



PORT MACQUARIE-HASTINGS
COUNCIL



Coast, Estuary & Floodplain Advisory Sub- Committee

Business Paper

date of meeting: Thursday 26 November 2020

location: Via Skype

time: 2:00pm

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.

Coast, Estuary & Floodplain Sub-Committee

CHARTER

Adopted: OC 21/08/19

1.0 OBJECTIVES

- Assist Council in undertaking coast, estuary and floodplain management and planning.
- Assist Council in reviewing coast, estuary and floodplain studies, plans, and policies.
- Engage with and provide input to Council on other coast, estuary and floodplain matters and issues which are relevant to the Local Government Area.
- Provide and receive two-way feedback from the community.

2.0 KEY FUNCTIONS

- Advise Council on conditions and management issues for the coast, estuaries and floodplains of the Port Macquarie-Hastings Local Government Area.
- Advise Council on the development of coastal, estuary and floodplain management plans for the Port Macquarie-Hastings Local Government Area.
- Advise Council on the implementation of adopted coastal, estuary and floodplain management plans.
- Act as a Sub- Committee for the purpose of relevant NSW guidelines as they relate to coastal, estuary and floodplain management.

3.0 MEMBERSHIP

3.1 Members

Community Representatives			
Name	Title	Catchment	Coast, estuary, flood
Alan MacIntyre	Community Representative	Camden Haven	Coast and estuary
Vacant	Community Representative	Hastings	Coast and estuary
Bob Jolly	Community Representative	Lake Cathie	Coast and estuary
Kingsley Searle	Oyster Industry	Hastings	Coast and estuary
Tony Troup	Oyster Industry	Camden Haven	Coast and estuary
Paul Hyde	Fishing Industry	Hastings	Coast and estuary
Vacant	Development Industry	Hastings	Flood
Vacant	Development Industry	Camden Haven	Flood
Vacant	Community Representative	Hastings	Flood
Vacant	Community Representative	Camden Haven	Flood
Vacant	Community Representative Revive Lake Cathie (RLC)	Lake Cathie	Flood

Council Representatives	
Name	Title
Michael Cusato (Chairperson)	Councillor
	Director, Development & Environment
	Manager, Environmental Services
	Natural Resources Manager
	Environmental Projects Officer

Agency Representatives			
Name	Title	Organisation	Coast, estuary, flood
Tina Clemens	NRM Project Officer	DPI - Lands	All
Mick Northam Scott Anderson (alternative)	Fisheries Officer	DPI - Fisheries	Coast and estuary
Shane Robinson Geoff James (alternative)	Manager, Hastings Macleay Area North Coast Branch	DPIE - NPWS	Coast and estuary
John Schmidt Toong Chin (alternative)	Natural Resource Officer - Water, Floodplains & Coast	DPIE - Biodiversity and Conservation Division	Coast and estuary
Nic Denshire Toong Chin (alternative)	Principal Floodplain Officer - Water, Floodplains & Coast	DPIE - Biodiversity and Conservation Division	Flood
Paul Burg Maria Frazer (alternative)	Local Commander, Hastings Cluster	SES	Flood
Matt Dawson Andre Uljee (alternative)	Boating Safety Officer	RMS	Coast and estuary

3.2 Obligations of Members

- Act honestly and in good faith.
- To act professionally and respectfully.
- Act impartially at all times.
- Participate actively in the work of the Sub-Committee.
- Exercise the care, diligence and skill that would be expected of a reasonable person in comparable circumstances.
- Comply with this Charter at all times.
- Facilitate and encourage community engagement with the Sub-Committee and Council.
- As per Section 226 (c) of the NSW Local Government Act 1993, the Mayor is the principal spokesperson for the governing body and Councillors that are members of a Sub-Committee are to obtain the Mayor's agreement to make media and other statements. Further, only the Mayor, or a Councillor with the Mayor's agreement and otherwise in accordance with Council policies and procedures, may release Council information through media statements or otherwise, and the release of such information must be lawful under the Council adopted Code of Conduct.
- A Councillor as a member of a Sub-Committee or the Sub-Committee itself has no delegation or authority to make decisions on behalf of Council, nor to direct the business of Council. The only decision making power open to Councillors is through formal resolutions of Council.

- A Councillor as a member of a Sub-Committee or the Sub-Committee itself cannot direct staff and must abide by the decisions of Council and the policies of Council.
- Councillors, Council staff and members of this Sub-Committee must comply with the applicable provisions of Council's Code of Conduct in carrying out the functions as Council officials. It is the personal responsibility of Council officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

3.3 Member Tenure

Sub-Committee members will serve for a period of five (5) years after which Council will call expressions of interest for the next five (5) year period. Existing Sub-Committee members will be eligible to re-apply for a position and serve additional terms. Any changes in the composition of the Sub-Committee requires the approval of Council.

3.4 Appointment of Members

- A formal Expression of Interest process will be undertaken across the Local Government Area as a way of determining the independent representatives on the Sub-Committee.
- Applications from individuals and representatives from interest groups, and who meet the selection criteria will be encouraged.
- Council, by resolution duly passed, will appoint members to the Sub-Committee.

4.0 TIMETABLE OF MEETINGS

Meetings will be held quarterly as a minimum or more regularly if required. Meetings will generally be held at the main administration office of Port Macquarie-Hastings Council.

