

MINUTES – 14 FEBRUARY 2023



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 14 February 2023, commencing at 5:54pm.

PRESENT:

In Person

Mayor Ryan Palmer
Cr Leah Anderson
Cr Giacomo Arnott
Cr Matthew Bailey
Cr Chris Doohan
Cr Glen Dunkley
Cr Peter Francis
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

MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023
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001	Councillor Chris Doohan Councillor Peter Francis It was resolved that the apology from Cr Peter Kafer be received and noted.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

002	Councillor Leah Anderson Councillor Matthew Bailey It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council held on 13 December 2022 be confirmed.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

	There were no declaration of interest received.
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SUBJECT

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MAYORAL MINUTES

MAYORAL MINUTE

ITEM NO. 1

**FILE NO: 22/332839
EDRMS NO: PSC2021-04199**

DOMESTIC WASTE MANAGEMENT SERVICE CHARGE

THAT COUNCIL:

- 1) Notes that Port Stephens Council is a regional area and should pay the Regional Rate for the Section 88 Waste Levy along with other Lower Hunter Councils.
- 2) Calls on both the NSW Government and Opposition to commit to the full return of the waste levy to Local Councils to fund waste diversion from landfill initiatives such as those outlined in PSC Waste Strategy 2021.
- 3) Writes to the Premier, the Leader of the Opposition, the Member for Port Stephens and all known candidates for the 2023 NSW Election requesting their support for this request.

**ORDINARY COUNCIL MEETING - 14 FEBRUARY 2023
MOTION**

003	<p>Mayor Ryan Palmer Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Notes that Port Stephens Council is a regional area and should pay the Regional Rate for the Section 88 Waste Levy along with other Lower Hunter Councils.2) Calls on both the NSW Government and Opposition to commit to the full return of the waste levy to Local Councils to fund waste diversion from landfill initiatives such as those outlined in PSC Waste Strategy 2021.3) Writes to the Premier, the Leader of the Opposition, the Member for Port Stephens and all known candidates for the 2023 NSW Election requesting their support for this request.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to request the Environment Protection Authority (EPA) to apply the Regional Rate for the Section 88 Waste Levy to Port Stephens Council and the Lower Hunter Councils and return the waste levy to support waste diversion initiatives.

Recently, Council received correspondence from City of Newcastle requesting support from other Lower Hunter Councils in requesting the Regional Rate be charged for Section 88 Waste Levy, as these councils are currently paying the Metropolitan Rate.

The EPA, through The Protection of the Environment Operations Act 1997 (POEO Act) requires certain licenced waste facilities within NSW to contribute a waste levy for each tonne of waste requiring landfilling presented to their sites. This is referred to as The Waste Levy and is aimed at reducing the amount of waste going to landfill and support Resource Recovery.

The NSW regulated area includes councils within the metropolitan levy area and a regional levy area who pay differing levy rates. Currently, Council pays the metropolitan area rate as the EPA believes that metropolitan waste producers may transport waste from those areas into regional areas to avoid the levy.

The Waste Levy currently is \$151.60 per tonne for the metropolitan rate and \$87.30 for the regional rate, rural councils from further afield do not pay a levy. In the 2021 to 2022 financial year Council paid approximately \$3.5 million dollars to the EPA through the waste levy, which is expected to increase in 2022 to 2023 as Council is now sending more waste to landfill as a result of recent legislative changes. In previous years the EPA gave out grants under the Better Waste & Recycling fund in which Port Stephens Council received approximately \$100,000. However, this has changed over the past 12 months and funding has become a competitive arrangement.

Council recently adopted a Waste Strategy which prioritised a number of initiatives to help improve Council's environmental footprint. It is believed that the Waste Levy should be returned to councils to help initiate these programs, which is in keeping with the POEO Act.

ATTACHMENTS

Nil.

MAYORAL MINUTE

ITEM NO. 2

**FILE NO: 23/16921
EDRMS NO: PSC2021-04201**

PORT STEPHENS INTERNATIONAL WOMEN'S DAY SCHOLARSHIP 2023

THAT COUNCIL:

- 1) Contribute \$3,000 from Mayoral and Ward funds (\$750 from Mayoral funds and \$750 from each Ward) to support 3 scholarships for women aged 16 and older in the Port Stephens local government area, in celebration of International Women's Day 2023.
- 2) Nominate 1 Councillor from each Ward to participate on the International Women's Day Scholarship Panel, to be chaired by the Mayor.

**ORDINARY COUNCIL MEETING - 14 FEBRUARY 2023
MOTION**

004	<p>Mayor Ryan Palmer Councillor Chris Doohan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Contribute \$3,000 from Mayoral and Ward funds (\$750 from Mayoral funds and \$750 from each Ward) to support 3 scholarships for women aged 16 and older in the Port Stephens local government area, in celebration of International Women's Day 2023.2) Nominate Mayor Ryan Palmer, Cr Leah Anderson, Cr Peter Francis and Cr Steve Tucker to participate on the International Women's Day Scholarship Panel, to be chaired by the Mayor.3) This funding will recur every year in perpetuity, with the nominees to the panel remaining in place until the next committee membership agenda item, upon which time the nominees will be nominated during that Council meeting and thereafter.
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Cr Giacomo Arnott moved the following amendment, which was accepted by the mover and seconder and merged into the original motion:

- 3) This funding will recur every year in perpetuity, with the nominees to the panel remaining in place until the next committee membership agenda item, upon which time the nominees will be nominated during that Council meeting and thereafter.

MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek approval from Council for \$3,000 from Mayoral and Ward funds (\$750 from Mayoral funds and \$750 from each Ward) to support 3 scholarships for women aged 16 and over in the Port Stephens local government area, in celebration of International Women's Day 2023. The scholarships are for recognition and development of women across arts and culture, environment, business, community and health and sport.

The aim of the Port Stephens International Women's Day Scholarship Program is to encourage women in the Port Stephens Local Government Area (LGA) to achieve their goals and to support their valuable contribution to our communities. The scholarships are one of the ways Council recognises the important contribution women make to our community

Scholarship recipients will be awarded at a morning tea hosted by the Salamander Bay Rotary Club on Wednesday 8 March 2023.

