

NOTICE OF ORDINARY MEETING

10 JUNE 2025



The Mayor and Councillors attendance is respectfully requested:

Mayor: L Anderson (Chair).

Councillors: R Armstrong, G Arnott, C Doohan, N Errington, P Francis, P Le Mottee, B Niland, M Watson, J Wells.

SCHEDULE OF MEETINGS

TIME	ITEM	VENUE
5:30pm:	Public Access (if applied for)	Council Chambers
Followed by:	Ordinary Meeting	Council Chambers

Please Note:

In accordance with the NSW Privacy and Personal Information Protection Act 1998, you are advised that all discussion held during the Open Council meeting is public information. This will include any discussion involving the Mayor, a Councillor, staff member or a member of the public. All persons present should withhold from making public comments about another individual without seeking the consent of that individual in the first instance. Should you have any questions concerning the privacy of individuals at the meeting, please speak with the Governance Section Manager or the General Manager prior to the meeting.

Please be aware that Council webcasts its Open Council meetings via its website. All persons should refrain from making any defamatory remarks. Council accepts no liability for any defamatory remarks made during the course of the Council meeting.

For the safety and wellbeing of the public, no signs, placards or other props made from material other than paper will be permitted in the Council Chamber. No material should be larger than A3 in size.

Food and beverages are not permitted in the Council Chamber.

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BUSINESS

- 1) Opening meeting.
- 2) Acknowledgement of Country
We acknowledge the Worimi people as the original Custodians and inhabitants of Port Stephens. We acknowledge and pay respects to Worimi elders past and present. May we walk the road to tomorrow with mutual respect and admiration as we care for the beautiful land and waterways together.
- 3) Prayer
 - i. We recognise the rich cultural and religious diversity in Port Stephens and pay respect to the beliefs of all members of our community, regardless of creed or faith.
 - ii. Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen.
- 4) Apologies and applications for a leave of absence from Mayor and Councillors.
- 5) Disclosures of interests.
- 6) Confirmation of minutes.
- 7) Mayoral minute(s).*
- 8) Motions to close meeting to the public.*
- 9) Reports to Council.
- 10) General Manager reports.*
- 11) Questions with Notice.*
- 12) Questions on Notice.
- 13) Notices of motions.*
- 14) Rescission Motions.*
- 15) Confidential matters.*
- 16) Conclusion of the meeting.

**if submitted*

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the commencement of this Council term to undertake their civic duties in the best interests of the people of Port Stephens and Port Stephens Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Meeting Practice and Code of Conduct.

PRINCIPLES FOR LOCAL GOVERNMENT

Port Stephens Council is a local authority constituted under the Local Government Act 1993. The Act includes the Principles for Local Government for all NSW Councils.

The object of the principles for councils is to provide guidance to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

Guiding principles for Council

1) Exercise of functions generally

The following general principles apply to the exercise of functions by Council. Council should:

- a. provide strong and effective representation, leadership, planning and decision-making.
- b. carry out functions in a way that provides the best possible value for residents and ratepayers.
- c. plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d. apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e. work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- f. manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g. work with others to secure appropriate services for local community needs.
- h. act fairly, ethically and without bias in the interests of the local community.
- i. be responsible employers and provide a consultative and supportive working environment for staff.

2) Decision-making

The following principles apply to decision-making by Council (subject to any other applicable law). Council should:

- a. recognise diverse local community needs and interests.
- b. consider social justice principles.
- c. consider the long term and cumulative effects of actions on future generations.
- d. consider the principles of ecologically sustainable development.
- e. Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

3) Community participation

Council should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Principles of sound financial management

The following principles of sound financial management apply to Council. Council should:

- a. spend responsible and sustainable, aligning general revenue and expenses.
- b. invest in responsible and sustainable infrastructure for the benefit of the local community.
- c. have effective financial and asset management, including sound policies and processes for the following:
- d. performance management and reporting,
- e. asset maintenance and enhancement,
- f. funding decisions,
- g. risk management practices.
- h. have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services.

Integrated planning and reporting principles that apply to Council

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by Council. Council should:

- a. identify and prioritise key local community needs and aspirations and consider regional priorities.
- b. identify strategic goals to meet those needs and aspirations.
- c. develop activities, and prioritise actions, to work towards the strategic goals.
- d. ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- e. regularly review and evaluate progress towards achieving strategic goals.
- f. maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- g. collaborate with others to maximise achievement of strategic goals.
- h. manage risks to the local community or area or to the council effectively and proactively.
- i. make appropriate evidence-based adaptations to meet changing needs and circumstances.

PORT STEPHENS COMMUNITY STRATEGIC PLAN

The Local Government Act requires Council to adopt a Community Strategic Plan (10+ years). The Plan includes a Delivery Program (4 years), Annual Operational Plan and a Resource Strategy, it also includes the Council's budget.

The Community Strategic Plan is organised into 4 focus areas:

OUR COMMUNITY – An accessible and welcoming community respecting diversity, heritage and culture.

OUR PLACE – A liveable and connected place supporting community wellbeing and local economic growth.

OUR ENVIRONMENT – Port Stephens' environment is clean and green, protected and enhanced.

OUR COUNCIL – Port Stephens Council leads, manages and delivers valued community services in a responsible way.

BUSINESS EXCELLENCE

Port Stephens Council is a quality and a customer service focused organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on 9 principles.

These outcomes align with the following Business Excellence principles:

- 1) Clear direction and mutually agreed plans enable organisational alignment and focus on achievement of goals.
- 2) Understanding what customers and other stakeholders value, now and in the future, enables organisational direction, strategy and action.
- 3) All people work in a system. Outcomes are improved when people work on the system and its associated processes.
- 4) Engaging people's enthusiasm, resourcefulness and participation improves organisational performance.
- 5) Innovation and learning influence the agility and responsiveness of the organisation.
- 6) Effective use of facts, data and knowledge leads to improved decisions.
- 7) Variation impacts predictability, profitability and performance.
- 8) Sustainable performance is determined by an organisation's ability to deliver value for all stakeholders in an ethically, socially and environmentally responsible manner.
- 9) Leaders determine the culture and value system of the organisation through their decisions and behaviour.

MEETING PROCEDURES SUMMARY

Starting time – All meetings must commence within 30 minutes of the advertised time.

Quorum – A quorum at Port Stephens Council is 6.

Declarations of Interest

Pecuniary – Councillors who have a pecuniary interest must declare the interest, not participate in the debate and leave the meeting.

Non-Pecuniary – Councillors are required to indicate if they have a non-pecuniary interest, should a Councillor declare a significant non-pecuniary they must not participate in the debate and leave the meeting. If a Councillor declares a less than significant non-pecuniary they must state why no further action should be taken. Councillors may remain in the meeting for a less than significant non-pecuniary.

Confirm the Minutes – Councillors are able to raise any matter concerning the Minutes prior to confirmation of the Minutes.

Public Access – Each speaker has 5 minutes to address Council with no more than 2 for and 2 against the subject.

Motions and Amendments

Moving Recommendations – If a Committee recommendation is being moved, ie been to a Committee first, then the motion must be moved and seconded at Council prior to debate proceeding. A Councillor may move an alternate motion to the recommendation.

Amendments – A Councillor may move an amendment to any motion however only one amendment or motion can be before Council at any one time, if carried it becomes the motion.

Seconding Amendments – When moving an amendment, it must be seconded or it lapses.

Incorporating Amendments – If a motion has been moved and the mover and seconder agree with something which is being moved as an amendment by others, they may elect to incorporate it into their motion or amendment as the case may be.

Voting Order – When voting on a matter the order is as follows:

- 1) Amendment (If any)
- 2) Foreshadowed Amendments – (If any, and in the order they were moved)
- 3) Motion

NB – Where an amendment is carried, there must be another vote on the amendment becoming the motion.

Voting – an item is passed where a majority vote for the subject. If the voting is tied the Chairperson has a second (casting) vote which is used to break the deadlock.

Closed Session – There must be a motion to close a meeting. Prior to voting on the motion the chairperson will invite the gallery to make representations if they believe the meeting shouldn't be closed. Then Councillors vote on the matter. If adopted the gallery should then be cleared and the matter considered in closed session. Any decision taken in session closed is a resolution. There must be a motion to reopen the Council meeting to the public. If decision occurred in 'closed session', the meeting is advised of the resolution in 'open session'.

Procedural Motion – Is a motion necessary for the conduct of the meeting, it is voted on without debate, eg defer an item to the end of the meeting (however, to defer an item to another meeting is not a procedural motion), extend the time for a Councillor to speak etc.

Points of Order – when any of the following are occurring or have occurred a Councillor can rise on a 'Point of Order', the breach is explained to the Chairperson who rules on the matter.

A Point of Order can be raised where:

- 1) There has been any non-compliance with procedure, eg motion not seconded etc.
- 2) A Councillor commits an act of disorder:
 - a. Contravenes the Act, any Regulation in force under the Act, the Code of Conduct or this Code.
 - b. Assaults or threatens to assault another Councillor or person present at the meeting.
 - c. Moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or address or attempts to address the Council or Committee on such a motion, amendment or matter.
 - d. Insults or makes personal reflections on or imputes improper motives to any other Councillor, any staff member or alleges a breach of Council's Code of Conduct.
 - e. Says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into disrepute.

Declarations of Conflict of Interest – Definitions

Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated as provided in Clause 7 of the Code of Conduct.

Non Pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Code of Conduct. These commonly arise out of family or personal relationships or involvement in sporting, social or other cultural groups and associations and may include an interest of financial nature.

The matter of a report to council from the conduct review committee/reviewer relates to the public duty of a councillor or the general manager. Therefore, there is no requirement for Councillors or the General Manager to disclose a conflict of interest in such a matter.

The political views of a Councillor do not constitute a private interest.



Form of Special Disclosure of Pecuniary Interest

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the PORT STEPHENS COUNCIL

to be held on the _____ day of _____ 20__

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (eg is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

¹ Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Mayor/Councillor's signature _____

Date _____

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



Declaration of Interest form

Agenda item No. _____

Report title _____

Mayor/Councillor _____ declared a

Tick the relevant response:

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

in this item. The nature of the interest is _____

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

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

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

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

Mayor/Councillor left the Council meeting at _____ pm.

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

COUNCIL REPORTS

ITEM NO. 1

FILE NO: 25/82962
EDRMS NO: 16-2024-345-1

**DEVELOPMENT APPLICATION (DA) 16-2024-345-1 FOR SENIORS HOUSING AT
23 SOLDIERS POINT ROAD, SOLDIERS POINT**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Refuses Development Application (DA) No. 16-2024-345-1 for demolition of existing structures and construction of a seniors housing development consisting of 2 x multi-storey residential flat buildings comprising 7 independent living units, landscaping, site works and basement car parking at 23 Soldiers Point Road, Soldiers Point (Lot: 177 DP: 27084) as per the reasons for refusal contained in **(ATTACHMENT 1)**.
-

BACKGROUND

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

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

Subject Land:	23 Soldiers Point Road, Soldiers Point (Lot: 177 DP: 27084)
Total Area:	1,662m ²
Zoning:	R2 Low Density Residential
Submissions:	4
Key Issues:	<ul style="list-style-type: none">• Variations to development controls• Inconsistency with the surrounding character of the area• Insufficient information to enable an appropriate assessment of the impacts of the development

The DA has been reported to Council in accordance with Council's 'Council Related Planning Matters Policy' as the DA seeks to vary a development standard by greater than 10%.

A locality plan is provided at **(ATTACHMENT 2)**.

Proposal

The DA seeks consent for the demolition of existing structures and construction of a senior's housing development consisting of 2 x multi-storey residential flat buildings comprising 7 independent living units, in conjunction with landscaping, site works and basement car parking. Each building is proposed to be constructed separately over 2 stages. The rear building fronting the water (Building A) is to be constructed in the first stage, and the building fronting Soldiers Point Road (Building B) is to be constructed in the second stage.

Site Description

The subject site is known as 23 Soldiers Point Road, Soldiers Point and legally described Lot 177 DP 27084. The site currently contains a single storey dwelling house, boat shed and shed with frontage to Soldiers Point Road to the west and Karuah River to the site's east.

The site is surrounded largely by residential development including a mix of multi-dwelling housing developments, residential flat buildings and dwelling houses. Directly adjacent to the site across Soldiers Point Road are shop top housing developments within the E1 Local Centre zoned portion of Soldiers Point.

Key Issues

The key issues identified during the assessment relate to the extent of proposed variations to development controls under the relevant State Environmental Planning Policies (SEPP) and Port Stephens Local Environmental Plan (PSLEP), inconsistency with the surrounding character of the area and insufficient information provided to determine the impacts of the development.

A detailed assessment of the proposed development and these matters is contained within the Planner's Assessment Report (**ATTACHMENT 3**).

Proposed variations to development controls

The proposal seeks to vary 3 development standards as follows:

- The proposal exceeds the maximum allowable building height for the site prescribed under Clause 4.3 of the PSLEP and Section 84 and Section 108 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP). The development proposes a maximum building height of 10.5m, which exceeds the 9.5m height limit under the Housing SEPP and represents a 10.52% variation to the development standard.
- The proposal exceeds the maximum allowable Floor Space Ratio (FSR) prescribed under Section 108 of the Housing SEPP. The development proposes an FSR of 0.6:1, exceeding the 0.5:1 FSR limit under the Housing SEPP and

represents a 20% variation to the development standard. There is no FSR control applicable to the site under the PSLEP.

- Section 84 of the Housing SEPP requires that any storey of a building above 2 storeys is to be setback within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site. Much of the third storey of Building A is setback at a 45-degree angle. However, a portion is not setback at an angle of 45 degrees attributed to the lift overrun on the southern elevation of the building and therefore, a variation to this development standard is proposed.

A request to vary the building height and floor space ratio development standards was submitted by the applicant in accordance with Clause 4.6 of the PSLEP.

The Clause 4.6 Variation Requests to vary the building height and FSR standards have been reviewed in detail in Attachments A and B of the Planner's Assessment Report (**ATTACHMENT 3**). The proposed height and FSR variations are not supported for the development as it is considered that the applicant's Clause 4.6 Variation Request has failed to adequately demonstrate that the development standard is unreasonable or unnecessary. Insufficient environmental planning grounds to justify the contravention of the development standards have been provided by the applicant as outlined in the Planner's Assessment Report (**ATTACHMENT 3**).

A Clause 4.6 Variation Request was not submitted to Council for the setback variation against Section 84 of the Housing SEPP. Council as the consent authority therefore cannot lawfully support this variation.

Inconsistency with the surrounding character of the area

The site is located on the eastern side of Soldiers Point Road with direct waterfrontage to the east. The site is zoned R2 Low Density Residential. A mixture of residential densities exist along the eastern portion of Soldiers Point Road to the sites north and south which includes single dwellings, dual occupancies, multi-dwelling housing and residential flat buildings. The land to the west of the site is zoned E1 Local Centre and contains a number of shop top housing developments. This area has a taller height limit of 15 metres.

The scale of the development is generally consistent with existing developments to the sites north and west, although these areas are afforded taller PSLEP building height limits. Development to the sites south is generally of a lower density containing dwelling houses and small-scale multi-dwelling housing and dual occupancy developments. When considering the immediate surrounding character of the area, the PSLEP height limit, zoning and non-compliances proposed, it is considered that the proposed development is inconsistent with the built form context and neighbourhood character of the area, which is intended to be for low density residential development as designated by the R2 zoning of the site.

The Port Stephens Urban Design Panel (UDP) were unsupportive of the proposed development on a number of design grounds, which included the development showing symptoms of overdevelopment. Further details of the UDP review advice is provided in Planner's Assessment Report (**ATTACHMENT 3**).

Insufficient information

Council planning staff issued an extensive request for further information (RFI) in September 2024. This RFI requested a number of design amendments and further information including:

- Design amendments including reduction in building height and floor area, and increased side setbacks to be compliant with the Housing SEPP
- Arborist Report
- Noise Impact Assessment
- Clause 4.6 Variation Request for the proposed variation to Section 84(2)(c)(iii) of the Housing SEPP
- Detailed assessment of compliance against the Seniors Housing Design Guide
- Operational Waste Management Plan
- Amended Stormwater Drainage Plans
- Swept Paths and driveway details.

A full response to the RFI has not been received to date, despite multiple extensions being provided to the applicant. A partial response was provided in December 2024, which included amended Architectural Plans, a Landscape Plan and a Survey Plan to present to the Port Stephens UDP. Given the number of items in the RFI that were not addressed, there is insufficient information to determine whether the proposal is compliant with relevant controls and suitable for the site. Despite the plan amendments, the UDP still raised concerns on design aspects as outlined in the Planner's Assessment Report (**ATTACHMENT 3**).

Conclusion

As detailed in the Planner's Assessment Report (**ATTACHMENT 3**), the development proposes a number of non-compliances with relevant policies, including the Housing SEPP, Port Stephens Local Environmental Plan 2013, the Apartment Design Guide, Seniors Housing Design Guide and Port Stephens Development Control Plan. The variations demonstrably have the potential to impact on the character of the area as well as result in adverse amenity impacts. Moreover, insufficient information has been provided to enable an appropriate assessment of the development to determine associated impacts and suitability for the site.

On this basis, the proposed development is not recommended for approval as outlined in the Planner's Assessment Report (**ATTACHMENT 3**) and the Reasons for Refusal (**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 application could be potentially challenged in the Land and Environment Court. Defending Council's determination could have financial implications.

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

LEGAL, POLICY AND RISK IMPLICATIONS

The proposed development is inconsistent with the relevant planning instruments including the, Housing SEPP 2021, PSLEP 2013, and DCP 2014. A detailed assessment against these requirements and provisions is contained within the Planner's Assessment Report provided at **(ATTACHMENT 3)**. Based on the recommendation by Council staff, the determination of the DA may be challenged by the applicant in the Land and Environment Court.

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

There is a risk that if the DA is approved, the determination of the DA may be challenged by a third party in the Land and Environment Court.	Low	Determine the DA in line with the recommendation and reasons for refusal.	Yes
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SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social and Economic Impacts

There are positive social and economic benefits associated with the development in that it will provide additional housing in the area and create job opportunities during construction.

Despite the positive social and economic aspects related to housing supply, these are not outweighed by the development's potential impact the amenity of neighbouring properties and future residents. Insufficient information has been provided to enable an assessment of amenity and environmental impacts.

Impacts on the Built Environment

The proposed development in its current form is considered to have a potential adverse impact on the built environment due to the number of non-compliances proposed and insufficient information being provided to demonstrate that the design is suitable.

Impacts on the Natural Environment

Insufficient and inadequate information has been provided to determine the development's impacts to the natural environment noting that an Arborist Report has not been provided as requested.

COMMUNICATION AND ENGAGEMENT

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

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
CONSULT	To obtain public feedback on analysis, alternatives and/or decisions.

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INVOLVE	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
EMPOWER	To place final decision-making and/or developed budgets in the hands of the public.

The following communication and engagement applies to this report.

External communications and engagement

Public Submissions

The DA was notified for a period of 14 days, in accordance with the Port Stephens Council Community Engagement Strategy. 4 submissions were received during this timeframe.

The application was referred to 1 external agency being Ausgrid.

CONSULT	The application was advertised and notified for a period of 14 days from 7 August 2024 to 21 August 2024, through 'DA Tracker' and letters to adjoining properties.
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Internal communications and engagement

Consultation has been undertaken by the Development and Compliance Section with:

- Assets Section.
- Strategy and Environment Section.
- Community Services Section.
- Organisational Support Section.

OPTIONS

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

ATTACHMENTS

- 1) Reasons for Refusal.
- 2) Locality Plan.
- 3) Planner's Assessment Report. (Provided under separate cover)

COUNCILLORS' ROOM/DASHBOARD

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

TABLED DOCUMENTS

Nil.

Recommended Reasons for Refusal

1. The proposed development is inconsistent with the objectives of the R2 Low Density residential zone as the proposal in its current form does not protect or enhance the existing residential amenity and character of the area in accordance with Clause 2.3 - Zone objectives and Land Use Table of the Port Stephens Local Environmental Plan 2013 (s4.15(1)(a)(i) of the *Environmental Planning & Assessment (EP&A) Act 1979*).
2. Insufficient information has been provided to determine the ecological impacts of the development. Based on the information provided, it is unclear whether the proposal is consistent with Chapter 4 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (s4.15(1)(a)(i) of the *EP&A Act 1979*).
3. Insufficient information has been provided to determine whether the stormwater design provides appropriate stormwater quantity and quality measures to ensure that the proposal will not have an adverse impact on the coastal environment area as required by Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021 (s4.15(1)(a)(i) of the *EP&A Act 1979*).
4. The proposed development is non-compliant with the building height control under s84(2)(C)(i) of Chapter 5 of the State Environmental Planning Policy (Housing) 2021. The cl.4.6 variation submitted was not supported as Council is not satisfied that the applicant has demonstrated there are sufficient grounds that compliance with the development standard is unreasonable or unnecessary (s4.15(1)(a)(i) of the *EP&A Act 1979*).
5. The proposed development is non-compliant with the setback control under s84(2)(C)(iii) of Chapter 5 of the State Environmental Planning Policy (Housing) 2021. A request to vary this control was not received and therefore development consent cannot be granted for this variation (s4.15(1)(a)(i) of the *EP&A Act 1979*).
6. The proposed development is non-compliant with the floor space ratio control under s108(2)(c) of Chapter 5 of the State Environmental Planning Policy (Housing) 2021. The cl.4.6 variation application was not supported as Council is not satisfied that the applicant has demonstrated that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravention of the development standard (s4.15(1)(a)(i) of the *EP&A Act 1979*).
7. The proposal is inconsistent with the some of the requirements of the Seniors Housing Design Guide which is required to be considered in determining a development application for seniors housing as per s97 of the State Environmental Planning Policy (Housing) 2021 (s4.15(1)(a)(i) of the *EP&A Act 1979*).
8. Insufficient information was been provided to demonstrate that adequate consideration has been given to the design principles for seniors housing set out in Schedule 8 of the State Environmental Planning Policy (Housing) 2021 (s4.15(1)(a)(i) of the *EP&A Act 1979*).
9. The proposal is inconsistent with the some of the requirements of the Apartment Design Guide which is required to be considered in determining a development application for a residential flat building as per s147 of the State Environmental Planning Policy (Housing) 2021 (s4.15(1)(a)(i) of the *EP&A Act 1979*).

ITEM 1 - ATTACHMENT 1 REASONS FOR REFUSAL.

10. Insufficient information has been provided to determine whether consent is required under Clause 7.1 Acid Sulfate Soils of the PSLEP 2013 (s4.15(1)(a)(i) *of the EP&A Act 1979*).
11. Insufficient information has been provided to demonstrate that the proposed earthworks will not cause any detrimental effect on drainage patterns as required under Clause 7.2 Earthworks of the PSLEP 2013 (s4.15(1)(a)(i) *of the EP&A Act 1979*).
12. Insufficient information has been provided to demonstrate that the stormwater drainage design is suitable for the proposed development as required under Clause 7.6 Essential Services of the PSLEP 2013 (s4.15(1)(a)(i) *of the EP&A Act 1979*).
13. Insufficient information has been provided to demonstrate that the proposed stormwater quality devices are suitable to meet Council's requirements and will not impact the mapped wetland as required under Clause 7.9 Wetlands of the PSLEP 2013 (s4.15(1)(a)(i) *of the EP&A Act 1979*).
14. The proposed development fails to satisfy Chapter B2 – Natural Systems of the Port Stephens Development Control Plan as insufficient information has been submitted to determine the biodiversity impacts of the development (s4.15(1)(a)(iii) *EP&A Act 1979*).
15. The proposed development fails to satisfy Chapter B3 – Environmental Management of the Port Stephens Development Control Plan as the proposal has not provided sufficient information to demonstrate that noise impacts from the proposed development are suitable (s4.15(1)(a)(iii) *EP&A Act 1979*).
16. The proposed development fails to satisfy Chapter B4 – Water Quantity and Quality of the Port Stephens Development Control Plan as the proposal does not include sufficient information to demonstrate that adequate water quality and quantity controls are proposed (s4.15(1)(a)(iii) *EP&A Act 1979*).
17. The proposed development fails to satisfy Chapter B8 – Road Network and Parking of the Port Stephens Development Control Plan as the proposal includes as insufficient information to demonstrate that the proposed access arrangements are suitable for the proposed development (s4.15(1)(a)(iii) *EP&A Act 1979*).
18. Insufficient and inadequate information has been provided to determine the impacts of the development to the natural environment (s4.15(1)(b) *EP&A Act 1979*).

ITEM 1 - ATTACHMENT 2 LOCALITY PLAN.



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873812 Email: council@portstephens.nsw.gov.au

ITEM NO. 2

FILE NO: 25/91679
EDRMS NO: 16-2024-581-1

DEVELOPMENT APPLICATION (DA) 16-2024-581-1 FOR ALTERATIONS AND ADDITIONS TO TOURIST AND VISITOR ACCOMMODATION AT 16 CHRISTMAS BUSH AVENUE, NELSON BAY

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve Development Application DA No. 16-2024-581-1 for Alterations and Additions to the Tourist and Visitor Accommodation, at 16 Christmas Bush Avenue, Nelson Bay (Lot: 0 SP: 82639) subject to the conditions contained in **(ATTACHMENT 1)**.

BACKGROUND

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

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

Subject Land	16 Christmas Bush Avenue, Nelson Bay
Total Area	4233m ²
Zoning	R2 LOW DENSITY RESIDENTIAL
Submissions	12 (9 oppose and 3 in support)
Key Issues	The key issues identified throughout the assessment of the development relate to traffic generation, parking availability and impacts on the local amenity. A detailed assessment of the development is contained within the Planner's Assessment Report (ATTACHMENT 2) .

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

Site History

The site has historically been used for tourist and visitor accommodation purposes, with development consent granted in 1994 (DA 7-1994-117) for the redevelopment of

the 'Dutchies Motor Lodge'. Subsequent modification applications have been approved for amendments to the layout, operation and staging of development consent 7-1994-117. The first 2 of the 3 stages of the approved development under DA 7-1994-117 (as modified) have been completed, this includes buildings 1-3, along with ancillary outbuildings, a swimming pool and car parking area.

Development Proposal

The proposal seeks consent for alterations and additions to the existing tourist and visitor accommodation development approved under DA 7-1994-117-1 (as modified). Details of the proposal include the construction of:

- 6 additional tourist suites (1 and 2 bedroom design)
- A lobby, corridors and back of house amenities to connect services provided over the site
- A day spa measuring 60m², including 3 treatment rooms, toilet and store / laundry
- A substation and landscaped areas.

The proposal will form Stage 3 of the overall development approved under DA 7-1994-117.

Site Description

The site is located at 16 Christmas Bush Avenue, Nelson Bay, formally identified as (Lot 0: SP82639). The site is an irregularly shaped allotment 4,233m² in area, which benefits from waterfront views of Dutchmans Beach to the north. The site topography slopes gently in a north-west direction, with grades ranging from 10-15%.

The site is located within the foreshore area of Nelson Bay West and accommodates an existing tourist and visitor accommodation development, including the Armana Resort and Dutchies Motel. 3 of the 5 accommodation buildings approved under DA 7-1994-117 have been constructed, along with ancillary outbuildings, a swimming pool and car parking area. There are a variety of trees within the Christmas Bush Avenue road reserve and Dutchmans Beach public recreational area, which provide a vegetated edge to the site.

Key Issues

The key issues identified throughout the assessment of the development relate to traffic generation, parking availability and impacts on the local amenity. A detailed assessment of the application is contained within the Planner's Assessment Report **(ATTACHMENT 2)**.

Traffic Generation

A Traffic Impact Assessment (TIA) prepared by TTPA dated November 2024, was submitted with the application. From the TIA, the additional traffic generation emanating from the proposal will be quite minor and largely limited to the movement

of guests arriving and departing the tourist accommodation. These movements will be spread throughout the day with some minor peaking on Friday and Sunday. This traffic generation will have no perceptible impact on the normal AM and PM peak traffic conditions for the local roads on the access road system while any visitation by the public to the restaurant will generally be limited to the weekend lunchtime and evening peak periods. It is apparent that the proposal would not result in any adverse traffic implications. Council's Engineer and Planning Officers support the findings of the TIA.

Parking Availability

On-site parking for the proposal has been calculated using prescribed parking rates as outlined in Council's Development Control Plan (DCP). The proposal incorporates 41 spaces (including 3 accessible spaces), a loading bay and EV charging at 4 spaces. 5 bicycle spaces are also proposed in the secure carpark to satisfy the DCP.

Each suite will be provided with a car space (27 in total) and the remainder allocated for the restaurant and staff, satisfying the DCP parking rates. The Plan of Management stipulates that if there are any suite vacancies, staff can allocate spare car spaces to the restaurant as required.

The day spa and other health amenities are for guests only and will not generate additional parking demand beyond the suite parking requirements.

Noting the principal patrons accommodated at the restaurant component of the development will be accommodation guests, the development is compliant with the DCP provisions in relation to carparking for all uses. Furthermore, control measures implemented within the Plan of Management including a booking system for restaurant customer spaces will ensure satisfactory on-site parking provisions are achieved.

The proposed development therefore caters for the parking demand and complies with the relevant DCP parking provisions.

Amenity Impacts

An assessment of the amenity impacts has been informed through a combination of technical reports, referrals and assessments against relevant planning legislation and development controls. The Planner's Assessment Report (**ATTACHMENT 2**) provides a detailed assessment of amenity considerations, including noise, view loss, visual impact and design.

From the findings of the Planner's Assessment Report (**ATTACHMENT 2**), the proposal is considered to meet the aims and objectives of the R2 Low Density Residential Zone noting:

- The proposed development has been designed to mitigate its impacts on the residential amenity and character of the area

- The bulk and scale of the development have been carefully taken into consideration in terms of the existing topography of the land to reduce massing, bulk, scale and height impact on the adjoining neighbours.

Conclusion

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

The development is consistent with the Port Stephens Local Strategic Planning Statement (LSPS), specifically Planning Priority 1 and 3, which notes the significance of the Tomaree Peninsula in achieving local employment and economic revenue objectives.

The development has been suitably designed to address the site constraints and development controls relating to traffic, parking and amenity impacts.

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 (\$7.11)	Yes		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The development application is consistent with Council's Policy and relevant planning instruments including the Environmental Planning and Assessment Act 1979 (EP&A Act), the Environmental Planning and Assessment Regulation 2021, relevant State Environmental Planning Policies, Port Stephens Local Environmental Plan 2013, Port Stephens Development Control Plan 2014 and Planning Matters to be Reported to Council Policy'.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the DA is approved, a third party may appeal the determination.	Low	Accept the recommendation.	Yes
There is a risk that if the DA is refused, the applicant may appeal the determination.	High	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social and Economic Impacts

The development is considered to generate overall positive social and economic impacts within the Nelson Bay and broader Port Stephens locality. The development seeks to provide additional tourist and visitor accommodation within the Nelson Bay area, which will provide the ability for employment opportunities in the locality and support the local building and development industries.

The development has been supported by a Plan of Management (PoM) for the Armana Resort, and a Crime Prevention through Environmental Design Report (CPTED) which has informed the design. These documents specifically address the proposed preventative measures to reduce the likelihood of neighboring impact and anti-social behaviour, with recommendations included in the development design or as recommended conditions.

Accordingly, it is considered that the development will not result in any significant adverse impacts in the locality beyond the existing approved tourist development as outlined above.

Built Environment

Council considers the bulk, scale and height of the proposal is acceptable as:

- The overall approach to massing, height and landscaping has been refined to maximize privacy and the amenity of adjoining residential properties.
- The proposed building is articulated and visually interesting.
- The proposed building height sits below the height of the established tourist accommodation units, an important benchmark in the design.
- The proposal would not result in any significant amenity impacts on surrounding properties as there would be acceptable impacts arising from visual privacy, overshadowing or view loss.

Natural Environment

The site has been largely modified, with all proposed works to be undertaken on already transformed surfaces. The impacts of the development on the natural environment are considered to be acceptable as:

- The proposal would not have adverse impacts on the environment during construction or post-construction, subject to recommended conditions of consent.
- The proposal incorporates suitable stormwater management and water quality measures that satisfy Council's infrastructure specification.
- The proposal would not have any significant flora, fauna or biodiversity impacts, given the lack of vegetation on the site and the nature of existing and surrounding development.
- The proposal includes a number of measures to limit the ongoing cost, resource and energy requirements of the development. These include passive solar design, the use of renewable energy to reduce energy consumption, robust materials reducing on-going maintenance costs and native planting to reduce water consumption in landscaped areas.

COMMUNICATION AND ENGAGEMENT

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

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

The following communication and engagement applies to this report.

External communications and engagement

Public Submissions

The application was notified for 14 days, in accordance with the provisions of the Port Stephens Council Community Engagement Strategy. 12 (9 oppose 3 in support) submissions were received during this timeframe.

No external consultation was required during the assessment of the application.

CONSULT	The application was advertised and notified for a period of 14 days from 22 November 2024 to 6 December 2024, through 'DA Tracker' and letters to adjoining properties.
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Internal communications and engagement

Consultation has been undertaken by the Development and Compliance Section with:

- Assets Section.
- Strategy and Environment Section.

OPTIONS

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

ATTACHMENTS

- 1) Conditions of Consent. (Provided under separate cover)
- 2) Planner's Assessment Report. (Provided under separate cover)
- 3) Call to Council form.
- 4) Locality Plan.

COUNCILLORS' ROOM/DASHBOARD

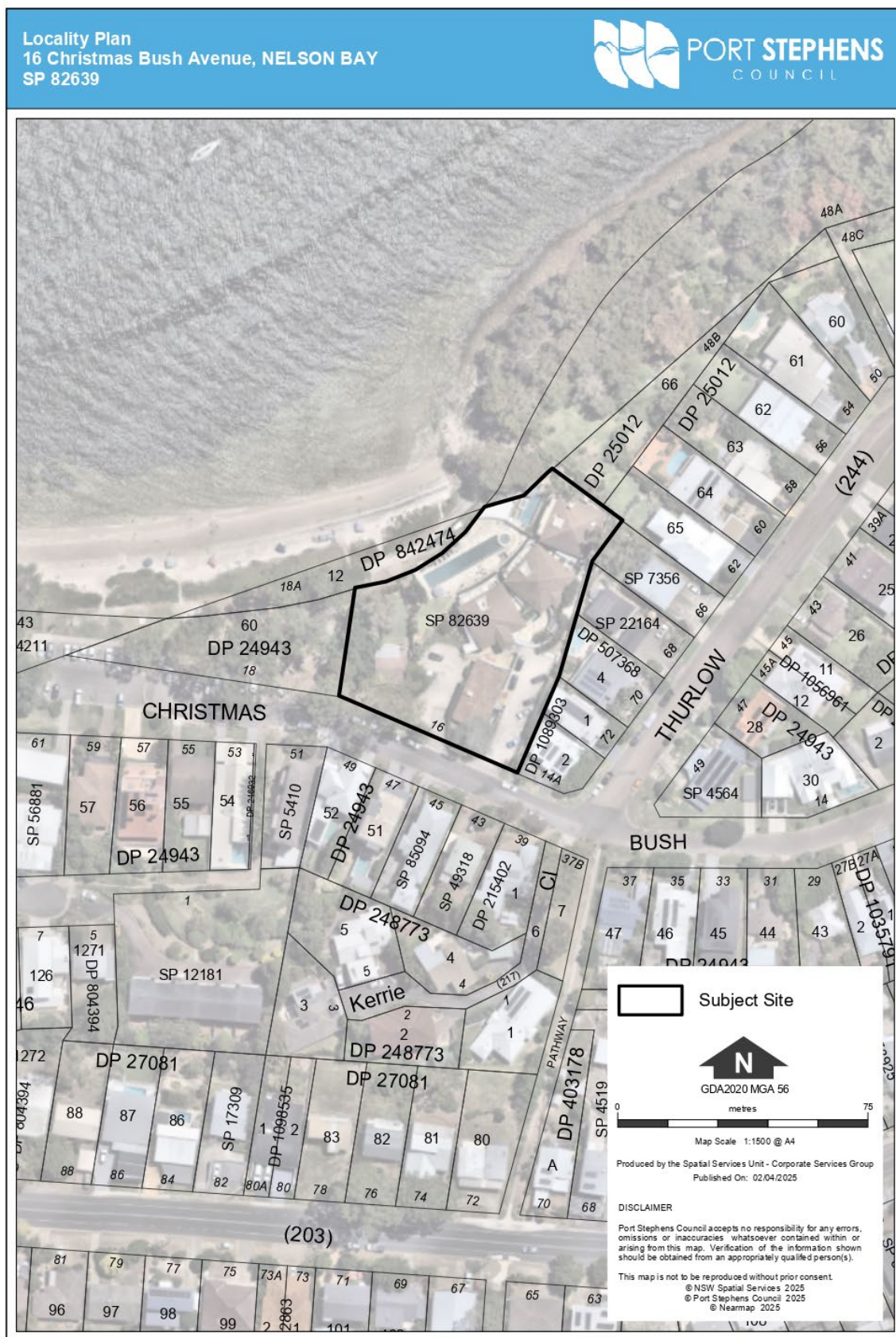
- 1) All information relating to this development application (DA) is available on the Councillors' Dashboard.

TABLED DOCUMENTS

Nil.

PORT STEPHENS
COUNCILCALL TO COUNCIL FORM
DEVELOPMENT APPLICATION

Development application (DA) call to Council request:	
<p>I/We (Mayor/Councillor/s) <u>Armstrong and Arnott</u> request that DA number <u>16-2024-581-1</u> for DA description <u>Alterations and Additions to Tourist and Visitor Accommodation</u> located at <u>16 Christmas Bush Avenue, Nelson Bay</u> be reported to Council for determination.</p>	
Reason:	
Public interest	
Declaration of Interest:	
<p>I/We have considered any pecuniary or non-pecuniary conflict of interest (including political donations) associated with this DA on my part or an associated person.</p> <p>I/We (Mayor/Councillor/s) _____ have a conflict of interest:</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>If yes, please provide the nature of the interest and reasons why further action should be taken to bring this DA to Council:</p>	
Signed: <small>Please sign or type name & attached to an email.</small> Cr Armstrong - by Email	Date: 3 December 2024
Signed: <small>Please sign or type name & attached to</small> Cr Arnott - by Email	Date: 3 December 2024



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873812 Email: council@portstephens.nsw.gov.au

ITEM NO. 3

**FILE NO: 25/29147
EDRMS NO: 58-2024-3-1**

PLANNING PROPOSAL - 893 PATERSON ROAD, WOODVILLE

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the planning proposal (**ATTACHMENT 1**) to amend the Port Stephens Local Environmental Plan 2013 for land at 893 Paterson Road, Woodville (Lot 10 DP 1035397) to:
 - a) Amend Schedule 1 'Additional Permitted Uses' to permit, with development consent, the use of Lot 10 DP 1035397, 893 Paterson Road, Woodville, as a function centre.
 - b) Amend the Additional Permitted Uses Map to identify the subject site as a 'function centre'.
 - 2) Forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure for a Gateway determination and request authority to make the plan.
-

BACKGROUND

The purpose of this report is to seek Council's endorsement to adopt the planning proposal (**ATTACHMENT 1**) to amend the Port Stephens Local Environmental Plan 2013 (LEP) and submit the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a Gateway determination.

The planning proposal seeks to amend Schedule 1 'Additional Permitted Uses' to permit, with development consent, the use of Lot 10 DP 1035397 (893 Paterson Road, Woodville) as a function centre. The effect of the proposal would amend the Additional Permitted Uses Map to identify the subject site as a 'function centre'. A 'function centre' is defined under the LEP as 'a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility'.

The land is currently zoned RU1 Primary Production which under the LEP does not permit function centres as a land use. There is currently a development consent approved on the site (DA16-2018-557-1) for the 'Temporary Use of Land Marriage Ceremonies' dated 14 September 2018.

The current development consent limits the use of the site to only marriage ceremonies, requiring customers to book a separate location for their reception. The

planning proposal seeks to allow for the use of the site as a function centre, subject to a future development application that would intend to construct and operate a function centre on site. Site specific constraints and the design of the function centre would be the subject of the future development application.

The subject land is known as 'Gracemere' and adjoins 'Albion Park Farm', both farms are known in the area for their extensive ornamental gardens. The subject land is located within the rural hinterland of Port Stephens in the locality of Woodville, close to Iona Public School, Woodville School of Arts and several hobby farms.

The planning proposal is considered to be consistent with the emerging theme of the endorsed Hinterland Place Plan - 'Economy: New experiences and distinct business opportunities' in the Port Stephens Hinterland.

A Strategic Planning Assessment Report (SPAR) for this planning proposal has been completed (**ATTACHMENT 2**).

Should Council resolve to endorse the planning proposal, the proposal will be forwarded to DPHI requesting a Gateway determination and for Council to be nominated as the Plan Making Authority for the proposal. Following the issue of the Gateway determination, the planning proposal would be publicly exhibited in accordance with any conditions from DPHI, prior to being reported to Council for determination.

A summary of the planning proposal and property details are provided below.

Date lodged	16 December 2024
Proponent	Wilson Planning on behalf of Kate Coren
Subject property	Lot 10 DP 1035397 (893 Paterson Road, Woodville)
Total area	10.52 ha
Current zoning	RU1 Primary Production
Current use	The subject site contains a dwelling and rural outbuildings occupying around 1ha of land in the centre of the site. The eastern portion of the site (approximately 2.5ha) contains a large constructed lake surrounded by extensive ornamental gardens which provide a backdrop for wedding ceremonies held on the site. The western portion of the site (around 7.0ha) contains cultivated river flats and extensive areas for livestock grazing.
Proposed changes	Amendment of Schedule 1 of the LEP 'Additional Permitted Uses' to permit, with development consent, the use of Lot 10 DP 1035397, (893 Paterson Road, Woodville), as a function centre.

Suitability of the site

The site is considered suitable for the proposed additional permitted use for the following reasons:

- The planning proposal is consistent with the Planning Priorities in the Hunter Regional Plan 2041 (HRP) including Objective 8 and Planning Priority 2 'Promote rural enterprises and diversification' in Hinterland District. The proposed function centre will attract visitors to the local area and enhance the local economy, as well as contribute to the economic diversification in the Hinterland.
- The planning proposal is consistent with Planning Priority 2 'Make business growth easier' and Planning Priority 3 'Support tourism and attract events' in the Port Stephens Local Strategic Planning Statement (LSPS). The proposed use will support events, generate jobs in the local area and attract visitors who will require accommodation and may participate in other local attractions and events.
- The planning proposal is considered to be consistent with the emerging theme of the endorsed Hinterland Place Plan - 'Economy: New experiences and distinct business opportunities' in the Port Stephens Hinterland.
- The site is adjoined by rural residential properties. Lot sizes in the locality vary between 5 and 60 ha.
- The planning proposal is supported by a Land Use Conflict Risk Assessment (LUCRA) that concludes that the proposal 'will be appropriate for the site and its setting and is unlikely to result in adverse impacts on surrounding properties or the agricultural use of surrounding land'.

Flooding

A Flood Impact and Risk Assessment (FIRA) was completed for the site. It determined that the proposed development is compatible with the existing flood hazard and does not result in adverse off-site flood impacts. The site provides sufficient area for a future function centre to be located above the Flood Planning Level and as such the risk to property is readily managed. There is also adequate flood free area above the PMF level on site so that there would be no major risk to life for occupants.

The main flood risk is associated with isolation of the site, as the site access and local roads are cut at events in excess of the 20% AEP event. However, given the available flood warning time (greater than 12-hours), there is a sufficient lead time available to evacuate the site prior to loss of local flood access. Notwithstanding this evacuation opportunity, the availability of early flood warning enables events booked in at the site to be cancelled prior to commencement.

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

Financial and resourcing implications for Council as a consequence of the recommendations of this report are outlined below.

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

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal, policy or risk implications for Council as a result of the recommendation of this report.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources ?
There is a risk that DPHI will refuse the planning proposal at Gateway.	Low	Accept the recommendations.	Yes
There is a risk if the proposal is not supported there will be a missed opportunity for economic development in the Port Stephens Hinterland.	Low	Accept the recommendations.	Yes

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

The planning proposal is being processed in accordance with Part 3 of the EP&A Act. Should Council resolve to endorse the planning proposal, it will be forwarded to DPHI for a Gateway determination, including a request for Council to be made the Plan Making Authority.

Port Stephens Local Environmental Plan 2013 (LEP)

The site is currently zoned RU1 Primary Production under the LEP, which does not permit function centres. There is currently a development consent approved on the

site (16-2018-557-1), for 'Temporary Use of Land Marriage Ceremonies' dated 14 September 2018. The planning proposal would amend Schedule 1 of LEP to include 'function centre' as a permissible land use on the subject land. This additional permitted use would only apply to the subject site and does not apply to other locations or RU1 Primary Production zoned land throughout Port Stephens.

Hunter Regional Plan 2041 (HRP)

Part 3 of the HRP outlines 'District Planning and Growth Areas' which includes the Hinterland District. It encourages working farms to co-exist with complementary enterprises and outdoor recreation. Under Planning Priority 2 - Promote rural enterprises and diversification, the HRP seeks to promote those types of rural enterprises that have a synergy with agriculture –including farm stays, camping or farm gate trails, and larger visitor economy activities and events.

The planning proposal is generally consistent with the objectives of the HRP. The proposed 'function centre' is a type of development contemplated by the HRP in the promotion of rural enterprises and diversification and is particularly suitable in the Port Stephens Hinterland.

Local Strategic Planning Statement (LSPS)

The LSPS identifies the 20-year vision for land use in Port Stephens and sets out social, economic and environmental planning priorities for the future. The planning proposal is considered to be consistent with, and would give effect to, the following planning priorities from the LSPS:

Priority 2: Make business growth easier

This priority identifies the need to facilitate the growth of successful enterprise. The planning proposal would generate employment and income for the local economy as well as bring people into Port Stephens LGA.

Priority 3: Support tourism and attract events

This priority identifies the importance of tourism to the local economy and the need to investigate opportunities to facilitate land uses that support the tourist and visitor economy. The planning proposal would continue to build on the success of the existing business of hosting wedding ceremonies and draw in visitors to the region.

Priority 9: Protect and preserve productive agricultural land

This priority identifies the importance of balancing agricultural industries and complementary uses such as artisan food premises, boutique breweries and wedding reception venues that can provide supplementary income for farm based businesses. A LUCRA was completed as part of the planning proposal, it concludes that the proposal 'will be appropriate for the site and its setting and is unlikely to result in

adverse impacts on surrounding properties or the agricultural use of surrounding land’.

Port Stephens Hinterland Place Plan (HPP)

The HPP sets out future actions and opportunities in the Hinterland. The planning proposal is consistent with, and would give effect to, the following themes in the HPP:

Economy: New experiences and distinct business opportunities

This theme identifies the importance of tourists and visitors to the economy and suggests that “...farm gate experiences, farm stays and low impact events can showcase the Hinterland’s history, lifestyle and local produce while increasing vibrancy, community connection and economic outcomes. A function centre on the site would offer low impact events and showcase the Hinterland to locals and visitors to the area.