5.0 MEETING PRACTICES

5.1 Decision Making

- Recommendations of the Sub-Committee shall be by majority of the members present at each Meeting and each member shall have one (1) vote.
- The Chairperson shall not have a casting vote.
- In the event of an equality of votes on any matter, the matter shall be referred directly to Council's Executive Group and then to Council.
- Recommendations from the Sub-Committee are to be made through the relevant Director, who will determine under delegation, the process for implementation.
- The Sub-Committee has no delegation to allocate funding on behalf of Council. The Sub-Committee may make recommendations to Council about how funding should be spent in relation to the above-mentioned objectives, however those funds will only be applied and expended following a formal resolution of Council.
- The Sub-Committee may establish working groups to support actions and activities within the strategies or to assist in the delivery of projects and events as deemed appropriate. All projects are to be aligned with Council's suite of Integrated Planning and Reporting documents.

5.2 Quorum

The quorum for the Sub-Committee will be half of the members plus one. A quorum must include a minimum of one (1) Councillor and one (1) Council staff member being present.

5.3 Chairperson and Deputy Chairperson

- The Chairperson shall be the Councillor, Chair Coast, Estuary and Floodplain Sub-Committee
- At all Meetings of the Sub-Committee, the Chairperson shall occupy the Chair and preside. In the absence of the Chairperson the Director will act as Chairperson for that meeting.

5.4 Secretariat

- The Director is responsible for ensuring the Sub-Committee has adequate secretariat support.
- The secretariat will ensure that the business paper and supporting papers are circulated at least three (3) days prior to each meeting.
- Minutes shall be appropriately approved and circulated to each member within three (3) weeks of a meeting being held.
- All Sub-Committee agendas and minutes will be made available to the public via Council's web site, unless otherwise restricted by legislation.

5.5 Recording of decisions and explicit discussions on risks

The Secretariat shall record all discussions that relate to risks.

6.0 CONVENING OF "OUTCOME SPECIFIC" WORKING GROUPS

- The Sub-Committee can at times request a working group to be convened, for a limited period of time, for a specific action, these specifics will be minuted clearly. The working group will report back to the Sub-Committee with outcomes.
- Any working groups established under this Sub-Committee will be responsible for providing updates to the Sub-Committee. The working groups will be an informal gathering with notes collected and managed by the senior staff member in attendance and will be tabled at the Sub-Committee meetings.

7.0 CONFIDENTIALITY AND CONFLICT OF INTEREST

- Any independent members of the Sub-Committee will be required to complete a confidentiality agreement that will cover the period of their membership of the Sub-Committee.
- Sub-Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant item or topic. Details of any conflicts of interest should be appropriately minuted.
- Where members or invitees at Sub-Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate that they be excused from Sub-Committee deliberations on the issue where the conflict of interest may exist

Coast, Estuary & Floodplain Sub-Committee

ATTENDANCE REGISTER

Community Representatives	Representing	Catchment	Expertise Area	Role	08/10/20	date
Alan MacIntyre	Community	Camden Haven	Coast, Estuary	Voting Rights	A	
Kingsley Searle	Community & Oyster Industry	Hastings	Coast & Estuary	Voting Rights	✓	
Tony Troup	Oyster Industry	Camden Haven	Coast & Estuary	Voting Rights	✓	
Garry Fajks	Community	Camden Haven	Flood	Voting Rights	✓	
Stephen Healy	Community	Hastings	Flood	Voting Rights	A	
Marisha Ewart	Community	Camden Haven	Coast & Estuary	Voting Rights	✓	
Peter Fitzroy	Community	Lake Cathie	Coast & Estuary	Voting Rights	✓	
Vernon Warner	Community	Lake Cathie	Coast & Estuary	Voting Rights	✓	
Vacant	Development Industry	Hastings	Flood	Voting Rights		
Vacant	Development Industry	Camden Haven	Flood	Voting Rights		
Vacant	Fishing Industry	Hastings, Camden Haven, Lake Cathie	Coast & Estuary	Voting Rights		
Council Representatives		Title		Role		
Councillor Peter Alley (Chair)		Councillor		Voting Rights	✓	
Councillor Lisa Intemann (Deputy Chair)		Deputy Mayor		Voting Rights	✓	
Melissa Watkins		Director Development & Environment		Advisory	✓	
Debbie Archer		Group Manager Regulatory & Environment Services		Advisory	✓	
Blayne West		Natural Resources Manager		Advisory	✓	
TBA		Coast, Estuary, Flood Co-ordinator		Advisory	-	
TBA		Coast and Estuary Officer		Advisory	-	
Jesse Dick		Environmental Projects Officer		Advisory	✓	
Hayley Owen		Community Inclusion Team Leader		Advisory, Aboriginal Land Council Liaison	X	
Agency Representatives	Title	Organisation	Expertise Area	Role		
Tina Clemens	Natural Resources Management Project Officer	DPIE Crown Lands	Coast, Estuary, Flood	Advisory	✓	
Michael Barberry (alt.)	Senior Natural Resource Management Officer					
Michael Northam	Fisheries Officer	DPIE Fisheries	Coast, Estuary	Advisory		
Scott Anderson (alt.)					✓	
Craig McCormack (alt.)						
Shane Robinson	Manager, Hastings Macleay Area North Coast Branch	DPIE - NPWS	Coast, Estuary	Advisory	✓	
Geoffrey James (alt.)	Ranger - Hastings Macleay Area				✓	
John Schmidt	Senior Coast and Estuary Officer	DPIE - Biodiversity & Conservation Division	Coast, Estuary	Advisory	✓	
Nicholas Denshire	Principal Floodplain Officer - Water, Floodplain & Coast	DPIE - Biodiversity & Conservation Division	Flood	Advisory	X	
Paul Burg	Local Commander, Hastings Cluster	SES	Flood	Advisory	X	
Anthony Day	Co-ordinator Planning - Regional Operations	SES	Flood	Advisory		
Maria Frazer (alt.)	Deputy Zone Commander - Northern Zone				✓	
Matt Dawson	Boating Safety Officer	TfNSW	Coast, Estuary	Advisory	A	
Andre Uljee (alt.)						

