

MINUTES – 22 AUGUST 2023



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 22 August 2023, commencing at 5:43pm.

PRESENT:

In Person

Cr Leah Anderson
Cr Giacomo Arnott - Chairperson
Cr Chris Doohan
Cr Glen Dunkley arrived at 6:05pm
Cr Peter Francis
Cr Peter Kafer
Cr Steve Tucker
Cr Jason Wells
General Manager
Acting Corporate Services Group Manager
Development Services Group Manager
Facilities and Services Group Manager
Governance Section Manager

ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION

001	Councillor Peter Kafer Councillor Peter Francis It was resolved that the apology from Mayor Ryan Palmer be received and noted and note Cr Matthew Bailey was granted leave of absence on 8 August 2023.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

002	Councillor Jason Wells Councillor Peter Francis It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council held on 8 August 2023 be confirmed.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

	Cr Glen Dunkley declared a less than significant non-pecuniary conflict of interest in Item 4 (1)(b). The nature of the interest is Cr Dunkley works with the Northern Hawks in his role with the Nelson Bay Junior Rugby League. Cr Dunkley advised there was no personal advantage from this item. Cr Peter Francis declared a significant non-pecuniary conflict of interest in Item 4 (1)(c). The nature of the interest is Cr Francis is the district Governor for District 201N3 of Lions Clubs International, and the Lions Club of Tilligerry is within his district. All Lions Clubs are autonomous Incorporated Associations, however, the mere fact that Cr Francis has administrative responsibility for the district could give the impression of a conflict.
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MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

Cr Leah Anderson moved to introduce a matter of urgent business under clause 9.3 of the Code of Meeting Practice.

The motion was granted by the Chairperson.

ORDINARY COUNCIL MEETING - 22 AUGUST 2023 MOTION

003	Councillor Leah Anderson Councillor Peter Kafer It was resolved that Council: 1) Notes that there is an urgent homelessness problem across Port Stephens. 2) Notes that Council is regularly replacing cabins at Council-owned Holiday Parks to improve amenity and improve safety. 3) Notes that the old cabins being replaced could be repurposed to provide housing for homeless people in Port Stephens. 4) Agrees to investigate using the old cabins to accommodate homeless people, potentially in collaboration with NSW and Federal Government agencies and/or social housing providers. This investigation should include detailed discussions with these agencies, providers and Council internally to identify land to put the cabins, and who could operate them. 5) Agrees that the investigation should result in a report to Council and should return to the Council no later than at the 10 October 2023 Council meeting. 6) Agrees to pause the disposal, removal, destruction, sale or any other process that would see liveable cabins leaving Council's ownership, until the above report is provided to the Council and a decision is made on how to proceed.
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Cr Giacomo Arnott moved the following inclusion to item 4 of the motion, which was accepted by the mover and seconder, and merged into the original motion:

- 4) Agrees to investigate using the old cabins to accommodate homeless people, potentially in collaboration with NSW and Federal Government agencies and/or social housing providers. This investigation should include detailed discussions with these agencies, providers **and Council internally** to identify land to put the cabins, and who could operate them.

Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

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DECLARATION OF INTEREST

ORDINARY COUNCIL - 22 AUGUST 2023



Declaration of Interest form

Agenda item No. 4

Report title Financial Assistance

Mayor/Councillor Dunkley declared a

Tick the relevant response:

☐	pecuniary conflict of interest
☐	significant non pecuniary conflict of interest
☒	less than significant non- pecuniary conflict of interest

in this item. The nature of the interest is I work with Northern Hawks in my role with Nelson Bay Junior 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.)

I gain no personal advantage from this item

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.



Declaration of Interest form

Agenda item No. 1. 4 (1c)

c) Lions Club of Tilligerry Peninsula – Cr Steve Tucker – Rapid response - \$500 donation towards the 2023 Literature Awards

	pecuniary conflict of interest
X	significant non pecuniary conflict of interest
	less than significant non- pecuniary conflict of interest

in this item. The nature of the interest is _ I am the district Governor for District 201N3 of Lions Clubs International, and the Lions Club of Tilligerry in within my district.

All Lions Clubs are autonomous Incorporated Associations, however the mere fact that I have administrative responsibility for the district could give the impression of conflict.

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 6.19 pm.

Mayor/Councillor returned to the Council meeting at 6.27 pm.

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: 23/197764
EDRMS NO: PSC2017-00937

MOTION TO CLOSE

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION:

- 1) That pursuant to section 10A(2) (c) of the Local Government Act 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely **Proposed Closure and Sale of Part of Old Punt Road, Tomago**.
- 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
 - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- 3) That the report remain confidential and the minute be released in accordance with Council's resolution.

ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION

004	Councillor Leah Anderson Councillor Jason Wells It was resolved that Council: 1) That pursuant to section 10A(2) (c) of the Local Government Act 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely Proposed Closure and Sale of Part of Old Punt Road, Tomago. 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing: • information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 3) That the report remain confidential and the minute be released in accordance with Council's resolution.
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MINUTES ORDINARY COUNCIL - 22 AUGUST 2023
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 23/154443
EDRMS NO: 16-2023-39-1**

**DEVELOPMENT APPLICATION 16-2023-39-1 FOR A BOUNDARY ADJUSTMENT
AT 430 CLARENCE TOWN ROAD, WOODVILLE**

REPORT OF: EVERT GROBBELAAR - DEVELOPMENT AND COMPLIANCE
SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Refuse Development Application DA No. 16-2023-39-1 for the reasons contained in **(ATTACHMENT 1)**.
-

**ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION**

005	Councillor Giacomo Arnott Councillor Peter Kafer It was resolved that Council refuse Development Application DA No. 16-2023-39-1 for the reasons 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: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, 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 present Development Application (DA) 16-2023-39-1 for a 14 into 14 lot boundary adjustment at 392 to 430 Clarence Town Road, 24 to 70 Wallalong Road and 83 Clarence Street, Wallalong.

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

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

Subject Land:	The subject site comprises a total of 14 allotments, which are legally identified as Lots 4 and 7 in DP 1007, Lots 2 to 11 in DP 1257, Lot 579 in DP 1209777 and Lot 580 in DP 1160616. The lots are known as 392 to 430 Clarence Town Road, 24 to 70 Wallalong Road and 83 Clarence Street, Wallalong.
Total Area:	255.75ha
Zoning:	RU1 Primary Production
Submissions:	7
Key Issues:	They key issues relating to the proposed development include heritage impact, fragmentation of rural land, land use conflicts, inconsistency with the objectives of Clause 4.1E of the PSLEP 2013, public interest and insufficient information
Reasons for Refusal:	• The development is not a boundary adjustment. • The development is inconsistent with the Zone RU1 Primary Production zone objectives. • The development would create the opportunity for additional dwellings contrary to the objectives of Clause 4.1E of the PSLEP 2013. • The development would create the potential for land use conflict and would have an adverse impact on the agricultural viability of the land. • The application provides insufficient information with respect to bushfire planning, heritage impact and servicing.

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 Councillors Arnott and Francis (**ATTACHMENT 2**).

A locality plan is provided at (**ATTACHMENT 3**).

Proposal

The proposed development seeks to undertake a 14 into 14 lot boundary adjustment between Lots 4 and 7 in DP1007, Lots 2 to Lot 11 in DP1257, Lot 579 in DP1209777 and Lot 580 in DP1160616. A plan of the proposed boundary lot adjustment is provided below. The proposed boundary adjustment seeks to create the following allotments:

- Proposed Lot 1 – 4,000m²
- Proposed Lot 2 – 4,500m²
- Proposed Lot 3 – 4,500m²
- Proposed Lot 4 – 4,500m²
- Proposed Lot 5 – 4,313m²
- Proposed Lot 6 – 4,939m²
- Proposed Lot 8 – 4,509m²
- Proposed Lot 9 – 4,503m²
- Proposed Lot 10 – 60.06 hectares (ha)
- Proposed Lot 11 – 57.12 ha
- Proposed Lot 12 – 48.76 ha
- Proposed Lot 13 – 42.58 ha

- Proposed Lot 7 – 4,516m²
- Proposed Lot 14 – 43.7 ha

Site Description and history

The subject site is located in the suburb of Woodville and zoned RU1 Primary Production under the PSLEP 2013. The subject site comprises a total of 14 allotments, which are legally identified at the time of lodgement as Lots 4 and 7 in DP 1007, Lots 2 to 11 in DP 1257, Lot 579 in DP 1209777 and Lot 580 in DP 1160616. The lots are known as 392 to 430 Clarence Town Road, 24 to 70 Wallalong Road and 83 Clarence Street, Wallalong. The entire site comprises an area of approximately 256 hectares and the individual lots are generally irregular in shape.

The land immediately adjoining the site to the north, south and west is RU1 zoned and supports various agricultural activities. The land immediately adjoining Lot 579 to the east of the site is zoned RE1 Public Recreation, and R2 Low Density Residential, supporting residential dwellings.

Within the subject site, Lot 4 and Lot 7 of DP 10074, and Lot 579 of DP1209777 contain existing residential dwellings, farm buildings, sheds and outbuildings. The remainder of the lots do not contain development and are primarily utilised for agricultural purposes. The majority of the overall site is heavily constrained by flooding, and the eastern area of the site is in close proximity to the heritage listed item 'Wallalong House'.

Key Issues

The key issues identified during the assessment relate to heritage impact, fragmentation of rural land, land use conflicts, inconsistency with the objectives of Clause 4.1E of the PSLEP 2013, public interest and insufficient information. A detailed assessment of the proposed development and these matters is contained within the Planners Assessment Report (**ATTACHMENT 4**).

Zone Objectives

The proposal seeks a boundary adjustment for land in the RU1 Primary Production zone. In accordance with Clause 4.1E of the PSLEP 2013 (boundary adjustment clause), any boundary adjustment must achieve the relevant zone objectives. The RU1 Primary Production zone objectives are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- To encourage diversity in primary industry enterprises and systems appropriate for the area
- To minimise the fragmentation and alienation of resource lands
- To minimise conflict between land uses within this zone and land uses within adjoining zones
- To facilitate a variety of tourist and visitor-orientated land uses that complement and promote a stronger rural sector appropriate for the area.

The proposal fails to demonstrate that the proposal will not create land use conflicts between rural and rural residential uses, or that the proposal would not impact agricultural viability. As outlined in the Planners Assessment Report (**ATTACHMENT 4**), it is concluded that the proposed development does not adequately consider the impacts on the rural landscape character of the site and surrounding context. The proposal does not consider the potential to fragment rural land and the land use conflicts that may arise as a result of the proposal and the future intention of the land.

Clause 4.1E - Boundary Adjustment

The objective of Clause 4.1E is to facilitate boundary adjustments between lots where 1 or more resulting lots do not meet the minimum lot size requirements, but where the objectives of the relevant zone can still be achieved. Should a development fail to satisfy the objectives and preconditions of Clause 4.1E, the application is not considered a 'boundary adjustment'.

Clause 4.1E(3) restricts a boundary adjustment occurring if the subdivision creates the opportunity for additional dwellings. In order to consider this test, an analysis of whether the existing allotments currently have the opportunity for dwellings is outlined in the Planners Assessment Report (**ATTACHMENT 4**), noting that the existing allotments have significant flood constraints. The assessment concluded 10 of the lots that form part of the proposal are completely impacted by a High Hazard Floodway with limited safe flood egress opportunities. By virtue of B5.6 of the Port Stephens Development Control Plan (DCP) 2013 restricting residential dwellings in High Hazard Floodway areas, 10 of the lots currently have no opportunities to construct a dwelling. Giving more weight to this assessment is the fact Council previously refused a development application for a dwelling on Lot 2 in DP 12579 (DA 16-2013-727-1). The dwelling was refused as the subject land is located entirely in the Floodway and Excessive Depth Floodplain Management Zone. Due to the risk associated with velocities and peak depth, which poses a risk to structures and the safety of persons the land, Lot 2 in DP 12579 was deemed unsuitable for residential development.

Therefore, if a development application was lodged for these 10 existing allotments, a dwelling would unlikely be supported on flooding grounds. In this regard, at least 10 existing lots appear to not have any existing opportunity for a dwelling. The proposal by virtue of creating additional flood free allotments therefore creates the 'opportunity for additional dwellings', and therefore does not satisfy the test for Clause 4.1E (3)(a) and (3)(b). Moreover, the proposed development fails to accord with the remaining provisions of Clause 4.1E (3) and (4) in terms of land use conflicts, compatibility of the development with adjoining land and impacts to the agricultural viability. These matters are outlined in detail within the Planners Assessment Report (**ATTACHMENT 4**).

Heritage Impact

The site is located immediately adjacent to Lot 577 of DP864399 (76 Wallalong Road, Wallalong), which is identified in PSLEP 2013 as a Heritage item of local significance, namely I107 - “Wallalong House”, including stables, outbuildings, gardens and landscape setting’. Located further east is heritage item I105 “Wallalong/Bowthorne War Memorial” which is also of local significance. An Aboriginal Heritage Information Management System (AHIMS) search also found 1 Aboriginal site recorded in or near the site location.

The applicant was requested to provide a Heritage Impact Assessment and Visual Impact Assessment for the proposed development to identify potential impacts of the proposal on nearby items of significance. Specifically, consideration of the impact of future dwellings on proposed Lots 1 to 9 was requested, noting that these lots are located in close proximity to Wallalong House. The location of these allotments, and their future dwellings are anticipated to have significant visual impacts to the rural outlook currently available to Wallalong House and associated curtilage. The rural vistas and views to the river are anticipated to form part of the heritage significance of Wallalong House. However, as noted in the Planners Assessment Report **(ATTACHMENT 4)**, there is insufficient information included in the application to undertake more of a detailed assessment in this regard.

An Aboriginal Due Diligence Assessment was also requested to assess the potential impact to Aboriginal sites surrounding the proposal area. This information has also not been provided by the applicant.

Accordingly, impacts to Aboriginal archaeology, heritage items and curtilage have not been considered in the proposed development and subsequently, the development is not considered to have met the objectives and requirements of Clause 5.10 (Heritage Clause) of the PSLEP 2013.

Fragmentation of rural land and future land use conflicts

The site is identified as State Significant Agricultural Land (SSAL) on the Draft SSAL Map prepared by the NSW Department of Primary Industries. This includes the area proposed for Lots 1 to 9. Accordingly, around 4 hectares of potential SSAL is impacted by the proposed boundary adjustment. In addition, it appears that the proposal would result in the smaller lots being located on a flood free area of the existing holdings, therefore creating implications including the removal of a flood refuge area for livestock. As noted previously, based on flooding, it is not considered likely that the majority of existing allotments would gain consent for a dwelling, due to the flooding constraints. Accordingly, the proposal will have the effect of creating additional dwellings in the locality, which has the potential to create land use conflicts. A Land Use Conflict Risk Assessment (LUCRA) was requested but not provided to address air quality due to agricultural and rural industries near residential lots, harassment of livestock from domestic animals, impacts between proposed dwellings and Wallalong House. Based on the available information, it is considered

likely that the proposal will result in the fragmentation of rural land and will result in detrimental impact to the existing surrounding agricultural uses.

Accordingly, the proposed development fails to address impacts on rural land and the applicant has provided no studies or information in this regard. The proposal has the potential to fragment rural land, but also to create land use conflicts between future residential dwellings and agricultural uses.

Public Interest

The proposed development is not considered to be in the public interest, particularly noting the inconsistency with the applicable statutory planning provisions and Council plans and strategies. The proposal does not sufficiently consider the impacts on the rural landscape character of the site and surrounding context. The proposal results in smaller residential lots within an area characterised by large rural lots, which is inconsistent with the character of the area and may result in the fragmentation of rural land. This adversely impacts the surrounding agricultural land and may detrimentally impact the character and future use of this land. As such, the objectives of the zone have not been met. Furthermore, as the potential impacts to the identified Aboriginal item and existing heritage items and curtilage has not been adequately considered by the applicant, it is unknown if the impacts will be detrimental in this regard.

