



PORT STEPHENS
C O U N C I L

SUPPLEMENTARY INFORMATION

**ORDINARY COUNCIL MEETING
13 DECEMBER 2022**

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SUBJECT

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- Nb. **Bold** Items listed above have not been previously received or viewed by Councillors.

SUPPLEMENTARY INFORMATION

ITEM NO. 6

FILE NO: 22/332798
EDRMS NO: PSC2013-00406

COUNCIL RELATED PLANNING MATTERS POLICY

REPORT OF: KATE DRINAN - DEVELOPMENT AND COMPLIANCE SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note submission shown at **(ATTACHMENT 3)**.
- 2) Adopt the revised Planning Matters to be Reported to Council Policy shown at **(ATTACHMENT 1)**.
- 3) Revoke the Planning Matters to be Reported to Council Policy dated 10 November 2020 (Minute No. 237).
- 4) Endorse the revised Council-Related Planning Matters Policy for Council-related development shown at **(ATTACHMENT 6)**.
- 5) Place the revised Council-Related Planning Matters Policy shown at **(ATTACHMENT 6)** 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.
- 6) Revoke the Planning Matters to be Reported to Council Policy dated 13 December 2022, should no submissions be received.

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Planning Matters to be Reported to Council Policy (the policy) **(ATTACHMENT 1)**.

A revised 'Planning Matters to be Reported to Council' Policy was endorsed for public exhibition on 14 June 2022. The revised policy was exhibited with a number of changes, which can be summarised as follows:

- Changes endorsed by Council on 22 February 2022 (Minute No. 60) that require certain Section 4.55(1A) modification applications to be reported to the Council for determination **(ATTACHMENT 2)**.
- Clarifying the process of withdrawing support to have a planning matter called to Council for determination.
- Various minor administrative amendments.

ORDINARY COUNCIL - 13 DECEMBER 2022 - SUPPLEMENTARY INFORMATION

During the exhibition period 1 submission was received which is addressed at **(ATTACHMENT 3)**.

Following exhibition, the following changes were made in response to the submission received and the Council resolution on 25 October 2022 (Minute No. 298) **(ATTACHMENT 4)**:

- Clause 5.1(j) be changed to read 'DAs which seek to vary a development standard by more than 10%'.
- Modifications to 5.1(d) to require all Councillors sponsoring a 'call-up' to be informed of any withdrawal of support.
- In accordance with Council resolution on 25 October 2022 insert 5.1 i) which reads: 'Development Applications which would result in the removal of any trees or public assets on Council owned land, except where required for a driveway crossover, are to be reported to Council for determination.'







The above changes are shown in blue in **(ATTACHMENT 1)**.

Following changes made under the Environmental Planning and Assessment Act 1979, Council is required to prepare a Council related development application conflict of interest policy. This policy has been incorporated into the Planning Matters to be Reported to Council Policy and renamed to Council-Related Planning Matters Policy. This policy is provided in **(ATTACHMENT 6)**.

ISSUES

This supplementary information seeks to clarify the naming protocols of each policy and provides transparency on the 2 policies to be considered by Council.

ATTACHMENTS

- 1) Planning Matters to be Reported to Council Policy (changes made post exhibition). [↓](#) 
- 2) Minute No. 60, 22 February 2022. [↓](#) 
- 3) Response to Submission. [↓](#) 
- 4) Minute No. 298, 25 October 2022. [↓](#) 
- 5) Council Conflict of Interest Management Statement. [↓](#) 
- 6) Council-Related Planning Matters Policy. [↓](#) 

ITEM 6 - ATTACHMENT 1 PLANNING MATTERS TO BE REPORTED TO COUNCIL POLICY (CHANGES MADE POST EXHIBITION).

Policy



FILE NO: PSC2013-00406

TITLE: PLANNING MATTERS TO BE REPORTED TO COUNCIL POLICY

POLICY OWNER: DEVELOPMENT ASSESSMENT & COMPLIANCE SECTION MANAGER

1. PURPOSE:

- 1.1 To ensure that Councillors are provided with the opportunity for input into the determination of development applications (DA's) prior to decisions being finalised and determinations granted.
- 1.2 To ensure that Councillors are provided with the opportunity for input into planning proposals prior to forwarding applications for Gateway determination.

2. CONTEXT/BACKGROUND:

- 2.1 The majority of DA's are determined by Council's assessment officers, utilising delegated authority. ~~and may require review in accordance with Council's Development Assessment Process (DAP)~~ This policy provides Council with an understanding of the types of applications that are mandatory to report to Council for determination and the process involved in calling DA's to Council prior to determination.
- 2.2 Council's Rezoning Request Policy does not require reporting of some planning proposals prior to forwarding proposals to the Department of Planning, Infrastructure and Environment for Gateway determination. This policy provides Council with an understanding of the process involved in calling planning proposals to Council prior to seeking Gateway determination.

3. SCOPE:

- 3.1 The use of delegated authority provides an opportunity for effective and timely decision making; however, it is appropriate that Council is informed of the exercise of delegated authority.
- 3.2 Given the scope of planning decisions, it is appropriate that delegated assessment staff, are able to use their discretion and judgement for those matters which should be reported to Council.

Policy

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ITEM 6 - ATTACHMENT 1 PLANNING MATTERS TO BE REPORTED TO COUNCIL POLICY (CHANGES MADE POST EXHIBITION).

Policy



3.3 The Mayor/Councillors may request the delegation be withdrawn and a DA or planning proposal be reported to Council. ~~To do this, the Mayor/Councillor completes the Call to Council Form and obtains 2 other the supporting of 1 other Councillors by signatures or email.~~

4. DEFINITIONS:

Council	Port Stephens Council
DA	Development Application
DAP	Development Assessment Process
Signatories	Mayor / Councillors

Note: A word or expression used in this policy has the same meaning as it has within the Environmental Planning and Assessment Act 1979 and any instruments made under that Act, unless otherwise defined in this policy.

5. POLICY STATEMENT:

Planning Matters to be Reported to Council Policy

5.1 Council shall be informed with regard to DA's and Section 4.55 modification applications planning matters in the following way:

- a) All current DA's lodged are publicly available and listed on the Council website via ~~the~~ DA Tracker.
- b) A report is generated weekly of all new DA's lodged and this is circulated weekly via PS Newsletter to the Mayor/Councillors and other relevant internal staff.
- c) At any time prior to determination of a DA, the Mayor/Councillors may request that the application be reported to Council for determination by completing a Call to Council Form with ~~the 2 other supporting~~ support of 1 other Councillors by signature or email. If a completed Call to Council Form is submitted to Council prior to determination of the DA, a report will be forwarded to Council at the completion of the assessment.
- d) The Mayor/Councillors may withdraw their support for calling a planning matter to Council via email at any time, prior to being included in the Council business paper. This would result in the matter being able to be determined by Council officers under delegated authority unless further support is provided to a total of 2 signatories.