Key: ✓ = Present
 A = Absent With Apology
 X = Absent Without Apology

Meeting Dates for 2020

30/01/2020	Council Chambers	2:00pm
20/02/2020	Council Chambers	2:00pm
28/05/2020	Council Chambers	2:00pm
26/08/2020	Council Chambers	2:00pm
26/11/2020	Council Chambers	2:00pm

Coast, Estuary & Floodplain Advisory Sub-Committee Meeting

Thursday 26 November 2020

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Item: 01

Subject: ACKNOWLEDGEMENT OF COUNTRY

"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

Item: 02

Subject: APOLOGIES

RECOMMENDATION

That the apologies received be accepted.

Item: 03

Subject: CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION

That the Minutes of the Coast, Estuary & Floodplain Advisory Sub-Committee Meeting held on 8 October 2020 be confirmed.

PRESENT

Council Representatives:

Councillor Peter Alley (Chair)
Councillor Lisa Intemann (Deputy Chair)
Director Development and Environment (Melissa Watkins)
Manager Environment and Regulatory Services (Debbie Archer)
Natural Resources Manager (Blayne West)
Environmental Projects Officer (Jesse Dick)

Community Representatives:

Garry Fajks (Community Representative - Camden Haven - Flood)
Marisha Ewart (Community Representative - Camden Haven - Coast and Estuary)
Peter Fitzroy (Community Representative - Lake Cathie - Coast and Estuary)
Tony Troup (Industry Representative - Oyster Industry)
Kingsley Searle (Industry Representative - Oyster Industry)
Paul Hyde (Industry Representative - Fishing)
Vern Warner (Community Representative - Lake Cathie - Coast and Estuary)

Agency Representatives:

Tina Clemens (Department of Primary Industry - Lands)
John Schmidt (Department of Primary Industry Environment - Biodiversity and Conservation Division - Coast and Estuary)
Maria Frazer (SES - Flood)

Guests:

Governance and Legal Officer (Kirsty Callander)
Mayor Peta Pinson

The meeting opened at 2:00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That the following apologies received be accepted:

- Alan MacIntyre (Community Representative - Camden Haven - Coast and Estuary)
- Stephen Healey (Community Representative - Hastings Valley - Flood)
- Craig McCormack (Department of Primary Industry - Fisheries)
- Matt Dawson (Transport NSW - Maritime)
- Geoffrey James (Department of Primary Industry Environment - NPWS)
- Shane Robinson (Department of Primary Industry Environment - NPWS).

03 CONFIRMATION OF MINUTES

Amendments received:

Tony Troup: Item 05 - Amend to Tony Troup to contact Chair and Deputy Mayor regarding this issue. Both will review and respond.

CONSENSUS:

That the Minutes of the Coast, Estuary & Floodplain Advisory Sub-Committee Meeting held on 27 August 2020, be adopted with the following amendments:

Item 05 - Amend to Tony Troup to contact Chair and Deputy Mayor regarding this issue. Both will review and respond.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

CONSENSUS:

That the Business Arising Schedule be noted with the following additional information:

Item 11.02 28/03/2019 - Forestry Operations, Lorne State Forest;
Melissa Watkins advised that we are putting together information from Forestry, in particular Private Native Forestry (PNF). Also awaiting outcome of Government review of Koala SEPP. Item to be further considered at the next meeting.

Item 11.01 28/05/2020 - Draft Revised Charter:

Charter reviewed at 8/10/20. Draft to be circulated to members for final comment with the meeting minutes for reporting to the November 2020 Council meeting.

06 MEMBERSHIP OF THE COAST, ESTUARY AND FLOODPLAIN ADVISORY SUB-COMMITTEE - INDUCTION OF NEW COMMUNITY REPRESENTATIVES

Gary, Peter and Vern gave introductions. Introductions were presented to the Sub-committee by Mr Fajks, Mr Fitzroy and Mr Warner. Ms Ewart was unable to do so due to microphone issues.

An induction involving a presentation by Kirsty Callander, Governance and Legal Officer, outlining the Code of Conduct requirements was undertaken.

CONSENSUS:

That the Sub-Committee:

1. Welcome the five new community representatives endorsed by Council at the 23 September 2020 Council Meeting.
2. Request a copy of the presentation be provided to all new members.

07 REVISED CHARTER - COAST, ESTUARY AND FLOODPLAIN SUB-COMMITTEE

Blayne West took the Sub-Committee through the Charter and amended where necessary.

CONSENSUS:

1. That the amended charter to be distributed to the Sub-Committee for any further amendments, with any significant changes to be distributed back to Committee.
2. That the Sub-Committee endorses the revised Charter for further consideration at the November 2020 Council Meeting.

08 GENERAL BUSINESS

08.01 ACTIONS FROM PREVIOUS MINUTES

Councillor Intemann raised that items 08.09 and 11.01-11.04 from previous minutes discuss information needing to go to Sub-Committee members. Staff are to take note and do a business arising for next agenda to ensure they are followed up/and or noted that it has been carried out.

Also information on any current matters should be distributed to new (and old) members to provide some background on what we have been discussing to date. Melissa agreed we would do this.

08.02 SUB-COMMITTEE CONTACT LIST

Email to go to all members asking if they have any objection to having their contact details distributed to all members. If no objection, list is to be distributed.

08.03 COASTAL MANAGEMENT PROGRAM

Councillor Intemann requested an update on Coastal Management Program and Scoping study.

08.04 FUTURE MEETING DATES

Debbie Archer (on behalf of secretariat Samantha Johnsen) requested to confirm proposed future meeting dates of:

26 November 2020
25 February 2021
27 May 2021
26 August 2021
25 November 2021

Meetings have been listed as occurring quarterly in the revised Charter. 2021 meeting dates are to be confirmed at next full meeting.