Environment: Protection and conservation of our environment

The rural and natural landscape in the Hinterland is important to the community. The planning proposal will have no major impacts on native vegetation, wetlands, and riparian corridors. Any impacts on the rural landscape can be assessed during the assessment of a development application and there is considered adequate setbacks from the road and neighbours to mitigate potential impacts.

Character: The Hinterland and our unique identity

The theme identifies the importance of the unique identity of the villages that make the Hinterland. Gracemere and Albion Farm have established themselves as part of the distinctive character and fabric of Woodville. The planning proposal will facilitate the necessary investment to enable Gracemere to continue to deliver an improved standard of facilities and experience for many in the local community and beyond.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The planning proposal is likely to deliver a range of social and economic benefits, including:

- Employment opportunities within the Port Stephens LGA and the Hunter Region through construction and operation of a function centre.
- Stimulation of local economic activity through increased local spending.
- Enhancing the existing facilities at the site and awareness of the Port Stephens Hinterland for weddings and similar events.
- Generate additional visitors to the local area.
- Improved economic viability for the existing site to maintain the agriculture operations of the site.

COMMUNICATION AND ENGAGEMENT

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

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

The following communication and engagement applies to this report.

External communications and engagement

INFORM	Adjacent and adjoining landowners were notified in writing of the lodgement of the planning proposal.
CONSULT	<p>Preliminary consultation with the following State agencies was undertaken during the assessment of the scoping proposal:</p> <ul style="list-style-type: none">• Department of Planning, Housing and Infrastructure• NSW Department of Climate Change, Energy, the Environment and Water• Transport for NSW• Rural Fire Service NSW• Department of Primary Industries - Agriculture• State Emergency Services NSW. <p>No objections to the proposal were raised by agencies during this process. The supporting studies / information requested by the agencies has been submitted as part of the planning proposal.</p> <p>Further consultation or referral of the planning proposal to authorities and government agencies would be anticipated should this report be supported.</p>

	<p>Subject to the issue of a Gateway determination, public exhibition and engagement will occur. This would include notification through social media, direct letters to adjoining landowners, print advertising and Council's website.</p> <p>A letter of support from an adjacent landowner was submitted as part of the planning proposal package.</p>
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Internal communications and engagement

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

- Assets Section.
- Development and Compliance Section.

OPTIONS

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

ATTACHMENTS

- 1) Planning Proposal 893 Paterson Rd, Woodville. (Provided under separate cover)
- 2) Strategic Planning Assessment Report Woodville Function Centre.

COUNCILLORS' ROOM/DASHBOARD

- 1) Any third party reports referenced in this report can be inspected upon request.

TABLED DOCUMENTS

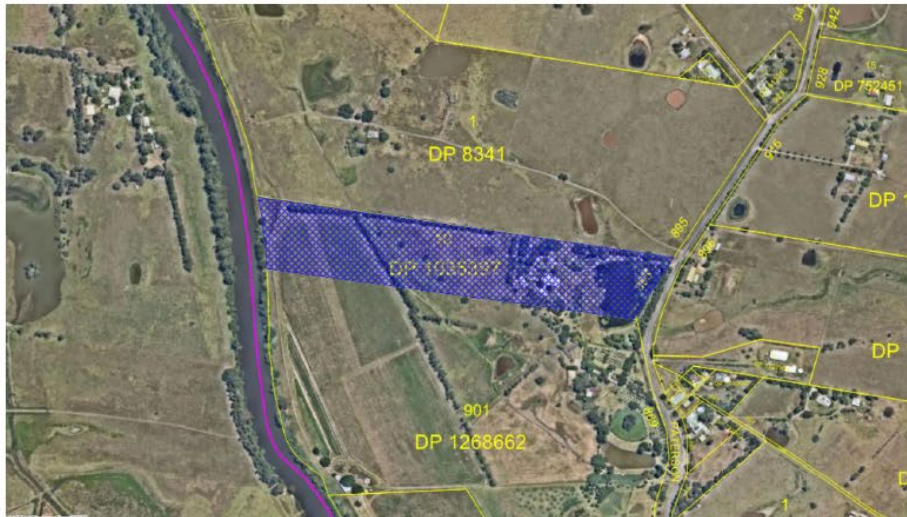
Nil.

**ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT
WOODVILLE FUNCTION CENTRE.**



STRATEGIC PLANNING ASSESSMENT REPORT (SPAR)

Application No.	58-2024-3-1
Applicant Name	Wilson Planning
Applicant Address	Po Box 316 Waratah NSW 2298
Site Location Details	Lot 10 DP1035397 893 PATERSON ROAD WOODVILLE 2321
Proposal Summary	Amend Schedule 1 'Additional Permitted Uses' of the Port Stephens Local Environmental Plan 2013 (LEP) to include an additional permitted use, 'function centre', on Lot 10 DP 1035397 (893 Paterson Road, Woodville).



ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

Information	Assessment	
Internal referrals	Received	Advice
Development Engineering	14/2/25	Update to Flood Risk Assessment Report requested.
Natural Systems	4/2/25	Application supported.
Environmental Health	N/A	
Heritage Advisor	N/A	
Economic Development	N/A	
Development Planning	20/4/24	Items noted to be considered at DA stage.
State agency referrals – preliminary scoping proposal referrals	Received	Advice
Department of Planning, Infrastructure and Housing	27/5/24	Included items to be considered when reviewing referrals from other agencies.
Biodiversity and Conservation Division	28/5/24	The environmental impacts associated with the proposal will be addressed during the assessment of a development application with specific consideration given ecological considerations, Water Management Act 2000 – Riparian Management and Port Stephens Comprehensive Koala Plan of Management.
Transport for NSW	6/5/24	It is unlikely a 'traffic, mobility and transport strategy' will be required, however TfNSW welcomes the opportunity to review any supporting traffic study, where the proposal indicates an impact to the State transport network.
Rural Fire Service	16/5/24	The NSW RFS has no concerns with the draft planning proposal. The NSW RFS does not require any further referrals for the planning proposal.
Department of Primary Industries	24/5/24	It was recommended that the proponent undertake a Land Use Conflict Risk Assessment

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ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

		(LUCRA) to identify potential impacts the proposal may impose on or experience from, lawful agricultural land uses and activities in the vicinity and detail effective mitigation measures.
Hunter Water Corporation	N/A	
School Infrastructure NSW	N/A	
State Emergency Services	28/5/24	The consent authority will need to ensure that the planning proposal is considered against the relevant Section 9.1 Ministerial Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 (the Manual) and supporting guidelines,

ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

Information	Assessment
Department of Planning Guide to preparing planning proposals	
Part 1 – Statement of objectives or intended outcomes of the proposed LEP	<p>The planning proposal seeks to achieve the following outcomes:</p> <ul style="list-style-type: none"> • The proposal will allow for the use of the site as a “function centre”, subject to development consent. • The intended outcome of this Planning Proposal is to amend Schedule 1 ‘Additional Permitted Uses’ of the LEP to include an additional permitted use, ‘function centre’, on Lot 10 DP 1035397 (893 Paterson Road, Woodville).
Part 2 – Explanation of the provisions that are to be included in the proposed LEP	<ul style="list-style-type: none"> • Amend Schedule 1 ‘Additional Permitted Uses’ to permit development for the purpose of a function centre with development consent. • Amend the Additional Permitted Uses Map to identify the subject site as a ‘function centre’.
Part 3 – Justification of strategic and potential site-specific merit, outcomes, and the process for implementation	<p>The justification provided for the objectives, outcomes and provisions of the proposed instrument, and whether it will give effect to, or is a product of, the local planning statement, is considered to be appropriate. See below for further detail.</p>
Section A – Need for the planning proposal	
Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?	<p>The planning proposal aligns with Priorities 2 and 3 of the Port Stephens Local Strategic Planning Statement (LSPS), themes P1 and P3 of the Port Stephens Community Strategic Plan (CSP) and the Economy theme in the Hinterland Place Plan (HPP).</p>

ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	<p>Consideration has been given to utilising existing mechanisms within the LEP to achieve the desired outcome of the Planning Proposal.</p> <p>There is currently an approved development consent on the site for 'Temporary Use of Land – Marriage Ceremonies' (16-2018-557-1). However, this use is only temporary and does not allow for a formal function centre to be developed at the site.</p> <p>Amending the LEP to allow an additional permitted use is the only option available to permit the marriage ceremonies on a permanent basis and permit the future development of a function centre.</p>
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Section B – Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?	<p>The planning proposal gives effect to the Hunter Regional Plan 2041.</p>
Assessment of consistency with the Hunter Regional Plan 2041.	<p>The Planning Proposal is consistent with the Planning Priorities in the Hunter Regional Plan 2041 including:</p> <ul style="list-style-type: none"> • Objective 8: The proposed function centre will attract visitors to the local area and enhance the local economy. • Hinterland District, Planning Priority 2: the proposed site for the function centre, will contribute to rural enterprises and diversification in the Hinterland.
Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?	<p>The Planning Proposal is consistent with the Planning Priorities in the LSPS including:</p> <ul style="list-style-type: none"> • Planning Priority 2: the proposed function centre will generate jobs in the LGA. • Planning Priority 3: the proposed function centre will draw in visitors to the area who will require accommodation and utilise other local services. • Planning Priority 9: a Land Use Conflict Risk Assessment (LUCRA) has been carried out. It

ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

concludes that the proposal *'will be appropriate for the site and its setting and is unlikely to result in adverse impacts on surrounding properties or the agricultural use of surrounding land'*.

The Planning Proposal is consistent with the following themes in the **CSP**:

- **Theme P1:** the proposed function centre will contribute by providing a source of employment and generating income for the local economy.
- **Theme E3:** the land on which the proposed function centre is located is subject to both flooding and bushfire risks. The planning proposal demonstrates that it is able to appropriately mitigate these.

The Planning Proposal is consistent with the emerging theme of 'Economy: New experiences and distinct business opportunities' in the **HPP**.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is considered to be consistent with other relevant State and regional strategies.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) ASSESSMENT

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP	Assessment
SEPP (Housing) 2021	
Chapter 3 - Diverse housing	Not applicable.
SEPP (Biodiversity and Conservation) 2021	
Chapter 3 - Koala habitat protection 2020	The information lodged for the proposal demonstrates consistency with the SEPP.
Chapter 4 - Koala habitat protection 2021	The information lodged for the proposal demonstrates consistency with the SEPP.
SEPP (Resilience and Hazards) 2021	
Chapter 4 – Remediation of Land	The information lodged for the proposal demonstrates consistency with the SEPP.
SEPP (Transport and Infrastructure) 2021	

ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

Chapter 2 – Infrastructure	Not applicable.
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SEPP (Primary Production) 2021

Chapter 2 – Primary production and rural development	The proposal is considered to be consistent with the relevant provisions of this SEPP. It will not adversely affect the production potential of the adjoining rural land and any areas of potential conflict have been considered as part of the LUCRA.
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MINISTERIAL DIRECTION ASSESSMENT

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

Ministerial Direction	Assessment
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Focus area 1: Planning Systems

1.1 Implementation of Regional Plans	<p>The proposal has been prepared in line with the ministerial direction and the project conforms to goals, directions and actions contained within the applicable regional plans.</p> <p>The information lodged for the proposal demonstrates consistency with the direction.</p>
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Focus area 3: Biodiversity and Conservation

3.1 Conservation Zones	<p>The information lodged for the proposal demonstrates consistency with the direction.</p> <p>The Biodiversity Development Assessment Report concludes that part of the site that is BV mapped, is in the same area as the Flood Prone Land. The function centre will be located out of the flood mapping and therefore avoid the BV mapped areas.</p>
3.2 Heritage Conservation	<p>The site does not contain any heritage items/places listed under Schedule 5 Port Stephens Local Environmental Plan 2013.</p> <p>The site does not contain any known Aboriginal areas, objects, places, or landscapes.</p>

Focus area 4: Resilience and Hazards

4.1 Flooding	<p>The proposal relates to flood prone land.</p> <p>The information lodged for the proposal demonstrates consistency with the direction.</p>
4.2 Coastal Management	<p>The information lodged for the proposal demonstrates consistency with the direction.</p>
4.3 Planning for Bushfire Protection	<p>The proposal relates to bushfire prone land.</p> <p>The information lodged for the proposal demonstrates consistency with the direction.</p>

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ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

	The NSW RFS has no concerns with the draft planning proposal. The NSW RFS does not require any further referrals for the planning proposal.
4.4 Remediation of Contaminated Land	The information lodged for the proposal demonstrates consistency with the direction.
4.5 Acid Sulfate Soils	The information lodged for the proposal demonstrates consistency with the direction.
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistency with the direction is not relevant to the proposal.
5.3 Development Near Regulated Airports and Defence Airfields	Consistency with the direction is not relevant to the proposal.
Focus area 6: Housing	
6.1 Residential Zones	Consistency with the direction is not relevant to the proposal.
Focus area 7: Industry and Employment	
7.1 Employment Zones	Consistency with the direction is not relevant to the proposal.
Focus area 9: Primary Production	
9.1 Rural Zones	Consistency with the direction is not relevant to the proposal.
9.2 Rural Lands	<p>The information lodged for the proposal demonstrates consistency with the direction.</p> <p>The LUCRA included with the planning proposal, concludes that the proposal 'will be appropriate for the site and its setting and is unlikely to result in adverse impacts on surrounding properties or the agricultural use of surrounding land'.</p>
Information	Assessment
Section C – Environmental, social and economic impact	
Q8. Is there any likelihood that critical habitat or threatened	Part of the Planning Proposal is identified as Biodiversity Values. The proposal is supported by a Biodiversity Development Assessment Report.

**ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT
WOODVILLE FUNCTION CENTRE.**

species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	The report concludes that the part of the site that is BV mapped, is in the same area as the Flood Prone Land. The function centre will be located out of the flood mapping and therefore avoid the BV mapped areas.
Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	The site is mapped as bushfire prone and flood prone, however these matters have been satisfactorily addressed within the planning proposal. A Noise Impact Assessment was completed and any potential environmental effects will be considered further at development application stage.
Q10. Has the proposal adequately addressed any social and environmental effects?	<p>There would likely be positive social and economic effects as a result of the planning proposal.</p> <p>The proposal would further result in the following positive social and economic effects:</p> <ul style="list-style-type: none"> • Employment opportunities within the Port Stephens LGA and the Hunter Region from construction works and ongoing operation of the function venue. • An increase in visitors to the area and the wider Port Stephens LGA.
Section D – Infrastructure (Local, State and Commonwealth)	
Q11. Is there adequate public infrastructure for the planning proposal?	The proponent would be required to upgrade the onsite sewer management system but no additional community or social infrastructure is required as a result of the proposal.
Section E – State and Commonwealth Interests	
Q12. What are the views of state and federal public authorities consulted in order to inform the Gateway determination?	<p>Preliminary consultation was undertaken with various state authorities as identified in this assessment report for the scoping proposal phase, and their advice has been used to assist in informing the preparation of the planning proposal.</p> <p>Consultation with relevant State and Commonwealth agencies would be undertaken following a Gateway Determination.</p>
Part 4 – Maps, where relevant, to identify the effect of the planning proposal and the area to which it applies.	The maps included in the planning proposal adequately identify the substantive effect of the planning proposal.
Part 5 – Details of the community consultation that is to be undertaken on the planning proposal	The proponent conducted preliminary community consultation with surrounding landowners prior to the submission of the planning proposal. A letter of support accompanies the proposal from landowner directly opposite the entry into the site.

ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT WOODVILLE FUNCTION CENTRE.

The proposed community consultation in the planning proposal to be undertaken post Gateway determination is considered appropriate.

Part 6 – Projected timeline of the plan making process

The projected timeline as detailed in the planning proposal is considered adequate.

TECHNICAL CONTENT ASSESSMENT

Assessment of technical information

Supporting plans and studies	Assessment
Flood and Risk Assessment (FIRA)	<p>Flood Impact And Risk Assessment, Torrent Consulting, March 2025.</p> <p>The FIRA has determined that the proposed development is compatible with the existing flood hazard and does not result in adverse off-site flood impacts. The site provides area for a future function centre to be located above the Flood Planning Level and as such the risk to property is readily managed. The FIRA outlines that in the case of a flood warning, any functions would be cancelled and there is appropriate time to evacuate the site if a flood warning was issued during a function.</p>
Bushfire Risk Assessment Report	<p>Bushfire Assessment Report, MJD Environmental, November 2024.</p> <p>The Bushfire Assessment Report determined that the proposed development is able to meet the performance criteria for acceptable solutions for commercial/industrial development. It is accompanied by appropriate Bush Fire Protection Measures.</p>
Traffic and Transport Strategy	Would be considered at the DA stage.
Heritage	Would be considered at the DA stage.
Biodiversity Assessment Report	<p>Biodiversity Assessment, MJD Environmental, September 2024.</p> <p>The Biodiversity Assessment determined that the proposed footprint for the function centre avoids BV mapped areas.</p>

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**ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT
WOODVILLE FUNCTION CENTRE.**

Noise	<p>Noise Impact Assessment, Revers Acoustics, October 2024.</p> <p>The Noise Impact Assessment determined that the site is suitable for the intended purpose, provided the recommendations outlined in the report are incorporated into the design. With the proposed measures in place, noise from the site will be either within the criterion or generally below the existing background noise level in the area for the majority of the time.</p>
Agricultural Land Assessment	<p>Land Use Conflict Risk Assessment Report, Wilson Planning, November 2024.</p> <p>The Land Use Conflict Risk Assessment Report determined that the proposal is appropriate for the site and its setting and is unlikely to result in adverse impacts on surrounding properties or the agricultural use of surrounding land.</p>

**ITEM 3 - ATTACHMENT 2 STRATEGIC PLANNING ASSESSMENT REPORT
WOODVILLE FUNCTION CENTRE.****RECOMMENDATION**

Based on the information lodged with the rezoning request, the planning proposal is considered to have sufficient merit to proceed to Gateway.

DETERMINATION

The planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and is considered to be consistent with relevant local and regional plans, State Environmental Planning Policies and Ministerial Directions. Where there is any inconsistency, this inconsistency is considered to be justified.

As a delegate for Port Stephens Council and in accordance with the Rezoning Request Policy, I, Courtney Maloney, Strategic Planner at Port Stephens Council, endorse the planning proposal to amend Schedule 1 'Additional Permitted Uses' of the LEP to include an additional permitted use, 'function centre', on Lot 10 DP 1035397 (893 Paterson Road, Woodville), to be submitted to the Department of Planning and Environment, in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979, with a request for a Gateway determination.

Authorisation to make the plan under section 3.34(2)(g) of the EP&A Act is to be requested.

SIGNATURE**DATE 10.03.2025**

Courtney Maloney
Strategic Planner

ITEM NO. 4

FILE NO: 25/14109
EDRMS NO: PSC2024-03481

DRAFT DEVELOPMENT CONTROL PLAN 2025

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the draft Port Stephens Development Control Plan 2025 (**ATTACHMENT 1**) on public exhibition for a minimum of 28 days in accordance with the Environmental Planning and Assessment Act 1979 (NSW) and the Environmental Planning and Assessment Regulation 2021.
 - 2) A further report to be provided to Council upon completion of the public exhibition period seeking endorsement of the Development Control Plan 2025.
-

BACKGROUND

The purpose of this report is to seek Council endorsement to place the draft Port Stephens Development Control Plan 2025 (draft DCP) (**ATTACHMENT 1**) on public exhibition for a period of 28 days.

The existing Port Stephens Development Control Plan 2014 (current DCP) has been the subject of a comprehensive review and a draft DCP has been prepared with the intention to repeal and replace the current DCP.

The primary role of the Development Control Plan (DCP) is to guide permissible development by:

- Giving effect to the aims and objectives of the Port Stephens Local Environmental Plan 2013 (LEP)
- Facilitating permissible development under the LEP
- Providing flexibility to allow alternative solutions to meet the LEP objectives.

The provisions of a DCP for these purposes are not statutory requirements or development standards.

The preparation and exhibition of the draft DCP completes committed actions under the Port Stephens Local Housing Strategy (LHS), specifically:

- To implement process improvements to streamline assessments and reduce the cost of housing

- To improve the development feasibility of medium density developments in centres
- To enable more efficient and sustainable development outcomes for new housing including small lot housing, residential flat buildings and shop top housing.

Actions in the LHS were prioritised in order to meet the State Government housing targets for the LGA. Council received grant funding in 2024 through the Australian Government's Housing Support Program. This grant support has enabled the comprehensive review of the existing DCP and the development of the digital DCP platform.

The key changes resulting from the comprehensive review have been summarised below.

Housing affordability

Controls for all types of housing have been reviewed and rationalised to find cost savings for applicants where possible. There are also customer-focused changes that will make it easier to prepare simple housing applications. These changes include:

- Introducing an online DCP platform with tools to facilitate ease of use, which includes:
 - A matrix to make the identification of lodgement requirements easier based on development types.
 - Search, print and save functionality to make it easier to prepare an application.
 - Use of a mobile and tablet friendly platform.
 - Ease of access to glossary terms.
 - Ease of access through hyperlinks to relevant sites, maps, documents and forms.
- Relocating information around specific assessment requirements and development types to a Development Application Supporting Handbook.
- New mapping and explanatory figures that are clear and uniform.
- The use of plain English to explain planning jargon, making it easier for users to interpret and understand.

Faster approvals

The changes related to improved assessment timeframes include the provision of consistent controls for different types of housing. The use of consistent requirements for setbacks, landscaping and other residential requirements will make it easier and quicker to assess housing applications.

Controls have also been rationalised to remove duplication, consolidate related subject matter or to relocate information requirements so that overall there are less controls to address in an application. This is aimed at speeding up processing times for applications and reduce the administrative burden for both applicants and Council.

Clearer information about upfront requirements has been provided in the Development Application Supporting Handbook which is aimed at reducing the need to request further information from an applicant during assessment. This is intended to speed up overall assessment and determination timeframes for applicants.

Better environmental outcomes

The draft DCP includes new protections targeting unauthorised underscrubbing of native vegetation on large residential lots. There are also new controls that will provide better protections for koala habitat, greater guidance on biodiversity corridors and buffer areas as well as information relating to development in mapped coastal vulnerability areas as a result of the Coastal Management Program.

Other amendments

At its meeting on 27 February 2024, Minute No. 14 (**ATTACHMENT 2**) Council resolved to request a report be prepared outlining the best way to implement an amendment to the DCP to include provisions related to electric vehicle (EV) charging infrastructure for dwelling houses, dual occupancies and semi-detached dwellings. As part of the DCP review, EV charging requirements were benchmarked against other councils, with research undertaken on installation options and costs. The controls proposed in the draft DCP are intended to facilitate EV trends and usage whilst limiting any adverse cost impacts on housing affordability.

The flooding chapter has been restructured to align with the NSW Flood Risk Management Manual and the recently released NSW Shelter in Place Guidelines. It is noted that a standalone amendment of the flooding chapter is proposed for late 2025 in response to the cumulative flood controls developed in collaboration with Maitland City Council and the City of Newcastle.

A detailed explanation of all amendments has been provided in the fact sheets prepared for each DCP chapter (**ATTACHMENT 3**).

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 development of the draft DCP and digital DCP platform has been managed within existing budget resources and using grant funding received through the Australian Government's Housing Support Program.

There are no foreseen negative financial or resource implications for Council.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	Yes	\$100,000	Australian Government's Housing Support Program funding.
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that information requirements for applications are not clear resulting in incomplete applications, requests for further information and assessment delays.	Low	Adopt the recommendations.	Yes
There is a risk that DCP controls are hard to navigate, overly onerous, and increase the cost of new housing.	Low	Adopt the recommendations.	Yes
There is a risk that DCP controls do not adequately protect the environment or respond to sustainability trends.	Low	Adopt the recommendations.	Yes

National Housing Accord 2024

The Australian Government has agreed to a National Housing Accord with states and territories, local government, institutional investors and the construction sector to deliver 1 million well-located homes over the next 5 years. The Commonwealth will provide \$3.5 billion in payments to state, territory and local governments to support the delivery of new homes towards the National Housing Accord target. The Australian Government's Housing Support Program is part of that funding commitment and the review of the DCP received grant funding through the Housing Support Program.

Hunter Regional Plan 2041 (HRP)

The HRP identifies that Port Stephens is forecast to grow by approximately 20,000 people over the next 20 years and specifies a projected housing demand for Port Stephens of 11,100 dwellings. The HRP includes actions for Council to adopt a LHS with actions to respond to these housing targets. The draft DCP gives effect to the actions in the LHS.

The DCP is also consistent with HRP objectives to incorporate sustainable planning and resilience in planning decisions, protect biodiversity and facilitate delivery of well-located homes.

Port Stephens Local Housing Strategy (LHS)

The draft DCP is consistent with the LHS and aligns with actions to:

- Implement process improvements to better streamline assessments and reduce the cost of housing (Action 2.7).
- Amend planning controls to improve feasibility for medium density developments in centres (Action 3.2).
- Enable more efficient and sustainable development outcomes for new greenfield housing and encouraging provision of small lot housing through controls (Action 3.3).
- Consider development controls for residential flat buildings, serviced apartments and shop top housing (Action 3.5).

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

Part 3 of the EP&A Act defines the purpose of a DCP. This legislative framework has informed the content of the draft DCP. Should Council resolve to proceed with the amendment, all necessary matters in preparing the plan would be carried out in accordance with the EP&A Act.

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

Part 2 of the Environmental Planning & Assessment Regulation 2021 provides further guidance in regard to the form, structure and subject matter of DCPs. The draft DCP has been prepared with regard for these sections. 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.

The EP&A Regulation requires the draft DCP to be listed on planning certificates from the commencement of the exhibition period.

State Environmental Planning Policy (Biodiversity and Conservation) 2021
(Biodiversity and Conservation SEPP)

Chapter 2 of the Biodiversity and Conservation SEPP outlines planning provisions for the regulation of clearing vegetation in non-rural areas. The draft DCP aligns with the SEPP and declares the vegetation in non-rural areas of Port Stephens to which this Chapter of the SEPP applies.

Port Stephens Local Environmental Plan 2013 (LEP)

The draft DCP has been prepared to give effect to the aims and objectives of the LEP.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The proposed amendments are considered to have positive social, environmental and economic implications. The amendment will improve access to information for the community and provide clearer approval and assessment requirements. The draft DCP will facilitate increased certainty and confidence in planning processes and outcomes and facilitate housing in Port Stephens. The amendments will support improved environmental outcomes and sustainable development.

COMMUNICATION AND ENGAGEMENT

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

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

The following communication and engagement applies to this report.

External communications and engagement

The following communication and engagement has been conducted in the preparation of the draft DCP:

INFORM	<ul style="list-style-type: none"> • Update on the website to inform the community that the DCP was under review. Council Advisory Groups (Heritage, Environment and Community Engagement) received briefings on the project.
CONSULT	<ul style="list-style-type: none"> • Update on the website - An email address was provided for the community to contribute suggestions and make enquiries. • Targeted Development Industry Survey – A survey was distributed to the development industry including planning, engineering and ecological consultants, architects, developers and members of peak industry bodies. • Port Stephens Development Forum – A presentation was given at the Port Stephens Development Forum to provide feedback on the survey results. Discussion and suggestions made during the Forum were recorded and incorporated in the review • Agency consultation - Hunter Water Corporation and the Commonwealth Department of Defence received relevant draft chapters (B3 Stormwater Management and B6 Aircraft Noise and Safety) and provided feedback and guidance. • Industry engagement included targeted engagement with the Urban Development Institute of Australia (UDIA).

The following communication and engagement is planned:

CONSULT	Following Council's endorsement, the draft DCP will be placed on public exhibition for 28 days and will be notified through social media, direct email to stakeholders, print advertising and Council's website.
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Internal communications and engagement

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

- Assets Section.
- Development and Compliance Section.
- Public Domain and Services Section.
- Communications and Customer Experience Section.

OPTIONS

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

ATTACHMENTS

- 1) Draft Development Control Plan 2025. (Provided under separate cover)
- 2) Council Meeting 27 February 2024 Minute 014. (Provided under separate cover)
- 3) DCP-Fact Sheets. (Provided under separate cover)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 5

FILE NO: 25/97296
EDRMS NO: PSC2023-03568

**DRAFT LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2020 -
COMPREHENSIVE AMENDMENT**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the draft Port Stephens Local Infrastructure Contributions Plan - Comprehensive Amendment (**ATTACHMENT 1**) for exhibition.
- 2) Exhibit the draft Port Stephens Local Infrastructure Contributions Plan - Comprehensive Amendment (the Amendment) for 28 days in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021.

BACKGROUND

The purpose of this report is to seek endorsement to publicly exhibit the draft Port Stephens Local Infrastructure Contributions Plan (LIC Plan) - Comprehensive Amendment (the Amendment) (**ATTACHMENT 1**).

Council collects contributions from new developments to assist in funding local infrastructure such as roads, pathways, parks and sporting facilities to support growth and development. Local infrastructure contributions are levied in accordance with Part 7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the endorsed LIC Plan. The funds collected must be allocated to the projects within the LIC Plan Works Schedule.

Each year, the LIC Plan undergoes an annual review, primarily focused on updating the Work Schedule to remove completed projects and identify new infrastructure. A comprehensive review is undertaken every 5 years to ensure that the Plan remains up-to-date, relevant to the current needs of the community, and aligns with infrastructure demand across the local government area.

At its meeting 28 March 2023, Minute No. 064 (**ATTACHMENT 2**), Council resolved to amend the Local Infrastructure Contributions Plan to implement options to increase levies for extractive industries. The Amendment gives effect to the resolution.

The amendments to the LIC Plan relate to:

- Aligning the projects within the Work Schedule with the Port Stephens Housing Supply Plan.
- Reducing the rate for affordable rental housing, consistent with housing for seniors and people with a disability and secondary dwellings.
- Reducing the discount for caravan parks with short term accommodation and tourist and visitor accommodation such as hotels, resorts and serviced apartments.
- Increasing the haulage rate for extractive industries.
- Indexing haulage with the Primary Producer Index - Roads and bridges (NSW) instead of the Consumer Price Index - All Groups (NSW).
- Clarification for works required as a condition of consent.
- Clarification for voluntary planning agreements, works in kind agreements and material public benefit agreements.

The Amendment includes the removal of infrastructure projects from the LIC plan that:

- Have been funded by the LIC Plan and completed;
- Have been funded by sources other than infrastructure contributions (i.e. grant funding); or
- Are not linked to growth identified within the Port Stephens Housing Supply Plan.

The Amendment includes the revision of project estimates and apportionments within the LIC Plan to:

- Reflect the increasing costs to deliver infrastructure;
- Reflect revised scopes within masterplans and project plans; and
- Reflect the expected demand from growth and development.

The Amendment includes new infrastructure projects in the LIC Plan that have been identified as required to support the growth and development identified in the Port Stephens Local Housing Strategy and Housing Supply Plan.

The Amendment results in changes to the amount of contributions charged for the following types of development:

Type of development	Current contribution rate	Proposed contribution rate
Affordable rental housing	\$20,000	\$10,000
Tourist and visitor accommodation	\$10,000	\$15,000
Caravan parks - short term accommodation (e.g. Middle Rock)	\$11,072-\$11,915	\$15,000
Extractive industries	\$0.086/tonne/km	\$0.097/tonne/km

Proposed changes to the LIC Plan are outlined in the Amendment (**ATTACHMENT 1**) and a detailed fact sheet explaining the changes has been provided at (**ATTACHMENT 3**).

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 Amendment aims to secure contributions from development towards local infrastructure. Should the Amendment be exhibited and adopted, it would enable funding and construction of essential public infrastructure to satisfy the demands of the future population.

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

LEGAL, POLICY AND RISK IMPLICATIONS

There are no foreseen legal, policy or risk implications for Council as a result of the recommendation of this report.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the LIC Plan will not adequately identify infrastructure projects to support growth.	Low	Accept the recommendations.	Yes

ORDINARY COUNCIL - 10 JUNE 2025

There is a risk that the LIC Plan does not adequately budget for future infrastructure delivery.	Low	Accept the recommendations. The LIC Plan is informed by independent studies and Council's adopted Strategic Asset Management Plan (SAMP). The Amendment has revised the project estimate for many projects to account for inflation and cost escalation.	Yes
There is a risk that infrastructure contributions will impact the feasibility of new housing.	Low	Accept the recommendations.	Yes

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

Part 7 of the EP&A Act authorises Council to collect local infrastructure contributions from new development. Conditions imposed on new development would be in accordance with an approved local infrastructure contributions plan.

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

Part 9 of the EP&A Regulation relates to development contributions. The Amendment will amend the current contributions plan, pursuant to section 215 (1).

Section 212 sets out the particulars a local infrastructure contributions plan must contain. The Amendment is consistent with this clause.

Section 213 sets out the exhibition requirements for amendments and draft contributions plans. The public exhibition of the Amendment will be carried out in accordance with the EP&A Regulation.

Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012 (the Direction).

The Direction sets maximum contribution rates for new development and development in urban release areas (URAs), unless a contributions plan is reviewed by the Independent Pricing and Regulations Tribunal. In Port Stephens, the maximum rate per residential lot is \$20,000, and in the Kings Hill URA the maximum rate per residential lot is \$30,000. The Amendment satisfies the Direction.

The Port Stephens Local Housing Strategy

The Port Stephens Local Housing Strategy (LHS) and Housing Supply Plan (HSP) provide the strategic direction for future housing in Port Stephens. The Amendment responds to Action 4.3 of the LHS to identify and deliver local infrastructure to support growing communities by aligning the LIC Plan with the HSP.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Amendment ensures an adequate standard of services and facilities can be provided across the Port Stephens Local Government Area (LGA) and that the existing community will not be funding the infrastructure needs that result from new development. This has been balanced against the need to ensure unreasonable costs are not imposed upon new residential development, thereby reducing financial viability.

COMMUNICATION AND ENGAGEMENT

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

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

The following communication and engagement applies to this report.

External communications and engagement

CONSULT	The Amendment will be placed on public exhibition for 28 days and will be notified through social media and Council's website.
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	Submissions made during the exhibition period will be considered in a report to Council with details of any post-exhibition changes.
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Internal communications and engagement

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

- Financial Services Section
- Assets Section
- Development Assessment and Compliance Section.

The infrastructure projects in the Amendment have been aligned with Council's SAMP, Capital Works Program, place plans, masterplans, plans of management and adopted land use strategies.

OPTIONS

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

ATTACHMENTS

- 1) Draft Port Stephens Local Infrastructure Contributions Plan. (Provided under separate cover)
- 2) 28 March 2023, Minute No. 064.
- 3) Fact Sheet.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 28 MARCH 2023

ITEM NO. 1

FILE NO: 23/14017
EDRMS NO: PSC2022-01759**REVOKING CONTRIBUTION DISCOUNTS FOR CARAVAN PARKS AND
INCREASING HAULAGE LEVIES**REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES**RECOMMENDATION IS THAT COUNCIL:**

- 1) Note the report on revoking contribution discounts for caravan parks and increasing haulage levies (**ATTACHMENT 1**).
- 2) Amend the Local Infrastructure Contributions Plan to revoke the discount for caravan parks and moveable dwellings, unless the development is for short term tourist and visitor accommodation or an applicant can demonstrate the development will contribute to affordable housing supply.
- 3) Amend the Local Infrastructure Contributions Plan to implement all of the options listed to increase levies for extractive industries.

**ORDINARY COUNCIL MEETING - 28 MARCH 2023
MOTION****064****Councillor Giacomo Arnott
Councillor Leah Anderson**

It was resolved that Council:

- 1) Note the report on revoking contribution discounts for caravan parks and increasing haulage levies (**ATTACHMENT 1**).
- 2) Amend the Local Infrastructure Contributions Plan to revoke the discount for caravan parks and moveable dwellings, unless the development is for short term tourist and visitor accommodation or an applicant can demonstrate the development will contribute to affordable housing supply.
- 3) Amend the Local Infrastructure Contributions Plan to implement all of the options listed to increase levies for extractive industries.

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 Kafer, Steve Tucker and Jason Wells.

MINUTES ORDINARY COUNCIL - 28 MARCH 2023

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

At its meeting of 13 December 2022, Minute No. 326 (**ATTACHMENT 2**), Council resolved to prepare a report outlining:

- 1) What actions Council could take to revoke the developer contribution discount which is applied to caravan parks and moveable dwellings
- 2) The impact of Council revoking the developer contribution discount which is applied to caravan parks and moveable dwellings
- 3) What actions Council could take to increase the haulage fees applicable to extractive industries which use Council's local roads
- 4) The impact of Council increasing the haulage fees applicable to extractive industries which use Council's local roads.

It is noted that the Port Stephens Local Infrastructure Contributions Plan (LIC) as adopted currently provides a discount for caravan parks and moveable dwellings based on their lower occupancy rate and therefore generally a lesser demand for local infrastructure. The LIC as adopted also provides a specific contribution rate for extractive industries to offset the impact of truck movements from quarries and mines travelling on local roads.

The report provided within (**ATTACHMENT 1**) details the questions posed and provides an investigation of options available to Council.

It is noted that the LIC was adopted in January 2021 and is comprehensively reviewed every 5 years. Annual amendments are prepared to ensure the projects in the Works Schedule align with capital works programming and can include other necessary amendments.

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

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

MINUTES ORDINARY COUNCIL - 28 MARCH 2023

Source of Funds	Yes/No	Funding (\$)	Comment
Developer Contributions (\$7.11)	Yes		Adopting the recommendation will increase contributions income.
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no known significant legal, policy or risk implications as a result of the recommendations.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that revoking the developer contributions discounts currently available will have a negative impact on the provision of housing in Port Stephens.	Low	Accept the recommendation.	Yes
There is a risk that increasing haulage levies will impact the operations of associated industries within Port Stephens.	Low	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The recommendations made within this report are considered to have positive social and economic benefits for Council and the wider community.

Through more rigorous controls relating to what type of development a contributions discount would apply to, Council ensures that only the type of development offering wider social and community housing benefits would qualify.

Through the increased contributions income received by Council for industries which attract haulage levies, Council would be able to increase the level of service and delivery of infrastructure outside of defined haulage routes.

MINUTES ORDINARY COUNCIL - 28 MARCH 2023**CONSULTATION**Internal

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

- Assets Section
- Development and Compliance Section.

External

Should the LIC be amended, public exhibition and external stakeholder consultation would be undertaken in accordance with this process.

OPTIONS

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

ATTACHMENTS

- 1) Report on revoking contributions discounts for caravan parks and increasing haulage levies.
- 2) 13 December 2022, Minute No. 326.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 28 MARCH 2023**ITEM 1 - ATTACHMENT 1 REPORT ON REVOKING CONTRIBUTIONS
DISCOUNTS FOR CARAVAN PARKS AND INCREASING HAULAGE LEVIES.**

Author: Senior Strategic Planner – Infrastructure Coordination & Funding
Date: 3 February 2023
File No: PSC2022-04357
Subject: Report on revoking contributions discounts for caravan parks and increasing haulage levies

Background:

At its meeting of 13 December 2022, Minute No. 326, Council resolved to prepare a report outlining:

- 1) What actions Council could take to revoke the developer contribution discount which is applied to caravan parks and moveable dwellings
- 2) The impact of Council revoking the developer contribution discount which is applied to caravan parks and moveable dwellings
- 3) What actions Council could take to increase the haulage fees applicable to extractive industries which use Council's local roads
- 4) The impact of Council increasing the haulage fees applicable to extractive industries which use Council's local roads.

Discounts for caravan parks and moveable dwellings

The Port Stephens Local Infrastructure Contributions Plan (LIC) provides discounts for caravan parks and moveable dwellings based on their lower occupancy rate and therefore lesser demand for local infrastructure. A similar discount applies for other tourist and visitor accommodation.

The Australian Bureau of Statistics Census of Population and Housing 2021 (2021 Census) identified an occupancy rate of 2.4 persons per residential dwelling in Port Stephens. The occupancy rate for caravan parks was reported as 1.4 persons per moveable dwelling or caravan in Port Stephens in the same Census.

Due to the lower occupancy rate, it is considered that there would be a lesser demand for local infrastructure generated from caravan parks and moveable dwellings. However, because caravans are generally towed to site, the impact on road infrastructure is still relevant to consider and a lesser discount on contributions is applied for road works.

The contribution rate for caravan parks and moveable dwellings in the LIC is 50% for all local infrastructure categories except for the road work category, where the discount is only 20%.

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DISCOUNTS FOR CARAVAN PARKS AND INCREASING HAULAGE LEVIES.**

The LIC does not apply any discounts to caravan parks with long term occupants (such as manufactured home estates like Latitude One, Anna Bay and Sunrise Village, Bobs Farm) because these developments have the same impact on local infrastructure as other long term occupied, medium density residential development.

The LIC also permits Council to decide that no discounts should apply to caravan parks or moveable dwellings. Some of the matters Council might consider include the size and nature of the proposed dwellings (caravans or moveable dwellings installed onsite), whether the development is for short term tourist and visitor accommodation, and whether the development is likely to provide an affordable housing option in the locality.

Issues:Options to revoke the developer contribution discount for caravan parks

Actions include:

1. Amend the LIC to revoke the discount and apply the contributions rate per residential dwelling/lot for all development applications for all caravan parks or moveable dwellings.
2. Amend the LIC to revoke the discount for caravan parks and moveable dwellings, unless the development is for short term tourist and visitor accommodation or an applicant can demonstrate the development will contribute to affordable housing supply. 'Affordable housing' is a term defined in the planning legislation as housing for very low income households, low income households or moderate income households and often consists of rental housing owned by community housing providers.

Implications:Housing affordability

Housing affordability can be supported via reduced local infrastructure contributions for diverse housing types such as long term caravan sites and moveable dwellings in caravan parks.

Removing the discount entirely may be a disincentive to increasing this supply of more affordable housing options in Port Stephens. On 13 December 2022, Council considered a report on homelessness in Port Stephens noting how contributions discounts for caravan parks can help promote housing affordability and supply of diverse housing types. Retaining the discount for caravan parks that can demonstrate they contribute to affordable housing stock with reference to the definitions in the planning legislation would minimise this risk.

Contributions income

In the past 5 years, 7 applications have been received for caravan parks or manufactured home estates, including extensions to existing developments where contributions have been payable. Removing the discount or restricting the application of

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MINUTES ORDINARY COUNCIL - 28 MARCH 2023**ITEM 1 - ATTACHMENT 1 REPORT ON REVOKING CONTRIBUTIONS
DISCOUNTS FOR CARAVAN PARKS AND INCREASING HAULAGE LEVIES.**

the discount may not have a significant impact on either contributions revenue or affordable housing supply given the number and type of applications and Council's existing discretion to choose not to apply the discount.

Haulage levies for extractive industries using local roads

The LIC provides a contribution rate for extractive industries and mining to offset the impact of truck movements from quarries and mines travelling on nominated local roads (haulage levies). The haulage levy was last reviewed in 2020 and updated in 2021 (The levy was increased from \$0.04 / tonne / km to \$0.086 / tonne / km).

Haulage levies are ongoing payments collected for the operating life of a mine or quarry and fund the repairs, resealing, upgrading and reconstruction of haulage roads required because of the heavy truck movements. Haulage levies cannot be spent on other roads or on other infrastructure.

Haulage levies cannot be amended or increased after an application is determined even if Council amends the LIC. As a result, many extractive industries in Port Stephens pay different levies depending on the date their consent was issued.

The planning legislation requires haulage levies to be imposed in accordance with an adopted LIC and they may only be imposed to require a reasonable contribution towards recoupment of the cost concerned.

To accurately calculate reasonable contributions, Council could require the travel routes for every heavy haulage truck movement to be logged and weighbridge receipts to calculate the precise cost of the likely road damage and future road reconstruction or maintenance.

This would be an onerous administrative burden, so Council estimates the likely cost of damage caused by a typical heavy haulage vehicle (per tonne per kilometres) and multiplies this cost with an assumed average trip length of a tonne of hauled material to calculate a reasonable heavy haulage levy. Approved extractive industries submit regular reports to Council demonstrating their hauled tonnage so that Council can recover contributions.

The LIC contains details about the assumptions made as to the size of typical heavy vehicles operating in our area (e.g. number of axles) including average tonnage of material carried, the length of haulage routes, the condition of the road, and projected maintenance and reconstruction costs over time.

If an applicant provides a Traffic and Transport Economic Study prior to determination of their application, the levy can be varied. For example, this might be necessary if specific operations use different sized trucks than the assumptions in the LIC.

Most applications for extractive industries in Port Stephens are determined by the State government and Council is not the consent authority determining the application and imposing the levy. Council is consulted during assessment, however the planning legislation enables other consent authorities the discretion to apply levies other than in accordance with Council's Contribution Plan.

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DISCOUNTS FOR CARAVAN PARKS AND INCREASING HAULAGE LEVIES.

For example, the Brandy Hill Quarry was recently determined by the Independent Planning Assessment Commission and Council was required to provide detailed justification for the methodology in calculating our local haulage levies, including a comparison of haulage levies in other council areas. That consent applies the haulage levies in the LIC, however also directs that a portion of the levies be spent other than in accordance with the Plan.

Issues:

A review of haulage levies imposed by other councils has been undertaken. Table 1 below shows a comparison of some of the heavy haulage levies that apply in NSW.

Table 1 Review of haulage levies in NSW

	Haulage Levy Rate
Port Stephens Council	\$0.086 / tonne / km
Cessnock Council	\$0.205 / tonne / km
Narromine Council	\$0.146 / tonne / km
Yass Valley Council	\$0.134 / tonne / km for primary local roads (sealed)
Coffs Harbour Council	\$0.088 / tonne / km
Tweed Shire Council	\$0.0744 / tonne / km for extractive industries and mining \$0.051 / tonne / km for other heavy haulage generating development
Ballina Council	\$0.073 / tonne / km for extractive industries and mining \$0.054 / tonne / km for other heavy haulage generating development
Coolamon Shire Council	\$0.0584 / tonne / km
Goulburn Mulwaree Council	\$0.0504 / tonne / km
Mid-Coast Council	\$0.038 / tonne / km
Maitland Council	Calculated for each individual development application and haul route
Lake Macquarie Council	Calculated for each individual development application and haul route
Singleton Council	Calculated for each individual development application and haul route
Muswellbrook Council	1% of the estimated cost of the development (one off payment)
Liverpool Plains Shire Council	1% of the estimated cost of the development (one off payment)
Eurobodalla Council	1% of the estimated cost of the development (one off payment)

Each contributions plan sets out the rationale for the haulage levy and there are individual differences that influence the assumptions and methodology adopted in each

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DISCOUNTS FOR CARAVAN PARKS AND INCREASING HAULAGE LEVIES.

council area. For example, an average haulage vehicle in Cessnock is specified as 25 tonnes and has a different number of axles whereas in Port Stephens, the size of the average haulage vehicle from local extractive industries is specified as 15 tonnes (a composite calculation considering loaded and non-loaded vehicles and for heavy vehicles across many classes) with less axles. Trucks with less axles are likely to cause less road damage. Other key differences in the haulage route calculations include the existing condition of local haul roads (sealed or unsealed) which also changes the maintenance costs.