Mayor/Councillors who withdraw their support for calling a planning matter to Council must inform all other signatories of their withdrawal of support.

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- e) DA's with a cost of works exceeding \$250,000, with the exception of infrastructure works within Council's road reserve, and Section 4.55(2) modification applications will be reported to Council where Council is the owner of the land on which the development is to be carried out or where the development is being carried out on behalf of Council. Where not reported to Council, those Council DA's with a cost of works of less than \$250,000 or for infrastructure works within a Council road reserve or Section 4.55(1A) modification applications, will be reported in the PS Newsletter prior to determination.
- f) DA's and Section 4.55 modification applications will be reported to Council where the application relates to the carrying out of development on Community land, other than where the proposed works comprise amenity buildings and structures such as; toilet facilities, playgrounds, small refreshment kiosks and the like.
- g) Section 4.55(2) modification applications where the original DA was determined by Council, will be reported to Council for determination.
- h) Councillors will be advised via PS Newsletter prior to the determination of Section 4.55(1A) modification applications where the original DA was determined by Council. In the event a Section 4.55(1A) modification application proposes an amendment to a condition moved on the floor of Council and approved by the Council, the application will be reported to the Council for determination.
- i) DA's which would result in the removal of any trees or public assets on Council owned land, except where required for a driveway crossover, are to be reported to Council for determination.
- j) DA's with a Request to vary a Development Standard, which seeks to vary a development standard by greater than 10%, will be reported to Council for determination.
- k) The Group Manager, Development Services and/or Section Manager, Development Assessment & Compliance, at their discretion, may report any DA to Council for determination.

5.2 Council shall be informed with regard to planning proposals in the following way:

- a) A report is generated of all new planning proposals lodged and this is circulated via PS Newsletter to the Mayor/Councillors and other relevant internal staff.
- b) At any time prior to forwarding a planning proposals for Gateway determination, the Mayor/Councillor may request that the application be reported to Council for determination by completing a Call to Council Form with 2 other supporting the support of 1 other

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ITEM 6 - ATTACHMENT 1 PLANNING MATTERS TO BE REPORTED TO COUNCIL POLICY (CHANGES MADE POST EXHIBITION).

Policy



Councillors **by** signature **or email** . If a completed Call to Council Form is submitted to Council prior to forwarding a planning proposals for Gateway determination, a report will be forwarded to Council.

- c) The Group Manager, Development Services and/or Section Manager, Strategy and Environment, at their discretion, may report any planning proposal to Council.

6 POLICY RESPONSIBILITIES:

- 6.1 Development Services Group is responsible for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the Policy.

7 RELATED DOCUMENTS:

- 7.1 Development Control Plan
- 7.2 Environmental Planning & Assessment Act 1979
- 7.3 Department Planning and Environment (DPE) – Development Assessment Best Practice Guide – March 2017
- 7.4 Rezoning Request Policy
- 7.5 Community Engagement Strategy
- 7.6 Code of Conduct**

CONTROLLED DOCUMENT INFORMATION:

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TRIM container No	PSC2013-00406	TRIM record No	20/349965
Audience	Elected Council, Public and Development Services		
Process owner	Manager Development Assessment & Compliance		
Author	Development Planning Coordinator Planning & Developer Relations		
Review timeframe	2 3 Years	Next review date	TBA
Adoption date	26/02/2002		

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ITEM 6 - ATTACHMENT 1 PLANNING MATTERS TO BE REPORTED TO COUNCIL POLICY (CHANGES MADE POST EXHIBITION).

Policy



VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	26/2/2002	Group Manager Sustainable Planning	Original planning matters to be reported to Council policy.	048
2	23/6/2013	Manager Development Assessment and Compliance	Updated policy to Development applications to be reported to Council.	217
3	10/11/2015	Coordinator Planning and Developer Relations	Review and minor updates to policy.	339

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4	September 2018	Manager Development Assessment and Compliance	Updated to new policy template to include paragraph numbering and update version control. 3.3: Updated number of Councillors required to call a DA to Council to reflect the DPE Development Assessment Best Practice Guide. 5.1.2: Modified mechanism to report weekly DA list to Mayor/Councillors. 5.1.3: Updated requirements for Call to Council form. 5.1.4, 5.1.5, 5.1.6, 5.1.7, 5.1.8: Included additional DA types to be reported to Council for determination. 7.5 Inclusion of Department Planning and Environment (DPE) – Development Assessment Best Practice Guide.	098
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5	10/11/2020	Manager Development Assessment and Compliance	<p>Review and update template to include: Updated title of policy to reflect inclusion of planning proposals into the policy. 1.2, 2.2 - Inclusion of new provisions to reflect inclusion of planning proposals into the policy. 2.1 - Clarify background and process of the policy. 3.3 -Amendment of existing provisions to reflect inclusion of planning proposals into the policy. 5.1 d) - Modified mechanism to report DA's and modification applications on Council land or where the works are to be undertaken on behalf of Council. 5.1 h) - Delete 'Clause 4.6 Variation Request' and replaced with 'Request to vary a Development'. 5.2: a), b) and c) – Added new paragraphs to clarify how Councillors will be informed with regard to planning proposals. 6.1 - Update responsible authority to reflect inclusion of planning proposals into the policy.</p>	237
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Policy



			7.1 Delete Sustainability Review – End to End Process. 7.3 Delete Work Practice Note: Development Assessment Process. 7.4 Added Rezoning Request Policy. 7.5 Added Community Engagement Strategy.	
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Policy



	TBA	Manager Development & Compliance	<p>Update to title of the policy.</p> <p>Updated position titles and section names throughout.</p> <p>3.3 – deleted the explanation of the call to Council form process.</p> <p>4 – Added – definition of signatories to include Mayor/Councillors</p> <p>5.1 – Added “In the event a Section 4.55(1A) modification application proposes an amendment to a condition moved on the floor of Council and approved by the Council, the application will be reported to the Council for determination.”</p> <p>5.1d – Added “The Mayor/Councillors may withdraw their support for calling a planning matter to Council via email at any time , prior to being included in the Council business paper”.</p> <p>5.1 - Updated the requirement for Councillor Call Up to be supported by 1 other Councillor and include email option throughout.</p>	TBA
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MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022**NOTICE OF MOTION**

