

MINUTES – 8 JULY 2025



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 8 July 2025, commencing at 6:12pm.

PRESENT:

Mayor Leah Anderson
Cr Rosalyn Armstrong
Cr Giacomo Arnott
Cr Chris Doohan
Cr Nathan Errington
Cr Peter Francis
Cr Paul Le Mottee
Cr Ben Niland
Cr Mark Watson
Acting General Manager
Acting Director Community Futures
Director Corporate Strategy and Support
Director Facilities and Infrastructure
Governance Section Manager
Executive Administration Coordinator

MINUTES ORDINARY COUNCIL - 8 JULY 2025

152	Councillor Ben Niland Councillor Chris Doohan It was resolved that the apology from Cr Jason Wells for the 8 July 2025 Ordinary Council meeting be received and noted.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

	<p>Cr Nathan Errington declared a pecuniary conflict of interest in Notice of Motion Item 1. The nature of the interest is Cr Errington is on the Board of the Newcastle Hunter Community Rugby League.</p> <p>Cr Nathan Errington declared a less than significant non-pecuniary conflict of interest in Item 4. The nature of the interest relates to St Philip's Christian College, Salamander Bay, noting Cr Errington's children attend St Philip's Christian College, Waratah.</p>
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153	Councillor Giacomo Arnott Councillor Peter Francis It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council held on 24 June 2025 be confirmed.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

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DECLARATION OF INTEREST

ORDINARY COUNCIL - 8 JULY 2025



Declaration of Interest form

Agenda item No. notices of motion 1

Report title Footy Finals

Mayor/Councillor Nathan Ellington declared a

Tick the relevant response:

<input checked="" type="checkbox"/>	pecuniary conflict of interest
<input type="checkbox"/>	significant non pecuniary conflict of interest
<input type="checkbox"/>	less than significant non- pecuniary conflict of interest

In this item, The nature of the interest is I am on the
Board of Newcastle Hunter Community
Rugby League

If a Councillor declares a less than significant conflict of interest and intends to remain in the meeting, the councillor needs to provide an explanation as to why the conflict requires no further action to manage the conflict. (Attach a separate sheet if required.)

OFFICE USE ONLY: (Committee of the Whole may not be applicable at all meetings.)

Mayor/Councillor left the Council meeting in Committee of the Whole at _____ pm.

Mayor/Councillor returned to the Council meeting in Committee of the Whole at _____ pm.

Mayor/Councillor left the Council meeting at 9:18 pm.

Mayor/Councillor returned to the Council meeting at _____ pm Did not return.

PORT STEPHENS COUNCIL

13

ORDINARY COUNCIL - 8 JULY 2025



Declaration of Interest form

Agenda Item No. 4 Request for financial Assistance

Report title financial assistance

Mayor/Councillor Nathan declared a

Tick the relevant response:

<input type="checkbox"/>	pecuniary conflict of interest
<input type="checkbox"/>	significant non pecuniary conflict of interest
<input checked="" type="checkbox"/>	less than significant non- pecuniary conflict of interest

in this item. The nature of the interest is

SPCC Svalbard Bay my kids
attend SPCC Waratah

If a Councillor declares a less than significant conflict of interest and intends to remain in the meeting, the councillor needs to provide an explanation as to why the conflict requires no further action to manage the conflict. (Attach a separate sheet if required.)

OFFICE USE ONLY: (Committee of the Whole may not be applicable at all meetings.)

Mayor/Councillor left the Council meeting in Committee of the Whole at _____ pm.

Mayor/Councillor returned to the Council meeting in Committee of the Whole at _____ pm.

Mayor/Councillor left the Council meeting at _____ pm.

Mayor/Councillor returned to the Council meeting at _____ pm.

MAYORAL MINUTES

MAYORAL MINUTE

ITEM NO. 1

FILE NO: 25/173439
EDRMS NO: PSC2024-03152

MAYOR'S DIARY

THAT COUNCIL:

- 1) Note the Mayoral appointments for the period from 25 June to 8 July 2025.
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ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION

154	Mayor Leah Anderson Councillor Chris Doohan It was resolved that Council note the Mayoral appointments for the period from 25 June to 8 July 2025.
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Councillor Chris Doohan left the meeting at 6:17pm.
Councillor Chris Doohan returned to the meeting at 6:19pm.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to advise Council of the Mayoral appointments for the period 25 June to 8 July 2025.

This Mayoral Minute aims to inform the Council and community of the key engagements of the Mayor for the preceding period. This is an initiative I wanted to introduce this term to provide a clear record of the engagements undertaken through the Mayoral office.

25 June 2025

- Australian Local Government Association National General Assembly, Canberra.

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26 June 2025

- Australian Local Government Association National General Assembly, Canberra.

27 June 2025

- Australian Local Government Association National General Assembly, Canberra.
- Newcastle Airport Pty Ltd and Greater Newcastle Aerotropolis Pty Ltd Board meetings.

29 June 2025

- Attended Nelson Bay Bandits game in support of Beanies for Brain Cancer.

30 June 2025

- Site visit to Lilley's Road, Swan Bay.
- NBN interview on Lilley's Road, Swan Bay.
- Catchup with the acting General Manager.
- Meeting with the General Manager of Newcastle Football.
- Catchup with Communications staff.

1 July 2025

- Catchup with the Executive Team.
- Strategic Planning – Ward briefings overview.
- Weather event briefing.
- Councillor Business Paper review.

2 July 2025

- 100 Salamander Way community information session.
- Weather event briefing.
- Attended Hunter Nexus event at the University of Newcastle. The Hon. Ryan Park MP, NSW Minister for Health, Minister for Regional Health, and Minister for the Illawarra and South Coast, shared insights into the Government's vision for the region's health sector and how these investments are catalysing economic growth across the Hunter.

3 July 2025

- NAIDOC Week launch flag raising ceremony.
- Weather event briefing.
- Monthly Mayor Meet Up with community at Seaham.
- Monthly Mayor Meet Up with community at Wallalong.

4 July 2025

- Walk Safely to School event, Karuah.
- Rivergum Grandparents as Parents Support Group AGM.

5 July 2025

- Greeted Fijian Prime Minister Rabuka at Newcastle Airport.

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6 July 2025

- Attended Australia vs Fiji rugby game as a guest of Newcastle Airport.

7 July 2025

- PSC bin delivery to Horizons Golf Course for fundraising by a local primary school student, Georgia.
- Catchup with the acting General Manager.
- Catchup with Communications staff.
- Raymond Terrace Rotary Changeover Dinner.

8 July 2025

- Catchup with Facilities & Infrastructure staff.
- Catchup with the Executive Team.
- Councillor briefing – pre Council meeting.
- Public Access and Ordinary Council meeting.

ATTACHMENTS

Nil.

MAYORAL MINUTE

ITEM NO. 2

FILE NO: 25/177191

EDRMS NO: POSC2024-03152

**AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) NATIONAL
GENERAL ASSEMBLY**

THAT COUNCIL:

- 1) Writes to the Australian Local Government Association thanking them for another successful National General Assembly event and requesting that the format of the event be reviewed to ensure appropriate time is given for Mayors and Councillors to raise and debate important issues and priorities on behalf of their communities.

**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

155	Mayor Leah Anderson Councillor Paul Le Mottee It was resolved that Council writes to the Australian Local Government Association thanking them for another successful National General Assembly event and requesting that the format of the event be reviewed to ensure appropriate time is given for Mayors and Councillors to raise and debate important issues and priorities on behalf of their communities.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to provide an overview of the National General Assembly hosted by the Australian Local Government Association (ALGA) on June 24-27 2025 at the National Convention Centre in Canberra. I would like to acknowledge and thank ALGA for another hugely successful event, bringing together the largest annual gathering of local government leaders in Australia.

Cr Niland, Cr Errington, Cr Le Mottee and I attended the event to represent Port Stephens Council in what was a thoroughly enjoyable experience. We gained lots of valuable insights from the great line up of speakers and were able to share opportunities and challenges when networking with other leaders from across the local government sector. Some of the highlights were Bernard Salt AM's address on the 'State of the Regions', Kenn Beer's address on 'The Future of Regional Road Infrastructure' and Jason Clarke's address titled 'From Big Picture to Local Action'.

This was my 4th time attending the National Assembly and, whilst the content and networking opportunities are invaluable, the format of the event results in a number of the motions put forward running short of time. These motions often feel rushed, with the Mayors and Councillors who have taken the time to attend the event, missing out on an opportunity to raise and speak on important community issues and priorities with a national audience.

To action this, I intend on writing a letter to ALGA requesting that the format of the event be reviewed to ensure that appropriate time is given for Mayors and Councillors to raise and debate important issues and priorities on behalf of their communities.

ATTACHMENTS

Nil.

MAYORAL MINUTE

ITEM NO. 3

**FILE NO: 25/177181
EDRMS NO: PSC2024-03152**

**PROMOTING RESPECTFUL AND CONSTRUCTIVE SOCIAL MEDIA
ENGAGEMENT**

THAT COUNCIL:

- 1) Acknowledges the presence of inappropriate behaviour on its social media platforms and implements enhanced moderation measures to foster a more respectful and positive online environment.
-

**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

156	Mayor Leah Anderson Councillor Rosalyn Armstrong It was resolved that Council acknowledges the presence of inappropriate behaviour on its social media platforms and implements enhanced moderation measures to foster a more respectful and positive online environment.
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Councillor Nathan Errington left the meeting at 6:30pm.
Councillor Nathan Errington returned to the meeting at 6:32pm.

Councillor Ben Niland left the meeting at 6:50pm.
Councillor Ben Niland returned to the meeting at 6:52pm.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to address an issue affecting our community and the way we communicate on our social media platforms.

For too long, we have been tolerating poor behaviour on social media—comments that are hostile, abusive, threatening, use bad language, derogatory, or even defamatory. This sort of conduct is not only unacceptable but also harmful to our community spirit.

As someone who ran on a platform of transparency and respect, I believe it is time for us to take a stand. The negative online behaviour has escalated in recent weeks, and if we remain passive, we risk normalising these actions, making them seem acceptable to others, particularly young people in our community.

Port Stephens is a wonderful community based on respect and kindness. Unfortunately, the behaviour of a small minority online is impacting the majority—our residents, our councillors, our staff, and their families. This harmful conduct not only creates psychosocial risks but also directly affects mental health, causing stress, anxiety, and feelings of intimidation among those targeted. Many people are now hesitant to share their opinions or provide information online due to harsh comments and threats. As a result, many are choosing not to speak up or get involved, which discourages healthy conversations and community involvement, ultimately making it harder for us to be open and transparent as a community. We need to address this issue to keep Port Stephens a safe, respectful, and welcoming place where everyone feels comfortable connecting and sharing.

As Mayor, I am committed to addressing this issue head-on. I call on all members of our community to reconsider their online behaviour—think before you post, and remember that behind every comment is a person deserving of respect. It's crucial that we set a standard for online interactions and foster an online environment that reflects the respectful approach we value in our community. I would like Council to implement stronger moderation measures on its social media platforms to foster more respectful social media engagement. This will encourage residents to provide constructive feedback, ensuring they have a say and their voices are heard in a respectful and constructive manner directly to Council or individual councillors, rather than resorting to harmful comments.

Let's work together to maintain Port Stephens as a proud, respectful, and welcoming community.

ATTACHMENTS

Nil.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

MATTERS OF URGENCY

Cr Mark Watson moved to introduce a matter of urgent business under clause 9.3 a) of the Code of Meeting Practice.

ORDINARY COUNCIL MEETING - 8 JULY 2025

MOTION

157	Councillor Mark Watson Councillor Chris Doohan It was resolved that the urgency motion be considered at the meeting.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

The Mayor ruled the matter as urgent business in accordance with clause 9.3 b) of the Code of Meeting Practice.

ORDINARY COUNCIL MEETING - 8 JULY 2025

MOTION

158	Councillor Mark Watson Councillor Chris Doohan It was resolved that Council: 1) Acknowledges our efforts to develop a roads acceleration program with Council's biggest ever road budget. 2) Acknowledges our roads communications plan including educational videos, and frequent social media updates. 3) Notes the escalating community concern around the state of our roads following the May 2025 natural disaster and recent east coast low. 4) Requests the General Manager convene an urgent Community Engagement and Advisory Group Meeting to review our roads
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MINUTES ORDINARY COUNCIL - 8 JULY 2025

	communication plan with the aim of gaining greater community understanding of Council's approach to roads.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

Cr Chris Doohan moved to introduce a matter of urgent business under clause 9.3 a) of the Code of Meeting Practice.

ORDINARY COUNCIL MEETING - 8 JULY 2025

MOTION

159	Councillor Chris Doohan Councillor Ben Niland It was resolved that the urgency motion be considered at the meeting.
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ORDINARY COUNCIL MEETING - 8 JULY 2025

AMENDMENT

	Councillor Giacomo Arnott That Council consider the urgency motion as a Notice of Motion at the following Council meeting on the basis of the extensive wording of the motion and the inability of the Councillors to critically consider it prior to a decision on whether to endorse it or not.
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The Mayor ruled the amendment out of order.

The following division relates to Minute Number 159.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

The Mayor ruled the matter as urgent business in accordance with clause 9.3 b) of the Code of Meeting Practice.

ORDINARY COUNCIL MEETING - 8 JULY 2025 MOTION

	Councillor Peter Francis Councillor Giacomo Arnott That Council defer the urgency motion to the next Council meeting to allow for a two way conversation to occur.
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Those for the Motion: Crs Rosalyn Armstrong, Giacomo Arnott and Peter Francis.

Those against the Motion: Mayor Leah Anderson, Crs Chris Doohan, Paul Le Mottee, Ben Niland, Nathan Errington and Mark Watson.

The motion was lost.

ORDINARY COUNCIL MEETING - 8 JULY 2025 MOTION

160	Councillor Chris Doohan Councillor Ben Niland It was resolved that Council: 1) Notes that Medowie Road, Lemon Tree Passage Road are designated regional roads and are among the busiest in the Port Stephens Local Government Area and have obtained significant damage from repeated flood events and increased traffic. 2) Acknowledges these roads are amongst the most expensive to repair, diverting resources from deserving local roads in order to maintain regional routes. 3) Acknowledges the increased frustration of the whole community with the condition of our roads. 4) Notes Port Stephens Council is doing what it can to address road condition by implementing its largest ever roads budget via the Roads Acceleration Program (RAP) including \$2.5M into Medowie Road. 5) Notes a road recategorisation and transfer process has not yet been finalised by the state Government with concerns raised by Port Stephens Council. 6) Requests the General Manager, or delegate, to: a) Write to the Federal Member of Parliament, Ms Meryl Swanson MP, to exploit all avenues available in support of local road maintenance via "Federal Assistance Grants" for the people of Port Stephens. This request should also highlight that one of the main roads of concern,
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MINUTES ORDINARY COUNCIL - 8 JULY 2025

	<p>Medowie Road, is a major arterial access road to RAAF Base Williamtown and Newcastle International Airport.</p> <p>b) Initiate, promote, administer, and collate a public petition to the NSW Parliament calling on the NSW Government to provide immediate and comprehensive financial support for significant reconstruction of Medowie Road and Lemon Tree Passage Road to provide safe and efficient travel. Upon receipt of 20,000 signatures, submit the petition to the NSW Parliament for debate to ensure that Port Stephens residents' voices are heard.</p>
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Councillor Paul Le Mottee left the meeting at 7:42pm.

Councillor Peter Francis left the meeting at 7:44pm.

Councillor Paul Le Mottee returned to the meeting at 7:44pm.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

Councillor Peter Francis returned to the meeting at 7:47pm.

Councillor Mark Watson left the meeting at 7:48pm.

Councillor Mark Watson returned to the meeting at 7:50pm.

COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 25/131554
EDRMS NO: 16-2024-609-1**

DEVELOPMENT APPLICATION (DA) 16-2024-609-1 FOR DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF SEMI-DETACHED DWELLINGS, POOL AND 1 INTO 2 LOT SUBDIVISION AT 140 SOLDIERS POINT ROAD, SALAMANDER BAY

REPORT OF: RYAN FALKENMIRE - DEVELOPMENT AND COMPLIANCE
SECTION MANAGER
DIRECTORATE: COMMUNITY FUTURES

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve Development Application DA No. 16-2024-609-1 for demolition of existing structures, construction of semi-detached dwellings, pool and 1 into 2 lot subdivision at 140 Soldiers Point Road, Salamander Bay (Lot 111 DP 27047) subject to the conditions contained in **(ATTACHMENT 1)**.
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**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

161	Councillor Nathan Errington Councillor Mark Watson It was resolved that Council approve Development Application DA No. 16-2024-609-1 for demolition of existing structures, construction of semi-detached dwellings, pool and 1 into 2 lot subdivision at 140 Soldiers Point Road, Salamander Bay (Lot 111 DP 27047) subject to the conditions contained in (ATTACHMENT 1) .
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In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson/

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to present a development application (DA) to Council for determination.

A summary of the application and property details are provided below:

Subject Land	140 Soldiers Point Road, Salamander Bay
Total Area	695.6sqm
Zoning	R2 Low Density Residential
Submissions	Total 12 submissions <ul style="list-style-type: none">• Notification Period 1 – 7 submissions• Notification Period 2 – 5 submissions
Key Issues	The key issues identified throughout the assessment of the development relate to the height and scale, overshadowing and privacy. A detailed assessment of these issues is contained within the Planner's Assessment Report (ATTACHMENT 2) .
Applicant	Elie Sleiman - ES Design
Land Owner	Coastal Flips Pty Ltd

The development application has been reported in accordance with Council's 'Planning Matters to be Reported to Council Policy' as it has been called up by Councillor Armstrong and Councillor Arnott **(ATTACHMENT 3)**. A locality plan is provided at **(ATTACHMENT 4)**.

Proposal

The development seeks consent for demolition of existing structures, site preparation works, construction of 2 x semi-detached dwellings, ancillary swimming pools, and a 1 into 2 lot Torrens title subdivision. The dwellings will present as a 3-storey building to the street with a sunken garage.

Site Description

The subject site (the 'site') is located at 140 Soldiers Point Road, Salamander Bay is legally identified as Lot 111 DP 27047. The site is a regular shaped allotment with a total site area of 695.6sqm. The topography of the site is flat with a slight slope towards the rear.

The site is currently improved by a single storey dwelling house with an ancillary detached shed at the rear. The immediate locality predominantly features low density residential development, comprising detached dwellings and dual occupancies with landscaped frontages. The broader suburb of Salamander Bay includes a range of

development types, including shopping centres, medium scale residential development, schools such as Tomaree High School and St Philips Christian College, and recreational facilities. The area is well-connected via Soldiers Point Road, providing access to nearby suburbs and the broader Port Stephens region.

Key Issues

The key issues identified throughout the assessment of the development relate to the height and scale, overshadowing and privacy. A detailed assessment of these issues is contained within the Planner's Assessment Report (**ATTACHMENT 2**). These key matters were addressed through the submission of additional information and design amendments as outlined below.

Height and Scale of the Development

The proposed development as originally lodged exceeded the height of building development standard as specified in the Port Stephens Local Environmental Plan 2013 (PSLEP). The height variation and building envelope proposed under the original design presented a development that was visually prominent and impacting the streetscape and the surrounding properties.

The proposed development was subsequently amended to reduce the height of the roof form and increase the garage excavation to achieve compliance with the PSLEP building height control. While the 3-storey design form has been retained, the reduction in the overall height of the building is considered to have addressed the impacts associated with the original design.

Overshadowing

The proposed development had been identified as potentially causing excessive overshadowing to the adjoining property to the south (142 Soldiers Point Road). Additional information was subsequently provided which was able to demonstrate compliance with the 3-hour solar access requirement under the DCP for the adjoining dwelling.

Whilst some overshadowing will occur to the southern property, it is important to recognise that the orientation of the subject site and adjoining lots is a result of the historical subdivision pattern, which was designed to prioritise frontage and outlook to the waterfront. This historical subdivision pattern has resulted in a north-facing side boundary for both dwellings.

It is considered that the design and siting of the proposed dwellings appropriately balances the development potential with solar access considerations.

Streetscape and Character

The proposed development is a contemporary 3-storey built form in a locality that is characterised by single and 2-storey detached dwellings. While a 3-storey

presentation is not common in the immediate streetscape or along the directly adjoining properties, examples of similar scale and density exist within the broader Salamander Bay suburb, indicating a gradual transition in the built form character of Salamander Bay through infill development.

Infill housing, such as the proposed dwellings, will be increasingly necessary to meet the needs of a growing population, as envisaged under the Port Stephens Local Housing Strategy. The design of the proposed development responds to this housing demand by providing high-quality housing on a well-located site, within walking distance of local services and amenities.

Despite the increased built form scale, the development is consistent with the applicable planning controls under the PSLEP and DCP. The building has been designed to minimise bulk through modulation, articulation, and variation in materials and finishes.

The proposal reflects a natural evolution of the streetscape toward more contemporary housing typologies. The development is considered to be a reasonable and contextually appropriate response to the site and the planning framework.

Privacy

The proposed development includes living areas across multiple levels that had the potential to impact the privacy of adjoining neighbours. To maintain privacy for adjoining dwellings, windows within the habitable rooms were offset to adjoining windows on adjacent developments to ensure privacy would be maintained.

Conclusion

The development is considered to be consistent with the aims and objectives of the relevant environmental planning instruments and Council policies applicable to the subject site as detailed in the Planner's Assessment Report **(ATTACHMENT 2)**.

The development has been suitably designed to address the site constraints and development controls relating to height, overshadowing and privacy.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2025-2029
Housing, tourism & economy	Develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	Yes		Should Council determine to approve the application, developer contributions would be applicable.
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed development is consistent with the relevant planning instruments including the Environmental Planning and Assessment Act 1979 (EP&A Act), relevant State Environmental Planning Policies, the Port Stephens Local Environmental Plan 2013, and the Port Stephens Development Control Plan 2014.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the application is refused the determination of the DA may be challenged by the applicant in the Land and Environment Court.	Medium	Accept the recommendation.	Yes
There is a risk that if the DA is approved, the determination of the DA may be challenged by a third party in the Land and Environment Court.	Low	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social and Economic Impacts

The development proposal will result in increased housing supply through the provision of contemporary dwellings within an established residential area. This will contribute positively to housing diversity and availability within the locality. The

development is of a scale and density compatible with expected modern development typologies and is not expected to generate any adverse social or economic impacts. During construction, the development will provide short-term employment and local economic benefits.

Built Environment

The proposed development is compatible with the surrounding and emerging residential character and responds appropriately to the site's topography and orientation. The built form is consistent with the objectives of the relevant planning controls in terms of height, setbacks, solar access, privacy and private open space provision. Specifically, overshadowing and privacy impacts have been considered and mitigated through appropriate design measures, including setbacks, landscaping, and window placement. The development provides compliant onsite parking and suitable access arrangements.

Natural Environment

The proposed development will involve minor disturbance to the natural environment. The site is already cleared and does not contain any threatened species, ecological communities, or significant native vegetation. Stormwater will be managed in accordance with Council's requirements, and appropriate erosion and sediment controls will be implemented during construction to minimise off-site impacts. The development will not adversely impact groundwater, biodiversity, or local watercourses.

COMMUNICATION AND ENGAGEMENT

Council's Communication and Engagement Strategy uses the IAP2 Framework to identify the level of engagement undertaken. An explanation for each level is shown below.

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
CONSULT	To obtain public feedback on analysis, alternatives and/or decisions.
INVOLVE	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

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EMPOWER	To place final decision-making and/or developed budgets in the hands of the public.
	No external communications and engagement are required for this report.

The following communication and engagement apply to this report.

External communications and engagement

CONSULT	<p>The application was exhibited from 2 December 2024 to 16 December 2024 in accordance with the provisions of the Port Stephens Council Community Engagement Strategy. 7 submissions were received during this time.</p> <p>Following the submission of updated plans, the application was re-exhibited from 3 April 2025 to 25 April 2025 in accordance with the provisions of the Port Stephens Council Community Engagement Strategy. 5 submissions were received during this time, all from previous submitters.</p> <p>A summary of the submissions is provided in the Planner's Assessment Report (ATTACHMENT 2).</p> <p>The application did not require referral to any external State government agencies.</p>
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Internal communications and engagement

- Assets Section.

OPTIONS

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

ATTACHMENTS

- 1) Conditions of Consent.
- 2) Planner's Assessment Report.
- 3) Call to Council Form.
- 4) Locality Plan.

COUNCILLORS' ROOM/DASHBOARD

All information relating to this development application (DA) is available on the Councillor's Dashboard.

TABLED DOCUMENTS

Nil.

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General Conditions

- (1) **Approved plans and supporting documentation** – Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title.	Drawn By.	Dated.
24135 - 02	D	Demolition Plan	ES DESIGN	21.03.2025
24135 - 03	D	Proposed Site Plan	ES DESIGN	21.03.2025
24135 - 04	D	Proposed Ground Floor Plan	ES DESIGN	21.03.2025
24135 - 05	D	Proposed First Floor Plan	ES DESIGN	21.03.2025
24135 - 06	D	Proposed Second Floor Plan	ES DESIGN	21.03.2025
24135 - 07	D	Proposed Roof Plan	ES DESIGN	21.03.2025
24135 - 08	D	East and North Elevation	ES DESIGN	21.03.2025
24135 - 09	D	South and West Elevation	ES DESIGN	21.03.2025
24135 - 10	D	Section View	ES DESIGN	21.03.2025
24135 - 11	D	Front Fence Details	ES DESIGN	21.03.2025
24135 - 12	D	Driveway Grade Details	ES DESIGN	21.03.2025
24135 - 13	D	Schedule of External Materials, Colours and	ES DESIGN	21.03.2025

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Plan No.	Revision No.	Plan Title.	Drawn By.	Dated.
		Finishes		
24135 - 18	D	In-Ground Swimming Pool Details	ES DESIGN	21.03.2025
24135 - 19	D	Retaining Walls Details	ES DESIGN	21.03.2025
24135 - 20	D	Landscape Area Calculation Sheet	ES DESIGN	21.03.2025
24135 - 21	D	Gross Floor Area Calculation Sheet	ES DESIGN	21.03.2025
24135 - 22	D	Traffic - Swept Paths	ES DESIGN	21.03.2025
SW24317 Dwg No. SW010	D	Stormwater Layout Plan	Capital Engineering Consultants	05.02.2025
20240910 Dwg No. LA-01	C	Landscape Plan	Ground Ink	26.03.2025

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason - To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

- (2) **Building Code of Australia** – All building work must be carried out in accordance with the BCA. In this clause, a reference to the BCA is a

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reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

Condition reason - To ensure that all building works are completed in accordance with the Building Code of Australia.

- (3) **Erosion and sediment control plan** - Before the demolition of any existing structures an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to:
- a) the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and
 - b) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

Condition reason - To ensure no substance other than rainwater enters the stormwater system and waterways.

- (4) **Waste management plan** - Before demolition work commence, a waste management plan for the development must be prepared and provided to the principal certifier and Council. The plan must be prepared in accordance with the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and a development control plan that provides for waste management that applies to the land on which the work is carried out, and include the following information—

- a) the contact details of the person removing waste,
- b) an estimate of the type and quantity of waste,
- c) details on removal of asbestos or hazardous material,
- d) whether waste is expected to be reused, recycled or sent to landfill,
- e) the address of the disposal location for waste.

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

Condition reason - To ensure resource recovery is promoted and local amenity protected during construction.

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- (5) **Excavation for residential building works** – If the approved development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the consent must, at the person's own expense:

- a) protect and support the adjoining premises from possible damage from the excavation; and
- b) where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing that condition not applying, and a copy of that written consent is provided to the PCA prior to the excavation commencing.

Condition reason - To ensure development that involves excavation that extends below the base of the footings of a building on adjoining land will not result in adverse impacts to adjoining lots.

- (6) **Sign on building** – Except in the case of work only carried out to the interior of a building or Crown building work, a sign must be erected in a prominent position on the site showing the name, address and telephone number of the Principal Certifying Authority for the work, the name of any principal contractor and their after-hours contact number, and must contain a statement that unauthorised entry to the site is prohibited.

The sign must be maintained while the work is being carried out and is to be removed when the work is completed.

Condition reason - To require signage that details the relevant contacts of a development.

- (7) **Driveway gradients and design** - For all driveways that relate to development for the purposes of a dwelling house, the driveway gradient and design must comply with AS 2890.1 'Off street Car Parking' and:

- a) the driveway must be at least 1m from any street tree, stormwater pit or service infrastructure; and
- b) a Works on Public Infrastructure (Driveway) approval must be obtained prior to the commencement of any works.

Details demonstrating compliance must be provided to the Certifying Authority.

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Condition reason - To ensure that all driveways that relate to a development for the purposes of a dwelling house comply with AS2890.1 'Off Street Car Parking' and the relevant Council specification.

(8) **Swimming Pools and Spas** - The swimming pools must comply with:

- a) the Swimming Pools Act 1992;
- b) the Swimming Pools Regulation 2018;
- c) AS 1926.1 'Swimming Pool Safety' Part 1: Safety barriers for swimming pools;
- d) AS 3500.2 'Plumbing and Drainage' – Sanitary plumbing and drainage';
- e) AS1926.3 'Water Recirculation Systems'; and
- f) The BCA

Condition reason: To ensure that a development including a swimming pool is compliant with the relevant legislation.

Building Work

Before issue of a construction certificate

- (9) **Retaining walls** – All retaining walls within 1m of a boundary and exceeding 600mm in height must be designed and certified by a suitably qualified Structural Engineer or a system with a design certificate complying with the relevant Australian Standards.

Details demonstrating compliance must be provided to the Certifying Authority.

Condition reason - To ensure that retaining walls in proximity to the boundary and over a height are designed and certified by a suitably qualified engineer.

- (10) **Long Service Levy** - Before the issue of a Construction Certificate, the long service levy of \$3,912.00, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the principal certifier

Condition reason: To ensure the Long Service Levy is paid.

- (11) **Section 7.11 Development contributions** – A monetary contribution is to be paid to Council for the provision of one (1) lot/dwelling, pursuant to Section

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7.11 of the Environmental Planning & Assessment Act 1979 and the Port Stephens Council Local Infrastructure Contributions Plan 2020 towards the provision of the following public facilities:

Facility	Per Lot/Dwelling	Total \$
Civic Administration – Plan Management	\$655	\$655
Civic Administration – Works Depot	\$1,266	\$1,266
Town Centre Upgrades	\$3,412	\$3,412
Public Open Space, Parks and Reserves	\$2,085	\$2,085
Sports & Leisure Facilities	\$1,961	\$1,961
Cultural & Community Facilities	\$1,332	\$1,332
Road Works	\$3,570	\$3,570
Shared Paths	\$3,286	\$3,286
Bus Facilities	\$9	\$9
Fire & Emergency Services	\$245	\$245
Flood & Drainage	\$1,877	\$1,877
Kings Hill Urban Release Area	\$302	\$302
TOTAL	\$20,000	\$20,000

Payment of the above amount must apply to Development Applications as follows:

- a) Prior to issue of the Construction Certificate.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Port Stephens Local Infrastructure Contributions Plan 2020. A copy of the Plan is available for inspection on Council's website at <https://www.portstephens.nsw.gov.au/>, alternatively contact Council on 02 9228 055.

Condition reason - To ensure that a monetary contribution as specified is paid to Council in accordance with Section 7.11 of the EP&A Act 1979, and the Port Stephens Council Local Infrastructure Contributions Plan 2020.

- (12) **Housing and Productivity Contribution** - A housing and productivity contribution is to be made, subject to:

- a) Any exclusion of the application of Subdivision 4 of Division 7.1 of the Act to the development by a planning agreement; and
- b) Any exemption or reduction provided by the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 (the Order).

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In this respect –

The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with this condition, is required to be made:

Housing and Productivity Contribution	Amount
Housing and Productivity Contribution – Lower Hunter Region	\$6,426.40

- a) The time by which the housing and productivity must be made is before the issue of a Construction Certificate.
- b) The payment of the contributions must be made using the NSW Planning Portal.
- c) If an agreement is entered into as referred to in Clause 19 of the Order, the housing and productivity contribution may be made wholly or partly as a non-monetary contribution.

The amount payable at the time of payment is the amount shown in the table above as the total housing and productivity contribution, adjusted by multiplying it by the following fraction:

Highest PPI number

Consent PPI number

Where -

Highest PPI number is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made; and

Consent PPI is the PPI number last used to adjust the base component amount, SBC amount or TPC amount when the consent was granted; and

June quarter 2023 is the quarter commencing on and including 1 April 2023 and ending on and including 30 June 2023; and

PPI is the Producer Price Index (Road and Bridge Construction (NSW)) published by the Australian Bureau of Statistics.

If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.

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Condition reason: To achieve compliance with the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023, as made by the NSW Minister for Planning and Public Spaces.

Before building work commences

- (13) **Demolition work** - All demolition works are to be carried out in accordance with Australian Standard AS 2601 'The demolition of Structures'. All waste materials are to be either recycled or disposed of to a licensed waste facility.

Any asbestos containing material encountered during demolition or works, is to be removed in accordance with the requirements of Safe Work NSW and disposed of to an appropriately licenced waste facility.

Evidence is to be provided to the Certifying Authority demonstrating that asbestos waste has been disposed of in accordance with this condition.

Condition reason - To ensure a development is carried out in accordance with the Australian Standard AS 2601 'The demolition of Structures', and all waste materials are appropriately removed.

- (14) **Asbestos removal signage (if applicable)** - Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.

Condition reason - To alert the public to any danger arising from the removal of asbestos.

- (15) **Demolition management plan** - Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.

The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, Port and must include the following matters:

- a) The proposed demolition methods
- b) The materials for and location of protective fencing and any hoardings to the perimeter of the site
- c) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones

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- d) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles
- e) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways
- f) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent
- g) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines
- h) Details of any bulk earthworks to be carried out
- i) Details of re-use and disposal of demolition waste material
- j) Details on safe removal of asbestos or hazardous materials (if applicable) in accordance with relevant standards
- k) Location of any reusable demolition waste materials to be stored on-site (pending future use)
- l) Location and type of temporary toilets onsite
- m) A garbage container with a tight-fitting lid.

Condition reason - To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site

- (16) **Disconnection of services before demolition work (if applicable)** - Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.

Condition reason - To protect life, infrastructure and services.

- (17) **Notice of commencement for demolition** - At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:

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- a) name
- b) address,
- c) contact telephone number,
- d) licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor,
- e) and the contact telephone number of council and
- f) the contact telephone number of SafeWork NSW (4921 2900).

Condition reason - To advise neighbours about the commencement of demolition work and provide contact details for enquiries.

- (18) **Home Building Act requirements** - Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information —

- a) In the case of work for which a principal contractor is required to be appointed—
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- b) In the case of work to be done by an owner-builder—
 - (iii) the name of the owner-builder, and
 - (iv) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

Condition reason - To ensure compliance with the Home Building Act 1989 and to verify that the certifying principal authority for the development has given appropriate written notice to council.

- (19) **Compliance with Home Building Act (if applicable)** - In the case of residential building work for which the *Home Building Act 1989* requires there

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to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Condition reason - To ensure that a contract of insurance is in force in accordance with Part 6 of that Act, before any building work authorised to be carried out by the consent commences.

- (20) **Notice of Principal Certifying Authority appointment** - The Principal Certifier for this development must give notice must be given to the consent authority and Council, where the Council is not the consent authority, at least two days prior to subdivision and/or building works commencing in accordance with Section 6.6 (2) (a) of the Environmental Planning and Assessment Act 1979 and Section 57 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The notice must include:

- a) a description of the work to be carried out;
- b) the address of the land on which the work is to be carried out;
- c) the Registered number and date of issue of the relevant development consent;
- d) the name and address of the Principal Certifier and the person who appointed the principal certifier;
- e) if the principal certifier is a registered certifier
 - i. the certifier's registration number, and
 - ii. a statement signed by the registered certifier to the effect that the certifier consents to being appointed as principal certifier, and
 - iii. a telephone number on which the certifier may be contacted for business purposes.

The notice must be lodged on the NSW planning portal.

Condition reason - To ensure that the Principal Certifier has given notice that they will be the Principal Certifier to the Consent Authority and Council at least 2 days prior to subdivision and/or building works commencing in accordance with S6.6(2)(a) of the EP&A Act 1979.

- (21) **Notice commencement of work** - Notice must be given to Council and the Principal Certifier, if not the Council, of the person's intention to commence

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the erection of the building or undertake subdivision work at least two days prior to subdivision and/or building works commencing in accordance with Sections 6.6 (2) and 6.12 (2) (c) of the Environmental Planning and Assessment Act 1979 and Section 59 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The notice must include:

- a) the name and address of the person;
- b) a description of the work to be carried out;
- c) the address of the land on which the work is to be carried out;
- d) the Registered numbers and date of issue of the development consent and construction certificate;
- e) a statement signed by or on behalf of the principal certifier that all conditions of the consent that must be satisfied before the work commences have been satisfied; and
- f) the date on which the work is intended to commence.

The notice must be lodged on the NSW planning portal.

Condition reason - To ensure that the Principal Certifier has given notice to the Consent Authority and Council at least 2 days prior to subdivision and/or building works commencing in accordance with S6.6(2)(a) of the EP&A Act 1979 & Section 57 of the EP&A Regulations 2021.

- (22) **Construction Certificate Required** - In accordance with the provisions of Section 6.7 of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979), construction or subdivision works approved by this consent must not commence until the following has been satisfied:

- a) A Construction Certificate has been issued by a Consent Authority;
- b) A Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 6.5 of the EP&A Act 1979; and
- c) The PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

Condition reason - To ensure that a Construction Certificate has been issued for the building works prior to the commencement of work.

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- (23) **Site preparation** – Before the commencement of works, the following site preparation works are to be undertaken:

- a) Protective fencing and any hoardings to the perimeter on the site,
- b) Access to and from the site,
- c) Construction traffic management measures,
- d) Protective measures for on-site tree preservation and trees in adjoining public domain,
- e) Onsite temporary toilets,
- f) A garbage container with a tight-fitting lid

Condition reason - To protect workers, the public and the environment.

- (24) **Site is to be secured** – The site must be secured and fenced to the satisfaction of the Principal Certifying Authority. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.

Condition reason - To restrict access to the site by the public and ensure that the site is adequately secured prior to the commencement of works.

- (25) **All weather access** – A 3m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction for the delivery of materials and use by trades people.

No materials, waste or the like are to be stored on the all-weather access at any time.

Condition reason - To ensure that adequate vehicular access is provided to and from the site, prior to the commencement of works.

- (26) **Dilapidation report** - Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier, that all reasonable steps were taken to obtain access to the adjoining properties.

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No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.

Condition reason - To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

- (27) **Roads Act Approval** - For construction/reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application must be made for a Roadworks Permit under Section 138B of the Roads Act 1993

Condition reason: To ensure that works within the road reserve are approved by a Section 138B Approval of the Roads Act 1993.

During building work

- (28) **Implementation of BASIX commitments** - While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Condition reason - To ensure that while building work is being carried out, the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent.

- (29) **Hours of work** – Site work must only be carried out between the following times –

7:00am to 5:00pm on Monday to Saturday

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

Condition reason - To protect the amenity of the surrounding area.

- (30) **Toilet facilities** – Temporary toilet(s) must be provided and maintained on site from the time of commencement of building work to completion. The number of toilets provided must be one toilet per 20 persons or part thereof employed on the site at any one time.

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The temporary toilet is to be either connected to the sewerage system or an approved septic tank or otherwise may be a chemical toilet supplied by a licensed contractor.

Condition reason - To ensure adequate amenity facilities are provided to the site during construction.

- (31) **Compliance with the Building Code of Australia** – Building work must be carried out in accordance with the requirements of the Building Code of Australia.

Condition reason - To ensure that the development is undertaken in accordance with the Building Code of Australia.

- (32) **Excavations and backfilling** – All excavations and backfilling associated with this development consent must be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified Structural Engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation must:

- a) preserve and protect the building from damage; and
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, must contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Condition reason - To ensure that all excavations and backfilling are safely and appropriately protected.

- (33) **Building height** – A survey report prepared by a Registered Surveyor confirming that the building height complies with the approved plans or as specified by the development consent, must be provided to the Principal Certifying Authority prior to the development proceeding beyond frame stage.

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Condition reason - To ensure that the maximum building height of the structures on site are compliant with the consent and in accordance with the approved plans.

- (34) **Stormwater disposal** – Following the installation of any roof, collected stormwater runoff from the structure must be:

- a) Diverted through a first flush system before being connected to an existing stormwater easement/system/street.

Condition reason – To ensure stormwater is collected and discharged appropriately.

- (35) **Placement of fill** - Filling must not be placed in such a manner that natural drainage from adjoining land will be obstructed or in such a manner that surface water will be diverted.

Further, any alterations to the natural surface contours must not impede or divert natural surface water runoff so as to cause a nuisance to adjoining property owners.

Condition reason - To ensure that fill required for a development is managed in accordance with Council requirements.

- (36) **Offensive noise, dust, odour and vibration** – All work must not give rise to offensive noise, dust, odour or vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the nearest property boundary.

Condition reason - To ensure that developments do not give rise to offensive noise, dust, odour, or vibration.

- (37) **Uncovering relics or Aboriginal objects** - While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

- a) the work in the area of the discovery must cease immediately;
- b) the following must be notified
- i) for a relic – the Heritage Council; or
- ii) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- a) for a relic – the Heritage Council; or

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- b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Condition reason - To ensure the protection of objects of potential significance during works.

- (38) **Responsibility for changes to public infrastructure** - While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.

Condition reason - To ensure payment of approved changes to public infrastructure.

- (39) **Disposal of Stormwater** - Following the installation of any roof of structure, collected stormwater runoff from the structure must be conveyed to an on-site detention system before discharging to an existing system as follows:

- a) Stormwater/drainage plans prepared and certified by a suitably qualified professional are to be submitted which provides for an on-site detention system.

Condition reason - To ensure that stormwater disposal from a development is managed in accordance with Council requirements.

- (40) **Swimming Pool Fence Design** - The swimming pool or spa must be fenced so that the pool is effectively isolated from the dwelling and adjoining lands. The swimming pool fence & gate must:

- a) Strictly adhere to the design and location approved with the development consent, and any conditions of the development consent.
- b) Strictly comply with AS1926 'Swimming Pool Safety' – Part 1: Safety barriers for swimming pools.
- c) Have a minimum effective height of 1.2m.
- d) Be self-closing and self-latching. All gates must open outwards from the swimming pool enclosure.
- e) The filtration equipment including any cover, housing or pipe work, must not be located within a distance of 900mm from the outside face of the swimming pool safety fencing enclosure, nor within 300mm from

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the inside of the swimming pool safety fencing enclosure (where footholds are possible).

- f) Boundary fencing forming part of the swimming pool safety fencing must maintain a minimum effective height of 1.8m and a 0.9m non climbable zone (measured from the top of the inside of the barrier).

The swimming pool safety fencing must be installed prior to the swimming pool being filled with water. The Principal Certifying Authority, or an accredited certifier must inspect the swimming pool safety fencing.

Condition reason: To ensure that the development for a swimming pool and/or spa satisfies the Australian Standard and Council requirements.

- (41) **Waste Water from Swimming Pools** - All swimming pool waste water must be disposed of as follows:

- a) Where a Hunter Water sewer is available – waste water must be drained or pumped to the sewer.
- b) Where a Hunter Water sewer is not available (such as rural areas) – waste water must be disposed of as follows:

Chlorinated pool waste water

- i. Discharging to a rubble pit measured 600mm wide x 600mm deep x 3m long, located not less than 3m from any structure or property boundary; or
- ii. Discharging to a tail out drain to disperse the water over a large grassed area or paddock, provided that the land fall does not direct water to buildings on the subject or adjoining properties, or create a nuisance to an adjoining property owner.

Saltwater pool waste water

- i. Discharging as per point ii) above.

All pool types

- i. Must not be discharged to a septic tank or an on- site sewage management installation or disposal area;
- ii. Must not be discharged into a reserve, watercourse, easement or storm water drainage system

Condition reason: To ensure that the development for a swimming pool and/or spa satisfies Council requirements.

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- (42) **Surface Water Collection from Swimming Pools** - Swimming pool surrounds and/or paving must be constructed so as to ensure water from the pool overflow or surge does not discharge onto neighbouring properties.

Details demonstrating compliance must be provided to the Certifying Authority.

Condition reason: To ensure the development has met council standards.