Some councils that have both mining as well as extractive industries located in their areas have chosen different methodologies to better capture the funds needed to maintain their local roads (for example Muswellbrook Council and Liverpool Plains Shire).

Councils that impose heavy haulage levies can also include a surcharge to cover the costs associated with administering and updating the LIC. In Port Stephens, this covers:

- costs expended for the preparation of the plan, including consultants' fees
- cost of staff time to implement the plan, process and account for contributions, monitor and amend the plan
- the processing of quarterly returns from extractive industries.

Depending on how levies are applied, administration of heavy haulage levies can cost some councils more than the administration of other contribution levies which are one off payments. Table 2 below shows a sample of different administration levies for haulage in NSW.

Table 2 Review of administration costs for haulage levies

	Surcharge for administration of haulage levies as a proportion of the calculated cost of road reconstruction/maintenance
Port Stephens Council	2.79%
Tweed Shire Council	5%
Cessnock Council	1.5%
Ballina Council	1.5%
Coolamon Shire Council	1.5%
Narromine Council	1%

In Port Stephens, haulage levies are only applied to mining and extractive industries. Other commercial and industrial developments that might generate regular heavy truck movements are levied 1% of the estimated cost of the development (as a one off payment) (known as section 7.12 levies). These levies are not solely directed towards the impact of heavy haulage truck movements but cover roadworks more generally as well as other infrastructure items. Section 7.12 levies cannot be imposed in addition to heavy haulage levies under section 7.11 (See section 7.12(2) of the EP&A Act). In most cases it is likely that collecting the existing section 7.12 levies for these developments better enables Council to deliver the infrastructure in our LIC.

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Other development that might generate significant heavy vehicles on local roads includes earthworks (excavation and filling) associated with development charged section 7.11 levies (such as residential subdivision). Some councils choose to extend heavy haulage levies to these applications in addition to the contribution per lot/dwelling charged under section 7.11. In Port Stephens, the section 7.11 levies for residential development and subdivision are currently either at or close to the Ministerial cap amounts (\$20,000 per lot) and adding additional levies for heavy haulage to these applications would exceed the cap in every catchment.

In Port Stephens, extractive industries are only charged contributions for haulage. Some other councils choose to levy quarries for additional local infrastructure contributions for other items outside of maintenance of haulage routes. In Port Stephens, all other types of commercial and industrial development pay towards these other infrastructure items through section 7.12 levies. There is no Ministerial cap on the amount of contributions councils can charge extractive industries and mining under section 7.11.

Options to increase haulage levies

The review of haulage levies identifies the following opportunities to either increase haulage levies or increase the contributions collected from extractive industries and mining:

1. Review the administration surcharge to ensure it reflects the true cost of administering the levy including maintaining databases and separate accounting for haulage, notification procedures, processing quarterly returns, as well as invoicing and recovering late or missed payments.
2. Amend the LIC to levy additional contributions under section 7.11 for extractive industries and mining to fund infrastructure needs in addition to haulage road maintenance, such as fire and emergency services, flood and drainage works, civic administration – works depot, or shared paths. This change will ensure extractive industries are contributing towards the same categories of community and other infrastructure as all other commercial development in Port Stephens.

The Brandy Hill Quarry recently determined by the Independent Planning Assessment Commission is an example of an extractive industry that created a need for infrastructure other than the items funded by the existing haulage levy (i.e. shared paths). As the current LIC does not require quarries to contribute to this type of community infrastructure, the determination required Council to use the haulage levy to partially fund this item which could lead to a deficit in funds to repair haulage routes.

3. Amend the LIC to include a statement that works may also be required for a specific development to be undertaken in addition to works funded by contributions levied under the Plan.

Some roads and infrastructure may not be able to accommodate additional heavy vehicle loading without immediate upgrades. There may be upgrades to roads or

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traffic facilities that are directly required by a development and without which the development could not or should not reasonably occur. New roads, or upgrades to the existing road network, may be required to accommodate the additional heavy vehicle loading. Where a development requires works to be undertaken, the requirement will be by way of a condition imposed on the development consent under section 4.17(1)(f) of the EP&A Act. This will be in addition to contributions required for haul routes.

The Brandy Hill Quarry recently determined by the Independent Planning Assessment Commission is an example of an extractive industry that created a need for immediate infrastructure upgrades that were not funded by the existing haulage levy (i.e. construction of bus bays). The determination requires Council to use the heavy haulage levy to fund this item which could lead to a deficit in funds to repair haulage routes.

4. Review the most appropriate price index to apply to the haulage levy, for example the current LIC relies on the Consumer Price Index Sydney - All Groups, published by the Australian Bureau of Statistics (ABS). Since the making of the *Environmental Planning and Assessment Regulation 2021*, councils can now choose the most appropriate price index for contributions levies. Tweed Shire Council recently updated their Contributions Plan to index heavy haulage levies with reference to the Producer Price Index (PPI) 3101 Road and bridge construction NSW (ABS).

Implications:Increasing haulage levies

As set out above, the methodology for calculating haulage levies under the LIC was only recently reviewed and amended. There are likely limited opportunities to increase the haulage levies collected by revising the current methodology, particularly given in most instances an applicant will submit a Traffic and Transport Economic Study to vary the assumptions in the Plan to reflect their specific operations more accurately.

There are however opportunities to increase the total levies collected from mining and extractive industries as set out above and to include statements in the LIC clearly outlining Council's position on funding the provision of infrastructure directly required by a development and without which the development could not or should not reasonably occur.

Economic impacts

Increasing the levies collected from mining and extractive industries can have an economic impact on the feasibility of these developments. Some other councils have addressed this in their contributions plans by:

- Resolving to adjust the haulage levy to 40% of the calculated contribution with council meeting the remaining 60% in recognition of the local economic benefits mining and extractive industries (Narromine Shire Council).
- Excluding extractive industries with an average annual approved output of up to and including 5,000 m³ of solid material to assist the viability of smaller scale enterprises

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and recognise the smaller and localised haulage associated with these developments (Narromine Shire Council, Ballina Shire Council, Tweed Shire Council).

- Limiting the calculation of the levies by setting 15 km as the maximum local haul route in any calculation (Narromine Shire Council).

Overall, there are likely limited applications in Port Stephens that would be impacted by the changes. No local applications for quarries have been lodged or determined in the past 5 years and there have been limited State applications approved in the same timeframe. Council occasionally receives heavy haulage contributions from quarries in neighbouring local government areas if their trucks use local haul routes in Port Stephens to access the State network.

The changes listed above would result in positive financial implications for Council.

Recommendations:

- 1) Note the issues and implications identified in this report.
- 2) Amend the LIC to revoke the discount for caravan parks and moveable dwellings, unless the development is for short term tourist and visitor accommodation or an applicant can demonstrate the development will contribute to affordable housing supply.
- 3) Amend the LIC to implement all of the options listed to increase levies for extractive industries.

Senior Strategic Planner – Infrastructure Coordination & Funding



Council collects contributions from developers to provide local infrastructure and facilities under section 7.11 of the Environmental Planning and Assessment Act 1979. These funds help to deliver infrastructure, such as pathways and recreation facilities, for growing communities.

Council's Local Infrastructure Contributions Plan (LIC Plan) outlines the process for collecting and expending local infrastructure contributions.

Proposed Changes

Updated Work Schedule

The Works Schedule, which identifies future projects to be funded by contributions, has been updated to:

- Remove completed projects such as the amenities upgrades completed at Yulong Oval, Medowie
- Revise the estimated project cost for 29 projects to reflect indexation
- Include 10 new projects linked to growth in the [Port Stephens Housing Supply Plan](#)
- Remove 20 projects that were not linked to growth in the Port Stephens Housing Supply Plan

Affordable Rental Housing

The LIC Plan currently applies a contributions rate of \$20,000 per dwelling for affordable rental housing. Housing for seniors and people with a disability and granny flats have a reduced rate of \$10,000 per dwelling.

The draft LIC Plan proposes to extend the \$10,000 rate to affordable rental housing delivered by a community housing provider (such as Hume Housing) to incentivise housing affordability.

portstephens.nsw.gov.au/infrastructure-contributions





Proposed Changes cont.

Tourist and Visitor Accommodation and Caravan Parks

The LIC Plan currently applies a contributions discount of 40-50% to tourist & visitor accommodation and short term caravan parks due to reduced occupancy rates.

In recent years, the tourism industry has grown with increasing occupancy rates and infrastructure impacts across the year. Therefore, the draft LIC Plan proposes to reduce the contributions discount for tourist and visitor accommodation and caravan parks to 25%.

Quarry Haulage

Council collects haulage from quarries and extractive industries to repair roads damaged by trucks.

The draft LIC Plan proposes to increase the haulage rate from \$0.086/tonne/km to \$0.097/tonne/km. The increase incorporates indexation and an increased allowance for administrative costs.

Council indexes the rate each year using the Consumer Price Index. The draft LIC Plan proposes to use the Producer Price Index – Road and bridge construction NSW instead as this index more accurately reflects the increasing costs to maintain roads.




Planning Agreements

The Department of Planning, Housing and Infrastructure Practice Notes recommend councils to provide public planning agreement policies to provide transparency and assist in negotiation.

The draft LIC Plan includes more guidance for planning agreements including voluntary planning agreements, works in kind agreements and material public benefit agreements.



For further information on the LIC Plan:

 portstephens.nsw.gov.au/infrastructure-contributions
 02 4988 0255
 council@portstephens.nsw.gov.au



ITEM NO. 6

**FILE NO: 25/81433
EDRMS NO: PSC064-25**

T137-2025 MANAGEMENT OF AQUATIC AND LEISURE CENTRES

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

RECOMMENDATION IS THAT COUNCIL:

- 1) That pursuant to section 10A(2)(d) of the Local Government Act 1993, Council resolve to close to the public that part of its meetings to discuss Item 6 on the Ordinary Council agenda namely tender T137-2025 Management of Aquatic and Leisure Centres.
- 2) That the reasons for closing the meeting to the public to consider this item be that:
 - i) The report and discussion will include details of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the tenderers; and
 - ii) In particular, the report includes confidential pricing information in respect of tender T137-2025 Management of Aquatic and Leisure Centres.
- 3) That on balance, it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as disclosure of the confidential commercial information could compromise the commercial position of the tenderers and adversely affect Council's ability to attract competitive tenders for other contracts.
- 4) That the report of the closed part of the meeting is to remain confidential and that Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179 of the Local Government General Regulation 2021.
- 5) That Council accept the tender submitted from Belgravia Heath and Leisure Group Pty Ltd to the value of \$1,156,634 for the management of Council's aquatic and leisure facilities.
- 6) That the contract will commence on 1 July 2025 for a period of 12 months, terminating on 30 June 2026 with an option to extend for a further 12 months.
- 7) Authorise the General Manager to negotiate any variations to the contract during this period.

BACKGROUND

The purpose of this report is to recommend the acceptance of a tender received from Belgravia Heath and Leisure Group Pty Ltd (Belgravia Leisure) for \$1,156,634 for the provision of managing Council's aquatic and leisure facilities as follows:

- 1) Lakeside Leisure Centre.
- 2) Tilligerry Aquatic Centre.
- 3) Tomaree Aquatic Centre.

Council is currently preparing an Aquatic Facilities Strategy which will provide the long term vision for Port Stephens. Until the Aquatic Facilities Strategy has been adopted it was considered appropriate to only procure a short term contract for the management of Council's leisure and aquatic centres.

The tender was publicly advertised for 21 days and closed on 24 April 2025.

The intent is to appoint Belgravia Leisure who has specialist knowledge in aquatic centre management. Belgravia partners with more than 70 local and state Government authorities, employs more than 5,500 staff and manages in excess of 220 venues across Australia and New Zealand. Belgravia has over 30 years' experience and operates across various industries including health clubs, wellness and spa, accommodation, caravan and campsites, golf, and aquatic and sporting venues.

Belgravia Leisure has operated Council's leisure and aquatic centres since 2016.

In the last 5 financial years, Council has spent approximately \$5,167,618, on the management of the leisure and aquatic centres.

The weightings agreed for this tender were:

Criteria	Weighting (%)
Price	30
Technical Skills	30
Timing & Work Plan	5
Relevant Experience/Expertise	30
Work Health and Safety	5
Total	100

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Infrastructure and facilities	Provide, manage and maintain community assets in accordance with the SAMP 2024-2034.

FINANCIAL/RESOURCE IMPLICATIONS

There are no significant financial or resource implications.

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

LEGAL, POLICY AND RISK IMPLICATIONS

There are no significant legal and policy implications.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council does not have the expertise to effectively manage an aquatic centre which comes with financial, operational and safety risks.	High	Implement contract/s to suitably qualified provider/s of Leisure Centre Management Services meeting the specification of Council.	Yes
There is a risk that the chosen provider of management services for the aquatic centres fails to meet community expectations damaging Council's reputation.	Medium	Implement contract/s to suitably qualified provider/s of Leisure Centre Management Services meeting the specification of Council.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no significant sustainability implications.

COMMUNICATION AND ENGAGEMENT

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

ORDINARY COUNCIL - 10 JUNE 2025

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

The following communication and engagement applies to this report.

INFORM	Due to the confidential nature of this report there was no direct external communication and engagement with the public.
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Internal communications and engagement

Consultation has been undertaken by the Financial Services Section with:

- Community Services Section.

OPTIONS

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

ATTACHMENTS

- 1) CONFIDENTIAL T137-2025 - Management of Aquatic and Leisure Centres.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 7

FILE NO: 25/88659
EDRMS NO: PSC2017-00180

FINAL INTEGRATED PLANNING AND REPORTING DOCUMENTS AND FEES AND CHARGES

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Receives and note the submissions received during the exhibition of the draft 2025 to 2035 Integrated Planning and Reporting documents and draft Fees and Charges 2025 to 2026 and the response to the public submissions **(ATTACHMENT 1)**.
- 2) Notes the recommendations relating to the changes to the Integrated Planning and Reporting documents, being the Community Strategic Plan 2025 to 2035, Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026, Resourcing Strategy 2025 to 2035 (incorporating the Workforce Management Strategy 2025 to 2029, Long Term Financial Plan 2025 to 2035 and Strategic Asset Management Plan 2025 to 2035) and the Fees and Charges 2025 to 2026 **(ATTACHMENT 2)**.
- 3) Adopts the Integrated Planning and Reporting documents, being the Community Strategic Plan 2025 to 2035, Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026, Resourcing Strategy 2025 to 2035 (incorporating the Workforce Management Strategy 2025 to 2029, Long Term Financial Plan 2025 to 2035 and Strategic Asset Management Plan 2025 to 2035) and Fees and Charges 2025 to 2026 presented to Council on 8 April 2025 **(ATTACHMENT 3)**, with amendments provided in **(ATTACHMENT 2)**.
- 4) Makes the rates and charges for 2025 to 2026 in accordance with **(ATTACHMENT 4)**.

BACKGROUND

The purpose of this report is to provide Council with the outcome of the exhibition process, responses to the submissions **(ATTACHMENT 1)** and changes to the 2025 to 2035 Integrated Planning and Reporting documents and the Fees and Charges 2025 to 2026 **(ATTACHMENT 2)**, along with making the rates and charges for 2025 to 2026 **(ATTACHMENT 4)**, prior to final adoption.

At its meeting on 8 April 2025, Minute No. 075 **(ATTACHMENT 3)**, Council resolved to place the draft Integrated Planning and Reporting documents on public exhibition for a period of 28 days. An outline of the engagement actions undertaken is provided in **(ATTACHMENT 5)**.

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The Integrated Planning and Reporting (IP&R) documents in accordance with the Local Government Act 1993 (Local Government Act) include the:

- Community Strategic Plan 2025 to 2035.
- Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026.
- Resourcing Strategy 2025 to 2035 incorporating the Workforce Management Strategy 2025 to 2029, Long Term Financial Plan 2025 to 2035 and Strategic Asset Management Plan 2025 to 2035.
- Fees and Charges 2025 to 2026.

COMMUNITY STRATEGIC PLAN

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

FINANCIAL/RESOURCE IMPLICATIONS

This is the third and final year of Council's IPART approved Special Rate Variation of 9.5% per annum for 3 years. The outstanding rates and charges interest rate is proposed to be the maximum amount as determined by the Minister for Local Government. The proposed rates and charges (**ATTACHMENT 4**) reflect those included in the Statement of Revenue Policy contained in the Operational Plan 2025 to 2026. Legislation requires the rates to be calculated using 1 July 2022 base date land values. Rates and charges income must be collected in a timely manner to ensure cash flow to fund Council operations.

Council is required to adopt the IP&R documents prior to 30 June 2025 in order to set the budget, charge fees and make the rates for the following financial year.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to undertake integrated planning and reporting activities in accordance with the Local Government Act, Local Government (General) Regulation 2021 (Local Government Regulation) and the NSW Government's Integrated Planning and Reporting Guidelines (IP&R Guidelines) and Handbook (IP&R

ORDINARY COUNCIL - 10 JUNE 2025

Handbook) September 2021. Sections 402 to 406, 532 to 545, 608 to 610 of the Local Government Act outline the specific requirements for the IP&R documents, Fees and Charges and making of the Rates and Charges.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council does not have an understanding of community priorities.	Low	The IP&R documents have been reviewed and revised based on integrated engagement over the last 2 years, including the recent public exhibition.	Yes
There is a risk that Council does not have the resources to meet it's delivery program and annual operational plan.	Medium	Staff continue to realistically plan and investigate resourcing opportunities as outlined in the Delivery Program and Resourcing Strategy.	Yes
There is a risk that the Operational Plan and Resourcing Strategy (containing the Long Term Financial Plan) which include the budget for 2025 to 2026 are not adopted in the timeframe required. The impact being: <ul style="list-style-type: none">• The fees therein cannot be charged.• Funds cannot be expended; and• The Plans will not be implemented prior to 1 July as legislatively required. This could lead to a loss of time, potential financial, reputational and legal implications for Council.	High	Adopt the recommendations.	Yes

ORDINARY COUNCIL - 10 JUNE 2025

There is a risk that failure to make and serve the Rate Notices by 1 August 2025 will defer the due date for the first instalment payment to 30 November 2025 adversely affecting cash flow.	High	Council will make Rates and serve Notice before 1 August 2025.	Yes
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SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Community Strategic Plan has been developed in alignment with the principles of sustainability and social justice addressing social, economic, environmental and governance factors (quadruple bottom line) through 4 interconnected focus areas: Our Community, Our Place, Our Environment and Our Council.

The 4 focus areas shown provide a structure for planning in each of the documents, enabling Council to address key actions while aiming to holistically meet the community's vision of 'A great lifestyle in a treasured environment'.

COMMUNICATION AND ENGAGEMENT

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

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

The following communication and engagement applies to this report.

External communications and engagement – prior to Public Exhibition

INVOLVE	<p>Between 2022 and 2024 a number of community engagement initiatives have been undertaken to inform the Community Strategic Plan, these include:</p> <ul style="list-style-type: none">• Communication and Engagement Strategy.• Community Wellbeing Strategy.• Local Housing Strategy.• Port Stephens Coastal Management Program.• Community Satisfaction Survey 2023 and 2024.• Business Health Check-In.• Financial Sustainability (Special Rate Variation).• Our Port Stephens 2021-2024 Report – updating the community on how we are tracking towards achieving the 2022 to 2032 Community Strategic Plan.• Liveability Survey 2024.
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External communications and engagement – during and post Public Exhibition

CONSULT	<p>In accordance with local government legislation and Council's Community Engagement Strategy the draft documents were placed on public exhibition for a minimum of 28 days from 9 April 2025 to 8 May 2025 and were notified via various activities as outlined in (ATTACHMENT 5).</p> <p>A summary of submissions received is provided at (ATTACHMENT 1) and a copy of the IP&R Communication and Engagement Report in (ATTACHMENT 5).</p>
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Submissions

As detailed in **(ATTACHMENT 1)** 25 submissions were received.

We value the time and effort taken by community members in reviewing the documents and providing submissions. As some of the submissions were lengthy, not every point raised has been listed, with key issues summarised as shown in **(ATTACHMENT 1)**.

Councillors have been provided with a full set of un-redacted submissions available in the Councillors Room for their consideration. For privacy and consistency reasons, full submissions have not publicly been made available.

A number of recurring topics that occurred in the submissions were relating to issues concerning:

- Shoal Bay and Tomaree Headland – traffic congestion, inadequate parking, signage, road access during emergencies and the need for additional parking and a second access road (9 submissions received).
- Arts and Cultural Centre/Precinct and Regional Arts Development Officer – the lack and need for a facility, the need for a dedicated officer within Council to seek funding and an economic assessment having been carried out which supports viability (11 submissions received).
- Tilligerry Place Plan – concerns over proposed density of housing in the plan and the impact on infrastructure and crime if this was to occur (2 submissions received).

Three other submissions raised specific matters about the:

- Strategic Asset Management Plan - projects which have been proposed by the applicant (1 submission received).
- Community Strategic Plan, Delivery Program and Operational Plan – suggestions about refinements to these documents (2 submission received).

Recommended changes to the documents, where deemed appropriate from community submissions or administrative corrections are detailed within **(ATTACHMENT 2)**.

Internal communications and engagement – prior to Public Exhibition

A multilayered approach to reviewing this suite of IP&R documents occurred via:

- Informing the new Council of the challenges and opportunities identified in Our Port Stephens 2021 to 2024 Report.
- Collaborating with the Mayor and Councillors in November 2024 and February 2025 to understand their priorities and those of their communities.
- Workshopping with Section Managers and the Executive Team to develop the associated IP&R documents to deliver on the Community Strategic Plan.
- Reviewing the Fees and Charges with responsible officers from across the organisation.

Internal communications and engagement – during and post Public Exhibition

- Collaborating with subject matter experts across Council, the Executive Team and relevant Section Managers to consider and respond to the submissions in **(ATTACHMENT 1)** and collate proposed changes to the final documents in

(ATTACHMENT 2). This has included detailed input from the section's responsible for assets and strategy & environment.

- Consideration by the Mayor and Councillors of the submissions by providing un-redacted copies in the Councillors rooms (prior to consideration of the Business Paper) and a summary of submissions and responses in **(ATTACHMENT 1)**.

OPTIONS

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

ATTACHMENTS

- 1) Summary of submissions.
- 2) Recommended changes to the Integrated Planning and Reporting documents.
- 3) Council Minutes - 8 April 2025.
- 4) Making the Rates and Charges 2025 to 2026.
- 5) Public Exhibition Engagement Report.

COUNCILLORS' ROOM/DASHBOARD

- 1) Un-redacted submissions.

TABLED DOCUMENTS

Nil.

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

ATTACHMENT 1 - INTEGRATED PLANNING AND REPORTING DOCUMENTS 2025 TO 2035
INCLUDING FEES AND CHARGES 2025 TO 2026 – PUBLIC EXHIBITION SUBMISSIONS

No	Author of submission	Comment	Council response
<p>Council values the community's detailed responses to the draft 2025 to 2035 Integrated Planning and Reporting (IP&R) documents and 2025 to 2026 Fees and Charges. Whilst Council has attempted to capture the key issues raised, not every comment has been addressed directly in the summary.</p> <p>When Council places documents on public exhibition, all of our community are invited to comment during the public exhibition process. Individual invitations are not issued to specific groups as this would provide preferential treatment. Public exhibition is an open process.</p> <p>Where the draft Community Strategic Plan (CSP), Delivery Program (DP), Operational Plan (OP), Resourcing Strategy (RS), Long Term Financial Plan (LTFP), Workforce Management Strategy (WMS), Strategic Asset Management Plan (SAMP) or Fees and Charges (F&C) are referred to throughout this document, the reference is in regard to those draft IP&R documents which were on public exhibition from 9 April to 8 May 2025.</p>			
1.	Individual EDRMS 25/108683	<p>The current draft documents need to incorporate:</p> <ul style="list-style-type: none"> Investigating the feasibility of an arts and cultural precinct in the Local Government Area – undertaken by external consultants with expertise. The Tomaree Cultural Development Group have undertaken significant research for a proposed performing arts centre. Appointment of a Regional Arts Development Officer (RADO) for the LGA – possibly part funded by NSW government and local government, creating greater access to cultural funding for the LGA. This proposal meets the broader strategic intent of Council but needs to be funded and articulated in the integrated plans – requesting documents be modified to reflect this. <p>Perceived lack of consideration of suggestions provided by cultural community representatives at the 2024 Port Stephens Creative Conference and lack of consultation with 355c Strategic Arts Committee inviting the Committee to provide feedback.</p>	<p>Noted.</p> <ul style="list-style-type: none"> Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. Council will continue to advocate and engage with the Department of Communities and Justice (DCJ) as the owners of the Tomaree Headland site, to find suitable short, medium and long-term options for the site. Council funding is not currently available/budgeted for a cultural facility or RADO. Public exhibition is an open process. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to advocate to other levels of government to investigate and fund these opportunities. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

			Tomaree Headland site, to find suitable short, medium, and long-term options for the site.
2.	Individual EDRMS 25/108687	<ul style="list-style-type: none"> Perceived lack of suitable facilities for cultural performances which is not specifically addressed in the IP&R documents. The Tomaree Cultural Development Group has commissioned an economic assessment proposal for a community arts and entertainment precinct on the Tomaree Lodge site which makes a strong case for the viability and economic benefits of a community arts and entertainment precinct. Urges the revision of the Community Strategic Plan to specifically mention the development of an arts and entertainment precinct and the appointment of a RADO. 	<p>Noted.</p> <ul style="list-style-type: none"> Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. Council funding is not currently available/budgeted for a cultural facility or RADO. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to advocate to other levels of government to investigate and fund these opportunities. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.
3.	Individual EDRMS 25/109905	<p>Comments provided in relation to the Strategic Asset Management Plan:</p> <ul style="list-style-type: none"> Shoal Bay Traffic – dangerous traffic congestion since closure of Tomaree Headland facility and opening of Coastal Headland walk, compounded by vehicles with boat trailers – recommend appropriate signage, construct a larger carpark with a turning circle at the entrance to the headland; and a multi-level carpark near the caravan park. 	<p>Noted.</p> <ul style="list-style-type: none"> Council is aware of traffic issues and is in discussion with Department of Communities and Justice (DCJ) regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal Bay Plan which is included in OP action P1.2.1.1.

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

		<ul style="list-style-type: none"> Shoal Bay alternative access road – Shoal Bay Road problematic during emergencies. Recommend constructing alternate access road behind the Harbour Haven. 	<ul style="list-style-type: none"> Council's Coastal Management Program (CMP) included in the OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency. <p>A key advocacy priority of Council is state and federal funding for permanent coastal protection works along Shoal Bay Road.</p> <p>Regarding an alternate access road, this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council.</p> <p>Council will continue to review and advocate for alternate access options as part of future infrastructure planning which is part of OP action P2.1.1.1.</p> <p>Action:</p> <ol style="list-style-type: none"> Council continues to liaise with DCJ regarding traffic options at Tomaree Headland. Council continues implementation of actions in CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. No changes required to the draft IP&R documents.
4.	Individual EDRMS 25/109925	<p>Suggestions for inclusion in the Integrated Planning process for Shoal Bay:</p> <ul style="list-style-type: none"> Recognising Rapid Growth and the pressure this adds to infrastructure – the need to stay 'ahead of the curve'. Previous planning consultation for the Shoal Bay Place Plan – seemingly, unheard as recommendations are not reflected in IP&R documents. A critical need - a second road is urgently needed in the area, suggested placement behind Harbourside Haven to connect Shoal Bay Road to Government Road to address the vulnerability of the area in case of emergency. Tomaree Headland - traffic and transport solutions such as shuttle bus or ferry service to alleviate congestion. 	<p>Noted.</p> <ul style="list-style-type: none"> Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation, and drainage infrastructure, and investigating opportunities. Additionally, Council's CMP included in the DP and OP (OP

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

		<ul style="list-style-type: none"> Parking pressures in Shoal Bay experienced due to higher visitor numbers, upgrades to the Shoal Bay Country Club but no upgrades to parking. 	<p>action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency.</p> <p>In regards to an alternate access road, this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council.</p> <p>Council will continue to review and advocate for alternate access options as part of future infrastructure planning which is part of OP action P2.1.1.1.</p> <ul style="list-style-type: none"> Council is also aware of traffic issues and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal Bay Place Plan which is included in OP action P1.2.1.1. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. The development application for the Country Club was considered on a merits-based assessment years ago. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to implement the actions of its Place Plans. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland.
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			6. No changes required to the draft IP&R documents.
5.	Tomaree Headland Heritage Group EDRMS 25/109972 and 25/109984	<p>Recommend inclusion of the following in the DP and OP in relation to Shoal Bay and Tomaree Headland:</p> <ul style="list-style-type: none"> Council give priority to undertaking a Traffic and Parking Assessment and a Public Transport Strategy for Shoal Bay between Shoal Bay CBD and Tomaree Headland precinct in response to increased visitor numbers. <p>The Group have undertaken 'help desks' to collect visitor data and observe traffic and parking issues (which have previously been reported to Council).</p> <p>Supporting information/actions for this recommendation include a complete review of the parking and traffic management at the entry point of the Tomaree Headland and include but not limited to:</p> <ul style="list-style-type: none"> Introduction of a formal turning circle for motor vehicles. Dedicated shuttle bus parking area - we believe there is scope for increasing the overall parking area (see Council owned land GIS map attached). A dedicated pedestrian area to enhance safety. Signage in Shoal Bay CBD highlighting limited parking at the Headland. Addressing the parking and traffic management issues at the boat ramp. Sourcing additional parking facilities. <p>Public transport is needed and recommend:</p> <ul style="list-style-type: none"> Development of a Public Transport Strategy for the Tomaree Headland precinct and the Tomaree Coastal Walk particularly based on increased visitation to the Headland; recent introduction of the Tomaree Coastal Walk; repurposing of the Tomaree Lodge which will attract increased visitation. Introduction of a Shuttle Bus Service. Consider reinstatement of the Tomaree Lodge wharf to reduce the reliance on motor vehicles to access the Tomaree Headland, Tomaree Coastal Walk and Zenith and Shoal Bay Beaches. This would allow access by a ferry service and cruise operators. A suitable location will need to be assessed. <p>Recommend inclusion of the following in the DP and OP in relation to Shoal Bay and Fingal Bay:</p> <ul style="list-style-type: none"> Council give priority to urgently commencing planning for an additional access road into Shoal Bay (proposed location behind Harbourside Haven connecting Shoal Bay Road and Government Road) as there is 	<p>Noted.</p> <ul style="list-style-type: none"> Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation and drainage infrastructure, and investigating opportunities. Council is aware of traffic issues and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal Bay Place Plan which is included in OP action P1.2.1.1 Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. In regard to an alternate access road, this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council. Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1. Additionally, Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency. A key advocacy priority of Council is state and federal funding for permanent coastal protection works along Shoal Bay Road. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to implement the actions of its Place Plans.

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

		<p>only one way in and one way out of Shoal and Fingal Bay.</p> <p>Reasons for this are:</p> <ul style="list-style-type: none"> • Safety issues – only one access road; the current access poses risks to residents and holiday makers highlighted by extreme weather events where significant erosion on Shoal Bay Beach was experienced and a significant fire in the Tomaree National Park; Council's CMP identified significant concern (risk is high) about impact of erosion on Shoal Bay Road. A recent letterbox drop by Fingal Bay Community Association surveying Fingal Bay residents, indicates an alternate road in Shoal/Fingal Bay as a high priority. • Shoal Bay Place Plan – adopted by Council in 2024 highlighted the need for additional access into Shoal Bay. • Other considerations – appeal of the Headland and Shoal Bay, new coastal walk, impending repurposing of Tomaree Lodge, development in Shoal Bay. <p>Attached to submissions:</p> <ul style="list-style-type: none"> - Schematic Design of the entry to the Tomaree Headland - Recent Help Desk report - GIS map identifying additional parking area opportunity - Coastal Management Plan extracts - Council Map identifying a possible location for an alternate road - Extreme weather event and fire images - Shoal Bay Place Plan extract - 2024 Council Comments 	<ol style="list-style-type: none"> 2. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland. 3. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. 4. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. 5. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. 6. No changes required to the draft IP&R documents.
6.	Individual EDRMS 25/110788 and 25/112285	<p>Raising concerns over:</p> <ul style="list-style-type: none"> • Height restrictions in both Tanilba Bay and Lemon Tree Passage will increase density housing. • Increased density housing will in turn increase population. • Infrastructure not in place for increase in population and housing. • Limited public transport available. • Roads in disrepair and need fixing. • Geographical infrastructure does not support further development. • No 24/7 police station, the area is socially isolated. With an increase in population there is propensity to impact social needs and crime. 	<p>Noted.</p> <ul style="list-style-type: none"> • The draft Tilligerry Place Plan and draft Community Strategic Plan were exhibited at the same time. The submission raises specific concerns regarding the draft Tilligerry Place Plan and not the draft Community Strategic Plan. The submissions have been recorded with the Tilligerry Place Plan and will be addressed when the Tilligerry Place Plan is reported to Council. • Implementing actions of Place Plans is included within the OP (OP action P1.2.1.1). <p>Action:</p> <ol style="list-style-type: none"> 1. Council will consider this feedback when the Tilligerry Place Plan is reported to Council during the third quarter of 2025. 2. No changes required to the draft IP&R documents.

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7.	Individual EDRMS 25/110896	<ul style="list-style-type: none"> Concerns regarding access to Shoal Bay being limited to one road into and out of town, with parts of the road close to the eroding shoreline. The end of Shoal Bay Road is an unposted dead end and necessary turns are made outside Tomaree Lodge entrance. Recommending transport options such as shuttle bus, ferry, additional parking in Shoal Bay, and an additional road behind Harbourside Haven connecting Shoal Bay Road and Government Road. 	<p>Noted.</p> <ul style="list-style-type: none"> In regard to an alternate access road to Shoal Bay, this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council. Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1. Additionally, Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. Council is also aware of traffic issues and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal Bay Place Plan which is included in OP action P1.2.1.1 Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. Signage will be reviewed and is included as part of the OP action P2.1.1.1. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland. Council is due to consider the option of trialling a shuttle bus
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			<p>service during peak periods to determine the viability and effectiveness of this peak season service</p> <p>5. Council will review signage as part of OP P2.1.1.1</p> <p>6. No changes required to the draft IP&R documents.</p>
8.	Individual EDRMS 25/111719	<p>Raising concerns over:</p> <ul style="list-style-type: none"> • Possible rezoning of Tanilba Bay and Lemon Tree Passage for high and medium density housing in the plan. • Aware the State Government recently rezoned Raymond Terrace and Nelson Bay for high and medium density and that Council is planning to extend this to Tilligerry. • Clarity of points in the written plan. • Social and geographical isolation of the Tilligerry Peninsula. • Current lack of infrastructure to service the area, such as transport, 24/7 police station to counteract criminal behaviour. • Precious and pristine environmental aspect and natural habitats inclusive of marine, fauna and flora. 	<p>Noted.</p> <ul style="list-style-type: none"> • The draft Tilligerry Place Plan and draft Community Strategic Plan were exhibited at the same time. The submission raises specific concerns regarding the draft Tilligerry Place Plan and not the draft Community Strategic Plan. The submissions have been recorded with the Tilligerry Place Plan and will be addressed when the Tilligerry Place Plan is reported to Council. • Implementing actions of Place Plans is included within the OP (OP action P1.2.1.1). <p>Action:</p> <p>1. Council will consider this feedback when the Tilligerry Place Plan is reported to Council during the third quarter of 2025.</p> <p>2. No changes required to the draft IP&R documents.</p>
9.	Individual EDRMS 25/111727	<p>Part of Tomaree Cultural Development Group</p> <ul style="list-style-type: none"> • Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA or appointment of a RADO to Council. • Entitled to a RADO in the LGA, which would be instrumental in obtaining funding and also the investigation of the feasibility and economic assessment of a centre. • The Group have commissioned an Economic Assessment Study which proves the enormous economic benefit. • Seeking to have the IP&R plans reviewed to include the group's proposal for the establishment of an arts and entertainment centre within the LGA and the appointment of a RADO to Council. 	<p>Noted.</p> <ul style="list-style-type: none"> • Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. • Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. • Council funding is not currently available/budgeted for a cultural facility or RADO. <p>Action:</p> <p>1. Council will continue to advocate to other levels of government to investigate and fund these opportunities.</p> <p>2. The Events, Arts and Culture Strategy is due for review in 2025</p>

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			<p>and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for.</p> <p>3. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.</p>
10.	Individual EDRMS 25/112282	<p>Comments about the SAMP in relation to Shoal Bay Tomaree Headland area:</p> <ul style="list-style-type: none"> • Recognising rapid growth (tourism and development) and the pressure this adds to infrastructure to meet demand. • Concerns that the Country Club doesn't have exclusive parking for all guests and places burden on roadside parking. • Does the Country Club contribute any funds to offset their reliance on the surrounding parking or contribute infrastructure in any way? • Solution is to upgrade car park at the corner of Shoal Bay Road and Government Road. • Would like to review income derived from Shoal Bay meters and how these funds are distributed. • Insights/consultation provided in the Shoal Bay Place Plan shouldn't be lost. • A critical need - a second road is urgently needed in the area, suggested placement behind Harbourside Haven to connect Shoal Bay Road to Government Road to address the vulnerability of the area in case of emergency. • Tomaree Headland - traffic and transport solutions such as shuttle bus or ferry service to alleviate congestion. Traffic is now chaotic not only during holiday periods but also on weekends. Need for a larger turning circle near the base of Tomaree unhindered by pedestrians and the food van awkwardly positioned on the corner. Clear defined walkways from parking spaces and car parks not utilised for operating businesses in as customers are queuing across the road (please relocate these businesses to the green space). • Explore water-based access options (ferry – reinstate jetty at the Headland). 	<p>Noted.</p> <ul style="list-style-type: none"> • Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation, and drainage infrastructure, and investigating opportunities • New developments are required to pay contributions in accordance with the current endorsed Local Infrastructure Contributions Plan. Those payments are then spent on the infrastructure projects identified in that Plan. <p>Up until 2013, the Port Stephens Development Control Plan (DCP) included provisions that enabled a developer to pay extra contributions if they could not provide enough parking spaces. Those payments would have been spent on the infrastructure projects identified in the contributions plan that applied at that time. Those provisions in the DCP were repealed in 2014 and Council no longer accepts payments from developers if there is a shortfall in parking.</p> <ul style="list-style-type: none"> • A car park is part of Council's Capital Works program which is currently underway and links to the 2024-2025 OP action item P2.1.3.1.

		<ul style="list-style-type: none"> Smart Parking revenue income and expenditure is on Council's website here. In regard to an alternate access road, this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council. Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1. Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency. A key advocacy priority of Council is state and federal funding for permanent coastal protection works along Shoal Bay Road. Council is aware of traffic issues near Tomaree Headland and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements. This project is referenced in the Shoal Bay Place Plan which is included in OP action P1.2.1.1 Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to implement the actions of its Place Plans. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and
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			<p>effectiveness of this peak season service.</p> <p>5. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland.</p> <p>6. No changes required to the draft IP&R documents.</p>
11.	Individual EDRMS 25/112284	<ul style="list-style-type: none"> Raising concerns over Shoal Bay traffic flow and parking availability east of the boat ramp. Endorse the submission made on behalf of the Tomaree Headland Group which adds detail to this submission. An urgent need for: <ul style="list-style-type: none"> Improved traffic management. Increased parking. Provision of other transport options (shuttle buses, ferries). Clear signage e.g. No Through Road. Alternative routes in and out of Shoal Bay. 	<p>Noted.</p> <ul style="list-style-type: none"> Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation, and drainage infrastructure, and investigating opportunities. Council is also aware of traffic issues and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal Bay Place Plan which is included in OP action P1.2.1.1. In regard to an alternate access road this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council. <p>Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1.</p> <p>Additionally, Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency.</p> <p>A key advocacy priority of Council is state and federal funding for permanent coastal protection works along Shoal Bay Road.</p> <ul style="list-style-type: none"> Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and

			<p>effectiveness of this peak season service.</p> <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue to implement the actions of its Place Plans. 2. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland. 3. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. 4. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. 5. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. 6. No changes required to the draft IP&R documents.
12.	Individual EDRMS 25/112287	<ul style="list-style-type: none"> • Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA or appointment of a RADO to Council. • Entitled to a RADO in the LGA, which would be instrumental in obtaining funding and also the investigation of the feasibility and economic assessment of a centre. • The Tomaree Cultural Development Group have commissioned an Economic Assessment Study which proves the enormous economic benefit. • Seeking to have the IP&R plans reviewed to include the Group's proposal for the establishment of an arts and entertainment centre within the LGA and the appointment of a RADO to Council. • The Plans (IP&R documents) do not reflect the community's interests and urge Council to give thought to the Group's proposal. 	<p>Noted.</p> <ul style="list-style-type: none"> • Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. • The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. • Council funding is not currently available/budgeted for a cultural facility or RADO. <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue to advocate to other levels of government to investigate and fund these opportunities. 2. The Events, Arts and Culture Strategy is due for review in 2025

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			<p>and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for.</p> <p>3. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.</p>
13.	Individual EDRMS 25/113165	<ul style="list-style-type: none"> In support of Tomaree Cultural Development Group's submission for: <ul style="list-style-type: none"> Consideration of the Tomaree Lodge Site for redevelopment for use by the community as an arts and entertainment precinct; and Employment of a RADO. Council should support inclusion of a redeveloped Tomaree Lodge site within its draft IP&R documents. A RADO would ensure this is properly resourced. Feasibility study has demonstrated economic viability and social benefits. No suitable public performance space in Port Stephens – an adaptable space with a stage not only for community events but performances. 	<p>Noted.</p> <ul style="list-style-type: none"> The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. Council funding is not currently available/budgeted for a cultural facility or RADO. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to advocate to other levels of government to investigate and fund these opportunities. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find

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			suitable short, medium, and long-term options for the site.
14.	Individual EDRMS 25/113172 and 25/113230	<ul style="list-style-type: none"> Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA. Also need an appointment of a RADO. Feasibility study has demonstrated economic viability and social benefits. Towns and cities that have these centres are attracting visitors and subscribers to programs. – could attract big name artists/performances. Inconceivable that Port Stephens does not offer this for residents of visitors. Tomaree Lodge site is supposed to be an area for the people. 	<p>Noted.</p> <ul style="list-style-type: none"> Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. Council funding is not currently available/budgeted for a cultural facility or RADO. The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to advocate to other levels of government to investigate and fund these opportunities. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.
15.	Tomaree Cultural Development Group EDRMS 25/113182	<ul style="list-style-type: none"> Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA or appointment of a RADO to Council. Entitled to a RADO in the LGA, which would be instrumental in obtaining funding and also the investigation of the feasibility and economic assessment of a centre. The Tomaree Cultural Development Group have commissioned an Economic Assessment Study which proves the 	<p>Noted.</p> <ul style="list-style-type: none"> Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'.

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		<p>enormous economic benefit and significant number of visitors.</p> <ul style="list-style-type: none"> Defies reason that Port Stephens Council denies our community and visitors the benefits and enjoyment of an arts & entertainment centre, unlike other regional Councils. Vital that IP&R plans are revised to reflect these interests of the community. 	<ul style="list-style-type: none"> Council funding is not currently available/budgeted for a cultural facility or RADO. The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to advocate to other levels of government to investigate and fund these opportunities. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.
16.	Individual EDRMS 25/113539	<ul style="list-style-type: none"> Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA or appointment of a RADO to Council. Port Stephens is one of two LGA's in NSW lacking a performance theatre and exhibition space, there is a dearth of cultural facilities compared with excess of sporting facilities. With airport expansion the rapidly increasing tourist population, Council should be trying to rectify the imbalance. Entitled to a RADO in the LGA, which would be instrumental in obtaining funding and also the investigation of the feasibility and economic assessment of a centre. The Tomaree Cultural Development Group have commissioned an Economic Assessment Study which proves the enormous economic benefit. Urge Council to recognise lack of cultural facilities in the LGA and include a RADO and arts and entertainment centre in the draft IP&R plans. 	<p>Noted.</p> <ul style="list-style-type: none"> Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. Council funding is not currently available/budgeted for a cultural facility or RADO. The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. <p>Action:</p>

			<ol style="list-style-type: none"> 1. Council will continue to advocate to other levels of government to investigate and fund these opportunities. 2. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. 3. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.
17.	Individual EDRMS 25/113540	<ul style="list-style-type: none"> • Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA or appointment of a RADO to Council. • Entitled to a RADO in the LGA, which would be instrumental in obtaining funding and also the investigation of the feasibility and economic assessment of a centre. • The Tomaree Cultural Development Group have commissioned an Economic Assessment Study which proves the enormous economic benefit. • Port Stephens is one of two LGA's in NSW without a RADO and Council should become proactive in this area. • Urge Council to reconsider the priorities of the LGA. 	<p>Noted.</p> <ul style="list-style-type: none"> • Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. • Council funding is not currently available/budgeted for a cultural facility or RADO. • The Tomaree Lodge site is owned by NSW Government and decisions on its future use are not a matter for Council. However, Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site. <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue to advocate to other levels of government to investigate and fund these opportunities. 2. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for.