ITEM NO. 7

FILE NO: 22/46118

EDRMS NO: PSC2021-04195

MINOR DA MODIFICATION REPORTING**COUNCILLOR: GIACOMO ARNOTT****THAT COUNCIL:**

- 1) Acknowledges that when the elected Council puts a condition on a Development Application that it decides, it is important for that condition to be followed.
- 2) Notes that several proponents have had conditions imposed on them by the elected Council, who have then submitted a minor modification (4.55(1A)) application, which does not require report back to the elected Council per the Planning Matters to be Reported to Council Policy.
- 3) Agrees that 5.1(g) of the Planning Matters to be Reported to Council Policy should be amended to read:
 - a. Section 4.55(1A) modification applications where the original DA was determined by Council, will be reported to Council for determination.
- 4) Places the amended policy on exhibition in line with regular exhibition requirements, to be reported back to Council should there be any submissions. Otherwise, it will be amended without report-back in line with existing practice.

**ORDINARY COUNCIL MEETING - 22 FEBRUARY 2022
MOTION**

060	Councillor Giacomo Arnott Councillor Steve Tucker It was resolved that Council: <ol style="list-style-type: none">1) Acknowledges that when the elected Council puts a condition on a Development Application that it decides, it is important for that condition to be followed.2) Notes that several proponents have had conditions imposed on them by the elected Council, who have then submitted a minor modification (4.55(1A)) application, which does not require report back to the
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MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022

	<p>elected Council per the Planning Matters to be Reported to Council Policy.</p> <p>3) Agrees that 5.1(g) of the Planning Matters to be Reported to Council Policy should be amended to read:</p> <p>a. Section 4.55(1A) modification applications where the proposed modification is an amendment to a condition moved on the floor of Council and approved by the Council, it will be reported to the Council for determination.</p> <p>4) Places the amended policy on exhibition in line with regular exhibition requirements, to be reported back to Council should there be any submissions. Otherwise, it will be amended without report-back in line with existing practice.</p>
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The motion was carried.

BACKGROUND REPORT OF: – KATE DRINAN – DEVELOPMENT AND COMPLIANCE SECTION MANAGER**BACKGROUND**

Currently, in accordance with the Planning Matters to be Reported to Council Policy, where the original DA was determined by Council, Councillors are advised via PS Newsletter prior to the determination of Section 4.55(1A) modification application. On notification of the 4.55(1A) modification application, Councillors may elect to have the matter called to Council for determination subject to the support of 2 other Councillors.

Section 4.55 (1A) modification applications involve minimal environmental impact changes from the original approval.

Section 4.55(2) modification applications are automatically reported to Council in accordance with the Planning Matters to be Reported to Council Policy. Section 4.55(2) applications involve more significant environmental impacts changes from the original approval.

Reporting a 4.55(1A) modification application to Council may add significant additional time to the assessment of the application noting the 6 week lead time to report a matter to Council.

MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022**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.

Policy Review: Planning Matters to be Reported to Council

No.	Author of submission	Comment	Council Response
1	Tomaree Ratepayers and Residents Association Inc. (TRRA)	Seeks greater transparency and accountability of planning matters – requests DA and Planning Proposal information contained in the PS Newsletter be made public.	The PS Newsletter is a confidential document that is not shared with the public. All lodged development applications are made available on Council's DA Tacker and is available to the public via Council's website.
		The Planning Matters to be Reported to Council Policy should not be separated from the Draft Port Stephens Communication and Engagement Strategy and should be considered concurrently.	The policies have a different purpose and do not require concurrent consideration.
		The Policy should reference the Community Participation Plan (CPP)	The policies have a different purpose and do not require cross referencing.
		The Policy should include a requirement for at least all Councillors sponsoring a 'call-up' to be informed of any withdrawal of support.	This is supported and modifications to the policy have been made accordingly.
		A field should be included in Council's DA Tracker to inform the public of the status of a DA with respect to delegated authority, with similar transparency for the status of Planning Proposals.	This is supported in principle however DA Tracker does not allow for this additional field.
		Requests that the criterion for reporting under clause 5.1(h) be changed to 'DAs which seek to vary a development standard by more than 10%'.	This is supported and modifications to the policy have been made accordingly.
		Request that clause 5.1 (h) variations to development standard greater than 10%, include	Development standards greater than 10% require reporting to Council in accordance with the Department of Planning Environment delegations. Development

		not just Local Environmental Plan (LEP) Development Standards but also Development Control Plan (DCP) Controls.	<p>standards relate to LEP development standards and do not apply to DCP Controls. In accordance with Land and Environment Court rulings, the DCP is a guideline and can be readily varied under staff delegation.</p> <p>DCP variations greater than 10% may include things such as a 9cm variation to a side setback, which is not considered to warrant full Council consideration.</p> <p>There would be significant implications if DCP variations greater than 10% were required to be reported to Council, including a significant increase in development assessment timeframes, significant increase in Council officer resources and significant increase in the number of DAs being reported. Changes of this nature may result in planning powers being removed from the elected Council.</p> <p>In the event that an objector/objectors are concerned about a significant variation to the DCP, they can request the elected Council call the matter to Council.</p>
		Requests that there should be an additional criterion for reporting a DA to Council, along the lines of: 'where either the planners or objectors raise legitimate concerns about the cumulative impact of multiple variations, even where they are individually less than 10%'.	<p>The suggestion is considered to have the potential to result in subjective assessments and potential confusion. In the event that there are concerns about multiple variations by objectors, they can request Councillors call the matter to Council. There is no explicit planning provision, which refers to 'cumulative impact of multiple variations'. Variations are considered on a merits and site by site basis, thus an amendment of this nature is not axiomatic with decisions by the Land and Environment Court or the statutory planning framework.</p>
		Requests that the cost of works threshold for DA's where Council is the owner of the land or where the development is being carried out on behalf of Council be lowered to \$100,000 from \$250,000.	<p>The cost of works threshold of \$250,000 is considered to be low and would capture most of Council's DA's. The impacts of development where the cost of works is less than \$250,000 would be generally quite low, noting limited works can be undertaken for that cost. In the event that the impacts were considered significant enough to warrant full Council consideration, the opportunity is afforded to Councillors to call the matter to</p>

