager Community Development, Randwick City Council*

5:10 Closing remarks from the Chair

Cr Des Hudson, *South Ward Councillor, People and Communities Portfolio, City of Ballarat*

DAY TWO: WEDNESDAY 30TH SEPTEMBER 2015

8:00 Registration opens

9:00 Opening remarks from the Chair

Michael McMahon, *General Manager, Burwood Council*

UTILISING RESOURCES AND BUILDING CAPACITY

9:10 Building safe and secure communities

- How can we achieve safe and secure places to live?
- The importance of strengthening the perception of safety: building a whole-of-community approach to safety.
- The future outlook: a sneak peek into what we can expect in the next five years

Liz Campbell, *Mayor, Kempsey Shire Council*

9:40 A community approach to community safety: Harnessing the potential of strategic collaboration

- The working example of the Valley Safety Group
- From reaction to strategic direction
- Small steps within a strategic framework

Alastair Leighton, *Chair of the Valley Safety Group, Fortitude Valley Chamber of Commerce*

10:10 INTERACTIVE C-SUITE PANEL DISCUSSION

How to build capacity within your organisation for safer streets?

- Strategies to facilitate your local government area to have a safe and positive reputation
- How to allocate your budget and resources effectively?

Panellists:

Edwina Marks, *Chief Executive Officer, Barkly Regional Council*

Gary Eddiehausen, *Councillor, Townsville City Council*

Liz Campbell, *Mayor, Kempsey Shire Council*

Michael McMahon, *General Manager, Burwood Council*

10:40 Morning Tea

11:10 Developing a Community Safety Strategic Plan 2014-2017: Principles for integrated practice

- How a council's Municipal Health and Wellbeing Plan can be used to inform the development of a Community Safety Strategic Plan.
- Broadening the scope of traditional crime prevention approaches can lead to improved community outcomes.
- City of Ballarat Community Safety Strategic Plan 2014-2017: A snapshot of projects and initiatives.

Cr Des Hudson, *South Ward Councillor, People and Communities Portfolio, City of Ballarat*

11:40 A holistic approach to building safe and inclusive communities

- How Shoalhaven City Council is working in partnership with communities to create safe and inclusive places
- Strengthening your community building and cultural development

Alan Blackshaw, *Community Development Coordinator, Shoalhaven City Council*

EXPLORING INNOVATIVE USES OF TECHNOLOGY

12:10 Innovative methods to protect public property and infrastructure

- Using the 'mousetrap' technology as a tool to reduce graffiti and vandalism on trains
- Why this works and what local councils can do to protect public property

Tony Eid, *Director Operations, Sydney Trains*

12:40 Luncheon

1:40 Role of social media in crime prevention

- Promoting community engagement through online platforms
- NSW Police Force and social media
- What is the Eyewatch program?

Inspector Adam Janco, *Manager, Eyewatch Unit, NSW Police Force*
Daniel Sheehy, *Marketing Communications and Digital Media Executive, NSW Police Force*

2:10 CASE STUDY

Making CCTV infrastructure a realistic tool to assist in crime prevention and detection

- Understanding and assessing security requirements to develop a strategy to meet community needs
- Implementation of the Safe Community Security Strategy in Townsville
- Achievements to date and lessons learnt

Cr Gary Eddiehausen APM, *Chair, Healthy & Safe a City Committee, Division 7 representative, Townsville City Council*

Bernadette Waghorn, *Operational Services Coordinator, Property Management, Townsville City Council*

2:40 Privacy matters in NSW

- Privacy issues in the community
- Protecting the privacy of NSW citizens
- Responding to privacy challenges

Dr Elizabeth Coombs, *NSW Privacy Commissioner, Information and Privacy Commission*

ITEM 11 - ATTACHMENT 1 HOLISTIC COMMUNITY SAFETY CONFERENCE PROGRAMME.

2ND ANNUAL HOLISTIC COMMUNITY SAFETY SUMMIT



3:10 Afternoon Tea

3:40 INTERACTIVE PROBLEM SOLVING

Creating safer streets

Groups of delegates will be given one of the following scenarios and asked how they would best handle it:

- How will local council respond to addressing anti-social and violent alcohol fuelled violent behaviour in communities?