Before issue of an occupation certificate

- (43) **Occupation Certificate required** - An Occupation Certificate must be obtained prior to any use or occupation of the development.

The Principal Certifying Authority must be satisfied that the development has been constructed in accordance with approved plans, specifications and conditions of this consent.

Condition reason - To ensure that an Occupation Certificate relating to the development has been provided to the Principal Certifying Authority.

- (44) **Survey Certificate** – A Registered Surveyor must prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate must be provided to the satisfaction of the Principal Certifying Authority.

Condition reason - To ensure that the building is located in accordance with the approved plans and evidence from a Registered Surveyor is provided to the Principal Certifying Authority.

- (45) **Footpath crossing construction** – A footpath crossing and driveway must be constructed in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.

Note: A Works on Public Infrastructure (Driveway) approval must be obtained prior to the commencement of such works.

Condition reason - To require the developer to construct a footpath crossing and driveway in accordance with the approved plans.

- (46) **Services** – Evidence is to be provided to Council demonstrating that the following reticulated services are available to each lot:

- a) Electricity;
- b) Water;

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- c) Sewer; and
- d) Gas (where available).

Should any of the above reticulated services not be available to the development site, a detailed statement is to be provided explaining why connection of the relevant service is not possible or practical.

Condition reason - To verify that reticulated services are provided to the lot/s.

- (47) **Water authority certification** - Before the issue of an occupation certificate, a certificate of compliance must be obtained in relation to the proposed use(s) from Hunter Water.

Condition reason - To ensure compliance with the water supply authority's requirements.

- (48) **Completion of public utility services** - Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.

Condition reason - To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

- (49) **Removal of waste upon completion** - Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason - To ensure that all waste is appropriately removed from the subject site prior to the issue of an Occupation Certificate.

- (50) **Completion of landscape and tree works** – Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with *AS 4373-2007 Pruning of amenity trees* and the removal of all noxious weed species, have been completed in accordance with the approved plans and any

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relevant conditions of this consent.

Condition reason - To ensure that landscape and tree works have been completed in accordance with the approved plans prior to the issue of an Occupation Certificate.

- (51) **Swimming Pool Register** - In accordance with Part 3A of the Swimming Pools Act 1992, all swimming pools (including spas) are required to be Registered on the NSW Swimming Pools Register.

Prior to the issue of any Occupation Certificate, you are required to provide evidence in the form of the Certificate of Registration to the Principal Certifying Authority.

Condition reason: To ensure that the development for a swimming pool and/or spa satisfies Council requirements prior to the issue of the Occupation Certificate.

- (52) **Swimming Pool Warning Notice** - A warning notice complying with the provisions of the Swimming Pools Regulation 2018, must be displayed and maintained in a prominent position in the immediate vicinity of the swimming pool, in accordance with Section 17 of the Swimming Pools Act 1992.

The Principal Certifying Authority must ensure that this warning notice is provided and displayed prior to the issue of the Occupation Certificate.

Council also recommends that all owners and/or users of swimming pools obtain a copy of the 'Cardiopulmonary Resuscitation Guideline' known as "Guideline 7: Cardiopulmonary Resuscitation" published by the Australian Resuscitation Council.

Condition reason: To ensure that the development for a swimming pool and/or spa satisfies Council requirements prior to the issue of the Occupation Certificate.

Occupation and ongoing use

- (53) **Maintenance of Landscaping** - Landscaping must be maintained in accordance with the approved landscape plan and conditions of this development consent. All landscape areas must be kept free of parked vehicles, stored goods, garbage or waste material at all times.

If any of the vegetation dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

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Condition reason: To ensure that landscaping is maintained in accordance with the approved landscape plan and the relevant development consent.

- (54) **Location of Mechanical Ventilation** - During occupation and ongoing use of the building, the applicant must ensure all noise generating mechanical ventilation system(s) or other plant and equipment that generates noise are in an appropriate location on the site (including a soundproofed area where necessary) to ensure the noise generated does not exceed 5dBa at the boundary adjacent to any habitable room of an adjoining residential premises.

Condition reason: For all applications requiring air conditioning units.

- (55) **Maintenance of wastewater and stormwater treatment device/s** - During occupation and ongoing use of the development, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained to remain effective and in accordance with any positive covenant (if applicable).

Condition reason: to ensure wastewater and stormwater systems are maintained

- (56) **Prohibitions Within Swimming Pool Enclosure** - The area contained within the swimming pool safety fencing enclosure must not be used for other non-related activities or equipment, such as the installation of children's play equipment or clothes drying lines.

Condition reason: To ensure that the area contained within a swimming pool safety fence enclosure must not be used for other non-related activities or equipment.

- (57) **Noise Nuisance Prevention (Swimming Pools)** - The motor, filter, pump, and all sound producing equipment associated with or forming part of the swimming pool filtration system must be located so as not to cause a nuisance to adjoining property owners.

The location of equipment that causes offensive noise may require the equipment to be located within a suitable acoustic enclosure, or the relocation of such equipment.

Condition reason: To ensure swimming pool equipment does not adversely impact the amenity of neighbouring properties.

Before issue of a Subdivision Certificate

- (58) **Burdened Lots to Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.

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Condition reason: To ensure that all lots which have been identified as requiring restrictions or easements are suitably burdened.

- (59) **Services** - Evidence is to be provided to Council demonstrating that the following reticulated services are available to each lot:

- a) Electricity.
- b) Water.
- c) Sewer.
- d) Gas (where available).

Should any of the above reticulated services not be available to the development site, a detailed statement is to be provided explaining why connection of the relevant service is not possible or practical.

Condition reason: To ensure that evidence of connection of services is provided to Council.

- (60) **Show Easements/ Restrictions on The Plan of Subdivision** - The developer must acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.

Condition reason: To ensure that all existing easements and/or restrictions on the use of land are shown on the final plan of subdivision.

- (61) **Surveyor's Report** - A certificate from a Registered Surveyor must be provided to the Principal Certifying Authority, certifying that all drainage lines have been laid within their proposed easements, or within the appropriate lots. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

Condition Reason: to ensure that all drainage lines are within the appropriate lots and/or easements

- (62) **Requirements for a subdivision certificate** - The application for Subdivision Certificate(s) must be made in accordance with the requirements of Section 54 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 and Section 6.33(1) Environmental Planning and Assessment Act 1979.

The applicant will be required to submit documentary evidence that the property has been developed in accordance with the plans approved by this

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development consent [16-2024-609-1], and of compliance with the applicable conditions of consent, prior to the issuing of a Torrens Plan of Subdivision.

In addition, one signed original copy of the original plans and/or documents, and final plan of survey/title, must be submitted to Council.

Condition reason: To enable the subdivision, boundary adjustment, or lot consolidation of land and ensure compliance with the relevant development consent.

- (63) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all applicable conditions of this development consent have been satisfactorily addressed and all applicable engineering works are complete.

Condition reason: To ensure the development has satisfied the required conditions of consent in the relevant development consent to release the subdivision certificate.

- (64) **Subdivision Under Clause 4.1C** - Prior to the issue of the subdivision certificate the following is to occur:

- a) The dwellings shall have a satisfactory frame inspection undertaken; and
- b) A report/plan shall be provided from a Registered Surveyor showing that:
 - i) The setback of the buildings from the adjacent and proposed boundaries meets the requirements of the BCA; and
 - ii) All service lines are wholly contained within their respective lots, or an appropriate Easement or Easements have been shown on the plan of survey and suitably described in the 88B instrument.

Condition reason: To ensure that the development is completed in accordance with clause 4.1C of the Port Stephens Local Environmental Plan 2013.

- (65) **Water Authority Certification** - A Section 50 Application under the Hunter Water Act 1991 must be lodged with Hunter Water Corporation (HWC) and details of the Notice of Compliance from HWC must be provided to the Certifying Authority.

Condition reason: To ensure compliance with the water supply authority's requirements

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- (66) **Section 88B Instrument** - The applicant must prepare a Section 88B Instrument which incorporates the following easements, positive covenants and restrictions to user where necessary and in accordance with the approved plans:

- a) Easement for services;
- b) Reciprocal Right of Carriageway easement enabling vehicles parking at both lots to manoeuvre to and from the street network in a forward direction in accordance with AS2890.

Condition reason: To ensure that specific easements and/or restrictions are imposed on the Section 88B Instrument in accordance with the relevant consent.

ITEM 1 - ATTACHMENT 1 CONDITIONS OF CONSENT.**General advisory notes**

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.

Some of these additional obligations are set out in the [Conditions of development consent: advisory notes: https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf](https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Council advisory notes

1. **'Dial Before you Dig Australia'** – Before any excavation work starts, contractors and others should phone the "Dial Before You Dig Australia" service to access plans/information for underground pipes and cables.
2. **Responsibility for damage for tree removal/pruning** – The applicant is responsible for any damage caused to existing public utilities, footpaths or public roads during the cutting down, grinding, removal and disposal of the timber and roots. Care must also be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agent may be liable to pay compensation to any adjoining owner if, due to tree works, damage is caused to such adjoining property.
3. **Bird strike advice** – As the subject site is located in an area mapped by the Department of Defence as "Birdstrike Group B", organic waste and/or the storage of bins associated with any future development must be covered and/or enclosed and limited on-site.

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4. **Approved Plans to be on-site** – A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifying Authority.
5. **Council as PCA, PCA sign** – It is the responsibility of the applicant to erect a PCA sign. Where Council is the PCA, the sign is available free of charge, from Council's Administration Building at Raymond Terrace or the Tomaree Library at Salamander Bay. The applicant is to ensure the PCA sign remains in position for the duration of works.

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Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Port Stephens Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Hunter Central Coast Regional Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,

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the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.



APPLICATION REFERENCES

Application Number	16-2024-609-1
Development Description	Demolition of existing structures, construction of semi-detached dwellings, ancillary swimming pools and 1 into 2 Torrens Title subdivision
Applicant	E Sleiman
Land owner	Coastal Flips Pty Ltd
Date of Lodgement	21/11/2024
Value of Works	\$1,556,000.00
Submissions	Total 12 submissions <ul style="list-style-type: none"> • Notification Period 1 – 7 submissions • Notification Period 2 – 5 submissions

PROPERTY DETAILS

Property Address	140 Soldiers Point Road SALAMANDER BAY
Lot and DP	LOT: 111 DP: 27047
88B Restrictions on Title	None
Current Use	Dwelling House
Zoning	R2 LOW DENSITY RESIDENTIAL
Site Constraints	Acid Sulfate Soils: Class 4 CKPoM: Mainly Cleared Land Coastal Zone
State Environmental Planning Policies	State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021

PROPOSAL

The development seeks consent for the demolition of existing structures, site preparation works, construction of semi-detached dwellings, ancillary swimming pool, and 1 into 2 lot Torrens Title subdivision.

Each dwelling will contain a two (2) space car garage and four (4) bedrooms. The dwellings will contain three (3) living rooms including one on each level, and a media room on the second level. Each dwelling will contain one (1) kitchen on the ground level adjacent to the rear alfresco area.

An extract of the site plan is provided in Figure 1 below.

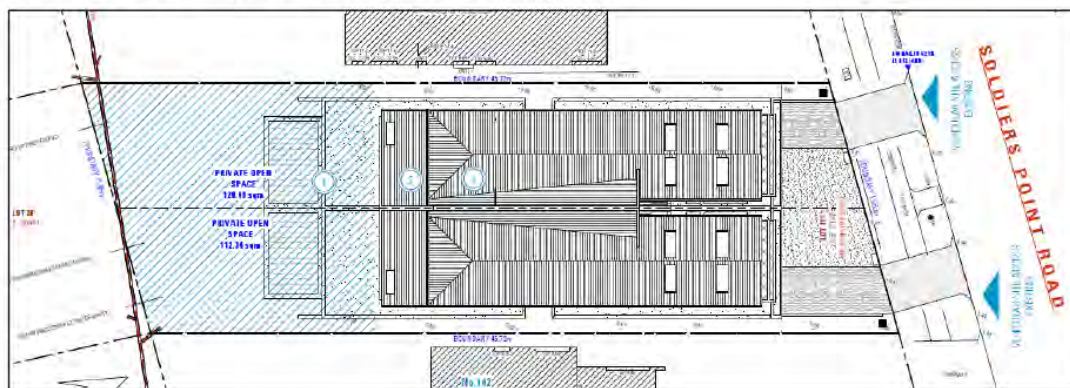


Figure 1: Proposed site plan

SITE DESCRIPTION

The subject site (the 'site') is located at 140 Soldiers Point Road, Salamander Bay, legally known as Lot 111 DP 27047. The site is a regular shaped allotment with a total site area of 695.6sqm. The topography of the site is flat with a slight slope towards the rear boundary.

The site maintains a single storey dwelling house with an ancillary detached shed at the rear. An aerial image of the site is provided in Figure 2 below.

The immediate locality predominantly features low density residential development, comprising detached dwellings with landscaped frontages. The broader suburb of Salamander Bay includes a range of development types, including shopping centres, medium density residential flat buildings, schools such as Tomaree High School and St Phillips Christian College, and recreational facilities. The area is well-connected via Soldiers Point Road, providing access to nearby suburbs and the broader Port Stephens region.

Historically, the land encompassing Salamander Bay was part of early 20th-century subdivisions, with the Salamander Bay Estate established in 1911 and the Salamander Estate in 1916. These developments contributed to the residential character of the area, which has continued to evolve over the past century through infill development and increased residential density.



Figure 2: Aerial GIS imagery of the subject site outlined in yellow

SITE HISTORY

The subject site does not have records of contamination or historical applications that would impact the proposed development.

SITE INSPECTION

A site inspection was carried out on 27 March 2025. The subject site can be seen in **Photographs 1 to 2** below:



Photograph 1: Site Image 1



Photograph 2: Site Image 2

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REFERRALS

The proposed development was referred to the following internal specialists. The comments provided by the special staff and external agencies have been used to carry out the assessment against the section 4.15 Matters for Consideration below:

Internal	
Development Engineering	
Outcome	Supported with conditions
Comment	<p>The application was referred to Development Engineering for assessment of vehicle manoeuvrability and stormwater design.</p> <p>Development Engineering initially raised concerns regarding the ability for vehicles to enter and exit the site in a forward direction, particularly due to the site's frontage to Soldiers Point Road (an arterial road). Swept path diagrams have since been provided, demonstrating that forward entry and exit is achievable for both dwellings.</p> <p>Previous requests for information sought clarification on how the development meets water quality targets in accordance with DCP Section B4. Development Engineering has advised that this matter remains outstanding, stating that no additional plans or details have been provided. However, an amended water management plan has been submitted with this application, inclusive of water quality measures. Accordingly, the development was supported by Development Engineering.</p>
Spatial Services	
Outcome	Supported with conditions
Comment	Addressing has been provided and included on the consent.
Development Contributions	
Outcome	Supported with conditions
Comment	A monetary contribution is to be paid to Council for the provision of 1 additional lot/dwelling pursuant to Section 7.11 of the <i>Environmental Planning & Assessment Act 1979</i> and the Port Stephens Local Infrastructure Contributions Plan 2020 towards the provision of public facilities.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 1.7 – Application of Part 7 of Biodiversity Conservation Act 2016

The development does not trigger entry into the Biodiversity Offset Scheme, as the proposal does not involve native vegetation clearing within a Biodiversity Values Mapped area, exceed the area clearing threshold or propose significant ecological impact.

ITEM 1 - ATTACHMENT 2 PLANNER'S ASSESSMENT REPORT.**Section 4.14 – Consultation and development consent (certain bushfire prone land)**

The development does not trigger assessment section 4.14 of the EP&A Act 1979 due to the subject site not being identified as bushfire prone land.

Section 4.46 – What is “integrated development”?

The proposed development does not require an integrated referral under section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) as it does not meet any of the applicable triggers.

Section 4.15 – Matters for consideration

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the EP&A Act. The matters of relevance to the development application include the following:

- The provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations
 - Any environmental planning instrument, and
 - Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - Any development control plan, and
 - Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - The regulations (to the extent that they prescribe matters for the purposes of this paragraph),
- That apply to the land to which the development application relates,
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- The suitability of the site for the development,
- Any submissions made in accordance with this Act or the regulations,
- The public interest.

Section 4.15(1)(a)(i) – Any environmental planning instrument

An assessment has been undertaken against each of the applicable environmental planning instruments (EPI's), as follows:

State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 encourages the design and construction of more sustainable buildings to meet NSW climate change targets and adapt to more extreme weather, including hotter and drier summers.

Chapter 2 – Standards for residential development - BASIX**Section 2.1(1) – Development standards**

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Section 2.1(1) requires that BASIX affected residential development be accompanied by a BASIX certificate.

A valid BASIX certificate has been submitted with the development application which demonstrates that the water, thermal performance and energy requirements for the proposal have been achieved. The proposal is considered to satisfy the relevant provisions of SEPP BASIX.

Section 2.1(5) – Development consent requirements

Section 2.1(5) requires that development consent must not be granted to BASIX affected residential development unless the embodied emissions attributable to the development have been quantified.

The BASIX Certificate includes an Embodied Emissions Materials Assessment which complies with Section 2.1(5).

State Environmental Planning Policy (Biodiversity And Conservation) 2021**Chapter 2 – Vegetation in non-rural areas**

Chapter 2 Vegetation in Non-Rural Areas of the Biodiversity and Conservation SEPP aims to protect the biodiversity values and preserve the amenity and other vegetation in non-rural areas of the State.

The Chapter works in conjunction with the Biodiversity Conservation Act 2016 and the Local Land Services Amendment Act 2016 to create a framework for the regulation of clearing of native vegetation in NSW.

Part 2.3 of the chapter contains provisions similar to those contained in the former (now repealed) clause 5.9 of Port Stephens Local Environmental Plan 2013 and provides that Council's Development Control Plan can make declarations with regard to certain matters. The Chapter further provides that Council may issue a permit for tree removal.

The site does not contain any existing vegetation. As such, no vegetation removal is proposed as part of this development.

Chapter 4 – Koala habitat protection 2021

This policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. Chapter 4 applies to all zones other than RU1 (Primary Production), RU2 (Rural Landscape) and RU3 (Forestry) in the Port Stephens Local Government Area.

Section 4.8 – Development assessment process

Section 4.8 requires that the application must be consistent with the approved koala plan of management that applies to the site. In Port Stephens, the relevant plan is the Comprehensive Koala Plan of Management (CKPoM).

As stated above in response to Chapter 2, the site is currently cleared of vegetation and therefore, no tree removal is proposed as part of this application. The provisions of the CKPoM do not apply to the proposed development.

State Environmental Planning Policy (Resilience And Hazards) 2021**Chapter 2 – Coastal management**

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The subject land is located with the Coastal Environment Area and Coastal Use Area Map. As such the following general matters are required to be considered when determining an application.

Section 2.10 – Development within the coastal environment area

As per Section 2.10 of Chapter 2 of the SEPP, development consent must not be granted for development within the coastal environment area unless the consent authority has considered whether the development will impact the integrity of the biophysical and ecological environment, the values and natural coastal processes, marine vegetation, native vegetation and fauna and existing public open space and access to and along the foreshore.

The proposed development is sufficiently setback from the waterbody that it will not result in any adverse impacts on the integrity of the biophysical and ecological environment, the values and natural coastal processes, marine vegetation, native vegetation and fauna and existing open space. In addition, access to the foreshore remains unimpeded and water quality measures have been incorporated into the stormwater design.

Section 2.11 – Development within the coastal use area

As per Section 2.11 of Chapter 2 of the SEPP, development consent must not be granted for a development unless the consent authority has considered existing and safe access to and along the foreshore, overshadowing and loss of views, visual amenity and scenic qualities and heritage values. The consent authority must also be satisfied that the development is designed and sited to avoid adverse impacts and to ensure the development has taken into account the surrounding built environment in its design.

The proposed development is an appropriate type and design for the coastal location. The proposed use of the site for residential purposes in conjunction with a sustainable built form will ensure that the visual amenity and scenic qualities of the coast are protected. The building envelope and size of the development are also compatible with the natural setting and will not adversely impact views. No adverse impacts to heritage values are expected, as outlined elsewhere in this report.

Section 2.12 – Development within the coastal zone generally

Section 2.12 of Chapter 2 of the SEPP requires consideration of whether the development would increase the risk of coastal hazards. The proposed development is suitably designed and located to not increase the risk of coastal hazards.

Section 2.13 – Development within the coastal zone generally – coastal management programs to be considered

As per section 2.13 of Chapter 2 of the SEPP, development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land. The Port Stephens Coastal Management Plan (CMP) outlines 67 management actions aimed at mitigating the impacts of coastal inundation, tidal inundation, coastal erosion and dune transgression over the next 10 years. The CMP is a plan of action for Council, public authorities and land managers responsible for the management of the Port Stephens coastal zone to:

- Address coastal hazard risks;
- Preserve habitats and cultural uses and values;
- Encourage sustainable agricultural, economic and built development in the coastal zone;

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- Maintain or improve recreational amenity and resilience; and
- Adapt to emerging issues such as population growth and climate change.

The development is not located within the draft coastal vulnerability mapping and therefore is not impacted by this draft planning instrument.

Accordingly, the development is deemed to generally comply with the aims of the SEPP and the other matters for consideration stipulated under Sections 2.10, 2.11 and 2.12, and can therefore be supported.

Chapter 4 – Remediation of land**Section 4.6 – Contamination and remediation to be considered**

Section 4.6 of Chapter 4 of the Resilience and Hazards SEPP requires the consent authority to consider whether land is contaminated, is in a suitable state despite contamination, or requires remediation to be made suitable for the proposed development.

It is noted that the NSW list of contaminated sites and list of notified sites published by the EPA does not identify the site as being contaminated, nor has previous record of contamination in Council's system. The land is not within an investigation area and there are no records of potentially contaminating activities occurring on the site, per Table 1 of the Guidelines. Noting this, the proposed development satisfies the requirements of Chapter 4 of this SEPP.

State Environmental Planning Policy (Transport And Infrastructure) 2021**Chapter 2 – Infrastructure****Section 2.138 – Stormwater management systems – Development permitted with consent**

Under Section 2.138 of the Transport and Infrastructure (TI) SEPP, development for the purposes of a stormwater management system may be carried out by any person with consent on any land. The definition of 'stormwater management system' includes stormwater detention basins and as such the basins proposed in the development are permissible with consent.

The development proposes stormwater infrastructure to service the development, which complies with the requirements of this section.

Port Stephens Local Environmental Plan 2013 (PSLEP2013)**Clause 1.9A – Suspension of covenants, agreements and instruments**

Clause 1.9A identifies that development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

The development does not contravene any of the noted covenants, agreements or instruments and is considered to satisfy this clause.

Clause 2.3 – Zone objectives and land use table

Clause 2.3 identifies that each land use zone in the land use table specifies the following:

- The objectives for development, and

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- Development that may be carried out without development consent, and
- Development that may be carried out only with development consent, and
- Development that is prohibited.

This Clause outlines that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The proposed development is defined as semi-detached dwellings which is permissible with consent in the R2 Low Density Residential zone. The PSLEP 2013 provides the following definitions:

semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

Note.

Semi-detached dwellings are a type of residential accommodation—see the definition of that term in this Dictionary.

The development addresses the objectives of the zone by:

- Provides for housing needs by introducing additional dwellings within an established low-density residential environment.
- Maintains and enhances residential amenity by providing appropriate setbacks, landscaping, and private open space.
- Supports compatible land uses by maintaining residential use without introducing incompatible activities.

Clause 2.6 – Subdivision – consent requirements

Clause 2.6 identifies that land to which this Plan applies may be subdivided, but only with development consent, and that development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

The proposed development involves Torrens Title subdivision which is permitted by this clause.

Clause 2.7 – Demolition requiring development consent

Clause 2.7 identifies that the demolition of a building or work may be carried out only with development consent, unless identified as exempt development under an applicable environmental planning instrument.

The proposed development requires the demolition of an existing dwelling house and detached garage. Accordingly, conditions of consent have been included in order to mitigate potential impacts to adjoining properties and the locality during demolition works.

Clause 4.1C – Exceptions to minimum lot sizes for certain residential development

The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity. Clause 4.1C specifies the minimum lot size required to facilitate development for the purposes of attached dwellings, semi-detached dwellings, and dwellings in order to achieve planned residential density in certain zones.

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The subject site has a total area of approximately 695.6sqm which provides sufficient area to facilitate the proposed development, in accordance with the numerical requirements of part 4(b)(iii) in this clause that requires at least 250sqm for semi-detached dwellings. The proposed development provides 349.182sqm for each proposed lot, both being above the minimum requirement.

Clause 4.3 – Height of buildings

The objectives of this clause are to ensure the height of buildings is appropriate for the context and character of the area and to ensure building heights reflect the hierarchy of centres and land use structure. Clause 4.3(2) provides that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The proposed development has a maximum height of 9.0 metres, which is the maximum permissible building height of 9.0 metres specified on the Height of Buildings Map.

The plans show the solar panels protruding above the 9m height plane. However, section 2.4.1 of the Transport and Infrastructure SEPP outlines that solar panels on the roof are exempt development and whilst shown on the plans, are not approved under the development application, and do not contribute to the height of buildings.

Clause 5.10 – Heritage conservation

The objectives of this clause are to conserve the environmental heritage of Port Stephens, to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, to conserve archaeological sites, and to conserve Aboriginal objects and Aboriginal places of heritage significance.

In accordance with Clause 5.10.(4) the consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

The proposed development is not located within or in proximity to any local or state listed heritage items or conservation areas. An Aboriginal Heritage Management Systems (AHIMS) search was provided with the application, which showed that there are no recorded Aboriginal heritage sites or items within the subject site, or in close proximity to the subject site. The site is not located within any known Aboriginal sensitive landscape features. As such, no adverse impact to Aboriginal heritage is expected, and a condition of consent relating to unexpected finds will be included to ensure that appropriate steps are taken should any be identified during works.

Clause 7.1 – Acid sulfate soils

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The subject land is mapped as containing potential Class 4 acid sulfate soils. The proposed development is not anticipated to entail excavations below 2 metres and therefore it is not expected that acid sulfate soils would be encountered during works. The building excavation works are limited to approximately 0.9m of depth, not inclusive of footings. Excavation works for the pools is proposed to a depth of 1.8m below existing ground level.

Clause 7.2 – Earthworks

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

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In accordance with Clause 7.2(3) before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:

- The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development.
- The effect of the development on the likely future use or redevelopment of the land.
- The quality of the fill or the soil to be excavated, or both.
- The effect of the development on the existing and likely amenity of adjoining properties.
- The source of any fill material and the destination of any excavated material.
- The likelihood of disturbing relics.
- The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area.
- Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The application proposes earthworks on the site to facilitate the proposed swimming pool to a depth of 1.8 metres and the ground floor level to a depth of 0.9 metres. Earthworks are considered to be minor in nature and are not anticipated to result in any negative impacts on the subject or adjoining land, or any public place. As outlined in the assessment against clause 5.10 above, the likelihood of disturbing relics is low.

Conditions of consent have been imposed relating to sediment and erosion control, stockpiling of materials, dewatering, quality of imported/exported fill materials and disposal of excavated materials in accordance with the EPA's Waste Classification Guidelines.

Subject to the above conditions of consent, the development accords with the requirements of this clause.

Clause 7.6 – Essential services

Cause 7.6 provides that development consent must not be granted to development unless the consent authority is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required. The essential services include the following:

- The supply of water.
- The supply of electricity.
- The disposal and management of sewage.
- Stormwater drainage or on-site conservation.
- Suitable vehicular access.

The subject site is serviced by reticulated water, electricity and sewer. In addition to this, the application has demonstrated that stormwater drainage resulting from the roof and hardstand areas can be catered for in accordance with Councils requirements. The subject land also maintains direct access to Soldiers Point Road meeting the requirements of this clause.

Section 4.15(a)(ii) – Any draft environmental planning instrument that is or has been placed on public exhibition

There are no draft EPI's relevant to the proposed development.

Section 4.15(a)(iii) – Any development control plan**Port Stephens Development Control Plan 2014 (PSDCP 2014)**

The Port Stephens Development Control Plan 2014 (DCP) is applicable to the proposed development and has been assessed below.

Section B – General Provisions**B1 – Tree Management**

This Chapter applies to the removal or pruning of trees or other vegetation within non-rural areas and gives effect to SEPP (Biodiversity and Conservation) 2021 by listing those trees or other vegetation that require approval.

The objectives of this chapter are:

- To give effect to State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021 by listing those trees or other vegetation that require approval;
- To ensure adequate consideration is provided to the relevant matters for the removal or pruning of trees or other vegetation; and
- To ensure adequate information is provided to determine the application for the removal of trees or vegetation.

No vegetation removal is proposed.

B3 – Environmental Management

This Chapter applies to development that has the potential to produce air pollution, has the potential to produce adverse offensive noise, or involves earthworks.

The objectives of this chapter are:

- To ensure air quality is not negatively impacted on by dust and odour in recognition of the associated human health impacts;
- To identify potentially offensive noise to ensure it is managed within the relevant legislative requirements; and
- To facilitate earthworks so as to minimise potential environmental impacts, such as erosion or the release of sulfuric acids as identified by the Local Environmental Plan.

Noise

The separation distances incorporated into the development will limit any adverse impacts on the adjoining development. The impacts of the development during construction could be limited through conditions of consent which limit construction work hours and mitigate noise derived from ventilation and air conditioning systems. Ongoing conditions have been imposed to address potential acoustic impacts from airconditioning and ventilation equipment. Subject to the aforementioned conditions, the application is satisfactory in regard to noise management.

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Dust generated during construction is expected to be minimal, subject to conditions of consent requiring erosion and sediment control be carried out in accordance with the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) and the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

It is common for older dwellings to contain asbestos, and management of asbestos is standardly addressed through conditions of consent. While the Waste Management Plan does not quantify asbestos content, any demolition works will be subject to conditions requiring compliance with relevant NSW Work Health and Safety legislation, including the EPA's asbestos management protocols.

These matters are typically addressed through the Construction Certificate process, not at DA stage. As such, the absence of specific asbestos details at this stage does not represent a deficiency in the documentation. Notwithstanding this Council has included several conditions to ensure that if asbestos is identified it is managed safely and neighbouring properties are notified.

The proposed residential accommodation land use would not cause any ongoing air quality impacts during the operational phase of the development.

Earthworks

As discussed at Clause 7.2 above the proposed development involves excavation to a maximum depth of 1.8 metres to facilitate the proposed ground floor level (0.9m) and swimming pools (1.8m). The impacts of the proposed earthworks can be mitigated through conditions of consent. The proposal is therefore consistent with the requirements outlined in Councils DCP relating to earthworks.

B4 – Drainage and Water Quality

This section applies to development that increases impervious surfaces, drains to the public drainage system, or involves a controlled activity within 40m of waterfront land.

The objectives of this chapter are:

- To ensure a stormwater drainage plan is submitted when development either increases impervious surfaces or drains to the public drainage system;
- To ensure the stormwater drainage plan details a legal and physical point of discharge to minimise impacts on water balance, surface water and groundwater flow and volume regimes and flooding;
- To implement sustainable mitigation systems that can be maintained using resources available to the maintainer;
- To regulate the impacts on the capacity of the public drainage system, to ensure development does not detrimentally impact on water quality through the use of water quality modelling, such as small scale stormwater water quality model (SSSQM) or model for urban stormwater improvement conceptualisation (MUSIC), and subsequent water sensitive urban design (WSUD) measures;

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- To safeguard the environment by improving the quality of stormwater run-off, to ensure water quality is protected and maintained during the construction phase through the conditioning of appropriate measures; and
- To provide further guidance to clauses in the local environmental plan relating to water quality for development in drinking water catchments, and to protect and retain riparian corridors as localities of environmental importance.

A stormwater management plan was submitted with the application and includes adequate quality and quantity controls in accordance with the DCP requirements. The stormwater drainage design has been assessed as being consistent with Council's Infrastructure Specification and a condition of consent has been included in the consent requiring the provision of detailed engineering plans, prior to the issue of a construction certificate.

B7 – Heritage

This section applies to development that is situated on land that contains a heritage item or within a heritage conservation area.

The objectives of this chapter are:

- To ensure satisfactory consideration of the objectives for LEP clause 5.10;
- To ensure that maintenance or repairs do not distract from the heritage significance of an existing item;
- To ensure evidence is provided for the demolition of a building of heritage significance; and
- To ensure due diligence is followed before carrying out development that may harm Aboriginal objects.

The site is not located on land that contains any local or state listed heritage items and therefore the provisions of this section do not apply. In addition, the proposed development is/is not located within or in proximity to any local or state listed heritage items or conservation areas. A search of the Aboriginal Heritage Management Systems did not reveal any previously recorded Aboriginal sites in proximity to the proposed development. The site is not located within 200m of any Aboriginal sensitive landscape features.

B8 – Road Network and Parking

This section applies to development with the potential to impact on the existing road network or create demand for on-site parking.

The objectives of this chapter are:

- To ensure that the impacts of traffic generating development are considered and that the existing level of service of the road network is maintained;
- To ensure development provides adequate on-site parking, loading and servicing spaces;
- To ensure that vehicle access is in a safe location and has minimal impacts on existing transit movements;
- To ensure driveways have adequate sight distances for traffic and pedestrians on footpaths;
- To ensure that vehicle access is located in a safe location, where it least impacts on existing transit movements;

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- To ensure driveway exits maximise intersection sight distances for traffic and pedestrians on footpaths;
- To ensure visitor parking is conveniently located and easily identifiable;
- To ensure loading facilities do not adversely impact on the road network and are visually concealed;
- To encourage more active lifestyles and ecologically sustainable development by providing convenient and accessible public transport options;
- To recognise the increasing use and demand for electric vehicles and ensure new development is designed to reflect this; and
- To ensure development includes adequate infrastructure to provide for the charging of electric vehicles.

Traffic impacts

The proposed development is not expected to generate significant traffic volumes beyond that typically associated with low-density residential development. Soldiers Point Road is capable of accommodating the additional vehicle movements generated by the proposed additional dwelling. The access points proposed are similar to the existing arrangement onsite, and swept path diagrams demonstrate safe vehicle entry and exit in a forward direction.

There is an existing bus stop located along the site frontage known as *Soldiers Point Rd opp Seaview Cres* which services route 132, 133, and 134. The proposed development seeks to retain the 2 existing vehicle crossovers either side of the bus stop. This arrangement is considered acceptable noting the low frequency of bus services and the absence of a bus shelter ensures no fixed obstructions impede sight lines.

On-site parking provisions

Two (2) car parking spaces are provided per dwelling, satisfying the requirements for dwellings containing three or more bedrooms.

Internal driveways and parking areas are proposed to be constructed of concrete, and garages are located behind the building line, setback over 2m.

On-site parking access

Access to onsite parking is considered acceptable and generally complies with the relevant development controls set out in Section B8.13 of the DCP. Each dwelling is provided with a single vehicle crossover and driveway, consistent with Figure BV, with a width of 2.8m.

The existing driveway locations are retained, and the proposed access points are situated more than 55 metres from the nearest intersection/corner, ensuring safe vehicle movement and compliance with queuing and sight distance requirements.

The site is not located opposite any traffic-generating development types. The proposed driveways are not located within kerb zones restricted by Figure BY. A 900mm setback from the side boundary is provided at the front property line, meeting the minimum 0.5m requirement. The first 3m of the driveways will be constructed to match the longitudinal gradient of the kerb and road pavement, and this can be conditioned as part of development consent.

Swept path diagrams demonstrate that vehicles can enter and leave the site in a forward direction. While this will require vehicles to cross onto the respective front yards, permeable paving is

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proposed to facilitate this movement, and a restriction on title will be imposed via the Section 88B Instrument at subdivision stage to ensure this arrangement is retained in accordance with the approved design.

Section C – Development Types

The proposed development includes a 1 into 2 lot Torrens Title Subdivision and therefore Section C1 is applicable.

C1 – Subdivision	
C1.A – All Subdivision – Lot Size and Dimensions	
Objective	
<ul style="list-style-type: none"> To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provisions of necessary services and other requirements. 	
Control	C1.1 – Lot size
	Subdivision adheres with <i>Local Environmental Plan Part 4</i> .
Assessment	The proposal complies with Clause 4.1C of the Port Stephens LEP 2013, which permits the subdivision of land containing semi-detached dwellings to a minimum lot size of 250sqm. Each resulting Torrens title lot will have a lot size of 349.182sqm and accommodate one of the proposed dwellings.
Control	C1.2 – Rectangular footprint
	A residential lot is capable of supporting a rectangular building footprint of 15m x 8m or 10m x 12m as illustrated by Figure CA.
Assessment	The proposed lots have a width of approximately 7.4m, which is less than the 10m width specified in the control. However, the attached nature of the proposed dwellings allows for a zero line setback along the shared party wall, enabling efficient use of the reduced lot width. A 0.943m setback to the side boundary ensures adequate separation and compliance with side setback requirements. Although the numerical dimensions of the control are not strictly met, the layout demonstrates that the lots are capable of accommodating functional dwellings with sufficient amenity and service provision. The objectives of the control are therefore achieved.
C1.B – All Subdivision – Street Trees	
Objective	
<ul style="list-style-type: none"> To ensure street tree planting is of an appropriate species and undertaken in accordance with Council's guidelines 	
Control	C1.5 – Street tree requirements
	Street trees are required as a component of the road reserve for the following: <ul style="list-style-type: none"> Residential subdivisions;

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C1 – Subdivision	
	<ul style="list-style-type: none"> Commercial subdivisions; Industrial subdivisions creating 10 or more lots. <ul style="list-style-type: none"> Street trees are provided in accordance with the tree technical specification. Tree Planting Guidelines of the tree technical specification provides guidance to the application of the tree technical specification to determine the total number of trees to be provided.
Assessment	The proposal involves a 1 into 2 lot Torrens title subdivision and is not considered a residential subdivision creating multiple lots under this control. Additionally, the site frontage contains a power pole and a bus stop, which significantly limit the available space for street tree planting. As such, the planting of a new street tree is not required in this instance.
Control	C1.6 – Street tree replacement Where street trees are required to be removed to facilitate development, they must be replaced in a practical location, in accordance with Section 4.6 of the tree technical specification.
Assessment	No existing street trees are present on the site. As such, no tree removal is required, and this control does not apply.
C1.C – All Subdivision – Solar Access	
Objective <ul style="list-style-type: none"> To maximise solar access for residential dwellings 	
Control	C1.7 – Solar access Residential subdivision addresses the following guidelines for solar access. Any inconsistency clearly justifies how alternative energy efficiency is achieved. <ul style="list-style-type: none"> Where possible, lots should be oriented to provide one axis within 30 degrees east and 20 west of true solar north; Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of the dwelling; Topography and landform should inform the subdivision layout in order to maximise solar access opportunities.
Assessment	The proposal involves a 1 into 2 lot Torrens title subdivision within an established residential area. Due to the infill nature of the development, the subdivision pattern is influenced by existing urban forms and site constraints, limiting opportunities to orient lots strictly in accordance with the solar access guidelines. Despite this, the

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C1 – Subdivision	
	design and layout ensures that each dwelling benefit from functional solar access and energy efficiency. Compliance with solar access controls under Chapter C4 below for the proposed development demonstrates that the intent of this subdivision control is met.
C1.D – All Subdivision – Public Scale Drainage	
Objective	
<ul style="list-style-type: none"> To ensure further guidance is provided for subdivision that is consistent with B4 Drainage and Water Quality and the Infrastructure Specification (where relevant) 	
C1.8 – Inter-allotment drainage	
Control	Each lot must be able to be gravity drained through the drainage system to public drainage.
Assessment	The submitted stormwater layout plan indicates that gravity drainage is not achievable due to site topography. Instead, each dwelling is connected to an independent pump-out tank system that conveys stormwater to the existing Council drainage system. The design includes typical pump-out details, maintenance access, and complies with Port Stephens Council's stormwater design specifications. While the site does not allow for gravity drainage, the proposed system provides an acceptable engineering solution to manage stormwater runoff, consistent with the objective of the control.
C1.9 – Inter-allotment drainage	
Control	Inter-allotment drainage may be required for subdivisions where a lot does not drain directly to the road kerb.
Assessment	The civil drawings demonstrate that stormwater from each dwelling is directed via independent pump-out tanks and drainage pipes to the street frontage. As such, there is no reliance on inter-allotment drainage across lot boundaries, and each lot manages its drainage independently. The design is consistent with the intent of the control and ensures appropriate stormwater management.
C1.10 – Drainage reserves	
Control	An overland flow path is provided for the 1% Annual Exceedance Probability (AEP) storm event and is a drainage reserve dedicated to Council as operational land.
Assessment	Not applicable, an overland flow path or a formal drainage reserve is not required.