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			<p>3. IP&R Changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.</p>
18.	Individual EDRMS 25/113541	<ul style="list-style-type: none"> Raising concerns over Shoal Bay/Tomaree Headland and need for consideration in integrated planning process: <ul style="list-style-type: none"> Traffic congestion, particularly during peak periods Lack of parking Growth and more housing in the area Badly need additional road into Shoal Bay for emergencies, evacuations and access. A shuttle bus could be a solution and access by water. Safer turning cycles and No Through Road signage for Tomaree Headland. 	<p>Noted.</p> <ul style="list-style-type: none"> Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation, and drainage infrastructure, and investigating opportunities. In regard to an alternate access road this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council. Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1. Additionally, Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency. <p>A key advocacy priority of Council is state and federal funding for permanent coastal protection works along Shoal Bay Road.</p> <ul style="list-style-type: none"> Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. Council is also aware of traffic issues and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal

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			<p>Bay Place Plan which is included in OP action P1.2.1.1</p> <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue to implement the actions of its Place Plans. 2. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. 3. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. 4. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. 5. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland. 6. No changes required to the draft IP&R documents.
19.	Individual EDRMS 25/114527	<p>Raising concern over Nelson Bay, Shoal Bay and Fingal Bay, in particular:</p> <ul style="list-style-type: none"> • Alternate route to Fingal Bay proposed (prior to 1991). • Far better solution is a road from the fringe of Nelson Bay to the back of the Shoal Bay Haven Retirement Village – this should be a priority after recent emergencies. • More parking required in Shoal Bay along with road design. • Attractions of the beaches and walks means Shoal Bay is even more of a popular destination. • Opportunity for carpark at the traffic lights. • East Ward/Peninsula have received too little funding. 	<p>Noted.</p> <ul style="list-style-type: none"> • Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation, and drainage infrastructure, and investigating opportunities • In regard to an alternate access road this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council. • Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1. <p>Action:</p>

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			<ol style="list-style-type: none"> 1. Council will continue to implement the actions of its Place Plans. 2. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. 3. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. 4. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service. 5. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland. 6. No changes required to the draft IP&R documents.
20.	Tomaree Ratepayers and Residents Association EDRMS 25/114551	<ul style="list-style-type: none"> • Congratulates Council on the draft documents and supports the majority of the content. • There are some specific issues largely in the detail of the document that suggestions for changes or reconsideration are made: <u>CSP</u> <ul style="list-style-type: none"> • Our Place: – suggest addition of further goal (in italics below) to ensure likelihood of real action/funding to address the poor impression visitors are greeted with at the gateway to the region. <i>'P1.5 Enhance the tourism experience and residents' sense of pride in Port Stephens by improving the attractiveness of the main Gateway road route from the Newcastle Airport to Nelson Bay.'</i> • Our Environment: – suggest expanding on the two-pronged approach to Climate Change by adding additional words to E1.2. Additions shown in yellow and deletions in struck out. <i>'E1.2 Plan for and support adaptation and mitigate measures that improve Support community resilience to climate change, including coastal and waterway hazards.'</i> <p><u>DP/OP</u></p> <ul style="list-style-type: none"> • p.32 and 36 Add a row to include the relevant CSP, DP and OP action for suggestion of P1.5. • p.33. Need consideration within the budget allocation for a different approach to roads maintenance. Current practice of resurfacing 	<p>Noted.</p> <ul style="list-style-type: none"> • Council acknowledges the sentiment that this submission aims to achieve in adding a further CSP goal. The new goal proposed for the CSP in the submission is an action which falls across a number of CSP actions already listed including P1.1, P1.4 and P2.1 each of which (and their respective DP and OP actions) play a role in enhancing this integral gateway to the LGA. • Council acknowledges and supports the additional wording provided relating to Climate Change. The detail of the plan for climate change is contained within OP action E1.2.1.1 which refers to implementing actions of the CMP. • No additional DP or OP actions are required for P1.5 as outlined above. • Regarding the new approach to roads, Council currently has in place a Roads Acceleration Program (RAP) committing more than \$20 million to improve local roads. The \$20 million combines Council's current road funding as well as \$7.1 million from the Special Rate Variation and \$10 million of State and Federal grant funding towards targeting road maintenance and road upgrades to

		<p>deteriorated roads with minimal asphalt without addressing underlying geological problems, including drainage issues, leads to years of pothole repairs too soon after the resurfacing. The current surface resilience of roads in the East Ward has been woefully inadequate and no doubt leads to higher overall lifecycle costs to Council and damage caused to vehicles. The minimum National road repair standards for residential roads may not be adequate.</p> <ul style="list-style-type: none"> • p36. P2.1.1 - P2.1.3 need to reflect the new engineering approach outlined above. • p38. Amend OP action P3.1.1.1 'What we deliver' to include 'Investigate and resolve unauthorised developments and signage'. • p41 & 42, flow through changes to actions and measures resulting from the word changes. 	<p>improve safety. As part of this, Council is actively working on ways to increase roads budget over the coming 3 years. This will be focussed on specific areas across the LGA and will aim to rehabilitate key sections of roads prioritised based on safety, conditions, current maintenance levels and community requests.</p> <ul style="list-style-type: none"> • Council acknowledges and supports the additional wording provided relating to signage for OP action P3.1.1.1. <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue its focus on roads as a priority – acknowledged in the RAP and in implementing OP actions P2.1.1.1 to P2.1.1.4. 2. Council will continue to advocate for funding of roads, our Coastal Management Program and initiatives within our OP actions P1.1.1.1 to P1.4.1.1. 3. Council will continue with implementing actions contained within the OP actions P1.1.1.1 to P1.4.1.1. 4. IP&R Changes (add to CSP) - include recommendations for enhancing the CSP Goal E1.2 and amend the CSP Key Direction to "Plan for and support adaptation and mitigate measures that improve community resilience to climate change, including coastal and waterway hazards". 5. IP&R Changes (add to OP) - include signage in the 'What we deliver' part of the OP action P3.1.1.1 amending it to 'Investigate and resolve unauthorised developments and signage'.
21.	Individual EDRMS 25/114525	<p>General – Workforce:</p> <ul style="list-style-type: none"> • Increase substantially the outdoor staff so that proper service levels can be managed on all foreshore reserves in Corlette – currently insufficient. 	<p>Noted.</p> <ul style="list-style-type: none"> • Council's operations (people, assets and service delivery) are managed within the budget outlined in the LTFP. Included in the LTFP is funding for enhanced services generated through the Special Rate Variation. Council is currently in the process of increasing maintenance staff for implementing actions under the CMP.
		<ul style="list-style-type: none"> • Set up a special team of younger employees (like Green Army) to specifically support environmental works by ageing volunteers 	<ul style="list-style-type: none"> • Council has an existing Volunteer Program that assists with environment projects which could

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	and to work in areas of environmental priority.	consider this as part of the program.
	<ul style="list-style-type: none"> Fund more Council rangers – enforcement of existing rules has become a “joke” – there are simply not enough to be able to do their job properly. 	<ul style="list-style-type: none"> Council's operations (people, assets and service delivery) are managed within the budget outlined in the LTFP. Resourcing is undertaken in consideration of financial sustainability of Council.
	General – Other:	
	<ul style="list-style-type: none"> Shade shelters be installed on all public tables already installed before anymore are installed - start at Little Beach. 	<ul style="list-style-type: none"> A program for installation of shade shelters is included as part of OP action P2.1.1.1.
	<ul style="list-style-type: none"> Have shuttles operational at more than Anna Bay and operational in holiday periods - use Tomaree Sports complex to service Nelson Bay, Little Beach, Shoal Bay and Fingal. 	<ul style="list-style-type: none"> Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service.
	<ul style="list-style-type: none"> Urgently need roundabouts along Nelson Bay Road between Salamander Way turnoff and Church Street, e.g. From Tomaree Sports Complex, from Council depot; from Gan Gan Road; from Galoola – all dangerous intersections. 	<ul style="list-style-type: none"> This will be reviewed in the future as part of the Road Safety Plan Review which is included as part of the OP action P2.1.1.1.
	<ul style="list-style-type: none"> 50 km zone (currently 60km) from Welcome to Nelson Bay sign through to town. Acknowledge is RMS responsibility but needs Council to drive it. 	<ul style="list-style-type: none"> Council will pass this feedback onto Transport for NSW.
	<ul style="list-style-type: none"> Hydrotherapy pool at Tomaree should be receiving higher priority, particularly for older demographic who are having to travel. 	<ul style="list-style-type: none"> Council prioritises works based on risk, condition, safety and functionality of the asset. Unfortunately, this work is not currently a priority as per Council's adopted Recreation Strategy which is included in the OP action P2.1.1.1.
	<ul style="list-style-type: none"> Development of a more permanent building (where stage is) on Fly Point to accommodate a coffee outlet all year round plus an art exhibition space – like at Speers Point, Lake Mac. Should be first steps towards an art/cultural centre (not on Fly Point). 	<ul style="list-style-type: none"> Council funding is not currently available/budgeted for a cultural facility. Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium and long-term options for the site.
	<ul style="list-style-type: none"> Change Tomaree Sports management plan (near depot) to install a chairlift to Gan Gan lookout as parking there is inadequate and cannot be improved. 	<ul style="list-style-type: none"> Council prioritises works based on risk, condition, safety and functionality of the asset. Unfortunately, this work is not a high priority at this time relative to other areas of the Local Government Area.
	<ul style="list-style-type: none"> Recommend the Bocce building be taken over by Council to make an ideal Youth Centre facility – close to Salamander and public transport from elsewhere. 	<ul style="list-style-type: none"> Noted and will be considered as part of a future review of Tomaree Sports Master Plan which is included as part of the OP action P2.1.1.1.


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		<p>Corlette:</p> <ul style="list-style-type: none"> Address the erosion at Conroy Park which threatens the amenities block and potential to block east-west access behind the amenities. Coastal Management Plan is not enough. Funded plan has been there for years. 	<ul style="list-style-type: none"> This area is also identified within the CMP for future investigation. Works can only be carried out in accordance with the CMP. The CMP is part of the OP action E1.2.1.1. Council will continue to review alternate access options as part of future infrastructure planning.
		<ul style="list-style-type: none"> Re-sealing of Conroy Park carpark. 	<ul style="list-style-type: none"> This is included in the SAMP long term Capital Works Plus Plan.
		<ul style="list-style-type: none"> Sealing of West Bagnall and Middle Bagnall Beach Reserve access to dogs off leash carpark. 	<ul style="list-style-type: none"> This is included in the SAMP long term Capital Works Plus Plan.
		<ul style="list-style-type: none"> Review the pathways plan to fund an alternate route for cyclists and pedestrians to take them off Sandy Point Road. Capital works listing for new access from Vantage Estate through to Sandy Point Road for pedestrians and cyclists and across road to link with Bartlett Cycleway. Fund an extension of the Bartlett Cycleway along Sandy Point Road (north side) to where Karalika Reserve access way. Consider upgrading Cornford Reserve so that link is provided to the foreshore walk from Danalene Parade. 	<ul style="list-style-type: none"> Council's Pathway Plan is currently under review and will assist in the prioritisation of pathway projects. The Pathways Plan is included as part of the OP action P2.1.1.1.
		<ul style="list-style-type: none"> Fund a small dog/s off leash enclosure at Karalika Reserve (off Pantowara not far from current Bagnall Beach Reserve dogs off leash area. 	<ul style="list-style-type: none"> This will be considered as part of the next review of the Off-leash Dogs review which is part of the OP action P2.1.1.1
		<ul style="list-style-type: none"> Fund a safer pedestrian access across Sandy Point Road <ul style="list-style-type: none"> near No. 12 to Karalika Reserve adjacent to the pathway alongside the hall – to link with Conroy Park and finish the link needed from Pantowara Street. 	<ul style="list-style-type: none"> This will be reviewed in the future as part of the Road Safety Plan Review which is part of the OP action P2.1.1.1
		<ul style="list-style-type: none"> Fund improvements to Bartlett Cycleway east of the Middle Bagnall Beach toilet block to improve public safety when wet weather turns the existing pathway into flooding or mud - popular walk that needs attention. 	<ul style="list-style-type: none"> Council's Pathway Plan is currently under review and assist in the prioritisation of pathway projects. The Pathway Plan will be presented to Council in 2025.
		<p>Shoal Bay:</p> <ul style="list-style-type: none"> Revisit the Shoal Bay Place Plan –with proper prior consultation with affected residents to reinstate the proposal for an alternate road – one way – to go between or behind Harbourside Haven residences and allow higher level zoning to build higher (which is less impact on National Park and Hunter Water options). 	<ul style="list-style-type: none"> In regard to an alternate access road this process is identified in the Shoal Bay Place plan and is a key advocacy priority of Council. Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1. Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in

			place to ensure Shoal Bay Road is kept operational in the event of an emergency.
		<ul style="list-style-type: none"> Planning for the pathway along foreshore at Shoal Bay (near Beach Road) should include an engineered and cantilevered design. 	<ul style="list-style-type: none"> Council's Pathway Plan is currently under review and will assist in the prioritisation of pathway projects. The Pathway Plan will be presented to Council in 2025. This area is also identified within the CMP for future investigation. Council will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road.
		<ul style="list-style-type: none"> Consider artificial reef off the Beach Road/Shoal Bay Road corner to reduce velocity of wave movement. 	<ul style="list-style-type: none"> Environmental considerations prohibit this.
		<ul style="list-style-type: none"> Shuttle service to operate from current carpark adjacent to caravan park to the Headland on all weekend days, holidays and Easter. 	<ul style="list-style-type: none"> Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service.
		<ul style="list-style-type: none"> Plan ahead to reinstate a ferry wharf at Tomaree Headland. 	<ul style="list-style-type: none"> This is not within Council control or land.
		<ul style="list-style-type: none"> Open the car parking spaces within Tomaree Headland complex – and the cricket pitch – to allow more parking at this popular spot and improve the turning circle and provision for drop off of longer vehicles. 	<ul style="list-style-type: none"> Council is aware of this issue and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements.
		<ul style="list-style-type: none"> Where are the funds from the developments around Shoal Bay and Country Club? They would have been charged for the parking spaces they couldn't provide so where have those \$\$ gone? 	<ul style="list-style-type: none"> New developments are required to pay contributions in accordance with the current endorsed Local Infrastructure Contributions Plan. Those payments are then spent on the infrastructure projects identified in that Plan. Up until 2013, the Port Stephens Development Control Plan (DCP) included provisions that enabled a developer to pay extra contributions if they could not provide enough parking spaces. Those payments would have been spent on the infrastructure projects identified in the contributions plan that applied at that time. Those provisions in the DCP were repealed in 2014 and Council no longer accepts payments from developers if there is a shortfall in parking.
		Nelson Bay: <ul style="list-style-type: none"> Funding the Nelson Bay Town Centre Public Domain Plan – instead of piecemeal. 	<ul style="list-style-type: none"> This is included as part of the OP action P2.1.1.1.

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		<ul style="list-style-type: none"> Where is the parking revenue going in the LGA? Pavement uneven and costs Council a fortune in repairs. 	<ul style="list-style-type: none"> Smart Parking revenue income and expenditure is on Council's website
		<ul style="list-style-type: none"> Fix the lights in Magnus Street Nelson Bay. 	<ul style="list-style-type: none"> This is being actioned.
		<ul style="list-style-type: none"> Plan for an outdoor elevator along Teramby Road so that pedestrians can do a loop back to Apex Park and town centre – or continue on the Bridle Path. Should be included in 7.11 developer contribution listings. 	<ul style="list-style-type: none"> Council prioritises works based on risk, condition, safety and functionality of the asset. Unfortunately, this work is not a high priority at this time relative to other areas of the Local Government Area.
		Fingal Bay: <ul style="list-style-type: none"> Spend nothing more there 	
		Anna Bay: <ul style="list-style-type: none"> Council buy the sanded-up resort and use it for the proposed interchange. 	<ul style="list-style-type: none"> Council has a strategic approach to the acquisition and divestment of Council property. There is currently no funding source identified for the options.
		<ul style="list-style-type: none"> Clean out the drains in Anna Bay generally so that Nelson Bay Road doesn't get cut near Frost Road turnoff. 	<ul style="list-style-type: none"> Council prioritises maintenance works outlined in OP action P2.1.4.1. based on risk, condition, safety and functionality of its assets.
		<ul style="list-style-type: none"> Relocate the skate park from Robinson Reserve to near the Scout Hall and do a proper job this time. 	<ul style="list-style-type: none"> Council prioritises works based on risk, condition, safety and functionality of the asset. Unfortunately, this work is not currently a priority as per Council's adopted Recreation Strategy which is included as part of the OP action P2.1.1.1.
			Action: <ol style="list-style-type: none"> Council will continue with implementation of the OP actions and review of relevant Strategies contained in P2.1.1 to P2.1.4 which relate to many of the issues raised. Council will continue to advocate for funding for Capital Works Plus projects. Council will continue to liaise with other levels of government on project specific matters. No changes required to the draft IP&R documents.
22.	EcoNetwork Port Stephens EDRMS 25/128169	<p>Representative on Council's Environment Advisory Group</p> <p>In agreement with many of Council's CSP priorities, however:</p> <ul style="list-style-type: none"> The new draft CSP has no overarching Environmental plan or terrestrial greening plan, nor various strategies and plans which support biodiversity retention or enhancement for intergenerational equity. 	<p>Noted.</p> <ul style="list-style-type: none"> Under the current OP action E1.1.1, Council is undertaking and reviewing a number of actions which will collectively be grouped into an Environmental Strategy which is already proposed on page 42 'What we deliver' of OP action E1.1.1.1.

	<ul style="list-style-type: none"> • Lack of big conversations on environment compared to the big conversations Council articulates it has undertaken in its various strategies and plans to formulate this CSP. • In an era where climate change and biodiversity loss are existential crises impacting our wellbeing, council should address these as a priority in its forward strategic planning. <p>Our Environment</p> <ul style="list-style-type: none"> • Core concern is that the CSP misrepresents the extent of community satisfaction with Council's performance of 'Elements of the natural environment'. • On page 15 of the CSP, 'What we have heard' refers to the Liveability Survey "Elements of natural environment" being rated high on the things most important to the community and Council says the community rates it is performing well. • However, the 2024 Community Satisfaction Survey report which has a summary of ratings for Council's core services, rates the natural environment services as among the lowest mean scores. The community is not satisfied with Council's performance and we cannot accept that the community rates this as performing well. • Council's over-rating of community satisfaction has therefore de-emphasised strategies to improve connection with the natural environment (in Our Place) and education and urban greening in Our Environment. • The key strategies/emphasis has shifted from 'protection and enhancement' to 'balancing sustainably and with resilience', reflecting a lowering of the importance of the environment's biodiversity to Council which will lead to degrading the value and extent of our natural environment. • There is no real measure of what is sustainable when it is not sustainable now - koala population is declining; large old growth trees are being removed. • Recommend the key strategy should be amended to reflect an optimistic future for intergenerational equity for the environment, enhancing the little natural environment we have <div data-bbox="469 1576 943 1688">  </div> <ul style="list-style-type: none"> • On page 16 of the CSP, 'Changes, Opportunities and Priorities' where is the big conversation about the Environment? 	<ul style="list-style-type: none"> • Input in shaping 'Our environment' Focus Area of the CSP has come from various engagement outputs including the Coastal Management Program, Liveability Survey (input from 2300 respondents) Councillor Workshops, review of the Our Port Stephens Report 2021 to 2024 and the public exhibition process. • 'Our environment' Focus Area inherently addresses climate change and biodiversity crisis matters, however in terms of greater transparency, Council will amend the CSP Key Direction E1 and OP action E1.1.1.1 'What we deliver' to further reflect this. • When reviewing the CSP, Council considered a wide range of integrated engagement that occurred with the community over 2023 and 2024, including but not limited to the Community Satisfaction Survey and the Liveability Survey. The Liveability Survey, conducted by an independent research company gathered responses from over 2300 respondents (achieving a representative sample), which is one of Council's largest sources of engagement and evidenced based research. The research company asked respondents to compare across 50 place attributes what they value and how they felt that attribute is performing. The analysis that Council has included in the CSP about the Liveability Survey had been provided by this external research company based on survey data provided by the community. Council has not misrepresented any information. • This has not de-emphasised the role of environmental education or urban greening. These actions are part of what Council delivers in its OP and for transparency, are to be added to OP action E1.1.1.1 'what we deliver'. • Council will insert a dot point in the 'Challenges, Opportunities and Priorities' to commence planning an Environmental Strategy to enhance and protect our environment. • The IP&R changes shown below correct the focus of these initiatives as being actions
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	<ul style="list-style-type: none"> This needs to be rectified, there needs to be an Environment Strategy that focuses on the Natural Environment. There is no overarching terrestrial/greening strategy. At the EAG we have recommended a key theme for action in Urban Greening and Biodiversity, however we are not seeing this reflected in Council's priority strategies. The second dot point should be updated to include, or create an additional direction 'Develop and implement an Urban Greening Strategy. 'Balance' mentioned above, is unclear, particularly if environmental quality is already compromised. Loss of greenspace will further unbalance things. There are alternate ways to achieve more housing.  <ul style="list-style-type: none"> Recommend amending the above to: 'Planning, investing and advocating for improved connections between our communities (transport, roads and footpaths) and our connections with the natural environment (urban greening). On page 27 of the draft CSP, it has lost the following Goals/Key Directions of the current CSP and recommend: 'E1.2 Provide education programs about our natural environment should not be deleted from E1' – this could be included in E1.2 or in Our Place in the amended direction which includes making connections with nature. 'E2.3 Support urban greening initiatives' should not be deleted and should be included as 'E2.3 Develop an urban greening strategic corridor plan and support associated initiatives' – this is a critical action for environment sustainability. Better belongs as E1.3. Adding E2.3, which should be 'E2.3 Develop a green corridor strategy and reduce vegetation and wildlife loss in land use decisions' Including an Indicator – 'Retention of strategic corridors to reduce vegetation and wildlife loss'. E2.1 and E2.2 need to be worded better as in the current CSP as long as Urban greening is included in E1. <p>The current 2022-2032 CSP includes indicators that are meaningful, suggest adding in:</p> <ol style="list-style-type: none"> Previous indicator: 'Bush areas regenerated' 	<p>undertaken by Council at OP level (under what we deliver).</p> <ul style="list-style-type: none"> Commencing planning for an environmental strategy will encompass what environmental matters need to be considered and will be the subject of further community engagement. Acknowledge indicator recommendations. Council to add indicators 1 and 4. Council does not have resources to collect the other indicators. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to protect and enhance the environment through OP action E1.1.1.1 and E1.1.1.2. IP&R Changes (add to CSP) – Insert dot point in 'Challenges, Opportunities and Priorities' under 'Our Environment' 'Commence planning an Environmental Strategy to enhance and protect our environment'. IP&R Changes (add to CSP) – Add the words 'protected' and 'enhanced' to 'Our Environment' statement - Port Stephens environment is protected, enhanced, sustainable and resilient. IP&R Changes (add to CSP) – Add 'supports biodiversity conservation' to E1 Key Direction. IP&R changes (add to CSP) – Add service indicators: <ul style="list-style-type: none"> Bush areas regenerated Number of trees planted IP&R Changes (add to OP) - Add additional wording in 'What we deliver' column of OP action 'E1.1.1.1 Commence planning for an Environmental Strategy which deals with environmental matters.' IP&R Changes (add to OP) – Add additional dot point in 'What we deliver' column of OP action 'E1.1.1.1 Programs which educate the community about our environment and include urban greening'.
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		<ol style="list-style-type: none"> 2. New indicator: 'Strategic corridors enhanced' 3. New indicator: 'Vandalised vegetation rehabilitated' 4. Previous indicator: 'Number of trees planted' 5. New indicator: 'Tree canopy index increased (20%)' 6. Previous indicator: 'Landscaping and natural elements (street trees, native planting, water features etc.)' 	
23.	Individual EDRMS 25/115230	<ul style="list-style-type: none"> • Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA – community and recreation assets are heavily weighted towards outdoor activities. • Capital Works Plus Plan should include such a project. • Note that the Newcastle Airport dividend is to be directed to the new Resilience Fund and that such excess non-rate revenue will be made available to 'contribute toward significant projects, investments or initiatives...'. The appointment of RADO charged with identifying funding opportunities, together with directing a portion of the Newcastle Airport annual dividend towards the realisation of this project, would ensure our community's great and growing need would be met. • Urge review of the CSP to incorporate this. 	<p>Noted.</p> <ul style="list-style-type: none"> • Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. • Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium and long-term options for the site. • Council funding is not currently available/budgeted for a cultural facility or RADO. • Council's Resilience Fund does have a defined purpose and source of funds as stated. Projects currently listed on the Capital Works Plus Plan are linked to infrastructure and services that Council already supplies. At present, a cultural facility has not yet been examined as an additional priority to Council's existing services. Once a cultural facility is prioritised as an infrastructure and service that Council provides, it will be added to the Capital Works Plus Plan. <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue to advocate to other levels of government to investigate and fund these opportunities. 2. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for.

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

			<p>3. IP&R changes (add to OP) - an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.</p>
24.	Individual EDRMS 25/115655	<ul style="list-style-type: none"> Disappointed that the draft IP&R plans do not mention establishing an arts and entertainment centre in the LGA. Economic Impact Assessment presented to Council last year demonstrates strong economic viability and social benefit. Urge review of the CSP to incorporate this. 	<p>Noted.</p> <ul style="list-style-type: none"> Arts and culture are at the centre of Council's Events, Arts and Culture Strategy contained within the OP action C2.2.1 'Implement the Events, Arts and Culture Strategy'. The actions of this Strategy contribute to the broader C2.2 CSP action 'Support and promote local cultural activities and heritage'. Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium and long-term options for the site. Council funding is not currently available/budgeted for a cultural facility or RADO. <p>Action:</p> <ol style="list-style-type: none"> Council will continue to advocate to other levels of government to investigate and fund these opportunities. The Events, Arts and Culture Strategy is due for review in 2025 and further consideration to Council's approach to events, arts and culture will be considered at that time. Council currently employs specialist event, arts and culture staff; however further funding for a RADO is not currently budgeted for. <p>3. IP&R changes - Add an additional OP action which states that Council will continue to advocate and engage with DCJ as the owners of the Tomaree Headland site, to find suitable short, medium, and long-term options for the site.</p>
25.	Individual EDRMS 25/117543	<ul style="list-style-type: none"> Rapid growth in Shoal Bay. Shoal Bay Place Plan recommendations not shown in IP&R documents. Alternate access road needed to Shoal Bay and Fingal Bay in emergencies. Suggestion provided as to location of the road and access points. Tomaree Headland – traffic management and parking chaotic. Need for public transport options such as a shuttle bus and 	<p>Noted.</p> <ul style="list-style-type: none"> Place Plans are included within the OP (OP action P1.2.1.1), which includes the Shoal Bay Place Plan adopted by Council in April 2024. Instead of listing every action of a strategy or plan, Council commits in this DP and OP to 'implementing' the actions of its specific plans and strategies. Shoal Bay Place Plan (which was shaped in consultation with the

ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

		<p>access by water. Boat ramp is contributing to parking/traffic issues and needs addressing.</p> <ul style="list-style-type: none"> • Parking is an issue and urgent need for multi-level carpark. • Is Country Club financially contributing to parking? If so where is parking being provided? <p>All of the above needs to be addressed in the IP&R documents.</p>	<p>community) focuses on enhancing the natural assets, improving pedestrian access, traffic circulation, and drainage infrastructure, and investigating opportunities.</p> <ul style="list-style-type: none"> • Additionally, Council's CMP included in the DP and OP (OP action E1.2.1.1) recognises that Shoal Bay Road is critical, with management plans in place to ensure Shoal Bay Road is kept operational in the event of an emergency. <p>A key advocacy priority of Council is state and federal funding for permanent coastal protection works along Shoal Bay Road.</p> <p>In regard to an alternate access road this process is identified in the Shoal Bay Place Plan and is a key advocacy priority of Council.</p> <p>Council will continue to review and advocate for an alternate access option as part of future infrastructure planning which is part of OP action P2.1.1.1.</p> <ul style="list-style-type: none"> • Council is also aware of traffic issues and is in discussion with DCJ regarding utilisation of other government land to facilitate better traffic movements near the Tomaree Headland site. This project is referenced in the Shoal Bay Place Plan which is included in OP action P1.2.1.1. <p>Action:</p> <ol style="list-style-type: none"> 1. Council will continue to implement the actions of its Place Plans. 2. Council will continue to review and advocate for an alternate access road as part of future infrastructure planning. 3. Council continues with implementation of actions in the CMP and management plans to ensure Shoal Bay Road is kept operational in emergencies and will continue to advocate as a priority for funding for coastal protection works along Shoal Bay Road. 4. Council is due to consider the option of trialling a shuttle bus service during peak periods to determine the viability and effectiveness of this peak season service.
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ITEM 7 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.


			<p>5. Council continues to liaise with DCJ regarding traffic options at Tomaree Headland.</p> <p>6. No changes required to the draft IP&R documents</p>
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ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

ATTACHMENT 2 - CHANGES TO THE 2025 TO 2035 INTEGRATED PLANNING AND REPORTING DOCUMENTS INCLUDING FEES AND CHARGES FOR 2025 TO 2026

Ordinary IP&R Related Changes			
No.	Document Title and Page Number (Public Exhibition Copy)	Summarised key issues incorporated in the documents	Recommended changes to the documents
All documents			
1.		Administrative correction - formatting	Delete 'DRAFT' from document covers, footer and wherever mentioned in all documents.
COMMUNITY STRATEGIC PLAN 2025 TO 2035			
2.	2	Administrative correction – grammar	Delete struck out text below “Together we will strive to make this a better place for all peoples”.
3.	4	Administrative correction – updating currency of document since public exhibition and Submission 22 – changes outlined in Attachment 1.	Delete struck out text below and insert yellow highlighted text. “To make sure we’re building the best future for our community, we’ve been worked on a shared vision for a vibrant and liveable Port Stephens.” “The revised Community Strategic Plan (the Plan) has been is shaped by feedback over from the last past two years.” “This Plan reflects what you’ve told us is most important – wellbeing, improved housing options, investment in better roads and pathways, financial sustainability, protecting our natural environment and making sure you have a say in the decisions that affect your life”. “This Plan will be was on public exhibition in April


ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

			and I'd love you to take a look and share to hear your thoughts. It's your chance to and shape the future of our community, and making sure the work we're doing reflects your priorities.
4.	5	Administrative correction – updating currency of document since public exhibition	<p>Delete struck out text below and insert yellow highlighted text.</p> <p>"During the public exhibition we encouraged everyone to take some time to read this plan. It provides further insight in It's an opportunity to understanding Council's direction and how we're working together to build a bright and prosperous future for Port Stephens.</p>
5.	11	Administrative correction – updating currency/ readability of diagram to improve understanding of 'Why', 'How' and 'What' we do aligned to the respective 10, 4- and 1-year timeframes of IP&R.	<p>Delete current IP&R diagram.</p>  <p>Replace with revised diagram below</p>


ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

			<p>Why we do it every 10 years Community Strategic Plan Our community's vision and values for Port Stephens</p> <p>How we do it every 4 years Delivery Program Our 4 year program to deliver our community's vision through services and strategies Resourcing Strategy <ul style="list-style-type: none"> Long Term Financial Plan – the finances we need to deliver our community's vision Workforce Management Strategy – the people we need to deliver our community's vision Strategic Asset Management Plan – how we manage our assets that deliver our community's vision </p> <p>What we do every year Operational Plan Our annual plan to deliver our community's vision through services and strategies</p> <p>How we report Annual Report and Six Month Progress Reports Our reports outlining our progress and what we've delivered</p>
6.	16	Administrative correction – updating currency of document since public exhibition	<p>Delete struck out text below and insert yellow highlighted text.</p> <p>Throughout 2023 and 2024 we've had big conversations with our community about the following key strategies, projects and plans. We've used This feedback to also informed the Community Strategic Plan.</p>
7.	16	Submission 22 – changes outlined in Attachment 1.	<p>Insert yellow highlighted text below.</p> <ul style="list-style-type: none"> 'Commence planning an Environmental Strategy to enhance and protect our environment.
8.	19, 27	Submission 22 – changes outlined in Attachment 1.	<p>Insert yellow highlighted text below.</p> <p>'Port Stephens environment is protected, enhanced, sustainable and resilient.'</p> <p>'E1 Environmental balance Our community's natural and built environment supports biodiversity conservation, is sustainably balanced and resilient to environmental risks, natural hazards and climate change.'</p>
9.	27	Submission 20 – changes outlined in Attachment 1.	<p>Delete struck out text below and insert yellow highlighted text.</p> <p>'E1.2 Plan for and support adaptation and mitigate measures that improve Support community resilience to climate change, including coastal and waterway hazards.'</p>
10.	27	Submission 22 – changes	<p>Insert yellow highlighted text to Service Indicators.</p>

ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

		outlined in Attachment 1.	Bush areas regenerated	Internal data source	
			Number of trees planted	Internal data source	
DELIVERY PROGRAM 2025 TO 2029 AND OPERATIONAL PLAN 2025 TO 2026					
11.	2	Administrative correction – grammar	Delete struck out text below. “Together we will strive to make this a better place for all peoples”.		
12.	5	Submission 22 – changes outlined in Attachment 1.	Insert yellow highlighted text below. ‘Our priorities are clear – better roads, safer connections, balanced growth, more housing options, protecting our environment, an informed community and financial sustainability.		
13.	5	Administrative correction – updating currency of document since public exhibition	Delete struck out text below. “I encourage you to explore the Port Stephens Council Delivery Program 2025 to 2029 and Operational Plan 2025 to 2026 and learn more about the projects and initiatives shaping our community in the years ahead.”		
14.	6	Administrative correction – updating currency/ readability of diagram	<p>Delete current IP&R diagram.</p>  <p>Replace with diagram below.</p>		

ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

			 <p>Why we do it every 10 years Community Strategic Plan Our community's vision and values for Port Stephens</p> <p>How we do it every 4 years Delivery Program Our 4 year program to deliver our community's vision through services and strategies</p> <p>Resourcing Strategy <ul style="list-style-type: none"> Long Term Financial Plan – the finances we need to deliver our community's vision Workforce Management Strategy – the people we need to deliver our community's vision Strategic Asset Management Plan – how we manage our assets that deliver our community's vision </p> <p>What we do every year Operational Plan Our annual plan to deliver our community's vision through services and strategies</p> <p>How we report Annual Report and Six Month Progress Reports Our reports outlining our progress and what we've delivered</p>
15.	15	Administrative correction – updating currency of document since public exhibition	<p>Delete struck out text below and insert yellow highlighted text.</p> <p>Throughout 2023 and 2024 we've had big conversations with our community about the following key strategies, projects and plans. We've used This feedback to also informed the Community Strategic Plan.</p>
16.	15	Submission 22 – changes outlined in Attachment 1.	<p>Insert yellow highlighted text below.</p> <ul style="list-style-type: none"> 'Commence planning an Environmental Strategy to enhance and protect our environment.'
17.	28	Submission 1, 2, 9, 12-17, 23 – changes outlined in Attachment 1.	<p>Insert yellow highlighted text below.</p> <p>'C3.2.1.2 Council will continue to advocate and engage with Department of Communities and Justice, as the owners of the Tomaree Headland site, to find suitable short, medium and long-term options for the site.'</p>
18.	38	Submission 20 – changes outlined in Attachment 1.	<p>Insert yellow highlighted text below.</p> <ul style="list-style-type: none"> Investigate and resolve unauthorised Developments and signage.
19.	40, 41, 42	Submission 22 – changes outlined in Attachment 1.	<p>Insert yellow highlighted text below.</p> <p>'Port Stephens environment is protected, enhanced, sustainable and resilient.'</p> <p>'E1 Environmental balance</p>

ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

			Our community's natural and built environment supports biodiversity conservation , is sustainably balanced and resilient to environmental risks, natural hazards and climate change.'
20.	41	Submission 20 – changes outlined in Attachment 1.	Delete struck out text below and insert yellow highlighted text. 'E1.2 Plan for and support adaptation and mitigate measures that improve Support community resilience to climate change, including coastal and waterway hazards.'
21.	42	Submission 22 – changes outlined in Attachment 1.	Insert yellow highlighted text in the 'What we deliver' column of OP action E1.1.1.1: <ul style="list-style-type: none"> 'Commence planning for an Environmental Strategy which deals with environmental matters.'
22.	42	Submission 22 – changes outlined in Attachment 1.	Insert yellow highlighted text in the 'What we deliver' column of OP action E1.1.1.1. <ul style="list-style-type: none"> "Programs which educate the community about our environment and include urban greening."
23.	48 & 49	Administrative correction – updating currency of wording	Delete struck out text and insert text shown in yellow. <u>Delivery Program</u> Action: L1.3.3 Deliver the 4-year program for Service Reviews and Continuous Improvement Program Strategy <u>Operational Plan 2025 to 2026:</u> Action: L1.3.3.1 Implement the annual Service Review program and actions of the Continuous Improvement Program Strategy What we deliver: <ul style="list-style-type: none"> Provide specialist advice, information and support for Service Reviews: <ul style="list-style-type: none"> Office of the Director Community Futures Development and Compliance Implement the Continuous Improvement Strategy

ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

			<p>Effectiveness Measures:</p> <ul style="list-style-type: none">• Commencement of service reviews as per our annual program• Progress implementing scheduled actions of the Continuous Improvement Strategy <p>EM Target</p> <ul style="list-style-type: none">• Completed as scheduled• Completed as scheduled						
24.	62	Administrative correction – updating currency	<p>Delete struck out text and insert text shown in yellow.</p> <p>“Proposed Charges are shown in the table below. For 2025 to 2026:”</p> <table><tr><th>Type</th><th>Proposed charge 2025-2026</th></tr><tr><td>Waste management charge</td><td>\$127.00 (yield \$4,739,259)</td></tr><tr><td>Waste service charge</td><td>\$573.00 (yield \$21,341,958)</td></tr></table>	Type	Proposed charge 2025-2026	Waste management charge	\$127.00 (yield \$4,739,259)	Waste service charge	\$573.00 (yield \$21,341,958)
Type	Proposed charge 2025-2026								
Waste management charge	\$127.00 (yield \$4,739,259)								
Waste service charge	\$573.00 (yield \$21,341,958)								
RESOURCING STRATEGY 2025 TO 2035									
Workforce Management Strategy 2025 to 2029									
25.	13	Administrative correction: updating text	<p>Delete struck out text.</p> <p>‘Figure 1: Integrated Planning and Reporting Framework’</p>						
26.	15, 19, 21	Administrative correction: updating formatting	<p>Delete unnecessary spaces on page between text.</p>						
Long Term Financial Plan 2025 to 2035 (Nil changes required)									
Strategic Asset Management Plan 2025 to 2035									
27.		Councillor submission - requesting to add the project to the Capital Works Plus Plan	<p>Insert in the Capital Works Plus Plan</p> <p>“Elizabeth Waring Building Lift, Cost TBC”</p>						

**ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED
PLANNING AND REPORTING DOCUMENTS.**

FEES AND CHARGES 2023 TO 2024			
28.	35	Administrative correction – fee name change to ensure the fee covers all types of declined payments, instead of just declined credit or debit card payments.	Refer Item 1 below.

ITEM 7 - ATTACHMENT 2 RECOMMENDED CHANGES TO THE INTEGRATED PLANNING AND REPORTING DOCUMENTS.

Item 1 - Change of name for 2 Children's Services fee's

DELETE fees below as currently shown in the draft 2025-2026 Fees and Charges.

Children's services > Activity Van > Outside School Hours Care

Name	Description	Year 24/25 Fee (incl. GST)	Fee (excl. GST)	Year 25/26 GST	Fee (incl. GST)	Unit	Legislation	Pricing Policy
Credit/Debit Card declined		\$14.40	\$15.00	\$0.00	\$15.00	Per transaction		Full cost pricing

Children's services > Activity Van > Pre-School

Name	Description	Year 24/25 Fee (incl. GST)	Fee (excl. GST)	Year 25/26 GST	Fee (incl. GST)	Unit	Legislation	Pricing Policy
Credit/Debit Card declined		\$14.40	\$15.00	\$0.00	\$15.00	Per transaction		Full cost pricing

REPLACE with fees below.

Children's services > Activity Van > Outside School Hours Care

Name	Description	Year 24/25 Fee (incl. GST)	Fee (excl. GST)	Year 25/26 GST	Fee (incl. GST)	Unit	Legislation	Pricing Policy
Declined payment fee		\$14.40	\$15.00	\$0.00	\$15.00	Per transaction		Full cost pricing

Children's services > Activity Van > Pre-School

Name	Description	Year 24/25 Fee (incl. GST)	Fee (excl. GST)	Year 25/26 GST	Fee (incl. GST)	Unit	Legislation	Pricing Policy
Declined payment fee		\$14.40	\$15.00	\$0.00	\$15.00	Per transaction		Full cost pricing

MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ITEM NO. 1****FILE NO: 25/36186
EDRMS NO: PSC2017-00180****DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS AND FEES
AND CHARGES**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the draft Integrated Planning and Reporting documents to commence public exhibition for a period of 28 days, which includes the:
 - a) Community Strategic Plan 2025 to 2035 (**ATTACHMENT 1**).
 - b) Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026 (**ATTACHMENT 2**).
 - c) Fees and Charges 2025 to 2026 (**ATTACHMENT 3**).
 - d) Resourcing Strategy 2025 to 2035 (to be provided in a Supplementary Report).
- 2) Note that a report will be provided to Council following public exhibition.

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

075	Councillor Giacomo Arnott Councillor Paul Le Mottee It was resolved that Council: <ol style="list-style-type: none">1) Place the draft Integrated Planning and Reporting documents on public exhibition for a period of 28 days, which includes the:<ol style="list-style-type: none">a) Community Strategic Plan 2025 to 2035 (ATTACHMENT 1).b) Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026 (ATTACHMENT 2).c) Fees and Charges 2025 to 2026 (ATTACHMENT 3).d) Resourcing Strategy 2025 to 2035 (ATTACHMENT 4).2) Note that a report will be provided to Council following public exhibition.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ORDINARY COUNCIL MEETING - 8 APRIL 2025
MATTER ARISING**

076	Councillor Giacomo Arnott Councillor Jason Wells It was resolved that Council: 1) Notes that the wording in recommendations where Council is to "endorse" a matter to go on public exhibition could be worded to better reflect that an item is not endorsed by the elected Council until the matter returns from public exhibition. 2) Agrees that when a matter is placed on public exhibition in future, the General Manager will ensure that the recommended resolution will "place" a matter on public exhibition rather than "endorse" its placement onto public exhibition.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland, Mark Watson 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 following draft Integrated Planning and Reporting (IP&R) documents on public exhibition for a period of 28 days and invite submissions in accordance with the Local Government Act 1993 (Local Government Act):

- Community Strategic Plan 2025 to 2035 (**ATTACHMENT 1**).
- Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026 (**ATTACHMENT 2**).
- Fees and Charges 2025 to 2026 (**ATTACHMENT 3**) and
- Resourcing Strategy 2025 to 2035 incorporating the Workforce Management Strategy 2025 to 2029, Long Term Financial Plan 2025 to 2035 and Strategic Asset Management Plan 2025 to 2035 which will be provided in a Supplementary Report.

Community Strategic Plan 2025 to 2035 (**ATTACHMENT 1**)

Following the local government election all councils are required to review and endorse a 10-year Community Strategic Plan (the Plan) prior to 30 June 2025. This is

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

the highest level of strategic planning that a council will prepare on behalf of the community.

Council is committed to deliver the Plan whilst maintaining financial sustainability for the future.

That said, many of the actions outlined in the Plan extend beyond Council's direct control, involving strong partnerships and effective advocacy with government departments, businesses, agencies and the wider community.

Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026
(ATTACHMENT 2)

The Delivery Program outlines a 4-year program that Council commits to delivering within the resources available. It translates the Plan's key directions/goals into clear activities and actions.

The Operational Plan is Council's annual action plan which contributes to the 4-year Delivery Program. It outlines what Council proposes to deliver for 2025 to 2029 and which area of Council is responsible for delivery. The Operational Plan is implemented with a supporting annual budget to fund necessary work.

Fees and Charges 2025 to 2026 (ATTACHMENT 3)

In accordance with the Local Government Act and other applicable legislation, Council charges and recovers approved fees and charges. These must be reviewed on an annual basis and Council cannot implement these fees and charges until they have been placed on public exhibition and submissions considered.

Resourcing Strategy 2025 to 2035

Council needs to be appropriately resourced to implement these plans. The Resourcing Strategy consists of 3 interrelated plans, the Long Term Financial Plan, Strategic Asset Management Plan and Workforce Management Strategy.

The Resourcing Strategy 2025 to 2035 will be available for Council's consideration in a Supplementary Report.

COMMUNITY STRATEGIC PLAN

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

FINANCIAL/RESOURCE IMPLICATIONS

Council is required to adopt the Operational Plan, Long Term Financial Plan and Fees and Charges before 30 June each year and cannot expend funds or charge

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

fees unless the process, including public exhibition and consideration of submissions is undertaken.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to undertake integrated planning and reporting activities in accordance with the Local Government Act, Local Government (General) Regulation 2021 (Local Government Regulation) and the NSW Government's Integrated Planning and Reporting Guidelines (IP&R Guidelines) and Handbook (IP&R Handbook) September 2021. Sections 402 to 406 and 608 to 610 of the Local Government Act outline the specific requirements for developing the IP&R documents and Fees and Charges.

In summary, under this legislation and Guidelines, Council is required to:

- Review the Plan before 30 June following the Council election.
- Adopt the IP&R documents prior to 30 June 2025 in order to set the budget and allow for funds to be expended for the following financial year.
- Prepare a long-term strategy (Resourcing Strategy which includes the Long Term Financial Plan, Workforce Management Strategy and Strategic Asset Management Plan) for the provision of resources required to perform its functions.
- Establish a new delivery program after the Council election to cover the principal activities of the council for the 4-year period commencing on 1 July following the election.
- Have its operational plan adopted before the beginning of each year and detail the activities to be engaged in by the council during the year as part of the delivery program covering that year.
- Set its fees and charges prior to 1 July 2025, and make the rates prior to 1 August 2025.
- Publicly exhibit all of the IP&R documents and Fees and Charges for a period of at least 28 days, considering submissions prior to adoption of the final documents.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council does not have an understanding of community priorities.	Low	Public exhibition of the Plan which has been revised based on integrated engagement over the last 2 years.	Yes
There is a risk that Council does not have the resources to meet its delivery program and annual operational plan.	Medium	Staff continue to realistically plan and investigate resourcing opportunities as outlined in the Delivery Program and Resourcing Strategy.	Yes
<p>There is a risk that if the draft documents are not exhibited as required:</p> <ul style="list-style-type: none"> • The fees therein cannot be charged. • Funds cannot be expended; and • Plans will not be implemented prior to 1 July as legislatively required. <p>This could lead to a loss of time, potential financial, reputational and legal implications for Council.</p>	Low	Public exhibition of the draft documents during April 2025 to allow sufficient time for public submissions and Council consideration and adoption of the final documents prior to 30 June 2025.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The draft Plan has been developed in alignment with the principles of sustainability and social justice addressing social, economic, environmental and governance factors (quadruple bottom line) through 4 interconnected focus areas: Our Community, Our Place, Our Environment and Our Council.

The 4 focus areas shown provide a structure for planning in each of the documents, enabling Council to address key actions while aiming to holistically meet the community's vision of 'A great lifestyle in a treasured environment'.

COMMUNICATION AND ENGAGEMENT

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

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

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

The following communication and engagement applies to this report.

External communications and engagement – prior to Public Exhibition

INVOLVE	<p>Between 2022 and 2024 a number of community engagement initiatives have been undertaken to inform the Plan, these include:</p> <ul style="list-style-type: none"> • Communication and Engagement Strategy. • Community Wellbeing Strategy. • Local Housing Strategy. • Port Stephens Coastal Management Program. • Community Satisfaction Survey 2023 and 2024. • Business Health Check-In. • Financial Sustainability (Special Rate Variation). • Our Port Stephens 2021-2024 Report – updating the community on how we are tracking towards achieving the 2022 to 2032 Community Strategic Plan. • Liveability Survey 2024.
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External communications and engagement – during and post Public Exhibition

CONSULT	In accordance with local government legislation and our Community Engagement Strategy the draft documents will be placed on public exhibition for 28 days and will be notified through social media, print advertising, Council's website, electronic newsletters and with hard copies available for viewing at Council's administration building and libraries.
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Internal communications and engagement – prior to Public Exhibition

A multilayered approach to reviewing this suite of IP&R documents occurred via:

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

- Informing the new Council of the challenges and opportunities identified in Our Port Stephens 2021 to 2024 Report.
- Collaborating with the Mayor and Councillors in November 2024 and February 2025 to understand their priorities and those of their communities.
- Workshopping with Section Managers and the Executive Team to develop the associated IP&R documents to deliver on the Plan.
- Reviewing the Fees and Charges with responsible officers from across the organisation.