Conclusion

The proposed development fails to satisfy the objectives contained of RU1 zoned land and is inconsistent with the provisions of Clause 4.1E of the PSLEP 2013. The proposal is out of character with the large rural lots currently located on site, has the potential to result in the fragmentation of rural land, and results in the loss of land currently utilised for agricultural purposes. The proposal may result in land use conflict between the existing rural land and proposed rural residential lots (Lots 1 to 9). The residential development is not considered compatible given the current circumstances of the land and surrounding areas, and may result in unacceptable impacts to the current agricultural use of the land. This directly contradicts the objectives of the zone to minimise conflict of land uses within the zone.

In addition, insufficient information has been provided to assess potential impacts to surrounding heritage items and curtilage including an assessment against potential impacts to the Aboriginal site recorded near the site area and Wallalong House. The applicant has failed to provide sufficient information to demonstrate the proposed suitability of the proposal on the site, and how potential impacts to the existing character of the land will be reduced. In this regard, the site is not deemed suitable for the proposed development.

On this basis, the proposed development is not recommended for approval as outlined in the Planners Assessment Report (**ATTACHMENT 4**) and Reasons for Refusal (**ATTACHMENT 1**).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Strong economy, vibrant local businesses, active investment	Support sustainable business development in Port Stephens

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, POLICY AND RISK IMPLICATIONS

The proposed development is inconsistent with the relevant planning instruments including the EP&A Act, PSLEP 2013, and DCP 2014. A detailed assessment against these requirements and provisions is contained within the Planners Assessment Report provided at (**ATTACHMENT 4**). Based on the recommendation by Council staff, the determination of the DA may be challenged by the applicant in the Land and Environment Court.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the DA is refused, the determination of the DA may be challenged by the applicant in the Land and Environment Court.	High	Determine the DA against the recommendation and reasons for refusal. It is within Councils resources to defend such an appeal in the Land and Environment Court.	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	Determine the DA in line with the recommendation and reasons for refusal.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social and Economic Impacts

Future dwellings on proposed Lots 1 to 9 are likely to be out of character with the area and would not adequately meet the objectives of the zone. In addition, the proposed development is likely to result in the fragmentation of rural lands. The future dwellings intended on Lots 1 to 9 have the potential to result in creating land use conflict between the existing agricultural use and future residential use. This therefore has the potential for adverse social and economic impact to existing surrounding agricultural uses.

Impacts on the Built Environment

The proposed development does not involve the development of dwellings however, the intended future development of Lots 1-9 is for residential dwellings and associated structures. The proposal has the potential to result in visual impacts to the existing adjoining heritage item, existing adjoining residents and the rural character of the area that have not been addressed in the application.

Impacts on the Natural Environment

The proposed development fails to demonstrate there will be no adverse impacts to the natural environment. Contaminated land investigations have not been provided, therefore it has not been determined whether the land is contaminated and suitable for the intended use. Additionally, details of water quality treatment have not been provided. Numerous waterways occur on site, which drain to Paterson River, therefore this detail is required to demonstrate there will be no adverse impacts on nearby waterways or marine ecosystems.

CONSULTATION

Internal

Consultation was undertaken with Council's Development Engineering, Environmental Health and Natural Systems Teams as part of the assessment. The referral comments provided by these officers are discussed within the Planners Assessment Report (**ATTACHMENT 4**). The proposed development was not supported by Council's Development Engineering and Environmental Health Teams.

External

Consultation was undertaken with external agencies, including the Rural Fire Service (RFS) and Ausgrid. The referral comments and advice from these agencies have been considered as part of the assessment and are discussed in detail within the Planners Assessment Report (**ATTACHMENT 4**).

Rural Fire Service

The application was referred to the NSW Rural Fire Service under Clause 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The proposal requires authorisation under Section 100B of the Rural Fires Act in respect of bush fire safety for subdivision of land that could lawfully be used for residential or rural residential purposes. RFS noted the application could not be supported based on the information provided and additional information was requested relating to the appropriateness of the increased residential density in the area, and details of emergency vehicle access for the site.

The matters requiring additional information from RFS were provided in detail to the applicant, and the requested additional information was not provided. Accordingly, the subdivision has not been issued a Bushfire Safety Authority and the development fails to demonstrate site suitability in terms of bushfire safety.

Ausgrid

The application was referred to Ausgrid due the proposed connection to the Ausgrid network. Ausgrid provided standard advice in relation to the electricity connection, underground mains and electricity easements.

Notification

The application was exhibited from 29 March 2023 to 12 April 2023 in accordance with the Port Stephens Council Community Participation Plan. Seven (7) objections against the development application were received during the exhibition period. The objections are addressed in detail within Planners Assessment Report **(ATTACHMENT 4)**.

OPTIONS

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

ATTACHMENTS

- 1) Reasons for Refusal.
- 2) Call to Council form.
- 3) Locality Plan.
- 4) Planners Assessment Report. (Provided under separate cover)

COUNCILLORS ROOM

- 1) Development Plans.
- 2) Unredacted submissions.

Note: Any third party reports referenced in this report can be inspected upon request.

TABLED DOCUMENTS

Nil.

ITEM 1 - ATTACHMENT 1 REASONS FOR REFUSAL.**ATTACHMENT 1 - REASONS FOR REFUSAL**

1. The proposal is inconsistent with the provisions of Clause 4.1E of the Port Stephens Local Environmental Plan 2013, (s4.15(1)(a)(i) EP&A Act) as it:
 - a) is not a boundary adjustment;
 - b) is inconsistent with the Zone RU1 Primary Production zone objectives;
 - c) would create the opportunity for additional dwellings;
 - d) would create the potential for land use conflict; and
 - e) would have an adverse impact on the agricultural viability of the land.
2. The proposed development is inconsistent with the provisions of Clause 4.1E(3)(a) and Clause 4.1E(3)(b) of the Port Stephens Local Environmental Plan 2013, as it would create the opportunity for additional dwellings. The existing allotments are significantly impacted by flooding constraints, and have no opportunity for dwellings (s4.15(1)(a)(i) EP&A Act).
3. Proposed Lots 1-9 do not comply with the minimum allotment sizes specified by Clause 4.1 of the Port Stephens Local Environmental Plan 2013. The proposed subdivision is excluded from seeking a variation to this development standard in accordance with Clause 4.6 of the Port Stephens Local Environmental Plan 2013 (s4.15(1)(a)(i) EP&A Act).
4. The proposed development is integrated development in accordance with Section 100B of the Rural Fires Act 1997. A Bushfire Safety Authority has not been provided from the NSW Rural Fire Service due to insufficient information being provided to address Planning for Bushfire Protection 2019 (s4.47 and s4.15(1)(c) EP&A Act).
5. There is currently insufficient information to determine whether the proposal is integrated development in accordance with the National Parks and Wildlife Act 1974. The development is on land that may support an identified Aboriginal Place, and the submitted application does not contain an Aboriginal Due Diligence report to verify this impact (s4.47, s4.15(1)(b) and s4.15(1)(c) EP&A Act).
6. The proposed development has not addressed impacts to nearby heritage items and curtilage in any detail. In particular, impact to *1107 – Wallalong House, including stables, outbuildings, gardens and landscape setting*. A detailed assessment of the development on potential impacts to heritage significance, as well as visual impacts, was not provided (s4.15(1)(a)(i), s4.15(1)(b) and s4.15(1)(c) EP&A Act).
7. The application does not include sufficient information to adequately consider the proposal in accordance with the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021. The proposal is within the Coastal Environment Area and Coastal Use Area, and has not demonstrated consistency with Clause 2.10 and 2.11 (s4.15(1)(a)(i), s4.15(1)(b) and s4.15(1)(c) EP&A Act).
8. The application does not include sufficient information to adequately consider the proposal in accordance with Section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021. The application does not include sufficient information to determine whether the land is contaminated, is in a suitable state

ITEM 1 - ATTACHMENT 1 REASONS FOR REFUSAL.

despite contamination, or requires remediation to be made suitable for the proposed development (s4.15(1)(a)(i), s4.15(1)(b) and s4.15(1)(c) EP&A Act).

9. The application does not include sufficient information to adequately consider the proposal in accordance with Clause 7.1 and 7.2 the Port Stephens Local Environmental Plan 2013. There is insufficient information to determine the extent of earthworks required to facilitate the proposal, and whether these earthworks will impact on Acid Sulfate Soils (s4.15(1)(a)(i) and s4.15(1)(b) EP&A Act).
10. The application does not include sufficient information to adequately consider the proposal in accordance with Clause 7.6 the Port Stephens Local Environmental Plan 2013. The proposed development has not provided adequate detail of proposed works requires for adequate site access and servicing of the future allotments (s4.15(1)(a)(i) EP&A Act).
11. The application has not adequately addressed Chapter B8 of the Port Stephens Development Control Plan 2013 in relation to site access and servicing (s4.15(1)(a)(iii) EP&A Act).
12. The proposed development has failed to provide adequate detail in relation to onsite wastewater, including the preparation of an onsite Wastewater Management Report in accordance with AS 1547 – *Onsite domestic wastewater management (2012)*, *Environment & Health Protection Guidelines – Onsite Sewage Management for Single Households (1998)*, and *Port Stephens Council On-Site Sewage Development Assessment Framework (s4.15(1)(b) EP&A Act)*.
13. The proposed development is inconsistent with C1.3 of the Port Stephens Development Control Plan 2013 (s4.15(1)(a)(iii) EP&A Act).
14. The proposed development has not demonstrated drainage and water quality arrangements are consistent with Chapter B4 Drainage and Water Quality requirements within Port Stephens Development Control Plan 2013 (s4.15(1)(a)(iii) EP&A Act).
15. The proposed development fails to satisfy Section 4.14 – Consultation and development consent – certain bushfire prone land of the Environmental Planning and Assessment Act 1979 as the proposal has not demonstrated that it conforms with Chapter 8 of the Planning for Bushfire Protection. The proposed development fails to demonstrate the appropriateness of increased residential density on the site. Furthermore, details regarding access arrangements for emergency vehicles in accordance with Chapter 5 of the PBP has not been provided (s4.14 and s4.15(1)(c) EP&A Act).
16. The proposal is not considered to be in the public interest as insufficient information has been provided to demonstrate compliance with the adopted principles and strategies which seek to proposed the appropriate development of the land (s4.15(1)(e) EP&A Act).

REASONS FOR DETERMINATION AND REASONS FOR CONDITIONS

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The proposed development is not consistent with the objectives of the applicable Environmental Planning Instrument, being: Port Stephens Local Environmental Plan 2013 (PSLEP).
- The proposed development is not consistent with the objectives of the applicable Development Control Plan; being the Port Stephens Development Control Plan 2014 (PSDCP).
- The proposed development is not in the public interest as insufficient information has been provided to demonstrate the proposal is consistent with the adopted legislation and strategies of the land.



PORT STEPHENS
COUNCIL

Call to Council form

Development Application

116 Adelaide Street,
Raymond Terrace NSW 2324

PO Box 42
Raymond Terrace NSW 2324

p (02) 4988 0255 | **f** (02) 4987 3612
e council@portstephens.nsw.gov.au

DX 21406 | **ABN** 16 744 377 876

DEVELOPMENT APPLICATION (DA) CALL TO COUNCIL REQUEST

We (Mayor/Councillor/s)

Name:	Arnott
Name:	Francis
Name:	
request that DA number:	16-2023-39-1
for DA description:	Boundary Adjustment (14 into 14 Lots)
located at:	Clarence Town Road and Wallalong Road, Woodville

be reported to Council for determination.

REASON

Public interest

SIGNATURE OF APPLICANT/S

Signature		Date	/ /
Signature		Date	/ /
Signature		Date	/ /

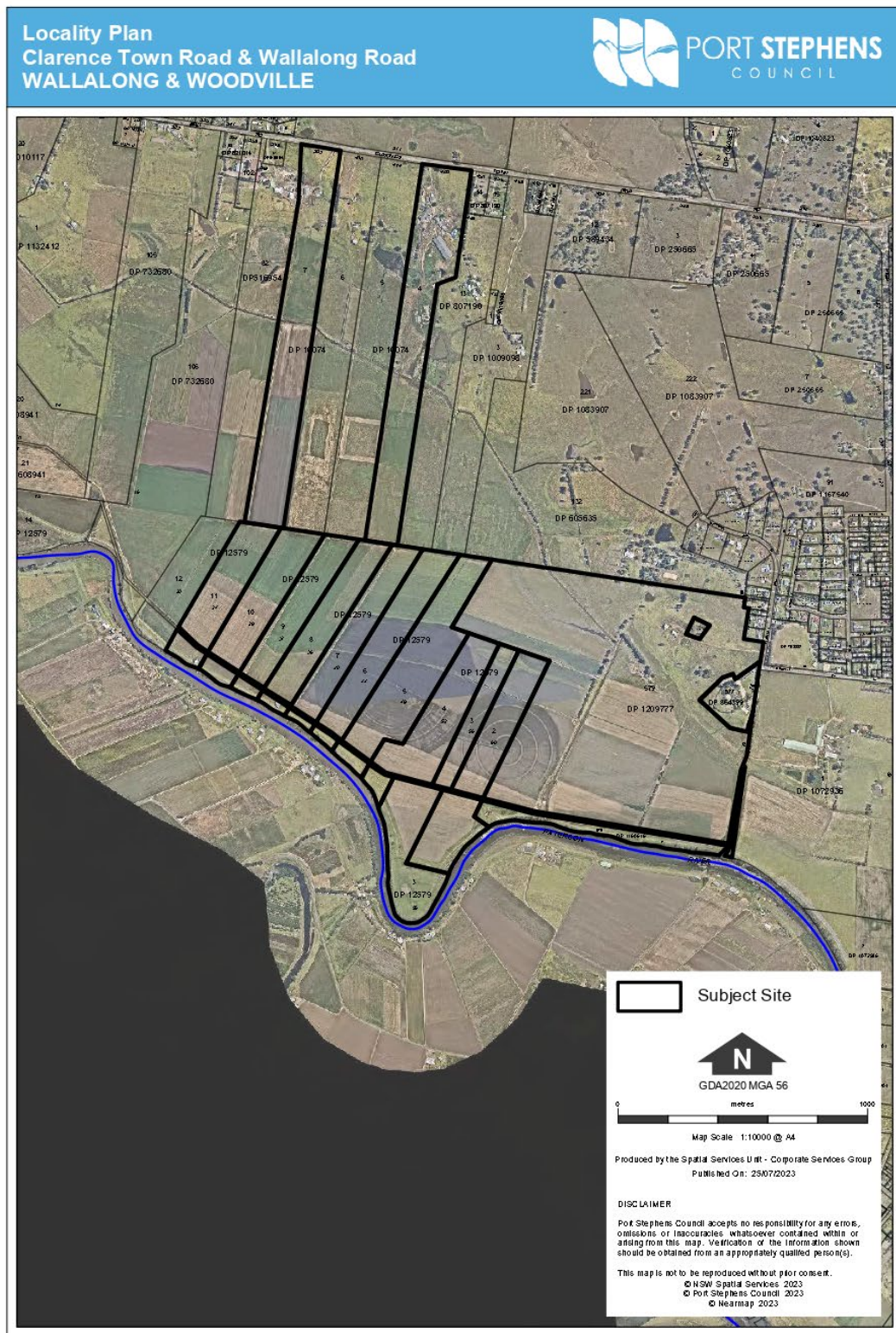
PRIVACY

Port Stephens Council is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council policy. **Purpose:** The purpose of this form is to enable Council to record the matter raised and taken appropriate action.

