

Ordinary Council

Business Paper

date of meeting: Thursday 18 April 2024

location: Council Chambers, 17 Burrawan Street, Port Macquarie

time: 10:00am

Community Vision	A sustainable high quality of life for all
Community Mission	Building the future together People Place Health Education Technology
Council's Corporate Values	<ul style="list-style-type: none"> ★ Sustainability ★ Excellence in Service Delivery ★ Consultation and Communication ★ Openness and Accountability ★ Community Advocacy
Community Themes	<ul style="list-style-type: none"> ★ Leadership and Governance ★ Your Community Life ★ Your Business and Industry ★ Your Natural and Built Environment

Under Clause 3.23 Statement of ethical Obligations in the Code of Meeting Practice as adopted by Council at the Extraordinary Meeting of Council held on 23 June 2022 (Item 6.04), business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Councillors are reminded of the oath or affirmation which was taken by each of them on 10 January 2022.

Oath Of Councillor

I swear that I will undertake the duties of the office of Councillor in the best interests of the people of Port Macquarie-Hastings local government area and the Port Macquarie-Hastings Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation Of Councillor

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Port Macquarie-Hastings local government area and the Port Macquarie-Hastings Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Councillors have the opportunity to declare any interests in items on the agenda and inform the Council and public if they will be leaving the Chambers during the debate and voting on the item.

Ordinary Council Meeting

Thursday 18 April 2024

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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: REMOTE ATTENDANCE AT MEETING**

RECOMMENDATION

That Council accede to the request of Councillors to attend the meeting by remote means.

Item: 03**Subject: LOCAL GOVERNMENT PRAYER**

A Minister from the Combined Churches of Port Macquarie will be invited to deliver the Local Government Prayer.

Item: 04**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

Item: 05**Subject: CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 21 March 2024 be confirmed.

PRESENT

Members:

Mayor Peta Pinson
Councillor Lauren Edwards
Councillor Lisa Intemann (Remote)
Councillor Nik Lipovac
Councillor Danielle Maltman
Councillor Adam Roberts
Councillor Rachel Sheppard
Councillor Josh Slade

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Director Business and Performance (Keith Hentschke)
Director Community, Planning and Environment (Melissa Watkins)
Director Community Infrastructure (Robert Fish)
Director Community Utilities (Jeffery Sharp)
Group Manager Governance (Michael Ferguson)
Governance Officer (Tania Ellis)
Legal Counsel (Anthea Gilmore)

The meeting opened at 10.00am

01 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the Meeting with an Acknowledgement of Country and welcomed all in attendance in the Chamber and viewing on line.

02 REMOTE ATTENDANCE AT MEETING

RESOLVED: Edwards/Lipovac

That Council accede to the request of Councillor Intemann to attend the meeting by remote means.

CARRIED: 8/0
FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

03 LOCAL GOVERNMENT PRAYER

Reverend Samuel Gittins from the Wauchope Presbyterian Church delivered the Local Government Prayer.

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Slade

That the Minutes of the Ordinary Council Meeting held on 15 February 2024 be confirmed.

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
CARRIED: 8/0
AGAINST: Nil

06 DISCLOSURES OF INTEREST

Councillor Maltman declared a Non-Pecuniary-Less than Significant interest in Item 13.05 Lake Cathie Natural Resource Management Monthly Update Report. The reason being that Councillor Maltman is a non-financial life member and former President of the community organisation Revive Lake Cathie Incorporated. Councillor Maltman intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence her decision making in the matter.

07 MAYORAL MINUTES

Nil.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

There are no confidential attachments to reports for the Ordinary Council Meeting.

Councillor Intemann left the meeting due to technical issues the time being 10.10am.

09 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Slade

That Items 10.01, 10.02, 10.09, 10.10, 10.12, 10.15, 10.16, 10.17, 10.18, 10.19, 10.20, 10.21, 10.22, 10.23, 11.01, 13.02, 13.03, 13.04 and 13.08 be considered as a block resolution

CARRIED: 7/0
FOR: Edwards, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

MOTION

MOVED: Sheppard/Lipovac

That the meeting to be adjourned to address technical issues.

LOST: 3/4
FOR: Edwards, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade

RESOLVED: Roberts/Maltman

That all recommendations listed in the block resolution be adopted by Council.

CARRIED: 7/0
FOR: Edwards, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

10.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 1 FEBRUARY TO 6 MARCH 2024

BLOCK RESOLVED: Roberts/Maltman

That Council note the Mayoral Discretionary Fund allocations for the period 1 February to 6 March 2024.

10.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Roberts/Maltman

That Council note the information contained in the Status of Reports from Council Resolutions report.

10.09 INVESTMENTS AND LOANS - FEBRUARY 2024

BLOCK RESOLVED: Roberts/Maltman

That Council note the Investment and Loans Report for February 2024.

10.10 MONTHLY BUDGET REVIEW - FEBRUARY 2024

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Adopt the adjustments in the “February 2024 Adjustments” section of the Monthly Budget Review – February 2024 report and associated attachment.**
 - 2. Amend the 2023-2024 Operational Plan to include all budget adjustments approved in this report.**
-

10.12 INTERNAL AUDIT CHARTER

BLOCK RESOLVED: Roberts/Maltman

That Council adopt the Port Macquarie-Hastings Council Internal Audit Charter attached to this report.

10.15 POLICY REVIEW - INVESTMENT POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Place the revised draft Investment Policy on public exhibition for 28 days, from 25 March 2024 until 22 April 2024.**
 - 2. Note that a further report will be presented at the May 2024 meeting of Council, detailing the submissions received from the public during the exhibition period.**
-

**10.16 POLICY REVIEW - DRAFT STRATEGIC PROPERTY INVESTMENT
POLICY - FOLLOWING PUBLIC EXHIBITION**

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Adopt the draft Strategic Property Investment Policy.**
 - 2. Thank members of the public who made submissions and advise them of Council's determination in this matter.**
-

**10.17 POLICY REVIEW - DRAFT DETERMINING APPLICATIONS LODGED BY
COUNCILLORS AND STAFF POLICY**

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Place the draft Determining Applications Lodged by Councillors and Staff Policy on public exhibition for a minimum of 28 days.**
 - 2. Note that a further report be presented to the May 2024 Ordinary Council meeting, detailing the submissions received from the public during the exhibition period.**
-

10.18 POLICY REVIEW - DRAFT POLICY FRAMEWORK

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Place on public exhibition the draft Policy Framework for a minimum of 28 days.**
 - 2. Note that a further report will be tabled at the May 2024 meeting of Council, detailing the submissions received from the public during the exhibition period.**
-

**10.19 POLICY REVIEW - DRAFT UNREASONABLE CUSTOMER CONDUCT
POLICY**

BLOCK RESOLVED: Roberts/Maltman

That Council:

Place on public exhibition as soon as practicable for a period of not less than 28 days, the draft Unreasonable Customer Conduct Policy and actively seek community feedback.

-
2. **Note that a further report be considered by Council in June 2024, detailing the submissions received from the public during the exhibition period and presenting a final draft for adoption.**
-

10.20 POLICY REVIEW - DRAFT DATA BREACH POLICY AND PRIVACY MANAGEMENT PLAN

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Adopt the draft Data Breach Policy.**
 - 2. Adopt the draft Privacy Management Plan.**
-

10.21 POLICY REVIEW - DRAFT LEGISLATIVE COMPLIANCE POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council adopt the draft Legislative Compliance Policy.

10.22 LABORATORY MEDIA SUPPLY

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Under the extenuating circumstances provision of 55(3)(i) of the Local Government Act 1993, not invite tenders, as a satisfactory outcome would not be achieved for the reason of limited availability of competitive suppliers for the supply of specific pre-prepared laboratory media and kits as detailed in the report.**
 - 2. Enter into negotiations with Thermo Fisher Scientific Australia Pty Ltd, Edwards Group Pty Ltd and IDEXX Laboratories Pty Limited with a view of entering into a contract for the supply of pre-prepared laboratory media and kits commencing April 2024 and expiring April 2029.**
 - 3. Note that the Chief Executive Officer, under existing delegation to the General Manager, will execute the necessary contract documents.**
-

10.23 COMMUNITY UTILITIES LEGISLATIVE REQUIREMENTS UNDERTAKINGS ANNUAL REPORT

BLOCK RESOLVED: Roberts/Maltman

That Council note the information contained within this report regarding the Annual performance reporting of Council's drinking and recycled water supply, wastewater systems and waste management services for the reporting period 1 July 2022 to 30 June 2023.

11.01 POLICY REVIEW - SMOKE FREE ENVIRONMENT POLICY - FOLLOWING PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. **Adopt the draft Smoke Free Environments Policy.**
2. **Thank those that made submissions and advise them of Council's determination in this matter.**

13.02 POLICY REVIEW - DEVELOPMENT CONTRIBUTIONS ASSESSMENT POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. **Publicly exhibit the revised draft Development Contributions Assessment Policy for a period of not less than 28 days.**
2. **Note that a further report will be tabled at the June 2024 meeting of Council after the public exhibition period, detailing any submissions received from the public during the exhibition period.**

13.03 POLICY REVIEW - PLANNING AGREEMENTS POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. **Publicly exhibit the revised draft Planning Agreements Policy for a period of not less than 28 days.**
2. **Note that a further report will be tabled at the June 2024 meeting of Council after the public exhibition period, detailing any submissions received from the public during the exhibition period.**

13.04 POLICY REVIEW - CONTRIBUTIONS FOR PATHS KERB AND GUTTER POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Place on public exhibition the Draft Contributions for Paths Kerb and Gutter Policy for a period of not less than 28 days.**
 - 2. Note that a further report will be provided to the May 2024 Ordinary Council meeting detailing the submissions received from the public during the exhibition period.**
-

13.08 DRAFT INTEGRATED WATER CYCLE MANAGEMENT STRATEGY - PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Maltman

That Council:

- 1. Place on public exhibition the Draft Integrated Water Cycle Management Strategy, commencing Wednesday 27 March 2024 for a minimum of 28 days.**
 - 2. Note that active engagement with the community on the Draft Integrated Water Cycle Management Strategy development has commenced, and will continue through the exhibition period.**
 - 3. Note that a further report will be tabled at the June 2024 Ordinary Council meeting, detailing the submissions received from the public during the exhibition and engagement sessions and presenting the final Integrated Water Cycle Management Strategy for adoption.**
-

10.03 NOTICE OF MOTION - CASTING VOTE

MOTION

MOVED: Pinson/Roberts

That the Chief Executive Officer be requested to provide a report to the April 2024 Ordinary Council Meeting that details the purpose of a casting vote, use of the casting vote, as included in the Local Government Act and the Office of Local Government Model Code of Meeting Practice, how the Mayor has the casting vote, what happens if the casting vote is not used in the event of equality of votes of a matter.

AMENDMENT

MOVED: Sheppard/Lipovac

That item 10.03 be deferred until the April 2024 Ordinary Council Meeting.

EQUAL: 4/4
FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade
LOST

THE AMENDMENT ON BEING PUT WAS LOST

PROCEDURAL MOTION

MOVED: Sheppard/Edwards

That the meeting to be adjourned to address technical issues.

LOST: 3/4
FOR: Edwards, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade

PROCEDURAL MOTION

MOVED: Sheppard

That a motion of dissent against the ruling of the chairperson be adopted.

LOST: 3/4
FOR: Edwards, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade

Councillor Intemann rejoined the meeting the time being 10.39am.

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Pinson/Roberts

That the Chief Executive Officer be requested to provide a report to the April 2024 Ordinary Council Meeting that details the purpose of a casting vote, use of the casting vote, as included in the Local Government Act and the Office of Local Government Model Code of Meeting Practice, how the Mayor has the casting vote and what happens if the casting vote is not used in the event of equality of votes of a matter.

EQUAL: 4/4
FOR: Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard
CASTING VOTE: For
CARRIED

10.04 NOTICE OF MOTION - AUDIT, RISK AND IMPROVEMENT COMMITTEE.

LOST: Intemann/Sheppard

That Council:

1. Replace Councillor Adam Roberts with Councillor Lisa Intemann to be the non-voting Councillor member to the Audit, Risk and Improvement Committee.
2. Re-appoint Councillor Danielle Maltman as an alternate non-voting Councillor representative to attend the Audit, Risk and Improvement Committee meeting as the Councillor representative whenever the primary non-voting Councillor representative is unable to attend.

EQUAL: 4/4
FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade
LOST

10.05 NOTICE OF MOTION - RETURNS OF INTEREST

MOTION

MOVED: Edwards/Sheppard

That Council:

1. Amend the Code of Conduct by including additional supplementary provisions as detailed below:
 - 4.23A The Chief Executive Officer, or delegate, is authorised to decline to accept a return from a Councillor or Designated Person that, in the opinion of the Chief Executive Officer or delegate, is visibly incomplete, contains unclear responses, is illegible or otherwise non-compliant with the requirements of completing the return. It is noted that the analysis with respect to the measure of completeness is based on examination of whether individuals have completed all parts of the returns of interest form. This does

not examine whether the information provided in the forms is in fact accurate. It is further noted that the responsibility of completing the return correctly lies with the Councillor or Designated Person and not the Chief Executive Officer, or delegate.

4.23B In any circumstance where Council accepts lodgement of a visibly incomplete disclosure of returns, that this is documented in the associated report in which the disclosure is presented to Council, identifying which disclosure is incomplete and how.

2. Advocate to the Office of Local Government that the Model Code of Conduct for Local Councils in NSW be amended to include provisions that requires councils not to accept visibly incomplete disclosures.

AMENDMENT

MOVED: Pinson/Roberts

That Council request the Chief Executive Officer advocate to the Office of Local Government that the Model Code of Conduct for Local Councils in NSW be amended to include provisions that requires councils not to accept visibly incomplete disclosures.

CARRIED: 5/3

FOR: Lipovac, Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Intemann and Sheppard

THE AMENDMENT THEN BECAME THE MOTION AND ON BEING PUT WAS CARRIED

RESOLVED: Pinson/Roberts

That Council request the Chief Executive Officer advocate to the Office of Local Government that the Model Code of Conduct for Local Councils in NSW be amended to include provisions that requires councils not to accept visibly incomplete disclosures.

CARRIED: 7/1

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts and Slade

AGAINST: Sheppard

10.06 DISCLOSURE OF INTEREST RETURN

RESOLVED: Sheppard/Edwards

That Council note the Disclosure of Interest returns for the following Councillors:

1. **Mayor Peta Pinson**
2. **Councillor Adam Roberts**
3. **Councillor Danielle Maltman**
4. **Councillor Rachel Sheppard**

CARRIED: 8/0
FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

The Chairperson tabled the disclosures of interest returns of those Councillors listed above.

10.07 DISCLOSURE OF INTEREST RETURN - DESIGNATED PERSONS

RESOLVED: Sheppard/Lipovac

That Council note the Disclosure of Interest returns for the following positions:

1. **Business and Performance - Procurement Manager**
2. **Community Planning and Environment - Development Assessment Planner**
3. **Community Infrastructure Planning and Design - Civil Designer**
4. **Community Utilities - Network Construction and Integration Manager**

CARRIED: 8/0
FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

The Chairperson tabled the disclosures of returns of those Designated Persons listed above.

10.08 QUESTION WITH NOTICE - CODE OF MEETING PRACTICE OR CODE OF CONDUCT

MOTION

MOVED: Intemann/Sheppard

That the Chief Executive Officer be requested to assess against the Risk Appetite Statement the question of significant expenditure being decided at a Council meeting without relevant Council staff advice and consider an appropriate amendment for inclusion in the next review of the Code of Meeting Practice.

PROCEDURAL MOTION

MOVED: Maltman/Slade

That the motion be put.

EQUAL: 4/4
FOR: Maltman, Pinson, Roberts and Slade
AGAINST: Edwards, Intemann, Lipovac and Sheppard

CASTING VOTE: For
CARRIED

THE MOTION ON BEING PUT WAS LOST

LOST: Intemann/Sheppard

That the Chief Executive Officer be requested to assess against the Risk Appetite Statement the question of significant expenditure being decided at a Council meeting without relevant Council staff advice and consider an appropriate amendment for inclusion in the next review of the Code of Meeting Practice.

EQUAL: 4/4
FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade
LOST

Item 10.09 Investments and Loans - February 2024, has been addressed previously within the meeting.

Item 10.10 Monthly Budget Review - February 2024, has been addressed previously within the meeting.

**10.11 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE
MEETING HELD 7 MARCH 2024**

RESOLVED: Sheppard/Roberts

That Council note the report of the Audit, Risk and Improvement Committee held 7 March 2024.

CARRIED: 8/0
FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

Item 10.12 Internal Audit Charter, has been addressed previously within the meeting. Councillor Edwards left the meeting, the time being 11:57am.

**10.13 OPPORTUNITY FOR LOCAL FIRMS TO DO BUSINESS WITH PORT
MACQUARIE-HASTINGS COUNCIL**

RESOLVED: Lipovac/Pinson

That Council:

- 1. Note the information provided in this report.**
- 2. Request that a report be presented to the April 2024 Ordinary Council meeting that summarises Council's commitment to supporting local business through their tendering and purchasing process during the previous 12 months.**

-
- 3. Note a future report will be presented annually to the October Ordinary Council meeting, commencing October 2024, that details Council's commitment to supporting local business through its tendering and purchasing process during the previous financial year.**

CARRIED: 7/0
FOR: Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

Councillor Edwards returned to the meeting, the time being 11:59am.

10.14 NOTICE OF MOTION - OPPORTUNITIES FOR LOCAL FIRMS TO DO BUSINESS WITH PORT MACQUARIE-HASTINGS COUNCIL

The notice of motion was withdrawn at the request of Councillor Lipovac

Item 10.15 Policy Review - Investment Policy, has been addressed previously within the meeting.

Item 10.16 Policy Review - Draft Strategic Property Investment Policy - Following Public Exhibition, has been addressed previously within the meeting.

Item 10.17 Policy Review - Draft Determining Applications Lodged by Councillors and Staff Policy, has been addressed previously within the meeting.

Item 10.18 Policy Review - Draft Policy Framework, has been addressed previously within the meeting.

Item 10.19 Policy Review - Draft Unreasonable Customer Conduct Policy, has been addressed previously within the meeting.

Item 10.20 Policy Review - Draft Data Breach Policy and Privacy Management Plan, has been addressed previously within the meeting.

Item 10.21 Policy Review - Draft Legislative Compliance Policy, has been addressed previously within the meeting.

Item 10.22 Laboratory Media Supply, has been addressed previously within the meeting.

Item 10.23 Community Utilities Legislative Requirements Undertakings Annual Report, has been addressed previously within the meeting.

Item 11.01 Policy Review - Smoke Free Environment Policy - Following Public Exhibition, has been addressed previously within the meeting.

11.02 NOTICE OF MOTION - SIGNAGE CODING SYSTEM TO IMPROVE EMERGENCY RESPONSE TIMES

RESOLVED: Pinson/Roberts

That Council:

-
1. **Seek feedback from the Local Emergency Management Committee (LEMC) regarding the benefits or otherwise relating to the potential introduction of an Emergency Signage Coding System to improve emergency responses.**
 2. **Upon receipt of the feedback from the LEMC, request the Chief Executive Officer to write to the NSW Ministers for Emergency Services and Resilience requesting consideration of a State-wide Emergency Response Signage Coding System to improve emergency responses similar to the systems implemented in Victoria and Western Australia.**

CARRIED: 8/0

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

11.03 QUESTION WITH NOTICE - COMMUNITY ENERGY UPGRADE - GRANTS ROUND 1.

RESOLVED: Edwards/Lipovac

That Council request the Chief Executive Officer provide an update, by way of written report to Council no later than the May 2024 Ordinary Council meeting, on the progress being made to determine suitable Council-owned land and asset sites that could accommodate renewable energy projects such as battery storage and or mid-scale solar projects which could be pursued utilising current grant opportunities.

CARRIED: 8/0

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

11.04 RECOMMENDED ITEMS FROM THE FEBRUARY 2024 MEETING OF THE PORT MACQUARIE-HASTINGS SPORTING FUND

RESOLVED: Lipovac/Sheppard

That Council endorse the Port Macquarie-Hastings Sporting Fund Committee recommendations to award funding as follows:

1. **\$750 to Lane Jordan for representation at the U16 Cricket Australia National Championships.**
2. **\$750 to Taj McIntosh for representation at the U18 Hockey Australia Indoor Hockey National Championships.**
3. **\$750 to Bear Farmer for representation at the U13 Hockey Australia Indoor Hockey National Championships.**

CARRIED: 8/0

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

12.01 RESCISSION MOTION - PAYMENT OF WATER FUND AND SEWER FUND DIVIDEND FOR THE YEAR 2022-2023
ITEM 10.13 OF THE FEBRUARY ORDINARY COUNCIL MEETING 2024

LOST: Sheppard/Lipovac

That the undermentioned motion adopted at the Ordinary Council Meeting held on 15 February 2024:

That Council:

1. Note Council has complied with sections 4.2 and 4.3 of the Guidelines (Regulatory and Assurance Framework for Local Water Utilities) for council dividend payments for water supply or sewerage services and any direction under s.409(6)(b) of the Local Government Act.
2. Authorise the payment of a dividend of \$961,254 to the General Fund from the surplus in Water Supply operations for 2022-2023.
3. Authorise the payment of \$106,806 for tax equivalents to the General Fund from the Water Supply operations for 2022-2023.
4. Authorise the payment of a dividend of \$930,015 to the General Fund from the surplus in the Sewerage Fund for 2022-2023.
5. Authorise the payment of \$103,335 for tax equivalents to the General Fund from the Sewerage Fund for 2022-2023.
6. Note that once the information provision requirements in section 4.4 of the Guidelines is finalised, apply the dividends as noted in Points 2,3,4 and 5, to first hold in reserve the amount required to pay out the loan associated with the Town Centre Master Plan, with any residual amount being the subject of a future report to Council before further allocation.

be rescinded.

EQUAL: 4/4
FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Maltman, Pinson, Roberts and Slade
LOST

Councillor Slade left the meeting, the time being 12:13pm.

Councillor Slade returned to the meeting, the time being 12:16pm.

Councillor Maltman left the meeting, the time being 12:16pm.

Councillor Maltman returned to the meeting, the time being 12:19pm.

Councillor Roberts left the meeting, the time being 12:27pm.

Councillor Roberts returned to the meeting, the time being 12:28pm.

**13.01 NOTICE OF MOTION - FERRY SERVICE OPERATIONS - RESPONSE
FROM THE MINISTER FOR REGIONAL TRANSPORT AND ROADS**

RESOLVED: Pinson/Maltman

That Council:

- 1. Note the response received from The Hon Jenny Aitchison MP, Minister for Regional Transport and Roads, regarding the operation of the two vehicular ferries over the Hastings River and Council's request for the NSW Government to take over the operation of the service or provide funding support.**
- 2. Note that this decision of the NSW Government will result in Port Macquarie-Hastings Council continuing to fund ferry services across the Hastings River, whilst most other vehicular ferry services in NSW are provided by the NSW Government or receive funding support.**
- 3. Continue advocacy for NSW Government funding for the ferry services that connects public roads.**

CARRIED: 8/0

*FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and
Slade*

AGAINST: Nil

Item 13.02 Policy Review - Development Contributions Assessment Policy, has been addressed previously within the meeting.

Item 13.03 Policy Review - Planning Agreements Policy, has been addressed previously within the meeting.

Item 13.04 Policy Review - Contributions for Paths Kerb and Gutter Policy, has been addressed previously within the meeting.

**13.05 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY
UPDATE REPORT**

Councillor Maltman declared a Non-Pecuniary - Less than Significant interest in this item. The reason being that Councillor Maltman is a non-financial life member and former President of the community organisation Revive Lake Cathie Incorporated. Councillor Maltman remained in the meeting, participated and voted in the matter as this perceived conflict did not influence her decision making in the matter.

RESOLVED: Maltman/Pinson

That Council note the progress of natural resource management projects/initiatives within the Lake Cathie, Lake Innes and Cathie Creek waterways and progress on the Coastal Management Program.

CARRIED: 8/0

*FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and
Slade*

AGAINST: Nil

13.06 WORKS IN KIND AGREEMENT - THE SANCTUARY - 344 JOHN OXLEY DRIVE THRUMSTER
APPLICANT - KING AND CAMPBELL PTY LTD
LANDOWNER - BIRD IN THE HAND NO.2 PTY LTD

RESOLVED: Lipovac/Sheppard

That Council:

- 1. Approve the application for road works in John Oxley Drive, Thrumster on the basis that the work will provide material public benefit pursuant to section 7.11(5)(b) of the Environmental Planning and Assessment Act 1979, subject to the applicant entering into a Works in Kind Agreement.**
- 2. Note that the Chief Executive Officer will execute the Works in Kind Agreement in item 1 above under existing delegation.**
- 3. Endorse the exception to clause 6 of the Works in Kind Policy, to retrospectively approve the works on John Oxley Drive, Thrumster.**

CARRIED: 8/0

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

13.07 WORKS IN KIND - DEVELOPER WORKS DEED AGREEMENT
DA2014/114

RESOLVED: Sheppard/Lipovac

That Council:

- 1. Note the sewer works undertaken by Bird in the Hand No. 2 Pty Ltd under and associated with Development Consent DA2014/114 includes works above what is required to solely service the development.**
- 2. Note that the works are to provide additional capacity in the sewer pumping station, rising main and trunk gravity main to serve other future development growth in the area and as such constitutes works-in-kind.**
- 3. Endorse the exception to Clause 6 of the Works in Kind Policy to retrospectively approve to enter into a Developer Deed Agreement with Bird in the Hand No. 2 Pty Ltd for payment covering the additional sewer works delivered as detailed in this report.**
- 4. Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a Developer Deed Agreement contract with Bird in the Hand No. 2 Pty Ltd.**

-
5. **Note that a budget adjustment will be presented to a future Council Meeting as per the current monthly budget adjustment procedure to adjust the 2023-2024 Budget with funds from the Sewer Developer contribution reserves, for the required amount under the deed.**
 6. **Note that the cost of additional works provided have been identified in the draft Development Servicing Plan, to be adopted in mid-2024, and therefore are part of the calculation for future developer contribution charges, which will facilitate Council recouping the costs from future development when it occurs.**

CARRIED: 8/0

FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade

AGAINST: Nil

Item 13.08 Draft Integrated Water Cycle Management Strategy - Public Exhibition, has been addressed previously within the meeting.

The meeting closed at 12.54pm

.....
Peta Pinson
Mayor

Item: 06
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:	Date:
Signed:	
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:
- your interest, or
 - the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - 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:
- Your "relative" is any of the following:
 - your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - the spouse or de facto partner of a person referred to in paragraphs (i) and (i)
 - "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)
- if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - 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
 - 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 Chief Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Chief Executive Officer, 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 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
 - 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.
 - 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.
 - 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
 - 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
 - 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:
- 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
 - 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 Chief Executive Officer, 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 Chief Executive Officer, 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 (the <i>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 (the <i>subject land</i>²) <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 Chief Executive Officer 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: 08

**Subject: CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL
MEETING**

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

1.3.2 Build trust and improve Council's public reputation through transparency, good decision making and living Council's Values.

Discussion

There are no confidential attachments to the reports for the Ordinary Council Meeting.

1 Leadership and Governance

What we are trying to achieve

A community that works together in decision making that is defined as ethically, socially and environmentally responsible.

What the result will be

We will have:

- A community that has the opportunity to be involved in decision making
- Open, easy, meaningful, regular and diverse communication between the community and decision makers
- Partnerships and collaborative projects, that meet the community's expectations, needs and challenges
- Knowledgeable, skilled and connected community leaders
- Strong corporate management that is transparent

How we will get there

- 1.1 Inform and engage with the community about what Council does using varied communication channels
- 1.2 Maintain strong partnerships between all stakeholders - local, state and federal — so that they are affective advocates for the community
- 1.3 Demonstrate leadership
- 1.4 Use innovative, efficient and sustainable practices
- 1.5 Ensure strong corporate and financial management that is transparent and accountable

Item: 10.01

Subject: MAYORAL DISCRETIONARY FUND ALLOCATIONS - 7 MARCH TO 3 APRIL 2024

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

1.5.1 Manage Council’s financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council note the Mayoral Discretionary Fund allocations for the period 7 March to 3 April 2024.

Executive Summary

To advise of the Mayoral Discretionary Fund allocations for the period 7 March to 3 April 2024 inclusive.

Discussion

The following allocations were made by the Mayor from the Mayoral Discretionary Fund during this reporting period:

Donation to Sailability PMQ towards costs for member Kathryn Stevens to compete in Port Stephens Regatta Cup	\$600.00
Donation to Hastings Gateway towards fundraiser for the purchase of the Wauchope Station Master’s Cottage	\$950.00
Donation to Cancer Council on behalf of Hastings Stars 2024 Entrant, Laura Mayes	\$250.00
Total allocation	\$1,800.00

Options

This report is for noting only.