OPTIONS

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

ATTACHMENTS

- 1) Draft Community Strategic Plan 2025 to 2035.
- 2) Draft Delivery Program 2025 to 2029 incorporating the Operational Plan 2025 to 2026.
- 3) Draft Fees and Charges 2025 to 2026.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 7 - ATTACHMENT 4 MAKING THE RATES AND CHARGES 2025 TO 2026.

SCHEDULE OF RATES AND CHARGES 2025-2026

- 1) For the third and final year of Council's three year 9.5% Special Rate Variation approval by IPART, make ordinary rates in accordance with the following schedule for 2025-2026 financial year using 1 July 2022 base date land values.

Ordinary Rates				
Category	Sub-category	Ad Valorem Rate c in \$	Base Amount \$	% of yield form base amount
Residential	n/a	0.2046	\$528.00	35%
Residential	Williamstown Primary Zone	0.1364	\$352.00	36%
Residential	Williamstown Secondary Zone	0.1535	\$396.00	39%
Residential	Williamstown Broader Zone	0.1841	\$475.00	38%
Farmland	n/a	0.2046	\$528.00	19%
Farmland	Williamstown Primary Zone	0.1364	\$352.00	27%
Farmland	Williamstown Secondary Zone	0.1535	\$396.00	26%
Farmland	Williamstown Broader Zone	0.1841	\$475.00	26%
Business	n/a	0.5614	\$2,255.00	35%
Mining	n/a	0.5614	0.00	n/a

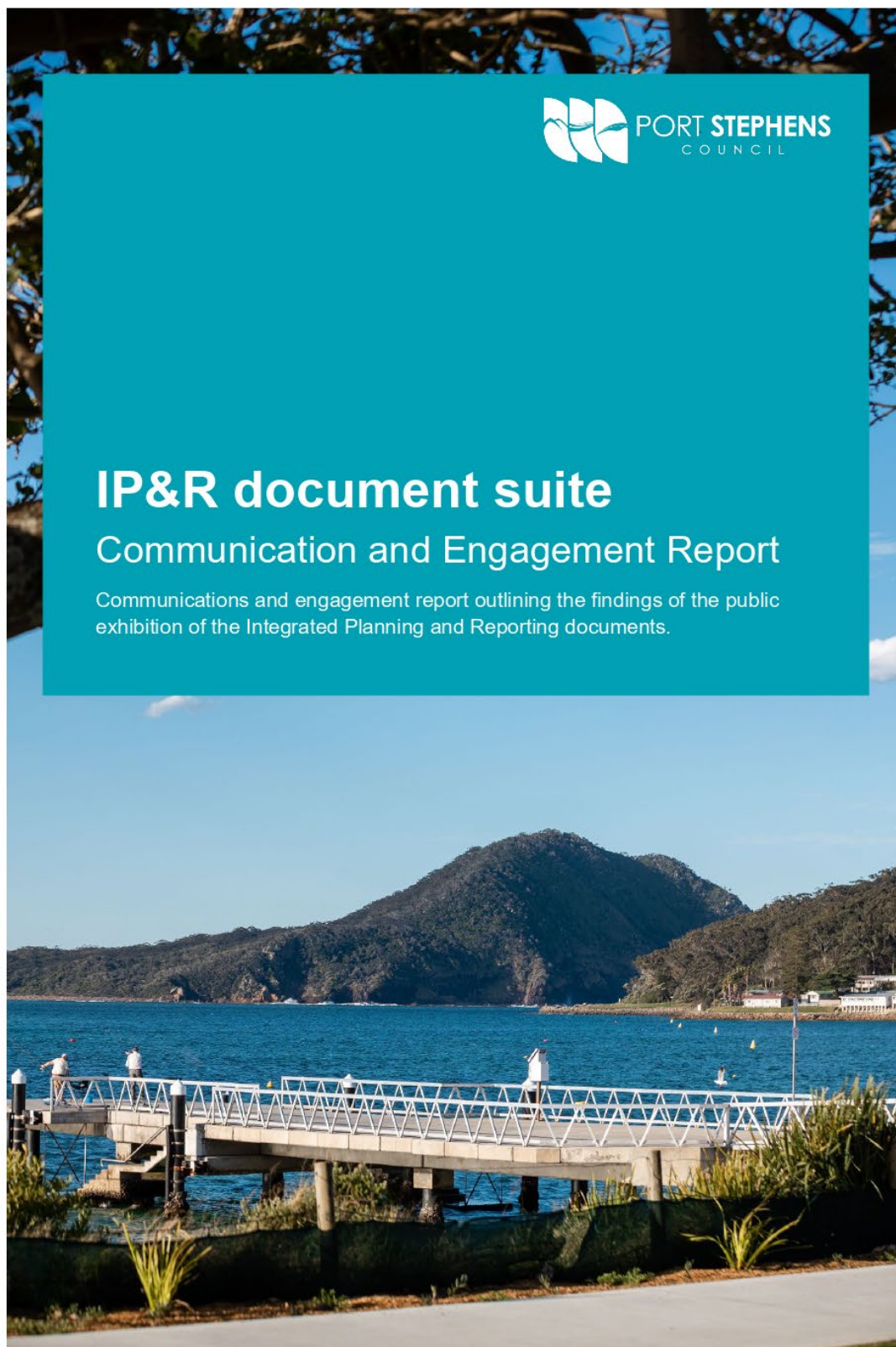
- 2) Levy on behalf of Hunter Local Land Services a catchment contribution at the rate determined by the Service for 2025-2026 on all rateable land with a land value of \$300 or more in the defined catchment area. The defined catchment area is shown on the Hunter Local Land Services Contribution Area map.
- 3) Fix the interest rate to apply to overdue rates and charges in 2025-2026 at the maximum rate as determined by the Minister for Local Government.
- 4) Make the following annual Domestic Waste Management Charges and Waste Management Charges for 2025-2026. All rateable assessments that are undeveloped (ie. have no buildings erected upon them) will be levied either a Domestic Waste Management Charge or a Waste Management Charge. All developed rateable assessments (ie. have a building/s erected upon them) will be levied either a Domestic Waste Management Service Charge or a Waste Management Service Charge in addition to the Domestic Waste Management Charge/Waste Management Charge.

ITEM 7 - ATTACHMENT 4 MAKING THE RATES AND CHARGES 2025 TO 2026.

Charge type	Charge code	Charge name	Land category charge applies to	Amount of charge
Domestic Waste Management (s496 Local Government Act, 1993)	6-63	Domestic Waste Management Charge	All rateable land categorised as Residential except land that is levied a s496 Domestic Waste Management Service Charge (7-73).	\$127.00 per assessment
Waste Management Charge (s501 Local Government Act, 1993)	6-64	Waste Management Charge	All rateable land categorised as Mining or Business. All rateable land categorised as Farmland except land that is levied a s501 Additional Farm Waste Management Charge (6-65). All rateable land categorised as Residential except land that is levied a s496 Domestic Waste Management Charge (6-63). All non-rateable land that uses the Domestic Waste Management Service.	\$127.00 per assessment
Waste Management Charge (s501 Local Government Act, 1993)	6-65	Additional Farm Waste Management Charge	All rateable land categorised as Farmland where more than one assessment is held in the same ownership and those assessments are operated as a single farming entity, then the Waste Management Charge (6-64) is to be levied on the first assessment and this Additional Farm Waste Management Charge (6-65) is to be levied on the second and subsequent assessments.	\$1.00 per assessment
Waste Management Charge (s501 Local Government Act, 1993)	7-74 or 19-74	Waste Management Service Charge	All developed rateable land categorised as Mining or Business, whether occupied or unoccupied.	\$573.00 for 240 litre waste bin, 240 litre or 360 litre recycling bin and 240 litre green organics bin service

ITEM 7 - ATTACHMENT 4 MAKING THE RATES AND CHARGES 2025 TO 2026.

Charge type	Charge code	Charge name	Land category charge applies to	Amount of charge
Domestic Waste Management (s496 Local Government Act, 1993)	7-73 or 10-73	Domestic Waste Management Service Charge	All developed rateable land categorised as Residential or Farmland, whether occupied or unoccupied. All non-rateable land that uses the Domestic Waste Management Service.	\$573.00 for 240 litre waste bin, 240 litre or 360 litre recycling bin and 240 litre green organics bin service
Waste Management Charge (s501 Local Government Act, 1993)	3-74	Waste Service Charge – Additional Waste Bin	All rateable land categorised as Farmland, Residential, Mining or Business where the ratepayer requests provision of the additional service. All non-rateable land where provision of the additional service is requested.	\$292.50 per additional waste (red lid) bin
Waste Management Charge (s501 Local Government Act, 1993)	4-74 or 18-74	Waste Service Charge – Additional Recycling Bin	All rateable land categorised as Farmland, Residential, Mining or Business where the ratepayer requests provision of the additional service. All non-rateable land where provision of the additional service is requested.	\$195.00 per additional recycling (yellow lid) bin
Waste Management Charge (s501 Local Government Act, 1993)	20-74	Waste Service Charge – Additional Garden Organics Bin	All rateable land categorised as Farmland, Residential, Mining or Business where the ratepayer requests provision of the additional service. All non-rateable land where provision of the additional service is requested.	\$195.00 per additional garden organics (green lid) bin



Contents

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a. Communication methods	4
b. Engagement methods	5
3. Key findings	5

Summary

The Integrated Reporting and Planning (IP&R) framework guides how local councils in NSW plan for the future and report on their progress. It allows Councils to integrate their various plans, understand how they interact, and ensure their efforts are coordinated to achieve maximum benefit.

At Port Stephens Council, the IP&R documents include:

- Community Strategic Plan
- Delivery Program incorporating the Operational Plan
- Resourcing Strategy
- Annual Fees and Charges.

These plans are reviewed and updated in line with the NSW local government election cycle. Following each election, newly elected councils must review these plans to outline how they will respond to the community's priorities. Under the IP&R framework, Councils are required to undertake community engagement to inform the review of the IP&R documents, inclusive of a 28-day public exhibition.

Extensive engagement has been undertaken between 2022 and 2024 through a number of significant community engagement initiatives that have informed the development of the IP&R documents, these include:

- Communication and Engagement Strategy
- Community Wellbeing Strategy
- Local Housing Strategy
- Port Stephens Coastal Management Program.
- Community Satisfaction Survey 2023 and 2024.
- Business Health Check-In
- Financial Sustainability (Special Rate Variation)
- Our Port Stephens 2021-2024 Report – updating the community on how we are tracking towards achieving the 2022 to 2032 Community Strategic Plan
- Liveability Survey 2024

These findings are included in the separate project reports and can be located on Council's website.

The IP&R documents were placed on public exhibition on 9 April 2025 and closed on 8 May 2025.

This report provides the findings from the public exhibition of the IP&R documents. The objectives of the communication and engagement were to:

- Inform the community about the IP&R Framework, its purpose, and how it guides Council's planning and reporting processes.
- Engage the community in the exhibition of the IP&R documents.

Communication and engagement methods

Communication methods

Activity	Description	Reach
Webpage	Documents placed on public exhibition webpage on Council's website.	Document downloads included: Community Strategic Plan – 72 Community Strategic Plan Easy Read version – 18 Delivery Program - 59 Fees and Charges - 49 Resourcing Strategy – 31 Total - 229
Media release	Distributed to Council's media distribution list. Informing about the documents and promoting the public exhibition period.	109 recipients
News item	News items are included on the Council's home page.	74 visits
Social media	Facebook posts promoting the public exhibition period. (including a video from the Mayor and General Manager)	2,237
	Facebook post promoting Easy Read document version and public exhibition.	1,056
Print advertisement	Included in print advertising for:	
	- News of the Area 17 April; - Port Stephens Examiner 17 April.	10,000 22,231
Local media update	Included in the weekly media update emailed to local outlets	9
Hard copies	Hard copies included at Council facilities, such as the	Unknown

Council administration
building and libraries

Engagement methods

Activity	Description	Participation
Submission	Electronic or written submission received during the public exhibition period.	25 submissions

Key findings

The communications which informed the community of the opportunity to provide feedback on the IP&R documents during the public exhibition reached 35,945 people. Of the 25 people/organisations that provided submission feedback, reoccurring feedback related to Shoal Bay and Tomaree Headland, the need for an Arts and Cultural Centre or precinct and concerns over the proposed density in the Tilligerry Place Plan.

The detail of the submissions received is included in Attachment 1 of Council's Business Paper. Feedback from the public exhibition of the IP&R documents has been used to refine the documents and will be presented to Council on 10 June 2025.



PORT STEPHENS
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ITEM NO. 8

**FILE NO: 25/91888
EDRMS NO: PSC2009-02488**

POLICY REVIEW: COMMUNITY GROUP LOANS POLICY

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the revised Community Group Loans Policy shown at **(ATTACHMENT 1)** on public exhibition for a period of 28 days.
- 2) Should no submissions be received the policy be adopted without a further report to Council.
- 3) Revoke the Community Group Loans Policy dated 26 October 2021, Minute No. 286 should no submissions be received.

BACKGROUND

The purpose of this report is to provide the revised Community Group Loans Policy (the policy) **(ATTACHMENT 1)** to Council for consideration prior to public exhibition.

The intent of the policy is to provide community, cultural and sporting groups in the Local Government Area with access to low interest loan funding.

The revised policy was reported to Council at the meeting held on 12 November 2024, Minute No. 216 **(ATTACHMENT 2)**. The item was deferred at that meeting with a request that the General Manager seek feedback from community groups on their potential future use of the policy.

Subsequently, the revised policy was reported to Council at the meeting held on 8 April 2025, Minute No. 077 **(ATTACHMENT 3)**. The majority of the responses received from the community groups expressed a desire to retain the policy in order to assist with potential future funding to enhance, improve and maintain Council facilities. The item was deferred at that meeting to allow for further discussion with the Mayor and Councillors.

A briefing was held with the Mayor and Councillors on the revised policy and a minor amendment was requested.

The revised policy is being reported back to Council to seek approval to commence the public exhibition process. In addition, Council will continue to raise awareness of the policy with the relevant community groups.

ORDINARY COUNCIL - 10 JUNE 2025

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

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2024 to 2034.

FINANCIAL/RESOURCE IMPLICATIONS

The policy has no known financial or resource implications and is within existing budget allocations.

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

LEGAL, POLICY AND RISK IMPLICATIONS

No adverse legal, policy or risk implications have been identified as a result of the policy review.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the revised policy is not adopted then Council will not have sufficient oversight and control of loans provided to community groups to enhance, improve and maintain Council facilities.	Medium	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

By Council facilitating reasonable loans as a responsible lender to approved community groups, valuable facilities and services will be provided.

CONSULTATION

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

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

The following communication and engagement applies to this report.

External communications and engagement

CONSULT	<p>Consultation has occurred with the relevant community groups on their potential future use of the policy.</p> <p>The policy will be placed on public exhibition for 28 days on Council's website.</p> <p>In addition, Council will continue to raise awareness of the policy with the relevant community groups.</p>
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Internal communications and engagement

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

- Assets Section.
- The Executive Team has been consulted to seek management endorsement.

OPTIONS

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

ATTACHMENTS

- 1) Revised Community Group Loans Policy.
- 2) Council Minute No. 216 - 12 November 2024.
- 3) Council Minute No. 077 - 8 April 2025.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: PSC2009-02488

TITLE: COMMUNITY GROUP LOANS POLICY

OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 To provide access to funding through the provision of available loans for improvements to community, cultural, sport and recreation facilities in the Port Stephens local government area in an effective and equitable manner.

2. CONTEXT/BACKGROUND:

- 2.1 This policy applies to groups seeking to develop buildings or facilities that are Council owned, under Council's care, control or management, under Council's Trusteeship, provides services to the local community or responsibility has been devolved to Council by some form of legislation.

3. SCOPE:

- 3.1 The Community and Recreation Loans Reserve will be self-supporting over time with repayments to the reserve used to fund further allocation. The reserves upper limit will be \$200,000.
- 3.2 This policy assists community groups that are operating and providing services in the Port Stephens local government area and enables Council's assets to be enhanced, improved and maintained in a good state of repair.

4. DEFINITIONS:

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

Loan	The act of giving money, property or other material goods to another party in exchange for future repayment of the principal amount along with interest or other finance charges.
Interest	The charge for the privilege of borrowing money, typically expressed as an annual percentage rate.

5. STATEMENT:

- 5.1 The Community Group Loans program will provide funding through the provision of available loans for improvements to the community, cultural, sport and recreation facilities in the Port Stephens Local Government Area (LGA).

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Policy



- 5.2 This policy is made possible by a reserve of \$200,000 so loan funds can be drawn upon and Council's financial position managed appropriately.
- 5.3 This loan is available to groups seeking to develop buildings or facilities that are Council owned, under Council's care, control or management, or under Council's Trusteeship.
- 5.4 Applicants must be providing services to the local community or responsibility has been devolved to Council by some form of legislation.
- 5.5 Transparency and Equity
 - 5.5.1 The Community Loans Program will be administered in a transparent and equitable manner and be promoted across the district in a manner that will allow maximum opportunity for community groups to apply. The Community Group Loans Application Guidelines provide clear parameters around eligibility.
 - 5.5.2 Each funding program has a process for the assessment of applications with Council making the final decision.
- 5.6 Eligibility
 - 5.6.1 Local Sports Club:
 - a) Must be a current financial member of a Port Stephens Council Sports Council.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Must be up to date with any Council/Sports Council/Committee accounts.
 - d) Have appropriate Public Liability insurance cover.
 - 5.6.2 Community/Cultural Groups:
 - a) Must be a properly constituted, incorporated not-for-profit association operating and providing services in the Port Stephens LGA.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Have appropriate Public Liability insurance cover.
 - 5.6.3 355c Committee of Council:
 - a) Must be a current Committee of Council.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Must be up to date with financial accounts and record keeping requirements.

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5.6.4 The following groups are ineligible to apply:

- a) Groups which do not meet the above requirements.
- b) Groups which already have an outstanding Community Group Loan.
- c) Commercial organisations.
- d) Projects which will be carried out on private land or outside the Port Stephens LGA.

5.7 Application

5.7.1 Applicants will need to complete Council's Community Group Loans application form.

5.7.2 The following information may also be requested:

- a) Business case for applying for the funds.
- b) Cost estimates for any repairs, assets, or manual labour.
- c) Ongoing maintenance plans (where applicable).
- d) Proof of ability to service the loan.

5.7.3 Council staff will exercise discretion when requesting additional information. The Community and Recreation **Assets** Coordinator, in conjunction with the Financial Reporting Coordinator, will assess applications. Approval may also be required from the Community Development and Engagement **Vibrant Places** Coordinator.

5.7.4 All recommendations will be forwarded to the respective Section Manager and ~~Group Manager~~ **Director** for review. Final recommendations will be provided to Council for determination.

5.8 Assessment

5.8.1 Priority will be given to loans for projects that:

- a) Will benefit a wide range of people in the community.
- b) Have a long term benefit for the community.
- c) Have a clearly defined plan and budget.

5.8.2 The application must clearly demonstrate the capacity to repay the loan including:

- a) Detailed expenditure and revenue ~~forecast~~-budget for term of loan.
- b) Forecast repayment schedule for term of loan.
- c) Additional fundraising and income generating activities.
- d) Evidence of sound governance procedures.

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Policy

5.8.3 Applications made by sporting clubs must be for projects included on the relevant Sports Council's Sports Development Strategy. The relevant Sports Council must be supportive of the project and agree to:

- a) Be a signatory to the application; and
- b) Meet the repayments for the loan in the instance where the applicant fails to meet two (2) successive payments.

5.8.4 Applications will be prioritised by and assessed on:

- a) Financial ability to repay loan; and
- b) Having particular regard to projects identified as a part of the 10 year Capital Works Plan or Sports Development Strategy.

5.9 Terms of Loan

5.9.1 Loans to be a maximum of 84 months.

5.10 Value of Loan

5.10.1 Loans provided to be a minimum of \$20,000 and a maximum of \$75,000.

5.10.2 Loan funds cannot exceed more than 75% of the overall project value excluding in kind support, i.e. expected cash value of the project x 75% = maximum loan value.

5.10.3 Approval from the Executive Team is required to alter the terms of 5.10 on a case by case basis.

5.11 Interest

5.11.1 Interest on Community Group Loans will be calculated using the simple interest method at an interest rate of 2% per annum on the outstanding balance.

6. RESPONSIBILITIES:

6.1 The Financial Services Section Manager has overall responsibility for the implementation of this policy in consultation with the Assets Section Manager.

6.2 Applications for Community Group Loans may be received and coordinated at coordinator level, if relevant to their role at Council. In all cases, consultation with the relevant Section Manager and Group Manager **Director** must occur prior to agreement being entered into.

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Policy



- 6.3 The Financial Services Section Manager is responsible for reporting Community Group Loan requests over \$20,000 to a maximum of \$75,000 to Council for endorsement.

7. RELATED DOCUMENTS:

- 7.1 Community Group Loans Application Guidelines.
7.2 Community Group Loans Application Form.
7.3 Other suitable documents, records and evidence of review will be retained in support of application, approval and management of loans.

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CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2009-02488	EDRMS record No.	TBA
Audience	Financial Services Section, PSC staff, local Community Groups and Sporting Clubs		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	3 4 years	Next review date	TBA
Adoption date	14 July 2015		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	26/06/2007	Jason Linnane		158
2	14/07/2015	John Maretich	Updated Community Group Loans Policy does not change the existing policy's intent and only updates the format of the policy.	196
3	12/11/2019	Finance – Reporting Coordinator	Updated policy into new template. Changed Policy Owner from Community & Recreation Coordinator to Financial Services Section Manager. 1.1 – Added “in an effective and equitable manner.” 5.1 – Removed “is to provide an accessible fund where groups and clubs can borrow funds at low interest rates for approved projects. This will assist community groups to improve and develop Council's facilities to support community activities in the Local Government Area.”	

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Version	Date	Author	Details	Minute No.
			<p>5.1 – Added “program will provide funding through the provision of available loans for improvements to the community , cultural, sport and recreation facilities in the Port Stephens Local Government Area (LGA).”</p> <p>5.2.1 - Removed “Interest rates are to be set at Indicative Borrowing Rate for Local Government Authorities (IBRLGA) applicable on the day of approval of recommendation by the Group Manager of the respective Group.”</p> <p>5.2.2 - Removed “For projects that are Asset Rehabilitation and are in Port Stephens Council’s Asset Management Plans, the interest rate will be 50% of the IBRLGA.”</p> <p>5.2.3 – Removed “The interest from Community and Recreation Loans Vote, being equal to Indicative Borrowing Rates for Local Government Authorities, is paid to Council on a quarterly basis (except for Asset Rehabilitation Projects).”</p> <p>5.3 – Removed “Interest to be fixed for the term of the loan.”</p> <p>5.3 – Added “This loan is available to groups seeking to develop buildings or facilities that are Council owned, under Council’s care, control or management, or under Council’s Trusteeship.”</p> <p>5.4 – Removed “Loans to be for a maximum of 84 months.”</p> <p>5.4 – Added “Applicants must be providing services to the local community or responsibility has been devolved to Council by some form of legislation.”</p>	

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Policy



Version	Date	Author	Details	Minute No.
			<p>5.5 – Removed “Loans have a minimum of \$2,000 and an upper limit of \$75,000. Any increase of this amount will require a formal resolution of Council.”</p> <p>Added new paragraphs 5.5 – 5.9.</p> <p>5.6 – Removed “Should a club or group default on loan payments, Council has the right to take whatever action it considers necessary to recover the funds. In extreme cases, Council may consider closing the use of the facilities to the club or community group in default and taking legal action to recover funds.</p> <p>5.7 – Added “The Financial Services Section Manager has overall responsibility for the implementation of this policy in consultation with the Assets Section Manager.”</p> <p>6.1 – Removed “Community & Recreation Coordinator – Responsible for the overall implementation of the policy.”</p> <p>6.1 – Removed “Management Accounting Coordinator – Responsible for monitoring the Community and Recreation Loans Reserve and ensuring payments are received.”</p> <p>6.2 – Added “Applications for Community Group Loans may be received and coordinated at coordinator level, if relevant to their role at Council. In all cases, consultation with the relevant section and group manager must occur prior to agreement being entered into.”</p>	

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Policy



Version	Date	Author	Details	Minute No.
			<p>6.3 – Added “The Financial Services Section Manager is responsible for reporting Community Group Loan requests over \$20,000 to a maximum of \$75,000 to Council for endorsement.”</p> <p>7.1 – Removed “LGA Act 1993”</p> <p>7.1 – Added “Suitable documents, records and evidence of review will be maintained in support of application, approval and management of loans.”</p> <p>7.2 - Removed “Code of Conduct”</p> <p>7.2 – Removed “PSC Financial Assistance Policy”.</p>	
4	26 October 2021	Financial Services Section Manager	<p>Updated policy into the new template.</p> <p>5.5.1 – Added ‘The Community Group Loans Application Guidelines provide clear parameters around eligibility.’</p> <p>5.7 – New paragraph - added whole segment with regards to the application process.</p> <p>5.10.3 – Added ‘Approval from the Executive Team is required to alter the terms of 5.10 on a case by case basis’.</p> <p>7.1 – Added ‘Community Group Loans Application Guidelines’.</p> <p>7.2 – Added ‘Community Group Loans Application Form’.</p> <p>Controlled document information: Amended review timeframe to 3 years in accordance with Council's policy and management directive review process.</p>	286

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Policy



Version	Date	Author	Details	Minute No.
5	TBA	Financial Services Section Manager	<p>Update policy to new template.</p> <p>Minor updates to position titles and naming throughout.</p> <p>5.11- Interest clause added to outline how interest is calculated and applied to Community Group loans.</p> <p>Controlled document information: Amended review timeframe to 4 years as per Council's policy review process.</p>	TBA

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024**ITEM NO. 3****FILE NO: 24/257062
EDRMS NO: PSC2009-02488****POLICY REVIEW: COMMUNITY GROUP LOANS POLICY****REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT****RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the revised Community Group Loans Policy shown at **(ATTACHMENT 1)**.
- 2) Place the revised Community Group Loans Policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
- 3) Revoke the Community Group Loans Policy dated 26 October 2021, Minute No 286 should no submissions be received.

**ORDINARY COUNCIL MEETING - 12 NOVEMBER 2024
MOTION**

216	Councillor Giacomo Arnott Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Defer the review of the Community Group Loans policy.2) Request the General Manager to send a survey out to all known community groups asking if they have ever accessed the program, considered accessing it, or would ever see themselves accessing it, including reasons why or why not.3) Provide the outcomes of the survey to a two-way conversation for further understanding for Councillors.
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Councillor Rosalyn Armstrong returned to the meeting at 7:45pm.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Amott, Chris Doohan, Nathan Errington, Peter Francis, Ben Niland, Mark Watson and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024**BACKGROUND**

The purpose of this report is to seek Council's endorsement of the revised Community Groups Loans Policy (the 'policy') (**ATTACHMENT 1**).

The intent of the policy is to provide community, cultural and sporting groups in the local government area with access to low interest loan funding.

Supporting documents are proposed as part of the revisions to this policy. The documents aim is to provide greater transparency to the process of applying for a community loan.

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

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2024 to 2034.

FINANCIAL/RESOURCE IMPLICATIONS

The policy has no known financial or resource implications and is within existing budget allocations.

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

LEGAL, POLICY AND RISK IMPLICATIONS

No adverse legal, policy or risk implications have been identified as a result of the policy review.

MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the revised policy is not adopted then Council could be vulnerable to defaulting loans.	Medium	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

By Council facilitating reasonable loans as a responsible lender to approved community groups, valuable facilities and services will be provided.

CONSULTATION

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

Internal

- Assets Section.
- The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation the revised Community Groups Loans 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 Community Group Loans Policy.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

ITEM 3 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



FILE NO: PSC2009-02488

TITLE: COMMUNITY GROUP LOANS POLICY

OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 To provide access to funding through the provision of available loans for improvements to community, cultural, sport and recreation facilities in the Port Stephens local government area in an effective and equitable manner.

2. CONTEXT/BACKGROUND:

- 2.1 This policy applies to groups seeking to develop buildings or facilities that are Council owned, under Council's care, control or management, under Council's Trusteeship, provides services to the local community or responsibility has been devolved to Council by some form of legislation.

3. SCOPE:

- 3.1 The Community and Recreation Loans Reserve will be self-supporting over time with repayments to the reserve used to fund further allocation. The reserves upper limit will be \$200,000.
- 3.2 This policy assists community groups that are operating and providing services in the Port Stephens local government area and enables Council's assets to be enhanced, improved and maintained in a good state of repair.

4. DEFINITIONS:

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

Loan	The act of giving money, property or other material goods to another party in exchange for future repayment of the principal amount along with interest or other finance charges.
Interest	The charge for the privilege of borrowing money, typically expressed as an annual percentage rate.

5. STATEMENT:

- 5.1 The Community Group Loans program will provide funding through the provision of available loans for improvements to the community, cultural, sport and recreation facilities in the Port Stephens Local Government Area (LGA).

Policy

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024**ITEM 3 - ATTACHMENT 1****REVISED COMMUNITY GROUP LOANS POLICY.**

Policy



- 5.2 This policy is made possible by a reserve of \$200,000 so loan funds can be drawn upon and Council's financial position managed appropriately.
- 5.3 This loan is available to groups seeking to develop buildings or facilities that are Council owned, under Council's care, control or management, or under Council's Trusteeship.
- 5.4 Applicants must be providing services to the local community or responsibility has been devolved to Council by some form of legislation.
- 5.5 Transparency and Equity
 - 5.5.1 The Community Loans Program will be administered in a transparent and equitable manner and be promoted across the district in a manner that will allow maximum opportunity for community groups to apply. The Community Group Loans Application Guidelines provide clear parameters around eligibility.
 - 5.5.2 Each funding program has a process for the assessment of applications with Council making the final decision.
- 5.6 Eligibility
 - 5.6.1 Local Sports Club:
 - a) Must be a current financial member of a Port Stephens Council Sports Council.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Must be up to date with any Council/Sports Council/Committee accounts.
 - d) Have appropriate Public Liability insurance cover.
 - 5.6.2 Community/Cultural Groups:
 - a) Must be a properly constituted, incorporated not-for-profit association operating and providing services in the Port Stephens LGA.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Have appropriate Public Liability insurance cover.
 - 5.6.3 355c Committee of Council:
 - a) Must be a current Committee of Council.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Must be up to date with financial accounts and record keeping requirements.

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024**ITEM 3 - ATTACHMENT 1****REVISED COMMUNITY GROUP LOANS POLICY.**

Policy



5.6.4 The following groups are ineligible to apply:

- a) Groups which do not meet the above requirements.
- b) Groups which already have an outstanding Community Group Loan.
- c) Commercial organisations.
- d) Projects which will be carried out on private land or outside the Port Stephens LGA.

5.7 Application

5.7.1 Applicants will need to complete Council's Community Group Loans application form.

5.7.2 The following information may also be requested:

- a) Business case for applying for the funds.
- b) Cost estimates for any repairs, assets, or manual labour.
- c) Ongoing maintenance plans (where applicable).
- d) Proof of ability to service the loan.

5.7.3 Council staff will exercise discretion when requesting additional information. The Community and Recreation Assets Coordinator, in conjunction with the Financial Reporting Coordinator, will assess applications. Approval may also be required from the Community Development and Engagement Vibrant Places Coordinator.

5.7.4 All recommendations will be forwarded to the respective Section Manager and Group Manager Director for review. Final recommendations will be provided to Council for determination.

5.8 Assessment

5.8.1 Priority will be given to loans for projects that:

- a) Will benefit a wide range of people in the community.
- b) Have a long term benefit for the community.
- c) Have a clearly defined plan and budget.

5.8.2 The application must clearly demonstrate the capacity to repay the loan including:

- a) Detailed expenditure and revenue forecast-budget for term of loan.
- b) Forecast repayment schedule for term of loan.
- c) Additional fundraising and income generating activities.
- d) Evidence of sound governance procedures.

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024**ITEM 3 - ATTACHMENT 1****REVISED COMMUNITY GROUP LOANS POLICY.**

Policy



5.8.3 Applications made by sporting clubs must be for projects included on the relevant Sports Council's Sports Development Strategy. The relevant Sports Council must be supportive of the project and agree to:

- a) Be a signatory to the application; and
- b) Meet the repayments for the loan in the instance where the applicant fails to meet two (2) successive payments.

5.8.4 Applications will be prioritised by and assessed on:

- a) Financial ability to repay loan; and
- b) Having particular regard to projects identified as a part of the 10 year Capital Works Plan or Sports Development Strategy.

5.9 Terms of Loan

5.9.1 Loans to be a maximum of 84 months.

5.10 Value of Loan

5.10.1 Loans provided to be a minimum of \$20,000 and a maximum of \$75,000.

5.10.2 Loan funds cannot exceed more than 75% of the overall project value excluding in kind support, i.e. expected cash value of the project x 75% = maximum loan value.

5.10.3 Approval from the Executive Team is required to alter the terms of 5.10 on a case by case basis.

5.11 Interest

5.11.1 Interest on Community Group Loans will be calculated using the simple interest method.

5.11.2 Applicants can opt for a fixed or variable interest rate.

5.11.3 Interest rates will be calculated based on a weighed average of Council's loan portfolio at the loan's inception.

6. RESPONSIBILITIES:

6.1 The Financial Services Section Manager has overall responsibility for the implementation of this policy in consultation with the Assets Section Manager.

Policy

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

ITEM 3 - ATTACHMENT 1 REVISED COMMUNITY GROUP LOANS POLICY.

Policy



- 6.2 Applications for Community Group Loans may be received and coordinated at coordinator level, if relevant to their role at Council. In all cases, consultation with the relevant Section Manager and Group-Manager **Director** must occur prior to agreement being entered into.
- 6.3 The Financial Services Section Manager is responsible for reporting Community Group Loan requests over \$20,000 to a maximum of \$75,000 to Council for endorsement.
- 7. **RELATED DOCUMENTS:**
 - 7.1 Community Group Loans Application Guidelines.
 - 7.2 Community Group Loans Application Form.
 - 7.3 Other suitable documents, records and evidence of review will be retained in support of application, approval and management of loans.

Policy

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

ITEM 3 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2009-02488	EDRMS record No.	TBA
Audience	Financial Services Section, PSC staff, local Community Groups and Sporting Clubs		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	34 years	Next review date	TBA
Adoption date	14 July 2015		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	26/06/2007	Jason Linnane		158
2	14/07/2015	John Maretich	Updated Community Group Loans Policy does not change the existing policy's intent and only updates the format of the policy.	196
3	12/11/2019	Finance – Reporting Coordinator	Updated policy into new template. Changed Policy Owner from Community & Recreation Coordinator to Financial Services Section Manager. 1.1 – Added “in an effective and equitable manner.” 5.1 – Removed “is to provide an accessible fund where groups and clubs can borrow funds at low interest rates for approved projects. This will assist community groups to improve and develop Council's facilities to support community activities in the Local Government Area.”	

Policy

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

ITEM 3 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>5.1 – Added “program will provide funding through the provision of available loans for improvements to the community , cultural, sport and recreation facilities in the Port Stephens Local Government Area (LGA).”</p> <p>5.2.1 - Removed “Interest rates are to be set at Indicative Borrowing Rate for Local Government Authorities (IBRLGA) applicable on the day of approval of recommendation by the Group Manager of the respective Group.”</p> <p>5.2.2 - Removed “For projects that are Asset Rehabilitation and are in Port Stephens Council’s Asset Management Plans, the interest rate will be 50% of the IBRLGA.”</p> <p>5.2.3 – Removed “The interest from Community and Recreation Loans Vote, being equal to Indicative Borrowing Rates for Local Government Authorities, is paid to Council on a quarterly basis (except for Asset Rehabilitation Projects).”</p> <p>5.3 – Removed “Interest to be fixed for the term of the loan.”</p> <p>5.3 – Added “This loan is available to groups seeking to develop buildings or facilities that are Council owned, under Council’s care, control or management, or under Council’s Trusteeship.”</p> <p>5.4 – Removed “Loans to be for a maximum of 84 months.”</p> <p>5.4 – Added “Applicants must be providing services to the local community or responsibility has been devolved to Council by some form of legislation.”</p>	

Policy

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

ITEM 3 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>5.5 – Removed “Loans have a minimum of \$2,000 and an upper limit of \$75,000. Any increase of this amount will require a formal resolution of Council.”</p> <p>Added new paragraphs 5.5 – 5.9.</p> <p>5.6 – Removed “Should a club or group default on loan payments, Council has the right to take whatever action it considers necessary to recover the funds. In extreme cases, Council may consider closing the use of the facilities to the club or community group in default and taking legal action to recover funds.”</p> <p>5.7 – Added “The Financial Services Section Manager has overall responsibility for the implementation of this policy in consultation with the Assets Section Manager.”</p> <p>6.1 – Removed “Community & Recreation Coordinator – Responsible for the overall implementation of the policy.”</p> <p>6.1 – Removed “Management Accounting Coordinator – Responsible for monitoring the Community and Recreation Loans Reserve and ensuring payments are received.”</p> <p>6.2 – Added “Applications for Community Group Loans may be received and coordinated at coordinator level, if relevant to their role at Council. In all cases, consultation with the relevant section and group manager must occur prior to agreement being entered into.”</p>	

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MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024

ITEM 3 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>6.3 – Added "The Financial Services Section Manager is responsible for reporting Community Group Loan requests over \$20,000 to a maximum of \$75,000 to Council for endorsement."</p> <p>7.1 – Removed "LGA Act 1993"</p> <p>7.1 – Added "Suitable documents, records and evidence of review will be maintained in support of application, approval and management of loans."</p> <p>7.2 – Removed "Code of Conduct"</p> <p>7.2 – Removed "PSC Financial Assistance Policy".</p>	
4	26 October 2021	Financial Services Section Manager	<p>Updated policy into the new template.</p> <p>5.5.1 – Added 'The Community Group Loans Application Guidelines provide clear parameters around eligibility.'</p> <p>5.7 – New paragraph - added whole segment with regards to the application process.</p> <p>5.10.3 – Added 'Approval from the Executive Team is required to alter the terms of 5.10 on a case by case basis'.</p> <p>7.1 – Added 'Community Group Loans Application Guidelines'.</p> <p>7.2 – Added 'Community Group Loans Application Form'.</p> <p>Controlled document information: Amended review timeframe to 3 years in accordance with Council's policy and management directive review process.</p>	286

Policy

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Policy



Version	Date	Author	Details	Minute No.
5	TBA	Financial Services Section Manager	<p>Update policy to new template.</p> <p>Minor updates to position titles and naming throughout.</p> <p>5.11-Interest paragraph added to outline how interest is calculated and applied to any Community Group loans.</p> <p>Controlled document information: Amended review timeframe to 4 years as per Council's policy review process.</p>	TBA

Policy

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ITEM NO. 2****FILE NO: 25/44702
EDRMS NO: PSC2009-02488****POLICY REVIEW: COMMUNITY GROUP LOANS POLICY**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Community Group Loans Policy shown at **(ATTACHMENT 1)**.
- 2) Place the revised Community Group Loans Policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
- 3) Revoke the Community Group Loans Policy dated 26 October 2021, Minute No 286 should no submissions be received.

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

077	Councillor Giacomo Arnott Councillor Jason Wells It was resolved that Council defer the Community Group Loans Policy shown at (ATTACHMENT 1) to allow for further discussion with the Mayor and Councillors.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland, Mark Watson 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 Community Group Loans Policy (the 'policy') **(ATTACHMENT 1)**.

The intent of the policy is to provide community, cultural and sporting groups in the Local Government Area with access to low interest loan funding.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

The revised policy was reported to Council at the meeting held on 12 November 2024, Minute No. 216 (**ATTACHMENT 2**). The item was deferred at that meeting with a request that the General Manager seek feedback from community groups on their potential future use of the policy.

There were 7 responses received with the majority expressing a desire to retain the policy in order to assist with potential future funding to enhance, improve and maintain Council facilities.

The revised policy is being reported back to Council to seek approval to commence the public exhibition process. In addition, Council will continue to raise awareness of the policy with the relevant community groups.

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

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2024 to 2034.

FINANCIAL/RESOURCE IMPLICATIONS

The policy has no known financial or resource implications and is within existing budget allocations.

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

LEGAL, POLICY AND RISK IMPLICATIONS

No adverse legal, policy or risk implications have been identified as a result of the policy review.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the revised policy is not adopted then Council will not have sufficient oversight and control of loans provided to community groups to enhance, improve and maintain Council facilities.	Medium	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

By Council facilitating reasonable loans as a responsible lender to approved community groups, valuable facilities and services will be provided.

CONSULTATION

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

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

The following communication and engagement applies to this report.

External communications and engagement

CONSULT	Consultation has occurred with the relevant community groups on their potential future use of the policy.
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MINUTES ORDINARY COUNCIL - 8 APRIL 2025

	<p>The policy will be placed on public exhibition for 28 days on Council's website.</p> <p>In addition, Council will continue to raise awareness of the policy with the relevant community groups.</p>
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Internal communications and engagement

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

- Assets Section.
- The Executive Team has been consulted to seek management endorsement.

OPTIONS

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

ATTACHMENTS

- 1) Revised Community Group Loans Policy.
- 2) Council Minute No. 216 - 12 November 2024.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 2 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



FILE NO: PSC2009-02488

TITLE: COMMUNITY GROUP LOANS POLICY

OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 To provide access to funding through the provision of available loans for improvements to community, cultural, sport and recreation facilities in the Port Stephens local government area in an effective and equitable manner.

2. CONTEXT/BACKGROUND:

- 2.1 This policy applies to groups seeking to develop buildings or facilities that are Council owned, under Council's care, control or management, under Council's Trusteeship, provides services to the local community or responsibility has been devolved to Council by some form of legislation.

3. SCOPE:

- 3.1 The Community and Recreation Loans Reserve will be self-supporting over time with repayments to the reserve used to fund further allocation. The reserves upper limit will be \$200,000.
- 3.2 This policy assists community groups that are operating and providing services in the Port Stephens local government area and enables Council's assets to be enhanced, improved and maintained in a good state of repair.

4. DEFINITIONS:

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

Loan	The act of giving money, property or other material goods to another party in exchange for future repayment of the principal amount along with interest or other finance charges.
Interest	The charge for the privilege of borrowing money, typically expressed as an annual percentage rate.

5. STATEMENT:

- 5.1 The Community Group Loans program will provide funding through the provision of available loans for improvements to the community, cultural, sport and recreation facilities in the Port Stephens Local Government Area (LGA).

Policy

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ITEM 2 - ATTACHMENT 1****REVISED COMMUNITY GROUP LOANS POLICY.**

Policy



- 5.2 This policy is made possible by a reserve of \$200,000 so loan funds can be drawn upon and Council's financial position managed appropriately.
- 5.3 This loan is available to groups seeking to develop buildings or facilities that are Council owned, under Council's care, control or management, or under Council's Trusteeship.
- 5.4 Applicants must be providing services to the local community or responsibility has been devolved to Council by some form of legislation.
- 5.5 Transparency and Equity
- 5.5.1 The Community Loans Program will be administered in a transparent and equitable manner and be promoted across the district in a manner that will allow maximum opportunity for community groups to apply. The Community Group Loans Application Guidelines provide clear parameters around eligibility.
- 5.5.2 Each funding program has a process for the assessment of applications with Council making the final decision.
- 5.6 Eligibility
- 5.6.1 Local Sports Club:
- a) Must be a current financial member of a Port Stephens Council Sports Council.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Must be up to date with any Council/Sports Council/Committee accounts.
 - d) Have appropriate Public Liability insurance cover.
- 5.6.2 Community/Cultural Groups:
- a) Must be a properly constituted, incorporated not-for-profit association operating and providing services in the Port Stephens LGA.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Have appropriate Public Liability insurance cover.
- 5.6.3 355c Committee of Council:
- a) Must be a current Committee of Council.
 - b) Must provide a business plan that clearly establishes the group's capacity to meet the commitments of a loan.
 - c) Must be up to date with financial accounts and record keeping requirements.

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ITEM 2 - ATTACHMENT 1****REVISED COMMUNITY GROUP LOANS POLICY.**

Policy



5.6.4 The following groups are ineligible to apply:

- a) Groups which do not meet the above requirements.
- b) Groups which already have an outstanding Community Group Loan.
- c) Commercial organisations.
- d) Projects which will be carried out on private land or outside the Port Stephens LGA.

5.7 Application

5.7.1 Applicants will need to complete Council's Community Group Loans application form.

5.7.2 The following information may also be requested:

- a) Business case for applying for the funds.
- b) Cost estimates for any repairs, assets, or manual labour.
- c) Ongoing maintenance plans (where applicable).
- d) Proof of ability to service the loan.

5.7.3 Council staff will exercise discretion when requesting additional information. The Community and Recreation Assets Coordinator, in conjunction with the Financial Reporting Coordinator, will assess applications. Approval may also be required from the Community Development and Engagement Vibrant Places Coordinator.

5.7.4 All recommendations will be forwarded to the respective Section Manager and Group Manager Director for review. Final recommendations will be provided to Council for determination.

5.8 Assessment

5.8.1 Priority will be given to loans for projects that:

- a) Will benefit a wide range of people in the community.
- b) Have a long term benefit for the community.
- c) Have a clearly defined plan and budget.

5.8.2 The application must clearly demonstrate the capacity to repay the loan including:

- a) Detailed expenditure and revenue forecast-budget for term of loan.
- b) Forecast repayment schedule for term of loan.
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MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 2 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



5.8.3 Applications made by sporting clubs must be for projects included on the relevant Sports Council's Sports Development Strategy. The relevant Sports Council must be supportive of the project and agree to:

- a) Be a signatory to the application; and
- b) Meet the repayments for the loan in the instance where the applicant fails to meet two (2) successive payments.

5.8.4 Applications will be prioritised by and assessed on:

- a) Financial ability to repay loan; and
- b) Having particular regard to projects identified as a part of the 10 year Capital Works Plan or Sports Development Strategy.

5.9 Terms of Loan

5.9.1 Loans to be a maximum of 84 months.

5.10 Value of Loan

5.10.1 Loans provided to be a minimum of \$20,000 and a maximum of \$75,000.

5.10.2 Loan funds cannot exceed more than 75% of the overall project value excluding in kind support, i.e. expected cash value of the project x 75% = maximum loan value.