Intended recipients: Council employees, contractors and other third parties where appropriate. **Supply:** Voluntary.

Consequence of Non Provision: Council may not take action on the matter raised. **Storage and security:** This document will be placed on the relevant file and/or saved in Council's records management system in accordance with Council policy and relevant legislation.

Access: Please contact Council on 02 4988 0255 to enquire how you can access information.



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800253 Fax: (02) 49873612 Email: council@portstephens.nsw.gov.au

ITEM NO. 2**FILE NO: 23/138265
EDRMS NO: PSC2017-00180****BUDGET ITEMS CARRIED FORWARD FROM 2022-2023**

REPORT OF: GLEN PETERKIN - ACTING FINANCIAL SERVICES SECTION
MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve the revotes from the 2022-2023 budget as detailed in **(ATTACHMENT 1)** and vote the necessary funds to meet expenditure.
-

**ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION**

006	Councillor Leah Anderson Councillor Jason Wells It was resolved that Council approve the revotes from the 2022-2023 budget as detailed in (ATTACHMENT 1) and vote the necessary funds to meet expenditure.
------------	---

Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, 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 advise of the budget items from 2022-2023 that were not completed in that financial year and are proposed to be carried forward to 2023-2024 **(ATTACHMENT 1)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2022 to 2032.

FINANCIAL/RESOURCE IMPLICATIONS

The works included in this report were partially or wholly unexpended at the end of the 2022-2023 financial year, however, the funds are not automatically carried forward and require Council resolution. The majority of the works are funded from reserves and grants, and have limited impact on Council's Long Term Financial Plan.

Council has traditionally had a number of projects that have been unable to be completed within the given financial year. The program (**ATTACHMENT 1**) is generally in line with this trend.

The carried forward items have been factored into the new capital works program and a cash flow forecast has been amended to account for the extended program.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	Yes		Budget from 2022-2023
Developer Contributions (\$7.11)	Yes		Budget from 2022-2023
External Grants	Yes		Budget from 2022-2023
Other	Yes		Budget from 2022-2023

LEGAL, POLICY AND RISK IMPLICATIONS

In accordance with the Local Government Act 1993 (NSW) and the Local Government (General) Regulations 2021, all budgets lapse at the end of the financial year and require a Council resolution to be reinstated. Failure to reinstate these budget votes would result in these projects being cancelled. It must be noted that the figures listed in (**ATTACHMENT 1**) are indicative only.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that unspent grant funds may have to be returned.	Low	Adopt the recommendation.	Yes
There is a risk that should the rollovers not occur then the works cannot be completed.	High	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no sustainability implications.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Financial Services Section for the purpose of peer reviewing the need for projects to be carried forward.

Internal

- Strategic Property Coordinator
- Assets Section Manager
- Community Services Section Manager
- Holiday Parks Section Manager
- Organisation Support Section Manager

External

Nil.

OPTIONS

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

ATTACHMENTS

- 1) Budget Items Carried Forward from 2022-2023.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

ITEM 2 - ATTACHMENT 1 BUDGET ITEMS CARRIED FORWARD FROM 2022-2023.

Classification	Projects*	Rollover	Funding Source	
			Grant or Contribution	Reserve
Aquatic Structure	Tomago Pontoon Upgrade	15,957	15,957	-
Aquatic Structure	Little Beach Jetty	98,407	98,407	-
Bridges	Notts Creek Bridge Upgrade	453,964	453,964	-
Buildings	Raymond Terrace Depot Upgrade	1,343,037	-	1,343,037
Buildings	Little Beach Amenities Upgrade	305,787	158,269	147,518
Buildings	Mallabula Soccer Amenities and Sewer Upgrade	25,330	-	25,330
Buildings	King Park Sports Complex Upgrade - Seating and Building	18,982	18,982	-
Buildings	Birubi Point Tourism Centre	1,273,231	1,273,231	-
Buildings	Community Assets Solar Rollout	387,767	-	387,767
Buildings	Lakeside Aquatic Centre Playground	19,213	19,213	-
Buildings	Yulong Oval Amenities Upgrade	263,163	263,163	-
Buildings	Fingal Bay North Amenities Upgrade	249,908	249,908	-
Buildings	Tomaree and Tilligerry Aquatic Centre Heat Pump Replacement	8,188	-	8,188
Buildings	Medowie Childcare Centre - Shade Shelter Replacement	35,400	-	35,400
Buildings	Salamander Waste Transfer Station Amenities Building	26,189	-	26,189
Buildings	Aliceton Reserve - Amenities Upgrade	180,000	-	180,000
Buildings	Little Beach - Amenities Upgrade- Changing Places	252,175	72,175	180,000
Carparks	Shoal Bay - Carpark Upgrade	1,199,239	-	1,199,239
Carparks	Little Beach - Carpark Design	20,250	20,250	-
Property Investments	Property Investments	15,000,000	-	15,000,000
Disaster Recovery	Teramby Road Land Slip	539,228	539,228	-
Disaster Recovery	Marine Drive Land Slip	906,902	906,902	-
Disaster Recovery	Recovery Grant - Road Closure Signage	70,000	70,000	-
Disaster Recovery	Hinton - Sand Bagging Area	5,000	5,000	-
Disaster Recovery	Recovery Grant - VMS Boards	60,000	60,000	-
Disaster Recovery	Recovery Grant - Weather Stations	12,000	12,000	-
Drainage	John Parade Lemontree Passage Drainage System	67,150	-	67,150
Drainage	Pump Upgrades - Stockton Ponds	140,000	140,000	-
Drainage	Pump Upgrades - Kangaroo St	140,000	140,000	-
Drainage	Canomii Close Nelson Bay - Drainage Infrastructure	17,535	-	17,535
Holiday Parks	Holiday Parks - Fingal Bay - Electrical Upgrade	224,929	-	224,929
Holiday Parks	Holiday Parks - Thou Walla - Glam Tents Upgrade	136,937	-	136,937
Holiday Parks	Holiday Parks - Halifax - Quarterdeck Premium Cabin Replacement	50,000	-	50,000
Holiday Parks	Holiday Parks - Shoal Bay - Electrical Audit Works	50,000	-	50,000
Holiday Parks	Holiday Parks - Shoal Bay - Entertainment Precinct	97,666	-	97,666
Holiday Parks	Holiday Parks - Koala Sanctuary - Wifi Connection	67,947	-	67,947
ICT	ICT - Telephone Upgrades	38,699	-	38,699
ICT	ICT - Projects	1,409,650	-	1,409,650
ICT	ICT - Server Storage and Upgrades	520,372	-	520,372
ICT	ICT - GIS Improvement Program	148,812	-	148,812
Libraries	Mobile Library Upgrade	14,133	14,133	-
Open Space	Spencer Parks Soldiers Point Playground and Amenities Upgrade	165,593	15,593	150,000
Open Space	Brandon Park Upgrades	266,137	128,137	138,000
Open Space	King Park Sports Complex - Replace Fencing and Vehicle Barriers	6,733	-	6,733
Open Space	Centennial Park Playground Replacement	80,000	-	80,000
Open Space	Aliceton Reserve - Playground Upgrade	214,775	64,775	150,000
Open Space	Little Beach Reserve - Timber Retaining Wall	33,040	-	33,040
Open Space	Foster Park Shelters and Tables	13,036	-	13,036
Open Space	Tomaree Sports Complex - Playground	89,978	-	89,978
Open Space	Little Beach - Upgrade furniture, BBQ and Irrigation	271,190	180,238	90,952
Open Space	Little Beach - Replace fish cleaning tables	40,500	40,500	-
Open Space	Corlette Headland Boardwalk Upgrades	80,000	80,000	-
Open Space	Hinton Boat Ramp Upgrades	20,000	20,000	-

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

ITEM 2 - ATTACHMENT 1 BUDGET ITEMS CARRIED FORWARD FROM 2022-2023.

Open Space	Hinton Foreshore Pathway	90,000	90,000	-
Open Space	Hinton Bridge Boat Ramp Access Gate	20,000	20,000	-
Open Space	Raymond Terrace Upgrades - Streets as Shared Spaces - Community Corner	20,287	20,287	-
Open Space	Raymond Terrace Upgrades - Streets as Shared Spaces - Marriage Trees Placemaking Project	48,996	48,996	-
Open Space	Raymond Terrace Upgrades - Streets as Shared Spaces - Community Events and Activations	66,000	66,000	-
Open Space	Raymond Terrace Upgrades - Streets as Shared Spaces - Wayfinding Signage	19,031	19,031	-
Other	Ward and Mayoral Funds	8,305	-	8,305
Pathways	Nelson Bay Road Fern Bay Shared Path	1,380,940	-	1,380,940
Pathways	Brandy Hill Drive - Pathway Construction	13,092	-	13,092
Pathways	Lemontree Passage - Shared Pathway	537,893	537,893	-
Pathways	Fly Point to Halifax Nelson Bay - Shared Pathway	793,489	793,489	-
Pathways	Lemontree Passage - Town Centre Upgrades	469,224	469,224	-
Pathways	King Park Sports Complex - Pathway Upgrades	62,637	-	62,637
Pathways	Shoal Bay Road Footpath Design	159,678	143,178	16,500
Plant	Fleet Replacement	810,152	-	810,152
Plant	Domestic Waste Fleet Replacement	780,000	-	780,000
Roads	Pothole Repair Program	1,144,207	1,144,207	-
Roads	Newline Road Raymond Terrace Upgrade	10,929	10,929	-
Roads	Mustons Road Karuah Upgrade	255,564	-	255,564
Roads	William St - Town Centre Upgrades	117,247	-	117,247
Roads	Port Stephens Dr Koala Blackspot	384,318	384,318	-
Roads	Hannah Parade One Mile Upgrade	670,341	107,341	563,000
Roads	Swan Bay Road Upgrade	217,906	-	217,906
Roads	Nelson Bay Town Centre High Pedestrian Activity	19,637	19,637	-
Roads	Lavis Lane Rehabilitation	574,771	-	574,771
Roads	Soldiers Point Road Retaining Wall	15,282	-	15,282
Roads	Avenue of the Allies - Tanilba Bay Upgrade	1,942,315	784,315	1,158,000
Roads	Italia Road, Ballickera Upgrade	632,173	-	632,173
Roads	Medowie Road Segment 350	69,564	-	69,564
Roads	Sturgeon St Raymond Terrace	471,364	-	471,364
Roads	Beach Road Blackspot	350,000	350,000	-
Roads	Bus Shelters Upgrade	11,000	11,000	-
Roads	William St - Town Centre Upgrades Stage 2	606,632	606,632	-
Roads	East Seaham Road Blackspot	14,862	14,862	-
Roads	Port Stephens St Raymond Terrace Blackspot	143,767	143,767	-
	Total	40,105,732	10,845,131	29,260,601

*Figures listed above are indicative only due to end of financial year adjustments not being completed at the time this report was extracted

ITEM NO. 3

**FILE NO: 23/138975
EDRMS NO: PSC2017-00180**

**SIX MONTH PROGRESS REPORT: JANUARY TO JUNE 2023 AGAINST THE
PORT STEPHENS COUNCIL DELIVERY PROGRAM 2022-2026**

REPORT OF: ZOE PATTISON - ACTING GROUP MANAGER CORPORATE
SERVICES
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Six Month Progress Report for the period January to June 2023
(**ATTACHMENT 1**) on the progress of Port Stephens Council's Delivery
Program 2022 – 2026.

**ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION**

007	Councillor Leah Anderson Councillor Peter Francis It was resolved that Council adopt the Six Month Progress Report for the period January to June 2023 (ATTACHMENT 1) on the progress of Port Stephens Council's Delivery Program 2022 – 2026.
------------	---

Cr Glen Dunkley entered the meeting at 6:05pm.

Those for the Motion: Crs Leah Anderson, Giacomo Arnott, 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 provide Council and the community with an update on
the progress of Council's Delivery Program 2022-2026.

This is the second progress report of the Delivery Program 2022-2026, adopted by
Council in June 2022.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver the Integrated Planning and Excellence program.

FINANCIAL/RESOURCE IMPLICATIONS

The Six Month Progress Report (**ATTACHMENT 1**) is generated from a combination of information and data from across Council's operations. There are no financial or resource implications in providing this report.

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

Essential Element 4.9 of the Integrated Planning and Reporting Guidelines for Local Government in NSW, September 2021 stipulates that: 'The General Manager must ensure that progress reports are provided to the Council, with respect to the principal activities detailed in the Delivery Program, at least every 6 months'.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council will not adopt the Six Month Progress Report January to June 2023, placing Council in breach of legislation leading to reputational loss.	Low	Adopt the recommendation.	Yes

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

There is a risk that as Council's audited financial statements have not been completed for the 2022-2023 financial year, the figures included in the report are not correct and may be incorrectly referenced by Council and other parties.	Low	Adopt the recommendation. Provision included in the Six Month Progress Report that all financial figures are preliminary, unaudited and subject to review as part of the 2022-2023 Audited Financial Statements.	Yes
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SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Community Strategic Plan, Delivery Program and Operational Plans are founded on a basis of social, economic, environmental and governance factors through 4 focus areas, Our Community, Our Place, Our Environment and Our Council. The report reflects these factors and provides a comprehensive progress report according to each focus area along with a scorecard of Council's key result measures.

Due to the timing of this report, some of the annual results (community satisfaction and asset management) for our key result measures have not been finalised and will be reported in the 2022 to 2023 Annual Report.

To date, Council is achieving within the resources available what it has set out to do with: service delivery on track to deliver 93.5% of Operational Plan actions against a target of 95%; employee wellbeing 83% against a target of 75%; risk management 86% against a target of 85%; governance 98% against a target of 95%; financial sustainability currently at \$304K underlying surplus, against a target of achieving an underlying financial result better than budget.

The ongoing impacts of COVID-19, inflation and resourcing have continued to impact Council's operations, with Council reallocating resources and implementing a number of financial austerity measures in order to deliver services that our community needs most.

CONSULTATION

The Six Month Progress Report January to June 2023 has been compiled from information and data provided across Council's operations and reviewed by the Executive Team of Council.

Following Council consideration the report will be made available on Council's website and distributed across a number of communication channels.

OPTIONS

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

ATTACHMENTS

- 1) Six Month Progress Report - January to June 2023.

COUNCILLORS ROOM

Nil.

