DRAFT

MINUTES – 27 FEBRUARY 2024

PORT STEPHENS
COUNCIL

Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 27 February 2024, commencing at 5:31pm.

PRESENT:

Mayor Ryan Palmer
Cr Leah Anderson
Cr Giacomo Arnott
Cr Matthew Bailey
Cr Glen Dunkley
Cr Peter Francis
Cr Peter Kafer
Cr Steve Tucker
Cr Jason Wells
General Manager
Director Community Futures
Director Corporate Strategy and Support
Director Facilities and Infrastructure
Governance Section Manager

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

010	**Councillor Glen Dunkley** **Councillor Steve Tucker**

	It was resolved that Cr Chris Doohan be granted a leave of absence from 27 February 2024 to 12 March 2024.

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

Those against the Motion: Nil.

The motion was carried.

	Cr Peter Francis declared a pecuniary conflict of interest in Item 2. The nature of the interest is Cr Francis' wife is a 100% owner of a property that may have its value affected by the changes. Cr Giacomo Arnott declared a pecuniary conflict of interest in Item 2. The nature of the interest is that Cr Arnott's de facto's father owns a property in the zone. Cr Peter Kafer declared a pecuniary conflict of interest in Item 6. The nature of the interest is Cr Kafer's Aboriginality. Cr Giacomo Arnott declared a significant non pecuniary conflict of interest in Item 6. The nature of the interest is that Cr Arnott is a Board member of Port Stephens Family and Neighbourhood Services. Cr Jason Wells declared a pecuniary conflict of interest in Item 6. The nature of the interest is Cr Wells is an employee of the NSW Department of Education which is a recipient of the funding.

011	**Councillor Steve Tucker** **Councillor Jason Wells** It was resolved that the Minutes of the Ordinary Meeting of Port Stephens Council held on 13 February 2024 be confirmed.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Glen Dunkley, 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

PORT STEPHENS COUNCIL

Declaration of Interest form

Agenda item No. 2 : DANCIS

Report title

DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 - CHAPTER D12 RICHARDSON ROAD

_declared a Tick the relevant response:

X	**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 _ My wife is a 100% owner of a property that may have its value affected by the changes.

If a Councilor declares a less than significant conflict of interest and intends to remain in the meeting, the councilor 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 5.47 pm.

Mayor/Councillor returned to the Council meeting at 5.55 pm.

ORDINARY COUNCIL - 27 FEBRUARY 2024

PORT STEPHENS COUNCIL

Declaration of Interest form

Agenda item No. 2

Report title DCP- Richardson Rd

~~Mayor~~/Councillor Arnott 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 De Facto's father owns property in zone

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 547 pm.

~~Mayor~~/Councillor returned to the Council meeting at 555 pm.

ORDINARY COUNCIL - 27 FEBRUARY 2024

PORT STEPHENS COUNCIL

Declaration of Interest form

Agenda item No. 6

Report title ABORIGINAL PROJECTS FUND 2023-24

Mayor/Councillor KAFER 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 my Aboriginality

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 6.16 pm.

Mayor/Councillor returned to the Council meeting at 6.19 pm.

ORDINARY COUNCIL - 27 FEBRUARY 2024

PORT STEPHENS COUNCIL

Declaration of Interest form

Agenda item No. 6

Report title Aboriginal Projects Fund

~~Mayor~~/Councillor Arnott 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 Board member of Port Stephens Family & Neighbourhood Services

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 6.16 pm.

Mayor/Councillor returned to the Council meeting at 6.19 pm.

ORDINARY COUNCIL - 27 FEBRUARY 2024

PORT STEPHENS COUNCIL

Declaration of Interest form

Agenda item No. 6

Report title Aboriginal Projects Fund

Mayor/Councillor Cr Wells 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 am an employee of the NSW Department of Education which is a recipient of funding

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 6.18 pm.

Mayor/Councillor returned to the Council meeting at 6.19 pm.

COUNCIL REPORTS

ITEM NO. 1 **FILE NO: 24/29463**
EDRMS NO: 16-2016-638-3

DEVELOPMENT APPLICATION (MODIFICATION) 16-2016-638-3 - S4.55(1A) MODIFICATION TO THE APPROVED FUNCTION CENTRE (WEDDING RECEPTIONS) AND TEMPORARY MARQUEE STRUCTURE AT 76 WALLALONG ROAD, WALLALONG

REPORT OF: EVERT GROBBELAAR - DEVELOPMENT AND COMPLIANCE SECTION MANAGER
DIRECTORATE: COMMUNITY FUTURES

RECOMMENDATION IS THAT COUNCIL:

1) Approve S4.55(1A) Modification Application to DA 16-2016-638-3 for a S4.55(1A) Modification to the approved Function Centre (Wedding Receptions) and Temporary Marquee Structure to increase the number of events and amendments to operational conditions at 76 Wallalong Road, Wallalong (LOT: 577 DP: 864399) subject to the conditions contained in **(ATTACHMENT 1)**.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

012	**Councillor Giacomo Arnott** **Councillor Peter Kafer** It was resolved that Council approve S4.55(1A) Modification Application to DA 16-2016-638-3 for a S4.55(1A) Modification to the approved Function Centre (Wedding Receptions) and Temporary Marquee Structure to increase the number of events and amendments to operational conditions at 76 Wallalong Road, Wallalong (LOT: 577 DP: 864399) subject to the conditions contained in **(ATTACHMENT 1)** and the following amendment to the conditions in **(ATTACHMENT 1)**: "and an additional condition to be titled 19 (f) which reads: Every month following the commencement of this consent, the proponent must provide to Council a full copy of the sound monitoring data for that month, a list of weddings held including dates and days of the week for that month, the number of patrons at each wedding for that month, and a copy of the complaints register for that month. This requirement will remain in place for an eight (8) months trial period.", and an amendment to item 19 to change "one (1) year" to "eight (8) months".

The seconder accepted the amendment from six (6) months to eight (8) months and for the trial period to be eight (8) months.

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

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 present a S4.55(1A) modification application (16-2016-638-3) to Council for determination which seeks to modify the approved operational conditions including an increase in the number patrons and weekly events.

A summary of the application and property details is provided below.

Subject Land:	76 Wallalong Road, Wallalong (LOT: 577 DP: 864399)
Total Area:	3.6ha
Zoning:	RU1 Primary Production
Submissions:	2
Key Issues:	The key issues identified throughout the assessment of the development relate to noise and amenity impacts.

The DA has been reported in accordance with Council's Planning Matters to be reported to Council Policy as it has been called to Council by Cr Anderson and Cr Arnott **(ATTACHMENT 2)**.

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

<u>Proposal</u>

The application seeks consent to modify various operational conditions of consent approved under DA 16-2016-638-1 to facilitate an increase in patron capacity and the number of wedding events currently permitted at the function centre. The proposed modifications are consistent with those approved on a temporary basis by Council at the February 2022 meeting under DA 16-2016-638-2 (previous modification).

The proposed modifications under this application are as follows:

- Increase the number of wedding receptions from 45 events per year to 80
- Increase the patron capacity from 120 to 150 patrons at any one time
- Increase the number of wedding receptions occurring on weekends from 1 to 2 with weekends being inclusive of Friday and Saturday only
- Allow for 1 wedding per fortnight to occur between Sunday to Thursday. These events are proposed to finish by 10:00pm with wedding attendees to vacate by 10:30pm
- Provision of a complaints register
- Installation of a sound monitoring device.

It is noted that the weekday weddings proposed under the previous modification application (DA 16-2016-638-2) were only proposed to occur for 1 year in response to impacts from COVID19. Conversely, the subject application seeks consent to hold weddings from Sunday to Thursday on a permanent basis.

The Statement of Environmental Effects submitted with the application notes that the property has recently been sold and will therefore be under different management from the previous operator.

The proposed amendments are largely consistent with the former approval on a temporary basis by Council under the previous modification in February 2022. Notwithstanding, given there is the potential for amenity impacts should conditions not be complied with and noting past and current public concerns, it is recommended that Council impose a 1 year trial period on the modifications as proposed in the recommended conditions contained in **(ATTACHMENT 1)**. Following the trial period, a further application may be lodged to extend the trial or formalise the proposed amendments.

Site Description

The subject site is located in the western edge of the suburb of Wallalong. The site has an area of approximately 3.6ha and contains Wallalong House, a local heritage listed item under the Port Stephens Local Environmental Plan (PSLEP) 2013.

The site is surrounded largely by rural and residential development with much of the residential development existing to the northeast.

Site History

Development consent was granted for Wedding Ceremonies and Associated Photography in June 2012 under DA 16-2012-201-1.

The original DA relevant to this application (16-2016-638-1) was for a Function Centre (Wedding Receptions) and Temporary Marquee Structure, which was granted consent in March 2017. A modification to this application was submitted to Council in October 2021 to modify various operational conditions of consent to facilitate an increase in patron capacity and the number of wedding events permitted under the original consent.

Taking into consideration public interest concerns and potential noise impacts, Council staff recommended a number of further restrictions to what was proposed by the applicant, mostly relating to mid-week weddings and also recommended that the operational modifications proposed be subject to a 1 year trial. During the 3 month trial period Council received 1 complaint. This complaint related to noise from a mid-week (Thursday) wedding.

A modification application was never lodged to extend the trial period within the required timeframe and therefore this condition has now lapsed and reverted back to the original consent. On this basis, the function centre is currently required to operate in accordance with the original conditions of consent as per DA 16-2016-638-1. Since the lapsing of the trial period, Council has received 2 complaints. One was in regard to the development operating outside of the consent holding events mid-week. This complaint also raised concern regarding noise impacts. The second complaint was also a noise complaint.

This proposal seeks to formalise the trial operational conditions approved by Council under modification 16-2016-638-2 on a permanent basis. This includes the permanent provision of weekday weddings (inclusive of Sunday) on a fortnightly basis. Notwithstanding, Council staff have recommended a 1 year trial of the increased centre usage, as opposed to a permanent basis, as discussed in this report.

Hinterland Place Plan

The site is located within the Hinterland area of Port Stephens and, therefore, the Hinterland Place Plan is relevant to the proposal. The Hinterland Place Plan identifies 6 emerging themes for the Hinterland area, one being “Economy: New experiences and distinct business opportunities”. This theme notes that the Hinterland is in an ideal position to leverage the growing visitor economy and, therefore, highlighted the importance of enabling economic activities that showcase the Hinterland’s history, lifestyle and local produce while increasing vibrancy, community connection and economic outcomes. The proposal will continue to attract visitors and tourists to Wallalong House, a locally heritage listed item, the suburb of Wallalong itself and the wider Hinterland area which is consistent with this theme in the Hinterland Place Plan.

Key Issues

The key issues identified throughout the assessment of the application relate to noise and amenity impacts associated with the proposed amendments to operational conditions. A detailed assessment of the application is contained within the Planners Assessment Report **(ATTACHMENT 4)**.

Noise and Amenity

The application seeks to increase the number of wedding receptions and patrons currently permitted at the premises. It also seeks to allow for 1 event per fortnight between Sunday and Thursday. The Sunday to Thursday wedding receptions are proposed to operate under different operational hours to that of the Friday and Saturday weddings with music proposed to be turned off by 10:00pm and patrons to vacate the venue by 10:30pm.

The proposed amendments are consistent with what was approved on a temporary basis by Council under the previous modification. Notwithstanding, given there is the potential for amenity impacts should conditions not be complied with and noting past and current public concern, it is recommended that Council enforce a 1 year trial period on the modifications proposed. Following the trial period, a further application may be lodged to extend the trial or formalise the proposed amendments. The 1 year trial period will allow for Council to consider the performance of the operator in relation to compliance with development consent conditions, noise mitigation and any substantiated complaints received.

In addition, recommended conditions also require that a sound level monitoring device be installed on the property boundary closest to residential neighbours and will be required to keep records of noise levels during each wedding reception. The data received from this monitoring device will allow for Council to further consider potential impacts should a request to extend the trial period be lodged.

Conclusion

As detailed in the Planners Assessment Report **(ATTACHMENT 4)**, the application is considered to be consistent with the aims and objectives of the relevant environmental planning instruments and Council policies applicable to the subject site. There will be no adverse impact to the natural or built environment.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		

Source of Funds	Yes/No	Funding ($)	Comment
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

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

A detailed assessment against these environmental planning instruments is contained within the Planners Assessment Report contained at **(ATTACHMENT 4)**.

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

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

Social and Economic Impacts

The proposed development is considered to have positive social and economic impacts subject to compliance with the recommended operational conditions. The proposed modifications will continue to attract visitors and tourists to Wallalong who will utilise existing facilities and local businesses providing increase to local spend. Further, the proposed modifications will allow for the business to provide additional local hospitality services. Adverse social and amenity impacts can be mitigated through adherence to the noise and operational conditions recommend in **(ATTACHMENT 1)**.

Impacts on the Built Environment

There are no physical works proposed and therefore the built environment will remain unchanged.

Impacts on the Natural Environment

The proposed modifications are not considered likely to have impacts on the natural environment.

CONSULTATION

Internal

Councils Environmental Health Officer raised no concerns with the proposed development. The recommended conditions imposed are considered to suitably mitigate the concerns raised within the submissions. The recommended conditions are generally consistent with the noise and acoustic advice provided as part of the previous modification (16-2016-638-2).

External

The proposed modification was not required to be referred to external agencies.

Public exhibition

The DA was advertised and notified in accordance with the requirements of the Port Stephens Council Community Participation Plan. The application was exhibited for a period of 14 days from 9 November 2023 to 23 November 2023. A total of 2 submissions were received during this time. The key issues raised from the public exhibition are outlined in the Planner's Assessment Report **(ATTACHMENT 4)**.

OPTIONS

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

ATTACHMENTS

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

COUNCILLORS' ROOM

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

TABLED DOCUMENTS

Nil.

PORT STEPHENS COUNCIL

RECOMMENDED CONDITIONS OF CONSENT

CONDITIONS THAT IDENTIFY APPROVED PLANS AND LIMITATIONS OF CONSENT

1. The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent or as noted in red by Council on the approved plans:

Plan/Doc.Title	Plan Ref. No	Sheet.	Date	Drawn By
Site Plan	10856	A001	16/02/2017	EJE Architecture
Temporary Marquee Floor Plan	10856	A101	16/02/2017	EJE Architecture
Food Prep Area	11856	A103	16/02/2017	EJE Architecture

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail. If there is any inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of any inconsistency.

2. An Occupation Certificate is required prior to commencement of the use approved by this application. The person having the benefit of this consent must appoint a principal certifying authority. If Council is not appointed as the Principal Certifying Authority then Council must be notified of who has been appointed. Note: at least two (2) days' notice must be given to Council of intentions to start works approved by this application.

CONDITIONS TO BE SATISFIED PRIOR TO THE RELEASE OF THE OCCUPATION CERTIFICATE

3. **Prior to the release of the Occupation Certificate**, a Schedule of Works for the maintenance and upgrade works in accordance with the Building Condition Report (prepared by EJE Architecture, dated June 2015, reference number 10856-BCR-HER-001 Issue A) must be prepared and submitted to Council for assessment and approval.

4. A Plan of Management (POM) must be prepared and submitted to Council for assessment and approval prior to the release of the occupation certificate. The POM must include:

   - Event Checklist that includes the relevant ongoing management requirements stated in this consent;
   - Maintenance schedule for the marquee;
   - Requirements to be met during the installation of the marquee under the National Construction Code Volume 1 Section B: Structure; and
   - Fire safety measures to be implemented during events (as required by Clause 94A of the Environmental Planning and Assessment Regulations 2000).

PORT STEPHENS COUNCIL

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Raymond Terrace NSW 2324

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PORT STEPHENS COUNCIL

CONDITIONS TO BE SATISFIED AT ALL TIMES

5. The consent only permits wedding receptions. Any other form of entertainment will be subject to separate development approval.

6. The number of wedding receptions is limited to 45 events in any calendar year.

7. The capacity of the facility is to be restricted to a maximum of 120 patrons at any one time.

8. The number of wedding receptions is limited to one (1) event on any weekend (including long weekends).

9. Wedding receptions must only be scheduled for Fridays or Saturdays. No wedding receptions are to be held on Sundays.

10. The operational hours are restricted to the following times:

	Start Time	Finish Time
Setup	12pm	5pm
Event (including music)	5pm	11pm
Patrons to vacate premises	11pm	11:30pm

Other internal operations such as cleaning, preparation, and office administration may be undertaken outside of the above hours provided no disturbance to the amenity of the neighbourhood occurs.

11. The Plan of Management Checklist must be completed during every event and kept on record. The records will be made available to Council on request.

12. During events, the following noise requirements must be enforced by the event manager:

    - All entertainment must be set up as detailed on the stamped plans, with speakers facing south towards the dance floor;
    - Bass noise component of the entertainment (125Hz and below) must be monitored and kept at low levels;
    - The entertainment cannot include subwoofers or electric drum kits;
    - A sound limiting device to ensure noise operates within compliant levels must be used during events. Entertainment during the reception period is monitored using the sound limiting device, with strict enforcement to keep acoustic emission below 90 dB(A) five (5) metres from the source. The sound limiting device must comply with AS IEC 61672 Electroacoustics - Sound Level Meters

13. A temporary toilet shall be provided on site from the time of commencement of events to ensure that adequate sanitary provisions are provided and maintained on the site. The number of toilets provided shall be one toilet per 20 persons on the site at any one time.

PORT STEPHENS COUNCIL

14. The construction design and fit-out of the food preparation area must comply with the Australia New Zealand Food Standards Code Section 3.2.3.

15. Accessible toilet facilities must be provided wherever standard toilet facilities are provided for the event. These must be clearly sign posted as being accessible as per Australian Standard 1428.1.

16. A continuous and accessible path of travel, designed in accordance with Australian Standard 1428.1 shall be provided to and from associated buildings. This access way shall provide access to all included facilities.

17. Accessible car parking spaces shall be provided. These accessible parking spaces must be in close proximity to the event hub and provide a safe, clear accessible path of travel directly to all facilities.

18. The Schedule of Works must be implemented to ensure the specified works are undertaken. A record of these works must be kept and made available to Council on request.

TRIAL PERIOD CONDITIONS

19. Despite the other operational conditions of this consent, the use may operate in accordance with the below conditions for a trial period of one (1) year commencing from the date of determination of the modified consent.

    a) The number of wedding receptions is limited to 80.

    b) The capacity of the facility is restricted to a maximum of 150 patrons at any one time.

    c) The number of wedding receptions is limited to two events between Friday and Saturday (including long weekends).

    d) Wedding receptions occurring from Sunday to Thursday are limited to 1 event per fortnight (including long weekends).

    e) Weddings receptions occurring from Sunday to Thursday are to finish by 10:00pm with patrons to vacate the premise by 10:30pm.

    f) A complaints register is to be created for the venue and must note all complaints received during operation (inclusive of both weekend and week day events) including a general description of the issue the complaint relates to. The complaints register is to be provided to Council on request.

    g) The proponent must install sound level monitoring on the property boundary closest to residential neighbours and keep records of noise levels during each wedding reception. The sound level monitoring results are to be provided to a Council employee or member of Police, on request.

All other existing conditions of consent not modified by the above are still to be satisfied at all times during the trial period.

PORT STEPHENS COUNCIL

A further application is required to be lodged with Council for the continuation of the above operational conditions permitted by the trial at the cessation of the nominated trial period. Council's consideration of a proposed continuation of the operational matters permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions and any substantiated complaints received.

ITEM 1 - ATTACHMENT 2 CALL TO COUNCIL FORM.

PORT STEPHENS COUNCIL

CALL TO COUNCIL FORM DEVELOPMENT APPLICATION

Development application (DA) call to Council request:

I/We (Mayor/Councillor/s) Arnott and Anderson request that DA number 16-2016-638-3 for DA description 'S4.55(1A) Modification to the approved Function Centre (Wedding Receptions) located at and Temporary Marquee Structure at 76 Wallalong Road, Wallalong be reported to Council for determination.

Reason:

Public interest.

Declaration of Interest:

I/We have considered any pecuniary or non-pecuniary conflict of interest (including political donations) associated with this DA on my part or an associated person.

I/We (Mayor/Councillor/s) _____ have a conflict of interest:

☒ No

☐ Yes

If **yes**, please provide the nature of the interest and reasons why further action should be taken to bring this DA to Council:

Signed: Cr Arnott - By Email Please sign or type name & attached to an email.	**Date:** 6/11/2023
Signed: Cr Anderson - By Email Please sign or type name & attached to	**Date:** 6/11/2023

ITEM 1 - ATTACHMENT 3 LOCALITY PLAN.

ITEM 1 - ATTACHMENT 4 PLANNER'S ASSESSMENT REPORT.

S4.55(1A) MODIFICATION APPLICATION ASSESSMENT REPORT

APPLICATION REFERENCES

Modification Application Number	16-2016-638-3
Development Description	Function Centre (Wedding Receptions) and Temporary Marquee Structure
Modification Description	S4.55(1A) Modification to Function Centre (Wedding Receptions) and Temporary Marquee Structure – increase the number of events and amendments to operational conditions
Applicant	WILSON PLANNING
Date Of Lodgement	01/11/2023

PROPERTY DETAILS

Property Address	76 Wallalong Road WALLALONG
Lot and DP	LOT: 577 DP: 864399
Zoning	RU1 PRIMARY PRODUCTION
Site constraints that affect the modification	N/A

ASSESSMENT SUMMARY

Designated Development	The application is not designated development
Integrated Development	The application does not require additional approvals listed under s4.46 of the EP&A Act
Concurrence	The application does not require the concurrence of another body

MODIFICATION PROPOSAL

The application seeks consent to modify various operational conditions of consent to facilitate an increase in patron capacity and the number of wedding events currently permitted at the function centre.

This application seeks to modify the operational conditions in DA 16-2016-638-1 on a permanent basis. The proposed modifications are consistent with those approved on a temporary basis by Council at the February 2022 meeting under DA 16-2016-638-2. The proposed modifications are as follows:

- Increase the number of wedding receptions from 45 events per year to 80;
- Increase the patron capacity from 120 to 150 patrons at any one time;
- Increase the number of wedding receptions occurring on weekends from 1 to 2 with weekends being inclusive of Friday and Saturday only;
- Allow for one wedding per fortnight to occur between Sunday - Thursday. These events are proposed to finish by 10:00pm with wedding attendees to vacate by 10:30pm.
- Provision of a complaints register.
- Installation of a sound monitoring device.

It is noted that the week day weddings proposed under DA 16-2016-638-2 were only proposed to occur for 1 year in response to impacts from COVID19. Conversely, the subject application seeks consent to hold weddings from Sunday – Thursday on a permanent basis.

The Statement of Environmental Effects submitted with the application notes that the property has recently been sold and will therefore be under different management from the previous operator. Upon lodgement of this application, a number of filled out checklists from different weddings were provided to Council. The checklist provides details of the timing of events including when patrons have left the property and also demonstrates that sound monitoring at the sites front gate and adjacent to the marquee had been undertaken.

The conditions of consent proposed to be modified have been discussed in further detail below.

PLANNING ASSESSMENT

The comments provided by the special staff and external agencies have been used to carry out the assessment against the S4.15 Matters for Consideration below:

SITE DESCRIPTION

The subject site is located in the western edge of the suburb of Wallalong. The site has an area of approximately 3.6ha and contains Wallalong House, a local heritage listed item under the Port Stephens Local Environmental Plan (PSLEP) 2013, refer to Figure 1.

The site is surrounded largely by rural and residential development with much of the residential development existing to the northeast.

Figure 1. Site Aerial

SITE HISTORY

Development consent was granted for Wedding Ceremonies and Associated Photography in June 2012 under DA 16-2012-201-1. The original DA relevant to this application (16-2016-638-1) was for a Function Centre (Wedding Receptions) and Temporary Marquee Structure, which was granted consent in March 2017. A modification to this application was submitted to Council in October 2021 to modify various operational conditions of consent to facilitate an increase in patron capacity and the number of wedding events permitted by the original consent. Specifically, this modification sought to:

- Increase the number of wedding receptions from 45 events per year to 80;
- Increase the patron capacity from 120 to 150 patrons at any one time;
- Increase the number of wedding receptions occurring on any weekend from 1 to 2;
- Allow for weddings to occur on Sundays permanently in addition to the already approved receptions on Fridays and Saturdays;
- Allow for weddings to temporarily occur from Monday to Thursday throughout 2022; and
- Cap mid-week weddings at 20 within the year of 2022.

Taking into consideration public interest concerns and likely noise impacts, Council staff recommended that mid-week weddings be capped to 1 per fortnight with a finish time of 10:00pm and also recommended that the operational modifications proposed be subject to a 1 year trial.

The application was reported to the 8 February 2022 Council meeting. The temporary use condition was amended by the elected Council to allow for a 3 month trial period from the date of determination rather than the recommended 12 month trial. The approved condition read as follows:

TRIAL PERIOD CONDITIONS

19. The use may operate only for a trial period of three (3) months commencing from the date of determination of the modified consent (16-2016-638-2). Further applications must be submitted to Council to extend the trial period as follows:

- *3 months from the date of determination of the modified consent.*
- *6 months from the date of determination of the modified consent.*
- *12 months from the date of determination of the modified consent.*

The following conditions must be complied with at all times during the trial periods:

- *The number of wedding receptions is limited to 80.*
- *The capacity of the facility is restricted to a maximum of 150 patrons at any one time.*
- *The number of wedding receptions is limited to two events on any weekend (including long weekends). Weekends are inclusive of Friday and Saturday only.*
- *Wedding receptions occurring from Sunday to Thursday are limited to 1 event per fortnight.*
- *Weddings receptions occurring from Sunday to Thursday are to finish by 10:00pm with patrons to vacate the premise by 10:30pm.*
- *A complaints register is to be created for the venue and must note all complaints received during operation (inclusive of both weekend and weekday events) including a general description of the issue the complaint relates to. The complaints register is to be provided to Council at the end of each calendar month.*
- *The proponent must install sound level monitoring on the property boundary closest to their residential neighbours, and report the sound level to Council after every event, to ensure compliance with the DA conditions.*

All other existing conditions of consent not impacted by the above are to be satisfied at all times during the trial period.

Council's consideration of a proposed continuation of the trial period will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions and any substantiated complaints received.

During the 3 month trial period Council received 1 complaint. This complaint related to noise from a mid-week (Thursday) wedding. A modification application was never lodged to extend the trial period within the required timeframe and therefore this condition has now lapsed and reverted back to the original consent. On this basis, the function centre is currently required to operate in accordance with the original conditions of consent as per DA 16-2016-638-1. Since the lapsing of the trial period, Council has received 2 complaints. One was in regard to the development operating outside of the consent holding events mid-week. This complaint also raised concern regarding noise impacts. The second complaint was also a noise complaint.

This proposal seeks to formalise the trial operational conditions approved by Council under modification 16-2016-638-2 on a permanent basis. This includes the permanent provision of week day weddings (inclusive of Sunday) on a fortnightly basis.

Hinterland Place Plan

The site is located within the Hinterland area of Port Stephens and therefore the Hinterland Place Plan is relevant to the proposal. The Hinterland Place Plan identifies 6 emerging themes for the Hinterland area, one being "Economy: New experiences and distinct business opportunities". This theme notes that the Hinterland is in an ideal position to leverage the growing visitor economy and therefore highlighted the importance of enabling economic activities that showcase the Hinterland's history, lifestyle and local produce while increasing vibrancy, community connection and economic outcomes. The proposal will continue to attract visitors and tourists to Wallalong House, a locally heritage listed item, the suburb of Wallalong itself and the wider Hinterland area which is consistent with this theme in the Hinterland Place Plan.

REFERRALS

Internal

Councils Environmental Health Officer raised no concerns with the proposed development. The recommended conditions imposed are considered to suitably mitigate the concerns raised within the submissions. The recommended conditions are generally consistent with the noise and acoustic advice provided as part of the previous modification (16-2016-638-2).

External (non-integrated)

The proposed modification was not required to be referred to external agencies.

Environmental Planning and Assessment Act 1979

Section 4.55(1A) – Modifications involving minimal environmental impact

Section 4.55(1A)(a) – Minimal environmental impact

The proposal is considered to be of minimal environmental impact for the following reasons:

- Operational hours for weekend weddings (Friday and Saturday) will remain unchanged with patrons required to vacate the premises between 11:00pm and 11:30pm.
- Weddings occurring Sunday – Thursday are proposed to be limited to 1 per fortnight, and will have shorter operational hours (inclusive of Sundays), reducing the potential for noise and amenity impacts to surrounding residential properties mid-week. Given the restrictions proposed and existing operational conditions, it is considered the ongoing provision of weddings occurring Sunday – Thursday is of acceptable environmental impact.
- All events on site will be required to comply with the existing Plan of Management prepared by Le Mottee Group as part of the previous modification along with other existing noise control conditions.
- A complaints register will be kept and provided to Council on request.
- The operator proposes to install sound level monitoring on the property boundary closest to residential neighbours. It also proposed to keep records of noise levels during each wedding reception which can be provided to Council on request.

Despite the application seeking increased wedding events and capacity on a permanent basis, it is recommended that all proposed operational modifications be subject to a 1 year trial. Following the trial period, a further application may be lodged by the applicant to extend the trial or formalise the proposed amendments. A condition to this effect has been included in the recommended conditions. The recommended 1 year trial will allow Council to review the effectiveness of the

operational conditions and monitor noise complaints from neighbours prior to formalising an increase in wedding capacity and events on a permanent basis.

The consideration of a proposed continuation of the operational matters permitted by the trial will be based on, among other things, the performance of the operator in relation to compliance with development consent conditions, noise mitigation and any substantiated complaints received.

S4.55(1A)(b) – Substantially the same development

The development as modified is substantially the same as the approved development for the following reasons:

- The approved land use as a function centre (wedding receptions) will remain unchanged by the proposal.
- The approved structures on the site will remain unchanged by the proposal.
- Operational hours remain unchanged for weekend (Friday and Saturday) weddings.
- All noise operational related conditions will remain unchanged.

On this basis, the application is considered substantially the same.

S4.55(1A)(c) – Notification

The application has been notified in accordance with Councils Community Engagement Strategy. During the exhibition period, 2 submissions were received.

S4.55(1A)(d) – Submissions

The matters raised in the submissions objecting to the development are discussed in the table below:

Matter raised	Response
One submission noted that the concerns raised in submissions for the 2021 modification remain the same. These related to non-compliance with existing conditions and amenity impacts associated with noise, sleep disturbance and traffic impacts.	With regard to non-compliance with conditions of consent, this forms a compliance matter to be investigated by Council's Development Compliance Section. Notwithstanding, a 1 year trial has been recommended to allow Council to monitor the operators adherence to operational restrictions prior to allowing the increase events and capacity on an ongoing basis. Should the applicant lodge an application to renew the trial, Council will consider the performance of the operator in relation to compliance with development consent conditions, noise mitigation and any substantiated complaints received when assessing whether to grant consent for a further trial or permanent amendments.

Concern regarding mid-week weddings and the amenity impacts associated with them was highlighted as a significant concern. It was suggested that no mid-week weddings be allowed.	The proposed modification includes a cap on weddings occurring Sunday – Thursday to 1 per fortnight as well as reduced operating hours with wedding receptions operating on these days to finish by 10:00pm (including music) and patrons to vacate the premise by 10:30pm.
Concern that the new management have already held events outside of what the existing consent allows particularly with in relation to mid-week weddings being held as well as more than one wedding per weekend and music not being turned off at 11pm on occasion. Although it was noted that music is mostly stopped at 11pm as per the current conditions.	As noted above, non-compliance with conditions of consent is a compliance matter to be investigated by Council's Development Compliance Section. Non-compliance with conditions of consent will potentially impact any future extension beyond the recommended trial period.
Two submissions noted that noise impacts associated with the existing function centre are exacerbated due to being outdoors and result in sleep disturbance.	The existing consent has a number of noise related conditions to assist in minimising potential noise impacts. This includes conditions regarding the location of the speakers, maximum base allowance and provision of a sound limiting device which is required to keep acoustic emissions below 90 dB(A) five (5) metres from the source. The development, despite the proposed modifications is still required to comply with these existing conditions. The original application was supported by a Noise Impact Assessment (NIA) which is still considered to be relevant under the proposed modification given operational hours are not increasing nor are there amendments to the current noise restrictions on the consent. The NIA provided with the original application demonstrated the function centre can comply with EPA Noise Policy guidelines, including for sleep disturbance. In addition, the proposed modification will also require that a sound level monitoring device be installed on the property boundary closest to residential neighbours and will be required to keep records of noise levels during each wedding reception. The data received from this monitoring device will allow for Council to further consider potential impacts should a request to extend the trial period be lodged.

A submission suggested requiring music to be indoors and turned off by 10:00pm.	The original development consent approved the location of the wedding receptions to be in the marquee area and is not proposed to be modified under this application. Further, the existing operational hours for wedding receptions on Friday and Saturdays is also not proposed to be modified under this consent. Notwithstanding, the week day weddings are included in the modification with music proposed to be turned off by 10:00pm.

S4.55(3) – S4.15(1) Assessment

s4.15(1)(a)(i) – The provisions of any EPI

The application is consistent with the provision of the PSLEP 2013 and all relevant SEPPs applicable to the proposal.

s4.15(1)(a)(ii) – Any Draft EPI

Assessment	
There are no draft EPI's that are relevant to the proposed development	☒
Comment:	

s4.15(1)(a)(iii) – Port Stephens Development Control Plan 2014

DCP Chapter	Compliant
B – General Controls	☒
Comment:	Chapter B3 Environmental Management B3.C Noise In accordance with Section B3.C of the DCP, function centres that host outdoor weddings are required to provide a Noise Impact Assessment (AIA). The original application was submitted with an NIA which is still considered to be relevant under the proposed modification given operational hours are not increasing nor are there amendments to the current noise restrictions on the consent. As such, it was not requested to be provided for this application. Given past and current public concern and noise complaints received by Council, it is recommended that Council impose a 1 year trial period on the proposed modifications. As noted above, following the trial period, a further application may be lodged by the applicant to request a further trial or formalise the proposed amendments. The 1 year trial period will allow for Council to consider the performance of the operator in relation to compliance with development consent conditions, noise mitigation and any substantiated complaints received should an application to extend the trial or formalise the amendments be lodged. B8 Road Network and Parking B8.A Traffic Impacts

	The original consent is approved to have 120 patrons per event. The proposed modification seeks to increase this cap by 30, allowing a total of 150 patrons per event. The proposed increase in patrons by 30 is not considered likely to have a significant impact upon traffic and the existing road network particularly when considering the nature of events being weddings where carpooling or buses are common modes of transport. Additionally, any traffic increase will be temporary in nature and not during peak periods of road usage. In regard to car parking, there is ample room for on-site car parking with car parking currently located in the gravelled area in the sites north east of the site. The Traffic Impact Assessment prepared for the original DA noted that the existing patron capacity would on average generate 27 cars and one bus in which the gravelled car parking area is capable of catering for. There is over flow car parking available on the grassed area located to the north east of the gravelled space, which is capable of accommodating over 50 vehicles. Therefore, the existing car parking arrangement is suitable for catering for the proposed increased in patron capacity.
C Development Type	☒
Comment:	N/A
D Specific Areas	☒
Comment:	N/A

s4.15(1)(a)(iiia) – Any planning agreement or draft planning agreement entered into under section 93F

Assessment	
There are no planning agreements that have been entered into under section 7.4 relevant to the proposed development.	☒
Comment:	

s4.15(1)(a)(iv) – The regulations

Assessment	
There are no matters within the regulations that are relevant to the determination of the application.	☒
Comment:	

s4.15(1)(b) – The likely impacts of the development

Assessment	
Social and Economic Environment	
Comment:	It is considered that the proposed modifications will have positive social and economic impacts subject to compliance with recommended operational conditions. The proposed modifications will continue to attract visitors and tourists to Wallalong who will utilise existing facilities and local businesses providing increased local spend. Further, the proposed modifications will allow for the business to provide additional local hospitality services.

Built Environment	
Comment:	There are no physical works proposed and therefore the built environment will remain unchanged.
Natural Environment	
Comment:	The proposed modifications is not considered likely to have impacts on the natural environment.

s4.15(1)(c) – The suitability of the site

The subject site is already operating to provide wedding receptions as approved under the original consent for the site. A function centre will continue to be a suitable use of the site under the proposed modification, should the recommended operational conditions proposed by Council staff be adopted.

s4.15(1)(d) – Any submissions

Submissions have been addressed in accordance with S4.55(1A)(d) above.

s4.15(1)(e) – The public interest

It is considered that the proposed modification is in the public interest subject to compliance with the existing and proposed recommended conditions. Further, the 1 year trial, will allow for Council to consider the performance of the operator in relation to compliance with development consent conditions, noise mitigation and any substantiated complaints received should a further modification be lodged to allow for the increased patron capacity and number of events on a permanent basis.

MODIFIED CONDITIONS

16-2016-638-3

New Condition

Trial Period Conditions

19. Despite the other operational conditions of this consent, the use may operate in accordance with the below conditions for a trial period of one (1) year commencing from the date of determination of the modified consent.

a) The number of wedding receptions is limited to 80.

b) The capacity of the facility is restricted to a maximum of 150 patrons at any one time.

c) The number of wedding receptions is limited to two events between Friday and Saturday (including long weekends).

d) Wedding receptions occurring from Sunday to Thursday are limited to 1 event per fortnight (including long weekends).

e) Weddings receptions occurring from Sunday to Thursday are to finish by 10:00pm with patrons to vacate the premise by 10:30pm.

f) A complaints register is to be created for the venue and must note all complaints received during operation (inclusive of both weekend and week day events) including a general description of the issue the complaint relates to. The complaints register is to be provided to Council on request.

g) The proponent must install sound level monitoring on the property boundary closest to residential neighbours and keep records of noise levels during each wedding reception. The sound level monitoring results are to be provided to a Council employee or member of Police, on request.

All other existing conditions of consent not modified by the above are still to be satisfied at all times during the trial period.

A further application is required to be lodged with Council for the continuation of the above operational conditions permitted by the trial at the cessation of the nominated trial period. Council's consideration of a proposed continuation of the operational matters permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions and any substantiated complaints received.

DETERMINATION

The modification application is recommended to be approved, subject to the recommended conditions as shown above.

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Councillor Giacomo Arnott left the meeting at 5:47pm.
Councillor Peter Francis left the meeting at 5:47pm.

ITEM NO. 2 **FILE NO: 24/26659**
EDRMS NO: PSC2022-01211

DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 - CHAPTER D12 RICHARDSON ROAD

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

RECOMMENDATION IS THAT COUNCIL:

1) Receives and note the submissions received during the exhibition period **(ATTACHMENT 1)**.
2) Endorses the Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road western precinct **(ATTACHMENT 2)** as exhibited.
3) Provides public notice that the amendment to Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road (western precinct) has been approved in accordance with the Environmental Planning and Assessment Regulation 2021.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

	Councillor Glen Dunkley **Councillor Steve Tucker** That Council: 1) Receives and note the submissions received during the exhibition period **(ATTACHMENT 1)**. 2) Endorses the Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road western precinct **(ATTACHMENT 2)** as exhibited. 3) Provides public notice that the amendment to Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road (western precinct) has been approved in accordance with the Environmental Planning and Assessment Regulation 2021.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
AMENDMENT

013	**Councillor Leah Anderson** **Councillor Jason Wells** It was resolved that Item 2 be deferred for a Two-way conversation with the Mayor and Councillors to discuss the original motion and the subsequent amendment.

Cr Leah Anderson and Cr Jason Wells moved in the first instance:

That Council:

1) Defers the DCP amendment to allow Council staff to prepare a planning proposal to rezone the western Richardson Road precinct to rural zoning.

2) Requests the General Manager to prepare a planning proposal to facilitate the rezoning of western Richardson Road to rural zoning in line with the requests of local residents as outlined in the submissions on this item.

3) Requests the General Manager to ensure that the planning proposal provides context to the NSW Government outlining Council's efforts to increase density in Raymond Terrace, and outline Council's commitment to housing diversity in its housing strategy and the importance of these rural-style lots to meeting the needs of that strategy.