Facilitated by: Sarah Edwards, *Team Leader Health Promotion and Planning, Melton City Council*

- Despite having some areas designated for 'public art' - graffiti in public places still occurs on a regular basis

Facilitated by: Rodger Watson, *Deputy Director, Designing Out Crime*

- Your council has finally secured funding for CCTVs after a long struggle however 6 months after the installation, crime within the community has continued to increase

Facilitated by: Bernadette Waghorn, *Operational Services Coordinator, Property Management, Townsville City Council*

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

4:10 The role of Wayfinding and Location Identification in reducing fear and enhancing emergency response

- CPTED strategies in enhancing emergency management in local communities
- Converting the CPTED theory into practical applications

Rick Draper, Director, International CPTED Association

4:40 Multi-faceted approach to planning and design of public spaces

- How to reinvent public spaces to promote safe communities
- Strengthening community engagement and capacity
- How we use place making to create vibrant and active communities

Rodger Watson, Deputy Director, Designing Out Crime

5:10 Closing remarks from the Chair

Michael McMahon, General Manager, Burwood Council



WORKSHOPS DAY THREE: THURSDAY 1ST OCTOBER 2015

WORKSHOP A: 9:00AM-12:00PM

How to implement a multi-faceted approach to plan and design public spaces

This workshop will provide you with tools to reinvent public spaces to promote safe communities. It will focus on addressing community safety issues through planning and urban design strategies. It will also cover how to carry out an effective risk assessment process and strategies to increase natural surveillance and sightlines.

By attending this workshop, you will gain:

- How to use place making to create vibrant and active communities
- Using CPTED principals to reduce the opportunities for crime
- Strategies to effectively carry out a risk assessment process
- Effective placements of lighting and signage to deter crime
- Practical strategies to increase the perception of crime around your community
- Improving your safety of public transport and maintaining safe movement corridors particular to improve late night safety

Alastair Leighton, Chair of the Valley Safety Group, Fortitude Valley Chamber of Commerce

WORKSHOP B: 1:00PM-4:00PM

How to build your community: One handshake at a time

This workshop aims to provide tools on how to nurture and sustain safe communities by working at the micro level, with people in their own streets and neighbourhoods. It is about creating safe community by encouraging connection and trust. Part of this approach is also working in partnership with other sections of council in creating safe community.

By attending this workshop, you will gain:

- A "toolkit": This toolkit contains a number of ideas people can implement in their own communities
- How to build support for Neighbour Day in March each year
- How to effectively create community building workshops with well-respected speakers
- Enhancing your reputation through 'Good News' stories
- Understanding the importance of community pride groups
- Exploring and enhancing the traditional components of community safety e.g. Crime Prevention Plan, CCTV etc

Alan Blackshaw, Community Development Coordinator, Shoalhaven City Council

Morning tea, lunch and afternoon tea will be provided

ITEM NO. 12

**FILE NO: PSC2015-01000/727
TRIM REF NO: PSC2015-00381**

REQUEST FOR FINANCIAL ASSISTANCE

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the *Local Government Act 1993* from the respective Mayor and Ward Funds to the following:
 - a. Wahroonga Aboriginal Corporation, Raymond Terrace – Donation towards costs of Wahroonga Goannas Under 12s rugby team - Mayoral Funds - \$500.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|--|
| | <p>Councillor John Nell Councillor Peter Kafer</p> <p>That the recommendation be adopted.</p> |
|--|--|

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|------------|--|
| 258 | <p>Councillor John Nell Councillor John Morello</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Approves provision of financial assistance under Section 356 of the <i>Local Government Act 1993</i> from the respective Mayor and Ward Funds to the following:<ol style="list-style-type: none">a. Wahroonga Aboriginal Corporation, Raymond Terrace – Donation towards costs of Wahroonga Goannas Under 12s rugby team - Mayoral Funds - \$500. |
|------------|--|

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by Councillors as deserving of public

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

funding. The Financial Assistance Policy gives Councillors a wide discretion either to grant or to refuse any requests.

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

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

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the *Local Government Act 1993*. This would mean that the financial assistance would need to be included in the Management Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

The requests for financial assistance are shown below is provide through Mayoral Funds, Rapid Response or Community Capacity Building:-

MAYORAL FUNDS – Mayor MacKenzie

| | | |
|---|--|-------|
| Wahroonga Aboriginal Corporation, Raymond Terrace | Donation towards costs of Wahroonga Goannas Under 12s rugby team | \$500 |
|---|--|-------|

COMMUNITY STRATEGIC PLAN

| Strategic Direction | Delivery Program 2013-2017 |
|---|--|
| Port Stephens has strong governance and civic leadership. | Manage the civic leadership and governance functions of Council. Manage relationships with all levels of government, stakeholder organisations and Hunter Councils Inc. |

FINANCIAL/RESOURCE IMPLICATIONS

Council Ward, Minor Works and Mayoral Funds are the funding source for all financial assistance.