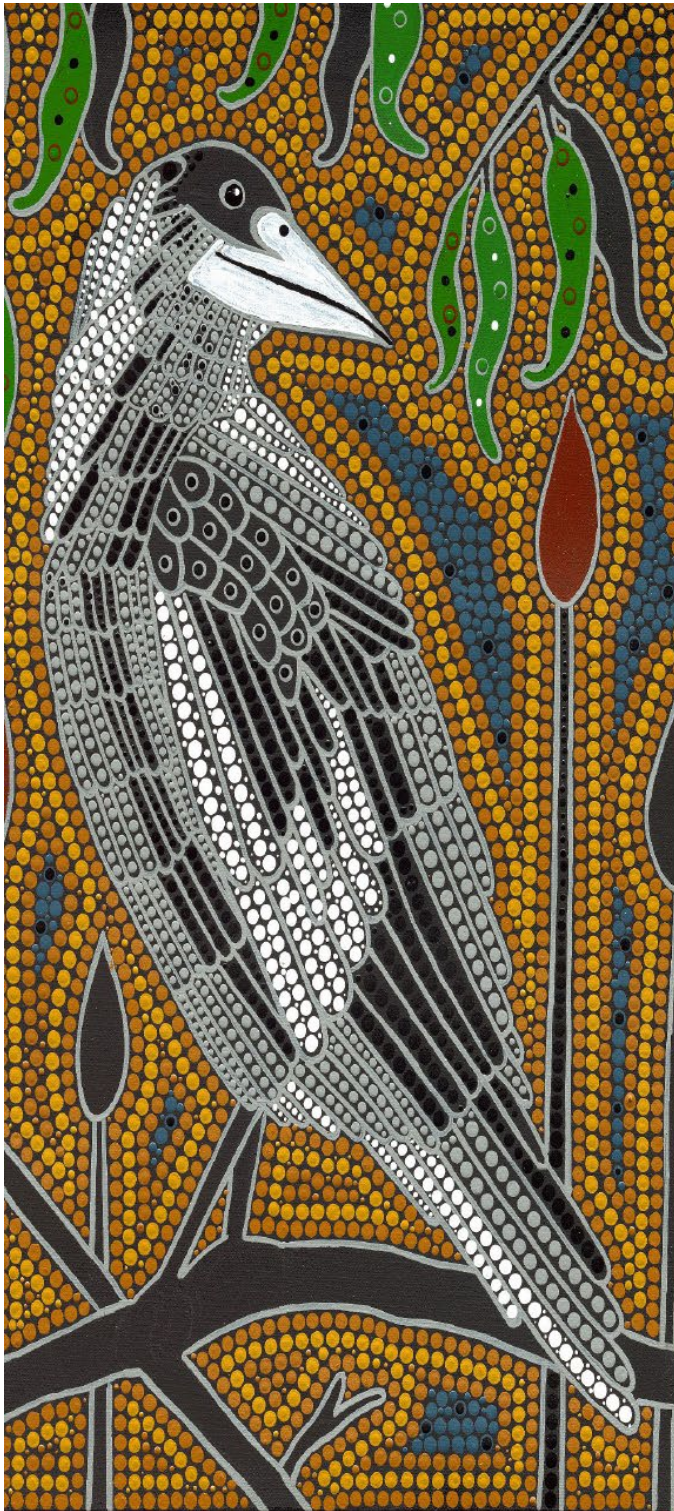
TABLED DOCUMENTS

Nil.



ITEM 3 - ATTACHMENT 1

SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.



GUUDJI YIIGU

(GOO-JEE IK-KOO)

We welcome you to Port Stephens – part of the Worimi Aboriginal Nation. Port Stephens Council acknowledges the Worimi people as traditional owners and custodians of the lands and waterways on which we all live, learn, work and play.

We value and respect the Worimi people and the legacy 60,000 years of Aboriginal Nation traditions and culture brings with it. As part of Council's culture of acceptance, diversification and harmony we walk alongside the Worimi people on a journey of listening and learning.

Together we will strive to make this a better place for all people. As guardians of these lands, we ask that you tread lightly to help preserve the biodiversity and respect those who came before as well as those who will follow.

Artwork by Regan Lilley.

Acknowledgement

Port Stephens Council acknowledges the Worimi People as the traditional custodians of the land of Port Stephens. We also pay our respect to Aboriginal elders past, present and future.

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Achievements – progress of principal activities	10
Our Community.....	22
Our Place.....	26
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The six-month progress report from January to June 2023 has been prepared in accordance with the requirements of the Integrated Planning and Reporting Guidelines (September 2021) Essential Element 4.9. 'The General Manager must ensure that progress reports are provided to the council, with respect to the principal activities detailed in the [Delivery Program](#), at least every six months.'

All financial figures included in this report are preliminary, unaudited and subject to review as part of the audited 2022-2023 financial statements for Council.



General Manager's message

The time has flown since our last report, this being the second Six-month Progress Report for our Delivery Program 2022-2026.

Connecting, providing and advocating for our Community

We started in January by celebrating our biggest Australia Day yet, conferring citizenship to 83 new citizens. Aptly, the theme was 'Respect. Reflect. Celebrate' with our 2023 Port Stephens Australia Day Ambassador being Professor Heidi Norman, a descendant of the Gomeroi people from north western NSW, and a leading Australian researcher and Aboriginal political historian.

Early in the New Year we continued planning and voicing the need for further funding for our community, with our community advocacy priorities document leading into the NSW Government election in March 2023. Importantly we successfully secured a commitment of \$10M for local roads repair that we are planning to deliver over the next 2 financial years.

Despite having to defer 'Illuminate' in Raymond Terrace due to some unruly weather, we've developed and implemented a full program of more than 40 events and activations across the local government area (LGA). With something for all ages, really bringing our community together - one such event was Karuah by Night. The first of its kind for Karuah, fulfilling a number of actions in the Karuah Place Plan. Featuring live music, light displays, food trucks, children's entertainment and more, Karuah really came alive with over 2,000 people in attendance. These events were made possible through external grant funding from the NSW Government.

We also established the Homelessness Stakeholder Advocacy Group to help with

addressing the impacts of homelessness in Port Stephens. Whilst not a direct service provider, we're working with other stakeholders to facilitate collaboration of solutions. This is part of the broader housing affordability/availability challenges we face across the LGA.

Being environmentally & financially responsible

We've been busy talking with the community about hazard mapping for the Coastal Management program which is not always an easy conversation to have. Holding a range of drop-in sessions and workshops for community members to meet with staff and coastal specialists to learn more about the coastal hazards and key management areas.

The Waste app was released allowing residents to enter their address and receive a personalised waste calendar and reminders for bin day. The app was a great tool for letting the community know about our garden organics roll-out, with over 32,000 Garden Organics (GO) bins rolled out across the LGA. We'll commence the collection of the new GO service as of start of July 2023. This service is intended to remove the garden organics matter from the red lid bin, reducing the waste going to landfill through this service. Recent audits indicated approximately 25% of the red lid bin was taken up with garden organics matter. This material will be converted to a reusable compost product. Through the savings in reduction of product going to landfill and previous savings in the waste area, this has allowed Council to implement this service at no extra cost to the community.

As part of our commitment to financial sustainability we lodged our application to IPART (following Council's resolution in November) applying for a Special Rate Variation (SRV) of 9.5% per year for three years. On 15 June IPART announced Council was successful in its application for the SRV - this approval is by no means a windfall, but will provide much needed support to carry out our services, and from 2024-2025, additional funding for the delivery of road repairs along with improvements to public spaces and the natural environment.

During this time we also completed our annual review and exhibition of our Delivery Program, Operational Plan, Resourcing Strategy and Fees and Charges. Council's core documents outlining the nuts and bolts of what we do, the services we provide, how we provide them and the budget required to achieve it all. With Council adopting these before the new financial year to ensure we had a budget, program, rates and charges to go forward.

Delivering within our available resources

Nearing financial year end many of our Capital Works and Roadside Drainage teams were out onsite ensuring works were completed in accordance with grant deadlines

ITEM 3 - ATTACHMENT 1**SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.**

for the financial year end. With completion of one of our highest capital works programs, this together with strained resources to complete ongoing works associated with previous natural disasters has stretched our teams to ensure works are completed to meet the financial deadline.

But this is not always the case across the business - not all of our plans or programs neatly fit into the financial year with complexities and further investigations required for a number of projects, programs and strategies such as the Wellbeing Strategy, and Carbon Neutral Action Plan. As has been felt by businesses across the LGA, we too have experienced staff shortages and vacancies, reprioritising our resourcing and needing to deliver our services with less. With the successful SRV we will be able to increase resources to meet current service levels.

Our teams have worked hard to deliver services and facilities for our community over the period. For their patience, perseverance and willingness to get on with the job I'm extremely grateful and proud.

The snippets below are only a small collection of the highlights and the challenges over January to June 2023.



Tim Crosdale

Tim Crosdale
General Manager
Port Stephens Council

ITEM 3 - ATTACHMENT 1

SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.



Port Stephens Council 7

Our key highlights



Respect. Reflect. Celebrate.

Celebrated our biggest
Australia Day to date

42 It's On!

event activations
supported by external
funding



22,000+ potholes fixed

6 Awards won

from Place Planning
to PSCare



32,000

Garden Organics
bins rolled out

2,826

trees planted



Approved

SRV application

Coastal Management Program

engagement underway



ITEM 3 - ATTACHMENT 1 SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.

Scorecard

Our seven key result measures underpin everything we do at Port Stephens Council:

	Service Delivery Target: >95% Integrated Plans delivered on time Achievement: 93.5% (as at 30 June 2023)	
	Community Satisfaction Target: >75% Community Satisfaction Score Achievement: 64% somewhat satisfied and above with Council's overall services (Source: 2022 Community Satisfaction Survey Report)	
	Employee Wellbeing Target: >75% Employee Engagement Achievement: 83% (Source: 2022 Employee Engagement Survey)	
	Governance Target: >95% Governance Health Check Achievement: 98.24% (As at June 2023)	
	Risk Management Target: >85% Risk Management Maturity score Achievement: 86% (As at August 2022)	
	Financial Sustainability Target: Underlying financial result better than budget Achievement: Anticipated \$304K underlying surplus (As at March 2023 Quarterly Budget Review)	
	Asset Management Target: 100% asset maintenance ratio Achievement: Result to be provided in 2022-2023 Annual Report	TBC
ON TRACK: Operational Plan Actions are on track to achieve the target  MONITOR: Operational Plan Actions are within 5% of the target  OFF TRACK: Operational Plan Actions are > 5% off the target 		

Achievements – progress of principal activities

Key Priorities update

Several key priorities were identified in the Delivery Program for 2022 to 2026 based on what we'd heard from the community and the new Council. Read more about these priorities in our [Delivery Program](#).

Over the last 6 months (the period) we've continued to investigate funding sources to resource these initiatives and infrastructure projects, with the progress made on the Key Priorities outlined on pages 10 to 19 below.

Advocacy Priorities Program

The 2023 Community Advocacy Priorities document was utilised in the lead up to the NSW Government election to drive the conversation with electoral candidates ensuring Port Stephens remained at the forefront of the NSW Government's future planning and advocacy program. Importantly, we successfully secured a commitment of \$10M for local roads repair that we are planning to deliver over the next 2 financial years.

The document lists the key projects for Port Stephens in the years ahead. High on the list this year is:



Road repairs, rehabilitation and upgrades



Creating liveable cities



Housing supply and diversity



The environment



Investment in health services



Protection of Koalas



Tourism, sport and recreation infrastructure

For the period we were successful in securing nearly \$5M in competitive grant funding (for use this year and years to come) to support our services and key projects ranging from roads to regionally connecting cities.

Critical State funding and policy priorities

- 1 Fund strategies to unlock housing supply and diversity to support an additional 20,000 residents over the next 20 years
- 2 Fast track the construction of the Nelson Bay Road upgrade
- 3 Fund vital upgrades to the Tomaree Hospital
- 4 Design and construct an alternate link road to Fingal Bay
- 5 Urgently review and amend the rate peg methodology to improve Council's financial sustainability
- 6 Deliver a public high school in Medowie
- 7 Improve public transport connections between Raymond Terrace, Nelson Bay, Maitland and Newcastle
- 8 Work in partnership with the local community to develop a Masterplan for the Tomaree Lodge site
- 9 Construct a highway interchange at the Bucketts Way and Medowie Road and M1 intersections
- 10 Upgrade Cabbage Tree Road and Tomago Road to accommodate traffic growth generated by Newcastle Airport and the Williamstown Special Activation Precinct

Birubi Information Centre

Consultation with adjacent landowners has identified a desire to improve project outcomes by incorporating the sand management plan associated with this project onto the adjacent Aboriginal Place. This will improve the physical protection of culturally significant and sensitive heritage material in addition to minimising the ongoing maintenance associated with windblown sand.

An amendment to the approved Development Application and an addendum to the approved Aboriginal Heritage Impact Permit (AHIP) is progressing, with the construction tender now anticipated to be released late 2023 with physical works expected to commence in the first half of 2024.

Carbon Neutrality

We continue to plan and implement initiatives to reduce our carbon footprint through the development of the Carbon Neutral Action Plan.

Council has committed to being carbon neutral for Council operations by 2025. The Carbon Neutral Action Plan defines the necessary initiatives and changes to Council operations required to achieve our Carbon Neutral goal.

We've been investigating a number of sustainability initiatives including options to reduce energy usage and waste-to-landfill as well as improving the efficiency of our fleet vehicles. A change in regulations delayed the commencement of a hydrogen fuel cell trial on our trucks however the rapid improvement in Electric Vehicle and Battery technology is providing huge potential for change to Council's fleet portfolio.

We continue to work closely with our staff and suppliers to influence behavioural change, reduce energy demand and ensure sustainable decision-making.

Coastal Management Program

In collaboration with NSW Department of Planning and Environment, we've been developing 2 Coastal Management Programs (CMPs). The Port Stephens CMP is currently in Stage 3 of 5, which includes the identification and evaluation of management options. We've been working with coastal experts to develop a comprehensive risk assessment for Stage 3 of the CMP. This assessment applies to all built and natural assets across Port Stephens and will identify priority management actions for Council and other delivery partners to address as funding and resourcing permit.

Port Stephens CMP

Extensive consultation has been undertaken with the community and other stakeholders during the period to help us make decisions about management options and priority areas of action within Port Stephens.

The Hunter Estuary CMP is being developed by the Hunter Estuary Alliance (HEAL), which includes partner Councils and key organisations. The project is being led by Maitland City Council and is currently in Stage 2 of 5, which will identify the key risks, vulnerabilities and opportunities within the Hunter Estuary.



Community Engagement

A key priority in the Communication and Engagement Strategy is embedding the IAP2 principles into the organisational culture. To do this we've:

- Worked across Council to develop a community engagement process and integrate this into Council's Project Management Framework.
- Established the new Communications and Engagement Advisory Group (CEAG), which will provide guidance and input on the design of the communications and engagement programs for our higher social impact projects and programs. Meetings will commence early in the new financial year.
- Integrating engagement opportunities drawing from our Liveability Index and delving deeper with the community when required for key projects such as the Place Plans.

We've also been focusing on delivering a number of the strategic priorities for the Communication and Engagement Strategy.

- Increasing opportunities for the community to engage informally with Councillors and the Executive through quarterly Community Catch Ups.
- Ensuring our communication and engagement programs consider place diversity and accessibility as well as enable time for considered thought.
- Ensuring we provide easy to understand information that's accessible to everyone and directs people to the website as the single source of truth.
- Reviewing our templates and branding guidelines to ensure our documents are visually consistent, easy to read and accessible.
- Completing a social media audit, providing a strategic approach to our social media use moving forward.

Community Wellbeing

We've commenced the next stage of community engagement for the development of the Community Wellbeing Strategy checking in with the community to make sure the themes and potential actions reflect the community's desires. This community engagement will inform the development of the draft Wellbeing Strategy expected for completion towards the end of 2023.

Whilst planning for the future we continue to provide and facilitate a number of activities to ensure that everyone is safe and able to participate. Such examples are:

- Delivering a Disaster Preparedness Education Program within the disability sector.
- Providing the Inclusive event tent during Youth week and School holiday events with new activities suitable for young people with disabilities to enhance their event experience.
- Introducing new software into our website that tests readability and accessibility standards.
- Designing our communications and engagement program to reach a diverse audience with differing needs.

Eastern Groyne, Nelson Bay Precinct

Funding has not been secured for the Business Case, however this project continues to remain on our list with further updates to be provided when funding is secured.

Financial Sustainability

Our Special Rate Variation (SRV) application was submitted to IPART in February 2023 along with 16 other Councils - our application of 9.5% per annum for 3 years was among the lowest.

During this time Council's Long Term Financial Plan (LTFP) was re-forecasted as is part of the annual IP&R review process, which confirmed the need for an increased level of rates income in order to maintain community service levels. In June 2023 IPART released their decision and approved the SRV citing the need for the increase given Council's low rate base compared to other neighbouring and like size Councils.