ATTACHMENTS

Nil.

COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 22/334751
EDRMS NO: PSC2021-04195**

DEVELOPMENT APPLICATION AWARENESS CAMPAIGN

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Extends the advertising of Development Applications lodged to the Port Stephens News of the Area as part of the Development Application Awareness Campaign.
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**ORDINARY COUNCIL MEETING - 14 FEBRUARY 2023
MOTION**

005	Councillor Leah Anderson Councillor Jason Wells It was resolved that Council extends the advertising of Development Applications lodged to the Port Stephens News of the Area as part of the Development Application Awareness Campaign for the term of the campaigns trial period.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Cr Chris Doohan.

The motion was carried.

BACKGROUND

The purpose of this report is to provide information regarding the extension of the Development Application Awareness Campaign to include print advertising in the Port Stephens News of the Area. This report follows the resolution by Council at its 13 December 2022 meeting (**ATTACHMENT 1**).

Port Stephens Council has endorsed a Development Application Awareness Campaign which includes reinstating the advertising of Development Applications in the Port Stephens Examiner. The trial period will be for 6 months from 9 January 2023 to 30 June 2023 with an evaluation report provided to Council for consideration before committing to the ongoing implementation of the campaign.

MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023

As part of this trial, Council has requested further information regarding the extension of this campaign to include the weekly advertising of Development Applications lodged in the Port Stephens News of the Area.

More details including the cost of this advertising are currently being sourced and will be provided via a supplementary report.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Communication and Engagement	Provide information in a range of accessible formats.

FINANCIAL/RESOURCE IMPLICATIONS

More details including the cost of this advertising are currently being sourced and will be provided via a supplementary report.

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

LEGAL, POLICY AND RISK IMPLICATIONS

More details including the cost of this advertising are currently being sourced and will be provided via a supplementary report.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

More details including the cost of this advertising are currently being sourced and will be provided via a supplementary report.

CONSULTATION

More details including the cost of this advertising are currently being sourced and will be provided via a supplementary report.

Internal

To be conducted and provided via supplementary report.

External

To be conducted and provided via supplementary report.

OPTIONS

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

ATTACHMENTS

- 1) 13 December 2022 - Minute No. 330.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022**ITEM NO. 9****FILE NO: 22/304444
EDRMS NO: PSC2021-04195****DEVELOPMENT APPLICATION AWARENESS CAMPAIGN****REPORT OF: JANELLE GARDNER - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES****RECOMMENDATION IS THAT COUNCIL:**

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

**ORDINARY COUNCIL MEETING - 13 DECEMBER 2022
MOTION**

330	Councillor Giacomo Arnott Councillor Peter Francis It was resolved that Council: <ol style="list-style-type: none">1) Endorse the Development Application (DA) awareness campaign communication Plan and commence the trial period.2) Approve the weekly advertising of all DAs lodged with Council in the Port Stephens Examiner.3) Fund the additional costs for the trial period through increased revenues across the Development Services Group.4) Communicate with the Port Stephens News of the Area, to secure quotes for an extension of advertisement of DA's into News of the Area, to be reported back to Council's next meeting for decision on whether to extend DA advertisement into News of the Area.
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Those for the Motion: Crs Leah Anderson, Giacomo Arnott, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells

Those against the Motion: Mayor Ryan Palmer.

The motion was carried.

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022**BACKGROUND**

The purpose of this report is to provide information on Newspaper Notices. This report follows a Notice of Motion raised by Council at its 22 February 2022 meeting **(ATTACHMENT 1)**

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

In April 2020, changes to legislation in NSW no longer required Council to publish all Public Notices in print. This change was to help Councils across NSW reduce costs and redirect funds to areas of greater need. At this time, Council reduced its print advertising saving approximately \$63,000 in the first year.

The Port Stephens Examiner is part of the Australian Community Media Group and published every Thursday. The paper has an average readership of 31,320. The other local print publication, the Port Stephens News of the Area has a circulation of 10,000.

The Port Stephens Examiner continues to increase its online presence and as at 11 November 2022, has a digital readership of 25,319 per month. News of the area has approximately 8,000 followers on Facebook.

Although Port Stephens has a higher population of older residents, we also know that 79.6% of the Port Stephens population have internet access available from their dwelling (Remplan 2022). Based on this data and an analysis of the costs

surrounding print distribution and readership the following operational changes were implemented in April 2020:

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

Since this time, Council has continued to advertise a range of public notices and general information to the community.

Council has received ongoing community feedback regarding the cancellation of newspaper advertising for DAs. It has been identified that there is a perception within the community that removing the newspaper advertising was an attempt to hide/withhold information. This feedback has been sourced directly from the community via the recent Place and Vision Workshops during the Community

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

Strategic Plan review and during the public exhibition of the Communication and Engagement Strategy. Councillors have also advised staff that there is regular feedback regarding the cancellation of the advertising of DAs in the local newspaper.

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

A new DA Awareness Campaign has been developed which aims to increase the community's understanding of the development application process, DAs lodged with Council and how the community can register to be informed of and access information on DAs from both Council and the State Government.

It must be noted that this campaign does not form part of the formal notification period for a Development Application as outlined in the Councils Community Participation Plan. It's a complementary program aimed at increasing transparency and opportunity for the community to contribute to broader decision making.

The DA Awareness Campaign will deliver a number of actions including:

- A DA Email subscription service where every week, a list of all DAs lodged in the previous week will be email directly to subscribers
- A communication campaign to inform the community of the new Email subscription service and existing services including weekly mailed DA newsletter
- Weekly communication advising of development applications lodged by Council the previous week in the following mediums:
 - Print advertising in the Port Stephens Examiner
 - Social media posts (organic and paid) linking to the website and DA tracker
 - Direct email through E-subscription
- Communication aimed at educating the community about the DA process, how to make a DA submission and the functionality of the NSW Planning Portal

A detailed Communication Plan has been developed and included as **(ATTACHMENT 1)**.