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C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy				
C4.A – Height				
Objectives <ul style="list-style-type: none">• To ensure the height of buildings is appropriate for the context and character of the area• To ensure building height reflects the hierarchy of centres and land use structure				
Control	C4.1 – Building height			
	Maximum height limit of 8m or a merit-based approach is taken where no height limit is specified under the Local Environmental Plan clause 4.3 Note: C2.4 requires a minimum first floor and above ceiling height for residential accommodation in a commercial zone of 2.7m			
Assessment	The proposed height of buildings is 9m, and complies with the PSLEP 2013.			
C4.B – Setbacks				
Objectives <ul style="list-style-type: none">• To ensure development provides continuity and consistency to the public domain• To ensure development contributes to the streetscape and does not detract from the amenity of the area				
Control	C4.2 – Setback requirements			
	Development is to be setback from the subject property boundary, in accordance with the provisions outlined in Figure C1.			
Assessment	Setback Type	Control Requirement	Proposed	Compliance
	Front Setback	4.5m or average of adjoining buildings	5.46m	Yes
	Side Setback – Ground Level	0.9m	0.9m	Yes
	Side Setback – Upper Storey	2.0m	2.0m	Yes
	Rear Setback – Ground Level	2.0m	13.7m	Yes

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C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy				
	Rear Setback – Upper Storey	6.0m	13.7m	Yes
	Secondary Frontage (if applicable)	2.0m	N/A	N/A
Control	C4.3 – Front setback encroachment			
	Development for a secondary dwelling must be located behind the building line of the principal dwelling it is in conjunction with.			
Assessment	N/A			
Control	C4.4 – Secondary dwelling setback			
	Development for a secondary dwelling must be located behind the building line of the principal dwelling it is in conjunction with.			
Assessment	N/A			
Control	C4.5 – Secondary setback encroachment			
	Maximum 1m encroachment to secondary setback for architectural features, such as an entry porch or deck.			
Assessment	N/A			
Control	C4.6 – Garage setback			
	Garage setback minimum 1m behind the building line or setback.			
Assessment	The garage door is setback 2.7m from the front building line, satisfying this control.			
C4.C – Streetscape and privacy				
Objective				
<ul style="list-style-type: none">To ensure development activates the streetscape to provide passive surveillance and privacy.				
Control	C4.12 – Passive surveillance			
	Development is to address the street by having at least one habitable room front the street and/or adjoining public spaces.			
Assessment	Both dwellings have a bedroom (first floor) and living room (second floor) with balconies fronting Soldiers Point Road that will provide passive surveillance of the adjoining street.			
Control	C4.13 – Passive surveillance			

C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
	Development on corner lots is to address both street frontages by having habitable rooms face both streets.
Assessment	N/A - the site is not a corner lot.
Control	C4.14 – Streetscape character
	To be sympathetic to the existing landscape character and built-form with regard to design, bulk, scale, form, materials and roof configuration.
Assessment	<p>The proposed development is a contemporary 3-storey built form in a locality that is predominantly characterised by single and 2-storey detached dwellings. While a 3-storey presentation is not common in the immediate streetscape, examples of similar scale and density exist within the broader Salamander Bay suburb, indicating a gradual transition in the areas built form character.</p> <p>Infill housing such as the proposed dwellings will be increasingly necessary to meet the needs of a growing population, as envisaged under the Port Stephens Local Housing Strategy. The design of the proposed development responds to this demand by providing high-quality housing on a well-located site, within walking distance of local services and amenities.</p>
	<p>Despite the increased scale, the development is consistent with the applicable planning controls under the PSLEP and DCP. The building has been designed to minimise bulk through modulation, articulation, and variation in materials and finishes. Passive surveillance is achieved through habitable room windows facing the street, and the layout maintains privacy for both future residents and adjoining neighbours.</p> <p>While the proposal may be different from the current prevailing built form in the immediate locality, it reflects a natural evolution of the streetscape toward more contemporary housing typologies. The development is considered to be a reasonable and contextually appropriate response to the site and its planning framework. An extract of a visual render has been provided in Figure 3 below.</p>

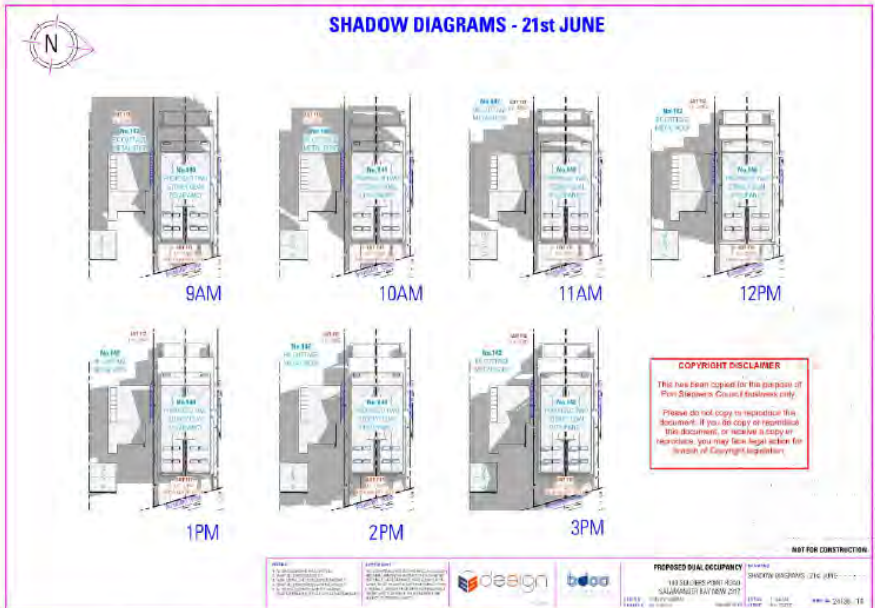
C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
	 <p>AS SEEN FROM SOLDIERS POINT ROAD</p> <p>Figure 3: Extract of Dwg No. 24135-13</p>
Control	<p>C4.15 – Privacy and two-storey development</p> <p>Two storey development is to include a balcony or deck facing the street on the upper floor at least 1.5m deep across 25% of the dwelling frontage.</p>
Assessment	<p>Balconies are proposed on both the first and second floor levels of each dwelling, with depths ranging between 1.8m and 2.0m. The balconies extend across more than 25% of the dwelling frontage, satisfying the control and enhancing passive surveillance of the street.</p>
Control	<p>C4.16 – Privacy and two-storey development</p> <p>Balconies are to be located to minimise overlooking of adjoining properties.</p>
Assessment	<p>All balconies are oriented towards Soldiers Point Road and do not overlook adjoining private open space areas. Vertical timber privacy screens are proposed to both sides of the balconies to prevent lateral overlooking. A condition of consent will require these screens to be retained and maintained for the life of the development.</p>
Control	<p>C4.17 – Privacy and two-storey development</p> <p>Privacy screens are required for balconies and patios, which result in unreasonable privacy impacts to properties.</p>

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C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
Assessment	As outlined above, vertical timber privacy screens are incorporated on both sides of each balcony to mitigate any potential privacy impacts to adjoining dwellings. The design demonstrates a considered approach to privacy for both future occupants and neighbours.
Control	C4.18 – Privacy and two-storey development
	Privacy screens, high-light windows or opaque glass is to be used for windows of habitable rooms (other than bedrooms) which overlook adjoining properties.
Assessment	No living room windows are proposed on elevations facing adjacent dwellings. As such, the use of privacy screening treatments such as high-light or opaque glazing is not required in this instance.
C4.D – Private open space	
Objective	
<ul style="list-style-type: none"> To ensure private open space with solar access is provided to allow opportunity for passive and active outdoor recreation 	
Control	C4.19 – Private open space dimensions
	<p>Minimum of 50m² of ground floor private open space comprising a minimum of 35m² that is usable. Private open space is considered usable if it:</p> <ul style="list-style-type: none"> Has minimum dimensions of 4m x 4m, Has direct access from internal living areas, Is not located within a front setback, and Has a northerly aspect.
Assessment	Each dwelling provides a dedicated area of private open space with dimensions of 3.5m x 6m (21sqm) directly accessible from the internal living areas. These POS areas have a functional layout and facilities such as an outdoor BBQ area that supports both passive and active recreation. They also provide access to proposed swimming pools and further backyard space beyond the pool area, resulting in a large and usable open space arrangement that exceeds the minimum requirements. The total usable backyard areas are over 110sqm per dwelling.
Control	C4.20 – Private open space dimensions
	Where development cannot provide private open space on the ground floor, provisions shall be made for a balcony of not less than 20m ² with a minimum width of 3m for the use as private open space.

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C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
Assessment	Not applicable. Ground level private open space is provided in accordance with C4.19, so the requirement for a substitute balcony does not apply. However, the balconies proposed will enhance residential amenity and support indoor/outdoor living opportunities.
Control	C4.21 – Solar access
	Minimum of 2 hours sunlight to the principal private open space area between the hours of 9am-3pm midwinter.
Assessment	<p>Shadow diagrams for 21 June demonstrate that both proposed dwellings (Units 1 and 2) receive more than 2 hours of direct sunlight to their respective private open space areas as follows:</p> <ul style="list-style-type: none"> • Dwelling 1 POS: Receives sunlight from 11am to 3pm (4 hours). • Dwelling 2 POS: Receives sunlight from 10am to 3pm (5 hours). <p>This meets the required 2-hour minimum solar access period. The long axis of the site runs east-west, allowing for effective solar exposure in the rear yard areas.</p>
Control	C4.22 – Solar access
	Minimum of 30% of private open space of adjoining dwellings must remain unaffected by any shadow for a minimum of 3 hours between 9am-3pm midwinter.
Assessment	<p>The most affected adjoining dwelling is No. 142 Soldiers Point Road, located to the immediate south of the subject site. Overshadowing analysis for 21 June shows:</p> <ul style="list-style-type: none"> • 9:00am: Majority of the POS is overshadowed. • 10:00am: Northern edge of the POS begins to receive sunlight. • 11:00am: At least 40% of the POS is in sunlight. • 12:00pm–3:00pm: Between 60% and 100% of the POS receives direct sunlight. <p>As a result, more than 30% of the private open space receives at least 3 hours of sunlight between 11:00am and 3:00pm, demonstrating compliance with the control. An extract of the solar diagrams are provide in Figure 4 below.</p> <p>The dwelling at No. 142 Soldiers Point Road contains a skylight and solar panels. The skylight is located on the north-facing roof, toward the front portion of the dwelling. Based on the location and orientation of the skylight, it receives direct sunlight from approximately 9:00am through until 1:00pm, even during winter solstice conditions.</p> <p>The skylight combined with the large glass front door (orientated east) provides daylight into the internal living room, allowing solar access and amenity despite overshadowing at ground level. The solar panels also maintain operational</p>

C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
	<p>efficiency, receiving sunlight all day, in alignment with peak solar generation periods.</p> <p>It is important to note that the orientation of the subject site and adjoining lots is a result of the original subdivision, which was designed to prioritise frontage and outlook to the waterfront. This historical subdivision pattern has resulted in a north-facing side boundary for both dwellings. As a consequence, some degree of shadowing to southern neighbours is an unavoidable constraint, which cannot be reasonably altered under current planning controls.</p> <p>It is considered that the design and siting of the proposed dwellings appropriately balance development potential with solar access considerations and do not result in any unreasonable overshadowing, complying with the intent of this control.</p>
	 <p>Figure 4: Extract of Shadow Diagram – 21st June (Dwg No. 24135-14)</p>
C4.E – Car parking and garages	
Objective	
	<ul style="list-style-type: none"> To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact on building articulation
C4.23 – Driveway width	
Control	<p>A driveway should have a minimum width of 3m</p> <p>Note: B8.12 requires ingress/egress widths to provide the listed dimensions</p>

C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
Assessment	<p>The proposed driveway is 2.8m wide, which represents a 200mm shortfall from the minimum requirement. Despite the minor non-compliance, the proposed driveway is capable of accommodating standard vehicles and allows for safe ingress and egress movements as shown in the swept path diagrams prepared by Genesis Traffic (31 January 2025). The width is not expected to result in adverse impacts on traffic or access functionality and will not affect building articulation or landscaping outcomes.</p> <p>This minor variation is considered acceptable.</p>
Control	<p>C4.24 – Garage dimensions</p> <p>Maximum garage door width of 6m for residential lots or 50% of the building frontage, whichever is less.</p>
Assessment	<p>The proposed garage door is 2.6m wide, which is significantly less than the maximum 6.0m and occupies 44% of the 5.9m building frontage, complying with both maximum requirements. The garage is appropriately integrated into the building design and does not dominate the façade.</p>
Control	<p>C4.25 – Garage dimensions</p> <p>Maximum garage width of 9m for lots exceeding 1,500m².</p>
Assessment	<p>The subject lot is less than 1,500m², therefore this control does not apply to the proposal.</p>
C4.F – Landscaping	
<p>Objectives</p> <ul style="list-style-type: none"> • To enhance the appearance and amenity of developments through the retention and/or planting of large and medium sized trees • To encourage landscaping between buildings for screening • To ensure landscaped areas are consolidated and maintainable spaces that contribute to the open space structure of the area • To add value and quality of life for residents and occupants within a development in terms of privacy, outlook, views and recreational opportunities • To create and enhance vegetation links between natural areas and reduce weed potential to environmentally sensitive areas • To reduce energy consumption through microclimate regulation • To reduce air borne pollution by reducing the heat island effect • To intercept stormwater to reduce stormwater runoff 	

C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
Control	C4.27 – Dual occupancy landscaping coverage
	<p>Landscaping is provided as follows:</p> <ul style="list-style-type: none"> • 20% of the site area; or • 40% of the site area where development is located within 50m of: <ul style="list-style-type: none"> - a Coastal Wetland identified in SEPP (Biodiversity and Conservation) 2021; or - koala habitat; or - species or communities listed within the Biodiversity Conservation Act 2016; or - a public reserve; and • 30% shading over uncovered car park areas
Assessment	<p>Each lot has a site area of 349.182sqm. Approximately 40–50sqm of rear yard landscaping is provided per lot, equating to 11.5% and 14.3% of site area. Additional landscaped lawn provided in the side setbacks, and permeable paving in the front yard are also provided. When combined, this landscaping coverage meets the 20% requirement. The site is not located within 50m of any environmental constraints, so the 40% requirement does not apply. All car parking is covered (garage); therefore, the 30% shading requirement for uncovered car parking does not apply.</p>
Control	C4.28 – Dual occupancy landscaping dimensions
	<p>To be counted as part of the total landscaping coverage, the landscaped area must be at least 1.5m wide and 3m long.</p>
Assessment	<p>Rear yard landscaping areas exceed 1.5m x 3m and are usable for passive recreation. While some side landscaping is only 900mm wide and cannot be counted toward the total, this does not affect overall compliance with the objectives of this control.</p>
Control	C4.29 – Dual occupancy landscaping qualities
	<p>Landscaping is in accordance with the following:</p> <ul style="list-style-type: none"> • Landscape works incorporate adequate screening from the street and adjacent neighbours. • Corner lots provide landscaping to both street frontages. • Front boundary structures (e.g. fencing and retaining walls) provide visual relief with the use of landscape planting. • Street trees are to be within the footpath, verge or in the parking lane and be consistent with the Port Stephens Council tree technical specification¹

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C4 – Dwelling House, Secondary Dwelling, or Dual Occupancy	
	<ul style="list-style-type: none"> Landscape planting must provide adequate shading to the eastern and western aspects of private open space Structural soil and/or structural cells should be used to reduce competition between specimen trees and infrastructure <p>Note: The canopy coverage of specimen trees can be used to calculate deep soil landscaping</p>
Assessment	<p>A mix of dense, low to mid-height shrubs (e.g. <i>Westringia</i>, <i>Rhaphiolepis</i>, <i>Callistemon</i>) is proposed along the rear boundary, providing screening to adjacent neighbours. As discussed above, street tree planting is not required due to the location of the existing power pole and bus stop within the road reserve.</p> <p>A condition of consent has been included requiring the use of structural soil or root cells in proximity to the existing sewer main in the rear yard, where vegetation is proposed.</p>
Control	<p>C4.30 – Species selection</p> <p>Landscape species are to be selected in accordance with the landscape technical specification.</p>
Assessment	<p>The proposed landscaping includes a diverse mix of native and hardy shrubs within the rear yard, including <i>Banksia</i>, <i>Westringia</i>, <i>Rhaphiolepis</i>, and <i>Callistemon</i> species.</p>
C4.G – Site facilities and services	
Objective	
<ul style="list-style-type: none"> To ensure development provides appropriate facilities and services in the most appropriate site location 	
Control	<p>C4.31 – Waste storage</p> <p>An adequately screened waste storage and recycling area is to be provided behind the building line.</p>
Assessment	<p>The site plan indicates bin storage areas in the rear yard for each dwelling.</p>
Control	<p>C4.32 – Clothes drying</p> <p>A suitable open-air area for clothes drying is to be provided for each dwelling behind the building line with a northerly aspect.</p>
Assessment	<p>A clothesline is proposed along the side boundary for each dwelling, behind the building line.</p>

C8 – Ancillary Structures	
C8.A – Ancillary Structures	
Objectives	
<ul style="list-style-type: none"> To provide further guidance for ancillary structures to ensure consistent and desired amenity is attained To ensure ancillary structures do not adversely impact upon the amenity of the surrounding area To ensure ancillary structures are consistent in terms of height, bulk and scale with the surrounding area 	
Control	C8.14 – Swimming pools
	The water edge must be setback at least 1m from the side and rear boundaries.
Assessment	Pools are setback 2m from the side boundary and approximately 8m from the rear boundaries.
Control	C8.15 – Swimming pools
	Maximum decking height of 1.4m in height if the pool is located more than 600mm above the ground level (finished).
Assessment	No decking is proposed around the swimming pools.
Control	C8.16 – Front fences (including forward of the building line)
	Maximum height of 1.2m and is not of solid infill construction.
Assessment	Pool fencing is 1.2m high, with louvre design and open form consistent with requirements.
Control	C8.17 – Front fences (including forward of the building line)
	Maximum height of 1.5m along main roads and secondary street frontages.
Assessment	Maximum fence height is 1.2m.
Control	C8.18 – Front fences (including forward of the building line)
	Compatible with street facilities, such as mailboxes, and allow easy access to public utilities.
Assessment	Mailbox to be provided per AS/NZ 4253:1994; fencing and paths allow access. Fence design complements the dwelling.
Control	C8.19 – Side and rear fences

C8 – Ancillary Structures	
	Maximum height of 1.8m.
Assessment	Side and rear fencing does not exceed 1.8m in height.
Control	C8.20 – Side and rear fences
	Side fences must not encroach on the front setback area of any dwelling.
Assessment	Fencing height reduces within the front setback as shown on Elevation Plan (DWG No. 24135-08).
Control	C8.21 – Side and rear fences
	Fencing materials should reflect context and character of the area.
Assessment	Front fencing is selected aluminium balustrading (Dulux 'Vivid White' or equivalent); side fencing materials expected to match.
Control	C8.22 – Side and rear fences
	Fences within the root zone of an existing tree must be constructed of light weight suspended panels supported by posts with pier footings.
Assessment	Not applicable, the site is clear of existing vegetation.
Control	C8.23 – Retaining walls
	Maximum height of 1m.
Assessment	Retaining wall at garage level has a maximum height of 900mm and is setback 900mm from the side boundary.
Control	C8.24 – Retaining walls
	Masonry construction within 0.9m of the property boundary when greater than 0.6m in height.
Assessment	Masonry construction will be required by relevant conditions of consent.
Control	C8.25 – Retaining walls
	Retaining walls are wholly contained within the site.
Assessment	All retaining walls are setback 900mm from the side boundaries and within the property boundary.

Section 4.15(1)(a)(iiiia) – Any planning agreement or draft planning agreement entered into under section 7.4

There are no planning agreements or draft planning agreements which have been entered into under section 7.4 of the EP&A Act which are relevant to the development.

Section 4.15(1)(a)(iv) – The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The following sections within the EP&A Regulation 2021 apply to the development, and have been considered through the assessment of this application:

Section 61 – Additional matters that consent authority must consider

In regard to section 61(1) of the EP&A Regulations 2021, Council has considered the Australian Standard AS 2601—2001: The Demolition of Structures in the assessment of this application with appropriate conditions being imposed on the consent.

Section 4.15 (1)(b) The likely impacts of that development**Social and Economic Impacts**

The proposal will result in a modest increase in housing supply through the provision of an additional dwelling in an existing residential area. This will contribute positively to housing diversity and availability within the locality. The development is of a scale and density compatible with expected modern development typologies and is not expected to generate any adverse social or economic impacts. During construction, the development may provide short-term employment and local economic benefits.

Impacts on the Built Environment

The proposed development is compatible with modern residential character and responds appropriately to the site's topography, orientation, and access. The built form is consistent with the objectives of the relevant planning controls in terms of height, setbacks, solar access, privacy and private open space provision. Specifically, overshadowing and privacy impacts have been considered and minimised through appropriate design measures, including setbacks, landscaping, and window placement. The development provides compliant onsite parking and safe access arrangements.

Impacts on the Natural Environment

The proposed development will involve minor disturbance to the natural environment. The site is already cleared and does not contain any threatened species, ecological communities, or significant native vegetation. Stormwater will be managed in accordance with Council's requirements, and appropriate erosion and sediment controls will be implemented during construction to minimise off-site impacts. The development will not adversely impact groundwater, biodiversity, or local watercourses.

Section 4.15(1)(c) The suitability of the site for the development

The subject site is considered suitable for the proposed development. It is zoned for residential purposes and is of a size and configuration that can accommodate the development in accordance with the relevant planning controls. The site is accessible, well-serviced by infrastructure, and located in proximity to existing community facilities and services. The proposal has been designed to respond to the site's constraints, including topography and easements. No significant constraints have been identified that would preclude the site's development for the proposed use.

Section 4.15(1)(d) Any submissions**Public Submissions**

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The application was exhibited from 2 December 2024 – 16 December 2024 in accordance with the provisions of the Port Stephens Council Community Engagement Strategy. Seven (7) submissions were received during this time. Further information was requested on 17 December 2024 and 18 March 2025 requesting design amendments to address a number of issues identified during the assessment process, raised in the submission and by internal referrals.

Following the response to the RFI, the application was re-exhibited from 3 April 2025 – 25 April 2025 in accordance with the provisions of the Port Stephens Council Community Engagement Strategy. Five (5) submissions were received during this time, all from previous submitters. The matters raised during the exhibition period have been detailed in the table below.

Item	Matter raised	Response
1	Overdevelopment and Incompatible Bulk and Scale	
1.1	<p><i>Concern was raised that the proposal represents an overdevelopment of the site and is inconsistent with the established character of the area. Specifically, it was stated that the three-storey height is incompatible with the surrounding single- and two-storey built form, that the development is excessive in bulk and scale for the locality, and that it will detract from the streetscape and amenity.</i></p>	<p>While the proposal is 3-storeys in height and the immediate streetscape is predominantly comprised of single and 2-storey dwellings, similar scale and density outcomes are evident elsewhere in the immediate locality, indicating a gradual transition in the built form character.</p> <p>Exmaples of other 3-storey development include:</p> <ul style="list-style-type: none"> • 1 Bagnall Ave, Soldiers Point • 164 Soldiers Point Road, Salamander Bay • 224 Soldiers Point Road, Salamander Bay • 230 Soldiers Point Road, Salamander Bay <p>The development complies with key planning controls including floor space, setbacks, and height, and responds to the increasing need for infill housing in accessible, well-located areas.</p> <p>The building form has been carefully articulated to minimise visual bulk through the use of material variation, recesses, balconies, and modulation of façades. The design includes passive surveillance to the street and appropriately maintains privacy to adjoining properties.</p> <p>While visually different to some of the surrounding built form, the proposal is not considered to be an unreasonable departure from the anticipated future character envisaged by the planning framework. It reflects a</p>

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		contemporary response that is consistent with strategic housing objectives.
2	Height Non-Compliance and Variation Justification	
2.1	<i>Concern was raised that the proposed development exceeds the 9.0m building height limit and that the variation is unjustified or not supported by sound planning principles.</i>	<p>The development initially exceeded the maximum building height control of 9.0 metres under Clause 4.3 of the Port Stephens Local Environmental Plan (LEP) 2013. Following a Request for Information issued by Council on 17 December 2024, the applicant revised the proposal to bring the development fully into compliance with the height control.</p> <p>The current amended plans confirm that the building height does not exceed 9.0 metres measured from existing ground level. As such, there is no longer any breach of the development standard, and a Clause 4.6 variation is not required. The height complies with planning requirements.</p>
3	Adverse Impact on Neighbouring Amenity	
3.1	<i>Concerns were raised, particularly the adjoining southern neighbour at 142 Soldiers Point Road, about overshadowing, loss of solar access, reduced internal daylight, and adverse impacts on solar panel performance. Specific concern was raised about loss of morning sunlight to private open space and habitable rooms.</i>	<p>Overshadowing analysis prepared by the applicant and reviewed by Council shows the following for 21 June (winter solstice):</p> <ul style="list-style-type: none"> At 9:00am, the majority of the neighbouring POS is overshadowed. From 10:00am onwards, sunlight progressively reaches the POS. By 11:00am, at least 40% of POS receives sunlight. Between 12:00pm and 3:00pm, 60–100% of the POS is in sunlight. <p>This overshadowing analysis demonstrates compliance with the DCP requirement that a minimum of 30% of the POS receives at least 3 hours of direct sunlight between 9:00am and 3:00pm in mid-winter.</p> <p>The adjoining dwelling contains a skylight and solar panels on the north-facing roof, which receive sunlight between 9:00am and 1:00pm. The internal living area receives light from the skylight and from a large east-facing glass door, retaining reasonable daylight access. Solar</p>

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		<p>panels remain operational during peak daylight hours.</p> <p>Due to the subdivision pattern, both dwellings share a north-south side boundary relationship, which unavoidably results in some shadowing to southern neighbours. Given the orientation and the demonstrated compliance with solar access controls, the impact is considered reasonable and acceptable.</p>
4	Traffic and Safety Concerns	
4.1	<p><i>Concerns raised about the increase in traffic volumes, safety of vehicle movements, adequacy of parking, and driveway locations close to intersections. Objectors also questioned whether the driveway configuration meets Council's access and design standards.</i></p>	<p>The proposed development involves two dwellings, each with three or more bedrooms. Two car parking spaces are provided per dwelling, in accordance with the DCP. Soldiers Point Road is a collector road with capacity to accommodate additional local traffic generated by the development. The site is not opposite any traffic-generating land uses, and the proposed driveways are separated by more than 55m from the nearest intersection.</p> <p>Each dwelling has a single 2.8m wide crossover, consistent with Figure BV of the DCP. The access points retain the existing driveway locations. Driveway setbacks, queuing distance, and sightlines comply with Section B8.13 of the DCP. Swept path diagrams demonstrate that vehicles can safely enter and exit the site in a forward direction. Although vehicles will manoeuvre across permeable paved areas of the front yards, a restriction on title via the Section 88B Instrument will ensure these areas remain available for that function. Gradient transitions at the kerb will be constructed to match existing levels and can be conditioned accordingly. No significant safety or traffic concerns are identified.</p>
5	Misleading or Incomplete Documentation	
5.1	<p><i>Concerns were raised that the documentation is misleading or lacking in detail, particularly regarding the Waste Management Plan, which did not specify the presence or handling of asbestos during demolition works.</i></p>	<p>It is common for older dwellings to contain asbestos, and management of asbestos is standardly addressed through conditions of consent. While the Waste Management Plan does not quantify asbestos content, any demolition works will be subject to conditions</p>

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		<p>requiring compliance with relevant NSW Work Health and Safety legislation, including the EPA's asbestos management protocols.</p> <p>These matters are typically addressed through the Construction Certificate process, not at DA stage. As such, the absence of specific asbestos details at this stage does not represent a deficiency in the documentation.</p> <p>Notwithstanding this Council has included several conditions to ensure that if asbestos is identified it is managed safely and neighbouring properties are notified.</p>
6	Questionable Reclassification of Units (Kitchen Removal)	
6.1	<p>Concern that as the original proposal showed three kitchens per dwelling, potentially indicating an intention to use the premises as multiple dwellings or boarding houses. Concerns raised that the amended plans simply reclassify rooms but retain potential for conversion, and that this undermines the integrity of the assessment process.</p>	<p>The original DA did include multiple rooms labelled as "kitchens" within each dwelling. In response to a Request for Information issued in December 2024, the applicant amended the design to include only one kitchen per dwelling, consistent with the definition of a dwelling house under the LEP. The 're-labelled' rooms no longer meet the criteria for kitchens or separate dwellings.</p> <p>Council must assess the application based on the submitted plans. Without evidence of non-compliance, speculation about potential future use cannot form the basis for refusal. Conditions of consent will require development to be carried out in accordance with the approved plans, and any unauthorised future conversion would be a compliance and enforcement matter. Council considers the plans now comply with all relevant definitions and controls.</p>

Section 4.15(1)(e) The public interest

The subject site is located within an established residential area and is zoned R2 Low Density Residential under the Port Stephens Local Environmental Plan 2013. The proposed semi-detached dwelling development is a permissible land use within the zone and is consistent with the zone objectives, which include providing for the housing needs of the community in a low-density residential environment and enabling other forms of compatible development.

The application provides for additional housing in a locality that is well-served by infrastructure and is in proximity to the coastline, transport, and community services. The development supports

ITEM 1 - ATTACHMENT 2 PLANNER'S ASSESSMENT REPORT.

strategic planning objectives relating to housing diversity and infill development in established urban areas.

Concerns were raised during public exhibition regarding the development's built form, potential impacts on neighbouring amenity, overshadowing, and traffic safety. These concerns have been carefully considered in the assessment of the application. Amendments were made by the applicant to address key issues, including modifying the building height to comply with the LEP development standard. The proposal is now compliant with height, setbacks, and car parking requirements and has demonstrated that acceptable levels of solar access and privacy will be retained for neighbouring properties.

Council acknowledges that the development represents a change to the existing character of the area. However, it is considered to be consistent with the emerging character envisaged by the planning controls and is not contrary to the public interest. Conditions of consent have been recommended to ensure the development proceeds in accordance with the approved plans and that any potential impacts are appropriately mitigated.

Accordingly, it is considered that the proposal is in the public interest.

Section 7.11 – Contribution towards provision or improvement of amenities or services

The development triggers section 7.11 development contributions for the creation of one (1) additional lot/dwelling.

Section 7.12 – Fixed Development Consent Levies

Fixed development contributions apply to the proposal in accordance with the Port Stephens Local Infrastructure Contributions Plan and conditions of consent have been included requiring the payment of contributions.

Housing and Productivity Contribution Order 2023

The development triggers Housing and Productivity contributions for the creation of one (1) additional lot/s / dwellings / gross floor area.

CONCLUSION

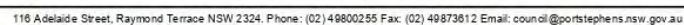
This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

RECOMMENDATION

The application is recommended to be approved under delegated authority pursuant to s4.15 of the *Environmental Planning and Assessment Act 1979*, subject to conditions of consent provided as contained in the notice of determination.



Development application (DA) call to Council request:	
<p>I/We (Mayor/Councillor/s) <u>Armstrong and Arnott</u> request that DA number <u>16-2024-609-1</u> for DA description <u>Demolition of existing structures, construction of Dual Occupancy (attached), pool and one into 2 torrens title subdivision</u> located at <u>140 Soldiers Point Rd, Salamander Bay</u> be reported to Council for determination.</p>	
Reason:	
Public interest	
Declaration of Interest:	
<p>I/We have considered any pecuniary or non-pecuniary conflict of interest (including political donations) associated with this DA on my part or an associated person.</p> <p>I/We (Mayor/Councillor/s) _____ have a conflict of interest:</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>If yes, please provide the nature of the interest and reasons why further action should be taken to bring this DA to Council:</p>	
Signed: <small>Please sign or type name & attached to an email.</small> Cr Armstrong - by Email	Date: 6 January 2025
Signed: <small>Please sign or type name & attached to an email.</small> Cr Arnott - by Email	Date: 6 January 2025



ITEM NO. 2

**FILE NO: 25/76338
EDRMS NO: 79-2022-3-1**

EMISSION REDUCTION ACTION PLAN - ANNUAL PROGRESS REPORT

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
DIRECTORATE: COMMUNITY FUTURES

RECOMMENDATION IS THAT COUNCIL:

- 1) Amend Port Stephens Council's climate action target from 'Carbon Neutral by 2025' to Net Zero by 2050, with an interim target of 50% emissions reduction by 2030, in alignment with the State and Federal Government targets.
- 2) Commits to the continued rollout of Council's Emissions Reduction Action Plan **(ATTACHMENT 1)**.
- 3) Requests the General Manager provide 6 monthly reporting to Council on the progress of Council's Emissions Reduction Action Plan.

**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

	<p>Mayor Leah Anderson Councillor Giacomo Arnott</p> <p>That Item 2 be deferred to allow for a Two way conversation to occur.</p>
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Cr Mark Watson foreshadowed a motion should the motion above be lost.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott and Peter Francis.

Those against the Motion: Crs Chris Doohan, Nathan Errington, Paul Le Mottee, Ben Niland and Mark Watson.

The motion was lost.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

ORDINARY COUNCIL MEETING - 8 JULY 2025 FORESHADOWED MOTION

162	Councillor Mark Watson Councillor Ben Niland It was resolved that Council: <ol style="list-style-type: none">1) Note the Report.2) Suspend any further expenditure on external consultants to track emissions.3) Suspend Carbon Neutral or Net Zero targets for a period of at least 5 years and internally revise the Emission Reduction Action Plan roll out to not contain these targets.4) Reallocate any scheduled financial resources for carbon neutral/ net zero to be reallocated on a 50/50 ratio into local environment activities and roads.
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Those for the Motion: Crs Chris Doohan, Nathan Errington, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott and Peter Francis.

The motion was carried.

Note: the motion above was put after Council resolved to extend the meeting.

ORDINARY COUNCIL MEETING - 8 JULY 2025 MOTION

163	Councillor Chris Doohan Councillor Peter Francis It was resolved that Council extend the meeting to 9:30pm.
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Cr Giacomo Arnott foreshadowed a motion that this item be placed last on the agenda and conclude the meeting.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson

Those against the Motion: Cr Giacomo Arnott.

The motion was carried.

BACKGROUND

This report provides an update on the progress of the Emissions Reduction Action Plan (ERAP) and reviews Council's climate action target of Carbon Neutrality by 2025. The report recommends a revised target of Net Zero by 2050, with an interim target of 50% emissions reduction by 2030. Transitioning Council's commitment to net zero reflects industry best practice and aligns with the Australian Government's commitments under the Paris Agreement.

In October 2021, Port Stephens Council demonstrated leadership in sustainability through its endorsement of a 'Carbon Neutral by 2025' target (**ATTACHMENT 2**). The goal focused on reducing and offsetting Council's operational emissions. To realise this goal, an Emissions Reduction Action Plan (ERAP) was developed (**ATTACHMENT 1**) and the ERAP continues to be implemented across the organisation as resourcing permits.

TRANSITION TO NET ZERO

Since 2021, global climate thinking has evolved, with a focus on sustained emissions reductions. As such, many governments and Councils are adopting net zero by 2050 targets, with strong interim targets for 2030 to ensure timely progress.

Net zero aims to reduce all operational emissions to zero, whilst carbon neutrality focuses on offsetting remaining emissions on an annual basis. The cost of offsetting residual emissions is significant (estimated at \$500,000 to be paid annually for Council). This methodology is now generally considered to have been superseded by net zero, which encourages genuine operational emissions reductions over time.

The recommended target of Net Zero by 2050 with an interim target of 50% by 2030 aligns with the United Nations Intergovernmental Panel on Climate Change (IPCC) and National and State Goals. The IPCC has stated that to limit warming, global emissions must fall by around 50% by 2030 and reach Net Zero by 2050. Australia and NSW have committed to this goal. Aligning local goals ensures consistency and may unlock grant funding opportunities.

ERAP PROGRESS REPORT

Council continues to progress the actions and initiatives detailed within the ERAP with a detailed update on Council's progress on actions taken to reduce Council's carbon emissions is provided in (**ATTACHMENT 3**). The actions within the ERAP range from one-off capital investment in nature (such as the upgrade of heat pumps at Council's pools), to ongoing operational systems changes such as adjustments to Council's procurement processes and emissions data collection systems. Port Stephens Council's carbon footprint has been reduced by 40% between the 2021-2022 and 2022-2023 financial years. The ERAP recommends recalculating Council's carbon footprint at the completion of the short term actions (end of 2026). This will assist in evaluating the ERAP's effectiveness to date and identifying new areas of opportunity to further reduce emissions.

DATA REPORTING

Council is working to improve processes around emissions data capture and reporting. Council's carbon footprint includes data from a wide range of emission sources including petrol, diesel, gas, waste, electricity and others. Data availability and quality present significant issues. In particular, indirect (Scope 3) emissions - those resulting from contracted services, procurement, and other external sources - are difficult to quantify due to limited reporting from suppliers and the absence of standardised methodologies across the sector.

Additionally, the ongoing evolution of emissions reporting frameworks creates challenges for maintaining consistency over time. Changes in definitions, calculation methods, and reporting requirements can impact the comparability of emissions data year-on-year and complicate long-term performance tracking.

To address these challenges, Council is currently exploring opportunities relating to data collection, data analysis and the implementation of emissions tracking software solutions.

SIX MONTHLY REPORTING

The elected Council has previously endorsed a quarterly progress reporting frequency to Council via the business paper (**ATTACHMENT 4**). Councillors have noted that the information provided through these quarterly reports is not providing sufficient detail or overview of Council's progress.

To address this, an adjustment to the endorsed quarterly progress reporting schedule is proposed. Six monthly reporting would provide a greater opportunity to show more meaningful progress, considering that the ERAP actions are carried out over a longer-term timeframe. Additionally, this approach would align with the six monthly and annual Integrated Planning & Reporting cycles.

This would be supported by regular updates on projects and initiatives made on Council's website and accessible to the wider community. Councillors will also be notified of significant projects or initiatives implemented across the organisation via the PS Newsletter.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2025-2029
Environmental sustainability	Develop and deliver a program for Council leading the way to a sustainable and climate positive future.

FINANCIAL/RESOURCE IMPLICATIONS

Based on Council's current carbon footprint, an estimated cost of \$500,000 would be required annually to achieve carbon neutrality. There is no funding source currently identified for this expected cost.

Through a transition to net zero, offsetting of emissions would not be required by Council until 2050. This would allow sufficient time for Council to implement the actions and initiatives identified within the ERAP. Over this period, Council's carbon footprint will be reduced and any residual annual costs would be minimised if not removed.

The implementation of ERAP actions is currently funded through the use of Council's Sustainability Reserve, available grants and adjustments made to annual budgets including waste, fleet and capital works.

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

LEGAL, POLICY AND RISK IMPLICATIONS

There is currently no legal requirement for Council to achieve carbon neutrality or net zero status. The Federal Government has committed Australia to a goal of net zero by 2050 through the Paris Agreement. The NSW State Government has also committed to the goal of net zero by 2050.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council will not be able to financially support both the purchase of carbon offsets and the rollout of sustainability projects under a carbon neutrality commitment.	Medium	Accept the recommendations.	Yes

MINUTES ORDINARY COUNCIL - 8 JULY 2025

There is a reputational risk that Council will not achieve its commitment to carbon neutrality of Council's operational emissions by 2025 should a funding source not be identified or a net zero target is not set.	Medium	Accept the recommendations.	Yes
There is a reputational risk to Council if it was to transition from carbon neutrality to net zero.	Low	Council has undertaken consultation with and received support from Council's Environmental Advisory Group.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council's commitment to achieving carbon neutrality for Council operations by 2025 is an ambitious target that requires ongoing funding to pay for carbon offsets with no clear benefit to the organisation. Transitioning to net zero targets provides a sustainable and incremental approach to reduce Council's operational emissions over-time.

COMMUNICATION AND ENGAGEMENT

Council's Communication and Engagement Strategy uses the IAP2 Framework to identify the level of engagement undertaken. An explanation for each level is shown below.

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
CONSULT	To obtain public feedback on analysis, alternatives and/or decisions.
INVOLVE	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
EMPOWER	To place final decision-making and/or developed budgets in the hands of the public.
	No external communications and engagement are required for this report.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

The following communication and engagement applies to this report.

External communications and engagement

Council has continued to provide project updates to the community through its social media and website content, and quarterly Council Information Papers. Council has also actively engaged with the Environmental Advisory Group.

INFORM	Sustainability projects and initiatives are promoted through social media, Council's website and quarterly Council Information Papers.
INVOLVE	Council's Environmental Advisory Group has provided advice and support with regards to the proposed transition to a net zero target.

Internal communications and engagement

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section with:

- Financial Services Section
- Holiday Parks Section
- Organisation Support Section
- Assets Section
- Capital Works Section
- Community Services Section
- Public Domain and Services Section
- Communications and Customer Experience Section

OPTIONS

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

ATTACHMENTS

- 1) Final Emission Reduction Action Plan.
- 2) Minute No. 275, 12 October 2021.
- 3) 2025 ERAP Progress Report.
- 4) Minute No. 092, 11 April 2023.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



Port Stephens Council

EMISSIONS REDUCTION ACTION PLAN

Final report

March 2024

www.100percentrenewables.com.au



Executive Summary

Port Stephens Council (Council) committed to the development of a Carbon Neutral Action Plan (CNAP) which outlines a strategy to achieve carbon neutrality for Council operations by 2025.

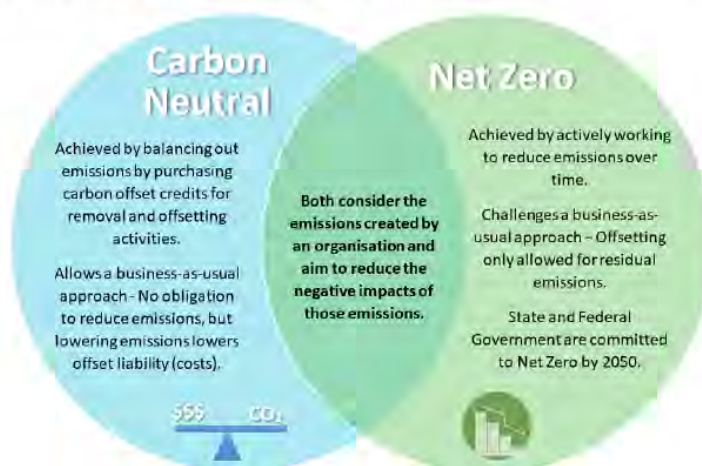
During the development of the Plan a decision was taken to rename the document to Port Stephen's Emissions Reduction Action Plan (ERAP), to accommodate a potential expansion of strategic objectives beyond carbon neutrality to include net zero principles and targets, in line with State and Federal Government policy positions.

The ERAP outlines the short, medium and long term actions to reduce or remove Greenhouse Gas Emissions. A carbon footprint baseline is included in the ERAP to measure the success of the actions taken.

Background

Since Council's commitment in October 2021 to carbon neutrality for its operations by 2025, the Australian and NSW State Governments have legislated for a target of Net Zero emissions by 2050. In alignment with these legislative changes, and in addition to the shorter-term carbon neutrality actions, it is recommended Council also consider adopting longer-term Net Zero targets and associated emission reductions strategies.

Both Net Zero and carbon neutrality aim to achieve a balance between the amount of greenhouse gases emitted and the amount removed from the atmosphere, however, there is a subtle difference in approach. Carbon neutrality can be achieved immediately by purchasing carbon offset credits to balance an organisation's emissions with carbon removal or offsetting activities. Net Zero is achieved through a long term commitment to reducing emissions to the smallest amount possible, before purchasing offsets for any residual emissions that cannot be reduced. Carbon neutrality and Net Zero are objectives which can be pursued concurrently. Organisations can become carbon neutral in the short term while working towards a longer-term Net Zero target.



SIMILARITIES AND DIFFERENCES BETWEEN CARBON NEUTRAL AND NET ZERO PATHWAYS.



The research undertaken for this ERAP addresses Council's needs in regards to better understanding the options, costs and benefits associated with both pathways, identifies key strategic objectives and provides a comprehensive exploration of emission reduction opportunities across all areas of the organisation.

Port Stephens Council Carbon Footprint

Council's carbon footprint for the 2022 financial year has been calculated to understand its potential offset obligations for the purposes of achieving carbon neutrality by 2025 and can be used as a baseline to measure the success of any future emission reduction actions. A total of 2,977 tonnes (scope 1 and 2) and 4,609 tonnes (scope 3) of carbon-dioxide equivalent was emitted by Council during the 2022 financial year, a 40% reduction on the previous financial year FIGURE 2.

While not mandatory for carbon neutrality, emissions and actions relating to scope 3 were also calculated for transparency and to provide Council with the option to transition to a Net Zero Strategy in line with the State and Federal Government commitments.

A full inventory of Council's emissions can be found in TABLE 10 and TABLE 11 and detailed breakdowns of emission sources and scopes can be found in SECTION 2. During FY 2022, the main contributors to Council's Scope 1 and 2 carbon footprint includes electricity and fleet fuel.

Emissions Reduction Strategy

This ERAP translates measures outlined in the emissions reduction strategy provided in SECTION 4 to identify a total of 101 actions to reduce Council's emissions, which are detailed in SECTION 5. The recommended actions have been categorised into short (2024-2026), medium (2027-2030) and long-term (2030+) timelines.

Regarding emission reduction targets, Council has committed to achieving carbon neutrality for its operations by 2025.

Based on stakeholder engagement, assessment of emission reduction opportunities, and the potential for aligning with current legislation, it is recommended that Council consider the following additional renewable energy and emissions reduction targets as part of a long-term commitment to achieving Net Zero:

- **Renew PPA contract of purchasing 100% renewable electricity beyond 2026:**
It is recommended that Council extends its PPA contract for its sites past 2026, to continually achieve substantial emissions reductions from purchased electricity.
- **Net Zero for Scope 1, 2 and 3 emission sources by FY 2050:**
It is recommended that Council considers committing to aligning with the NSW State Government target of Net Zero emissions by FY 2050, or earlier. This would involve a comprehensive, ongoing program of emission reduction works and value chain decarbonisation initiatives, implemented in accordance with the identified optimal timing, thereby minimising final carbon offset liability while maximising overall benefits to Council.

Council may also wish to select an interim target in line with NSW State Government targets. This approach of setting interim targets is in line with the Science based Target initiative (SBTi) which emphasises the need for measuring progress against a steady downward trajectory. Both these options

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.

Port Stephens Council
Emissions Reduction Action Plan

would require establishment (through modelling or calculation of actual data) of a baseline carbon footprint year for 2005 or later. In the absence of any other established baseline year, FY 2022 (7,586 t CO₂-e) may be used to provide an indicative idea of potential feasibility:

- **50% emissions reduction by FY 2030:** The 2030 emissions forecast in Figure 10 of 4,159 t CO₂e, represents a 45% reduction on 2022 levels, just short of the NSW Government target.
- **70% emissions reduction by FY 2035:** The 2035 emissions forecast in Figure 10 of 2,393 t CO₂e, represents a 67% reduction on 2022 levels, again just short of the NSW Government target.

Council may wish to undertake further analysis prior to future reviews of this Emissions Reduction Action Plan, to inform whether and which new targets should be adopted.