5.10.3 Approval from the Executive Team is required to alter the terms of 5.10 on a case by case basis.

5.11 Interest

5.11.1 Interest on Community Group Loans will be calculated using the simple interest method.

5.11.2 Applicants can opt for a fixed or variable interest rate.

5.11.3 Interest rates will be calculated based on a weighed average of Council's loan portfolio at the loan's inception.

6. **RESPONSIBILITIES:**

6.1 The Financial Services Section Manager has overall responsibility for the implementation of this policy in consultation with the Assets Section Manager.

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Policy



- 6.2 Applications for Community Group Loans may be received and coordinated at coordinator level, if relevant to their role at Council. In all cases, consultation with the relevant Section Manager and Group-Manager **Director** must occur prior to agreement being entered into.
- 6.3 The Financial Services Section Manager is responsible for reporting Community Group Loan requests over \$20,000 to a maximum of \$75,000 to Council for endorsement.
- 7. **RELATED DOCUMENTS:**
 - 7.1 Community Group Loans Application Guidelines.
 - 7.2 Community Group Loans Application Form.
 - 7.3 Other suitable documents, records and evidence of review will be retained in support of application, approval and management of loans.

Policy

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 2 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2009-02488	EDRMS record No.	TBA
Audience	Financial Services Section, PSC staff, local Community Groups and Sporting Clubs		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	34 years	Next review date	TBA
Adoption date	14 July 2015		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	26/06/2007	Jason Linnane		158
2	14/07/2015	John Maretich	Updated Community Group Loans Policy does not change the existing policy's intent and only updates the format of the policy.	196
3	12/11/2019	Finance – Reporting Coordinator	Updated policy into new template. Changed Policy Owner from Community & Recreation Coordinator to Financial Services Section Manager. 1.1 – Added “in an effective and equitable manner.” 5.1 – Removed “is to provide an accessible fund where groups and clubs can borrow funds at low interest rates for approved projects. This will assist community groups to improve and develop Council's facilities to support community activities in the Local Government Area.”	

Policy

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 2 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>5.1 – Added “program will provide funding through the provision of available loans for improvements to the community , cultural, sport and recreation facilities in the Port Stephens Local Government Area (LGA).”</p> <p>5.2.1 - Removed “Interest rates are to be set at Indicative Borrowing Rate for Local Government Authorities (IBRLGA) applicable on the day of approval of recommendation by the Group Manager of the respective Group.”</p> <p>5.2.2 - Removed “For projects that are Asset Rehabilitation and are in Port Stephens Council’s Asset Management Plans, the interest rate will be 50% of the IBRLGA.”</p> <p>5.2.3 – Removed “The interest from Community and Recreation Loans Vote, being equal to Indicative Borrowing Rates for Local Government Authorities, is paid to Council on a quarterly basis (except for Asset Rehabilitation Projects).”</p> <p>5.3 – Removed “Interest to be fixed for the term of the loan.”</p> <p>5.3 – Added “This loan is available to groups seeking to develop buildings or facilities that are Council owned, under Council’s care, control or management, or under Council’s Trusteeship.”</p> <p>5.4 – Removed “Loans to be for a maximum of 84 months.”</p> <p>5.4 – Added “Applicants must be providing services to the local community or responsibility has been devolved to Council by some form of legislation.”</p>	

Policy

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 2 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>5.5 – Removed "Loans have a minimum of \$2,000 and an upper limit of \$75,000. Any increase of this amount will require a formal resolution of Council."</p> <p>Added new paragraphs 5.5 – 5.9.</p> <p>5.6 – Removed "Should a club or group default on loan payments, Council has the right to take whatever action it considers necessary to recover the funds. In extreme cases, Council may consider closing the use of the facilities to the club or community group in default and taking legal action to recover funds."</p> <p>5.7 – Added "The Financial Services Section Manager has overall responsibility for the implementation of this policy in consultation with the Assets Section Manager."</p> <p>6.1 – Removed "Community & Recreation Coordinator – Responsible for the overall implementation of the policy."</p> <p>6.1 – Removed "Management Accounting Coordinator – Responsible for monitoring the Community and Recreation Loans Reserve and ensuring payments are received."</p> <p>6.2 – Added "Applications for Community Group Loans may be received and coordinated at coordinator level, if relevant to their role at Council. In all cases, consultation with the relevant section and group manager must occur prior to agreement being entered into."</p>	

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 2 - ATTACHMENT 1

REVISED COMMUNITY GROUP LOANS POLICY.

Policy



Version	Date	Author	Details	Minute No.
			<p>6.3 – Added "The Financial Services Section Manager is responsible for reporting Community Group Loan requests over \$20,000 to a maximum of \$75,000 to Council for endorsement."</p> <p>7.1 – Removed "LGA Act 1993"</p> <p>7.1 – Added "Suitable documents, records and evidence of review will be maintained in support of application, approval and management of loans."</p> <p>7.2 – Removed "Code of Conduct"</p> <p>7.2 – Removed "PSC Financial Assistance Policy".</p>	
4	26 October 2021	Financial Services Section Manager	<p>Updated policy into the new template.</p> <p>5.5.1 – Added 'The Community Group Loans Application Guidelines provide clear parameters around eligibility.'</p> <p>5.7 – New paragraph - added whole segment with regards to the application process.</p> <p>5.10.3 – Added 'Approval from the Executive Team is required to alter the terms of 5.10 on a case by case basis'.</p> <p>7.1 – Added 'Community Group Loans Application Guidelines'.</p> <p>7.2 – Added 'Community Group Loans Application Form'.</p> <p>Controlled document information: Amended review timeframe to 3 years in accordance with Council's policy and management directive review process.</p>	286

Policy

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ITEM 2 - ATTACHMENT 1****REVISED COMMUNITY GROUP LOANS POLICY.**

Policy



Version	Date	Author	Details	Minute No.
5	TBA	Financial Services Section Manager	<p>Update policy to new template.</p> <p>Minor updates to position titles and naming throughout.</p> <p>5.11-Interest paragraph added to outline how interest is calculated and applied to any Community Group loans.</p> <p>Controlled document information: Amended review timeframe to 4 years as per Council's policy review process.</p>	TBA

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MINUTES ORDINARY COUNCIL - 8 APRIL 2025**ITEM 2 - ATTACHMENT 2 COUNCIL MINUTE NO. 216 - 12 NOVEMBER 2024.****MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024****ITEM NO. 3****FILE NO: 24/257062
EDRMS NO: PSC2009-02488****POLICY REVIEW: COMMUNITY GROUP LOANS POLICY****REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT****RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the revised Community Group Loans Policy shown at (ATTACHMENT 1).
- 2) Place the revised Community Group Loans Policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
- 3) Revoke the Community Group Loans Policy dated 26 October 2021, Minute No 286 should no submissions be received.

**ORDINARY COUNCIL MEETING - 12 NOVEMBER 2024
MOTION**

216	Councillor Giacomo Arnott Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Defer the review of the Community Group Loans policy.2) Request the General Manager to send a survey out to all known community groups asking if they have ever accessed the program, considered accessing it, or would ever see themselves accessing it, including reasons why or why not.3) Provide the outcomes of the survey to a two-way conversation for further understanding for Councillors.
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Councillor Rosalyn Armstrong returned to the meeting at 7:45pm.

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Amott, Chris Doohan, Nathan Errington, Peter Francis, Ben Niland, Mark Watson and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

PORT STEPHENS COUNCIL**144****PORT STEPHENS COUNCIL****296**

MINUTES ORDINARY COUNCIL - 8 APRIL 2025**MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024****BACKGROUND**

The purpose of this report is to seek Council's endorsement of the revised Community Groups Loans Policy (the 'policy') (**ATTACHMENT 1**).

The intent of the policy is to provide community, cultural and sporting groups in the local government area with access to low interest loan funding.

Supporting documents are proposed as part of the revisions to this policy. The documents aim is to provide greater transparency to the process of applying for a community loan.

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

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2024 to 2034.

FINANCIAL/RESOURCE IMPLICATIONS

The policy has no known financial or resource implications and is within existing budget allocations.

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

LEGAL, POLICY AND RISK IMPLICATIONS

No adverse legal, policy or risk implications have been identified as a result of the policy review.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025**MINUTES ORDINARY COUNCIL - 12 NOVEMBER 2024**

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if the revised policy is not adopted then Council could be vulnerable to defaulting loans.	Medium	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

By Council facilitating reasonable loans as a responsible lender to approved community groups, valuable facilities and services will be provided.

CONSULTATION

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

Internal

- Assets Section.
- The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation the revised Community Groups Loans 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 Community Group Loans Policy.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 9

**FILE NO: 25/58604
EDRMS NO: PSC2005-2681**

**POLICY REVIEW - FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN
PORT STEPHENS POLICY**

REPORT OF: CAMERON DONALDSON - ACTING COMMUNITY SERVICES
SECTION MANAGER
DIRECTORATE: FACILITIES AND INFRASTRUCTURE

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the revised Financial Assistance for the Disposal of Waste in Port Stephens Policy shown at **(ATTACHMENT 1)** on public exhibition for a period of 28 days.
- 2) Should no submissions be received the policy be adopted without a further report to Council.
- 3) Revoke the Financial Assistance for the Disposal of Waste in Port Stephens Policy dated 22 March 2022, Minute No. 079 should no submissions be received.

BACKGROUND

The purpose of this report is to provide the revised Financial Assistance for the Disposal of Waste in Port Stephens policy (the 'policy') at **(ATTACHMENT 1)** to Council for consideration prior to public exhibition.

This revised policy aims to reduce the financial burden of waste disposal for charitable, not for profit and benevolent organisations that provide a bona fide community service within the Port Stephens Council Local Government Area.

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
Environmental sustainability	Provide a Waste program to support the reduction of the community's environmental footprint

FINANCIAL/RESOURCE IMPLICATIONS

There are no additional financial or resource implications from adopting the recommendations.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	\$70,000	Captured within the Domestic Waste charge.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no legal or policy impediments from adopting the recommendations.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that if Council does not activate this policy it could financially burden charitable or not for profit organisations.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

This policy's purpose is to lessen the financial burden of waste disposal for charitable, not for profit and benevolent organisations that provide a bona fide community service within the LGA. It also promotes sustainability and economic benefits for the community while supporting Council's goals, through reduce, reuse and recycle.

COMMUNICATION AND ENGAGEMENT

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

ORDINARY COUNCIL - 10 JUNE 2025

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

The following communication and engagement applies to this report.

External communications and engagement

CONSULT	The policy will be placed on public exhibition for 28 days and will be notified through Council's website.
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Internal communications and engagement

Consultation has been undertaken by the Community Services Section with:

- Executive Team.
- Governance Section.
- Financial Services Section.

OPTIONS

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

ATTACHMENTS

- 1) Financial Assistance for the Disposal of Waste in Port Stephens Policy.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 9 - ATTACHMENT 1 FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



FILE NO: PSC2005-2681

TITLE: FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS

OWNER: COMMUNITY SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 To lessen the financial burden of waste disposal for charitable, not for profit and benevolent organisations that provide a bona fide community service within the Port Stephens Council Local Government Area.

2. CONTEXT/BACKGROUND:

- 2.1 The program was developed and adopted in 2000 under the Donations Policy and Section 356 of the Local Government Act 1993 and is funded by the Waste Reserve.
- 2.2 The program was then formalised as a specific policy in 2007 and then amended in 2013 and 2018.
- 2.3 Currently approved organisations may deliver their waste to either the Salamander Bay Waste Transfer Station or the SUEZ Veolia Newline Road waste facility in Raymond Terrace.
- 2.4 There are generally around 30 organisations approved to receive financial assistance under this policy. The average annual cost to provide this service is \$70,000.

3. SCOPE:

- 3.1 This policy provides financial assistance for waste disposal to charitable, not for profit or benevolent organisations that perform a bona fide service of Council.
- 3.2 In order to qualify for financial assistance an organisation must submit the Financial Assistance for Waste Disposal Application Form and supply evidence that demonstrates compliance with the Policy Statement. The application is assessed against the Policy Statement to determine if the organisation qualifies for assistance.

4. DEFINITIONS:

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

Policy

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ITEM 9 - ATTACHMENT 1 FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



Full Gate Fee	The advertised per tonne disposal rate at the waste facility.
Waste Levy	The NSW Environmental Protection Authority per tonne levy for solid waste to landfill.
CPI	The Consumer Price Index (All Groups Sydney).

5. STATEMENT:

- 5.1 Eligible organisations are entitled to the level of financial assistance included within Council's Annual Fees and Charges. These charges will increase by CPI annually and will be included within Council's Annual Fees and Charges presented to Council.
- 5.2 The charges applicable to the organisations are based on the tonnage of waste they deliver over the financial year, the tonnage brackets are as outlined in the below table.

Tonnes	Price
0 to 20	Free
20.01 to 60	As per Council's Fees and Charges
60.01 to 150	As per Council's Fees and Charges
Over 150	Full Gate Rate – Waste Levy

- 5.3 Port Stephens Council will provide financial assistance for the disposal of waste to organisations that meet the following requirements:
- Organisations must be registered as a charitable, not for profit or a benevolent organisation (supporting documentation must be supplied with application).
 - Organisations must apply to the NSW Environment and Protection Authority for an exemption from the waste levy and supply this information to Council with their application.
 - The waste generated by the organisation for disposal must be generated by a community service and that service must be a bona fide function of Council as described in the Local Government Act 1993.
 - Organisations are required to reduce waste to landfill by sorting waste into recyclable and non-recyclable items prior to disposal.
 - Organisations are to adopt procedures and work with Council to reduce the amount of waste they generate or receive.
 - Schools which conduct volunteer working bees may be approved for one off waste disposal vouchers.

Policy

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ITEM 9 - ATTACHMENT 1 FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



6. RESPONSIBILITIES:

- 6.1 **Waste Services Team Leader** Contract Officer – Responsible for the administrative tasks of the policy.
- 6.2 Waste Management Coordinator – Responsible for the overall implementation of the policy.
- 6.3 Community Services Section Manager – Responsible for monitoring of the policy.

7. RELATED DOCUMENTS:

- 7.1 **Port Stephens Council** Financial Assistance for Waste Disposal Application Form.
- 7.2 Local Government Act 1993 (NSW).
- 7.3 **Port Stephens Council** Waste Management and Resource Recovery Policy.

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2005-2681	EDRMS record No.	TBC
Audience	Local Charitable, Not for Profit and Benevolent Organisations		
Process owner	Waste Management Coordinator		
Author	Waste Management Coordinator		
Review timeframe	3 4 years	Next review date	TBC
Adoption date	27 February 2018		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	24/4/2007	Waste Management Coordinator	Initial Policy	106
2	24/9/2013	Waste Management Coordinator	Amended Policy Adopted	273

Policy

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ITEM 9 - ATTACHMENT 1 FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



Version	Date	Author	Details	Minute No.
3	27/02/2018	Waste Management Coordinator	Revised draft policy for review and endorsement by Executive Leadership Team. Revised to new Policy template. Changes made to pricing table to remove actual charges and replace with "as per Council's Fees and Charges".	034
4	11/02/20	Waste Management Coordinator	Revised to new Policy template. 2.2 - Changes made to wording replace "was" with "then" and inserted additional wording "and 2018". 2.4 - Changed "28 organisations" to now read "generally around 30 organisations". 6.1 – Change made to position title by removing the word "Projects" and inserting "Management" to now read "Waste Management Officer". Draft for Public Exhibition.	019
5	22/03/22	Waste Management Coordinator	6.1 – Updated 'Waste Management Officer' to "Waste Services Team Leader". Controlled document information: amended review timeframe to 3 years in accordance with Council's policy review process.	079

Policy

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ITEM 9 - ATTACHMENT 1 FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE IN PORT STEPHENS POLICY.

Policy



Version	Date	Author	Details	Minute No.
6	TBC	Waste Management Coordinator	Reviewed and updated in the policy template. 2.3 Removed SUEZ and added Veolia. 3.2 Added name of application form. 6.1 Updated to reflect current positions. 7 Updated relevant documents ownership. Amended review timeframe to 4 years in accordance with Council's policy and management directive review process.	TBC

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ITEM NO. 10

**FILE NO: 25/93970
EDRMS NO: A2004-0284**

REVISED CODE OF MEETING PRACTICE

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the revised Code of Meeting Practice shown at **(ATTACHMENT 1)** on public exhibition for a period of 28 days, allowing 42 days for submissions to be received.
- 2) Should no submissions be received, the Code be adopted, without a further report to Council.
- 3) Revoke the Code of Meeting Practice dated 28 February 2023, Minute No. 029, should no submissions be received.

BACKGROUND

The purpose of this report is to provide the revised Code of Meeting Practice (the Code) at **(ATTACHMENT 1)** to Council for consideration prior to public exhibition.

The Code has been updated following the resolution of Council on 13 May 2025 **(ATTACHMENT 2)**.

The Port Stephens Council Code of Meeting Practice is based on the Model Code of Meeting Practice released by the Office of Local Government on 29 October 2021.

The Code applies to meetings of the Council and Committees of Council where committees are made up of elected members only. The model Code also applies to boards of joint organisations and county councils.

An updated draft Model Code of Meeting Practice has been circulated by the Office of Local Government (OLG) which has not been finalised. It is expected that the new Model Code of Meeting Practice will be finalised in the coming months.

OLG has advised councils to adopt a code based on the existing Model Code of Meeting Practice to satisfy legislative requirements with a further review and adoption of changes based on the new Model Code of Meeting Practice once this is released. Accordingly, it is Council's intention to undertake a further comprehensive review of the Code of Meeting Practice, in consultation with the Mayor and Councillors, with a further report to Council to adopt the revised Code of Meeting Practice.

ORDINARY COUNCIL - 10 JUNE 2025

The changes proposed in **(ATTACHMENT 1)** give effect to Council's resolution of 13 May 2025 only and will serve the purpose of meeting legislative requirements for adoption of the Code of Meeting Practice within 12 months of the election.

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

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

The financial and resource implications are within the existing budget.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to adopt a Code of Meeting Practice based on the model Code to ensure it meets all legislative requirements in relation to conducting a meeting of the Council and a committee meeting of Council.

In addition, Council is required to review its Code of Meeting Practice within 12 months of an ordinary local government election (i.e. 14 September 2025).

Council, at its meeting of 13 May 2025 **(ATTACHMENT 2)**, resolved to hold 1 ordinary Council meeting each month. This resolution satisfies the requirements of clause 3.1 of the Code.

Section 361 of the Local Government Act 1993, requires Council to publicly exhibit the Code for a period of 28 days and allow 42 days for submissions to be received from the community.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council may be in breach of the Local Government Act 1993 and Local Government (General) Regulation 2021 should it not adopt a Code of Meeting Practice.	Low	Adopt the recommendations.	Yes.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are limited sustainability implications associated with this report.

COMMUNICATION AND ENGAGEMENT

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

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

The following communication and engagement applies to this report.

External communications and engagement

CONSULT	The Code will be placed on public exhibition for 28 days and allow 42 days for submissions to be received. Notification will be through print advertising and Council's website.
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Internal communications and engagement

The amendments to the Code are as a result of the Council resolution at **(ATTACHMENT 2)**.

OPTIONS

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

ATTACHMENTS

- 1) Revised Code of Meeting Practice. (Provided under separate cover)
- 2) Council resolution - 13 May 2025.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 13 MAY 2025**NOTICE OF MOTION****ITEM NO. 1****FILE NO: 25/90397****EDRMS NO: PSC2024-03148****COUNCIL MEETING CYCLE****COUNCILLOR: PAUL LE MOTTEE****THAT COUNCIL:**

- 1) Amend its current Ordinary Council meeting cycle to 1 meeting per calendar month with the exception of January, where no meetings would be held in January.
- 2) The new meeting cycle to take effect from July 2025 and meeting to take place on the 4th Tuesday of each month commencing at 5:30pm, at 116 Adelaide Street, Raymond Terrace, except where resolved to be held at an alternate location.
- 3) Amend the Code of Meeting Practice as follows and place the Code of Meeting Practice on public exhibition for 42 days:

“3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on the Council’s website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible. The business paper will be published on the Council website by 10am 8 calendar days prior to the Council meeting.”

“3.7 The General Manager must send to each Councillor, at least by close of business on the second Friday of each month where meetings are held (with the exception of where an ordinary meeting occurs on a public holiday), a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. Where an ordinary meeting occurs on a public holiday a notice is to be sent to the Mayor and each Councillor 11 calendar days prior to the meeting.”

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ORDINARY COUNCIL MEETING - 13 MAY 2025****MOTION**

105	<p>Mayor Leah Anderson Councillor Paul Le Mottee</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) In accordance with clause 3.1 of the Code of Meeting Practice, amend the Ordinary Council meeting cycle to 1 meeting per calendar month with the exception of January, where no meetings would be held in January.2) Council meetings are to take place on the 4th Tuesday of each month (except for December where the meeting will be held on the 2nd Tuesday) commencing at 5:30pm, at 116 Adelaide Street, Raymond Terrace.3) Council may resolve to hold Council meetings at alternate locations for special occasions, such as local government week.4) The business paper be released to the Mayor and Councillors 3 working days after the previous Ordinary Council meeting, with the exception of the February Ordinary Council meeting where the business paper is to be released 3 days after the 4th Tuesday of January.5) The business paper is to be published on the Council website by 10am on the Monday following the release of the business paper to the Mayor and Councillors.6) The last Ordinary Council meeting of the Council term be held in August of the fourth year of the term.7) Public Access be held on the 2nd Tuesday of each month.8) Applications for Public Access applications on the 4th Tuesday will be at the discretion of the Mayor.9) Public Access is to be held prior to the Ordinary Council meeting in December.10) The limit of 12 Public Access speakers be removed.11) Councillor attendance at Public Access session be recorded.12) Amend the Code of Meeting Practice as outlined above and report the draft Code of Meeting Practice to an Ordinary Council meeting for consideration.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

Those against the Motion: Crs Giacomo Arnott and Peter Francis.

The motion was carried.

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ORDINARY COUNCIL MEETING - 13 MAY 2025
MOTION**

106	Councillor Giacomo Arnott Councillor Peter Francis It was resolved that Cr Arnott be granted an extension of 2 minutes to speak.
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Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Peter Francis, Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

Councillor Ben Niland left the meeting at 07:39pm.

**ORDINARY COUNCIL MEETING - 13 MAY 2025
AMENDMENT**

	Councillor Giacomo Arnott Councillor Peter Francis That Council defer this item, to allow for the following to occur: <ol style="list-style-type: none">1) Consultation with the Communications and Engagement Advisory Group, and2) A survey to be sent out to the community seeking their views on whether Council should continue with fortnightly meetings, or move to a model with monthly meetings on the fourth Tuesday of each month, plus a public access session on the second Tuesday of each month, or move to a model of Full Committee Meetings plus a public access session on the second Tuesday of each month, with monthly meetings on the fourth Tuesday of each month.3) The survey will go live on Wednesday 14 May 2025, remain open for 3 weeks, and the results of the survey and the minutes of the CEAG will return to the 10 June 2025 Council meeting for further consideration and decision.
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Councillor Ben Niland returned to the meeting at 7:41pm.

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

Those against the Motion: Mayor Leah Anderson, Crs Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

The amendment was lost.

**ORDINARY COUNCIL MEETING - 13 MAY 2025
AMENDMENT**

	<p>Councillor Giacomo Arnott Councillor Peter Francis</p> <p>That Council:</p> <ol style="list-style-type: none">1) In accordance with clause 3.1 of the Code of Meeting Practice, amend the Ordinary Council meeting cycle to 1 meeting per calendar month with the exception of January, where no meetings would be held in January.2) Council meetings are to take place on the 4th Tuesday of each month (except for December where the meeting will be held on the 2nd Tuesday) commencing at 5:30pm, at 116 Adelaide Street, Raymond Terrace.3) Council may resolve to hold Council meetings at alternate locations for special occasions, such as local government week.4) The business paper be released to the Mayor and Councillors 3 working days after the previous Ordinary Council meeting, with the exception of the February Ordinary Council meeting where the business paper is to be released 3 days after the 4th Tuesday of January.5) The business paper is to be published on the Council website by 10am on the Monday following the release of the business paper to the Mayor and Councillors.6) The last Ordinary Council meeting of the Council term be held in August of the fourth year of the term.7) Full Committee meeting and Public Access be held on the 2nd Tuesday of each month.8) Applications for Public Access applications on the 4th Tuesday will be at the discretion of the Mayor.9) Public Access is to be held prior to the Ordinary Council meeting in December.10) The limit of 12 Public Access speakers be removed.11) Councillor attendance at Public Access session be recorded.12) Amend the Code of Meeting Practice as outlined above and report the draft Code of Meeting Practice to an Ordinary Council meeting for consideration.
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Those for the Motion: Crs Rosalyn Armstrong, Giacomo Arnott and Peter Francis.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

Those against the Motion: Crs Leah Anderson, Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

The amendment was lost.

**ORDINARY COUNCIL MEETING - 13 MAY 2025
AMENDMENT**

	<p>Councillor Giacomo Arnott Councillor Peter Francis</p> <p>That Council:</p> <ol style="list-style-type: none">1) In accordance with clause 3.1 of the Code of Meeting Practice, amend the Ordinary Council meeting cycle to 1 meeting per calendar month with the exception of January, where no meetings would be held in January - with these arrangements to be in place for a trial period of 6 months. After 4 meetings, Council will send out a survey to residents seeking their views on whether Council should continue with monthly meetings, or return to a model of fortnightly meetings, or introduce committee meetings after public access on the second Tuesday of each month. Council should also seek the views of CEAG on the same questions. At the 6th meeting, the survey results will be presented along with options in line with the survey options.2) Council meetings are to take place on the 4th Tuesday of each month (except for December where the meeting will be held on the 2nd Tuesday) commencing at 5:30pm, at 116 Adelaide Street, Raymond Terrace.3) Council may resolve to hold Council meetings at alternate locations for special occasions, such as local government week.4) The business paper be released to the Mayor and Councillors 3 working days after the previous Ordinary Council meeting, with the exception of the February Ordinary Council meeting where the business paper is to be released 3 days after the 4th Tuesday of January.5) The business paper is to be published on the Council website by 10am on the Monday following the release of the business paper to the Mayor and Councillors.6) The last Ordinary Council meeting of the Council term be held in August of the fourth year of the term.7) Public Access be held on the 2nd Tuesday of each month.8) Applications for Public Access applications on the 4th Tuesday will be at the discretion of the Mayor.9) Public Access is to be held prior to the Ordinary Council meeting in December.10) The limit of 12 Public Access speakers be removed.
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MINUTES ORDINARY COUNCIL - 13 MAY 2025

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| | <p>11) Councillor attendance at Public Access session be recorded.</p> <p>12) Amend the Code of Meeting Practice as outlined above and report the draft Code of Meeting Practice to an Ordinary Council meeting for consideration.</p> |
|--|--|

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

Those against the Motion: Mayor Leah Anderson, Crs Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

The amendment was lost.

**BACKGROUND REPORT OF: TONY WICKHAM – GOVERNANCE SECTION
MANAGER****BACKGROUND**

Council, at its meeting of 8 April 2025, Minute No. 085, resolved to defer this Notice of Motion for further discussion at a Two Way Conversation (**ATTACHMENT 3**).

Council, at its meeting held on 22 October 2024, Minute No. 198 (**ATTACHMENT 1**), resolved:

That Council:

- 1) Adopt Option 1 as shown in attachment 1 for Ordinary Council meetings for a period of 12 months, with a report to be returned to Council seeking the Council's views on meeting schedules going forward.
- 2)
- 3)
- 4)
- 5)

Section 365 of the Local Government Act 1993 requires Council to meet at least 10 times per year (financial year) in different months. Council currently meets on 21 occasions per year. Under the proposed changes associated with the Notice of Motion, Council would meet 11 times per year. Extra-Ordinary Council meetings can be called if required.

Clause 3.1 of the Code of Meeting Practice (the Code) states that the Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Clauses 3.5 and 3.7 of the Code would require amendments as follows:

“3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice

MINUTES ORDINARY COUNCIL - 13 MAY 2025

must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible. The business paper will be published on the Council website by 10am 8 calendar days prior to the Council meeting."

"3.7 The General Manager must send to each Councillor, at least by close of business on the second Friday of each month where meetings are held (with the exception of where an ordinary meeting occurs on a public holiday), a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. Where an ordinary meeting occurs on a public holiday a notice is to be sent to each Councillor 11 calendar days prior to the meeting."

The Code of Meeting Practice would be required to be placed on public exhibition for 28 days and allow 42 days in total for submissions to be received.

The proposed meeting structure and Two Way session timetable is shown at **(ATTACHMENT 2)**.

FINANCIAL/RESOURCE IMPLICATIONS

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

ATTACHMENTS

- 1) Council Minutes - 22 October 2024 - Minute No. 198.
- 2) Council Meeting Cycle.
- 3) Council Minutes - 8 April 2025 - Minute No. 085.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**ITEM NO. 2****FILE NO: 24/80235
EDRMS NO: A2004-0372****COUNCIL MEETINGS**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt Option 2 as shown in **(ATTACHMENT 1)** for Ordinary Council meetings for the term of this Council.
- 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.
- 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.
- 4) Adopt the Order of Business as detailed in this report.
- 5) Adopt the Prayer and Acknowledgement of Country as detailed in this report.

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
MOTION**

	Mayor Leah Anderson Councillor Jason Wells That Council: <ol style="list-style-type: none">1) Adopt Option 2 as shown in (ATTACHMENT 1) for Ordinary Council meetings for the term of this Council.2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.4) Adopt the Order of Business as detailed in this report.5) Adopt the Prayer and Acknowledgement of Country as detailed in this report.
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Those for the Motion: Mayor Leah Anderson, Crs Nathan Errington and Jason Wells.

Those against the Motion: Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

The motion was lost.

Cr Watson introduced the following amendment, which was not accepted by the mover and seconder:

"Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen"

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
AMENDMENT**

	<p>Councillor Mark Watson Councillor Chris Doohan</p> <p>That Council:</p> <ol style="list-style-type: none">1) Adopt Option 2 as shown in (ATTACHMENT 1) for Ordinary Council meetings for the term of this Council.2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.4) Adopt the Order of Business as detailed in this report.5) Adopt the Acknowledgement of Country as detailed in this report and the prayer as follows: <p>"Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen"</p>
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Those for the Motion: Mayor Leah Anderson, Crs Chris Doohan, Nathan Errington, Paul Le Mottee, Ben Niland and Mark Watson.

Those against the Motion: Crs Rosalyn Armstrong, Giacomo Arnott, Peter Francis and Jason Wells.

The amendment was carried.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Cr Arnott gave notice of the following foreshadowed amendment.

That Council remove the words "prayer and" from point 5, with a point 6 to be added which reads:

"The General Manager will invite a faith leader to the Council on the date of each Council meeting, to lead a private prayer at 5:20pm for any Councillor who wishes to do so, in a meeting room of Council."

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
AMENDMENT**

	<p>Councillor Giacomo Arnott Councillor Peter Francis</p> <p>That Council remove the words "prayer and" from point 5, with a point 6 to be added which reads:</p> <p>The General Manager will invite a faith leader to the Council on the date of each Council meeting, to lead a private prayer at 5:20pm for any Councillor who wishes to do so, in a meeting room of Council.</p>
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Those for the Motion: Crs Rosalyn Armstrong, Giacomo Arnott and Peter Francis.

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

The amendment was lost.

Cr Arnott gave notice of the following foreshadowed motion.

That Council:

- 1) Adopt Option 1 as shown in attachment 1 for Ordinary Council meetings for a period of 12 months, with a report to be returned to Council seeking the Council's views on meeting schedules going forward.
- 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.
- 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.
- 4) Adopt the Order of Business as detailed in this report.
- 5) Adopt the Prayer and Acknowledgement of Country as detailed in this report.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
MOTION**

198	Councillor Giacomo Arnott Councillor Chris Doohan It was resolved that Council: <ol style="list-style-type: none">1) Adopt Option 1 as shown in attachment 1 for Ordinary Council meetings for a period of 12 months, with a report to be returned to Council seeking the Council's views on meeting schedules going forward.2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.4) Adopt the Order of Business as detailed in this report.5) Adopt the Acknowledgement of Country as detailed in this report and the prayer as follows: "Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen"
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Those for the Motion: Crs Giacomo Arnott, Chris Doohan, Nathan Errington, Paul Le Mottee, Ben Niland and Mark Watson.

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

The motion was carried.

BACKGROUND

The purpose of this report is to allow Council to set its future Council meeting cycle, adopt the Order of Business, the Prayer and Acknowledgement of Country.

The Code of Meeting Practice places a strong emphasis on Council meetings being conducted in an effective and efficient manner. To this end, the previous Council term met on the 2nd and 4th Tuesday of each month commencing at 5:30pm at 116 Adelaide Street, Raymond Terrace.

The current cycle of Council meetings, public access, inspections and two way conversation sessions is shown at (**ATTACHMENT 1**).

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.****MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**

In reviewing the Council meeting cycle, 27 Councils were benchmarked with 23 conducting monthly Council meetings and 4 with a fortnightly meeting cycle (note: 1 of the 4 councils will recommend moving to monthly meetings in this term). Most of the benchmarked councils break for a recess in January.

ORDER OF BUSINESS

The proposed Order of Business is below:

- 1) Opening meeting
- 2) Acknowledgement of Country
- 3) Prayer
- 4) Apologies and applications for a leave of absence from Mayor and Councillors
- 5) Disclosures of interests
- 6) Confirmation of minutes
- 7) Mayoral minute(s)*
- 8) Motions to close meeting to the public*
- 9) Reports to Council
- 10) General Manager reports*
- 11) Questions with Notice*
- 12) Questions on Notice
- 13) Notices of motions*
- 14) Rescission Motions*
- 15) Confidential matters*
- 16) Conclusion of the meeting

**if submitted*

As part of the Order of Business, Council includes the Acknowledgement of the Worimi People of Port Stephens and the prayer, as follows:

ACKNOWLEDGEMENT OF COUNTRY

"We acknowledge the Worimi people as the original Custodians and inhabitants of Port Stephens. We acknowledge and pay respects to Worimi elders past and present. May we walk the road to tomorrow with mutual respect and admiration as we care for the beautiful land and waterways together."

PRAYER

"We recognise the rich cultural and religious diversity in Port Stephens and pay respect to the beliefs of all members of our community, regardless of creed or faith."

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**COMMUNITY STRATEGIC PLAN**

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

All financial implications are provided within the existing budget, based on the current meeting cycle.

There is no legal requirement to include the prayer or traditional welcome in Council meeting proceedings.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Options 1 and 2 are provided for in the existing budget. If Council elects to move towards a different meeting cycle additional cost implications would need to be provided.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Section 365 of the Local Government Act 1993 requires Council to meet at least 10 times per year in different months. Based on the recommended frequency, Council would meet on 11 occasions.

Clause 3.1 of the Code of Meeting Practice (the Code) requires Council, by resolution, to set the frequency, time, date, and place of its ordinary meetings.

Clause 8.1 of the Code requires Council to fix the general order of business for its meetings of the Council.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council would be in breach of the Local Government Act 1993 if it failed to meet at least 10 times a year.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

- General Manager.

OPTIONS

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

ATTACHMENTS

- 1) Council meeting cycle options.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES - 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 2 - ATTACHMENT 1 COUNCIL MEETING CYCLE OPTIONS.

WEEK	OPTION 1 Current meeting cycle	OPTION 2 Recommended
1	No meetings or inspections	No meetings or inspections
2	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.00 to 6.30pm 2-way conversation program
3	4.30 to 6.30pm 2-way conversation program Presentations and Workshops as required.	4.00 to 6.30pm 2-way conversation program Presentations and Workshops as required.
4	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.00 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting
5	No meetings or inspections	No meetings or inspections

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 2 COUNCIL MEETING CYCLE.

WEEK	Current meeting cycle	Proposed
1	No meetings or inspections	No meetings or inspections
2	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.30 to 6.30pm 2-way conversation program, if required
3	4.30 to 6.30pm 2-way conversation program Presentations and Workshops as required.	Commence at 4.30pm 2-way conversation program Presentations and Workshops as required.
4	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.30 to 5.00pm 2-way conversation program, if required 5.30pm Public Access, if required followed by Ordinary Council Meeting
5	No meetings or inspections	No meetings or inspections

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.****MINUTES ORDINARY COUNCIL - 8 APRIL 2025****NOTICE OF MOTION****ITEM NO. 1****FILE NO: 25/71974****EDRMS NO: PSC2024-03148****COUNCIL MEETING CYCLE****COUNCILLOR: PAUL LE MOTTEE****THAT COUNCIL:**

- 1) Amend its current Ordinary Council meeting cycle to 1 meeting per calendar month with the exception of January, where no meetings would be held in January.
- 2) The new meeting cycle to take effect from July 2025 and meeting to take place on the 4th Tuesday of each month commencing at 5:30pm, at 116 Adelaide Street, Raymond Terrace, except where resolved to be held at an alternate location.
- 3) Amend the Code of Meeting Practice as follows and place the Code of Meeting Practice on public exhibition for 42 days:

"3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible. The business paper will be published on the Council website by 10am 8 calendar days prior to the Council meeting."

"3.7 The General Manager must send to each Councillor, at least by close of business on the second Friday of each month where meetings are held (with the exception of where an ordinary meeting occurs on a public holiday), a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. Where an ordinary meeting occurs on a public holiday a notice is to be sent to the Mayor and each Councillor 11 calendar days prior to the meeting."

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

085	Councillor Paul Le Mottee Councillor Mark Watson It was resolved that Council defer the Council Meeting Cycle Notice of Motion for further discussion at a Two Way Conversation.
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PORT STEPHENS COUNCIL**376**

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

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

Those against the Motion: Nil.

The motion was carried.

BACKGROUND REPORT OF: TONY WICKHAM – GOVERNANCE SECTION MANAGER**BACKGROUND**

Council at its meeting held on 22 October 2024, Minute No. 198 (**ATTACHMENT 1**), resolved:

That Council:

- 1) Adopt Option 1 as shown in attachment 1 for Ordinary Council meetings for a period of 12 months, with a report to be returned to Council seeking the Council's views on meeting schedules going forward.
- 2)
- 3)
- 4)
- 5)

Section 365 of the Local Government Act 1993 requires Council to meet at least 10 times per year (financial year) in different months. Council currently meets on 21 occasions per year. Under the proposed changes associated with the Notice of Motion, Council would meet 11 times per year. Extra-Ordinary Council meetings can be called if required.

Clause 3.1 of the Code of Meeting Practice (the Code) states that the Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Clauses 3.5 and 3.7 of the Code would require amendments as follows:

"3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible. The business paper will be published on the Council website by 10am 8 calendar days prior to the Council meeting."

"3.7 The General Manager must send to each Councillor, at least by close of business on the second Friday of each month where meetings are held (with the exception of where an ordinary meeting occurs on a public holiday), a notice specifying the time, date and place at which the meeting is to be held, and the

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

business proposed to be considered at the meeting. Where an ordinary meeting occurs on a public holiday a notice is to be sent to each Councillor 11 calendar days prior to the meeting."

The Code of Meeting Practice would be required to be placed on public exhibition for 28 days and allow 42 days in total for submissions to be received.

The proposed meeting structure and Two Way session timetable is shown at **(ATTACHMENT 2)**.

FINANCIAL/RESOURCE IMPLICATIONS

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

ATTACHMENTS

- 1) Council Minutes extract 22 October 2024 - Minute No. 198.
- 2) Council meeting cycle.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

**ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024
- MINUTE NO. 198.**

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**ITEM NO. 2****FILE NO: 24/80236
EDRMS NO: A2004-0372****COUNCIL MEETINGS**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt Option 2 as shown in **(ATTACHMENT 1)** for Ordinary Council meetings for the term of this Council.
- 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.
- 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.
- 4) Adopt the Order of Business as detailed in this report.
- 5) Adopt the Prayer and Acknowledgement of Country as detailed in this report.

ORDINARY COUNCIL MEETING - 22 OCTOBER 2024**MOTION**

**Mayor Leah Anderson
Councillor Jason Wells**

That Council:

- 1) Adopt Option 2 as shown in **(ATTACHMENT 1)** for Ordinary Council meetings for the term of this Council.
- 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.
- 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.
- 4) Adopt the Order of Business as detailed in this report.
- 5) Adopt the Prayer and Acknowledgement of Country as detailed in this report.

Those for the Motion: Mayor Leah Anderson, Crs Nathan Errington and Jason Wells.

Those against the Motion: Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Peter Francis, Paul Le Mottee, Ben Niland and Mark Watson.

PORT STEPHENS COUNCIL**16****PORT STEPHENS COUNCIL****379****PORT STEPHENS COUNCIL****218**

ITEM 10 - ATTACHMENT 2 COUNCIL RESOLUTION - 13 MAY 2025.**MINUTES ORDINARY COUNCIL - 13 MAY 2025**

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

The motion was lost.

Cr Watson introduced the following amendment, which was not accepted by the mover and seconder:

"Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen"

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
AMENDMENT**

Councillor Mark Watson
Councillor Chris Doohan

That Council:

- 1) Adopt Option 2 as shown in (ATTACHMENT 1) for Ordinary Council meetings for the term of this Council.
- 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.
- 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.
- 4) Adopt the Order of Business as detailed in this report.
- 5) Adopt the Acknowledgement of Country as detailed in this report and the prayer as follows:

"Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen"

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

Those against the Motion: Crs Rosalyn Armstrong, Giacomo Amott, Peter Francis and Jason Wells.

The amendment was carried.

ITEM 10 - ATTACHMENT 2 COUNCIL RESOLUTION - 13 MAY 2025.**MINUTES ORDINARY COUNCIL - 13 MAY 2025**

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

**ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024
- MINUTE NO. 198.**

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Cr Amott gave notice of the following foreshadowed amendment.

That Council remove the words "prayer and" from point 5, with a point 6 to be added which reads:

"The General Manager will invite a faith leader to the Council on the date of each Council meeting, to lead a private prayer at 5:20pm for any Councillor who wishes to do so, in a meeting room of Council."

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
AMENDMENT**

	Councillor Giacomo Amott Councillor Peter Francis
	That Council remove the words "prayer and" from point 5, with a point 6 to be added which reads:
	The General Manager will invite a faith leader to the Council on the date of each Council meeting, to lead a private prayer at 5:20pm for any Councillor who wishes to do so, in a meeting room of Council.

Those for the Motion: Crs Rosalyn Armstrong, Giacomo Amott and Peter Francis.

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

The amendment was lost.

Cr Amott gave notice of the following foreshadowed motion.

That Council:

- 1) Adopt Option 1 as shown in attachment 1 for Ordinary Council meetings for a period of 12 months, with a report to be returned to Council seeking the Council's views on meeting schedules going forward.
- 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace.
- 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year.
- 4) Adopt the Order of Business as detailed in this report.
- 5) Adopt the Prayer and Acknowledgement of Country as detailed in this report.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024 - MINUTE NO. 198.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
MOTION**

198	Councillor Giacomo Arnott Councillor Chris Doohan It was resolved that Council: 1) Adopt Option 1 as shown in attachment 1 for Ordinary Council meetings for a period of 12 months, with a report to be returned to Council seeking the Council's views on meeting schedules going forward. 2) Meet on the fourth Tuesday of each month commencing at 5:30pm, with meetings to be held at 116 Adelaide Street, Raymond Terrace. 3) Not hold Ordinary Council meetings in January each year and only hold an Ordinary Council meeting on the second Tuesday in December each year. 4) Adopt the Order of Business as detailed in this report. 5) Adopt the Acknowledgement of Country as detailed in this report and the prayer as follows: "Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen"
------------	--

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

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

The motion was carried.

BACKGROUND

The purpose of this report is to allow Council to set its future Council meeting cycle, adopt the Order of Business, the Prayer and Acknowledgement of Country.

The Code of Meeting Practice places a strong emphasis on Council meetings being conducted in an effective and efficient manner. To this end, the previous Council term met on the 2nd and 4th Tuesday of each month commencing at 5:30pm at 116 Adelaide Street, Raymond Terrace.

The current cycle of Council meetings, public access, inspections and two way conversation sessions is shown at (ATTACHMENT 1).

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.****MINUTES ORDINARY COUNCIL - 8 APRIL 2025****ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024
- MINUTE NO. 198.****MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**

In reviewing the Council meeting cycle, 27 Councils were benchmarked with 23 conducting monthly Council meetings and 4 with a fortnightly meeting cycle (note: 1 of the 4 councils will recommend moving to monthly meetings in this term). Most of the benchmarked councils break for a recess in January.

ORDER OF BUSINESS

The proposed Order of Business is below:

- 1) Opening meeting
- 2) Acknowledgement of Country
- 3) Prayer
- 4) Apologies and applications for a leave of absence from Mayor and Councillors
- 5) Disclosures of interests
- 6) Confirmation of minutes
- 7) Mayoral minute(s)*
- 8) Motions to close meeting to the public*
- 9) Reports to Council
- 10) General Manager reports*
- 11) Questions with Notice*
- 12) Questions on Notice
- 13) Notices of motions*
- 14) Rescission Motions*
- 15) Confidential matters*
- 16) Conclusion of the meeting

**if submitted*

As part of the Order of Business, Council includes the Acknowledgement of the Worimi People of Port Stephens and the prayer, as follows:

ACKNOWLEDGEMENT OF COUNTRY

"We acknowledge the Worimi people as the original Custodians and inhabitants of Port Stephens. We acknowledge and pay respects to Worimi elders past and present. May we walk the road to tomorrow with mutual respect and admiration as we care for the beautiful land and waterways together."

PRAYER

"We recognise the rich cultural and religious diversity in Port Stephens and pay respect to the beliefs of all members of our community, regardless of creed or faith."

PORT STEPHENS COUNCIL**20**

PORT STEPHENS COUNCIL**383**

PORT STEPHENS COUNCIL**222**

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.****MINUTES ORDINARY COUNCIL - 8 APRIL 2025****ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024
- MINUTE NO. 198.****MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024****COMMUNITY STRATEGIC PLAN**

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

All financial implications are provided within the existing budget, based on the current meeting cycle.

There is no legal requirement to include the prayer or traditional welcome in Council meeting proceedings.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Options 1 and 2 are provided for in the existing budget. If Council elects to move towards a different meeting cycle additional cost implications would need to be provided.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Section 365 of the Local Government Act 1993 requires Council to meet at least 10 times per year in different months. Based on the recommended frequency, Council would meet on 11 occasions.

Clause 3.1 of the Code of Meeting Practice (the Code) requires Council, by resolution, to set the frequency, time, date, and place of its ordinary meetings.

Clause 8.1 of the Code requires Council to fix the general order of business for its meetings of the Council.

ITEM 10 - ATTACHMENT 2 COUNCIL RESOLUTION - 13 MAY 2025.**MINUTES ORDINARY COUNCIL - 13 MAY 2025**

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

**ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024
- MINUTE NO. 198.**

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council would be in breach of the Local Government Act 1993 if it failed to meet at least 10 times a year.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

- General Manager.

OPTIONS

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

ATTACHMENTS

- 1) Council meeting cycle options.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 13 MAY 2025

ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.