It is proposed to trial this campaign from the 9 January 2023 to 30 June 2023 with an evaluation report provided to Council for consideration before committing to the ongoing implementation of the campaign.

The trial will evaluate community benefit and value for money with success measures to include:

- Minimal negative community feedback on awareness campaign
- High reach across communications methods
- 1,500 subscribers to DA E-subscription service during trial period (2% of the population)

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022**COMMUNITY STRATEGIC PLAN**

Strategic Direction	Delivery Program 2022-2026
Communication and Engagement	Provide information in a range of accessible formats.

FINANCIAL/RESOURCE IMPLICATIONS

Council has been successful in securing funding through the NSW Government Local Assessment Grant Program which is designed to reduce the median assessment timeframe for housing DAs and subdivision DAs. Part of this funding includes the development of the new E-subscription service.

More recently, Council has reviewed opportunities to increase advertising in local print publications, with costs for print advertising remaining high. Based on current advertising rates to reinstate a weekly print advertising in the Port Stephens Examiner for the trial period for all development applications lodged with Council is \$40,028. This cost covers the weekly half page advertisement during the trial period.

Possible savings could be made with print advertising if a criteria was developed enabling development applications lodged over a certain threshold only to be advertised. For example this criteria may include development applications for works over \$500,000 only. This would reduce the number of development applications to be listed in the advertisement and allow a smaller, quarter page advertisement resulting in a saving of approximately \$14,125.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	\$15,500	Funding for a ¼ page weekly newspaper advertisement would be sourced from existing operational budgets. Please note other projects will need to be reduced to accommodate this spend.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	Yes	\$10,000	
Other	No		

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

Should Council resolve to increase funding to incorporate a weekly ½ page newspaper advertisement for \$29,625, an alternative funding source will need to be identified.

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal or policy impediments to adopting the recommendations. Risks are identified in the table below.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Community and staff perception on reversing previous decision to remove newspaper advertisement notification of development applications.	Medium	Clear messaging relating to recently adopted Communications and Engagement Strategy Clear messaging in campaign about community feedback received. - Clear messaging in campaign about the new approach complementing the formal notification process, not replacing it.	Yes
There is a risk that Community and staff perception of increased budget for awareness campaign in current financial environment.	Medium	Clear messaging in campaign about community feedback received. Clear messaging in campaign about the trial being externally funded.	No
There is a risk that new E-subscription service isn't accessible for community members not comfortable with or without technology or internet.	Low	Inclusion of the weekly advertisement in campaign methods informing community of development application lodged the previous week.	No
There is a risk that the Community is not satisfied that weekly newspaper advertisement doesn't form part of the notification process.	Low	Clear messaging in campaign about the new approach complementing the formal notification process, not replacing it.	Yes

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

There is a risk that the Community education campaign is complex and technical.	Low	Simple messaging with use of video and images where possible.	Yes
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SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Adopting the recommendations in this report will increase opportunities for Port Stephens residents and business to contribute to broader decision making.

Economic implications have been outlined in the Financial Implications table above.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Communications section as outlined below.

Please note indirect consultation also occurred via the recent Communications and Engagement Strategy engagement program.

Internal

Development and Compliance Team
Communications and Engagement Team

External

Port Stephens Examiner
News of the Area

OPTIONS

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

ATTACHMENTS

- 1) DA Awareness Campaign Communication Plan Final.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

**ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION
PLAN FINAL.**



Improving community awareness of development
applications lodged with Council.



MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022**ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION PLAN FINAL.**

Introduction

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

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

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

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

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

Objectives



Create awareness and increase subscribers to the **new DA E-Subscription service**



Raise awareness of development applications lodged at Council through various channels



Educate the community on the development application process and the NSW Planning Portal

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022**ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION
PLAN FINAL.**

Scope

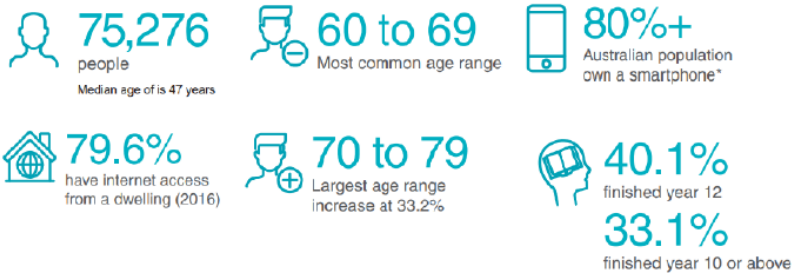
The DA awareness campaign includes:

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

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

Audience profile

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



MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION PLAN FINAL.

Communication methods

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

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

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



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Key messaging

General

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

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

DA E-Subscription service

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

DA weekly awareness

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

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION PLAN FINAL.



Key risks

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

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION PLAN FINAL.

Key milestones

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

Budget

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



Community Engagement and Communications Plan 9

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION PLAN FINAL.

Success criteria



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



Minimal negative community feedback on awareness campaign



High reach across communications methods



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

Action plan

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

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MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

**ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION
PLAN FINAL.**



Community Engagement and Communications Plan 11

MINUTES ORDINARY COUNCIL - 13 DECEMBER 2022

**ITEM 9 - ATTACHMENT 1 DA AWARENESS CAMPAIGN COMMUNICATION
PLAN FINAL.**



ITEM NO. 2

**FILE NO: 22/253220
EDRMS NO: PSC2009-02488**

POLICY REVIEW: PRICING POLICY

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Pricing Policy as shown at **(ATTACHMENT 1)**.
- 2) Place the revised Pricing Policy, as amended, on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
- 3) Revoke the Pricing Policy dated 27 October 2020, Minute No. 222 should no submissions be received.

**ORDINARY COUNCIL MEETING - 14 FEBRUARY 2023
MOTION**

006	<p>Councillor Chris Doohan Councillor Jason Wells</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Endorse the revised Pricing Policy as shown at (ATTACHMENT 1).2) Place the revised Pricing Policy, as amended, on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.3) Revoke the Pricing Policy dated 27 October 2020, Minute No. 222 should no submissions be received.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Pricing Policy (the policy) (**ATTACHMENT 1**) and place the policy on public exhibition.