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Glossary of Key Terms and Abbreviations

Term	Definition
Australian Carbon Credit Unit (ACCU)	A financial instrument issued by the Clean Energy Regulator to eligible projects that reduce GHG emissions. One ACCU represents one tonne of carbon dioxide equivalent (t CO ₂ -e) stored and that is not released into the atmosphere.
Baseline	A reference against which a company's emissions are tracked over time.
Battery electric vehicle (BEV)	A type of electric vehicle that relies solely on an electric battery to power an electric motor and propel the vehicle. Unlike hybrid vehicles, BEVs operate entirely on electricity stored in high-capacity batteries.
Battery energy storage system (BESS)	A technology that stores electrical energy in batteries for later use.
Business-as-usual (BAU)	The standard and routine operations of an organisation without any significant changes or deviations from its usual practices.
Carbon sequestration (or 'sequestration')	The absorption of CO ₂ and storage of carbon in biological sinks.
CO ₂ -equivalent (CO ₂ -e)	A standardised unit of measurement used to assess the climate impact of various greenhouse gases relative to carbon dioxide, expressed in terms of the GWP of unit of carbon dioxide, it provides a comparative basis for evaluating the emissions of different greenhouse gases in terms of their contribution to global warming.
Emission factor	A representative value used to relate the estimated quantity of greenhouse gas emissions with available activity data (e.g. tons of fuel consumed, tons of product produced).
Emissions	Release of GHG into the atmosphere.
Emissions boundary (or 'inventory boundary')	The emissions boundary draws the line between activities that fall within an organisation's control and those that do not as set out by the GHG Protocol.
Fugitive emissions	Emissions not directly controlled but arise from intentional or unintentional release of greenhouse gases (GHGs). These emissions typically stem from the production, processing, transmission, storage, and use of fuels and other chemicals, often through joints, seals, packing, gaskets, etc.
Global Warming Potential (GWP)	A factor used to describe the radiative forcing impact (i.e. degree of harm to the atmosphere) of one unit of a given GHG relative to one unit of CO ₂ .
Greenhouse gases (GHGs)	Gases that raise the Earth's surface temperature by trapping heat in the atmosphere. Main greenhouse gases are as follows: carbon dioxide (CO ₂), methane (CH ₄), nitrous oxide (N ₂ O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF ₆).
Indirect GHG emissions	Emissions resulting from the operations of the reporting entity, yet originating from sources owned or controlled by another entity.



Term	Definition
Intergovernmental Panel on Climate Change (IPCC)	An international body of the United Nations tasked with assessing relevant scientific, technical, and socio-economic information to understand the risks associated with human-induced climate change.
Large-scale Generation Certificate (LGC)	A tradable certificate in Australia that represents the generation of one megawatt-hour of renewable energy. These certificates are part of Australia's Renewable Energy Target program.
Liabilities (or 'offset liabilities')	In the carbon context, offset liabilities refer to the commitments or obligations undertaken by entities to neutralise or compensate for their carbon emissions through initiatives such as purchasing carbon credits or investing in emission reduction projects.
Light Emitting Diode (LED)	A light bulb emits light when an electric current passes through it, serving as an energy-efficient and long-lasting lighting solution, suitable for various applications.
Power Purchase Agreement (PPA)	A contractual arrangement between a power generator (often a renewable energy project developer) and a power purchaser (typically a utility or large-scale consumer) outlining the terms of electricity sale.
Residual emissions	GHG emissions that remain after all reasonable efforts to reduce them have been implemented.
Scope 1 emissions (S1)	Direct GHG emissions from fuel combustion, gas consumption and fugitive emissions from refrigerant gases in air-conditioning equipment.
Scope 2 emissions (S2)	Indirect GHG emissions associated with purchase of electricity generated at fossil fuel power plants.
Scope 3 emissions (S3)	Indirect GHG emissions resulting from upstream and downstream processes within an entity's supply chain.
Sequestration	Refers to the capture and long-term storage of carbon dioxide or other greenhouse gases to prevent their release into the atmosphere, typically to mitigate climate change.
Small-Scale Technology Certificate (STC)	A tradable certificate in Australia that represents the generation of one megawatt-hour of renewable energy. These certificates are part of Australia's Renewable Energy Target program, and apply to smaller sized systems less than 100 kW.
Variable Frequency (or Speed) Drive (VFD, VSD)	An electronic device used in motor control applications to regulate the speed and force of an electric motor, enabling precise control over its speed and, consequently, efficiency.

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

Document Control

Document Name	Document Reference Number	Revision Provided to PSC	Date Provided to PSC	Author
Port Stephens Council Carbon Neutral Action Plan (<i>original title</i>)	Draft 1a	V4	Nov 23	100% Renewables
	Draft 1b	V9	Dec 23	100% Renewables
	Draft 2	V12	Feb 24	100% Renewables
	Draft 3	V1	Mar 24	100% Renewables
	Final	Final	Apr 24	100% Renewables



1 Introduction

100% Renewables was engaged by Port Stephens Council for the development of a Carbon Neutral Action Plan (CNAP) in response to Council's resolution on the 12 October 2021 to "Commit to the goal of achieving Carbon Neutrality for Council operations by 2025". A preliminary study conducted in 2022 established Council's baseline greenhouse gas (GHG) emissions and identified the need to develop an action plan to reduce Council's emissions over time. Those findings lead to a subsequent Council resolution on the 11 April 2023 endorsing funding for the "preparation of the Port Stephens Carbon Neutral Action Plan" which is the purpose of this report.

During the project a decision was taken to rename the document to Port Stephen's Emissions Reduction Action Plan (ERAP), to accommodate a potential expansion of strategic objectives beyond carbon neutrality to include net zero principles and targets, in line with State and Federal Government policy positions. Since the October 2021 Council resolution, the Australian Government has legislated Australia's GHG emissions target to reach Net Zero by 2050, with the New South Wales (NSW) State Government also introducing similar legislation to parliament in October 2023, which has since been passed into law. At the same time, the international standard organisation (ISO) released new unambiguous definitions for the terms Carbon Neutral and Net Zero. The research undertaken for this ERAP addresses Council's needs in regards to better understanding the options, costs and benefits associated with these goals.

Carbon neutrality is achieved by balancing out the carbon emissions an organisation produces by purchasing offsets. The Climate Active Organisation Standard is Australia's only voluntary standard for assessing carbon neutrality and can be used in a number of ways including:

- to better understand and manage the GHG emissions that occur as a result of the operations of an organisation.
- to provide a framework to credibly claim carbon neutrality; and
- as a pathway to be certified as Climate Active Carbon Neutral by the Australian Government.

The following emissions sources are deemed to be relevant to all organisations:

- Scope 1: All stationary energy and fuels used in buildings, equipment, machinery or vehicles in the organisation's control.
- Scope 2: All electricity consumed by buildings, equipment, machinery or vehicles in the organisation's control

In addition, the Standard also requires that all other direct and indirect emissions identified as arising as a consequence of an organisation's business activities must be assessed for relevance. The assessment of emissions relevance was undertaken during development of Council's carbon footprint, presented in Section 2.

While carbon neutrality simply requires emissions to be offset, Net Zero on the other hand is achieved by reducing emissions right across the organisation and its value chain (Scope 3) through a long term program of action before purchasing offsets for any residual emissions that cannot be reduced (see SECTION 4.2 for more information on offsets). In alignment with the legislative changes, and in addition to the shorter-term carbon neutrality actions, this report considers the case for adopting longer-term Net Zero targets and associated emission reduction strategies that are addressed in this ERAP.



Port Stephens Council
Emissions Reduction Action Plan



FIGURE 1: EMISSIONS SOURCES DIVIDED BY SCOPE SHOWING EXAMPLE SCOPE 3 VALUE CHAIN EMISSIONS RELEVANT TO PORT STEPHENS COUNCIL

Council has implemented numerous initiatives over recent years to reduce their operational GHG emissions such as the installation of solar photovoltaic (PV) panels, light emitting diodes (LEDs), water tanks, and solar pool preheating, utilising recycled materials, and signing up to a Power Purchasing Agreement (PPA) to secure 100% renewable energy from the grid. These initiatives have already greatly improved Council's position towards carbon neutrality, achieving a 40% reduction in GHG emissions since the 2021 Financial Year (the year prior to the resolution to be Carbon Neutral by 2025).

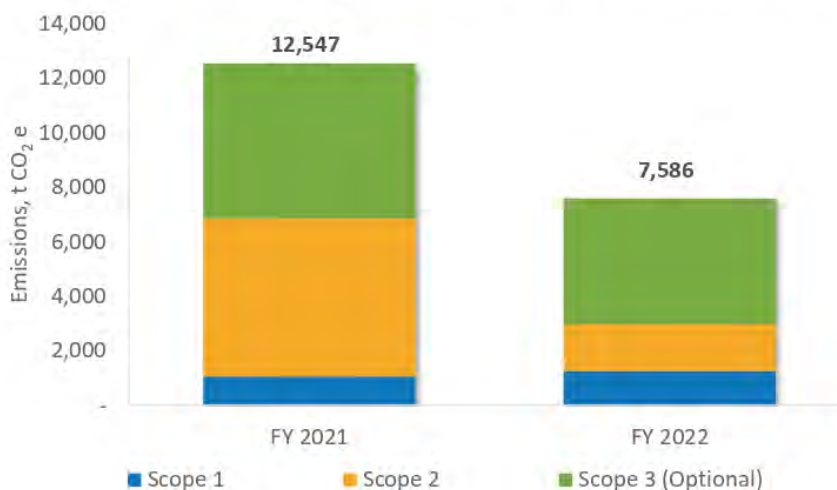


FIGURE 2: PORT STEPHENS COUNCIL EMISSIONS FROM FINANCIAL YEAR 2021 TO FINANCIAL YEAR 2022 INCLUDING OPTIONAL RELEVANT SCOPE 3 EMISSIONS



This ERAP identifies Council's operational emissions in detail in the carbon footprint (TABLE 10 and TABLE 11) calculated for the 2021-22 financial year and identifies feasible options for reducing these emissions, together with recommending appropriate timing of implementation across short, medium and long-term time horizons.

1.1 Background and strategic objectives

In 2022, a preliminary emissions study was conducted to collate and analyse Council's key emissions data and create a baseline carbon footprint. The study identified four key scope 1, 2 and 3 GHG emissions sources. These included scope 1 - machinery/fleet vehicles emissions (8.8%), scope 2 - electricity consumption (51%), and scope 3 - Council's operational waste to landfill (27%) and employee commuting (13.2%), and which combined gave a total of 12,547 tonnes of carbon dioxide equivalent (tCO₂-e) emitted by Council during the 2021 financial year. The preliminary emissions study also included broad offsetting options and pathways for further emissions reduction.

Carbon neutrality is achieved when the amount of GHG emissions are balanced by the number of carbon offsets purchased. Offsets can be purchased from a wide range of projects, including "emissions reduction" projects, such as energy efficiency upgrades, as well as "removal based" projects that pull carbon dioxide (CO₂) out of the air, such as tree planting and soil carbon sequestration. More information about these projects can be found in SECTION 4.2 and APPENDIX C on Offsetting/Insetting. Carbon Neutrality can be achieved relatively easily by any organisation at any stage, but it can come at considerable ongoing financial cost, especially where an organisation's emissions remain high or even increase over time, and is not necessarily reinvested into Council or the local economy.

Net Zero, on the other hand, is a commitment to a long-term decarbonisation pathway that first requires taking direct actions to reduce scope 1, 2 and 3 emissions to a minimum, and only then resorting to purchasing offsets to balance out the small amount of residual emissions. In accordance with ISO Net Zero Guidelines released at the end of 2022, residual emissions can only be offset by purchasing removal-based carbon offsets, as these types of offsets are considered to be the most reliable path to achieving additional emissions reductions and therefore considered to be of higher quality.

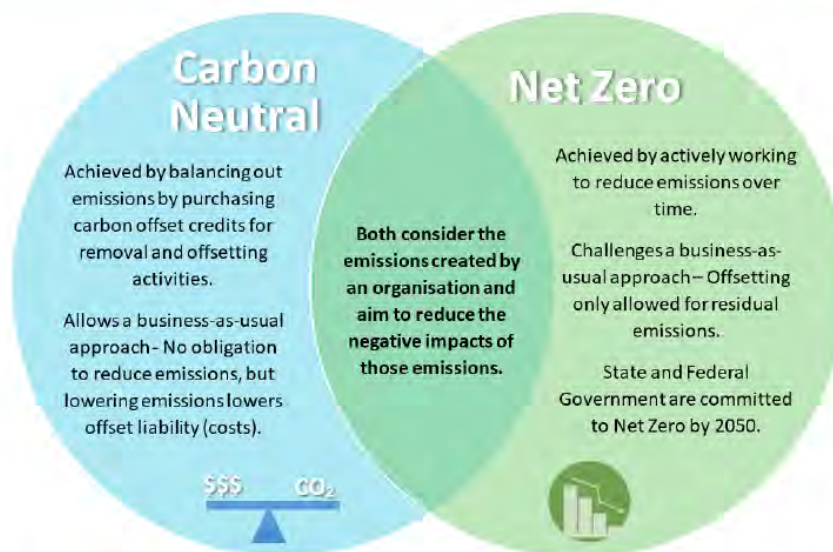


FIGURE 3: SIMILARITIES AND DIFFERENCES BETWEEN CARBON NEUTRAL AND NET ZERO PATHWAYS.

Carbon neutral and Net Zero are not mutually exclusive processes and can be pursued concurrently. Organisations can become carbon neutral in the short term while working towards a longer-term Net Zero target. The benefit of this approach is that the price required to offset emissions acts like an internal price on carbon which can make it easier to get business cases for practical emissions reduction projects over the line.

The ERAP details the actions Council can take to reduce its emissions and quantifies the carbon offset costs required to achieve various outcomes.



1.2 Project scope

The ERAP provides short, medium and long term actions that Council can undertake in order to reduce operational GHG emissions.

The scope of the ERAP includes the following actions:

TABLE 1: PORT STEPHENS COUNCIL EMISSIONS REDUCTION ACTION PLAN – PROJECT SCOPE

Scope of work	Relevant Section
GHG boundary review to ensure alignment with Climate Active certification, inclusions and exclusions and comparison with market standards.	Section 2.2
Baseline emissions data review to identify any gaps within the Scope 1, 2 and 3 emissions and include processes to update baseline emissions data.	Section 2.3
Assessment of the costs and benefits of the current Carbon Neutral 2025 target and associated ERAP, including calculation of carbon offset costs.	Section 3.2
Assessment of the implications of the current PPA on the ERAP.	Section 3.1.1
Audit of 15 energy consuming sites to establish emission reduction strategies for those sites.	Sections 4.5, 5.1, 5.2, & 0
Modelling of representative sites to enable estimation of capital costs, benefits, payback period, and net present value.	Appendix A
Assessment of Council's current operational initiatives and practices achieving carbon reduction outcomes, and identify opportunities to enhance their contribution to Carbon Neutrality.	Section 4
Preparation of a ERAP for Council endorsement including: <ul style="list-style-type: none"> Emission reduction strategies for Scope 1, 2 and 3 emissions; Prioritisation of emissions reduction strategies 	Section 5
Offset purchasing guidelines and an offset purchasing monitoring and reporting schedule/program.	Section 5.4
An emissions reduction pathway to 2050.	Section 4.12
Information on compliance with Climate Active certification, should it be required in future.	Section 3.2.2



1.3 Global and National Context

1.3.1 Global context

At a global level, the call to action for countries to act on climate change has been increasing for several years. According to the Intergovernmental Panel on Climate Change (IPCC) report, *Climate Change 2021: the Physical Science Basis* the global population has already emitted over 85% of all emissions, if to remaining within the 1.5°C of warming threshold. Key agreements and reports that underpin international consensus to act include:

1. Sustainable Development Goals (SDGs)¹
2. Paris Agreement²
3. Special IPCC report on 1.5°C warming (SR15)³, and
4. IPCC Sixth Assessment Reporting cycle (AR6)⁴

To align with global Net Zero goals and principles Council would be required to:

1. Minimise GHG emissions from stationary fuel combustion such as diesel (Scope 1);
2. Minimise GHG emissions from transport fuel combustion (Scope 1);
3. Minimise GHG emissions from electricity consumption (Scope 2);
4. Address supply chain (eg waste) emissions (Scope 3); and
5. Remove or offset all remaining emissions.

1.3.2 National, State, and local government policies

In Australia, the commitment to addressing climate change is becoming more uniform and aligned towards international goals across all levels of government. This includes the following ambitious efforts towards decarbonisation by 2050:

- The Federal Government legislated an emissions reduction target of 43% by 2030 (from 2005 levels) and is committed to Net Zero by 2050.
- Majority of Australia's states and territories are committed to additional emission reductions Targets.
- NSW Government legislated a target of 50% emissions reduction by 2030, a 70% emissions reduction by 2035, and Net Zero by 2050.

To reach these targets, NSW Councils are focussing on the following actions:

1. Increased focus and priority on reducing carbon emissions and promoting sustainability.
2. Development and implementation of a Climate Change Mitigation Plan or similar for both Council and community emissions.
3. Increased public engagement, education and literacy on climate change and opportunity.
4. Alignment with state and national climate goals and initiatives (FIGURE 4).
5. Potential for increased funding and support from state and federal governments for climate action.

¹ Sourced from <https://www.un.org/sustainabledevelopment/development-agenda/>

² Sourced from <https://www.un.org/sustainabledevelopment/climatechange/>

³ Sourced from https://www.ipcc.ch/site/assets/uploads/sites/2/2022/06/SR15_Full_Report_HR.pdf

⁴ Sourced from https://www.ipcc.ch/report/ar6/wg3/downloads/report/IPCC_AR6_WGIII_SummaryForPolicymakers.pdf

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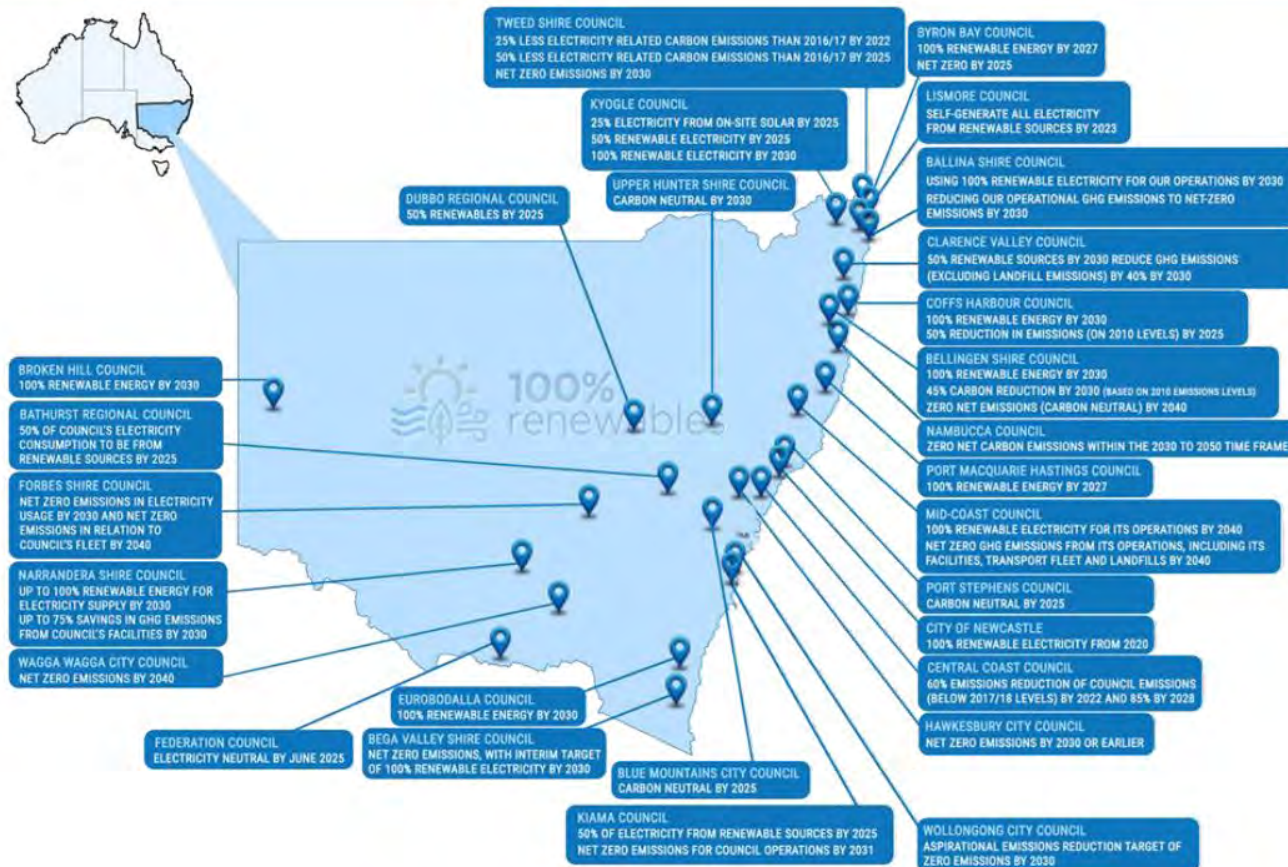


FIGURE 4: NSW LOCAL GOVERNMENTS EMISSIONS REDUCTION AMBITIONS, 2022



2 Port Stephens Council's Carbon Footprint

Council's carbon footprint was calculated using the methods laid out in the Climate Active Guidelines and GHG Protocol Corporate Accounting and Reporting Standard.

2.1 Overview of emissions scopes

To help differentiate between different greenhouse gas emission sources, emissions are classified into the following scopes according to the GHG Protocol⁵ – Corporate Standard:

- **Scope 1 emissions** are direct emissions generated at Council operations through fuel combustion, gas consumption, and fugitive emissions from refrigerant gases in air-conditioning equipment.
- **Scope 2 emissions** are indirect emissions caused by consuming electricity. Such emissions are generated outside the organisation (i.e. fossil fuel power plants), but Council is indirectly responsible for them.
- **Scope 3 emissions** are also indirect emissions and happen upstream and downstream of Council's operations, these are also known as value chain emissions. Typical examples include staff commute, outsourced professional services and waste to landfill.

Council could declare carbon neutrality for Scope 1 and 2 emissions, however full accounting for Scope 3 emissions would be required when working towards a Carbon Neutral status in line with the Australian Government's Climate Active scheme and/or a Net Zero commitment.



FIGURE 5: SCOPE 1, 2 AND SCOPE 3 EMISSIONS AND THEIR RELATIONSHIP WITH STRATEGIC OPTIONS.

⁵ Sourced from <https://ghgprotocol.org/>



2.2 Scope of emissions assessed for Port Stephens Council

Council's carbon footprint consists of scope 1, scope 2 and relevant scope 3 emissions, as illustrated in the emissions boundary in FIGURE 6 below. Council's emissions boundary was established through a 'Relevance Test' that was conducted with key internal stakeholders to identify which emission sources are relevant to Council for inclusion in the boundary. The current emissions coverage is measured in accordance with the Australian Government's Climate Active standard, which provides a framework for measuring greenhouse gas emissions and attaining Carbon Neutrality aligned with the GHG Protocol. Included emissions are classified as quantified if data on the emissions was available during the data collection phase of this project and non-quantified if data was not available. The Climate Active standard also provides comprehensive guidance on how to measure, reduce, offset, validate and report emissions arising from an organisation's operations. Further insights into the Climate Active standard and the conducted Relevance Test for the development of Council's emissions boundary are available in APPENDIX B.

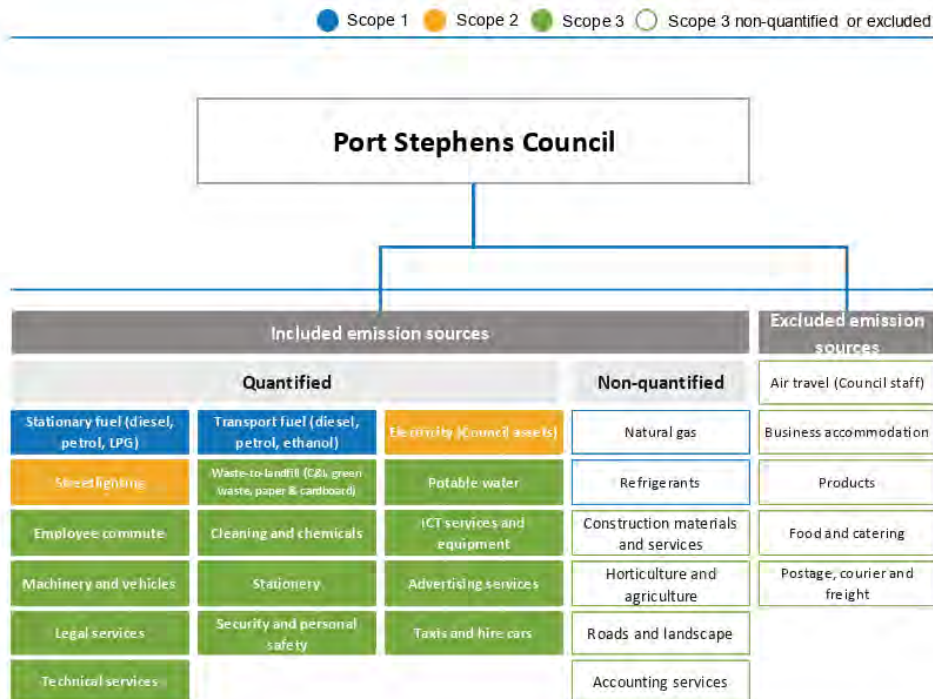


FIGURE 6: PORT STEPHENS COUNCIL EMISSIONS BOUNDARY SHOWING SCOPE 1 AND 2 EMISSION SOURCES AND RELEVANT OPTIONAL SCOPE 3 EMISSIONS

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The carbon footprint developed for FY 2022 had a number of emission sources excluded through the relevance test process or classified as non-quantified based on the availability of data. In future, as the organisation changes or as data becomes available, Council's footprint may include additional emission sources, such as:

- Business travel and accommodation (e.g. flights)
- Embodied emissions in building, road, and bridge construction or alternation projects
- Food and catering expenses
- Office equipment, supplies and furniture expenses
- Postal and courier services
- Staff clothing expenses
- Extensive list of availed professional services (e.g. accounting, education, insurance, subscriptions & periodicals)

2.3 Council's Activity Data for FY 2022

The following subsections explain the GHG calculation results for Council's key emission sources for the financial year 2022 (FY 2022).

2.3.1 Scope 1 – Direct Emissions produced by Council

2.3.1.1 Fuel

2.3.1.1.1 FUEL USE FOR TRANSPORTATION AND PLANT

Council purchases fuel for mobile or transportation-related purposes via fleet card accounts from multiple providers. Fuel consumption for FY 2022 was extracted from a summary report with granular information on unit brands & models, fuel and vehicle types, and purchased fuel amounts from each provider. Council fleet, inclusive of light commercial and heavy vehicles, trailers and plant (e.g. excavators, loaders, tractors, fire trucks and other 'red fleet' vehicles), consumes three types of fuel: diesel, petrol, and ethanol (as extracted from consumed E10 ULP). TABLE 2 presents a summary of Council's fleet fuel consumption.

TABLE 2: PORT STEPHENS COUNCIL – FLEET FUEL CONSUMPTION FOR FINANCIAL YEAR 2022

Fuel type	Fleet fuel consumption for Financial Year 2022	Percentage
Diesel	374 kL	96.5%
Petrol	13 kL	3.5%
Ethanol	0.27 kL	0.1%
Total	387 kL	100.0%

2.3.1.1.2 FUEL USE FOR STATIONARY PLANT EQUIPMENT

Combustion of liquefied petroleum gas (LPG) for stationary energy purposes at Council assets represents about 2% of the total carbon footprint, representing a material but relatively minor source of emissions. This raises the question of LPG's importance as a policy target, which is addressed in section 4.4. To estimate bottled LPG consumption across Council assets for FY 2022, invoices spanning August 2021 to February 2022 for purchased bottled LPG at holiday parks were analysed to construct



a calculation model that correlates consumption with total expenditures. TABLE 3 provides a breakdown of estimated bottled LPG use per Council asset sub-type.

TABLE 3: PORT STEPHENS COUNCIL – ESTIMATED BOTTLED LPG CONSUMPTION FOR FINANCIAL YEAR 2022

Council asset sub-type	Estimated LPG use for Financial Year 2022	Percentage
Holiday parks	76 kL	90.4%
Depots	4 kL	4.6%
Emergency services	3 kL	3.1%
Buildings	2 kL	1.8%
Total	84 kL	100.0%

Council possesses a range of small plant that consists of smaller-scale machinery and equipment, such as blowers, brush cutters, and chainsaws. Emissions from fuel use for the some of the small plant equipment were not quantified for this project. All small plant is generally fuelled using the operators or team leaders purchase card, however some purchases of fuel are known to be completed using credit cards rather than a fuel card. These purchases are later reimbursed, but this data is not easily available. While the extent to which fuel purchases are being made with credit cards is likely to be relatively minor, Council may wish to quantify this in future to ensure that materiality can be assessed and emissions accounted for as appropriate.

2.3.1.2 Refrigerants

Accounting for refrigerant gas leakages from air-conditioning and refrigeration systems is mandatory under the GHG Protocol. Due to a recent change of supplier, Council did not have access to relevant data (e.g. refrigerant charge top-up data) for estimating emissions from refrigerants for FY 2022, so an 'uplift factor' was applied to ensure an upward adjustment to the carbon inventory. Such adjustment accounts for emissions that could not be reasonably estimated or quantified. Based on work experience with various Councils and businesses, emissions from refrigerants typically comprise about 1-3% of a carbon footprint. For this inventory, a 1% uplift factor was applied.

2.3.2 Scope 2 – Indirect Emissions from Purchased Electricity

2.3.2.1 Electricity

Prior to establishing renewable energy power purchase agreements (PPA) for use in streetlighting and operations at Council assets, purchased grid electricity is the top contributor to Council's carbon footprint, with combined emissions representing roughly 25% of the total. Grid electricity consumption for both streetlighting and Council assets was analysed using basic meter data, billed on both monthly and quarterly cycles.

Contracts involving PPA commenced in January 2022 and involved replacing electricity retailers. This switch led to variations in billing cycles and coverage periods for the first and second halves of the year, taken to be 184 days from June 1st to December 31st of 2021 for the first retailer and 181 days from January 1st to June 30th of 2022 for the second, for simplicity. For some accounts, the covered period was shorter than the full period under each retailer. Such accounts were normalised to either an 184-day or 181-day estimate, as applicable.



TABLE 4 and TABLE 5 below present summaries of Council's electricity usage by asset type and sub-type for FY 2022. As per the latest Climate Active Guidelines on accounting for electricity emissions⁶, under the market-based approach, grid electricity consumption under a PPA may only be claimed as zero emissions (i.e. assigned an emission factor of zero) through surrendering of large-scale generation certificates (LGCs). Based on the information provided by Council that generated LGCs through PPA were surrendered, only the usage for the first half of the year contributed emissions to Council's carbon footprint.

TABLE 4: PORT STEPHENS COUNCIL – ELECTRICITY USE DURING THE 2022 FINANCIAL YEAR BY COUNCIL ASSET TYPE

Council Asset Type	Usage for Jul 1 – Dec 31, 2021 (without PPA)	Usage for Jan 1 – Jun 30, 2022 (under PPA)	Total usage for Financial Year 2022	Percentage
Council assets	2,353,706 kWh	2,897,508 kWh	5,251,213 kWh	76.2 %
Streetlighting	864,767 kWh	778,537 kWh	1,643,304 kWh	23.8 %
Total	3,218,473 kWh	3,676,045 kWh	6,894,518 kWh	100.0 %

TABLE 5: PORT STEPHENS COUNCIL – ELECTRICITY USE DURING THE 2022 FINANCIAL YEAR BY COUNCIL ASSET SUB-TYPE

Council Asset Sub-type	Usage for Jul 1 – Dec 31, 2021 (without PPA)	Usage for Jan 1 – Jun 30, 2022 (under PPA)	Total usage for Financial Year 2022	Percentage
Sports, parks, public lighting and amenities	960,250 kWh	1,321,757 kWh	2,282,007 kWh	33.1%
Streetlighting	864,767 kWh	778,537 kWh	1,643,304 kWh	23.8%
Swimming pools	681,603 kWh	749,400 kWh	1,431,003 kWh	20.8%
Buildings	545,902 kWh	652,976 kWh	1,198,879 kWh	17.4%
Depots	87,539 kWh	91,840 kWh	179,379 kWh	2.6%
Other	51,906 kWh	53,793 kWh	105,699 kWh	1.5%
Emergency services	26,504 kWh	27,742 kWh	54,246 kWh	0.8%
Total	3,218,473 kWh	3,676,045 kWh	6,894,518 kWh	100.0%

2.3.3 Scope 3 – Indirect Emissions from Council's Value Chain

2.3.3.1 Employee commute

Emissions from combusted fuel in employee-owned vehicles and public transportation contribute about 22% of the total footprint. Such sources are part of Council's value chain, hence associated emissions are treated as indirect Scope 3 emissions in the emissions boundary. In extracting activity data for estimating emissions resulting from employee commute, it is ideal to conduct commuting

⁶ Sourced from: [Climate Active – Electricity accounting](#)

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surveys that capture labour classifications (i.e. full-time, part-time and temporary), number of annual work days, and average distances per commuting mode, among Council staff. Applying the same methodology employed in the FY 2021 carbon inventory, it is assumed that, on a daily basis, 98% of Council staff travel approximately 30 km to work by car, while a further 1% travel roughly 5 km by bus, and the remaining 1% walk to work for about 2 km.

TABLE 6 lists the proportions across transportation modes taken by Council staff and corresponding one-way distances per day. As the data suggests, most of the staff travel via personal cars. This information was applied in combination with the change in staff FTE to proportionally scale the number of employees and annual work days from FY 2021 to FY 2022, and eventually derive modelled data on annual distances, as shown in TABLE 7.

TABLE 6: PORT STEPHENS COUNCIL – PROPORTIONS AND AVERAGE ONE-WAY DISTANCES PER COMMUTING MODE DURING THE 2022 FINANCIAL YEAR

Commute modes	Percentage of total	Average one-way distance per day
Car	98%	30 km
Bus	1%	5 km
Walking	1%	2 km

TABLE 7: PORT STEPHENS COUNCIL – MODELLED EMPLOYEE COMMUTE DATA FOR FY 2022

Parameter	Financial Year 2021	Financial Year 2022
Staff FTE	560	547
Number of employees		
Full-time	470	459
Part-time	130	127
Casual	49	48
Average number of work days per week per employee		
Full-time	5	5
Part-time	2	2
Casual	1	1
Total number work days per year		
Full-time	117,500	114,848
Part-time	13,000	12,707
Casual	2,450	2,395
Annual distance per commute mode		
Car	7,817,460 pax.km	7,641,028 pax.km
Bus	13,295 pax.km	12,995 pax.km
Walking	5,318 pax.km	5,198 pax.km



2.3.3.2 Waste

Solid waste emissions resulting from waste disposed of through Council operations account for approximately 8% of the total carbon footprint. Since Council does not operate a landfill, emissions from residential waste, as gathered from kerbside bin collection at households, would only be accounted for in a Global Protocol for Community-Scale Greenhouse Gas Inventory (GPC). The waste contractor does not separate Council generated waste from community generated waste during collection. Considering Council's goal currently relates to operational emissions, an estimate of the waste Council generated through its operations was calculated as a proportion of total waste collected. TABLE 8 below lists waste collection data from skip bins, 120-litre and 240-litre bins, further processed and categorised by generation source (i.e. Council asset sub-type) and waste type.

TABLE 8: PORT STEPHENS COUNCIL – COUNCIL OPERATIONAL WASTE FOR FINANCIAL YEAR 2022

Council asset sub-type	Commercial & industrial (C&I) waste	Garden & green waste	Paper & cardboard waste
Sports, holiday parks, and amenities	313 t	2.9 t	2.6 t
Other	59 t	-	3.3 t
Depots	42 t	-	0.4 t
Buildings	7.8 t	-	0.8 t
Swimming pools	6.1 t	-	-
Emergency services	0.1 t	-	-
Total	427 t	3 t	7 t

2.3.3.3 Water

Emissions related to the consumption of potable water at Council assets constitutes around 8% of Council's total carbon footprint. The consumption of water can create emissions because the processes involved in extracting, treating, and transporting water, often require energy, contributing to carbon emissions. Usage data was extracted from bulk meter data billed on a quarterly basis. In cases where accounts had coverage periods shorter than a full year, activity data was normalised to a 365-day estimate. Noting that a separate provider is responsible for management of water supply and wastewater treatment, emissions associated with such processes are not considered within Council's emissions boundary.

TABLE 9: PORT STEPHENS COUNCIL – WATER CONSUMPTION FOR FINANCIAL YEAR 2022

Parameter	Total for Financial Year 2022
Water consumption	613,912 kL

2.3.3.4 Other scope 3 emission sources

Upstream scope 3 emission sources identified in the Relevance Test have been incorporated into Council's emissions boundary. Council provided a general ledger extract of expenditure data categorised into cleaning and chemicals, ICT services and equipment, machinery and vehicles, and outsourced professional services.



2.4 Council's FY 2022 carbon footprint

Port Stephens Council's carbon footprint for the financial year 2021-22 (FY 2022) was estimated to be 7,586 tonnes of carbon dioxide-equivalent (t CO₂-e), based on Council's established emissions boundary. The inventory tables in TABLE 10 and TABLE 11 list Scope 1 and 2 emission sources, and Scope 3 emission sources, respectively, with corresponding emissions in t CO₂-e, and assessed percentage contributions to the subtotal footprint.

TABLE 10: PORT STEPHENS COUNCIL'S FY 2022 SCOPE 1 AND 2 EMISSIONS

Emission source	Activity data	Units	Scope 1 (t CO ₂ -e)	Scope 2 (t CO ₂ -e)	Subtotal (Scope 1 & 2)	%
Stationary fuel – LPG	84	kL	131		131 t CO ₂ -e	4.4%
Fleet fuel						
Diesel	374	kL	1,016		1,016 t CO ₂ -e	34.1%
Petrol	13	kL	31		31 t CO ₂ -e	1.0%
Ethanol	0.27	kL	0.003		0 t CO ₂ -e	0.0%
Electricity	5,251,213	kWh		1,223	1,223 t CO ₂ -e	41.1%
Streetlighting	1,643,304	kWh		502	502 t CO ₂ -e	16.8%
Uplifts						
Refrigerants			75		75 t CO ₂ -e	2.5%
Subtotal			1,253	1,734	2,977 t CO ₂ -e	100.0%


TABLE 11: PORT STEPHENS COUNCIL'S FY 2022 SCOPE 3 EMISSIONS⁷

Emission source	Activity data	Units	Scope 3 (t CO ₂ -e)	Subtotal (Scope 3)	%
Stationary fuel – LPG (Upstream activities)	84	kL	44	44 t CO ₂ -e	0.9%
Fleet fuel – Upstream activities (e.g. fuel extraction, production, transportation)					
Diesel	374	kL	250	250 t CO ₂ -e	5.4%
Petrol	13	kL	8	8 t CO ₂ -e	0.2%
Ethanol	0.27	kL	0	-	-
Waste					
Commercial & industrial	427	t	556	556 t CO ₂ -e	12.1%
Green waste	3	t	4.63	5 t CO ₂ -e	0.1%
Paper & cardboard	7	t	23	23 t CO ₂ -e	0.5%
Electricity – Upstream activities (e.g. fuel extraction, transmission & distribution losses)	5,251,213	kWh	135	135 t CO ₂ -e	2.9%
Streetlighting – Upstream activities (e.g. fuel extraction, transmission & distribution losses)	1,643,304	kWh	55	55 t CO ₂ -e	1.2%
Water	613,912	kL	569	569 t CO ₂ -e	12.3%
Stationery	237,099	\$	61	61 t CO ₂ -e	1.3%
Employee commute					
Bus	12,995	pax.km	1.58	2 t CO ₂ -e	0.0%
Car	7,641,028	pax.km	1,695	1,695 t CO ₂ -e	36.8%
Cleaning and chemicals					
Cleaning and janitorial equipment and supplies	25,131	\$	5.97	6 t CO ₂ -e	0.1%
Cleaning	30,080	\$	3.30	3 t CO ₂ -e	0.1%
ICT services and equipment					
IT equipment	38,229	\$	5.20	5 t CO ₂ -e	0.1%
Internet	207,895	\$	29	29 t CO ₂ -e	0.6%
Computer and technical services	1,464,213	\$	203	203 t CO ₂ -e	4.4%
Telecommunications	259,745	\$	40	40 t CO ₂ -e	0.9%
Machinery and vehicles					
Motor vehicle hire	3,831,579	\$	677	677 t CO ₂ -e	14.7%
Industrial machinery and equipment	224,891	\$	44	44 t CO ₂ -e	1.0%
Motor vehicles	111,315	\$	37	37 t CO ₂ -e	0.8%
Professional services					
Advertising services	347,762	\$	42	42 t CO ₂ -e	0.9%
Legal services	344,723	\$	45	45 t CO ₂ -e	1.0%
Security and personal safety	219,026	\$	51	51 t CO ₂ -e	1.1%
Taxis and hire cars	1,344	\$	0.89	1 t CO ₂ -e	0.0%
Technical services	148,083	\$	24	24 t CO ₂ -e	0.5%
Subtotal			4,609	4,609 t CO₂-e	100.0%

⁷ Scope 3 emissions for fuel & electricity include upstream activities such as fuel extraction, production and transportation, infrastructure development, and specifically for electricity, transmission & distribution losses.



2.4.1 Scope 1 & 2 Emissions

At Council, scope 1 emissions come from the direct use of liquefied petroleum gas (LPG), diesel, petrol, ethanol and refrigerants and scope 2 emissions come from purchased electricity. For FY 2022, the main contributors to Council's scope 1 and 2 emissions were from the combustion of diesel fuel for Council's own fleet, generating 1,016 t CO₂-e of scope 1 emissions, and purchased electricity which generated 1,223 t CO₂-e of scope 2 emissions (FIGURE 7). In January 2022 a renewable energy PPA was implemented for use in streetlighting and operations at Council assets, reducing emissions from purchased electricity to zero for approximately 6 months of the year. Emissions from scope 2 will remain at zero so long as Council continues to purchase 100% Renewable energy.

2.4.2 Scope 3 Emissions

The included Scope 3 emissions are relevant under the Climate Active scheme and should also be considered if perusing Net Zero. Scope 3 emissions come from both up and down Council's value chain. The composition of these emissions is unique to Port Stephens Council as they come from indirect emissions created from all the specific products and services that Council uses or produces for the community. As expected, the broad nature of scope 3 emissions mean they contribute the largest proportion of Council's carbon footprint when combined (FIGURE 7). For FY 2022 the main contributors to Council's scope 3 emissions were from business travel, including employee commuting (1,697 t CO₂-e) and motor vehicle hire (677 t CO₂-e), emissions related to the supply of water to Council (569 t CO₂-e) and waste produced through council activities, including commercial and industrial waste, green waste, paper and cardboard (584 t CO₂-e).

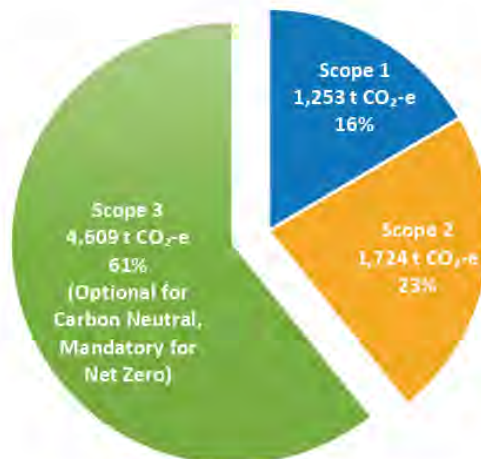


FIGURE 7: SPLIT OF PORT STEPHENS COUNCIL'S FY 2022 CARBON FOOTPRINT BY SCOPE SHOWING MANDATORY SCOPE 1 AND 2 EMISSIONS AND OPTIONAL SCOPE 3 EMISSIONS THAT WOULD BE REQUIRED UNDER A NET ZERO STRATEGY.



3 Achieving Carbon Neutrality in 2025

Port Stephens Council committed to a goal of being carbon neutral for operational emissions by 2025. This goal is achievable by purchasing carbon offset credits to balance out Council's emissions for FY 2025. To accurately calculate the number of carbon offset credits required Council will need to recalculate its carbon footprint in 2025. The forecast of Council's business-as-usual (BAU) emissions calculated below can give an estimation of Council's emissions over time without implementing any further emission reduction initiatives. The BAU forecast can then be used to estimate the number of offsets required depending on the emission reductions achieved at different points in time (FIGURE 9).

3.1 Business-as-usual (BAU) forecast emissions

To provide a context for developing an optimal strategy to achieve carbon neutrality and/or Net Zero, it is crucial to establish both the baseline carbon footprint as well as projected future emissions, accounting for anticipated shifts in Council operations and external circumstances. In developing a high-level estimate of 'business-as-usual' or BAU emissions, the following factors are considered:

- Emissions reduction influenced by external factors (e.g. grid decarbonisation).
- Forecast population growth and accompanying impact on demand for Council services.
- Additions, divestments, and significant operational changes, considering their temporary, periodic or permanent nature.