MINUTES ORDINARY COUNCIL - 8 APRIL 2025

**ITEM 1 - ATTACHMENT 1 COUNCIL MINUTES EXTRACT 22 OCTOBER 2024
- MINUTE NO. 198.**

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 2 - ATTACHMENT 1 COUNCIL MEETING CYCLE OPTIONS.

OFFERED MEETING SCHEDULE		OFFERED MEETING SCHEDULE
1	No meetings or inspections	No meetings or inspections
2	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.00 to 6.30pm 2-way conversation program
3	4.30 to 6.30pm 2-way conversation program Presentations and Workshops as required.	4.00 to 6.30pm 2-way conversation program Presentations and Workshops as required.
4	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.00 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting
5	No meetings or inspections	No meetings or inspections

MINUTES ORDINARY COUNCIL - 13 MAY 2025**ITEM 1 - ATTACHMENT 3 COUNCIL MINUTES - 8 APRIL 2025 - MINUTE NO. 085.****MINUTES ORDINARY COUNCIL - 8 APRIL 2025****ITEM 1 - ATTACHMENT 2 COUNCIL MEETING CYCLE.**

WEEK	Current meeting cycle	Proposed
1	No meetings or inspections	No meetings or inspections
2	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.30 to 6.30pm 2-way conversation program, if required
3	4.30 to 6.30pm 2-way conversation program Presentations and Workshops as required.	Commence at 4.30pm 2-way conversation program Presentations and Workshops as required.
4	4.30 to 5.00pm 2-way conversation program 5.30pm Public Access, if required followed by Ordinary Council Meeting	4.30 to 5.00pm 2-way conversation program, if required 5.30pm Public Access, if required followed by Ordinary Council Meeting
5	No meetings or inspections	No meetings or inspections

ITEM NO. 11**FILE NO: 25/123731
EDRMS NO: A2004-0984****CODE OF CONDUCT**

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Place the revised Code of Conduct shown at **(ATTACHMENT 1)** on public exhibition for a period of 28 days.
- 2) Should no submissions be received the Code of Conduct be adopted without a further report to Council.
- 3) Revoke the Code of Conduct dated 27 September 2022, Minute No. 266 should no submissions be received.

BACKGROUND

The purpose of this report is to provide the revised Code of Conduct (the Code) at **(ATTACHMENT 1)** to Council for consideration prior to public exhibition.

The revised Code is in accordance with the prescribed Model Code of Conduct released by the Office of Local Government.

Council adopted the current Code of Conduct at its meeting on 27 September 2022.

Should Council not adopt the Code within the 12 month timeframe, the Model Code of Conduct will apply.

The Code has been amended to reflect the obligations under the Children's Guardian Regulation 2022, which requires Council to have a Child Safe Code of Conduct. Clauses 3.24 to 3.28 have been included in the Code to ensure all Council officials are aware of their obligations with regards to a child safe environment.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

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

LEGAL, POLICY AND RISK IMPLICATIONS

Pursuant to section 440(7)(h) of the Local Government Act 1993 (the Act), Council must adopt a Code of Conduct within 12 months after each ordinary election.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council may be in breach of Section 440 of the Local Government Act 1993 should it not adopt a Code of Conduct within 12 months after the ordinary election.	Low	Adopt the recommendations.	Yes.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Code sets the minimum standards of conduct for all Council officials to ensure they act with integrity and to act in a way that enhances public confidence in Council.

COMMUNICATION AND ENGAGEMENT

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

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
--------	---

ORDINARY COUNCIL - 10 JUNE 2025

CONSULT	To obtain public feedback on analysis, alternatives and/or decisions.
INVOLVE	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
EMPOWER	To place final decision-making and/or developed budgets in the hands of the public.

The following communication and engagement applies to this report.

External communications and engagement

CONSULT	The Code will be placed on public exhibition for 28 days and will be notified through Council's website.
---------	--

Internal communications and engagement

Consultation has been undertaken by the Governance Section with:

- General Manager's Office.

OPTIONS

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

ATTACHMENTS

- 1) Revised Code of Conduct. (Provided under separate cover)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 12

**FILE NO: 25/105787
EDRMS NO: PSC2024-03158**

REQUEST FOR FINANCIAL ASSISTANCE

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

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral Funds to the following:-
 - a) South Tomaree Community Association – Mayoral funds - \$1,435 donation towards installation of a rainwater tank at Birubi Point Hall.
 - b) Soldiers Point Public School P&C Association – Mayoral funds - \$2,860 donation towards replacement fridge for school canteen.

BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by the Mayor and or Councillors as deserving of public funding. The Grants and Donations Policy gives the Mayor and Councillors a wide discretion either to grant or to refuse any requests.

Council's Grants and Donations Policy provides the community, the Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

1. Mayoral Funds
2. Rapid Response
3. Community Financial Assistance Grants – (bi-annually)
4. Community Capacity Building

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the Local Government Act 1993. This would mean that the financial assistance would need to be included in the Operational Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

The requests for financial assistance are shown below:

MAYORAL FUNDS

South Tomaree Community Association	South Tomaree Community Association is an active group advocating for matters in the local area.	\$1,435	Donation towards installation of rainwater tank at Birubi Point Hall.
Soldiers Point Public School P&C Association	The P&C works with the school and local community to create a rewarding learning experience for students.	\$2,860	Donation towards replacement fridge for school canteen.

COMMUNITY STRATEGIC PLAN

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

FINANCIAL/RESOURCE IMPLICATIONS

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

LEGAL AND POLICY IMPLICATIONS

To qualify for assistance under Section 356(1) of the Local Government Act 1993, the purpose must assist the Council in the exercise of its functions. Functions under the Act include the provision of community, culture, health, sport and recreation services and facilities.

The Policy interpretation required is whether the Council believes that:

- a) applicants are carrying out a function, which it, the Council, would otherwise undertake.
- b) the funding will directly benefit the community of Port Stephens.
- c) applicants do not act for private gain.

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

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

COMMUNICATION AND ENGAGEMENT

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

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

ORDINARY COUNCIL - 10 JUNE 2025

The following communication and engagement applies to this report.

External communications and engagement

INFORM	Community members are advised of the outcome of their application.
--------	--

Internal communications and engagement

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

Consultation has been undertaken to ensure budget requirements are met and approved.

OPTIONS

- 1) Accept the recommendation.
- 2) Vary the dollar amount before granting each or any request.
- 3) Decline to fund all the requests.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 13

**FILE NO: 25/126124
EDRMS NO: PS2024-03232**

INFORMATION PAPERS

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

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 10 June 2025.

No:	Report Title	Page:
1	Cash and Investment Portfolio - April 2025	242
2	Attendance at Committees and Groups	252
3	Annual Disclosure of Interest Returns for 2025 to 2026	283
4	Designated Persons' Return	286
5	Delegations Report	287
6	Council Resolutions	289

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 24/314355
EDRMS NO: PSC2017-00180**

CASH AND INVESTMENT PORTFOLIO - APRIL 2025

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 30 April 2025.

Council's total portfolio of investments was \$74.9 million with an additional \$3.5 million held in Council's operational account as at 30 April 2025.

The investment portfolio meets the benchmarks for product type, rating exposure and maturity limits but is outside the benchmark in relation to institution exposure. As at 30 April 2025 Council held 1% more cash with Rabobank (A rated) than the benchmark allows. Cashflow requirements have reduced the overall portfolio size however at the time of the investments with Rabobank all benchmark requirements were met. No further investments with Rabobank will be placed until the single institution limit has improved.

The investment portfolio is currently yielding 5.38% p.a. on a rolling 1 year performance, which was 0.93% above the benchmark with investment income on target to meet or exceed budget.

Council has sufficient cash to cover all reserves.

ATTACHMENTS

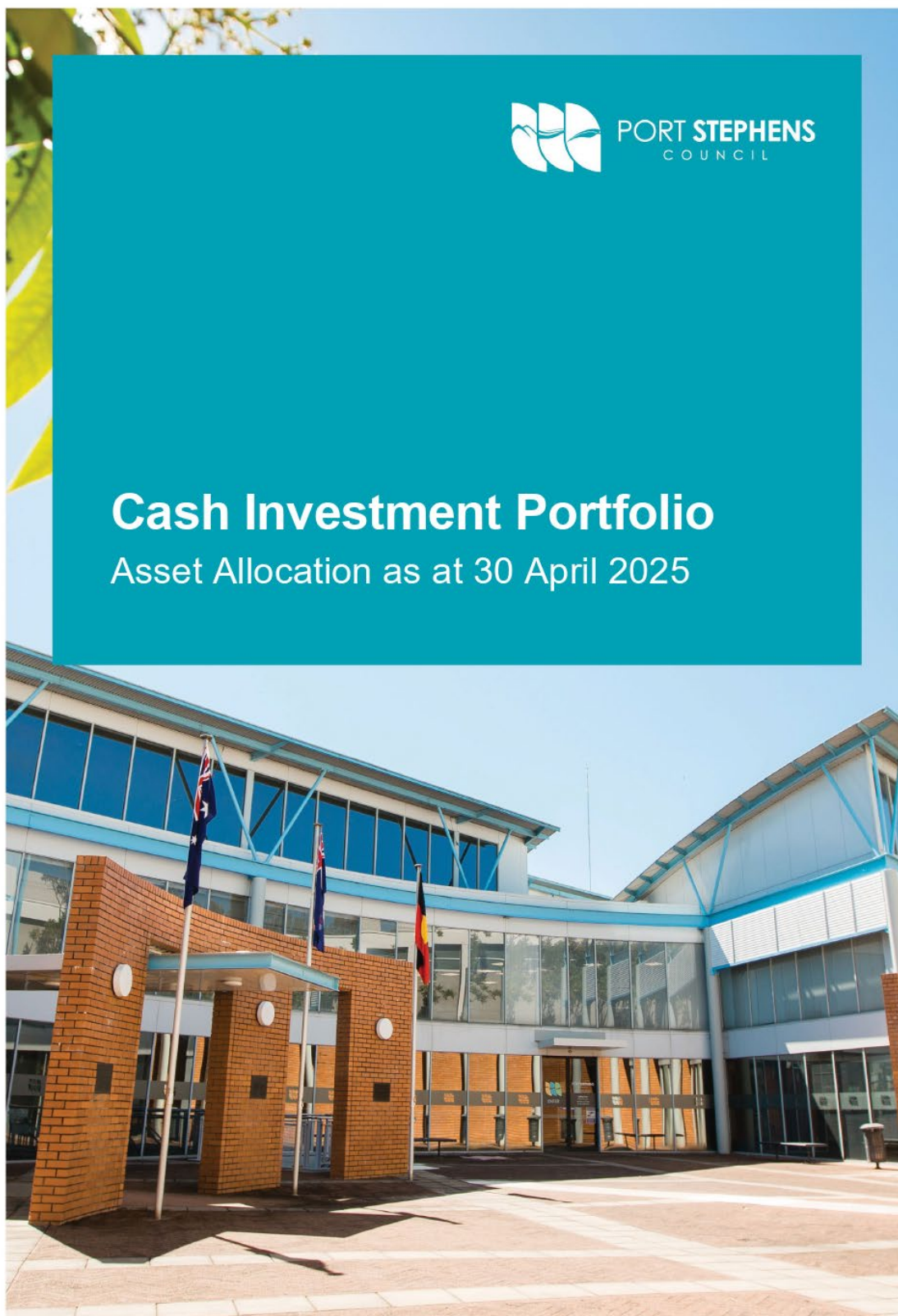
1) Cash and Investments Report - April 2025.

COUNCILLORS' ROOM/DASHBOARD

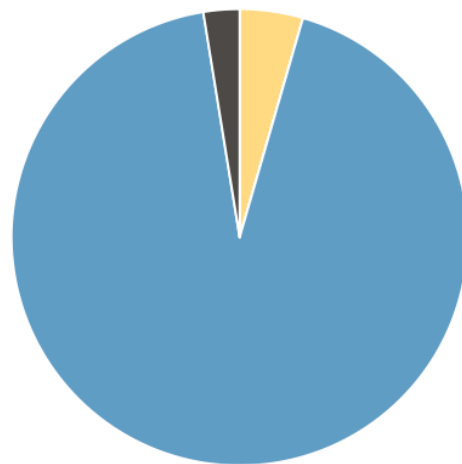
Nil.

TABLED DOCUMENTS

Nil.



Cash Investment Portfolio Holdings



■ At Call ■ Cash ■ At Notice ■ TD ■ Managed Fund

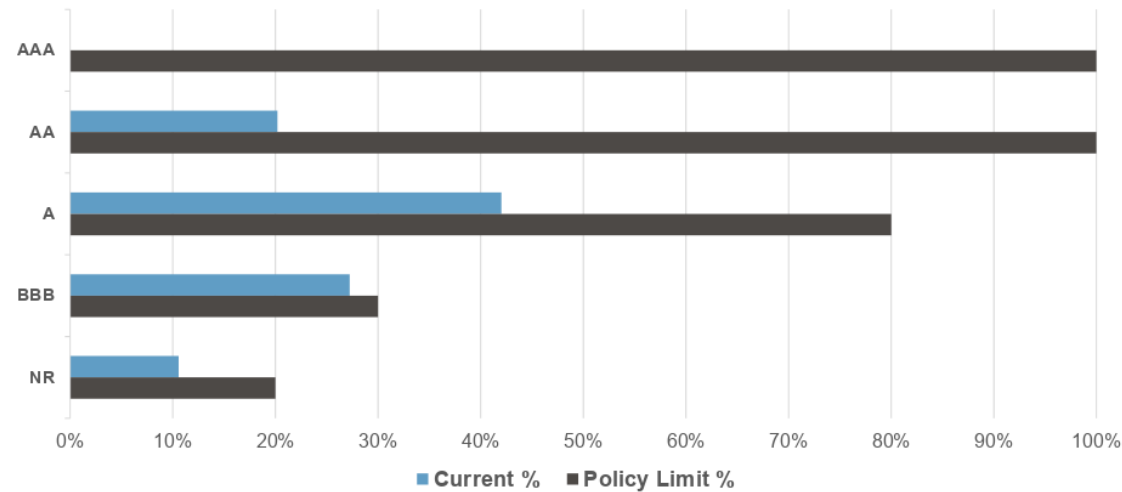
Product Type	Market Value (\$)	Within Policy
At Call	-	
Cash	3,512,726	✓
At Notice	-	
TD	72,900,175	✓
Managed Fund	2,001,815	✓
	78,414,716	

✓ = Yes

✗ = No

Rating Exposure

Total Credit Exposure

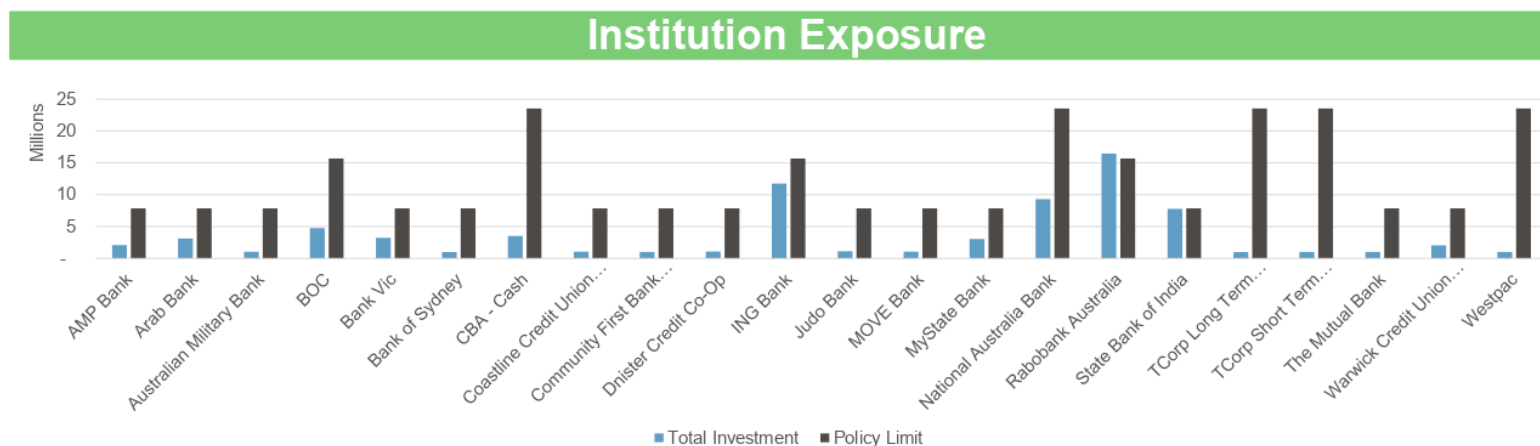


Credit Rating Group	Market Value (\$)	Current %	Policy Limit %	Within Policy
AAA	-	0%	100%	✓
AA	15,834,488	20%	100%	✓
A	32,938,914	42%	80%	✓
BBB	21,354,931	27%	30%	✓
NR	8,286,383	11%	20%	✓
	78,414,716	100%		

✓ = Yes

✗ = No

ITEM 1 - ATTACHMENT 1 CASH AND INVESTMENTS REPORT - APRIL 2025.

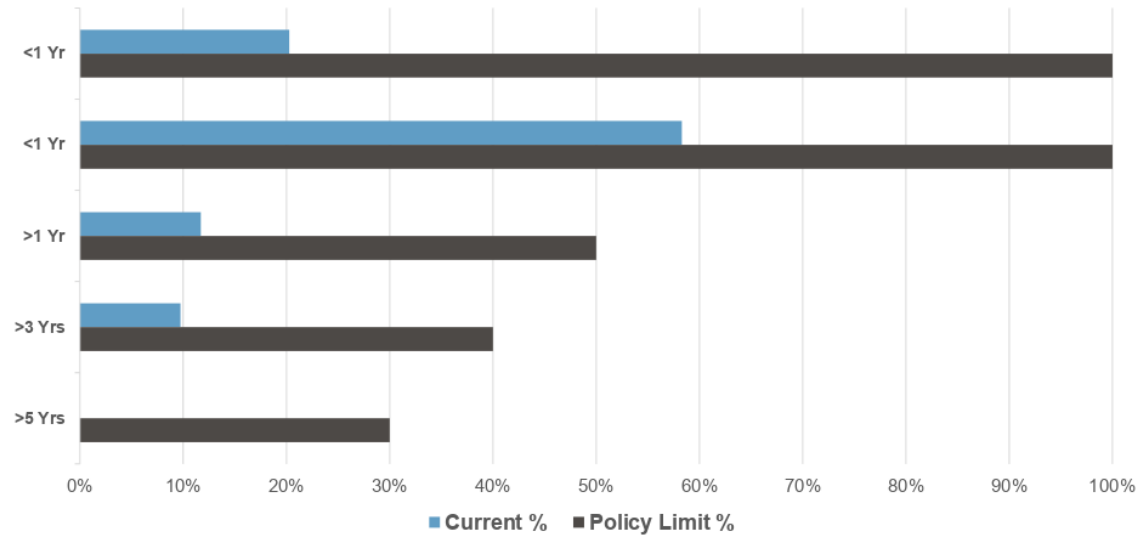


Institution	Rating	Total Investment	Exposure	Policy Limit	Remaining to Limit	Within Policy
AMP Bank	BBB	2,087,171	3%	10%	5,754,300	✓
Arab Bank	NR	3,117,001	4%	10%	4,724,471	✓
Australian Military Bank	BBB	1,038,117	1%	10%	6,803,354	✓
BOC	A	4,741,718	6%	20%	10,941,225	✓
Bank Vic	BBB	3,229,585	4%	10%	4,611,887	✓
Bank of Sydney	NR	1,002,630	1%	10%	6,838,841	✓
CBA - Cash	AA	3,512,726	4%	30%	20,011,689	✓
Coastline Credit Union Limited	BBB	1,058,940	1%	10%	6,782,532	✓
Community First Bank Ltd	BBB	1,008,406	1%	10%	6,833,065	✓
Dnister Credit Co-Op	NR	1,078,460	1%	10%	6,763,011	✓
ING Bank	A	11,743,764	15%	20%	3,939,179	✓
Judo Bank	BBB	1,103,849	1%	10%	6,737,622	✓
MOVE Bank	NR	1,047,832	1%	10%	6,793,640	✓
MyState Bank	BBB	3,049,942	4%	10%	4,791,530	✓
National Australia Bank	AA	9,298,924	12%	30%	14,225,490	✓
Rabobank Australia	A	16,453,432	21%	20%	770,489	✗
State Bank of India	BBB	7,767,874	10%	10%	73,598	✓
TCorp Long Term Growth Fund	AA	997,469	1%	30%	22,526,946	✓
TCorp Short Term Income Fund	AA	1,004,346	1%	30%	22,520,069	✓
The Mutual Bank	BBB	1,011,047	1%	10%	6,830,425	✓
Warwick Credit Union Ltd	NR	2,040,460	3%	10%	5,801,011	✓
Westpac	AA	1,021,023	1%	30%	22,503,391	✓
Total		78,414,716				

✓ = Yes

✗ = No

Term to Maturity Limits



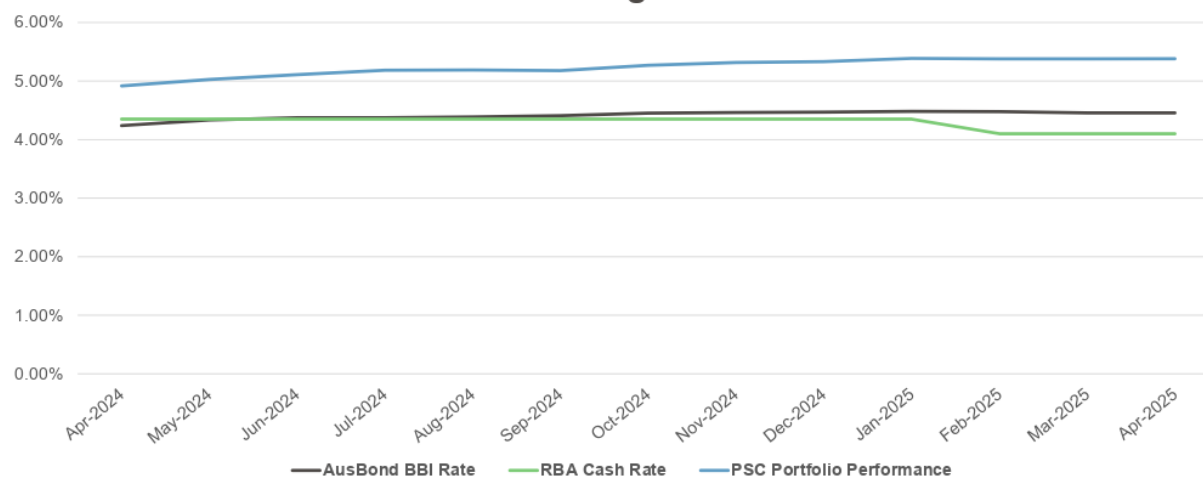
Detailed Maturity Profile	Market Value (\$)	Current %	Policy Limit %	Within Policy
Less than or equal 90 Days	15,895,673	20%	100%	✓
Between 90 Days and 365 Days	45,706,083	58%	100%	✓
Between 366 Days and 3 Years	9,180,685	12%	50%	✓
Between 3 Years and 5 Years	7,632,275	10%	40%	✓
Greater than 5 Years	-	0%	30%	✓
	78,414,716	100%		

✓ = Yes

✗ = No

Portfolio Performance

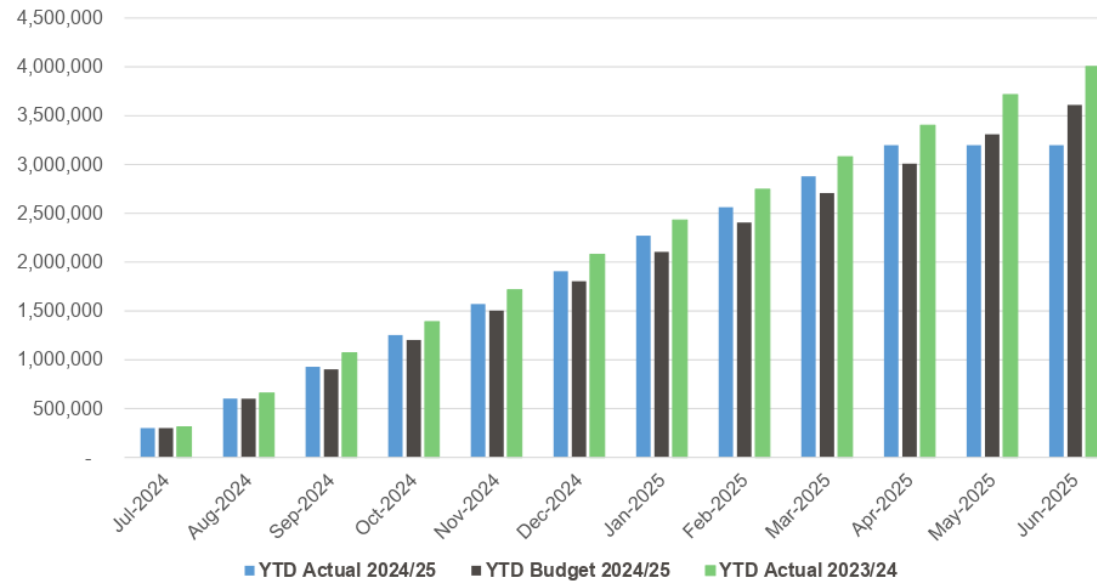
One Year Rolling Performance



Performance	1 month actual	3 months actual	6 months actual	FYTD actual	1 year % p.a. (Rolling)
Bloomberg AusBond BBI (Benchmark)	0.35%	1.04%	2.18%	3.70%	4.46%
PSC Investment Portfolio	0.44%	1.26%	2.62%	4.42%	5.38%
Outperformance/(underperformance)	0.09%	0.22%	0.44%	0.72%	0.93%

Income Earned vs Budget

Monthly Investment Income - Actual to Budget



Investment Register

Institution	Market Value	Days Held	Interest Rate	Date Invested	Maturity Date	Rating
CBA - Cash	3,512,726	1		30/04/2025	1/05/2025	AA
AMP Bank	1,048,767	727	5.00%	9/05/2023	5/05/2025	BBB
Rabobank Australia	1,036,258	272	5.09%	13/08/2024	12/05/2025	A
MyState Bank	1,021,055	171	5.30%	6/12/2024	26/05/2025	BBB
MOVE Bank	1,047,832	731	5.15%	26/05/2023	26/05/2025	NR
Arab Bank	1,022,987	559	5.52%	29/11/2023	10/06/2025	NR
ING Bank	1,008,009	479	5.04%	1/03/2024	23/06/2025	A
National Australia Bank	1,046,008	368	5.47%	27/06/2024	30/06/2025	AA
Judo Bank	1,103,849	733	5.70%	5/07/2023	7/07/2025	BBB
MyState Bank	1,007,964	497	5.10%	4/03/2024	14/07/2025	BBB
AMP Bank	1,038,404	725	5.25%	3/08/2023	28/07/2025	BBB
Australian Military Bank	1,038,117	726	5.27%	9/08/2023	4/08/2025	BBB
National Australia Bank	1,035,910	354	5.10%	16/08/2024	5/08/2025	AA
National Australia Bank	1,036,115	363	5.07%	13/08/2024	11/08/2025	AA
ING Bank	1,038,479	734	5.30%	8/08/2023	11/08/2025	A
BOC	1,085,146	717	5.12%	1/09/2023	18/08/2025	A
BOC	1,085,146	724	5.12%	1/09/2023	25/08/2025	A
National Australia Bank	2,066,176	367	4.97%	30/08/2024	1/09/2025	AA
State Bank of India	1,034,233	369	5.10%	28/08/2024	1/09/2025	BBB
Dnister Credit Co-Op	1,078,460	647	5.55%	1/12/2023	8/09/2025	NR
National Australia Bank	1,031,201	364	4.93%	11/09/2024	10/09/2025	AA
Rabobank Australia	3,098,219	377	5.00%	3/09/2024	15/09/2025	A
Arab Bank	1,078,884	661	5.58%	1/12/2023	22/09/2025	NR
National Australia Bank	1,031,201	377	4.93%	11/09/2024	23/09/2025	AA
National Australia Bank	1,031,201	384	4.93%	11/09/2024	30/09/2025	AA
Community First Bank Ltd	1,008,406	586	5.03%	29/02/2024	7/10/2025	BBB
Bank of Sydney	1,002,630	186	4.80%	10/04/2025	13/10/2025	NR
ING Bank	1,027,010	369	5.03%	16/10/2024	20/10/2025	A
Bank Vic	1,076,340	696	5.40%	1/12/2023	27/10/2025	BBB
Bank Vic	1,076,622	703	5.42%	1/12/2023	3/11/2025	BBB
Bank Vic	1,076,622	717	5.42%	1/12/2023	17/11/2025	BBB
National Australia Bank	1,021,113	362	5.07%	29/11/2024	26/11/2025	AA
Westpac	1,021,023	538	5.15%	11/06/2024	1/12/2025	AA
MyState Bank	1,020,923	370	5.16%	3/12/2024	8/12/2025	BBB
Coastline Credit Union Limited	1,058,940	655	5.05%	29/02/2024	15/12/2025	BBB
Warwick Credit Union Ltd	1,019,803	375	5.20%	12/12/2024	22/12/2025	NR
Warwick Credit Union Ltd	1,020,658	381	5.20%	6/12/2024	22/12/2025	NR
Arab Bank	1,015,129	733	5.02%	10/01/2024	12/01/2026	NR
State Bank of India	1,036,403	530	5.15%	15/08/2024	27/01/2026	BBB
Rabobank Australia	1,047,592	601	5.28%	5/06/2024	27/01/2026	A
BOC	1,012,167	369	4.88%	29/01/2025	2/02/2026	A
Rabobank Australia	1,045,256	607	5.13%	12/06/2024	9/02/2026	A
BOC	505,612	377	4.82%	4/02/2025	16/02/2026	A
ING Bank	1,044,661	602	5.38%	1/07/2024	23/02/2026	A
State Bank of India	1,033,562	545	5.00%	28/08/2024	24/02/2026	BBB
State Bank of India	510,019	444	5.30%	13/12/2024	2/03/2026	BBB
TCorp Short Term Income Fund	1,004,346	365		7/03/2025	7/03/2026	AA
ING Bank	1,044,661	616	5.38%	1/07/2024	9/03/2026	A
Rabobank Australia	1,541,054	521	4.97%	11/10/2024	16/03/2026	A
State Bank of India	1,044,603	623	5.50%	8/07/2024	23/03/2026	BBB
Rabobank Australia	768,789	514	5.08%	1/11/2024	30/03/2026	A
State Bank of India	1,044,603	637	5.50%	8/07/2024	6/04/2026	BBB
Rabobank Australia	768,789	528	5.08%	1/11/2024	13/04/2026	A
State Bank of India	1,044,603	651	5.50%	8/07/2024	20/04/2026	BBB
BOC	1,053,647	735	5.35%	29/04/2024	4/05/2026	A
Rabobank Australia	1,039,225	661	5.15%	26/07/2024	18/05/2026	A
State Bank of India	1,019,849	535	5.25%	13/12/2024	1/06/2026	BBB
ING Bank	1,007,788	472	4.66%	28/02/2025	15/06/2026	A
ING Bank	1,007,788	486	4.66%	28/02/2025	29/06/2026	A
ING Bank	1,006,216	488	4.63%	12/03/2025	13/07/2026	A
Rabobank Australia	1,007,203	536	4.78%	6/03/2025	24/08/2026	A
ING Bank	1,027,923	733	4.55%	18/09/2024	21/09/2026	A
The Mutual Bank	1,011,047	733	4.80%	5/02/2025	8/02/2027	BBB
Rabobank Australia	1,025,507	1664	5.32%	6/11/2024	28/05/2029	A
Rabobank Australia	511,573	1663	5.28%	21/11/2024	11/06/2029	A
Rabobank Australia	1,024,312	1687	5.22%	11/11/2024	25/06/2029	A
Rabobank Australia	504,559	1680	5.12%	24/02/2025	1/10/2029	A
TCorp Long Term Growth Fund	997,469	1826		8/11/2024	8/11/2029	AA
Rabobank Australia	1,024,395	1825	5.30%	13/11/2024	12/11/2029	A
ING Bank	511,507	1831	5.25%	21/11/2024	26/11/2029	A
ING Bank	504,425	1806	4.97%	24/02/2025	4/02/2030	A
ING Bank	505,569	1825	4.84%	5/02/2025	4/02/2030	A
Rabobank Australia	1,010,702	1831	5.14%	13/02/2025	18/02/2030	A
ING Bank	1,009,726	1840	5.00%	18/02/2025	4/03/2030	A
Total	78,414,716					

Restricted Cash

Reserve	As at April 2025 \$'000
External	
Grants and Contributions	7,620
Developer contributions (inc Haulage)	24,866
Domestic Waste Management	8,692
Crown Reserve	3,947
Crown - Surf Life Saving Clubs	7
Internal	
Deposits, retentions and bonds	1,312
Admin Building	396
Asset Rehab/Reseals	4,356
Commercial Property	4,385
Community Buildings	142
Community Loans	200
Council Parking	1,504
Drainage	2,163
Election Reserve	622
Emergency & Natural Disaster	5,058
Employee Leave Entitlements (ELE)	1,000
Enhanced Services Focus Area	772
Federal Assistance Grant in Advance	1,166
Fleet	807
Grants Receivable	1,419
IT	2,263
Mayoral and Ward Funds	35
Other Waste	507
Repealed	1,713
Resilience fund	3,000
Sustainable energy and water reserve	48
Transport and Environmental Levy	832
Unexpended loan funds	-
Total	78,832
Cash and Investment Report	78,415
Variance Cash Reserves to Bank Account - Unadjusted Position	(417)
Variance Due to:	
Outstanding Creditors	-
Outstanding Debtors	992
Outstanding GST refund	351
Total Variance	1,343
Unrestricted Cash/(Shortfall) - Adjusted Position	926

ITEM NO. 2

**FILE NO: 25/106148
EDRMS NO: PSC2024-04455**

ATTENDANCE AT COMMITTEES AND GROUPS

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

BACKGROUND

The purpose of this report is to advise Council of the number of meetings that were held for each of the committees, as well as whether the nominated representative(s) were in attendance at each of those meetings.

Council, at its meeting of 22 October 2024, Minute No. 202 (**ATTACHMENT 1**) resolved that the General Manager is to provide a report every 6 months to a Council meeting outlining the number of meetings that were held for each of the committees, as well as whether the nominated representative(s) were in attendance at each of those meetings.

The Committees and Groups Attendance List for October 2024 to April 2025 is shown at (**ATTACHMENT 2**).

ATTACHMENTS

- 1) 22 October 2024 - Ordinary Council Minute No. 202.
- 2) Committees and Groups Attendance List - October 2024 to April 2025.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**ITEM NO. 6****FILE NO: 24/80225
EDRMS NO: A2004-0370****MEMBERSHIP OF COMMITTEES AND GROUPS****REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE****RECOMMENDATION IS THAT COUNCIL:**

- 1) Nominates membership to Council Committees, 355(c) Committees and regional committees and groups memberships up to the next NSW Local Government general election in September 2028 (**ATTACHMENT 1**).
- 2) Disband the following Committees/Groups:
 - a) Port Stephens Economic Development Advisory Panel;
 - b) Seaham Park and Wetlands Committee; and
- 3) Determine a fee payable (if any) to Port Stephens Council representatives on the Hunter and Central Coast Regional Planning Panel.

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
MOTION**

202	Councillor Giacomo Arnott Councillor Rosalyn Armstrong It was resolved that Council: <ol style="list-style-type: none">1) Nominates membership to Council Committees, 355(c) Committees and regional committees and groups memberships up to the next NSW Local Government general election in September 2028 (TABLE 1).2) Disband the following Committees/Groups:<ol style="list-style-type: none">a) Port Stephens Economic Development Advisory Panel;b) Seaham Park and Wetlands Committee; and3) Nominate an alternate delegate for all single Councillor positions (for external bodies where accepted by the body), sister cities committee will become opt in, and the General Manager is to provide a report every six months to a Council meeting outlining the number of meetings that were held for each of the committees, as well as whether the nominated representative(s) were in attendance at each of those meetings.
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Councillor Jason Wells left the meeting at 7:29pm.
Councillor Jason Wells returned to the meeting at 7:33pm.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Cr Ben Niland left the meeting at 7:42pm.
Cr Ben Niland returned to the meeting 7:45pm

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

Those against the Motion: Nil.

The motion was carried.

TABLE 1
**355C COMMITTEES AND REGIONAL COMMITTEES AND GROUPS
SEPTEMBER 2024 TO SEPTEMBER 2028**

Ref	Committee Name	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Delegates
1	Aboriginal Strategic Committee	To exchange information between the Aboriginal community and Council on issues affecting Aboriginal people. To promote mutual awareness and respect for the cultures of both Aboriginal and non-Aboriginal communities.	Quarterly	Community Futures	As resolved by Council	Mayor Anderson Cr Francis
2	Audit, Risk and Improvement Committee (ARIC) Formerly the Audit Committee	The ARIC is an advisory committee of Council comprising of 1 non-voting Councillor representative and three independent external representatives. The objective of the Audit Committee is to enhance the corporate governance of Council through the provision of independent oversight, review and advice. The Committee will assist Council by providing independent assurance and assistance on the	At least four times a year or when necessary	General Manager's Office	1 non-voting Councillor	Cr Wells Office of Local Government guidelines preclude the Mayor from being a member of the Committee.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

		organisation's governance, risk, control and compliance frameworks.				
3	Hinton School of Arts Committee	To assist Council in the management of Hinton School of Arts.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Arnott Cr Francis Cr Le Mottee
4	Karuah Community Hall Committee	To assist Council in the management of Karuah Community Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells
5	Lemon Tree Passage Old School Centre Committee	To assist Council in the management of Lemon Tree Passage Old School Centre and surrounds.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells
6	Medowie Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	Meets every 3 months- February, May, August, November. 1st Monday of the month	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

7	Nelson Bay Community Hall Committee	To assist Council in the management of Nelson Bay Community Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Armstrong Cr Errington Cr Watson
8	Port Stephens Australia Day Committee	To co-ordinate the annual celebration of Australia Day in Port Stephens in line with recommendations from Australia Day Council.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Community Futures	1 Councillor from each ward	Mayor Anderson Cr Arnott Cr Francis
9	Port Stephens Sister Cities Committee	To promote and have ongoing relationships between international communities providing opportunities for cultural exchange.	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	General Manager's Office	Mayor and all councillors	Mayor Anderson Cr Armstrong Cr Francis Cr Wells
10	Raymond Terrace Senior Citizens Hall Management Committee	To assist Council in the management of the Raymond Terrace Senior Citizens Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Arnott Cr Francis Cr Le Mottee
11	Salt Ash Community Hall	To assist Council in the management of Salt Ash Community Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

12	Salt Ash Sports Ground Committee	To assist Council in the management, maintenance and improvements to Salt Ash Sports Ground.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells
13	Strategic Arts Committee	To provide input into Port Stephens Council strategic policy, plans and programs relating to culture and the arts. To assist Council identify the existing and future requirements for arts and cultural facilities across Port Stephens.	Quarterly	Community Futures	As resolved by Council	Mayor Anderson Cr Armstrong Cr Francis Cr Wells
14	Tanilba Foreshore Hall Committee	To assist Council in the management of Tanilba Bay Foreshore Hall.	Committees are required to hold at least three meetings per year at a time determined by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells
15	Tilligerry Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	Every 4 months– February, June, October 3rd Monday	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Niland Cr Wells
16	Tomaree Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating	Committee meets on the 4th Wednesday of February, May, August, November	Facilities & Services	As resolved by Council	Cr Armstrong Cr Errington Cr Watson

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

		sports are accurately identified and brought to the attention of Council.				
17	West Ward Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	Every 4 months – February, June, October 2nd Monday	Facilities & Infrastructure	As resolved by Council	Cr Arnott Cr Errington Cr Francis Cr Le Mottee

REGIONAL COMMITTEES AND OTHER GROUPS

R	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Delegates
18	AGL Newcastle Gas Storage Facility Community Dialogue Group	The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.	Quarterly – March, June, September, December	General Manager's Office	Mayor	Mayor Anderson
19	Birubi Point Cultural Heritage Advisory Panel	To advise Port Stephens Council on the management plan required to protect the Worimi cultural and spiritual heritage and enhance the environment of the Birubi Point Crown Reserve and Birubi Point Aboriginal Place.	Meets 3 times per year	Community Futures	1 Councillor	Cr Wells <u>Alternate</u> Cr Doohan

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

20	Brandy Hill Quarry Community Consultative Committee	The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.	Quarterly - February, May, August and November	General Manager's Office	1 Councillor	Cr Francis <u>Alternate</u> Cr Arnott <u>Alternate, as required</u> Assets Section Manager/ Strategy & Environment Section Manager
21	Cabbage Tree Road Community Consultative Committee	The purpose of the committee is to provide an advisory forum of community representatives to meet requirements of the development consent.	Quarterly	Corporate Strategy & Support	1 Councillor	Cr Arnott <u>Alternate</u> Cr Francis
22	Comprehensive Koala Plan of Management Implementation Committee	Responsible for overseeing the implementation of the Port Stephens Council Comprehensive Koala Plan of Management.	Meets quarterly	Community Futures	1 Councillor	Mayor Anderson <u>Alternate</u> Cr Armstrong
23	Communication and Engagement Advisory Panel	The purpose is the delivery of transparent communications and meaningful community engagement. To provide information, advice and guidance on development and delivery of Council communications and engagement programs to ensure a diversity of voices participates in decision making for their place.	2 to 6 meetings per year	Community Futures	1 Councillor from each Ward.	Mayor Anderson Cr Armstrong Cr Francis Cr Niland Cr Watson Cr Wells
24	Community Support Fund Formerly Community Funding Program	To make recommendations to Council on applications received through the Grants process.	Annual	Community Futures	Mayor 1 Councillor from each Ward	Mayor Anderson Cr Armstrong Cr Errington Cr Francis Cr Niland <u>Alternate</u> Cr Arnott Cr Doohan Cr Watson Cr Wells

ITEM 2 - ATTACHMENT 1 22 OCTOBER 2024 - ORDINARY COUNCIL MINUTE NO. 202.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

25	Environment Advisory Panel	To provide community representation for consultation, advice and advocacy on environmental matters in Port Stephens.	4 time per year	Community Futures	2 Councillors	Mayor Anderson (chair) Cr Armstrong <u>Alternate</u> Cr Doohan
26	General Manager Performance Review Panel	To conduct evaluation of the performance of the General Manager.	At least annual	Mayor's Office	Mayor Deputy Mayor 1 Councillor nominated by the Council 1 Councillor nominated by the General Manager	Mayor Anderson Cr Arnott Plus a Councillor nominated at the time by the General Manager
27	Heritage Advisory Panel	To provide community representation for consultation, advice and advocacy of heritage matters in Port Stephens.	4 time per year	Community Futures	2 Councillors	Cr Wells (chair) <u>Alternate</u> Cr Armstrong
28	Hunter Joint Organisation	The Hunter Joint Organisation is a collaborative body that brings together the 10 councils in the region to provide a united and local voice for our communities. As the hub for local intergovernmental collaboration, the organisation's statutory mandate includes identifying key regional strategic priorities, advocating for these priorities, and building collaborations around these priorities with other levels of government, industry and community.	Bi-monthly	General Manager's Office	Mayor	Mayor Anderson

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

29	International Women's Day Scholarship Panel	This panel assesses the applications for the International Women's Day scholarship.	Annual	General Manager's Office	Mayor 1 Councillor from each Ward	Mayor Anderson Cr Armstrong Cr Doohan Cr Francis Cr Wells
30	Customer and Community Advisory Group (CCAG)	This committee is an advisory committee to Hunter Water Corporation.	Meets quarterly	General Manager's Office	1 Councillor	Cr Francis <u>Alternate</u> Cr Le Mottee
31	Hunter and Central Coast Regional Planning Panel	To consider development applications referred to the Panel under the legislation for development applications for the Port Stephens Local Government area. The Panel comprises of 3 State members and 2 Councillors. The term is for 3 years for each Panel member.	As required	Community Futures	2 elected members	Mayor Anderson Cr Arnott <u>Alternates</u> Cr Errington Cr Francis Cr Niland Strategy & Environment Section Manager
32	Local Government Community Safety & Crime Prevention Network NSW Note: This is a Committee of the Port Stephens Local Area Command. Membership is by invitation from the Local Area Commander. Council's delegate is the Mayor.	To provide a forum for local community members, service providers, businesses and the police to discuss issues and appropriate strategies relating to crime and community safety. **Attendees will be by invitation only, one representative will be invited by the Police from each peak body / organisation e.g. Hunter Water / Housing NSW). Council will hold two positions, one will be Community Engagement Officer, and the other will be the Mayor or his representative if unable to attend.	Meets quarterly	Facilities & Infrastructure	Mayor	Mayor Anderson

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

33	Local Traffic Committee	This is an RTA-based committee which allows Council to have delegated authority to install or remove regulatory sign posting on public roads.	Meets 1 st Tuesday of the month	Facilities & Infrastructure	1 Councillor	Mayor Anderson Cr Niland <u>Alternate</u> Cr Errington
34	Lower Hunter Bushfire Management Committee	The committee is a legislative requirement and is to discuss direction across local government areas and across agencies in regard to bushfire management.	Meets quarterly	Facilities & Infrastructure	2 Councillors	Cr Arnott Cr Watson <u>Alternate</u> Mayor Anderson
35	Lower Hunter Community Advisory Group	The Group is managed by Hunter Local Land Services (HLLS). The purpose is to provide an opportunity the HLLS to engage with stakeholders on a range matters, including strategic direction and programs.	Meets annual	General Manager's Office	1 Councillor	Cr Francis <u>Alternate</u> Cr Le Mottee
36	Marine Parks Advisory Panel Ministerial Appointment	Community Consultative Committee regarding the proposed Marine Park in Port Stephens.	Meets a minimum of twice a year	Community Futures	1 Councillor	Mayor Anderson <u>Alternate</u> Cr Armstrong Cr Watson
37	NSW Public Libraries Association (Central East Zone)	The purpose of the Association is to champion the public library cause, strengthen the public library network, advocate effectively, foster cooperation and collaboration, build trust and support, initiate partnerships and share relevant information	Meets 3 times per year	Facilities & Infrastructure	As resolved by Council	Cr Wells <u>Alternate</u> Cr Armstrong
38	Port Stephens Floodplain Advisory Panel	To provide advice on flood/floodplain management studies/plans	As required	Facilities & Infrastructure	1 Councillor	Cr Francis <u>Alternate</u> Cr Arnott Cr Errington

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

39	Port Stephens Local Health Committee	To provide leadership in the community to: <ul style="list-style-type: none"> • Ensure health services meet local community health needs • Promote health services and initiatives • Enhance the health of the community. 	Meets 3 to 4 times per year	Community Futures	1 Councillor 1 alternate	Cr Armstrong <u>Alternate</u> Mayor Anderson
40	Port Stephens/Myal I Lakes Estuary and Coastal Zone Management Committee	This Committee includes representatives from Great Lakes Council and is responsible for long term planning for the estuary and the coastline.	As required	Community Futures	1 Councillor	Cr Armstrong <u>Alternate</u> Mayor Anderson
41	RFS District Liaison Committee	To review the progress of the service level agreement between Port Stephens Council and NSW Rural Fire Service in the local government area.	As set by RFS	Facilities & Infrastructure	1 Councillor	Cr Arnott <u>Alternate</u> Cr Watson
42	Salt Ash Sand Project Community Consultative Committee	The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.	As required	General Manager's Office	1 Councillor	Cr Doohan <u>Alternate</u> Cr Wells
43	Stone Ridge Community Consultative Committee	The purpose of the committee is to provide an advisory forum of community representatives to meet requirements of the development consent.	Quarterly	General Manager's Office	1 Councillor	Cr Francis <u>Alternate</u> Cr Arnott Cr Le Mottee
44	Tomaree Lodge Community Engagement Committee	The purpose of the Community Engagement Committee is to: <ul style="list-style-type: none"> • Act as a community "sounding board" in 	Up to 6 times per year	General Manager's Office	Mayor only	Mayor Anderson

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

		<p>Stage 1 planning for the site.</p> <ul style="list-style-type: none"> • Provide feedback, advice and guidance to DCJ on proposed amenity improvements. • Assist DCJ and other NSW Government agencies in developing strategies or approaches to promote the appropriate short-term use of the site while protecting the site's heritage, environmental and culturally significant artefacts, and history. • Act as a key stakeholder in Stage 2 planning to ensure a diversity of voices participate in decision making for this important site. 				
44	Williamstown Consultative Committee Forum	To provide a forum for the residents of Williamstown area to discuss relevant issues with Federal, State and Local Government elected members and Agencies.	Annually	General Manager's Office	Mayor	Mayor Anderson (General Manager)
45	Worimi Conservation Lands Board of Management Ministerial Appointment	To oversee the management of the lands owned by the Aboriginal owners and leased back to the NSW Government.	Meets 4 times a year	General Manager's Office	1 Councillor 1 alternate	Cr Francis <u>Alternate</u> Mayor Anderson

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

BACKGROUND

The purpose of this report is to review the various committees and groups Council has either established, or is involved with through the community.