We continue to review organisational efficiencies via our service review program and financial roadmap to ensure financial sustainability is maintained.

Natural Environment

Council is committed to achieving a great lifestyle in a treasured environment so that current and future generations can enjoy, and benefit from, a healthy natural environment.

As part of our program of work to manage and protect the natural environment, we've secured grant funding for a number of environmental restoration projects to enhance the Port Stephens environment and key Koala habitat.

Including:

- \$150,000 from the Crown Reserve Improvement Fund aimed to target priority weeds, feral pests and facilitate biosecurity compliance.
- an additional \$200,000 through the Commonwealth's Koala Community Grant to enhance and protect Koala habitat and map native vegetation within the LGA. This also includes drone surveys to model the density of Koalas within Port Stephens, in partnership with the University of Newcastle.



Council implemented My Little Ecosystem workshops across 5 separate community events. The My Little Ecosystem workshops are designed to promote improving habitat for native species in urban environments and educate our community on the importance of these species. The workshops included frog hotels, native insect hotels, worm farming, composting as well as information on native plants and pollinators.

Pathways and connections

We've commenced a review of our [Pathways Plan](#) that shows the proposed location of future footpaths and cycle ways. The review will consider works completed and additional demand since it was originally adopted, introducing a prioritisation framework to guide grant funding applications.

We've completed the following pathway upgrades: King Park, Raymond Terrace footpath construction; Government Road, Nelson Bay installation of pedestrian refuges; Nelson Bay CBD, pedestrian refuge upgrades and pedestrian crossing installations; Raymond Terrace CBD, pedestrian refuge upgrades; Adelaide St near Kent St, pedestrian crossing upgrade. We are finalizing planning on: Victoria Parade and Beach Road path upgrades in Nelson Bay; Henderson Park to Rudd Reserve Lemon Tree Passage, shared path design; Marine Drive Fingal Bay, shared path design as part of landslip remediation; shared path design from Shoal Bay to Little Beach, Nelson Bay.

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As the volume of missing links and additional pathways needed is in excess of \$80M, Council has continued to search for additional income sources to fund these projects.

Place planning

A Place plan is guided by strategic documents – putting a local filter on all of our existing strategies to make one easy-to-read, action-oriented plan. Analysing potential opportunities for a place in line with the community's vision.

The status of Council's current Place Plan program is as follows:

- Karuah and surrounds (adopted March 2022, implementation phase).
- Medowie and surrounds (adopted April 2023, implementation phase).
- Hinterland, Shoal Bay and Tilligerry Place Plans are currently being developed and expected to be adopted by Council by June 2024.

Place Plans start with our community – your values and priorities for your place. Together, we identify the unique local character of a place and the ways our community can shape, enhance or protect these aspects.



Karuah River Bridge mural painted as part of Karuah Place Plan by Artist, Jordan Lucky

Raymond Terrace Depot project

We've experienced delays as a result of Ausgrid requirements for a power upgrade, which has had flow on affects for the contractor regarding turning the power on for the completed works. We now anticipate practical completion (of contract delivered physical works) in July and to be fully operational from October 2023.

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Infrastructure planning and renewal for the period has mostly been funded by the Australian Government and NSW Government grants. We're continuing with recovery works and claims associated with the natural disaster in March 2021, February 2022 and July 2022.

Key road projects

While many other road projects are introduced as funds become available, our planning focus continues on:

- Avenue of the Allies, Tanilba Bay – road widening, drainage works including kerb and gutter from Poilus Parade to King Albert Avenue.
- The Bucketts Way, Twelve Mile Creek-from No.125 to 215 – road pavement rehabilitation.
- Lemon Tree Passage Road, Tanilba Bay - Pavement reconstruction and widening from Brownes Road to 768 Lemon Tree Passage Road.
- Mustons Road, Karuah – culvert replacement and road widening.
- Brandy Hill shared pathway.
- Fly Point shared pathway upgrade.

Key road projects commenced during the reporting period:

- Sturgeon Street Raymond Terrace – pavement reconstruction from Glenelg Street to Jacaranda Avenue.
- High Pedestrian Activity Area extension – Raymond Terrace and Nelson Bay.

**Maintaining local roads**

Recent fine weather has enabled the Roads team to respond to pothole defects and pavement failures in a proactive manner. Resources have been prioritised to remediate defects on the heaviest trafficked roads first. Our advocacy for roads funding is also gaining traction, with recent funding announcements, providing additional resources, to tackle the extensive road pavement failures across our LGA.

ITEM 3 - ATTACHMENT 1**SIX MONTH PROGRESS REPORT - JANUARY TO****JUNE 2023.****Smart Parking rollout**

We've been progressing on the delivery of Smart Parking at Nelson Bay expansion sites, Shoal Bay and Birubi Headland, which are on track for completion next financial year. We've completed the necessary procurement processes, technical studies/review and community engagement at Nelson Bay and Shoal Bay. Community engagement at Birubi Headland is planned. Infrastructure Plans are currently in draft form and will be presented for adoption early next financial year.

Waste Management Strategy implementation

Council adopted the Waste Management Strategy 2021-2031 in October 2021. Our Waste Management team have continued to focus on delivering the priorities within the Strategy, with efforts in the resource recovery area yielding results over the previous 6 months.

- The introduction and implementation of the third bin system - Garden Organics (GO). The GO service is well on track to be delivered within the 2023 calendar year, with bins rolled out across Port Stephens in the period. Collections will commence from July 2023.
- Extensive consultation and education as part of the implementation of the third bin system to help the public understand the new services, frequency, makeup and the processing of this waste stream.
- Circular Economy initiatives, involving the Hunter Joint Organisation and the journey to carbon neutrality. Council continues to be part of the introduction of the Circular Economy into the community through better procurement and use of resources.



All of the above initiatives will help to contribute to improving Port Stephens Council's diversion to landfill, in order to meet the new NSW Governments target of an 80% reduction in waste by 2030.

Williamtown management area

We continue to monitor the implementation of the Department of Defence PFAS contamination remediation program and liaise with relevant agencies, community groups and residents as appropriate. In June 2023, Council resolved to continue the rate reduction for properties in the Williamtown Management Area for the 2023 to 2024 financial year. A special subcategory of rates applies for residents in the primary zone, secondary zone and broader zone. Council continues to consider subcategorization through our normal process of setting the rates each year.

Williamtown Special Activation Precinct (SAP)

The Williamtown Special Activation Precinct (SAP) was declared by the NSW Government on 28 May 2020. Community consultation on the SAP has been ongoing since December 2020 with the initial SAP masterplan public exhibition process taking place in 2022.

The NSW Government re-exhibited a revised SAP masterplan from 25 January 2023 to 22 February 2023 following a review of detailed engineering investigations and updated economic analysis. This has resulted in a smaller proposed SAP development footprint.

The NSW Government announced a comprehensive and independent Strategic Infrastructure Review of the State's capital infrastructure program earlier in 2023, with each Special Activation Precinct being reviewed as part of this process.

Delivery Program update

In this report, we use the icons below to indicate the status of our Operational Plan actions, which form part of the Delivery Program 2022-2026.

ON TRACK: Operational Plan Actions are on track to achieve the target



MONITOR: Operational Plan Actions are within 5% of the target



OFF TRACK: Operational Plan Actions are > 5% off the target



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SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.



Our Community

An accessible and welcoming community respecting diversity, heritage and culture.

C1 Community wellbeing

Improved wellbeing for our diverse community supported by services and facilities

Operational Plan Actions



On track – 4

Community Development

Our community development program is driven by priorities within the Targeted Early Intervention program (funded by the Department of Communities and Justice) and our Youth Strategy. Community development covers activities from the Homelessness Stakeholder Advisory Group (established in early 2023) through to developing the Community Wellbeing Strategy (CWS). The Community Wellbeing Strategy and revised Disability Inclusion Action Plan (DIAP, which will be attached to the CWS) were originally to be adopted by June 2023, however due to a number of resourcing constraints and digging deeper on community engagement the draft strategy will now be completed by the end of 2023. More detail is provided in the Key Priorities on page 10.

Volunteers

Our volunteers give their time and energy to make Port Stephens a better place. Without them, many of our services and programs couldn't exist. Over the period they've contributed to:

- keeping our parks, reserves and cemeteries pristine
- improving our natural bushland areas
- participating in our advisory councils and cultural committees
- running our community centres, halls, libraries and Visitor Information Centre.



As part of National Volunteer Week in May we said thank you to our volunteers for their invaluable work. We also drafted our Volunteer Policy during the period.

C2 Recognised traditions and lifestyles

Operational Plan Actions



On track – 4

Our community supports the richness of its heritage and culture

Delivering Yabang Gumba-Gu

We are reviewing the Yabang Gumba-Gu roadmap, to check off what's been included and review the actions to be completed. Part of the roadmap will include the development of Aboriginal protocols. These protocols will guide Council in providing a consistent and respectful approach to a range of activities. The revised Yabang Gumba-Gu roadmap will be prepared for consultation with the Aboriginal Strategic Committee.

Discussing the Road to Tomorrow agreement is an important part of the Committee along with providing input into key projects, developing stakeholder relationships and important local issues.

NAIDOC week is the integral event on our calendar, with support and coordination provided in the lead up to celebrations in June & July. This year's NAIDOC week theme 'For our Elders' pays tribute to the knowledge and experience Indigenous Elders have, and how they harness this to help guide younger generations.



Community coming together

We continued to deliver a diverse cultural program to showcase creativity and diversity across Port Stephens. These programs are delivered either directly by us, by business or community organisations through our funding programs or through our advocacy for delivery by key partners.

Delivery of Our Incredible Place Strategy continues through the Community Event Development fund, Yacaaba art walk, Terrace reflections, Strategic Arts Committee and Australia Day events.

Highlights

Community Wellbeing

- ✓ Coordinating Seniors Festival - event guide, free art classes & festival with cabaret performance.
- ✓ School holiday program - Snak n Rap across the LGA
- ✓ Re-launch of Council's Youth Instagram page.
- ✓ Coordinating Youth Week & Raymond Terrace Youth Engagement Program - 3 outdoor cinema events, 400+ people; collaborating with PCYC, Police, Wahrenga Aboriginal Corporation and Up & Up.
- ✓ Coordinating the Mayoral Scholarship Program - 22 scholarship recipients sharing \$40K from 16 local business groups.
- ✓ Coordinating Community Support Fund Round 2 - 11 applications received, 4 applications successful.

Childcare

- ✓ Family Day Care (FDC) & Raymond Terrace OOSH were externally assessed as "Meeting National Quality Standards".
- ✓ Hosting a Sustainability conference for 26 Educators.
- ✓ Mobile Preschool collaborating with Murrook Cultural Centre to implement an indigenous cultural experience program for children.
- ✓ Current enrolments in excess of expectations ensuring a financially successful 2023-2024.

Recreation facilities

- ✓ Managing and facilitating Community & Commercial contracts, leases and licences of Council's community land.

Port Stephens Heritage

- ✓ Heritage Advisory Group established.
- ✓ Support and advice to heritage interest groups for community grants program.
- ✓ Install wayfinding signage for heritage sites in King & William Streets Raymond Terrace.
- ✓ Revitalisation works including placemaking activation of the Marriage Trees site.

Our Community snapshot

Community Wellbeing

- Family & Community Services schedule on-track
- Wellbeing Strategy & DIAP final engagement July 2023
- 12 youth actions ongoing

Childcare

positions filled:

- 53,645 in OOSH
- 3,174 FDC
- 1,022 Mobile Preschool
- 250 FDC compliance visits

Pools

- 127,282 aquatic centre visits

Beaches

- 768,973 beach visitations

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SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.

Highlights (continued)

Yabang Gumba-Gu

- ✓ NAIDOC week preparations (in June) included the NAIDOC week opening and Fun Day, Flag raising, March down William Street and Community day at Riverside Park.
- ✓ Artwork by Renae Lamb installed in Raymond Terrace, telling stories in Worimi Gathang language.
- ✓ 5 projects endorsed from the Aboriginal Projects Fund valued at \$26K.

Libraries & community spaces

- ✓ Refurbishment of our 15 year old Mobile Library truck from a State Library of NSW grant - including Jordan Lucky artwork, new computers, lighting, joinery, carpet & furniture.
- ✓ Inaugural Library Literary Picnic - 3 day program featuring creative writing workshops & authors Janette Paul, Paula Morrow, Kaz Delaney & Todd Alexander.
- ✓ 'Grab and Go' collection launched.

Community Event Development Fund:

- ✓ 9 community events funded & supported: Tillifest 2022, Elders Olympics, Woodville Community Family Fun Night, Twilight Cinema, Whale Season Launch, Medowie Arts and Craft Show, Emergency Services Regatta, PS FM 40th Birthday Event, Human Whale Community Event.

Challenges

- ✗ Weather – unruly weather had an impact on our event program with events being postponed.
- ✗ Supply issues - including ongoing effects of COVID-19 have resulted in delays in the libraries receiving new collection items.

Our Community snapshot

Yabang Gumba-Gu

- Actions on track/progressing

Our Incredible Place Strategy

- Actions on track/progressing

Our Library Services

- Library user satisfaction score 94% (exceeding target)
- 153,051 items borrowed
- 12,053 enquiries
- 4,630 people attended 368 programs
- 924 new library members
- Stories in the Street volunteers read to 258 children
- 303 home deliveries

Our Place

A liveable and connected place supporting community wellbeing and local economic growth

P1 Strong economy, vibrant local businesses, active investment

Our community has an adaptable, sustainable and diverse economy

Operational Plan Actions



On track – 4

Supporting Sustainable business development

Following an extensive recruitment campaign, Destination Port Stephens announced a new CEO, Stephen Keogh.

We've started 'Meet & Greet' events across the LGA with Business Port Stephens which are attracting 100+ attendees and providing a useful platform for sharing information and creating connections.

Attracting and facilitating major events

Following a challenging few years, events are returning to Port Stephens. Sail Port Stephens was held in April and May and is now the second largest Sailing Regatta in Australia. This year's event was extended to accommodate the demand for berthing and accommodation. Over 1000 people participated in the event which injects more than \$1M into the Port Stephens economy.



Karuah by Night

P2 Infrastructure and facilities

Our community's infrastructure and facilities are safe, convenient, reliable and environmentally sustainable

Operational Plan Actions



On track – 2



Monitor – 2

Managing, providing and maintaining Infrastructure

We secured more than \$4.3M in grant funding during the period for infrastructure and facilities, meaning that we have been able to deliver essential upgrades to the asset network. While some grant funding is coming to an end due to its association with a post-COVID infrastructure stimulus, we are finding new grants with similar infrastructure outcomes. This means that an expanded capital works program is likely to continue throughout the rest of the 2023 to 2024 financial year.

While weather conditions have been fairer over the period we've continued to make progress on the backlog of works associated with natural disasters/wet weather over the past 2 to 3 years. This additional workload together with redirection of staff to Grant related projects has particularly impacted our Infrastructure teams (Assets, Capital Works and Maintenance) and work programs - asset inspections programs and fixing of high priority defects (particularly roadside drainage) are slightly below the proposed targets, however defect works were managed in consideration of risk.

Whilst there were a number of challenges we were able to complete a significant amount of projects in the last six months - refer Highlights on page 29 for more.



P3 Thriving and safe place to live

Our community supports a healthy, happy and safe place

Operational Plan Actions



On track – 7

Strategic Planning

We've continued to develop and refine Council's strategy framework and documentation. With an increasing need and focus on housing supply diversity and affordability our focus has begun to shift to delivering plans and strategies that will assist to achieve this.