Community Engagement and Internal Consultation

There has been no community engagement or internal consultation in relation to this report.

Planning and Policy Implications

There are no planning and policy implications in relation to this report. This report is provided to Council as per the requirements of the Mayoral Discretionary Fund Policy.

Financial and Economic Implications

There are no economic implications in relation to this report.

The allocations made during this reporting period were funded from the Mayoral Discretionary Fund as included in the 2023-2024 Operational budget.

Attachments

Nil

Item: 10.02

Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

That Council note the information contained in the Status of Reports from Council Resolutions report.

Discussion

APRIL 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Opportunity for Local Firms to do Business with Port Macquarie-Hastings Council	21/03/2024 Item 10.13		DBP	Apr-24		Apr-24
Purpose of a Casting Vote	21/03/2024 Item 10.03		DBP	Apr-24		Apr-24
Material Public Benefit - Developer Delivered Sewer Works Kendall - completion of works	17/03/2022 Item 14.07	Request the CEO to add a new action to the 2021-2022 Operational Plan - Kew Kendall SPS#1 Upgrade and Works. Moved to December 2023 the developer works have not yet been completed.	DCU	Future Report upon completion of the project	Feb-23 Jun-23 Aug-23 Dec-23 Feb-24 Mar-24	Apr-24

APRIL 2024 REPORTS (continued)						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Draft Environmental Sustainability Strategy	21/09/2023 Item 13.09	Council deferred consideration to this item until workshop has been held for further consideration to the Sustainability Policy review	DCPE			April-24 (Workshop March)
Draft Landrigan and Andrews Parks Master Plan	14/12/2023 Item 11.01	Council to receive a future report following public exhibition	DCPE			Apr-24
Water Quality Update	15/02/2024 Item 13.01		DCU	Apr-24		Apr-24
MAY 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Community Energy Upgrade - Grants Round 1	21/03/2024 Item 11.03	Report on progress to determine suitable Council-owned land and assets sites that could accommodate	DBP/DCPE	May-24		
Policy Review - Investment Policy	21/03/2024 Item 10.15	A further report to council following public exhibition on submissions received.	DBP	May-24		
Policy Review - Draft Determining Applications Lodged by Councillors and Staff Policy	21/03/2024 Item 10.17	A further report to council following public exhibition on submissions received.	DBP	May-24		
Policy Review - Draft Policy Framework	21/03/2024 Item 10.18	A further report to council following public exhibition on submissions received.	DBP	May-24		
Policy Review - Investment Policy	21/03/2024 Item 10.15	A further report to council following public exhibition on submissions received.	DBP	May-24		
Policy Review - Contributions for Paths Kerb and Gutter Policy	21/03/2024 Item 13.04	A further report to council following public exhibition on submissions received.	DBP	May-24		



MAY 2024 REPORTS (continued)						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Lots 101 and 102 DP 1244390 Pacific Drive, Port Macquarie - Options for operational land	07/03/2022 Item 10.01	Seeking additional legal advice. Options for sale of land will be prepared for Council consideration as part of the broader property review due in May	DBP		Nov-23 Feb-24 Mar-24 For inclusion: Operational Plan – Quarterly Progress	May-24
Council owned lots at North Shore: Progress of Sale	19/09/2018 Item 09.24 14/12/2023 Item 13.09	Due diligence ongoing. Options for sale of land will be prepared for Council consideration as part of the broader property review due in May.	DBP		Nov-2023 Mar-24 For inclusion: Operational Plan – Quarterly Progress	May-24
Places to Play and Stay	15/02/2024 Item 11.04	A further report detailing submissions received following public exhibition	DCPE	May-24		
Policy Review - Waste Services Policy	15/02/2024 Item 13.02	A further report detailing submissions received following public exhibition	DCU	May-24		
JUNE 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Review of Current and Recent Community Engagement Systems, Structures and Functions	16/11/2023 Item 11.01	The report for item 11.01 has been delayed due to several factors including the recent workplace changes, ongoing recruitment processes associated with the change, and resource constraints. The team are now working on a comprehensive review of our current community engagement systems, structures, and functions including assessing what has been successful in the past and what community expectations are and any engagement trends.	DCPE	Apr-24	Apr-24	Report Jun-24 Councillor Briefing May-24



JUNE 2024 REPORTS (continued)						
Draft Local Housing Strategy Update	16/11/2023 Item 13.08	Report to Ordinary Council meeting April 2024, with revised Housing Strategy and outcomes of community engagement.	DCPE	Apr-24	Apr-24	Jun-24
Cairncross Waste Management Facility Leachate Pre-Treatment	18/05/2023 Item 14.03	Following successful negotiations with Oleology Pty Ltd for the supply of a containerised leachate pre-treatment solution and present a further report to a future meeting of Council on completion of the works for Council's information	DCU		Feb-24 Apr-24	Jun-24
Policy Review - Draft Unreasonable Customer Conduct Policy	21/03/2024 Item 10.19	A further report detailing submissions received following public exhibition	DBP	Jun-24		
Policy Review - Development Contributions Assessment Policy	21/03/2024 Item 13.02	A further report detailing submissions received following public exhibition	DBP	Jun-24		
Policy Review - Planning Agreements Policy	21/03/2024 Item 13.03	A further report detailing submissions received following public exhibition	DBP	Jun-24		
Integrated Water Cycle Management Strategy -Public Exhibition	21/03/2024 Item 13.08	A further report detailing submissions received following public exhibition	DBP	Jun-24		
Supply of Electricity - Regional Councils NSW Power Purchase Agreement.	15/02/2024 Item 13.09	A future report to be tabled on completion of the process for Council's information	DCPE			Jun-24
JULY 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Post Exhibition Report: Planning Proposal PP-2022-4099 New LEP Clause 5.5 Secondary Dwellings in Rural Zones.	20/07/2023 Item 13.02	Future report to the July 2024 Ordinary Council Meeting regarding the uptake of secondary dwelling provisions in rural areas.	DCPE	Jul-24		
Extension of the Fly Neighbourly Agreement for a further 12 months.	15/06/2023 Item 12.02	A further report to Council Meeting July 2024	DBP	Jul-24		



AUGUST 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Draft MR538 and MR600 Corridor Strategy - Following public exhibition	19/05/2022 Item 14.04	Alignment of the Corridor Strategy with the Integrated Transport Plan will be required The Draft Corridor Strategy shall be reviewed on completion of the Integrated Transport Plan	DCI		Feb-24	Aug-24
Request Council to continue acceptance of Kempsey Shire Council Waste at Cairncross Landfill	14/12/2023 Item 13.12	A future report be tabled at the completion of the arrangement	DCPU			
Impacts and Options in Relation to the Abolition of the Town Centre Master Plan Component of the Port Macquarie CBD Ordinary Business Rate	15/02/2024 Item 10.17	Report to Council on how Council will maintain the Port Macquarie, Wauchope, and Laurieton CBDs in the future	DBP			Aug-24
SEPTEMBER 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
OCTOBER 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Countback Election	Na	Councils must, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback of votes cast at the election if councils want to fill vacancies by these means. Councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election	GMG	Na	Oct-24	



OCTOBER 2024 REPORTS (continued)						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Election of Deputy Mayor	Na	Na	GMG		Oct-24	
Attendees at Local Government Election	Na	Determine attendees at the annual Local Government election	GMG		Oct-24	
NOVEMBER 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
DECEMBER 2024 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
FEBRUARY 2025 REPORTS						
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie - post exhibition.	20/06/2018 Item 14.05	To be incorporated in strategic property portfolio review to be undertaken in 2022/2023 Reclassify the property to operational land, this is a statutory process involving a planning proposal which includes Council fees, public exhibition, submissions, a public hearing, council resolutions and Depot Planning approval. It is estimated that this would take at least 6-9 months.	DCPE	Future Report	Mar-20 Nov-20 Mar-21 Apr-21 Jun-21 Sep-21 Feb-22 Jun-22 Jun-23	Feb-25
JANUARY 2026 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Statement of Business Ethics	16/11/2023 Item 10.20	Na	GMP	2026		



DECEMBER 2026 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Administering 2028 Local Government Election	Na	Na	GMG	Na	Na	Dec-26
JULY 2027 REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Councillor Numbers for 2028 Local Government Election	Na	Na	GMG	Na	Na	Jul-27
FUTURE REPORTS						
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Biodiversity and Land Acquisition for offsets update	20/04/2023 Item 14.02	Further report to be presented for further consideration	DBP			Estimated 2024
Environmental Land Rezoning - Council owned land	08/12/2022 Item 13.10	A report to Council following public exhibition	DCPE	Future report		
Draft s9.11 Airport Business Park Roads Contribution Plan	20/05/2020 Item 13.05	To be considered as part of wider development contribution framework review and proposed development yet to be assessed.	DCPE	Future Report (Prior to development)	Dec-20 Jun-21 Oct-21 Jun-22 Dec-22	
T-22-10 Inlet Odour Management Works	21/09/2023 Item 14.02	Present a future report to Ordinary Council Meeting after contract awarded for Council's information	DCU			
Payment of Water Fund and Sewer Fund Dividend for the Year 2022 - 2023	15/02/2024 Item 10.13	Residual amount being the subject of a future report to Council before allocation	DBP			
Sancrox Employment Land Environmental Lands and Services Planning Agreement Assessment Report	15/02/2024 Item 13.06	A further report to council following public exhibition on submissions received.	DCPE			

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Mayoral Discretionary Fund Allocations	CEO	Monthly	Every		
Monthly Budget Update	DBP	Monthly	Every (except July)		
Investments	DBP	Monthly	Every		
Recommendations by the Port Macquarie-Hastings Sporting Fund Sub-Committee	DCPE	Monthly	Every (except Feb)		
Lake Cathie Natural Resource Management update (13/01/2022 Item 05.01) (18/05/2023 Item 13.04) Continue with monthly reporting for the Lake Cathie Natural Resource Management Update Report and review the frequency of reporting no later than the November 2023 Ordinary Council Meeting.	DCPE	Monthly	Every		
Recreation Action Plan – Status The cycle of Recreation plan has changed due to Recreation Action Plan being adopted in February 2023	DCPE	Annually	February		
Annual Drinking Water and Recycled Water Reports	DCI	Annually	February		
Contracts Awarded under Delegation by the Chief Executive Officer	DBP	Quarterly	Feb, Apr, Jul, Oct.		
Legal Fees - Update Report (19/09/18 - Item 09.16)	CEO	Quarterly	Feb, May, Aug, Nov		
Development Activity and Assessment System Performance	DCPE	Quarterly	Feb, May, Aug, Nov		
Community Inclusion Plan - Update of Tasks, Measures and Actions	DCPE	Biannual	Feb, Aug		

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Glasshouse Strategic Plan Update	DBP	Biannual	Feb, Aug		
2022-2026 Delivery Program – Six Monthly Progress	DBP	Biannual	Feb, Aug		
Grant Application Biannual Report (16/02/23 - Item 11.05) (21/08/19 - Item 11.02)	DCPE	Biannual	Feb, Aug		
Major Events Grants Round 1 Round 2	DCPE	Biannual	Sept Apr		
Operational Plan – Quarterly Progress	DBP	Quarterly	May, Nov (other 2 quarters reported with DP 6 monthly progress report)		
Quarterly Budget Review Statement	DBP	Quarterly	Feb, May, Nov		
Mayoral and Councillor Fees (Setting of)	CEO	Annually	May		
General Fund Operating Performance	CEO	Biannual	June Dec		
Update on Site Specific Planning Proposal Requests	DCPE	Biannual	Jun, Dec		
Port Macquarie-Hastings Destination Management Plan 2020-2024 (20/05/2020 - Item 12.01)	DCPE	Annually	Jun		
Kooloonbung Creek Flying Fox Camp Management Plan - Annual Update (16/06/2021 - Item 12.03)	DCPE	Annually	Jun		
Council Policy - Status	CEO	Annually	Jul		
UGMS - Annual Progress Report on Implementation and Status of Actions (20/06/18 - Item 12.07)	DCPE	Annually	Jul		
Chief Executive Officer's Performance Review	CEO	Annually	Aug		
Local Preference Policy Outcomes	DBP	Annually	Aug		
Cultural Plan 2021 - 2025: Implementation and evaluation of actions undertaken (04/08/2021 - Item 10.01)	DCPE	Annually	Aug		
Audit, Risk and improvement Committee Annual Report	CEO	Annually	Sep		

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Annual Disclosure of Interest Returns	CEO	Annually	Oct		
Professional Development of Councillors (15/09/2021 - Item 09.07)	CEO	Annually	Oct		
Opportunity for Local Firms to do Business with Port Macquarie-Hastings Council	DBP	Annually	Oct		
Council Meeting Dates	CEO	Annually	Nov		
Legislative Compliance Register	CEO	Annually	Nov		
Council's Annual Report	DBP	Annually	Nov		
Performance of Property Investment Portfolio (20/11/19 - Item 10.17)	DBP	Annually	Nov		
Local Strategic Planning Statement - Implementation of Actions (03/11/2021 - Item 12.05)	DCPE	Annually	Nov		
Koala Recovery Strategy Annual Report (19/09/18 - Item 12.05)	DCPE	Annually	Nov		
Annual Financial Statements for the Year Ended 30 June 2023	DBP	Annually	Nov		
Code of Conduct Complaints Annual Report	CEO	Annually	Dec		

Attachments

Nil

Item: 10.03

Subject: NOTICE OF MOTION - BLUEPRINT FOR GENERATIONAL EQUITY

Councillor Adam Roberts has given notice of his intention to move the following motion:

RECOMMENDATION

That Council request the Chief Executive Officer to provide a report to the June 2024 Ordinary Council Meeting providing an update on work completed to date and any upcoming initiatives in relation to the adopted Port Macquarie-Hastings Blueprint for Generational Equity.

Comments by Councillor

Nil.

Attachments

Nil

Item: 10.04

Subject: NOTICE OF MOTION - REFERENDUM TO REDUCE COUNCILLOR NUMBERS FROM NINE TO SEVEN

Councillors Lauren Edwards, Lisa Intemann, Nik Lipovac and Rachel Sheppard have given notice of their intention to move the following motion:

RECOMMENDATION

That Council, regarding the constitutional referendum to be conducted at the 2024 Local Government elections on a reduction of Councillor numbers from nine to seven:

- 1. Develop and provide an information page on Council's website from 1 August 2024 that includes supporting information for both the 'yes' response and 'no' response to the referendum question, consisting of opinions provided by Councillors supporting each option.**
- 2. Determine that this information page will make it clear that the opinions have been provided by individual Councillors, and do not reflect the position of Port Macquarie-Hastings Council.**
- 3. Note the example information supporting the 'no' response to the referendum question, as provided as supplementary information with this Notice of Motion.**
- 4. Receive a report to the June 2024 Ordinary Meeting of Council, which includes the opinions provided by Councillors for the 'yes' response and 'no' response for display on the information page.**

Comments by Councillor Rachel Sheppard

Summary

Reducing the number of Councillors from 9 to 7 would be a significant change to Council's constitution. It would impact community representation and community input into decision making. However, Council does not currently intend to provide the community with information about the upcoming binding referendum on reducing councillors' numbers.

This Notice of Motion proposes that Council publish information for and against reducing councillor numbers on the Council website. By doing this, Council can empower community to understand potential impacts of reducing the number of councillors, and to be informed when voting.

Background

In September 2023, Council resolved to undertake a binding referendum to reduce councillor numbers from 9 to 7, to be held at the September 2024 Local Government Election. The proposal was made without notice to several councillors, without advice from staff, without first consulting with community, and comes at an estimated cost of \$70,000. This decision was made with Mayor Pinson's casting vote, following a tied

4/4 vote (Item 10.03. FOR: Maltman, Pinson, Roberts, Slade. AGAINST: Edwards, Intemann, Lipovac, Sheppard).

In February 2024, Council then decided against putting information on Council's website, about the arguments for and against reducing councillor numbers. This decision was made with Mayor Pinson's casting vote, following a tied 4/4 vote (Item 10.04. FOR: Edwards, Intemann, Lipovac, Sheppard. AGAINST Maltman, Pinson, Roberts, Slade).

A reason given against providing community information was concern about the quality of information that might be put on Council's website. This motion seeks to address that concern, and provide clarity and transparency to Councillors and community by:

- Providing an example of "no" response information, against reducing councillor numbers (below).
- Formalising the opportunity for councillors to provide comments for or against reducing councillor numbers, to be included on Council's website.
- Formalise the opportunity for councillors to view the information in a Council report, before it is published on Council's website.

Below is an example of arguments against reducing councillor numbers that will be submitted for inclusion on Council's website. Please note this is an example only, with intent that information both for and against reducing councillor numbers can be submitted by any councillor and be included in the June 2024 report.

Example of Arguments Against Reducing Councillor Numbers

The following opinions have been prepared in support to the 'No' response to reducing Councillor numbers:

Reducing councillor numbers to 7 will:

- Reduce lines of communication between Council and Community.
- Reduce the amount of representation of our community, at a time when the populations is growing.
- Increase workload on individual councillors.
- Reduce quality of representation.
- Make it easier to determine decisions without seeking consensus with councillors of different views.
- May reduce councillor numbers from Wauchope and Camden Haven.
- Reduce the opportunity for diversity of councillors that reflects a cross-section of our community.
- Not create significant financial savings.

Should this motion be passed, this would constitute an amendment to clause two of the lost amendment, Item 10.04 of the 2024 February Ordinary Meeting of Council,

"That Council...Develop and provide an information page on Council's website from 1 August 2024 including supporting information for both the "yes" response and "no" response consisting of comments provided by Councillors supporting each option."

As such, this motion was brought as a notice of motion, with signatures from at least three councillors, to meet requirements of clauses 17.5 and 17.6 of the Code of Meeting Practice.

Attachments

Nil

Item: 10.05

Subject: NOTICE OF MOTION - PAYMENT OPTIONS FOR RATES (BILLS)

Councillor Adam Roberts has given notice of his intention to move the following motion:

RECOMMENDATION

That Council through the Chief Executive Officer explore additional options for Ratepayers to pay rates (bills).

Comments by Councillor

Nil.

Attachments

Nil

Item: 10.06

Subject: USE OF THE CASTING VOTE

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

That Council note the information provided in the report.

Executive Summary

At the Ordinary Council meeting held 21 March 2024, with regard to Item 10.03, Notice of Motion - Casting Vote, Council resolved:

That the Chief Executive Officer be requested to provide a report to the April 2024 Ordinary Council Meeting that details the purpose of a casting vote, use of the casting vote, as included in the Local Government Act and the Office of Local Government Model Code of Meeting Practice, how the Mayor has the casting vote and what happens if the casting vote is not used in the event of equality of votes of a matter.

This report addresses the above resolution.

Discussion

In accordance with the resolution above, this report will address the purpose of a casting vote, use of the casting vote, as included in the Local Government Act and the Office of Local Government Model Code of Meeting Practice, how the Mayor has the casting vote and what happens if the casting vote is not used in the event of equality of votes of a matter.

Prior to addressing these items specifically, it is noted that in accordance with section 360 of the Local Government Act 1993, Council must adopt a Code of Meeting Practice, as prescribed under the Local Government (General) Regulation 2021, that must not be inconsistent with the mandatory requirements of the Model Code of Meeting Practice as prescribed. Council's Code of Meeting Practice addresses the use of the casting vote in accordance with the Local Government Act.

1. Purpose of the Casting Vote

The casting vote exists to ensure that decisions can be made in cases where there is an equal division of votes among members present at a meeting.

Its primary purpose is to facilitate the resolution of contentious issues or impasses within the local government body when there is an equality of votes.

2. Use of the Casting Vote

With regard to voting entitlements of Councillors, Council's Code of Meeting Practice states:

Voting entitlements of Councillors

11.1 Each Councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Local Government Act.

11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Local Government Act.

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

It is noted that the above clauses are mandatory provisions of the Model Code of Meeting Practice.

When a vote results in a tie or equality of votes on a motion or amendment, the presiding officer, typically the Mayor or Chairperson, may cast a deciding (casting) vote. The presiding officer may exercise the casting vote to determine the outcome of the matter under consideration.

The decision made using the casting vote is final and binding on the local government body and is a resolution of the Council.

3. Mayor's Role in the Casting Vote

Council's Code of Meeting Practice states the following regarding the chairperson at meetings:

6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Again, it is noted that the above clauses are mandatory provisions of the Model Code of Meeting Practice.

The Mayor holds the casting vote when the Mayor is chairperson for that meeting. A Deputy Mayor, or any other Councillor elected to be chairperson, if the Mayor is absent from a Council meeting holds the casting vote and may use it in accordance with clause 11.2.

The decision made using the casting vote is a resolution of the Council.

4. When a Casting Vote is Not Used

If the presiding officer elects not to use the casting vote in the event of an equality of votes, the motion or amendment is lost.

In such cases, Council may further resolve to defer the matter to a future meeting for further discussion and deliberation.

In summary, the casting vote serves as a mechanism for resolving tied votes in Council meetings, ensuring that decisions can be reached even in situations of equal division.

Options

This report is for information only.

Community Engagement and Internal Consultation

No community engagement was required with regard to this report.

Internal consultation occurred between the Chief Executive Officer, Director Business and Performance, Group Manager Governance and Legal Counsel.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

Nil

Item: 10.07

Subject: POLICY REVIEW - DRAFT LOCAL GOVERNMENT ELECTIONS
CARETAKER PERIOD POLICY

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

That Council adopt the draft Local Government Elections Caretaker Period Policy.

Executive Summary

Council will be conducting Local Government elections on 14 September 2024 after a shortened Council term due to a delay in conducting the previous election. Leading up to these elections, Council enters a 4 week caretaker period whereby a number of restrictions are placed upon Council with regard to its decision making capabilities. Council adopted a Local Government Elections Caretaker Period Policy at the May 2021 Ordinary Council meeting that should now be reviewed leading into the upcoming elections. This policy ensures that the outgoing Council does not commit a new Council to any ongoing obligations or the integrity of the elections are affected by Council actions or decisions. A draft Local Government Elections Caretaker Period Policy has been developed for the consideration of Council (Attachment 1). There are very few proposed changes to the existing policy and these proposed changes are indicated in red text.

Discussion

A draft Local Government Elections Caretaker Period Policy has been developed to ensure:

- The Council, community and staff are aware of what can and cannot be done during the election (caretaker) period;
- Council complies with the election (caretaker) period provisions of the *Local Government (General) Regulation 2021 (the Regulation)*;
- Council complies with the Code of Conduct requirements with regard to elections;
- Council continues to provide high standards of service to the community; and
- Council decisions or actions do not advantage, or disadvantage, any candidate leading into an election.

This policy also commits Council during the (caretaker) period to:

- Avoid making significant new policies or decisions that could unreasonably bind a future Council; and

- Ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

The draft policy addresses the requirements of the Local Government Act and Regulation with regard to the caretaker period prior to an election but goes further to address requirements under the Code of Conduct with regard to the use of Council resources by Councillors in an election period.

Options

Council may:

- Adopt the draft policy as presented
- Adopt an amended policy
- Take no action

Community Engagement and Internal Consultation

This draft policy has been reviewed by Council's Executive Team.

It is not proposed to publicly exhibit this draft policy as there is little impact on the community and much of the policy revolves around provisions of the Act, Regulation and Code of Conduct.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

1.  Draft Policy - Local Government Elections Caretaker Period

Item: 10.08

Subject: DISCLOSURE OF INTEREST RETURN - DESIGNATED PERSONS

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

**That Council note the Disclosure of Interest return for the following position
Community Planning and Environment - Strategy Officer**

Executive Summary

This report informs Council of the lodgement of a return disclosing the interests of a designated person which are required under Clause 4.21 of Council's Code of Conduct.

The returns for the abovementioned position will be tabled at this meeting.

Discussion

Clause 4.21 of Council's Code of Conduct, requires Councillors and Designated Persons to prepare and submit written returns of interests. The following position is designated person under the Local Government Act:

- Strategy Officer

Clause 4.24 requires the General Manager (or Chief Executive Officer) to keep a Register of the Returns and Clause 4.25 requires the returns must be tabled at the first meeting of the Council after the last day the return is required to be lodged.

The disclosure returns will be held in the Disclosure Register in the Governance Section of Council and, as required by Section 6 of the *Government Information (Public Access) Act 2009*, they are available for public inspection by appointment or they are available on Council's website noting residential addresses of staff may be redacted in accordance with the Local Government Act.

Options

Lodgement of a Return by a Designated Person is a requirement under Clause 4.21 of Council's Code of Conduct.

Community Engagement and Internal Consultation

Internal Consultation

- Group Manager Governance.
- Chief Executive Officer.

Planning and Policy Implications

There are no planning or policy implications.

Financial and Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 10.09

Subject: DRAFT OPERATIONAL PLAN 2024-2025, FEES AND CHARGES, REVENUE POLICY, AND RATING MAPS DOCUMENTS FOR PUBLIC EXHIBITION

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That Council:

1. Place the following draft Integrated Planning and Reporting documents on public exhibition for a period of 28 days from 22 April to 20 May 2024:
 - a) Draft 2024-2025 Operational Plan
 - b) Draft 2024-2025 Fees and Charges
 - c) Draft 2024-2025 Revenue Policy
 - d) Draft 2024-2025 Rating Maps
2. Note that in accordance with Council's Resolution of 15 February 2024, in relation to Item 10.16 Impacts and Options in Relation to a Proposed Rate Freeze for 2024-2025, the Draft 2024-2025 Operational Plan has been prepared with a 0.0% Rate Peg applied to Ordinary and Special Rates, excluding the Town Centre Master Plan component of the Port Macquarie CBD ordinary business rate.
3. Note that in accordance with Council's Resolution of 15 February 2024, in relation to Item 10.17 Impacts and Options in Relation to the Abolition of the Town Centre Master Plan Component of the Port Macquarie CBD Ordinary Business Rate, the Draft 2024-2025 Operational Plan has been prepared noting the abolition of the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Ordinary Business Rate.
4. Note that a further report will be tabled at the June 2024 meeting of Council for the adoption of the 2024-2025 Integrated Planning and Reporting suite of documents, detailing the submissions received from the public during the exhibition period.

Executive Summary

The Integrated Planning and Reporting (IP&R) Framework for local government came into force in 2009 as an amendment to the Local Government Act 1993 (the Act). The NSW Office of Local Government (OLG) reviewed and updated the IP&R Framework Guidelines in 2021. The purpose of the IP&R Framework is to embed an effective and integrated approach to strategic planning and reporting in local government and ensure transparency and accountability to the community. IP&R guides Council in delivering the community's vision and priorities through long, medium and short-term plans.

Port Macquarie Hastings Council's IP&R Framework comprises:

- Community Strategic Plan (10+ years) - Imagine 2050
- Community Engagement Strategy
- Resourcing Strategy (Asset Management Strategy, Workforce Management Strategy, Long Term Financial Plan)
- Delivery Program (4-year) 2022-2026, and
- Operational Plan.

Together the suite of IP&R documents support Council in planning and identifying resourcing required to deliver the services and facilities our community needs, now and in the future.

In accordance with the Act, Council is required to have the annual Operational Plan adopted before the beginning of each financial year. Supporting the 4-year Delivery Program a Draft Operational Plan has been prepared detailing the planned projects and actions that will be undertaken in the 2024-2025 financial year in working towards the community vision outlined in the Community Strategic Plan - *Imagine 2050*.

In developing the Draft 2024-2025 Operational Plan, a number of detailed briefings have been held with Councillors to consider Rates and Charges and support the development of the 2024-2025 Operational Plan and Budget, with particular emphasis on a 0.0% Rate Peg.

Council is required to exhibit the Draft Operational Plan 2024-2025 for 28 days, to provide an opportunity for the community to review and provide feedback to Council.

The purpose of this report is to seek Council approval to place the following suite of IP&R documents on public exhibition from 22 April to 19 May 2024 for community feedback:

- Draft 2024-2025 Operational Plan
- Draft 2024-2025 Fees and Charges
- Draft 2024-2025 Revenue Policy, and
- Draft 2024-2025 Rating Maps

A further report will be provided to Council, after the exhibition period, addressing all submissions received and any amendments required to the draft Plans.

Discussion

Draft 2024-2025 Operational Plan

The Draft Operational Plan details the actions, projects and programs proposed to be undertaken by Council during the 2024-2025 operational year and includes information on the cost of each service delivered to the community. The 2024-2025 draft budget sets a total expenditure of \$358.2m (excluding depreciation and loss on disposal of assets), including a capital works program of \$187.2m. Total revenues are expected to be \$285.5m.