An amendment was proposed by Mayor Palmer, which was accepted by the mover and seconder.

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

Those for the Motion: Mayor Palmer, Crs Leah Anderson, Matthew Bailey, Glen Dunkley, Peter Kafer, Ryan Palmer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The amendment on being put became the motion, which was put and carried.

BACKGROUND

The purpose of this report is to advise Council of the outcomes of the consultation undertaken on the draft amendment to Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road (western precinct) (DCP) and to seek Council endorsement to make the amendment.

On 14 March 2023, Minute No. 048 **(ATTACHMENT 3)**, Council resolved during its consideration of the recent DCP amendment to undertake a further review of existing DCP Chapter D12 Richardson Road with respect to the western portion of the precinct. This was to include the need to maintain the proposed road layout and the potential sale of excess Council-owned land in this area.

On 24 October 2023, Minute No. 252 **(ATTACHMENT 4)**, Council endorsed the draft DCP Richardson Road (western precinct) for exhibition. The key elements of the exhibited draft DCP include:

- Retention of Halloran Way (Road 1)
- Removal of the northern loop road (Road 2)
- Additional objectives and development controls to seek to protect and enhance the residential amenity and character of the area.

The draft DCP was publicly exhibited for 28 days from 2 November 2023 to 29 November 2023. Ten submissions were received during the exhibition period and have been summarised and addressed within **(ATTACHMENT 1)**. It is noted that no changes have been made to the proposed DCP in response to the submissions received.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

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

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

LEGAL, POLICY AND RISK IMPLICATIONS

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

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to proceed with the DCP, all necessary matters in preparing the plan will be carried out in accordance with the EP&A Act.

Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)

Division 2 of Part 2 of the EP&A Regulation specifies the requirements for public participation. The recommendation is in accordance with the provisions of the EP&A Regulation.

Port Stephens Development Control Plan 2014

This report recommends endorsement of the amendments to DCP Chapter D12 Richardson Road western precinct **(ATTACHMENT 2)** as exhibited.

Risk	**Risk Ranking**	**Proposed Treatments**	**Within Existing Resources?**
There is a risk that if the amendment is not made, that the DCP will contain outdated requirements and provisions.	Low	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The proposed amendments to DCP Chapter D12 Richardson Road (western precinct) is considered to have positive social, environmental and economic implications. The removal of the northern loop road will reduce potential future amenity impacts due to traffic. Its removal will also assist in retaining the existing character of the area.

Noting the difficulties in delivering Halloran Way (Road 1), its retention in DCP Chapter D12 Richardson Road (western precinct) will allow for the potential future development of the land and establishment of a safe connection to Richardson Road via the nearby roundabout. Should landowners seek to undertake further development permitted under the existing R2 Low Density Residential zone, this will result in a logical and planned development outcome.

CONSULTATION

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

Internal

Internal consultation has been undertaken with the Development Planning, Civil Assets and Strategic Property units on the draft amendment to the DCP.

External

The DCP was publicly exhibited for 28 days from 2 November 2023 to 29 November 2023. Landowners within the Richardson Road western precinct were notified in writing of the exhibition. Ten submissions were received during the exhibition period, which have been summarised and addressed within **(ATTACHMENT 1)**.

No changes have been made to the DCP in response to the submissions.

OPTIONS

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

ATTACHMENTS

1) Submissions Table.
2) DCP Chapter D12 Richardson Road (Western Precinct).
3) Minute No. 048, 14 March 2023.
4) Minute No. 252, 24 October 2023.

COUNCILLORS' ROOM

1) Unredacted submissions (available via the Councillors' Dashboard).

Note: Any third party reports referenced in this report can be uploaded to the Councillors' Dashboard upon request.

TABLED DOCUMENTS

Nil.

Submission Table: Draft Port Stephens Development Control Plan 2014
Chapter D12 Richardson Road (western precinct)

No.	Author of submission	Comment	Council response
1	Resident	The submission expresses concerns regarding Road 1 (Halloran Way).	Noted.
		The submission writes that Halloran Way would not significantly improve connectivity, traffic flow, or bring any tangible benefits to the local community. The submission requests further explanation of the objectives that justify Halloran Way and urges Council to reassess its necessity.	Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for potential future development and provide for a safer connection to Richardson Road via the nearby roundabout in the western precinct.
		The submission is concerned by the potential unnecessary expenditure of Council resources on Halloran Way.	The cost of constructing Halloran Way to a development site is to be borne by developers with any future development.
2	Resident	The submission objects to Halloran Way.	Noted.
		The submission raises concerns about the proposed benefits of Halloran Way. The submission writes the proposed road will offer little to no benefit to the local community. The submission requests justification and outlining of the advantages it aims to bring to the neighbourhood.	Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for potential future development and provide for a safer connection to Richardson Road via the nearby roundabout in the western precinct.
		The submission raises concerns about costs for Halloran Way. The submission writes that given the apparent lack of direct benefits, there is concern about the expenditure on Halloran Way. The submission asks how Council is justifying the use of public funds for the construction of Halloran	The cost of constructing Halloran Way to a development site is to be borne by developers with any future development.

No.	Author of submission	Comment	Council response
		Way. The submission asks if resources be better allocated to other projects that more directly address the needs and priorities of the community.	
		The submission writes the proximity of Halloran Way to homes to raises significant privacy concerns. The submission states increased traffic and visibility into properties could diminish quality of life. The submission asks what measures Council will take to mitigate impacts and ensure the privacy of residents.	It is acknowledged that there may be additional amenity impacts to existing residents if Halloran Way is constructed at a future time. The DCP includes additional objectives and controls to seek to protect and enhance the residential amenity and character of the area.
		The submission urges Council to reconsider the necessity and potential impacts of road construction. The submission comments that the community deserves thoughtful and beneficial use of public funds and resources, and it is crucial that these decisions reflect the best interests of the residents.	Noted.
3	Resident	The submission objects to Halloran Way.	Noted.
		The submission comments that the proposed road construction seems unnecessary, particularly given the absence of future developments in the western precinct. The submission writes the area has long enjoyed a peaceful environment, and introducing additional traffic through would disrupt the tranquillity and safety of the	Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for potential future development in the western precinct and provide for a safer connection to Richardson Road via the nearby roundabout in the western precinct. It is acknowledged that there may be additional amenity

No.	Author of submission	Comment	Council response
		neighbourhood without any benefits.	impacts to existing residents.
		The submission suggests an alternative approach to address traffic concerns while preserving the character of the western precinct. It suggests the installation of traffic lights or a roundabout at the intersection of Richardson Road eastern precinct. The submission writes this could manage traffic flow and contribute to the safety and efficiency of the road network without the need for road construction in the western precinct. The submission comments that this alternative approach aligns with the goal of responsible development while maintaining the quality of life for existing residents.	The existing DCP Chapter D12 Richardson Road includes provision for future intersection treatment at the intersection of Richardson Road and Benjamin Lee Drive.
		The submission requests that Council reconsider the proposed road construction in favour of a more balanced and thoughtful traffic management solution. The submission seeks a resolution that takes into account the concerns of residents in the western precinct.	Noted.
4	Resident	The submission writes that notification was not received by the landowner as outlined in the report to Council meeting of 24 October 2023.	Records show notice was sent to all landowners within the Richardson Road western precinct to seek preliminary feedback prior to exhibition.
		The submission comments the DCP is unlikely to change the current stagnation of development.	The draft DCP provides guidance for potential future development should landowners choose to undertake future development.

ITEM 2 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	Author of submission	Comment	Council response
		The submission states Council should be seeking ways of promoting residential development, and assisting to ease the residential housing shortage.	The DCP provides additional guidance should landowners choose to undertake future development consistent with the existing R2 Low Density Residential zoning.
		The submission comments that the existing residential zoning should be retained.	Noted. The DCP does not change existing zoning R2 Low Density Residential zoning of the land.
		The submission seeks clarification of which properties Halloran Way provides access to.	Halloran Way is an existing dedicated public road, although not constructed, which provides access to a number of existing and potential future properties.
		The submission supports Council constructing Halloran Way, or a process whereby funding can be raised for its construction. It notes the DCP includes a connection to Richardson Road via the roundabout at Benjamin Lee Drive and construction of 2 stormwater detention basins. The submission requests explanation how this can occur without Council involvement and funds.	The cost of constructing Halloran Way to a development site is to be borne by developers with any future development. The DCP requires construction of stormwater detention measures including stormwater detention basins with future development.
		The submission states Council has previously acquired land and funds for the construction of Halloran Way. The submission raises doubts whether Halloran Way will be constructed.	Council has acquired land to support the future development of Halloran Way. The cost of constructing Halloran Way to support development would be funded by developers in conjunction with any funds previously collected by Council.
		The submission comments that various land acquired for road and traffic requirements or improvements is now considered surplus and is to	The small strips of Community land fronting Richardson Road have been identified for further investigation for a future reclassification project as

No.	Author of submission	Comment	Council response
		be investigated for potential sale. The submission objects to any land being required to be dedicated previously and sold back to residents at a later date.	excess Council land and do not serve any recreational purpose under their RE1 Public Recreation zoning and Community classification. 2 small lots are also identified for further investigation as excess land if the northern loop road is removed.
		The submission seeks explanation of the process for selling land currently designated public reserve and how easements and rights of way will be considered during any sale.	The identified potential excess land would be subject to detailed future investigation. The purpose is to confirm suitability including any potential impact on easements and rights of way.
		The submission comments the small strips of community land fronting Richardson Road were acquired for the future widening of Richardson Road.	The small strips of land fronting Richardson Road are zoned RE1 Public Recreation and classified as Community land to limit direct access to Richardson Road.
		The submission requests confirmation there will not be a future requirement to improve Richardson Road as Transport for NSW does not appear to have been consulted in the preparation of this amendment to the DCP.	Transport for NSW were consulted on the Richardson Road precinct during the comprehensive review of the Port Stephens DCP and did not advise of any proposal to widen Richardson Road.
		The submission supports residential growth in the western precinct, however does not see how the proposal achieves progress.	The DCP provides additional guidance should landowners choose to undertake future development.
5	Resident	The submission objects to Halloran Way.	Noted.
		The submission raises concerns about the benefits of Halloran Way. The submission writes the proposed road will offer little to no benefit to the local	Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for the potential and provide for a safer connection to Richardson

No.	Author of submission	Comment	Council response
		community. The submission requests justification and outlining of the specific advantages it aims to bring to the neighbourhood.	Road via the nearby roundabout in the western precinct.
		The submission raises concerns about costs for Halloran Way. The submission asks how council is justifying the use of public funds for the construction of Halloran Way. The submission asks if resources be better allocated to other projects that more directly address the needs and priorities of the community.	The cost of constructing Halloran Way to a development site is to be borne by developers with any future development.
		The submission writes the proximity of Halloran Way to existing homes raises privacy concerns. The submission states increased traffic and visibility into properties could diminish quality of life. The submission asks what measures Council will take to mitigate impacts and ensure the privacy of affected residents.	It is acknowledged that there may be additional amenity impacts to existing residents if Halloran Way is constructed at a future time. The DCP includes additional objectives and controls to seek to protect and enhance the residential amenity and character of the area.
		The submission urges Council to reconsider the necessity and potential impacts of this road construction. The submission comments that the community deserves thoughtful and beneficial use of public funds and resources, and it is crucial that these decisions reflect the best interests of the residents.	Noted.
6	Resident	The submission objects to Halloran Way.	Noted.
		The submission does not see the necessity in	Halloran Way is a dedicated public road,

No.	Author of submission	Comment	Council response
		Halloran Way proceeding because it will divide property boundaries. The submission suggests Halloran Way be extended towards the eastern precinct to provide access and comments that this would provide more direct access for emergency services and where further housing development has begun.	although not constructed. Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for the potential future development of the western precinct and provide for a safer connection to Richardson Road via the nearby roundabout.
		The submission is concerned that Halloran Way disregards the existing privacy of current landowners, including impacts of traffic using an adjoining laneway during its construction. The submission comments that, combined with increased traffic along Richardson as a result of the M1 extension, this would result in a significant increase to noise pollution, dust pollution and traffic congestion and adversely affect the quality of life for residents. The submission comments that the proximity of the new road to houses raises privacy and safety concerns. The increased traffic and visibility into properties diminish quality of life. The submission asks what measures Council take to mitigate these impacts.	It is acknowledged that there may be additional amenity impacts to existing residents if Halloran Way is constructed at a future time. The DCP includes additional objectives and controls to seek to protect and enhance the residential amenity and character of the area.
		The submissions asks what are the direct benefits of Halloran Way to existing residents and the broader community. The submission notes existing properties already have existing access. The submission	The DCP provides additional guidance should landowners choose to undertake future development. Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for

No.	Author of submission	Comment	Council response
		comments there are other projects that would benefit the broader community.	the potential future development and provide for a safer connection to Richardson Road via the nearby roundabout in the western precinct.
		The submission requests reconsideration of Halloran Way and consideration of alternative uses for the money allocated. The submission fails to see the necessity of Halloran Way and comments that the community deserves thoughtful and beneficial use of public funds and resources, and that decisions should reflect the best interests of the residents.	The cost of constructing Halloran Way to a development site is to be borne by developers with any future development.
		The submission expresses the desire to purchase the land directly behind their property that would be used in the development of Halloran Way.	The interest in purchasing excess land is noted, however Halloran Way is not recommended as excess land for further investigation.
		The submission asks that consideration is given to the objections raised and requests that the interests and concerns of those that would directly be affected by this project be considered. The submission requests consideration of alternative solutions that have been put forward that would be better suited to residents.	The issues raised in the submission are acknowledged. However, the retention of Halloran Way is necessary to provide for potential future development and for a safer connection to Richardson Road via the nearby roundabout in the western precinct.
7	Resident	The submission objects to Halloran Way.	Noted.
		The submission raises concerns about the benefits of Halloran Way. The submission writes Halloran Way will offer little to no benefit to the local community. The submission	Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for the potential future development and for a safer connection to Richardson Road via the

No.	Author of submission	Comment	Council response
		requests justification and outlining of the advantages it aims to bring to the neighbourhood.	nearby roundabout in the western precinct.
		The submission raises concerns about costs for Halloran Way. The submission asks how Council is justifying the use of public funds for the construction of Halloran Way. The submission asks if resources be better allocated to other projects that more directly address the needs and priorities of the community.	The cost of constructing Halloran Way to a development site is to be borne by developers with any future development.
		The submission writes the proximity of Halloran Way to homes new road to raises privacy concerns. The submission states increased traffic and visibility into properties could diminish quality of life. The submission askes what measures Council will take to mitigate impacts and ensure the privacy of affected residents.	It is acknowledged that there may be additional amenity impacts to existing residents if Halloran Way is constructed at a future time. The DCP includes additional objectives and controls to seek to protect and enhance the residential amenity and character of the area.
		The submission urges Council to reconsider the necessity and potential impacts of Halloran Way construction. The submission states the community deserves thoughtful and beneficial use of public funds and resources, and it is crucial that these decisions reflect the best interests of the residents.	Noted.
8	Resident	The submission objects to Halloran Way.	Noted.
		The submission asks if access to land will continue	Continued access to Richardson Road would be subject to the requirements

No.	Author of submission	Comment	Council response
		from Richardson Road if Halloran Way is extended.	and conditions of any formal existing access arrangements.
		The submission identifies certain potential excess land and asks: • Would the existing Right of Carriageway still be valid if it was purchased. • What use would be proposed for this lot because it is in close proximity to Richardson Road and not very wide. • If a land valuation is available for certain potential excess land. • If services will become available in conjunction with the extension of Halloran Way.	In response to the certain land referred to in the submission: • Continued access to Richardson Road would be subject to the requirements and conditions of any formal existing access arrangements. • Potential excess land may form an additional part of existing private landholdings. • Land valuation is not available for the purposes of this report. • Services will need to be provided to future residential development.
		The submission asks if services (for example sewer and water) will support the subdivision of the land.	Services would need to be provided with the development of land under the existing R2 Low Density Residential zone.
9	Resident	The submission supports the proposed changes to the DCP that allow the extension of Lake View Crescent and provides for a wider street network. The submission writes this will allow for ease of traffic flow and the systematic and sequential order of development in the area.	Noted. Noting the difficulties in delivering Halloran Way, its retention in the DCP will provide for the potential future development of the western precinct and provide for a safer connection to Richardson Road via the nearby roundabout.
		The writer of the submission is seeking to develop a property in the western precinct and supports the adoption of the DCP and the certainty and guidance it provides for future development.	Noted.

ITEM 2 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	Author of submission	Comment	Council response
10	Resident	The submission objects to Halloran Way.	Noted.
		The submission is concerned about the proposed development and the impact that it will have on lifestyle and property value.	It is acknowledged that there may be additional amenity impacts on existing residents if Halloran Way is constructed. There is no available evidence that the construction of Halloran Way will negatively affect property values.
		The submission writes that without immediate plans to subdivide or develop the western precinct, there is no necessity for Halloran Way. Most of the residents in this precinct have resided here for a long period and have existing arrangements to allow access to Richardson Road, including several businesses.	The purpose of retaining Halloran Way is to maintain existing and future potential access, should landowners choose to undertake future development consistent with the existing zoning of the land.
		The submission raises concerns about privacy impacts. The submission writes that the land reserved for Halloran Way has been maintained by residents who prefer to maintain a rural outlook and connection to neighbours. The submission writes that if Halloran Way were constructed privacy measures (for example fencing) would be an additional cost and inconvenience for residents.	It is acknowledged there may be additional amenity impacts to existing residents if Halloran Way is constructed at a future time. The DCP includes additional objectives and controls to seek to protect and enhance the residential amenity and character of the area. The efforts of landowners within the western precinct in maintaining Halloran Way is appreciated and acknowledged by Council.
		The submission comments that the western precinct is currently secure and private, is a community and as such will take notice and keep each other's property secure. With the introduction of a bus route and additional	It is acknowledged that there may be additional amenity impacts to existing residents if Halloran Way is constructed, including impacts from noise, traffic and pedestrians.

No.	Author of submission	Comment	Council response
		traffic existing residents will be more vulnerable to noise, traffic and additional foot traffic effectively through front and back yards.	
		The submission comments some residents have already been a part of the Transport for NSW Noise Abatement Program in response to noise from Richardson Road. The submission advises recording an average of 77dB per day. The submission is concerned Halloran Way will increase noise at the rear of the property.	It is acknowledged that there is likely to be some additional noise impacts to existing residents if Halloran Way is provided with future development of the area.
		The submission requests that while there are no subdivision and development applications for this precinct Halloran Way be removed from the DCP.	Some landowners within the western precinct have received development approval, or expressed interest in developing their land, consistent with the existing zoning of the land.
		The submission suggests the installation of traffic lights or a roundabout at the intersection of Richardson Road at the eastern precinct as an alternative to service growth and development. The submission comments this allow for further development and housing in the eastern area that are wanting subdivision but it will also enable better traffic management support for the fire station, football fields, pools, and other amenities.	Existing DCP Chapter D12 Richardson Road includes provision for future intersection treatment at the intersection of Richardson Road and Benjamin Lee Drive. Halloran Way is considered necessary to support the potential future development of the western precinct. Despite potential amenity impacts, retaining Halloran Way is needed to maintain existing and future potential access, should landowners choose to undertake future development consistent with the existing zoning of the land.

ITEM 2 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	Author of submission	Comment	Council response
		The submission requests that the Stage 1 development is no longer a requirement for the development of Stages 2 and 3 and that Council considers a more balanced and thoughtful traffic solution that does not affect residents.	The request to reconsider development in Stage 1 to further development in the western precinct is acknowledged.

ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

D12

D12 Richardson Road - Raymond Terrace

Application

This Part applies to the land identified in Figure DV as Richardson Road - Raymond Terrace including additional objectives and controls for the Richardson Road Western Precinct.

D12.A Street layout and transport network

Objectives

- To ensure that a well-planned and connected street layout for the area is delivered and not compromised by **development** on a single site
- To achieve efficient and equitable pedestrian, cycle, public transport and private vehicle connectivity between lots and precincts, the local centre and nearby service areas
- To ensure the street layout limits access to the Pacific Highway and Richardson Road

Development controls	
Street layout	
D12.1	Street layout is generally consistent with the locality controls map at Figure DW.
D12.2	No additional direct **driveway** access to and from Richardson Road is permitted.
Connectivity	
D12.3	The **subdivision** of a lot that proposes a road layout that prevents the effective connectivity of the wider street network will not be supported. **Development applications** must provide for wider street network connectivity in a grid-like structure.
D12.4	**Subdivisions** that propose street networks are to be informed by road connections to future **subdivisions** on adjoining land. **Development applications** shall identify future road connections to adjacent land where necessary.
Transport movement hierarchy	
D12.5	Local roads connecting to Richardson Road, Halloran Way and Baluster Street are constructed as bus routes in accordance with Council's infrastructure specification[12].
D12.6	Pedestrian and shared paths are provided in accordance with Council's Infrastructure specification[12].
Road connections to Richardson Road	
D12.7	Access to Richardson Road must be provided in accordance with Figure DW.
Street trees along Richardson Road	
D12.8	**Landscaping plans** for **subdivisions** along Richardson Road must provide for an attractive and low maintenance landscape along the road frontage, and in accordance with the **tree technical specification**[1]. Note: This requirement is in addition to the requirements under Part C1.

ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

D12.B Staging

Objective

To ensure that the staging of **subdivision** is informed by site analysis and infrastructure provision

Development controls	
Staging	
D12.9	Stage 1 ~~is completed prior to stage 2 commencing~~ provides for continued road construction to the western intersection of Benjamin Lee Drive and Richardson Road. Note: The ***Local Environmental Plan*** requires a staging plan
~~D12.10~~	~~Stage 2 can occur prior to stage 1, if:~~ • ~~continuous road construction is provided to the western intersection of Benjamin Lee Drive and Richardson Road~~
~~D12.11~~	Stage 2~~3~~ must:
D12.10	• provide continuous road construction to Baluster Street; and • demonstrate the Halloran Way and Richardson Road intersection has adequate capacity to support traffic generated by the **development**. • **development** that exceeds the intersection capacity must provide a continuous road connection to Stage 3~~4~~ and can only be completed once the eastern intersection at Benjamin Lee Drive and Richardson Road identified in Figure DW is operational.
~~D12.12~~ D12.11	Stage 3~~4~~ must provide continuous road construction to Richardson Road in accordance with Figure DW and the eastern intersection of Benjamin Lee Drive and Richardson Road must be operational.

D12.C Aircraft noise

Objectives

- To ensure **development** satisfies the requirements of the ***Local Environmental Plan***, clause 7.5
- To ensure appropriate consideration is given to land burdened by aircraft noise

Development controls	
Aircraft noise	
D12.13	Richardson Road is located within the 20-25 and 25-30 **ANEF** contours. Note: B6.1 details what is to be considered when **development** is located within the aircraft noise planning area.

ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

D12.D Stormwater drainage and water quality

Objectives

- To ensure environmentally sustainable and affordable water management solutions are implemented on a catchment-wide basis and not compromised by development on a single site.
- To safeguard nearby sensitive wetlands by improving the quality of stormwater runoff.
- To improve or maintain water quality within the Grahamstown Dam Drinking Water Catchment.
- To ensure that stormwater from **development** is adequately managed to provide for common stormwater management infrastructure.

Development controls	
Stormwater drainage	
D12.14	**On-site detention / on-site infiltration** is required for all new development where impervious areas are proposed.
D12.15	The **on-site detention / on-site infiltration** is to be: • Sized so that the post-development flow rate and volume equals the pre-development flow rate and volume for all storm events up to and including the **1% Annual Exceedance Probability (AEP)** storm event; and, • Provided by underground chambers, surface storage or a combination of the two. Note: Part B4 provides further consideration towards **on-site detention / on-site infiltration**. Note: Pre-development is prior to any development occurring on the land.
Drainge reserves	
D12.16	**Drainage reserves** are located generally in accordance with the locality controls map at Figure DW.
D12.17	All new **developments** must demonstrate that there would be no adverse impact on the operation of the **drainage reserve** or adjoining land on which stormwater is discharged.
Water quality	
D12.18	When a **development application** is received for subdivision greater than three lots or would result in an impervious area greater than 60% of the site area, it must demonstrate that the quality of water that is released into public drainage achieves Council's **water quality stripping targets** for the area.

ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

D12.E Richardson Road Western Precinct

Objectives

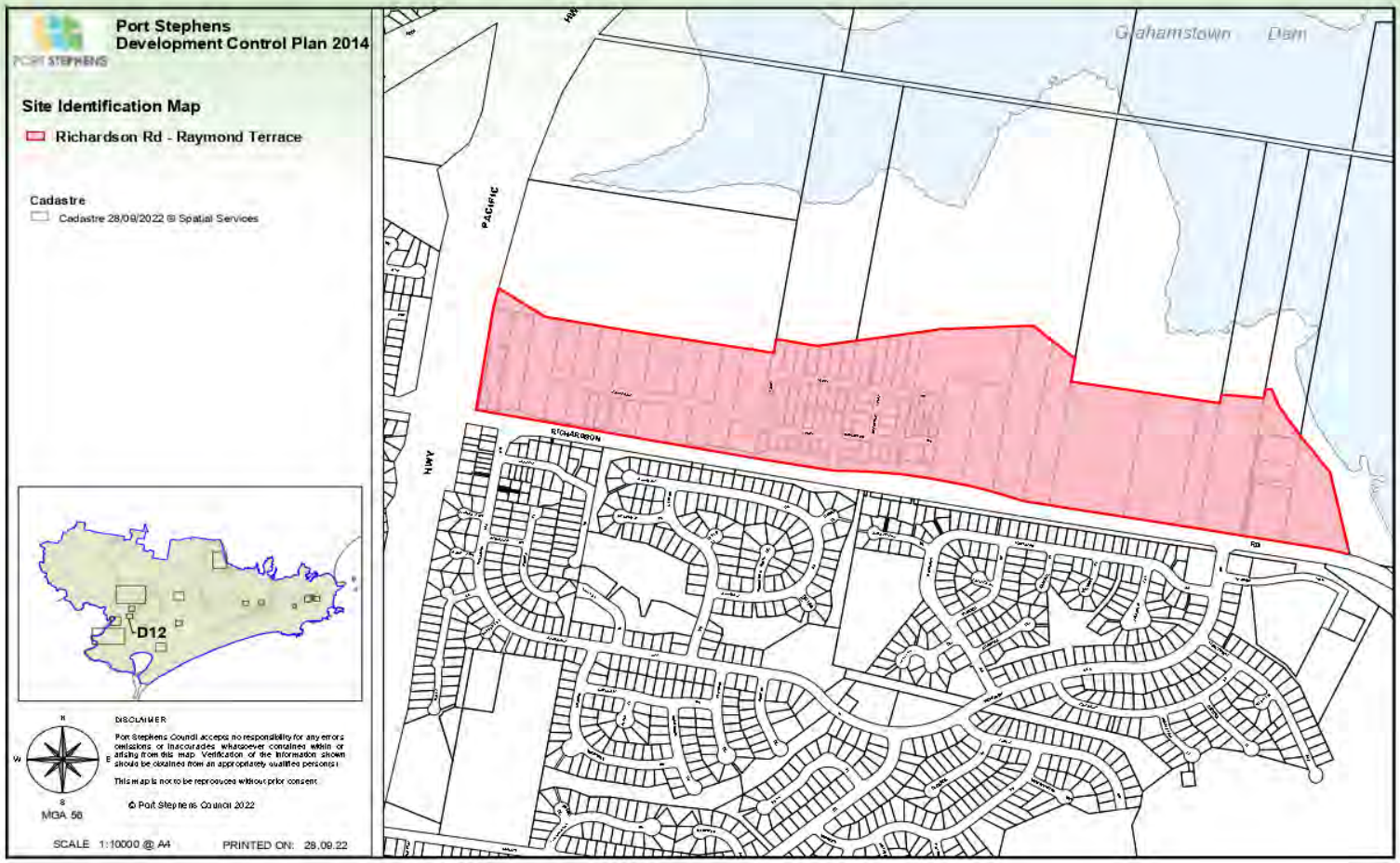
- To protect and enhance the existing low density residential amenity and character of the area
- To ensure development provides appropriate landscaping cover and maintains established vegetation where possible
- To ensure residential development does not hinder the proper and orderly development of the area
- To ensure suitable access arrangements for residential development is provided

Development controls	
Landscaping	
D12.19	A landscape plan for any residential development is to be provided which shows: • minimum of 30% landscaping area • 50% of species are to be native species • 30% of landscaped area within the front setback • Existing trees are to be retained where possible • Appropriate response to bushfire risk.
D12.20	Land adjoining Richardson Road must provide a landscape buffer 5m deep consisting of predominantly native and low maintenance species.
Setbacks	
D12.21	Minimum front **setback** of 5m
D12.22	Minimum side **setback** of 2m
D12.23	Minimum upper storey **setback** of 3m
General	
D12.24	Fencing forward of the building line is to have a maximum height of 1.2m and be in a rural style (such as post and rail fencing)
D12.25	Vehicle access must be via Halloran Way. **Subdivision development** that proposes access to Halloran Way must include road construction from the site frontage connecting to the existing road network in accordance with the road layout shown in Figure DW Richardson Road - Raymond Terrace locality controls map.
D12.26	**Subdivision development** should allow for road connection to neighbouring lots to provide consistent road development. Where this cannot be achieved, cul-de-sacs may be considered where they service no more than 10 lots and are no longer than 75 metres.

ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

D12

Figure DV: Richardson Road - Raymond Terrace land application map



ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

~~Figure DW: Richardson Road - Raymond Terrace locality controls map~~

ITEM 2 - ATTACHMENT 2 DCP CHAPTER D12 RICHARDSON ROAD (WESTERN PRECINCT).

D12

Figure DW: Richardson Road - Raymond Terrace locality controls map (proposed)

MINUTES ORDINARY COUNCIL - 14 MARCH 2023

Councillor Peter Francis left the meeting at 6:26pm.

ITEM NO. 3 **FILE NO: 22/307845**
EDRMS NO: PSC2022-01211

DRAFT DEVELOPMENT CONTROL PLAN - HOUSEKEEPING

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

1) Receive and note the submissions received during the exhibition period **(ATTACHMENT 1)**.
2) Endorse the Port Stephens Development Control Plan 2014 – Housekeeping **(ATTACHMENT 2)**.
3) Provide public notice that the amendment to the Port Stephens Development Control Plan 2014 has been approved in accordance with the Environmental Planning and Assessment Regulation 2000.

ORDINARY COUNCIL MEETING - 14 MARCH 2023
MOTION

048	**Councillor Giacomo Arnott** **Councillor Steve Tucker** It was resolved that Council: 1) Receive and note the submissions received during the exhibition period **(ATTACHMENT 1)**. 2) Endorse the Port Stephens Development Control Plan 2014 – Housekeeping **(ATTACHMENT 2)**. 3) Provide public notice that the amendment to the Port Stephens Development Control Plan 2014 has been approved in accordance with the Environmental Planning and Assessment Regulation 2000. 4) Undertake further review of Chapter D12 – Richardson Road with respect to the western precinct, the need to maintain the proposed road layout and the potential sale of excess Council land in this area.

Cr Giacomo Arnott moved the following amendment to add an item 4, which was accepted by the seconder and merged into the original motion.

MINUTES ORDINARY COUNCIL - 14 MARCH 2023

"Undertake further review of Chapter D12 – Richardson Road with respect to the western precinct, the need to maintain the proposed road layout and the potential sale of excess Council land in this area."

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

Those for the Motion: Mayor Ryan Palmer, 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 advise Council of the outcomes of the consultation undertaken on the draft Port Stephens Development Control Plan 2014 (DCP) – Housekeeping **(ATTACHMENT 2)** (the 'amendment') and to seek Council endorsement to make the amendment.

Housekeeping amendments are undertaken on a 2 year cycle to ensure Council's planning framework remains current and contemporary. The last housekeeping review was undertaken in 2020.

The amendment seeks to improve and update the DCP by correcting errors and removing controls that have been superseded or are redundant. It also provides to improve clarity in response to questions frequently asked by members of the community through Council's duty service. Some of the amendments include:

- Amending Chapter B1 Tree Management to align approval pathways and assessment requirements with Council policy and processes.
- Simplifying guidance on parking requirements in Chapter B8 Road Network and Parking to provide greater certainty and clarity.
- Amending Chapter B7 Heritage to be consistent with the Due Diligence Code of Practice for the protection of Aboriginal Objects in NSW.
- Inserting new development controls for carports in Chapter C8 Ancillary Structures.
- Amending Chapter D12 Richardson Road – Raymond Terrace to include additional land to the east and include new development controls to guide future development and ensure appropriate planning outcomes.

A detailed explanation of the amendments is provided within **(ATTACHMENT 3)**.

At its meeting on 8 November 2022, Council endorsed the draft amendment for exhibition. The draft was publicly exhibited for 28 days from Friday 11 November 2022 to Thursday 8 December 2022 in accordance with the Environmental Planning and Assessment Regulations 2021 (NSW).

3 submissions were received during the exhibition period, and a further 2 submissions following exhibition. The submissions are summarised and addressed in **(ATTACHMENT 1)**.

A number of minor changes were made to the amendment in response to submissions to improve clarity. These changes are detailed in the explanation of amendments **(ATTACHMENT 3)** and in the response to submissions **(ATTACHMENT 1)**.

Additionally, following further internal consultation, the proposed locality controls map for Chapter D12 Richardson Road – Raymond Terrace was revised to respond to environmental constraints. The exhibited and the revised map are detailed within the explanation of amendments **(ATTACHMENT 3)**.

No other post-exhibition changes have been made to amendment.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

FINANCIAL/RESOURCE IMPLICATIONS

There are no known financial or resource implications for Council as a consequence of the proposed recommendations. The exhibition will be managed within the existing budget.

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

LEGAL, POLICY AND RISK IMPLICATIONS

There are no known legal, policy or risk implications resulting from the proposed recommendations.

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

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to proceed with the amendment, all necessary matters in preparing the plan will be carried out in accordance with the EP&A Act.

Environmental Planning & Assessment Regulations 2000 (EP&A Regulations)

Division 2 of Part 3 of the EP&A Regulations specifies the requirements for public participation. The recommendation is in accordance with the provisions of the EP&A Regulations.

Port Stephens Development Control Plan 2014 (DCP)

Section B of the DCP outlines general provisions applicable to most development applications and development types, Section C of the DCP outlines requirements and objectives applicable to specific development types (such as ancillary development), and Section D applies to specifically mapped areas.

The amendment will align the DCP with recently updated processes, assessment guidelines and specifications of Council, State and Commonwealth agencies. The changes proposed in **(ATTACHMENT 2)** would make the DCP more readable, easier to use, and more accurate.

The last housekeeping review of the DCP was undertaken in 2020. This is consistent with Council's approach on a 2 year cycle to ensure Council's planning framework remains current and contemporary.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk if the amendment is not made, that the DCP will contain outdated requirements and provisions.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

The amendment will increase the usability of the DCP and amend or remove unnecessary controls to assist with its functionality and accuracy. The amendment will reduce the complexity of the DCP for community members. This may also reduce resourcing and costs incurred by Council responding to community enquiries regarding development.

The proposed amendments, whilst relatively minor in nature, will result in positive economic and social outcomes. Environmental impacts as a result of the amendment are unlikely to be significant. In relation to tree removal, the amendment to Chapter

B1 Tree Management provides clearer guidance on when trees can be removed or pruned and does not amend, reduce or expand these circumstances.

The amendments to Chapter D12 Richardson Road – Raymond Terrace will assist in the delivery of housing on existing residentially zoned land in Raymond Terrace.

CONSULTATION

Preliminary consultation with key stakeholders has been undertaken by the Strategic Planning team to identify and consider any issues prior to exhibition.

Internal

Internal consultation has been undertaken with the Natural Systems team, the Development and Compliance Section, and the Engineering Services team.

External

As a result of consultation, a total of 5 submissions were received – 1 agency submission and 4 community submissions. Further details are outlined below.

Agency Consultation

External consultation has been undertaken with Transport for NSW and Hunter Water during preparation of the draft Chapter D12 Richardson Road – Raymond Terrace and the draft Chapter B4 Drainage and Water Quality respectively. Further consultation was undertaken with Transport for NSW with an agency submission received during the exhibition period. As a result, minor amendments were made to Chapter D12 Richardson Road – Raymond Terrace. These changes are detailed in the explanation of amendments **(ATTACHMENT 3)** and in the response to submissions **(ATTACHMENT 1)**.

Community

The amendment was publicly exhibited for 28 days from Friday 11 November 2022 to Thursday 8 December 2022 in accordance with the Environmental Planning and Assessment Regulations 2021. 2 community submissions were received during the exhibition period, and a further 2 submissions following exhibition. The submissions are summarised and addressed in **(ATTACHMENT 1)**.

Changes have been made to the amendment in response to submissions to provide clarity around the definition of an approved structure. More detail is provided in the explanation of amendments **(ATTACHMENT 3)** and in the response to submissions **(ATTACHMENT 1)**. The presentation of Chapter B1 Tree management was also edited to remove highlighting from content that was repositioned but otherwise has not changed, to better distinguish between draft and current content.

OPTIONS

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

ATTACHMENTS

1) Submissions Table.
2) Development Control Plan 2014 - Housekeeping. (Provided under separate cover)
3) Explanation of Amendments.

COUNCILLORS ROOM

1) Submissions.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 24 OCTOBER 2023

ITEM NO. 3 **FILE NO: 23/236208**
EDRMS NO: PSC2022-01211

DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 - CHAPTER D12 RICHARDSON ROAD

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

RECOMMENDATION IS THAT COUNCIL:

1) Place the draft Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road (western precinct) **(ATTACHMENT 1)** 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.
2) Endorse the lots in the Richardson Road western precinct shown in **(ATTACHMENT 2)** for investigation as excess Council land for potential sale.

ORDINARY COUNCIL MEETING - 24 OCTOBER 2023
MOTION

252	**Councillor Glen Dunkley** **Councillor Giacomo Arnott** It was resolved that Council: 1) Place the draft Port Stephens Development Control Plan 2014 Chapter D12 Richardson Road (western precinct) **(ATTACHMENT 1)** as amended on public exhibition for a period of 28 days. 2) Endorse the lots in the Richardson Road western precinct shown in **(ATTACHMENT 2)** for investigation as excess Council land for potential sale.

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

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Glen Dunkley, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council endorsement to place draft amendments to the Port Stephens Development Control Plan 2014 (DCP) Chapter D12 Richardson Road (western precinct) **(ATTACHMENT 1)** on public exhibition for a period of 28 days.

This report also seeks Council endorsement to investigate the lots identified in **(ATTACHMENT 2)** as excess land for potential sale in the Richardson Road western precinct.

DCP Chapter D12 Richardson Road (western precinct)

On 14 March 2023, Minute No. 048 **(ATTACHMENT 3)**, Council adopted the administrative amendment to the DCP. At this meeting, the need for DCP Chapter D12 Richardson Road to apply to the undeveloped western portion of the precinct was raised by Councillors. Council subsequently resolved to undertake a further review of DCP Chapter D12 Richardson Road with respect to the western portion of the precinct. This was to include the need to maintain the proposed road layout and the potential sale of excess land in this area.

The western precinct of Richardson Road is considered to be all land west of Lake View Crescent. The existing DCP Chapter D12 Richardson Road nominates a structure for this area that includes 2 roads, being, Halloran Way (Road 1) and a proposed northern loop road (Road 2) to facilitate the envisaged residential development of the precinct.

Following the review and consultation with property owners in the area, it is proposed to remove Road 2 from DCP Chapter D12 Richardson Road. The purpose is to assist in maintaining the existing amenity of the area and to reduce potential future traffic impacts on existing residents. There are currently no sites that require Road 2 for access. In addition to this, its proposed alignment is in close proximity to several existing dwellings.

Halloran Way (Road 1) is proposed to be retained in DCP Chapter D12 Richardson Road (western precinct). The purpose is to maintain existing and future potential access, should landowners choose to undertake future development consistent with the existing R2 Low Density Residential zoning of the land.

Council does not support the closure of Halloran Way (Road 1) as it is a dedicated public road, although not constructed, which provides access to a number of residential properties along it.