Development Applications (DA)

We've had a notable reduction in DAs lodged in the period, however the cost of development has increased. This metric shows the smaller scale development is reducing akin to macro-economic conditions, however the major projects space remains active. This project trend has resulted in increased workloads for Council staff given the scale and complexity of major projects.

We've been part of numerous pre-lodgement, Regional Planning Panel and Urban Design Review Panel meetings for major developments in the LGA. There has also been an increase in State Significant Development referrals.

The National Construction Code underwent a complete re-structure, prompting changes to our templates, checklist and process – creating opportunities for review and process improvement initiatives.

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SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.

Highlights

Economy & Business

- ✓ Collaborating with Department of Regional NSW.
- ✓ Developing collateral to promote key industry sectors.
- ✓ Raymond Terrace Business After Hours project.
- ✓ Hunter Hunter editorial promoting the Hinterland.
- ✓ Council's monthly business e-newsletter distributed to 825 subscribers.

Place Planning & Activation

- ✓ Karuah Place Plan - Highly Commended for 2023 Local Government Excellence Awards.
- ✓ Community Funding Program continued to be rolled out.
- ✓ Grant Funding awarded for 'Unsung Heroes' to host a series of placemaking & environmental events.
- ✓ It's On! Activations Program included Snak N Rap, Kidzones, Tastes like Summer, Seniors Week, Youth week, Locals Lounges, Local and Live, Whale season activations.

Infrastructure Planning and Renewal

- ✓ 22,000+ potholes fixed.
- ✓ 2022/23 Road Safety Projects completed.
- ✓ Progressing the Anna Bay & Tilligerry Creek Floodplain Risk Management Study and Plan and Lower Hunter Floodplain Cumulative Development Impact Study and Plan.
- ✓ Approving subdivision certificates, creating more than 75 new lots.
- ✓ Completed capital works including:
 - Pavement rehabilitation - Ferodale Road; Ferodale Road Segment 100; Clarencetown Road (Mooghin Road to Dixon Street); Seaham Road & Hinton Road intersection; Clarencetown Road (Wattle Creek Bridge to Langlands Road); Kindlebark Drive; Tanilba Road Mallabula pavement reconstruction; Newline Road; and Medowie Road.
 - Road Works - Swan Bay Road Segment 160 preliminary works; Gan Gan Road & Nelson Bay Road intersection upgrade.
 - Traffic calming - Ferodale Road & Brocklesby Road; Adelaide Street; Government Road.
 - Buildings - Salamander Transfer Station amenities; Mallabula soccer/athletics building; John Parade building demolition.
 - Drainage improvements - Seabreeze Estate.
 - Sports fields & Parks - Salamander Bay sports field upgrade; ANZAC Park facilities upgrade; Henderson Park irrigation upgrade.
 - BBQ replacements - Conroy Park.
 - Town centre improvements - Stage 1 William Street.
 - Playgrounds - Lakeside Leisure Centre & shade sail.
 - Other works - Soldiers Point Road retaining wall; Raymond Terrace basketball hoops; Fern Bay Community Centre Fire Indicator Panel Upgrade; and Raymond Terrace HPAA.

Our Place snapshot

Our Incredible Place Strategy

- On track
- Strong visitation during the School Holiday periods & summer

VIC

- Increased walk-ins following school holiday activities

Economic Development Strategy

- Actions on track

Place Plan delivery

- Progress page 16
- 42 It's On! activations

Asset condition inspections

- 83% complete (below 90% target)

Engineering, flooding & drainage development referrals processed within agreed timeframes:

- All Flood Certificates
- 97% of flooding & drainage DA referrals
- 85% of development engineering DA referrals

Highlights continued

Strategic Planning & Development Assessments

- ✓ Finalising the Port Stephens Centres and Employment Land Study (LSPS action 1.2).
- ✓ Converting employment zones in Port Stephens consistent with the Department's statewide employment zone reforms.
- ✓ Integrating the Local Infrastructure Contributions Plan with Council's Assets and Capital Works areas of Council, streamlining infrastructure demand, funding and delivery.
- ✓ DA 100 day list at 38 in December has reduced to 33 in June 2023 (average processing time for the period 23 net median days).
- ✓ Implementing an initiative for reviewing lodgement of DAs to improve quality of information submitted to Council and reduce assessment timeframes.
- ✓ Number of complex/long-standing DAs determined or withdrawn at Council direction.
- ✓ Number of complex commercial construction certificates lodged with Council (as the Principal Certifier). These types of applications usually sit in the private market.
- ✓ 783 CCs approved (334 by Council) for 2022-2023.
- ✓ Increased number of Building Inspections – resulting from high DA and CC determinations from previous year.
- ✓ Growing Fire Safety Program & identifying a number of constant issues across the LGA.

Compliance, Ranger & Environment Services

- ✓ Completing campaigns for Restricted, Dangerous and Menacing Dogs; School Safety; Construction Site Compliance and Illegal Camping.
- ✓ Completing inspection programs for food, public swimming pools, skin penetration & underground petroleum storage systems.
- ✓ Environmental Health team and Rangers managing a high level of customer requests.

Emergency Management

- ✓ Development of the Port Stephens Pre-Event Recovery Plan is nearing completion.
- ✓ All evacuation centres identified within the Port Stephens Emergency Management Plan have been reviewed and audited on behalf of the Local Emergency Management Committee.
- ✓ The scheduled maintenance of all Council managed Asset Protection Zones has been completed in accordance with the Lower Hunter Bushfire Risk Management Plan.

Our Place snapshot

cont'd

Public Infrastructure Program

- On track

Maintenance defects

- High priority defects marginally below target

Community Financial Assistance

- \$67K of Mayoral & Ward Funds paid during the financial year

Development Services & Strategic Planning

- Planning proposals assessed within DPE timeframes
- Meeting DA determination target of 40 days
- 364 DA's approved at value of \$197M

Emergency Management

- Strategic objective actions on track

Challenges

- ✱ Attracting staff/workforce – has been a key issue for business across all sectors. Being able to secure housing within a reasonable distance of the workplace along with cost of living pressures has been a challenge.
- ✱ Supply chain and material cost issues – remains an issue for a number of key areas.
- ✱ Funding constraints – coupled with contractor availability has impacted projects. Construction cost increases since project scoping.
- ✱ Maintenance – backlogged due to previous weather and austerity measures.
- ✱ Weather – July 2022 natural disaster roll-on impact for drainage and flooding enquiries; certainty around grant funding opportunities have impacted the delivery of otherwise planned improvements Council had identified for communities that were impacted by flood events in 2022.
- ✱ Additional step in the planning proposal process - navigating with proponents and State agencies to ensure proposals reflect current guidelines and planning requirements.
- ✱ Local Infrastructure Contributions charges (LIC) - hit the NSW LIC rate cap of \$20,000 presenting challenges because it limits funding for various suitable projects.
- ✱ DPE mandate from 1 July that DA determinations be generated via the planning portal - significant investment of time, resourcing and likely delays in assessment during initial implementation.

Our Environment

Port Stephens environment is clean, green, protected and enhanced

E1 Ecosystem function

Our community has healthy and dynamic environmental systems that support biodiversity and conservation

Operational Plan Actions



On track – 2

Environmental Strategies & Policies

We are continuing to develop and build on our strategic framework for environmental matters, with the focus over the last period including engagement on the Coastal Management program and adoption of a number of key environmental policies including the revised Tree Vandalism Policy, Environment Policy and Climate Change Policy. Refer Key Priorities 'Natural Environment' page 15 for more information on grants secured and environmental education undertaken.

We've finalised the Comprehensive Koala Plan of Management (CKPoM) Interim 2023 Action Plan with actions now underway.

E2 Environmental sustainability

Our community uses resources sustainably, efficiently and equitably

Operational Plan Actions



On track – 1



Monitor - 1

Developing a Sustainability Strategy

We've refined our focus for developing a Sustainability Strategy by developing a Carbon Neutral Action Plan. Refer Key Priorities page 12 for more information. Whilst the date for adoption of the Action Plan by 30 June wasn't met, the Carbon Neutral 2025 project has accelerated over the period with engagement of a Sustainability Specialist to prepare the Action Plan and establishment of a PCG to guide the project. We've discovered a number of complexities along the way which we're taking the time to work through thoroughly.

Implementing the Waste Management Strategy

Refer to Key Priorities on page 18 for more information.

E3 Environmental resilience

Our community is resilient to environmental risks, natural hazards and climate change

Operational Plan Actions



On track – 2

Climate Change Adaptation Action Plan

The majority of the actions within the Climate Change Adaption Action Plan are either underway or complete, with review of the plan underway. We've established key internal groups to progress climate change plans, strategies and actions within the organisation and also commenced a review of recommendations for alignment and integration with the preparation of the Carbon Neutral Action Plan and the broader discussion around sustainability.



Coastal Management Program update

Refer to Key Priorities on page 12 for more information. Stage 3 of the CMP communications and engagement Plan was finalised, which included:

- 4 community drop in sessions and 3 workshops - focusing on the hazard maps and potential management options.
- Developing an online mapping tool to capture community comments.
- 3 key internal workshops and one external stakeholder workshop.
- Presenting to the Worimi LALC and Worimi Conservation Lands Board.
- Developing the Coastal planning sub-committee.
- On-going Councillor engagement.



Highlights

Environmental Policies, Strategies & Rehabilitation

- ✓ Adopting a number of policies – refer page 32.
- ✓ Commencing Stage 1 Biodiversity Offset Policy.
- ✓ 558 sites inspected for biosecurity compliance regarding priority weeds: 28 compliance and enforcement actions undertaken, 267 sites treated to control priority weeds.
- ✓ 295 ha across 57 sites of environmental significance was regenerated and restored. 1770 volunteer hours helped undertake this work; 2826 trees planted.
- ✓ 100 stakeholders received Invasive Species face to face engagement.
- ✓ Tree Permits: 82 received, 96 determined, 69 approved.
- ✓ Tree Notifications: 15 received, 11 determined, 44% approved.

Waste management

- ✓ Completing the rollout of approx. 32,000 Garden Organics (GO) bins.
- ✓ Waste app launched.
- ✓ 3,119 tonnes of kerbside recycling recycled.
- ✓ 1,275 mattresses, 731 tyres and 224 tonnes of steel diverted.
- ✓ Workshops held – ‘Rethinking your wardrobe’.
- ✓ Investigating Resource Recovery - Timber, Poly Styrene and reuse of sweeping materials.

Our Environment snapshot

Environmental strategies and frameworks

- In progress

Sustainability Strategy

- Carbon Neutral Action Plan focus

Coastal Management Program

- Refer page 12

Climate Change Adaption Action Plan

- Actions & review underway

Waste Management Strategy 2021-2031

- On track
- *21% waste diverted from landfill for 2022-2023

*Whilst below the annual target of 40%, this will improve with the GO bin implementation



Our Council

Port Stephens Council leads, manages and delivers valued community services in a responsible way

L1 Governance

Our Council's leadership is based on trust and values of Respect, Integrity, Teamwork, Excellence and Safety (RITES)

Operational Plan Actions



On track – 12

Advocacy Priorities & Newcastle Airport

Following the Strategic Workshop with Councillors in late 2022, we developed the 2023 Community Advocacy priorities document (refer page 10) to target key issues for the NSW Government election. This advocacy document facilitated a number of meetings with candidates, existing members, Ministers and Shadow Ministers leading up to the election in March 2023. As a result a number of significant commitments relating to local road funding was made by the incoming Labor government which we're currently following up with local members and relevant ministers.

The Mayor and GM sit on majority independent skills based boards to direct and govern the operations of the Newcastle Airport, in addition to attending bi-monthly meetings.



The NAPL Board has approved a terminal expansion program to undertake significant upgrades of the terminal and other infrastructure including international route expansion along with the current upgrades to the runway. Initial development applications for commercial buildings in the Astra Aerolab have been submitted and are under assessment.

ITEM 3 - ATTACHMENT 1

SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.

Workforce, Corporate Systems, Governance & Integrated Planning

Our Human Resources, ICT, Finance, Business Improvement, Governance and other back of house teams are the key enablers to assist our organisation deliver our services to the community in the best possible way. During the past six months a number of key initiatives and programs have been delivered to ensure that we have:

- appropriate workforce planning (recruited, retained, developed and engaged).
- sufficient Council financial resources to allow staff to deliver their key priorities (refer Key Priorities page 14 for more information).
- technology that is fit for purpose, and managed in response to ongoing cyber security risks.
- provision of digital services such as e-planning, e-invoicing, online services.
- appropriate governance and risk management checks and balances.
- a service review program to regularly and systematically ensure we are providing efficient and effective services the best possible way.
- annual review, reporting and adoption of our core IP&R documents.

L2 Financial Management

Our Council is financially sustainable to meet community needs

Managing our financial resources

Refer Key Priorities on page 10 for more information.

While the approved SRV will provide support in maintaining services and improving community infrastructure, it is essential that financial sustainability practices and measures continue to be a focus in our decision making.

Beachside Holiday Parks (HP) & Koala Sanctuary (Sanctuary)

We've completed many projects at the HP and Sanctuary including: the new Murals at Thou Walla Sunset Retreat painted by local indigenous artist Jason Russell, painting and installation of the bulk refillable Biology amenities across the Sanctuary accommodation replacing the single-use miniature hotel toiletries, in an effort to move towards a more environmentally responsible and sustainable product.

Operational Plan Actions

On track – 3



ITEM 3 - ATTACHMENT 1

SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.

We've also hosted many 'Famils' to show case our product to decision makers and influencers from India, Hong Kong, UK and China - impressed with what the Sanctuary has to offer, including a traditional Aussie BBQ dinner during the stay.

L3 Communication and engagement

Our Council is committed to enabling an engaged and informed community

Operational Plan Actions



On track – 2

Customer Experience

We recently integrated our online Contact Us form with customer request forms, meaning the process is now more streamlined and efficient for internal and external customers. A number of other online forms have been created following reviews which has led to an improved customer experience.

Communication and Community Engagement

Our Communication and Engagement Strategy actions continue to be implemented with some significant campaigns already completed under this framework. Our Communications and Engagement Advisory Group establishment is underway which will further enhance and strengthen the framework.

ITEM 3 - ATTACHMENT 1

SIX MONTH PROGRESS REPORT - JANUARY TO JUNE 2023.

Highlights

Newcastle Airport, Hunter Councils

- ✓ Reaching significant milestones for extension of the airport terminal & domestic and international flights.
- ✓ Work began on the runway from the \$121M secured in the previous period.

Citizenship & Workforce

- ✓ 150 citizens conferred across 56 countries.
- ✓ 3 wins for PSCare across 3 different awards.
- ✓ Finalising our Workforce Planning.
- ✓ Further exploration of our employee engagement by mapping our employee experiences.
- ✓ Revamping our employer value proposition.

Corporate Systems

- ✓ Improvement initiatives on track including:
 - Cyber Security.
 - GIS – alignment to state cadastre and a digital LEP.
 - Information Management.
 - e-Planning.
 - Asset Management.
 - Online Services.

Governance, Legal, Internal Audit & Risk, Finance

- ✓ Completing our Governance Health check.
- ✓ Evolving and continuing to strengthen Council's risk management program.
- ✓ 200 legal advices and other matters.
- ✓ 27 formal, 795 informal (information requests) & 700 property enquiries.
- ✓ Completing & reporting the 2022-2023 Internal Audit Plan to the Audit Committee.
- ✓ Commencing implementation of the Audit, Risk & Improvement Committee (ARIC).
- ✓ Monthly updates with Council on financial performance
- ✓ Implementation of expanded rates hardship program.