As detailed in the Draft 2024-2025 Operational Plan (Attachment 1), in addition to delivering a number of major projects, Council will also continue to deliver services such as: water and wastewater; libraries; community and cultural facilities and programs; parks, sports and recreation; transport; waste; and the management of our natural resources. Council is strategically utilising a mixture of reserves and loans to fund the difference between revenue and expenditure and to minimise the impact on the program deliverables.

The challenges of recent years from natural disasters and the COVID-19 pandemic, as well global factors, are placing a number of pressures on Council's finances, with significant cost escalations, economic volatility, rising interest rates and pressures on supply chain, resourcing and contractor availability. Despite a balanced budget position, the General Fund operations continue to be tested, with long term financial projections showing some ongoing financial challenges.

Council continues to leverage its strong balance sheet position and strategically use internal reserves to deliver some key works, as well as leveraging its low debt levels to access new borrowings to facilitate the delivery of key infrastructure projects.

At its Ordinary Meeting held on 15 February 2024, Council considered a report, Item 10.16, Impacts and Options in Relation to a Proposed Rate Freeze for 2024-2025, and subsequently resolved as follows:

That Council:

- 1. Request the Chief Executive Officer prepare the Draft 2024-2025 Operational Plan with a 0.0% Rate Peg applied to Ordinary and Special Rates, excluding the Town Centre Master Plan component of the Port Macquarie CBD ordinary business rate.*
- 2. Include in the Draft 2024-2025 Operational Plan and resultant communication with ratepayers, a clear understanding of the measures to mitigate all the financial impacts that a 0.0% Rate Peg in the Ordinary and Special Rates that may apply.*
- 3. Ensure that mitigation measures in dealing with the 0.0% Rate peg in the Draft 2024-2025 minimises the impact on reducing services and projects.*

Similarly, and in relation to the Town Centre Master Plan, at that same meeting Council considered a report, Item 10.17, Impacts and Options in Relation to the Abolition of the Town Centre Master Plan Component of the Port Macquarie CBD Ordinary Business Rate and subsequently resolved as follows:

That Council:

- 1. Prepare as part of the Draft 2024-2025 Operational Plan, the abolition of the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Ordinary Business Rate.*
- 2. Include in the Draft 2024-2025 Operational plan details of a potential redistribution of the shortfall in rates from the abolition of the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Ordinary Business Rate across all ordinary rate sub-categories.*
- 3. Ensure that any mitigation measures in dealing with the abolition of the TCMP component of the Port Macquarie CBD Ordinary Business Rate minimises the impact on reducing services and projects.*

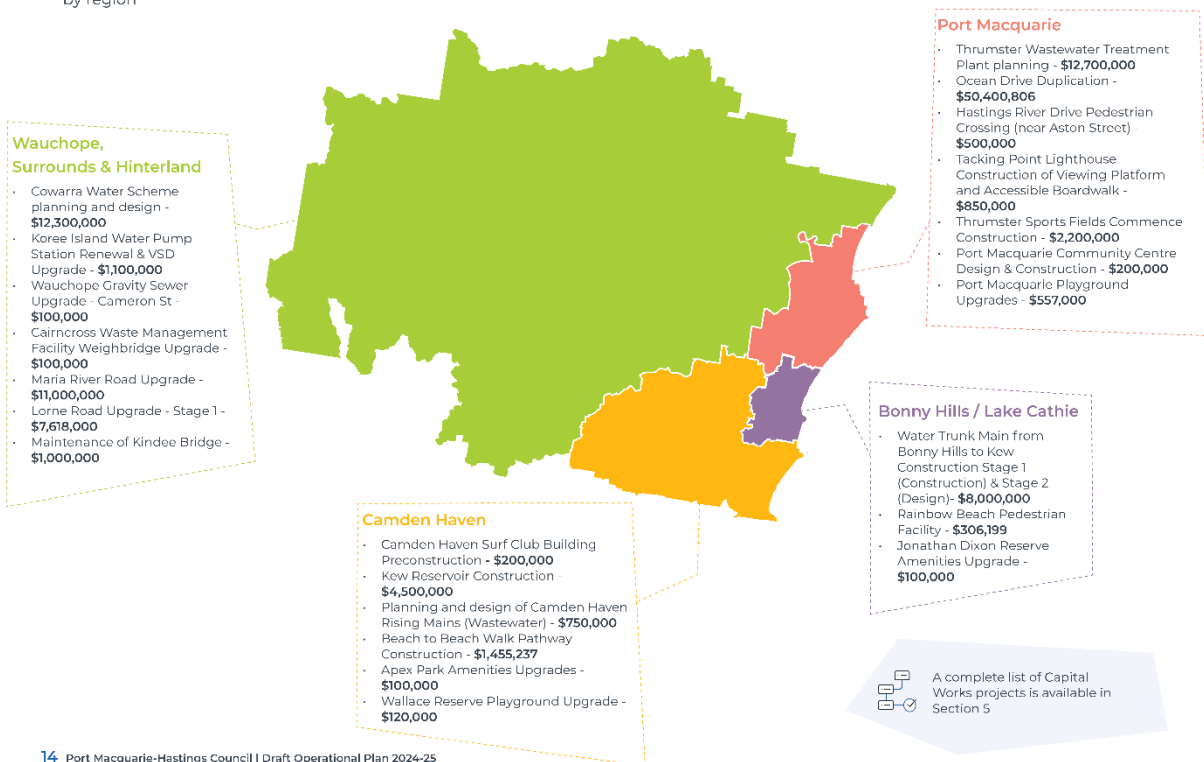
4. *Report back to Council in August 2024 a plan on how Council will maintain the Port Macquarie, Wauchope and Laurieton CBD's into the future, including any potential options for a fair and equitable resourcing.*

Further information relating to the draft 2024-2025 budget and the impacts of the above resolutions are outlined in the Rates, and Financial and Economic Implications sections of this report and in the attached documents.

Highlights, by region, of Council's \$187.2m draft capital works program are provided graphically on page 14 of the draft 2024-2025 Operational Plan and repeated below.

2024-25 Capital project highlights

by region



14 Port Macquarie-Hastings Council | Draft Operational Plan 2024-25

Supplementary documents

The full listing of rates, fees and charges, relevant statutory regulations and the proposed income generated is contained in the Revenue Policy and Fees and Charges documents. The supplementary documents to the Operational Plan are:

- Draft 2024-2025 Operational Plan (Attachment 1)
- Draft 2024-2025 Revenue Policy (Attachment 2)
- Draft 2024-2025 Fees and Charges (Attachment 3)
- Draft 2024-2025 Rating Maps (Attachment 4), and
- Draft 2024-2025 Fees and Charges - New Fees.pdf (Attachment 5)

Fees and Charges and Revenue Policy

Council delivers a wide range of chargeable services to the community. In determining the appropriate level of fees to be charged, a range of issues are considered such as what is fair and equitable, and how much the service costs to provide.

Taking these principles into account, the 2024-2025 fees and charges for services in a number of categories have been reviewed and adjusted as appropriate. These adjustments apply to categories where the individual costs are met by the user of the service, where Council operates in a competitive marketplace or Council provides services on a commercial basis. Further, adjustments have been made to some fees to ensure they reflect relevant regulations or statutory fees such as the Environmental Planning and Assessment and the Companion Animals regulations.

Rates

As detailed above, Council in February 2024 resolved to prepare the Draft 2024-2025 Operational Plan with a 0.0% Rate Peg applied to Ordinary and Special Rates, excluding the Town Centre Master Plan component of the Port Macquarie CBD ordinary business rate.

In accordance with Council’s resolution in this regard, a number of mitigation measures have been identified as detailed below:

Mitigation	Amount	Description
Freeze on hires	\$650,000	A freeze on hiring specific roles within PMHC would be used to reduce expenditure by \$650,000.
Corporate Overhead savings	\$200,000	A reduction in discretionary spending, including on consultants and professional services.
Road resealing and maintenance	\$650,000	The Sealed Roads Repairs Program will be impacted by \$650,000. This corresponds to a reduction of around ten (10) kilometres of road resealing or two (2) kilometres of asphalt resurfacing.
Parks and gardens maintenance	\$350,000	Parks and gardens maintenance will be impacted by \$350,000. This impacts Councils ability to maintain existing service levels for mowing across the LGA (i.e. a six (6) week mowing cycle would be an eight (8) week mowing cycle).
Tree and shrub maintenance	\$250,000	Tree and shrub maintenance will be reduced by \$250,000 compared to the 2023-24 budget. This corresponds to a reduction of around 144 priority trees not being maintained across the LGA.
Building maintenance	\$250,000	Building maintenance will be impacted by \$250,000 across nine (9) sites having reduced asset maintenance including Libraries, Community Halls, and amenities.
Community grants	\$200,000	Community Grants will not be available in the 2024-2025 budget.
Community activities and cultural events	\$150,000	Community activities and events will be reduced by \$150,000. This would discontinue funding for Arts Mid North Coast partnership, community events, community programs and the installation of public art.
Total	\$2,700,000	

Water Charges

Water charges will continue to be charged under the current two-tier water pricing tariff structure. The 20mm access charge and the usage charges have been increased in line with IPART's general fund rate peg of 4.6%. The access charge for all other meters have been increased in line with the best practice calculation. Recycled water will be charged at 50% of the potable water charge for non-residential properties and 80% for residential properties.

Sewer Charges

All properties connected or capable of connection to the sewerage system will be subject to an annual charge. In addition, properties such as major regional shopping centres, caravan parks, flats, retirement homes, motels, clubs, hotels, schools, and backpacker hostels will be required to pay an additional charge based on the amount of water consumed. The annual sewerage charge has been increased by 4.6% in line with the general fund rate peg approved by IPART.

Onsite Effluent charges

Properties with an on-site effluent management system will be charged an on-site effluent management fee based on the risk of the system. This fee is proposed to be increased by 4.6% for 2024–2025.

Stormwater charges

Council charges a stormwater levy on all urban properties (except vacant land) that are in the residential and business rating categories and where a stormwater management service is provided. The base stormwater levy has remained unchanged since it was introduced by the State Government in 2006-2007.

Domestic Waste Management charges

At its Ordinary Meeting 20 April 2023, Council considered a Confidential Matter, Item 14.03, T-13-21 - Organics Processing Contract Extension and resolved as follows:

That Council:

- 1. Note the extension of the Organics Processing Contract (T-13-21 Part B) with Remondis Australia Pty Ltd until 31 August 2026.*
- 2. Vary the Organics Processing Contract (T-13-21 Part B) as per Option 1 as detailed in this report.*
- 3. Utilise Funding Mechanism 2 as detailed in this report.*
- 4. Note the financial implications as detailed in the report.*
- 5. Consider the incorporation of these additional fees with the Draft Operational Plan and Fees and Charges, noting this will be the subject of targeted engagement through the exhibition period to gain feedback on the proposal.*

Funding Mechanism 2 provides as follows:

Funding Mechanism 2 - Increase Annual Waste Charges - All

This option increases all annual waste charges (those with and without an organics bin component) by an additional 1% on top of the rate peg for 2023/2024 (currently 4.7%) each year from FY2023/2024 to FY2026/2027. By doing this, an estimated \$1.90M additional income will be acquired. This method will provide more than sufficient income to account for the additional costs incurred for the proposed Variation (\$1.90M covering \$1.38M).

This method allows for a more consistent approach across all annual waste charges and will be more manageable when determining fees and charges each financial year. The same calculation methodology as Funding Mechanism 1 has been used for these calculations.

Adoption of this funding mechanism will also allow an annualised approach to proposed increases in waste charges ensuring that income can better meet the additional contract costs. This is considered to be more equitable and agile funding mechanism than that proposed in Funding Mechanism 1.

As per Council's resolution, Waste Management Fees and Charges have been drafted with a 5.6% increase.

The charges to apply to domestic waste management are determined in accordance with the Reasonable Cost Guidelines issued by the Office of Local Government. All properties with a domestic waste management service available to their property will be charged an annual charge under Section 496 of the *Local Government Act 1993*.

Other Waste Management charges

All properties with a non-domestic waste management service will be charged an annual charge under Section 501 of the *Local Government Act 1993*.

Options

Council could adopt the recommendation as proposed.

Council could seek additional information on the content of the IP&R suite of documents prior to placing on exhibition, noting this would delay the proposed minimum 28 days' exhibition period (22 April - 17 May 2024) and potentially impact ability to meet legislative timeframes for adoption of the planning suite of documents.

Community and Internal Engagement

Community engagement activities will be undertaken to support the development, refinement and adoption of Council's one-year Operational Plan 2024-2025 and will be in accordance with the Port Macquarie-Hastings Council's Community Engagement Strategy. Council is required to place the following IP&R documents on public exhibition for a minimum of 28 days for community feedback:

- Draft 2024-2025 Operational Plan
- Draft 2024-2025 Fees and Charges
- Draft 2024-2025 Revenue Policy, and
- Draft 2024-2025 Rating Maps.

Feedback gathered through the exhibition period will be used to inform Council when finalising the IP&R suite of documents, which will be presented to Council for adoption in June 2024. All community members that made a submission will receive a response, following the June 2024 Council meeting.

There are a number of ways in which Council will engage with the community during the public exhibition period and these are described in the table below.

Engagement Level	Definitions	Engagement Techniques
1. Inform	To provide stakeholders with balanced and objective information to assist in understanding the problem, alternatives, opportunities and/or solutions.	<ul style="list-style-type: none"> • Fact sheets • Media releases • E newsletters • Council display at Libraries and Customer Service Centres • Social Media
2. Consult	To obtain stakeholder feedback on analysis alternatives and/or decisions. To work directly with stakeholders throughout the process to ensure that the stakeholders' concerns are consistently understood and considered.	<ul style="list-style-type: none"> • Live Facebook Q & A • Public Exhibition • Have your Say - website • Pop-ups
3. Review and Feedback	Collate a summary engagement report. Ensure that all stakeholders that have engaged through the process are responded to after the Ordinary Council Meeting in June	<ul style="list-style-type: none"> • Assess submissions and respond to the questions within each submission

Internal consultation has taken place with Councillors, the Executive and Group Managers, and staff.

Planning and Policy Implications

This report is aligned with Council's obligations under the NSW Integrated Planning and Reporting Framework legislative requirements.

Financial and Economic Implications

The 2024-2025 budget forecasts a balanced position as shown in the table below.

Budget Summary Table Surplus/(Shortfall)	
	2024-2025 Draft Budget \$'000
Operating Budget	
Total Income	285,475 [^]
Operating Expenses (excl. Interest Expense, Depreciation, Loss on Disposal of Assets)	(150,120)*
Interest Expense	(3,029)*
Net Operating Budget	132,325
Capital Items	
Net transfers from reserves	31,248
Purchase of Assets	(195,185) ^{^*}
Proceeds from New Loans	38,429
Loan Principal Repayments	(6,817) *
Net Capital Result	(132,325)
Budget Result surplus/(shortfall)	-

[^]Includes \$8.0m in Developer Provided Assets

Total projected income is \$285.5 and includes \$97.4m in capital grants and contributions.

Excluding depreciation and loss on disposal of assets, the total expenditure is \$358.2m which includes the items in the above table marked with an *. Council will also take out new loans of \$38.4m to fund significant infrastructure works, as well as use \$94.7m of reserves to fund a variety of projects (noting this is offset by current year revenue such as developer contributions that must be put into reserves for use on future projects).

Despite a balanced budget position, the 2024-2025 budget forecasts an operating loss of \$9.9m on a consolidated basis which is driven by an operating loss of \$15.4m for Council’s General Fund.

Despite the above, Council maintains a sound balance sheet, with strong cash and investment reserves. Most of these reserves are restricted for use on significant Water and Sewer projects, and a number of these will be delivered, with significant infrastructure investment over the next few years. However, to mitigate the above impact on a short-term basis, Council continues to strategically leverage its internal reserves to deliver on key works, including the maintenance and renewal of roads, storm water and footpath networks, as well as parks and recreation spaces. Council also plans to leverage its low debt levels to access new borrowings to facilitate the delivery of key infrastructure works.

Risk and New Initiatives Register

With the above focus on service delivery and limited resources, it is noted that there are always programs and works that cannot be fully funded within the Operational Plan and Long-Term Financial Plan. The projects are monitored internally and as funding becomes available, re-prioritised in the plan. To provide a greater level of transparency and facilitate improved project prioritisation, a Risk and New Initiatives Register is being developed.

Financial Assistance Grant

It should be noted that the 2024-2025 draft budget includes grant funding (\$8.9m) from the Australian Government in the form of a Financial Assistance Grant. Any reduction to this funding could impact upon Council’s ability to deliver services.

It should also be noted that the Australian Government has in recent years made advance payments of the annual allocation of the Financial Assistance Grant. Council is required to bring these revenues to account in the year in which they are received as opposed to the year to which they relate. Should the Australian Government cease payment in advance, this may have a significant impact on the monies actually received in 2024-2025 and therefore on the operating result for this period. It is noted however that this is a timing issue only and overall monies received across periods will not be impacted.

The Town Centre Master Plan (TCMP) Levy

As detailed above, Council resolved to prepare the Draft 2024-2025 Operational Plan with the abolition of the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Ordinary Business Rate.

Item 2 of the resolution requested that the Draft 2024-2025 Operational Plan detail the potential redistribution of the shortfall in rates from the abolition of the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Ordinary Business Rate across all ordinary rate sub-categories.

In the case of redistributing across all Council ordinary rate sub-categories, including residential and business, initial modelling indicates as per the table below, that this would result in an approximate 1% increase in the average rate paid by Port Macquarie-Hastings ratepayers.






Category	Change in Average Annual Rates (\$)
Residential - Defined Urban Centre	19.93
Residential - Other	20.96
Business - Defined Urban Centre	49.28
Business - Other	27.30
Business - CBD	(3,146.72)
Farmland	32.99

Council's current rating structure incorporates a Business Category that is further split into 3 sub-categories:

- Port Macquarie CBD
- Defined Urban Centres (Bonny Hills, Camden Haven, Kew, Kendall, Lake Cathie, Port Macquarie, Thrumster, Wauchope), and
- Other Hastings

In relation to the Port Macquarie CBD rate, it is noted that these rates are subject to a higher rate in the dollar than is commonly applied to CBD areas due to the fact that they often receive a higher level of service.

Attachments

1.  Attachment 1 - Draft 2024-2025 Operational Plan
2.  Attachment 2 - Draft 2024-2025 Revenue Policy
3.  Attachment 3 - Draft 2024-2025 Fees and Charges
4.  Attachment 4 - Draft 2024-2025 Rating Maps
5.  Attachment 5 - Draft 2024-2025 Fees and Charges - New Fees

Item: 10.10

Subject: INVESTMENTS AND LOANS - MARCH 2024

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council note the Investment and Loans Report for March 2024.

Executive Summary

- Council's investment portfolio has met compliance requirements and investment income is exceeding the budget.
- Investment portfolio performance for the financial year to date was marginally below benchmarks due to the unexpected aggressive rate hikes undertaken by the Reserve Bank of Australia (RBA). Whilst the underperformance may continue in the short term, this is expected to be temporary.
- Through March 2024, at the very short-end (3-5 months), the average major bank deposit rates were around 2-4 basis points (bp) higher compared to the previous month. In contrast, major bank deposit rates at the long-end fell between 10-20bp across the 2-5 year tenors. The longer-term rates are around 20-30bp lower across the board compared to where they were 6 months ago (September 2023), with rate cut expectations now gathering pace.
- Over the past 12 months the portfolio has returned 2.86% p.a. which is 1.33% lower than the benchmark (AusBond Bank Bill Index).
- Outstanding loan balances are at manageable levels to enable borrowings for capital works moving forward and significant new loans are included in the current Long Term Financial Plan.
- The loans portfolio is currently attracting average rates lower than new investments, meaning that Council is currently experiencing a positive net exposure to interest rates.

Discussion

The purpose of this report is to provide details of Council's investment and loan portfolios and to certify that all investment funds have been made in accordance with section 625 of the Local Government Act 1993.

Council has engaged Arlo Advisory to provide both an investment management platform and investment advisory service. Attachments 1 and 2 prepared by Arlo Advisory provide detailed information on the performance of Council's investment portfolio for the period.

Investment Portfolio

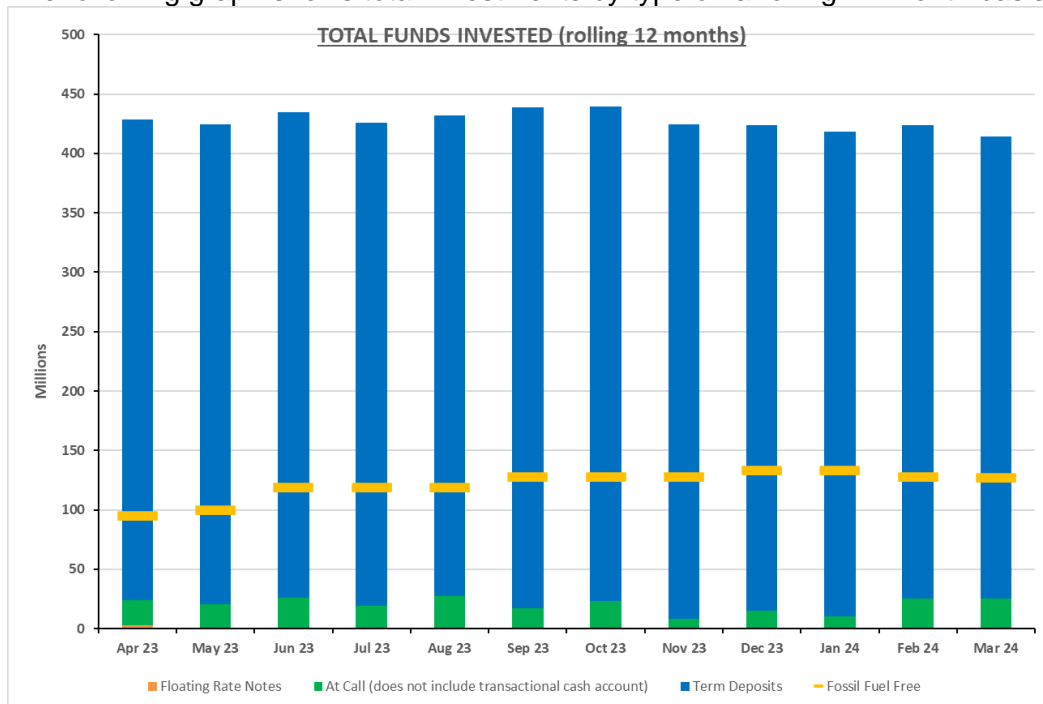
As of 31 March 2024, the investments held by Council totalled \$414,150,692.

Investment activity during the month was as follows:

Activity	Amount	Institution	Rate	Term	Funds Fossil Fuel
Matured	3,000,000	Auswide	1.75%	4yrs	No
Matured	4,000,000	P & N	1.70%	2yrs	No
Matured	4,000,000	Aust Unity	4.66%	1yr	No
Matured	4,000,000	ING	4.60%	1yr	Yes
Matured	5,000,000	ING	4.98%	1yr	Yes
Withdrawal	0	Westpac	4.60%	On Demand	Yes
Total Matured	20,000,000				
Invested	89,927	Westpac	4.60%	On Demand	Yes
Invested	5,000,000	Suncorp	5.16%	1yr	No
Invested	5,000,000	Suncorp	4.90%	2yrs	No
Total New Investments	10,089,927				
Net Investment Movement being the difference in Principal invested at end of month & excluding Investment Earnings	-9,910,073				

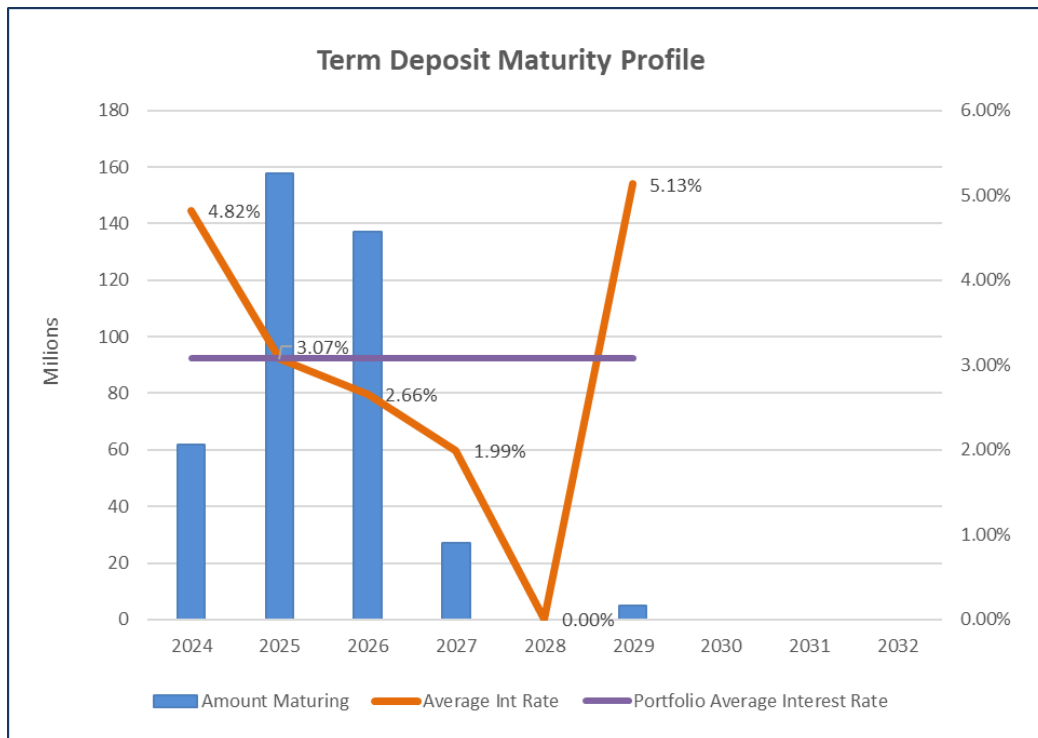
All investments are made in accordance with Council’s adopted investment policy, including policy risk limits and performance. The policy is formulated with reference to Office of Local Government Investment Policy Guidelines.

The following graph shows total investments by type on a rolling 12-month basis:



The maturity profile of the investment portfolio, (excluding the cash management account which is at call) is illustrated below and shows that maturities are well balanced across the next 3 - 5 year horizon.

The average interest rate of those falling in the current year illustrates the impact of longer-term investments made in higher rated products prior to the interest rate decline during the COVID-19 pandemic. This has meant that returns have been somewhat protected against falling rates and the portfolio performed strongly despite this. From next year, the average interest rate of maturities falls. This reflects the declining interest rates of the last two years, noting that Council protected the portfolio against even lower interest rates by taking advantage of longer term and higher rated products, thereby still maintaining average returns above industry benchmarks. Moving forward it will be important to take advantage of rising interest rates if re-investing maturing investments, whilst also balancing with a level of risk mitigation against a potential recession environment. As shown below an investment was taken out in February 2024 over a longer term (5 years) to take advantage of an interest rate of 5.13%.



Council’s total investment portfolio is attributed to the following funds:

Fund	Balance (\$)	Notes
General Fund	160,690,469	1
Waste Fund	29,669,756	2
Water Fund	159,207,809	2
Sewer Fund	64,582,659	2
Total	414,150,692	

Whilst the current level of investments remains high, these largely relate to funds which have legal restrictions (i.e. Water and Sewer), where funds cannot be spent on general operations or works, or to funds held for specific purposes.

These funds will be spent depending on the required timing of future works and the totals will fluctuate depending on the status of individual projects.

(1) The General Fund reserves include the following:

- Approximately \$75.6m are development contributions (S.711) that must be expended in relation to adopted plans to fund growth related infrastructure. They cannot be spent on existing infrastructure or on projects not listed in the relevant plans.
- At 30 June 2023, \$59m were grants for specific projects to be spent in 2023 and 2024, including for Ocean Drive (\$16.6m) and Maria River (\$10.6m).
- Remaining reserves are fully allocated to a range of projects including Ocean Drive (\$10m), additional parks maintenance (\$1m) and various airport projects. They are also allocated to fund operational needs of Council, such as replacing Plant and Equipment, with approximately \$10.5m held for security bonds which will be returned to suppliers on completion of works.

(2) Much of the portfolio is held in the Water, Sewer and Waste Funds which require significant capital investment. Projects often occur cyclically, with a combination of reserves and borrowings used to fund the large infrastructure needs. The funds are fully allocated to projects over the coming years including:

- Cowarra Water Treatment / Filtration Plant - \$125m of reserves funding
- Thrumster Sewerage Treatment Plant - \$19m of reserves funding
- Kew STP Upgrade - \$35m of reserves funding
- Kew and Bonny Hills Reservoirs - \$11m of reserves funding

The following is a summary of Council’s exposure to financial institutions that fund fossil fuels:

Financial institutions funding fossil fuels	Purchases since 01/07/23 (\$)	Purchases since 01/07/23 (%)	Amount invested at 31/03/24 (\$)	Amount invested at 31/03/24 (%)
Yes	35,076,760	78%	287,150,692	69%
No	10,000,000	22%	127,000,000	31%
	45,076,760		414,150,692	

Further commentary on fossil fuel investments is provided by Arlo Advisory in the attached Monthly Investment Report (Attachment 1).