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

LEGAL AND POLICY IMPLICATIONS

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

The policy interpretation required is whether the Council believes that:

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

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

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

- 1) Mayor.
- 2) Councillors.
- 3) Port Stephens Community.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 13

**FILE NO: PSC2015-01000/733
TRIM REF NO: PSC2015-00381**

INFORMATION PAPERS

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

RECOMMENDATION IS THAT THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 25 August 2015.

| No: | Report Title | Page: |
|------------|--|--------------|
| 1 | Cash and investments held as at 31 July 2015 | 119 |

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
COMMITTEE OF THE WHOLE RECOMMENDATION**

| | |
|--|---|
| | Councillor Ken Jordan Councillor Steve Tucker That the recommendation be adopted. |
|--|---|

| | |
|------------|--|
| 259 | Councillor Paul Le Mottee Councillor John Morello That Council move out of Committee of the Whole. |
|------------|--|

Councillor Peter Kafer left the meeting at 7:13pm during Open Council.
Councillor Paul Le Mottee left the meeting at 7:13pm during Open Council.

**ORDINARY COUNCIL MEETING - 25 AUGUST 2015
MOTION**

| | |
|------------|---|
| 260 | Councillor John Nell Councillor John Morello It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 25 August 2015. <hr/> |
|------------|---|

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

| | No: Report Title |
|--|---|
| | 1 Cash and investments held as at 31 July 2015 |

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: PSC2015-01000/677
TRIM REF NO: PSC2006-6531**

CASH AND INVESTMENTS HELD AS AT 31 JULY 2015

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

BACKGROUND

The purpose of this report is to present Council's schedule of cash and investments held at 31 July 2015.

ATTACHMENTS

- 1) Cash and investments held as 31 July 2015.
- 2) Monthly cash and investments balance July 2014 to July 2015.
- 3) Monthly Australian term deposit index July 2014 to July 2015.

MINUTES ORDINARY COUNCIL - 25 AUGUST 2015

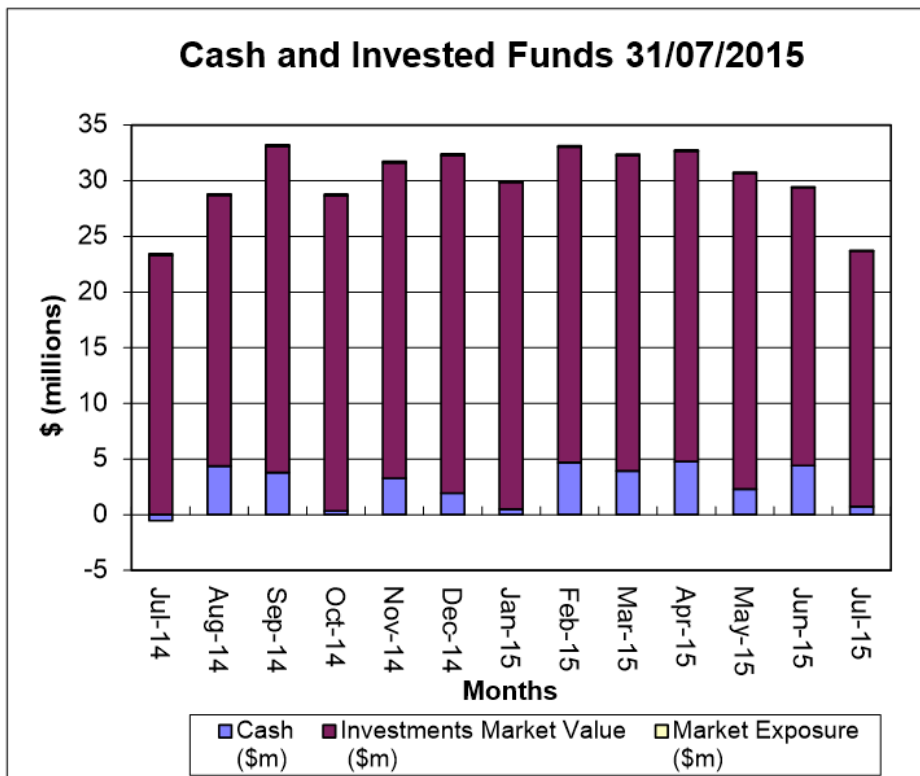
ITEM 1 - ATTACHMENT 1 CASH AND INVESTMENTS HELD AS 31 JULY 2015.