Managing Property & Holiday Parks (HP)

- ✓ 28 native title referrals.
- ✓ 18 new leases and licences.
- ✓ Near 0% Property vacancy rate (for 2022-2023).
- ✓ Adopting our first Crown Land Plan of Management for one HP.
- ✓ World class Thou Walla Sunset Retreat – 100% *Net Promoter Score for June 2023.
- ✓ Net Promoter Score for HPs 73% & Sanctuary 94% for the period.
- ✓ 20,129 calls answered at the HP, with 9,314 bookings placed.

*A Net Promoter Score of 70% is 'world class'.

Our Council snapshot

Workforce Management Strategy (WMS)

- Delivering on 4 strategic objectives

Corporate Systems and Data Management

- Maintaining system uptime 100%
- Delivering on 5 strategic objectives

Governance & Internal Audit program

- On track

IP&R and Service Review program

- Gold award for the 2021-2022 Annual Report
- On track

Financial Planning

- implementation ongoing

Property Portfolio

- In accordance with Property Investment Strategy Property

Holiday Parks and Koala Sanctuary

- Delivery plans on track

Challenges

- ✖ Cyber Security – continues to be an issue.
- ✖ Crown Lands - work on the remaining outstanding Plans of Management.
- ✖ Converting the Koala Sanctuary to a land manager arrangement in lieu of lease.
- ✖ Staff resourcing – increased demand and competition for top talent in the labour market.

Our Council snapshot (cont'd)

Customer Experience & Communication and Engagement

- Communication & Engagement Strategy program on track
 - 62% more video content*
 - 21% increase in social media clicks through to website
 - 1,199 more social media subscribers*
 - 500 more subscribers to Your Port newsletter*
- *than previous period





PORT STEPHENS
COUNCIL

council@portstephens.nsw.gov.au | 02 4988 0255 | [PORTSTEPHENS.NSW.GOV.AU](https://www.portstephens.nsw.gov.au)    

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

Councillor Peter Francis left the meeting at 6:19pm.

ITEM NO. 4

FILE NO: 23/193871
EDRMS NO: PSC2021-04206

REQUEST FOR FINANCIAL ASSISTANCE

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral and Ward funds to the following:-
 - a) Tomaree Prostate Cancer Support Group – Mayoral funds - \$5000 donation towards travel costs for patients.
 - b) Northern Hawks Rugby League Club – Mayoral funds - \$2805 donation towards Indigenous jerseys for NAIDOC Week. (This item was deferred from the Ordinary Council Meeting of 8 August 2023).
 - c) Lions Club of Tilligerry Peninsula – Cr Steve Tucker – Rapid response - \$500 donation towards the 2023 Literature Awards.
 - d) Raymond Terrace Soccer Club – West Ward funds - \$1000 donation towards 2023 Gala Day.
 - e) MacDog – Mallabula & Community Dog Obedience Group – Cr Steve Tucker - Rapid response - \$500 donation towards purchase of a storage shed.
 - f) Tilligerry Tennis Club – Cr Steve Tucker - Rapid response – \$120 donation towards medallions and trophies for local primary schools tennis tournament.
 - g) Port Stephens Celtic Association – Cr Giacomo Arnott – Rapid response - \$500 donation towards the cost of field hire for the Clans on the Coast Highland Celtic Festival.

ORDINARY COUNCIL MEETING - 22 AUGUST 2023 MOTION

008	Councillor Chris Doohan Councillor Steve Tucker It was resolved that Council approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral and Ward funds to the following:- a) Tomaree Prostate Cancer Support Group – Mayoral funds - \$5000 donation towards travel costs for patients.
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MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

	b) Northern Hawks Rugby League Club – Mayoral funds - \$2805 donation towards Indigenous jerseys for NAIDOC Week. (This item was deferred from the Ordinary Council Meeting of 8 August 2023). c) Lions Club of Tilligerry Peninsula – Cr Steve Tucker – Rapid response - \$500 donation towards the 2023 Literature Awards. d) Raymond Terrace Soccer Club – West Ward funds - \$1000 donation towards 2023 Gala Day. e) MacDog – Mallabula & Community Dog Obedience Group – Cr Steve Tucker - Rapid response - \$500 donation towards purchase of a storage shed. f) Tilligerry Tennis Club – Cr Steve Tucker - Rapid response – \$120 donation towards medallions and trophies for local primary schools tennis tournament. g) Port Stephens Celtic Association – Cr Giacomo Arnott – Rapid response - \$500 donation towards the cost of field hire for the Clans on the Coast Highland Celtic Festival.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Kafer, Steve Tucker and Jason Wells.

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 - 22 AUGUST 2023

The requests for financial assistance are shown below:

MAYORAL FUNDS

Tomaree Prostate Cancer Support Group (TPCSG)	The TPCSG provides support for men living on the Tomaree Peninsula diagnosed with Prostate Cancer.	\$5000	Donation towards travel costs for patients.
Northern Hawks Rugby League Club	The Northern Hawks Rugby League Club is a newly formed club competing in the Newcastle Rugby League Competition.	\$2805	Donation towards Indigenous jerseys for NAIDOC Week.

WARD FUNDS

Lions Club of Tilligerry Peninsula	Tilligerry Lions Club was formed in 1984 and supports various community activities and initiatives.	\$500	Donation towards 2023 Literature Awards.
Raymond Terrace Soccer Club	Raymond Terrace Soccer Club is a local sporting club supporting children through to adults taking part in competitive football.	\$1000	Donation towards 2023 Gala Day.
MacDog Mallabula & Community Dog Obedience Group	MacDog have provided valuable canine training and promotion of responsible ownership to the community for the past 22 years.	\$500	Donation towards purchase of storage shed.
Tilligerry Tennis Club	Tilligerry Tennis Club is a social tennis club, with	\$120	Donation towards medallions and trophies for local

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

	many members and non-members getting together for social tennis at set times each week, as well as casual court hire to the community.		primary schools tennis tournament.
Port Stephens Celtic Association	A group who create an annual festival celebrating the cultural contribution of the Scottish & Celtic settlers to Australia.	\$500	Donation towards field hire costs for the Clans on the Coast event.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Provide the Community Financial Assistance Program

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.

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

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with key stakeholders has been undertaken by the General Manager's Office.

Consultation has been undertaken with the key stakeholders 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 the request.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

Councillor Peter Francis returned to the meeting at 6:27pm.

ITEM NO. 5

FILE NO: 23/193876
EDRMS NO: PSC2022-02308

INFORMATION PAPERS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 22 August 2023.

No:	Report Title	Page:
1	July 2023 Cash and Investments	85
2	Delegations Report	88
3	Council Resolutions	90

ORDINARY COUNCIL MEETING - 22 AUGUST 2023 MOTION

009	Councillor Chris Doohan Councillor Glen Dunkley
	It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 22 August 2023.
No: Report Title	
1 July 2023 Cash and Investments	
2 Delegations Report	
3 Council Resolutions	

Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 22/325570
EDRMS NO: PSC2017-00180**

JULY 2023 CASH AND INVESTMENTS

REPORT OF: GLEN PETERKIN - ACTING FINANCIAL SERVICES SECTION
MANAGER
GROUP: CORPORATE SERVICES

BACKGROUND

The purpose of this report is to present Council's schedule of cash and investments held at 31 July 2023.

The cash reserves for 31 July 2023 are currently being reconciled as part of the end of financial year procedures. The final balances will be reported in the August 2023 Cash and Investments report.

ATTACHMENTS

1) Cash and Investments - July 2023.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

ITEM 1 - ATTACHMENT 1 CASH AND INVESTMENTS - JULY 2023.

Cash and Investments Held as at 31 July 2023

ISSUER	Broker	Rating*	Type	Investment Date	Yield (%)	Term (days)	Maturity Date	Amount Invested	Market Value
Westpac	Westpac	AA	TD	3-Jun-22	3.28%	424	1-Aug-23	1,000,000	1,013,479
Mutual Bank	Curve	BBB	TD	2-Jun-22	3.40%	438	14-Aug-23	1,000,000	1,039,496
AMP Bank	Laminar	BBB	TD	29-Jul-22	4.45%	382	15-Aug-23	1,000,000	1,000,000
AMP Bank	Laminar	BBB	TD	2-Aug-22	4.45%	384	21-Aug-23	825,000	861,511
AMP Bank	IAM	BBB	TD	25-Aug-22	4.25%	361	21-Aug-23	500,000	519,795
AMP Bank	Laminar	BBB	TD	1-Sep-22	4.25%	368	4-Sep-23	700,000	727,142
Australian Unity Bank	Curve	BBB	TD	1-Jun-22	3.40%	468	12-Sep-23	1,000,000	1,005,589
Commonwealth Bank of Australia	CBA	AA	TD	17-Jun-22	4.39%	467	27-Sep-23	1,000,000	1,003,571
Commonwealth Bank of Australia	CBA	AA	TD	17-Jun-22	4.41%	481	11-Oct-23	1,000,000	1,003,625
Commonwealth Bank of Australia	CBA	AA	TD	17-Jun-22	4.42%	495	25-Oct-23	1,000,000	1,003,633
Arab Bank	IAM	NR	TD	27-Jul-23	5.30%	90	25-Oct-23	699,755	700,162
National Australia Bank	Curve	AA	TD	27-Jul-23	5.05%	91	26-Oct-23	5,000,000	5,002,767
National Australia Bank	Curve	AA	TD	27-Jul-23	5.05%	91	26-Oct-23	5,000,000	5,002,767
AMP Bank	Curve	BBB	TD	28-Jul-23	5.15%	90	26-Oct-23	2,500,000	2,501,058
Arab Bank	IAM	NR	TD	28-Jul-23	5.32%	90	26-Oct-23	2,500,000	2,501,093
Westpac	Westpac	AA	TD	16-Feb-22	1.48%	629	7-Nov-23	1,000,000	1,003,082
Commonwealth Bank of Australia	CBA	AA	TD	17-Jun-22	4.45%	524	23-Nov-23	1,000,000	1,003,658
Summerland Credit Union	IAM	NR	TD	30-Nov-22	4.72%	362	27-Nov-23	1,000,000	1,031,424
ING Bank	ING	A	TD	24-Jun-22	4.22%	531	7-Dec-23	1,000,000	1,004,393
QBANK	Ord Minnett	BBB	TD	2-Dec-22	4.70%	374	11-Dec-23	975,000	1,005,257
Commonwealth Bank of Australia	CBA	AA	TD	17-Jun-22	4.48%	552	21-Dec-23	1,000,000	1,003,682
ING Bank	ING	A	TD	24-Jun-22	4.33%	559	4-Jan-24	1,000,000	1,004,152
ING Bank	ING	A	TD	29-Jun-22	4.35%	566	16-Jan-24	1,000,000	1,003,814
Westpac	Westpac	AA	TD	8-Aug-22	4.00%	532	22-Jan-24	1,000,000	1,000,767
Westpac	Westpac	AA	TD	8-Aug-22	4.00%	539	29-Jan-24	1,000,000	1,000,000
Westpac	Westpac	AA	TD	28-Jan-22	1.53%	732	30-Jan-24	1,000,000	1,000,126
Westpac	Westpac	AA	TD	28-Jan-22	1.53%	746	13-Feb-24	1,000,000	1,000,126
Westpac	Westpac	AA	TD	16-Feb-22	1.72%	741	27-Feb-24	1,000,000	1,003,581
Westpac	Westpac	AA	TD	1-Sep-22	4.30%	557	11-Mar-24	1,000,000	1,007,068
Bank Vic	IAM	BBB	TD	3-Feb-23	4.62%	409	18-Mar-24	1,000,000	1,022,530
Westpac	Westpac	AA	TD	14-Oct-22	4.53%	542	8-Apr-24	1,000,000	1,002,110
Judo Bank	IAM	BBB	TD	22-Apr-22	3.35%	732	23-Apr-24	825,000	832,572
Summerland Credit Union	Curve	NR	TD	23-Nov-22	4.60%	523	29-Apr-24	1,000,000	1,031,507
Judo Bank	IAM	BBB	TD	22-Apr-22	3.35%	746	7-May-24	825,000	832,572
Macquarie Bank	Curve	A	TD	1-Sep-22	4.41%	627	20-May-24	1,000,000	1,040,234
Commonwealth Bank of Australia	CBA	AA	TD	7-Feb-23	4.65%	475	27-May-24	1,000,000	1,003,822
ING Bank	ING	A	TD	31-May-23	5.05%	377	10-Jun-24	1,000,000	1,008,440
Macquarie Bank	Curve	A	TD	1-Sep-22	4.41%	649	11-Jun-24	1,000,000	1,040,234
ING Bank	ING	A	TD	31-May-23	5.05%	383	17-Jun-24	1,000,000	1,008,440
ING Bank	ING	A	TD	6-Jun-23	5.10%	384	24-Jun-24	1,000,000	1,007,685
Mutual Bank	Mutual	BBB	TD	28-Jun-23	5.80%	362	24-Jun-24	1,000,000	1,005,244
Westpac	Westpac	AA	TD	23-Aug-22	4.35%	685	8-Jul-24	1,000,000	1,008,223
Westpac	Westpac	AA	TD	23-Aug-22	4.35%	692	15-Jul-24	1,000,000	1,008,223
ING Bank	ING	A	TD	5-Jul-23	5.67%	376	15-Jul-24	1,000,000	1,004,039
Australian Military Bank	Curve	BBB	TD	25-Aug-22	4.40%	704	29-Jul-24	1,000,000	1,040,986
Police Credit Union	IAM	NR	TD	14-Feb-23	5.02%	538	5-Aug-24	1,000,000	1,022,968
Westpac	Westpac	AA	TD	21-Feb-23	5.01%	538	12-Aug-24	1,000,000	1,009,608
Defence Bank	Curve	BBB	TD	5-May-23	4.95%	479	26-Aug-24	1,000,000	1,011,799
Bank Vic	IAM	BBB	TD	15-Mar-23	5.02%	544	9-Sep-24	1,000,000	1,018,980

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

ITEM 1 - ATTACHMENT 1 CASH AND INVESTMENTS - JULY 2023.