When investing, Council seeks and receives multiple quotes from a range of financial institutions across the different ratings spectrum. In the instance that a bank is not lending to the fossil fuel industry, are offering the highest rate, and comply with the various Policy risk limits, Council preferences that bank, in accordance with the Investment Policy. As noted above, the investment policy is formulated with reference to Office of Local Government *Investment Policy Guidelines*.

Interest on Investments

The following table shows the interest returns as of 31 March 2024 for the 2023-24 financial year and the portfolio performance against benchmark (bank bill Index).

Item	Performance
Interest for the Month (\$)	1,077,331
Interest YTD (\$)	10,160,273
% of Annual Budget Rec'd	101%
Portfolio Performance FYTD Actual (%)	2.23%
AusBond Bank Bill Index FYTD Actual (%)	3.26%
Performance Compared to Bank Bill Index (%)	-1.03%

As noted above, although the total portfolio performance for the financial year to date was marginally below benchmark due to the unexpected aggressive rate hikes undertaken by the RBA, this 'underperformance' is expected to be temporary.

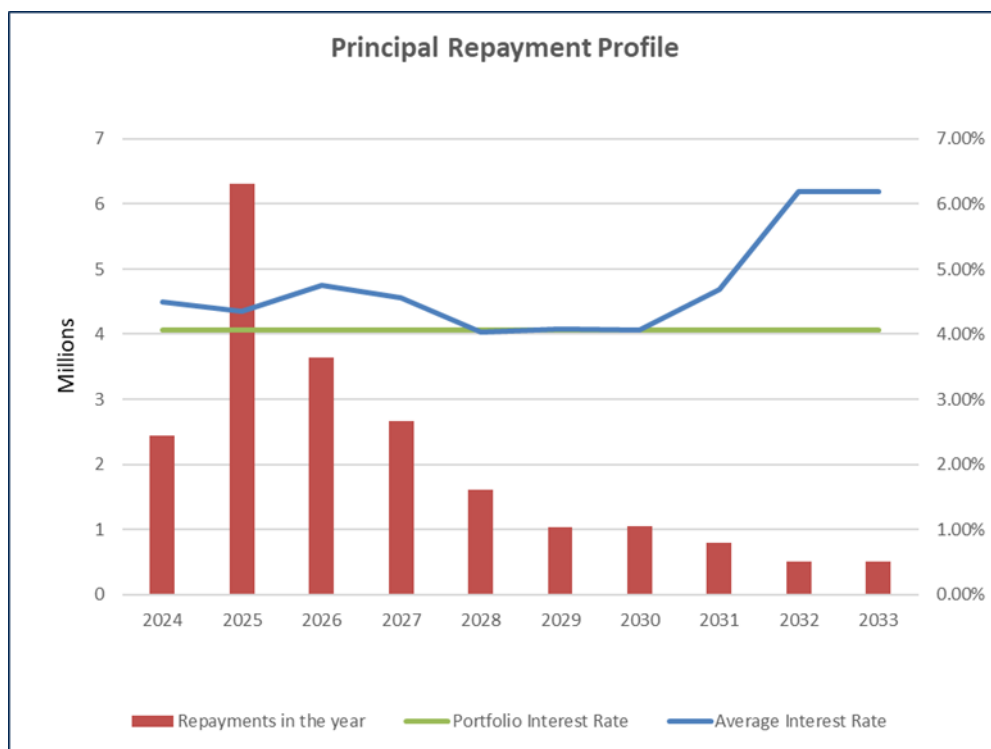
Loan Portfolio

Below are details of Council's current loan balances and interest expense for the month:

Fund	Amount Borrowed	Outstanding Balance	Weighted Average Interest Rate	Accrued Interest for Month	Remaining Repayments FYTD
General	66,144,755	20,137,578	4.51%	80,422	2,772,254
Waste	1,500,000	424,315	3.44%	1,240	89,291
Total	67,644,755	20,561,893		81,661	2,861,545

*see attachment 3 for detailed listing of loan repayments for 2023/2024

The maturity profile of the loans portfolio is shown below. It details when the outstanding loan balances will be paid down and the average interest rate payable that has been attributable to those loans. The increase in the average interest rate in the 2032 and 2033 years is a result of the two new loans taken up in May 2023. Additional detail on the loan portfolio is provided in an attachment to this report.



Summary - Net Position Investments and Loans

Interest Analysis for the Month	
Investment Interest Income	1,077,331
Loan Interest Expense	(81,661)
Net Interest Income for the Month	995,670
Investments Vs Borrowings	
Total Current Investment Balance	414,150,692
Total Current Loan Balance	(20,561,893)
Net Position	393,588,799

As interest rates rise, Council can invest funds at higher rates, currently locking in rates in the vicinity of 5.16%. With much of the loan portfolio locked in at average rates lower than this, Council is experiencing a positive net exposure to interest rates. However, pressure may be put on this position moving forward as future loans are expected to attract higher rates.

Options

This is an information report.

Community Engagement and Internal Consultation

Council uses the services of an independent financial advisor, on an ongoing basis with investments. Council obtains regular updates regarding market activities positions from various institutions.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

Budget levels have been exceeded on a year-to-date basis. Returns are currently marginally below benchmark.




Council's total investment portfolio performance for the financial year to date is 1.03% below the benchmark (2.23% against 3.26%) and year to date income is 101% of the total annual budget.

Certification

I hereby certify that the investments listed within this report were made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2012* and Council's Investment Policy.

Rod Archer
Responsible Accounting Officer

Attachments

1.  Port Macquarie Hastings Council Investment Report - 31 March 2024
2.  Port Macquarie Hastings Council Portfolio Valuation - 31 March 2024
3.  Port Macquarie Hastings Council Loan Repayments - 2023-2024

Item: 10.11

Subject: MONTHLY BUDGET REVIEW - MARCH 2024

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.5.1 Manage Council’s financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council:

- 1. Adopt the adjustments in the “March 2024 Adjustments” section of the Monthly Budget Review – March 2024 report and associated attachment.**
- 2. Amend the 2023-2024 Operational Plan to include all budget adjustments approved in this report.**

Executive Summary

This report details monthly budget adjustments recommended to be made for the month of March 2024. The Council-adopted 2023-2024 budget position at the commencement of the financial year was a balanced budget. The budget adjustments contained in this report forecast a budget surplus position of \$17,495 as at the end of March 2024. This is outlined in the table below.

Monthly Budget Review Summary

Original Budget as at 1 July 2023	Balanced	\$0
<i>Plus adjustments:</i>		
July Review	Balanced	\$0
August Review	Balanced	\$0
September Review	Balanced	\$0
October Review	Balanced	\$0
November Review	Surplus	\$17,495
January Review	Balanced	\$0
February Review	Balanced	\$0
March Review	Balanced	\$0
Forecast Budget Position for 30 June 2024	Surplus	\$17,495

* No report in December due to no Council meeting

Discussion

Each month, Council's budgets are reviewed by Group Managers and Directors with any required adjustments reported. The purpose of this report is to provide Council with an up to date view of the current actual financial position in comparison to the originally adopted 2023-2024 budget position along with the proposed movement of funds to accommodate any changes.

Any budget variations which are greater than \$50,000 and 2% of the project budget are reviewed and approved by the Executive Group in their function to oversee operational activities and approve operational actions.

March 2024 Adjustments

The commentary below is to be read in conjunction with the "Forecast Budget Statement for the Year Ended 30 June 2024" on page 3 of this report. Further details on individual transactions are provided in Attachment "March 2024 Budget Review".

Grants and Contributions totalling \$5,614k were recognised during the month of March. These include Flood Recovery Works (\$5,560k), a Weeds Management project (\$35k), Library Special Projects (\$9k) and a Gallery exhibition reimbursement (\$10k).

Other adjustments are accounting entries only, or movements between projects, and have no impact on Council's budget position.

Forecast Budget Statement for the Year Ended 30 June 2024

	2023-24 Original Budget ‘\$000	Carry Overs ‘\$000	Approved Adj YTD ‘\$000	Prior Month Forecast ‘\$000	Current Month Adj ‘\$000	2023-24 Full Year Forecast ‘\$000
Operating Activities Movements						
Income from continuing operations						
Rates and Annual Charges	117,526		0	117,526		117,526
User Charges and Fees	44,396		377	44,773		44,773
Interest Received	10,456		0	10,456		10,456
Grants and Contributions	89,160	7,818	14,963	111,941	5,614	117,555
Other Operating Receipts	6,670		3	6,673		6,673
Expenses from continuing operations						
Employee Costs	(65,226)		(266)	(65,492)		(65,492)
Materials and Contracts	(56,421)	(1,831)	(1,890)	(60,142)	(114)	(60,256)
Depreciation	(54,366)		0	(54,366)		(54,366)
Interest Paid	(1,057)		(210)	(1,267)		(1,267)
Other Operating Payments	(18,468)		(362)	(18,830)		(18,830)
Loss on Disposal of Assets	(3,050)		0	(3,050)		(3,050)
Operating result from continuing operations	69,620	5,987	12,615	88,222	5,500	93,722
Restricted Asset Movements						
Transfer from Restricted Assets	91,273	13,842	(8,822)	96,293		96,293
Transfer to Restricted Assets	(60,348)		0	(60,348)		(60,348)
Net Revenues (Used in)/Provided by in Restricted Assets	30,925	13,842	(8,822)	35,945	0	35,945
Property, Plant and Equipment Movements						
Purchase of Assets	(175,994)	(19,829)	(3,776)	(199,599)	(5,500)	(205,099)
Developer Provided Assets	(8,000)		0	(8,000)		(8,000)
Net Revenues (Used in)/Provided by Property, Plant and Equipment Activity	(183,994)	(19,829)	(3,776)	(207,599)	(5,500)	(213,099)
Financing Activities Movements						
Proceeds from Borrowings and Advances	32,450			32,450		32,450
Repayments of Borrowings and Advances	(6,417)			(6,417)		(6,417)
Net Revenues (Used in)/Provided by Financing Activity	26,033	0	0	26,033	0	26,033
Net Result (Incl Depreciation)	(57,416)	0	17	(57,399)	0	(57,399)
Add Back: Non Cash Items	57,416		0	57,416		57,416
Budget Surplus/(Shortfall)	0	0	17	17	0	17

Note that ‘Other Operating Payments’ includes items such as electricity, street lighting, insurances, waste levy, emergency services levies.

Options

Council may adopt the recommendations as proposed or amend as required.

Community Engagement and Internal Consultation

Not applicable.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.


Financial and Economic Implications

Attachment 1 to this report contains information of each individual budget adjustment by Division and Section. The budget movements within this report result in the budget position surplus of \$17,495.

Statement by Responsible Accounting Officer

“The adopted original budget result for 2023-2024 was a balanced budget. As at 31 March 2024 this position is changed to a budget surplus of \$17,495 and this position is considered acceptable”.

Attachments

1.  March 2024 Budget Review

Item: 10.12

Subject: ALLOCATION OF 2022-2023 WATER FUND AND SEWER FUND
DIVIDEND

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council:

1. **Note the information provision requirements of section 4.4 of the Guidelines (Regulatory and Assurance Framework for Local Water Utilities) have been finalised.**
2. **Note an estimated \$1,376,000 will be used to payout the loan associated with the Town Centre Master Plan.**
3. **Resolve that the remaining water and sewer dividend be allocated to the reserve for parks maintenance as proposed in the Draft Operational Plan 2024-25.**

Executive Summary

This report provides a recommendation to Council for the allocation of the Water Supply and Sewerage Funds dividend for 2022-2023.

Council has completed the information provision requirements of section 4.4 of the Guidelines (Regulatory and Assurance Framework for Local Water Utilities). The dividend will be used to payout the loan associated with the Town Centre Master Plan as resolved by Council. It is recommended that the remaining dividend be allocated to the reserve for parks maintenance as proposed in the Draft Operational Plan for 2024-2025.

Discussion

Report item 10.13 from the 15 February 2024 Ordinary Council Meeting authorised the payment of the Water Fund and Sewer Fund Dividend to the General Fund as per points 2, 3, 4 and 5 below. Additionally, as per point 6 below, Council resolved to apply part of the dividend to the balance of the loan associated with the Town Centre Master Plan.

As of 22 March 2024, the payout for the loan associated with the Town Centre Master Plan will cost an estimated \$1,376,000.

That Council:

1. ***Note Council has complied with sections 4.2 and 4.3 of the Guidelines (Regulatory and Assurance Framework for Local Water Utilities) for council dividend payments for water supply or sewerage services and any direction under s.409(6)(b) of the Local Government Act.***
2. ***Authorise the payment of a dividend of \$961,254 to the General Fund from the surplus in Water Supply operations for 2022-2023.***
3. ***Authorise the payment of \$106,806 for tax equivalents to the General Fund from the Water Supply operations for 2022-2023.***
4. ***Authorise the payment of a dividend of \$930,015 to the General Fund from the surplus in the Sewerage Fund for 2022-2023.***
5. ***Authorise the payment of \$103,335 for tax equivalents to the General Fund from the Sewerage Fund for 2022-2023.***
6. ***Note that once the information provision requirements in section 4.4 of the Guidelines is finalised, apply the dividends as noted in Points 2,3,4 and 5, to first hold in reserve the amount required to pay out the loan associated with the Town Centre Master Plan, with any residual amount being the subject of a future report to Council before further allocation.***

The remaining dividend of approximately \$725,000 is recommended to be allocated to the reserve for parks maintenance as proposed in the Draft Operational Plan for 2024-2025.

Options

Council may determine that the use of the residual funds be allocated to a purpose other than Parks Maintenance. If so, Council would need to resolve the removal of the Parks Maintenance from the draft Operational Plan for 2024-25.

Community Engagement & Internal Consultation

Consultation has occurred with the Water and Sewerage sections, the Executive and Independent Auditors.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

A total dividend of \$2,101,410 will be allocated to General Fund reserves. An estimated \$1,376,000 will be used to payout the loan associated with the Town Centre Master Plan. The remaining balance is proposed to be allocated to the reserve for parks maintenance as proposed in the Draft Operational Plan 2024-2025.

Attachments

Nil

Item: 10.13

Subject: OPPORTUNITY FOR LOCAL FIRMS TO DO BUSINESS WITH PORT
MACQUARIE-HASTINGS COUNCIL

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.5.2 Use procurement, tendering, purchasing and contract management approaches that are transparent and equitable.

RECOMMENDATION

That Council:

1. Note the information provided in this report.
2. Note a future report will be presented to the Ordinary Council meeting in October 2024 that details Council's commitment to supporting local business through its tendering and purchasing process during the previous financial year.

Executive Summary

At the Ordinary Council meeting held on 21 March 2024, the Council resolved:

That Council:

1. Note the information provided in this report.
2. Request that a report be presented to the April 2024 Ordinary Council meeting that summarises Council's commitment to supporting local business through their tendering and purchasing process during the previous 12 months.
3. Note a future report will be presented annually to the October Ordinary Council meeting, commencing October 2024, that details Council's commitment to supporting local business through its tendering and purchasing process during the previous financial year.

This report relates to Item 2.

Discussion

Council's commitment to supporting local business through tendering and purchasing process over the past year is evident in the ongoing enhancements within the operational procurement framework and the implementation of strategic procurement endeavours. These efforts are explained as follows:

Continuous improvement in Council's operational procurement practices

Showcasing local capabilities

In cases where our procurement planning identifies that local suppliers and/or contractors might lack the necessary capabilities and capacities to compete with

larger tier 1 & 2 companies, Council is committed to providing opportunities for them to demonstrate their potential. This ensures that local businesses can benefit from significant contracts and contribute to the community's economic growth.

For instance, during the procurement process for the Cowarra Water Treatment Plant, an industry briefing was arranged. This allowed local contractors to showcase their abilities to larger tier 1 & 2 companies. By facilitating such interactions, Council not only supports local businesses but also fosters collaboration between different tiers of contractors, promoting a more inclusive and resilient local economy.

Local content, evaluation criteria

For significant procurements where the application of the Tendering Local Preference Policy is deemed unsuitable, or unlikely to achieve its objectives, the RFX documents incorporate evaluation criteria that require tenderers to outline how their solutions will generate local and/or social benefits for the Local Government Area (LGA).

This approach not only ensures that the procurement process considers broader community interests but also offers distinct advantages to our local suppliers. By encouraging tenderers to emphasise local and social benefits, it creates opportunities for local businesses to showcase their contributions to the community. This can lead to increased visibility, reputation, and support for local suppliers, fostering a stronger sense of community engagement and collaboration.

Additionally, encouraging the use of local suppliers/contractors will help build local supplier's capabilities in both the contract phase as well as being part of putting together a 'professional' tender submission.

Supply / panel arrangement onboarding

In establishing a supply / panel arrangement, an informative onboarding session is conducted for our suppliers/contractors. The primary objective of this session is to furnish our suppliers/contractors with comprehensive details regarding how Council staff will engage with them under the arrangement.

During the session, various aspects are covered, including contract management protocols and Council's Work Health & Safety requirements. Additionally, insights are provided regarding the opportunities available for contractors and suppliers to offer services for works, emphasising the advantages for Council in utilising the arrangement.

Furthermore, details are shared regarding the criteria considered when engaging Suppliers/Contractors, ensuring that Council attains value for money. These considerations may encompass supplier/contractor availability, demonstrated past performance, service order pricing, comprehension of requirements, contractor scheduling, and key personnel.

Suppliers/Contractors are briefed on their respective responsibilities and are extended invitations to participate in yearly stakeholder engagement sessions with Council. These sessions aim to cultivate and sustain robust working relationships, offering local businesses ongoing support and collaboration opportunities with Council. Through such engagements, local businesses stand to benefit from enhanced visibility, improved understanding of Council requirements, and

strengthened partnerships, ultimately contributing to their growth and success within the community.

Insurance requirements approach in procurement planning

In November 2022, Council reviewed its approach to insurance requirements and risk management in procurement planning. Instances had arisen where default insurance levels resulted in non-conforming offers and potentially inflated tender costs. It was identified that small local businesses often bear the brunt of this, facing challenges in obtaining necessary insurance cover and grappling with varying financial risks associated with different contracts.

Recognising the need for flexibility and proper risk assessment, both Council and insurers acknowledge the possibility of deviating from recommended minimum insurance requirements in certain circumstances. This understanding reflects consideration for the difficulties and expenses suppliers, particularly small local businesses, encounter in securing adequate insurance coverage.

Moving forward, collaborative efforts between Council and insurers aim to develop a risk-based approach to determine appropriate insurance levels and indemnity, with the goal of implementing interim arrangements that provide default insurance and indemnity for future procurement opportunities, especially those with unknown risk profiles. This initiative not only safeguards Council's interests but also fosters a more conducive environment for small local businesses to participate in procurement activities with reduced barriers to entry.

Strategic initiatives

Initiative 1: Sourcing threshold revised

As reported at the Ordinary Council meeting held on 21 March 2023, in August 2022, Council revised its procurement threshold, transitioning from requiring one verbal quote for purchases under \$2,000 to now mandating one written quote, with a primary focus on local businesses, for procurements under \$10,000.

As a result, during the 2022-23 financial year, there was a notable increase in purchase orders issued to businesses operating within our Local Government Area (LGA) which exceeded \$70m in value. This represented a substantial increase from the previous financial year, where procurement orders for local businesses amounted to approximately \$33m. This surge reflects positively on our business ecosystems and procurement practices giving our local businesses opportunities to win Council business.

Initiative 2: Procurement external survey

As part of the continuous efforts to transform our Procurement function, in September and October 2023 Council conducted an internal and external feedback survey. The survey's purpose was to gain insights into the current procurement experience with our stakeholders external to our organisation and establish measurable success criteria for the Procurement Transformation Program.

Suppliers that had responded to an RFX in the last 18 months were invited to participate in a survey. The results of the survey will enable us to monitor the program's effectiveness. The following is a summary of the survey results:

- 14% response rate from suppliers invited to participate

- 74% rated their experience with our Procurement Team as positive
- 73% stated that they can easily find all the information they need, and
- 86% stated that they have a comprehensive understanding of how Council awards contracts.

The top 3 areas of importance to our suppliers are:

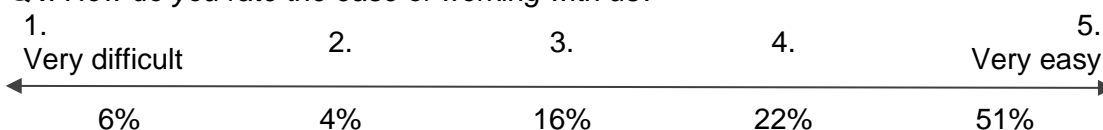
- being provided more opportunities to bid on contracts
- opportunities to develop your business, and
- being paid on time.

The following have been identified as opportunities for improvement:

- notice provided to suppliers when requesting changes to products and services and/or amendments to contracts (contract management)
- suppliers are seeking direct communications from the Procurement Team – via email or verbal, and
- supplier participation rate in survey.

Whilst Council scored positively in the following questions, these areas will continue to be key focuses as part of our transformation.

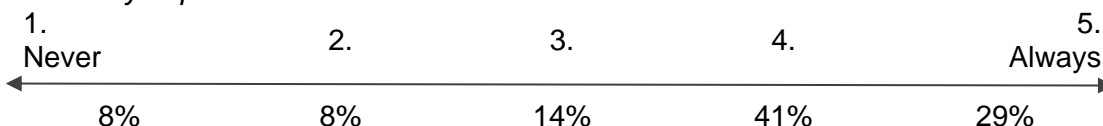
Q4. How do you rate the ease of working with us?



The *Government procurement InnovationAus.com October 2022* survey found that 78% of suppliers found selling to government complex, difficult and slow. 73% of our supplier’s found Council easy to work with.

The revised procurement policy is intended to be tabled at the May / June ordinary Council meeting. The draft policy includes 5 principles, however specifically relating to this report is **Principle 2: Make it easy** *Simplifying procurement processes reduces administrative burden, increases efficiency and encourages broader participation from Suppliers, particularly small and local businesses.*

Q10. Do we give you plenty of notice when requesting changes to the products and services you provide and/or amendments to the contract?



Attached to this report is a copy of the flyer issued in December 2023 to all invited suppliers providing insights of the survey results.

Council has identified an opportunity for improvement and in October 2023, launched the Procurement Pipeline. Refer to Initiative 3 below, for further information on the Procurement Pipeline.

Initiative 3: Procurement Pipeline

The Procurement Pipeline is a strategic document outlining our intended procurement activities over the coming year. The benefits to our external stakeholders are:

- improving transparency
- enhancing competition
- providing suppliers with time to plan for upcoming procurement activities, and
- demonstrating accountability.

The Procurement Pipeline, available on our website, will be published annually, and updated every 6 months.

Whilst the click rate on the Procurement Pipeline can't be identified, there has been an increase in views of the opportunities page on the website since the pipeline has been published. This increase is approximately 50 views per month.

In addition to the continuous improvements within the operational procurement framework and the execution of strategic procurement initiatives, we are actively pursuing several other initiatives to facilitate business interactions between our local businesses and Council. Some of these initiatives are outlined below.

Procurement policy

Procurement Policy is a set of principles, guidelines, and rules established by an organisation to govern its procurement processes. It sets the framework for how procurement activities should be conducted, including ethical considerations, compliance requirements, and decision-making criteria.

The desired outcomes of **Principle 2 Make it easy** is to streamline procurement procedures, minimise red tape, and make it easier for Suppliers to engage with Council. It provides examples of what this looks like in practice and how Council will make procurement easy, such as:

- simplifying documentation and paperwork wherever possible, reducing unnecessary red tape, and
- utilising user-friendly procurement platforms and systems to facilitate communication with procurement owners and submission of Responses.

Modern Slavery Obligations

The modern slavery obligations that came into effect in January 2024 are likely to have significant implications for Small and Medium Enterprises (SMEs), particularly in terms of compliance burden and operational costs. SMEs might struggle with the resources needed to identify and address modern slavery risks within their supply chains. Additionally, they may face challenges in understanding and implementing the complex reporting requirements associated with modern slavery legislation.

To minimise the impact on SMEs, Council is taking several proactive measures. These include:

- developing user friendly guidance and support to SMEs in understanding their obligations under modern slavery laws. This will include educational resources, and information sessions tailored specifically for SMEs.
- Simplifying reporting requirements for SMEs or providing exemptions for smaller businesses where appropriate.

Ultimately, by supporting SMEs in their efforts to comply with modern slavery obligations, Council can help foster a culture of ethical business practices and contribute to the prevention of modern slavery within supply chains.

Supplier segmentation

The supplier segmentation project is currently in progress and is expected to be implemented in the latter part of this year.


Supplier segmentation will offer numerous advantages to local businesses. By categorising suppliers based on factors such as size, capability, and location, Council can pinpoint opportunities that are best suited for them. This data can then inform the procurement planning process, enhancing the chances for local businesses to engage in procurement activities.

Furthermore, supplier segmentation enables Council and local businesses to personalise their relationship-building strategies according to the distinct needs and preferences of various segments. By grasping the specific requirements of each segment, tailored messaging can be developed, fostering stronger and more meaningful relationships.

Planning and Policy Implications

Some of the information contained in the report has been considered and incorporated into the revised Procurement Policy to be presented to May / June 2024.

Attachments

1.  External Stakeholder Survey Results Flyer

Item: 10.14

Subject: CONTRACTS AWARDED UNDER DELEGATION BY THE CHIEF EXECUTIVE OFFICER

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.5.2 Use procurement, tendering, purchasing and contract management approaches that are transparent and equitable.

RECOMMENDATION

That Council note the information provided in the Contracts Register.

Executive Summary

Attached is a Contracts Register for the quarter reporting that provides information relating to contracts that have been awarded under delegation by the Chief Executive Officer.

Discussion

Under section 377 of the *Local Government Act 1993* (Act), a Council may by resolution delegate to the general manager or any other person specific functions. This includes the function to accept tenders as set out in section 178(a) of the *Local Government (General) Regulation 2021* (Regulation) and in accordance with s377(1)(i) of the Act.

Delegated Authority

Under delegated authority the Chief Executive Officer may accept tenders, with the following exceptions that should be referred to Council:

- The limitation legislated in s377(1)(i) of the Act being the acceptance of tenders required under the Act to be invited by the council. For example, the acceptance of tenders to provide services currently provided by members of staff of the council.
- A recommendation made under s178(1)(b), s178(3) or s178(4) of the Regulation. For example, a recommendation to decline tenders and enter into negotiations.
- Any tender for a service or project where cost exceeds the adopted budget limit for that service or project.
- Any tender for a service or project which is not in an approved Operational Plan.

The Project Steering Group, Group Manager Procurement, the Procurement Sponsor and the Chief Executive Officer will retain discretion to refer to Council for decision any procurement outcome:

- which otherwise falls within the Chief Executive Officer's delegated authority.
- which has failed to comply with the critical dates as detailed in the Procurement Calendar.
- which has materially deviated from the approved Procurement and Evaluation Plan
- that has a significant level of public interest in the service.
- that is contentious in nature, or
- for any other reason described in the tender evaluation report.

A report is tabled on a quarterly basis providing Council with a list of Contracts that have been awarded under delegation by the Chief Executive Officer. The attached Quarterly Report - Contracts Register - is provided for information purposes.

Options

This is an information report. Council can resolve to request further information.

Community Engagement and Internal Consultation

Internal Consultation

- Chief Executive Officer
- Director Business and Performance
- Group Manager Procurement, and
- Contracts Officer.


Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

1.  PMHC GIPA Contracts Register for Quarter Ending 31st March 2024

Item: 10.15

Subject: POLICY REVIEW - SUSTAINABILITY POLICY

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

RECOMMENDATION

That Council adopt the revised Sustainability Policy.

Executive Summary

At the Ordinary Council Meeting held on 21 September 2023 (Item 10.10), Council resolved to request the Chief Executive Officer to convene a Councillor Workshop to consider the revised Sustainability Policy in relation to the proposed draft Environmental Sustainability Strategy. A workshop was held on 14 March 2024.

The existing Sustainability Policy (Attachment 1) remains current which was adopted at the Ordinary Council Meeting held on 13 October 2021 (Item 09.11).

The purpose of the report presented to Council in September 2023 was to consider minor administrative amendments recommended following the required biennial review of the adopted Sustainability Policy.

The amendments proposed are considered minor and relate to updating position titles, formatting and reflecting the vision and theme of supporting our community through change in 'Sustainability Principle 7 Leadership and Collaboration' in the Community Strategic Plan (CSP) Imagine2050.