The DCP has been amended to include additional objectives and development controls with regard to landscaping, setbacks and fencing within the precinct to assist in protecting and enhancing the residential amenity and character of the area **(ATTACHMENT 1)**.

Land already dedicated for Road 2 is identified as excess Council land for further investigation **(ATTACHMENT 2)** and may be considered for closure under the Roads Act 1993 and sale following a future resolution of Council.

Small strips of community land fronting Richardson Road **(ATTACHMENT 2)** have been identified for further investigation for a future reclassification project as excess Council land. Due to their small size, they are not developable as stand-alone lots and do not serve any recreational purpose under the existing RE1 Public Recreation zone.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

There are no known financial or resource implications for Council as a consequence of the proposed recommendations. The exhibition will be managed within the existing budget.

There are positive financial implications from the potential future sale of excess Council land identified in **(ATTACHMENT 2)**.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		Exhibition managed within existing budget.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

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

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to proceed with the amendment, all necessary matters in preparing the plan will be carried out in accordance with the EP&A Act.

Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)

Division 2 of Part 2 of the EP&A Regulations specifies the requirements for public participation. The recommendation is in accordance with the provisions of the EP&A Regulation.

Port Stephens Development Control Plan 2014 (DCP)

This report recommends the exhibition of proposed amendments to DCP Chapter D12 Richardson Road. The amendment proposes to remove the northern loop road (Road 2) from the western precinct and include additional objectives and development controls to seek to protect and enhance the residential amenity and character of the area.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the revised road layout and development controls are not supported by landowners in the DCP Chapter D12 Richardson Road (western precinct).	Low	Accept the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

The proposed amendments to DCP Chapter D12 Richardson Road western precinct have positive social, environmental and economic implications. The removal of Road 2 will lessen potential future amenity impacts to residents due to traffic. Its removal will also assist in retaining the existing character of the area.

Noting the difficulties in delivering Road 1, its retention in DCP Chapter D12 Richardson Road western precinct will provide for the potential future development of the land and provide for a safer connection to Richardson Road via the nearby roundabout. Should landowners seek to undertake further residential development permitted under the existing R2 Low Density Residential zone, this will result in a logical and planned development outcome.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section to identify and consider any issues prior to exhibition.

Internal

Internal consultation has been undertaken with the Development Planning team on the draft amendment to Chapter D12 Richardson Road western precinct and the Strategic Property section has been consulted on excess land in the area, including the need to retain Halloran Way (Road 1) which is a dedicated public road and provides access to a number of residential properties along it.

External

Prior to the preparation of this report, the Strategic Planning team wrote to all landowners within the DCP Chapter D12 Richardson Road western precinct to seek preliminary feedback on the existing development controls. 6 Responses were received.

Key themes raised in the responses received were:

- Desire to maintain the existing semi-rural large lot lifestyle and amenity
- Negative amenity impacts from future traffic (including buses) on Halloran Way
- Some acknowledgement of the potential connection benefits of Halloran Way
- Negative amenity and traffic impacts from Road 2
- Interest in purchasing potential excess adjoining land.

A preliminary submissions table is at **(ATTACHMENT 4)**.

Copies of the preliminary feedback received from landowners are provided in the **COUNCILLORS ROOM**.

Given the desired outcomes, preliminary consultation was also undertaken with the NSW Department of Planning and Environment (Department). The Department advised that the Government is focused on addressing the housing crisis and taking steps to provide more optimal density and more diverse housing typologies. **(ATTACHMENT 5)**.

If supported, the proposed draft amendments to the DCP will be placed on public exhibition for a period of 28 days.

The amendments will be made available on Council's website in accordance with the EP&A Regulation and the Port Stephens Community Participation Plan.

Submissions on the proposed draft amendments to the DCP will be invited during the public exhibition period and, if submissions are received, they will be considered in a future report back to Council including any recommended post-exhibition changes.

Landowners within DCP Chapter 12 Richardson Road western precinct will be notified in writing of the exhibition. This will provide the opportunity for landowners to make submissions during the formal exhibition period.

A submission summary table will be included with the post-exhibition report to Council.

OPTIONS

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

ATTACHMENTS

1) Draft DCP Chapter D12 Richardson Road (western precinct).
2) Excess Council land for investigation.
3) Minute No. 048, 14 March 2023.
4) Preliminary Submissions Summary Table.
5) NSW Department of Planning and Environment Advice.

COUNCILLORS ROOM

1) Copy of Preliminary Submission.

TABLED DOCUMENTS

Nil.

Councillor Giacomo Arnott returned to the meeting at 5:55pm.
Councillor Peter Francis returned to the meeting at 5:55pm.

ITEM NO. 3 **FILE NO: 24/25814**
EDRMS NO: PSC2022-01211

DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN - ROAD NETWORK AND PARKING (ELECTRIC VEHICLES)

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

RECOMMENDATION IS THAT COUNCIL:

1) Receives and note the submission received during the exhibition period **(ATTACHMENT 1)**.
2) Endorses the Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) **(ATTACHMENT 2)**.
3) Provides public notice that the amendment Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) has been approved in accordance with the Environmental Planning and Assessment Regulation 2021.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

014	**Councillor Giacomo Arnott** **Councillor Leah Anderson** It was resolve that Council: 1) Receives and note the submission received during the exhibition period **(ATTACHMENT 1)**. 2) Endorses the Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) **(ATTACHMENT 2)**. 3) Provides public notice that the amendment Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) has been approved in accordance with the Environmental Planning and Assessment Regulation 2021. 4) Request the General Manager to prepare a report to the Council outlining the best way to implement an amendment to the DCP at BB.20 to remove "excluding dwelling houses, dual occupancies and semi-detached dwellings".

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

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 advise Council of the outcomes of the consultation undertaken on draft Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) (DCP) and to seek Council endorsement to make the amendment.

On 11 April 2023, Minute No. 093 **(ATTACHMENT 3)**, Council considered a report on the NSW Electric Vehicle Strategy and resolved to endorse the DCP to be amended to include requirements for new development to cater for an increased uptake in electric vehicles ('EV Ready').

To enact the resolution, funding was allocated as part of Council's membership to the NSW Sustainability Advantage Program allowing for the preparation of the Port Stephens Development Control Plan – Electric Vehicle (EV) Update Report **(ATTACHMENT 4)**. The report provided benchmarking for EV infrastructure provisions made within other local government area DCPs, a review of equivalent policies regarding EVs and recommendations for amendments to the DCP. These recommendations have been supported in full and achieve alignment with the NSW Electric Vehicle Strategy.

On 10 October 2023, Minute No. 233 **(ATTACHMENT 5)**, Council endorsed the DCP for exhibition. The draft was publicly exhibited for 28 days from 16 October 2023 to 13 November 2023.

1 submission was received during the exhibition period. The submission is summarised and addressed in **(ATTACHMENT 1)**. No changes have been made to the DCP in response to the submission.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

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

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

LEGAL, POLICY AND RISK IMPLICATIONS

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

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to proceed with the DCP, all necessary matters in preparing the plan will be carried out in accordance with the EP&A Act.

Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)

Division 2 of Part 2 of the EP&A Regulation specifies the requirements for public participation. The recommendation is in accordance with the provisions of the EP&A Regulation.

Port Stephens Development Control Plan 2014

This report recommends endorsement of amendments to DCP Chapter B8 Road Network and Parking to introduce objectives and development controls for future development to be EV Ready consistent with the recommendation of the Port Stephens Development Control Plan – EV Update Report **(ATTACHMENT 3)**.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources ?
There is a risk that development does not make provision for electric vehicle infrastructure, which in turn limits the potential uptake of EVs.	Low	Accept the recommendation.	Yes.

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

The proposed amendments to DCP Chapter B8 Road Network and Parking are considered to have positive social, environmental and economic implications by ensuring that new development provides the requisite infrastructure to support the uptake of EVs in Port Stephens.

Support within the built environment through facilitating charging infrastructure provides significant benefits to the community as Council continues to plan for and adapt to climate change impacts.

CONSULTATION

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

Internal

Internal consultation has been undertaken with the Development Planning unit on the objectives and development controls for electric vehicles.

External

The DCP was publicly exhibited for 28 days from 16 October 2023 to 13 November 2023. 1 submission was received during the exhibition period. The submission is summarised and addressed in **(ATTACHMENT 1)**. No changes have been made to the DCP in response to the submission.

OPTIONS

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

ATTACHMENTS

1) Submission Table.
2) Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking.
3) Minute No. 093, 11 April 2023.
4) Port Stephens Development Control Plan - EV Update Report.
5) Minute No. 233, 10 October 2023.

COUNCILLORS' ROOM

1) Unredacted submissions (available via the Councillors' Dashboard).

Note: Any third party reports referenced in this report can be uploaded to the Councillors' Dashboard upon request.

TABLED DOCUMENTS

Nil.

Submissions Table: Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles)

No.	Author of submission	Comment	Council response
1	Renew, Hunter Region Branch	The submission recognises the need to align the Development Control Plan (DCP) with the Volume 1, Section J9D4 of the National Construction Code 2022 (NCC) changes that came into force earlier this year.	Noted. The Development Control Plan (DCP) controls are intended to be supplementary to the requirements of the National Construction Code (NCC).
		The submission is concerned the DCP does not set out the requirements for different building classes as defined in the NCC.	Applications for new buildings will refer directly to the provisions of the NCC for the different building classes.
		The submission writes that the proposed simplified residential and non-residential development controls in the DCP do not address the diversity of requirements for future EV charging in the Port Stephens LGA.	The DCP controls are intended to be supplementary to the requirements of the NCC. This avoids the need to duplicate prescriptive DCP controls for EV charging infrastructure in new development.
		The submission considers the DCP and the NCC to be 'short-sighted' in relation to electrical infrastructure required to best support the fully electrified road transport network within the lifespan of the majority of developments. The submission writes that as Australia's electrical generation shifts towards renewables, electricity availability and cost will shift from excess/cheap coal based electricity overnight to excess/cheap renewables during the day, and that this will dramatically shift the need to have EV charging facilities available where vehicles are parked during the day to avoid the	The DCP has been prepared to provide flexibility to support EV uptake consistent with but not higher than the standards of the NCC. The DCP adopts a precautionary approach to development controls for EVs. The purpose is to ensure that adequate provision is made in new development to accommodate the demands for EV use, while allowing for flexibility and adaptability as demand for EVs increases and technological changes are implemented.

		infrastructure costs associated of duplication of EV storage capacity needed if vehicles are recharged overnight.	
		The submission states, for parking associated with Class 5 (office/commercial) buildings, the requirement for 10% of available spaces to be capable of installing chargers and the omission of class 7a (dedicated car parks), in particular where vehicles are parked while people are at work (e.g. for retail workers and for commuter park-and-ride facilities) are inadequate.	For office/commercial buildings the DCP controls align with the NCC requirements to accommodate an electric vehicle charger in 10% of car parking spaces associated with an office/commercial building. Development applications for dedicated car parks are included in the DCP by the term 'non-residential development' and will need to respond to the objectives and controls of the DCP.
		The submission encourages Council to fully comply with the NCC and in addition, include provision to: • require a capability to support 50% of parking spaces are having either 7kw charging or 12kwh capacity facilities for class 5 buildings (offices). • require a capability to support 25% of either 7kw charging or 12kwh capacity charging for spaces associated with the expected day-time workforce for all other building classes included in the NCC/Vol 1/J9D4. • include specific requirements for class 7a (public/commercial car parks) where these are associated with people parking while at	The DCP is intended to be supplementary to and align with the requirements of the NCC. The NCC requires: • 10% of car parking spaces associated with office buildings and shops to support the future installation of a 7kW electric vehicle charger. • Office buildings and shops to have the capacity to support an electric vehicle charger able to deliver a minimum of 12 kWh from 9:00 am to 5:00 pm daily. • Car parks to have capacity for each circuit to support an electric vehicle charger able to deliver a minimum of 12 kWh from 9:00 am to 5:00 pm daily.

		work between 9am and 5pm.	The DCP will require car parking for 'non-residential development' where 10 or more parking spaces are provided to include provision for installation of at least one shared electric vehicle charging point for every 10 car parking spaces. This aligns with the requirements of the NCC.
		The submission encourages Council to actively seek partnerships similar to those established in other LGAs to provide publicly accessible charging facilities for visiting tourists.	Noted. Council staff are progressing with the development of an Expressions of Interest process relating to opportunities for EV charging providers to be installed and publicly available on Council property. This will contribute to a framework to provide publicly accessible charging facilities for visiting tourists.
		The submission encourages Council to investigate financial levies to encourage short term rentals to provide for visitor EV charging to offset the need to Council and other ratepayers to provide these facilities to support the tourism industry in parallel with the DCP requirements for the Class 3 buildings (other residential buildings).	Noted. However, the purpose of this report is only to consider DCP controls and not investigate potential financial levies to provide for visitor EV charging. EV charging infrastructure is able to be provided within existing private residential dwellings used for short-term accommodation.

B8.F Electric Vehicle Infrastructure

Objectives

- To recognise the increasing use and demand for electric vehicles and ensure new development is designed to reflect this
- To ensure development includes adequate infrastructure to provide for the charging of electric vehicles

Development controls	
B8.20	Car parking for residential accommodation (excluding dwelling houses, dual occupancies and semi-detached dwellings) is to be designed to include provision of electrical circuitry with capacity to provide charging facilities for an electric vehicle to each car parking space.
B8.21	Car parking for non-residential development where 10 or more parking spaces are provided is to include provision for the installation of at least 1 shared electric vehicle charging point per 10 car parking spaces.

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

ITEM NO. 3 **FILE NO: 23/10211**
EDRMS NO: PSC2023-01019

NSW ELECTRIC VEHICLE STRATEGY

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

1) Note the report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy **(ATTACHMENT 1)**.
2) Endorse the Port Stephens Development Control Plan 2014 to be amended to include requirements for new development to be EV Ready.
3) Endorse the development of a grant application seeking to upgrade a passenger fleet vehicle to an EV with associated charging infrastructure.
4) Endorse the development of an Expressions of Interest process relating to opportunities for EV charging providers to be installed and publically available on Council property.

ORDINARY COUNCIL MEETING - 11 APRIL 2023
MOTION

093	**Councillor Leah Anderson** **Councillor Matthew Bailey** It was resolved that Council: 1) Note the report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy **(ATTACHMENT 1)**. 2) Endorse the Port Stephens Development Control Plan 2014 to be amended to include requirements for new development to be EV Ready. 3) Endorse the development of a grant application seeking to upgrade a passenger fleet vehicle to an EV with associated charging infrastructure. 4) Endorse the development of an Expressions of Interest process relating to opportunities for EV charging providers to be installed and publically available on Council property.

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to provide information on local planning and infrastructure responses that can be undertaken to support the delivery of the NSW EV Strategy. This report follows a Notice of Motion at the Council meeting of 27 September 2022, Minute No. 269 **(ATTACHMENT 2)**.

The NSW EV Strategy **(ATTACHMENT 3)** is the NSW Government's plan to accelerate the State's vehicle fleet of the future. It outlines the government's commitments to increasing the uptake of EVs to ensure New South Wales (NSW) shares in the benefits.

Through the NSW EV Strategy, NSW Government is targeting key areas of action to make NSW the easiest place to buy and use EVs in Australia. The NSW EV Strategy includes rebates, phased removal of stamp duty for EVs, targets for NSW Government fleet, incentives for council and private fleets and major investment to ensure widespread, world-class EV charging coverage.

The NSW EV Strategy is intended to increase EV sales to 52% by 2030–2031 and help NSW achieve net-zero emissions by 2050.

The report provided within **(ATTACHMENT 1)** provides Council with benchmarking data from other local Councils and an assessment of the available options for Council to consider.

The recommended options (Options 1, 2 and 3) of the report provided within **(ATTACHMENT 1)** can be delivered within Council's existing budget and subject to grant funding (option 2).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Environmental resilience Ecosystem function	Develop and deliver a program for Council leading the way to a climate positive future and mitigating environmental risks.

FINANCIAL/RESOURCE IMPLICATIONS

This report presents options for Council to consider which have a range of potential short term and long term costs. Council would be provided with more detailed cost implications subject to the options selected and once the scope has been determined.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		As per recommendation. Cost and resourcing implications of options 4 and 5, provided within **(ATTACHMENT 1)**, are to be determined should these be progressed.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Any future actions would require an assessment of legal, policy and risk implications.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that without Council investment, residents, visitors and businesses will not have access to EV infrastructure.	Low	Accept the recommendation.	Yes
There is a risk that not supporting the transition to EV's will conflict with Council's commitment to carbon neutrality and community expectations.	Low	Accept the recommendation.	Yes
There is a risk that adopting Options 4 or 5 would place increased pressure on the Council budget in both the short and long term.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

The recommendation will contribute to improved environmental outcomes as the passenger vehicles across the State transition to EVs rather than combustion engines. In addition to this, having a network of charging infrastructure can support businesses by ensuring that infrastructure is provided at destinations and along key movement routes. Supporting the uptake of EV's within the built environment and facilitating charging infrastructure provides significant benefits to the community as we consider the impacts of climate change.

CONSULTATION

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

Internal

Stakeholders identified a number of potential opportunities and/or constraints to the delivery of EV infrastructure across the LGA. To inform this report staff engaged with:

- Assets Section
- Strategy and Environment Section
- Strategic Property

External

No external consultation was undertaken.

OPTIONS

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

ATTACHMENTS

1) Report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy.
2) 27 September 2022, Minute No. 269.
3) NSW Electric Vehicle Strategy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 4 PORT STEPHENS DEVELOPMENT CONTROL PLAN - EV UPDATE REPORT.

Monteath
& Powys

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PORT STEPHENS DEVELOPMENT CONTROL PLAN – EV UPDATE REPORT

For
Port Stephens Council

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Monteath & Powys

M & P

Our Ref: 23/0148	15 June 2023
Project	Port Stephens Development Control Plan – Electric Vehicle Update
Client	Port Stephens Council
Author	Courtney Rovere *Planner* *Graduate Certificate in Urban Design*
Signature	[redacted]
Reviewer	Lachlan Sims *Principal Planner* *Bachelor of Urban and Regional Planning*
Signature	[redacted]

This report was prepared by Monteath & Powys Pty Ltd.

Document Control					
Revision	**Date**	**Revision Details**	**Author**	**Verifier**	**Approver**
0	24/05/2023	Draft	CR	LS	LS
1	05/06/2023	Draft for Review	CR	LS	LS
2	9/10/2023	Final	CR	LS	LS

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1. INTRODUCTION

Port Stephens Council has engaged Monteath & Powys to review their Development Control Plan (DCP) against other Local Governments Areas (LGA) and their policies regarding electric vehicles (EV) and to recommend amendments to the DCP in accordance with these findings and the NSW Electric Vehicle Strategy.

This review aims to provide recommendations for the inclusion of appropriate provisions within the Port Stephens DCP to development controls remain current with contemporary and emerging standards for new technology, particularly regarding EVs. This includes consideration of providing appropriate infrastructure to ensure provision is made to accommodate the storage, parking and charging of EVs. within private development. The current industry trends, key outcomes from research, best practices, government policies, and anticipated future EV uptake will be outlined. Additionally, the existing strategies and development controls implemented by leading New South Wales (NSW) LGAs are evaluated. Based on the DCP provision review, we will recommend the appropriate development objectives and controls that align with industry trends and support sustainable living for the local community.

This review has been undertaken in response to Port Stephens Council's resolution dated 11 April 2023 (reference EDRMS No: PSC2023-01019) which includes the endorsement that the Port Stephens DCP 2014 is to be amended to include requirements for new development to be EV ready.

It is the intention of this review to provide sufficient information that will assist Council in clarifying its current EV policies and in comparison, with those of other Local Governments and to determine the necessary actions required to amend the DCP. The following areas will be discussed below:

- Overview and summary of current industry trends
- Existing Practices and Policies of Local Governments
- Anticipated future uptake of EVs.
- Evaluation of strategies implemented by Local Governments
- Overview of existing Port Stephens DCP provisions
- Recommendations for development objectives and controls

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2. OVERVIEW

This section summarises current industry trends and key outcomes from the EV research conducted. It outlines the adoption of EVs across NSW, the anticipated future uptake, and projections of EV charging infrastructure development. Followed by analysing the best practices, government policies, and initiatives to promote EVs, providing insights into the strategies for EV integration.

2.1 Current Industry Trends and EV Adoption

There has been a significant surge in the demand for EVs in Australia in 2023. During January, EVs comprised 5.7% of all vehicles sold, followed by February, which incorporated 6.8% of new car sales. Notably, a total of 5,932 EV sales were recorded in February.

On 3 May 2023, the FCAI issued a media release highlighting key trends in the automotive market. According to FCAI Chief Executive Tony Weber, EVs accounted for 8% of sales in April. Government and Business fleet sales increased by 8.1% and 2.9%, respectively. In contrast, sales in NSW declined by 1.5% (25,040 vehicles) compared to the same month in the previous year.

The National Roads and Motorists' Association Ltd (NRMA) has taken a significant step towards supporting EV infrastructure by establishing 50 electric car charging stations along major roads. The NRMA continues to expand its charging network to enable EV drivers to travel through NSW with peace of mind. These charging stations are located along several main highways, including the Pacific Highway.

By installing charging stations along these routes, the NRMA is actively facilitating the growth and adoption of EVs, offering convenient and accessible charging options for EV drivers on their journeys.

2.2 Existing Practices and Policies

The Australian Electric Vehicle Industry Recap 2022, compiled by the Electric Vehicle Council (EVC), reveals a growth in EV adoption as seen in ***Figure 1***. The report indicates EV buyers nearly doubled in 2022, marking an 86% increase over the year. Currently, Australia offers a range of 70 EV models, supported by an extensive network of approximately 5000 public charging stations.

Since the Federal Government introduced several initiatives in 2022, including the National EV Strategy, Electric Car Discount, Emission Reduction Targets, Heavy Vehicles Transition Support, and the Driving the Nation Fund, state and territory governments are now actively joining the efforts to promote adopting EVs. These governments are actively supporting the transition and working towards establishing a favourable environment for EV owners.

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Figure 1: EV Statistics (Source: *Australian Electric Vehicle Industry Recap 2022*)

The demand for EVs is pivotal in providing certainty for investors and governments considering investments in charging infrastructure that may initially have limited utilisation. Contrarily, the need for charging infrastructure delays EV uptake as potential drivers voice concerns about the availability and convenience of charging facilities. This includes accessible and conveniently located public facilities as well as the capacity to connect and charge an EV at home or at the workplace.

Easily identifiable and accessible EV charging infrastructure helps familiarise potential EV drivers with the technology, instilling confidence in the automotive sector's future. It also addresses the concerns of existing and prospective EV owners by providing convenient charging options.

By strategically placing visible charging infrastructure, councils can address recharging concerns while ensuring fair access to charging facilities. This proactive approach supports the broader adoption of EVs and contributes to building sustainable communities. To complement the provision of publicly available and accessible EV charging locations, it is also essential that adequate provision is made for EV charging capacity in locations where vehicles are parked overnight or for extended periods, particularly in residential development.

2.3 Anticipated Future Uptake of EVs and Charging Infrastructure

The NSW Government has launched an Electric Vehicle Strategy which aims for 52% of all new car sales to be EVs by 2031. According to ***Figure 2*** below, the future uptake of EVs in Australia is predicted to reach 80,000 by 2024. This means the availability of EV charging capacity and infrastructure will become an increasing expectation and an essential requirement for consideration in the servicing needs for new development.

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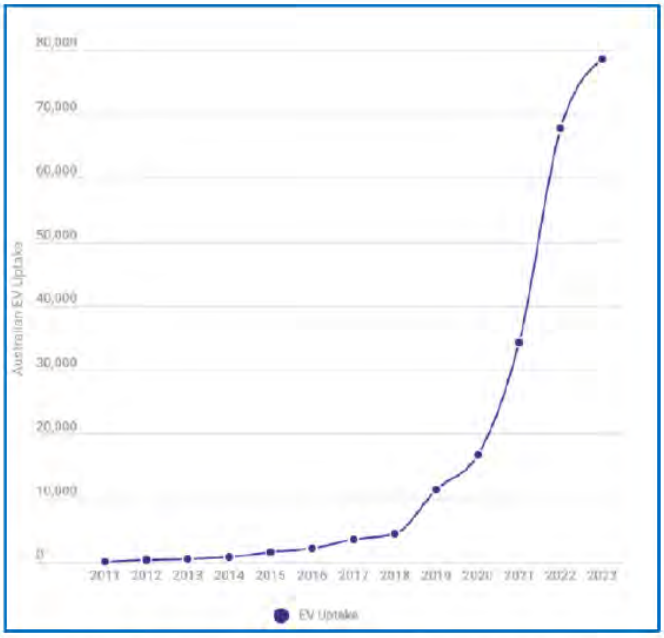

Figure 2: Australian EV Uptake (Source: *vFacts, The Driven*)

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2.4 EV Charging Requirements

The charging requirements for an EV will vary depending on the make of vehicle and the capacity of the charging infrastructure. In general, the charging time for an EV is directly relative to the capacity of the charging infrastructure. Charging infrastructure can be divided into different levels as illustrated in ***Figure 3***. In most domestic/residential and small-scale commercial settings, charging infrastructure can be expected at Level 1 or Level 2 only. Faster charging infrastructure requires much greater electrical input capacity and will only be accessible at specially designed locations with access to sufficient infrastructure.

	Power	Range added per hour	Charging time	Typical application
Level 1 – single phase (domestic)	2.4-3.7kW	10-20km range / hour	5-16 hours	Home
Level 2 slow – single phase (domestic or public)	7 kW	30-45km range / hour	2-5 hours	Home,work, shopping centres, car parks
Level 2 fast – three-phase (public)	11-22kW	50-130km range / hour	30mins – 2 hours	Urban roadside
Level 3 – fast charge (public)	50kW	250-300km range / hour	20-60 mins	Regional near highways, motorways and key routes
Level 4 – super-fast charge (public)	120kW	400-500km range / hour	20-40 mins	Regional near highways, motorways and key routes
Ultra-fast charge (public)	350kW	1000+ km range / hour	10-15 mins	Highways and motorways

Figure 3 *EV charging types (Source: Transport for NSW)*

Information provided by Transport for NSW indicates that most EVs can be charged via a standard single phase 10-amp electric plug (the standard home plug used for most electric appliances). The provision of single phase 10-amp power access to most residential and commercial charging settings will be readily possible in most new developments and can be easily retrofitted to most existing car parking locations.

In addition to the above, an EV owner has the option of installing higher capacity charging infrastructure that will run on a single-phase domestic supply (see ***Figure 4***). These facilities can be supplied and installed by a number of providers and will require appropriate wiring and support infrastructure.

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Figure 4 *Example of higher capacity domestic EV charging appliance (Source: TfNSW)*

The provision of higher capacity three phase electric charging requires enhanced electrical circuitry and will require specific wiring and switchboard capacity, thus reducing its accessibility and cost effectiveness in most residential situations. Where this infrastructure is desirable, it is essential to ensure provision is made in the electrical design of the development to enable access and connectivity to three phase electrical circuits in car parking areas.

Currently, higher capacity EV charging infrastructure is typically provided in publicly accessible sites by private operators including large commercial establishments. New and redeveloped service station sites are also beginning to provide high-capacity EV charging infrastructure. Information provided by Transport for NSW indicates that a range of publicly accessible EV charging facilities are available in the Port Stephens area (see ***Figure 5***). It is noted, however, that many of these identified sites have limited capacity and accessibility and do not all provide high capacity, fast charging services.

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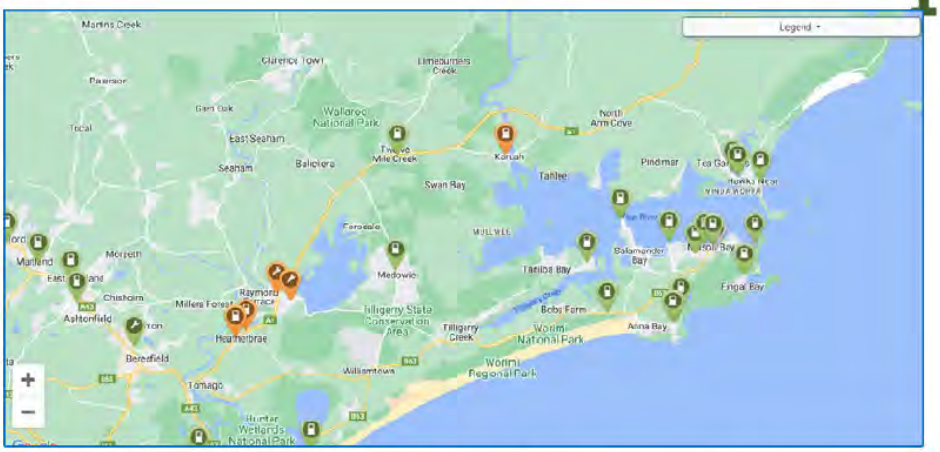

Figure 5 *Publicly accessible EV charging infrastructure in Port Stephens*
Source: Transport for NSW

It is important to note in the consideration of the above that because of the newness and rapid development of the EV market and its ongoing evolution, charging requirements and options will be constantly changing. The requirements necessary to service EVs today will likely be significantly different in future as the technology and charging capacities/requirements advance.

2.4 National Construction Code

A range of new provisions have been incorporated into the 2022 edition of the National Construction Code. These new provisions include requirements for electric vehicle charging infrastructure in Part J9 of the Building Code of Australia (BCA) that will take effect on 1 October 2023. From this date, new buildings having car parking areas associated with Class 2, 3, 5, 6, 7b, 8 or 9 buildings must be provided with electrical distribution boards dedicated to electric vehicle charging. Class 2, 3, 5, 6, 7b, 8 or 9 buildings include apartment and multi-unit residential buildings, boarding houses, hostels, office and commercial buildings, retail developments, warehouses, factories and industrial buildings and public buildings. An extract of Part J9 is provided in ***Figure 6*** below.

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J9D4 Facilities for electric vehicle charging equipment

(1) Subject to (2), a *carpark* associated with a Class 2, 3, 5, 6, 7b, 8 or 9 building must be provided with electrical distribution boards dedicated to electric vehicle charging—

(a) in accordance with Table J9D4 in each *storey* of the *carpark*; and

(b) labelled to indicate use for electric vehicle charging equipment.

(2) Electrical distribution boards dedicated to serving electric vehicle charging in a *carpark* must—

(a) be fitted with a charging control system with the ability to manage and schedule charging of electric vehicles in response to total building demand; and

(b) when associated with a Class 2 building, have capacity for each circuit to support an electric vehicle charger able to deliver a minimum of 12 kWh from 11:00 pm to 7:00 am daily; and

(c) when associated with a Class 5 to 9 building, have capacity for each circuit to support an electric vehicle charger able to deliver a minimum of 12 kWh from 9:00 am to 5:00 pm daily; and

(d) when associated with a Class 3 building, have capacity for each circuit to support an electric vehicle charger able to deliver a minimum of 48 kWh from 11:00 pm to 7:00 am daily; and

(e) be sized to support the future installation of a 7 kW (32 A) type 2 electric vehicle charger in—

(i) 100% of the car parking spaces associated with a Class 2 building; or

(ii) 10% of car parking spaces associated with a Class 5 or 6 building; or

(iii) 20% of car parking spaces associated with a Class 3, 7b, 8 or 9 building; and

(f) contain space of at least 36 mm width of DIN rail per outgoing circuit for individual sub-circuit electricity metering to record electricity use of electric vehicle charging equipment; and

(g) be labelled to indicate the use of the space *required* by (f) is for the future installation of metering equipment.

Figure 6 *National Construction Code 2022 Extract – Part J9*
Source: Australian Building Codes Board

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3. LOCAL GOVERNMENT APPROACH

Many Local Government Authorities (LGAs) across Australia have embraced the increasing accessibility of EV technology to include EVs in Council fleets as part of efforts to increase sustainability and reduce carbon emissions. Many Councils have adopted EV policies as analysed further below, examining their effectiveness in promoting EV adoption, advancing charging infrastructure development, and addressing any associated challenges. The evaluation will compare the policies implemented by other LGAs to identify successful approaches adaptable to the Port Stephens region.

3.1 Implemented Council Policies on EV Infrastructure

Within NSW, LGAs have recognised the significance of EVs and have taken steps to incorporate EV policies into their council areas. In many instances, these provisions only apply to Councils provision and support for public EV infrastructure. The following tables present an overview of these local government areas and their commitment to the adoption of EVs.

Common Trends in Local Government EV Policies
Commitment to transitioning to electric or hybrid vehicles
Focus on reducing emissions and promoting sustainability
Integration of EVs into council fleet vehicles
Implementation of EV procurement policies
Collaboration with stakeholders to develop charging infrastructure

The commitment to transitioning to electric or hybrid vehicles is a prevalent theme, demonstrating their recognition of the environmental benefits and the need to reduce carbon emissions.

These local government areas prioritize sustainability and actively seek ways to promote clean energy alternatives by integrating EVs into their fleet vehicles. By leading by example, they aim to encourage the wider community to consider EVs as a viable transportation option.

Furthermore, the implementation of EV procurement policies showcases a commitment to supporting the EV market and driving demand for EVs. By prioritising EVs in their procurement processes, local councils send a clear message that they value sustainable transportation solutions.

Collaboration with stakeholders, such as energy providers and charging infrastructure developers, is another crucial aspect of these EV policies. By working together, local government areas can develop robust charging infrastructure networks that provide convenient and accessible charging options for EV owners.

In summary, local government areas in NSW have recognized the importance of EVs and have embraced various policies to support their adoption. By prioritizing electric or hybrid vehicles, reducing emissions, integrating EVs into fleet vehicles, implementing EV procurement policies, and collaborating with stakeholders, these councils are actively contributing to a cleaner and more sustainable future for their communities.

Table 1: *Local Government Areas and Future Electric Vehicle Replacement Plans*

LGA	Future Electric Vehicle Replacement Plan
City of Newcastle	The Newcastle Council presently operates a total of 14 EV charging bays across four locations. The Council's vision of fostering a livable, sustainable, and inclusive city aligns with its objective of achieving a registered EV count of 10,000 by 2025. In line with this commitment, the Council actively encourages and supports the early adoption of EVs within the community.
Northern Beaches	This plan encompasses all publicly accessible EV charging infrastructure on public land (established by the Council or third-party entities). It outlines the comprehensive guidelines for providing public EV charging infrastructure, catering to residents, businesses, and visitors' needs.
Lake Macquarie City	Lake Macquarie Council has officially adopted an Electric Vehicle Charging Strategy to implement a comprehensive charging infrastructure plan that effectively prepares the local community for the ongoing global shift towards EVs. This strategy seeks to address the emerging needs and challenges associated with the widespread adoption of EVs, ensuring the community is well-equipped to embrace this transformative transition.
Woollahra	Woollahra Council has designed an Electric Vehicle Charging Infrastructure Policy to facilitate the establishment of publicly accessible EV charging infrastructure. This policy serves as a guide for the Council in installing public EV charging infrastructure, aiming to encourage and facilitate the adoption of EVs within the community. This policy aligns with similar initiatives Randwick and Waverley Local Government Areas have implemented.
Shoalhaven City	Shoalhaven Council has proactively installed electrical lines for EV charging in all residential developments, except for single-dwelling houses, dual occupancies, and boarding houses. This infrastructure will streamline the cost-effective installation of vehicle charging stations and associated wiring at a later stage. In non-residential developments in B3 Commercial Core and B4 Mixed Use zones in the Nowra CBD, where ten or more parking spaces are required, a minimum of 10% of these spaces must be designed and constructed to allow for the installation of EV charging points/stations, either presently or in the future.
City of Parramatta	As per the guidelines set by the Parramatta Council, all residential apartment car parking spaces must include an EV Ready Connection for at least one parking space per dwelling, along with EV Distribution Boards of sufficient capacity and ample space for future installations. Additionally, visitor's car spaces must have a shared EV connection available. In commercial buildings, car parking facilities must provide one shared EV connection for every ten commercial car spaces, ensuring an evenly distributed availability of EV charging points throughout the car park.
Blacktown	The Western Sydney EV Roadmap sets out targets to achieve by 2030. These targets include transitioning at least 50% of council fleets to EVs, ensuring that all buses operate with zero emissions, and aiming for 50% of taxis, car shares, and ferries to be powered by zero-emission technologies. The roadmap serves as a strategic plan to drive the adoption of EVs and promote sustainable transportation solutions in the Western Sydney region.
Inner West	The Inner West Council has implemented an Electric Vehicle Encouragement Strategy 2022. This strategy encompasses publicly accessible EV charging facilities, both kerbside and within Council car parks. It also extends its provisions to address the charging requirements of both new and existing developments, aiming to meet residents' needs and facilitate EV car share schemes. The Council is actively engaged in educational initiatives and awareness campaigns to promote the adoption of EVs within the community.

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3.2 Council Adopted Development Controls

As noted above, while many LGAs have adopted policies on incorporating EVs into Council fleets and demonstrating commitments to the provision of accessible and available public charging infrastructure, many Councils are yet to incorporate guidance and requirements for the inclusion of EV charging infrastructure in private developments. Some Councils have taken early steps to adopt EV charging requirements into their DCPs while others are in the process of drafting amendments to incorporate EV provisions The information provided below contains an assessment of several NSW Councils that have adopted development controls to specifically require the consideration and inclusion of EV charging infrastructure in new private developments.

Newcastle City Council

Newcastle City Council has included provisions for EV charging in Part 7.03 Traffic Parking and Access. It contains specific provisions in Section F based on the objective "to encourage and support increased usage and demand for electric vehicles". The DCP references that charging standards are defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056.

The DCP notes that compliance with the controls specified will lead to a development being EV Ready and for larger development this includes ensuring the installation of appropriate electrical circuitry to allow for future EV charging points, by pre-wiring. These controls do not require the installation of a charging point but are encouraged.

The Newcastle DCP specifies different controls based the scale of development as follows:

- new development that involves car parking, or residential alterations and additions with an estimated cost of equal to or more than $200,000, and
- new residential accommodation development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies

New development that involves car parking, or residential alterations and additions with an estimated cost of equal to or more than $200,000	
1	Electric circuitry to accommodate 'Level 2' or higher standard EV charging points must be integrated into all off-street car parking of new residential and non-residential development to ensure that 100% of car spaces can install EV charging points in the future. This must include: (a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the EV charging point system; and (b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space (see Figures below).
2	Minimum electric circuitry for a 'Level 2' EV charging point, if provided, is required to be: Privately available spaces: 'Level 2' slow – single phase with 7kW power or higher standard; and Shared spaces: 'Level 2' fast – three-phase with 11-22kW power or higher standard.
3	In addition to EV Ready, the installation of electric circuitry for a 'Level 2' or higher standard electric vehicle charging point is encouraged for new dwelling houses, semi-detached dwellings or dual occupancies.

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4	A Development Application is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will be EV Ready. This report should also include an accurate electrical plan, specifications for any off-street car parking and any electric kiosk requirements.
5	Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready connections.
6	Locate EV Distribution Board(s) so that no future EV Ready connection will require a cable of more than 50 metres from the parking bay to connect.
7	Identify on the plans submitted with the development application, the future installation location of the cable trays from the EV Distribution Board to the car spaces allocated to each dwelling that are provided a Future EV connection, with confirmation of adequacy from a suitably qualified person (such as an electrical engineer). Spatial allowances are to be made for cables trays and EV Distribution Board(s) when designing in other services.
New residential accommodation development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies	
8	Development must provide 1 car parking space or 5% of all car parking spaces – whichever is greater - to have a 'Level 2' or higher standard EV charging point installed. A Development Application is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will provide the specified EV charging point(s). This report should also include an accurate electrical plan, specifications for any off-street car parking and any electric kiosk requirements.

Northern Beaches Council

Northern Beaches Council have incorporated EV charging provisions into the transitional Warringah DCP. These provisions currently only apply to new development in the Dee Why Town Centre with general traffic and parking requirements including the following EV provisions:

Car parking areas should be designed and constructed so that electric vehicle charging points are either installed with the development or can be installed at a later time.

a. New retail, commercial or mixed use development, with a cost of works equal to or greater than $5 million, must include publicly available electric vehicle charging points at the following rate:

i. 1 charge point per 30 spaces, and

ii. a minimum of 2 charging points being provided.

b. Car parking areas should be designed and constructed so that additional electric vehicle charging points can be installed.