Cash and Investments Held as at 31 July 2023

ISSUER	Broker	Rating*	Type	Investment Date	Yield (%)	Term (days)	Maturity Date	Amount Invested	Market Value
Police Credit Union	IAM	NR	TD	5-May-23	5.02%	500	16-Sep-24	1,000,000	1,011,965
Police Credit Union	IAM	NR	TD	5-May-23	5.02%	507	23-Sep-24	1,000,000	1,011,965
ING Bank	ING	A	TD	23-Dec-22	4.68%	655	8-Oct-24	1,000,000	1,028,208
ING Bank	ING	A	TD	23-Dec-22	4.70%	661	14-Oct-24	1,000,000	1,028,329
Westpac	Westpac	AA	TD	3-Nov-22	4.90%	732	4-Nov-24	1,000,000	1,011,948
Summerland Credit Union	Curve	NR	TD	23-Nov-22	4.65%	719	11-Nov-24	1,000,000	1,031,849
Summerland Credit Union	Curve	NR	TD	23-Nov-22	4.65%	726	18-Nov-24	1,000,000	1,031,849
ING Bank	IAM	A	TD	2-Dec-22	4.50%	724	25-Nov-24	1,000,000	1,029,712
ING Bank	IAM	A	TD	2-Dec-22	4.50%	738	9-Dec-24	1,000,000	1,029,712
Commonwealth Bank of Australia	CBA	AA	TD	20-Dec-22	4.71%	731	20-Dec-24	1,000,000	1,003,871
Police Credit Union	IAM	NR	TD	5-May-23	5.02%	612	6-Jan-25	1,000,000	1,011,965
ING Bank	ING	A	TD	6-Jun-23	4.98%	587	13-Jan-25	1,000,000	1,007,504
Westpac	Westpac	AA	TD	6-Jun-23	4.98%	594	20-Jan-25	1,000,000	1,007,504
Judo Bank	IAM	BBB	TD	28-Jun-23	5.75%	579	27-Jan-25	1,000,000	1,005,199
Westpac	Westpac	AA	TD	6-Jun-23	4.98%	602	28-Jan-25	1,000,000	1,007,504
Commonwealth Bank of Australia	CBA	AA	TD	8-Feb-23	4.74%	733	10-Feb-25	1,000,000	1,003,896
Arab Bank	IAM	NR	TD	28-Jun-23	5.83%	593	10-Feb-25	1,000,000	1,005,271
Arab Bank	IAM	NR	TD	28-Jun-23	5.83%	607	24-Feb-25	1,000,000	1,005,271
Summerland Credit Union	Curve	NR	TD	15-Mar-23	5.05%	726	10-Mar-25	1,000,000	1,019,093
AMP Bank	IAM	BBB	TD	20-Apr-23	5.00%	732	21-Apr-25	1,000,000	1,013,973
AMP Bank	IAM	BBB	TD	9-May-23	5.00%	727	5-May-25	1,000,000	1,011,370
MOVE Bank	Curve	NR	TD	26-May-23	5.15%	731	26-May-25	1,000,000	1,009,312
Judo Bank	IAM	BBB	TD	5-Jul-23	5.70%	733	7-Jul-25	1,000,000	1,004,060
Total Term Deposits (\$)								81,349,755	82,248,365
Macquarie Bank	Laminar	A	At Call		4.05%			0	0
Total Investments (\$)								81,349,755	82,248,365
Cash at Bank (\$)								4,888,086	4,888,086
Total Cash and Investments (\$)								86,237,841	87,136,451
Cash at Bank Interest Rate		4.15%							
3 month BBSW		4.30%							
Weighted Average Investment Rate of Return on TD's		4.60%							
TD = Term Deposit									
*Standard & Poors Long Term Rating									
Certificate of Responsible Accounting Officer									
I hereby certify that the investments listed above have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government									
Glen Peterkin									
Acting Financial Services Section Manager									

ITEM NO. 2

**FILE NO: 23/193417
EDRMS NO: PSC2009-00965**

DELEGATIONS REPORT

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
GROUP: 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

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
27/07/2023	Roads and Maritime Services delegations	Authorises the installation, display, removal or alteration of the traffic control devices for the listed items identified in the Port Stephens Local Traffic Committee report dated 4 July 2023.	General Manager	22/08/2023
01/08/2023	Clause 178 of the Local Government (General) Regulation 2022	Acceptance of a tender for the Avenue of the Allies, Tanilba Bay - road reconstruction.	General Manager	22/08/2023

ITEM NO. 3

**FILE NO: 23/193462
EDRMS NO: PSC2017-00106**

COUNCIL RESOLUTIONS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: 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) Corporate Services resolutions.
- 2) Development Services resolutions.
- 3) Facilities & Services resolutions.
- 4) General Manager's Office resolutions.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 CORPORATE SERVICES RESOLUTIONS.



Action Sheets Report	Division:	Corporate Services	Date From:	27/08/2013
	Committee:		Date To:	08/08/2023
	Officer:		Printed: Wednesday, 9 August 2023	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Property Investment and Development Policy	30/09/2023	12/10/2022	
1						22/273002
09 Aug 2023						
Public Exhibition deferred to allow for further clarification on the distribution of funds.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Acquisition and Divestment of Land	30/09/2023	12/10/2022	
2						22/273002
09 Aug 2023						
Report deferred to allow for further clarification on the distribution of funds.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/09/2020	Pattison, Zoe	Newline Road, Raymond Terrace	30/09/2023		
2						20/288489
199						
09 Aug 2023						
Contracts and survey plan are being prepared. Completion of the acquisition is subject to registration of the plan.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/08/2013	Pattison, Zoe	Campvale Drain	30/12/2023		
243						
09 Aug 2023						
Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.						

ITEM 3 - ATTACHMENT 2 DEVELOPMENT SERVICES RESOLUTIONS.



Division:	Development Services	Date From:	14/09/2021
Committee:		Date To:	08/08/2023
Officer:		Printed:	Wednesday, 9 August 2023
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/06/2023	Lamont, Brock	RAMSAR Listing for Mambo Wanda Wetlands	1/12/2023	14/06/2023	
1		Pearl, Steven				23/147603
137						
09 Aug 2023						
Council continues investigations and benchmarking to identify available options. A business paper is forecast to be presented to Council at the 28 November 2023 meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Lamont, Brock	NSW Electric Vehicle Strategy	13/10/2023	12/04/2023	
3		Pearl, Steven				23/92450
093						
09 Aug 2023						
Draft DCP amendment in progress, the business paper is under review and is forecasted to be presented to Council for consideration at the 10 October 2023 meeting. A site feasibility study has been undertaken and the report is presently being finalised. Expression of Interest for EV charging providers is currently being drafted, subject to site feasibility study findings.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Pearl, Steven	Development Application Information	29/09/2023	12/04/2023	
3		Pearl, Steven				23/92450
103						
09 Aug 2023						
DA Tracker has been updated by the addition of the owner's name. In regard to DA documents being made available on 'DA Tracker', a report is being prepared and will be presented to an upcoming Council meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Lamont, Brock	Housing Affordability	30/03/2024	12/04/2023	
6		Pearl, Steven				23/92450
105						
08 Aug 2023						
Council's Local Housing Strategy (LHS) review will integrate all outstanding housing related actions (including the Affordable Housing Action Plan). The draft LHS is expected to be presented to Council for consideration in March 2024. A Councillor workshop has been scheduled for 17 August 2023 as the next step of the review.						

ITEM 3 - ATTACHMENT 2 DEVELOPMENT SERVICES RESOLUTIONS.



Division:	Development Services	Date From:	14/09/2021
Committee:		Date To:	08/08/2023
Officer:		Printed:	Wednesday, 9 August 2023
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Lamont, Brock	22 Homestead Street, Salamander Bay	27/10/2023	12/04/2023	
5 088		Peart, Steven				23/92450
08 Aug 2023						
Council investigated 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. A report is being prepared by Strategic Property and is forecasted to be presented to Council for consideration at the 14 October 2023 meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Lamont, Brock	Draft Development Control Plan - Housekeeping	13/10/2023	15/03/2023	
3 048		Peart, Steven				23/69308
09 Aug 2023						
Council has collated feedback from landholders impacted by the review of Chapter D12 - Richardson Road. The business paper is under review and is forecasted to be presented to Council for consideration at the 10 October 2023 meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/09/2021	Lamont, Brock	Port Stephens Waterway Strategy	29/12/2023	15/09/2021	
1 240		Peart, Steven				21/252518
09 Aug 2023						
Council was unsuccessful in the Regional NSW - Business Case and Strategy Development Fund grant. Other funding sources are currently being investigated. Funding is being sought for consultants to prepare the Port Stephens Waterways Strategy.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Lamont, Brock	Matter Arising - LEP Amendment to review building height controls	15/12/2023		
		Peart, Steven				
09 Aug 2023						
Council is investigating height controls and objectives as a part of the administrative amendment of the LEP. A draft amendment is forecast to be presented to Council at the 12 December 2023 meeting, seeking endorsement to submit the planning proposal to the NSW Department of Planning and Environment for a Gateway determination.						

ITEM 3 - ATTACHMENT 3 FACILITIES & SERVICES RESOLUTIONS.



Division: Facilities & Services	Date From: 21/08/2021
Committee:	Date To: 08/08/2023
Officer:	Printed: Wednesday, 9 August 2023
Action Sheets Report	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/07/2023	Gutsche, Tammy	Policy - Volunteer	22/09/2023	26/07/2023	
5		Kable, Gregory				23/188782
174						
08 Aug 2023						
Policy will be placed on public exhibition for 28 days and a further report will be provided to Council following public exhibition.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/05/2023	Maretich, John	Construction of a Building	22/12/2023	10/05/2023	
1		Kable, Gregory				23/115742
113						
09 Aug 2023						
Staff will investigate and prepare a report as per Council resolution to be presented at the Council Meeting to be held on 12 September 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Maretich, John	Naming Recreation Precinct at Medowie after Geoff Dingle	31/12/2023	12/04/2023	
2		Kable, Gregory				23/92450
085						
09 Aug 2023						
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
Report	Ordinary Council 24/05/2022	Maretich, John	Review of Dog Off Lead Areas - Boat Harbour Beach	31/10/2023	27/05/2022	
4		Kable, Gregory				22/136825
09 Aug 2023						
Report was endorsed by Council at its meeting held 24 May 2022, Minute No. 133. A review is currently underway and will be reported back to Council once targeted community engagement has been completed.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/10/2021	Gutsche, Tammy	Change to Lease Arrangements for Fingal Bay Surf Life Saving Club and Commercial Tenancies	31/08/2023	13/10/2021	
8		Kable, Gregory				21/274186
270						
08 Aug 2023						
Leases for Saltwater Restaurant, Long Boat Café & Fingal Beach Surf Club (FBSLSC) have been signed by external parties. Documents are with PSC Legal representatives for execution and finalisation.						

ITEM 3 - ATTACHMENT 3 FACILITIES & SERVICES RESOLUTIONS.



Division:	Facilities & Services	Date From:	21/08/2021
Committee:		Date To:	08/08/2023
Officer:		Printed:	Wednesday, 9 August 2023
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/08/2021	Maretich, John	Raymond Terrace Seven Day Makeover	26/09/2023		
17 228		Kable, Gregory				21/218740
09 Aug 2023						
This will be discussed with Councillors as a part of William Street, Stage 2 works which are funded through the Streets of Shared Spaces grant. There is the possibility to incorporate a Business Boosters Program to create great business vibrancy in Raymond Terrace.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 23/05/2023	Maretich, John	Matter Arising: Medowie Lounge Library - Request the General Manager to prepare a report on potential funding options for a lounge library at Medowie.	30/09/2023		
		Kable, Gregory				
09 Aug 2023						
Staff will investigate and prepare a report for the 26 September 2023 Council meeting.						



Action Sheets Report	Division:	General Manager's Office	Date From:	11/04/2023
	Committee:		Date To:	08/08/2023
	Officer:		Printed: Wednesday, 9 August 2023	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/07/2023	Wickham, Tony	Ward Boundary Review	29/09/2023	12/07/2023	
3 166		Crosdale, Tim				23/175933
09 Aug 2023						
Ward boundary review is underway.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Walker, Ashley	Financial Assistance	31/09/2023	12/04/2023	
3 083		Crosdale, Tim				23/92450
09 Aug 2023						
Awaiting necessary paperwork to process payments.						

NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 23/187998

EDRMS NO: PSC2017-00180

RAYMOND TERRACE GATEWAY SITE MASTERPLAN

COUNCILLOR: PETER KAFER

THAT COUNCIL:

- 1) Agrees to prepare a Masterplan for part of the Raymond Terrace Gateway site (42-50 William Street, 118-126 Adelaide Street and 27-29 Sturgeon Street, Raymond Terrace) as shown in **(ATTACHMENT 1)**.
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**ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION**

010	Councillor Peter Kafer Councillor Steve Tucker It was resolved that Council agrees to prepare a Masterplan for part of the Raymond Terrace Gateway site (42-50 William Street, 118-126 Adelaide Street and 27-29 Sturgeon Street, Raymond Terrace) as shown in (ATTACHMENT 1) .
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

**BACKGROUND REPORT OF: ZOE PATTISON – ACTING GROUP MANAGER
CORPORATE SERVICES**

BACKGROUND

Council has been considering future uses of some of its commercial lands in the Raymond Terrace Town Centre for a period of time. Expressions of Interest were called for the sale or lease of the Gateway site (42-50 William Street, 118-126 Adelaide Street and 27-29 Sturgeon Street, Raymond Terrace) in 2016 and twice in 2017. In 2018, Council commenced negotiations for the sale of the site, however, no

MINUTES ORDINARY COUNCIL - 22 AUGUST 2023

binding agreements were entered into between the parties and the negotiations stalled with the onset of COVID in 2020.

The site includes the building known as the Terrace Shopping Village (TSV) on the corner of William and Sturgeon Streets, and the Lifeline building at 29 Sturgeon Street, Raymond Terrace. The balance of the site is vacant land used as public car parking.

Both buildings are at the end of their useful life and require significant capital investment to keep them in a leasable state.

There are a number of potential opportunities for future development in Raymond Terrace as a result of the following:

- Relative affordability of housing in Raymond Terrace compared to other areas within the surrounding LGA could potentially lead to an increase in demand for housing, which will lead to an increase in demand for additional retail and commercial offerings.
- Potential increase in residential housing stock in the locality provided by the Kings Hill development (if approved) will further increase the demand for commercial and retail offerings.
- Business development at Williamstown could increase demand for residential and commercial land in close proximity to support the expanding workforce.
- Connectivity provided by the M1 motorway upgrade will reduce commute times between Newcastle and Raymond Terrace enabling Raymond Terrace to become a more prominent commuter suburb.
- The expansion of the Newcastle Airport is expected to increase visitation to the area by approximately 850,000 persons per year, and add an additional \$12.7 billion to the regional economy.

With a Public Domain Plan already in place for the broader Raymond Terrace CBD and research indicating that investment is expected to increase retail and commercial demand and create development opportunities for Raymond Terrace, it is recommended that a Masterplan be developed for the Gateway site to ensure appropriate investment and development is encouraged and catalysed for the site.

FINANCIAL/RESOURCE IMPLICATIONS

Development of a Masterplan is expected to cost \$50,000 (including accompanying reports) and can be funded from the Property Reserve.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	Yes		Property Reserve

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Source of Funds	Yes/No	Funding (\$)	Comment
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

1) Locality Plan.



CONFIDENTIAL ITEMS

In accordance with Section 10A, of the Local Government Act 1993, Council can close part of a meeting to the public to consider matters involving personnel, personal ratepayer hardship, commercial information, nature and location of a place or item of Aboriginal significance on community land, matters affecting the security of council, councillors, staff or council property and matters that could be prejudice to the maintenance of law.

Further information on any item that is listed for consideration as a confidential item can be sought by contacting Council.

ORDINARY COUNCIL MEETING – 22 AUGUST 2023 MOTION

011	Councillor Jason Wells Councillor Glen Dunkley It was resolved that Council move into confidential session.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

CONFIDENTIAL**ITEM NO. 1****FILE NO: 23/161392
EDRMS NO: PSC2017-00937****PROPOSED CLOSURE AND SALE OF PART OF OLD PUNT ROAD, TOMAGO****REPORT OF: ZOE PATTISON - ACTING GROUP MANAGER CORPORATE
SERVICES****GROUP: CORPORATE SERVICES****ORDINARY COUNCIL MEETING - 22 AUGUST 2023
MOTION**

012	Councillor Giacomo Arnott Councillor Leah Anderson It was resolved that Council: 1) Consents to the closure of part of Old Punt Road, Tomago. 2) Completes the required Council Road Closure Process under Part 4 Division 3 of the Roads Act 1993. 3) Authorises the sale of the road once closed to the adjoining landowner on the terms and conditions detailed in the body of this report. 4) Authorises the General Manager to sign all relevant documents required to effect the closure and sale on behalf of Council, including survey plan and Contract for Sale, as its authorised representative. 5) All funds raised from the sale are to be used to carry out works on public roads that will deliver a conservation outcome.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

ORDINARY COUNCIL MEETING – 22 AUGUST 2023
MOTION

013	Councillor Peter Kafer Councillor Steve Tucker It was resolved that Council move out of confidential session.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

There being no further business the meeting closed at 6:52pm.