It is not proposed to publicly exhibit this revised Policy as the review recommends principally administrative changes only. The revised Sustainability Policy is included at Attachment 2.

This report resubmits the revised Policy for Council's consideration and recommends that it be adopted.

Discussion

At the Ordinary Council Meeting held on 21 September 2023 (Item 10.10), Council resolved as follows:

That Council defer consideration of Item 10.10 Policy Review - Sustainability Policy and request the Chief Executive Officer convene a Councillor Workshop to give further consideration to the Policy in relation to the proposed draft Environmental Sustainability Strategy.

A Councillor Workshop was held with Councillors on 14 March 2024 which aimed to improve the understanding of the relationship and differences between the Sustainability Policy and the Environmental Sustainability Strategy and outline the priorities to be included in the Strategy.

The Sustainability Policy has been reviewed and proposed amendments are outlined in the table below.

Current Policy	Proposed Policy amendment
Section 3 - Policy Statement	
Sustainability Principle 7 - Leadership & Collaboration <i>We lead by example in pursuing sustainable practices governed by our policies, strategies, procedures and processes. We educate and empower our employees and our community to take a shared leadership approach to sustainability challenges and opportunities by building our own and our community's knowledge and capacity in sustainable practices. We seek broad community involvement on issues that affect them and foster collective responsibility, advocacy and action.</i>	Adding an additional consideration to Sustainability Principle 7 - Leadership & Collaboration to align with CSP Imagine2050 We educate, prepare and support our community to be resilient in the face of adversity and change
Section 5 - Responsibilities & Authorities	
<ul style="list-style-type: none"> • Group Manager, Strategy • Group Manager, Customer Experience & Communications & Group Manager, Community 	<ul style="list-style-type: none"> • Executive Manager, Strategy • Chief Information Officer & Customer Experience Lead
Section 6 - Policy Context & References	
Vision for Port Macquarie-Hastings as defined in the Towards 2030 Community Strategic Plan <i>"A sustainable high-quality of life for all"</i>	Vision for Port Macquarie-Hastings Council as defined in the Imagine2050 Community Strategic Plan <i>"The most liveable, sustainable and innovative place in Australia."</i>
Section 8 - Process Owner	
<ul style="list-style-type: none"> • Group Manager, Strategy 	<ul style="list-style-type: none"> • Executive Manager, Strategy
Section 9 - Amendments	
This is a new Policy.	This is a revision of an existing policy.

The adopted Policy is included here as Attachment 1. The revised Policy is included here as Attachment 2 it is recommended that the revised Policy be adopted.

Options

Council has the option to not adopt or amend the revised Sustainability Policy or place the revised policy on public exhibition, noting the existing policy will remain current should it not be adopted.

Community Engagement and Internal Consultation

No community engagement has been undertaken. It is not proposed to publicly exhibit this revised policy as the review recommends principally administrative changes only. There is no change to the intent or direction governed by this Policy. Internal consultation and review has been undertaken by:

- Strategy Group and
- Sustainability Team



Planning and Policy Implications

There are no planning and policy implications in relation to this report, other than this revised Policy replacing the existing Policy should it be adopted.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

1.  Adopted Sustainability Policy 131021
2.  Amended Sustainability Policy

2 Your Community Life

What we are trying to achieve

A healthy, inclusive and vibrant community.

What the result will be

We will have:

- Community hubs that provide access to services and social connections
- A safe, caring and connected community
- A healthy and active community that is supported by recreational infrastructure
- A strong community that is able to identify and address social issues
- Community participation in events, programs, festivals and activities

How we will get there

- 2.1 Create a community that feels safe
- 2.2 Advocate for social inclusion and fairness
- 2.3 Provide quality programs, community facilities and public spaces, for example, community halls, parks and vibrant town centres
- 2.4 Empower the community through encouraging active involvement in projects, volunteering and events
- 2.5 Promote a creative and culturally rich community

Item: 11.01

Subject: **RECOMMENDED ITEMS FROM THE MARCH 2024 MEETING OF THE PORT MACQUARIE-HASTINGS SPORTING FUND**

Presented by: **Community, Planning and Environment, Melissa Watkins**

Alignment with Delivery Program

2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle.

RECOMMENDATION

That Council note the application to Port Macquarie-Hastings Sporting Fund considered at the March 2024 Sub-Committee meeting and endorse payment from the Fund of \$1000 to Iesha Apthorpe for representation at the 2024 Australian Open Swimming Championships.

DISCUSSION

Port Macquarie Hastings Sporting Fund Sub-Committee met on 28 March 2024 to consider grant applications. The submission from applicant Iesha Apthorpe was determined to have met the funding criteria. Accordingly, the Sub-Committee recommends to Council the following payment from the Fund:

- Iesha Apthorpe - \$1000 for attendance at the 2024 Australian Open Swimming Championship held in Gold Coast on April 17-20, 2024.

Attachments

Nil

Item: 11.02

Subject: LANDRIGAN AND ANDREWS PARKS MASTER PLAN - POST EXHIBITION

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities.

RECOMMENDATION

That Council:

- 1. Note the information contained within the Landrigan and Andrews Parks Master Plan Community Engagement Report - March 2024**
- 2. Adopt the Landrigan and Andrews Parks Master Plan**
- 3. Thank submitters and advise them of the outcome of Council's consideration**

Executive Summary

The Landrigan and Andrews Parks Master Plan was identified as an immediate priority project in Council's Recreation Action Plan 2023-2028.

At the Ordinary Council meeting held on 14 December 2023 (Item 11.01), Council resolved as follows:

That Council:

- 1. Place the draft Landrigan and Andrews Parks Master Plan on public exhibition for a period of not less than 28 days.*
- 2. Identify the northern carpark areas and warm up zone as requiring further consideration pending a review of the benefit of providing a road connection between the Oxley Highway and Cameron Street to support traffic movement through Wauchope CBD, planned for 2025-2026 as part of an LGA wide traffic modelling review.*
- 3. Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.*

This report provides information on the public exhibition on the Landrigan and Andrews Parks Master Plan.

Discussion

To ensure the sustained development and optimal utilisation of Landrigan and Andrews parks, Wauchope, the need for a Master Plan became apparent. It provides

a comprehensive framework for the future management and development of these vital public spaces.

The new Master Plan takes into account various factors such as community needs, environmental considerations, and sustainable practices. By having a Master Plan in place, Council can ensure that these parks are well-maintained, efficiently managed, and thoughtfully designed to cater to the diverse needs of its residents and visitors. A Master Plan also provides details for future grant funding opportunities.

The creation of a Master Plan for Landrigan Park and Andrews Park involved careful evaluation of the existing facilities, infrastructure, and amenities within the parks. It also sought input from the local community through a community workshop to understand their aspirations and requirements. The Master Plan lays out a vision for the parks, encompassing elements such as landscaping, recreational facilities, walking trails, and more. This will not only enhance the overall appeal of the parks but also create spaces that promote physical activity, social interaction, and a sense of well-being.

Having a Master Plan also allows Council to plan for any future possibilities including any future development of a road connection benefit of providing a road connection between the Oxley Highway and Cameron Street to support traffic movement through Wauchope CBD. The Master Plan has considered this and by not including any major structures within the northern sector of the plan, any future road connections can be considered. Council's Infrastructure Planning team will be conducting a future traffic modelling in 25/26 and will continue to monitor traffic congestion and needs in this area and consider for future opportunities.

The Landrigan and Andrews Parks Master Plan is included here as Attachment 1

Landrigan and Andrews Parks Master Plan - Public Exhibition

At the Ordinary Council Meeting held on 14 December 2023, Council resolved to place the draft Landrigan and Andrews Parks Master Plan on public exhibition.

The plan was subsequently placed on public exhibition from 24 January 2024 to 1 March 2024. The public exhibition period is now complete with the outcomes of the exhibition process discussed below. There is an Engagement Summary Report provided for this exhibition included here as Attachment 2.

There were a total of 175 visits to Council's Have Your Say engagement website page during the exhibition period.

A total of 5 Have Your Say submissions were received for the draft Plan with 94 downloads of the draft Plan.

In addition, a targeted meeting was held on Wednesday 21 February with executive members of the following local sport clubs to gain formal, sport specific feedback on the Plan.

- Wauchope Thunder Rugby Union Club
- Wauchope Thunder Junior Rugby Union Club
- Wauchope Netball Club
- Wauchope Social Netball Club
- Wauchope RSL Cricket Club

Both community and sport club feedback received included:

- Requests for additional multi use courts.
- Requests for additional loop footpaths to be added to Landrigan Park
- Request for increased car parking rather than having a nominated warm up zone.
- Consideration for lighting for multi-use courts and upgrade for the cricket field.
- Question as to the need for a loop path on eastern side of Andrews Park.
- Request for the inclusion of a caravan dump point.
- Proposed increase to the size of Andrews Park amenity building.

The detailed responses to all submissions can be found on page 7-13 of Attachment 2.

Overall, the sport clubs and community welcomed the proposed upgrades for Landrigan and Andrews Park. Minor amendments to the design have been made in response to sport club and community feedback:

- An increased number of multi-use courts are now proposed, with a total of 4 multi-use courts.
- A loop path around Landrigan Park is now proposed.
- The Andrews Park amenity building have increased in its proposed size to 550 sqm,
- Cameron Street off street parking adjusted to accommodate increased size of Andrews Park amenity building.

These amendments can be found in the final Landrigan and Andrews Parks Master Plan, found as Attachment 1.

Options

Council can opt to:

1. Adopt the Landrigan and Andrews Parks Master Plan as presented, which includes minor changes based on feedback provided during the exhibition period, as outlined in this report; or
2. Request modifications be made to the Landrigan and Andrews Parks Master Plan.

This report recommends option 1.

Planning and Policy Implications

The Landrigan and Andrews Parks Master Plan identifies several areas of improvement to the facilities. These improvements will undergo prioritisation and will be identified in the 10-year Works Program and the Recreation and Open Space Action Plan.

Financial and Economic Implications



Stage 1 of the implementation plan is for the construction of 2 multi-use hard courts. The \$350,000 project is being funded under the Australian Government Local Roads and Community Infrastructure Program.

Following stages will be identified for delivery from 2024-2025 onward and are subject to priority review and budget endorsement through subsequent Operational

Plan development, they will be identified in the 10-year Works Program and the Recreation and Open Space Action Plan.

The planning and delivery of Landrigan and Andrews Parks Master Plan is expected to provide a positive economic impact for the Wauchope community by contributing to the area being a great place to live and recreate.

Attachments

1.  PMHC_Landrigan Andrews Parks Master Plan_March 2024
2.  Landrigan and Andrews Parks Master Plan Port Ex. Engagement Report March 2024

Item: 11.03

Subject: DRAFT RECREATION AND OPEN SPACE ACTION PLAN AND SPORTING INFRASTRUCTURE PRIORITIES

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle.

RECOMMENDATION

That Council:

1. Publicly exhibit the revised draft Recreation and Open Space Action Plan for a period of not less than 28 days.
2. Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.
3. Note Prioritisation of Sporting Infrastructure Projects that Council will continue to seek funding for as follows:
 - i. Port Macquarie Aquatic Centre
 - ii. Regional Stadium Upgrades
 - iii. Tuffins Lane Drainage – if feasible
 - iv. Thrumster Sporting Fields
 - v. Hastings Regional Sporting Complex
 - vi. Rainbow Beach Sporting Fields - Stage 2
 - vii. Wayne Richards Stage - 3 & 4 Design

Executive Summary

The Recreation and Open Space Action Plan sets the priorities for our recreational and sporting spaces throughout our region. It builds on our commitment to providing parks, sporting fields, and recreation areas with facilities that promote and contribute to the health and wellbeing of our residents and visitors.

A review has been undertaken to the Recreation Action Plan 2023-2028, this plan is now referred to as the Recreation and Open Space Action Plan and can be found in Attachment 1.

This review is undertaken due to:

1. Recommendations provided by the Port Macquarie Hastings Sports Council.
2. Development of the Places to Play Plan.

Council has also undertaken workshops with Councillors and meeting with the local members of parliament to inform the Port Macquarie Hastings Sporting Infrastructure Priority Projects.

This report recommends adoption of the revised draft Recreation and Open Space Action Plan for the purposes of public exhibition and recommends endorsement of the Sporting Infrastructure Projects priorities as outlined.

Discussion

Recreation and Open Space Action Plan

In February 2023 Council endorsed the Recreation Action Plan 2023-2028. The Action Plan notes that an annual review may be necessary to modify the Action Plan in accordance with changing community needs, financial position of Council, ability to deliver within timeframes and legislative requirements.

That Council:

1. *Adopt the Recreation Action Plan 2023-2028 for implementation*
2. *Thank submitters and advise them of the outcome of Council’s consideration*
3. *Proceed to establish a Port Macquarie - Hastings Sports Council to be comprised of sporting groups stakeholders from across the Local Government Area*
4. *Provide a further report to Council in March 2023 with respect to a draft Terms of Reference for this group for Council’s consideration and endorsement before calling for memberships*

In August 2023 Council resolved to appoint the new Port Macquarie Hastings Sports Council. A key objective of the Sport Council is to undertake a review of the Recreation Action Plan.

That Council:

1. *Appoint representatives from the following organisations to be members of the Port Macquarie-Hastings Sports Council:*

Affiliate Organisation
AFL North Coast
Hasting River District Junior Cricket Association
Hastings Valley District Netball Association
Basketball NSW
NSW Touch Football
Football Mid North Coast
NSW Office Of Sport
Cricket NSW
Tennis NSW
Port Macquarie Hockey Association
Group 3 Rugby League Referees Association
Port Macquarie Little Athletics

2. *Determine that Councillors Slade and Maltman be Council’s representatives on the Port Macquarie-Hastings Sports Council with Councillor Slade being the chairperson.*
3. *Delegate to the Port Macquarie-Hastings Sports Council the management of sporting organisation membership and associated representatives.*



At the September 2023 meeting of the Port Macquarie Hastings Sports Council, Council officers requested members to seek priority sport projects from local sporting clubs across the region.

At the December 2023 meeting of the Port Macquarie Hastings Sports Council new sport projects were proposed for inclusion to the Recreation and Open Space Action Plan 2024-2029. All projects were listed for discussion by members.

The Port Macquarie Hastings Sports Council met on 13 February 2024 and considered the updated sport projects for the Draft Recreation and Open Space Action Plan 2024 - 2029. Accordingly, the Sub-Committee recommends to Council:

- The projects listed be included in the Recreation and Open Space Action Plan 2024 - 2029.

The Places to Play Plan was identified as an immediate priority, strategic planning project in Council's Recreation Action Plan 2023-2028. The Places to Play Plan serves as a key tool for effectively guiding the development, implementation and sustainable management of spaces and places throughout our region. Given the changes in legislation, evolving community needs and expectations, and the ongoing urbanisation of the Port Macquarie-Hastings Local Government Area (LGA), it is imperative to plan for future needs. Through the development of the Places to Play Plan it is now evident that due to the updated priorities identified in this strategic planning amendments are required to the Recreation Action Plan.

Since February 2023, 13 Actions in the Recreation Action Plan 2023-2028 are complete.

The updated Plan identifies three timelines for delivery of priority projects:

Immediate: 2023 - 2024

Short term: 2024 - 2025 to 2025 - 2026

Medium term: 2026 - 2027, 2027 - 2028 and 2028 - 2029

All 30 action items listed as immediate priority are currently classified as active projects. Of the strategic planning - immediate priorities 4 or the 5 actions are active projects.

The specific projects can be found listed in the draft Recreation and Open Space Action Plan (Attachment 1).

Prioritisation of Sporting Infrastructure Projects

Council at its meeting in July 2022 (Item 12.05) considered a report on the prioritisation of sporting infrastructure projects and resolved as follows:

That Council:

1. *Note the information contained within this report.*
2. *Endorse the PMQ Aquatic Facility as a major strategic infrastructure project and as such, pursue progression of this project as a stand-alone item and as an urgent priority to see external funding for the project noting the risk of failure of the existing facility.*

3. *Defer prioritisation of the remaining identified major sporting infrastructure projects until after confirmation is received from major funding partners, the Commonwealth Government and the State Government, as to what contributions will be available to help deliver each project.*
4. *Through the Chief Executive Officer and the Mayor, engage with the Federal Members, Dr David Gillespie MP and Pat Conaghan MP; State Members Leslie Williams MP and Melinda Pavey MP, to determine what funding either is available or will be likely be available in the current or upcoming budgets, to contribute to the projects identified in this report.*
5. *Through the Chief Executive Officer, provide a report to Council on the outcome of discussions with the Federal and State Members prior to a specific order of prioritisation.*

Engagement with Federal and State members did not occur in the later part of 2022 due to competing priorities and with the state election held in March 2023, it was considered that it would be more beneficial if the discussions were held after the election was determined.

A report was presented to the April 2023 Ordinary Council meeting where it was resolved:

That Council:

1. *Note the information contained within this report*
2. *Request the Chief Executive Officer to provide a report no later than the August 2023 Ordinary Council meeting to provide an update on this matter.*

This report outlined that staff had been attempting to schedule the meeting(s) with the Local Members since the July 2022 Ordinary Council meeting and this was challenging due to elections and availability.

At the Ordinary Council meeting held on 17 August 2023 (Item 11.06), Council considered a further report that provided a status update on engagement with State and Federal members on the prioritisation of sporting infrastructure projects, as requested by Council at the July 2022 Council Meeting above. Council further resolved as follows:

That Council:

1. *Note the information contained within this report*
2. *Note the prioritisation of major projects that was recommended by staff in July 2022 (Agenda Item 12.05), being: "Prioritise the delivery of the Thrumster Sporting Fields, Port Macquarie Aquatic Centre, Rainbow Beach Sports Fields Stage 2, Hastings Regional Sporting Fields and the design development of the next stage of Wayne Richards Sporting Fields in this respective order to meet capacity and growth demands within the LGA."*
3. *Request the Chief Executive Officer to provide a detailed briefing to Councillors by October 2023, which includes:*
 - a. *Any updates to the recommended prioritisation order for major infrastructure projects since the July 2022 (Item 12.05) report*
 - b. *Advice as to outcome of engagement with Members of Parliament outlined in clause 4 of the 21 July 2022 Council resolution.*
 - c. *Detailed information in relation to the current usage of Macquarie Park and future impacts and planning for the use Macquarie Park, including barriers and path forward to progress Thrumster Sporting Fields.*

In line with Council's resolution of July 2022 meetings were requested with all Local Members of Parliament. One meeting was held on 27 September 2023 with Pat Conaghan Federal Member for Cowper and Michael Kemp State Member for Oxley in attendance. At this meeting the local members indicated their support for all of Port Macquarie Hastings Sporting Infrastructure Priority Projects.

In response to resolution 3, a Councillor briefing was held on 14 March 2024. The Councillors were briefed on the following:

- Sporting infrastructure projects to be prioritised
- Community commitments and expectations
- Funding availability
- Risks associated with the sporting infrastructure projects including relocation of Football Mid North Coast from Macquarie Park to Thrumster Sporting Fields.

As a result of this briefing Council Sporting Infrastructure Projects are now prioritised in the following order:

1. Port Macquarie Aquatic Centre
2. Regional Stadium Upgrades
3. Tuffins Lane Drainage – if feasible
4. Thrumster Sporting Fields
5. Hastings Regional Sporting Complex
6. Rainbow Beach Sporting Fields - Stage 2
7. Wayne Richards Stage - 3 & 4 Design

Options

Council has the option to:

1. Adopt the draft Recreation and Open Space Action Plan and infrastructure priorities as recommended; or
2. Not adopt the draft Recreation and Open Space Action Plan or infrastructure priorities; or
3. Seek further information or changes.

This report recommends option 1.

Community Engagement and Internal Consultation

Ongoing Internal Consultation has occurred with;

- Group Manager Liveable Communities
- Recreation and Open Space Planner
- Parks and Open Space Coordinator
- Recreation and Community Initiatives Coordinator
- Recreation and Community Strategy Coordinator
- Asset Officer
- Parks Technical Officer

External Consultation has occurred with:

Port Macquarie Hastings Sports Council on the following meeting dates:

26 September 2023

Council officers requested members to seek priority sport projects from local sporting clubs across the region.

Sport Council members shared priority sport projects prior to the following meeting for projects to be included in the agenda for discussion.

5 December 2023

New sport projects were proposed for inclusion to the Draft Recreation and Open Space Action Plan 2024 - 2029. All projects were listed for discussion by members. The sub-committee discussed and approved the amendment to the Plan name from Recreation Action Plan to Recreation and Open Space Action Plan.

13 February 2023

Final consideration and approval to the updated sport projects for the Draft Recreation and Open Space Action Plan 2024 - 2029.

Planning and Policy Implications

The Recreation and Open Space Action Plan determines the priorities for the planned recreation work for Council. It also assists in sharing Community priorities for active transports including pathways, cycleways and better access to our facilities.

The Port Macquarie Hastings Sports Council will continue to assist Council in the development, review and monitoring of the Recreation and Open Space Action Plan which assists Council in the identification of sport and sporting infrastructure needs.

The Places to Play Plan will continue to be developed in 2024 - 2025. This may influence the actions and priorities in the Recreation and Open Space Action Plan. The Recreation and Open Space Action Plan will continue to be reviewed annually.

Financial and Economic Implications

Projects identified within the 2024 - 2029 Recreation and Open Space Action Plan for delivery in 2023 - 2024 were included within the adopted 2023 - 2024 Operational Plan.

Projects identified for delivery from 2024 - 2025 onward are subject to priority review and budget endorsement through subsequent Operational Plan development, they are also proposed to be identified in the 10-year Works Program.

The Sporting Infrastructure Priority Projects have significant financial implications. Please see table below for the current proposed total costs

Priority Project	Proposed Cost
Port Macquarie Aquatic Centre	Stage 1 - \$55 Million Stage 2 - \$12 Million
Regional Stadium Upgrades	Stage 1 - \$700,000 Future Stages - unknown
Tuffins Lane Drainage – if feasible	Design and approvals - \$700,000 Construction - \$2 Million (estimate)
Thrumster Sporting Fields	Stage 1 - \$5 Million Stage 2 - \$16 Million
Hastings Regional Sporting Complex	Stage 1 - \$17.8 Million Stage 2 - \$28.6 Millions

	Stage 3 - \$27 Million
Rainbow Beach Sporting Fields	Stage 2 - \$2.5 Million
Wayne Richards Stage - 3 & 4 Design	Design - \$250,000 Construction - unknown

Whilst there is not the capacity to presently fund all projects, funding for prioritised projects will be sought through various sources including S7.11 developer contributions, and State and Federal funding opportunities. However, it should be noted that allocations within the Open Space Contributions Plan against these projects have predominantly not been collected as yet due to developer deferrals and working through the adopted Planning Agreements.

The planning and delivery of high-quality recreational and sporting assets is expected to provide a positive economic impact for the Port Macquarie-Hastings LGA by contributing to event attraction and the area being a great place to live. Council staff continue to identify and apply for relevant grant funding to support the delivery of the facilities.

Attachments

1.  DRAFT_Recreation and Open Space Action Plan - 2024-29

Item: 11.04

Subject: COMMUNITY GRANTS 2023-2024 - ROUND 2

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.2.1 Support and advocate for all community sectors.

RECOMMENDATION

That Council, pursuant to Section 356 of the Local Government Act 1993, grant financial assistance in Round 2 of the 2023-2024 Community Grant program for the total amount of \$85,573 for the following community projects:

APPLICANT	PROJECT	FUNDING
Westpac Rescue Helicopter	Rescue Kits	\$1,000
Tele Point Community Assoc	Hall Fencing	\$2,450
MNC Maritime Museum	Paint Pilot Boat Shed	\$10,000
Rotary Club Port Macquarie	Marine BioBlitz	\$3,000
Astronomical Association	Visiting Planetarium	\$6,875
Friends of Mrs Yorks Garden	Track Upgrade	\$7,000
Byabarra Sports & Tennis Club	Family Movie Nights	\$2,150
Garden Village	3D Armchair Travel (Seniors)	\$5,400
PMQ Homeless Collective	Homeless Food Supplies	\$1,000
PMQ Women’s Shed	Soundproof Woodwork Room	\$10,000
WAU Adventist Relief Agency	Homeless Service Generator	\$3,795
RSL Lifecare	Seen & Heard Program	\$4,000
Strong Spirit Aboriginal Service	Village School Aboriginal Culture	\$5,000
WAU Community Arts Council	Singer Songwriter Circle	\$3,000
WAU Chamber Commerce	Waste to Art	\$2,500
Endeavour Mental Health	Disability Art Therapy	\$2,713
PMQ Steiner School	Winter Lantern Workshop	\$2,500
Surfing the Spectrum	Surfing Spectrum - Autism Surf	\$4,000
PMQ Parkinson’s Support	World Parkinson Day	\$1,000
Lost Plot	Lost Plot Garden Party	\$1,000
WAU Junior Rugby League	Temp Storage Container	\$5,200
Dementia Friendly Alliance	Dementia Choir	\$1,990

Executive Summary

Applications for Round 2 of the 2023-2024 Community Grants Program opened on 26 February 2024 and closed on 17 March 2024. A total of 37 applications (Attachment 1) were received of which 22 projects are recommended to Council by the assessment panel for funding, having met the grant criteria including provision of required supporting documents.



There is \$85,586 available in the Community Grant fund. Should Council agree to allocate \$85,573 in this funding round, that would essentially exhaust the grant budget for the 2023/2024 Financial Year.

Discussion

The Community Grants Program is an investment in community-led programs and events that activate shared spaces, strengthen community life, and foster arts, culture, and volunteering in the Port Macquarie Hastings area.

The objective of Community Grants is to:

- Offer residents diverse ways to engage in arts, culture, and local history activities.
- Create avenues for residents to join in events and programs that celebrate and support diversity, community life, and an inclusive community.
- Promote residents' initiative and self-reliance.
- Support individuals facing barriers such as low income, geographic or social isolation, cultural background, or disability to actively participate in community life.
- Enhance community and volunteer skills and capabilities.

In this funding round (Round 2), Council sought applications for initiatives that meet the objectives of the Port Macquarie Hastings Community Strategic Plan, town and village Community Plans, and focus areas in the Community Inclusion Plan, specifically projects that support:

- Youth Week (12-17 years)
- Senior connections
- First Nations communities
- Disability inclusion
- Activating public spaces
- Volunteering
- Arts and culture

Grant Categories

In Round 2, not-for-profit organisations could apply for funding under the following grant streams:

1. Community Projects - Up to \$10,000
To provide opportunities to deliver inclusive projects and programs that enhance community spaces, wellbeing, and participation.
2. Creative Community - Up to \$5,000
To provide opportunities to support the delivery of creative activities such as performances, visual arts, dance, drama, and music.
3. Community Celebrations - Up to \$5,000
To provide opportunities to deliver events that enhance social inclusion and celebrate national days of significance.
4. Micro Grants - Up to \$2,000
Available all year round to support unexpected opportunities and small activities to enhance people, places, and spaces.

Advertising Grants

Information on the Community Grants program was made available on Council's website which included a grant guideline, eligibility matrix, grant writing tips, and case studies. Promotion of for Round 2 grants included:

- Social media campaign; interviews with past applicants, information session, and advertisement of grant opening and closing dates.
- Two zoom public information sessions - 33 participants
- First Nations Grant Writing Workshop - 21 participants
- Direct mail to community organisations and previous grant applicants.

Of the 37 applications received, the breakdown by grant category is:

- 25 Community Projects
- 4 Creative Community
- 4 Community Celebrations
- 4 Micro Grants.

In accordance with the Guidelines funding cannot be provided for the following:

- Projects that have already started or are complete.
- Projects with an outstanding acquittal from a past grant round where an extension has not been granted.
- On-going operating costs such as rent, application fees, electricity, insurance, stationery, cleaning.
- Works on private property.
- Projects and events of a commercial nature, for personal profit such as ticketed events that generate revenue.
- Projects that are for the purpose of servicing individual groups such as equipment purchases, fees, or wages *
- Equipment with ongoing service costs *
- Reflect or replicate core business of Council.
- Have received funding from another area of Council for the same project.
- Direct ρεθυεστσ φορ δονατιονσ ορ φυνδραισινγ.

**Purchase of equipment under a community share arrangement will be considered*

The assessment of applications was undertaken in two stages. Stage 1 was a check against eligibility criteria, restrictions, and document requirements. Stage 2 was an assessment of proposed projects against the criteria as published in the *Community Grant Guidelines*. The assessment panel consisted of the following staff:

- Group Manager, Community
- Community Activation Manager
- Senior Community Development Officer
- Senior Grants Officer
- Project Officer Economic Development.