Woollahra Council

Woollahra Council's DCP provisions relating to relating to Parking and Access are contained within Part E of their DCP. EV specific provisions have been incorporated into Chapter E1.11 and include the following controls:

C1	Electric circuitry to accommodate 'Level 2' EV charging points must be integrated into all off-street car parking of new residential and non-residential development to ensure that 100% of car spaces can install EV charging points in the future. This must include:

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	a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the EV charging point system; and b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space.
C2	Minimum electric circuitry for a 'Level 2' EV charging point is required to be: a) Privately available spaces: 'Level 2' slow – single phase with 7kW power; and b) Publicly available spaces: 'Level 2' fast – three-phase with 11-22kW power.
C3	The installation of a 'Level 2' EV charging point is encouraged for new dwelling houses, semi-detached dwellings or dual occupancies.
C4	All new residential and non-residential development (other than for dwelling houses, semi-detached dwellings or dual occupancies) must provide 1 car parking space or 10% of all car parking spaces – whichever is greater - to have a 'Level 2' EV charging point installed.

Waverley Council

The Waverley DCP includes provisions for EV charging points in Chapter B7 Transport of Part B based on the objective of preparing future buildings for the requirements of EVs. The DCP includes the controls below as well as a table specifying the required number of charging spaces and their energy capacity.

a)	Electric vehicle chargers and Electric Vehicle Ready infrastructure should be installed as per the rates and specifications in Table 7.
b)	Electric Vehicle Distribution Boards should be installed to achieve the requirements in Table 7.
c)	All charging point locations are to be identified on CC Plans.
d)	All charging points are to have clear signage identifying location, any fees and charges and whether the bay is for public or private use only.
e)	Charging stations should allow for monitoring and individual billing payment through an Open Charge Point Protocol compatible software back end and NMI registered electricity meters.
f)	All mixed use, commercial and residential flat building development with on-site car parking should provide at least 1 dedicated space and charging point to be used for electric bicycles and mobility scooters.

Building Class	Car Space Type	Minimum Charging Stations Installed (% of spaces)	Minimum Number of EV Ready Spaces (%)	Minimum Current per Space (A)	Minimum Energy Capacity per Space Day = 9am-5pm Night = 11pm-7am (kWh)
Low density residential	Resident	0	100	16	Night 24
Medium & high density residential (3 + dwellings)	Resident	20	100	16	Night 15
	Visitor	100	100	32	Day 15
Boarding houses, co-living, hostels, hotels, motels	Any	20	40	32	Night 48
Business & office premises	Any	20	40	32	Day 15
Retail premises	Any	20	40	32	Day 15
Other premises	Any	20	40	32	Day 15

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Shoalhaven City Council

Shoalhaven Council have included provisions for EV charging in Chapter G21 of their DCP relating to car parking and traffic. This DCP identifies the performance standard and acceptable solutions to achieve the standard. For EVs, the Shoalhaven DCP's performance standard is "provision is made for charging facilities for electric vehicles". Their identified acceptable solutions to meet this standard are copied below:

A3.1	The installation of electrical conduits for electric vehicle charging for each dwelling in a residential development (excluding single dwelling houses and, dual occupancies or boarding houses) to facilitate cost effective installation of vehicle charging stations and associated wiring at a later date.
A3.2	Where 10 or more parking spaces are required for non-residential development within the B3 Commercial Core and B4 Mixed Use zones in the Nowra CBD, a minimum of 10% of spaces are to be designed and constructed so that electrical vehicle charging points/stations can be installed now, or at a later time.

City Of Parramatta

The City of Parramatta has included requirements for EV charging infrastructure in their draft citywide DCP. These are based on the following objectives:

Objectives

O.1 Ensure new development in Parramatta provides the necessary infrastructure to support the charging of electric vehicles.O.2 To ensure new development in Telopea provides the necessary infrastructure to support the charging of electric vehicles.

O.2 Minimise the impact of electric vehicle charging on peak electrical demand requirements.

Controls

C.1 All residential accommodation (excluding dwelling houses, secondary dwellings and dual occupancy) car parking must:

a) Provide an EV Ready Connection to at least one car parking space for each dwelling/apartment.

b) Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready Connections and Shared EV connections.

c) Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50 metres from the parking bay to connect.

d) All car share spaces and spaces allocated to visitors must have a Shared EV connection.

e) Identify on the plans the future installation location of the cable trays from the EV Distribution Board to the car spaces allocated to each dwelling that are provided a Future EV connection, and to make spatial allowance for it when designing in other services.

C.2 All commercial building car parking must:

a) Provide 1 Shared EV connection for every 10 commercial car spaces distributed throughout the carpark to provide equitable access across floors and floor plates.

b) All car share spaces and spaces allocated to visitors must have a Shared EV connection.

c) Identify on the plans submitted with the Development Application the future installation location of the cable trays from the EV Distribution Board to the car spaces allocated to each dwelling that have an EV Ready Connection, with confirmation of adequacy from an electrical engineer. Spatial allowances are to be made for cables trays and EV Distribution Board(s) when designing in other services.

C.3 All garages in single and dual occupancy dwellings are to be provided with a Private EV connection, which must be illustrated on plans submitted with the Development Application.

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3.3 Evaluation and Recommendations

The range of controls identified above varies from highly prescriptive to overly general but with a consistent trend demonstrating the importance of focusing on ensuring development has capacity to adapt and accommodate the needs of EV charging requirements into the future. It is further noted that some of the adopted provisions by some Councils has the effect of duplicating and potentially conflicting with the new NCC requirements that take effect on 1 October 2023.

It can be considered that, based on current and anticipated EV trends, most low-density housing arrangements with provision for off-street parking will be readily adaptable to allow for the fitting and retrofitting of EV charging infrastructure. Based on this, and consistent with the requirements of the NCC 2022, it is not recommended any specific development controls be implemented for low scale residential development such as dwelling houses, secondary dwellings or dual occupancies (NCC Class 1 buildings).

The key consideration for Port Stephens Council in reviewing and updating its DCP controls is to ensure future multi dwelling, medium and high density residential, mixed use, commercial and tourist development can accommodate the expected demands for EV charging into the future. Based on this and from the examples above, the incorporation of appropriate but flexible and adaptable EV charging requirements into the DCP that supplement the forthcoming NCC requirements will ensure new development is designed and constructed to contain appropriate provision for EV charging that meets future expectations.

In summary, the current acceptable standards for the provision of EV charging infrastructure within new developments are:

- To provide adequate electrical circuitry and capacity within larger scale development to service an appropriate level of charging connectivity to all car spaces (this provision will largely be addressed by the NCC requirements),
- To provide shared, public car parking with charging points (or capacity for their installation) in retail, commercial, mixed use and tourist developments at an appropriate ratio (e.g. 1 per 10 spaces),
- Car parking in development is designed with capacity to incorporate future EV infrastructure without substantial reconfiguration or redesign, and
- Residential apartment development provides 1 car parking space per dwelling with capacity for EV charging (either provided with the development or with capacity for future installation at occupant's expense).

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4. PORT STEPHENS DCP REVIEW

The Port Stephens DCP currently contains requirements for car parking infrastructure in Part B8. This part specifies the expected on-site parking provisions for new development and is the recommended location for inclusion of EV specific considerations.

Consistent with the projected increase in the use and ownership of EVs and using the model of similar approaches taken by other LGAs, it is recommended Port Stephens Council considers a range of minor amendments to Part B8 of the DCP to incorporate the provision of EV infrastructure in new development.

4.1 Recommended DCP Amendments

The most appropriate location within the current Port Stephens DCP for inclusion of provisions for EVs is within Part B8 which contains provisions relating to Road Network and Parking. The recommended additional provisions relating to EVs can be included as separate component in Part B8.F and can supplement and complement the existing parking provisions without impacting on the function of the existing objectives and controls. The recommended additional objectives and controls to facilitate the provision of EV infrastructure in new developments are provided below.

Objectives

It is standard practice in the application of development controls to ensure these are based on a performance objective. To enable and support the provision of EV related controls and expectations for new development in Port Stephens, it is recommended an appropriate additional objective be included in a new Part B8.F to reflect this as follows:

- *To recognise the increasing use and demand for electric vehicles and ensure new development is designed to reflect this.*
- *To ensure development includes adequate infrastructure to provide for the charging of electric vehicles.*

Controls

The findings of this report have identified the dynamic nature of the EV sector and its rapidly changing technological environment, it is recommended that prescriptive development controls for EV charging infrastructure in new development be avoided.

A precautionary approach to applying development controls is recommended. This will ensure that adequate provision is made in new development to accommodate the demands for EV use while also allowing flexibility and adaptability as demand/ownership of EVs increases and technological changes are implemented.

It is the recommendation of this report that specific EV charging controls are not applied to low density residential development (such as dwelling houses, dual occupancies and semi-detached dwellings) at this time. In general, these developments can readily provide EV charging connectivity as needed without requiring specific development controls. Other developments, such as medium and high density residential developments, require consideration of EV charging capacity at design stage given the potential difficulties of retrofitting infrastructure post-construction. Similarly, inclusion of EV charging capacity in non-residential development is relevant for at design stage for larger scale developments.

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The inclusion of stand-alone EV related objectives and controls in a new Part B8.F of the DCP that complements existing parking related requirements will also enable these provisions to be revised and updated in the future without compromising other DCP elements.

The recommended development controls for EVs to be included in a new Part B8.F of the DCP are as follows and are intended to be supplementary to the requirements of the NCC:

B8.20	Car parking for **residential accommodation** (excluding dwelling houses, dual occupancies and semi-detached dwellings) is to be designed to include provision of electrical circuitry with capacity to provide charging facilities for an electric vehicle to each car parking space.
B8.21	Car parking for non-residential development where 10 or more parking spaces are provided is to include provision for the installation of at least one shared electric vehicle charging point for every 10 car parking spaces.

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5. CONCLUSION

This report has identified the emerging trends and anticipated increased demands expected in the use of EVs in Australia. The recently published NSW Government EV Strategy projects that by 2031, 52% of all new vehicle sales will comprise EVs. This will result in a significant increase in the demand and expectation for EV charging facilities particularly in the residential setting. This is further supported by new provisions incorporated into the NCC for the inclusion of wiring and electrical switchboard infrastructure to be designed to accommodate future demand for EV charging. Over time it is anticipated that EV charging facilities will become more standardised, and that expectations and requirements will evolve and adapt with developing technologies. The recommendations of this report provide for the implementation of a level of guidance and control for new development to ensure adequate provision is made for EV infrastructure that will meet current needs but that can also be flexible and adaptable to accommodate a changing technological environment.

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ITEM 3 - ATTACHMENT 4 PORT STEPHENS DEVELOPMENT CONTROL PLAN - EV UPDATE REPORT.

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MINUTES ORDINARY COUNCIL - 10 OCTOBER 2023

ITEM NO. 2 **FILE NO: 23/143586**
EDRMS NO: PSC2022-01211

DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN - ROAD NETWORK AND PARKING (ELECTRIC VEHICLES)

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

RECOMMENDATION IS THAT COUNCIL:

1) Place the draft Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) **(ATTACHMENT 1)** as amended on public exhibition for a period of 28 days and should no submissions be received, the Development Control Plan be adopted, without a further report to Council.

ORDINARY COUNCIL MEETING - 10 OCTOBER 2023
MOTION

233	**Councillor Leah Anderson** **Councillor Giacomo Arnott** It was resolved that Council place the draft Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) **(ATTACHMENT 1)** as amended on public exhibition for a period of 28 days and a further report be provided to Council.

Cr Arnott proposed an amendment calling for a further report to Council following public exhibition, which was accepted by the mover and incorporated into the motion.

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

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 endorsement to place the draft amendment to the Port Stephens Development Control Plan 2014 (DCP) Chapter B8 Road Network and Parking (electric vehicles) **(ATTACHMENT 1)** on public exhibition for a period of 28 days.

On 11 April 2023, Minute No. 015 **(ATTACHMENT 2)**, Council considered a report on the NSW Electric Vehicle Strategy and resolved to endorse the DCP to be amended to include requirements for new development to cater for an increased uptake in electric vehicles ('EV Ready').

To enact this resolution, funding was allocated as part of Council's membership to the NSW Sustainability Advantage Program allowing for the preparation of the Port Stephens Development Control Plan – Electric Vehicle (EV) Update Report **(ATTACHMENT 3)**. The report provides benchmarking for EV infrastructure provisions made within other local government area DCPs, a review of equivalent policies regarding EV's and recommendations for amendments to the Port Stephens Council DCP. These recommendations have been supported in full and achieve alignment with the NSW Electric Vehicle Strategy.

The proposed draft amendments to DCP Chapter B8 Road Network and Parking have been provided within **(ATTACHMENT 1)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

The exhibition will be managed within the existing budget and resources.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		

Source of Funds	Yes/No	Funding ($)	Comment
Other	Yes	$6,000	Preparation of the report has been funded through existing Council membership to the Sustainability Advantage Program.

LEGAL, POLICY AND RISK IMPLICATIONS

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

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to proceed with the amendment, all necessary matters in preparing the plan will be carried out in accordance with the EP&A Act.

Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)

Division 2 of Part 2 of the EP&A Regulation specifies the requirements for public participation. The recommendation is in accordance with the provisions of the EP&A Regulation.

Port Stephens Development Control Plan 2014 (DCP)

This report recommends the exhibition of proposed amendments to DCP Chapter B8 Road Network and Parking to introduce objectives and development controls for future development to be EV Ready consistent with the recommendation of the Port Stephens Development Control Plan – EV Update Report **(ATTACHMENT 3)**.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that development does not make provision for electric vehicle infrastructure which in turn limits the potential uptake of EVs.	Low	Accept the recommendation. Place the proposed draft amendments to DCP Chapter B8 Road Network and Parking on public exhibition.	Yes.

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

The proposed draft amendments to DCP Chapter B8 Road Network and Parking are considered to have positive social, environmental and economic implications by ensuring that new development provides the requisite infrastructure to support the

uptake of EV's in Port Stephens. Support within the built environment through facilitating charging infrastructure provides significant benefits to the community as Council continues to plan for and adapt to climate change impacts.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section to identify and consider any issues prior to exhibition.

Internal

Internal consultation has been undertaken with the Development Planning unit on the proposed objectives and development controls for electric vehicles.

External

If supported, the proposed draft amendments to DCP Chapter B8 Road Network and Parking will be placed on public exhibition for a period of 28 days.

The amendments will be made available on Council's website in accordance with the EP&A Regulation and the Port Stephens Community Participation Plan.

Submissions on the proposed draft amendments to the DCP will be invited during the public exhibition period and, if submissions are received, they will be considered in a future report back to Council including any recommended post-exhibition changes.

A submission summary table will be included with the post-exhibition report to Council.

OPTIONS

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

ATTACHMENTS

1) Draft Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles).
2) Minute No. 015, 11 April 2023.

COUNCILLORS ROOM

1) Port Stephens Development Control Plan – Electric Vehicle Update Report.

TABLED DOCUMENTS

Nil.

B8

B8.F Electric Vehicle Infrastructure

Objectives

- To recognise the increasing use and demand for electric vehicles and ensure new development is designed to reflect this
- To ensure development includes adequate infrastructure to provide for the charging of electric vehicles

Development controls

B8.20 Car parking for residential accommodation (excluding dwelling houses, dual occupancies and semi-detached dwellings) is to be designed to include provision of electrical circuitry with capacity to provide charging facilities for an electric vehicle to each car parking space.

B8.21 Car parking for non-residential development where 10 or more parking spaces are provided is to include provision for the installation of at least 1 shared electric vehicle charging point per 10 car parking spaces.

MINUTES ORDINARY COUNCIL - 10 OCTOBER 2023

ITEM 2 - ATTACHMENT 2 MINUTE NO. 015, 11 APRIL 2023.

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

ITEM NO. 3 **FILE NO: 23/10211**
EDRMS NO: PSC2023-01019

NSW ELECTRIC VEHICLE STRATEGY

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

1) Note the report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy **(ATTACHMENT 1)**.
2) Endorse the Port Stephens Development Control Plan 2014 to be amended to include requirements for new development to be EV Ready.
3) Endorse the development of a grant application seeking to upgrade a passenger fleet vehicle to an EV with associated charging infrastructure.
4) Endorse the development of an Expressions of Interest process relating to opportunities for EV charging providers to be installed and publically available on Council property.

ORDINARY COUNCIL MEETING - 11 APRIL 2023
MOTION

015	**Councillor Leah Anderson** **Councillor Matthew Bailey** It was resolved that Council: 1) Note the report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy **(ATTACHMENT 1)**. 2) Endorse the Port Stephens Development Control Plan 2014 to be amended to include requirements for new development to be EV Ready. 3) Endorse the development of a grant application seeking to upgrade a passenger fleet vehicle to an EV with associated charging infrastructure. 4) Endorse the development of an Expressions of Interest process relating to opportunities for EV charging providers to be installed and publically available on Council property.

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to provide information on local planning and infrastructure responses that can be undertaken to support the delivery of the NSW EV Strategy. This report follows a Notice of Motion at the Council meeting of 27 September 2022, Minute No. 269 **(ATTACHMENT 2)**.

The NSW EV Strategy **(ATTACHMENT 3)** is the NSW Government's plan to accelerate the State's vehicle fleet of the future. It outlines the government's commitments to increasing the uptake of EVs to ensure New South Wales (NSW) shares in the benefits.

Through the NSW EV Strategy, NSW Government is targeting key areas of action to make NSW the easiest place to buy and use EVs in Australia. The NSW EV Strategy includes rebates, phased removal of stamp duty for EVs, targets for NSW Government fleet, incentives for council and private fleets and major investment to ensure widespread, world-class EV charging coverage.

The NSW EV Strategy is intended to increase EV sales to 52% by 2030–2031 and help NSW achieve net-zero emissions by 2050.

The report provided within **(ATTACHMENT 1)** provides Council with benchmarking data from other local Councils and an assessment of the available options for Council to consider.

The recommended options (Options 1, 2 and 3) of the report provided within **(ATTACHMENT 1)** can be delivered within Council's existing budget and subject to grant funding (option 2).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Environmental resilience Ecosystem function	Develop and deliver a program for Council leading the way to a climate positive future and mitigating environmental risks.

FINANCIAL/RESOURCE IMPLICATIONS

This report presents options for Council to consider which have a range of potential short term and long term costs. Council would be provided with more detailed cost implications subject to the options selected and once the scope has been determined.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		As per recommendation. Cost and resourcing implications of options 4 and 5, provided within **(ATTACHMENT 1)**, are to be determined should these be progressed.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Any future actions would require an assessment of legal, policy and risk implications.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that without Council investment, residents, visitors and businesses will not have access to EV infrastructure.	Low	Accept the recommendation.	Yes
There is a risk that not supporting the transition to EV's will conflict with Council's commitment to carbon neutrality and community expectations.	Low	Accept the recommendation.	Yes
There is a risk that adopting Options 4 or 5 would place increased pressure on the Council budget in both the short and long term.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

The recommendation will contribute to improved environmental outcomes as the passenger vehicles across the State transition to EVs rather than combustion engines. In addition to this, having a network of charging infrastructure can support businesses by ensuring that infrastructure is provided at destinations and along key movement routes. Supporting the uptake of EV's within the built environment and facilitating charging infrastructure provides significant benefits to the community as we consider the impacts of climate change.

CONSULTATION

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

Internal

Stakeholders identified a number of potential opportunities and/or constraints to the delivery of EV infrastructure across the LGA. To inform this report staff engaged with:

- Assets Section
- Strategy and Environment Section
- Strategic Property

External

No external consultation was undertaken.

OPTIONS

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

ATTACHMENTS

1) Report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy.
2) 27 September 2022, Minute No. 269.
3) NSW Electric Vehicle Strategy.

COUNCILLORS ROOM

Nil.

MINUTES ORDINARY COUNCIL - 10 OCTOBER 2023

ITEM 2 - ATTACHMENT 2 MINUTE NO. 015, 11 APRIL 2023.

MINUTES ORDINARY COUNCIL - 11 APRIL 2023

TABLED DOCUMENTS

Nil.

ITEM NO. 4 **FILE NO: 24/29386**
EDRMS NO: 79-2023-4-1

EXHIBITION OF DRAFT PORT STEPHENS COASTAL MANAGEMENT PROGRAM

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

RECOMMENDATION IS THAT COUNCIL:

1) Endorses the draft Coastal Management Program and associated appendices **(ATTACHMENT 1)** to be placed on public exhibition for a period of 28 days.
2) Be provided with a further report at the conclusion of the public exhibition period.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

015	**Councillor Jason Wells** **Councillor Leah Anderson** It was resolved that Council: 1) Endorses the draft Coastal Management Program and associated appendices **(ATTACHMENT 1)** to be placed on public exhibition for a period of 28 days. 2) Be provided with a further report at the conclusion of the public exhibition period.

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

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek endorsement for the draft Port Stephens Coastal Management Program (CMP) and associated appendices **(ATTACHMENT 1)** to be placed on public exhibition for a period of 28 days. A further report would be made to Council after the completion of the public exhibition period seeking adoption.

Port Stephens Council (Council) has, with the assistance of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW), prepared a draft CMP to provide strategic direction and actions for implementation in order to address current and future threats to the Port Stephens coastline. This is in an effort to maintain and enhance the ecological, social and economic values of the Port Stephens coastal zone. The purpose of the Port Stephens CMP is to set the long-term strategy for the coordinated management of the Port Stephens coastal zone.

The State Government requires a 5-stage process for the preparation and implementation of a CMP:

- Stage 1: Identify the scope of the CMP through the preparation of a ‘scoping study’
- Stage 2: Determine risks, vulnerabilities and opportunities through detailed studies
- Stage 3: Identify and evaluate management options
- Stage 4: Prepare, exhibit, finalise, certify and adopt the CMP
- Stage 5: Implement, monitor, evaluate and report.

Council have successfully completed Stages 1, 2 and 3 of the above process. This report represents a key milestone for Stage 4.

The CMP is a 10 year plan of action for Council, public authorities and land managers responsible for the management of the Port Stephens coastal zone. The CMP will:

- Address and reduce risks associated with coastal hazards
- Preserve sensitive habitats, cultural uses and social values associated with the coastline
- Encourage the sustainable social, agricultural, economic and developed use of the coastal zone
- Maintain and improve the recreational amenity and resilience of the coastal zone into the future
- Adapt to emerging issues associated with the coastal zone such as population growth, climate change and coastal hazards.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Environmental resilience	Develop and deliver a program for Council to mitigate environmental risks associated with climate change and natural hazards

FINANCIAL/RESOURCE IMPLICATIONS

The public exhibition of the draft Port Stephens CMP and associated community engagement activities will be undertaken using existing budgets. The return report seeking Council adoption would include resourcing implications associated with the final actions proposed for implementation.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		Public exhibition process.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Coastal Management Act 2016

The Coastal Management Act 2016 (CM Act) sets the aims and objectives of Government to manage the coastal environment of NSW. The objectives set out within the CM Act are required to be addressed within the draft CMP. Part 3 of the CM Act sets the expected requirements of CMPs and the associated manual, including the responsibility of local Councils to prepare the document in accordance with the coastal management manual. The draft CMP has been prepared in accordance with the requirements of the CM Act and associated manual.

State Environmental Planning Policy (Resilience and Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) defines the coastal zone as the area of land comprised of the following coastal management areas:

- The coastal wetlands and littoral rainforest area
- The coastal vulnerability area
- The coastal environment area

- The coastal use area.

The draft CMP has been prepared to address the requirements of the CM Act and associated manual as they relate to the above coastal management areas.

During the 28 day exhibition period, Council staff would actively engage with the Port Stephens community and key stakeholder groups for their feedback. A series of information sessions would be held where the community can ask questions, be provided with CMP information and seek assistance related to making a formal submission.

Risk	**Risk Ranking**	**Proposed Treatments**	**Within Existing Resources?**
There is a risk that the draft CMP does not meet community expectations.	Medium	Accept the recommendation. Extensive community engagement has been undertaken during Stage 3 to capture the community's expectations. Further active engagement would be undertaken during the public exhibition period to assist Council to further understand and satisfy community expectations.	Yes
There is a risk if the draft CMP is not endorsed for public exhibition, that the draft CMP will not meet the requirements of the CMP manual and therefore unable to be certified by the Minister.	Medium	Accept the recommendation.	Yes
There is a risk if the draft CMP is not endorsed for public exhibition, that Council will be unable to access funding support from the State Government to implement the actions.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The development and implementation of the Port Stephens CMP represents an important opportunity for Council, public authorities and other land managers to work together on a strategic approach to managing current and future impacts on the coastal zone.

The vision statement for the Port Stephens CMP is to ensure that 'our community is resilient to environmental risks, coastal hazards and climate change'. Supporting this vision are a series of local coastal management objectives that have been developed to align with the objects of the CM Act:

- Collaboration:
  - Encourage collaboration and partnership with government, agencies and our community to manage and protect the coastal zone.
- Biodiversity and ecosystem integrity:
  - Protect biological diversity and ecosystem integrity by maintaining and improving water quality and estuary health.
- Climate change:
  - Mitigate and build resilience to current and future coastal hazards and risks.
- Land use planning:
  - Facilitate ecologically sustainable development in the coastal zone and prioritise sustainable land use planning in decision making to maintain and improve public access, amenity and use.
- Aboriginal custodianship:
  - Support and protect our Aboriginal community's spiritual, social, customary and economic use of the coastal zone.
- Coastal economies:
  - Support sustainable economic opportunities within the coastal zone.

The CMP allows Council and other land managers to implement a range of credible, evidence-based actions that address current and future coastal risks.

Certification of the CMP will allow Council to access State Government funding support to implement these priority coastal management actions over the next 10 years.

CONSULTATION

Extensive consultation has been undertaken with key stakeholders by the Strategy and Environment Section during Stages 1 to 4 of the CMP process.

The CMP Engagement Report is available within Appendix B of **(ATTACHMENT 1)**, and provides detailed information about the outcomes of engagement to date.

Internal

- Assets Section
- Public Domain and Services Section
- Community Services Section
- Development and Compliance Section
- Strategy and Environment Section
- Communications Section
- Finance Section
- Governance Section
- Strategic Property.

External

- NSW DCCEEW Coast and Estuaries
- Department of Primary Industries (DPI) - Fisheries and Marine Parks
- NSW National Parks & Wildlife Service
- NSW Crown Lands
- Hunter Local Land Services
- Transport for NSW
- NSW State Emergency Service
- MidCoast Council
- City of Newcastle
- Hunter Water Corporation
- Ausgrid
- Worimi Local Aboriginal Land Council
- Karuah Local Aboriginal Land Council
- Worimi Conservation Lands Board
- Community groups
- Port Stephens residents
- Visitors.

In accordance with local government legislation, the draft CMP would be placed on public exhibition for a period of 28 days. A further report would be made to Council after the completion of the public exhibition period seeking adoption.

OPTIONS

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

ATTACHMENTS

1) Draft Coastal Management Program. (Provided under separate cover)

COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 5 **FILE NO: 24/29477**
EDRMS NO: 89-2024-1-1

TEMPORARY SUSPENSION OF PART OF THE NELSON BAY ALCOHOL FREE ZONE

REPORT OF: JANELLE GARDNER - COMMUNICATIONS AND CUSTOMER EXPERIENCE SECTION MANAGER
DIRECTORATE: COMMUNITY FUTURES

RECOMMENDATION IS THAT COUNCIL:

1) Approve the temporary suspension of part of the Nelson Bay Alcohol Free Zone (AFZ) **(ATTACHMENT 1)** during the Sail Port Stephens Street Party event on 17 April 2024 from 5pm until 11pm in accordance with section 645 of the Local Government Act 1993 (NSW) (LG Act).
2) Should the event be unable to proceed on the 17 April 2024, approve the temporary suspension of part of the Nelson Bay Alcohol Free Zone **(ATTACHMENT 1)** during the Sail Port Stephens Street Party on Thursday 18 April and Friday 26 April 2024 from 5pm until 11pm, as alternative dates, in accordance with section 645 of the Local Government Act 1993.
3) Publicly notify the temporary suspension of the Nelson Bay Alcohol Free Zone by publishing a notice in the Port Stephens Examiner, the Port Stephens News of the Area, on Council website and via direct communications to local businesses prior to the event for the purposes of satisfying section 645(1) of the LG Act.
4) Implement the requirements for signage in accordance with the Ministerial Guidelines Alcohol Free Zones 2009.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

016	**Councillor Leah Anderson** **Councillor Glen Dunkley** It was resolved that Council: 1) Approve the temporary suspension of part of the Nelson Bay Alcohol Free Zone (AFZ) **(ATTACHMENT 1)** during the Sail Port Stephens Street Party event on 17 April 2024 from 5pm until 11pm in accordance with section 645 of the Local Government Act 1993 (NSW) (LG Act). 2) Should the event be unable to proceed on the 17 April 2024, approve the temporary suspension of part of the Nelson Bay Alcohol Free Zone **(ATTACHMENT 1)** during the Sail Port Stephens Street Party on

	Thursday 18 April and Friday 26 April 2024 from 5pm until 11pm, as alternative dates, in accordance with section 645 of the Local Government Act 1993. 3) Publicly notify the temporary suspension of the Nelson Bay Alcohol Free Zone by publishing a notice in the Port Stephens Examiner, the Port Stephens News of the Area, on Council website and via direct communications to local businesses prior to the event for the purposes of satisfying section 645(1) of the LG Act. 4) Implement the requirements for signage in accordance with the Ministerial Guidelines Alcohol Free Zones 2009.

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council endorsement to temporarily suspend part of the Nelson Bay Alcohol Free Zone (AFZ) to facilitate the Sail Port Stephens Street Party.

It is proposed to temporarily suspend the AFZ at Magnus Street between Yacaaba Street and Stockton Street in Nelson Bay on Wednesday 17 April 2024 from 5pm until 11pm for the event. If wet weather prevents the event from proceeding on this date, it is proposed to suspend part of the Nelson Bay AFZ on Thursday 18 April from 5pm until 11pm or Friday 26 April 2024 from 5pm until 11pm. **(ATTACHMENT 1)**.

Under the Local Government Act 1993 (NSW) (LG Act), Council may resolve to temporarily suspend an AFZ to, among other purposes, accommodate short term community events.

The LG Act includes a requirement to give public notice in a manner that is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the AFZ concerned.

Other process requirements for suspending an AFZ are outlined in the Ministerial Guidelines Alcohol Free Zones 2009 (the Guidelines), including specific requirements for signage as detailed below.

Note the proposed suspension will not impact the term of the current Nelson Bay AFZs (4 years).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Deliver an annual program for Council to provide development services to enhance public safety, health and liveability

FINANCIAL/RESOURCE IMPLICATIONS

As the event organiser, Port Stephens Council will be responsible for the costs associated with meeting the public notice requirements and the amendments required to signage during the event.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The existing AFZ restricts alcohol in the declared area 24 hours, 7 days a week **(ATTACHMENT 1)**. Council has the power to suspend the AFZ under section 645 of the LG Act for any reason, however the Guidelines specify that a suspension would not usually be appropriate for any period longer than 1 month, and generally would be of a much shorter duration (e.g. to accommodate a specific event). The suspension is proposed between 5pm and 11pm on 17 April 2024 to facilitate an outdoor community event.

The LG Act includes a requirement to give public notice in a manner that is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the AFZ concerned. Council will provide public notice for the suspension of the Nelson Bay AFZ's by publishing a notice in the Port Stephens Examiner, the Port Stephens News of the Area, on Council website and via direct communications to local businesses.

The Guidelines require the existing alcohol restriction signage within the affected Nelson Bay AFZ event areas to be amended for the temporary suspended period and reinstated following the event.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that visitors to Nelson Bay will drink within the existing AFZ area that has not been suspended.	Medium	This event will be assessed and managed in line with all relevant policies and processes. NSW Police have indicated their support for the temporary suspension of alcohol in the Nelson Bay AFZ for the event and will resource the area and surrounds as required. The event will also have security and RSA in place to stop alcohol leaving the event footprint.	Yes
There is a risk that broken glass and litter could accumulate and be left behind from the event.	Medium	This event will be assessed and managed in line with all relevant policies and processes. Relevant sections in Council have been notified of the event. Council will have event staff, cleaners and waste management in place. Alternative to glassware will be investigated to use on road.	Yes

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

This event is part of 2024 Sail Port Stephens, one of the largest events on the annual Port Stephens event calendar.

The Sail Port Stephens Street Party has been designed to create an opportunity to expand the event from private venues to the CBD of Nelson Bay. This will help expand the economic benefits of this event, promote local business and attract more residents to participate in the event.

The Sail Port Stephens Street Party will be managed by Council staff in partnership with the Sail Port Stephens event organisers, Business Port Stephens and local businesses.

Appropriate waste management will address any potential environmental impacts that could result.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Vibrant Places Unit.

Internal

Relevant sections within Council have been notified and discussed the requirements arising from a temporary suspension of the AFZ and the potential impacts, including impacts related to waste management.

External

Consultation has been undertaken with the Port Stephens Hunter Police District to plan the proposed event and manage the various legal and social requirements including resourcing, alcohol licensing conditions and the proposed temporary suspension of the AFZ.

NSW Police support the temporary suspension of the AFZ. Additional security/RSA staff will be sourced to ensure the event is adequately resourced.

Council staff will also be working closely with Business Port Stephens and local business owners to deliver this event.

OPTIONS

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

ATTACHMENTS

1) Proposed temporary suspension of AFZ for Sail Port Stephens - Magnus Street Party.

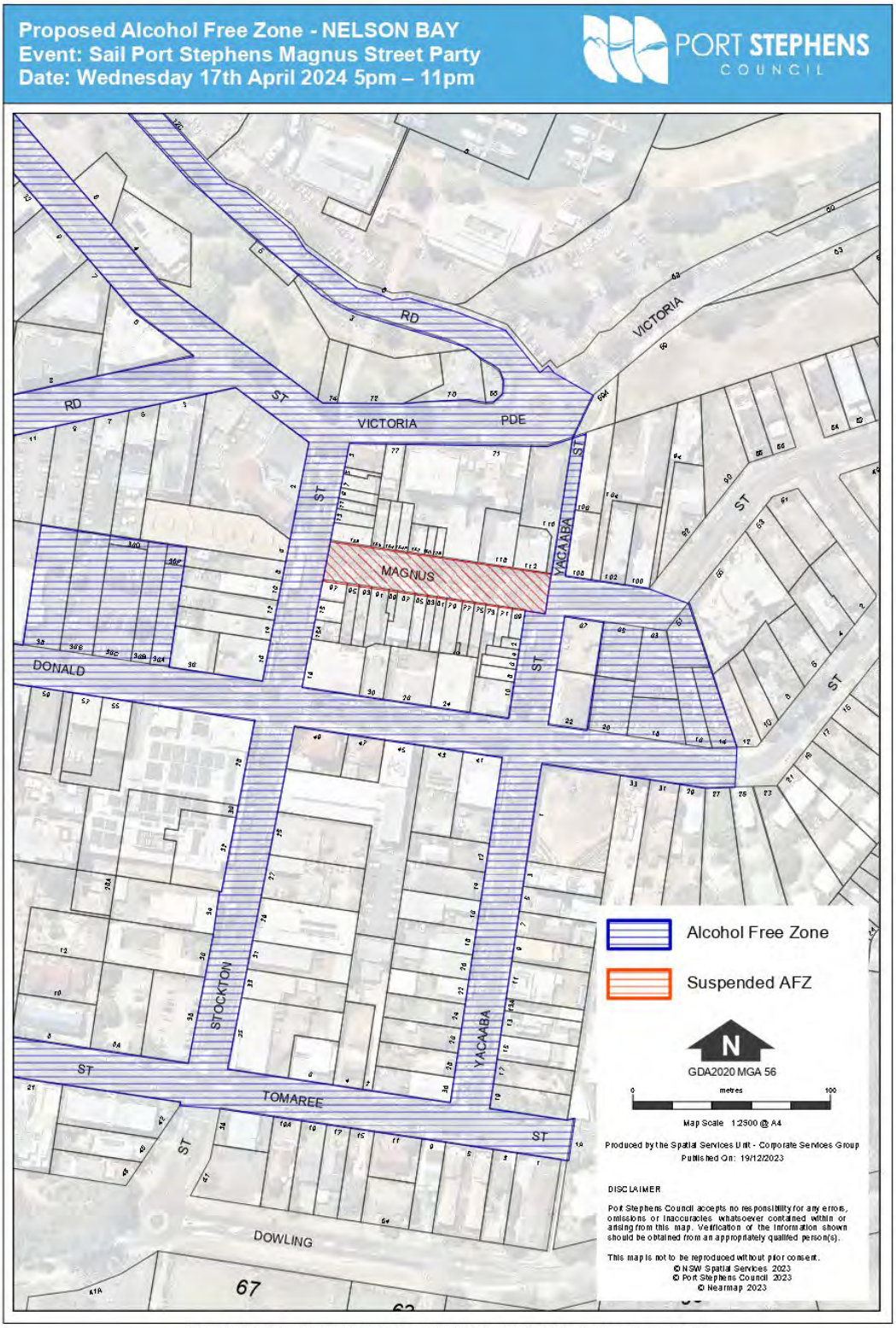
COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 5 - ATTACHMENT 1 PROPOSED TEMPORARY SUSPENSION OF AFZ FOR SAIL PORT STEPHENS - MAGNUS STREET PARTY.



Councillor Giacomo Arnott left the meeting at 6:16pm.
Councillor Peter Kafer left the meeting at 6:16pm.

ITEM NO. 6 **FILE NO: 24/29518**
EDRMS NO: PSC2014-01592

ABORIGINAL PROJECTS FUND 2023-2024

REPORT OF: JANELLE GARDNER - COMMUNICATIONS AND CUSTOMER EXPERIENCE SECTION MANAGER
DIRECTORATE: COMMUNITY FUTURES

RECOMMENDATION IS THAT COUNCIL:

1) Endorses the allocation of funds from the Aboriginal Project Fund as follows:
a. $4,613 to Fern Bay Parents and Carers Association for Culturally Inclusive Classrooms
b. $6,000 to Hunter River High School for Djiyagan Wanyimbu
c. $6,000 to Port Stephens Family and Neighbourhood Services for Karuah Women's Yarning
d. $6,000 to Karuah Local Aboriginal Land Council for Vegie Patch Wonders
2) Endorses the provision of $6,000 to Candy Towers from the Aboriginal Projects Fund for a weekly Aboriginal Women's Meeting Group and place the proposal on public exhibition for a period of 28 days in accordance with the Local Government Act 1993 to seek public comment. Should no submissions be received as the result of the public exhibition, the funds be approved.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

017	**Councillor Leah Anderson** **Councillor Matthew Bailey** It was resolved that Council: 1) Endorses the allocation of funds from the Aboriginal Project Fund as follows: a. $4,613 to Fern Bay Parents and Carers Association for Culturally Inclusive Classrooms b. $6,000 to Hunter River High School for Djiyagan Wanyimbu c. $6,000 to Port Stephens Family and Neighbourhood Services for Karuah Women's Yarning d. $6,000 to Karuah Local Aboriginal Land Council for Vegie Patch Wonders

	2) Endorses the provision of $6,000 to Candy Towers from the Aboriginal Projects Fund for a weekly Aboriginal Women's Meeting Group and place the proposal on public exhibition for a period of 28 days in accordance with the Local Government Act 1993 to seek public comment. Should no submissions be received as the result of the public exhibition, the funds be approved.

Councillor Jason Wells left the meeting at 6:18pm.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Matthew Bailey, Glen Dunkley, Peter Francis and Steve Tucker.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council's endorsement for the allocation of funding from the Aboriginal Projects Fund for 5 projects as recommended by Council's 355c Aboriginal Strategic Committee.

The purpose of the Aboriginal Projects Fund is to support projects that empower and raise a positive profile of the Aboriginal community in Port Stephens through the delivery of programs, events and activities.