The purpose of this policy is to outline the principles to be used when setting fees and charges.

The subject policy was originally adopted in June 2012 and has been reviewed as part of Council's ongoing policy review program. There are minor proposed changes to the policy:

- Additional clause added at 5.5.7 around Financial Sustainability measures.
- Minor administrative updates to ensure consistency in formatting.

Please note that yellow highlighting in the attached policy indicates an amendment has been made and strikethrough text is to be deleted.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Maintain strong financial sustainability.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications as a result of this policy review.

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

Section 610B of the Local Government Act 1993 requires that fees are to be determined in accordance with pricing methodologies adopted by Council.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may breach legislation and suffer loss of reputation, should a Pricing Policy not be in place.	Low	Adopt the recommendations.	Yes
There is a risk that Council may endure a potential financial loss through inappropriate setting of fees and charges, should a Pricing Policy not be in place.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

A Pricing Policy protects the financial interests of Council while at the same time ensuring that its community obligations are met.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Financial Services Section.

Internal

The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation the revised Pricing Policy will go on public exhibition for 28 days.

OPTIONS

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

ATTACHMENTS

- 1) Revised Pricing Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: PSC2009-02488

TITLE: PRICING POLICY

OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 This Pricing Policy ('policy') outlines the principles to be used when setting fees and charges. It needs to be read in conjunction with Council's annual fees and charges document and any guidelines developed by Council's Financial Services Section to assist Council staff in calculating the amount of fees and charges.

2. CONTEXT/BACKGROUND:

- 2.1 In accordance with Sections 608 – 610 of the Local Government Act 1993 and other relevant legislation, Council charges and recovers approved fees and charges for any services it provides as contained within Council's annual fees and charges document.

3. SCOPE:

- 3.1 This policy applies to all fees and charges levied by Council, its 355c Committees and others as authorised by Council to levy fees and charges on its behalf and/or for the use of facilities and provision of services. These are known as discretionary fees.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

Discretionary fees/charges	Fees that are set by Council itself for services provided, as opposed to fees mandated from time to time by other levels of government.
----------------------------	---

Community Service Obligation (CSO)	Recognition that facilities have been provided using community resources (via Council) for the benefit of the community. This recognition often takes the form of discounted user fees for residents / ratepayers.
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Policy

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Policy



5. STATEMENT:

5.1 Objectives of the policy:

- a) To provide a decision-making framework for the determination of fees and charges.
- b) To enable determination of fees and charges that is equitable, consistent, timely and accountable.
- c) To provide opportunities for cost recovery whilst meeting Council's community service obligations.
- d) To meet Council's statutory requirements under the Local Government Act 1993 and other relevant legislation in relation to setting fees and charges.
- e) To assist Council staff, when reviewing existing fees and charges and/or considering new fees and charges for recommendation to Council.

5.2 Principles of the policy:

- a) Council has a charter under the Local Government Act 1993 for fair imposition of fees and charges.
- b) Council has a charter under the Local Government Act 1993 to effectively account for and manage the assets for which it is responsible.
- c) Council will strive to provide equitable access to its facilities and services.
- d) Council recognises that as a monopoly provider of some facilities and services it has a duty to deliver value for money to ratepayers and residents.

5.3 General

- 5.3.1 Port Stephens Council recognises that it has community service obligations which are non-commercial requirements for identified social purposes, and that these obligations constitute a significant component of the social policies of Council. The concept of community service obligations informs Council's Pricing Policy.

5.4 Pricing Policy

- 5.4.1 Sections 608 – 610 of the Local Government Act 1993 authorise Council to charge and recover fees and any service it provides apart from services for which the charging of a fee is prohibited. Council may waive all or part of a fee unless it is a fee regulated directly by the State Government. In determining whether a fee should be charged for a service Council will consider a number of principles, firstly, whether the service provides a public benefit or private benefit.
- 5.4.2 A 'public' service is one where there is a general benefit to the community and where there is limited opportunity of collecting a fee, for example, roads and parks.

Policy

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Policy



5.4.3 A 'private' service is one which provides a discernible private benefit to persons and which offers an opportunity of collecting a fee, for example processing a rezoning application. Where a service generates a private benefit then recovery of costs through a fee is appropriate.

5.4.4 In determining the cost of providing a service, Council will:

- a) Identify and quantify the full absorbed cost including appropriate overheads, which reflect the proportion of 'centralised' support cost that should be recovered.
- b) Consider any community service obligations (CSO) where there are clear social or equity objectives in the provision of the service.

5.4.5 In assessing the existence and level of a CSO, Council will consider:

- a) The social or community objectives achieved or assisted by the consumption of the service.
- b) The social or community values promoted by wider availability of the service.
- c) Whether the direct consumers are unable to purchase a socially desirable level of service.
- d) Whether direct beneficiaries of the service are deserving of favourable pricing.

5.4.6 If it is determined that a CSO is present, then Council will consider setting a fee below the level of full cost recovery. In determining the amount of discount or subsidy, Council will consider:

- a) The level of CSO in the service.
- b) The objectives of the service.
- c) The consumers' ability to pay.
- d) Price sensitivity of the service.
- e) The application of a suggested industry reference price.

5.4.7 In case of fees set by statute, the fee will be set in accordance with the relevant statute.

5.5 Pricing methods

5.5.1 Fees and charges made by Council will be classified according to the pricing structures as outlined below. Full cost pricing will apply to all of Council's fees and charges, except in the circumstances outlined in the alternative pricing structures.

5.5.2 Full cost pricing

5.5.2.1 Council will recover all direct and indirect costs of the service (including on costs, overheads and depreciation of assets employed).

Policy

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Policy



5.5.3 Partial cost pricing

5.5.3.1 Council will recover less than the full cost (as defined above).

5.5.3.2 Partial cost pricing may be used if shared benefits are derived from the provision of the service that accrue to the community as a whole as well as to individual users. It may also be applied where charging full cost recovery pricing will result in widespread evasion.