08.05 LAKE CATHIE WATER QUALITY

John Schmidt advised a group of scientists are trying to unravel some of the science into easy to understand information and will hopefully have something that can be presented back to 26 November 2020 Sub-Committee meeting.

08.06 COMMITTEE CONTACT

Councillor Intemann requested clarification of who the most appropriate contact is for the Sub-Committee. Melissa Watkins advised the main contact for Sub-Committee matters is the Secretariat (samantha.johnsen@pmhc.nsw.gov.au) in first instance.

The meeting closed at 3:30pm.

Item: 04
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

Name of Meeting:	
Meeting Date:	
Item Number:	
Subject:	
I, the undersigned, hereby declare the following interest:	
<input type="checkbox"/> Pecuniary: Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> Non-Pecuniary – Significant Interest: Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> Non-Pecuniary – Less than Significant Interest: May participate in consideration and voting.	
For the reason that:	
Name: Signed:	Date:
Please submit to the Governance Support Officer at the Council Meeting.	

(Refer to next page and the Code of Conduct)

Pecuniary Interest

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will 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 you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (i)
 - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c)
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

Non-Pecuniary

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
 - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

*This form must be completed using block letters or typed.
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.*

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the identified land)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has interest in the land (e.g. is owner or has other 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 interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST¹	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the subject land²)</i> <i>[Tick or cross one box]</i>	<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 <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

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

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

Last Updated: 3 June 2019

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.

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

Item: 05

Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

Item:	11.02	Date:	28/03/2019
Subject:	FORESTRY OPERATIONS, LORNE STATE FOREST		
Action Required:	Tony Troup expressed his concern over the management of land under the control of NSW State Forests, particularly within the Lorne State Forest.		
Current Status:	<p>Blayne West contacted NSW State Forests regarding this matter but no response was received.</p> <p>Cr Intemann requested that Council staff continue to attempt to contact NSW State Forests on this matter. Council staff will follow up again and will invite NSW State Forests to attend a future CE&F committee meeting.</p> <p>28/05/2020 Meeting - Tony Troup to contact the Mayor and Deputy Mayor directly with his concerns.</p> <p>8/10/2020 Meeting - Item 03 CONFIRMATION OF MINUTES Amendments received: Tony Troup: Item 05 - Amend to Tony Troup to contact Chair and Deputy Mayor regarding this issue. Both will review and respond.</p>		

Item:	11.01	Date:	28/05/2020
Subject:	DRAFT REVISED CHARTER		
Action Required:	Lisa Intemann requested that the community representatives meet with Melissa Watkins to discuss amendments to the committee charter. The draft revised charter should then be circulated to the committee for input and comment and be discussed at another committee meeting before being reported to Council.		
Current Status:	A verbal update was provided by the Director Development and Environment at the 27 August 2020 CE&F committee meeting. The draft revised charter was then reported to the CE&F committee meeting on 8 October 2020.		

Item:	11.02	Date:	28/05/2020
Subject:	BUSINESS PAPERS		
Action Required:	Kingsley Searle requested that for future meetings the agenda be separated from the attachments.		
Current Status:	Attachments have been separated from the Agenda as requested.		

Item:	11.01	Date:	27/08/2020
Subject:	COUNCIL REPORTS		
Action Required:	Councillor Intemann recommended that copies of relevant Council reports be provided to committee members when published.		
Current Status:	Relevant Council reports have been circulated to committee members as requested.		

Item:	11.02	Date:	27/08/2020
Subject:	DETAILED BRIEFS		
Action Required:	Kingsley Searle enquired when the committee receives a very detailed brief it would be helpful to get an outline of what's to come to help get through the document.		
Current Status:	Attempts will be made to assist members digest documents prior to meetings where necessary.		

Item:	11.03	Date:	27/08/2020
Subject:	WORKING GROUPS		
Action Required:	Councillor Alley suggested having working group meetings rather than full committee meetings to work through some issues to provide the technical information that is needed to make a decision.		
Current Status:	Working group meetings are common place for the CE&F committee. Working group meetings will be held on an as-needs basis.		

Item:	11.04	Date:	27/08/2020
Subject:	CANALS		
Action Required:	Councillor Intemann referred to a query that arose out of a recent Councillor briefing regarding whether canals are actually part of the coastal system. Is it possible to bring to this committee how to best consider them in the future?		
Current Status:	<p>The following response was received from DPIE:</p> <p>Canal estates are part of the coastal zone under the <i>Coastal Management Act 2016</i> and Coastal Management SEPP 2018, notwithstanding the PMHC ones are also managed as drainage reserves. We have a similar situation with agricultural drains that fall within the coastal floodplain.</p> <p>In the case of the PHMC canal estates, they are mapped as 'coastal environment area' and 'coastal use area' in the Coastal Management SEPP by virtue of their proximity to and interaction with coastal waterways (the Hastings River).</p> <p>From a strategic /coastal management perspective, the canal estates are part of the coastal zone and therefore the <i>Coastal Management Act 2016</i> applies and the land can be identified and included in Coastal Management Programs.</p> <p>From a development assessment perspective, this means that where development consent is required for matters within those mapped areas, the consent authority needs to take into account clauses 13 and 14 of the SEPP. Any provisions within</p>		

	an LEP would also continue to apply, unless there is an inconsistency between those provisions. If there is, the SEPP would prevail to the extent of the inconsistency. I couldn't find any provisions in the LEP that specifically apply.
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Item:	11.05	Date:	27/08/2020
Subject:	LAKE CATHIE - IRON FLOC		
Action Required:	Blayne West advised of a meeting she attended this week between agencies, Council representatives, DPI and NPWS. NPWS requested that the committee be made aware this meeting occurred. At the meeting there was a discussion on the iron floc event which precipitated from the flood mitigation opening. We are all aware it occurred, and are working as a group of agencies on future actions to understand the impact and ongoing management needs. For now, we need to determine roles such as who puts out statements and signage. John Schmidt further advised he will be meeting tomorrow to get limited monitoring system in the middle of lake. Revive Lake Cathie have had some money to do more testing. Have been reviewing scope and cost, to see what is provided to move forward on this front.		
Current Status:	Further work is being done on this project. Some draft education material has been produced on the iron floc event and is now being reviewed by stakeholders.		