A total of \$85,573 from the available budget of \$85,586 is recommended for allocation in Round 2 of the 2023-2024 Community Grants program, as follows:

- Community Projects - to provide opportunities to deliver inclusive projects and programs that enhance community spaces, wellbeing, and participation (for (\$66,870).
- Creative Community - to provide opportunities to support the delivery of creative activities such as performances, visual arts, dance, drama, and music (\$10,713).
- Community Celebrations - to provide opportunities to deliver events that enhance social inclusion and celebrate national days of significance (\$4,000).
- Micro Grant - to support unexpected opportunities for community organisations to enhance people, places, and spaces (\$3,990).

If endorsed by Council, all applicants will receive notification of grant outcomes in writing. Unsuccessful applicants will be provided feedback as to why their application was not supported or eligible under grant criteria and advice will be provided on alternative grant opportunities.

If required, more detail on applications received can be provided to Councillors under separate cover as a confidential item as it contains personal or sensitive information.

Options

Council may determine to:

1. Endorse the recommendation of the report; or
2. Seek further information; or
3. Request an alternative distribution of funding.

This report recommends option 1.

Community Engagement and Internal Consultation

Internal consultation:

- Director Community, Planning and Environment
- Group Manager, Liveable Communities
- Community Activation Manager
- Property and Leasing Coordinator.

External consultation: Nil.


Planning and Policy Implications

The grant process is consistent with *Council's Funding and Support provided to the Community Policy (May 2022)*.

Financial and Economic Implications

The above recommendation commits \$85,573 from the Community Grants budget.

Attachments

1.  Community Grants - Assessment Matrix and Attachment for Council Report - Round 2 2023-2024

3 Your Business and Industry

What we are trying to achieve

A region that is a successful place that has vibrant, diversified and resilient regional economy that provides opportunities for people to live, learn, work, play and invest.

What the result will be

We will have:

- A strong economy that fosters a culture supportive of business and ensures economic development of the region
- Townships, villages and business precincts that are vibrant commercial, cultural, tourism, recreational and/or community hubs
- A region that attracts investment to create jobs
- Partnerships that maximise economic return and create an efficient and effective business environment

How we will get there

- 3.1 Embrace business and a stronger economy
- 3.2 Create vibrant and desirable places
- 3.3 Embrace opportunity and attract investment to support the wealth and growth of the community
- 3.4 Partner for success with key stakeholders in business, industry, government, education and the community

Item: 12.01

Subject: MAJOR EVENT GRANTS 2024 - ROUND 2

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

3.1.3 Implement Major Events Strategy.

RECOMMENDATION

That Council, pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Major Events Grant Program Round 2, 2024 to the total amount of \$20,000 for the following Major Events:

a)	Regional Academy of Sport Netball	\$4,000
b)	David Goose Gosby Memorial	\$4,000
c)	Rainbow Gold Enduro	\$4,000
d)	Run Haven	\$4,000
e)	Regatta Challenge	\$4,000

Executive Summary

Council's Major Events Grant Program Round 2 - 2024 opened for applications on Monday 26 February 2024 and closed Sunday 17 March 2024, for events to be held in the second half of 2024.

The program aims to support event organisers to develop, promote, execute, and sustain locally grown, long-term major events which attract out of region visitation. Major events are an important and growing part of our local economy and add to the vibrancy of our region. Major Events Grants are awarded with an aim to make hosting an event in our LGA more accessible to local event organisers, clubs, and associations.

Five (5) applications were assessed, and the panel agreed that all five (5) events met the criteria for support under the Major Events Grant stream.

Discussion

In applying for funding under Council's Major Events Grant program, applicants are required to demonstrate that the proposed event is either:

1. A driver of significant overnight visitation (i.e., a measurable economic impact, evidenced by previous data collected), or
2. Has the potential to grow to 'major event' status with a significant economic impact.

In making assessments staff have considered all applications that have a strong focus on the KPIs relating to generation of destination exposure and visitation.

Events that are held in the Camden Haven, Hinterland, and Wauchope areas are also looked upon favourably to provide benefits of events throughout the region and support businesses and community across the LGA centres.

Applicants are required to detail how the grant will be spent, with the proposed spending required to contribute to marketing activities that attract out-of-region visitors.

As per previous rounds, an internal review panel assessed applications. The panellists assessed applications against the established program criteria, and weightings (refer Table 1 below), with 1 being the lowest and 5 being the highest.

Table 1- Program Criteria and Weightings

Criteria	Weighting
Potential to become a major event and attract significant visitor nights	5
Unique to the region/Mid North Coast	3
Financial sustainability	4
Substantial economic impact (or potential for)	3
Event organiser experience & resourcing	3
Off-peak or shoulder season placement	5
Robust marketing plan	4
Community Benefit	3

Based on criteria weightings, applicants were ranked, and funds allocated. 65% of funds are payable prior to the event, with the remaining 35% paid upon satisfactory acquittal (evidenced by visitor data and proven marketing).

A summary of the panel’s assessment of each applicant has been provided under separate cover to Councillors as a confidential item.

Options

Council can opt to:

1. Adopt the recommended grant recipients as presented; or
2. Request further information from staff regarding the recommended events.

This report recommends option 1.

Community Engagement and Internal Consultation

Round 2 of the 2024 Major Events Grant program was promoted to the community through various Council communication channels.

The internal assessment panel comprised:

- Senior Grants Officer
- Economic Development Project Officer
- Senior Community Development Officer



Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

Since February 2020, Council has allocated \$143,000 to the Major Events Grant program, which has generated an estimated economic impact of more than \$19,300,000 for our LGA.

Under the 2023-2024 budget, Council has allocated \$40,000 (total) for two contestable funding rounds for the Major Events Grant program. Should Council endorse the recommendation, \$20,000 will be allocated from this budget to the five (5) events recommended.

Attachments

Nil

4 Your Natural and Built Environment

What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



Item: 13.01

Subject: NOTICE OF MOTION - CAMDEN HEAD MASTER PLAN

Councillor Adam Roberts has given notice of his intention to move the following motion:

RECOMMENDATION

That the Chief Executive Officer be requested to provide an update on the progress on the establishment of a Friends of Camden Haven Headland volunteer group to assist in the enhancement of the Council Managed Crown Reserve at the Camden Haven Headland as resolved by Council on 8 December 2022 to the May 2024 Ordinary Council Meeting.

Comments by Councillor

Nil.

Attachments

Nil

Item: 13.02

**Subject: NOTICE OF MOTION - LAKE CATHIE MANAGEMENT INTO THE
FUTURE**

Councillor Adam Roberts has given notice of his intention to move the following motion:

RECOMMENDATION

That Council request the Chief Executive Officer provide a report to the May 2024 Ordinary Council Meeting which will provide a high-level overview of what would be involved if Council were to consider “handing back” the management of the Lake Cathie waterbody to the NSW Government.

Comments by Councillor

Nil.

Attachments

Nil

Item: 13.03

**Subject: NOTICE OF MOTION - GENERAL WASTE RED BIN RUBBISH
COLLECTION OVER SUMMER**

Councillor Adam Roberts has given notice of his intention to move the following motion:

RECOMMENDATION

That Council, through the Chief Executive Officer, provide a report to the July 2024 Ordinary Council Meeting which outlines a high-level overview of what opportunities and cost/contract implications may be involved with providing a weekly Red Bin (General Waste) collection each week between December and February (inclusive) each year.

Comments by Councillor

Nil.

Attachments

Nil

Item: 13.04

Subject: DRAFT LIVING AND PLACE STRATEGY AND SUPPORTING DOCUMENTS

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

RECOMMENDATION

That Council:

1. **Endorse the draft Living and Place Strategy and supporting documents for public exhibition for a period not less than 28 days.**
2. **Note that a further report will be tabled after the public exhibition period, detailing any submissions received from the public during the exhibition period.**

Executive Summary

The purpose of this report is to present to Council the revised draft Living and Place Strategy (also known as the Local Housing Strategy) and supporting documents for public exhibition.

The draft Living and Place Strategy (draft Strategy) has undergone a substantive redraft and repositioning following the feedback received from stakeholders throughout public exhibition in 2021 and the recent stakeholder workshop. The draft Strategy provides a framework of how and where we will grow to support a growing population, ageing community, and a change in household structure. The draft Strategy is supported by the following draft Implementation Plans, which provide detail on how the vision, priorities and objectives of the strategy can be achieved:

1. Local Housing Delivery Plan and
2. Affordable Housing Plan.

Discussion

The draft Local Housing Strategy was originally exhibited for 60 days, from 14 July 2021 to 12 September 2021. The submissions received raised various issues and concerns with the draft strategy. The criticisms primarily focused on the expected growth rate and the use of planning controls (mostly land use zoning) to accommodate this growth. Some submissions thought growth should be avoided, while most submissions believed the population growth forecast by the NSW Government is an underestimate and that planning for this number will lead to a shortfall in supply.

At the Ordinary Council Meeting on 18 August 2023 (Item 13.02), Council resolved to:

1. *Note the update report on the Draft Local Housing Strategy.*
2. *Note the Community Engagement Plan for further engagement with stakeholders.*
3. *Receive a report by no later than the April 2024 Ordinary Council Meeting regarding the revised Draft Local Housing Strategy and the outcome of the further community engagement.*

Following this resolution, staff have been collaborating between the Strategic Planning and Community Engagement teams to develop a plan to re-engage with stakeholders.

On 29 February 2024, a targeted stakeholder engagement session (workshop) including previously under-represented stakeholder groups such as the disability, youth, social housing, and health sectors was undertaken with both internal and external stakeholders.

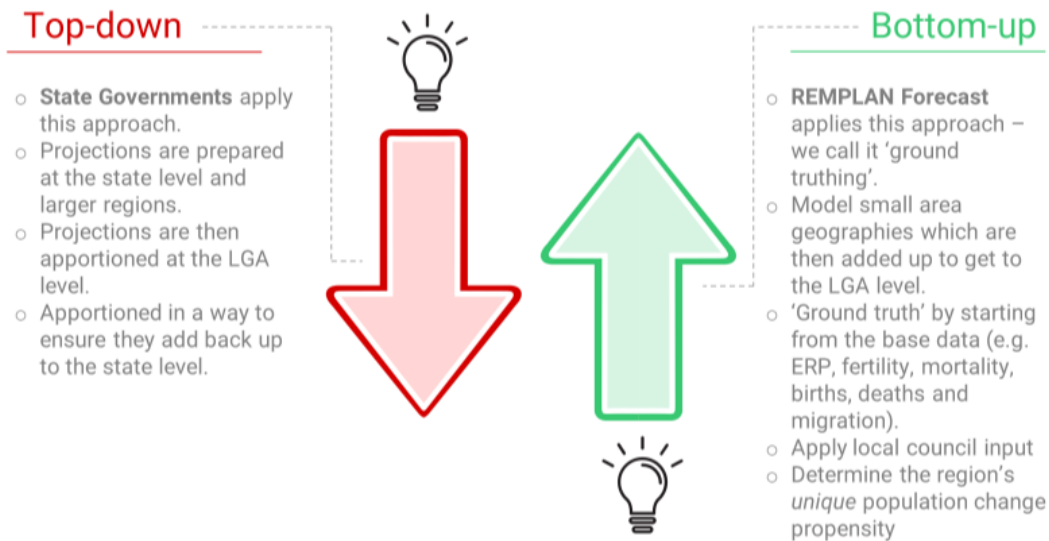
The workshop resulted in a significant amount of constructive feedback and ideas for the draft strategy. A summary report (Attachment 4) is included of the feedback provided at workshop. The feedback provided has informed changes to the draft strategy and are outlined in Table 1 within this report.

Much of the feedback received on the previous draft strategy concerned the population projections and data being inaccurate or out of date. The revised strategy is informed by updated data (made available via the release of 2021 census data). Council staff have also worked closely with REMPLAN to develop more reliable population forecasts to help inform forward planning decisions.

Population Scenarios and Demographic Data

The population projections provided to Council by the NSW Department of Planning, Housing and Infrastructure (DPHI) are utilised in the revised strategy as the low growth scenario. DPE utilises a top-down methodology that starts with projections for the whole of NSW and then seeks to apportion this at an LGA scale. As a result, DPE Population forecasts are often considered conservatively low and cannot be agile in responding to localised or contemporary trends in population and migration.

Figure 1 - Population Scenario Methods



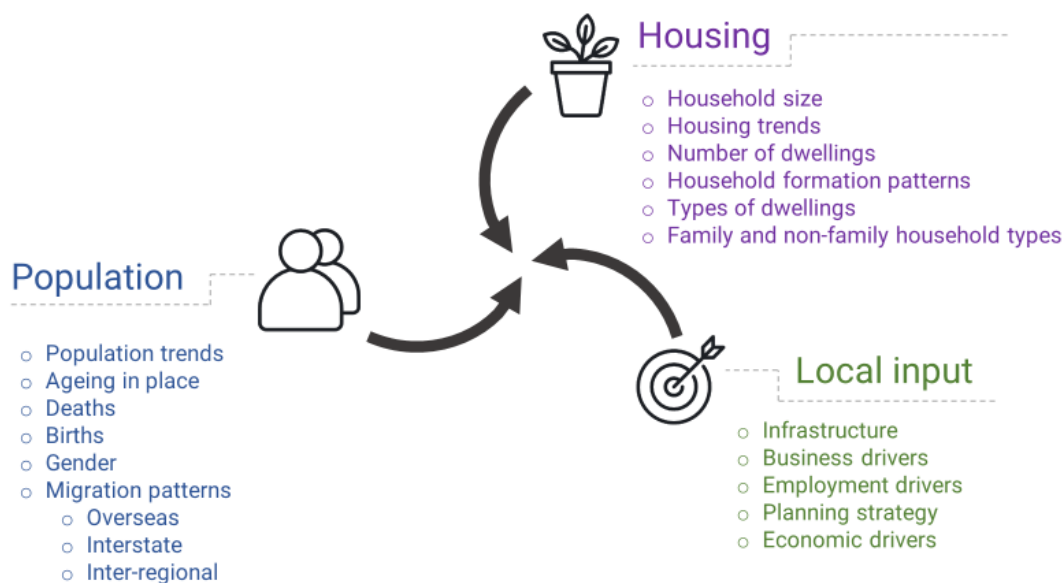
In consultation with Council staff, REMPLAN has developed a draft main or medium population growth scenario; this is the growth scenario considered the closest to likely realised growth. REMPLAN has utilised a ‘Bottom-up’ methodology that seeks to utilise a robust evidence-based approach to population forecasting. The approach models the population trends on small area geographies, which are conglomerated to get the LGA level forecasts. They utilise local data such as development data provided by Council, ERP, fertility and mortality rates, and migration trends to determine the region’s unique population change propensity.

Demographics and population forecasts across the LGA centres will be presented to Council as a future report. The objective is to present a Council position, and a whole of Council approach, to an adopted set of forecasts. This work will present the various scenario analysis and will provide further detail on the potential growth in each scenario for strategic planning across the community. This does not prevent the public exhibition of the draft Strategy.

Demographic trends have been changing relatively quickly since 2020, and with the release of Census 2021 data, some of the recent official population forecasts are now out of date. New projections considering the emerging demographic realities of the COVID-19 pandemic are needed for planning and policy purposes.

In addition, the rebased Estimated Resident Populations (ERP) based on the 2021 Census (ABS 2022a) provides the latest quality data on which to base new forecasts.

Figure 3 - Drivers and inputs for population change



REMPPLAN forecasts are launched from the June 2021 rebased Estimated Resident Populations (ERP), updated, and published by the ABS, with the REMPLAN base year reflecting the latest official ERP. Forecasts are modelled for 30th June in each year of the forecast horizon by gender and single years of age.

Options

1. Endorse the draft Living and Place Strategy and supporting documents to be placed on public exhibition; or.
2. Request further amendments to the draft Living and Place Strategy or supporting documents noting this may result in delay; or
3. Not endorse the recommendation and resolve in some other manner.

Option 1 Endorse the draft Living and Place Strategy and supporting documents to be placed on public exhibition is the recommendation of this report.

Community Engagement and Internal Consultation

A significant amount of internal and external engagement and consultation has been undertaken to date and it is recommended Council continues this collaborative approach with the revised draft Strategy. A summary of the issues raised, and a response is as follows:

Summary of Issues Raised	Response - revised strategy
<p><u>Environment</u></p> <p>The Port Macquarie Hastings region has a unique and diverse environment. Some submissions outlined the communities' connection with the natural environment and the need to protect</p>	<p>The revised draft Living and Place Strategy aims to provide direction that future housing development should minimise its ecological impact. The revised strategy identifies future housing supply to minimise impacts on identified high environmental values (HEV) and core Koala Habitat.</p>

<p>the environment as the region’s population grows.</p> <p>The Strategy should further consider threatened species and ecological communities, and particular reference should be made to the Koala. The need to maintain more of the natural environment and development should have a smaller footprint protecting existing trees and Forest pockets.</p>	<p>This is made clearer by the inclusion of planning priority 4 - Create neighbourhoods which are safe, sustainable, and resilient to natural hazards.</p> <p>Additional housing development is required to cater for the additional population growth and changing demographics, which will have an environmental impact. It is the Strategy's role to provide a direction that manage and or mitigate this impact where possible.</p>
<p><u>Local Character</u></p> <p>Increased density could have a detrimental impact on local character and street function. An increase in density and infill development should not occur at the expense of local character.</p> <p>Consideration should be given to transitioning from low density to high density to ensure that higher density areas do not detract from the character of lower density areas. This could address contemporary development that does not reflect local character by providing a transition from existing low-density areas to areas with higher density or high-density desired future character.</p> <p>Development can still occur while preserving character and heritage. Development should be encouraged to be harmonious with the local heritage or character of the specific areas rather than discouraging housing in those areas.</p>	<p>The revised draft Strategy has included priority 3</p> <ul style="list-style-type: none"> - Deliver liveable and connected neighbourhoods and communities with distinctive character. This priority seeks to respond by tailoring housing controls and density to achieve the desired future character. <p>It is intended that Council would seek to develop a local character and place framework which considers existing local character and works with the community to establish the desired future character. This framework will seek to identify areas of unique local character and establish planning controls that protect core elements of local character.</p>
<p><u>Demographic Data</u></p> <p>Many submissions outlined that the population projections utilised in the draft LHS needed to be more accurate and reliable. The population projections should be updated to reflect the 2021 Census and population trends as a result of the COVID-19 Pandemic.</p> <p>The draft strategies theoretical land supply analysis needs to be revised</p>	<p>The revised strategy uses updated and more reliable data sources. Council has also since worked with REMPLAN on updated population scenarios which provide a more reliable forecast. This is further outlined earlier in this report.</p> <p>The NSW Government’s Local Housing Strategy Guidance prescribes that local housing strategies should use the Department of Planning, Housing, and Infrastructure population projections. Council will work with the DPHI position so</p>



<p>to adequately consider constraints and natural hazards, including infrastructure, ecology, bushfire, and flooding.</p>	<p>that other projections/scenarios can be utilised to better reflect local circumstances.</p>
<p><u>Infrastructure</u> Many submissions received identified concerns that existing infrastructure needs more capacity for growth. Some submissions outlined that the LHS vision should reflect existing infrastructure capacity. Some submissions expressed frustration with the infrastructure backlog outlining that Council should have better planned for infrastructure delivery to support identified growth.</p>	<p>Priority 1 of the revised draft Strategy is Infrastructure which supports growth. This is the number 1 priority to highlight the importance and outline an integrated Council response to infrastructure delivery challenges. The revised draft Strategy also considers and responds to the adopted Infrastructure Strategy. The Infrastructure Strategy was not available when the previous draft was written.</p>
<p><u>Infill Development & Housing Choice</u> Some submissions outlined concerns with the draft LHS approach and focus on infill development. Infill development requires infrastructure to support it and should be sympathetic to existing neighbourhoods' local character and function. Many submissions identified that prioritising infill development at the expense of greenfield is not supported and that, rather infill development should be delivered in conjunction or complimentary to greenfield development. Some submissions expressed concern that greenfield housing was being prioritised over environmental protection.</p>	<p>This is a significant focus of the revised draft strategy with 3 priorities focused on this encouraging and delivering a diverse range of housing choices. Priority 2 deliver diverse housing, Priority 5 - Locate residential development in well-planned growth precincts and infill areas, Priority 6 Increase Availability of Affordable Housing. These priorities consider a variety of housing types and ensure a diverse housing stock that responds to the expectations and needs of a growing community. It is important to consider the lifestyle needs and expectations of people relocating to the region. However, providing housing that responds to demographic change is equally important, including an ageing population and smaller household sizes. This is not considered to be an either/or equation. A diverse housing stock the LHS is seeking requires both infill and greenfield development. <u>All</u> development should be well-planned and provide for various densities, including detached housing, apartments, and everything in between.</p>
<p><u>Environmental Sustainability</u> There was broad support for increasing the environmental</p>	<p>The revised draft Living and Place Strategy aims to provide direction that future housing development should minimise its ecological</p>



<p>sustainability of development. Some submissions outlined the need for clear and specific definitions of environmentally sustainable development.</p> <p>Some submissions outlined that sustainability and climate change policy should have greater prevalence in the LHS to ensure energy-efficient housing and housing resilient to natural hazards, including sea level rise.</p> <p>One submission recommended that Council Incorporate Universal Housing design guidelines (or similar) into planning controls.</p>	<p>impact. The revised draft Strategy identifies future housing supply to minimise impacts on identified high environmental values (HEV) and core Koala Habitat.</p> <p>This is made clearer by the inclusion of planning priority 4 - Create neighbourhoods which are safe, sustainable, and resilient to natural hazards.</p> <p>The revised draft Strategy outlines principles and directions which encourage sustainable, resilient, and energy-efficient housing. With an ageing population, The LPS supports and encourages adaptable housing and the delivery of 'universal design' outcomes.</p> <p>The draft Strategy also seeks to leverage on the recent reforms to the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) to increase energy efficiency outcomes and raise the bar of development.</p>
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Planning and Policy Implications





The draft Living and Place Strategy and supporting documents are Council’s primary policy documents relating to housing and recommends amendments to other policies and plans such as the Local Environmental Plan (LEP) and Development Control Plan (DCP).

Financial and Economic Implications

Revisions to the draft Strategy and preparation of supporting delivery plans has been prepared by Council staff within existing resources. These revisions have been informed by work REMPLAN have undertaken. REMPLAN were engaged by Council to prepare various Economic, community and forecasting data, this package was \$27,000 excluding GST. While there is a financial cost, having this data provides economic benefits to Council, the housing industry, and the community.

Some actions identified in the plans may require future funding. This will be addressed individually for each item. The items will need to satisfy funding prioritisation, and the prioritisation of the actions at the time, should Council adopt the Strategy.

Attachments

1.  Draft Living and Place Strategy
2.  Draft Local Housing Delivery Plan
3.  Draft Affordable Housing Plan
4.  Local Housing Strategy Workshop Engagement Report March 2024



Item: 13.05

Subject: DRAFT ENVIRONMENTAL SUSTAINABILITY STRATEGY

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.8.1 Ensure all Council operations comply with environmental standards and regulations.

RECOMMENDATION

That Council:

- 1. Endorse the draft Environmental Sustainability Strategy for the purposes of public exhibition and place the draft Strategy on public exhibition for a period of not less than 28 days.**
- 2. Note that a further report will be presented to Council, following the public exhibition period, detailing the submissions received and any recommended changes to the draft Strategy for consideration by Council.**

Executive Summary

At the Ordinary Council Meeting held on 21 September 2023 (Item 10.10), Council resolved to request the Chief Executive Officer convene a Councillor Workshop to give further consideration to the draft Strategy in relation to the Sustainability Policy Review. A workshop was held on 14 March 2024. There were no changes to the draft Strategy as a result of the Workshop.

Council has specific statutory and non-statutory obligations in respect of environmental sustainability under the Local Government Act 1993, Environmental Planning and Assessment Act 1979, the Local Strategic Planning Statement (LSPS), and the Community Strategic Plan (CSP). The preparation of the draft Environmental Sustainability Strategy (the Strategy) responds to these obligations and will assist Council achieving the vision of the Community Strategic Plan, being to become “*the most liveable, sustainable and innovative place in Australia*”.

The strategy sets out how we will enhance environmental sustainability in our region for all our residents, businesses and visitors. The following four primary areas are the focus of the strategy:

- Natural Areas, Waterways and Biodiversity
- Environmental Change and Community Resilience
- Leading by Example
- Sustainable Living, Transport and Infrastructure

Together with strategic objectives and strategies, each theme also outlines what Council is currently doing to improve environmental sustainability in Council operations and contribute to the CSP objectives. The Strategy sets out a 10 year direction for Council and subsumes the existing Long Term Energy Strategy. It also considers the Sustainability and Climate Change Response policies. The strategy will

be accompanied by a rolling shorter term Action Plan detailing measures or actions to be taken in meeting the strategic objectives of the Strategy. The Action Plan will be developed in alignment with the four-year Delivery Program and feed actions into the annual Operational Plans for endorsement by Council.

This report recommends adoption of the draft Strategy (Attachment 1) for the purposes of public exhibition to gain feedback and comment on its proposed high-level strategic objectives and to ensure transparency, accountability, and good alignment with community expectations. Due to anticipated high level of community interest in the strategy it is intended that there will be an extended exhibition period.

Discussion

At the Ordinary Council Meeting held on 21 September 2023 (Item 10.10), Council resolved as follows:

That Council defer consideration of Item 13.09 Draft Environmental Sustainability Strategy and request the Chief Executive Officer convene a Councillor Workshop to give further consideration to the draft Strategy in relation to the Sustainability Policy Review.

A workshop with Councillors was held on 14 March 2024 which aimed to improve the understanding of the relationship and differences between the Sustainability Policy and the Environmental Sustainability Strategy and outline the priorities to be included in the Strategy. There were no changes to the draft Strategy required as a result of the Workshop.

As outlined at the Workshop the Local Government Act mandates that Council must properly manage, develop, protect, restore, enhance and conserve the environment for which it is responsible in a manner consistent with the principles of Ecologically Sustainable Development. This includes obligations to have regard to long-term and cumulative impacts, responsible and sustainable infrastructure, and social justice.

The draft Environmental Sustainability Strategy outlines Council's commitment to working towards delivering our vision to be *the most liveable, sustainable and innovative place in Australia*. The Strategy will be one of a suite of planning tools in the Council's Strategic Planning Framework. It will also meet deliverables set out in the 'shaping our future 2040' Local Strategic Planning Statement (LSPS) and other NSW and Council strategies and plans.

The Strategy is aiming to ensure that as the region grows, our built and natural environment is managed to maintain our quality of life and prosperity into the future. The Strategy also aims to achieve the objectives of Council's adopted policies for sustainability and climate change response.

The existing Long Term Energy Strategy will be subsumed into this Strategy and subsequent supporting rolling Action Plan facilitating a centralised reporting process to keep our community updated on Council's progress. In this regard, Council at its Ordinary meeting on 8 December 2022 (Item 13.07) resolved as follows:

That Council:

- 1. Note the submissions and feedback relating to the draft Climate Change Response Policy received during public exhibition period.*
- 2. Adopt the revised draft Climate Change Response Policy to include minor amendment to, 1. Objective, Point 2, to insert the word “towards” before the words “net zero”.*
- 3. Thank those people who provided feedback during public exhibition period and advise on the outcome of Council’s consideration of this matter.*
- 4. Incorporate climate adaptation and resilience strategies in the development of the draft Sustainability Strategy (currently under development), with a view to expedite progress to action planning and implementation.*
- 5. Request the Chief Executive Officer to provide a workshop with Councillors to work through the structure and focus of the draft Sustainability Strategy, in the first quarter 2023.*

Quadruple bottom line Sustainability, including Environmental Sustainability, should also be incorporated into everything that Council does. The objectives and strategies proposed intend to improve our environmental sustainability performance while also considering economic, social and governance aspects of sustainability.

The themes proposed to be applied in the draft Strategy are consistent with the CSP and cover the broad objectives of such a strategy as follows:

AREA	STRATEGIC OBJECTIVE
<p>NATURAL AREAS, WATERWAYS & BIODIVERSITY</p>	<p>Protect and enhance our biodiversity, natural waterways, aquatic habitats, ecological communities and areas of high environmental value</p>
<p>ENVIRONMENTAL CHANGE & COMMUNITY RESILIENCE</p>	<p>Increase our community’s resilience to the impacts of natural hazards and environmental change</p>
<p>LEADING BY EXAMPLE</p>	<p>Lead by example to reduce energy, water, waste and emissions from Council operations</p>
<p>SUSTAINABLE LIVING, TRANSPORT & INFRASTRUCTURE</p>	<p>Improve the environmental sustainability of our built environment</p>

Several individual strategies, as shown below, have been proposed to meet each of the Strategic Objectives identified above. These strategies will be further broken down into a comprehensive 4-year Action Plan which will detail specific works to be undertaken and service to be provided to meet the strategic objectives. This Action Plan will be developed in line with Council’s Delivery Program and Operational Plan.