BAU emissions have been estimated to FY 2050, providing a depiction of Council's emissions in the absence of any new actions beyond FY 2022 to reduce emissions.

3.1.1 Summary of assumptions used for BAU forecast

The population in the Port Stephens Local Government Area (LGA) experienced remarkable growth between 2008 and 2018, ranking as the third fastest among LGAs in the Hunter Region. Over this period, the population increased from 64,316 people in 2008 to 72,695 in 2018⁸ – an increase of 8,379 people, or approximately 13%.

Over the next twenty years to 2041 the population of Port Stephens is forecast to grow by in excess of 18,500 people. Such growth equates to an overall rise of 25% over two decades, translating to a 2.22% growth rate year-on-year. As the population grows, Council's service operations are likely to expand to meet the evolving needs of the community, and this rate of change is accounted for in the BAU forecasts.

The following outlines other modelling assumptions used to create the BAU forecast of Council's emissions:

- Emissions not related to electricity increase at 2.22% annually to 2050.
- Electricity demand for all Council assets and streetlighting rises at 2.22% per annum, but emissions intensity declines at a rate aligned with the Department of Industry, Science and Resources (DISR) and AEMO forecasts.
- Council's PPA contract for purchasing electricity from renewable sources remains in effect until 2026, entailing continuous surrender of LGCs.

⁸ Australian Bureau of Statistics, Regional Population Growth, Australia, 2017-18, Cat. 3218.0 (released 27 March 2019)



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- Exported energy from the 200+-kW solar array at the Port Stephens Council Administration Building accounts for eligible emissions reductions via surrendered LGCs.

FIGURE 8 and FIGURE 9 illustrate business-as-usual forecasts for Council's energy demand and emissions over the next decades:

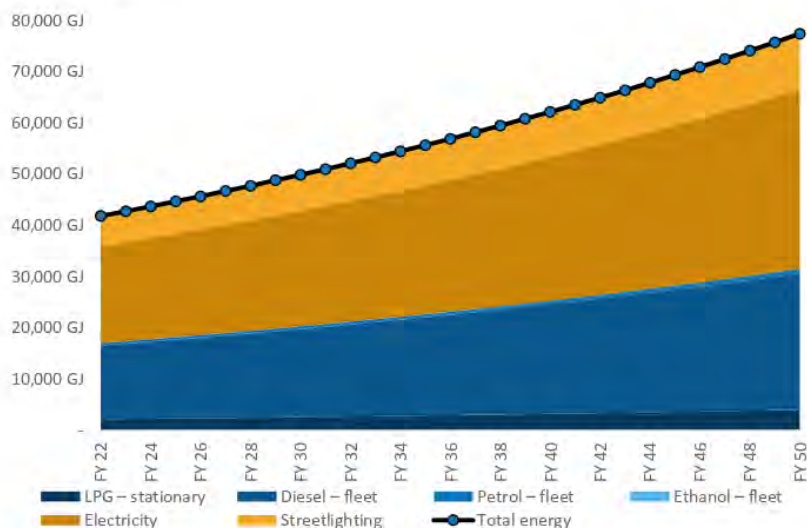


FIGURE 8: PORT STEPHENS COUNCIL – BUSINESS-AS-USUAL ENERGY DEMAND FORECAST

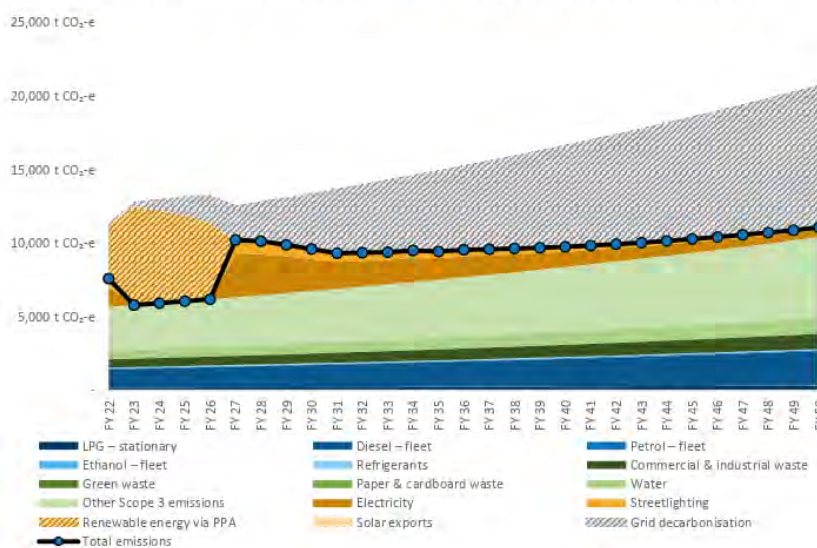


FIGURE 9: PORT STEPHENS COUNCIL – BUSINESS-AS-USUAL EMISSIONS FORECAST ASSUMING NO EXTENSION TO POWER PURCHASE AGREEMENT AT END OF CONTRACT IN 2026



3.2 Purchasing Carbon Offset Credits in 2025

The single most significant determinant of the overall cost of becoming carbon neutral will be the carbon offset credit price. There are several types of acceptable offsets, with prices (\$/tonne) varying depending on a project's location, type of activity, potential co-benefits, and the accreditation standard. Many different offsets are available in the market, resulting in a range of costs for Council to obtain Carbon Neutral status under Climate Active based on the projected carbon emissions in 2025 and as calculated in the BAU forecasts (action to reduce the carbon footprint would lower offset purchase requirements).

In order to retain its Carbon Neutral status past 2025, Council would be required to re-calculate its carbon footprint and purchase offsets for the emissions on an annual basis. These ongoing annual costs are difficult to predict as they are subject to the volatility of the carbon market.

3.2.1 Climate Active Accreditation

As of February 2024, Climate Active is the only government-accredited carbon neutral certification scheme in Australia. Achieving Carbon Neutral under Climate Active incurs costs from the purchase of carbon offsets, third-party verification and program membership fees. There may also be fees associated with engaging a consultant to develop the organisation's emissions inventory.

Climate Active certification requires offsets be purchased for scope 1, 2 and all relevant scope 3 emissions. Certification increases the price of achieving Carbon Neutrality but also provides clarity surrounding the claim. The costs provided in the tables below have been calculated on this basis. In addition to financial costs, there will also be human resources required to manage the requirements of achieving certification.

Given the inherent volatility of the carbon market and fluctuations in credit availability, the costs per tonne of offset used in estimating options 1 to 3 are based on September 2023 carbon market prices and have not been projected for 2025.

Based on the prices incurred from licence fees, third party verification and carbon offsets, **offsetting emissions would most likely incur costs between \$53,000 and \$490,000 to become Carbon Neutral by FY 2025 under the Climate Active scheme.** The following tables detail subranges of costs associated with purchasing the cheapest available offsets, international offsets with social benefits, and Australian offsets, respectively.

TABLE 12: OPTION 1 – PROJECTED COSTS FOR PURCHASING CHEAPEST OFFSETS AVAILABLE

Licence Fee (ex GST)	Verification Fee (ex GST)		Carbon offset cost International		TOTAL ESTIMATED FEES (ex GST)	
	Min	Max	Min	Max	Min	Max
\$7,818.18	\$2,900	\$15,000	\$41,841	\$159,355	\$52,559	\$182,174

TABLE 13: OPTION 2 – PROJECTED COSTS FOR PURCHASING INTERNATIONAL OFFSETS WITH SOCIAL BENEFITS

Licence Fee (ex GST)	Verification Fee (ex GST)		Carbon offset cost International: REDD		TOTAL ESTIMATED FEES (ex GST)	
	Min	Max	Min	Max	Min	Max
\$7,818.18	\$2,900	\$15,000	\$90,078	\$173,342	\$100,796	\$188,342

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TABLE 14: OPTION 3 – PROJECTED COSTS FOR PURCHASING AUSTRALIAN OFFSETS

Licence Fee (ex GST)	Verification Fee (ex GST)		Carbon offset cost Australia		TOTAL ESTIMATED FEES (ex GST)	
	Min	Max	Min	Max	Min	Max
\$7,818.18	\$2,900	\$15,000	\$251,047	\$466,231	\$261,766	\$489,049

3.2.2 Carbon Neutrality for Scope 1 and 2 emissions

Climate Active is the only carbon neutral certification scheme recognised by the Australian Government. It is possible for Council to use the Climate Active Standard as a framework to achieve carbon neutrality for energy-related Scope 1 and 2 emissions for FY 2025, and not undergo certification. However, this approach does not grant Climate Active endorsement or trademark use for the designated year.

Noting that Council's Scope 2 emissions will be effectively zero by FY 2025 due to renewable energy purchase via PPA, Council will only need to offset direct Scope 1 emissions it generates from fuel, gas and refrigerants.

Based on September 2023 carbon market prices for costs per tonne of offset as used in Section 3.2.2, **offsetting independently reported Scope 1 emissions would most likely incur costs between \$12,000 and \$129,000 to declare as carbon neutral for Scope 1 and Scope 2 emissions for FY 2025.** TABLE 15 presents ranges of costs for purchasing cheapest available offsets, international offsets with social benefits, and Australian offsets.

TABLE 15: PROJECTED COSTS FOR PURCHASING OFFSETS FOR INDEPENDENT REPORTING OF S1 EMISSIONS

Options	Carbon offset cost	
	Min	Max
Purchasing cheapest offsets available	\$ 11,587	\$ 44,130
Purchasing international offsets with social benefits	\$ 24,945	\$ 48,003
Purchasing Australian offsets	\$ 69,522	\$ 129,112



4 Emission Reduction Strategy

4.1 Overview

In response to Council's requirements, this section identifies key strategic objectives and provides a comprehensive exploration of emission reduction opportunities across Scope 1, 2, and 3 to reduce liabilities related to purchasing offsets. Scope 3 emissions were considered to provide Council with an actionable roadmap to work towards Australian Government Climate Active certification of its Carbon Neutral status or to transition to a Net Zero strategy in line with the State and Federal Government commitments. This section specifies those objectives and articulates the business case for action in each of the main areas of opportunity.

The key actions undertaken in identifying and clarifying the objectives and opportunities for Council's emissions reduction included:

- **Site assessments (August 2023)**
 - Site assessments aimed to identify opportunities and gauge the feasibility of potential emission reduction strategies across Council operations.
- **Analysis of carbon footprint (August/ September 2023)**
 - Identified Council's main emission sources, or "hotspots", for focus on the areas of greatest impact.
- **Opportunities workshop (September 2023)**
 - Collaborative opportunities workshop convened various Council representatives, including operational and maintenance managers and aimed at:
 - Identifying diverse perspectives and insights.
 - Aligning key internal stakeholders on common goals and priorities.
 - Formulating a strategic vision for emissions reduction efforts.
- **Ongoing engagement with Council's Project Team**
 - Continuous collaboration with Council's Project Team was crucial to ensure that insights, progress, and challenges could be consistently communicated and addressed. This ongoing engagement ensures that the ERAP development remained responsive to evolving needs and priorities.
- **Technological research**
 - Research into relevant technologies through evaluating abatement potential and optimal timing, the ERAP well placed in the current technological landscape. This research is vital for steering Council towards solutions that align with both current and emerging best practices.

As a result of the actions above, the key objectives and areas of opportunity identified (TABLE 16) form the basis of Council's ERAP and are detailed in the following sections.



TABLE 16: KEY OBJECTIVES FOR COUNCIL'S EMISSIONS REDUCTION STRATEGY AND AREAS OF OPPORTUNITY ON WHICH COUNCIL CAN FOCUS TO ACHIEVE THE OBJECTIVES

ERAP Key Objectives	Areas of Opportunity
Scope 1 Emissions	
<ul style="list-style-type: none"> • Reduce emissions from refrigerants. • Reduce council gas consumption. • Reduce emissions from council's fleet. • Optimise charging infrastructure at Council. 	<ul style="list-style-type: none"> • Gas to electric technologies • Sustainable transport
Scope 2 Emissions	
<ul style="list-style-type: none"> • Maintain zero emissions from electricity. • Reduce council reliance on grid electricity. • Optimise council electricity consumption. 	<ul style="list-style-type: none"> • Renewable energy purchases • Behind the meter solar • Energy efficiency
Scope 3 Emissions	
<ul style="list-style-type: none"> • Reduce emissions from employee commuting. • Reduce emissions from waste. • Consider emissions during procurement and project planning. 	<ul style="list-style-type: none"> • Waste • Low carbon procurement
All Scopes	
<ul style="list-style-type: none"> • Identify funding for carbon reduction projects. • Monitor changes to council emissions over time. 	<ul style="list-style-type: none"> • Offsetting/ insetting • Funding opportunities • Improved data management

The development of opportunities for achieving these objectives adopts a holistic approach, going beyond reliance on a few key technologies to address a wide range of emission reduction opportunities across all scopes and emission sources. This ensures a thorough strategy that covers all relevant sources of Council's emissions, with the aim of reducing emissions while delivering long-term net cost savings wherever viable opportunities present.

Strategic considerations also support identification of opportunities for the ERAP, including the influence of policy and market trends and the evolving landscape of grid decarbonisation. Decarbonisation is expected to occur over the coming decade as coal-fired power stations in NSW and across Australia are phased-out and replaced with a transition to renewable energy generation technologies like solar, wind, pumped hydro and grid-scale batteries. Under the expected decarbonisation scenario, Australia's Energy Market Operator (AEMO) predicts⁹ that the electricity grid will be approximately 90% decarbonised by 2030 and close to 100% by 2040.

The following sections break down the key elements of relevance to developing an emissions reduction strategy specific to Council's needs. The structure of sections 4.2 through 4.10 has been arranged follows:

⁹ AEMO: <https://aemo.com.au/consultations/current-and-closed-consultations/2022-draft-isp-consultation>

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4.2 Offsetting / Insetting



Objective

- Monitor changes to Council emissions (and liabilities) over time.



Description

- To achieve a carbon neutral claim for Scope 1 and 2 emissions by 2025 Council will need to purchase carbon offsets to balance out 100% of scope 1 and 2 emissions.
- If Climate Active certification is desired, relevant Scope 3 emissions would also need to be offset.
- To achieve Net Zero emissions by or before 2050, Council needs to assess the role of carbon offsets, either through purchasing or creating its own via sequestration.
- Monitoring emissions changes and carbon credit costs over time is crucial for effective decision-making.
- The cost of offsetting can vary widely. For further information about potential costs specific to Council refer to SECTION 3.2.



Opportunities

- Purchasing high-quality offsets from local and international abatement activities.
- Insetting projects such as carbon sequestration from tree planting. Climate Active developing guidelines for sequestration from the establishment of woody vegetation.



Rationale

- An accepted and common strategy for organisations aiming for Net Zero or Carbon Neutrality.
- Many projects have multiple benefits, contributing to broader sustainability efforts.
- Emissions from transport and fleet are substantial and will take some time to reduce, thereby requiring consideration of offsets if short term Carbon Neutral goals are to be met.



Strategy

- Minimise the need for offsets by first implementing all other feasible, cost-effective and beneficial opportunities.
- Analyse trends in emissions to determine any obligations relating to offsetting.
- Choose only high-quality offsets, such as
 - Australian Carbon Credit Units (ACCUs) from the Clean Energy Regulator
 - Certified Emissions Reductions (CERs) from Clean Development Mechanism (CDM) projects
 - Removal Units (RMUs) based on land use, land-use change, and forestry activities
 - Voluntary Emissions Reductions (VERs) from the Gold Standard
 - Verified Carbon Units (VCUs) from the Verified Carbon Standard (VCS)
- Optional (Short term carbon neutral Pathway): Purchase offsets for remaining scope 1, 2 and potentially scope 3 emissions from 2025.
- Optional (Net Zero Pathway): Purchase offsets for residual emissions (scope 1, 2 and 3) from 2050 or other target date.



4.3 Sustainable transport – Scope 1



Objective

- Reduce emissions from Council's fleet.
- Reduce emissions from employee commuting.
- Optimise charging infrastructure at Council.



Description

- Fleet emissions contribute 17% of the Council's carbon footprint.
- Employee commute contributes 22% of the Council's carbon footprint.
- Immediate reduction of utility vehicles challenging without compromising service delivery.
- Limited public transport options and significant distances between homes and workplaces.
- Current limitations to EVs include higher upfront costs and limited model availability for utility vehicles.



Opportunities


- Options include replacing internal combustion engine (ICE) vehicles with low or no emissions vehicles including hybrids or electric vehicles (EVs).
- Encouraging fuel-efficient driving practices.
- Implementing carbon offsets.
- Evaluate the current charging infrastructure at Council.
- Optimise infrastructure to support the increasing adoption of electric vehicles.
- Novated leasing arrangements offer benefits for reducing emissions from staff commute.
- Electric Vehicles expected to be the most cost-effective emissions reduction solution beyond 2027.
- Hybrid vehicles are a practical and cost-effective means to reduce emissions in the short term where EV model availability is not yet mature.
- By 2027, numerous high-quality electric alternatives for outdoor equipment types are expected.




Rationale

- Emission reduction and air quality improvement
 - Transitioning to low-emission vehicles directly reduces tailpipe emissions and improves air quality.
 - Improving air quality also enhances public health particularly through reductions in pollutants harmful to respiratory systems.
- Cost savings and efficiency
 - Low-emission vehicles, especially electric and hybrid models, generally have lower operational costs compared to traditional fuel-powered vehicles. This results in long-term savings for the council.
 - ICE vehicles are reaching limits in fuel efficiency improvement.
- Potential for incentives
 - Governments often provide incentives and grants for adopting low-emission vehicles, further reducing the financial burden.
- Renewable energy integration
 - Transitioning to low-emission vehicles aligns with a broader strategy of using renewable energy. Council's PPA for renewable energy would power the charging infrastructure for electric vehicles.

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Rationale

- Installing solar panels in parking lots can generate clean energy to directly power vehicles or contribute to the overall energy needs of the council, promoting sustainability.
- Leadership and public perception
 - Adopting low-emission vehicles showcases the Council's commitment to environmental stewardship, setting an example for the community and other organisations.
- Regulatory compliance and future-proofing
 - Global and possibly Australian plans to ban ICE vehicle sales by 2035.
 - Anticipating and proactively addressing future regulations on emissions, including potential bans on high-emission vehicles, positions the council to stay ahead of compliance requirements and avoid sudden disruption.



Strategy

- Prepare for a gradual transition to low emission vehicles including EVs, considering current limitations and anticipated advancements in technology.
- Synergise outdoor equipment transition and fleet transition as one process.

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4.4 Gas-to-electric technologies – Scope 1



Objective

- Reduce Council gas consumption.



Description

- Lakeside Leisure Centre is the only Council site connected to piped natural gas.
 - Natural Gas consumption data for this site was not available during the report preparation and has not been included in carbon footprint calculations.
- Widespread use of LPG bottles across Council, especially at tourist parks.
 - LPG represents at least 2% of Council's total emissions, signifying its material impact, though it does not constitute a sizeable proportion of overall emissions.



Opportunities


- Phase out smaller or less utilised gas equipment as it reaches the end of its useful life and requires replacement.
- Various electric technologies (e.g. heat pumps, hot water heaters, induction cooking, electric BBQs) can readily replace gas-operated technologies.
- Hot water can be provided by solar hot water or solar panels plus heat pump units.
- In theory, holiday parks could be converted to 100% electric and become largely energy independent through the extensive application of solar PV and battery energy storage solutions (BESS), along with solar and/or electric heat pump technologies.




Rationale

- Air quality improvement
 - Electric appliances produce no on-site emissions, contributing to better local air quality and public health.
- Reduced emissions
 - Electric power equipment often has fewer greenhouse gas emissions compared to burning fossil fuels like gas and LP, especially when paired with renewable energy.
- Renewable energy integration
 - Compatibility with renewable sources – transitioning to electric allows for easier integration of renewable energy sources, such as solar and wind power.
- Promoting sustainability
 - Supporting electric infrastructure aligns with sustainability goals and reduces dependence on finite fossil fuel resources.
- Energy efficiency
 - Electric appliances, especially those using advanced technologies, often exhibit higher energy efficiency compared to their gas counterparts.
- Smart grid integration

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Rationale

- Electric systems enable the implementation of smart grids, enhancing energy distribution, monitoring, and management.
- Resilience and security
 - Adopting electric systems can enhance energy resilience, reducing vulnerability to disruptions in gas supply chains.



Strategy

- Underpinning a gas transition strategy should be a commitment or policy by Council to transition to electric technologies powered by renewables over a reasonable timeframe.
- Long-term upgrade planning for Lakeside Leisure Centre, prioritising electric alternatives at the end of the equipment's life cycle.
- Conduct gas usage audits and capture consumption data.
- Explore spatial and fitness-for-purpose aspects of electric solutions for various applications.
- Consider technology-specific risks, such as proper sizing and performance factors when switching from gas-powered hot water heaters to heat pumps.

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4.5 Energy efficiency – Scope 1 and 2



Objectives

- Consider emissions during procurement and project planning.
- Optimise Council electricity consumption.
- Reduce emissions from refrigerants.



Description

- Significant energy efficiency initiatives have been undertaken across various infrastructure facets:
 - Streetlighting: Upgrading conventional streetlights to energy-efficient LED lamps.
 - LED upgrades across various facilities and further under consideration.
 - Heating Ventilation and Air-Conditioning (HVAC) and other equipment upgrades undertaken during normal course of business.



Opportunities

- Ongoing rollout of LED streetlamps, with potential for future efficiency enhancements through variable controls and smart controllers.
- Further LED upgrades in buildings and facilities including consideration of motion sensor systems.
- Greater use of high-efficiency heat pumps and solar hot water.
- Incorporation of low-carbon and environmentally sustainable design (ESD) principles in holiday park cabins.
- Implementation of variable speed drives and efficient fan systems.
- Upgrading of equipment using high-emission refrigerants to low-emission alternatives.



Rationale

- Energy efficiency remains a cost-effective means of reducing energy consumption and managing greenhouse gas reductions. Energy efficiency can reduce required spend on PPA, delivering abatement more cheaply in the long run.
- Improving efficiency can offer a wide range of benefits, including reducing energy costs, minimising reliance on external energy sources, reducing load on electrical infrastructure, and improving service delivery.
- Minimal risks are associated with energy efficiency upgrades with robust business cases, specifications, and contractor management processes.



Strategy

- Optimise efficiency of existing equipment, including through use of more advanced control systems.
- Ensuring energy efficiency is prioritised in new capital projects or upgrades.
- Implement a regular maintenance regime for efficient equipment operation.
- Emphasis on considering selecting high efficiency upgrades during equipment and system upgrades for long-term emission reduction.
- Implement policies to ensure procurement of low emissions refrigerants.
- Develop/refine sustainable design and sustainable procurement criteria.



4.6 Renewable energy purchases – Scope 2



Objective

- Ensure ongoing reduction or elimination of electricity emissions through strategic renewable energy purchases.



Description

- A PPA is the most popular approach to source renewable energy.
- Council transitioned to a 100% renewable Power Purchase Agreement (PPA) for electricity consumption in January 2022, significantly impacting the carbon footprint.
- Council recognises that purchasing renewable energy is the most significant opportunity for ongoing reduction or elimination of electricity emissions.
- While the current PPA is effective until December 2026 (with an option to extend until 2030), it is important to continue purchasing renewable electricity until the grid substantially decarbonises.



Opportunities

- Ensure a new PPA is secured in time for the current contract expiry.
- Monitor opportunities for improved value for money in PPA contracts in preparation for current contract expiry.
- Consider investing in larger scale distributed electricity networks using solar PV and battery technology.
- Consider opportunities to minimise spend on PPA through providing for future electrical demand in alternative ways (e.g. via solar carports).



Rationale

- The focus on maintaining zero emissions from grid electricity consumption aligns with the short-term goal of immediate carbon reduction and meeting 2025 Carbon Neutral target.
- Ensuring ongoing progress toward Net Zero emissions requires a commitment to renewable energy purchases, mitigating the environmental impact of electricity consumption.
- The PPA aligns with Council's commitment to sustainability, demonstrating leadership in environmental responsibility.
- By sourcing 100% renewable power, Council not only reduces its carbon footprint but also sets an example for the community and other entities.
- Ongoing commitment to the PPA ensures consistent emissions reductions and supports the development of a sustainable energy market.



Strategies

- Periodically monitor trends in grid emissions intensity. Continuous monitoring allows Council to adapt and optimise strategies based on the evolving grid emissions landscape, ensuring responsiveness to changing conditions.
- Assess the cost implications of various PPA options based on the difference between bundled electricity/LGC pricing options and the forecast price for wholesale electricity over the contract term.
- Financial considerations should guide renewable energy purchase practices by evaluating cost-effectiveness over the contract period.
- Ensure robust risk assessment processes in decision-making.



4.7 Behind-the-meter solar – Scope 2



Objective

- Reduce Council reliance on grid electricity



Description

- Numerous sites have already incorporated solar PV systems, showcasing a commitment to renewable energy.
- A large solar PV array exceeding 200 kW has been installed on the Raymond Terrace Administration Building's roof.
 - Council has voluntarily surrendered created LGCs from this system, indicating the accounting of exported electricity as emissions reductions.
- Council prefers PV projects with a payback period within 7 years.



Opportunities


- Increase PV capacity on major buildings where justified.
- Three potential new or expanded solar PV systems have been modelled and assessed for feasibility, detailed in APPENDIX A. Representative facilities for modelling include:
 - Raymond Terrace Works Depot
 - Fingal Bay Holiday Park
 - Shoal Bay Holiday Park
- Holiday parks may have potential for distributed solar and battery solutions.
 - Technical feasibility checks and shading assessments are needed for further consideration.
- Solar carparks to accommodate growing demand for EV charging




Rationale

- Modelling indicates that facility types can generally achieve payback on solar PV systems within 6-8 years.
- Behind-the-meter solar PV installations have the potential to:
 - Reduce energy demand and costs:
 - Well-designed PV systems generate positive cash flow, typically after about the 6th year from installation.
 - Positive cash flow can be directed to a revolving energy fund or similar for other projects or cost management while maintaining service delivery levels.
 - Improve grid resilience:
 - Reduce electricity demand on peak days, mitigating the risk of local voltage drops.
 - Potential to wire solar PV to battery storage systems for backup power during network outages.
 - Demonstrate commitment to sustainability:

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Rationale

- Showcase ongoing commitment to sustainability and contribute to building Australia's distributed renewable energy infrastructure.
- Facilitate full electrification:
 - Onsite PV supports potential full electrification, avoiding the need for electrical infrastructure upgrades.
 - Offers cost-effective solutions to current reliance on LPG tanks at holiday parks.
- Mitigate future electricity price increases:
 - Reduce the risk of future electricity price increases, both standard grid electricity prices and/or PPA prices.
- Consistency with Net Zero principles:
 - Align with Net Zero principles by reducing energy use and emissions through direct actions with multiple benefits.



Strategy

- Verify performance of existing solar PV systems.
- Proceed with planned PV installations.
- Consider implementing modelled projects and other opportunities wherever substantial energy savings and favourable payback can be demonstrated.
- In addition to solar PV, explore the incorporation of batteries for building-specific connections, and assess feasibility based on anticipated surplus solar energy available for export.
 - Undertake scoping and modelling of potential microgrid configurations.
- Plan for increased provision of solar carports over time.

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4.8 Waste – Scope 3: Optional



Objective

- Reduce emissions from waste.



Description

- No operating landfill sites in the Local Government Area (LGA).
- Waste transferred for disposal outside Council's jurisdiction, contributing to Scope 3 emissions.
- Current council initiatives include:
 - Investigation and development of waste management strategies, including exploring new waste streams like soft plastics.
 - Efforts towards setting waste reduction goals and action plans.
 - Establishment of bin labelling and colour standards, with performance tracking through bin auditing.
 - Development of a roadmap for sustainable waste management practices.



Opportunities

- Focus on reducing waste, improving recycling practices, and encouraging local composting solutions.
- Seek grant funding for large-scale emissions reduction initiatives.
- Enhance waste management education initiatives.



Rationale

- While waste is not a dominant source of Council's carbon footprint, it is still substantial.
- Future Climate Active standards may mandate inclusion of Scope 3 waste emissions for Carbon Neutral accreditation.
- Managing waste aligns with the State government's ambitious goals, contributing to overall sustainability objectives and demonstrating commitment to environmental responsibility.
- Emphasising waste management supports the transition to a circular economy by minimising resource depletion and promoting the efficient use of materials.



Strategy

- NSW Waste and Sustainable Materials Strategy 2041 has a specific focus on reducing emissions from waste in NSW, especially through diversion from landfill and FOGO (Food Organic and Garden Organic) collection for all NSW households and businesses.
- Aim to develop a comprehensive policy, framework, action plan, and roadmap for sustainable waste management practices.
- Local initiatives and regional collaboration will be essential.
- Joint Organisation (JO)-level procurement for region-wide services.



4.9 Low carbon procurement – Scope 3: Optional



Objective

- Consider emissions during procurement and project planning.



Description

- Low carbon procurement, while not currently central to Council's emissions reduction efforts, is gaining importance as organisations face growing pressure to address Scope 3 emissions. This comprehensive strategy contributes to Net Zero goals and offers benefits beyond emissions reduction.
- The current Procurement Framework features a fundamental commitment to sustainability, emphasising responsible purchasing practices and promotion of local suppliers and Australian-made products.



Opportunities

- Inclusion of additional Sustainable Development Goals (SDGs) and emphasis on Net Zero targets.
- Consideration of Climate Active Carbon Neutral accreditation for suppliers.
- Focus on sustainable materials, energy efficiency, and environmentally friendly practices.
- Ongoing enhancement of specifications for low or Net Zero emissions, such as:
 - Road and pavement construction
 - Building design policies
 - Business services
 - Building and public/park lighting
 - HVAC
 - Power and appliances
 - Water, wastewater, and irrigation pumps
 - Sporting oval lighting



Rationale

- Carbon offset liabilities
 - Contributes to Net Zero carbon reduction capacity, potentially reducing the need for additional offset measures in the long run.
- Waste reduction
 - Prioritising sustainable products reduces waste generation.
 - Choosing products with minimal packaging supports waste reduction.
- Resource conservation
 - Selecting resource-efficient, durable products conserves natural resources.
- Financial savings
 - Initial higher costs often result in long-term financial savings.
 - Energy-efficient equipment reduces operational costs over its lifecycle.
- Meeting stakeholder expectations
 - Procuring from sustainable sources mitigates risks, including reputational risks.
 - Aligns with societal expectations, enhancing the organization's reputation.

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Emissions Reduction Action Plan



Rationale

- Innovation and market leadership
 - Encourages innovation and positions the organisation as a market leader in sustainability.



Strategy

- Development and adoption of a Low Carbon Procurement Policy for Council.
- Capacity building for capital works staff, procurement staff, and operational teams involved in various aspects of procurement.
- Facilitate a greater emphasis on suppliers' knowledge of their carbon footprint and Net Zero strategies.



4.10 Funding opportunities



Objective

- Identify funding for carbon reduction projects.



Description

- Council already manages a dedicated Sustainability Reserve established in 2012. Key details include:
 - The reserve was initially seeded from various council budgets.
 - A cap of \$250,000 exists, with no additional funds added post full project reimbursement.
 - The reserve supported solar projects, contributing to Council's Carbon Neutrality initiative.
- Near-future evaluation
 - Intention to evaluate the reserve's guidelines and management.
 - Opportunity to implement report recommendations and establish clear directives for supported projects.



Opportunities

- Council's Sustainability Reserve :
 - Maintain, develop and capitalise Council's existing Sustainability Reserve to finance energy efficiency and renewable energy projects (similar to a Revolving Energy Fund).
 - Use savings generated from energy projects to replenish the reserve for future initiatives.
 - Leverage reserve for a continuous cycle of sustainable projects without additional strain on the council's budget.
- Australian Government Funding Programs
- Local Government Grants
- State Government Energy and Climate Change Funding Programs
- Renewable Energy Rebate or Grant Programs
- Climate Change and Adaptation Funds
- Public-Private Partnerships (PPPs)
- On-bill financing
- Community and Environmental Foundations
- Regional Development Funds
- Innovation Grants
- A Revolving Energy Fund or similar ensures a self-sustaining financial mechanism, where the returns generated from initial investments are continually reinvested, enabling the council to fund and implement a consistent stream of environmentally sustainable projects without solely relying on external sources.




Rationale


External funding:

- Scale and scope of projects
 - External funding allows Council to take on more extensive and impactful projects that might exceed the capacity of its internal revolving fund alone.
- Addressing comprehensive sustainability goals

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100%
renewables

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Rationale

- Complementary external funds enable Council to address a broader range of sustainability objectives, contributing to comprehensive and integrated solutions.
- Risk mitigation
 - Relying solely on the internal Sustainability Reserve may expose the council to financial risks and limitations. External funds diversify the funding sources, reducing dependence on a single reservoir.
- Accelerating project timelines
 - External funding allows Council to expedite project implementation by providing additional financial resources.
- Meeting ambitious targets
 - Related to the above, external funding helps facilitate the realisation of ambitious environmental targets set by Council.
- Enhancing community impact
 - External funding allows for the implementation of projects with more substantial community impact, aligning with public expectations and demands.
- Demonstrating regional and national leadership
 - External funds support Council's participation in regional and national initiatives, reinforcing its commitment to broader sustainability and environmental agendas.



Strategy

- Align internal Sustainability Reserve with success factors observed in similar funds:
 - Develop realistic cash flow scenarios and seed funding requirements.
- Commit adequate internal Council resources to the pursuit of funding opportunities.
- Identify and act on short-term opportunities.

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4.11 Data management plan

To facilitate robust and accurate emissions reporting in the future, both for internal use and potential external reporting, it is recommended that Council establish a comprehensive tracking system that takes into account the sources of activity data, recording processes, emission factors applied, implementation of data quality improvement plans, and the identification and documentation of changes attributable to specific activities.

It is advisable for Council to establish a system for managing and tracking all greenhouse gas (GHG) emissions data, which are typically dispersed across the following reporting systems:

- Utility or resource data management platform (provided by a third party)
- Electricity data obtained from retailers
- Fuel card or bulk fuel records from diesel and petrol suppliers
- Water consumption data from supplier
- Internal tracking and records for electricity, natural gas, water, stationary and fleet fuel use
- Internal records of waste data from waste contractors
- Asset register of air-conditioning units (chillers, split-type and packaged units), including information on refrigerant gas used and recharge capacity
- Expenditure records from finance extract
- Tracking of yearly FTE numbers and annual employee surveys for staff commute information

The table below outlines the current tracking of reported emission sources and suggests improvements to enable the reporting of a comprehensive footprint across Council.

TABLE 17: PORT STEPHENS COUNCIL – ACTIVITY DATA SOURCES AND SUGGESTED IMPROVEMENTS IN DATA COLLECTION

Emission source	Activity data source	Suggested improvement in data collection
Stationary fuel (LPG)	Finance extract	• Develop an internal database of LPG consumption for all relevant Council facilities, for a more precise collection of activity data (in kL).
Fleet fuel	Internal reporting, fleet cards	• Incorporate the data collection of fuel consumption for diesel and petrol-powered machinery and equipment (e.g. generators, blowers, brush cutters & chainsaws) into Council's existing system for fleet fuel.
Natural gas	None	• Consider using a utilities management portal to consolidate and streamline the collection of gas-related data.
Refrigerants	None	• Establish an asset register detailing the specific refrigerant type and corresponding charge (in kg) for all major refrigeration and air conditioning systems.
Grid electricity imports	Meter extract, bills, invoices	• Investigate the potential for adopting an energy management system such as Azility or Envizi to harness enhanced features such as real-time

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Emission source	Activity data source	Suggested improvement in data collection
Streetlighting	Bills, invoices	monitoring, dynamic data visualisation and reporting, as well as robust analytics and insights capabilities.
Self-consumed and exported electricity from solar PV	Solar PV monitoring portal export	<ul style="list-style-type: none"> Implement a detailed monitoring system to capture interval data on self-consumption and exports from Council's solar PV systems, to better assess the systems' performance.
Waste	Internal data reporting	<ul style="list-style-type: none"> Incorporate the data collection for generated waste from capital works into Council's existing system. Measure distribution across the different waste mix types or categories via audits to facilitate improved emissions estimates.
Water	Meter extract, bills, invoices	<ul style="list-style-type: none"> Nil.
Employee commute	Commuting survey	<ul style="list-style-type: none"> Consider conducting an employee commute survey annually to better estimate staff commute emissions.
Cleaning services, chemicals and equipment	Finance extract	<ul style="list-style-type: none"> Continue to monitor the annual expenditures relating to cleaning services and equipment procured by Council.
ICT services and equipment	Finance extract	<ul style="list-style-type: none"> Continue to monitor the annual expenditures relating to ICT services and equipment procured by Council.
Industrial machinery and motor equipment	Finance extract	<ul style="list-style-type: none"> Continue to monitor the annual expenditures relating to machinery and motor equipment procured by Council.
Advertising services	Finance extract	<ul style="list-style-type: none"> Continue to monitor the annual expenditures relating to professional services procured by Council.
Legal services	Finance extract	
Security and personal safety	Finance extract	
Taxis and hire cars	Finance extract	
Technical services	Finance extract	



4.12 Emissions reduction pathway to 2050

Following workshops conducted with key internal stakeholders and comprehensive analyses of data provided, an emissions reduction pathway was developed to assist Port Stephens Council to reduce emissions moving forward.

The pathway is based on initiatives like renewable energy PPAs, and abatement opportunities via onsite solar, energy efficiency, gas transition, as well as initiatives related to transportation, landfill emissions, and sustainable procurement, as detailed in Table 18. Implementation timelines and scale of each measure within the pathway may be adjusted in the future as circumstances evolve and further insights are gained.

TABLE 18: MODELLED ASSUMPTIONS FOR DEVELOPING PORT STEPHENS COUNCIL'S EMISSIONS REDUCTION PATHWAY TO NET ZERO

Emission source	Scenario to reduce emissions	Timing
Stationary fuel	Fully transition from bottled gas use to induction cooking and electrified heating from FY 2030 until FY 2050.	FY 2030 → FY 2050
Transport fuel	Progressively transition Council's passenger fleet (light & heavy vehicles), as well as plant and outdoor equipment to low- or zero-emission vehicles by FY 2035.	FY 2024 → FY 2035
Purchased electricity	Extend PPA contracts and continue purchase of 100% renewable electricity beyond FY 2026. It is assumed that Council would continue procuring renewable power even after the initial contract expires, with this need potentially expiring when the grid is wholly or largely renewable.	FY 2022 → FY 2050
Electricity – on-site solar PV	Install new solar PV systems in the medium-term to increase onsite solar capacity. Sizes of modelled solar PV systems are as follows: 1. Raymond Terrace Works Depot - 50 kW 2. Lakeside Leisure Centre - 74.8 kW 3. Fingal Bay Holiday Park - 59.7 kW 4. Shoal Bay Holiday Park - 38.7 kW	FY 2028 → FY 2030
Electricity – energy efficiency	Implement energy efficiency measures to achieve year-on-year electricity demand reduction. Based on the assumption that Council undertakes identified actions to improve energy efficiency across Council assets, reducing electricity consumption to a 10% reduction by FY 2035, and further progressing to a 25% reduction by FY 2050	FY 2024 → FY 2035 FY 2035 → FY 2050



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Emission source	Scenario to reduce emissions	Timing
Waste	Council will implement waste diversion measures from FY 2024 to achieve 90% average recovery rate across all waste streams by FY 2050.	FY 2024 → FY 2050
Employee commute	Progressively transition to 100% purchases of low- or zero-emission vehicles among Council staff.	FY 2024 → FY 2035
Sustainable procurement	Council will integrate sustainable procurement within business and operational models. A linear progression to 50% emissions reduction by 2050 has been modelled for the pathway.	FY 2028 → FY 2050
Purchasing carbon offsets	Council will purchase carbon offsets in 2050 to achieve Net Zero status across Scope 1, Scope 2, and Scope 3 emissions (based on developed emissions footprint).	FY 2050



4.13 Setting emissions reduction targets

Council has committed to becoming a Carbon Neutral organisation for its operational emissions by 2025.

Based on stakeholder engagement, assessment of emission reduction opportunities, alignment with current legislation, it is recommended that Council consider the following renewable energy and emissions reduction targets as part of a long-term commitment to achieving Net Zero:

- **Renew PPA contract of purchasing 100% renewable electricity beyond 2026:**
It is recommended that Council extends its PPA contract for its sites past 2026, to continually achieve substantial emissions reductions from purchased electricity.
- **Net Zero for Scope 1, 2 and 3 emission sources by FY 2050:**
It is recommended that Council commits to aligning with the NSW State Government target of Net Zero emissions by FY 2050, or earlier. This would involve a comprehensive, ongoing program of emission reduction works and value chain decarbonisation initiatives, implemented in accordance with the identified optimal timing, thereby minimising final carbon offset liability while maximising overall benefits to Council.

The assumptions listed in TABLE 18 above in conjunction with the targets suggested above have been used to inform the emissions reduction forecast shown in FIGURE 10 below, representing an ambitious though feasible emissions reduction pathway for Council.

Council may also wish to select an interim target in line with NSW State Government targets. This approach of setting interim targets is in line with the Science based Target initiative (SBTi) which emphasises the need for a steady downward trajectory. Both these options would require establishment (through modelling or calculation of actual data) of a baseline carbon footprint year for 2005 or later. In the absence of any other established baseline year, FY 2022 (7,586 t CO₂-e) may be used to provide an indicative idea of feasibility:

- **50% emissions reduction by FY 2030:** The 2030 emissions forecast in Figure 10 of 4,159 t CO₂-e, represents a 47% reduction on 2022 levels, just short of the NSW Government target.
- **70% emissions reduction by FY 2035:** The 2035 emissions forecast in Figure 10 of 2,525 t CO₂-e, represents a 68% reduction on 2022 levels, again just short of the NSW Government target.

Council may wish to undertake further analysis prior to future reviews of this ERAP, to inform whether and which new targets should be adopted.

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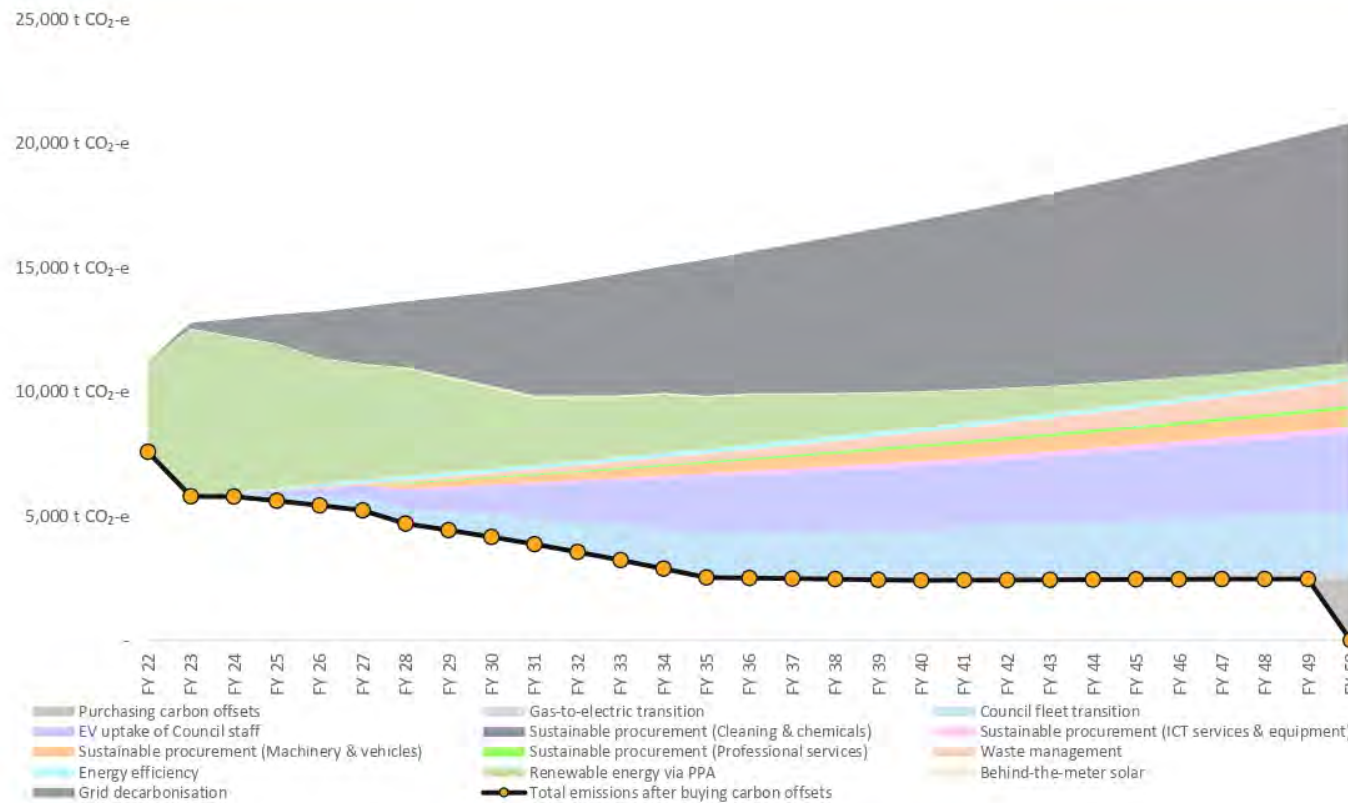


FIGURE 10: PORT STEPHENS COUNCIL'S EMISSIONS REDUCTION PATHWAY

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5 Port Stephens Council Emissions Reduction Action Plan

This section translates the strategic considerations outlined in the previous section into clear, actionable and prioritised measures. These measures consider both impact and cost-effectiveness to ensure an efficient use of resources, focusing on initiatives that yield optimal returns in emissions reduction. The goal of the ERAP is to reduce emissions and in an alignment with Council's operational processes, financial context, and the broader trajectory of sustainable development.