Applications for the 2023-2024 round of funding are open all year. The total amount of annual funding available each financial year is $35,000.

TOTAL AMOUNT RECOMMENDED: $28,613

The proposed projects meet the objectives of the fund as outlined below:

ORGANISATION	PROJECT NAME	SUMMARY	AMOUNT REQUESTED
Fern Bay Parents and Carers Association	Culturally Inclusive Classrooms	This project will see the addition of a floor rug with authentic Aboriginal artwork in each classroom at Fern Bay Public School. The children will be involved in the selection of the rug for their class, learning the story behind each artwork and choosing the one that best represents their community.	**$4,613**

ORGANISATION	PROJECT NAME	SUMMARY	AMOUNT REQUESTED
Hunter River High	Djiyagan Wanyimbu	A traditional practice of women's business within the Worimi Nation, the creation of a possum skin cloak will enable students to develop culturally appropriate connections and will help to preserve Worimi local practice.	**$6,000**
Port Stephens Family and Neighbourhood Services	Karuah Women's Yarning	Karuah Women's Yarning seeks to empower and educate women experiencing or who have experienced Domestic and Family Violence through sewing with the purchase of sewing machines, material and overlockers.	**$6,000**
Karuah Local Aboriginal Land Council	Vegie Patch Wonders	Increase the production of freshly grown seasonal veggies for the local community members of Karuah can access at times of need or for the general purpose of minimizing the cost of living. Garden beds, irrigation, plants and staff wages.	**$6,000**
Candy Towers	Women's Business	Aboriginal women meeting group once a week for yarning circle. Sharing stories of culture and stories of life. Two Aboriginal Elders, Pauline and Debbie Dates will attend half the sessions to inspire the women on the connection between each other to remain strong and encourage self-determination.	**$6,000**

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Recognised traditions and lifestyle	Implement the Yabang Gumba-Gu Agreement to recognise and support local Aboriginal and Torres Strait Islander people

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes	$28,613	Aboriginal Projects Fund.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal, policy or risk implications.

The recommendations have been made in accordance with the Local Government Act 1993 (NSW) (s356) and Council's adopted Grants and Donations Policy. The recommendations for funding also align with Council's relevant Fund Guidelines.

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.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk of adverse public perception regarding projects that are not funded.	Low	Accept the recommendation.	Yes
There is a risk that grant recipients may fail to comply with the required terms of funding, reporting and acquittal processes.	Low	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Aboriginal Projects Fund directly supports organisations and groups involved in programs to empower the Aboriginal community and positively raise their profile. The proposed projects aim to achieve this through the facilitation of:

- Partnerships and collaboration with the providers of cultural awareness and education, in particular Aboriginal women.
- Employment of Aboriginal artists and Elders and creation of spaces that consolidate safe learning, self-determination and connections.
- Improved community resources for provision of fresh fruit and vegetables to increase health and wellbeing and lower cost of living pressures.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Communications Section with the aim of promoting the funding opportunity and explaining the guidelines and objectives of the Aboriginal Projects Fund.

Internal

The Applications were assessed by Council's 355c Aboriginal Strategic Committee.

External

Council promoted the funding opportunity widely through social media, Council's website and notices appeared in Council pages of the Port Stephens Examiner.

OPTIONS

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

ATTACHMENTS

Nil.

COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

Councillor Jason Wells returned to the meeting at 6:19pm.
Councillor Giacomo Arnott returned to the meeting at 6:19pm.
Councillor Peter Kafer returned to the meeting at 6:19pm.

ITEM NO. 7 **FILE NO: 23/277911**
EDRMS NO: PSC2017-00180

QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2023

REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

1) Approves the discretionary changes to the adopted budget **(ATTACHMENT 1)** presented as the Quarterly Budget Review to 31 December 2023.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

018	**Councillor Leah Anderson** **Councillor Glen Dunkley** It was resolved that Council approves the discretionary changes to the adopted budget **(ATTACHMENT 1)** presented as the Quarterly Budget Review to 31 December 2023.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 an update to Council on the 2023 – 2024 financial year budget. The Quarterly Budget Review to 31 December 2023 **(ATTACHMENT 1)** sets out the details of any variations between Council's current budget and the proposed budget.

Operating Budget

The Quarterly Budget Review to 31 December 2023 has shown an increase in revenue by $2.423 million, which is largely due to the addition of the State Governments new Regional Emergency Road Repair Fund (RERRF) grant and reforecasting of investment income. The RERRF grant will be used to fund projects in the capital works program.

Further information of the changes to the budget are outlined in the Operating Statement Variations as shown in **(ATTACHMENT 1)**.

Capital Budget

The capital budget increased by $6.098 million largely due to the addition of externally new grant funded projects including the Shiraz to Shore design, Teramby Road dive site and land slip, and RERRF projects. Internally funded projects include the increase in fleet renewal and the purchase of property as approved by Council.

Further information on the changes to the budget are outlined in the Capital Statement Variations as shown in **(ATTACHMENT 1)**.

Performance Indicators

All performance indicators are above the benchmark including a low level of unrestricted cash. Council will continue to monitor and manage cash levels to ensure there is sufficient unrestricted revenue to cover internal and external reserves.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2023 to 2033.

FINANCIAL/RESOURCE IMPLICATIONS

Council's anticipated underlying result increased by $82,000 to $1.030 million. The movement from the original underlying result will be shown each quarter.

	Surplus ($)	Deficit ($)
Budget 2023 - 2024	$769,000	
September 2023 review	$948,000	
December 2023 review	$1,030,000	
March 2024 review		

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

LEGAL, POLICY AND RISK IMPLICATIONS

Despite an improvement seen in the underlying result for the financial year 2023 – 2024, it is prudent that Council continues to monitor the budget carefully to ensure minimal risk to the organisation and community.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the underlying operating result may remain in a deficit for an unforeseeable amount of time.	High	The Long Term Financial Plan will be reviewed regularly to ensure that expenditure remains sustainable and that revenue is at appropriate levels.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications.

Council's budget is fundamental for operational sustainability and the provision of facilities and services to the community. The budget will continue to be carefully monitored while there is a high level of inflation and economic uncertainty.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Financial Services Section to discuss the overall financial result for the quarter.

Internal

- Executive Team.

External

Nil.

OPTIONS

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

ATTACHMENTS

1) Quarterly Budget Review to 31 December 2023.

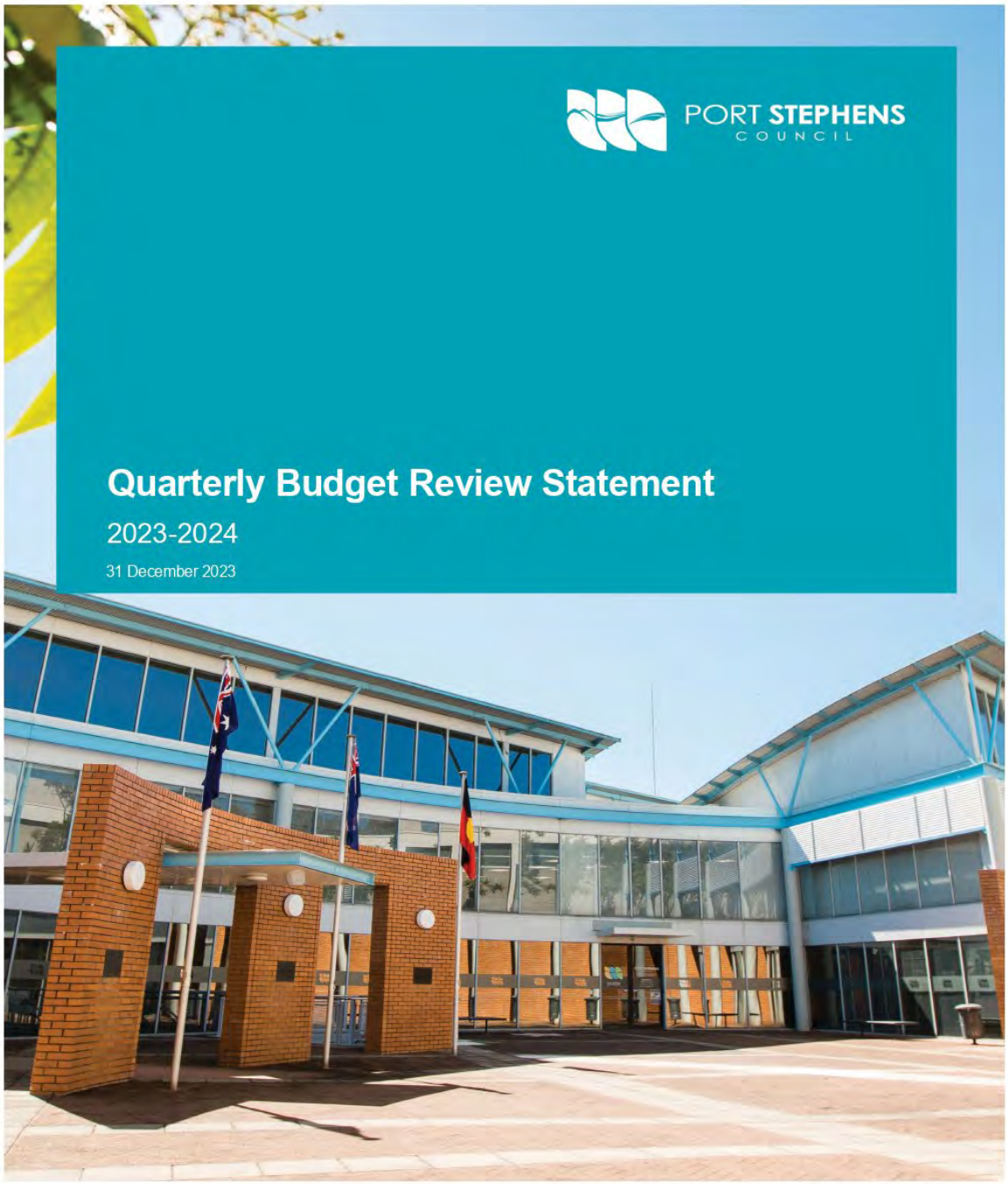
COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2023.



ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2023.

Report by Responsbile Accounting Officer for the Quarter ending 31 December 2023

The following statement is made in accordance with clause 203(2) of the Local Government (General) Regulations 2021.

It is my opinion that the Quarterly Budget Review Statement for Port Stephens Council for the quarter ended 31 December 2023 indicates that Council's projected financial position at 30 June 2024 will be satisfactory at year-end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____ Date: 31/01/2024

Glen Peterkin
Financial Services Section Manager
Port Stephens Council

ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2023.

Operating Statement

Result for the financial quarter ending 31 December 2023

	Original Budget 2023-2024	Revotes and Rollovers	September Review	December Review	March Review	Revised Budget	Actuals YTD
	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Income from Continuing Operations							
Rates and annual charges	75,284	-	-	-	-	75,284	37,519
User charges and fees	60,216	-	(312)	-	-	59,904	29,066
Interest & Investment Revenue	2,263	-	800	679	-	3,742	2,226
Other Income	4,171	-	(721)	(450)	-	2,999	1,303
Grants & contributions for operating purposes	13,458	9	1,846	1,944	-	17,256	6,964
Capital Grants and Contributions	30,294	8,913	544	2,671	-	42,421	18,805
Other revenues	3,471	-	577	250	-	4,299	2,359
Fair value gains	872	-	-	-	-	872	-
Net gains from the disposal of assets	250	-	-	-	-	250	(68)
Total Income from continuing operations	**190,279**	**8,922**	**2,733**	**5,094**	**-**	**207,028**	**98,173**
Expenses from continuing operations							
Employee benefits and on-costs	58,713	-	(135)	-	-	58,578	30,678
Borrowing Costs	3,574	-	-	-	-	3,574	1,721
Materials & services	60,866	-	1,458	4,723	-	67,047	29,109
Other Expenses	10,953	9	430	(4,500)	-	6,892	3,053
Depreciation and amortisation	20,529	-	(270)	-	-	20,259	9,915
Total expense from continuing operations	**154,635**	**9**	**1,483**	**223**	**-**	**156,350**	**74,477**
Operating Surplus/(Deficit) after capital grants	35,644	8,913	1,250	4,871	-	50,678	23,696
Operating Surplus/(Deficit) before capital grants	5,351	-	706	2,200	-	8,257	4,891
Less: Net Gain on sale	(250)	-	-	-	-	(250)	68
Less: Fair value increases	(872)	-	-	-	-	(872)	-
Less: Royalties	(1,873)	-	(527)	(250)	-	(2,650)	(1,259)
Less: Local Election Allocation	(250)	-	-	-	-	(250)	(125)
Less: Unspent Regional Emergency Road Repair Fund	-	-	-	(1,868)	-	(1,868)	(1,868)
Less: Newcastle Airport	(1,336)	-	-	-	-	(1,336)	(668)
Add: NAP Dividend	-	-	-	-	-	-	-
Underlying Operating Surplus/(Deficit)*	**769**	**-**	**179**	**82**	**-**	**1,030**	**1,039**

*Underlying result refers to performance measures that do not include abnormal, non-recurring events or transactions that are restricted for a capital purpose, providing a better representation of underlying financial performance without the impact of any unusual or extraordinary items.

ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2023.

Operating Statement Variations

Result for the financial quarter ending 31 December 2023

Income from Continuing Operations	Recommended Change $'000	Explanation
Rates and annual charges	-	
User charges and fees	-	
Interest & Investment Revenue	679	Consecutive cash rate increases, cash holdings from investment property sales and portfolio management has increased investment income.
Other Income	(450)	The reduction in rental income is due to the sale of property which is being offset with the increase in interest income.
Grants & contributions for operating purposes	1,944	This relates to the adjustment for the second payment of the Regional Emergency Road Repair Fund (RERRF)
Capital Grants and Contributions	2,671	Council has been successful in receiving grant funds for the design of the Shiraz to Shore footpath and the remediation of Teramby Rd dive site landslip
Other revenues	250	Increase in forecasted income from sand mining royalties
Fair value gains	-	
Net gains/(loss) from the disposal of assets	-	
Total recommended income change	**5,094**	

Expenses from continuing operations		
Employee benefits and on-costs	-	
Borrowing Costs	-	
Materials & services	4,723	This adjustment relates to ongoing maintenance works and the reclassification of expenditure within the domestic waste budget.
Other Expenses	(4,500)	This adjustment relates to the reclassification of expenditure within the domestic waste budget from other expenses to materials and services
Depreciation and amortisation	-	
Total recommended expense change	**223**	

Capital Statement

Result for the financial quarter ending 31 December 2023

	Original Budget 2023-2024	Revotes and Rollovers	September Review	December Review	March Review	Revised Budget	Actuals YTD
	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Capital Funding (2)							
Grants and Contributions - Operating	2,226	9	450	1,868	-	4,554	1,876
Grants and Contributions - Capital	19,294	8,924	544	2,671	-	31,432	6,849
External Reserves	5,113	6,963	3,779	(109)	-	15,745	40,259
Internal Reserves	9,277	24,202	1,342	1,547	-	36,368	46,099
General fund contribution to capital	-	-	-	121	-	121	121
Funding available for capital expenditure	**35,910**	**40,097**	**6,114**	**6,098**	-	**88,220**	**95,204**
Capital Expenditure (2)							
New Assets							
Aquatic Structures	-	-	-	-	-	-	4
Buildings	-	584	-	-	-	584	314
Commercial Assets	775	137	(45)	-	-	867	10
Corporate Assets	250	734	80	16	-	1,080	1,624
Drainage	-	18	310	-	-	328	2
Open Space	-	-	-	-	-	-	1
Transport Infrastructure	8,003	5,652	805	993	-	15,453	3,038
Waste Assets	285	780	-	-	-	1,065	768
Asset Renewals (Replacement) and Upgrades (1)							
Aquatic Structures	200	114	(16)	318	-	617	2
Buildings	2,855	2,531	1,540	-	-	6,927	2,445
Commercial Assets	3,885	15,491	-	307	-	19,683	951
Corporate Assets	2,400	2,280	(19)	320	-	4,981	1,505
Drainage	1,420	347	60	-	-	1,827	173
Open Space	1,291	1,396	493	-	-	3,181	1,042
Transport Infrastructure	8,828	10,034	2,905	4,144	-	25,911	10,449
Waste Assets	-	-	-	-	-	-	-
Total Capital Expenditure	**30,193**	**40,097**	**6,114**	**6,098**	-	**82,503**	**22,327**
Transfer to reserves (3)	**5,718**	-	-	-	-	**5,718**	**72,877**

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets)
(2) Excludes Newcastle Airport and related entities
(3) Transfer to reserves are funds set aside for future use

Capital Statement Variations
Result for the financial quarter ending 31 December 2023

Capital Expenditure	Recommended Change $'000	Explanation
New Assets		
Aquatic Structures	-	-
Buildings	-	-
Commercial Assets	-	-
Corporate Assets	16	New library check in machines
Drainage	-	-
Open Space	-	-
Transport Infrastructure	993	Extension of scope for the Koala Strike zone project and the initial design of the Shiraz to Shore footpath
Waste Assets	-	-
Asset Renewals (Replacement) and Upgrades		
Aquatic Structures	318	Teramby Rd dive site
Buildings	-	-
Commercial Assets	307	The purchase of land in Nelson Bay CBD which has been offset by a reduction in the Holiday Park capital replacement which has been rescheduled for next financial year.
Corporate Assets	320	The fleet replacement program has been increased in order to resolve the delays in turnover that was caused due to COVID.
Drainage	-	-
Open Space	-	-
Transport Infrastructure	4,144	Teramby Rd dive site landslip, Italia Road and Regional Emergency Road Repair Fund (RERRF) projects.
Waste Assets	-	-

Cash Reserve Balances

This statement sets out the budgeted reserve balances and funding source changes.

Reserve	Opening Balance $'000	Transfers In $'000	Original Budget $'000	Revotes and Rollovers $'000	September Review $'000	December Review $'000	March Review $'000	Closing Balance $'000	Actuals YTD $'000
External Restriction (1)									
Bonds and Retentions	1,429	-	-	-	-	-	-	1,429	964
Domestic Waste	5,905	629	(365)	(806)	(98)	-	-	5,265	7,950
Crown Reserves	5,931	3,111	(3,898)	(1,827)	(495)	748	-	3,570	9,497
Developer Contributions	22,091	5,936	(850)	(2,477)	(3,315)	(639)	-	20,746	21,186
Unexpended Grants Reserve	10,698	21,292	(15,803)	(10,774)	(874)	(4,539)	-	(0)	9,660
Total External Restriction	**46,053**	**30,968**	**(20,915)**	**(15,884)**	**(4,782)**	**(4,430)**	-	**31,010**	**49,257**
Internal Restriction (2)									
Administration Building Reserve	550	248	(250)	-	(270)	-	-	278	567
Asset Rehabilitation Reserve	2,002	4,100	(3,600)	(1,465)	(283)	(187)	-	567	3,132
Commercial Properties Reserve	19,957	1,682	(1,000)	(17,821)	(204)	(1,055)	-	1,559	17,516
Community Loans	200	-	-	-	-	-	-	200	200
Community Halls	69	(50)	-	-	-	-	-	19	73
Drainage Reserve	491	1,629	(1,400)	(67)	(100)	-	-	553	1,183
Election Reserve	358	125	-	-	-	-	-	483	458
Employee Leave Entitlements (ELE)	1,000	-	-	-	-	-	-	1,000	1,000
Federal Assistance Grant Reserve	3,369	(3,369)	-	-	-	-	-	-	-
Fleet Reserve	2,304	2,114	(2,000)	(834)	(962)	(310)	-	312	1,660
IT Reserve	1,500	2,118	(400)	(2,118)	-	-	-	1,100	2,105
Other Waste Services Reserve	156	(134)	-	-	-	-	-	21	22
Parking Meters Reserve	398	1,336	(202)	-	(312)	(100)	-	1,120	534
Repealed Funds Reserve	2,455	-	-	(1,381)	(52)	-	-	1,021	2,442
Roads / Environmental Reserve	587	425	(425)	(516)	35	-	-	105	-
Sustainable Energy & Water Reserve	42	-	-	-	-	-	-	42	53
Unexpended Loan Funds Reserve	-	-	-	-	-	-	-	-	-
Ward Funds Reserve	29	60	(60)	(29)	-	-	-	-	51
Emergency & Natural Disaster	5,119	1,881	-	-	-	-	-	7,000	4,149
Grant Co-Contribution Reserve	586	2,414	-	-	-	-	-	3,000	869
Resilience Fund	3,000	-	-	-	-	-	-	3,000	3,000
Total Internal Restriction	**44,171**	**14,578**	**(9,337)**	**(24,231)**	**(2,149)**	**(1,652)**	-	**21,380**	**39,014**
Total External and Internal Restrictions	**90,225**	**45,546**	**(30,253)**	**(40,114)**	**(6,931)**	**(6,082)**	-	**52,391**	**88,271**
Unrestricted Balance									**258**

(1) Funds that must be spent for a specific purpose
(2) Funds that Council has designated for a specific purpose
(3) Excludes Newcastle Airport and related entities and 355c Committees Bank Accounts

Performance Indicators (1)

Result for the financial quarter ending 31 December 2023

	$'000	Indicator	Benchmark	
1. Operating performance ratio				
Total continuing operating revenue excluding capital grants and contributions less operating expenses	4,677	5.89%	>0.00%	✓
Total continuing operating revenue excluding capital grants and contributions	79,368			

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

2. Debt service cover ratio				
Operating result before capital excluding interest and depreciation/impairment/amortisation	16,528	10.91	>2.00x	✓
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	1,514			

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

3. Unrestricted Working Capital ratio				
Total Current Assets less external restrictions	49,254	1.54	>1.5x	✓
Total Current Liabilities less external restrictions	31,996			

This ratio measures Council's ability to meet its short term obligations as they fall due.

4. Cash expense ratio				
Current year's cash and cash equivalents plus all term deposits	88,529	8.23	>3.00 mths	✓
Operating expenses less depreciation ÷ YTD	10,760			

This liquidity ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow.

5. Rates and annual charges outstanding percentage				
Rates and annual charges outstanding YTD	2,847	3.7%	<10.00%	✓
Rates and annual charges collectable	77,538			

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

6. Restricted Cash		
External Restrictions	49,257	
Internal Restrictions	39,014	✓
Unrestricted / (Shortfall)	258	
	88,529	

(1) Excludes Newcastle Airport and related entities

Contracts and Other Expenses

Result for the financial quarter ending 31 December 2023

Councillors are currently made aware of tenders of $250,000 or more in accordance with legislation. However, Councillors should be made aware of other material contracts entered into by Council and details of other expenses that are of particular interest.

Part A: Contracts

Contracts (other than employment contracts and contracts entered into from Council's preferred suppliers list) that:

- Were entered into during the quarter ending 31 December 2023 and;
- Have a value equal to or more than $50,000.

Contractor	Contract Details and Purpose	Contract Value (inc GST)	Start Date	End Date	Budget (Y/N)
GLASCOTT LANDSCAPE AND CIVIL PTY LTD	RFQ099-2023 - William St, Landscaping and Irrigation	237,508.37	4/10/2023	30/06/2024	Y
VVG SERVICES NSW PTY LTD	RFQ095-2023 - Supply of 2 x Truck Cab Chassis (LGP NPN0413)	289,243.98	16/10/2023	30/06/2024	Y
VVG SERVICES NSW PTY LTD	RFQ106-2023 - Supply of 1 x Truck Cab Chassis	156,885.94	16/10/2023	30/06/2024	Y
FENWORX PTY LTD	LGP213-5 Bitumen, Emulsion and Asphalt Materials	188,275.59	18/10/2023	30/06/2024	Y
HUMES CONCRETE PRODUCTS	LGP420 Minor and Major Civil Works - Concrete Projects	131,591.54	18/10/2023	30/06/2024	Y
MRW BUILDING PTY LIMITED	RFQ100-2023 Little Beach - Disabled Access Ramp	63,130.52	31/10/2023	30/06/2024	Y
ANA ASPHALT	RFQ115-2023 Asphalt Works - Fly Pt (LGP213-2)	300,271.42	31/10/2023	30/06/2024	Y
HUNTER ISUZU	RFQ101-2023 - Supply of 4x4 Ute	55,340.00	31/10/2023	30/06/2024	Y
SYSCON	Lighting Upgrade - Beach Rd	162,470.00	1/11/2023	30/06/2024	Y
MANNING VALLEY MOTOR HOLDINGS PTY LTD	RFQ101-2023 - Supply of 4x4 Ute	55,340.00	1/11/2023	30/06/2024	Y
AUSROAD MANUFACTURING PTY LTD	HD45 Series Road Maintenance Truck (NPN1-15-2)	420,310.00	9/11/2023	30/06/2024	Y
LIFELIKE GROUP PTY LTD	RFQ116-2023 - EOC Technology Fitout	129,716.28	13/11/2023	30/06/2024	Y
JUST CUTZ TREE SERVICES	Tree Services Works Package	57,200.00	14/11/2023	30/06/2024	Y
ENVIROCULTURE MAINTENANCE SERVICES PTY LIMITED	RFQ036-2022 - APZ and Fire Trail Maintenance	110,244.20	15/11/2023	30/06/2024	Y
TDM PIPELINE SOLUTIONS PTY LTD	Pipe Relining - Corrie Pde	59,133.80	15/11/2023	30/06/2024	Y
ANA ASPHALT	RFQ117-2023 - Asphalt Patching (LGP213-2)	256,252.31	15/11/2023	30/06/2024	Y
MANNING VALLEY MOTOR HOLDINGS PTY LTD	RFQ118-2023 - Supply of 4x4 Ute	65,425.00	17/11/2023	30/06/2024	Y
TDM PIPELINE SOLUTIONS PTY LTD	Pipe Relining - Irene Cres	59,133.80	21/11/2023	30/06/2024	Y
HERITAGE NOW PTY LTD	AHIPS and Investigations	106,766.00	29/11/2023	30/06/2024	Y
OTIS ELEVATOR COMPANY PTY LTD	RFQ122-2023 - RTCC Elevator Replacement	181,500.00	11/12/2023	30/06/2024	Y
SQUIZ AUSTRALIA PTY LTD	Subscription Agreement - 23 Nov 2023 to 22 Nov 2024	50,270.00	23/11/2023	22/11/2024	Y
BRIAN HILTON MOTOR GROUP	RFQ128-2023 - 1 x Renault Kangoo E-Tech EV Van	59,795.56	12/12/2023	30/06/2024	Y

Part B: Consultancy and Legal Expenses
Report shows expenditure as at 31 December 2023 for:
• Consultancies
• Legal fees

For the purposes of this report, a consultancy is defined as a person or organisation engaged under contract on a temporary basis to provide recommendation or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

	December Review	
Expense	**YTD $ $'000**	**Budget (Y/N)**
Consultants		
Holiday Parks	1	Y
Property Development	-	Y
Engineering	43	Y
Development Planning	-	Y
IT	39	Y
Environment	34	Y
Other	50	Y
Construction	83	Y
Total Consultancies	**250**	
Legal Fees		
Advice	59	Y
Litigation	88	Y
Total Legal Fees	**147**	

Expense - Litigation	**YTD $ $'000**
Local Government Law	8
Environmental Law	6
Planning & Development Law	74
Total Litigation Expense	**88**

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

019	**Councillor Giacomo Arnott** **Councillor Glen Dunkley** It was resolved that Council adopt the recommendations of Items 8 and 9 by multiple item adoption.

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

Those against the Motion: Nil.

The motion was carried.

ITEM NO. 8 **FILE NO: 24/13325**
EDRMS NO: PSC2009-02488

POLICY REVIEW: REVISED NAMING AND RENAMING OF RESERVES POLICY

REPORT OF: ZOE PATTISON - DIRECTOR CORPORATE STRATEGY AND SUPPORT
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

1) Endorses the revised Naming and Renaming of Reserves Policy shown at **(ATTACHMENT 1)**.
2) Places the revised Naming and Renaming of Reserves Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
3) Revokes the Naming and Renaming of Reserves Policy dated 13 April 2021, Minute No. 079, should no submissions be received.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

019	**Councillor Giacomo Arnott** **Councillor Glen Dunkley** It was resolved that Council: 1) Endorses the revised Naming and Renaming of Reserves Policy shown at **(ATTACHMENT 1)**. 2) Places the revised Naming and Renaming of Reserves Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council. 3) Revokes the Naming and Renaming of Reserves Policy dated 13 April 2021, Minute No. 079, should no submissions be received.

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Naming and Renaming of Reserves Policy (the policy) **(ATTACHMENT 1)**.

Clear and unambiguous place names are essential for emergency services, postal service delivery and navigation generally. The Geographical Names Board (GNB) introduced a policy in 2015 which sets out the criteria for place naming in NSW.

The objective of Council's policy is to ensure consistency with the GNB when naming or renaming reserves in the Port Stephens LGA. The GNB policy was revised in 2019 and amendments have been made to the policy to ensure consistency with the GNB policy.

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
Thriving and safe place to live	Program to develop and implement Council's key planning documents.

FINANCIAL/RESOURCE IMPLICATIONS

Adoption of the policy will be within existing budget allocations.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The policy is consistent with current GNB policy and will ensure consistency in the process, legislative compliance and ease of response for emergency services.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk of legislative non-compliance, which could cause reputational damage.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no social, economic or environmental implications with this policy review.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategic Property unit.

Internal

- Strategic Property Coordinator
- Senior Property Officer
- Property Officer
- The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation, the revised Naming and Renaming of Reserves 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 Naming and Renaming of Reserves Policy.

COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 8 - ATTACHMENT 1 REVISED NAMING AND RENAMING OF RESERVES POLICY.

Policy

PORT STEPHENS COUNCIL

FILE NO: **PSC2009-02488**

TITLE: **NAMING AND RENAMING OF RESERVES POLICY**

OWNER: **DIRECTOR CORPORATE STRATEGY AND SUPPORT**
~~GROUP MANAGER CORPORATE SERVICES~~

1. PURPOSE:

1.1 The purpose of this policy is to provide consistency in the process of naming and renaming reserves.

2. CONTEXT/BACKGROUND:

2.1 The naming and renaming of reserves is a process defined within the Geographical Names Board (GNB) guidelines to comply with the Geographical Names Board Act 1966.

2.2 Council must comply with this Act when naming or renaming its reserves.

2.3 It involves consultation with GNB, the community, Crown Lands, Historical Society and Local Aboriginal Land Councils (where applicable).

3. SCOPE:

3.1 To provide consistency in the process of naming and renaming of Council owned reserves or Crown reserves which Council are appointed the Crown Land Manager.

3.2 This policy applies to the naming and renaming of Council owned reserves (either public reserves or drainage reserves) and Crown reserves where Council is appointed as the Crown Land Manager.

3.3 Requests for the naming of other Crown lands should be referred back to the applicant with the advice they should contact the relevant Crown office directly.

3.4 **PART A – THE NAMING OF COUNCIL OWNED RESERVES** (ie. Council holds freehold title) (ie. Council holds freehold title)

a) An application/enquiry is received at Council either from a person or agency or by a section of Council with the proposal to name or rename a reserve. Initial consultation between Council's Senior Property Officer and relevant Council staff will determine if naming is required or appropriate (eg. reserve possibly already named).

Policy

PORT STEPHENS COUNCIL

b) Applications for the naming of reserves are to comply with the GNB Place Naming Policy.

c) Form (fact sheet) and guidelines as set by the GNB for determination are located on the GNB website www.gnb.nsw.gov.au. Where an application is received seeking commemoration of a living person, the application shall be refused.

d) Where the application is received seeking the commemoration of a deceased person (12 months must have passed since they deceased) then a Commemorative Naming Form and guidelines as set by the GNB should also be completed.

e) Where the proposed name has a historical connotation, the relevant local Historical Society shall be notified by mail or email of the proposal and requested to comment on the historical suitability of the name.

f) Where the proposed name has an Aboriginal connotation, the relevant Local Aboriginal Land Council shall be notified in writing ~~by mail or email~~ of the proposal and requested to comment on the suitability of the name.

g) Council must undertake community consultation on the proposal before submitting an application to GNB.

h) A recommendation will be prepared for the Ordinary Council Meeting providing relevant details requesting Council apply to the GNB with the proposed name.

i) If the recommendation is approved, Council's Strategic Property team will complete the required application form after liaising with the applicant to obtain all details. This form will be submitted to the GNB with any other required documents for the Board to determine.

j) If the recommendation is not approved, the applicant is advised to propose a new name and the process will begin again. A new application fee will be payable.

k) If the GNB determines the name is appropriate it will advertise the proposal for 1 month.

l) At the close of the advertising period and if objection(s) have been received, copies of all objections will be reported to Council for comment.

m) The GNB Board will review submissions and either reject, alter or endorse the name.

Policy

PORT STEPHENS COUNCIL

n) If no objections are submitted by the public, the name becomes official and the GNB will update the official NSW mapping database and the Geographical Names Register.

o) The reserve is taken to be officially named upon publication of a notice by the GNB in the New South Wales Government Gazette.

p) Suitable signage to be erected upon the reserve at such position(s) as determined by the required Facilities and Services staff or his/her nominated representative.

3.5 **PART B – THE NAMING OF CROWN RESERVES OVER WHICH COUNCIL HAS BEEN APPOINTED 'CROWN LAND MANAGER'**

a) Requests are to comply with point 3.4(b) of this policy.

b) Approval shall be obtained from the Regional Office of Crown Lands prior to public consultation.

c) If approval is obtained, compliance with requirements of points 3.4 (c) to 3.4 (n) inclusive of this policy.

4. DEFINITIONS:

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

Crown Reserve	Crown reserves are land set aside on behalf of the community for a wide range of public purposes including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.
Crown Land Manager	A Council can be appointed as Land Manager of a Crown reserve by notice in the Government Gazette. An appointed Land Manager is responsible for the care, control and management of the specified Crown reserve. It is important to note that councils are not appointed as Land Manager for all reserves in its area.

5. STATEMENT:

5.1 It is Council's intent that this policy specifies the requirements of naming and renaming a Council owned reserve or Crown reserve over which Council has been appointed Crown Land Manager.

ITEM 8 - ATTACHMENT 1 REVISED NAMING AND RENAMING OF RESERVES POLICY.

Policy

PORT STEPHENS COUNCIL

6. RESPONSIBILITIES:

6.1 Roles and responsibilities - the Senior Property Officer is responsible for the implementation of this policy.

6.2 Support and advice - can be obtained from the GNB, Historical Society and Local Aboriginal Land Council and Crown Lands where applicable.

6.3 Communication - Council staff and the community will be consulted via public advertising for the consultation period and after the name is finalised. The GNB will publish the name in the NSW Government Gazette.

6.4 Implementation of this policy with adoption of uniform guidelines endorsed by the GNB will enable ratepayers and public authorities such as the Police and Ambulance Services to more easily locate reserves.

6.5 The applicant would be responsible for costs. Therefore, if Council was the applicant the costs would be minimal, generally only for signage.

7. RELATED DOCUMENTS:

7.1 GNB – Naming a Place.
7.2 GNB – Place Naming Policy.
7.3 GNB – NSW Place & Road Naming Proposal System.
7.4 Council's Road Naming and Renaming Process.

ITEM 8 - ATTACHMENT 1 REVISED NAMING AND RENAMING OF RESERVES POLICY.

Policy

PORT STEPHENS COUNCIL

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2009-02488	**EDRMS record No.**	TBA ~~21/127073~~
Audience	Council Staff & Community		
Process owner	Director Corporate Strategy and Support ~~Group Manager Corporate Services~~		
Author	Strategic Property Coordinator ~~Senior Property Officer~~		
Review timeframe	3 years	**Next review date**	TBA ~~April 2024~~
Adoption date	9 October 2012		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	9 October 2012	Property Officer	Policy Adopted	263
2	12 August 2014	Property Officer	Policy Amended	208
3	11 September 2018	Property Officer	Transferred into new format. 3.1 - Change reference from Trust Manager to Crown Land Manager. 3.5 – Change reference from Trust Manager to Crown Land Manager. 5.1 – Change reference from Trust Manager to Crown Land Manager.	284
4	13 April 2021	Senior Property Officer	Policy Owner - Updated to Group Manager Corporate Services. 3.4 a) - Added 'Senior' to the title to reflect current organisational structure. 3.4 b) to p) – Grammatical updates to reflect current GNB Place	079

Policy

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ITEM 8 - ATTACHMENT 1 REVISED NAMING AND RENAMING OF RESERVES POLICY.

Policy

PORT STEPHENS COUNCIL

Version	Date	Author	Details	Minute No.
			Naming Policy and process. 3.5 - Grammatical updates to reflect current GNB Place Naming Policy and processes. 4.1 – Added the definition for 'Crown Land Manager'. 6.1 – Added 'Senior' to the title to reflect current organisational structure. 6.3 – Communication – updated to current process. Updated Controlled Document Information: • Process Owner updated to Group Manager Corporate Services. • Author updated from Property Officer to Senior Property Officer. • Amended review timeframe to 3 years in accordance with Council's policy and review process.	
5	TBA	Strategic Property Coordinator	Minor grammatical and format amendments. 3.4 f) deleted 'by mail or email' updated to 'in writing'. Updated Controlled Document Information: • Policy Owner updated to Director Corporate Strategy and Support. • Auther updated to Strategic Property Coordinator.	TBA

ITEM NO. 9 **FILE NO: 24/13910**
EDRMS NO: PSC2009-00938

POLICY REVIEW: REVISED ROAD NAMING AND ADDRESSING GUIDELINES POLICY

REPORT OF: ZOE PATTISON - DIRECTOR CORPORATE STRATEGY AND SUPPORT
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

1) Endorses the revised Road Naming and Addressing Guidelines Policy shown at **(ATTACHMENT 1)**.
2) Places the revised Road Naming and Addressing Guidelines Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
3) Revokes the Road Naming and Addressing Guidelines Policy dated 26 October 2021, Minute No. 286, should no submissions be received.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

019	**Councillor Giacomo Arnott** **Councillor Glen Dunkley** It was resolved that Council: 1) Endorses the revised Road Naming and Addressing Guidelines Policy shown at **(ATTACHMENT 1)**. 2) Places the revised Road Naming and Addressing Guidelines Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council. 3) Revokes the Road Naming and Addressing Guidelines Policy dated 26 October 2021, Minute No. 286, should no submissions be received.

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Road Naming and Addressing Guidelines Policy (the policy) **(ATTACHMENT 1)**.

The intent of the policy is to provide guidance and consistency in the naming of roads and addressing of new roads, roads within subdivisions to be dedicated to Council or renaming/readdressing existing roads within the Port Stephens local government area (LGA).

Adopting this policy will result in Council adopting the Geographical Names Board of NSW Address Policy and User Manual as the method in which roads are named and properties are addressed.

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
Thriving and safe place to live	Program to develop and implement Council's key planning documents.

FINANCIAL/RESOURCE IMPLICATIONS

The policy has no financial impact on the existing costs associated with naming roads. The application for naming and renaming roads is covered under the Council adopted Fees and Charges to recover the administration/advertising costs of this service.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The naming of roads is a low risk service that Council provides. All names are approved by the Geographical Names Board (GNB) and GNB has a very clear policy and guidelines governing the naming of roads.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that names may be duplicated if the NSW Address Policy and User Manual and practices is not followed.	Low	Adopt the recommendation.	Yes
There is a risk that duplication of road names will lead to public and emergency services not arriving at their destination in the most efficient and timely way.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The consistent naming and addressing of roads allows the public and emergency services to utilise the road network for direction and travel in the most efficient way. The naming and addressing of roads also allows for themes that provide the community with a sense of place.

There are no environmental or economic implications with this policy review.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategic Property unit.

Internal

- Strategic Property Coordinator.
- Senior Property Officer.
- Property Officer.
- The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation, the revised Road Naming and Addressing Guidelines 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 Road Naming and Addressing Guidelines Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 9 - ATTACHMENT 1 REVISED ROAD NAMING AND ADDRESSING GUIDELINES POLICY.