			Council noting DAs with a cost of works less than \$250,000 would be reported in the PS Newsletter prior to determination. Reducing the cost to \$100,000 could adversely impact Council operations through extended assessment timeframes.
		Requests that 5.1(d) and (e) be replaced by a single clause, requiring reporting to Council for all DAs and s.4.55 modifications with a cost of works of more than \$100,000 on Council owned or managed land, whether classified as Community or Operational.	DA's on community land and operational land are separated in the Policy as all DA's on community land regardless of the cost of works require reporting to Council, with the exception of proposed works that comprise amenity buildings and structures such as; toilet facilities, playgrounds, small refreshment kiosks and the like. These requirement are enshrined through Section 47E of the Local Government Act 1993.
		Suggested 5.1(f) and 5.1(g) be consolidated and simplified to require all modifications 4.55(1A) and 4.55(2) to be reported to Council where the original DA was reported to Council.	5.1(g) has been specifically amended to require modification applications which seek to vary a condition applied via an amendment moved on the floor of Council to be mandatorily reported back to Council. Requiring all 4.55(1A) application to be reported to Council would unnecessarily add time to an assessment and result in additional resourcing to accommodate the request. Councillors are made aware of 4.55(1A) modification application where the DA was originally reported to Council in the PS Newsletter and can call a matter to Council if requested. A large quantum of S4.55(1A) amendments are very minor and may relate to minor items such as relocating services or administrative changes to conditions.

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022**NOTICE OF MOTION**

ITEM NO. 1

FILE NO: 22/260112

EDRMS NO: PSC2021-04195

PLANNING MATTERS REPORTED TO COUNCIL POLICY**COUNCILLOR:** GIACOMO ARNOTT**THAT COUNCIL:**

- 1) Notes that the Planning Matters to be Reported to Council Policy (the Policy) has finished public exhibition and is due to be reported back to Council in the near future.
- 2) Agrees to amend the policy as follows:
 - a. Changes the current 5.1 i) to be 5.1 j)
 - b. Inserts 5.1 i) which reads:
'Development Applications which would result in the removal of any trees or public assets on Council owned land, except where required for a driveway crossover, are to be reported to Council for determination.'

**ORDINARY COUNCIL MEETING - 25 OCTOBER 2022
MOTION**

298	Councillor Giacomo Arnott Councillor Jason Wells It was resolved that Council: <ol style="list-style-type: none">1) Notes that the Planning Matters to be Reported to Council Policy (the Policy) has finished public exhibition and is due to be reported back to Council in the near future.2) Agrees to amend the policy as follows:<ol style="list-style-type: none">a. Changes the current 5.1 i) to be 5.1 j)b. Inserts 5.1 i) which reads: 'Development Applications which would result in the removal of any trees or public assets on Council owned land, except where required for a driveway crossover, are to be reported to Council for determination.'
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Peter Kafer and Jason Wells.

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022

Those against the Motion: Mayor Ryan Palmer, Crs Matthew Bailey and Steve Tucker.

The motion was carried.

BACKGROUND REPORT OF: KATE DRINAN – DEVELOPMENT AND COMPLIANCE SECTION MANAGER**BACKGROUND**

The Planning Matters to be Reported to Council Policy (the Policy) was established to ensure that Councillors are provided with the opportunity for input into the determination of development applications and planning proposals prior to decisions being finalised and determinations granted.

The Policy is currently being reviewed and updated following the public exhibition of a revised Policy.

If supported, staff shall update the Policy in accordance with the resolution 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		

ATTACHMENTS

Nil.

ITEM 6 - ATTACHMENT 5 COUNCIL CONFLICT OF INTEREST MANAGEMENT STATEMENT.



COUNCIL CONFLICT OF INTEREST MANAGEMENT STATEMENT

DA NUMBER:	
DEVELOPMENT SITE:	
DEVELOPMENT DESCRIPTION:	
APPLICANT:	
POTENTIAL CONFLICT:	
MANAGEMENT STRATEGY:	<p>The Council is managing potential conflicts of interest in this matter as follows (delete if not applicable):</p> <ul style="list-style-type: none">• Only Council development assessment staff not involved with preparing a Council-related DA or modification application will assess the application. The staff will remain separated from the project team for all Council-related DA's and modification applications;• DA to be determined under delegated authority, unless otherwise called to Council in accordance with Council Related Planning Matters Policy;• Where a potential for a conflict of interest exists, where the DA will be assessed by a third party consultant.
CONTACT:	<p>Anyone with concerns about Council fulfilling its obligations should report their concerns to the Development Planning Coordinator or Development and Compliance Section Manager on (02) 4988 0255.</p>

Policy



FILE NO: PSC2013-00406

TITLE: **COUNCIL-RELATED PLANNING MATTERS POLICY TO BE REPORTED TO COUNCIL**

POLICY OWNER: **DEVELOPMENT ASSESSMENT & COMPLIANCE SECTION MANAGER**

1. PURPOSE:

- 1.1 To ensure that Councillors are provided with the opportunity for input into the determination of development applications (DA's) prior to decisions being finalised and determinations granted.
- 1.2 To ensure that Councillors are provided with the opportunity for input into planning proposals prior to forwarding applications for Gateway determination.
- 1.3 To manage potential conflicts of interest and increase transparency in the assessment and determination of development for Council-related development.

2. CONTEXT/BACKGROUND:

- 2.1 The majority of DA's are determined by Council's assessment officers, utilising delegated authority. ~~and may require review in accordance with Council's Development Assessment Process (DAP)~~ This policy provides Council with an understanding of the types of applications that are mandatory to report to Council for determination and the process involved in calling DA's to Council prior to determination.
- 2.2 Council's Rezoning Request Policy does not require reporting of some planning proposals prior to forwarding proposals to the Department of Planning, Infrastructure and Environment for Gateway determination. This policy provides Council with an understanding of the process involved in calling planning proposals to Council prior to seeking Gateway determination.
- 2.3 The Environmental Planning and Assessment Regulation 2021 requires all Councils to develop a conflict of interest policy for Council-related DA's. The policy is to establish the process through which potential conflicts of interest will be identified, procedures for risk assessment and the management controls to be implemented.

3. SCOPE:

Policy

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Policy



- 3.1 The use of delegated authority provides an opportunity for effective and timely decision making; however, it is appropriate that Council is informed of the exercise of delegated authority.
- 3.2 Given the scope of planning decisions, it is appropriate that delegated assessment staff, are able to use their discretion and judgement for those matters which should be reported to Council.
- 3.3 The Mayor/Councillors may request the delegation be withdrawn and a DA or planning proposal be reported to Council. To do this, the Mayor/Councillor completes the Call to Council Form and obtains 2 other the supporting of 1 other Councillors by signatures or email.
- 3.4 Conflicts of interest may arise where Council is both the consent authority for development and has a commercial interest in development. This policy details the procedures to be implemented for managing conflicts of interest when assessing and determining Council-related DA's.