5.5.3.3 The price structure may also be used to stimulate demand for a service in the short term, although foregoing full cost recovery must be for a defined term only.

5.5.4 Statutory pricing

5.5.4.1 The price of this service is determined by legislation and dependent on that price, Council may or may not recover its full costs, but has no discretion to do so.

5.5.5 Market pricing

5.5.5.1 The price of the service is determined by examining alternative prices of surrounding service providers (this also may or may not recover the full cost of the service).

5.5.5.2 This pricing structure should also apply in cases where the service is in competition with that provided by another council, agency or commercial provider and there is consequent pressure to set a price that will attract adequate usage of the service.

5.5.5.3 Market pricing should also apply where a service is predominantly provided for Council's in-house use, but sale to external markets will defray costs.

5.5.6 Free (zero priced)

5.5.6.1 Some services may be provided free of charge and the whole cost determined as a community service obligation and may fall within the class of public good. This price structure may be used where the services provide a broad community benefit, and/or it is impractical or inconceivable to charge for the service on a user basis.

5.5.6.2 The price structure may also apply where the service is a minor part of the overall operation of Council and the potential for revenue collection is so minor as to be outweighed by the cost of collection.

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Policy



5.5.7 Financial Sustainability

5.5.7.1 Price setting is informed by the cost of providing the service (per Section 610D of the Local Government Act 1993), the capacity of the user to pay and, where relevant, any expected return on the investment of community assets.

6. RESPONSIBILITIES:

6.1 The Financial Services Section Manager is responsible for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993 (NSW).
- 7.2 Office of Local Government Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality (2014).
- 7.3 A New Tax System (Goods and Services Tax) Act 1999 (Cth) and regulations.
- 7.4 Council's annual Fees and Charges document.

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2007-2377 PSC2009-02488	EDRMS record No.	TBA
Audience	Port Stephens Community, Council, Council staff		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	2- 3 years	Next review date	TBA
Adoption date	26/06/2012		

Policy

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Policy



VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	26 June 2012	Corporate Strategy & Planning Manager	Review with no change	155
2.0	12 August 2014	Corporate Strategy & Planning Manager	Review with no change	209
3.0	13 September 2016	Corporate Strategy & Planning Manager	Responsibility changed from Corporate Strategy & Planning Manager to Financial Services Section Manager. Change to name of Competitive Neutrality Guide. Name change from Division of Local Government to Office of Local Government. Revised Policy developed in new format.	258
4.0	9 October 2018	Financial Services Section Manager	Policy reviewed and formatted into the new template. References to RM8 updated to EDRMS. 5.1 – Removed 'are as follows'. 5.2 Removed 'are as follows'. 6.1 – Updated to 'Financial Services Section Manager'. 7.1 – Added '(NSW)'. 7.3 – Removed '(Federal)' and inserted '(Cth)'. 7.4 – Added 'Council's annual fees and charges document'.	122

Policy

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Policy



5.0	27 October 2020	Financial Services Section Manager	Policy reviewed and formatted into the new template. 5.4.5.2 - Removed '5.4.5.2 The social or community objectives achieved or assisted by the consumption of the service;' Updated EDRMS file number in version history.	222
6.0	TBA	Financial Services Section Manager	5.5.7 - Added new clause - Financial Sustainability. 6.1 – added 'is responsible for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy' to ensure consistency in formatting. Controlled document information: Amended review timeframe to 3 years in accordance with Council's policy and management directive review process.	

Policy

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ITEM NO. 3**FILE NO: 22/325072
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 funds to the following:-
 - a. Tomaree Cultural Development Group (TCDG) – Mayoral funds - \$6,000 donation support community engagement, research and consultation project.
 - b. Rotary Club of Raymond Terrace – Cr Jason Wells – Rapid Response - \$300 donation towards the Community Support Day at Karuah Mission.
 - c. Tilligerry Tennis Club – Cr Steve Tucker – Rapid Response - \$400 donation towards the Hotshots program.
 - d. 1st Tilligerry Scouts Group – Cr Steve Tucker – Rapid Response - \$226 donation towards fire safety inspection fee.

**ORDINARY COUNCIL MEETING - 14 FEBRUARY 2023
MOTION**

007	<p>Mayor Ryan Palmer Councillor Chris Doohan</p> <p>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:-</p> <ol style="list-style-type: none">a. Tomaree Cultural Development Group (TCDG) – Mayoral funds - \$6,000 donation support community engagement, research and consultation project.b. Rotary Club of Raymond Terrace – Cr Jason Wells – Rapid Response - \$300 donation towards the Community Support Day at Karuah Mission.c. Tilligerry Tennis Club – Cr Steve Tucker – Rapid Response - \$400 donation towards the Hotshots program.d. 1st Tilligerry Scouts Group – Cr Steve Tucker – Rapid Response - \$226 donation towards fire safety inspection fee.
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MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, 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.

The requests for financial assistance are shown below:

MAYORAL FUND

Tomaree Cultural Development Group (TCDG)	The members of TCDG are a community group dedicated to the community working together with Council to co-create the future of the Tomaree area.	\$6,000	Donation to support community engagement, research and consultation project.
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WARD FUNDS

Rotary Club of Raymond Terrace	Rotary is a network of neighbours, friends, leaders, and problem-solvers who see a world	\$300	Donation towards the Community Support Day at Karuah Mission.
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MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023

	where people unite and take action to create lasting change.		
Tilligerry Tennis Club	Children and teens from Stockton, Soldiers Point, Boat Harbour and Tilligerry Tennis Clubs participate in the Hotshots program.	\$400	Donation towards the Hotshots Program.
1 st Tilligerry Scouts Group	Scouts prepare young people with skills for life by taking in part in various activities.	\$226	Donation towards fire safety inspection fee.

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.

MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023

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 all the requests.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 2**FILE NO: 22/320553
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 14 February 2023.