Item: 06

**Subject: COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-COMMITTEE
CHARTER ADOPTION - UPDATE ON COUNCIL REPORT**

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Committee note that a report has been prepared for the November Council meeting for consideration and endorsement.

Discussion

The committee met in January 2020, August 2020 and October 2020 to discuss the Coast, Estuary & Floodplain Advisory Sub-Committee (CE&F) Charter with the following consensus being reached:

CONSENSUS:

That the Committee:

1. Note the report.
2. Note that Councillor Peter Alley has been appointed as Chair and Deputy Mayor Lisa Intemann has been appointed as Alternate Chair.
3. Recommend to Council to accept the amendments to the Charter, as agreed at the 30 January 2020 Coast, Estuary and Floodplain Advisory Sub-Committee meeting.
4. Agree to extend invitations to the Birpai and Bunya Local Aboriginal Land Council to join the Committee.

30/01/2020

CONSENSUS:

Schedule meeting of the Coast, Estuary & Floodplain Advisory Sub-committee for 8 October 2pm to discuss Charter for endorsement for November 2020 Council meeting. Pending outcome of the September 2020 Councillor meeting may also take opportunity to induct new members.

27/08/2020

CONSENSUS:

1. That the amended charter to be distributed to the Sub-Committee for any further amendments, with any significant changes to be distributed back to Committee.
2. That the Sub-Committee endorses the revised Charter for further consideration at the November 2020 Council Meeting.

08/10/2020

The final draft Coast, Estuary & Floodplain Advisory Sub-Committee Charter is scheduled to be reported to the 18 November 2020 Ordinary Council meeting where it has been recommended for adoption.

The Director Development and Environment will provide a verbal update to the committee owing to the timing of the Council report and compilation of this agenda not permitting the completion of a written report.

Attachments

1.  Coast Estuary Floodplain Subcommittee Charter

Item: 07

**Subject: RECRUITMENT OF INDUSTRY & FISHING REPRESENTATIVES TO
COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-COMMITTEE**

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Committee:

- 1. Note the report.**
- 2. Note that the Development Industry and Fishing Industry representative positions are presently vacant under the Charter.**
- 3. Provide input by 25 February 2021 towards development of a strategy to target suitable applicants.**

Discussion

During the recent EOI campaigns conducted in August 2019 & June 2020, five (5) Community representative positions were filled, complementing the existing three (3) Community Representatives of the Coast, Estuary and Floodplain (CE&F) Sub-Committee. During these EOI campaigns, Council sought applications from the Development Industry and Fishing Industry in order to fill three (3) vacancies that have been created by the departure of former members.

Unfortunately, at the close of both EOI campaigns, there were no submissions received from the Development Industry or the Fishing Industry, hence the positions remain vacant in the current Charter.

Acknowledging this, Council resolved at 23 September 2020 Meeting that further work be undertaken to recruit for the Development & Fishing Industry positions (see item 3 below).

RESOLVED: Intemann/Alley

That Council:

- 1. Note the information provided in this report.*
- 2. Accept the five nominees as noted in Table 1 as members of the Coast, Estuary and Floodplain Sub-Committee noting that should any of these five nominees not accept a position, an alternate will be nominated from Table 2 in the order listed.*
- 3. Request the General Manager to develop, in collaboration, with the Coast, Estuary and Floodplain Sub-Committee a revised strategy to target suitable applicants from the Fishing Industry and Development Industry.*
- 4. Request that a revised charter for the Sub-Committee be presented to Council at the October 2020 meeting for further consideration.*

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann and Turner

AGAINST: Nil

Accordingly, there is a need to undertake recruitment for two (2) Development Industry Representatives (1x each for Hastings Catchment and Camden Haven Catchment) and a Fishing Industry Representative (to cover Hastings, Camden Haven & Lake Cathie/Innes).

Council staff previously undertook the following works in an attempt to garner interest from the Development & Fishing Industries, in the hope that there would be persons wishing to join the CE&F Sub-Committee. The below process was followed during both the August 2019 & June 2020 recruitment campaigns.

- Creation of a webpage on Council's website;
- Creation of a Council website homepage banner advertising the EOI;
- Promotion of the EOI through social media channels;
- Creation of an application profile on a recruitment platform (Scout);
- Publication of numerous *Community Now* notices within local newspapers;
- Advertising of the EOI to subscribers of Council's Construction Industry eNewsletter;
- Direct emails to environmental organisations;
- Direct email to all existing Sub-Committee members to request that they reach out to potential interested contacts.

Input from the CE&F Sub-Committee members is now requested to develop a strategy to target suitable applicants and we welcome any suggestions provided by members.

Attachments

Nil

Item: 08

**Subject: ACTIVE COAST, ESTUARY & FLOODPLAIN PROJECTS - STATUS
UPDATE**

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Committee note the status of the active Coast, Estuary and Floodplain projects.

Discussion

This report provides an update on active PMHC Coast, Estuary and Floodplain projects. Where applicable, each project has been listed with the current project cost and corresponding grant amount provided by DPIE.

As the Sub-Committee is aware, PMHC has a Floodplain Risk Management Plan for the Hastings River and the Camden Haven River and an active Coastal Zone Management Plan for the Lake Cathie coastline. As such, PMHC and relevant stakeholders have been working progressively to undertake the actions proposed in these plans.