4. DEFINITIONS:

DA	Development Application
DAP	Development Assessment Process
Signatories	Mayor / Councillors
Council-related Development Application	Means development for which Council is the applicant, developer (whether lodged by or on behalf of Council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority.

Note: A word or expression used in this policy has the same meaning as it has within the Environmental Planning and Assessment Act 1979 and any instruments made under that Act, unless otherwise defined in this policy.

5. POLICY STATEMENT:

Planning Matters to be Reported to Council

- 5.1 Council shall be informed with regard to DA's and Section 4.55 modification applications planning matters in the following way:
- a) All current DA's lodged are publicly available and listed on the Council website via the DA Tracker.

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- b) A report is generated weekly of all new DA's lodged and this is circulated weekly via PS Newsletter to the Mayor/Councillors and other relevant internal staff.
- c) At any time prior to determination of a DA, the Mayor/Councillors may request that the application be reported to Council for determination by completing a Call to Council Form with ~~the 2 other supporting~~ support of 1 other Councillors by signature or email. If a completed Call to Council Form is submitted to Council prior to determination of the DA, a report will be forwarded to Council at the completion of the assessment.
- d) The Mayor/Councillors may withdraw their support for calling a planning matter to Council via email at any time, prior to being included in the Council business paper. This would result in the matter being able to be determined by Council officers under delegated authority unless further support is provided to a total of 2 signatories.

Mayor/Councillors who withdraw their support for calling a planning matter to Council must inform all other signatories of their withdrawal of support.

- e) DA's with a cost of works exceeding \$250,000, with the exception of infrastructure works within Council's road reserve, and Section 4.55(2) modification applications will be reported to Council where Council is the owner of the land on which the development is to be carried out or where the development is being carried out on behalf of Council. Where not reported to Council, those Council DA's with a cost of works of less than \$250,000 or for infrastructure works within a Council road reserve or Section 4.55(1A) modification applications, will be reported in the PS Newsletter prior to determination.
- f) DA's and Section 4.55 modification applications will be reported to Council where the application relates to the carrying out of development on Community land, other than where the proposed works comprise amenity buildings and structures such as; toilet facilities, playgrounds, small refreshment kiosks and the like.
- g) Section 4.55(2) modification applications where the original DA was determined by Council, will be reported to Council for determination.
- h) Councillors will be advised via PS Newsletter prior to the determination of Section 4.55(1A) modification applications where the original DA was determined by Council. In the event a Section 4.55(1A) modification application proposes an amendment to a condition moved on the floor of Council and approved by the Council, the application will be reported to the Council for determination.

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- i) DA's which would result in the removal of any trees or public assets on Council owned land, except where required for a driveway crossover, are to be reported to Council for determination.
- j) DA's with a Request to vary a Development Standard, which seeks to vary a development standard by greater than 10%, will be reported to Council for determination.
- k) The Group Manager, Development Services and/or Section Manager, Development Assessment & Compliance, at their discretion, may report any DA to Council for determination.

5.2 Council shall be informed with regard to planning proposals in the following way:

- a) A report is generated of all new planning proposals lodged and this is circulated via PS Newsletter to the Mayor/Councillors and other relevant internal staff.
- b) At any time prior to forwarding a planning proposals for Gateway determination, the Mayor/Councillor may request that the application be reported to Council for determination by completing a Call to Council Form with 2 other supporting the support of 1 other Councillors by signature or email . If a completed Call to Council Form is submitted to Council prior to forwarding a planning proposals for Gateway determination, a report will be forwarded to Council.
- c) The Group Manager, Development Services and/or Section Manager, Strategy and Environment, at their discretion, may report any planning proposal to Council.

Conflicts of interest policy for Council-related development

5.3 Only Council development assessment staff not involved with preparing a council-related DA or modification application will assess the application. The staff will remain separated from the project team for all Council-related DA's and modification applications.

5.4 The management controls outlined in the following table are to be applied to the assessment and determination of Council-related DA's and modification applications:

Development Type	Management Control
Council-related DA's with a cost of works less than \$250,000.	<ul style="list-style-type: none">DA to be assessed by Council staff.DA to be determined under delegated authority, unless otherwise called to Council in accordance with this policy.
Council-related DA's with a cost of works between \$250,000 and \$5 million.	<ul style="list-style-type: none">DA to be assessed by Council staff, unless involved in the project team or where a

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	<p>potential for a conflict of interest exists, where the DA will be assessed by a third party consultant.</p> <ul style="list-style-type: none"> DA to be reviewed by a third party consultant prior to determination if assessed by Council staff. DA to be determined by Council.
Council-related DA's with a cost of works greater than \$5 million.	<ul style="list-style-type: none"> DA to be assessed by Council staff. DA to be determined by the Hunter and Central Coast Regional Planning Panel.
Council-related S4.55(1A) S4.55(1) Modifications.	<ul style="list-style-type: none"> Application to be assessed by Council staff. Application to be determined under delegated authority, unless otherwise called to Council in accordance with this policy.
Council-related S4.55(2) Modifications.	<ul style="list-style-type: none"> Application to be assessed by Council staff. Application to be determined under delegated authority, unless otherwise called to Council in accordance with this policy or except as specified under Section 275 of the Environmental Planning and Assessment Regulation 2021, where the HCCRPP will be the consent authority.

5.5 The following types of development do not require management controls:

- Commercial fit outs and minor changes to building facades.
- Internal alterations and additions to buildings that are not a heritage item.
- Advertising signage.
- Minor building structures projecting from a building façade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services).
- Development where Council might receive a small fee for the use of their land.
- The installation of solar energy systems and small-scale battery systems in connection with an existing building.

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g) Temporary structures to be erected for a duration of 3 days or less and a cost of works less than \$10,000.

h) DA's with a cost of works less than \$250,000.