No:	Report Title	Page:
1	Notice of Intent to Cancel 25 April 2023 Ordinary Council Meeting	47
2	Designated Persons' Return	48
3	Delegations Report	48
4	Council Resolutions	51

**ORDINARY COUNCIL MEETING - 14 FEBRUARY 2023
MOTION**

008	Councillor Leah Anderson Councillor Steve Tucker It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 14 February 2023. <table><tr><th>No:</th><th>Report Title</th></tr><tr><td>1</td><td>Notice of Intent to Cancel 25 April 2023 Ordinary Council Meeting</td></tr><tr><td>2</td><td>Designated Persons' Return</td></tr><tr><td>3</td><td>Delegations Report</td></tr><tr><td>4</td><td>Council Resolutions</td></tr></table>	No:	Report Title	1	Notice of Intent to Cancel 25 April 2023 Ordinary Council Meeting	2	Designated Persons' Return	3	Delegations Report	4	Council Resolutions
No:	Report Title										
1	Notice of Intent to Cancel 25 April 2023 Ordinary Council Meeting										
2	Designated Persons' Return										
3	Delegations Report										
4	Council Resolutions										

Councillor Jason Wells left the meeting at 6:35pm.
Councillor Jason Wells returned to the meeting at 6:37pm.
Councillor Peter Francis left the meeting at 6:38pm.
Councillor Peter Francis returned to the meeting at 6:40pm.

MINUTES ORDINARY COUNCIL - 14 FEBRUARY 2023
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 22/269391
EDRMS NO: PSC2021-04201**

NOTICE OF INTENT TO CANCEL 25 APRIL 2023 ORDINARY COUNCIL MEETING

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

BACKGROUND

The purpose of this report is to advise Council and the community of the intent to cancel the 25 April 2023 Ordinary Council meeting as it falls on ANZAC Day.

The Ordinary Council meeting schedule on Council's website will be updated to reflect this change.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 2

**FILE NO: 22/318888
EDRMS NO: PSC2022-01241**

DESIGNATED PERSONS' RETURN

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

BACKGROUND

The purpose of this report is to table Councillor and Designated Persons' Return/s (return) submitted.

In accordance with the Part 4 – Pecuniary Interest of the Code of Conduct, all designated persons are required to submit a return. Returns are to be tabled at the first Council meeting after the lodgement date.

The following is a list of position/s who have submitted return/s:

- Development Compliance Officer (PSC478).

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

ITEM NO. 3

**FILE NO: 22/331381
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 3 - ATTACHMENT 1 DELEGATIONS REPORT.**MAYOR AND GENERAL MANAGER DELEGATION REPORT**

Date exercised	Delegations exercised	Purpose	Role exercising delegation	Reported to Council
29/11/2022	Clause 178 of the Local Government (General) Regulation 2021	Acceptance of quote for Reseal Asphalt Program	General Manager	14 February 2023
12/12/2022	Clause 178 of the Local Government (General) Regulation 2022	Acceptance of T091-2022 - Commercial Skip Bin Collection	General Manager	14 February 2023
12/12/2022	Code of Meeting Practice	Approval of Public Access application for 13 December 2022 - petition regarding proposed pathway at Brandy Hill.	Mayor	14 February 2023
7/12/2022 & 12/12/2022	Code of Meeting Practice	Approval of 3 Public Access applications for 13 December 2022 - 47 The Buckets Way, Twelve Mile Creek - campground	Mayor	14 February 2023
12/12/2022	Code of Meeting Practice	Approval of Public Access application for 13 December 2022 - The Examiner	Mayor	14 February 2023
12/12/2022	Code of Meeting Practice	Approval of Public Access application for 13 December 2022 - DA - 16 Trotter Road, Bobs Farm	Mayor	14 February 2023

ITEM NO. 4

**FILE NO: 22/320532
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 Group Resolutions.
- 2) Development Services Group Resolutions.
- 3) Facilities and Services Group Resolutions.
- 4) General Manager's Office.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.



Action Sheets Report	Division:	Corporate Services	Date From:	27/08/2013
	Committee:		Date To:	13/12/2022
	Officer:		Printed: Thursday, 15 December 2022	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Property Investment and Development Policy	30/03/2023	12/10/2022	
1						22/273002
14 Dec 2022						
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	30/03/2023	12/10/2022	
2						22/273002
14 Dec 2022						
Report deferred to allow for further clarification on the distribution of funds.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/11/2022	Hazell, Tim	Special Rate Variation - Revised Integrated Planning and Reporting Documents - Rate Rise Options Engagement	30/06/2023	9/11/2022	
1						22/300562
14 Dec 2022						
Recommendation endorsed. Council will submit an application to the Independent Pricing and Regulatory Tribunal for a Special Rate Variation in early 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/08/2013	Pattison, Zoe	Campvale Drain	30/03/2023		
243						
14 Dec 2022						
Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.						



Division:	Corporate Services	Date From:	27/08/2013
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/09/2020	Pattison, Zoe	Newline Road, Raymond Terrace	30/06/2023		20/288489
2199						
14 Dec 2022						
Completion of the acquisition is subject to completion of the road works, as finished levels are required to inform the survey. The road works have been substantially delayed due to continued adverse weather conditions.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/04/2021	Pattison, Zoe	PROPOSED CLOSURE AND SALE OF PATHWAY IN BOAT HARBOUR	30/06/2023	14/04/2021	21/96728
2090						
14 Dec 2022						
Discussions continue to reach an agreement on suitable compensation.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/05/2021	Pattison, Zoe	Car parking in Shoal Bay	30/03/2023	12/05/2021	21/123694
1						
14 Dec 2022						
Construction of the car park is subject to adoption of a Plan of Management for the land. The land has been added to the Plan of Management for the Shoal Bay Holiday Park, which is with Crown Lands for approval to exhibit. Once Crown Land approval is received the Plan of Management will be placed on public exhibition.						

ITEM 4 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP RESOLUTIONS.