Policy

PORT STEPHENS COUNCIL

FILE NO: **PSC2009-00938**

TITLE: **ROAD NAMING AND & ADDRESSING GUIDELINES POLICY**

OWNER: **DIRECTOR CORPORATE STRATEGY AND SUPPORT**
~~GROUP MANAGER CORPORATE SERVICES~~

1. PURPOSE:

1.1 This policy is to provide consistency in the naming and addressing of new roads, roads within subdivisions to be dedicated to Council or renaming/readdressing of existing roads within the Port Stephens Local Government Area.

2. CONTEXT/BACKGROUND:

2.1 Previous Council policies for the naming of roads have been based on the Geographical Names Board (GNB) Guidelines which linked into the existing standards of the time being:

a) Roads Act 1993.
b) Roads Regulation 1994.
c) Australian Standard AS1742.5 1986.

2.2 In March 2015, The Geographical Names Board of New South Wales formally adopted the new NSW Address Policy and User Manual. The new NSW Address Policy and User Manual is aligned with the new Australian/New Zealand Rural and Urban Addressing Standard AS/NZS 4819:2011.

2.3 The Geographical Names Board of New South Wales requires road naming authorities such as councils to comply with the NSW Address Policy and User Manual and to utilise the online Road Naming System as the adherence to the principles, procedures and processes will ensure consistency and unambiguous road naming and addressing across NSW.

3. SCOPE:

3.1 To fulfil the consistent approach and adopt a 'single source of truth' to the principles, procedures and processes for the naming and addressing of roads under this policy, Council shall adopt the Geographical Names Board of New South Wales, NSW Address Policy and User Manual.

ITEM 9 - ATTACHMENT 1 REVISED ROAD NAMING AND ADDRESSING GUIDELINES POLICY.

Policy

PORT STEPHENS COUNCIL

4. DEFINITIONS:

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

Single Source of Truth	"In the context of the custodian of the NSW Address Database, Spatial Services aggregate and apply quality assurance mechanisms to address data from data producers in NSW and provision this as a single source of truth" GNB ISSN:2204-9460.

5. STATEMENT:

5.1 ~~That~~ Council adopts the Geographical Names Board of New South Wales, NSW Address Policy and User Manual when naming and addressing new roads, roads within subdivisions to be dedicated to Council or renaming/readdressing of existing roads within the Port Stephens Local Government Area.

6. RESPONSIBILITIES:

6.1 The Asset Section Manager is responsible for the policy framework.

6.2 The Strategic Property Coordinator is responsible for implementation, monitoring and evaluation.

7. RELATED DOCUMENTS:

7.1 Roads Act 1993.
7.2 Australian/New Zealand Rural and Urban Addressing Standards AS/NZS 4819:2011.
7.3 Geographical Names Board of New South Wales, NSW Address Policy and User Manual.

ITEM 9 - ATTACHMENT 1 REVISED ROAD NAMING AND ADDRESSING GUIDELINES POLICY.

Policy

PORT STEPHENS COUNCIL

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2009-00938	**EDRMS record No.**	TBA ~~21/327204~~
Audience	Community, Public Domain and Services, Assets Section and Corporate Services		
Process owner	Director Corporate Strategy and Support ~~Corporate Services Group Manager~~		
Author	Strategic Property Coordinator		
Review timeframe	3 years	**Next review date**	TBA ~~October 2024~~
Adoption date	10 October 1995		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	10/10/1995	John Maretich	Road Naming Guidelines.	315
2	08/09/2015	Property Services Section Manager	Changes to reflect the new NSW Address Policy and the NSW Addressing User Manual that was adopted by the Geographical Names Board (GNB) in March 2015.	265
3	08/10/2019	Property Services Section Manager	Reviewed information and transferred into new template. Inserted full stops at 2.1 a), b) and c). 2.2 – Insert 'the' to improve sentence readability. 2.3 – Updated utilized to utilised and inserted full stop. 4.1 – Removed use of inverted commas. Added 7.3 and 7.4 to 'Related Documents'. Updated EDRMS record number.	184

Policy

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ITEM 9 - ATTACHMENT 1 REVISED ROAD NAMING AND ADDRESSING GUIDELINES POLICY.

Policy

PORT STEPHENS COUNCIL

Version	Date	Author	Details	Minute No.
4	26 October 2021	Strategic Property Coordinator	2.2 – Deleted the words "NSW Addressing" from both references to the policy to reflect correct policy name. 2.3 – Changed "urges" to "requires" as adherence is mandatory; reworded clause to improve readability. 3.1 – "Changed Land and Property Information" to "Spatial Services"; changed name of policy to reflect correct name. 4.1 – Changed definition so that it is identical to that in the policy. 5.1 – Changed name of policy to reflect correct name. 6.2 – Changed responsibility from Section Manager to Coordinator. 7.3 – Changed name of policy to reflect correct name. Controlled document information: Updated process owner to Corporate Services Group Manager to reflect current structure. Updated author to Strategic Property Coordinator to reflect current title. Amended the review timeframe to 3 years in accordance with Council's policy review process.	286

ITEM 9 - ATTACHMENT 1 REVISED ROAD NAMING AND ADDRESSING GUIDELINES POLICY.

Policy

PORT STEPHENS COUNCIL

Version	Date	Author	Details	Minute No.
5	TBA	Strategic Property Coordinator	5.1 – deleted 'that' to ensure Councils clear position. Title updated to reflect Council style guide typography – "&" deleted and replaced with "and". Reviewed information and transferred into new template. Controlled document information: Updated process owner to Director Corporate Strategy and Support to reflect current structure.	TBA

ITEM NO. 10 **FILE NO: 23/308060**
EDRMS NO: PSC2017-00019

RAYMOND TERRACE 7 DAY MAKEOVER

REPORT OF: JOHN MARETICH - ASSETS SECTION MANAGER
DIRECTORATE: FACILITIES AND INFRASTRUCTURE

RECOMMENDATION IS THAT COUNCIL:

1) Requests the General Manager to work with the Mayor and Councillors to develop a scope of works with the community.
2) Requests the General Manager to prepare a report on funding sources to match the scope of works.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

020	**Councillor Giacomo Arnott** **Councillor Peter Kafer** It was resolved that Council: 1) Requests the General Manager to work with the Mayor and Councillors to develop a scope of works with the community. 2) Requests the General Manager to prepare a report on funding sources to match the scope of works.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 information to address the 7 Day Makeover Notice of Motion adopted on the 12 December 2023 (**ATTACHMENT 1**).

A Raymond Terrace town community lead beautification program has been summarised into the following options:

- Contracting Creative Communities International 7 Day Makeover program.
- Council lead makeover style program.
- Create a Civic Pride group.

With each of these options, the volume of community input would result in a lower cost to update the towns than if undertaken through traditional means. Historically, works led or created by the community have received greater ownership and maintenance by those who worked on the project.

Creative Communities International (CCI)
The 7 Day Makeover program was created by Creative Communities International (CCI) and has been previously run at Anna Bay and Medowie in 2019 and 2021 respectively. The program is run and managed by CCI with assistance from Council, though the focus is on what the community can do to create a vibrant and usable space. **(ATTACHMENT 2)**.

CCI have provided a price and scope of works for the Raymond Terrace town. The cost is under $100,000.

Council Lead Makeover Style Program
To financially compare a staff lead program with CCI is very much dependent on the actual scope of works even before actual works commence. The scope of works are yet to be determined and will required consultation sessions with Council staff, the Councillors and the community.

Assuming similar project involvement based on previous 7 Day Makeover projects, the estimated price is similar to that provided by CCI. This price includes the engagement of an external consultant and specific contractors that Council does not have, and would be needed to match similar scope of works provided by the CCI program.

The estimated cost does not include insurance, external engagement and communication costs, coverage of the staffing time to create the lead up systems and organisation of the program and actual building materials and goods. The estimated price is very much dependent on the scope of works that is yet to be developed.

Create a Civic Pride Group
Create a Civic Pride group identical to the Nelson Bay Civic Pride. Like in Nelson Bay, this group would be an ongoing and not limited to a short program like the 7 Day Makeover program.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Strong economy, vibrant local businesses, active investment	Implement the Economic Development Strategy

FINANCIAL/RESOURCE IMPLICATIONS

While the development of scoping the project is within current funds, there are currently no funds allocated to the physical works of this project.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		In kind costs as per recommendation.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Engaging a contractor directly without going to the market requires a suitable reason. In this case the reason is that Creative Communities International (CCI) are the only company that own and manage the 7 Day Makeover and has a proven history of this program as previously undertaken at Anna Bay and Medowie.

Undertaking the makeover program in house or as a Civic Pride program has minimal legal, policy or risk implications. This statement is based on an assumed scope of works being similar to activities that Council and our volunteers usually undertake. Despite this point, our insurer will be notified to ensure we have appropriate cover for this activity.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the proposed works if managed in house will not be covered by usual Council insurance.	Low	Council's insurer will be contacted before and during the works to ensure usual insurance will cover the program.	Yes
There is a risk that Council does not have the expertise, systems and practices that CCI have in running this program.	Medium	Council will need to engage an external consultant and contractors that Council does not have in-house. This has been factored in estimate.	No

There is a risk that any program will result in assets that could deteriorate causing future costs to Council.	Low	As per previous 7 Day Makeover programs, Council staff will be involved to ensure the final assets will be fit for purpose.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Any of these optional programs promotes the delivery of revitalising a town feel, provides alternatives for Councils and the community to work together and builds community wellbeing as well as ownership of the town in a new creative way. These options not only bring communities together by increasing social interactions and connections, but improves the visual amenity of a town. This in turn leads to increasing numbers using the town space, improved safety and increased business transactions for the neighbouring businesses.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Assets and Communications Sections.

Internal

- A Two Way briefing conversation was held with the Mayor and Councillors on 15 August 2023 to determine the type of program that would suit Raymond Terrace.
- At the time of writing this report, a second Two Way briefing conversation is planned to be held with the Mayor and Councillors the 13 February 2024.

External

- Council staff have enquired about the program with Creative Communities International to seek updated information about the 7 Day Makeover program.

OPTIONS

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

ATTACHMENTS

1) Notice of Motion - Raymond Terrace 7 Day Makeover - 12 December 2023.
2) Sponsor's Guide.

COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 10 - ATTACHMENT 1 NOTICE OF MOTION - RAYMOND TERRACE 7 DAY MAKEOVER - 12 DECEMBER 2023.

MINUTES ORDINARY COUNCIL - 12 DECEMBER 2023

NOTICE OF MOTION

ITEM NO. 3 **FILE NO: 23/327917**

EDRMS NO: PSC2021-04195

7 DAY MAKEOVER - RAYMOND TERRACE

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

1) Notes the need for a community-led program of works and improvements in the Raymond Terrace CBD.
2) Notes the success of the 7 day makeover programs elsewhere in Port Stephens.
3) Requests the General Manager to:

a) Investigate running a makeover-style program in-house to reduce costs using learnings from the previous makeovers in Port Stephens.

b) Commence the discussion with Creative Communities International to obtain quotes for the cost of a 7 Day Makeover program at Raymond Terrace.

c) Report back to Council with the cost of running the program in-house compared with Creative Communities to determine which pathway will be adopted to deepen community involvement in improving the Raymond Terrace CBD.

ORDINARY COUNCIL MEETING - 12 DECEMBER 2023
MOTION

311	**Councillor Giacomo Arnott** **Councillor Peter Francis** It was resolved that Council: 1) Notes the need for a community-led program of works and improvements in the Raymond Terrace CBD. 2) Notes the success of the 7 day makeover programs elsewhere in Port Stephens. 3) Requests the General Manager to: a) Investigate running a makeover-style program in-house to reduce costs using learnings from the previous makeovers in Port Stephens.

MINUTES ORDINARY COUNCIL - 12 DECEMBER 2023

	b) Commence the discussion with Creative Communities International to obtain quotes for the cost of a 7 Day Makeover program at Raymond Terrace. c) Report back to Council by the end of February 2024 with the cost of running the program in-house compared with Creative Communities to determine which pathway will be adopted to deepen community involvement in improving the Raymond Terrace CBD.

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND REPORT OF: JOHN MARETICH – ASSET SECTION MANAGER

BACKGROUND

The purpose of this background is to provide information in relation to this Notice of Motion.

The 7 Day Makeover program was created by the company called Creative Communities International (CCI) and has previously run successful programs at Anna Bay and Medowie in 2019 and 2021 respectively.

The program is run and managed by CCI with assistance from Council, though the focus is on what the community can do to create a vibrant and usable space. This program not only brings community together increasing social interactions and connections, but improves the visual amenity of a town. This, in turn, leads to increasing numbers using the town space, leading to improved safety and increased business transactions for the neighbouring businesses.
There are currently no dedicated funds allocated to the project and the outcome of proceeding with this project is based on Council gaining a grant or some other source of funds being allocated to the project.

Should Council resolve to support this motion, a workshop will be arranged to discuss the scope and scale of the intended makeover program. Clarity and agreement on scale and scope will enable accurate identification of costs and inform any discussions with CCI in accordance with our procurement obligations and processes.

FINANCIAL/RESOURCE IMPLICATIONS

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

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

ATTACHMENTS

Nil.

ITEM 10 - ATTACHMENT 2 SPONSOR'S GUIDE.

SPONSORS GUIDE

7 DAY makeover

HOW TO REVITALISE YOUR

TOWN CENTRE

IN JUST 7 DAYS!

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creative communities INTERNATIONAL

www.7day.com.au
www.creative-communities.com

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WHAT WE DELIVER

7 DAY makeover

KICK-STARTS YOUR REVITALISATION

We help the community to totally transform the look and feel of their town centre in just 7 days.

GIVES EXPERIENCE OF AGILE PLANNING

Council and the community experience, first hand, a new way of working together.

CHANGES THE TOWN STORY

Often communities are blaming Council, or some other factor (such as lack of parking) for the state of their town centre. The makeover shifts this story significantly, as people learn to take civic responsibility.

BUILDS COMMUNITY WELL-BEING

The 7 Day Makeover creates a stronger sense of community and builds resilience. It also identifies and empowers a new group of community leaders.

CREATES ONGOING MOMENTUM

We leave behind an entire system that enables the community to run mini-makeovers, without getting bogged down in endless talk. We provide two years of support to help the community keep kicking goals!

IS OUR APPROACH RIGHT FOR YOU?

100% GUARANTEE RISK FREE 100% GUARANTEE

We can reinvigorate your Town Centres in just 7 days*.

We know this sounds impossible.

Decision makers, and the people in your town, are highly likely to be sceptical.

So we designed an approach that reduces the risk for you and your Council, plus builds support and enthusiasm with businesses and the community. In fact, it is an essential part of the overall program.

- You host a half-day workshop – *Exploring Possibilities*. We explain the entire *7 Day Makeover System*, and what other places have achieved. You can add other activities such as a business breakfast or evening presentation for the public.
- At the end of the workshop you decide if our approach is right for your town.
- If the answer is YES, we get started on planning.
- If the answer is NO, we shake hands and part friends. We send you a bill for $4300 to cover our costs... but you keep all the secrets to revitalising your Town Centre that we have shared.

* There is a minimum of 10 weeks planning prior to the makeover.

EXPLORING POSSIBILITIES FOR OUR TOWN CENTRE

A workshop for:

- Councillors
- Senior Council Staff
- Business Community
- Community Leaders

We explain the entire *7 Day Makeover System*

Gauge level of support. Is this approach right for you?

IF YES

Get workshop for **FREE**

START PLANNING

7 DAY makeover

IF NO

Pay just $4300
No further obligation

Use all the insights and tools we give you in the workshop to go it alone.

We guarantee the information you get from the workshop will be worth its weight in gold.

SPONSOR'S GUIDE 5

ITEM 10 - ATTACHMENT 2 SPONSOR'S GUIDE.

EXPLORING POSSIBILITIES FOR OUR TOWN CENTRE

A HALF DAY WORKSHOP

DISCOVER THE SECRETS | BUILD SUPPORT

DAVID ENGWICHT is one of the world's leading experts on resuscitating dysfunctional and dying Town Centres.

In this half-day workshop he will inspire you with examples of how cities and towns have rejuvenated whole precincts in just seven days, and on a shoe-string budget.

Learn how simple it is to bring a Town Centre back into life.

Hear about the '*Less Talk, More Action*' System that took us 30 years to develop

Learn why too much planning and community engagement is killing our public spaces.

This workshop includes a walk through your Town Centre, with David exploring the possibilities of what could be achieved in seven days.

FREE if you proceed with a makeover

Just $4,300 + GST (all inclusive of travel) if you decide not to proceed with makeover.

> *One of the world's most inventive thinkers on creating vibrant public places.*
>
> Project for Public Spaces – New York

BOOK NOW! jodi@7day.com.au

SPONSOR'S GUIDE 6

AVOIDING THE PITFALLS

You have a Town Centre that needs reinvigorating. Here are the pitfalls to avoid.

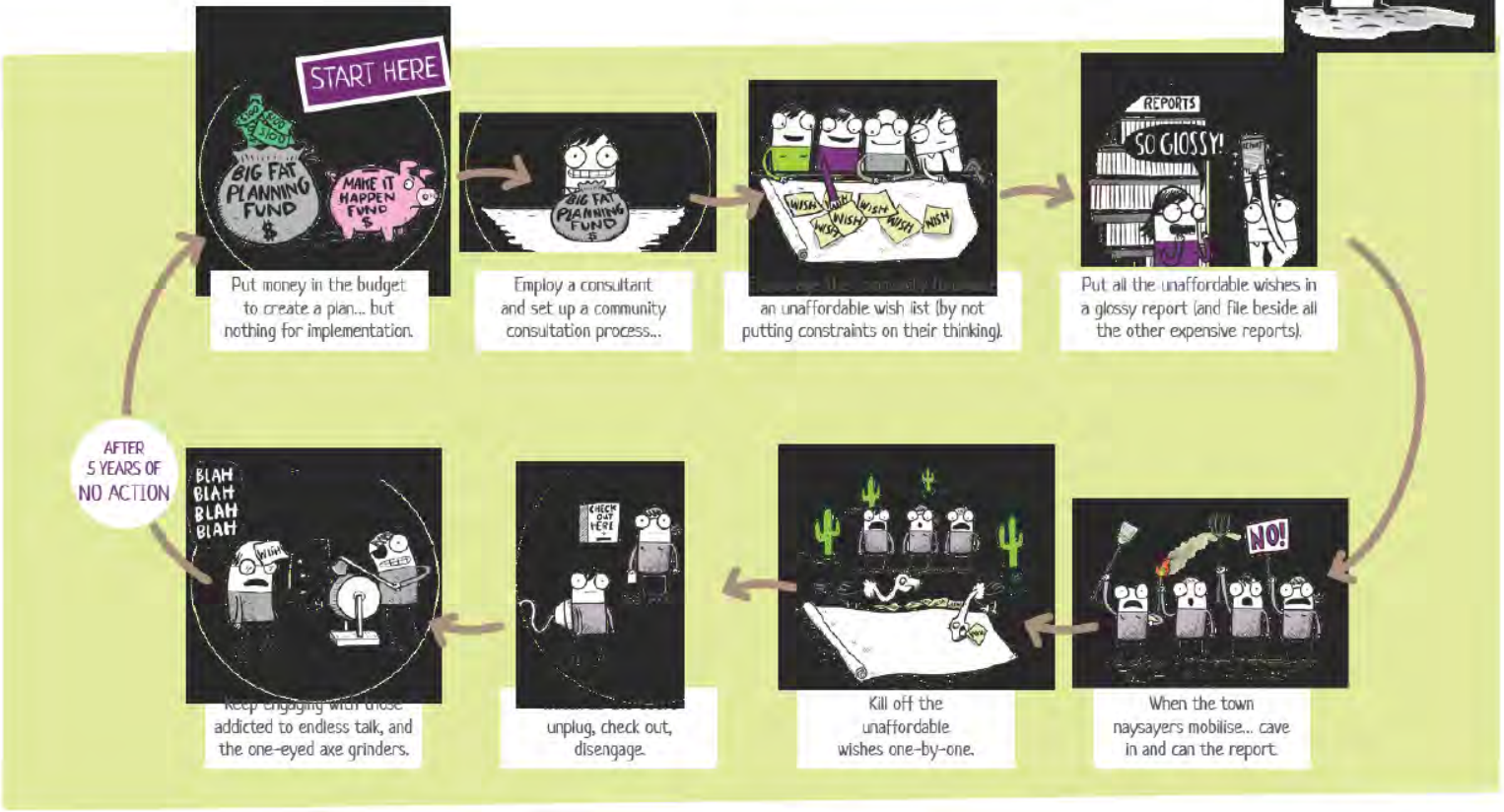
The traditional approach starts by creating a master plan, and then consulting the community. But this often gets bogged down in endless debate, or the report ends up on a shelf gathering dust, or if anything does happen, it can take years, and the result is often disappointing.

Our approach avoids all these pitfalls. The total process, from when you sign a contract till the makeover is complete, is usually around 10–12 weeks. **You are guaranteed a great Town Centre at the end of this time, not just a glossy report.** And the community will have participated intimately with the design and implementation, and feel a deep sense of pride in what they have created.

This space in Westport, NZ, was made over in seven days on a materials budget of just $35,000

THE FATAL FLAW IN COUNCIL PLANNING

WHY A TON OF MONEY GETS SPENT, AND A LOT OF ENERGY BURNED, BUT NOTHING GETS DONE



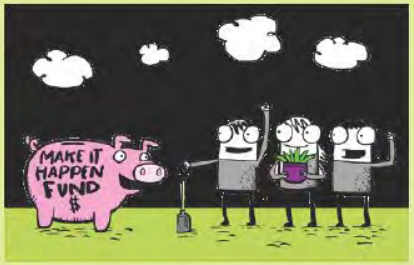
SPONSOR'S GUIDE 8

AN ALTERNATIVE APPROACH

ORDINARY PEOPLE CREATING EXTRAORDINARY PLACES IN JUST 7 DAYS

WITHOUT ENDLESS TALK

WHERE WISH LISTS ARE BANNED



AND ALL THE MONEY GOES INTO MAKING IT HAPPEN

Days 1–2: Plan & Form Project Teams

Days 3–7: Make it happen

Days 8: Celebrate and watch life return!

SPONSOR'S GUIDE 9

TIMELINE for TOTAL PACKAGE

7 DAY makeover

Reduce the Risk. Test the waters.

GAUGE SUPPORT

EXPLORING POSSIBILITIES
Workshop with Council Staff, Councillors, Businesses, and Community Leaders. Decide if this the right approach for you.

IF NO → Design your own process

IF YES

PREPARATION

- Publicity brochure
- Facebook page
- Event booking system
- Listing on 7day.com.au
- Business Sponsorship Pledge Form

LAUNCH PUBLICITY

PROMO VISIT

- Council workshop
- Create 'What is Allowed' documen
- Info Night (public)
- Business Sponsor's Fund Raising Event
- Media
- Promotional events

MAKEOVER

- Two day workshop
- Project Teams formed
- Magic happen
- Launch Party

EVALUATION

REPORT

FOLLOW UP MAKE-OVERS

WEEKS

CCI TEAM pre-workshop investigations

Give community *Less Talk, More Action Kit* and $4000 budget for future makeovers

2 years ongoing support and mentoring in using the system

Within 12 weeks of signing the contract, you will have a revitalised Town Centre.

This extremely condensed process has taken us over 30 years to perfect. You and your community benefit from our innovation and experience.

SPONSOR'S GUIDE 10

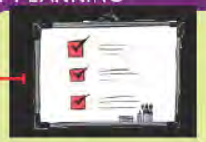
TIMELINE for 7 DAY MAKEOVER

DAY 1: IDEAS GENERATION

- The process explained
- Presentation: Secrets of Place Making
- Walkabout: explore the possibilities
- Create Draft Plans in small groups
- Evaluate the Draft Plans
- Identify projects worth developing

DAY 2: PROJECT PLANNING

- Produce Draft Project Plans



- Review 1: Park this project or hatch it?
- Fine tune Project Plans
- Review 2: Do we park it or press GO?

VOLUNTEERS' BRIEFING

- Project Teams present their Plan
- Volunteers join a team & help plan

DAYS 3–7: MAKEOVER

- Each Project Team manages their own project, work hours and budget

LAUNCH PARTY

- Well done teams! CHEERS!
- When do you want to do the next makeover? Here's your KIT...

SPONSOR'S GUIDE 11

LESS TALK, MORE ACTION **SYSTEM**

After a 7 Day Makeover, the biggest risk is that the community will go back to having endless meetings and trying to master-plan their future actions.

The result will be a lot of talk and very little action.

The doers will check out.

The process will get bogged down in subcommittees and petty squabbles.

So we have designed an entire system to keep your community on track... and kicking endless goals.

We skill them in using this system during the 7 Day Makeover... then support and mentor them for up to two years.

NEW UPDATED VERSION JUST RELEASED

The Manual gives very clear guidelines on every single step of the SYSTEM.

It will be easy for the Council Team to see where the process is going wrong if it gets off track.

SOME KEY ELEMENTS OF THE SYSTEM

PUBLIC NOTICE BOARD

Suitable for outdoors.

Used to display all the documents on this page

WHAT'S NEXT

NEXT MAKEOVER:

Date:

PUBLIC MEETING:
Date:
Time:
Location:

TEAM LEADERS MEETING:
Date:
Time:
Location:

WHAT'S NEXT?

Keeps everyone informed of what is happening next

MESSAGE

PROJECT:

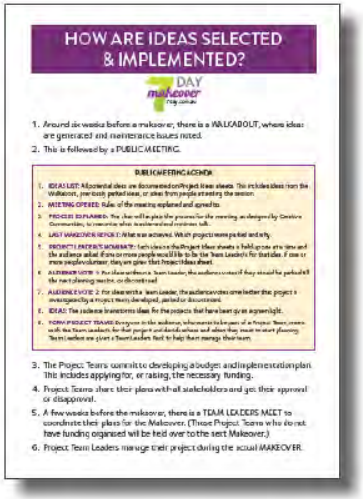
CONTACT:

MESSAGE SHEETS

For Project Leaders to post messages

HOW ARE IDEAS SELECTED AND GENERATED

Makes the entire process transparent. To be permanently displayed on notice board.



HOW ARE IDEAS SELECTED & IMPLEMENTED?

1. Around six weeks before a makeover, there is a WALKABOUT, where ideas are generated and maintenance issues noted.
2. This is followed by a PUBLIC MEETING.

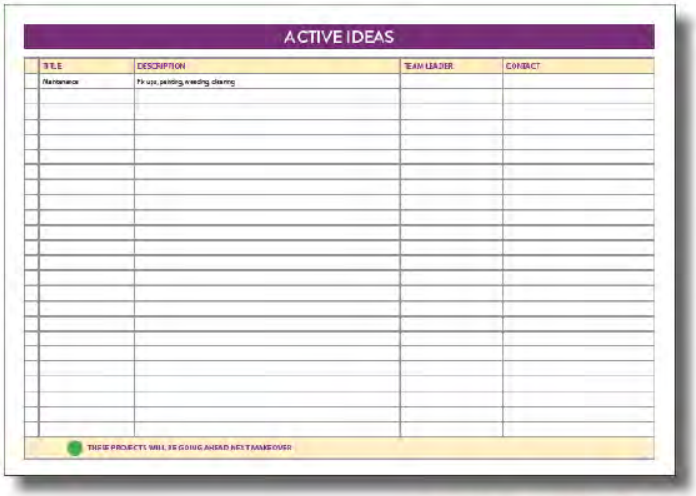
PUBLIC MEETING AGENDA

1. IDEAS LIST: All potential ideas are documented on Project Idea sheets. This includes ideas from the Walkabout, previously parked ideas, or ideas from people attending the session.
2. MEETING OPENED: Rules of the meeting explained and agreed to.
3. PROCESS EXPLAINED: The chair will explain the process for the meeting as designed by Creative Communities, to minimise what is explained and maximise talk.
4. LAST MAKEOVER REPORT: What was achieved. Which projects were parked and why.
5. PROJECT INTENTS SUMMARY: Each idea on the Project Idea sheets is held up one at a time and the audience asked if one or more people would like to be the Team Leader for that idea. If one or more people volunteer, they are given that Project Idea sheet.
6. AUDIENCE VOTE 1: For ideas without a Team Leader, the audience votes if they should be parked till the next planning session, or discontinued.
7. AUDIENCE VOTE 2: For ideas with a Team Leader, the audience votes one better the project a ranking based by a Project Team developed, parked or discontinued.
8. IDEAS: The audience brainstorms ideas for the projects that have been given a green light.
9. FORM PROJECT TEAMS: Everyone in the audience, who wants to be part of a Project Team, meets with the Team Leaders for that project and decide where and when they must to start planning. Team Leaders are given a Team Leaders Pack to help them manage their team.

3. The Project Teams commit to developing a budget and implementation plan. This includes applying for, or raising, the necessary funding.
4. Project Teams share their plans with all stakeholders and get their approval or disapproval.
5. A few weeks before the makeover, there is a TEAM LEADERS MEET to coordinate their plans for the Makeover. (Those Project Teams who do not have funding organised will be held over to the next Makeover.)
6. Project Team Leaders manage their project during the actual MAKEOVER.

ACTIVE IDEAS

A public record of all your live ideas and their status. Includes contact details for Team Leaders.



ACTIVE IDEAS

TITLE	DESCRIPTION	TEAM LEADER	CONTACT
Maintenance	Fix up, painting, weeding, cleaning		

THESE PROJECTS WILL BE GOING AHEAD NEXT MAKEOVER

SPONSOR'S GUIDE 13

CROWD FUNDING CAMPAIGN

Our most successful 7 Day Makeovers have been where we have invited businesses and the community to make a financial contribution, via a Crowd Funding campaign.

They have more skin in the game.

We set up and manage the Crowd Funding campaign. We will even invoice companies and hold all monies in trust for the community.

In Medowie, NSW, the community raised $66,125.

The amount raised in Medowie allowed for very substantial works to be done in the seven days.

The 7 Day Makeover is a truly amazing process which has breathed new life into Tuncurry. As business owners, the small monetary contributions that we all made enabled us to revitalise the main shopping area in ways we could never have imagined. The 7 Day Makeover created a very close and friendly working group of local business owners who are now educated in place making and armed with all the tools they need to keep our town moving forward.

Luke and Katrina Austin, Great Lakes Tackle, Tuncurry

It was a no-brainer for me to pledge money to the makeover in Tuncurry. If I placed an advert in a newspaper it would only work for a couple of days. But the makeover would be a lifetime "advertisement" that would give us a return for years to come...

The finished product, delivered by David Engwicht and his team, was nothing short of outstanding. We have already seen an increase in visitors and trade.

Michele Chapman, Michele's Jewellers. Tuncurry

In Tuncurry, NSW, the community raised $52,850

UPSKILL YOUR COMMUNITY

PENGUIN, TASMANIA, A CASE STUDY

We measure the success of a makeover by whether we have empowered the community to continue reinvigorating their town, long after we leave.

We have spent years developing a system to make this happen. Take Penguin, in Tasmania, as an example.

We left them everything they needed to do a follow-up makeover – safety vests, project white-boards, health and safety systems, financial management system, and left over materials.

We also offered them $4000 in grants to do follow-up projects. With this money they completed five new projects under their own steam.

They were so fired up they began fundraising and undertaking more projects. They have now incorporated so they can take on even bigger projects.

We also gave them control of the Makeover Facebook page, which they have used to organise fundraising events, organise makeovers and generally promote their town. As a result, they have attracted visitors from across the region, who now stay much longer because there is more to see and do.

One of the first projects funded by us after the makeover was this free book exchange, created by Dr Simon Hutchinson. The Facebook post went viral with over 37K + views and 9,604 people engaged

As part of the makeover, we created this Penguin Adventure Trail. It has proved so popular with weekend visitors, that one retailer has been putting vouchers for free coffees and other goodies in the Penguin's backpack. Retailers are finding clever ways to trade on the success of the makeover.

TURN YOUR NAYSAYERS INTO DOERS

With the traditional master-planning approach, the naysayers and axe-grinders often sit on the sideline and throw rocks at Council. We have seen the 7 Day Makeover silence these critics and even turn some into doers.

> *They say "the stories we tell is the culture we create" and the new conversations here in Westport are full of pride, hope and positivity. All thanks to 7 days.*
>
> Michael Duff,
> Group Manager, Assets & Infrastructure

THE WALKABOUT

THE 'DOING' STARTS

THE WORKSHOP – WESTPORT, NZ

COMMUNITY WELL-BEING

The incredible bonding experience that people share on a 7 Day Makeover is invaluable.

Businesses and community members continue working together long after the makeover is finished.

These bonds are at the heart of building community well-being and resilience.

MEET THE CREATORS

David Engwicht and Jodi Stojanov are the creators of the 7 Day Makeover and they have continually refined the process through dozens of makeovers across Australia and NZ.

The very first makeovers were facilitated by David on his own and with a materials budget of just $5,000. He was then joined by Jodi who added her own brand of magic.

Today they bring a team of six and manage budgets over $60,000, large enough to significantly transform a town center.

David is the Project Manager and Artistic Director while Jodi manages the Coordination Point, budget and catering. Other team members include professional builders and designers.

Today, Jodi and David have an emphasis on delivering high-quality elements that will be loved by the community for decades.

They are also passionate about empowering communities to keep kicking goals long after they have left town. They have just released the latest version of the *Less Talk More Action System* which helps communities continue doing mini-makeovers.

"The 7 Day Makeover team are absolutely amazing! Their knowledge and passion for what they do is brilliant. Volunteering plays a big part in these makeovers but I can honestly say that without this team of awesome people it could never have happened! They are some of the most down to earth and genuine people I have ever met.

A 7 Day Makeover is more than just a makeover!"

Sean Gilbert - Volunteer Penguin

COSTS

ENTIRE PROGRAM & SYSTEM: [redacted]

All inclusive flat fee*

Plus contribution to the Materials Budget.

* Covers catering for up to 200 volunteer days. Each additional 50 volunteer days will be charged at $900. (Volunteer days is the number of volunteers signing in each day, totalled for the 7 days.)

7 DAY makeover

PREPARATION

Set up and manage Facebook Page with regular posts to inspire	✓
Publish event on 7day.com.au with downloadable brochure and links	✓
Design of all promotional materials	✓
Facebook advertising to promote event (paid by us)	✓
Set up and manage booking system with reminder emails (Eventbrite)	✓
Implementation Manual (a step-by-step guide for your organisation)	✓
Sample press releases (fill in the blanks)	✓
Sample communications plan (fill in the blanks)	✓

PROMO VISIT

Produce pledge forms for business sponsorship	✓
Run fund-raising event for businesses	✓
Run Info Night for general public to explain process	✓
Media interviews	✓
Do audit of Town Centre in preparation for What is Allowed Workshop	✓
Council Staff workshop - what will be happening and what to expect	✓
What Is Allowed Workshop (decides what is allowed during makeover)	✓
All travel and accommodation for David	✓

MAKEOVER

Giving Council staff know-how in running the 7 Day Makeover System	✓
H&S Management System - Induction video + quiz + volunteer badges	✓
Manuals for all participants in workshops	✓
Safety vests for all participants	✓
Makeover Starter Kit (brushes, protective eye-wear, ear plugs, gloves, sunscreen, first-aid kit, etc.)	✓
Use of a Basic Tool Kit (drills, saw, grinder, etc.)	✓
Project Whiteboards for each Project Team	✓
Makeover Budget Management System	✓
Pre-Start Checklist for each project for each day	✓
Morning tea, lunch and afternoon tea for participants during makeover	✓
Certificate of Appreciation for every participant	✓
Professional facilitation of every aspect of the makeover	✓
Makeover Support Team with previous experience to help with implementation (minimum of four people)	✓
All travel costs and living expenses for Facilitator and Makeover Crew	✓
Filming of all aspects of Makeover	✓
Launch Party	✓

POST MAKEOVER

The entire *Less Talk, More Action* System	✓
$4000 in grants for follow-up makeovers administered by us	✓
Mentoring of community for up to two years	✓
Evaluation of program	✓
Balance the books (draw up accounts)	✓
Produce a Final Report	✓
Send Final Report to all Sponsors	✓
Professionally edited short video of 7 Day Makeover	✓

YOUR RESPONSIBILITIES

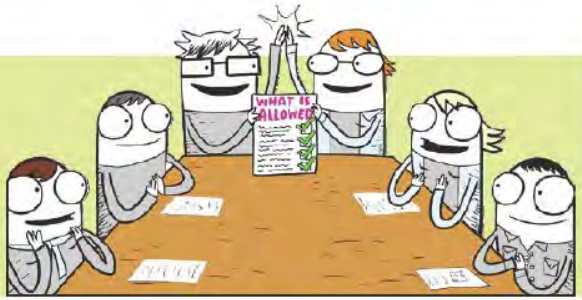
We will provide you with four documents:

- Implementation Task List with detailed time line
- Sample Communications Plan
- Sample Press Releases
- Draft "What is Allowed?" Document

In broad terms you responsibilities are:

- Provide a *Council Makeover Liaison Person* who will undertake the tasks below.
- Organise a briefing session with Council Staff 3-4 weeks prior to makeover. This will be followed by a *What is Allowed Workshop* with key staff to establish the ground rules for the makeover.
- Sign the *What is Allowed* document prior to the makeover.
- Approve advertising materials in a timely fashion.
- Book venues for events and provide a projector and screen for some events.
- Produce a communications plan that your media department will implement (we provide sample media releases, brochures, etc.).
- Provide some "craft materials" for the *Planning Workshop* (we will give you exact details for this).
- Check with your Council depot to see what resources they may be able to make available to the *Resources Bank*.
- Give feedback on your experience of the *7 Day Makeover*.

A signed WHAT IS ALLOWED Document is one of the keys to a successful makeover. We require this document before starting the makeover.



MARTON, NZ

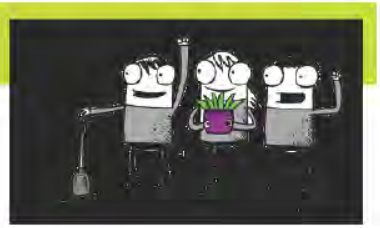
OUR HEALTH & SAFETY STRATEGY

The Coordination Point is an important part of our H&S System

IN DETAIL

- All volunteers must watch a 7 Day Makeover Volunteers' Induction video and pass a short quiz before they can participate in any activities. They must also sign that they will abide by the H&S plan outlined in the induction.
- Creative Communities will have a Health and Safety Manager who will take primary responsibility for ensuring that volunteers are complying. All members of the Makeover Crew will take responsibility for enforcing our H&S rules.
- Project Teams are asked to consider OHS issues when developing their project plan. If OHS issues cannot be adequately addressed, then the project must be parked.
- All participants must register, and provide their mobile number, and an emergency contact name and number. There will be a dedicated volunteer sign in table at the Coordination Point, and this will be staffed at all times.
- All volunteers must wear a safety vest, supplied by Creative Communities, along with enclosed shoes.
- There will be a laminated card explaining the sign in process for anyone who assists in signing in volunteers to ensure consistency in the process.
- Creative Communities will supply basic safety equipment at the sign-in desk including ear plugs, safety glasses, and gloves.
- Creative Communities supplies sunscreen, water and a first-aid kit which will be available at the sign-in desk.
- There will be an Incident Response sheet displayed prominently in the Coordination point outlining the actions that must be taken if there is an accident or incident of any kind.
- There will be Accident and Incident Report sheets on the sign-in desk which volunteers will be instructed to fill in should there be any accident or incident.
- The H&S Manager and the Facilitator will make regular inspections of all projects, and raise any safety concerns with the team leader for that project.
- The H&S Manger will liaise with Council to ensure there are adequate safety control devices on site to cover the needs of all the various projects. Safety control devices include cones, barriers and safety tape.

GLOSSARY OF TERMS



Coordination Point

The nerve centre of the Makeover. A space where the *Project Teams* work out of. Staffed by the *Facilitator* and the Support Team. This needs to be as close as possible to the makeover space. If the actual makeover space is not known, then something portable, such as a marquee or portable office is an option.

Facilitator

The *7 Day Makeover Facilitator* ensures the entire process runs smoothly. They work with the Project Team Leaders to maximise the benefits of their project and to ensure that all the projects contribute to delivering the best possible sense of place.

Info Night

A public meeting where the *7 Day Makeover* process is explained and people are invited to register to participate. Ideas for the makeover are not discussed at this meeting.