Identifying whether a potential conflict of interest exists and assessment of risk

5.6 DA or modification application for Council-related development is to be referred to the Development Planning Coordinator following lodgement of the application to undertake the following:

a) Assess whether the application is one in which a potential conflict of interest exists.

b) Determine what management controls should be implemented based on the identified conflict of interest having regard to the controls and strategies outlined in section 5.3 and 5.4 above.

c) Document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

6 POLICY RESPONSIBILITIES:

6.1 Development Services Group is responsible for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the Policy.

7 RELATED DOCUMENTS:

- 7.1 Development Control Plan
- 7.2 Environmental Planning & Assessment Act 1979
- 7.3 Department Planning and Environment (DPE) – Development Assessment Best Practice Guide – March 2017
- 7.4 Rezoning Request Policy
- 7.5 Community Engagement Strategy

CONTROLLED DOCUMENT INFORMATION:

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TRIM container No	PSC2013-00406	TRIM record No	20/349965
Audience	Elected Council, Public and Development Services		
Process owner	Manager Development Assessment & Compliance		
Author	Development Planning Coordinator Planning & Developer Relations		
Review timeframe	2 3 Years	Next review date	TBA
Adoption date	26/02/2002		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	26/2/2002	Group Manager Sustainable Planning	Original planning matters to be reported to Council policy.	048
2	23/6/2013	Manager Development Assessment and Compliance	Updated policy to Development applications to be reported to Council.	217
3	10/11/2015	Coordinator Planning and Developer Relations	Review and minor updates to policy.	339

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4	September 2018	Manager Development Assessment and Compliance	<p>Updated to new policy template to include paragraph numbering and update version control.</p> <p>3.3: Updated number of Councillors required to call a DA to Council to reflect the DPE Development Assessment Best Practice Guide.</p> <p>5.1.2: Modified mechanism to report weekly DA list to Mayor/Councillors.</p> <p>5.1.3: Updated requirements for Call to Council form.</p> <p>5.1.4, 5.1.5, 5.1.6, 5.1.7, 5.1.8: Included additional DA types to be reported to Council for determination.</p> <p>7.5 Inclusion of Department Planning and Environment (DPE) – Development Assessment Best Practice Guide.</p>	098
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5	10/11/2020	Manager Development Assessment and Compliance	<p>Review and update template to include: Updated title of policy to reflect inclusion of planning proposals into the policy. 1.2, 2.2 - Inclusion of new provisions to reflect inclusion of planning proposals into the policy. 2.1 - Clarify background and process of the policy. 3.3 -Amendment of existing provisions to reflect inclusion of planning proposals into the policy. 5.1 d) - Modified mechanism to report DA's and modification applications on Council land or where the works are to be undertaken on behalf of Council. 5.1 h) - Delete 'Clause 4.6 Variation Request' and replaced with 'Request to vary a Development'. 5.2: a), b) and c) – Added new paragraphs to clarify how Councillors will be informed with regard to planning proposals. 6.1 - Update responsible authority to reflect inclusion of planning proposals into the policy.</p>	237
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			7.1 Delete Sustainability Review – End to End Process. 7.3 Delete Work Practice Note: Development Assessment Process. 7.4 Added Rezoning Request Policy. 7.5 Added Community Engagement Strategy.	
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6	TBA	Manager Development & Compliance	<p>Added conflicts of interest policy for Council-related development throughout, including update to title of the policy.</p> <p>Updated position titles and section names throughout.</p> <p>2.1 – Deleted “and may require review in accordance with Council’s Development Assessment Process (DAP)”</p> <p>3.3 – deleted the explanation of the call to Council form process.</p> <p>4 – Added – definition of signatories to include Mayor/Councillors and definitions relevant to the conflicts of interest policy for Council-related development policy.</p> <p>5.1 – Added “In the event a Section 4.55(1A) modification application proposes an amendment to a condition moved on the floor of Council and approved by the Council, the application will be reported to the Council for determination.”</p> <p>5.1 – Added “The Mayor/Councillors may</p>	TBA
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Policy



			withdraw their support for calling a planning matter to Council via email at any time , prior to being included in the Council business paper". 5.1 - Updated the requirement for Councillor Call Up to be supported by 1 other Councillor and include email option throughout.	
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SUPPLEMENTARY INFORMATION

ITEM NO. 9

FILE NO: 22/328785
EDRMS NO: PSC2021-04195

DEVELOPMENT APPLICATION AWARENESS CAMPAIGN

REPORT OF: JANELLE GARDNER - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Development Application (DA) awareness campaign communication plan (**ATTACHMENT 1**) and commence the trial period.
- 2) Approves to create a criteria for advertising development applications lodged with Council weekly in the Port Stephens Examiner and locate the operational budget allocation to support this.



BACKGROUND

The purpose of this report is to provide information on Newspaper Notices. The report follows a Notice of Motion raised by Council at its 22 February 2022 meeting (**ATTACHMENT 2**).

ISSUES

The Notice of Motion of 22 February 2022 was incorrectly identified as '**ATTACHMENT 1**' and omitted from the Ordinary Council Agenda of 13 December 2022.

ATTACHMENTS

- 1) DA Awareness Campaign Communication Plan Final. [↓](#) 
- 2) Notice of Motion raised by Council at its 22 February 2022 meeting. [↓](#) 

Communications Plan

DA awareness campaign



Improving community awareness of development applications lodged with Council.



Introduction

In April 2020, changes to legislation in NSW no longer required Council to publish all Public Notices in print. This change was implemented to help Councils across NSW reduce costs, and redirect funds to higher priority services. At this time, Council reduced its print advertising, saving approximately \$63,000 in the first year. Council currently publishes Public Notices in print and/or online depending on the type of notice and the legislative requirements surrounding the communication of such notices as outlined in Councils Community Participation Plan.

Over the past two years, both Councillors and staff have received community feedback requesting that print advertising of development applications (DAs) be reinstated. Feedback has also referred to community members being unaware of DAs lodged with Council and open for submission.

As part of the newly developed Communications and Engagement Strategy 2022, Council continues to test and trial methods to increase opportunities for Port Stephens residents and business to contribute to broader decision making.

The DA awareness campaign is a new communications program aimed to increase the community's understanding of the development application process, DAs lodged with Council and how the community can register to be informed of and access information on DAs from both Council and the State Government.

The DA awareness program will initiate as a trial from 9 January 2023 to 30 June 2023. On completion of the trial the program will be evaluated and reported back to Council to determine whether the program remains a permanent part of Council's services.

Objectives



Create awareness and increase subscribers to the [new DA E-Subscription service](#)



[Raise awareness of development applications](#) lodged at Council through various channels



[Educate the community](#) on the development application process and the NSW Planning Portal

Scope

The DA awareness campaign includes:

- Development of a new E-subscription service
- Communication campaign for a new E-subscription service
- Weekly communication campaign through various channels
- Community education on DA process and NSW Planning Portal

This campaign raises awareness of development applications lodged by Council the previous week. This campaign does not form part of the formal notification periods as outlined in the Councils Community Participation Plan.

Audience profile

The DA awareness campaign have been developed considering a wide audience.