For floodplain related matters, as has been noted in previous Sub-Committee meetings, many of the actions of the Camden Haven River Floodplain Risk Management Plan have been completed as this plan dates from 2001. Since the adoption of the Hastings River Floodplain Risk Management Plan in 2014, multiple actions have either commenced or have been completed. The status of the remaining action items from these plans have been shown in the attached document (**Attachment 1**). Items which have had a change in status since the last meeting have been highlighted for ease of reference.

For estuary related matters, due to the changes to the Coastal Management legislation in 2017, the remaining items from Councils Estuary Management Plans are now no longer capable of being grant funded, and thus are not currently being delivered. As such, these items will need to be reviewed as part of the future CMP. Regardless, it is noted that most of the actions in each EMP had been completed as these plans had been in place for many years. Accordingly, the attached document does not show any of the previous estuary management plans as there has been no change to these items since the last full Committee meeting in May.

For coastal related matters, key actions from the Lake Cathie Coastal Zone Management Plan have commenced or are ongoing. These include a number of actions relating to stormwater outlet reconstruction, stormwater network redirection detailed design and a CBA & Funding Model for the construction of the revetment along Illaroo Road. The status of the action items from these plans have been shown in the attached document (**Attachment 1**). Items which have had a change in status since the last meeting have been highlighted for ease of reference.

FLOODPLAIN MANAGEMENT

1. North Brother Local Catchments Flood Study - **Current status - Ongoing**

Financial Breakdown

Items	Cost
Estimated total project cost	\$153,820
DPIE grant funding component	\$102,546.67
Council funding spent (to date)	\$14,847.33
DPIE grant funding spent (to date)	\$29,694.67
Actual total project cost to date	\$44,542

Milestones completed to date

- Draft Options Report was exhibited during August 2020.
- The Draft Options Report was reported to the 23 September 2020 Ordinary Council Meeting where it was endorsed.
- The feedback obtained during the exhibition process will be incorporated into the Floodplain Risk Management Study and Plan phase of the project.
- The Floodplain Risk Management Study - options assessment phase (stage 2) is now underway.

2. Dunbogan Flood Access Road – Construction - **Current status - Ongoing**

Financial Breakdown

Items	Cost
Estimated total project cost	\$1,166,801.40
DPIE grant funding component	\$777,867.60
Council funding	\$488,000
Actual total project cost to date	\$1,265,867.60

Milestones completed to date

- Successful grant application under 2018-19 Floodplain Management funding round.
- EIRE Construction have completed all road construction works to upgrade the final stage of the Dunbogan Flood Access Road project.
- EIRE have also completed all finishing works (installation of guard rails to road carriageway and hand rails to footpath).
- Year 1 of bushland management works at the offset site (near Bayside Circuit, Laurieton) are complete with a significant reduction in the weed load achieved. Year 2 of bushland management works have commenced and are underway with a significant amount of dumped rubbish removed.

- The project is anticipated to be 100% complete by May 2021, which will mark the completion of the Dunbogan Flood Access Road Upgrade construction works that commenced in 2014.

COASTAL MANAGEMENT

1. Illaroo Road Stormwater Redirection – Construction - Current Status - Ongoing

Financial Breakdown

Items	Cost
Estimated total project cost	\$865,803.93
DPIE grant funding component	\$432,901.97
Council funded	\$432,901.97
Actual total project cost to date	\$51,861 (ex GST)

Milestones

- Successful grant application under 2017-18 Coastal Management funding round. Council applied for grant funding in early 2018 and were notified of successful grant application in late October.
- The discovery of dumped asbestos and aboriginal archaeological deposits at the proposed outlet location has complicated matters and has delayed the project significantly by requiring further assessment to be undertaken.
- Niche Environment & Heritage awarded the contract to undertake Aboriginal archaeology investigations in December 2019. Aboriginal Cultural Heritage Assessment Report (ACHA) has been received. Aboriginal archaeology deposits have been confirmed at the site and further investigation works were confirmed.
- Aboriginal Heritage Impact Permit (AHIP) submitted to NSW Government for approval to undertake the investigation works. AHIP approval granted in late August permitted Council's Contractor to undertake excavation works which would disturb artefacts of indigenous origin.
- Hand and Mechanical Auguring of 30 core holes undertaken in early October. Excavation of 6 test pits undertaken in Jonathan Dickson Reserve in early November. Council are presently awaiting results of the findings from the consultant and are awaiting the final report.
- Preparation of final AHIP document to the NSW Government is being prepared, Heritage NSW will have 60 days to respond and provide feedback. It is anticipated that the aboriginal archaeology phase will be completed in early 2021.

2. Lake Cathie CZMP – Funding Model - **Current Status - Complete**

Financial Breakdown

Items	Cost
Estimated project cost	\$87,500
DPIE grant funding component	\$68,700
Council funded	\$18,800
Actual total project cost to date	\$87,500

Milestones

- Successful grant application under 2016-17 Coastal Management funding round.
- Project is now complete with Marsden Jacob Pty Ltd submitting final reports in late April.

Future works

Council staff are still working through packaging up information for community consultation. Given the contentious nature of the project and the sensitive information contained within the reports, a specialised, targeted and possibly staged approach to consultation will be required.

ESTUARY MANAGEMENT

1. Lake Innes Acid Sulphate Soil Management Options Study - **Current Status - On hold**

This study was initiated after consultation with key stakeholders, including NPWS, DPIE, Fisheries and Crown Lands throughout 2019. The project was identified as being the key priority action by all managing stakeholders for the Lake Cathie/Innes system following the record setting 2018-19 drought.