To attain substantial reductions in energy consumption and carbon emissions, Port Stephens Council must allocate time, resources and financial support to a comprehensive multi-year program that will see the implementation of measures aimed at reducing emissions. A primary focus should be on investing in initiatives that not only contribute to emissions abatement, but also improve Council's bottom line. Such initiatives are categorised into short, medium and long-term timelines, prioritised based on the significance of the emission source in Council's inventory, with consideration of costs and maturity of the recommended technologies. The opportunities outlined in this section expand upon the broad measures outlined in the SECTION 4.

Some initiatives implemented in the short-term are expected to carry forward into the medium and long-term, whilst some are designed to be built upon by new measures during those timeframes. Some initiatives will not be available until the medium or long-term due to financial, technological or other constraints. It is expected that as the ERAP is implemented, new opportunities may arise that have not been outlined here while some that have been outlined may need to be altered or abandoned as new opportunities arise.

It is therefore recommended that this plan be reviewed by 2027 together with an updated carbon footprint. Revisions should prioritise refinement of medium-term actions and engagement of new Council members to ensure the plan remains dynamic and adaptable.

Within the tables that follow, actions identified with a * are especially relevant to achieving Council's short term target, with a focus on Scope 1 and 2 emissions, those without are relevant to a more comprehensive, longer term Net Zero target.

5.1 Short-term (FY 2024-26) Action Plan

Following the evaluation of on-site measures, the existing electricity market, sustainable transport, behind-the-meter solar, energy efficiency, gas-to-electric transition, waste management, and sustainable procurement opportunities, a proposed short-term action plan for Council is outlined in TABLE 19 below. Short-term actions can reduce the costs of Carbon Neutral by reducing the number of offsets required in 2025 and reduce emissions towards Net Zero.

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TABLE 19: PORT STEPHENS COUNCIL – SHORT-TERM ACTION PLAN FOR COUNCIL OPERATIONS

Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
1.1*	Consider emissions during procurement and project planning	Develop Sustainable Procurement Guidelines.	Develop guidelines to support employees to consider emissions and sustainability during procurement and project planning.	Business Improvement	Sustainable Planning	All Scopes
1.2*		Adopt sustainability criteria within Council's project management framework	Adopt sustainability criteria within Council's project management framework to ensure that emissions are considered during the project planning stage as risks, budget and resourcing are evaluated and integrated.	Business Improvement	Sustainable planning	All Scopes
1.3		Adopt sustainable events guidelines	Adopt sustainability criteria with regards to both internal Council events and external events held on Council land or held in partnership with Council.	Business Improvement	Sustainable events	Scope 3
1.4		Investigate Council supplier Net Zero positions	Conduct hotspot analysis and supplier segmentation on Council's value chain by FY 2025.	Sustainable procurement	Procurement data	Scope 3
1.5*		Investigate educational programs to increase awareness of sustainability across Council	Investigate introducing a series of ongoing education programs to improve sustainability literacy across Council. Topics could include the efficient use of electric tools, sustainable water practices, availability of EVs, embodied carbon awareness, and more.	Business Improvement	Sustainable planning	All Scopes

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
1.6*		Optimise HVAC use in Council buildings	Identify energy-efficient systems through Council's procurement with the aim of improving energy efficiency.	Sustainable procurement	HVAC	Scopes 1 & 2
1.7*		Update procurement Framework to include ESD and emissions considerations	Update Council's existing procurement framework to reflect greater consideration of emission reduction objectives	Sustainable procurement	Services and equipment purchasing	All Scopes
1.8*		Update tender documentation to include ESD and emissions considerations	Revise tender documentation for holiday parks to incorporate environmentally sustainable design (ESD) principles, ensuring such factors are considered when evaluating options for cabins that are due for replacement. Explore energy-efficient solutions surpassing code requirements for insulation, glazing, appliances, and electrification. Explore the feasibility of incorporating optional solar heating, solar PV, and battery storage, especially in areas without shade.	Energy efficiency	Sustainable design	All Scopes
1.9*		Upgrade to energy-efficient split systems at end-of-life.	Identify energy-efficient systems through Council's procurement process for the replacement of AC units at end-of-life, aiming to improve the overall energy efficiency of the facility.	Energy efficiency	HVAC	All Scopes

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
2.1*	Identify funding for carbon reduction projects	Explore grant options	Investigate the availability of grants to fund the implementation of actions outlined in the Emissions Reduction Action Plan and other sustainable projects across Council.	Finance	Sustainability funding	All Scopes
2.2*		Review sustainability reserve	Review the requirements of Council's Sustainability Reserve to ensure that the fund can support the implementation of actions in the Emissions Reduction Action Plan and sustainable project across Council.	Sustainable procurement	Sustainability funding	All Scopes
3.1*	Maintain zero emissions from electricity	Monitor grid decarbonisation	Monitor trends in grid emissions intensity to optimise the leveraging of grid decarbonisation in line with the review of the PPA.	Grid decarbonisation	Electricity supply	Scopes 2 & 3
3.2*		Review PPA agreement and plan for end of contract in 2026	Subject to an initial assessment of the feasibility of alternative market offers for purchasing renewable energy, review continuation of 100% renewable PPA past the expiry date in 2026.	Purchasing renewable energy	Electricity procurement	Scope 2
4.1	Monitor changes to Council emissions over time	Collect data from capital works projects	Capture data on recycled and landfilled waste from capital works.	Waste management	Waste data	Scope 3
4.2*			Capture data on material usage and liquid fuel consumption for capital works.	Sustainable procurement	Procurement data	Scopes 1 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
4.3		Collect data on employee commuting	Administer a commuting survey among Council staff to capture data for assessing emissions from employee commute.	Sustainable transport	Staff commute	Scope 3
4.4*		Collect data on natural gas and LPG consumption	Capture natural gas and LPG consumption data.	Gas-to-electric transition	Gas heating	Scopes 1 & 3
4.5*		Collect data on fugitive emissions from refrigerants	Capture data on refrigerant top-up charges for HVAC units across Council assets.	Energy efficiency	HVAC	Scope 1
4.6*		Explore emissions tracking software	Explore software options for capturing emissions data for long-term reporting and monitoring purposes.	Business Improvement	Data management	All Scopes
4.7*		Maintain database of Council Scope 1, 2 and 3 emissions	Create a systematic procedure for collecting and managing the data required to calculate Council's carbon footprint, including setting up designated folders for staff to deposit data (e.g. refrigerant charges).	Emissions Monitoring	Data management	All Scopes
4.8*		Determine offsetting requirements.	Analyse the data regarding Council's progress towards reducing emissions to determine any obligations relating to offsetting and to ensure Council meets its targets.	Emissions Monitoring	Offsetting	All scopes

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
5.1*	Optimise Council electricity consumption	Investigate pool temperatures and review Winter closure periods	Investigate potential to reduce operational hours at Council owned swimming pools and/or reduce pool heating temperatures.	Energy efficiency	Sustainable planning	Scope 2
5.2*		Monitor efficiency and suitability of Council's solar PV systems	Continue to monitor current yield and export from the 211-kW solar array at the Raymond Terrace Administration Building, and assess its impact on peak demand to identify opportunities for energy demand optimisation and associated cost reductions.	Behind-the-meter solar	Solar PV - Roof - LGC	Scopes 2 & 3
5.3*		Optimise HVAC use in Council buildings	Set up the central controller at the Raymond Terrace Works Depot to maximise the functionality of the split and VRV systems for energy-efficient operation.	Energy efficiency	HVAC	All Scopes
5.4*		Optimise lighting at Council buildings and facilities	Ensure that the lighting at the Raymond Terrace Works Depot is turned off at night, and consider dimming / occupancy sensors for external night lights.	Energy efficiency	Lighting	Scopes 2 & 3
5.5*			Investigate upgrading fluoro lighting to LED at Councils Buildings including approximately 60-70 36-W twin fluoro battens and 10 x CFL fittings with LEDs at the Meadowie Community Centre and all remaining twin 36-W fluoro battens	Energy efficiency	Lighting	Scopes 2 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
			to LED at the Tomaree Library and Community Centre.			
5.6*			Continue to upgrade sports field lighting to LED.	Energy efficiency	Lighting	Scopes 2 & 3
5.7*			Investigate if LED technology can replace conventional fluorescent or mercury lights for UV disinfection control systems at the Lakeside Leisure Centre.	Energy efficiency	UV disinfection system	Scopes 2 & 3
5.8*			Assess the potential for installation of VSD control for the two 15-kW recirculating direct-on-line (DOL) pumps at the Tilligerry Aquatic Centre, as well as implementation of night mode, dynamic control, and fixed speed options.	Energy efficiency	Pumping	Scopes 2 & 3
5.9*			Confirm that three 15-kW pumps at the Tomaree Aquatic Centre are DOL-controlled and assess the scope for VSD control to reduce energy demand, including an assessment of fixed speed setting, night setback and dynamic control.	Energy efficiency	Pumping	Scopes 2 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
5.10*		Support Community User Groups to reduce electricity consumption	Develop an education program for Community User Groups aimed at promoting sustainable use of electricity for fridges, hot water and lighting across Council assets.	Energy efficiency	Community User Groups	Scopes 2 & 3
5.11*			Investigate the potential to offer a small grant program designed to increase the uptake of energy-efficient equipment (e.g. refrigerator upgrades) for Community User Groups.	Energy efficiency	Community User Groups	Scopes 2 & 3
5.12*		Upgrade heat pumps for water heating	Proceed with the planned replacement of the indoor Rheem heat pump at the Lakeside Leisure Centre within the next two years.	Energy efficiency	Water heating	Scopes 2 & 3
6.1*	Optimise charging infrastructure at Council	Increase charging infrastructure at Council	Integrate evaluation and strategic planning for EV charging infrastructure in the upcoming Council fleet plan, with the aim of a phased, medium-to-long term transition to battery electric vehicles (BEVs) for Council's passenger cars and utility vehicles.	Sustainable transport	Fleet transition	Scopes 1 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
6.2*		Monitor suitability of charging infrastructure	Analyse the usage of the new charging stations at the Raymond Terrace Works Depot. Review a suitable timeframe for deploying additional chargers and explore short-term options for powering utes and other light commercial vehicles (LCVs). Ensure that the installed charging capacity at the depots is sufficient to meet future demands regarding battery-powered small plant.	Sustainable transport	Fleet transition	Scopes 1 & 3
7.1*	Reduce Council gas consumption	Transition from gas heating and cooking to electric alternatives.	Explore alternatives to gas for cooking and heating at the Holiday Parks, beginning with cabins that are due for replacement in the coming years. Collaborate with industry suppliers to convey the potential shift towards fully electric cabins for water heating and induction cooking in the future.	Gas-to-electric transition	Gas heating	Scopes 1 & 3
8.1*	Reduce Council reliance on grid electricity	Investigate BESS for sites with solar PV	Investigate the potential of a battery energy storage system (BESS) at the Raymond Terrace Administration Building to help reduce the site's peak demand and capacity based on current export levels and timing.	Behind-the-meter solar	BESS	Scopes 2 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
8.2*	Reduce emissions from Council's fleet	Rollout solar PV across Council buildings	Investigate the feasibility of implementing a battery system at the Tomaree Library and Community Centre to enhance self-consumption of solar energy.	Behind-the-meter solar	BESS	Scopes 2 & 3
8.3*			Develop a rollout plan and explore potential funding sources to facilitate the implementation of solar opportunities identified at holiday parks.	Behind-the-meter solar	Solar PV	Scopes 2 & 3
8.4*			Complete planned 89kW expansion to solar at the Raymond Terrace Works Depot.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
9.1*		Create an organisational position on home charging	Develop an organisational position concerning the reimbursement of electricity consumption associated with charging EVs, particularly in the context of Council fleet vehicles (including commuter use vehicles).	Sustainable transport	Fleet transition	Scopes 1 & 3
9.2*		Create a plan to transition fleet to low or no emission vehicles.	Create an EV Working Group tasked with implementing initiatives aimed at increasing EV uptake among Council staff and within Council fleet vehicles.	Sustainable transport	Fleet transition	Scopes 1 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
9.3*	Reduce emissions from employee commuting		Update Council's fleet & procurement policies to reflect a proactive strategy for supporting accelerated adoption of vehicles featuring advanced fuel-efficient & electric technologies (e.g. hybrid EVs, plug-in hybrid EVs).	Sustainable transport	Fleet transition	Scopes 1 & 3
9.4*		Optimise fuel efficiency in fleet vehicles	Investigate potential use of telematics data from Council's existing fleet to monitor driving behaviours and mileage, to facilitate informed decision-making, optimise operational efficiency, minimise fuel consumption, and promote sustainable driving practices.	Sustainable transport	Fleet transition	Scopes 1 & 3
9.5*		Transition fossil fuel-powered small plant to electric options	Explore the feasibility of transitioning to battery-powered small plant equipment.	Sustainable transport	Fleet transition	Scopes 1 & 3
10.1		Increase EV uptake across Council	Investigate options for incentivising the adoption of personal electric vehicles among Council staff. For example, in a novated lease arrangement, Council assumes responsibility for lease payments deducted from an employee's pre-tax salary, leading to substantial savings due to fringe benefits tax (FBT) exemptions. Alternatively, Council may investigate offering 'free charging' options to employees via installation of	Sustainable transport	Staff commute	Scope 3

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
			charging stations at solar carports in workplaces (e.g. Council depots).			
10.2*		Optimise use of public transport and ridesharing	Explore options for encouraging increased use of public transport and ridesharing among Council staff.	Sustainable transport	Staff commute	Scope 3
10.3		Reduce employee travel requirements	Optimise employee work-from-home arrangements and use of video conferencing for meetings where possible.	Sustainable transport	Staff commute	Scope 3
11.1*	Reduce emissions from refrigerants	Consider global warming potential (GWP) when upgrading HVAC systems	Create an asset upgrade plan for the Tomaree Library and Community Centre for transitioning R22 units to ones utilising lower GWP gases (e.g. R32), and achieve notably higher energy efficiency, targeting an EER of around 4+.	Energy efficiency	HVAC	Scope 1

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Action #	Objective	Action	Description	Category	Sub-category	Emissions Scope
12.1	Reduce emissions from waste	Educate staff on waste reduction	Implement staff education & training as part of Council's Waste Minimisation Plan and as specified in the Waste Management Strategy 2021-2031.	Waste management	Waste reduction	Scope 3
12.2		Implement new waste streams where possible	Investigate feasibility of implementing new waste streams (e.g. soft plastics, textiles, food waste, business waste, core flutes and internal operational waste) and other measures to support separation of garden organics (GO) and food organics & garden organics (FOGO).	Waste management	Waste reduction	Scope 3
12.3		Implement Waste Management Strategy	Implement short-term measures as specified in Council's Waste Management Strategy 2021-2031, with a key focus on meeting established waste diversion targets.	Waste management	Waste strategy	Scope 3
12.4		Optimise litter bin placement	Continue to develop Council's comprehensive litter-bin mapping with the aim of convenient litter bin placements.	Waste management	Waste reduction	Scope 3

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5.2 Medium-term (FY 2027-30) Action Plan

Following the evaluation of on-site measures, the existing electricity market, sustainable transport, behind-the-meter solar, energy efficiency, gas-to-electric transition, waste management, and sustainable procurement opportunities, a proposed medium-term action plan for Council is outlined in TABLE 20 below. Medium-term actions can reduce the ongoing costs of Council retaining its carbon neutrality to 2030, or continue to reduce emissions towards Net Zero.

TABLE 20: PORT STEPHENS COUNCIL – MEDIUM-TERM ACTION PLAN FOR COUNCIL OPERATIONS

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
1.1*	Consider emissions during procurement and project planning	Develop a sustainable procurement roadmap	Develop a sustainable procurement roadmap that incorporates sustainability requirements (e.g. low-carbon components, high levels of recycled content, energy-efficient) in specifications and evaluation criteria for services, equipment and products in Council's procurement.	Sustainable procurement	Services and equipment purchasing	All Scopes
1.2*		Increase awareness of sustainability across Council	Establish and conduct internal engagement and training programs to promote the integration of sustainability criteria in all Council procurement decisions.	Sustainable procurement	Services and equipment purchasing	All Scopes

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
1.3*		Upgrade holiday park cabins to low-carbon design options as they become available	As holiday park cabins undergo upgrades, consistently explore the market for innovative and low-carbon design options that can effectively lower emissions and operational costs for both Council and/or the park operator. Market testing can provide valuable insights into the size of the holiday cabin market in Australia and available leverage for promoting greater innovation.	Energy efficiency	Sustainable design	All Scopes
2.1*	Optimise Council electricity consumption	Continue with the LED lighting upgrades	Continue with the LED lighting upgrades for the other facilities at the Tomaree Sports Complex and other sports fields in the LGA through Council funds, grants, and other available resources. Consider that cost-effectiveness tends to be poor with low utilisation or hours of use, so lighting replacements typically depend on planned upgrades and grant funding for community sports.	Energy efficiency	Lighting	Scopes 2 & 3
2.2*		Upgrade to more energy-efficient systems at Council Buildings	Gradually transition to electronically commutated (EC) fans at the Raymond Terrace Administration Building where feasibility and cost-effectiveness are demonstrated.	Energy efficiency	HVAC	Scopes 2 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
2.3*			Gradually upgrade to more energy-efficient split systems at the Raymond Terrace Library through procurement as existing units fail or reach end-of-life status.	Energy efficiency	HVAC	Scopes 2 & 3
2.4*			Gradually upgrade to more energy-efficient split systems at the Koala Sanctuary Holiday Park through procurement as existing units fail or reach end-of-life status.	Energy efficiency	HVAC	Scopes 2 & 3
3.1*	Optimise charging infrastructure at Council	Upgrade power charging capacity as needed	Upgrade power charging capacity across Council as needed to support increasing demand for powering additional battery-powered equipment.	Sustainable transport	EV charging infrastructure	Scopes 1 & 3
4.1*	Reduce Council gas consumption	Transition holiday park cabins and amenities to electric solutions powered by renewable sources	Transition cabins and amenities at the Holiday Parks that are currently using gas (both bulk and bottled) to electric solutions powered by renewable sources progressively over time. Council may consider implementing a 'no new gas' policy and engaging stakeholders to streamline the electrification process as assets are replaced. Evaluate the spatial and fitness-for-purpose aspects of electric solutions for various applications.	Gas-to-electric transition	Gas heating	Scopes 1 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
5.1*	Reduce Council reliance on grid electricity	Continue investigating BESS for sites with solar PV	Explore the potential for a distributed solar and battery solution at Fingal Bay Holiday Park. Beyond the suggested buildings, assess the feasibility of expanding solar to cabins, particularly those not nearing replacement age. Prioritise areas such as the 2-bed budget and 3-bed house & villa sections, which seem to have less shading compared to the 2-bed standard villa section.	Behind-the-meter solar	Solar PV - Roof - Distributed solution	Scopes 2 & 3
5.2*			Explore the potential for a distributed solar and battery solution at the Shoal Bay Holiday Park. In addition to the three main buildings, assess the feasibility of expanding solar to cabins, with a specific focus on S301 to S309, S201 to S209, and S401a to S420. An indicative estimate of 50 kW solar PV capacity may be installed.			

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
5.3*			Explore the potential for a distributed solar and battery solution at Halifax Holiday Park. In addition to the two main buildings, assess the feasibility of expanding solar to cabins, with a specific focus on H401A, H701 to H718, H101, H202, H203, as well as the new villas H503 to H505. An indicative estimate of 75 kW solar PV capacity may be installed.	Behind-the-meter solar	Solar PV - Roof - Distributed solution	Scopes 2 & 3
5.4*			Explore the potential for a distributed solar and battery solution at Thou Walla Holiday Park. Assess the potential for expanding solar to cabins, with a focus on PV1 to PV6, B1 to B5, FV1 to FV5. An indicative estimate of 25 kW solar PV capacity may be installed.	Behind-the-meter solar	Solar PV - Roof - Distributed solution	Scopes 2 & 3
5.5*		Continue to rollout solar PV across Council buildings	Consider expanding the 10-kW system on the new office building at the Raymond Terrace Works Depot with a 25-kW system to accommodate the remainder of the roof. Additionally, install a further 25-kW solar array on the roofs of the workshop/store buildings.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
5.6*			Install solar panels on the north-facing section of the building's roof at Medowie Community Centre. Alternatively, consider replacing the 5-kW system with a larger one that spans the entire awning, and upgrade to higher wattage panels for increased efficiency.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
5.7*			Install a distributed solar PV system with cumulative capacity of 59.7 kW on the roofs of the reception, old and new amenities buildings to meet the buildings' daytime electricity demand at the Fingal Bay Holiday Park.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
5.8*			Assess the potential for the installation of a 38.7-kW solar PV array on the roofs of the reception, amenities, conference and entertainment buildings at the Shoal Bay Holiday Park.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
5.9*			Assess the feasibility of installing solar PV on the roof of the amenities block and office building (H301) at Halifax Holiday Park. An estimated potential capacity of 20 kW may be installed.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
5.10*			Evaluate the feasibility of installing solar PV on the roof of the amenities block at Thou Walla Holiday Park. An estimated potential capacity of 10 kW may be installed.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
5.11*			Install a solar PV system with an estimated capacity of 50-75 kW on the roof of the main Admin Centre or café at the Koala Sanctuary Holiday Park.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
5.12*			Evaluate the feasibility of an expanded solar array capable of meeting the majority of the site's electricity demands at the Nelson Bay Works Depot. An estimated additional capacity of 25-30kW PV can cover the site's existing needs, with the potential for a larger array in consideration of the gradual electrification of vehicles. Explore suitable locations such as the western roof of the workshop or the roof of the fabrication workshop.	Behind-the-meter solar	Solar PV - Roof - STC	Scopes 2 & 3
6.1*	Reduce emissions from Council's fleet	Increase uptake of low and zero-emission vehicles across Council	Agree on a strategy for the deployment of charging infrastructure and uptake of low and zero-emission vehicles among Council's fleet, inclusive of considerations for various charging infrastructure types and locations.	Sustainable transport	EV charging infrastructure	Scopes 1 & 3

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Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
6.2*			Facilitate Council's trial initiatives for low and zero-emission vehicles such as battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs), including heavy vehicles and outdoor equipment.	Sustainable transport	Electric vehicles and hybrids	Scopes 1 & 3
6.3*		Upgrade power charging capacity as needed	Gradually deploy charging infrastructure at Council buildings to accommodate future needs for charging uses, other light commercial vehicles (LCVs), and eventually heavy vehicles (e.g. trucks), as aligned with the agreed overarching strategy and trial outcomes for Council fleet transition.	Sustainable transport	EV charging infrastructure	Scopes 1 & 3
7.1	Reduce emissions from employee commuting	Increase uptake of low and zero-emission vehicles across Council	Advance the rollout of initiatives (e.g. novated lease arrangements) to encourage adoption of personal electric vehicles among Council staff. Set procurement targets for the uptake of low and zero-emission vehicles by FY 2030.	Sustainable transport	Staff commute	Scope 3

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
8.1	Reduce emissions from waste	Implement new waste streams identified during previous phase	Subject to feasibility of identified measures in the short-term, proceed with implementing new waste streams and other initiatives to support separation of garden organics (GO) and food organics & garden organics (FOGO).	Waste management	Waste strategy	Scope 3
8.2		Progress Council's Waste Management Strategy	Maintain progress on actions to be implemented from Council's Waste Management Strategy 2021-2031. Assess impact of abatement measures on emissions.	Waste management	Waste strategy	Scope 3

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

5.3 Long-term (FY 2031+) Action Plan

Following the evaluation of on-site measures, the existing electricity market, sustainable transport, behind-the-meter solar, energy efficiency, gas-to-electric transition, waste management, and sustainable procurement opportunities, a proposed long-term action plan for Council is outlined in TABLE 21 below. Longer-term actions will continue to reduce the ongoing costs of Council retaining carbon neutrality by continuing to reduce emissions towards Net Zero.

TABLE 21: PORT STEPHENS COUNCIL – LONG-TERM ACTION PLAN FOR COUNCIL OPERATIONS

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
1.1*	Consider emissions during procurement and project planning	Maintain awareness of sustainability across Council	Continue to provide internal engagement and training programs for promoting the integration of sustainability criteria in all Council procurement decisions.	Sustainable procurement	Services and equipment purchasing	All Scopes
1.2*		Maintain high level of focus on sustainability at Council	Continue to develop and refine specifications and evaluation criteria for services, equipment, and products in Council's value chain, ensuring inclusion of sustainability requirements.	Sustainable procurement	Services and equipment purchasing	All Scopes
2.1*	Reduce Council gas consumption	Continue to reduce usage of gas at Council	Replace gas and water heating equipment with electric solutions (e.g. electric heat pumps) at Lakeside Leisure Centre.	Gas-to-electric transition	Gas and water heating	Scopes 1 & 3
2.2*			When upgrading or replacing hot water systems at the Koala Sanctuary Holiday Park, initially focusing on older accommodations followed by cabins in the longer term, explore electric hot water heating options to reduce emissions from gas.	Gas-to-electric transition	Water heating	Scope 1 & 2

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
3.1*	Reduce Council reliance on grid electricity	Continue to evaluate feasibility of battery energy storage systems (BESS)	Explore the feasibility of BESS at Raymond Terrace Works Depot if further solar installations are planned in the future, and if the solar capacity exceeds the daytime demand from the grid.	Behind-the-meter solar	BESS	Scopes 2 & 3
3.2*			Explore the feasibility of BESS at Raymond Terrace Administration building in conjunction with the assessment of solar carports and potential EV charging infrastructure for Council fleet.	Behind-the-meter solar	BESS	Scopes 2 & 3
3.3*			Explore the feasibility of BESS at Raymond Terrace Library in conjunction with any future proposals for expanding solar capacity on the roof of the building.	Behind-the-meter solar	BESS	Scopes 2 & 3
3.4*			Investigate the scope for a solar carport to augment the rooftop system, potentially incorporating BESS at Lakeside Leisure Centre. Implement solar carport with BESS where cost-effectiveness is demonstrated, and where the site's demand justifies it and can contribute to reducing peak demand and capacity.	Behind-the-meter solar	Solar PV - Carport & BESS	Scopes 2 & 3
3.5*			Explore the feasibility of integrating BESS in conjunction with a larger array to meet most of the site's energy demands with solar at Medowie Community Centre.	Behind-the-meter solar	BESS	Scopes 2 & 3

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.


Port Stephens Council
Emissions Reduction Action Plan

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
3.6*			Explore the feasibility of integrating BESS at Koala Sanctuary Holiday Park into an expanded solar PV solution for meeting most of the site's energy demand through on-site solar, thereby mitigating peak capacity charges.	Behind-the-meter solar	BESS	Scopes 2 & 3
3.7*			Explore the feasibility of integrating BESS at Nelson Bay Works Depot in conjunction with the expanded solar array to maximise solar self-consumption.	Behind-the-meter solar	BESS	Scopes 2 & 3
3.8*			Assess the potential for BESS at the Tomaree Library and Community Centre in conjunction with any proposed expansion of solar systems at the site.	Behind-the-meter solar	BESS	Scopes 2 & 3
3.9*		Continue to rollout Solar PV at Council sites	Assess the feasibility of hosting a solar carport spanning the 24 parking spaces in the carpark area adjacent to the Administration Building at the Raymond Terrace Works Depot.	Behind-the-meter solar	Solar PV - Carport	Scopes 2 & 3
3.10*			Assess the potential for implementing solar carport at the Raymond Terrace Administration Building in the parking area adjacent to the Administration Building.	Behind-the-meter solar	Solar PV - Carport	Scopes 2 & 3
3.11*			Assess and implement additional solar at the Tilligerry Aquatic Centre in the form of solar carport in the front carpark.	Behind-the-meter solar	Solar PV - Carport	Scopes 2 & 3

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
3.12*			If a feasible distributed solution is identified, formulate a business case, explore potential grant funding opportunities, and proceed with the development and implementation of a distributed solution at the Holiday Parks.	Behind-the-meter solar	Solar PV - Distributed solution	Scopes 2 & 3
3.13*			Assess the potential for expanding the solar capacity at the Koala Sanctuary Holiday Park, considering the available space on the Administration Centre roof, roofs of the two western-most motel accommodation blocks, and the site's parking areas. An estimated 130-150 kW of solar PV could generate the equivalent power to meet the site's grid requirements.	Behind-the-meter solar	Solar PV - Roof	Scopes 2 & 3
3.14*			Evaluate and implement additional solar at the Tomaree Aquatic Centre in the form of a solar carport based on an assessment of future demand.	Behind-the-meter solar	Solar PV - Carport	Scopes 2 & 3
3.15*			Alongside the assessment for solar carport, explore the case of incorporating a battery storage system to optimise solar self-consumption and effectively manage peak demand and capacity at the Tomaree Aquatic Centre.	Behind-the-meter solar	BESS	Scopes 2 & 3

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

Action #	Objective	Action	Description	Category	Sub-category	Emission Scope
3.16*			Explore further opportunities for solar expansion, with an emphasis on solar carport solutions at the Tomaree Library and Community Centre.	Behind-the-meter solar	Solar PV - Carport	Scopes 2 & 3
4.1*	Reduce emissions from Council's fleet	Continue to transition Council's fleet & machinery to low and zero-emission vehicles and plant	Continue to upgrade the remainder of Council's fleet and machinery to low and zero-emission alternatives as they become available.	Sustainable Transport	Electric Vehicles and Hybrids	Scopes 1 & 3



5.4 Monitoring and Review

Regularly updating Council's carbon footprint, at least bi-annually, is important for responsible progress-tracking on emission reduction targets, policies, and initiatives. Aligning Council's next update with the 2024-2025 financial year at the latest is crucial for timely monitoring and ensuring the specified 2025 targets are met.

This Emissions Reduction Action Plan should be reviewed by 2027 in conjunction with an up-to-date carbon footprint. The revision should include a focus on refining medium-term actions and garnering support from new council members, ensuring the plan remains dynamic and adaptable. In undertaking the review, an emphasis on fleet transition planning and the potential for emission reduction target adjustments and an expanded scope coverage, is recommended.



Appendix A: Modelled solar PV opportunities at Council sites

Fingal Bay Holiday Park

An opportunity identified for the medium term (FY 2026-2030) involves deploying a distributed solar PV system on several facilities at the Fingal Bay Holiday Park, with the aim of meeting most of the buildings' daytime energy demand.

FIGURE 11, FIGURE 12, FIGURE 13, and FIGURE 14 show aerial views of modelled solar PV (total capacity of 59.7 kW) layout configurations on the reception and amenities buildings at the park.



FIGURE 11: FINGAL BAY HOLIDAY PARK – RECEPTION



FIGURE 12: FINGAL BAY HOLIDAY PARK – AMENITIES (NEAR POOL)



FIGURE 13: FINGAL BAY HOLIDAY PARK – AMENITIES (ALONG GOOYAH)



FIGURE 14: FINGAL BAY HOLIDAY PARK – AMENITIES (ALONG ORANA)

FIGURE 15 illustrates estimated grid electricity consumption before and after solar PV installation. To generate the site's average load profile, desktop research was undertaken to obtain load profiles specific to holiday parks. Such profiles were subsequently adjusted to align with the site's estimated annual demand. Note the observed lack of export arising from the theoretical load profile representing the holiday park's total demand, with the modelled solar arrays offsetting only a portion of the demand from select buildings. For more refined estimates, a comparison of building-specific load profiles against theoretical output from the installed solar PV on a per-building basis may be conducted.



Port Stephens Council
Emissions Reduction Action Plan

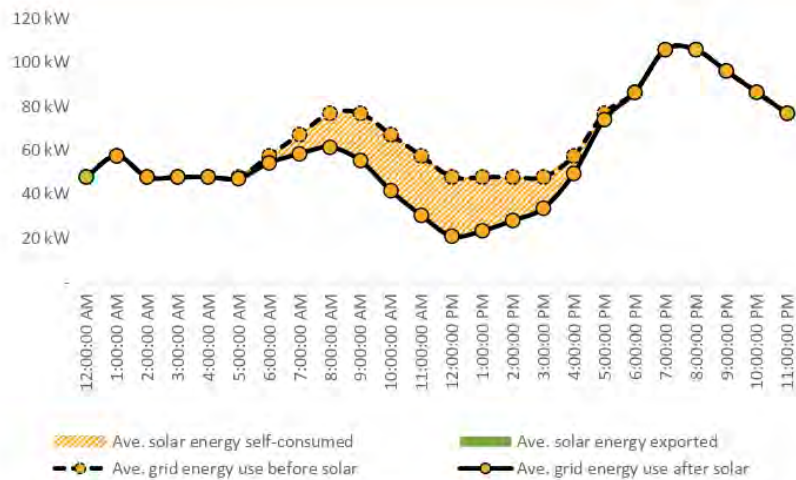


FIGURE 15: FINGAL BAY HOLIDAY PARK – MODELLED LOAD PROFILES BEFORE AND AFTER SOLAR PV

Considering the technical parameters obtained from the modelling, along with the following assumptions, a high-level cost-benefit analysis was conducted for the proposed system. TABLE 22 presents a summary of the assessment.

- Electricity rate of ~\$ 0.14 per kWh for estimating annual savings offset by the system is derived from mean electricity rates (excluding fixed costs like meter reading) from January to June 2022.
- Indicative feed-in tariff for solar exports is estimated at ~\$ 0.06 per kWh.
- Indicative year-1 operational maintenance costs is at ~\$ 15 per MWh of solar yield.
- Escalation rate for electricity charges is at ~6% per annum.
- Escalation rate for operational maintenance costs is at ~2.5% per annum.
- Degradation rate of solar PV performance estimated at ~1% per year.
- Discount rate of ~5% is applied for estimating the total net present value (NPV) of the system.

TABLE 22: FINGAL BAY HOLIDAY PARK – 59.7-KW SOLAR PV COST-BENEFIT ANALYSIS

Description	Value
System size	59.7 kW
Estimated capital cost	\$ 71,604
Estimated year-1 annual savings	\$ 8,878
Internal rate of return	17%
Payback period	6.9 years
Net present value (NPV)	\$ 146,313
Year-1 self-consumption	72 MWh pa



Raymond Terrace Works Depot

A similar medium-term opportunity involving the expansion of the existing solar PV system at the Raymond Terrace Works Depot was identified. FIGURE 16 shows the aerial view of a modelled 50-kW solar PV array appended to the existing 10-kW system at the depot. Researched load profiles specific to commercial spaces were used as a reference and were adjusted to align with the site's estimated annual demand, resulting in the chart in FIGURE 17.



FIGURE 16: RAYMOND TERRACE WORKS DEPOT

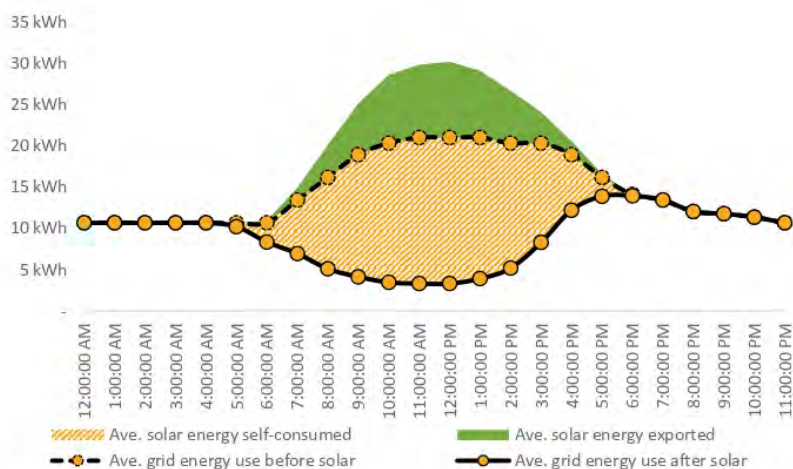


FIGURE 17: RAYMOND TERRACE WORKS DEPOT – MODELLED LOAD PROFILES BEFORE AND AFTER SOLAR PV



Together with the retrieved parameters from the modelling, the assumptions outlined for the proposed system at the Fingal Bay Holiday Park was re-applied to the depot, resulting in a high-level cost-benefit analysis summarised below:

TABLE 23: RAYMOND TERRACE WORKS DEPOT – 50-KW SOLAR PV COST-BENEFIT ANALYSIS

Description	Value
System size	50.0 kW
Estimated capital cost	\$ 60,000
Estimated year-1 annual savings	\$ 7,561
Internal rate of return	16%
Payback period	6.9 years
Net present value (NPV)	\$ 112,980
Year-1 self-consumption	51 MWh pa



Shoal Bay Holiday Park

Following the outcomes of the assessment from the conducted site visits, it is recommended to investigate the implementation of a distributed solar PV system on the roofs of various facilities at the Shoal Bay Holiday Park, to meet the buildings' electricity requirements during daytime and reduce reliance on grid imports. FIGURE 18, FIGURE 19 and FIGURE 20 show aerial views of modelled solar PV (total capacity of 38.7 kW) layout configurations on select buildings at the Shoal Bay Holiday Park.



FIGURE 18: SHOAL BAY HOLIDAY PARK – RECEPTION



FIGURE 19: SHOAL BAY HOLIDAY PARK – AMENITIES BUILDING



FIGURE 20: SHOAL BAY HOLIDAY PARK – CONFERENCE AND ENTERTAINMENT BUILDINGS

FIGURE 21 illustrates estimated grid electricity consumption before and after solar PV installation. Similar to the process conducted for Fingal Bay Holiday Park, load profiles specific to holiday parks, which bear a resemblance to residential ones, were referenced and adjusted to align with the site's annual demand, helping to determine the estimated amount of solar energy available for self-consumption. As with Fingal Bay Holiday Park, refined estimates necessitate comparisons of building-specific load profiles against the theoretical output from the installed solar PV on a per-building basis.

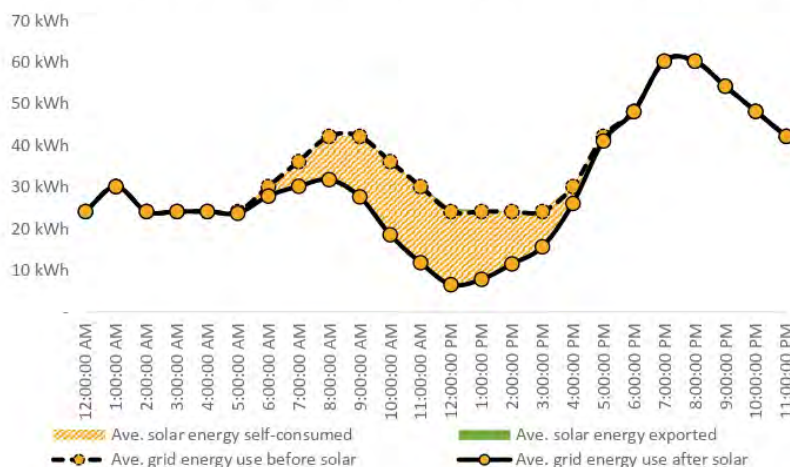


FIGURE 21: SHOAL BAY HOLIDAY PARK – MODELLED LOAD PROFILES BEFORE AND AFTER SOLAR PV



Applying the parameters generated from the modelling above, together with assumptions previously outlined for Fingal Bay Holiday Park and replicated for Shoal Bay Holiday Park, a high-level cost-benefit analysis may be developed as follows:

TABLE 24: SHOAL BAY HOLIDAY PARK – 38.7-KW SOLAR PV COST-BENEFIT ANALYSIS

Description	Value
System size	38.7 kW
Estimated capital cost	\$ 46,458
Estimated year-1 annual savings	\$ 5,906
Internal rate of return	17%
Payback period	6.7 years
Net present value (NPV)	\$ 98,213
Year-1 self-consumption	47 MWh pa

ITEM 2 - ATTACHMENT 1 FINAL EMISSION REDUCTION ACTION PLAN.



Port Stephens Council
Emissions Reduction Action Plan

Summary of modelled solar PV

The table below summarises the modelling outcomes for solar PV opportunities identified for the three representative facilities. Such opportunities are considered feasible and cost-effective, with favourable payback periods of less than seven years.

TABLE 25: PORT STEPHENS COUNCIL – MEDIUM-TERM SOLAR PV OPPORTUNITIES: REPRESENTATIVE EXAMPLES

Site name	Description of potential opportunity	Solar PV size	Indicative costs (\$)	Year-1 cost savings (\$)	Payback (years)	IRR	Est. energy savings (%)	Emissions abatement (t CO ₂ -e)
Fingal Bay Holiday Park	<i>Medium-term option:</i> Install a distributed solar PV system with cumulative capacity of 59.7 kW on the roofs of the reception, old and new amenities buildings to meet the buildings' daytime electricity demand.	59.7 kW	71,604	8,878	6.9	17%	13%	47.0
Raymond Terrace Works Depot	<i>Medium-term option:</i> Consider expanding the 10-kW system on the new office building with a 25-kW system to accommodate the remainder of the roof. Additionally, install a further 25-kW solar array on the roofs of the workshop/store buildings.	50.0 kW	60,000	7,561	6.9	16%	40%	33.4
Shoal Bay Holiday Park	<i>Medium-term option:</i> Assess the potential for the installation of a 38.7-kW solar PV array on the roofs of the reception, amenities, conference and entertainment buildings.	38.7 kW	46,458	5,906	6.7	17%	15%	30.8
Total		148 kW	178,062	22,345	6.9	17%	22%	111.3



Appendix B: Establishing Council's emissions boundary

Defining the emissions boundary marks the first step in the carbon accounting process. The boundary denotes the coverage and extent of the carbon account, determined through a set of criteria designed to identify emission sources and decide which of the identified sources are to be included or excluded.

Emission sources under the Climate Active standard

In consideration of the potential for Council to certify as Carbon Neutral under the Australian Government-accredited standard, Climate Active, the following emission sources – Scopes 1 and 2, as well as relevant Scope 3 emission sources – were assessed for inclusion or exclusion in Council's emissions boundary.

1. Stationary energy and fuel used in buildings, machinery or vehicles under Council's control (e.g. natural gas, fuel consumption for generators or vehicles)
2. Electricity consumption in buildings, machinery or vehicles under Council's control
3. All other emissions likely to be influenced by Council must be assessed for relevance

Broad categories of Scope 3 emission sources for consideration include:

1. Purchased goods and services.
2. Capital goods
3. Fuel- and energy-related activities
(not included in Scope 1 or Scope 2)
4. Upstream transportation and distribution
5. Waste generated in operations
6. Business travel
7. Employee commuting
8. Upstream leased assets
9. Downstream transportation and distribution
10. Processing of sold products
11. Use of sold products
12. End-of-life treatment of sold products
13. Downstream leased assets
14. Franchises
15. Investments



Relevance test

The 'relevance test' under Climate Active determines whether an emission source aside from stationary energy, fuel and electricity under the operational control of Council, should be included or excluded from the emissions boundary. The test established that an emission source can be excluded if fewer than two of the five relevance criteria shown in Figure 22 below are met.