Division:	Development Services	Date From:	14/09/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/11/2022	Lamont, Brock	Policy Review: Environmental Policy	31/03/2023		
6		Pearl, Steven				22/300562
15 Dec 2022						
Public Exhibition ended 9 December 2022. Submissions are being reviewed and responses drafted. Report to return to Council on 28 February 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/12/2022	Drinan, Kate	Development Application 16-2019-598-2 for a s4.55(1A) modification to approved camping ground at 47 The Buckets Way, Twelve Mile Creek	28/03/2023	15/12/2022	
1		Pearl, Steven				22/333678
15 Dec 2022						
This DA will be returned to a future Council meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/11/2022	Lamont, Brock	Draft Development Control Plan - Housekeeping	1/03/2023	9/11/2022	
2		Pearl, Steven				22/300562
15 Dec 2022						
Council endorsed to place the Draft Development Control Plan - Housekeeping on exhibition for a period of 28 days. Two Way scheduled for 21 February 2023, and report due to return to Council on 28 February 2023 for adoption.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/11/2022	Lamont, Brock	Policy Review: Climate Change Policy	31/03/2023	9/11/2022	
5		Pearl, Steven				22/300562
15 Dec 2022						
Public Exhibition ended 9 December 2022. Submissions are being reviewed and responses drafted. Report to return to Council on 28 February 2023.						

ITEM 4 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP
RESOLUTIONS.



Division:	Development Services	Date From:	14/09/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/12/2022	Lamont, Brock	Draft Local Infrastructure Contributions Plan - Amendment 2	31/03/2023	15/12/2022	
4		Pearl, Steven				22/333678
15 Dec 2022 Council resolved to approve the Port Stephens Local Infrastructure Contributions Plan - Amendment No. 2. The amended plan will be placed on public notice on Friday, 16 December 2022, in accordance with the Environmental Planning and Assessment Regulations 2021. Investigations have commenced into developer contributions as noted in the resolution. A report will be prepared to return to Council on 28 March 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/12/2022	Drinan, Kate	Council Related Planning Matters Policy	28/03/2023	15/12/2022	
6		Pearl, Steven				22/333678
15 Dec 2022 As per the Resolution from the Ordinary Meeting of Council of 13 December 2022: - the revised Planning Matters to be Reported to Council Policy has been uploaded, - the revised Council-Related Planning Matters Policy has been placed on public exhibition until 29 January 2023. Should no submissions be received, the policy be adopted, without a further report to Council.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Matter Arising	Ordinary Council 13/12/2022	Lamont, Brock	Matter Arising: Minute No. 329 - 13 December 2022 - Write to Hanson Construction Materials Pty Ltd Brandy Hill Quarry noting that Council's position on the Voluntary Planning Agreement has changed, and will now require up to \$5 million for the construction of a shared pathway along the northern side of Brandy Hill Drive, requesting that they agree to the proposed amount, as a show of faith and goodwill to the community who will have to live with their ongoing operations for decades to come.	29/12/2022		
		Pearl, Steven				
15 Dec 2022 Strategic Planning has commenced drafting a letter to Hanson Construction Materials Pty Ltd Brandy Hill Quarry. Letter is expected to be sent to Hanson on 21 December 2022.						

ITEM 4 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP
RESOLUTIONS.



Division:	Development Services	Date From:	14/09/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/12/2022	Lamont, Brock	Homelessness in Port Stephens	31/03/2023	15/12/2022	
5		Peart, Steven				22/333678
15 Dec 2022						
Strategy and Environment have commenced further investigations into the options outlined and will prepare the report for the Council meeting on 28 February 2023. Preparations to establish the Stakeholder Advocacy Group are underway.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/09/2022	Drinan, Kate	Development Application 16-2021-703-1 for a Residential Flat Building at 11 to 15 Church Street, Nelson Bay	28/02/2023	14/09/2022	
5		Peart, Steven				22/251340
15 Dec 2022						
DA 16-2021-703-1 has been scheduled for reporting to Council's Ordinary Meeting of 28 February 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/09/2022	Drinan, Kate	Anna Bay Resort Site - 74 - 84 Gan Gan Road, Anna Bay	28/02/2023	14/09/2022	
1		Peart, Steven				22/251340
15 Dec 2022						
On 9 November 2022, Council received an email from the liquidator advising that graffiti had been removed (photos were included to show this). In addition, the liquidator advised that they would complete maintenance works, being:						
<ul style="list-style-type: none"> • Maintenance of external areas around site (lawns, weeding) • General tree maintenance. 						
The liquidator will advise Council when this maintenance has been completed.						

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		Peart, Steven				21/252518
240						
15 Dec 2022						
The Strategic Planning Team has submitted grant applications for two projects under the Regional NSW – Business Case and Strategy Development Fund. Funding is being sought for consultants to prepare the Port Stephens Waterways Strategy. If the grant is awarded (\$93,750) the Waterways Strategy will be drafted. The outcome of grant application is expected in December 2022.						

ITEM 4 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP RESOLUTIONS.



Division:	Development Services	Date From:	14/09/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/10/2021	Lamont, Brock	Carbon Neutrality	31/03/2023	13/10/2021	
2		Pearl, Steven				21/274186
275						
15 Dec 2022 The Natural Systems team have established baseline data and focus areas. Project Control Group has been established to enable an organisation wide approach, and further develop a roadmap and identify funding sources. Report is being drafted to be reported to Council on 28 March 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report & Notice of Motion	Ordinary Council 13/09/2022	Drinan, Kate	Anna Bay Resort Site - 74-84 Gan Gan Road, Anna Bay	31/12/2022		
		Pearl, Steven				
15 Dec 2022 Compliance staff have contacted the liquidator and asked that they plant and maintain the required trees and ensure that graffiti is also removed and that this is also maintained. The liquidator has responded and in good faith appears to be willing to cooperate with Council.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/10/2022	Lamont, Brock	Policy Review: Tree Vandalism Policy	1/03/2023	26/10/2022	
7		Pearl, Steven				22/285324
15 Dec 2022 Public Exhibition ended 25 November 2022. Submissions are being reviewed and responses drafted. Report to return to Council on 28 February 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/09/2022	Lamont, Brock	NSW Electric Vehicle Strategy	31/03/2023	28/09/2022	
1		Pearl, Steven				22/262103
15 Dec 2022 Strategic Planning have commenced consultation with stakeholders to identify opportunities available to Council. Report expected to be presented to Council at the 28 March 2023 meeting.						