The project aimed to undertake specialist studies that quantify the Acid Sulphate Soil (ASS) risk to the lake system. The findings from these studies were then intended to be used to inform the review of the 2013 Lake Innes Reversion Study in order to determine if the currently listed management actions are applicable or if new management actions are appropriate in lieu of the new information. The project was also intended to provide managing stakeholders with a list of management options to address the ASS risk in the immediate future to deal with emergency containment works.

It was also anticipated that the findings of this project would be used to inform the lake Cathie/Bonny Hills CMP Chapter, giving Council and other stakeholders good guidance on what key areas needed further attention and identifying priority management actions.

Unfortunately, this project is no longer programmed for completion in 2020/2021 as grant funding from the NSW Government was not forthcoming.

Financial Breakdown

Items	Cost
Estimated total project cost	\$293,000
Requested DPIE grant funding	\$147,500
Council funding allocation	\$145,500
Actual total project cost to date	\$nil

Refer to separate report in agenda for the outcome from the May Council report.

2. **Bushfire Affected Coastal Waterways - Current Status - About to Commence**

Financial Breakdown

Items	Cost
Estimated total project cost	\$290,000
DPIE grant funding component	\$265,000
Council funded	\$25,000
Actual total project cost to date	\$Nil

Milestones

- Successful grant application under the one-off Coastal & Estuary Bushfire Affected Waterways funding round.
- An inception meeting was held with key Council staff. Preparation for the invasive weed survey is underway. It is expected that the survey work will commence within a month, with the report and updated GIS data finalised by the end of January.
- A consultant has been requested to provide a quote to undertake a review of the existing water quality monitoring data within the Lake Cathie/Innes System. The purpose of this request is to determine the suitability and quality of the historic water quality monitoring results for comparison against future post bushfire water quality results; and identify existing data gaps.
- Once this initial review has been undertaken, the next step will be to engage a consultant to develop baseline water quality parameters based on the historic results and then develop and implement a water quality monitoring program. A detailed Request for Quotes document has been prepared and it is anticipated that we will go to market in the near future.

Future works


The works are to be concentrated on the burnt areas of koala habitat at both Lake Cathie/Lake Innes and Watson Taylor Lake.

The project will be divided into two stages.

- Stage one will focus on data collection and investigation along with comparison against historical trends and
- Stage two will be primarily on-ground implementation and remediation including weed management, replanting, temporary containment works and soil and erosion controls coupled with ongoing monitoring to provide evidence

of success or opportunities for improvement. Stage 2 improvements will provide both short term and long term outcomes.

Attachments

1.  Coast, Estuary and Floodplain Management Plan Action Status - Full List Including Completed Items

Item: 09

Subject: KENWOOD DRIVE BRIDGE LAKE CATHIE - REVIEW OF 2011
HYDRODYNAMIC REPORT FINDINGS - UPDATE ON COUNCIL
REPORT

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Coast, Estuary & Floodplain Advisory Sub-Committee note the report.

Discussion

At the 21 October 2020 Ordinary Council meeting, Council resolved as follows:

RESOLVED: Pinson/Griffiths

That Council:

- 1. Note the information provided in this report.*
- 2. Note that a review of the Lake Cathie/Lake Innes Estuary Hydrodynamic Model is warranted and should be undertaken as part of Stage 2 of the Coastal Management Program.*
- 3. Consider funding opportunities to undertake the review of the Lake Cathie/Lake Innes Estuary Hydrodynamic Model with the development of the Draft 2021- 2022 Operational Plan and budget.*
- 4. Note that a review of the findings of the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report cannot be undertaken until the Model has been reviewed and tested.*
- 5. Request the General Manager to develop a project plan and indicative costings for the replacement or augmentation of the Kenwood Drive Bridge for consideration by Council in the development of the Draft 2021-2022 Operational Plan and future draft Delivery Program and Operational Plans.*
- 6. In considering funding opportunities referenced in Item 3 above, also investigate any grant funding opportunities that are available once the CMP Scoping Study has been completed, with the inclusion of reference to the Hydrodynamic Model Review as a priority task.*

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Ni

As noted in the above resolution (and **Attachment 3**), the Lake Cathie/Lake Innes Estuary Hydrodynamic Model was confirmed as being a project that should be undertaken as part of Stage 2 of the Coastal Management Program (CMP).




The report (see **Attachment 2**) also notes that the findings of the 2011 Hydrodynamic Model, including but not limited to the Kenwood Drive Bridge findings, cannot be undertaken until the Model has been reviewed and tested.

As outlined in the October Council Report, which is based on the work undertaken by BMT Commercial (see **Attachment 1**), the timeframe for completion for this work may take between 34 - 46 months with costs estimated between \$310k and 400k.

Council is still compiling the Stage 1 Scoping Study for the Coastal Management Program and will ensure that the Hydrodynamic Model review will be included as a priority Stage 2 project for the Lake Cathie/Bonny Hills CMP Chapter.

The Hydrodynamic Model review will be considered for inclusion in the draft Operational Plan as part of Stage 2 CMP for the Lake Cathie/Bonny Hills CMP Chapter for 2021/2022 with associated funding requirements.

Attachments

1.  Lake Cathie/Lake Innes Hydrodynamic Model Review - BMT
2.  Ordinary Council Meeting AGENDA - October 2020
3.  Ordinary Council Meeting MINUTES - October 2020

Item: 10

**Subject: LAKE INNES ACID SULPHATE SOIL MANAGEMENT OPTIONS
STUDY - PROJECT STATUS UPDATE**

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Committee note the report.

Discussion

After numerous stakeholder meetings held in 2019, Council made an application to DPIE in December 2019 under the 2019-20 Coast and Estuary Management funding round to undertake the Lake Innes Acid Sulphate Soil Management Options Study.