Less Talk, More Action System

An easy to follow process that helps the community continue to do makeovers without getting bogged down in endless talk. We supply everything needed to run the system.

Planning Workshop

On day one of the makeover, participants select the makeover space and generate potential projects. On day two they develop and test the viability of these projects and then form into *Project Teams*.

Project Team

Project Teams undertake a particular project, developed during the *Planning Workshop*. They have a nominated *Team Leader* and are responsible for managing their own budget and delivering the agreed project. They have a high level of autonomy but must coordinate with other *Project Teams*.

Resources Bank

This is the pool of resources that participants have to draw on in planning the makeover and includes the makeover budget as well as other resources and "junk" – for example, things laying around a Council Depot or in someone's garage. Often it is the up-cycling of these items that adds the most value to the makeover.

Staff Seminar

A short presentation to Council staff and Councillors explaining how the *7 Day Makeover* works and how they can support the process.

What is Allowed Workshop

A meeting with relevant Council staff to work out how Council can deal with issues of permits, approvals, and OHS in a way that supports the makeover and lays out a very clear "field of play" for participants. This may involve trials of new, innovative approaches. This workshop results in a signed document. We provide a draft "What is Allowed" document that the meeting uses as a template for an agreement.

Team Action Plan

Project Teams must develop their own implementation plan – who is doing what when and how much it will cost. Each team has their own *Project Plan Whiteboard*.

Volunteers' Briefing

A public meeting on the second day of the Makeover. Participants are invited to join a *Project Team*, and help develop the *Team Action Plan*.

WHAT DO YOU DO NEXT?

See if the 7 Day Makeover is the right approach for your town

EXPLORING POSSIBILITIES FOR OUR TOWN CENTRE

A HALF DAY WORKSHOP

FREE if you decide to proceed.

Only $4,300 if you decide to go it alone, but use the insights you get from the workshop.

BOOK NOW! jodi@7day.com.au

100% GUARANTEE RISK FREE 100% GUARANTEE

"The 7 Day Makeover has given me a sense of belonging and I am very grateful to the Central Coast Council for providing us with the opportunity to work with the amazing Creative Communities Team who brought out the best in all of us with the end result far exceeding our expectations."

Janelle Gilbert - Volunteer, Penguin

ITEM NO. 11 **FILE NO: 24/13319**
EDRMS NO: PSC2023-01326-0001

AUDIT, RISK AND IMPROVEMENT COMMITTEE - INDEPENDENT MEMBERS

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

RECOMMENDATION IS THAT COUNCIL:

1) Appoints Paul Dunn for the period of 4 years and Frank Cordingley for the period of 2 years as the independent external members of the Audit, Risk and Improvement Committee.
2) Endorses the remuneration of $1250 per meeting attended, per member.

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

021	**Councillor Leah Anderson** **Councillor Peter Francis** It was resolved that Council: 1) Appoints Paul Dunn for the period of 4 years and Frank Cordingley for the period of 2 years as the independent external members of the Audit, Risk and Improvement Committee. 2) Endorses the remuneration of $1250 per meeting attended, per member.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 recommend to Council the preferred candidates for appointment as the independent members to the Audit, Risk and Improvement Committee (ARIC).

The Office of Local Government released the Guidelines for Risk Management and Internal Audit for Local Government in NSW (the Guidelines) in November 2023. The Guidelines require Council to be compliant by 1 July 2024. The Guidelines prescribe the establishment of an Audit Risk and Improvement Committee, roles and responsibilities, the size and composition, appointments, remuneration and duration of term on the committee.

Council, at its meeting held on 8 August 2023 **(ATTACHMENT 1)**, appointed the independent chair of the ARIC, adopted the composition of the committee, nominated the non-voting Council delegate and renamed the committee to the Audit Risk and Improvement Committee.

APPOINTMENT OF INDEPENDENT MEMBERS

Expressions of interest (EOI) were invited from members of the public that meet the independent selection criteria and the eligibility criteria in accordance with the Guidelines. The role of an independent member is shown at **(ATTACHMENT 2)**.

A total of 31 EOIs were received with 3 candidates interviewed during December 2023.

The selection panel, comprising ARIC Chairperson Deborah Goodyer, General Manager and Governance Section Manager, recommend to Council that Paul Dunn and Frank Cordingley, as the preferred candidates, be appointed as the independent members to the ARIC.

PAUL DUNN

Mr Paul Dunn has over 38 years' experience in professional accounting across the private sector, State Government and the university industry providing financial management, advice and leadership. Paul has held senior roles overseeing financial and commercial management, logistics and procurement, governance framework for assets and risk management. Paul has previously been a member of the Hunter Medical Research Institute (HMRI) Audit and Risk Committee. Paul has strong business acumen and a pragmatic approach.

FRANK CORDINGLEY

Mr Frank Cordingley has over 20 years' experience working in both the private and public sectors. He offers unique experiences that would provide value to the committee and balance the experience of the other members through providing experience in general management, financial management, risk management, work health and safety, and improvement opportunities from an operational, as well as a financial, perspective. As Director Corporate Services for Hunter Health, Frank also held the position as an independent member on the Audit and Risk Management Committee of Health Support Services for a period of 3 years. In addition, Frank was also a Director on the Board of Newcastle Airport Ltd and a member of its Audit and Risk Management Committee. Frank has requested a 2 year appointment. As Frank

is a current member of the ARIC, a shorter appointment allows a transfer of committee knowledge to the new members.

The remuneration is $1250 per meeting, per member. Council is also obliged under the Superannuation Guarantee (Administration) Act 1992 to make compulsory superannuation guarantee contributions on behalf of Audit, Risk and Improvement Committee chairs and independent members.

The committee currently meets 4 times per year.

The initial term of an independent member is up to 4 years, with a further maximum of 4 years subject to re-appointment. After serving a total of 8 years, the member must have a 2 year break before being eligible for appointment.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

As a result of the new Guidelines being introduced, a future budget review will be required to cover the remuneration and superannuation requirements. A budget review will be included in the March Quarterly Budget Review.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		Additional funds will be required.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to ensure it is compliant with the Guidelines by 1 July 2024.

The independent members will be required to execute confidentiality agreements, complete pecuniary interest returns and comply with Council's Code of Conduct.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?

There is a risk that Council would not comply with the Guidelines for Risk Management and Internal Audit for Local Government in NSW if independent external members are not appointed.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

It is considered that the Audit Risk and Improvement Committee will add significant rigour to Council's governance framework, risk control, compliance and financial reporting and will enhance Council's reputation, operations and financial sustainability.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Governance Section.

Internal

General Manager.

External

Expressions of Interest were invited from members of the community that satisfied the independent selection criteria and the eligibility criteria.

OPTIONS

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

ATTACHMENTS

1) Council report - 8 August 2023
2) Audit Risk and Improvement Committee - role of independent member.

COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 8 AUGUST 2023

ITEM NO. 1 **FILE NO: 23/180006**
EDRMS NO: PSC2023-01326

AUDIT COMMITTEE

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

RECOMMENDATION IS THAT COUNCIL:

1) Renames the Audit Committee to the Audit Risk and Improvement Committee.
2) Appoints 1 councillor as a non-voting member to the Audit Risk and Improvement Committee.
3) Appoints Deborah Goodyer as the independent external chairperson to the Audit Risk and Improvement Committee until 1 October 2027.
4) Sets the independent membership at 3 for the Audit Risk and Improvement Committee, subject to consultation with the new chairperson.
5) Endorses the chairperson's remuneration of $1500 per meeting attended.

ORDINARY COUNCIL MEETING - 8 AUGUST 2023
MOTION

003	**Councillor Glen Dunkley** **Councillor Leah Anderson** It was resolved that Council: 1) Renames the Audit Committee to the Audit Risk and Improvement Committee. 2) Appoints Cr Leah Anderson as a non-voting member to the Audit Risk and Improvement Committee. 3) Appoints Deborah Goodyer as the independent external chairperson to the Audit Risk and Improvement Committee until 1 October 2027. 4) Sets the independent membership at 3 for the Audit Risk and Improvement Committee, subject to consultation with the new chairperson. 5) Endorses the chairperson's remuneration of $1500 per meeting attended.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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 recommend to Council the preferred candidate for appointment as the independent chairperson to the Audit Risk and Improvement Committee, rename the committee and establish the size and composition of the new committee.

The Office of Local Government released the Guidelines for Risk Management and Internal Audit for Local Government in NSW (the Guidelines) in 2022 **(ATTACHMENT 1)**. The Guidelines require Council to be compliant by 1 July 2024. The Guidelines prescribe the establishment of an audit risk and improvement committee, roles and responsibilities, the size and composition, appointments, remuneration, and duration of term on the committee.

It is proposed to rename Council's Audit Committee to the Audit Risk and Improvement Committee to align with the Guidelines.

APPOINTMENT OF INDEPENDENT CHAIRPERSON

Expressions of interest (EOI) were invited from members of the public that meet the independent selection criteria and the eligibility criteria in accordance with the Guidelines. The role of the chairperson is shown at **(ATTACHMENT 2)**.

A total of 8 EOIs were received with 2 candidates interviewed during July 2023.

The selection panel, comprising Councillor Leah Anderson, Cr Glen Dunkley, General Manager and Governance Section Manager, recommend to Council Deborah Goodyer as the preferred candidate for appointment for the independent chairperson of the committee.

Ms Deborah Goodyer has over 35 years' experience in professional accounting and private law firms, and in state and local government providing audit, accounting and business advice. Deborah has held senior roles overseeing internal audit, corruption prevention and forensic accounting. Deborah has been involved with audit committees since 2018 in various roles, including independent chairperson and independent committee member. Deborah demonstrates a high level of understanding and knowledge of business and operational processes, governance, audit and risk management practices. The candidate's resume is shown at **(ATTACHMENT 3)**.

The remuneration is $1500 per meeting. Council is also obliged under the Superannuation Guarantee (Administration) Act 1992 to make compulsory superannuation guarantee contributions on behalf of audit, risk and improvement committee chairs and independent members.

The committee currently meets 4 times per year.

A copy of the candidate's resume has been circulated to Councillors under separate cover.

The initial term of an independent member is 4 years, with a further 4 years subject to re-appointment. After serving a total of 8 years, the member must have a 2 year break before being eligible for appointment.

Following the appointment of the chairperson, Council will commence appointment of the independent member/s in consultation with the chairperson.

NON-VOTING COUNCILLOR MEMBER

Council may appoint 1 councillor as a non-voting member of its audit risk and improvement committee. Councillors appointed as a non-voting member of an audit, risk and improvement committee must satisfy the eligibility criteria for councillor members of committees specified in the Guidelines at **(ATTACHMENT 4)**.

SIZE AND COMPOSITION OF THE COMMITTEE

Council is required to have an audit, risk and improvement committee that is appropriate for the Council's size, risk profile, operational complexity, resources, and its ability to attract suitably qualified committee members.

Council is to appoint an audit, risk and improvement committee that comprises of an independent chair and at least 2 independent members that meet the independence and eligibility criteria in these Guidelines.

At a minimum, an audit risk and improvement committee must comprise of the following:

- an independent chair who meets the independence criteria and the eligibility criteria for committee chairs, and
- at least 2 independent members who meet the independence criteria and the eligibility criteria for independent committee members.

Council is to determine the exact size of the audit, risk and improvement committee in consultation with the chair of the committee and General Manager, taking into account the needs and risk profile of Council, and likely workload of the committee.

It is recommended that Council appoint an independent chairperson and 2 independent members subject to consultation with the new chairperson regarding the size and composition of the committee.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

As a result of the new Guidelines being introduced, a future budget review will be required to cover the remuneration and superannuation requirements. A budget review will be included in the September Quarterly Budget Review.

Source of Funds	Yes/No	Funding ($)	Comment
Existing budget	Yes		Additional funds will be required.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to ensure it is compliant with the Guidelines by 1 July 2024.

The independent members will be required to execute confidentiality agreements, complete pecuniary interest returns and comply with Council's Code of Conduct.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council would not comply with the Guidelines for Risk Management and Internal Audit for Local Government in NSW if independent external members are not appointed.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS
Includes Social, Economic and Environmental Implications

It is considered that the Audit Risk and Improvement Committee will add significant rigour to Council's governance framework, risk control, compliance and financial reporting and will enhance Council's reputation, operations and financial sustainability.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Governance Section.

Internal

General Manager

External

Expressions of Interest were invited from members of the committee that satisfied the independent selection criteria and the eligibility criteria.

OPTIONS

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

ATTACHMENTS

1) Risk Management and Internal Audit Guidelines for Local Government in NSW.
2) Audit Risk and Improvement Committee - role of chairperson.
3) CONFIDENTIAL Candidate's resume. (Provided under separate cover)
4) Audit Risk and Improvement Committee - non-voting councillor member.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 11 - ATTACHMENT 2 AUDIT RISK AND IMPROVEMENT COMMITTEE - ROLE OF INDEPENDENT MEMBER.

AUDIT RISK AND IMRPOVEMENT COMMITTEE
ROLE OF AN INDEPENDENT MEMBER

Independent audit, risk and improvement committee members are expected to be able to assess information provided to them about the council and to identify and assess key risks and issues.

Each member should be capable of making a valuable contribution to the committee.

To be successful in their role, a member must:

i. take a professional approach to their responsibilities, including an appropriate commitment of time and effort
ii. know the business, culture and values of the council and take the time to understand changes that affect how the council operates and its risks
iii. have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the committee's consideration of the annual financial statements
iv. understand the role of the committee and the expectations of the council → act in the best interests of the council
v. take a professional approach
vi. be a good communicator and build effective relationships with the council and other committee members, and
vii. have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry.

ITEM NO. 12 **FILE NO: 24/30710**
EDRMS NO: PSC2022-02308

INFORMATION PAPERS

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

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 27 February 2024.

No:	Report Title	Page:
1	Cash Investment Portfolio - December 2023	216
2	Cash Investment Portfolio - January 2024	226
3	Delegations Report	236
4	Council Resolutions	238

ORDINARY COUNCIL MEETING - 27 FEBRUARY 2024
MOTION

022	**Councillor Glen Dunkley** **Councillor Jason Wells** It was resolved that Council receives and notes the Information Papers listed below being presented to Council on 27 February 2024. **No: Report Title** 1 Cash Investment Portfolio - December 2023 2 Cash Investment Portfolio - January 2024 3 Delegations Report 4 Council Resolutions

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, 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: 23/342352**
EDRMS NO: PSC2017-00180

CASH INVESTMENT PORTFOLIO - DECEMBER 2023

REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

BACKGROUND

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

Council's total portfolio of investments was $87 million with an additional $1 million held in Council's operational account as at 31 December 2023.

The investment portfolio is consistent with benchmarks regarding product type, institution exposure, rating exposure and maturity limits.

The investment portfolio is currently yielding 4.55% p.a. on a rolling 1-year performance, which was 0.66% above the benchmark with investment income on target to meet or exceed budget.

Council has sufficient cash to cover all reserves, however, the unrestricted amount has decreased due to operational needs and will continue to be monitored.

ATTACHMENTS

1) Cash Investment Portfolio - December 2023.

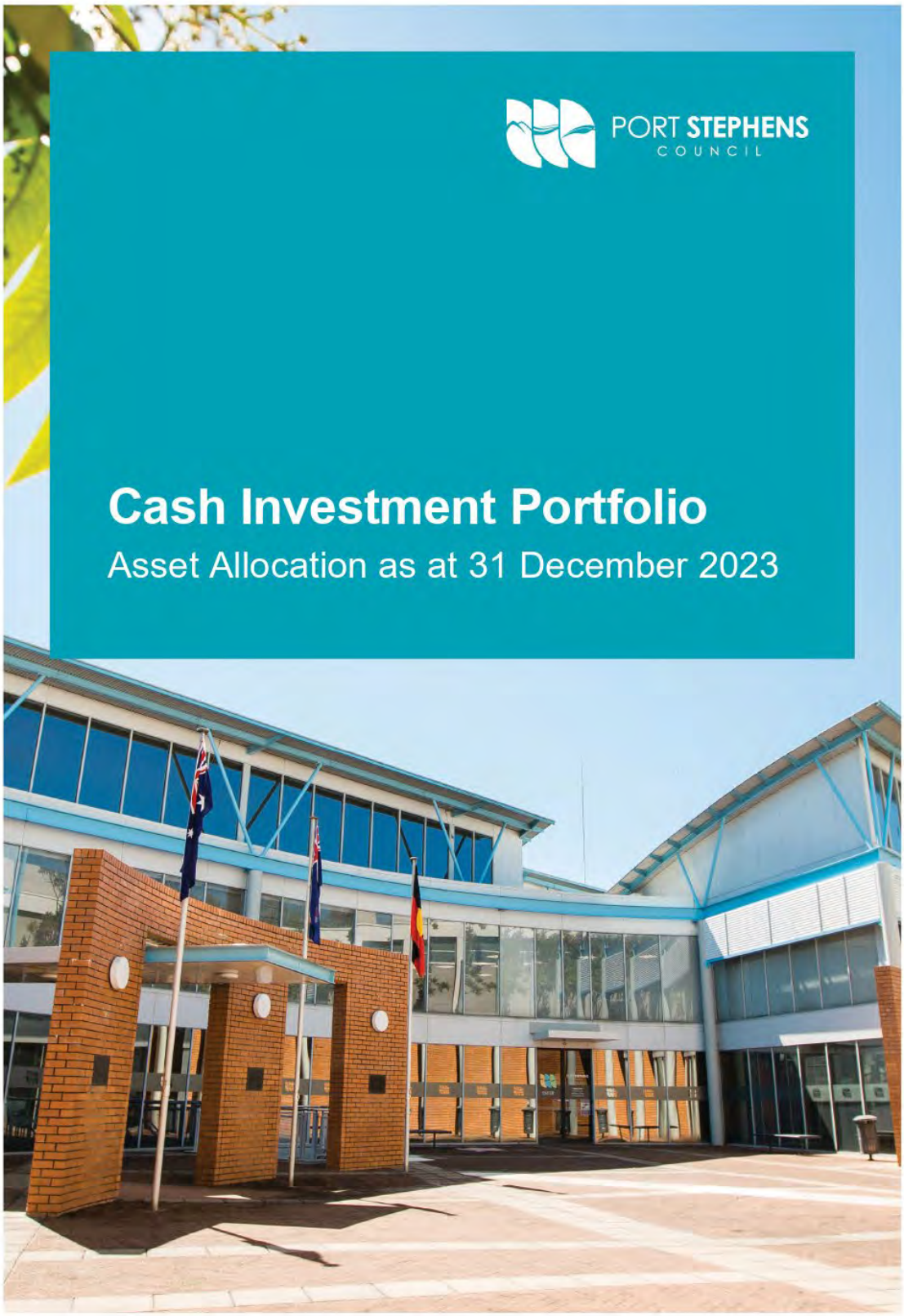
COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

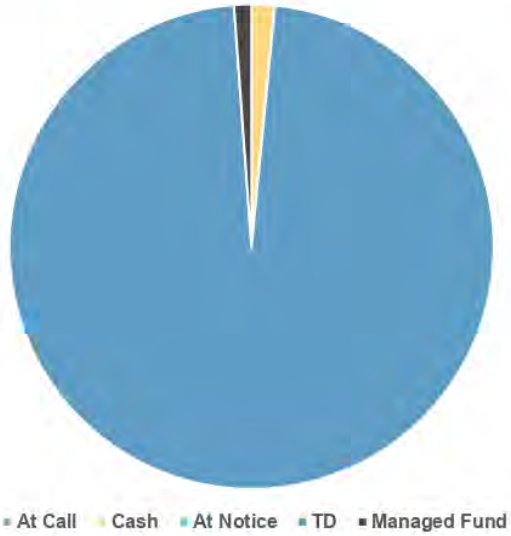
Nil.

ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.



ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

Cash Investment Portfolio Holdings

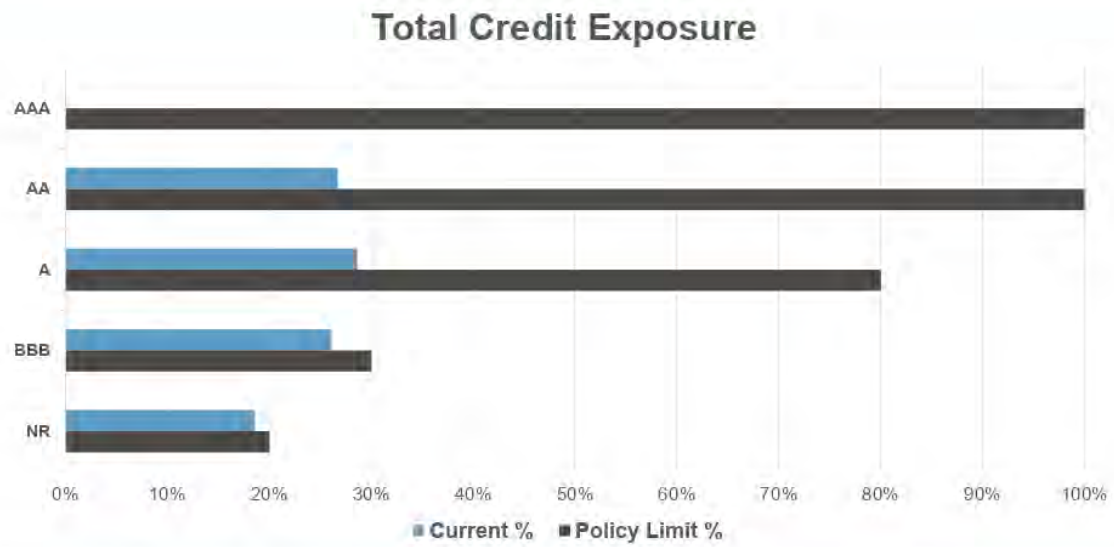


Product Type	Market Value ($)	Compliance
At Call	-	
Cash	1,363,185	✓
At Notice	-	
TD	86,143,073	✓
Managed Fund	1,022,977	✓
	88,529,235	

✓ = compliant
× = non-compliant

ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

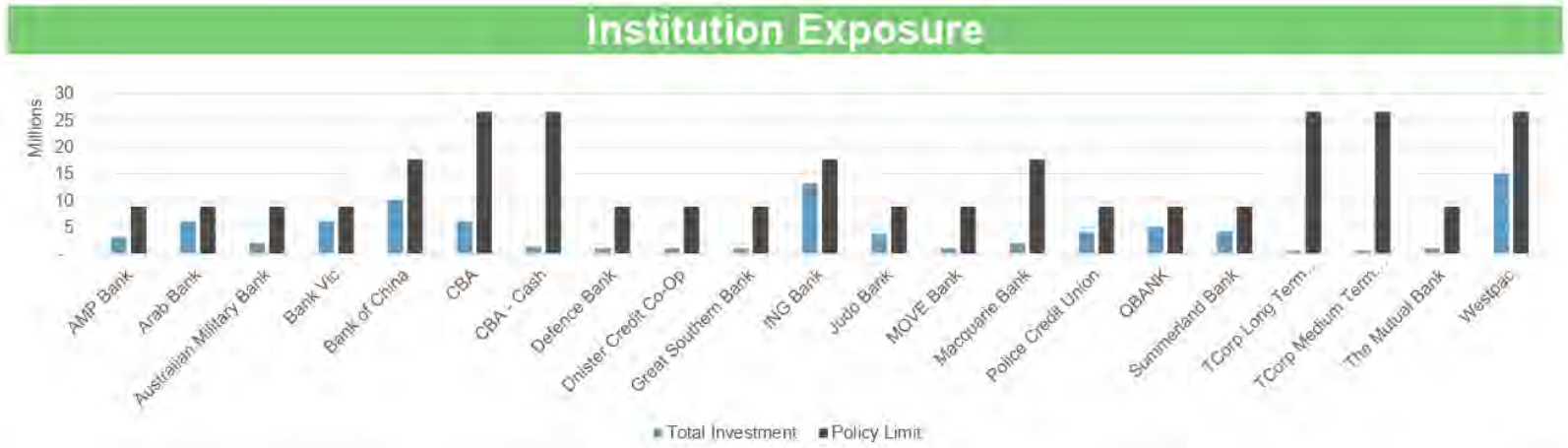
Rating Exposure



Credit Rating Group	Market Value ($)	Current %	Policy Limit %	Compliance
AAA	-	0%	100%	✓
AA	23,637,789	27%	100%	✓
A	25,366,766	29%	80%	✓
BBB	23,074,362	26%	30%	✓
NR	16,450,317	19%	20%	✓
	88,529,235	**100%**		

✓ = compliant
× = non-compliant

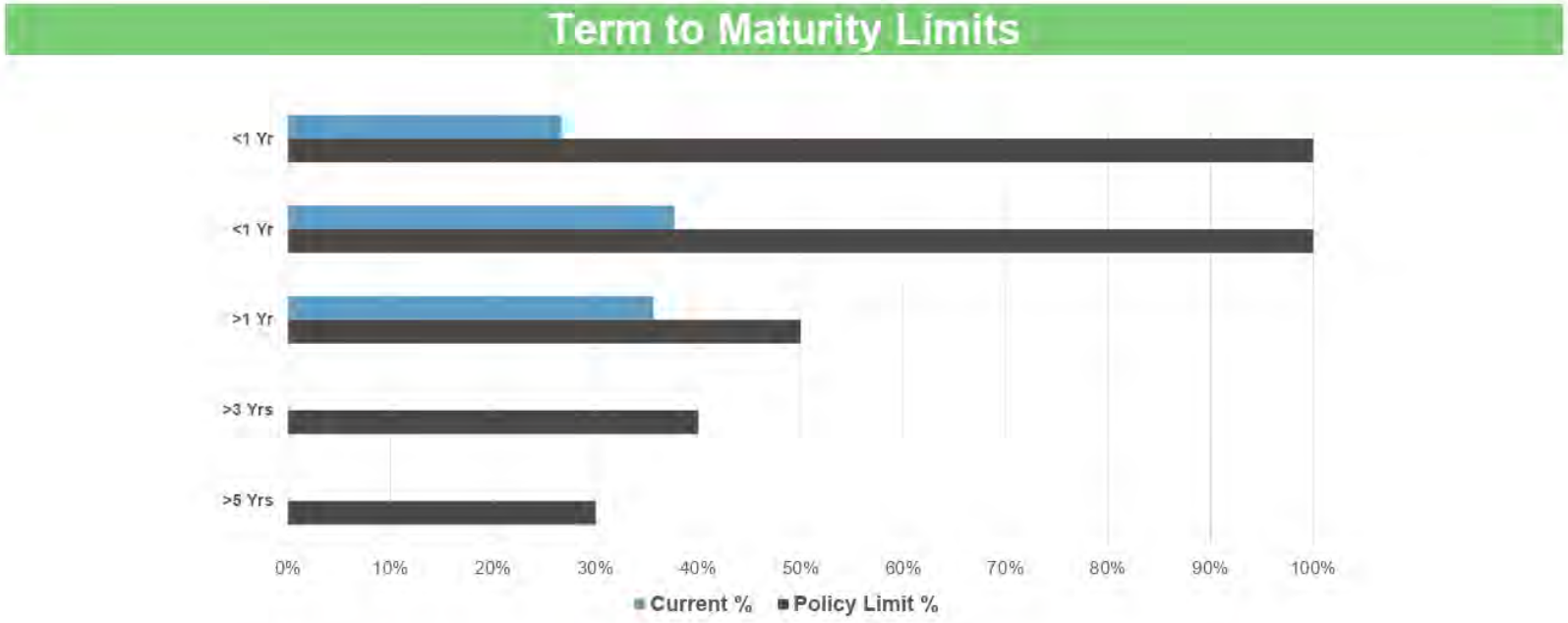
ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.



Institution	Rating	Total Investment	Exposure	Policy Limit	Remaining to Limit	Compliance
AMP Bank	BBB	3,088,836	3%	10%	5,764,088	✓
Arab Bank	NR	6,103,055	7%	10%	2,749,868	✓
Australian Military Bank	BBB	2,036,221	2%	10%	6,816,702	✓
Bank Vic	BBB	6,112,273	7%	10%	2,740,650	✓
Bank of China	A	10,109,882	11%	20%	7,595,964	✓
CBA	AA	6,139,361	7%	30%	20,419,409	✓
CBA - Cash	AA	1,363,185	2%	30%	25,195,585	✓
Defence Bank	BBB	1,032,548	1%	10%	7,820,376	✓
Dnister Credit Co-Op	NR	1,004,562	1%	10%	7,848,362	✓
Great Southern Bank	BBB	1,017,404	1%	10%	7,835,519	✓
ING Bank	A	13,227,887	15%	20%	4,477,960	✓
Judo Bank	BBB	3,715,051	4%	10%	5,137,873	✓
MOVE Bank	NR	1,030,900	1%	10%	7,822,023	✓
Macquarie Bank	A	2,028,997	2%	20%	15,676,850	✓
Police Credit Union	NR	4,118,067	5%	10%	4,734,856	✓
QBANK	BBB	5,042,473	6%	10%	3,810,451	✓
Summerland Bank	NR	4,193,733	5%	10%	4,659,191	✓
TCorp Long Term Growth Fund	AA	511,292	1%	30%	26,047,478	✓
TCorp Medium Term Growth Fund	AA	511,685	1%	30%	26,047,086	✓
The Mutual Bank	BBB	1,029,556	1%	10%	7,823,367	✓
Westpac	AA	15,112,266	17%	30%	11,446,504	✓
Total		88,529,235				

✓ = compliant
✗ = non-compliant

ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

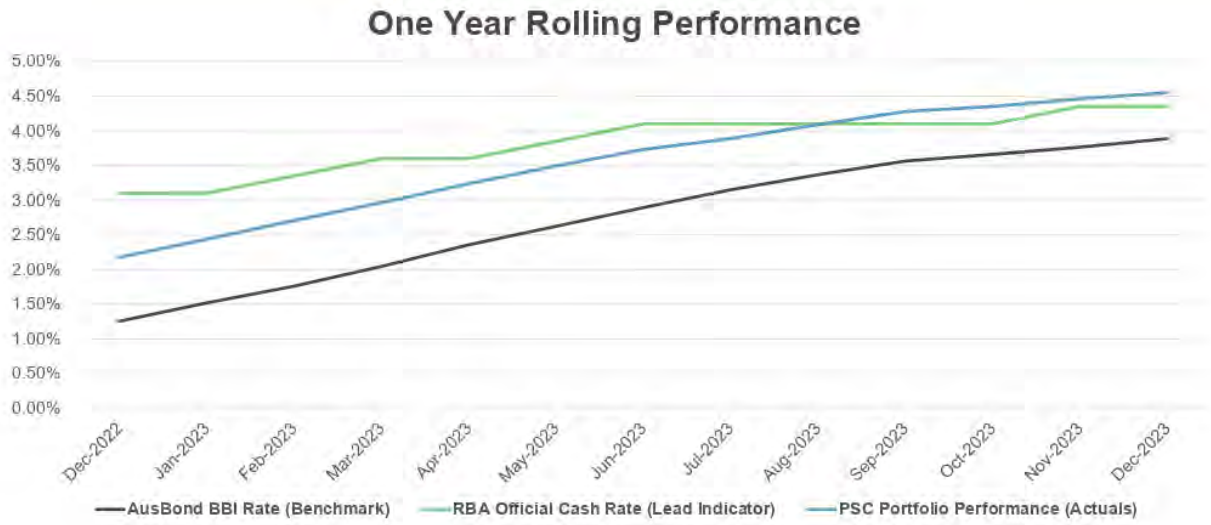


Detailed Maturity Profile	Market Value ($)	Current %	Policy Limit %	Compliance
Less than or equal 90 Days	23,599,053	27%	100%	✓
Between 90 Days and 365 Days	33,368,906	38%	100%	✓
Between 366 Days and 3 Years	31,561,275	36%	50%	✓
Between 3 Years and 5 Years	-	0%	40%	✓
Greater than 5 Years	-	0%	30%	✓
	88,529,235	**100%**		

✓ = compliant
× = non-compliant

ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

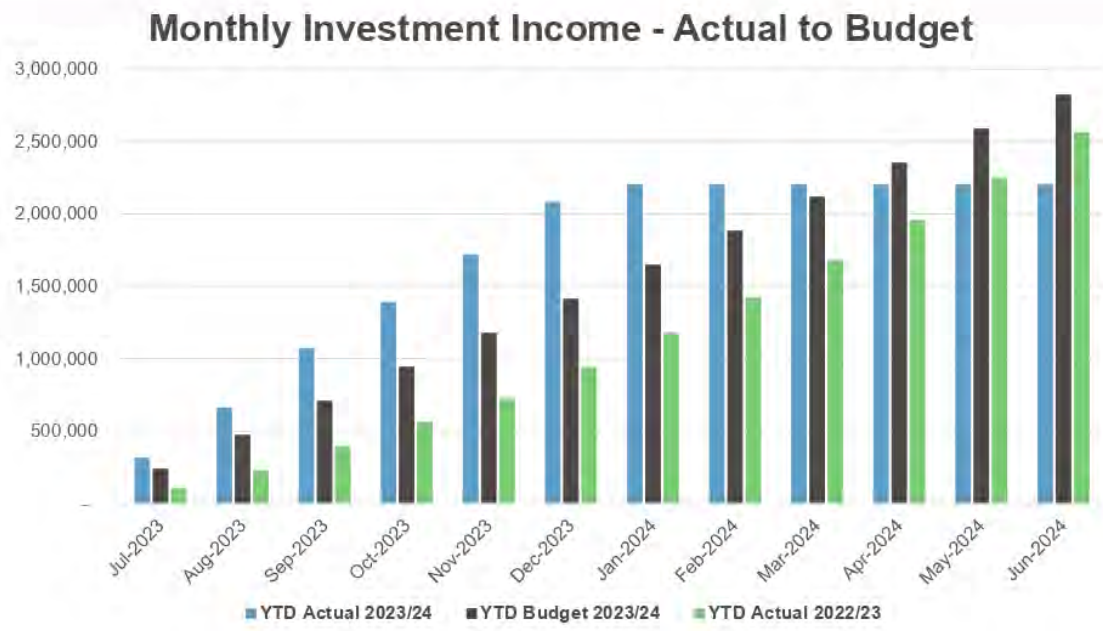
Portfolio Performance



Performance	1 month actual	3 months actual	6 months actual	FYTD actual	1 year % p.a. (Rolling)
Bloomberg AusBond BBI (Benchmark)	0.37%	1.06%	2.15%	2.15%	3.89%
PSC Investment Portfolio	0.43%	1.19%	2.46%	2.46%	4.55%
Outperformance/(underperformance)	**0.06%**	**0.13%**	**0.31%**	**0.31%**	**0.66%**

ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

Income Earned vs Budget



ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

Investment Register

Institution	Market Value	Days Held	Interest Rate	Date Invested	Maturity Date	Rating
CBA - Cash	1,363,185	1		31/12/2023	1/01/2024	AA
ING Bank	1,022,302	559	4.33%	24/06/2022	4/01/2024	A
Bank of China	7,058,963	73	4.73%	27/10/2023	8/01/2024	A
QBANK	5,042,473	75	4.77%	27/10/2023	10/01/2024	BBB
ING Bank	1,022,048	566	4.35%	29/06/2022	16/01/2024	A
Westpac	1,007,562	532	4.00%	8/08/2022	22/01/2024	AA
Westpac	1,006,795	539	4.00%	8/08/2022	29/01/2024	AA
Westpac	1,002,599	732	1.53%	28/01/2022	30/01/2024	AA
TCorp Medium Term Growth Fund	511,685	148		5/09/2023	31/01/2024	AA
TCorp Long Term Growth Fund	511,292	148		5/09/2023	31/01/2024	AA
Westpac	1,002,599	746	1.53%	28/01/2022	13/02/2024	AA
Westpac	1,002,121	741	1.72%	16/02/2022	27/02/2024	AA
Westpac	1,003,534	557	4.30%	1/09/2022	11/03/2024	AA
Bank Vic	1,041,896	409	4.62%	3/02/2023	18/03/2024	BBB
Westpac	1,009,432	542	4.53%	14/10/2022	8/04/2024	AA
Judo Bank	844,157	732	3.35%	22/04/2022	23/04/2024	BBB
Summerland Bank	1,050,789	523	4.60%	23/11/2022	29/04/2024	NR
Judo Bank	844,157	746	3.35%	22/04/2022	7/05/2024	BBB
Macquarie Bank	1,014,257	627	4.41%	1/09/2022	20/05/2024	A
CBA	1,011,593	475	4.65%	7/02/2023	27/05/2024	AA
ING Bank	1,029,608	377	5.05%	31/05/2023	11/06/2024	A
Macquarie Bank	1,014,740	649	4.41%	1/09/2022	11/06/2024	A
ING Bank	1,029,608	383	5.05%	31/05/2023	17/06/2024	A
ING Bank	1,029,063	384	5.10%	6/06/2023	24/06/2024	A
The Mutual Bank	1,029,556	362	5.80%	28/06/2023	24/06/2024	BBB
Westpac	1,004,529	685	4.35%	23/08/2022	8/07/2024	AA
Westpac	1,004,529	692	4.35%	23/08/2022	15/07/2024	AA
ING Bank	1,027,806	376	5.67%	5/07/2023	15/07/2024	A
Australian Military Bank	1,015,430	704	4.40%	25/08/2022	29/07/2024	BBB
Police Credit Union	1,044,011	538	5.02%	14/02/2023	5/08/2024	NR
Westpac	1,005,490	538	5.01%	21/02/2023	12/08/2024	AA
Defence Bank	1,032,548	479	4.95%	5/05/2023	26/08/2024	BBB
CBA	1,022,438	396	5.46%	3/08/2023	2/09/2024	AA
Bank Vic	1,040,022	544	5.02%	15/03/2023	9/09/2024	BBB
Police Credit Union	1,033,008	500	5.02%	5/05/2023	16/09/2024	NR
Police Credit Union	1,033,008	507	5.02%	5/05/2023	23/09/2024	NR
CBA	1,022,274	424	5.42%	3/08/2023	30/09/2024	AA
ING Bank	1,000,513	655	4.68%	23/12/2022	8/10/2024	A
ING Bank	1,000,717	661	4.70%	23/12/2022	14/10/2024	A
Great Southern Bank	1,017,404	409	5.25%	1/09/2023	14/10/2024	BBB
CBA	1,017,106	416	5.16%	1/09/2023	21/10/2024	AA
Westpac	1,007,786	732	4.90%	3/11/2022	4/11/2024	AA
Summerland Bank	1,051,341	719	4.65%	23/11/2022	11/11/2024	NR
Summerland Bank	1,051,341	726	4.65%	23/11/2022	18/11/2024	NR
ING Bank	1,003,329	724	4.50%	2/12/2022	25/11/2024	A
ING Bank	1,003,699	738	4.50%	2/12/2022	9/12/2024	A
CBA	1,023,615	731	4.71%	20/12/2022	20/12/2024	AA
Police Credit Union	1,008,040	612	5.02%	5/05/2023	6/01/2025	NR
ING Bank	1,028,379	587	4.98%	6/06/2023	13/01/2025	A
Westpac	1,003,411	594	4.98%	6/06/2023	20/01/2025	AA
Judo Bank	998,784	579	5.75%	28/06/2023	27/01/2025	BBB
Westpac	1,028,379	602	4.98%	6/06/2023	28/01/2025	AA
Arab Bank	1,029,709	593	5.83%	28/06/2023	10/02/2025	NR
CBA	1,042,335	733	4.74%	8/02/2023	10/02/2025	AA
Bank Vic	1,017,006	535	5.13%	1/09/2023	17/02/2025	BBB
Arab Bank	1,017,106	542	5.16%	1/09/2023	24/02/2025	NR
Arab Bank	1,029,709	607	5.83%	28/06/2023	24/02/2025	NR
Bank of China	1,016,973	556	5.12%	1/09/2023	10/03/2025	A
Summerland Bank	1,040,262	726	5.05%	15/03/2023	10/03/2025	NR
Arab Bank	1,017,106	563	5.16%	1/09/2023	17/03/2025	NR
Westpac	1,014,610	550	5.28%	21/09/2023	24/03/2025	AA
ING Bank	1,009,759	515	5.48%	27/10/2023	25/03/2025	A
Westpac	1,008,890	515	5.50%	2/11/2023	31/03/2025	AA
AMP Bank	1,034,932	732	5.00%	20/04/2023	21/04/2025	BBB
AMP Bank	1,032,329	727	5.00%	9/05/2023	5/05/2025	BBB
MOVE Bank	1,030,900	731	5.15%	26/05/2023	26/05/2025	NR
Arab Bank	1,004,839	559	5.52%	29/11/2023	10/06/2025	NR
Judo Bank	1,027,953	733	5.70%	5/07/2023	7/07/2025	BBB
AMP Bank	1,021,575	725	5.25%	3/08/2023	28/07/2025	BBB
Australian Military Bank	1,020,791	726	5.27%	9/08/2023	4/08/2025	BBB
ING Bank	1,021,055	734	5.30%	8/08/2023	11/08/2025	A
Bank of China	1,016,973	717	5.12%	1/09/2023	18/08/2025	A
Bank of China	1,016,973	724	5.12%	1/09/2023	25/08/2025	A
Dnister Credit Co-Op	1,004,562	647	5.55%	1/12/2023	8/09/2025	NR
Arab Bank	1,004,586	661	5.58%	1/12/2023	22/09/2025	NR
Bank Vic	1,004,438	696	5.40%	1/12/2023	27/10/2025	BBB
Bank Vic	1,004,455	703	5.42%	1/12/2023	3/11/2025	BBB
Bank Vic	1,004,455	717	5.42%	1/12/2023	17/11/2025	BBB
Total	88,529,235					

ITEM 1 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - DECEMBER 2023.