STRATEGIES

- 1.1 Identify, protect and encourage restoration of natural areas and biodiversity corridors which support threatened ecological communities and species
- 1.2 Protect and improve the health of our coastline, waterways, aquatic habitats and riparian areas
- 1.3 Integrate land use planning to manage growth sustainably and protect areas of high environmental value

- 2.1 Minimise the impacts to our environment, infrastructure, life and property from floods, bushfires, storms, erosion and other hazards through planning and design, and education
- 2.2 Enhance emergency management planning and response systems to climate-related emergencies from floods, bushfires and extreme weather events
- 2.3 Work with other levels of government to grow the community's capacity and capability to understand and adapt to environmental change
- 2.4 Monitor and reduce emissions from Council operations in transitioning to net zero carbon emissions

- 3.1 Reduce energy, water, waste and emissions from Council operations
- 3.2 Collaborate with local stakeholders and organisations to explore, research and implement sustainable technology
- 3.3 Ensure environmental sustainability principles in procurement, working with contractors and suppliers
- 3.4 Reduce carbon emissions through transitioning our plant and fleet to renewable and low carbon energy resources
- 3.5 Undertake education programs to increase awareness of environmental sustainability solutions

- 4.1 Design buildings and places that respond to our climate, built and cultural heritage, natural environment, and improve liveability
- 4.2 Design, plan and build community infrastructure which is environmentally sustainable and resilient to a changing climate
- 4.3 Plan for green infrastructure and public space that enhances biodiversity, connects the community and improves health and wellbeing
- 4.4 Facilitate active and sustainable transport opportunities that connect key local destination and open spaces

Options

Council has the option to:

1. Adopt the recommendations and place the draft Strategy on public exhibition; or
2. Request further information from staff

This report recommends option 1.

Community Engagement and Internal Consultation

Development of the Strategy included consultation with all Groups within Council as well as with the staff Sustainability Working Group.

Due to the anticipated high level of community interest in the draft Strategy Council's Engagement Team has recommended a longer period of public exhibition to give more time for feedback. It is planned that, should the draft Strategy be endorsed, the engagement period will be extended, adding approximately 2 weeks. If there is a high level of feedback received additional time will be required for staff to review the submissions and make any changes to the Strategy before further consideration by Council.

Planning and Policy Implications

This draft Environmental Sustainability Strategy integrates with Council's Community Strategic Plan and will inform and guide decision making across the organisation, including within other strategies and actions plans.

Financial and Economic Implications

There are no direct financial and economic implications in relation to this report. However successful implementation of this strategy and the strategic objectives will require that resources, both human and financial, will be directed to the key focus areas outlined in this Strategy and actions identified in supporting strategic plans and action plans that will be developed over time.

Attachments

1.  Draft Environmental Sustainability Strategy

Item: 13.06

Subject: **POST EXHIBITION REPORT - SANCROX EMPLOYMENT LAND ENVIRONMENTAL LANDS AND SERVICES PLANNING AGREEMENT**
APPLICANT: KING AND CAMPBELL
LANDOWNER: EXPRESSWAY SPARES PTY LIMITED AND JAMES JOHN DUNN AND CATHERINE BRIGETTE DUNN

Presented by: **Community, Planning and Environment, Melissa Watkins**

Alignment with Delivery Program

4.5.2 Plan for infrastructure that supports population growth.

RECOMMENDATION

That Council:

1. **Revoke the First Deed of Variation to the Sancrox Employment Land Environmental Lands and Services Planning Agreement entered into between Council and Expressway Spares Pty Limited and James John Dunn and Catherine Brigette Dunn on 16 January 2017.**
2. **Enter into and execute the Second Deed of Variation Sancrox Employment Land Environmental Lands and Services Planning Agreement (Attachment 2).**
3. **Note the post exhibition Engagement Summary Report which provides details of the number of persons who accessed the public exhibition material on Council's Have Your Say page.**

Executive Summary

At the Ordinary Council Meeting held on 15 February 2024, Council resolved to place the draft amended Second Deed of Variation Sancrox Employment Land Environmental Lands and Services Planning Agreement (draft Planning Agreement) on public exhibition.

The draft Planning Agreement was subsequently placed on public exhibition from 21 February 2024 to 20 March 2024, for a period of 28 days. No submissions were received from the public during this exhibition period.

The purpose of this report is to provide details of the activity on Council's Have Your Say page during the public exhibition of the draft Planning Agreement (PA) however as no submissions were received there are no details to report.

It is now recommended that Council revoke and replace the previous First Deed of Variation to the Sancrox Employment Land Environmental Lands and Services Planning Agreement entered into between Council and Expressway Spares Pty Limited and James John Dunn and Catherine Brigette Dunn on 16 January 2017 and endorse the new Planning Agreement (Attachment 2), as exhibited, to enable execution by both parties.

Background

The existing agreement relates to the delivery of water and wastewater infrastructure and the staged acquisition of offset environmental land in conjunction with an industrial subdivision at Sancrox. It was agreed that Council acquire the environmental offset land in stages due to complexities with the current property title and the need to extinguish easements over part of the environmental offset land. This existing agreement was entered into, to modify the timing for the construction of water supply work to serve the development. This existing agreement updated and replaced the Sancrox Employment Land Environmental Lands Services Planning Agreement which was entered into on 15 July 2011.

A report was presented to the Ordinary Council Meeting of 15 September 2022 (Attachment 3), in relation to the infrastructure works. The resolution from that meeting was:

“That Council request a report to the October 2022 Ordinary Council Meeting providing further information and clarification regarding the current situation regarding administration of the VPA and relative costs, benefits and risks of each of the options outlined.”

At the Ordinary Council Meeting of 22 October 2022 (Attachment 4), a further report provided additional detail on the administration of the VPA, the costs and risks associated with the recommendation and the other considered options. The report specifically related to the three linked VPAs being the:

- Sancrox Employment Land Environmental Lands and Services Planning Agreement.
- Sancrox Employment Lands and Services McMullen Land Planning Agreement
- Fernbank Park Planning Agreement

The resolution from that meeting was:

“That Council:

- 1. In accordance with Voluntary Planning Agreement (VPA) First Deed of Variation Sancrox Employment Land Environmental Lands and Services Planning Agreement dated 16 January 2017, delegate to the Chief Executive Officer authority to make payment to the initial developer the agreed cost of the works outlined in this report less funds collected by Council for that purpose to date as outlined in the VPA.*
- 2. That release of payment will not be made until the administrative amendments to the associated VPA's are complete and agreed between the parties.*
- 3. Note that the amount required to be paid to the initial developer is to be funded from Council's Water and Sewer funds.”*

To enable the release of payment to the initial developer, the existing VPA requires some minor amendments.

Discussion

At the Ordinary Council Meeting held on 15 February 2024, Council resolved as follows:

“That Council:

- 1. Publicly exhibit the draft amended Second Deed of Variation to Sancrox Employment Land Environmental Lands and Services Planning Agreement for a period of not less than 28 days.*
- 2. Receive a further report following the public exhibition period on any submissions received”.*

Following Council’s resolution on 15 February 2024, the draft Planning Agreement was placed on public exhibition on Council’s Have Your Say Page for a period of 28 days, from 21 February 2024 to 20 March 2024. During the exhibition period, no submissions were received from the public. An Engagement Summary Report for the exhibition of the draft Planning Agreement is provided within Attachment 3. A summary of the outcomes of the public exhibition process are discussed below:

- There were a total of 86 total visits to Council’s Have Your Say engagement website page. With 22 informed visitors who downloaded the documents (noting that there were three documents that could be downloaded); and
- No surveys or submissions were received.

The 15 February 2024 Council report included details of the proposed amendments to the draft Planning Agreement and reasons for those proposed changes. These amendments are summarised below:

- removal of the definitions and clauses in relation to the payment of water supply and sewer contributions, as this infrastructure has been constructed. Contributions to be collected through the Development Services Plan (DSP) for future development.
- changes to clearly articulate who the initial developer is and when the Council is to pay them the contribution for the construction of the water supply and sewer infrastructure.
- clarification on what infrastructure comprises water supply and sewer work and the known construction costs.

The amendments to the PA will:

- enable the release of a lump sum payment to the initial developer.
- include the agreed cost of construction of the works, not known at the time of the First Deed of Variation; and
- acknowledge that the works have been completed and the initial developer is now known.

If supported, this new agreement will revoke and replace the previous First Deed of Variation to Sancrox Employment Land Environmental Lands Services Planning Agreement entered into between Council and Expressway Spares Pty Limited and James John Dunn and Catherine Brigette Dunn on 16 January 2017.

Options

Council has the options to:

1. Endorse the draft amended Second Deed of Variation to Sancrox Employment Land Environmental Lands Services Planning Agreement to enable execution between the two parties; or
2. Request further amendments to this draft amended Planning Agreement, noting this would delay endorsement; or
3. Not support the recommendation and resolve in some other fashion.

This report recommends Option 1, endorsement of the draft amended Planning Agreement to enable execution between the two parties.

Community Engagement and Internal ConsultationCommunity Engagement

Following public exhibition of the draft Planning Agreement on Council's Have Your Say webpage, no submissions were received.

Internal Consultation

Internal consultation was undertaken prior to public exhibition with Council's Utilities, Planning and Design team.

Planning and Policy Implications

The amended Planning Agreement conforms with Council's Planning Agreement Policy.

Financial and Economic Implications

It is anticipated that there will be positive financial and economic implications in relation to the draft amended Second Deed of Variation to Sancrox Employment Land Environmental Lands Services Planning Agreement through the orderly coordination of infrastructure to serve the development and the locality of Sancrox whilst reducing the administrative burden on Council of the existing PA's.

Attachments

1.  Sancrox Employment Environmental Lands & Services (Expressway Spares) Executed 160117
2.  Draft Amended Sancrox Employment Environmental Lands & Services (Expressway Spares) Planning Agreement
3.  Have Your Say Engagement Summary Report

Item: 13.07

Subject: CLASSIFICATION OF COUNCIL LAND - WAAPANGAL ROAD
THRUMSTER

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region.

RECOMMENDATION

That Council:

1. Pursuant to Section 34 of the *Local Government Act 1993* commence the process to classify Lot 50 DP 1299688 Waapangal Road Thrumster as operational land by placing on public exhibition for a minimum of 28 days with the proposed resolution, "It is intended to classify Lot 50 DP 1299688 Waapangal Road Thrumster as operational land."
2. Note that a further report will be tabled at a future Council meeting following exhibition detailing any submissions received during the exhibition period.

Executive Summary

Lot 50 DP 1299688 was created as part of an approved subdivision (DA2014/533.5). The development consent required that this land be dedicated to Council following the completion of the installation of a sewer pumping station. The process to transfer the property (Attachment 1) into Council ownership has now commenced and notice can now be published of Council's intention to classify the property as operational land under s34 of the *Local Government Act 1993*.

This report recommends that Council proceed with the classification of the land.

Discussion

Council land occupied by Sewer Fund installations is commonly classified as operational land in accordance with the use of the land. This report seeks to proceed to undertake the formal process to classify the land as shown in Attachment 1 commencing with the public exhibition of the proposed classification in accordance with *Local Government Act 1993*.

Options

There is an option to classify the property as either community land or operational land, however it is Council's practice is to classify Sewer Fund land containing sewer infrastructure as operational land.

Community Engagement and Internal Consultation

Following certification that the sewer pumping station was fully operational, the Community Utilities Division requested that the property transfer into Council ownership be completed. This transfer necessitates the need to now classify the land in accordance with s34 of the *Local Government Act 1993* which in turn requires that the proposed classification be placed on public exhibition for a period of not less than 28 days.

The notice will be placed on the Public Notices page on Council's website.


Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report. The property owner, Fernbank Investments (NSW) Pty Ltd has agreed to transfer the property into Council ownership at no cost to Council.

Attachments

1.  Land to be Transferred to Council Lot 50 DP 1299688

Item: 13.08

Subject: LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE REPORT

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.2.1 Develop and implement coastal, estuary, floodplain, and bushfire management plans.

RECOMMENDATION

That Council note the progress of natural resource management projects/initiatives within the Lake Cathie, Lake Innes and Cathie Creek waterways and progress on the Coastal Management Program.

Executive Summary

This report provides an update on Lake Cathie/Lake Innes/Cathie Creek waterway natural resource management projects/initiatives and the progression of the Coastal Management Program (CMP) that have occurred since the previous report was presented to the March 2024 Ordinary Council Meeting.

Works currently being undertaken and outlined in this report include:

1. Hydrodynamic Model of Lake Innes, Lake Cathie and Cathie Creek
2. Bundella Avenue Asbestos Remediation Works
3. Coastal Recreational User Needs Analysis
4. Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project
5. Review of the Opening Strategy
6. Invasive Weed Management
7. Development of Other CMP Chapters
8. Other Projects

Discussion

The following provides an overview of the progress since the last monthly report detailing Council projects and initiatives within the Lake Cathie, Lake Innes and Cathie Creek waterway, as well as other projects and initiatives related to the development of the CMP.

1. Hydrodynamic Model of Lake Innes, Lake Cathie and Cathie Creek

Staff from Council and the NSW Department of Climate Change, Energy, the Environment and Water (DCCEE - formerly DPE) undertook a detailed review of the draft report associated with the updated Hydrodynamic model of Lake Innes, Lake Cathie and Cathie Creek. Based on this feedback, staff from Royal

HaskoningDHV have now prepared a final draft version of the report for staff and DPE review and acceptance.

Given the importance of the project and its potential implications for the future management of the waterway, the draft report has been distributed to technical experts within NSW DCCEEW for feedback. Such feedback provides additional confidence to Council that the information presented in the report is of the highest quality and includes any feedback from technical experts within NSW DCCEEW. The incorporation of such feedback may also save time in the future when the report is referenced when proposing management actions. This feedback is due early April. Once received, the report will be finalised. Assuming no significant issues are detected by the NSW DCCEEW technical experts this is expected to be late April.

Following finalisation of the report, Council staff will prepare a detailed briefing for Councillors prior to the final results being reported to Council. At this stage the briefing is expected prior to the May Council meeting.

2. Bundella Avenue Asbestos Remediation Works

Council and NSW Crown Lands have committed to share the cost of remediating the section of embankment off Bundella Avenue known to contain illegally dumped historic Asbestos Containing Material, given the contamination has been identified across both Council and Crown Land tenure.

Soil Conservation Services have previously completed the first stage of the project which involved the development of safety and environmental documentation associated with undertaking the proposed remediation works at the site. On ground works after Easter school holidays. The proposed remediation works will involve the removal of the top 500mm of surface material from the embankment at the eastern end of Bundella Avenue, Lake Cathie. The material will be transferred to Cairncross Waste Management Facility. A separation layer will be installed across the works and topped with sand sourced from the berm immediately north of the works site. The area will then be landscaped and revegetated. Council staff will commence community engagement from early April.

3. Coastal Recreational User Needs Analysis

The final report associated with the Port Macquarie-Hastings Council Coastal Recreational User Needs Analysis has been completed. The report identifies coastal recreational needs and opportunities across the Port Macquarie-Hastings Council LGA based on current and future growth projections and will be used to assist strategic planning for recreational investment and grant applications.

A quantity surveyor prepared a costings report which included a price estimate for the recommendations listed in the Coastal Recreational User Needs Analysis. It should be noted that the ability to action some recommendations made in this report relies on the approval of stakeholders such as TfNSW, Crown Lands, DPE, NSW NPWS and FCNSW to ensure strategic alignments.

4. Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project

Bluecoast Consulting Engineers commenced the Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project in December 2023. The first task associated with this project is to complete a comprehensive literature review. This task involves analysing the appropriateness and/or relevance of relevant datasets and studies that would be referenced in this study and to identify any data gaps.

The Literature review will help derive a contemporary sediment budget and quantified conceptual model(s) of sand movement for the PMHC open coast. These model(s) will identify, describe and quantify, the coastal processes that will affect coastal morphology and coastal inundation hazards in the area. It will provide a summary of the current state of knowledge on larger scale and long-term sand movements enough to inform potential management actions to address coastal hazards within PMHC LGA. Importantly, they include detailed description of data and assumptions on which they are based, and the potential limitations/accuracy/reliability of any assessments undertaken. Council and NSW DCCEEW staff are currently reviewing the draft literature review. Once the literature review is finalised, Bluecoast Consulting Engineers will continue to assess the coastal hazards across the PMHC LGA.

The project is expected to be completed in September 2024.

5. Review of the Lake Cathie Opening Strategy

Following finalisation of the Lake Cathie/Lake Innes Hydrodynamic Model and reporting by Royal HaskoningDHV in line with Council’s resolution of April 2022, a review of the Opening Strategy will then be possible. An extension to the hydrodynamic model project is intended to be undertaken with consideration of the hydrodynamic model recommendations, and the recommendations put forward in the Soil Conservation Service / Southern Cross University Bushfire Affected Coastal Waterways report.

6. Invasive Weed Management

No invasive weed management actions were undertaken since the March 2024 Lake Cathie Natural Resource Management Monthly Update Report. This was due to the high amount of management actions Council staff have undertaken in the area over recent months. Invasive weed control activities are expected to return to the area in the coming weeks.

7. Development of other Coastal Management Program (CMP) Chapters

The development of CMPs is prescriptive and includes five stages. Staff are currently undertaking investigations associated with Stage 2 of the CMP development. The CMP is being developed in geographical chapters. An indicative timeframe of the progression of the CMP is presented below in Table 1.

Current Progress	CMP Stage	Expected Completion			
		Lake Cathie / Bonny Hills	Hastings River	Camden Haven	Open Coastline
✓	Stage 1	Complete			
➡	Stage 2	2021-2024	2022 - 2024	2023 - 2024	2023 - 2024
	Stage 3 - 4	2024	2024	2025	2025
	Stage 5	2024 +	2025 +	2026 +	2026 +

Table 1: Indicative CMP Timeframe

Staff are currently progressing with Stage 2 of the CMP development across the four chapters. Stage 2 of the CMP process involves undertaking detailed studies that will help Council to identify, analyse and evaluate risks, vulnerabilities, and opportunities



in the study area. The studies conducted during Stage 2 are to provide information to support decision-making in the later stages of the CMP planning process. Given the complexities of these studies, this stage is the most time consuming. Ensuring high quality studies in Stage 2 will result in high quality management plans in the CMP.

8. Other projects

Sea Country

The Coast and Estuary team continues to work closely with a working group consisting of Birpai elders and community members, representatives from Birpai and Bunyah Local Aboriginal Land Councils (LALCs), and the DPI Fisheries Marine Estate Management Strategy Sea Country lead for NSW to develop a Sea Country Action Plan for incorporation into Council's CMP.

Discussions with working group members and staff are leading towards community feedback on a draft Sea Country Action Plan to take place during NAIDOC Week 2024.

Options

This report is provided for information purposes only.

Community Engagement and Internal Consultation

This report is provided for information purposes.

Community consultation has been undertaken in some of the abovementioned projects, as mentioned in the discussion section of this report.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report. An updated status of adopted projects is provided below.

Project	Grant Funding (\$)	Council Contribution (\$)	Total Estimated Project Cost (\$)
Lake Cathie / Lake Innes / Cathie Creek			
Hydrodynamic Model	300,000	150,000	450,000
Bushfire Affected Coastal Waterways Program	265,000	30,000	295,000
Bundella Avenue Asbestos Remediation Project	252,266	252,266	504,532
SUB TOTAL	817,266	432,266	1,249,532
Open Coast			
Coastal Recreational User Needs Analysis (LGA wide)	82,414	41,206	123,620
Coastal Hazard Assessment & Coastal Vulnerability Assessment	108,000	54,000	162,000
SUB TOTAL	190,414	95,206	285,620
TOTAL	1,007,680	527,472	1,532,152

Attachments

Nil

Item: 13.09

Subject: LORNE ROAD UPGRADE - PROJECT UPDATE AND RECCOMENDATION FOR STAGE 3

Presented by: Community Infrastructure, Robert Fish

Alignment with Delivery Program

4.4.1 Plan, investigate, design and construct transport assets which address pedestrians, cyclist and vehicular needs to cater for the future growth of the region.

RECOMMENDATION

That Council:

1. Note the information outlined within the report regarding progress on the project to upgrade and bitumen seal Lorne Road and the reclassification of the road from Local Road classification to Regional Road classification;
2. Conclude works currently scoped and funded including:
 - a) Detailed design for stages 1 and 2
 - b) Environmental approval for stages 1 and 2
 - c) Construction and bitumen sealing of stage 1, commencing mid 2024 and
 - d) Concept design and environmental constraints assessment for Stage 3.
3. Continue to seek grant funding for the construction and bitumen sealing of stage 2, provided that funding contributes the majority of the construction cost, as suitable and eligible grant funding opportunities arise; and
4. Not continue any further planning and investigations for stage 3 of Lorne Road due to the estimated construction cost being in excess of \$50 million and the low traffic volume on this section.

Executive Summary

The purpose of this report is to summarise the progress of the Lorne Road Upgrade, provide commentary on the change in road classification, which has provided new funding opportunity for routine maintenance, and outline recommendations for future works programs.

Substantial progress on the Lorne Road upgrade has been accomplished in the 2023/2024 Operational Plan year with the progression of the concept and detailed designs and environmental approvals for both stages 1 and 2. This progress has now resulted in stage 1 progressing to tenders being requested for construction. In addition, a concept design and environmental constraints assessment has been completed for stage 3, which has provided Council with information to enable an informed decision on the merit or progressing with further planning work for this stage.

Discussion

Lorne Road connects Kendall in the east with Comboyne Road in the west near Comboyne. It is a key link for communities along the road corridor and the Comboyne Plateau with the Pacific Highway and coastal communities. The road is 28.8km in length, with 13.5km of that length being unsealed.

The Lorne Road Upgrade project relates to the remaining unsealed section of Lorne Road, located approximately 1km from the Lorne Road and Comboyne Road intersection for 13.5km generally to the south-east. This section of rural road is currently a two-way directional travel, two lane road with a varied cross-sectional width. The current pavement surface is unsealed, and the road typically features several safety deficiencies (when comparing to current day standards) including:

- tight horizontal and vertical curves;
- narrow cross section;
- restricted sight distance
- insufficient clear zones; and
- steep batters.

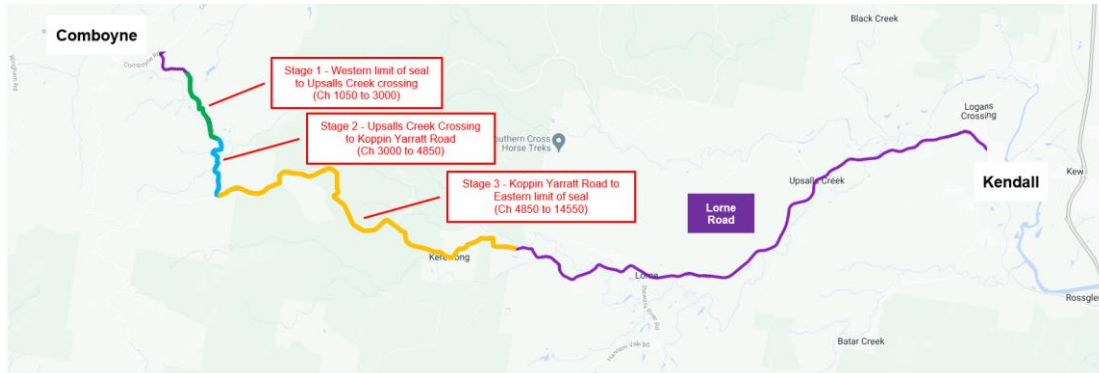
Traffic counts along Lorne Road indicate volumes of 210 vehicles per day typically utilising the unsealed section of Lorne Road west of Koppin Yarratt Road. This section predominantly has adjoining agricultural land uses and associated residences. Traffic volumes notably reduce to approximately 100 vehicles per day for the 9.7km unsealed section east of Koppin Yarratt Road. With the exception of the very eastern end at Kerewong where residences exist on rural land, much of this section is through areas of forestry land use and traverses down from the Comboyne plateau.

Overview of development stages:

Throughout the 2020/2021 financial year, Council progressed a strategic concept design and project scoping to ascertain proposed staging opportunities and cost estimates. The project design and scoping identified the below delivery stages:

- Stage 1: Western Limit of seal to Upsalls Creek crossing (chainage 1050 to 3000 - 1.95km in length)
- Stage 2: Upsalls Creek crossing to Koppin Yarratt Road (chainage 3000 to 4850 - 1.85km in length)
- Stage 3: Koppin Yarratt Road to Eastern limit of seal (chainage 4850 to 14550 - 9.7km in length)

Figure 1 - Overview of Lorne Road Project and Stages (see also Attachment 1)



Funding Overview:

In 2019, a \$5 million pre-election commitment was made to support sealing the remaining section of Lorne Road by the Member for Lyne, Dr David Gillespie. This funding has eventuated to the value of \$5 million through the Australian Government Roads of Strategic Importance (ROSI) initiative. This funding was reviewed by the Australian Government as part of the Independent Strategic Review of the Infrastructure Investment Program undertaken from mid-2023. Funding was confirmed for the project following this review in November 2023, enabling progression with the scope of works planned to be delivered with the ROSI grant.

At the 28 April 2022 Extraordinary Council Meeting (ECM), as the project was of strategic importance Council resolved to allocate matching funding of \$5 million as part of the 2022/2023 and 2023/2024 Operational Plans to allow completion of initial stages, bringing total funding to \$10 million for the Lorne Road Upgrade project.

The currently agreed scope of the ROSI grant is for the design, construction and bitumen sealing of stage 1, detailed design work for stage 2 (not including construction) and early design work for stage 3 (not including detailed design, environmental approvals or construction).

As part of a previous resolution at the 17 March 2022 Ordinary Council Meeting (OCM), Council resolved to 'Continue to proactively seek funding support for Lorne Road upgrade from the State and Federal Governments'. Following extensive reviews of suitable grant funding opportunities, Council officers have submitted seven grant applications for additional funding for the Lorne Road Upgrade since 2019. None of these applications have been successful.

Current project status:

To date the following milestones have been completed for the project:

- Detailed design complete for stages 1 and 2;
- Environmental approvals nearing completion (as of March 2024) for stages 1 and 2;
- Concept design and environmental constraints assessment complete for stage 3; and
- Tenders called for the construction of stage 1, with contract award anticipated June 2024 enabling construction to commence on conclusion of works to repair landslips on Comboyne Road.

The below cost estimates for construction of the identified stages were developed in 2023. These figures are based on 2023 amounts and given the unknown timing of construction do not consider any escalations that may occur in future years.

- Stage 1 - \$9 million
- Stage 2 - \$8 million
- Stage 3 - >\$50 million

Expenditure on the milestones completed to date has totalled \$784,515. The remaining funding available will allow for construction completion of stage 1 only, per the current approved scope and subject to receipt of tenders within this allocation.

Review of progressing stage 3:

The high estimated cost to deliver stage 3 has identified the need to review the merit of progressing with further investigation work for this stage. Construction cost is high as a result of the substantial works required to widen and improve the alignment of this stage 3 section, noting this section traverses down from the Comboyne plateau meaning substantial cut, fill and slope stability works are required to achieve this outcome. Whilst the stage 3 early design works make improvements to width and alignment, there is still considerable lengths where reductions from design standards have been required to be incorporated to achieve a constructable outcome. This includes relaxation of standards related to road width, curve geometry and sight distance for example. In addition, there are property and environmental matters further outlined below which are of cost impact.

Further supporting this need for review, as best practice it is a general rule that as a minimum a road should have approximately 150 vehicles using it per day before it is considered eligible for a sealing program, however, would typically only be escalated for sealing priority if in excess of 200 vehicles per day. Low traffic volume unsealed roads also have a lower life cycle cost than that of sealed roads. The stage 3 section as mentioned earlier in the report has a traffic volume of approximately 100 vehicles per day, meaning this volume is well below when a road may typically be considered of priority for bitumen sealing.

The findings of the environmental constraints assessment have identified the following items for consideration in the planning for stage 3:

- Large portions of existing road are outside of current road reserve boundaries. This will require acquisitions of land from both private and NSW Government bodies.
- An Aboriginal land claim exists over a portion of Crown Land to be acquired (acquisition cannot proceed until the land claim is extinguished).
- More than 100 mature native trees are required to be removed. Many of these are hollow bearing and will likely trigger numerous specialist studies along with associated offsets including:
 - Referral under the Environmental Protection and Biodiversity Conservation (EPBC) Act to the Australian Government;
 - Environmental Impact Studies (EIS); and
 - Species Impact Statement (SIS).
- Works are likely to require relocation of existing power and telecommunications assets.