The Stakeholder meetings were attended by:

- PMHC Staff, Mayor and Councillors
- DPIE
- DPI Fisheries
- Soil Conservation Services
- NPWS
- DPI Crown Lands
- The Hon Leslie Williams

The key outcome from these meeting was the development of a comprehensive list of actions and proposed responsibilities. The key action item was the development of the Acid Sulphate Study.

Council staff promptly made an application for funding under the Coastal Management Program in November 2019. Notification was received in April 2020 that the application was placed on a reserve list and that the funding would only be available once the CMP Scoping Study was completed (see **Attachment 1**). If the Scoping Study was not completed by August, then the grant money would not be forthcoming and a new grant application would need to be made.

A Council report was prepared and reported to the 20 May 2020 Ordinary Council meeting (**Attachment 2** for the report, **Attachment 3** for the minutes). The report requested that Council fully funds the study (i.e. Council pays the full \$293,000) in order to avoid further delays.

The urgency of not delaying the project was made clear to Council at the May meeting with Council staff noting that the Acid Sulphate Study would provide critical background information that will assist in informing Stage 2 of the CMP process for Lake Innes/Lake Cathie. It was noted that without this work, an informed decision on the management of the lake system could not effectively be reached and delaying the project would create significant delays for the progress of Stage 2 of the lake Cathie/Bonny Hills CMP.







As a result, Council resolved (**Attachment 3**) to write to DPIE and the State Member for Port Macquarie, the Hon Leslie Williams to seek urgent grant funding for the project (**Attachment 4**).

A response was received from DPIE in July 2020, which reaffirmed their position from April (see **Attachment 5**). A response has not been provided from the State Member for Port Macquarie, the Hon Leslie Williams at this time.

Ultimately, confirmation was received from DPIE in August 2020 that Council was not eligible for funding for this critical project as the Scoping Study had not been completed in the identified timeframe (see **Attachment 6**).

This project is no longer proceeding at this time, however has been identified in the Scoping Study as a key priority action for completion once Stage 2 of the CMP has commenced.

Attachments

1.  DPIE Grant Reserve List Notification - April 2020
2.  May 2020 Ordinary Council Meeting - Agenda
3.  May 2020 Ordinary Council Meeting - Minutes
4.  Letter to State Member for Port Macquarie, June 2020
5.  Letter to GM - DPIE Response - July 2020
6.  DPIE Unsuccessful Grant Application Notification Letter, August 2020

Item: 11

**Subject: LAKE CATHIE - ILLAROO ROAD REVETMENT WALL FUNDING
MODEL CONSULTATION - STATUS UPDATE REPORT**

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Committee:

- 1. Note the Report.**
- 2. Recommend that Council write to all affected property owners advising of Council's resolution and the specifics implications for their property including and inviting them to participate in an online community consultation session and individual discussions with staff where requested.**

Discussion

At the 12 August Ordinary Council Meeting, Council considered a confidential report and resolved as follows in respect of the Illaroo Road Revetment Wall Cost Benefit Analysis and Funding Model:

RESOLVED: Intemann/Hawkins

That Council:

- 1. Note the information provided in this report.*
- 1. Incorporate the Lake Cathie Coastal Zone Management Plan (CZMP) actions into the new Lake Cathie Bonny Hills Coastal Management Program (CMP).*
- 2. Undertake direct engagement and consultation with impacted properties to explain the Revetment Wall options and cost implications and to assess the capacity and their willingness to pay for a Revetment Wall.*
- 3. Following completion of direct engagement and consultation with impacted properties, receive a further report from the Director, Development and Environment detailing the outcomes of this engagement and future recommended steps in this project including details of the proposed community consultation/engagement for the broader community.*

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

This report responds to item 3 from the above resolution. The intent of this report is to outline the proposed consultation approach and potential engagement options that may be applicable to this process. A proposed way forward is also recommended for consideration by the Committee.

Since the resolution in August 2020, staff have been working through the consultation documentation and have drafted or are proposing to draft the following documents:

- Internal consultation plan.

- Internal education strategy.
- Background and history document.
- Frequently Asked Questions document.
- Factsheet document.
- Personalized letters to directly affected property owners.
- A redacted version of the Marsden Jacob Associates Funding Model report (removing sensitive commercial-in-confidence or personal information).

We are now seeking input from committee members as to whether the proposed engagement approach is suitable, noting the sensitive nature of the project and key issues such as:

- Properties will be advised that a funding contribution from them has been identified as an option.
- Each property is assigned a different contribution value, i.e. some properties have been identified as having a much greater benefit, therefore are attributed much more of the cost than other properties.
- Properties have a spatial and temporal benefit, with some properties having a benefit much earlier than others, i.e. properties fronting Illaroo benefit from protection in an immediate storm whereas Chepana Street has benefits realised around 2050.
- Options will be provided regarding potential outcomes that may be generated based on the findings of this engagement process.

Additionally, Committee members may have further suggestions in relation to the level of involvement of Council's Community Council Action Team, Lake Cathie Progress Association and Coast Estuary and Floodplain Advisory Sub-Committee members in the engagement consultation process.

At this time, we aim to commence consultation from late January 2021 (due to the upcoming Christmas holiday period) through to March 2021.

It is intended that a report detailing the consultation carried out will be brought back to the committee once completed.

Attachments

Nil

Item: 12

Subject: FUTURE MEETING DATES

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Coast Estuary and Floodplain Sub Committee note the proposed meeting dates for 2021.

Discussion

In accordance with the discussion at the 29 October 2020 meeting it is proposed that the Sub Committee meet as follows:

- 25 February 2021
- 27 May 2021
- 26 August 2021
- 25 November 2021

Meetings have been listed as occurring quarterly in accordance with the Charter.

Attachments

Nil