75,276

people

Median age of is 47 years



60 to 69

Most common age range



80%+

Australian population
own a smartphone*



79.6%

have internet access
from a dwelling (2016)



70 to 79

Largest age range
increase at 33.2%



40.1%

finished year 12

33.1%

finished year 10 or above

Communication methods

Communication methods consider the two elements of the DA awareness campaign:

1. Awareness raising of the new E-Subscription service
2. Awareness raising of development applications lodged at Council
3. Community education on DA process and NSW Planning Portal

Communication methods	
DA E-subscription service	
<ul style="list-style-type: none"> • Media release • Social media (organic) • Paid social media • Newspaper advertisements – existing notices • Your Port Rates notices • Council website page 	<ul style="list-style-type: none"> • On hold messaging • Administration building TV notification • Poster at Council venues • Your Port E-Newsletter • Biz Link E-Newsletter
DA weekly awareness	
<ul style="list-style-type: none"> • Weekly social media (organise and paid) • Weekly newspaper advertisements (½ to full page) • Weekly E-subscription service 	
Community education	
<ul style="list-style-type: none"> • Video series of DA process and NSW Planning Portal • Social media (organic) • Your Port E-newsletter 	



Key messaging

General

- Our newly developed Communications and Engagement Strategy aims to increase opportunities for Port Stephens residents and business to have input into our decision making.
- Our community have informed us they would like information about development applications reinstated in the newspaper for residents without internet access.
- To complement our current development application notification requirements under NSW legislation and our Community Participation Plan, we are trialing a new approach to make sure our community is aware of what development applications have been lodged with us.
- Our new approach will be trialed from 9 January to 30 June 2022 to make sure it is meeting both Council and community needs before we make this a permanent approach for the future.
- The DA awareness campaign is a new communications program aimed to increase the community's understanding of the development application process, DAs lodged with Council and how the community can register to be informed of and access information on DAs from both Council and the State Government.

- The DA awareness campaign trial is externally funded through the NSW Governments Faster Local Assessment Grant Program.

DA E-Subscription service

- We have a new service in place to help keep you informed of development applications lodged with Council.
- Sign up to our E-subscription service to receive a weekly email informing you of the development applications lodged with Council the previous week.
- The E-Subscription service will list the development application lodged the previous week and give you direct links to application information and where you can provide feedback.
- Register for the new E-subscription service by visiting portstephes.nsw.gov.au or calling our us on 4988 0255

DA weekly awareness

- We want to make sure you are aware of the development applications lodged last week.
- For more information visit Councils DA Tracker at datracker.portstephes.nsw.gov.au or contact 49880255.



Key risks

Risk	Mitigation strategy
Community and staff perception on reversing previous decision to remove newspaper advertisement notification of development applications.	<ul style="list-style-type: none"> • Clear messaging relating to recently adopted Communications and Engagement Strategy • Clear messaging in campaign about community feedback received. • Clear messaging in campaign about the new approach complementing the formal notification process, not replacing it.
Community and staff perception of increased budget for awareness campaign in current financial environment.	<ul style="list-style-type: none"> • Clear messaging in campaign about community feedback received. • Clear messaging in campaign about the trial being externally funded.
New E-subscription service isn't accessible for community members not comfortable with or without technology or internet	<ul style="list-style-type: none"> • Inclusion of the weekly ½ or full page advertisement in campaign methods informing community of development application lodged the previous week
Community not satisfied that weekly newspaper advertisement doesn't form part of the notification process.	<ul style="list-style-type: none"> • Clear messaging in campaign about the new approach complementing the formal notification process, not replacing it.
Community expectation the campaign becomes a permanent service delivered by Council	<ul style="list-style-type: none"> • Clear messaging the campaign is a trial • Evaluation report outlining the campaigns success.
Community education campaign is complex and technical	<ul style="list-style-type: none"> • Simple messaging with use of video and images where possible

Key milestones

Milestone	Date
DA awareness campaign trial commences	9 January 2023
E-subscription service launched	9 January 2023
DA awareness campaign trial concludes	30 June 2023
Evaluation report completed	14 July 2023
Report to Council	22 August 2023

Budget

Budget item	Budget
DA E-subscription service	
• DA E-subscription service development and subscription	\$7,880*
• Paid social media advertising	\$1,000*
DA weekly awareness	
• Option 1 - Weekly newspaper advertisement – all DAs lodged (½ page)	\$29,625
• Option 2 – Weekly newspaper advertisement – DAs above certain criteria) (1/4 page)	\$15,500
• Paid social media posts (25 weeks)	\$1,220*
TOTAL (option 1 inclusive)	\$39,725
TOTAL(option 2 inclusive and recommended)	\$25,600
External funding*	\$10,000
Internal funding	\$15,600



Success criteria



10% increase in visits to development applications on exhibitions webpage and DA Tracker



Minimal negative community feedback on awareness campaign



High reach across communications methods



1,500 subscribers to DA E-subscription service during trial period


Action plan

Activity	Date
DA awareness campaign commenced	9 January 2023
DA E-Subscription	
Updated Council web page live	9 January 2023
Media release distributed	9 January 2023
Organic social media post	9 January 2023
Paid social media	9 January 2023, 3 April 2023
Posters distributed	9 January 2023
Administration building TV screen slide uploaded	9 January 2023
On hold messaging live	9 January 2023
Newspaper advertisement (existing notices)	12 January 2023
E-Newsletters articles distributed	14 January 2023
Your Port article	January and April notices
DA weekly awareness	
Weekly newspaper advertisement	Weekly 12 January 2023 – 29 June 2023
Weekly social media post	Weekly 12 January 2023 – 29 June 2023
Weekly E-Subscription email distributed (automated)	Weekly 12 January 2023 – 29 June 2023
Community education	
Education series developed	3 February 2023
Education series promoted through various channels	6 February 2023 – 29 June 2023
Evaluation report completed	14 July 2023
Business paper report to Council	22 August 2023





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**ITEM 9 - ATTACHMENT 2 NOTICE OF MOTION RAISED BY COUNCIL AT ITS
22 FEBRUARY 2022 MEETING.**

MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022

NOTICE OF MOTION

ITEM NO. 2

FILE NO: 22/45926

EDRMS NO: PSC2021-04195

NEWSPAPER NOTICES

COUNCILLOR: LEAH ANDERSON

THAT COUNCIL:

- 1) Notes that on 30 April 2020, by “operational decision”, the General Manager directed that advertisement of community notices, including Development Applications, be removed from the Port Stephens Examiner.
- 2) Agrees that this should not have occurred, considering the older demographic in Port Stephens, and those less fortunate than others, who rely on public information appearing in the free local newspaper to stay informed.
- 3) Requests a report from the General Manager:
 - a) Outlining savings since 30 April 2020, by ceasing the purchasing of a full page advertisement in the Port Stephens Examiner
 - b) Outlining the number of editions of the Port Stephens Examiner printed since then, and details about the size and cost of Council's advertising in each of those editions.
 - c) Outlining the cost of both a half page, and a full page advert in each weekly edition of both the Port Stephens Examiner and Port Stephens News of the Area, which is to be gained through a written quote from each publication.
 - d) Providing a report and a recommendation as to whether Council should re-commence advertising in the Port Stephens Examiner and extend it to Port Stephens News of the Area

**ORDINARY COUNCIL MEETING - 22 FEBRUARY 2022
MOTION**

055	Councillor Leah Anderson Councillor Giacomo Arnott It was resolved that Council: 1) Notes that on 30 April 2020, by “operational decision”, the General Manager directed that advertisement of community notices, including Development Applications, be removed from the Port Stephens Examiner.
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**ITEM 9 - ATTACHMENT 2 NOTICE OF MOTION RAISED BY COUNCIL AT ITS
22 FEBRUARY 2022 MEETING.**

MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022

	<p>2) Agrees that this should not have occurred, considering the older demographic in Port Stephens, and those less fortunate than others, who rely on public information appearing in the free local newspaper to stay informed.</p> <p>3) Requests a report from the General Manager:</p> <p>a) Outlining savings since 30 April 2020, by ceasing the purchasing of a full page advertisement in the Port Stephens Examiner</p> <p>b) Outlining the number of editions of the Port Stephens Examiner printed since then, and details about the size and cost of Council's advertising in each of those editions.</p> <p>c) Outlining the cost of both a half page, and a full page advert in each weekly edition of both the Port Stephens Examiner and Port Stephens News of the Area, which is to be gained through a written quote from each publication.</p> <p>d) Providing a report and a recommendation as to whether Council should re-commence advertising in the Port Stephens Examiner and extend it to Port Stephens News of the Area</p>
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Councillor Peter Francis left the meeting at 8:22pm.

Councillor Peter Francis returned to the meeting at 8:25pm.

The motion was carried.

**BACKGROUND REPORT OF: JANELLE GARDNER – COMMUNICATIONS
SECTION MANAGER**

BACKGROUND

Port Stephens Council is home to 74,506 people with a median age of 45 years. As part of Council's commitment to engaging and informing the local community, Council publishes Public Notices in print and/or online depending on the type of notice and the legislative requirements surrounding the communication of such notices.

In April 2020, changes to legislation in NSW no longer required Council to publish all Public Notices in print. This change was implemented to help Councils across NSW reduce costs, and redirect funds to higher priority services. This period also coincided with the Covid-19 pandemic; which placed significant financial constraints on the

ITEM 9 - ATTACHMENT 2 NOTICE OF MOTION RAISED BY COUNCIL AT ITS 22 FEBRUARY 2022 MEETING.

MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022

organisation. At this time, Council reduced its print advertising; saving approximately \$63,000 in the first year.

The Port Stephens Examiner is part of the Australian Community Media Group and is published every Thursday. The paper has an average readership of 28,630. The Port Stephens News of the Area has a circulation of approximately 10,000.

The Port Stephens Examiner continues to increase its online presence and as at February 2022, has a digital readership of 36,837. News of the Area has approximately 8,000 followers on Facebook.

Although Port Stephens has a higher population of older residents, data indicates that 79.6% of the Port Stephens population have internet access available from their dwelling (Remplan 2022). Based on the data, and an analysis of costs surrounding distribution and readership, the following changes were implemented in April 2020:

- Reduce the size of print advertising
- Remove the weekly advertising of Development Applications from print media
- Email or mail distribution of Public Notices to community members who can only access information in specific formats
- Distribute hard copies of all public notices to all Council libraries for public display each week.

Since this time, Council has continued to advertise a range of public notices and general information to the community. From 30 April 2020 to 30 January 2022, 91 editions of the Port Stephens Examiner have been printed. Port Stephens Council has advertised in 80 of these editions with a total of 155 individual advertisements at a cost of \$116,745.

More recently, Council has reviewed opportunities to increase advertising in local print publications, however, costs for print advertising remain high. Based on current advertising rates, a full page advertisement in the Port Stephens Examiner is estimated at \$162,000 per year and a half page \$81,224 per year, whilst the Port Stephens News of the Area is estimated at \$109,200 per year for a full page advertisement, and \$65,884 for a half page advertisement.

By reducing the scale of print advertising since April 2020, Council has made savings of approximately \$200,000. Savings made have been redirected into projects which deliver long term communication outcomes, including the upgrade of the public website, our Integrated Engagement Program and an increased digital presence.

As part of the development of a new Communications and Engagement Strategy, Council continues to test and trial methods to increase opportunities for Port Stephens residents and business to contribute to broader decision making.

A key element of this program will be increasing the community's understanding of the Development Application (DA) process and communicating how they can register

ITEM 9 - ATTACHMENT 2 NOTICE OF MOTION RAISED BY COUNCIL AT ITS 22 FEBRUARY 2022 MEETING.

MINUTES ORDINARY COUNCIL - 22 FEBRUARY 2022

for notifications and access information on DAs from both Council and the State government. As part of this, from March 2022, the following actions will be trialed:

- Individual advertising of DAs on exhibition via social media including paid boosts for residents within the locality of the proposed development
- General advertising of weekly DAs approved via social media
- Paid social media awareness campaign to encourage a greater understanding of the DA process and NSW Planning Portal
- Regular communications via social media, newsletters and other communications platforms on the opportunities for residents to submit feedback on developments.

Council's Communications and Engagement Team is currently investigating paid social media advertising on local news platforms (including News of the Area and Port Stephens Examiner) to increase online readership and engagement across the community.

If Council was to recommence advertising in the Port Stephens Examiner and extend this to the Port Stephens News of the Area, it is estimated that an additional \$174,000 would be required to secure a weekly full page advertisement in both publications. This would have a significant impact on the Communications and Customer Experience budget, and reduce Council's ability to engage via digital platforms with a broader cross section of the community.

As such, Council officers suggest the following processes be implemented:

- 1) Maintain the current process for print advertising of Public Notices.
- 2) Implement new strategies to increase awareness and engagement with the community on the notification of DAs.
- 3) Engage with local print media to seek opportunities for increasing awareness through their digital platforms.

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.