In accordance with legislation, Council is required to nominate delegates and adopt the list of 355(c) Committees.

As part of Council's commitment to community partnerships, it provides opportunities for the community to be involved with the management of the facilities they use. Council has established numerous community committees, which are involved in the care and management of Council's parks, reserves, services and facilities.

These committees are allowable under Section 355 and Section 377 of the Local Government Act, which allows Council to delegate certain functions.

For a 355(c) committee, the written record of delegations is contained in the **Terms of Reference (ToR)** as prepared and adopted by Council. Functions that cannot be delegated (under Section 377) are listed in the ToR. Any change to delegations to a 355(c) Committee must be affected by resolution of Council.

The key concept is that a 355(c) Committee is a Council committee. Committees include Councillor representation and a Council staff member responsible for liaison. A 355(c) Committee operates as an entity of Port Stephens Council and not as a separate entity in a commercial sense. This means that these committees use Council's Australian Business Number (ABN) when trading goods and services and are required to report on a monthly basis as is required of Council.

Council has around 20 355(c) Committees with over 600 members.

A number of 355(c) Committees undertake work in areas such as dune stabilisation, weed eradication, litter removal, Tidy Towns program participation and providing environmental information and support to Council. These groups work under direction from Council staff to ensure these activities are performed in accordance with recognised practices.

The activities and projects undertaken by committees are often those not financially possible for Council without this volunteer assistance. Examples include:

FACILITY MANAGEMENT	MAINTENANCE & IMPROVEMENTS TO RESERVES	OTHER
Community Halls	Parks & Reserves	Advisory Committees
Sporting Ovals	Foreshore Reserves	Sports Council
Cemeteries		

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Council can delegate certain functions to a committee: these are listed in the committee's schedule, which forms part of their ToR. A 355(c) Committee ToR consists of a standard ToR, which is applicable to all committees and a schedule customised for each individual committee. This provides the framework of how a 355(c) Committee operates and is supported by procedures, systems and reporting requirements.

Council has the same responsibilities for 355(c) Committee members as they do for staff including Workplace Health & Safety (WH&S), Code of Conduct and responsibility for activities.

Regional Committees and Groups

In addition to the 355(c) Committees, the Mayor, Councillors and Council staff participate in, and are members of a number of regional committees and groups established to promote an integrated approach to delivering and managing services and addressing issues across the Local Government Area.

Committees to be dissolved

The Seaham Park and Wetlands Committee was established as a 355c Committee which is intended to have delegated functions of Council. In December 2023, the Committee advised that the remaining committee members were resigning and there were no new members to maintain the committee, as a result the committee no longer exists and the operation will be returned to Council.

The Port Stephens Economic Development Advisory Panel was established to oversee the implementation of the Economic Development Strategy and to provide information to Council on issues affecting business. Over the past term, the committee had not been re-established with more detailed engagement with local business occurring through partnerships with Business Port Stephens, Destination Port Stephens and other relevant industry associations and community groups. In addition, the introduction of the Port Stephens Business Health Check has provided a more diverse, inclusive and detailed insight into issues impacting local business. This information is used to guide Councils approach to Economic Development across Port Stephens. Dissolving this Advisory Panel will have no negative impact on Councils approach to engaging with local business.

Note: The previous list of Committees and Groups is shown at **(ATTACHMENT 1)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2022
Governance	Deliver governance services and internal audit program

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**FINANCIAL/RESOURCE IMPLICATIONS**

Financial and resource implications are provided for within the existing budget.

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

LEGAL, POLICY AND RISK IMPLICATIONS

Council has a legal obligation under the Local Government Act 1993 to ensure it reviews and appoints 355 (c) Committees and delegates in accordance with the legislation.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council could be in breach of the Local Government Act 1993, if it fails to appoint the committees/groups/organisations as listed in (ATTACHMENT 1).	Low	Council appoint elected representatives as outlined in the report and adopt the committees/groups/organisations as listed in (ATTACHMENT 1).	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with key internal stakeholders has been undertaken by the Governance Section.

- 1) Council employees.
- 2) General Manager.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

OPTIONS

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

ATTACHMENTS

- 1) 355(c) Committees and Regional Committees and Groups.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 2 - ATTACHMENT 1 22 OCTOBER 2024 - ORDINARY COUNCIL MINUTE NO. 202.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

355C COMMITTEES AND REGIONAL COMMITTEES AND GROUPS
SEPTEMBER 2024 TO SEPTEMBER 2028

Ref	Committee Name	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
1	Aboriginal Strategic Committee	To exchange information between the Aboriginal community and Council on issues affecting Aboriginal people. To promote mutual awareness and respect for the cultures of both Aboriginal and non-Aboriginal communities.	Quarterly	Community Futures	As resolved by Council	Mayor Palmer Cr Anderson Cr Francis Cr Kafer
2	Audit, Risk and Improvement Committee (ARIC) Formerly the Audit Committee	The ARIC is an advisory committee of Council comprising of 1 non-voting Councillor representative and three independent external representatives. The objective of the Audit Committee is to enhance the corporate governance of Council through the provision of independent oversight, review and advice. The Committee will assist Council by providing independent assurance and assistance on the organisation's governance, risk, control and compliance frameworks.	At least four times a year or when necessary	General Manager's Office	1 non-voting Councillor	Cr Anderson Office of Local Government guidelines preclude the Mayor from being a member of the Committee.
3	Hinton School of Arts Committee	To assist Council in the management of Hinton School of Arts.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Arnott Cr Francis Cr Kafer
4	Karuah Community Hall Committee	To assist Council in the management of Karuah Community Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Tucker Cr Wells

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MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Committee Name	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
5	Lemon Tree Passage Old School Centre Committee	To assist Council in the management of Lemon Tree Passage Old School Centre and surrounds.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Tucker Cr Wells
6	Medowie Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	Meets every 3 months- February, May, August, November. 1st Monday of the month	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Wells
7	Nelson Bay Community Hall Committee	To assist Council in the management of Nelson Bay Community Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Anderson Cr Bailey
8	Port Stephens Australia Day Committee	To co-ordinate the annual celebration of Australia Day in Port Stephens in line with recommendations from Australia Day Council.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Community Futures	1 Councillor from each ward	Mayor Palmer Cr Anderson Cr Arnott Cr Doohan Cr Dunkley Cr Francis
9	Port Stephens Sister Cities Committee	To promote and have ongoing relationships between international communities providing opportunities for cultural exchange.	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	General Manager's Office	Mayor and all councillors	Mayor and all Councillors

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MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Committee Name	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
10	Raymond Terrace Senior Citizens Hall Management Committee	To assist Council in the management of the Raymond Terrace Senior Citizens Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Arnott Cr Francis Cr Kafer
11	Salt Ash Community Hall	To assist Council in the management of Salt Ash Community Hall.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	C Doohan Cr Tucker Cr Wells
12	Salt Ash Sports Ground Committee	To assist Council in the management, maintenance and improvements to Salt Ash Sports Ground.	Committees are required to hold at least three meetings per year at a time to be decided by the committee	Facilities & Infrastructure	As resolved by Council	Cr Doohan Cr Tucker Cr Wells
13	Strategic Arts Committee	To provide input into Port Stephens Council strategic policy, plans and programs relating to culture and the arts. To assist Council identify the existing and future requirements for arts and cultural facilities across Port Stephens.	Quarterly	Community Futures	As resolved by Council	Mayor Palmer Cr Francis Cr Kafer Cr Tucker
14	Tanilba Foreshore Hall Committee	To assist Council in the management of Tanilba Bay Foreshore Hall.	Committees are required to hold at least three meetings per year at a time determined by the committee	Facilities & Infrastructure	As resolved by Council	Cr Tucker Cr Wells
15	Tilligerry Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	Every 4 months— February, June, October 3rd Monday	Facilities & Infrastructure	As resolved by Council	Mayor Palmer Cr Doohan Cr Tucker Cr Wells

ITEM 2 - ATTACHMENT 1 22 OCTOBER 2024 - ORDINARY COUNCIL MINUTE NO. 202.**MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024****ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.**

Ref	Committee Name	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
16	Tomaree Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	Committee meets on the 4th Wednesday of February, May, August, November	Facilities & Services	As resolved by Council	Mayor Palmer Cr Anderson Cr Bailey Cr Dunkley
17	West Ward Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	Every 4 months – February, June, October 2nd Monday	Facilities & Infrastructure	As resolved by Council	Mayor Palmer Cr Arnott Cr Francis Cr Kafer

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

REGIONAL COMMITTEES AND OTHER GROUPS

Ref	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
18	AGL Newcastle Gas Storage Facility Community Dialogue Group	The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.	Quarterly – March, June, September, December	General Manager's Office	Mayor	Mayor Palmer
19	Birubi Point Cultural Heritage Advisory Panel	To advise Port Stephens Council on the management plan required to protect the Worimi cultural and spiritual heritage and enhance the environment of the Birubi Point Crown Reserve and Birubi Point Aboriginal Place.	Meets 3 times per year	Community Futures	1 Councillor	Cr Wells
20	Brandy Hill Quarry Community Consultative Committee	The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.	Quarterly - February, May, August and November	General Manager's Office	1 Councillor	Cr Arnott <u>Alternate</u> Cr Kafer <u>Alternate, as required</u> Assets Section Manager/ Strategy & Environment Section Manager
21	Cabbage Tree Road Community Consultative Committee	The purpose of the committee is to provide an advisory forum of community representatives to meet requirements of the development consent.	Quarterly	Corporate Strategy & Support	1 Councillor	Cr Kafer <u>Alternate</u> Cr Arnott
22	Comprehensive Koala Plan of Management Implementation Committee	Responsible for overseeing the implementation of the Port Stephens Council Comprehensive Koala Plan of Management.	Meets quarterly	Community Futures	1 Councillor	Cr Anderson <u>Alternate</u> Cr Kafer

ITEM 2 - ATTACHMENT 1 22 OCTOBER 2024 - ORDINARY COUNCIL MINUTE NO. 202.

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ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
23	Communication and Engagement Advisory Panel	The purpose is the delivery of transparent communications and meaningful community engagement. To provide information, advice and guidance on development and delivery of Council communications and engagement programs to ensure a diversity of voices participates in decision making for their place.	2 to 6 meetings per year	Community Futures	1 Councillor from each Ward.	Mayor Palmer Cr Anderson Cr Wells Cr Kafer
24	Community Support Fund Formerly Community Funding Program	To make recommendations to Council on applications received through the Grants process.	Annual	Community Futures	Mayor 1 Councillor from each Ward	Mayor Palmer Cr Arnett Cr Doohan Cr Dunkley <u>Alternate</u> Cr Anderson - East Ward Cr Wells - Central Ward
25	Environment Advisory Panel	To provide community representation for consultation, advice and advocacy on environmental matters in Port Stephens.	4 time per year	Community Futures	2 Councillors	Cr Anderson (chair) <u>Alternate</u> Cr Francis
26	General Manager Performance Review Panel	To conduct evaluation of the performance of the General Manager.	At least annual	Mayor's Office	Mayor Deputy Mayor 1 Councillor nominated by Council 1 Councillor nominated by the General Manager	Mayor Palmer Cr Anderson Cr Arnett (nominated by the Council) Plus a Councillor nominated at the time by the General Manager
27	Heritage Advisory Panel	To provide community representation for consultation, advice and advocacy of heritage matters in Port Stephens.	4 time per year	Community Futures	2 Councillors	Cr Wells (chair) <u>Alternate</u> Cr Kafer

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MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
28	Hunter Joint Organisation	The Hunter Joint Organisation is a collaborative body that brings together the 10 councils in the region to provide a united and local voice for our communities. As the hub for local intergovernmental collaboration, the organisation's statutory mandate includes identifying key regional strategic priorities, advocating for these priorities, and building collaborations around these priorities with other levels of government, industry and community.	Bi-monthly	General Manager's Office	Mayor	Mayor Palmer
29	International Women's Day Scholarship Panel	This panel assesses the applications for the International Women's Day scholarship.	Annual	General Manager's Office	Mayor 1 Councillor from each Ward	Mayor Palmer Cr Anderson Cr Francis Cr Tucker
30	Customer and Community Advisory Group (CCAG)	This committee is an advisory committee to Hunter Water Corporation.	Meets quarterly	General Manager's Office	1 Councillor	Cr Francis Alternate Cr Kafer
31	Hunter and Central Coast Regional Planning Panel	To consider development applications referred to the Panel under the legislation for development applications for the Port Stephens Local Government area. The Panel comprises of 3 State members and 2 Councillors. The term is for 3 years for each Panel member.	As required	Community Futures	2 elected members	Mayor Palmer Cr Arnott Alternates Cr Anderson Cr Tucker Strategy & Environment Section Manager

ITEM 2 - ATTACHMENT 1 22 OCTOBER 2024 - ORDINARY COUNCIL MINUTE NO. 202.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
32	Local Government Community Safety & Crime Prevention Network NSW	To provide a forum for local community members, service providers, businesses and the police to discuss issues and appropriate strategies relating to crime and community safety. Note: This is a Committee of the Port Stephens Local Area Command. Membership is by invitation from the Local Area Commander. Council's delegate is the Mayor.	Meets quarterly	Facilities & Infrastructure	Mayor	Mayor Palmer
33	Local Traffic Committee	This is an RTA-based committee which allows Council to have delegated authority to install or remove regulatory sign posting on public roads.	Meets 1 st Tuesday of the month	Facilities & Infrastructure	1 Councillor	Mayor Palmer Cr Anderson <u>Alternate</u> Cr Kafer
34	Lower Hunter Bushfire Management Committee	The committee is a legislative requirement and is to discuss direction across local government areas and across agencies in regard to bushfire management.	Meets quarterly	Facilities & Infrastructure	2 Councillors	Cr Arnott Cr Kafer
35	Lower Hunter Community Advisory Group	The Group is managed by Hunter Local Land Services (HLLS). The purpose is to provide an opportunity the HLLS to engage with stakeholders on a range matters, including strategic direction and programs.	Meets annual	General Manager's Office	1 Councillor	Cr Francis
36	Marine Parks Advisory Panel Ministerial Appointment	Community Consultative Committee regarding the proposed Marine Park in Port Stephens.	Meets a minimum of twice a year	Community Futures	1 Councillor	Cr Anderson

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
37	NSW Public Libraries Association (Central East Zone)	The purpose of the Association is to champion the public library cause, strengthen the public library network, advocate effectively, foster cooperation and collaboration, build trust and support, initiate partnerships and share relevant information	Meets 3 times per year	Facilities & Infrastructure	As resolved by Council	Cr Wells
38	Port Stephens Floodplain Advisory Panel	To provide advice on flood/floodplain management studies/plans	As required	Facilities & Infrastructure	1 Councillor	Cr Francis <u>Alternate</u> Cr Arnott
39	Port Stephens Local Health Committee	To provide leadership in the community to: <ul style="list-style-type: none"> • Ensure health services meet local community health needs • Promote health services and initiatives • Enhance the health of the community. 	Meets 3 to 4 times per year	Community Futures	1 Councillor 1 alternate	Cr Anderson <u>Alternate</u> Cr Tucker
40	Port Stephens/Myall Lakes Estuary and Coastal Zone Management Committee	This Committee includes representatives from Great Lakes Council and is responsible for long term planning for the estuary and the coastline.	As required	Community Futures	1 Councillor	Cr Bailey <u>Alternate</u> Cr Anderson
41	RFS District Liaison Committee	To review the progress of the service level agreement between Port Stephens Council and NSW Rural Fire Service in the local government area.	As set by RFS	Facilities & Infrastructure	1 Councillor	Cr Arnott <u>Alternate</u> Mayor Palmer
42	Salt Ash Sand Project Community Consultative Committee	The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.	As required	General Manager's Office	1 Councillor	Cr Doohan <u>Alternate</u> Cr Wells

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ITEM 6 - ATTACHMENT 1 355(C) COMMITTEES AND REGIONAL COMMITTEES AND GROUPS.

Ref	Name of Organisation	Purpose of Committee	Meeting cycle	Group	Number of elected members required	Former Delegates
43	Stone Ridge Community Consultative Committee	The purpose of the committee is to provide an advisory forum of community representatives to meet requirements of the development consent.	Quarterly	General Manager's Office	1 Councillor	Cr Francis <u>Alternate</u> Cr Arnott
44	Tomaree Lodge Community Engagement Committee Note: The Mayor has been asked to Chair this Committee.	The purpose of the Community Engagement Committee is to: <ul style="list-style-type: none"> Act as a community "sounding board" in Stage 1 planning for the site. Provide feedback, advice and guidance to DCJ on proposed amenity improvements. Assist DCJ and other NSW Government agencies in developing strategies or approaches to promote the appropriate short-term use of the site while protecting the site's heritage, environmental and culturally significant artefacts, and history. Act as a key stakeholder in Stage 2 planning to ensure a diversity of voices participate in decision making for this important site. 	Up to 6 times per year	General Manager's Office	Mayor only	New
45	Williamtown Consultative Committee Forum	To provide a forum for the residents of Williamtown area to discuss relevant issues with Federal, State and Local Government elected members and Agencies.	Annually	General Manager's Office	Mayor	Mayor Palmer (General Manager)
46	Worimi Conservation Lands Board of Management Ministerial Appointment	To oversee the management of the lands owned by the Aboriginal owners and leased back to the NSW Government.	Meets 4 times a year	General Manager's Office	1 Councillor alternate	Cr Bailey <u>Alternate</u> Cr Francis

ITEM 2 - ATTACHMENT 2 COMMITTEES AND GROUPS ATTENDANCE LIST - OCTOBER 2024 TO APRIL 2025.

Committees and Groups Attendance List - October 2024 to April 2025						
No.	Committee Name	Meeting Cycle	Directorate	Delegates	Meeting Date	Attendees
1	Aboriginal Strategic Committee	Quarterly	Community Futures	Mayor Anderson Cr Francis	1/04/2025	Meeting cancelled.
2	Audit Risk and Improvement Committee (ARIC)	At least 4 times a year or when necessary	General Manager's Office	Cr Wells	10/10/2024 27/02/2025	Delegate not appointed as this time. Cr Wells
3	Hinton School of Arts Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Facilities & Infrastructure	Cr Amott Cr Francis Cr Le Mottee	28/10/2024 19/02/2025	Nil Nil
4	Karuah Community Hall Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee.	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	13/03/2025	Cr Wells
5	Lemon Tree Passage Old School Centre Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	20/10/2024 17/02/2025	Cr Wells Cr Wells
6	Medowie Sports Council	Meets every 3 months - February, May, August, November 1st Monday of the month	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	30/10/2024 19/03/2025	Cr Wells Cr Ben Niland Cr Wells
7	Nelson Bay Community Hall Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Facilities & Infrastructure	Cr Armstrong Cr Errington Cr Watson	06/11/2024 19/02/2025	Cr Armstrong Cr Errington Nil
8	Port Stephens Australia Day Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Community Futures	Mayor Anderson Cr Amott Cr Errington Cr Francis Cr Niland	04/11/2024 13/03/2025	Mayor Anderson Cr Armstrong Cr Errington Cr Francis Mayor Anderson Cr Amott Cr Errington
9	Port Stephens Sister Cities Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	General Manager's Office	Mayor Anderson Cr Armstrong Cr Francis Cr Wells	20/11/2024 18/12/2024 19/02/2025 19/03/2025	Mayor Anderson Cr Armstrong Nil Cr Armstrong Cr Armstrong
10	Raymond Terrace Senior Citizens Hall Management Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Facilities & Infrastructure	Cr Amott Cr Francis Cr Le Mottee	3/03/2025	Cr Francis
11	Salt Ash Community Hall	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	29/11/2024 21/02/2025	Cr Wells Cr Wells Cr Niland
12	Salt Ash Sports Ground Committee	Committees are required to hold at least 3 meetings per year at a time to be decided by the committee	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	19/02/2025	Nil
13	Strategic Arts Committee	Quarterly	Community Futures	Mayor Anderson Cr Armstrong Cr Francis Cr Wells	12/03/2025	Mayor Anderson Cr Armstrong
14	Tanilba Foreshore Hall Committee	Committees are required to hold at least 3 meetings per year at a time determined by the committee	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	12/10/2024 8/02/2025	Nil Cr Niland Cr Wells

ITEM 2 - ATTACHMENT 2 COMMITTEES AND GROUPS ATTENDANCE LIST - OCTOBER 2024 TO APRIL 2025.

15	Tilligerry Sports Council	3rd Monday every 4 months - February, June and October	Facilities & Infrastructure	Cr Doohan Cr Niland Cr Wells	06/11/2024 05/03/2025	Cr Jason Wells Cr Jason Wells
16	Tomaree Sports Council	4th Wednesday - February, May, August and November	Facilities & Infrastructure	Cr Armstrong Cr Errington Cr Watson	23/10/2024 24/02/2025	Mayor Anderson Cr Errington Cr Mark Watson Cr Errington
17	West Ward Sports Council	2nd Monday every 4 months - February, June, October	Facilities & Infrastructure	Cr Amott Cr Errington Cr Francis Cr Le Mottee	11/11/2024 10/03/2025	Mayor Anderson Nil
18	AGL Newcastle Gas Storage Facility Community Dialogue Group	Quarterly – March, June, September, December	General Manager's Office	Mayor Anderson	28/11/2024 26/02/2025	Staff representative Staff representative
19	Birubi Point Cultural Heritage Advisory Panel	3 times / year	Community Futures	Cr Wells Alternate - Cr Doohan	01/11/2024 04/04/2025	Nil Nil
20	Brandy Hill Quarry Community Consultative Committee	Bi-annually	General Manager's Office	Cr Francis Alternate - Cr Amott Alternate, as required - Assets Section Manager/Strategy & Environment Section Manager	16/10/2024	Nil
21	Cabbage Tree Road Community Consultative Committee	Quarterly	Corporate Strategy & Support	Cr Amott Alternate - Cr Francis	17/12/2024 11/03/2025	Staff representative Staff representative
22	Comprehensive Koala Plan of Management Implementation Committee	Quarterly	Community Futures	Mayor Anderson Alternate - Cr Armstrong	06/11/2024 12/02/2025	Mayor Anderson Mayor Anderson Cr Armstrong
23	Communication and Engagement Advisory Group	2 to 6 meetings per year	Community Futures	Mayor Anderson Cr Armstrong Cr Francis Cr Niland Cr Watson Cr Wells	16/04/2025	Mayor Anderson Cr Armstrong Cr Francis Cr Watson Cr Wells
24	Community Support Fund	Annual	Community Futures	Mayor Anderson Cr Armstrong Cr Errington Cr Francis Cr Niland Alternates - Cr Amott Cr Doohan Cr Watson Cr Wells	20/03/2025	Mayor Anderson Cr Errington Cr Niland Cr Armstrong
25	Disability Inclusion and Access and Advisory Group	3 times per year	Community Futures	Cr Wells (co- Chair) Cr Armstrong		Group has not been formed as yet. Expressions of interest are currently open.
26	Environmental Advisory Group	4 times per year	Community Futures	Mayor Anderson (Chair) Cr Armstrong Alternate - Cr Doohan	26/02/2025	Mayor Anderson Cr Armstrong

ITEM 2 - ATTACHMENT 2 COMMITTEES AND GROUPS ATTENDANCE LIST - OCTOBER 2024 TO APRIL 2025.

27	General Manager's Performance Review	At least annual	Mayor's Office	Mayor Anderson Cr Amott Plus a Councillor nominated at the time by the General Manager		No meetings held.
28	Heritage Advisory Group	4 times per year	Community Futures	Cr Wells Alternate - Cr Armstrong	27/03/2025	Cr Wells Cr Armstrong
29	Homelessness Stakeholder Advocacy Group	Twice per year	Community Futures	Mayor Anderson Cr Armstrong Cr Errington Cr Le Mottee	10/02/2025	Mayor Anderson Cr Errington
30	Hunter Joint Organisation	Bi-monthly	General Manager's Office	Mayor Anderson	24/10/2024 12/12/2024 13/02/2025 10/04/2025	Mayor Anderson Mayor Anderson Mayor Anderson Mayor Anderson
31	International Women's Day Scholarship Panel	Annual	General Manager's Office	Mayor Anderson Cr Armstrong Cr Doohan Cr Francis Cr Wells	24/02/2025	Mayor Anderson Cr Armstrong Cr Wells
32	Customer and Community Advisory Group (CCAG) (Hunter Water Corporation)	Meets quarterly	General Manager's Office	Cr Francis Alternate - Cr Le Mottee	12/11/2024 24/03/2025	Cr Francis Nil
33	Hunter and Central Coast Planning Panel	As required	Community Futures	Mayor Anderson Cr Amott Alternates - Cr Errington Cr Francis Cr Niland	14/01/2025 17/02/2025 04/03/2025	Mayor Anderson Cr Amott Mayor Anderson Cr Amott Mayor Anderson Cr Amott
34	Local Government Community Safety & Crime Prevention Network for NSW	Bi-annually	Facilities & Infrastructure	Mayor Anderson	17/03/2025	Nil
35	Local Traffic Committee	1st Tuesday of every month	Facilities & Infrastructure	Mayor Anderson Cr Niland Alternate - Cr Errington	05/11/2024 03/12/2024 04/02/2025 01/04/2025	Mayor Anderson Cr Niland Mayor Anderson Cr Niland Nil Cr Niland
36	Lower Hunter Bushfire Management Committee	Meets quarterly	Facilities & Infrastructure	Cr Amott Cr Watson Alternate - Mayor Anderson	5/03/2025	Cr Amott
37	Lower Hunter Community Advisory Group (Local Land Services)	Meets annually	General Manager's Office	Cr Francis Alternate - Cr Le Mottee		This Committee no longer exists.
38	Marine Parks Advisory Panel	Meets a minimum of twice a year	Community Futures	Mayor Anderson Alternates - Cr Armstrong Cr Watson		No meetings held.
39	NSW Public Libraries Association (Central East Zone)	Meets 3 times per year	Facilities & Infrastructure	Cr Wells Alternate - Cr Armstrong	27/02/2025	Nil

ITEM 2 - ATTACHMENT 2 COMMITTEES AND GROUPS ATTENDANCE LIST - OCTOBER 2024 TO APRIL 2025.

40	Port Stephens Floodplain Advisory Panel	As required	Facilities & Infrastructure	Cr Francis Alternates - Cr Arnott Cr Errington		No meetings held.
41	Port Stephens Local Heath Committee	Meets 3 to 4 times per year	Community Futures	Cr Armstrong Alternate - Mayor Anderson	05/12/2024 12/02/2025	Cr Armstrong Cr Armstrong
42	Port Stephens/Myall Lakes Estuary and Coastal Zone Management Committee	As required	Community Futures	Cr Armstrong Alternate - Mayor Anderson		No meetings held.
43	RFS District Liaison Committee Meeting	As set by RFS	Facilities & Infrastructure	Cr Arnott Alternate - Cr Watson		No meetings held.
44	Salt Ash Sand Project Community Consultative Committee	As required	General Manager's Office	Cr Doohan Alternate - Cr Wells		This Committee has been paused.
45	Stone Ridge Community Consultative Committee	Quarterly	General Manager's Office	Cr Francis Alternates - Cr Arnott Cr Le Mottee		Committee is not meeting.
46	Tomaree Lodge Community Engagement Committee	Up to 6 times per year	General Manager's Office	Mayor Anderson	16/10/2024 20/02/2025 15/05/2025	Mayor Anderson Mayor Anderson Mayor Anderson
47	Williamstown Consultative Committee Forum	Annually	General Manager's Office	Mayor Anderson (General Manager)		No meetings held.
48	Worimi Conservation Lands Board of Management	Meets 4 times a year	General Manager's Office	Cr Francis Alternate - Mayor Anderson		Council delegates are yet to be appointed by the Minister.

ITEM NO. 3

**FILE NO: 25/129912
EDRMS NO: PSC2024-01273**

ANNUAL DISCLOSURE OF INTEREST RETURNS FOR 2025 TO 2026

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

BACKGROUND

The purpose of this report is to advise Council of the Mayor, Councillors and persons designated for the submission of pecuniary interest returns for the period 1 July 2025 to 30 June 2026.

Elected Members

Mayor Leah Anderson
Cr Rosalyn Armstrong
Cr Giacomo Arnott
Cr Chris Doohan
Cr Nathan Errington
Cr Peter Francis
Cr Paul Le Mottee
Cr Ben Niland
Cr Mark Watson
Cr Jason Wells

Audit, Risk and Improvement Committee

Chairperson
Independent members (2)

General Manager's Office

General Manager
Governance Section Manager
Legal Services Manager
Lawyer

Corporate Strategy and Support

Director Corporate Strategy and Support
Financial Services Section Manager
Organisation Support Section Manager
Principal Investment and Development Coordinator

Community Futures

Building & Certification Coordinator
Business Development & Marketing Manager
Communications and Customer Experience Section Manager
Community, Economy and Place Team Leader
Compliance Coordinator
Compliance Team Leader
Development and Compliance Section Manager
Development Planning Coordinator
Director Community Futures
Environmental Health Team Leader
Environmental Planning Team Leader
Environmental Strategy Team Leader
Events, Arts and Culture Team Leader
Holiday Parks Section Manager
Natural Systems Coordinator
Principal Building Surveyor
Principal Development Planner
Principal Strategic Planner
Ranger Team Leader
Senior Building Surveyor
Senior Building Surveyor – Certifications
Senior Building Surveyor (Fire Safety)
Senior Development Planner (2)
Senior Environmental Health Officer
Senior Ranger
Senior Strategic Planner (2)
Senior Strategic Planner – Growth and Infrastructure
Strategic Planning Coordinator
Strategy and Environment Section Manager
Vibrant Places Coordinator

Facilities and Infrastructure

Assets Section Manager
Capital Works Section Manager
Community Services Section Manager
Director Facilities and Infrastructure
Public Domain and Services Section Manager
Senior Development Engineer

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 4

**FILE NO: 25/116145
EDRMS NO: PSC2024-01273**

DESIGNATED PERSONS' RETURN

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

BACKGROUND

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

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

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

- Ranger PSC020.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

ITEM NO. 5

FILE NO: 25/105785
EDRMS NO: PSC2009-00965

DELEGATIONS REPORT

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

BACKGROUND

The purpose of this report is to advise Council of each occasion the Mayor and/or General Manager have exercised their delegations, other than under section 226 and 335 of the Local Government Act 1993, which are conferred on each role.

The report at **(ATTACHMENT 1)** provides details of the delegation exercised, such as the delegated authority, the date and the reason for exercising the delegation.

ATTACHMENTS

1) Delegations Report.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 5 - ATTACHMENT 1 DELEGATIONS REPORT.
MAYOR AND GENERAL MANAGER DELEGATION REPORT

Date exercised	Delegations exercised	Purpose	Role exercising delegation	Reported to Council
23 April 2025	Clause 178 of the Local Government (General) Regulation 2021	T098-2025 - Tomaree Sports Complex Drainage Upgrade	General Manager	10 June 2025
24 April 2025	Clause 178 of the Local Government (General) Regulation 2021	T119-2025 - East Seaham Road - Road Reconstruction	General Manager	10 June 2025
2-May-25	Roads and Maritime Services delegations	Authorises the installation, display, removal or alteration of the traffic control devices for the listed items identified in the minutes of the Port Stephens Local Traffic Committee report dated 1 April 2025.	General Manager	10 June 2025
8-May-25	Clause 178 of the Local Government (General) Regulation 2021	RFQ129-2025 - East Seaham Road - Precast Drainage (LGP420)	General Manager	10 June 2025
6-May-25	Code of Meeting Practice	Approval of Public Access application on Planning Proposal - Anna Bay East	Mayor	10 June 2025
9-May-25	Code of Meeting Practice	Approval of Public Access application on Planning Proposal - Anna Bay East	Mayor	10 June 2025
12-May-25	Code of Meeting Practice	Approval of Public Access application on Planning Proposal - Anna Bay East	Mayor	10 June 2025
13-May-25	Code of Meeting Practice	Approval of Public Access application on Planning Proposal - Anna Bay East	Mayor	10 June 2025
28-May-25	Roads and Maritime Services delegations	Authorises the installation, display, removal or alteration of the traffic control devices for the listed items identified in the minutes of the Port Stephens Local Traffic Committee report dated 6 May 2025.	General Manager	10 June 2025

ITEM NO. 6

**FILE NO: 25/105784
EDRMS NO: PSC2017-00106**

COUNCIL RESOLUTIONS

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

BACKGROUND

The purpose of this report is to inform the Mayor and Councillors of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

ATTACHMENTS

- 1) Community Futures resolutions.
- 2) Corporate Strategy and Support resolutions.
- 3) Facilities and Infrastructure resolutions.
- 4) General Manager's Office resolutions.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



Action Sheets Report	Division:	Community Futures	Date From:	21/02/2025
	Committee:		Date To:	13/05/2025
	Officer:		Printed:	Wednesday, 28 May 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/02/2025	Lamont, Brock	Tree Vandalism Policy	31/10/2025	26/02/2025	
1 021		Peart, Steven				25/43931
28 May 2025 Consultation has commenced with the Environmental Advisory Group. A report back to Council is anticipated in October 2025.						

ITEM 6 - ATTACHMENT 2 CORPORATE STRATEGY AND SUPPORT RESOLUTIONS.



Action Sheets Report	Division:	Corporate Strategy and Support	Date From:	11/10/2022
	Committee:		Date To:	13/05/2025
	Officer:		Printed: Wednesday, 28 May 2025	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Property Investment and Development Policy	30/07/2025	12/10/2022	
1		Pattison, Zoe				22/273002
28 May 2025						
Further clarification on the distribution of funds has been completed. A report will be provided back to Council in July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Acquisition and Divestment of Land	30/07/2025	12/10/2022	
2		Pattison, Zoe				22/273002
28 May 2025						
Report deferred to allow for further clarification on the distribution of funds. A report will be provided back to Council in July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Pattison, Zoe	22 Homestead Street, Salamander Bay	30/06/2025	12/04/2023	
5		Pattison, Zoe				23/92450
088						
28 May 2025						
Council is investigating options for the rezoning of 22 Homestead Street, Salamander Bay, and the development of a Vegetation Management Plan, to provide the best opportunity to enable a successful long-term rehabilitation of the site.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/08/2023	Pattison, Zoe	Raymond Terrace Gateway Site Masterplan	31/12/2025		
1		Pattison, Zoe				23/214729
193						
28 May 2025						
Following a two way conversation with Councillors in November 2023, the options presented will be included in the context of the broader Raymond Terrace town centre improvements.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/06/2024	Dodds, Melissa	Policy Review: Public Access to State Records after 20 Years Policy	30/07/2025	12/06/2024	
4		Pattison, Zoe				24/145208
28 May 2025						
The exhibition period has closed with no formal submissions being received during this time. The policy will go back to Council in July 2025.						

ITEM 6 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE RESOLUTIONS.



Action Sheets Report	Division:	Facilities and Infrastructure	Date From:	27/08/2013
	Committee:		Date To:	13/05/2025
	Officer:		Printed:	Wednesday, 28 May 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 27/08/2013	Maretich, John Kable, Gregory	Campvale Drain	31/12/2025		
28 May 2025 Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report 2 085	Ordinary Council 11/04/2023	Maretich, John Kable, Gregory	Naming Recreation Precinct at Medowie after Geoff Dingle	31/12/2025	12/04/2023	23/92450
28 May 2025 Once the reserve has been subdivided as per the Medowie Place Plan, an application will be submitted to the Geographical Naming Board to name the recreation precinct after Geoff Dingle.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report 1	Ordinary Council 28/11/2023	Maretich, John Kable, Gregory	Sale of closed roads in Raymond Terrace	30/06/2025	29/11/2023	23/324875
28 May 2025 1 road sold and in settlement stage. 1 road moved to closed road reserve. An Expression of Interest (EOI) for the remaining road is near completion.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report 1	Ordinary Council 28/05/2024	Maretich, John Kable, Gregory	Bus Stop Infrastructure Plan	30/06/2025	29/05/2024	24/131056
28 May 2025 Staff are continuing to review the bus stop infrastructure.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report 2	Ordinary Council 9/07/2024	Maretich, John Kable, Gregory	Maintenance of Gravel Roads	30/06/2025	10/07/2024	24/176219
27 May 2025 A two way has been scheduled for 17 June 2025.						

ITEM 6 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE RESOLUTIONS.



Action Sheets Report	Division:	Facilities and Infrastructure	Date From:	27/08/2013
	Committee:		Date To:	13/05/2025
	Officer:		Printed:	Wednesday, 28 May 2025

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 23/07/2024	Maretich, John	Raymond Terrace Boat Ramp	31/12/2025	24/07/2024	
6		Kable, Gregory				24/189773
28 May 2025						
A two way conversation and a report will be provided to Council once funding opportunities are available that will help determine the scope of works.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/11/2024	Donaldson, Cameron	Renewal of Lease - 49 William Street, Raymond Terrace	30/06/2025	13/11/2024	
1		Kable, Gregory				24/307858
128						
28 May 2025						
The draft lease has been forwarded to Best & Less, Council is awaiting a response.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/12/2024	Maretich, John	Bus Shelters in Port Stephens	31/07/2025	11/12/2024	
1		Kable, Gregory				24/333356
28 May 2025						
Bus Shelter Policy has been endorsed and staff will review further actions for EOI.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/04/2025	Maretich, John	Policy Review - Provision and Management of Cemeteries	31/08/2025	9/04/2025	
3		Kable, Gregory				25/88314
078						
28 May 2025						
The policy has been deferred until the Ordinary Council meeting to be held on 24 June 2025. Further conversations with Councillors have been scheduled.						



Division:	General Manager's Office	Date From:	25/03/2025
Committee:		Date To:	13/05/2025
Officer:		Printed:	
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/03/2025	Wickham, Tony	Initiation of a Proposal to Alter the Port Stephens Local Government Boundaries	30/06/2025	26/03/2025	
4		Crosdale, Timothy				25/73848
063						
28 May 2025						
Correspondence has been forwarded to the neighbouring Councils and a Two Way Conversation will be scheduled.						

NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 25/112443

EDRMS NO: PSC2024-03148

TRIAL OF TOMAREE SHUTTLE BUS

COUNCILLOR: MARK WATSON

THAT COUNCIL:

- 1) Acknowledge the challenge presented by the high number of visitors during the recent Easter/ANZAC peak season, with an average of 1,500 people passing by the Tomaree Headland Help Desk daily, and the resulting difficulty in providing adequate parking.
 - 2) Request the General Manager to report to Council with a comprehensive evaluation of a shuttle bus service, including potential costs associated with implementation, and present various options for operational models and funding sources.
 - 3) Shuttle bus service is for the next peak season to transport visitors to Tomaree Headland and the surrounding areas in a more efficient and sustainable manner.
-

BACKGROUND REPORT OF: JOHN MARETICH – ASSETS SECTION MANAGER

BACKGROUND

The eastern end of Shoal Bay foreshore is a known point of traffic congestion with limited space for vehicles to move in and out of this area. Also, parking demand regularly exceeds available parking spaces during peak periods such as Christmas and Easter holidays. Opportunities for Council to provide additional parking or a larger area for vehicles to turn around are limited due to land availability.

During the recent Easter/ANZAC peak season, it was observed by community groups that on average 1,500 people passed by the Tomaree Headland Help Desk each day to explore Tomaree Headland and its surrounding areas.

The recently built National Parks coastal walkway has increased the popularity of the area. As a result, this has decreased parking availability and increased traffic congestion.

FINANCIAL/RESOURCE IMPLICATIONS

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

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 2

FILE NO: 25/120057

EDRMS NO: PSC2024-03148

TOMAREE SPORTS COMPLEX MASTERPLAN

COUNCILLOR: MARK WATSON

THAT COUNCIL:

- 1) Request the General Manager to work with Tomaree Sports Council to seek funding to expedite the updating and review of the Tomaree Sports Complex Masterplan.
- 2) That the master planning consultation includes the consideration of a new indoor multisport facility, as recommended and endorsed unanimously by the Tomaree Sports Council. The Tomaree Sports Council has recommended the facility be co-located with the Tomaree Aquatic Centre. The Tomaree Sports Complex Masterplan should include the co-location as an option during the masterplan analysis.

BACKGROUND REPORT OF: JOHN MARETICH – ASSETS SECTION MANAGER

BACKGROUND

The Tomaree Sports Complex in Nelson Bay is a regional level sporting facility that caters for a range of sports including soccer, touch football, cricket, netball and AFL. The Tomaree Sports Complex Masterplan (masterplan) was adopted for this facility in 2018 setting out the desired vision and future upgrades required to meet the sporting needs of the community.

Since the masterplan's adoption, a number of projects have been completed and the apparent needs of the sporting community are changing. Consistent with participation trends across the country, people are seeking recreational opportunities that are available at convenient times, protected from the weather and co-located with complementary uses such as other recreational facilities. Another evident trend is a preference for alternative models of traditional sports such as a move towards pickle ball as opposed to tennis.

Planning for an indoor sports facility at Tomaree Sports Complex may be an effective response to addressing the changing recreational needs of the community.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Staff resources required to update the masterplan may be accommodated within existing operational budgets.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		The updated masterplan would require the input of a consultant and incur a service fee.

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 3

FILE NO: 25/133737

EDRMS NO: PSC2024-03148

KINGS HILL PRECINCTS 6 AND 7

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Notes that the Kings Hill Concept Master Plan DA (16-2018-772-1) has been refused by the Hunter & Central Coast Regional Planning Panel, refused by the Land and Environment Court on appeal, with the Court refusal upheld by the appeals Court.
 - 2) Notes that Kingshill Development No 1 Pty Ltd has lodged DA's for Precincts '6 and 7' with Council, seeking their separate assessment as individual DAs.
 - 3) Notes that Precincts '6 and 7' were both subject to the refusals in Point 1.
 - 4) Requests the General Manager to write to the NSW Minister for Planning with the following requests:
 - a) Agreement for Precincts 6 and 7 to be assessed under the State Significant Development Pathway alongside the balance of the Kings Hill Urban Release Area, which has been submitted for SSD status, or failing that,
 - b) Agreement for the Precinct 6 and 7 DAs under assessment by Council to be handed over to the Hunter & Central Coast Regional Planning Panel, noting their adjacency and the links between both developments meaning they should be considered jointly and if they had been lodged jointly, would have been referred to the Hunter & Central Coast Regional Planning Panel for determination, or failing that,
 - c) Agreement that the Precinct 6 and 7 DA's should be considered jointly, which would trigger referral to the Hunter & Central Coast Regional Planning Panel as the determining authority.
-

BACKGROUND REPORT OF: RYAN FALKENMIRE – DEVELOPMENT AND COMPLIANCE SECTION MANAGER

BACKGROUND

The Kings Hill Urban Release Area (KHURA) was rezoned by Council in 2010 as a major residential area for the development of residential dwellings, including a town centre, mixed use precincts, recreation areas and school site.

Kingshill Development No 1 Pty Ltd (KHD P/L) is the majority landowner within the KHURA, holding approximately 64% of the total URA land area across Lot 41 DP

1037411 and Lot 4821 DP 852073, known as 3221 Pacific Highway and 35 Six Mile Road, Kings Hill.

Since the rezoning, a Concept Master Plan DA (16-2018-772-1) was lodged over the KHD P/L landholdings that was subsequently refused by the Hunter & Central Coast Regional Planning Panel. The refusal by the Regional Planning Panel was appealed by KHD P/L in the Land and Environment Court, with the Court upholding the refusal. A subsequent appeal was filed by KHD P/L, seeking to overturn the Land and Environment Court decision on various grounds, although the appeal was dismissed.

In March 2024, KHD P/L lodged 2 new Development Applications (DAs) (DA16-2024-158-1 and DA16-2024-174-1) with Council across Precincts 6 and 7 respectively, located in the western part of the URA on the Newline Road frontage. Both DAs seek approval for residential subdivision, infrastructure, vegetation removal and subdivision works. Both DA16-2024-158-1 and DA16-2024-174-1 remain under assessment and have been called to Council in accordance with the 'Council Related Planning Matters Policy'. Council is the delegated consent authority for both DAs given the development investment value and scale for each respective DA is below the regionally significant development thresholds as prescribed under the State Environmental Planning Policy (Planning Systems) 2021.

KHD P/L has recently informed Council they are preparing to progress the balance of landholdings beyond Precinct 6 and 7 (Precincts 1-5) via the State Significant Development Assessment (SSDA) pathway. KHD P/L will continue to progress with the Precinct 6 and 7 DAs currently under assessment via the local development approval pathway, with Council being the nominated consent authority.

FINANCIAL/RESOURCE IMPLICATIONS

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

ATTACHMENTS

Nil.