Criteria	Description of Emission Source
Size	Emissions from this source are large compared to the organisations scope 1 and 2 emissions.
Influence	The organisation is able to influence or reduce these emissions.
Stakeholder	Stakeholders (eg. the community) would consider these emissions critical.
Risk	These emissions contribute to the organisations GHG risk exposure.
Outsourcing	These emissions come from activities previously undertaken by the organisation but now outsourced.

FIGURE 22: CRITERIA USED TO CONDUCT A RELEVANCE TEST UNDER CLIMATE ACTIVE

Included and excluded emission sources

As per Climate Active guidelines, Council's carbon footprint must include stationary energy, fuel (scope 2 emissions) and electricity consumption (scope 2), as well as all other relevant scope 3 emission sources identified through the 'relevance test'. FIGURE 23 illustrates the procedure for determining whether a scope 3 emission source is included or excluded according to the Climate Active standard. As shown below, non-relevant emission sources can be excluded from the boundary. Relevant emission sources for which data is unavailable or calculated emissions are deemed immaterial can be non-quantified but must be included in the boundary.

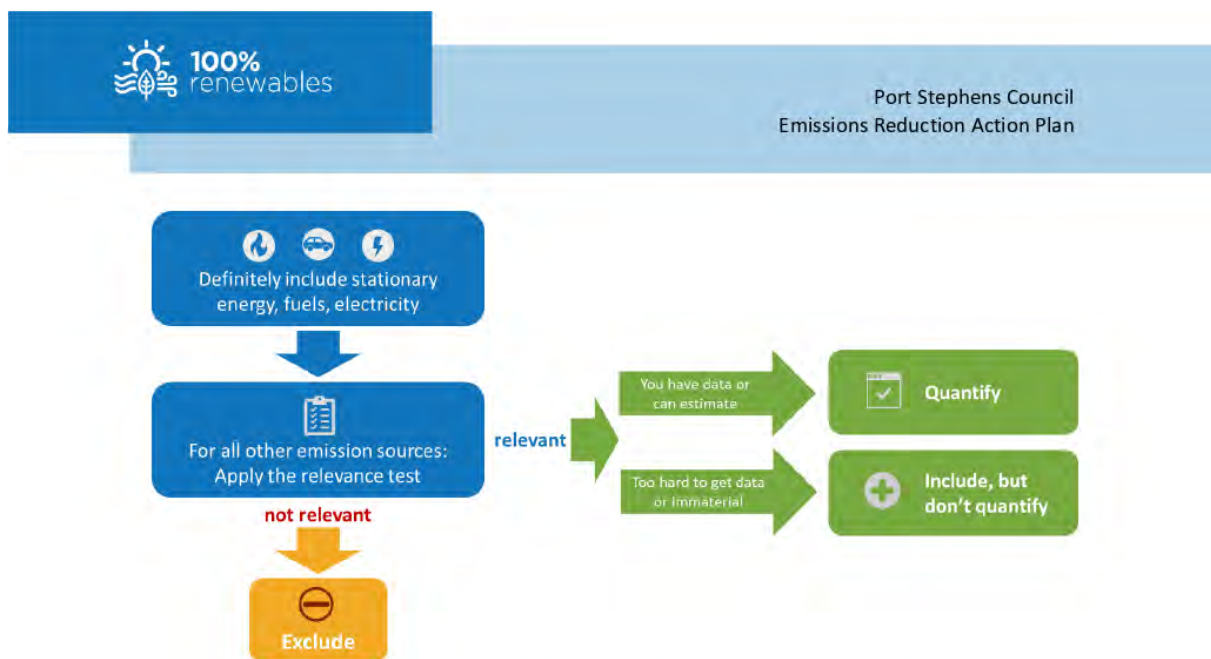


FIGURE 23: HOW TO IDENTIFY INCLUDED OR EXCLUDED EMISSIONS UNDER CLIMATE ACTIVE



In consultation with Council and based on the boundary assessment, the following Scopes 1, 2 and 3 emission sources were established to constitute Council's Climate Active-compliant emissions boundary for FY 2022.

TABLE 26: PORT STEPHENS COUNCIL – SUMMARY OF EMISSION SOURCES BOUNDARY ASSESSMENT

Emission source	Relevant?	Quantified?	Emission source component		
			Scope 1	Scope 2	Scope 3
Stationary fuel – LPG	Yes	Yes	✓	-	✓
Fleet fuel – diesel	Yes	Yes	✓	-	✓
Fleet fuel – petrol	Yes	Yes	✓	-	✓
Fleet fuel – ethanol	Yes	Yes	✓	-	✓
Electricity	Yes	Yes	-	✓	✓
Waste	Yes	Yes	-	-	✓
Potable water	Yes	Yes	-	-	✓
Employee commute	Yes	Yes	-	-	✓
Cleaning equipment and supplies	Yes	Yes	-	-	✓
Cleaning services	Yes	Yes	-	-	✓
IT equipment	Yes	Yes	-	-	✓
Internet	Yes	Yes	-	-	✓
Computer and technical services	Yes	Yes	-	-	✓
Telecommunications	Yes	Yes	-	-	✓
Motor vehicle hire	Yes	Yes	-	-	✓
Industrial machinery and equipment	Yes	Yes	-	-	✓
Motor vehicles	Yes	Yes	-	-	✓
Advertising services	Yes	Yes	-	-	✓
Legal services	Yes	Yes	-	-	✓
Security and personal safety services	Yes	Yes	-	-	✓
Taxis and hire cars	Yes	Yes	-	-	✓
Technical services	Yes	Yes	-	-	✓
Natural gas	Yes	No	✓	-	✓
Refrigerants	Yes	No	✓	-	-
Construction and material services	Yes	No	-	-	✓
Horticulture and agriculture	Yes	No	-	-	✓
Roads and landscape	Yes	No	-	-	✓
Accounting services	Yes	No	-	-	✓
Air travel (Council staff)	No	No	-	-	✓
Business accommodation	No	No	-	-	✓
Products	No	No	-	-	✓
Food and catering	No	No	-	-	✓
Postage, courier and freight	No	No	-	-	✓



Port Stephens Council
Emissions Reduction Action Plan

The information presented in TABLE 26 above is visually displayed in FIGURE 24 below to clearly show which emission sources were included and excluded from Council's boundary.

● Scope 1 ● Scope 2 ● Scope 3 ○ Scope 3 non-quantified or excluded

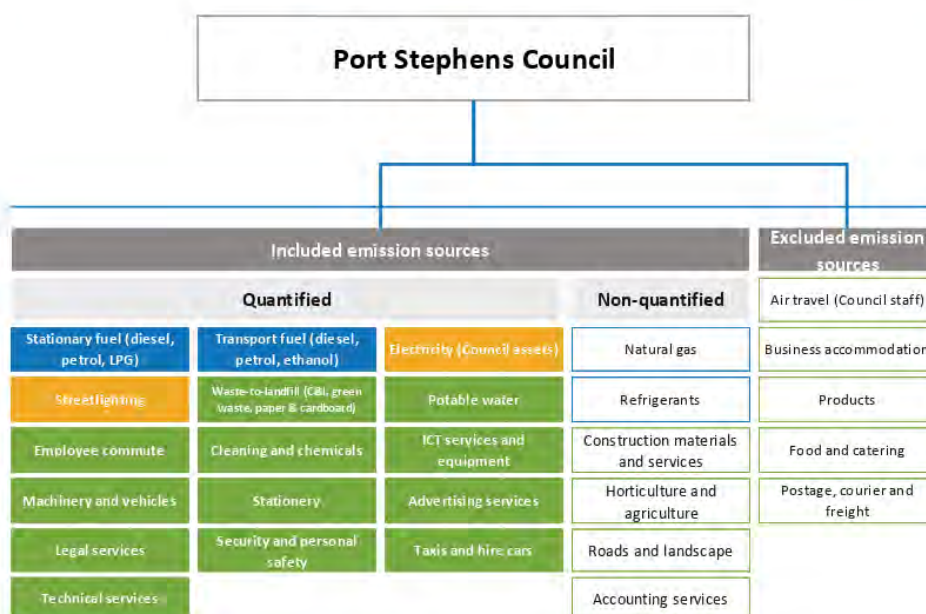


FIGURE 24: PORT STEPHENS COUNCIL – FY 2022 CARBON FOOTPRINT EMISSIONS BOUNDARY



Appendix C: Climate Active requirements for sequestration insetting

Draft Climate Active Guidelines

The guidelines for including carbon sequestration within a Climate Active carbon account are currently under development and expected to be finalised by the end of 2023. These guidelines are applicable to entities seeking to measure carbon sinks from trees and shrubs they have planted in addition to GHG emissions. The guidelines outline the five steps for achieving Climate Active Carbon Neutral certification: measure, reduce, offset, verify, and disclose.



FIGURE 25: STEPS TO ACHIEVING CLIMATE ACTIVE CARBON NEUTRAL CERTIFICATION

The guidelines are distinct from the Emission Reduction Fund (ERF) methods, which have specific rules for carbon offsets projects.

- While there are some similarities between the guidelines and ERF methods, the main differences lie in the starting and ending points of the processes.
- Unlike ERF methods, the guidelines do not require the plantings to be new and do not generate Australian Carbon Credit Units (ACCUs) or any other tradeable carbon credit unit.
- If the plantings are included in an ERF project generating ACCUs, the sequestration cannot be accounted for using the Climate Active guidelines. However, voluntary cancellation of ACCUs can be used to offset emissions.

Eligibility requirements

The current draft eligibility requirements for inclusion of tree planting activities in carbon footprint calculations are summarised in Table 27:



TABLE 27: CLIMATE ACTIVE'S DRAFT ELIGIBILITY CRITERIA FOR CARBON ACCOUNTING FOR SEQUESTRATION ACTIVITIES

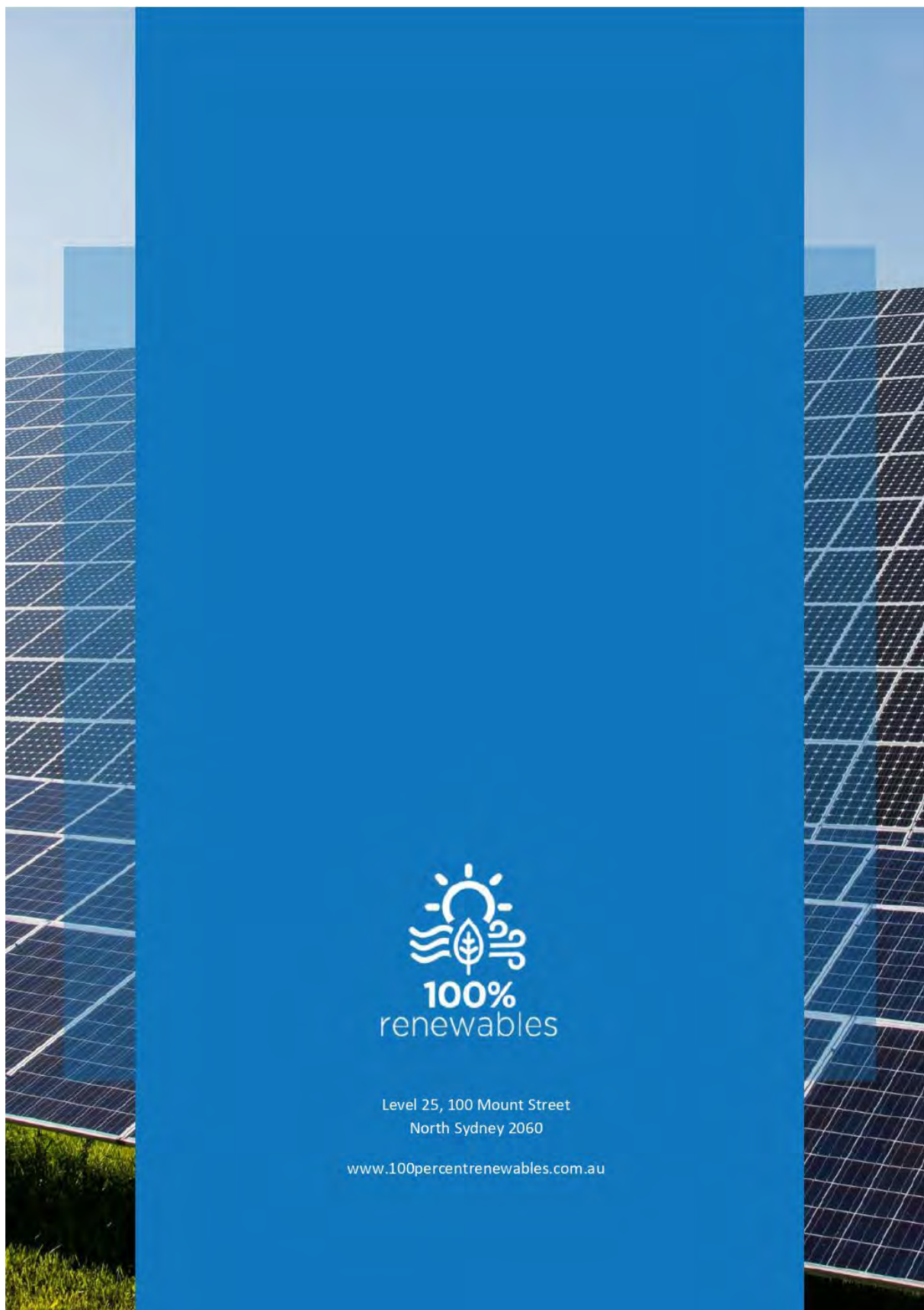
Relevant eligibility criteria
The trees and shrubs must be planted in an area that falls under the operational control or supply chain of the entity;
The planting event must have occurred in or after 1990;
The practical minimum plot area is 0.2 ha;
This area must be located in Australia in an area where FullCAM (Full Carbon Accounting Model) coverage exists;
The area must have been free of forest cover for at least 5 years before the trees are planted;
The area must not have been cleared over the 5 years prior to planting;
The entity must plant species of trees that has the potential to be at least 2 metres tall and reach a crown cover of at least 20% of the planting area, and either:
Consists of native species planted to match the structure and composition of local vegetation and is planted at a minimum of 200 stems per hectare (or higher if using specific calibrations);
Is a species-specific planting that matches the species, geometry and density conditions set out in the Emission Reduction Fund (ERF) environmental planting FullCAM guidelines.
The planting must not be part of an ERF project or any other carbon offset program.

Method overview

In brief, Climate Active's tree planting accounting guidelines require that the net abatement amount from tree planting activities for a reporting period be determined by calculating the change in total carbon stock across all plots within the project areas, considering emissions from fire and clearing events.

For modelling abatement outcomes from tree planting activities, Climate Active requires use of CSIRO's FullCAM software to assess the Carbon Neutrality claims of entities seeking Climate Neutral certification. By requiring the use of FullCAM, Climate Active can ensure annual estimates of the carbon sequestration (removal) and emissions associated with land-use activities, such as afforestation, reforestation, and forest management, can be accurately and consistently calculated across a wide range of different environments and management regimes.

To account for observed trends in forest permanence and to ensure abatement from tree planting activities is not overestimated, Climate Active applies a 70% "conservative multiplier" to abatement estimates to allow for a "reversal buffer". A reversal buffer serves as a precautionary measure to address uncertainties and potential changes in the carbon storage capacity of the project area.



MINUTES ORDINARY COUNCIL - 12 OCTOBER 2021**NOTICE OF MOTION****ITEM NO. 2****FILE NO: 21/268337****EDRMS NO: PSC2017-00019****CARBON NEUTRALITY****COUNCILLOR: RYAN PALMER****THAT COUNCIL:**

- 1) Commit to the goal of achieving carbon neutrality for Council operations by 2025.
- 2) Determine a suitable funding source to support Council in achieving this goal
- 3) Provide a report to Council on a roadmap to achieving carbon neutrality.

**ORDINARY COUNCIL MEETING - 12 OCTOBER 2021
MOTION**

275	Mayor Ryan Palmer Councillor Giacomo Arnott It was resolved that Council: <ol style="list-style-type: none">1) Commit to the goal of achieving carbon neutrality for Council operations by 2025.2) Determine a suitable funding source to support Council in achieving this goal3) Provide a report to Council on a roadmap to achieving carbon neutrality.
------------	--

The motion was carried.

**BACKGROUND REPORT OF: JANELLE GARDNER – STRATEGY &
ENVIRONMENT SECTION MANAGER****BACKGROUND**

Climate change is a significant global challenge that directly impacts the Port Stephens community. Impacts such as increased sea level rise, intensity and frequency of storms, bushfire and rainfall patterns are challenging the way we manage our environment.

MINUTES ORDINARY COUNCIL - 12 OCTOBER 2021

Over the past few years, Council has implemented a number of initiatives to reduce our carbon footprint. These include:

- Installation of solar photovoltaic systems at Council's Administration Building, Salamander Waste Transfer Station, libraries, community centres and Rural Fire Service buildings.
- Installation of solar pool pre-heating at Lakeside Leisure Centre, Tomaree Aquatic Centre and Tilligerry Aquatic Centre.
- Use of recycled glass 'greencrete' in the upgrade of Tanilba Bay roundabout.
- Installation of Building Management System and Programmable Logic Controller at our Administration Building, Lakeside Leisure Centre and many sports and community buildings to deliver energy efficiencies and lower operating costs.
- Installation of water-saving irrigation and stormwater harvesting at Medowie Park and Kindlebark Oval.
- Installation of variable-speed drives at Lakeside Leisure Centre plus Kangaroo Street and Stockton Street flood pumps to save energy consumption.
- Installation of energy-saving LED field lighting at Ferodale Netball Courts, Tomaree Netball Courts and Tomaree Sports Complex, Administration Building, Tomaree Library and Community Centre, Council works depots, Birubi Surf Club and a number of community centres and halls.

The New South Wales State Government has adopted emission reduction and renewable energy policies that aim to achieve zero carbon emissions by 2050. Port Stephens Council will support these actions by committing to ensuring Council operations are carbon neutral by 2025.

To achieve this, Council will ensure any emissions released into the atmosphere from the organisation's activity will be balanced by the equivalent amount of emissions being removed. Council will work closely with the community, business and all levels of government to influence behaviour change, reduce energy demand and protect and enhance the natural environment. Council will:

- Undertake a review of current emissions to determine the baseline
- Commit to monitoring emissions on an annual basis
- Work with our community to develop a Sustainability Strategy
- Implement actions via the Integrated Planning and Reporting framework that deliver carbon neutrality
- Advocate to the NSW Environment Minister, the Hon Matt Kean and Premier, the Hon Dominic Perrottet, to request assistance in achieving carbon neutrality.

FINANCIAL/RESOURCE IMPLICATIONS

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

MINUTES ORDINARY COUNCIL - 12 OCTOBER 2021

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

ATTACHMENTS

Nil.

There being no further business the meeting closed at 8.05pm.



Port Stephens Council Emission Reduction Action Plan (ERAP) 2025 Progress Report



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Background

In October 2021, Port Stephens Council committed to achieving Carbon Neutrality by 2025. In response, Council commenced a number of measures, including calculating its baseline carbon footprint for the 2021 financial year to establish a starting point for emissions reduction efforts.

A strategic roadmap was developed in 2022, identifying the need for widespread changes and outlining the offsetting liabilities required to reach the targeted neutrality.

In 2023, the Council engaged a Carbon Neutral specialist to assist in developing an Emission Reduction Action Plan (ERAP). This plan involved recalculating Council's carbon footprint, incorporating latest data and best practices, and defining targeted actions to reduce emissions progressively over time. The ERAP also recommended a shift towards a Net Zero target, aligning with international standards and state and federal commitments.

Figure 1 illustrates the changes in Council's carbon footprint between 2021 and 2022, with a revised calculation scheduled for 2026 to monitor ongoing progress.



Figure 1: Carbon footprint for the 2021 and 2022 Financial Years showing 40% reduction in Council's operational emissions during that period.

Council's resolution to achieve Carbon Neutrality and the implementation of the associated ERAP have played a key role in embedding a culture of emissions reduction within the organisation. These initiatives have fostered greater awareness across all levels of Council, ensuring that sustainability considerations are factored into decision-making processes and operational practices.

Key Achievements to Date



Solar Panels installed across Community Halls, Libraries, Sport Clubs, Administration Buildings, Depots and Holiday Parks



Council powered by 100% Renewable Electricity via a Power Purchase Agreement (PPA)



Electric Vehicle Charging Stations Installed at Council's Administration Building to support the growing Electric Vehicle Fleet



Energy Efficient Heat Pumps and Solar Pool Heating installed at all Council-owned Aquatic Centres



LED Lighting upgrades across Sporting Fields, Streetlights and Buildings



Implementation of New Waste Streams including Textile, Polystyrene, Timber and Green waste



Holiday Parks donated more than 250 items to Local Community Groups including Lounges, Fridges and Dining Settings



Emission Reduction Action Plan developed & over 60% of Short Term Actions now underway



Upgrades to Battery Electric Landscaping and Power Tools for Holiday Parks and Council Maintenance

Status of Emission Reduction Initiatives

Since committing to Carbon Neutrality in October 2021, Council has been working to reduce its emissions through a range of different projects and initiatives which have been rolled out across the organisation. While these projects include the short-term actions outlined in the ERAP, there were also a number of other initiatives rolled out before the ERAP was developed, which have contributed to the emission reductions achieved to date.

Emission Reduction Actions Undertaken in 2022

A number of key actions were completed in 2022 to reduce operational emissions including:

- The expansion of the photovoltaic (PV) solar array on the Council Administration Building. Electricity consumption and electricity bill savings followed.
- Council entered into a Power Purchase Agreement (PPA) for 100% renewable energy. The PPA reduced the emissions from Council's purchased electricity by 60% in the 2022 financial year, and 100% in proceeding years.
- Council calculated its basic carbon footprint for the 2021 financial year, which established Council's baseline emissions.



Figure 2: Council Administration Building PV solar array expansion completed in 2022.

Table 1 below summarises the emission reduction actions completed or initiated during 2022:

Table 1: Emission reduction initiatives initiated or completed in 2022

Name of Project or Initiative	Related ERAP Objective	Status	Outcome
Introduce Circular Economy Procurement to Council	Objective 1. Consider Emissions During Procurement and Project Planning	Ongoing	Waste Project Officer began working with the Hunter Joint Organisations (HJO) in 2022 to increase circular procurement at Council.

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

Name of Project or Initiative	Related ERAP Objective	Status	Outcome
Upgrade to Heat Pump at Lakeside Leisure Centre - 50m Outdoor Pool	Objective 5. Optimise Council Electricity Consumption	Complete	Lakeside Leisure Centre – 50m outdoor pool heat pumps replaced.
Implement New Waste streams - Timber Trial	Objective 12. Reduce Emissions from Waste	Complete	Timber recycling trial ran from 2022-2024 with 377t timber waste diverted from landfill; currently at tender for contract to allow for ongoing diversion;
Implement New Waste streams - Polystyrene		Complete	2022-2025 polystyrene 5.68t or 9 pallets of A grade quality diverted from landfill.
Implement New Waste streams - Street Sweepings		Complete	Between 2022-2025, 982t street sweeping waste diverted from landfill.
Salamander Way – Circular Asphalt Trail	Objective 1. Consider Emissions During Procurement and Project Planning	Complete	Salamander Way project - trialling circular economy asphalt that incorporates recycled materials

Actions Undertaken in 2023

In March 2023, Council endorsed funding for the preparation of an Emissions Reduction Action Plan to progress the Carbon Neutral commitment. This project included a thorough analysis into the emissions Council was responsible for and recalculated the carbon footprint for the 2022 financial year. The project included undertaking audits of 10 Council owned community buildings and developed strategies to reduce emissions at those sites.



Figure 3: Sports field lighting LED upgrade at Yulong Oval, Medowie completed in 2023.

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

Table 2 below summarises the actions undertaken or initiated during 2023:

Table 2: Emission reduction initiatives initiated or completed in 2023.

Name of Project or Initiative	Related ERAP Objective	Status	Outcome
Investigate a solution to capture sustainability impacts (ERAP)	Objective 4 - Monitor Changes to Council Emissions Over Time	Ongoing	Council commenced investigations to improve data capture and reporting processes
Building Energy Efficiency Audits	Objective 5. Optimise Council Electricity Consumption	Complete	Comprehensive audits undertaken of Council's highest emissions buildings, including aquatic centres, administration buildings, holiday parks, libraries and depots with actions provided in ERAP.
Upgrade heat pumps at Tilligerry Aquatic Centre	Objective 5. Optimise Council Electricity Consumption	Complete	25m pool heat pumps replaced - 3 x electric heat pumps, heat boost pump & pool solar
Upgrade heat pumps at Tomaree Aquatic Centre	Objective 5. Optimise Council Electricity Consumption	Complete	Tomaree Aquatic Centre – 50m pool heat pumps replaced
Install variable-speed drives (VSD) for Council flood pumps.	Objective 5. Optimise Council Electricity Consumption	Complete	Installing variable-speed drives (VSD) at Lakeside Leisure Centre, Kangaroo Street and Stockton Street flood pumps to reduce energy consumption
Yulong Oval Sports Field lighting upgrade	Objective 5. Optimise Council Electricity Consumption	Complete	Outdoor LED lighting upgrades installed to fields 1/2/3
Brandon Park Sports Field lighting upgrade	Objective 5. Optimise Council Electricity Consumption	Complete	Outdoor LED lighting upgrades to baseball diamond / netball courts / multisport court
Soldiers Point Tennis Courts lighting upgrade	Objective 5. Optimise Council Electricity Consumption	Complete	Outdoor LED lighting upgrades to courts 1/2/3
Tilligerry Tennis Club sports field lighting upgrade	Objective 5. Optimise Council Electricity Consumption	Complete	Outdoor LED lighting upgrades to courts 1/2/3
LED Lighting at Council Administration Building	Objective 5. Optimise Council Electricity Consumption	Complete	Upgrades completed within the Council Chambers, all staff areas and external lighting converted to LEDs

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

Shoal Bay Waterfront Upgrade	Objective 12: Reduce Emissions from Waste	Complete	Greencrete Concrete and recycled material park furniture used.
George Reserve Project	Objective 12: Reduce Emissions from Waste	Complete	Utilised recycled plastic lumber instead of virgin timber
Ferodale Road 700m asphalt project	Objective 12: Reduce Emissions from Waste	Complete	46,125 waste glass bottle equivalents, 74t of recycled asphalt and crumb rubber from 664 end-of-life tyres used
Glenelg Street 85m asphalt project	Objective 12: Reduce Emissions from Waste	Complete	34,625 waste glass bottle equivalents, 55t of recycled asphalt and crumb rubber from 499 end-of-life tyres used
Optimise Litter Bin Placement	Objective 12: Reduce Emissions from Waste	Complete	Initial litter bin mapping complete
Garden Organics (green bins)	Objective 12: Reduce Emissions from Waste	Complete	Garden organics service implemented in LGA to redirect green waste from landfill and processed into an environmentally sustainable compost product.



Figure 4: Garden Organics services were implemented in 2023.

Actions Undertaken in 2024

In 2024, Council commenced the roll out of the short term actions identified in the ERAP. This included:

- The purchase of Council's first electric vehicle – a van associated with Council's libraries.
- The continued roll out of the \$900,000 investment in solar panels across pools, depots and community buildings, and the replacement of the heat pump for Council's largest indoor pool at Lakeside Aquatic Centre.
- The implementation of Council's waste strategy including key objectives to engage in regional cooperation, expand available waste streams and investigate smart waste technology.

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

- The rollout of LED lighting upgrades at sporting fields, and investigating the availability of grant funding to continue supporting the rollout of these projects.



Figure 5: A Library Van became the first addition to Council's EV Fleet during 2024.

The table 3 below summarises the actions undertaken or initiated during 2024:

Table 3: Emission reduction actions initiated or completed in 2024.

Name of Project or Initiative	ERAP Action or Objective	Status	Outcome
Council Net Zero Accelerator Training	1.5 - Investigate Educational Programs to increase awareness of Sustainability across Council	Complete	Council Environment Officers completed the Council Net Zero Accelerator course provided by the Hunter Joint Organisation
Birubi SLSC Air-conditioning replacement	1.9 - Upgrade to energy-efficient Split Systems at End of Life.	Complete	Birubi SLSC Air-conditioning replaced with energy efficient system
Grant Funding for ERAP Projects	2.1 - Explore Grant Options	Ongoing	Council utilised grant funding to support the rollout of ERAP actions, including the NSW State Government EV Fleets funding to purchase a new electric fleet vehicles.
Review of Council Reserves	2.2 - Review Sustainability Reserve	Complete	Reserve requirements reviewed
Monitor Grid Decarbonisation	3.1 - Monitor Grid Decarbonisation	Ongoing	Council staff attended Ausgrid Climate Resilience working group meetings during which the evolving status of the electricity grid was discussed.

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

LED Lighting upgrades at the Holiday Parks	Objective 5. Optimise Council Electricity Consumption	Ongoing	Accommodation & Facility lighting transitioning to LED lighting across all Holiday Parks
Installation of occupancy sensors at the Raymond Terrace Works Depot	5.4 - Optimise Lighting at Council Buildings and Facilities	Complete	Lighting occupancy sensors installed at the Raymond Terrace Works Depot to improve safety and sustainability outcomes.
Bowthorne sports field lighting upgrade	5.6 - Optimise Lighting at Council Buildings and Facilities - Continue to upgrade sports fields to LED	Complete	Outdoor LED lighting upgrades to fields 1/2
Nelson Bay Netball courts lighting upgrade	5.6 - Optimise Lighting at Council Buildings and Facilities - Continue to upgrade sports fields to LED	Complete	Outdoor LED lighting upgrades to 6 netball courts
Tomaree Sports Complex sports field lighting upgrade	5.6 - Optimise Lighting at Council Buildings and Facilities - Continue to upgrade sports fields to LED	Complete	Outdoor LED lighting upgrade to fields 2/3/4/5
Bill Strong Oval sports field lighting upgrade	5.6 - Optimise Lighting at Council Buildings and Facilities - Continue to upgrade sports fields to LED	Complete	Outdoor LED lighting upgrade rugby field
Upgrade of Indoor Pool Heat Pump at Lakeside Leisure Centre	5.12 - Upgrade to Heat Pump at Lakeside Leisure Centre - Indoor Pool	Complete	Indoor pool heat pump replaced
Solar PV Installation at Lakeside Aquatic Centre	8.4 - Rollout Solar across Council	Complete	80kW of solar installed at Lakeside Aquatic Centre. The roof of this building is now fully covered in solar PV and solar pool heating.
Transition Council Fleet to Electric	9.2 - Create a plan to transition fleet to low or no emission vehicles	Complete	Council purchased its first two electric vehicles, a van to service the libraries, and an EV ute to use as a staff pool vehicle. With small plant upgrades from petrol to electric being implemented across the fleet. More than

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

			\$200,000 was spent on the transition to electric during 2024, with funding provided from the fleet budget and grants.
Holiday Park Air conditioner Upgrades	11.1 - Consider global warming potential when upgrading HVAC Systems.	Complete	All air-conditioners using R22 Refrigerant, were removed and replaced at all Holiday Parks
Sheet textile recycling	12.2 - Implement New Waste Streams where possible	Complete	"Give a Sheet" textile recycling drop off day diverted 1.3t from landfill
Litter Bin sensor trial	12.3 Implement Waste Management Strategy	Ongoing	2024-2025 Bin sensor trial started; exploring options for compactor bins



Figure 6: Solar PV and solar pool heating installed at Lakeside Aquatic Centre in 2024.

Actions Undertaken or Scheduled for 2025

In 2025, Council has continued to implement the Short Term Actions of the ERAP including expanding its electric vehicle fleet and charging infrastructure.

Table 4 below summarises the actions undertaken, initiated or scheduled in 2025:

Table 4: Emission reduction actions initiated, completed or scheduled for 2025.

Name of Project or Initiative	ERAP Action or Objective	Status	Outcome
Review of Power Purchase Agreement (PPA)	3.2 - Review PPA Agreement and Plan for end of contract in 2026	Scheduled	This review is set by Southern Sydney Regional Organisation of Council's (SSROC) responsible for the creation of Council's

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

			current PPA. This review is expected to occur in the second half of 2025.
Solar PV Monitoring at Council Administration Building	5.2 - Monitor efficiency and suitability of Council's Solar PV system	Ongoing	Current PV system is performing to required standards. No change to system required at this time. Monitoring is ongoing for life of system.
Mallabula sports field lighting upgrades	5.6 - Optimise Lighting at Council Buildings and Facilities - Continue to upgrade sports fields to LED	Complete	LED upgrades to fields 1, 2 and the training area.
Increased Council EV Charging capacity.	6.1 - Increase charging infrastructure at Council	Ongoing	EV charging at Council Administration building has been increased to maximum capacity. Potential to increase charging at depots as required.
Monitor Council EV Charging capacity.	6.2 - Monitor suitability of charging infrastructure	Ongoing	Council currently has suitable EV charging stations for the current Electric Vehicle Fleet.
Reduce gas consumption at the Holiday Parks	7.1 - Transition from gas heating and cooking to electric alternatives at the Holiday Parks -	Ongoing	This action gradually occurs during upgrades of accommodation and facilities. Council is investigating potential shift to fully electric cabins.
Transition Council Fleet to Electric	9.2 - Create a plan to transition fleet to low or no emission vehicles	Ongoing	Council has increased its EV fleet from 0 to 3 vehicles, with a fourth vehicle currently on order. Grant funding has been used to support this transition. New electric portable tools purchased for waste depots. Over \$375,000 has been spent transitioning to electric assets during 2025.
Optimise Council Existing Fleet	9.4 - Optimise Fuel Efficiency in Fleet Vehicles	Ongoing	Council monitors fuel usage through its fleet management software.
Upgrade the HVAC at the Tomaree Library and Community Centre	11.1 - Consider global warming potential when upgrading HVAC Systems.	Scheduled	Council has commenced procurement for replacement of the HVAC.
Staff Waste Education	12.1 - Educate Staff on Waste Reduction	Ongoing	Implement staff education & training as part of Council's Waste Minimisation Plan and as specified in the Waste Management Strategy 2021-2031.

ITEM 2 - ATTACHMENT 3 2025 ERAP PROGRESS REPORT.

Textile Recycling Drop Off Days	12.2 - Implement New Waste Streams where possible	Ongoing	Drop off days for textile doubled, with two events scheduled in 2025
Waste Management Strategy 2021-2031	12.3 - Implement Waste Management Strategy	Ongoing	Council continues to implement its Waste Management Strategy 2021-2031.
Optimise litter Bin Placement	12.4 - Optimise litter Bin Placement	Ongoing	Litter bin sensor trial commenced



Figure 7: Council added an Electric Ute to its EV Fleet in 2025.

ERAP Status

Council continues to progress the ERAP as shown in Table 5 below. There are currently over 60% of short term actions underway. Of these, 3 actions have been completed and over 40% require incremental and ongoing action. The ERAP anticipates that some of these actions will continue in the medium and long term. Table 5 shows progress as reported in past Information Papers to allow comparisons over time. Council recognises the limitations of this style of reporting and is working to improve data collection and reporting metrics to more clearly illustrate progress.

Table 5: Status to date of short term actions in the Emission Reduction Action Plan.

Focus Area	Objectives	No. of Short Term Actions	% Short Term Actions Underway		
			Nov 2024	Feb 2025	May 2025
All Emissions	Identify funding for carbon reduction projects.	2 Actions	100%	100%	100%
	Monitor changes to Council emissions over time.	8 Actions	25%	25%	50%
Scope 1 Emissions Direct Greenhouse Gas emissions from fuel combustion, gas consumption and fugitive emissions from refrigerant gases in air-conditioning equipment.	Reduce emissions from refrigerants.	1 Action	100%	100%	100%
	Reduce Council gas consumption.	1 Action	100%	100%	100%
	Reduce emissions from Council's fleet.	5 Actions	40%	60%	60%
	Optimise charging infrastructure at Council.	2 Actions	100%	100%	100%
Scope 2 Emissions Indirect Greenhouse Gas emissions associated with purchase of electricity generated at fossil fuel power plants.	Maintain zero emissions from electricity.	2 Actions	50%	50%	100%
	Reduce Council reliance on grid electricity.	4 Actions	25%	25%	50%
	Optimise Council electricity consumption.	12 Actions	33%	50%	50%
Scope 3 Emissions Indirect Greenhouse Gas emissions resulting from upstream and downstream processes within Council's supply chain.	Reduce emissions from employee commuting.	3 Actions	0%	0%	66%
	Reduce emissions from waste.	4 Actions	100%	100%	100%
	Consider emissions during procurement and project planning.	9 Actions	22%	40%	45%
Total		53 Actions	41%	51%	62%



PORT STEPHENS
COUNCIL

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MINUTES ORDINARY COUNCIL - 11 APRIL 2023**ITEM NO. 2****FILE NO: 22/109005
EDRMS NO: 79-2022-3-1****CARBON NEUTRALITY PROJECT UPDATE**

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the status update for the Carbon Neutrality project.
- 2) Endorse the allocation of funding for the preparation of the Port Stephens Carbon Neutral Action Plan.

**ORDINARY COUNCIL MEETING - 11 APRIL 2023
MOTION**

092	Councillor Leah Anderson Councillor Glen Dunkley It was resolved that Council: <ol style="list-style-type: none">1) Note the status update for the Carbon Neutrality project.2) Endorse the allocation of funding for the preparation of the Port Stephens Carbon Neutral Action Plan.3) Quarterly updates be provided in the Council Information Papers on the Carbon Neutrality Action Plan and how Council is tracking to meet the target in 2025.
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Councillor Peter Kafer returned to the meeting at 7:52pm.
Councillor Matthew Bailey returned to the meeting at 7:52pm.

Cr Anderson requested the following amendment, which was consented to be included in the motion.

"That quarterly updates be provided in the Council Information Papers on the Carbon Neutrality Action Plan and how Council is tracking to meet the target in 2025."

Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

The motion was carried.

BACKGROUND

The purpose of this report is to provide a progress update and identify next steps in the development of a Carbon Neutral Action Plan for Port Stephens Council.

At its meeting of 12 October 2021, Minute No. 275 (**ATTACHMENT 1**), Council resolved to:

- 1) Commit to the goal of achieving carbon neutrality for Council operations by 2025.
- 2) Determine a suitable funding source to support Council in achieving this goal.
- 3) Provide a report to Council on a roadmap to achieving carbon neutrality.

Council has implemented a number of initiatives to reduce operational greenhouse gas (GHG) emissions. A summary of activities and initiatives is as follows:

- Participating in a Power Purchasing Agreement to secure 100% renewable energy from the electricity grid
- Installing a solar photovoltaic system on Council's Administration Building, reducing annual energy consumption by 25%
- Installing solar photovoltaic systems on many of Council's libraries, community centres and Rural Fire Service buildings
- Installing solar pool pre-heating at Lakeside Leisure Centre, Tomaree Aquatic Centre and Tilligerry Aquatic Centre
- Installing solar photovoltaic system and water tank at Salamander Waste Transfer Station
- Use of recycled glass 'greencrete' in capital works projects
- Installing Building Management Systems and Programmable Logic Controllers at our Administration Building, Lakeside Leisure Centre and many sports and community buildings to deliver energy efficiencies and lower operating costs
- Installing variable-speed drives (VSD) at Lakeside Leisure Centre, Kangaroo Street and Stockton Street flood pumps to reduce energy consumption
- Installing energy-saving LED field lighting at sports facilities
- Installing energy-saving LED lighting at Council's Administration Building, Tomaree Library and Community Centre, Council works depots, surf clubs, community centres and halls
- Reduction in overall waste to landfill through reuse of recycled materials and materials diversion. During the data collection period, Council saved 8,865 kg of CO₂-e of GHG emissions by utilising recycled materials over virgin materials
- Cross organisational consultation, data collection and gap analysis in partnership with NSW Sustainability Advantage to establish carbon baseline figures and establish key focus areas.

Whilst the initiatives that Council has put in place have greatly reduced the organisations GHG emissions, a number of areas remain as the focus for further

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

emissions reductions in order to achieve Carbon Neutral status by the target date of 2025.

The focus areas for continued and future GHG emission reductions include electricity consumption (51%), Councils operational waste to landfill (27%), commuting (13.2%), and fleet vehicles and machinery emissions (8.8%).

In order to progress the project further, Council requires specialist knowledge and expertise that is not resourced within the organisation. Sustainability specialist providers in this industry have been contacted to provide estimated costs for the services required by Council to continue to progress the project.

Should the recommendation be accepted, a sustainability specialist would be engaged through Council's procurement process to undertake the summarised scope of work below:

Deliverables	
Comprehensive Carbon Audits (10 to 15 sites)	Audit of Council's highest emissions producers such as: <ul style="list-style-type: none">• Aquatic centres• Waste facilities• Administration buildings• Holiday parks• Libraries• Depots
Comprehensive Cost Benefit Analysis	Consideration and recommendation of emissions reduction options including: <ul style="list-style-type: none">• Operational process efficiencies, data collection, monitoring and reporting improvements.• Projected emissions reductions and scenario modelling.• Estimated costs to implement actions.• Estimated costs to maintain operations.• Payback period from operational savings.
Carbon Neutral Action Plan	Preparation of document and agreed action plan for Council endorsement.

Council sought an estimated quote for the provision of the above services, with the assistance from carbon neutral experts. The provision of the above services is estimated at \$47,000 (inc. GST). Cost is subject to Council's procurement process to ensure best value of services, and therefore the final cost may change. To continue to progress this project, the allocation of funding for this purpose is requested.

MINUTES ORDINARY COUNCIL - 11 APRIL 2023**COMMUNITY STRATEGIC PLAN**

Strategic Direction	Delivery Program 2022-2026
Environmental Sustainability	Develop and deliver a program for Council leading the way to a climate positive future and mitigating environmental risks.

FINANCIAL/RESOURCE IMPLICATIONS

There is an immediate financial implication for the Carbon Neutrality project to resource the requisite skills and expertise.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	Yes	Est. \$47,000	Sustainability Reserve. Adoption of the recommendation will resource the next phase of the Carbon Neutrality project.
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There is not a legal requirement for Council to achieve carbon neutrality. Local Government plays an important role in reducing Australia's GHG emissions in their role as community leaders and creating environmentally sustainable regions. This assists in working towards the NSW State Government's target of achieving net zero emissions by 2050.

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a reputational risk that Council would not achieve its commitment to Carbon Neutrality of Council's operational emissions by 2025 should resources not be allocated.	Medium	Accept the recommendation.	Yes
There is a financial risk that Council would need to fund the emissions gap to achieve its commitment to Carbon Neutrality of Council's operational emissions by 2025 should resources not be allocated.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council's commitment to achieving carbon neutrality for Council operations by 2025 is an ambitious target that requires sufficient resourcing to be reached. Responding to climate change protects the natural and built environment for the benefit of the community and generations to come. Resourcing this project would reduce potential damage to Council assets, reduce disruption to the delivery of Council's services, reduce future costs associated with GHG emissions and set the example for the Port Stephens community.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section for technical refinement and awareness of the intent of the plan.

Internal

- Community Services Section
- Assets Section
- Finance Section
- Organisational Support Section

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

External

- NSW Government – Sustainability Advantage

OPTIONS

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

ATTACHMENTS

- 1) Minute No. 275, 12 October 2021.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 3

**FILE NO: 24/267764
EDRMS NO: PSC2005-1592-0014**

**POLICY REVIEW: PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS
POLICY**

REPORT OF: MELISSA DODDS - ORGANISATION SUPPORT SECTION
MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the revised Public Access to State Records after 20 Years Policy as shown at **(ATTACHMENT 1)**.
 - 2) Revoke the Public Access to Records after 30 Years Policy dated 23 August 2022, Minute No. 224.
-

**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

164	<p>Councillor Chris Doohan Councillor Peter Francis</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Adopt the revised Public Access to State Records after 20 Years Policy as shown at (ATTACHMENT 1).2) Revoke the Public Access to Records after 30 Years Policy dated 23 August 2022, Minute No. 224.
------------	---

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to adopt the revised Public Access to State Records after 20 Years Policy (the 'policy') as shown at **(ATTACHMENT 1)**.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

The policy was first developed in May 2000 to raise public awareness to Part 6 of the State Records Act 1998 (the Act) and allow the public greater access to records older than 30 years.

The policy was reviewed in May 2024 in response to amendments to the Act and was reported to Council at its meeting of 11 June 2024, Minute No. 124 (**ATTACHMENT 2**). As a result of an amendment to the motion, it was resolved that the revised policy be placed on public exhibition and reported back to Council.