| CASH AND INVESTMENTS HELD AS AT 31 JULY 2015 | | | | | | | | | |
|--|---------------|----------------|--------------|----------------|------------------|-----------------|------------------------|---------------------|--|
| ISSUER | BROKER | RATING* | DESC. | YIELD % | TERM DAYS | MATURITY | AMOUNT INVESTED | MARKET VALUE | |
| TERM DEPOSITS | | | | | | | | | |
| AMP BANK LTD | FARQUHARSON | A+ | TD | 3.50% | 266 | 12-Aug-15 | 2,000,000 | 2,000,000 | |
| MAITLAND MUTUAL BUILDING SOCIETY | RIM | NR | TD | 3.10% | 182 | 9-Sep-15 | 1,500,000 | 1,500,000 | |
| NATIONAL AUSTRALIA BANK LTD | NAB | AA- | TD | 3.11% | 182 | 23-Sep-15 | 2,000,000 | 2,000,000 | |
| NATIONAL AUSTRALIA BANK LTD | NAB | AA- | TD | 2.99% | 182 | 7-Oct-15 | 2,000,000 | 2,000,000 | |
| IMB | IMB | BBB+ | TD | 2.80% | 182 | 21-Oct-15 | 1,500,000 | 1,500,000 | |
| BANKWEST | BANKWEST | A- | TD | 3.00% | 153 | 21-Oct-15 | 2,000,000 | 2,000,000 | |
| BANKWEST | BANKWEST | A- | TD | 3.00% | 159 | 4-Nov-15 | 2,000,000 | 2,000,000 | |
| NATIONAL AUSTRALIA BANK LTD | NAB | AA- | TD | 3.20% | 266 | 18-Nov-15 | 1,000,000 | 1,000,000 | |
| ANZ | ANZ | AA- | TD | 2.90% | 188 | 6-Jan-16 | 2,000,000 | 2,000,000 | |
| BANK OF QUEENSLAND LTD | BOQ | A- | TD | 3.00% | 224 | 13-Jan-16 | 2,500,000 | 2,500,000 | |
| BANK OF QUEENSLAND LTD | BOQ | A- | TD | 3.00% | 224 | 27-Jan-16 | 1,500,000 | 1,500,000 | |
| ARAB BANK AUSTRALIA LTD | RIM | NR | TD | 3.05% | 280 | 20-Apr-16 | 2,000,000 | 2,000,000 | |
| SUB TOTAL (\$) | | | | | | | 22,000,000 | 22,000,000 | |
| OTHER INVESTMENTS | | | | | | | | | |
| ANZ ZERO COUPON BOND | ANZ | AA- | BOND | 0.00% | 9yrs | 1-Jun-17 | 1,017,877 | 968,001 | |
| SUB TOTAL (\$) | | | | | | | 1,017,877 | 968,001 | |
| INVESTMENTS TOTAL (\$) | | | | | | | 23,017,877 | 22,968,001 | |
| CASH AT BANK (\$) | | | | | | | 726,693 | 726,693 | |
| TOTAL CASH AND INVESTMENTS (\$) | | | | | | | 23,744,570 | 23,694,694 | |
| CASH AT BANK INTEREST RATE | | | | | | | 2.40% | | |
| BBSW FOR PREVIOUS 3 MONTHS | | | | | | | 2.20% | | |
| AVG. INVESTMENT RATE OF RETURN | | | | | | | 2.92% | | |
| TD = TERM DEPOSIT | | | | | | | | | |
| *STANDARD AND POORS LONG TERM RATING | | | | | | | | | |
| CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER | | | | | | | | | |
| I HEREBY CERTIFY THAT THE INVESTMENTS LISTED ABOVE HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, CLAUSE 212 OF THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 AND COUNCIL'S CASH INVESTMENT POLICY | | | | | | | | | |
| T HAZELL | | | | | | | | | |