Restricted Cash

Reserve	As at December 2023 $'000
External	
Deposits, retentions and bonds	964
Grants and Contributions	9,660
Developer contributions (inc Haulage)	21,186
Domestic Waste Management	7,950
Crown Reserve	9,497
Internal	
Asset Rehab/Reseals	3,132
Drainage	1,183
Commercial Property	17,516
Election Reserve	458
Employee Leave Entitlements (ELE)	1,000
Fleet	1,660
Resilience fund	3,000
Grants Co-contribution	869
Emergency & Natural Disaster	4,149
Other Waste	22
Council Parking	534
IT	2,105
Sustainable energy and water reserve	53
Repealed	2,442
Admin Building	567
Ward Funds	51
Community Halls	73
Community Loans	200
Total	**88,271**
Cash and Investment Report	**88,529**
Variance Cash Reserves to Bank Account	**258**
Variance Due to:	
Outstanding State Roads payments	35
Loans not funded through a reserve	124
Outstanding GST refund	332
Total Variance	**491**
Unrestricted Cash/(Shortfall)	**749**
(due to timing of income and expenditure)	

ITEM NO. 2 **FILE NO: 23/342307**
EDRMS NO: PSC2017-00180

CASH INVESTMENT PORTFOLIO - JANUARY 2024

REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

BACKGROUND

The purpose of this report is to present Council's schedule of cash and investments held at 31 January 2024.

Council's total portfolio of investments was $81 million with an additional $2.5 million held in Council's operational account as at 31 January 2024.

The investment portfolio is currently yielding 4.68% p.a. on a rolling 1- year performance, which was 0.68% above the benchmark with investment income on target to meet or exceed budget.

The investment portfolio meets the benchmarks for institution exposure and maturity limits but is outside of the benchmark in relation to rating exposure. As at 31 January 2024 Council held 1% more cash with non-rated institutions than the benchmarks allow for which is due to the overall portfolio holdings decreasing from the normal consumption of cash during the month. No further investments will be placed with non-rated institutions until the benchmark is reached.

The decrease in Council's unrestricted cash is due to operational needs, it will continue to be monitored.

ATTACHMENTS

1) Cash Investment Portfolio - January 2024.

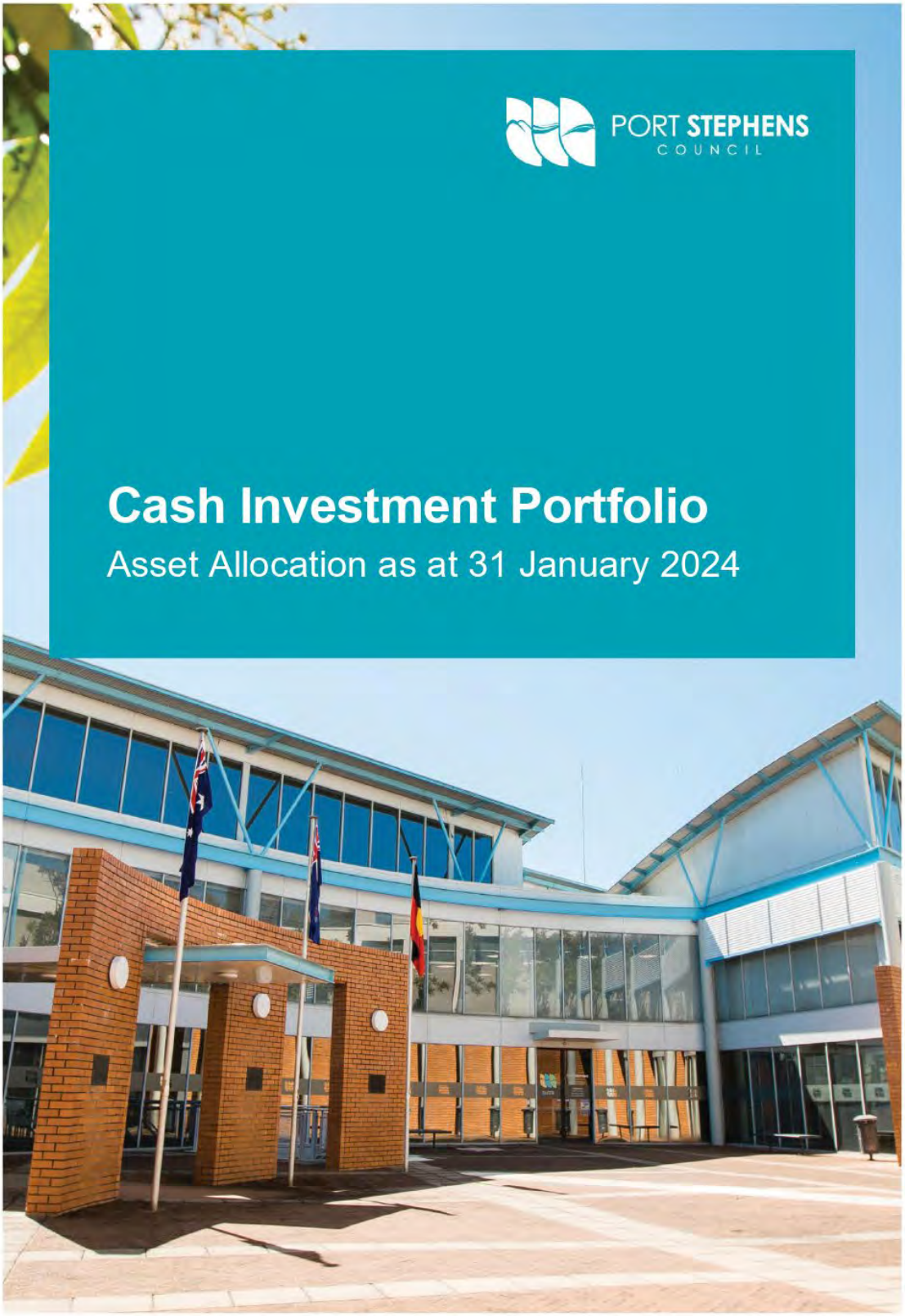
COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

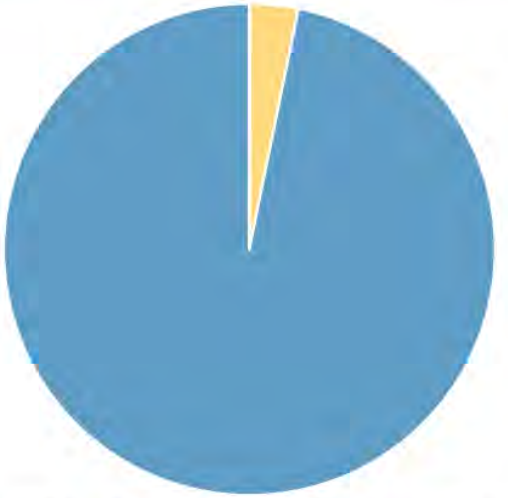
Nil.

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.



ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

Cash Investment Portfolio Holdings

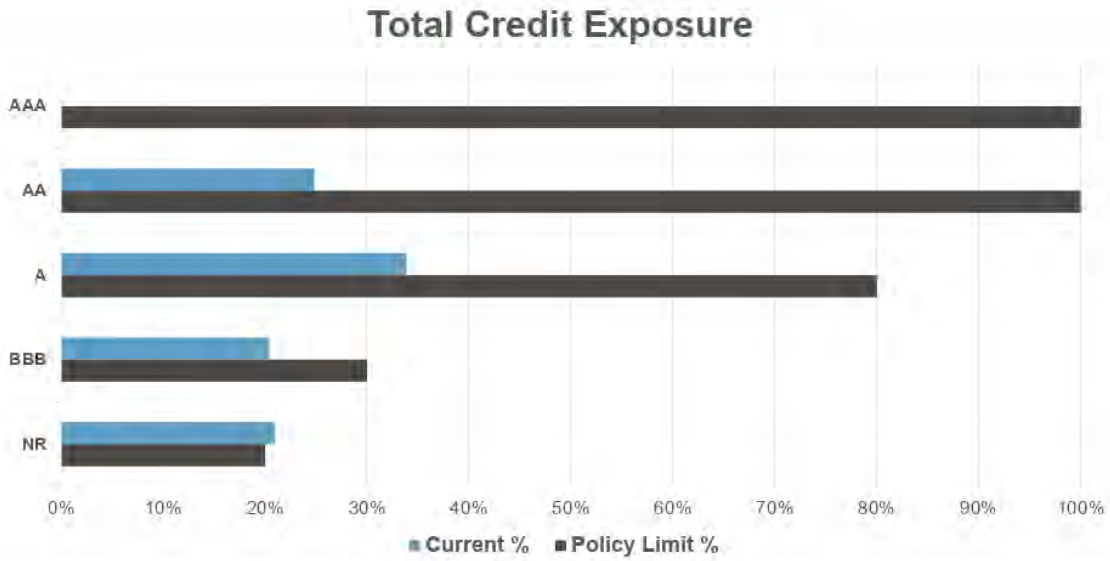


Product Type	Market Value ($)	Benchmark
At Call	-	
Cash	2,691,410	✓
At Notice	-	
TD	81,131,195	✓
Managed Fund	-	
	83,822,605	

✓ = meets benchmark
× = outside benchmark

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

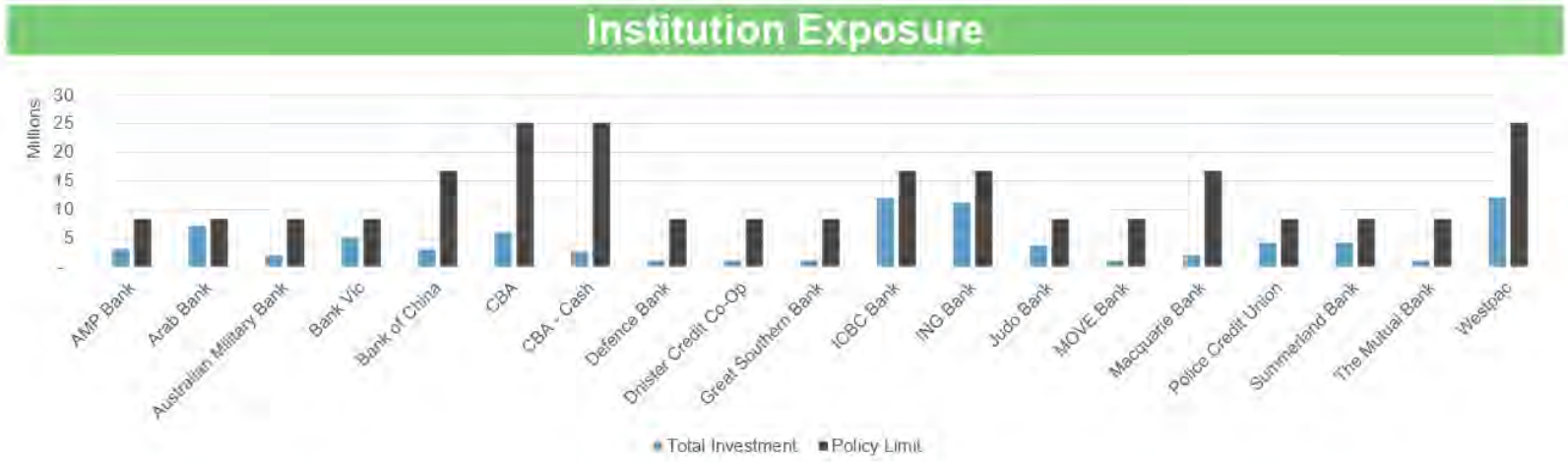
Rating Exposure



Credit Rating Group	Market Value ($)	Current %	Policy Limit %	Benchmark
AAA	-	0%	100%	✓
AA	20,818,912	25%	100%	✓
A	28,363,090	34%	80%	✓
BBB	17,092,097	20%	30%	✓
NR	17,548,505	21%	20%	×
	83,822,605	**100%**		

✓ = meets benchmark
× = outside benchmark

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

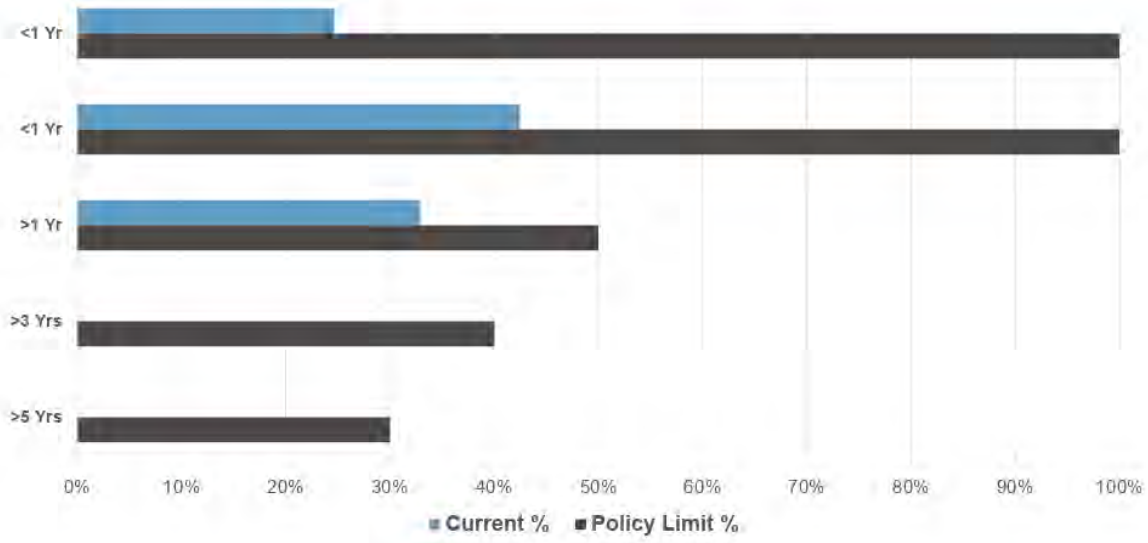


Institution	Rating	Total Investment	Exposure	Policy Limit	Remaining to Limit	Benchmark
AMP Bank	BBB	3,101,788	4%	10%	5,280,473	✓
Arab Bank	NR	7,134,039	9%	10%	1,248,222	✓
Australian Military Bank	BBB	2,044,434	2%	10%	6,337,826	✓
Bank Vic	BBB	5,092,790	6%	10%	3,289,470	✓
Bank of China	A	3,063,965	4%	20%	13,700,556	✓
CBA	AA	6,024,773	7%	30%	19,122,009	✓
CBA - Cash	AA	2,691,410	3%	30%	22,455,372	✓
Defence Bank	BBB	1,036,752	1%	10%	7,345,508	✓
Dnister Credit Co-Op	NR	1,009,275	1%	10%	7,372,985	✓
Great Southern Bank	BBB	1,021,863	1%	10%	7,360,397	✓
ICBC Bank	A	12,032,380	14%	20%	4,732,141	✓
ING Bank	A	11,230,257	13%	20%	5,534,264	✓
Judo Bank	BBB	3,759,988	4%	10%	4,622,273	✓
MOVE Bank	NR	1,035,274	1%	10%	7,346,987	✓
Macquarie Bank	A	2,036,488	2%	20%	14,728,033	✓
Police Credit Union	NR	4,160,090	5%	10%	4,222,171	✓
Summerland Bank	NR	4,209,827	5%	10%	4,172,433	✓
The Mutual Bank	BBB	1,034,482	1%	10%	7,347,778	✓
Westpac	AA	12,102,729	14%	30%	13,044,052	✓
Total		83,822,605				

✓ = meets benchmark
✗ = outside benchmark

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

Term to Maturity Limits

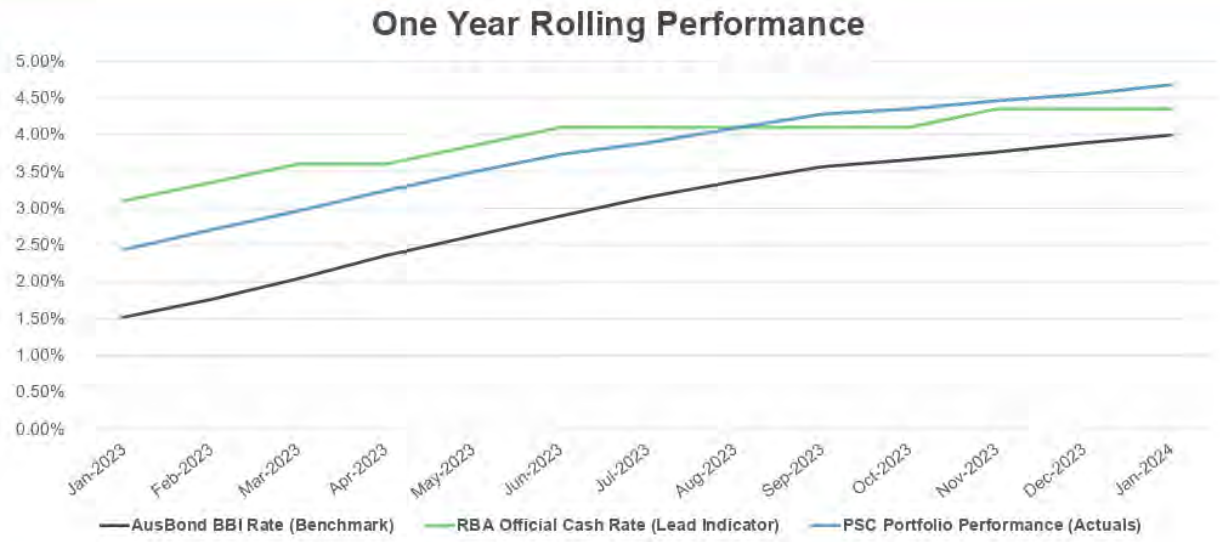


Detailed Maturity Profile	Market Value ($)	Current %	Policy Limit %	Benchmark
Less than or equal 90 Days	20,641,642	25%	100%	✓
Between 90 Days and 365 Days	35,608,984	42%	100%	✓
Between 366 Days and 3 Years	27,571,979	33%	50%	✓
Between 3 Years and 5 Years	-	0%	40%	✓
Greater than 5 Years	-	0%	30%	✓
	83,822,605	**100%**		

✓ = meets benchmark
× = outside benchmark

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

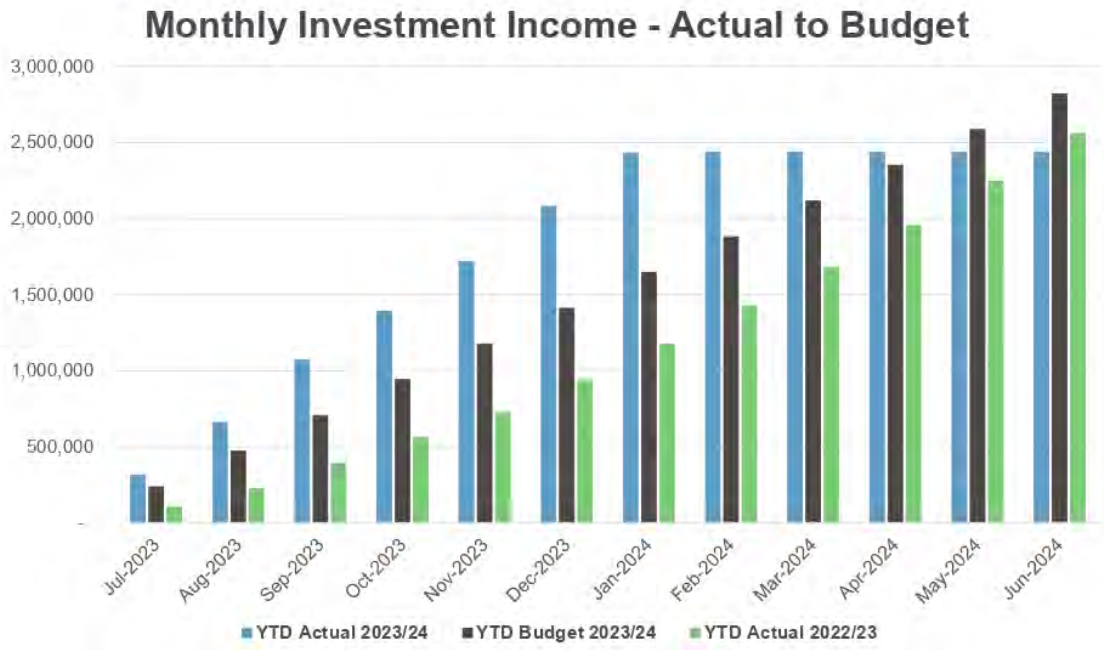
Portfolio Performance



Performance	1 month actual	3 months actual	6 months actual	FYTD actual	1 year % p.a. (Rolling)
Bloomberg AusBond BBI (Benchmark)	0.37%	1.09%	2.15%	2.53%	4.00%
PSC Investment Portfolio	0.42%	1.25%	2.52%	2.90%	4.68%
Outperformance/(underperformance)	**0.06%**	**0.16%**	**0.37%**	**0.37%**	**0.68%**

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

Income Earned vs Budget



ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

Investment Register

Institution	Market Value	Days Held	Interest Rate	Date Invested	Maturity Date	Rating
CBA - Cash	2,691,410	1		31/01/2024	1/02/2024	AA
Westpac	1,003,898	746	1.53%	28/01/2022	13/02/2024	AA
Westpac	1,003,581	741	1.72%	16/02/2022	27/02/2024	AA
ICBC Bank	12,032,380	61	4.69%	10/01/2024	11/03/2024	A
Westpac	1,007,186	557	4.30%	1/09/2022	11/03/2024	AA
Westpac	1,001,986	542	4.53%	14/10/2022	8/04/2024	AA
Judo Bank	846,504	732	3.35%	22/04/2022	23/04/2024	BBB
Summerland Bank	1,054,696	523	4.60%	23/11/2022	29/04/2024	NR
Judo Bank	846,504	746	3.35%	22/04/2022	7/05/2024	BBB
Macquarie Bank	1,018,002	627	4.41%	1/09/2022	20/05/2024	A
CBA	1,003,822	475	4.65%	7/02/2023	27/05/2024	AA
ING Bank	1,033,897	377	5.05%	31/05/2023	11/06/2024	A
Macquarie Bank	1,018,486	649	4.41%	1/09/2022	11/06/2024	A
ING Bank	1,033,897	383	5.05%	31/05/2023	17/06/2024	A
The Mutual Bank	1,034,482	362	5.80%	28/06/2023	24/06/2024	BBB
ING Bank	1,033,395	384	5.10%	6/06/2023	24/06/2024	A
Westpac	1,008,223	685	4.35%	23/08/2022	8/07/2024	AA
ING Bank	1,032,622	376	5.67%	5/07/2023	15/07/2024	A
Westpac	1,008,223	692	4.35%	23/08/2022	15/07/2024	AA
Australian Military Bank	1,019,167	704	4.40%	25/08/2022	29/07/2024	BBB
Police Credit Union	1,048,275	538	5.02%	14/02/2023	5/08/2024	NR
Westpac	1,009,745	538	5.01%	21/02/2023	12/08/2024	AA
Defence Bank	1,036,752	479	4.95%	5/05/2023	26/08/2024	BBB
CBA	1,004,488	396	5.46%	3/08/2023	2/09/2024	AA
Bank Vic	1,044,286	544	5.02%	15/03/2023	9/09/2024	BBB
Police Credit Union	1,037,272	500	5.02%	5/05/2023	16/09/2024	NR
Police Credit Union	1,037,272	507	5.02%	5/05/2023	23/09/2024	NR
CBA	1,004,455	424	5.42%	3/08/2023	30/09/2024	AA
ING Bank	1,004,488	655	4.68%	23/12/2022	8/10/2024	A
Great Southern Bank	1,021,863	409	5.25%	1/09/2023	14/10/2024	BBB
ING Bank	1,004,709	661	4.70%	23/12/2022	14/10/2024	A
CBA	1,004,241	416	5.16%	1/09/2023	21/10/2024	AA
Westpac	1,011,948	732	4.90%	3/11/2022	4/11/2024	AA
Summerland Bank	1,055,290	719	4.65%	23/11/2022	11/11/2024	NR
Summerland Bank	1,055,290	726	4.65%	23/11/2022	18/11/2024	NR
ING Bank	1,007,151	724	4.50%	2/12/2022	25/11/2024	A
ING Bank	1,007,521	738	4.50%	2/12/2022	9/12/2024	A
CBA	1,003,871	731	4.71%	20/12/2022	20/12/2024	AA
Police Credit Union	1,037,272	612	5.02%	5/05/2023	6/01/2025	NR
ING Bank	1,032,609	587	4.98%	6/06/2023	13/01/2025	A
Westpac	1,007,641	594	4.98%	6/06/2023	20/01/2025	AA
Judo Bank	1,034,185	579	5.75%	28/06/2023	27/01/2025	BBB
Westpac	1,007,641	602	4.98%	6/06/2023	28/01/2025	AA
Arab Bank	1,034,661	593	5.83%	28/06/2023	10/02/2025	NR
CBA	1,003,896	733	4.74%	8/02/2023	10/02/2025	AA
Bank Vic	1,021,363	535	5.13%	1/09/2023	17/02/2025	BBB
Arab Bank	1,021,488	542	5.16%	1/09/2023	24/02/2025	NR
Arab Bank	1,034,661	607	5.83%	28/06/2023	24/02/2025	NR
Bank of China	1,021,322	556	5.12%	1/09/2023	10/03/2025	A
Summerland Bank	1,044,551	726	5.05%	15/03/2023	10/03/2025	NR
Arab Bank	1,021,488	563	5.16%	1/09/2023	17/03/2025	NR
Westpac	1,019,095	550	5.28%	21/09/2023	24/03/2025	AA
ING Bank	1,014,413	515	5.48%	27/10/2023	25/03/2025	A
Westpac	1,013,562	515	5.50%	2/11/2023	31/03/2025	AA
AMP Bank	1,039,178	732	5.00%	20/04/2023	21/04/2025	BBB
AMP Bank	1,036,575	727	5.00%	9/05/2023	5/05/2025	BBB
MOVE Bank	1,035,274	731	5.15%	26/05/2023	26/05/2025	NR
Arab Bank	1,009,528	559	5.52%	29/11/2023	10/06/2025	NR
Judo Bank	1,032,795	733	5.70%	5/07/2023	7/07/2025	BBB
AMP Bank	1,026,034	725	5.25%	3/08/2023	28/07/2025	BBB
Australian Military Bank	1,025,267	726	5.27%	9/08/2023	4/08/2025	BBB
ING Bank	1,025,556	734	5.30%	8/08/2023	11/08/2025	A
Bank of China	1,021,322	717	5.12%	1/09/2023	18/08/2025	A
Bank of China	1,021,322	724	5.12%	1/09/2023	25/08/2025	A
Dnister Credit Co-Op	1,009,275	647	5.55%	1/12/2023	8/09/2025	NR
Arab Bank	1,009,325	661	5.58%	1/12/2023	22/09/2025	NR
Bank Vic	1,009,025	696	5.40%	1/12/2023	27/10/2025	BBB
Bank Vic	1,009,058	703	5.42%	1/12/2023	3/11/2025	BBB
Bank Vic	1,009,058	717	5.42%	1/12/2023	17/11/2025	BBB
Arab Bank	1,002,888	733	5.02%	10/01/2024	12/01/2026	NR
Total	83,822,605					

ITEM 2 - ATTACHMENT 1 CASH INVESTMENT PORTFOLIO - JANUARY 2024.

Restricted Cash

Reserve	As at January 2024 $'000
External	
Deposits, retentions and bonds	963
Grants and Contributions	8,398
Developer contributions (inc Haulage)	21,321
Domestic Waste Management	7,813
Crown Reserve	8,068
Internal	
Asset Rehab/Reseals	2,845
Drainage	1,315
Commercial Property	17,539
Election Reserve	475
Employee Leave Entitlements (ELE)	1,000
Fleet	1,742
Resilience fund	3,000
Grants Co-contribution	1,079
Emergency & Natural Disaster	3,631
Other Waste	56
Council Parking	788
IT	2,139
Sustainable energy and water reserve	55
Repealed	2,136
Transport levy	5
Admin Building	598
Ward Funds	54
Community Halls	75
Community Loans	200
Total	**85,295**
Cash and Investment Report	**83,823**
Variance Cash Reserves to Bank Account	**(1,472)**
Variance Due to:	
Loans not funded through a reserve	187
Outstanding GST refund	337
Total Variance	**524**
Unrestricted Cash/(Shortfall)	**(948)**
(due to timing of income and expenditure)	

ITEM NO. 3 **FILE NO: 24/27200**
EDRMS NO: PSC2009-00965

DELEGATIONS REPORT

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

BACKGROUND

The purpose of this report is to advise Council of each occasion the Mayor and/or General Manager have exercised their delegations, other than under section 226 and 335 of the Local Government Act 1993, which are conferred on each role.

The report at **(ATTACHMENT 1)** provides details of the delegation exercised, such as the delegated authority, the date and the reason for exercising the delegation.

ATTACHMENTS

1) Delegations Report.

COUNCILLORS' ROOM

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
29/01/2024	Clause 178 of the Local Government (General) Regulation 2021	Acceptance of tender T098-2023 - Minor Building Works	Acting General Manager	27/02/2024
29/01/2024	Code of Meeting Practice	Approval of Public Access application - Signage for service dogs	Mayor	27/02/2024

ITEM NO. 4 **FILE NO: 24/28047**
EDRMS NO: PSC2017-00106

COUNCIL RESOLUTIONS

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

BACKGROUND

The purpose of this report is to inform the Mayor and Councillors of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

ATTACHMENTS

1) Community Futures resolutions.
2) Corporate Strategy & Support resolutions.
3) Facilities & Infrastructure resolutions.
4) General Manager's Office resolutions.

COUNCILLORS' ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 4 - ATTACHMENT 1 COMMUNITY FUTURES RESOLUTIONS.

PORT STEPHENS COUNCIL

	Division: Community Futures	**Date From:**	10/10/2023
	Committee:	**Date To:**	13/02/2024
	Officer:		
Action Sheets Report		**Printed:**	**Thursday, 15 February 2024**

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/10/2023	Lamont, Brock	Planning Proposal for 39, 39A and 41 Brocklesby Road, Medowie (Precinct F)	31/05/2024	11/10/2023	
1		Peart, Steven				23/262411

14 Feb 2024
Council is undertaking further consultation with Government agencies in accordance with the Gateway requirements. The public exhibition period will commence following the completion of agency consultation.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 10/10/2023	Lamont, Brock Peart, Steven	URGENCY MOTION: Wind Farm Industry	30/06/2024		

14 Feb 2024
The General Manager has written to the requested delegates as outlined within the motion. A Councillor briefing with DCCEEW was undertaken on 20 February 2024. A delegation has been planned for the 19 March 2024. Council is working to complete all outstanding actions as endorsed.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2023	Lamont, Brock	Draft Amendment to Port Stephens Development Control Plan 2014 – Chapter B5 Flooding	12/04/2024	29/11/2023	
1		Peart, Steven				23/324875

14 Feb 2024
The public exhibition period closed on 12 February 2024, 2 submissions were received and are currently under review. A Business Paper is anticipated to be reported back to Council at the meeting of 9 April 2024.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2023	Lamont, Brock	Administrative Amendment to the Port Stephens Local Environmental Plan 2013	31/05/2024	29/11/2023	
3		Peart, Steven				23/324875

14 Feb 2024
Items 4, 6, 7 and 8 of the planning proposal to amend the Port Stephens Local Environmental Plan 2023 have been forwarded to the NSW Department of Planning and Environment for a Gateway determination and request authority to make the plan. Council is working to find a suitable time to meet with Councillors for further discussions in regard to items 1, 2, 3 and 5.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2023	Lamont, Brock	RAMSAR Listing for Mambo Wanda Wetlands	28/06/2024	29/11/2023	
4		Peart, Steven				23/324875

14 Feb 2024
The General Manager has written to the Federal and State Minister for Environment outlining the resolution of Council. A Councillor briefing will be scheduled once a response from both Ministers has been received.

ITEM 4 - ATTACHMENT 1 COMMUNITY FUTURES RESOLUTIONS.

PORT STEPHENS COUNCIL

	Division: Community Futures	**Date From:**	10/10/2023
	Committee:	**Date To:**	13/02/2024
	Officer:		
Action Sheets Report		**Printed:**	**Thursday, 15 February 2024**

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/12/2023	Lamont, Brock	Draft Shoal Bay Place Plan	26/04/2024	14/12/2023	
5		Peart, Steven				23/359154

14 Feb 2024
The draft Shoal Bay Place Plan is currently on public exhibition until 25 February 2024. Complementary community engagement underway. Once the exhibition period closes, submissions will be collated and considered. The final Place Plan is anticipated to be reported back to Council for consideration at the meeting of 23 April 2024.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/12/2023	Gardner, Janelle	Community Wellbeing Strategy	29/02/2024	14/12/2023	
6		Peart, Steven				23/359154

30 Jan 2024
The draft Port Stephens Community Wellbeing Strategy is currently on public exhibition. Should no submissions be received, the strategy will be adopted, without a further report to Council.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/12/2023	Peart, Steven	Advertising Signs - Nelson Bay Road	28/05/2024	14/12/2023	
2		Peart, Steven				23/359154

14 Feb 2024
A report will be prepared for the meeting of 28 May 2024.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Matter Arising	12/12/2023	Lamont, Brock	Matter Arising: Present options for LEP Amendments for the ridge top area surrounding Tareebin Road, regarding building heights, to Councillors by the end of February 2024.	29/02/2024		
298		Peart, Steven				

14 Feb 2024
A discussion paper, including building heights options for the ridge-top area surrounding Tareebin Road, has been circulated to Councillors. A Councillor briefing was undertaken on 13 February 2024. Council continues to work through outstanding actions as endorsed.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/02/2024	Lamont, Brock	Policy Review: Heritage Policy	6/03/2024	14/02/2024	
3 005		Peart, Steven				24/37059

15 Feb 2024
Council resolved to place the revised Heritage Policy on Public Exhibition.

ITEM 4 - ATTACHMENT 2 CORPORATE STRATEGY & SUPPORT RESOLUTIONS.

PORT STEPHENS COUNCIL

	Division: Corporate Strategy and Support	**Date From:**	27/08/2013
	Committee:	**Date To:**	13/02/2024
	Officer:		
Action Sheets Report		**Printed:**	**Thursday, 15 February 2024**

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/09/2020	Pattison, Zoe	Newline Road, Raymond Terrace	30/06/2024		
2 199		Pattison, Zoe				20/288489

15 Feb 2024
Survey plan has been completed, acquisition is currently underway.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	27/08/2013	Pattison, Zoe	Campvale Drain	30/06/2024		
243		Pattison, Zoe				

15 Feb 2024
Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Property Investment and Development Policy	30/06/2024	12/10/2022	
1		Pattison, Zoe				22/273002

15 Feb 2024
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	30/06/2024	12/10/2022	
2		Pattison, Zoe				22/273002

15 Feb 2024
Report deferred to allow for further clarification on the distribution of funds.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Pattison, Zoe	22 Homestead Street, Salamander Bay	31/03/2024	12/04/2023	
5 088		Pattison, Zoe				23/92450

15 Feb 2024
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 and will be presented to Council for consideration in due course.

ITEM 4 - ATTACHMENT 2 CORPORATE STRATEGY & SUPPORT RESOLUTIONS.

PORT STEPHENS COUNCIL

	Division: Corporate Strategy and Support	**Date From:**	27/08/2013
	Committee:	**Date To:**	13/02/2024
	Officer:		
Action Sheets Report		**Printed:**	**Thursday, 15 February 2024**

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/08/2023	Pattison, Zoe	Raymond Terrace Gateway Site Masterplan	30/07/2024		
1 193		Pattison, Zoe				23/214729

15 Feb 2024
Following a two way conversation with Councillors in November 2023, the options presented will be included in the context of the broader Raymond Terrace town centre improvements.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/11/2023	Pattison, Zoe	Review of the Terms of Reference for the Port Stephens Beachside Holiday Parks - Holiday Van Consultative Committee	31/03/2024	15/11/2023	
6		Pattison, Zoe				23/300006

15 Feb 2024
Matter considered at the Council meeting on 14 November 2023 with a request to undertake further consultation with the wider Holiday Van Owners. Consultation is currently underway and a report will be provided back to Council.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2023	Pattison, Zoe	Sale of closed roads in Raymond Terrace	31/03/2024	29/11/2023	
1		Pattison, Zoe				23/324875

15 Feb 2024
Recommendation endorsed to close roads 1 and 2. Council staff to undertake an EOI for road 3 and provide a report back to Council for consideration of whether to continue with the road closure.

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PORT STEPHENS COUNCIL

	Division: Facilities and Infrastructure	**Date From:**	11/04/2023
	Committee:	**Date To:**	13/02/2024
	Officer:		
Action Sheets Report		**Printed:**	**Thursday, 15 February 2024**

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	30/06/2024	12/04/2023	
2 085		Kable, Gregory				23/92450

14 Feb 2024
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 28/11/2023	Maretich, John	Policy Review - Information & Direction Signs in Road Reserves Policy	31/03/2024	29/11/2023	
10		Kable, Gregory				23/324875

14 Feb 2024
The Public Exhibition period concluded on the 29 January 2024. A report will be prepared for the Council meeting to be held 12 March 2024.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Matter Arising	28/11/2023	Maretich, John	Add various items to the Works Plan Plus.	30/06/2024		
278		Kable, Gregory				

14 Feb 2024
The Public Exhibition period concluded on the 29 January 2024. A report will be prepared for the Council Meeting to be held 12 March 2024.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/02/2024	Kable, Gregory	Council Chambers	31/05/2024	14/02/2024	
1 008		Kable, Gregory				24/37059

15 Feb 2024
Council staff will investigate design options and report back to Councillors in a Two Way meeting.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/02/2024	Gutsche, Tammy	Waste	31/05/2024	14/02/2024	
2 009		Kable, Gregory				24/37059

15 Feb 2024
Council staff will continue to work with the Waste Contractor and will provide an update after the Easter public holiday period and April school holidays.

PORT STEPHENS COUNCIL

	Division: General Manager's Office	**Date From:**	11/04/2023
	Committee:	**Date To:**	13/02/2024
	Officer:		
Action Sheets Report		**Printed:**	**Thursday, 15 February 2024**

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report 3 083	Ordinary Council 11/04/2023	Walker, Ashley Crosdale, Timothy	Financial Assistance	31/03/2024	12/04/2023	23/92450
14 Feb 2024 Awaiting necessary paperwork to process payments.						

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There being no further business the meeting closed at 6:35pm.