**ITEM 4 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP
RESOLUTIONS.**



Action Sheets Report	Division:	Development Services	Date From:	14/09/2021
	Committee:		Date To:	13/12/2022
	Officer:		Printed:	Thursday, 15 December 2022

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Lamont, Brock	Health Facilities	24/05/2023	12/10/2022	
2		Pearl, Steven				22/273002
15 Dec 2022 The Strategy and Environment team has commenced investigations to identify opportunities to further support and advocate health facilities in Port Stephens LGA, including committees. Preparation of the report has commenced and expected to go to Council on 23 May 2023.						

ITEM 4 - ATTACHMENT 3 FACILITIES AND SERVICES GROUP RESOLUTIONS.



Division:	Facilities & Services	Date From:	10/08/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/05/2022	Maretich, John	World Menstruation Hygiene Day	31/03/2023	27/05/2022	
1		Kable, Gregory				22/136825
14 Dec 2022						
This action is still under investigation. A report will be presented to Council in March 2023 with an option to provide this service to the community.						

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	30/06/2023	27/05/2022	
4		Kable, Gregory				22/136825
14 Dec 2022						
Report was endorsed by Council at its meeting held 24 May 2022, Minute No. 133. A review will be carried out in 12 months as per the Council resolution.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/02/2022	Maretich, John	Foreshore Reserves and Parking on Council Land	31/03/2023	14/02/2022	
5		Kable, Gregory				22/45826
030						
14 Dec 2022						
Report shall be provided back to Council in March 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/07/2022	Maretich, John	Koala Signage	31/03/2023	13/07/2022	
1		Kable, Gregory				22/186061
14 Dec 2022						
Council staff have been in contact and are working with this group to facilitate appropriate signs on our road network.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/12/2022	Maretich, John	Potters Lane Basketball Hoop	31/03/2023	15/12/2022	
1		Kable, Gregory				22/333678
15 Dec 2022						
Staff will prepare a report as per Council resolution.						

ITEM 4 - ATTACHMENT 3 FACILITIES AND SERVICES GROUP RESOLUTIONS.



Division:	Facilities & Services	Date From:	10/08/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/12/2022	Maretich, John	Petition - Pathway on Brandy Hill Drive, Brandy Hill	27/12/2022	15/12/2022	
13		Kable, Gregory				22/333678
15 Dec 2022						
Planning to continue to construct the shared pathway on the northern side of Brandy Hill Drive, keeping the pathway on one side of the road.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 26/07/2022	Maretich, John	Smart Parking	31/03/2023	27/07/2022	
2		Kable, Gregory				22/199431
14 Dec 2022						
Staff compiling details to report back to Council.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/08/2021	Maretich, John	Kirrang Drive, Medowie Shared Pathway	31/03/2023	13/08/2021	
8		Kable, Gregory				21/218740
217						
14 Dec 2022						
Council staff will undertake further investigations into the financial requirements and options to accelerate the Kirrang Drive, Medowie pathway. Staff will report the outcomes back to Council with an option to stage the project.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/08/2021	Maretich, John	Agreement with Community Association DP270468 - Lagoons Estate, Nelson Bay	31/03/2023		
4		Kable, Gregory				21/218740
208						
14 Dec 2022						
Council to enter agreement with the Community Association DP 270468 in accordance with the confidential terms as per Council report. Terms of the agreement still being discussed in alignment with the proposed engineering works.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/02/2021	Maretich, John	MEDOWIE REGIONAL PLAYGROUND AND TOWN CENTRE	31/03/2023		
2		Kable, Gregory				21/33235
012						
14 Dec 2022						
The regional playground will be addressed in the Medowie Place Plan. A separate report will be prepared for Council.						

ITEM 4 - ATTACHMENT 3 FACILITIES AND SERVICES GROUP
RESOLUTIONS.



Division:	Facilities & Services	Date From:	10/08/2021
Committee:		Date To:	13/12/2022
Officer:		Printed:	Thursday, 15 December 2022
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	31/03/2023		
17 228		Kable, Gregory				21/218740
14 Dec 2022 This will be discussed with the Councillors in the lead up to William Street, Stage 2 which 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
Report	Ordinary Council 8/02/2022	Maretich, John	Medowie Library	31/03/2023	14/02/2022	
2 027		Kable, Gregory				22/45826
14 Dec 2022 Investigation is still underway to determine viability as requested. Report to be provided in February 2023 as part of Councils review of services.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/02/2022	Maretich, John	POLICY REVIEW - CONTRIBUTION TO WORKS FOR KERB AND GUTTERING CONSTRUCTION POLICY	31/03/2023	14/02/2022	
6 018		Kable, Gregory				22/45826
14 Dec 2022 This action is still under investigation. Report to Council to be provided in March 2023 to align this policy with a proposed future hardship policy going to Council.						

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	28/02/2023	13/10/2021	
8 270		Kable, Gregory				21/274186
14 Dec 2022 Currently still awaiting final response from Fingal Surf Club and Longboat Cafes Solicitor. Saltwater Restaurant have now had draft lease prepared and have signed disclosure statement agreeing to all terms and financial arrangements. Currently working with local government legal communicating with all parties to have 1 January as the official start date for all sub leases.						

ITEM 4 - ATTACHMENT 4 GENERAL MANAGER'S OFFICE.



Action Sheets Report	Division:	General Manager's Office	Date From:	13/12/2022
	Committee:		Date To:	13/12/2022
	Officer:		Printed: Thursday, 15 December 2022	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Matter Arising	Ordinary Council 13/12/2022	Wickham, Tony	Matter Arising: Minute No. 319 - 13 December 2022 - 1. Write to Cr Glen Dunkley through every means (email, text, WhatsApp and postal address, if known) requesting his urgent response about when he will be returning to his duties as a councillor. 2. Seek Cr Dunkley's consideration of returning his councillor allowance for the period he has not been performing his councillor duties. 3. Be provided with a copy of the correspondence forwarded to Cr Dunkley through an Information Paper.	31/01/2023		
15 Dec 2022 Matter in progress.						

There being no further business the meeting closed at 6:46pm.