**ITEM 1 - ATTACHMENT 2 MONTHLY CASH AND INVESTMENTS BALANCE
JULY 2014 TO JULY 2015.**

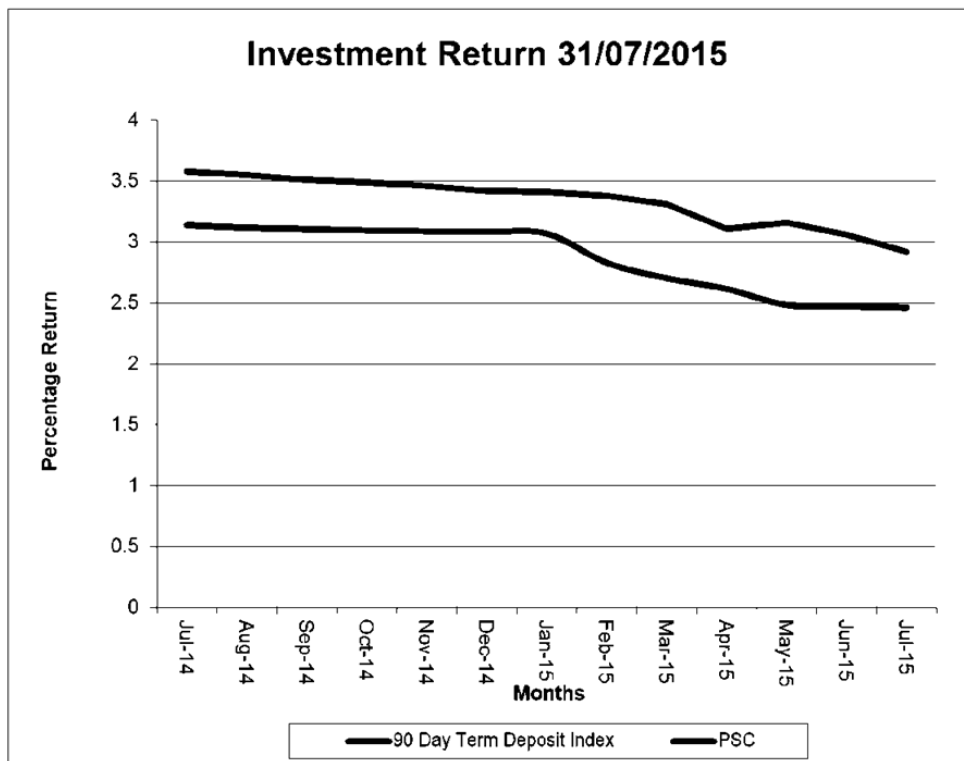
CASH AND INVESTMENTS BALANCE

| Date | Cash (\$m) | Investments Market Value (\$m) | Market Exposure (\$m) | Total Funds (\$m) |
|--------|------------|--------------------------------|-----------------------|-------------------|
| Jul-14 | - 0.532 | 23.290 | 0.147 | 22.905 |
| Aug-14 | 4.375 | 24.305 | 0.132 | 28.811 |
| Sep-14 | 3.793 | 29.310 | 0.126 | 33.230 |
| Oct-14 | 0.350 | 28.313 | 0.123 | 28.786 |
| Nov-14 | 3.293 | 28.313 | 0.123 | 31.729 |
| Dec-14 | 1.959 | 30.317 | 0.113 | 32.389 |
| Jan-15 | 0.527 | 29.323 | 0.107 | 29.957 |
| Feb-15 | 4.691 | 28.328 | 0.103 | 33.122 |
| Mar-15 | 3.937 | 28.332 | 0.098 | 32.367 |
| Apr-15 | 4.793 | 27.867 | 0.064 | 32.723 |
| May-15 | 2.301 | 28.375 | 0.056 | 30.732 |
| Jun-15 | 4.422 | 24.967 | 0.051 | 29.440 |
| Jul-15 | 0.727 | 22.968 | 0.050 | 23.745 |



AUSTRALIAN TERM DEPOSIT ACCUMULATION INDEX

| Date | 90 Day Term Deposit Index | PSC |
|-------------|----------------------------------|------------|
| Jul-14 | 3.1389 | 3.58 |
| Aug-14 | 3.1182 | 3.55 |
| Sep-14 | 3.1082 | 3.51 |
| Oct-14 | 3.0955 | 3.49 |
| Nov-14 | 3.0886 | 3.46 |
| Dec-14 | 3.0832 | 3.42 |
| Jan-15 | 3.0697 | 3.41 |
| Feb-15 | 2.8301 | 3.38 |
| Mar-15 | 2.7035 | 3.31 |
| Apr-15 | 2.6157 | 3.11 |
| May-15 | 2.4841 | 3.16 |
| Jun-15 | 2.4727 | 3.06 |
| Jul-15 | 2.4632 | 2.92 |



There being no further business the meeting closed at 7.17pm.
 Cr Peter Kafer and Cr Paul LeMottee did not return to the meeting.