The policy was placed on public exhibition from 12 June 2024 to 9 July 2024. There were no formal submissions received during this period.

Please note that yellow highlighting in the attached policy indicates an amendment has been made and strikethrough text is to be deleted. Following a further review a minor amendment was made to clause 5.5 as shown in blue highlighting at (**ATTACHMENT 1**).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2025-2029
Resources and finance	Implement the 3 year Digital Strategy and Roadmap.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications. All costs associated with the development and implementation of the policy are within the existing budget.

A number of Council's State Records, older than 20 years, are located offsite at a specialised storage facility. Should Council wish to introduce a fee to retrieve this information it would be disclosed in future Integrated Planning and Reporting fees and charges documentation, and would be reported to Council for consideration.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The revised policy meets Council's requirements and is in accordance with the State Records Act 1998 and the Government Information (Public Access) Act 2009.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council will not meet legislative requirements under the State Records Act 1998.	Low	Adopt the recommendations.	Yes
There is a risk that Council's administrative processes will become outdated.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no known social, economic or environmental implications.

COMMUNICATION AND ENGAGEMENT

Council's Communication and Engagement Strategy uses the IAP2 Framework to identify the level of engagement undertaken. An explanation for each level is shown below.

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
CONSULT	To obtain public feedback on analysis, alternatives and/or decisions.
INVOLVE	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
EMPOWER	To place final decision-making and/or developed budgets in the hands of the public.
	No external communications and engagement are required for this report.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

The following communication and engagement applies to this report.

External communication and engagement

CONSULT	The policy was on public exhibition from 12 June 2024 to 9 July 2024.
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Internal communications and engagement

Consultation has been undertaken by the Organisation Support Section with:

- Governance Section.
- The Executive Team has been consulted to seek management endorsement.

OPTIONS

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

ATTACHMENTS

- 1) Revised Public Access to State Records after 20 Years Policy.
- 2) Council Minutes - 11 June 2024.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



FILE NO: PSC2005-1592

TITLE: PUBLIC ACCESS TO STATE RECORDS AFTER 20 30 YEARS

OWNER: ORGANISATION SUPPORT SECTION MANAGER

1. PURPOSE:

- 1.1 This policy allows for the public to have greater access to State records older than 20 30 years. This means the public may are not be required to request these records through a Government Information (Public Access) request.

2. CONTEXT/BACKGROUND:

- 2.1 The State Records Act 1998 (the 'Act') promotes the principles of accountability and access by requiring public sector office(s), including local government councils, to create full and accurate records of their business and administrative transactions, and ensuring that records of significant value are preserved. Councils will ensure that all records of continuing value are considered for public access in due course and in accordance with the Attorney General's 'Guidelines on Making Access Directions under Part 6 of the State Records Act 1998'.

3. SCOPE:

- 3.1 This policy relates to all person(s) who request either personal information or a record from Port Stephens Council that is deemed older than 20 30 years. A record is taken to be 20 30 years old, when 20 30 years have elapsed since it came into existence or since the original record of which it is a copy came into existence.
- 3.2 Council must ensure that State records for which it is responsible, that are in the open access period, are the subject of an access direction(s). This can be either an open to public access (OPA) direction or a closed to public access (CPA) direction.
- 3.3 The fact that a record is not open to public access under the this Act does not affect any entitlement to obtain access to information contained in the record under the Government Information (Public Access) Act 2009.

4. DEFINITIONS:

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



ITEM 3 - ATTACHMENT 1
AFTER 20 YEARS POLICY.

REVISED PUBLIC ACCESS TO STATE RECORDS

Policy



Access Direction

A closed to public access (CPA) direction or an open to public access (OPA) direction.

Disclose

Make information available and release or provide access to information.

Exercise

A function includes perform a duty.

Person

Includes an agency, the government or another jurisdiction (including a jurisdiction outside Australia) and an agency of the government of another jurisdiction.

Public Office

An office established or continued for a public purpose by or under the provisions of a legislative instrument.

Personal Information

Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

Record

Information created, received and maintained as evidence and as an asset by an organisation or person, in pursuit of legal obligations or in the transaction of business.

OPA

Open to public access.

CPA

Closed to public access.

5. STATEMENT:

5.1 The policy is intended to outline the access provisions of the State Records Act 1998 and to explain the rights and obligations of Council and the public, under Part 6 of the Act.

5.2 Council's access directions are given to the Museum of History NSW (MH NSW) in writing in a form approved by MH NSW. Access directions are publicly accessible through a register published on the MH NSW website.

5.3 Assessment as to whether records should be open or closed to public access will be made on the basis of the known or likely contents of a series, group or class of records, not on an individual record basis.

5.4 A State record is deemed to be the subject of an OPA direction on the commencement of the records open access period, unless the record is already the subject of a CPA direction. Criteria for an OPA direction include public interest, whether similar records are already available, OPA precedents, appropriate elapse of time and whether the records are already public knowledge or are available elsewhere. An OPA direction will remain in force until it is revoked.

Policy

WOMAN: This is a document that is part of the public record. It is a document that is part of the public record. It is a document that is part of the public record.



ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



- 5.5 When making an assessment as to whether records should be closed to public access, Council will have regard to the considerations under the Attorney General's Guidelines on making access directions under Part 6 of the State Records Act. Criteria for a CPA direction includes whether information has been provided under an expectation of confidentiality, information protected under other legislation, culturally sensitive Indigenous information or would disclose secret or sacred Indigenous tradition, unreasonable disclosure of sensitive personal information, records that may jeopardise the future provision of information, safety and security. A CPA direction will remain in force for up to 5 years, unless revoked or renewed sooner. CPA directions will be reviewed every 5 years.
- 5.6 Application for access to records must be in writing to the Governance Section referencing, specifying that access be requested under s.54 of Part 6 of the State Records Act 1998 and detailing the records to which access is required.
- 5.7 No fee will be payable for Public Access requests. Council may impose a fee when being requested access to State records under Part 6 of the State Records Act 1988. Please refer to Council's Fees and Charges.
- 5.8 Council will notify applicants of its access decision on their requested record/s in writing.
- ~~5.8 Documentation of Access Directions will contain sufficient detail to help meet Council's statutory obligations under the State Records Act 1998.~~
- 5.9 A CPA direction does not affect an individual's entitlement to access a record under the Government Information (Public Access) Act 2009.
6. **RESPONSIBILITIES:**
 - 6.1 The Organisation Support Section Manager is responsible for the implementation and review of this policy implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy.
7. **RELATED DOCUMENTS:**
 - 7.1 State Records Act 1998 (Part 6).
 - 7.2 Attorney General's Guidelines 'Making Access Directions under the State Records Act 1998'.
 - 7.3 Government Information (Public Access) Act 2009.



ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2005-1592	EDRMS record No.	TBC
Audience	Port Stephens community and Council employees		
Process owner	Organisation Support Section Manager		
Author	Organisation Support Section Manager		
Review timeframe	3 4 years	Next review date	TBC
Adoption date	16 May 2000		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	16/5/2000	Information Services Coordinator		267
2.0	24/6/2003	Information Services Coordinator		245
3.0	24/7/2007	Information Services Coordinator		198
4.0	27/9/2011	Information Services Coordinator		344
5.0	14/10/2014	Information Services Coordinator		266
6.0	21/09/2016	Information Services Coordinator	Definition of scope, namely what constitutes which documents are available under the State Records Act 1998 and the Government Information	

Policy

www.portstephens.nsw.gov.au

05/07/2025 10:00 AM



ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>(Public Access) Act 2009 inserted.</p> <p>Scope to include legislative direction for access to records under 30 years old (Government Information (Public Access) Act 2009 inserted.</p> <p>The relevant legislation being State Records Act 1998 No 17 current version for 15 January 2016 inserted.</p> <p>Formatted in accordance with PSC Policy template released May 2016.</p> <p>Note: no change in legislation since policy last reviewed in 2014.</p>	
7.0	25/10/2016	Information Services Coordinator	Adopted by Council.	314
8.0	27/11/2018	Business Systems Support Section Manager	<p>No changes to Policy.</p> <p>Template updated to include numbering.</p> <p>Updated EDRMS reference number.</p>	160
9.0	27/10/2020	Organisation Support Section Manager	<p>The Public access to records after 30 years was reviewed and updated in the new template.</p> <p>Updated Policy Owner to Organisation Support Section Manager.</p> <p>4.1 – Updated Records definition to be in line with</p>	223

Page

1 of 1



ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			the Business Operating System. 6.1 – Updated Information Services Coordinator to Senior Records Team Leader. Updated EDRMS reference number.	
10.0	23/08/2022	Organisation Support Section Manager	6.1 – Deleted 'Senior Records Team Leader' and added 'Organisation Support Section Manager' to reflect current organisation structure.	224
11.0	11/06/2024	Organisation Support Section Manager	Reviewed and updated into new template, grammatical amendment and the version control. Title – Inserted 'State', and deleted '30' and replaced with '20'. 1.1 - Deleted '30' and replaced with '20'. Deleted 'are not' and replaced with 'may not be'. 2.1 - Inserted '(the 'Act')'. Deleted 'sector'. 3.1 - Deleted '30' and replaced with '20'. 3.2 - Inserted Council's responsibility to establish access directions. 3.3 - Deleted 'this' replaced with 'the'. 4.1 - Added definition for 'Access Direction'. 5.2 - Inserted new clause relating to Council's access directions and approval directions.	124



**ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS
AFTER 20 YEARS POLICY.**

Policy



PORT STEPHENS
COUNCIL

Version	Date	Author	Details	Minute No.
			<p>5.4 - Updated definition of how and when an OPA direction is established.</p> <p>5.5 - Updated assessment criteria and renewal timeframes to reflect current Attorney General Guidelines.</p> <p>5.6 - Added 'to the Governance Section' and 'Part 6 of'. Deleted 'specifying that access be requested under s.54 of'.</p> <p>5.7 - Deleted 'No fee will be payable for Public Access requests'.</p> <p>5.7 - Inserted 'Council may impose a fee when being requested access to State records under Part 6 of the State Records Act 1988. Please refer to Council's Fees and Charges'.</p> <p>5.8 - Deleted 'Documentation of Access Directions will contain sufficient detail to help meet Council's statutory obligations under the State Records Act 1998'.</p> <p>6.1 – Updated wording in responsibilities for consistency with the policy template.</p> <p>7.2 - Added 'Attorney General's Guidelines 'Making Access Directions under the State Records Act 1998' to related documents.</p>	



ITEM 3 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



11.1	TBC	Organisation Support Section Manager	<p>5.5 - In response to information feedback, updated wording to read: ‘When making an assessment as to whether records should be closed to public access, Council will have regard to the considerations under the Attorney General’s Guidelines on making access directions under Part 6 of the State Records Act. A CPA direction will remain in force for up to 5 years, unless revoked or renewed sooner. CPA directions will be reviewed every 5 years.’</p> <p>Controlled document information: Amended review timeframe to 4 years in accordance with Council’s policy review process.</p>	TBC
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Policy

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MINUTES ORDINARY COUNCIL - 11 JUNE 2024**ITEM NO. 4****FILE NO: 24/87976
EDRMS NO: PSC2005-1592****POLICY REVIEW: PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS
POLICY**

REPORT OF: MELISSA DODDS - ORGANISATION SUPPORT SECTION
MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorses the revised Public Access to State Records after 20 Years Policy shown at **(ATTACHMENT 1)**.
- 2) Places the revised Public Access to State Records after 20 Years Policy, as amended 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.
- 3) Revokes the Public Access to Records after 30 Years Policy, dated 23 August 2022, Minute No. 224 should no submissions be received.

**ORDINARY COUNCIL MEETING - 11 JUNE 2024
MOTION**

124	Councillor Glen Dunkley Councillor Matthew Bailey It was resolved that Council: <ol style="list-style-type: none">1) Endorses the revised Public Access to State Records after 20 Years Policy shown at (ATTACHMENT 1).2) Places the revised Public Access to State Records after 20 Years Policy, as amended on public exhibition for a period of 28 days and a further report be provided to Council following public exhibition.3) Revokes the Public Access to Records after 30 Years Policy, dated 23 August 2022, Minute No. 224 should no submissions be received.
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Cr Giacomo Arnott moved an amendment to point 2 in the motion, which requires a report back to Council following public exhibition. The amendment was accepted by the mover and seconder.

MINUTES ORDINARY COUNCIL - 11 JUNE 2024

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Amott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Public Access to State Records after 20 Years Policy (the policy) as shown at **(ATTACHMENT 1)**.

The purpose of this policy is to allow for the public to have greater access to records older than 20 years. The State Records Act 1998 (the Act) was revised in January 2024 and amendments have been made to the policy to ensure consistency with Part 6 of the Act.

Please note that yellow highlighting in the attached policy indicates an amendment has been made and strikethrough text is to be deleted.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver the 4-year program for Corporate Systems and Data Management Strategy.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications. All costs associated with the development and implementation of the policy are within the existing budget.

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

MINUTES ORDINARY COUNCIL - 11 JUNE 2024**LEGAL, POLICY AND RISK IMPLICATIONS**

The revised policy meets Council's requirements and is in accordance with the State Records Act 1998 and the Government Information (Public Access) Act 2009.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council's will not meet legislative requirements under the State Records Act 1998.	Low	Adopt the recommendations.	Yes
There is a risk that Council's administrative processes will become outdated.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no known social, economic or environmental implications.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Organisation Support Section.

Internal

- Governance Section.
- Organisation Support Section.
- The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation, the revised Public Access to State Records after 20 Years Policy will go on public exhibition for 28 days.

OPTIONS

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

MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ATTACHMENTS

- 1) Revised Public Access to State Records after 20 Years Policy.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



FILE NO: PSC2005-1592

TITLE: PUBLIC ACCESS TO STATE RECORDS AFTER 20 30 YEARS

OWNER: ORGANISATION SUPPORT SECTION MANAGER

1. PURPOSE:

- 1.1 This policy allows for the public to have greater access to State records older than 20 30 years. This means the public may are not be required to request these records through a Government Information (Public Access) request.

2. CONTEXT/BACKGROUND:

- 2.1 The State Records Act 1998 (the 'Act') promotes the principles of accountability and access by requiring public sector office(s), including local government councils, to create full and accurate records of their business and administrative transactions, and ensuring that records of significant value are preserved. Councils will ensure that all records of continuing value are considered for public access in due course and in accordance with the Attorney General's 'Guidelines on Making Access Directions under Part 6 of the State Records Act 1998'.

3. SCOPE:

- 3.1 This policy relates to all person(s) who request either personal information or a record from Port Stephens Council that is deemed older than 20 30 years. A record is taken to be 20 30 years old, when 20 30 years have elapsed since it came into existence or since the original record of which it is a copy came into existence.

- 3.2 Council must ensure that State records for which it is responsible, that are in the open access period, are the subject of an access direction(s). This can be either an open to public access (OPA) direction or a closed to public access (CPA) direction.

- 3.3 The fact that a record is not open to public access under the this Act does not affect any entitlement to obtain access to information contained in the record under the Government Information (Public Access) Act 2009.

4. DEFINITIONS:

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



MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



Access Direction	A closed to public access (CPA) direction or an open to public access (OPA) direction.
Disclose	Make information available and release or provide access to information.
Exercise	A function includes perform a duty.
Person	Includes an agency, the government or another jurisdiction (including a jurisdiction outside Australia) and an agency of the government of another jurisdiction.
Public Office	An office established or continued for a public purpose by or under the provisions of a legislative instrument.
Personal Information	Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.
Record	Information created, received and maintained as evidence and as an asset by an organisation or person, in pursuit of legal obligations or in the transaction of business.
OPA	Open to public access.
CPA	Closed to public access.

5. STATEMENT:

- 5.1 The policy is intended to outline the access provisions of the State Records Act 1998 and to explain the rights and obligations of Council and the public, under Part 6 of the Act.
- 5.2 Council's access directions are given to the Museum of History NSW (MH NSW) in writing in a form approved by MH NSW. Access directions are publicly accessible through a register published on the MH NSW website.
- 5.3 Assessment as to whether records should be open or closed to public access will be made on the basis of the known or likely contents of a series, group or class of records, not on an individual record basis.
- 5.4 A State record is deemed to be the subject of an OPA direction on the commencement of the records open access period, unless the record is already the subject of a CPA direction. Criteria for an OPA direction include public interest, whether similar records are already available, OPA precedents, appropriate elapse of time and whether the records are already public knowledge or are available elsewhere. An OPA direction will remain in force until it is revoked.



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MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



- 5.5 Criteria for a CPA direction includes whether information has been provided under an expectation of confidentiality, information protected under other legislation, culturally sensitive Indigenous information or would disclose secret or sacred Indigenous tradition, unreasonable disclosure of sensitive personal information, records that may jeopardise the future provision of information, safety and security. A CPA direction will remain in force for the period (up to 5 years), unless revoked or renewed sooner specified in the direction and CPA directions will be reviewed every 5 years.
- 5.6 Application for access to records must be in writing to the Governance Section referencing, specifying that access be requested under s.54 of Part 6 of the State Records Act 1998 and detailing the records to which access is required.
- 5.7 No fee will be payable for Public Access requests. Council may impose a fee when being requested access to State records under Part 6 of the State Records Act 1988. Please refer to Council's Fees and Charges.
- 5.8 Council will notify applicants of its access decision on their requested record/s in writing.
- 5.8 Documentation of Access Directions will contain sufficient detail to help meet Council's statutory obligations under the State Records Act 1998.
- 5.9 A CPA direction does not affect an individual's entitlement to access a record under the Government Information (Public Access) Act 2009.
6. RESPONSIBILITIES:
 - 6.1 The Organisation Support Section Manager is responsible for the implementation and review of this policy implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy.
7. RELATED DOCUMENTS:
 - 7.1 State Records Act 1998 (Part 6).
 - 7.2 Attorney General's Guidelines 'Making Access Directions under the State Records Act 1998'.
 - 7.3 Government Information (Public Access) Act 2009.



3

MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2005-1592	EDRMS record No.	TBC
Audience	Port Stephens community and Council employees		
Process owner	Organisation Support Section Manager		
Author	Organisation Support Section Manager		
Review timeframe	3 years	Next review date	23 August 2025 TBC
Adoption date	16 May 2000		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	16/5/2000	Information Services Coordinator		267
2.0	24/6/2003	Information Services Coordinator		245
3.0	24/7/2007	Information Services Coordinator		198
4.0	27/9/2011	Information Services Coordinator		344
5.0	14/10/2014	Information Services Coordinator		266



MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



Version	Date	Author	Details	Minute No.
6.0	21/09/2016	Information Services Coordinator	<p>Definition of scope, namely what constitutes which documents are available under the State Records Act 1998 and the Government Information (Public Access) Act 2009 inserted.</p> <p>Scope to include legislative direction for access to records under 30 years old (Government Information (Public Access) Act 2009 inserted.</p> <p>The relevant legislation being State Records Act 1998 No 17 current version for 15 January 2016 inserted.</p> <p>Formatted in accordance with PSC Policy template released May 2016.</p> <p>Note: no change in legislation since policy last reviewed in 2014.</p>	
7.0	25/10/2016	Information Services Coordinator	Adopted by Council.	314
8.0	27/11/2018	Business Systems Support Section Manager	<p>No changes to Policy.</p> <p>Template updated to include numbering.</p> <p>Updated EDRMS reference number.</p>	160



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MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



Version	Date	Author	Details	Minute No.
9.0	27/10/2020	Organisation Support Section Manager	The Public access to records after 30 years was reviewed and updated in the new template. Updated Policy Owner to Organisation Support Section Manager. 4.1 – Updated Records definition to be in line with the Business Operating System. 6.1 – Updated Information Services Coordinator to Senior Records Team Leader. Updated EDRMS reference number.	223
10.0	23/08/2022	Organisation Support Section Manager	6.1 – Deleted 'Senior Records Team Leader' and added 'Organisation Support Section Manager' to reflect current organisation structure.	224



MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



11.0	TBC	Organisation Support Section Manager	<p>Reviewed and updated into new template, grammatical amendment and the version control.</p> <p>Title – Inserted 'State', and deleted '30' and replaced with '20'.</p> <p>1.1 Deleted '30' and replaced with '20'. Deleted 'are not' and replaced with 'may not be'.</p> <p>2.1 Inserted '(the 'Act')'. Deleted 'sector'.</p> <p>3.1 Deleted '30' and replaced with '20'.</p> <p>3.2 Inserted Council's responsibility to establish access directions.</p> <p>3.3 Deleted 'this' replaced with 'the'.</p> <p>4.1 Added definition for 'Access Direction'.</p> <p>5.2 Inserted new clause relating to Council's access directions and approval directions.</p> <p>5.4 Updated definition of how and when an OPA direction is established.</p> <p>5.5 Updated assessment criteria and renewal timeframes to reflect current Attorney General Guidelines.</p> <p>5.6 Added 'to the Governance Section' and 'Part 6 of'. Deleted 'specifying that access be requested under s.54 of'.</p> <p>5.7 Deleted 'No fee will be payable for Public Access requests'.</p> <p>5.7 Inserted 'Council may</p>	TBC
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MINUTES ORDINARY COUNCIL - 11 JUNE 2024

ITEM 4 - ATTACHMENT 1 REVISED PUBLIC ACCESS TO STATE RECORDS AFTER 20 YEARS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>impose a fee when being requested access to State records under Part 6 of the State Records Act 1988. Please refer to Council's Fees and Charges'.</p> <p>5.8 Deleted 'Documentation of Access Directions will contain sufficient detail to help meet Council's statutory obligations under the State Records Act 1998'.</p> <p>6.1 – Updated wording in responsibilities for consistency with the policy template.</p> <p>7.2 Added 'Attorney General's Guidelines 'Making Access Directions under the State Records Act 1998' to related documents.</p>	



8

ITEM NO. 4**FILE NO: 25/152732
EDRMS NO: PSC2024-03158****REQUEST FOR FINANCIAL ASSISTANCE****REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE****RECOMMENDATION IS THAT COUNCIL:**

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral and Wards Funds to the following:-
 - a) St Philip's Christian College – Mayoral Funds - \$2,000 donation towards fireworks for St Philip's Fair.
 - b) Rivergum Kinship Carers Group – Rapid Response – Cr Giacomo Arnott – West Ward Funds – \$500 donation towards complex hire fees.
 - c) Organisation for the Rescue and Research of Cetaceans in Australia (ORRCA) – Rapid Response – Cr Rosalyn Armstrong – East Ward Funds – \$500 donation towards the procurement of reusable signage and volunteer recruitment for the annual dolphin census.
 - d) Shoal Bay Public School P&C – Rapid Response – Cr Rosalyn Armstrong – East Ward Funds - \$500 donation towards NAIDOC Week event.
 - e) Medowie Cricket Club – Rapid Response – Cr Chris Doohan – Central Ward Funds - \$500 donation towards cricket wicket repairs/maintenance.
 - f) Port Stephens Community Art Centre – Rapid Response – Cr Rosalyn Armstrong - \$500 donation towards art competition.

**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

165	Councillor Rosalyn Armstrong Councillor Chris Doohan It was resolved that Council approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral and Wards Funds to the following:- <ol style="list-style-type: none">a) St Philip's Christian College – Mayoral Funds - \$2,000 donation towards fireworks for St Philip's Fair.b) Rivergum Kinship Carers Group – Rapid Response – Cr Giacomo Arnott – West Ward Funds – \$500 donation towards complex hire fees.
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MINUTES ORDINARY COUNCIL - 8 JULY 2025

	<ul style="list-style-type: none">c) Organisation for the Rescue and Research of Cetaceans in Australia (ORRCA) – Rapid Response – Cr Rosalyn Armstrong – East Ward Funds – \$500 donation towards the procurement of reusable signage and volunteer recruitment for the annual dolphin census.d) Shoal Bay Public School P&C – Rapid Response – Cr Rosalyn Armstrong – East Ward Funds - \$500 donation towards NAIDOC Week event.e) Medowie Cricket Club – Rapid Response – Cr Chris Doohan – Central Ward Funds - \$500 donation towards cricket wicket repairs/maintenance.f) Port Stephens Community Art Centre – Rapid Response – Cr Rosalyn Armstrong - \$500 donation towards art competition.
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Councillor Rosalyn Armstrong left the meeting at 9:16pm

Those for the Motion: Mayor Leah Anderson, Crs Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

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

Council's Grants and Donations Policy provides the community, the Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

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

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

MINUTES ORDINARY COUNCIL - 8 JULY 2025

The requests for financial assistance are shown below:

MAYORAL FUNDS

St Philip's Christian College	The College Fair is a family event that fosters social enrichment and fundraising support.	\$2,000	Donation towards fireworks for St Philip's Fair.
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WARD FUNDS

Rivergum Kinship Carers Group	A community-based organisation focused on helping make life better, happier and all-inclusive for kinship carers and the children they are raising.	\$500	Donation towards complex hire fees.
Organisation for the Rescue and Research of Cetaceans in Australia (ORRCA)	ORRCA is a group with a primary focus on the rescue, research, conservation, protection and welfare of whales, dolphins, seals and dugongs in Australian waters.	\$500	Donation towards the procurement of reusable signage and volunteer recruitment for the annual dolphin census.
Shoal Bay Public School P&C	A school-based organisation made up of parents and citizens who work to support the school.	\$500	Donation towards NAIDOC Week event.
Medowie Cricket Club	Medowie Cricket Club is a family-oriented club fielding both Junior and Senior teams.	\$500	Donation towards cricket wicket repairs/maintenance.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

Port Stephens Community Art Centre	The centre showcases displays including oil and watercolour paintings, pottery, jewellery and fabric art.	\$500	Donation towards art competition.
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COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2025-2029
Resources and finance	Develop and implement strategic direction and governance of Council

FINANCIAL/RESOURCE IMPLICATIONS

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

LEGAL AND POLICY IMPLICATIONS

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

The Policy interpretation required is whether the Council believes that:

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

MINUTES ORDINARY COUNCIL - 8 JULY 2025

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

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

COMMUNICATION AND ENGAGEMENT

Council's Communication and Engagement Strategy uses the IAP2 Framework to identify the level of engagement undertaken. An explanation for each level is shown below.

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
CONSULT	To obtain public feedback on analysis, alternatives and/or decisions.
INVOLVE	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
EMPOWER	To place final decision-making and/or developed budgets in the hands of the public.
	No external communications and engagement are required for this report.

The following communication and engagement applies to this report.

External communications and engagement

INFORM	Community members are advised of the outcome of their application.
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MINUTES ORDINARY COUNCIL - 8 JULY 2025

Internal communications and engagement

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

Consultation has been undertaken to ensure budget requirements are met and approved.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 5**FILE NO: 25/153979
EDRMS NO: PSC2024-03232****INFORMATION PAPERS****REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE****RECOMMENDATION IS THAT COUNCIL:**

Receives and notes the Information Papers listed below being presented to Council on 8 July 2025.

No:	Report Title	Page:
1	Designated Persons' Return	259
2	Delegations Report	260
3	Council Resolutions	262

**ORDINARY COUNCIL MEETING - 8 JULY 2025
MOTION**

166	Councillor Chris Doohan		
	Councillor Nathan Errington		
	It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 8 July 2025.		
	<hr/>		
	No:	Report Title	Page:
1	Designated Persons' Return	259	
2	Delegations Report	260	
3	Council Resolutions	262	

Those for the Motion: Crs Leah Anderson, Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 25/116215
EDRMS NO: PSC2024-01273**

DESIGNATED PERSONS' RETURN

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

BACKGROUND

The purpose of this report is to table Councillor and Designated Persons' Return/s (return) submitted.

In accordance with Part 4 – Pecuniary Interest of the Code of Conduct, all designated persons are required to submit a return. Returns are to be tabled at the first Council meeting after the lodgement date.

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

- Compliance Coordinator PSC016.
- Environmental Officer PSC1164.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

ITEM NO. 2

**FILE NO: 25/152727
EDRMS NO: PSC2009-00965**

DELEGATIONS REPORT

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

BACKGROUND

The purpose of this report is to advise Council of each occasion the Mayor and/or General Manager have exercised their delegations, other than under section 226 and 335 of the Local Government Act 1993, which are conferred on each role.

The report at **(ATTACHMENT 1)** provides details of the delegation exercised, such as the delegated authority, the date and the reason for exercising the delegation.

ATTACHMENTS

1) Delegations Report.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 2 - ATTACHMENT 1 DELEGATIONS REPORT.**MAYOR AND GENERAL MANAGER DELEGATION REPORT**

Date exercised	Delegations exercised	Purpose	Role exercising delegation	Reported to Council
17-Jun-25	Code of Meeting Practice	Approval of Public Access application on Item 1 - Local Housing Strategy Amendment - Nulla Nulla Lane, Hinton	Mayor	8 July 2025
17-Jun-25	Code of Meeting Practice	Approval of Public Access application on NOM 1 - Medowie Drainage	Mayor	8 July 2025
17-Jun-25	Code of Meeting Practice	Approval of Public Access application on Item 1 - Local Housing Strategy Amendment - Nulla Nulla Lane, Hinton	Mayor	8 July 2025

ITEM NO. 3

**FILE NO: 25/152725
EDRMS NO: PSC2017-00106**

COUNCIL RESOLUTIONS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

BACKGROUND

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

ATTACHMENTS

- 1) Community Futures resolutions.
- 2) Corporate Strategy and Support resolutions.
- 3) Facilities and Infrastructure
- 4) General Manager's Office resolutions.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



Action Sheets Report	Division:	Community Futures	Date From:	25/02/2025
	Committee:		Date To:	24/06/2025
	Officer:		Printed:	Thursday, 26 June 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/02/2025	Lamont, Brock	Tree Vandalism Policy	31/10/2025	26/02/2025	
1		Peart, Steven				25/43931
021						
25 Jun 2025						
Draft reviewed policy completed following Environmental Advisory Group consultation. A report back to Council is anticipated on 9 September 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/02/2025	Gardner, Janelle	Revised Communication and Engagement Strategy	26/08/2025	26/02/2025	
1		Peart, Steven				25/43931
025						
25 Jun 2025						
Public exhibition period has been completed. 5 submissions were received. These have been discussed at the Communication and Engagement Advisory Group meeting and changes are being made to the Strategy. This is scheduled to be reported to Council at the 26 August 2025 meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Lamont, Brock	Draft Development Control Plan 2025	14/07/2025		
4		Peart, Steven				25/148178
119						
25 Jun 2025						
The DCP has been placed on public exhibition from 16 June to 14 July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Lamont, Brock	Draft Local Infrastructure Contributions Plan 2020 - Comprehensive Amendment	09/09/2025		
5		Peart, Steven				25/148178
120						
25 Jun 2025						
The draft Port Stephens Local Infrastructure Contributions Plan was placed on public exhibition on 13 June 2025. Exhibition closes 13 July 2025 and a report back to Council is tentatively scheduled for 9 September 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 10/06/2025	Lamont, Brock	MATTER ARISING - Min No. 121 - Item 5 - Draft Local Infrastructure Contributions Plan 2020 - Comprehensive amendment.	31/07/2025		
		Peart, Steven				
121						

ITEM 3 - ATTACHMENT 1 COMMUNITY FUTURES RESOLUTIONS.


Action Sheets Report	Division:	Community Futures	Date From:	25/02/2025
	Committee:		Date To:	24/06/2025
	Officer:		Printed: Thursday, 26 June 2025	

25 Jun 2025

A report will be prepared proposing an amendment to the Plan to allow a 50% discount on infrastructure contributions for manufactured home developments that include at least 5% affordable housing. A two way conversation is to be held prior to finalising the Council report.

A report will be prepared exploring options for a new rating category for manufactured home estates, with rates scaled to the number of dwellings, to ensure fair revenue for service provision. A two way conversation is to be held prior to finalising the Council report.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Lamont, Brock	Local Housing Strategy Amendment - Nulla Nulla Lane, Hinton	9/07/2025	25/06/2025	
1 138		Pearl, Steven				25/159107

26 Jun 2025

The amended Port Stephens Local Housing Strategy will be forwarded to the NSW Department of Planning, Housing and Infrastructure for consideration and endorsement. The date will be provided once sent.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Gardner, Janelle	Policy Review: Sponsorship Policy	10/08/2025	25/06/2025	
3 140		Pearl, Steven				25/159107

26 Jun 2025

On public exhibition for a period of 28 days.

ITEM 3 - ATTACHMENT 2 CORPORATE STRATEGY AND SUPPORT RESOLUTIONS.


Action Sheets Report	Division:	Corporate Strategy and Support	Date From:	11/04/2023
	Committee:	Ordinary Council	Date To:	24/06/2025
	Officer:		Printed: Thursday, 26 June 2025	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Pattison, Zoe	22 Homestead Street, Salamander Bay	30/12/2025	12/04/2023	
5 088		Pattison, Zoe				23/92450
25 Jun 2025						
Council is investigating options for the rezoning of 22 Homestead Street, Salamander Bay, and the development of a Vegetation Management Plan, to provide the best opportunity to enable a successful long-term rehabilitation of the site.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/08/2023	Pattison, Zoe	Raymond Terrace Gateway Site Masterplan	31/12/2025		
1 193		Pattison, Zoe				23/214729
25 Jun 2025						
Following a two way conversation with Councillors in November 2023, the options presented will be included in the context of the broader Raymond Terrace town centre improvements.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/06/2024	Dodds, Melissa	Policy Review: Public Access to State Records after 20 Years Policy	30/07/2025	12/06/2024	
4		Pattison, Zoe				24/145208
25 Jun 2025						
The exhibition period has closed with no formal submissions being received during this time. The policy will go back to Council in July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Peterkin, Glen	Policy Review: Community Group Loans Policy	9/07/2025	11/06/2025	
8		Pattison, Zoe				25/148178
25 Jun 2025						
The revised policy is on public exhibition from 11 June 2025 to 8 July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Pattison, Zoe	Policy Review: Acquisition and Divestment of Land Policy	22/07/2025	25/06/2025	
5		Pattison, Zoe				25/159107
25 Jun 2025						
The revised policy is on public exhibition from 25 June 2025 to 22 July 2025.						

ITEM 3 - ATTACHMENT 2 CORPORATE STRATEGY AND SUPPORT RESOLUTIONS.



Action Sheets Report	Division:	Corporate Strategy and Support	Date From:	11/04/2023
	Committee:	Ordinary Council	Date To:	24/06/2025
	Officer:		Printed: Thursday, 26 June 2025	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Pattison, Zoe	Policy Review: Property Investment and Development Policy	22/07/2025	25/06/2025	
6		Pattison, Zoe				25/159107
25 Jun 2025						
The revised policy is on public exhibition from 25 June 2025 to 22 July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Pattison, Zoe	112 Adelaide Street and 18A Sturgeon Street, Raymond Terrace	9/07/2025	25/06/2025	
1		Pattison, Zoe				25/159107
25 Jun 2025						
It was resolved that Council progresses with Option 2 outlined in the confidential business paper.						

ITEM 3 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE


Action Sheets Report	Division:	Facilities and Infrastructure	Date From:	27/08/2013
	Committee:		Date To:	24/06/2025
	Officer:		Printed:	Thursday, 26 June 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
243	Ordinary Council 27/08/2013	Maretich, John Kable, Gregory	Campvale Drain	31/12/2025		
25 Jun 2025 Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
2085	Ordinary Council 11/04/2023	Maretich, John Kable, Gregory	Naming Recreation Precinct at Medowie after Geoff Dingle	31/12/2025	12/04/2023	23/92450
25 Jun 2025 Once the reserve has been subdivided as per the Medowie Place Plan, an application will be submitted to the Geographical Naming Board to name the recreation precinct after Geoff Dingle.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
1	Ordinary Council 28/11/2023	Maretich, John Kable, Gregory	Sale of closed roads in Raymond Terrace	31/12/2025	29/11/2023	23/324875
25 Jun 2025 1 road sold and in settlement stage. 1 road moved to closed road reserve. An Expression of Interest (EOI) for the remaining road is near completion.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
1	Ordinary Council 28/05/2024	Maretich, John Kable, Gregory	Bus Stop Infrastructure Plan	31/10/2025	29/05/2024	24/131056
25 Jun 2025 Staff are continuing to review the bus stop infrastructure.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
6	Ordinary Council 23/07/2024	Maretich, John Kable, Gregory	Raymond Terrace Boat Ramp	31/12/2025	24/07/2024	24/189773
25 Jun 2025 A two way conversation and a report will be provided to Council once funding opportunities are available that will help determine the scope of works.						

ITEM 3 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE



Action Sheets Report	Division:	Facilities and Infrastructure	Date From:	27/08/2013
	Committee:		Date To:	24/06/2025
	Officer:		Printed:	Thursday, 26 June 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/11/2024	Donaldson, Cameron	Renewal of Lease - 49 William Street, Raymond Terrace	31/07/2025	13/11/2024	
1		Kable, Gregory				24/307858
128						
25 Jun 2025						
Lease negotiations are ongoing.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/12/2024	Maretich, John	Bus Shelters in Port Stephens	31/10/2025	11/12/2024	
1		Kable, Gregory				24/333356
25 Jun 2025						
Bus Shelter Policy has been endorsed and staff will review further actions for EOI.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Kable, Gregory	Port Stephens Roads Acceleration Program Expanded Funding Strategy	31/12/2026	11/06/2025	
4		Kable, Gregory				25/148178
115						
25 Jun 2025						
As resolved, the strategy for funding of the Rapid Acceleration Program will be pursued over the next 18 months.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Donaldson, Cameron	Policy Review - Financial Assistance for the Disposal of Waste in Port Stephens Policy	31/08/2025		
9		Kable, Gregory				25/148178
25 Jun 2025						
The policy has been placed on public exhibition for 28 days.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Maretich, John	Trial of Tomaree Shuttle Bus	31/10/2025		
1		Kable, Gregory				25/148178
130						
25 Jun 2025						
Staff will prepare a report and review a shuttle bus service trial.						

ITEM 3 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE



Action Sheets Report	Division:	Facilities and Infrastructure	Date From:	27/08/2013
	Committee:		Date To:	24/06/2025
	Officer:		Printed:	Thursday, 26 June 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Maretich, John	Tomaree Sports Complex Masterplan	31/10/2025	11/06/2025	
2		Kable, Gregory				25/148178
132						
25 Jun 2025						
Staff shall review and consider means to expedite request.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 10/06/2025	Maretich, John	MATTER ARISING - Min No. 131 - NOM 1 - Trial of Tomaree Shuttle Bus	31/10/2025		
31		Kable, Gregory				
25 Jun 2025						
Staff will prepare a report.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Maretich, John	Policy Review - Provision and Management of Cemeteries	31/10/2025	25/06/2025	
7		Kable, Gregory				25/159107
25 Jun 2025						
This policy has been placed on public exhibition for 28 days with a report to be prepared for Council at the completion of the public exhibition period.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Maretich, John	Medowie Drainage	31/03/2026	25/06/2025	
1		Kable, Gregory				25/159107
26 Jun 2025						
Council staff have commenced discussions with Hunter Water Corporation to address the items within this NOM.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Maretich, John	Drainage on Sports Fields	31/12/2025	25/06/2025	
2		Kable, Gregory				25/159107
25 Jun 2025						
Council staff will report back to Council on all sporting fields within the LGA that require drainage upgrades and investigate a funding strategy to commence drainage upgrades on identified sporting fields.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Donaldson, Cameron	Proposed Sale or Lease of 36a Ferodale Road, Medowie	31/10/2025	25/06/2025	
2		Kable, Gregory				25/159107
25 Jun 2025						
A two way conversation will be scheduled to discuss proceeds of any sale.						



Action Sheets Report	Division:	General Manager's Office	Date From:	25/03/2025
	Committee:	Ordinary Council	Date To:	24/06/2025
	Officer:		Printed:	Thursday, 26 June 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/03/2025	Wickham, Tony	Initiation of a Proposal to Alter the Port Stephens Local Government Boundaries	31/07/2025	26/03/2025	
4		Crosdale, Timothy				25/73848
063						
26 Jun 2025						
Correspondence has been forwarded to the neighbouring Councils and a two-way conversation has been scheduled for 15 July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Wickham, Tony	Revised Code of Meeting Practice	25/07/2025		
10		Crosdale, Timothy				25/148178
126						
26 Jun 2025						
On public exhibition until 25 July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/06/2025	Wickham, Tony	Code of Conduct	11/07/2025		
11		Crosdale, Timothy				25/148178
127						
26 Jun 2025						
On public exhibition until 11 July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/06/2025	Walker, Ashley	Request for Financial Assistance	22/07/2025	25/06/2025	
8		Crosdale, Timothy				25/159107
26 Jun 2025						
1 application for an individual is on public exhibition until 22 July 2025.						

NOTICES OF MOTION

MINUTES ORDINARY COUNCIL - 8 JULY 2025

Councillor Nathan Errington left the meeting at 9:18pm and did not return.

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 25/163428

EDRMS NO: PSC2024-03148

FOOTY FINALS

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Acknowledges the agreement between PSC and Newcastle & Hunter Community Rugby League for the 2025 Finals Series to be held at Lakeside Sporting Complex in Raymond Terrace.
- 2) Agrees that the tens of thousands of visitors to Raymond Terrace is an economic boon for our community and provides significant advertising of Port Stephens to the wider Hunter Valley.
- 3) Notes that the West Ward Sports Council has agreed to waive half of the ground fees for the Finals Series, pending Council agreement.
- 4) Agrees to waive half of the ground fees for the 2025 Finals Series.
- 5) Writes to the West Ward Sports Council, thanking them for their support of this event.
- 6) Writes to Destination Port Stephens, asking them to engage with Newcastle & Hunter Community Rugby League to discuss their 2026 Finals Series, including sponsorship options and any other support which Destination Port Stephens could provide.

ORDINARY COUNCIL MEETING - 8 JULY 2025 MOTION

167	Councillor Giacomo Arnott Councillor Peter Francis It was resolved that Council:
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MINUTES ORDINARY COUNCIL - 8 JULY 2025

	<ol style="list-style-type: none">1) Acknowledges the agreement between PSC and Newcastle & Hunter Community Rugby League for the 2025 Finals Series to be held at Lakeside Sporting Complex in Raymond Terrace.2) Agrees that the tens of thousands of visitors to Raymond Terrace is an economic boon for our community and provides significant advertising of Port Stephens to the wider Hunter Valley.3) Notes that the West Ward Sports Council has agreed to waive half of the ground fees for the Finals Series, pending Council agreement.4) Agrees to waive half of the ground fees for the 2025 Finals Series.5) Writes to the West Ward Sports Council, thanking them for their support of this event.6) Writes to Destination Port Stephens, asking them to engage with Newcastle & Hunter Community Rugby League to discuss their 2026 Finals Series, including sponsorship options and any other support which Destination Port Stephens could provide.
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Councillor Rosalyn Armstrong returned to the meeting at 9:20pm.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND REPORT OF: JOHN MARETICH – ASSET SECTION MANAGER

BACKGROUND

Newcastle Hunter Rugby League has made an application to host the annual final series at Lakeside Sporting Complex from the 30 August to the 13 September 2025.

The event takes place over 2 weekends of finals, followed by a grand final on the Saturday after. The finals series is hosted by the Newcastle Hunter Rugby League (the applicant) with support provided by Local Clubs.

Newcastle Hunter Rugby League charge a fee for entry to the event (\$8 per adult and \$4 per concession) and collects bar profits while the proceeds from canteen and BBQ sales are generally shared with Raymond Terrace Magpies and Raymond Terrace Roosters.

MINUTES ORDINARY COUNCIL - 8 JULY 2025

Estimated attendance for the 2 final weekends is 3,000 people per weekend and 10,000 people for the grand final on Saturday 13 September 2025.

In 2024, Council provided \$10,000 in sponsorship for the event and has already committed \$15,000 for 2025.

When fields are booked directly there is a usage fee. Based on Council's standard fees and charges, this event would cost \$4,689. Following the West Ward Sports Council's agreement, this fee would be reduced to \$2,345 if fields were booked directly. Traditionally, due to the scale of this event, it is normally overseen by Council's Events Team and would attract an alternative fee structure of \$3,674. This fee would cover the event's site hire and waste management.

Destination Port Stephens (DPS) provides support to local events through in kind marketing, assistance with funding applications, facilitation of partnerships and connections with local business and other activities that help raise the profile of local events. DPS have contacted Newcastle Hunter Rugby League to provide support where needed.

FINANCIAL/RESOURCE IMPLICATIONS

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

ATTACHMENTS

Nil.

There being no further business the meeting closed at 9:20pm.