Whilst the above advice on financial and environmental constraints brings into question the strategic merit in continuing to progress planning work for stage 3, it is noted that delivery of this stage would result in the following benefits being realised:

- Improved road safety via a widened road and improved alignment;
- Improved surface condition and elimination of the need for maintenance grading;
- Increased resiliency of the route, or as an alternative route to Comboyne Road in the event of natural disaster impacts (noting a further alternative route exists via the MidCoast Council LGA);
- Increased amenity for the residents of Comboyne, Kerewong and Lorne, for which the road traverses and connects;

- Elimination of dust impacts on road users, adjoining residents and the surrounding environment;
- Improved efficiency of travel resulting in reduced travel time; and
- Improvement to roadside drainage provisions.

Given the outlined financial and environmental constraints, stage 3 works pose a high risk to Council when considering the strategic merit of undertaking work to construct and bitumen seal this length, noting the competing infrastructure priorities faced by Council. Despite the benefits that have been identified above, the significant cost of undertaking works for stage 3 is not viable to progress with further planning or construction in light of the usage, the need to seek and allocate funds strategically to high priority infrastructure needs, and the ability to maintain the road via existing means with funding support now available via the NSW Government's Block Grant, as outlined below.

It is noted that construction and bitumen sealing of stages 1 and 2 addresses the lengths of greatest traffic volume, where residences exist and where heavy vehicle use occurs associated with the dairy industry. Accordingly, it is recommended to continue with stage 1 construction and to continue to seek funding for stage 2 construction as suitable opportunities arise.

Lorne Road reclassification:

Lorne Road was reclassified from Local Road classification to a Regional Road classification in December 2022 following the priority round of the NSW Government's Road Classification Review and Transfer. This followed Council's nomination of the road for reclassification. Council was only notified of the outcome late 2023 by the NSW Government as a result of an administrative error.

Resulting from this reclassification, Council now receives funding support from the NSW Government for the maintenance of the road via the Block Grant, however is still responsible for management and maintenance of the road.

Options

Arising from the information and associated review outlined above, with respect to the Lorne Road Upgrade project it is recommended to:

1. Conclude works currently scoped and funded including:
 - a. Detailed design for stages 1 and 2;
 - b. Environmental approval for stages 1 and 2;
 - c. Construction and bitumen sealing of stage 1, commencing mid 2024; and
 - d. Concept design and environmental constraints assessment for Stage 3.
2. Continue to seek grant funding for the construction and bitumen sealing of stage 2, provided that funding contributes the majority of the construction cost, as suitable and eligible grant funding opportunities arise; and
3. Not continue any further investigations for stage 3 of Lorne Road due to the estimated construction cost being in excess of \$50 million and the low traffic volume on this section.

Council may resolve as recommended, or consider the following alternative option with respect to stage 3:

1. Undertake a business case to consider the benefits of bitumen sealing the remainder of Lorne Road (stage 3) and report findings back to Council for further consideration.

Preparation of a business case would require resourcing and additional budget to engage a suitably qualified consultant to prepare. This would need to be considered in the context of the priority of other needs of the road network where significant congestion issues are required to be addressed and resourcing focus is required. As outlined above within the report, the high construction cost and low traffic volume on the stage 3 length result in a recommendation of not progressing to this step as a positive outcome is not anticipated.

Community Engagement and Internal Consultation

No community engagement has been undertaken with regard to this report. It is acknowledged there is a desire within the local community for the continuation of construction and bitumen sealing of Lorne Road.

Internal engagement has been undertaken with the Community Infrastructure Planning and Design and Organisational Project Delivery groups, Executive and key staff.

Councillors were provided an update on the project late 2023. Advice was provided that the stage 3 section estimated cost was high and would require review of whether feasible to progress with further planning for this part of the project.

Planning and Policy Implications

There are no policy or environmental planning implications in relation to this report. The outcome of this report will provide greater certainty for strategic infrastructure and long-term financial planning.

Financial and Economic Implications

There are no direct financial implications for this report and recommendation beyond the currently committed project scope. Should alternative options be considered these may have significant financial and resourcing implications.

The Lorne Road Upgrade Project currently has a total approved project budget of \$10 million, comprising \$5 million of Council funding and \$5 million of Australian Government funding through the ROSI initiative. This budget will see construction delivery of stage 1 of the Lorne Road Upgrade project occur and has funded detailed design and environmental approvals for stages 1 and 2. Additional funding will be required to progress the construction of stage 2 with grant funding recommended to be continued to be pursued for this purpose. Pursuing grant funding for this purpose would only occur where a high percentage of the overall project cost is available via

the external funding source as no allocation exists within the Long Term Financial Plan for stage 2.

With the reclassification of Lorne Road to Regional Road classification Council now receives an additional contribution through the NSW Government's Block Grant to assist with the provision of maintenance of the road.

Attachments

1.  Lorne Road Staging Map

Item: 13.10

Subject: MATERIAL PUBLIC BENEFIT - DEVELOPER DELIVERED SEWER WORKS KENDALL - UPDATE REPORT

Presented by: Community Utilities, Jeffery Sharp

Alignment with Delivery Program

4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region.

RECOMMENDATION

That Council note the information in this update report.

Executive Summary

At the 17 March 2022 Ordinary Council Meeting, Council resolved in relation to Item 14.07 for the CEO to enter into a developer works deed for the delivery of additional sewer works assessed as being material public benefit and associated with DA 2017/736, being a multi-staged manufactured home estate development and subdivision at 79 Batar Creek Road, Kendall.

In line with the resolution, a developer works deed for the Kew / Kendall Sewerage Pump Station No.1 Upgrade & Related Works, which included a 1.6km rising main, was subsequently entered into between Council and Allam MHE Developments # 2 Pty Ltd on 19 May 2022.

The March 2022 Council Resolution also requested a further report (this report) be presented to a future Council Meeting on completion of the works. The final completion inspection of works was undertaken on 03 April 2024 with Council's approval for the works issued on 04 April 2024.

Works commenced in June 2022 with the initial pump station and gravity works being completed and commissioned in December 2022 - acceptance for the initial works was issued by Port Macquarie-Hastings Council staff in March 2023.

The developer however experienced significant design delays for the rising main works, which was ultimately approved in two stages. Council approved the rising main less a bridge crossing section (across Kendall Bridge) in September 2022. The bridge crossing was subsequently approved in April 2023. Unfortunately, there were numerous revisions of the design plans, ultimately reaching revision 'P' at the time of final approval, which was the cause of the significant approval delay.

The initial value of the works agreed on in the executed deed was \$2,442,207.66 with Council's proportion being \$1,319,940.50. A total of \$299,452.02 worth of variations were approved during the works, a large portion of the variations (\$196,971.42) were due to the substantial escalation in the construction industry in 2021 - 2022 period. Some variations (\$45,005.96 worth) were assessed as not being attributed to the

material public benefit works and would have been incurred by the developer if they had have only serviced their development and therefore not subject to cost sharing provision of the deed. Council's share of the variation costs therefore equalled \$139,941.68, with the developer covering the other \$159,510.34.

The final cost covered by Council was \$1,459,882.18.

Discussion

At the 17 March 2022 Ordinary Council Meeting, Council block resolved, in relation to Item 14.07 *Material Public Benefit - Developer Delivered Sewer Works Kendall*:

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. *Note the sewer works proposed to be undertaken by Allam MHE Developments # 2 Pty Ltd under development Consent DA 2017/736 includes works above what is required to solely service the development therefore are of material public benefit, being the replacement and upgrade of Kew/Kendall Sewerage Pump Station #1 and associated works.*
2. *Pursuant to section 55(3)(i) of the Local Government Act 1993, resolve not to call tenders for the construction of the upgrade of Kew/Kendall Sewerage Pump Station #1 and associated works as it considers that a satisfactory result would not be achieved by inviting tenders due to extenuating circumstances for the reason of the works being associated with and linked to a development consent as outlined in this report.*
3. *Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a developer works deed following successful negotiations with Allam MHE Developments # 2 Pty Ltd, and present a further report to a future meeting of Council on completion of the works for Council's information.*
4. *Request the CEO to add a new action to the 2021-2022 Operational Plan - Kew Kendall SPS#1 Upgrade and Works, with a budget allocation for the current year of \$400,000, to be funded from the Sewer Reserve.*

This report is in response to the direction in Point 3 above.

Following the March 2022 resolution, a developer works deed between Council and Allam MHE Developments # 2 Pty Ltd was executed on 19 May 2022.

The deed was titled Kew / Kendall Sewerage Pump Station No.1 Upgrade & Related Works, and was for the following works:

1. The construction of a sewerage gravity pipe connecting the Development to Kew / Kendall Sewerage Pump Station No.1 involving the construction of approximately 265m of DN225mm PN16 PVC gravity sewer main and associated manholes connecting into the new pump station described below.
2. The construction of a new 3.6m diameter sewer pump station to replace the existing Kew / Kendall Sewerage Pump Station No.1, including all required electrical and mechanical works, works connecting the gravity sewer main referred to in paragraph 1, works connecting to or allowing for

connection to the rising main referred to in paragraph 3, and the construction of a maintenance access roadway.

3. The construction of approximately 1.6km of DN280mm HDPE sewer rising main from the replaced Kew / Kendall Sewerage Pump Station No.1 to a new sewer manhole over the existing gravity main adjacent to Lot: 8 Plan No: DP1115744 52 Kendall Road.

The estimated cost of those works was \$2,442,207.66. Council contribution under the deed was for \$1,319,940.50. This included \$1,252,080.49 as the agreed costs for the material public benefit component, an additional \$52,860 of design and management costs and a provisional sum of \$15,000 for potential electrical relocation works.

Works commenced on the gravity sewer main and the sewer pump station in June 2022 with the works being completed in September 2022 and the pump station commissioning completed in December 2022. The Council approval of this initial works was delayed until March 2023 due to defective water main works for the servicing of the development. While not a part of the deed, the approval of the water works was combined with the sewer works, as is common on all developments. The 200mm diameter trunk water main was constructed without any bend joints and during the hand over process Council's quality assurance process identified the issue. Advice from the developer's consultant was *"It appears there are two sections approximately 50m each where the water main curves and there are no bends. The Contractor has concreted the pipe joints at the end of the curves and used sandbags in other instances to hold the joint in place."* This is poor practice and would have resulted in a high risk of failure. A new water main was constructed using the correct construction methods.

The developer also experienced significant design delays for the rising main component of the sewer works. Due to substandard design work, Council's Utilities Planning and Design Team had to undertake numerous design reviews and ultimately split the approvals process and approved in two stages, with Council approval for the rising main less a bridge crossing section (across Kendall Bridge) issued in September 2022 and a subsequent approval issued for the bridge crossing in April 2023. There were numerous revisions of the design plans which were at revision 'P' at the time of final approval, with Council issuing a substantial amount of design review comments. Even at the later design drawing revisions, Council staff were issuing over 20 review comments, highlighting the low quality of design work being undertaken by the Developer's design consultant.

The rising main work was physically completed in December 2023, however it took until March 2024 for the required quality assurance documentation and structural certification of the bridge crossing to be issued to Council. An acceptance inspection by Council staff was undertaken on 03 April 2024 and approval for the works issued on 04 April 2024. A further inspection will be undertaken in April 2025 to ensure no defects emerge in the first 12 months of service. Council holds works security bonds that will not be released until after the 12 months of initial service and the works inspected to be defect free.

Throughout the works, a total of \$299,452.02 worth of variations were approved. A large portion of the variations (\$196,971.42) were due to the substantial material escalation in the construction industry in 2021 - 2022 period. The other variations related to additional road reinstatement requirements, additional valuing on the main,

additional electrical connection costs, additional railway protection requirement costs and additional concrete works. Other variations relating to the bridge crossing construction (\$45,005.96 worth) were assessed as not being attributed to the material public benefit works as they would have been incurred by the developer if they had only serviced their development and therefore not subject to cost sharing provision of the deed.

Under the cost sharing arrangements in the deed, Council's proportion of the variation costs was \$139,941.68, with the developer covering the other \$159,510.34. Therefore, the final cost covered by Council was \$1,459,882.18.

Notwithstanding the design quality challenges associated with the project, a satisfactory result was achieved for the community with the upgrade of a sewer pump station that was assessed as having a shortfall in capacity and the consolidation of assets, i.e. only having one sewer pump station and rising main to operate and maintain instead of two. Achieving this for \$1,459,882.18 is considered good value for money.

Options

This is an information report. Council has the option to seek further information or clarification if required.

Community Engagement and Internal Consultation

No community engagement has occurred in relation to this report.

Internal consultation was undertaken within the Community Utilities Planning and Design Group.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no economic implications in relation to this report.

The additional \$139,941.68 worth of variations incurred by Council above the original estimated cost in the deed can be covered by Sewer Reserves.

Attachments

Nil

Item: 13.11

Subject: WATER QUALITY UPDATE - TASTE AND ODOUR

Presented by: Community Utilities, Jeffery Sharp

Alignment with Delivery Program

4.8.1 Ensure all Council operations comply with environmental standards and regulations.

RECOMMENDATION

That Council note the information contained within this report

Executive Summary

At the Ordinary Council Meeting held on 15 February 2024, a report was presented to Council on the Annual Drinking Water and Recycled Water Report 2022-2023. As part of this report, reference was made to the community concerns regarding water quality within the Port Macquarie-Camden Haven water supply system that were experienced during January 2024.

At that meeting, Council resolved to request that a report be brought back to the April 2024 Ordinary Council meeting to provide more detail on the taste and odour issues that were being experienced in the Water supply.

- 2. Request the CEO provide a report to the April 2024 Ordinary Council meeting which provides more detail on the current taste and odour issues being experienced in the Water Supply.*

This report is to provide an update on the current situation and the actions undertaken.

Discussion

Council undertakes regular testing of our water supply across numerous indicators. Results of the routine testing showed an elevated level of Methylisoborneal (MIB) on 9 January 2024 present in the water stored in and distributed from, the Port Macquarie Dam. This elevated level was the first increase recorded since January 2023 in the dam. Whilst the initial level only returned a reading of 6ng/L a rapid increase in the concentration of MIB was recorded over the following weeks until early February 2024 when levels again dropped.

MIB and Geosmin are two naturally occurring compounds which are often present in our water but not usually at noticeable levels. Warmer water temperatures during our summer season can contribute to increased levels of these organisms in our waterways, with MIB being the dominant compound during this current period. These compounds produce a musty, earthy taste and smell and it is widely accepted across

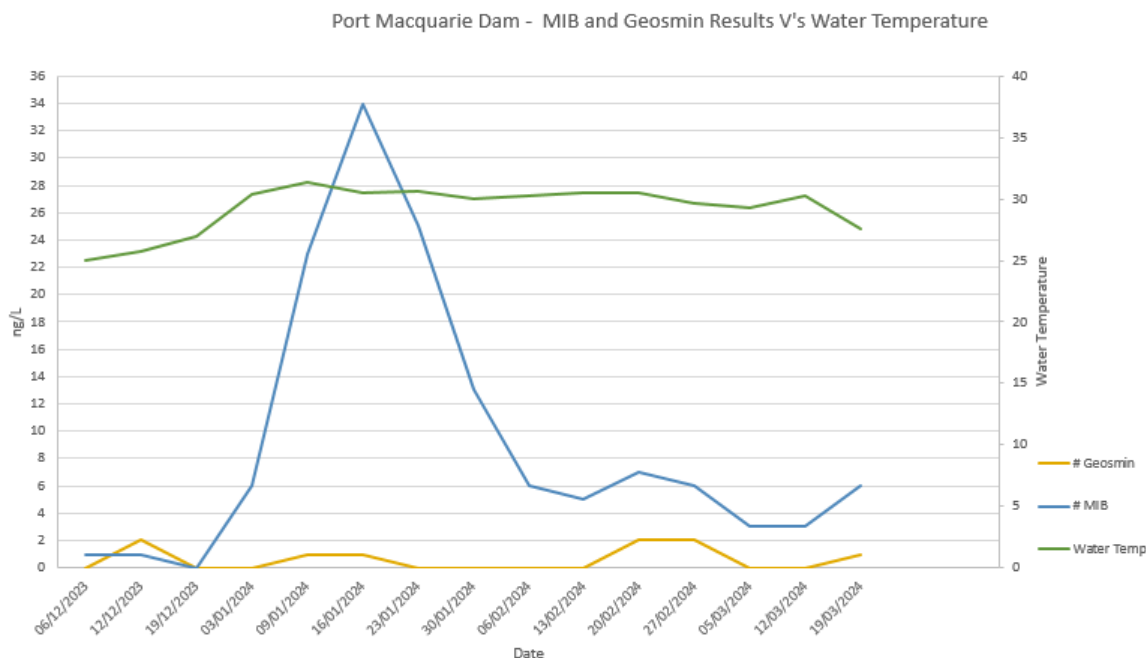
the globe that some consumers can detect a change in odour and taste at 10 ng/l (the equivalent of one drop in a domestic swimming pool volume).

It is important to note that changes in taste and odour from these naturally occurring compounds are purely aesthetic issues and the water remains safe to consume and meets the parameters set by the Australian Drinking Water Guidelines.

Council first received reports on 8 January 2024 from residents who reported a change to the taste and odour of drinking water coming from their taps in certain parts of our Local Government Area (LGA). Issues were raised from residents across Port Macquarie and to the south of the LGA in Bonny Hills and North Haven. Water supplied to this area of the LGA comes from the Port Macquarie Dam.

Consumers in Wauchope and Thrumster areas of the LGA were being serviced at the time directly from river flows and not our dam storages. This part of the water supply scheme is also filtered through the Wauchope Water Treatment Plant. No significant increase in taste and odour issues were reported in this area over the recent summer period.

The graph below shows the MIB and Geosmin results from 06 December 2023 to 19 March 2024 (which are the most recent results that Council have received), with the correlating water temperature. The data shows that the MIB level increased sharply from <1 ng/l on 19 December 2023 to a high of 34ng/l on 16 January 2024 before the levels decreased to <10 ng/l from 06 February 2024 until the present time.



The table below shows the number of customer reports received each month since 2020, showing a total of 62 CRM's for the month of January 2024 which reduced to two reports for each of the following two months. This correlates with the decrease in the levels of MIB that were reported.



Historic Water Quality CRMs	2020	2021	2022	2023	2024
January	21	14	5	7	62
February	25	22	13	3	2
March	29	24	15	5	2
April	15	12	8	6	1
May	17	13	6	4	
June	9	18	11	5	
July	8	13	21	4	
August	17	24	17	7	
September	14	25	28	8	
October	27	8	9	5	
November	12	17	15	1	
December	14	6	2	4	
Total	208	196	150	59	67 to date

When first apparent, the issue was commented on widely across social media channels, with many different theories on what was causing the changes. Residents were also commenting on dirty water issues, believing that these two issues were the same.

It is important to separate these two issues as dirty water complaints are not related to the MIB levels. Reports of dirty water always need to be investigated as they can be due to a variety of different factors such as sediment build up, routine maintenance, mains break, internal plumbing, and new service works.

To respond to community concerns and to provide some education and clarity on these issues, Council developed two Frequently Asked Questions (FAQ) pages on our corporate website. The first one was 'Taste and Odour' and the second was 'Dirty or Discoloured Water', refer to Attachments 1 and 2.

The FAQ pages were promoted via our social media channels, and interviews were also undertaken with local media channels. The increased education of the issue, along with the decreasing MIB levels, saw the level of community concern drop markedly in February.

As well as engaging with the community, Council undertook regular engagement with North Coast Public Local Health District (NCPHU). Council manages our system to comply with the Australian Drinking Water Guidelines (ADWG) and have a requirement to report on any water quality issues to the NCPHU. Council also has an ongoing mutual agreement with the NCPHU to ensure that the water supply is safe to drink and to ensure the protection of public health for the Port Macquarie Hastings community who have access to drinking within the reticulation network.

At the request of the NCPHU, additional samples were taken across the reticulation network to determine the MIB levels present within reservoir zones, and at varying depths within the Port Macquarie Dam. These results were provided to the NCPHU who were satisfied that the drinking supply was safe and continued to meet the strict guidelines set out in the ADWG.

In addition to the NCPHU, Council also engaged with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) at the time. The advice

from DCCEEW was to undertake water profiling in the Port Macquarie Dam to further understand the current issue and identify any opportunities for improvement. This additional profiling was undertaken, with the results yet to be discussed with both NCPHU and DCCEEW to update any future response plans.

At the time, Council staff also investigated whether we could increase our water supply distribution from the Wauchope Water Treatment Plant to cover more of our supply system. It was determined that this could not easily be achieved with the current pipe network and distribution controls.

Longer term, the planned expansion of Council's water infrastructure via the Cowarra Water Supply Scheme and specifically the inclusion of activated carbon treatment as part of the process train of the new plant will provide for the removal of these compounds. Completion of the Cowarra Water Filtration plant remains a high priority project and an update is the subject of another report on this agenda.

Options

Council can choose to note the information in this report or request further information.

Community Engagement and Internal Consultation

North Coast Public Health Unit - Environmental Health Team
Department of Climate Change, Energy, the Environment and Water (DCCEEW) - Water Unit
Director Community Utilities
Group Manager Utilities Operations
Laboratory Manager
Communications Team

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

1.  Taste and Odour Frequently Asked Questions Document
2.  Dirty or Discoloured Water Frequently Asked Questions Document

Item: 13.12

Subject: MAJOR PROJECTS UPDATE - COWARRA WATER SUPPLY SCHEME AND THRUMSTER WASTEWATER SCHEME PROJECTS

Presented by: Community Utilities, Jeffery Sharp

Alignment with Delivery Program

4.1.1 Plan, investigate, design and construct water supply assets ensuring health, safety, environmental protection and security of supply for the future growth of the region.

RECOMMENDATION

That Council:

- 1. Note the update information regarding the Cowarra Water Supply Scheme project and how it is progressing ahead of the baseline schedule.**
- 2. Note the update information regarding the Thrumster Wastewater Scheme project and how it is progressing behind the baseline schedule and that this is due to delays in finalising the effluent discharge location not through any fault of Council but as a result of additional information requested from NSW Government regulators.**

Executive Summary

Detailed planning and investigations for the Cowarra Water Supply Scheme and Thrumster Wastewater Scheme projects have been underway since April 2022.

With varying progress across the two projects, this report provides a detailed update on progress against their baseline schedules outside of the standard Operational Plan update reporting.

The current baseline schedule for the Cowarra Water Supply Scheme project has the concept designs completed and the Environmental Impact Statement (EIS) drafted by the end of May 2024 and the EIS submitted to the Department of Planning, Housing, and Infrastructure (DPHI) by the end of June 2024. The Cowarra Water Supply Scheme project is progressing well and is about one month ahead of schedule. The concept design was completed on 28 March 2024 and the EIS preparation is on track for completion and submitting to the Department of Planning, Housing, and Infrastructure in May 2024. The procurement of a Detailed Design and Construction Contractor is also underway with Stage 1, shortlisting contractors, planned to be completed in June 2024. The second element of the Cowarra Water Supply Scheme project, being the Northern Arm Trunk Main, is also progressing well with detailed designs underway.

The current baseline schedule for the Thrumster Wastewater Scheme project has the concept designs completed and the EIS drafted by the end of May 2024 and the EIS submitted to DPHI by the end of June 2024. While the Thrumster Wastewater Scheme project is progressing well, the process to determine and select the effluent

discharge location took approximately five months longer than planned due to additional information requirements of the various State Government regulators, as reported to Council in December 2023 (Item 13.14). This additional work and associated delays have subsequently impacted the design progress and the EIS preparation. It is assessed that this impact equates to an approximate two-month delay. The Project's Consultants are working hard to complete the concept designs by the end of June 2024 with the draft EIS being completed by the end of July then submitted to the Department by end August 2024.

The second element of the Thrumster Wastewater Scheme, being the network redirection to the new treatment plant, is progressing on schedule with concept design, sizing and route section completed in February 2024 and the procurement of a detailed design consultant is on track to be completed by end of April 2024.

Discussion

The Cowarra Supply Scheme project comprise two sub-projects, being the Cowarra Water Treatment Plant and Northern Arm Trunk Main. The Thrumster Wastewater Scheme project comprise two sub-projects, being the Thrumster Wastewater Treatment Plant (WwTP) and Thrumster Network Optimisation and Redirection to new treatment plant. Detailed planning and investigations for both scheme projects have been underway since April 2022.

The current financial year baseline schedule for the Cowarra Water Supply Scheme project is:

- Concept Design Complete - 31 May 2024
- EIS Documentation complete
 - Draft Version issued to PMHC for review - 31 May 2024
 - Submit final EIS to DPHI - end of June 2024.

The current financial year baseline schedule for the Thrumster Wastewater Scheme project is:

- Concept Design
 - 90% complete - 31 May 2024
 - 100% by end of June 2024
- EIS Documentation complete
 - Draft Version issued to PMHC for review - 31 May 2024
 - Submit final EIS to DPHI by end of June 2024

Cowarra Water Supply Scheme Update

The Cowarra Water Supply Scheme project is progressing approximately one month ahead of schedule with the concept designs for the Water Treatment Plant being completed on 28 March 2024 and the EIS drafting is at 90% completed as of the beginning of April 2024. The EIS is on track to be completed by the end of April 2024 with it being submitted to the Department of Planning, Housing, and Infrastructure by the end of May 2024.

The Northern Arm Trunk main is also progressing on schedule with the concept design, sizing and route selection completed in November 2023 and detailed designs commenced in January 2024. While the original intent was to complete the detailed design in stages, a more efficient design delivery has been adopted with detailed design being completed all together allowing all the detailed site investigations (survey, geotechnical and service locating) being completed together, which are on track to be completed by the end of June 2024.

The procurement strategy for the delivery for the treatment plant is via a two-staged procurement to engage a Detailed Design and Construction Contractor. This procurement is underway with Stage 1, shortlisting of contractors, commenced and scheduled to be completed in June 2024. Stage 2, select tendering, will commence in October 2024 following an Early Contractor Involvement period, where shortlisted contractors will be involved in refining the concept designs and project specifications prior to tendering. The schedule has Council entering into a Detailed Design and Construction Contract in April 2025.

Some other key progress on the Cowarra Water Supply Scheme project is the electrical supply detailed design being completed with the plans being submitted to Essential Energy for certification and the design consultant has commenced preparation of the detailed project specification.

Thrumster Wastewater Scheme Update

As outlined above, the Thrumster Wastewater Scheme is now progressing approximately two months behind schedule with the delay in determining the effluent discharge location being the main cause. The process to determine and select the effluent discharge location took approximately five months longer than planned due to additional information requirements of the various State Government regulators, as reported to Council in December 2023 (Item 13.14).

It was planned to have the discharge location selected in July 2023 following stakeholder workshops, however advice from the Environment Protection Authority, the Department of Climate Change, Energy, the Environment and Water (then Department of Planning and Environment) and NSW Food Authority leading to additional investigations being required. This additional work was completed in September 2023 and subsequent meetings and workshops with the regulators continued through October and November 2023. The final decision to select Kooloonbung Creek as the effluent discharge location occurred in December 2023. This additional work and associated delays have subsequently impacted the design progress and the EIS preparation. The current progress has the concept design at 60% complete by the end of April 2024 and the EIS at approximately 50% drafted.

The Project's Consultants are working hard to complete the concept designs by the end of June 2024 with the draft EIS being completed by the end of July 2024 then submitted to the Department by end August 2024.

Work on the network redirection to the new treatment plant component of the scheme project is progressing on schedule. Concept designs, sizing and route section were completed in February 2024 and the procurement of a detailed design consultant is on track to be completed by end of April 2024.

Other key progress on the Thrumster Wastewater Scheme project includes geotechnical investigations at the treatment plant site being completed with better-than-expected ground conditions being encountered. The electrical designs are also nearing completion with the detailed electrical design scheduled to be completed in June 2024.

Options

This is an information report. Council has the option to seek further information or clarification if required.

Community Engagement and Internal Consultation

No community Engagement has been undertaken in relation to this report.

Internal consultation has occurred with the Community Utilities Planning and Design Major Projects Team.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

Nil

Item: 13.13

Subject: WASTEWATER TREATMENT PLANT CAPACITIES - UPDATE
REPORT - PORT MACQUARIE/THRUMSTER SEWERAGE SCHEME
CATCHMENTS CAPACITY

Presented by: Community Utilities, Jeffery Sharp

Alignment with Delivery Program

4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region.

RECOMMENDATION

That Council note the information in this update report.

Executive Summary

At the 18 August 2022 Ordinary Council Meeting, Council considered a report on Wastewater Treatment Plant Capacities (Item 14.04) and resolved among others point (7) Request the Chief Executive Officer to provide a further report to Council regarding Council's approach to finalising Planning Proposals in the Port Macquarie/Thrumster Sewerage Scheme catchment once the outcomes identified in a Process Capacity Review and Optimisation Study for the Port Macquarie Wastewater Treatment Plant (WwTP) are known.

The Process Capacity Review and Optimisation Study for the Port Macquarie WwTP was completed in June 2023, with further planning work continuing since then to refine the augmentation requirements. The review concluded that there is a current shortfall in capacity of around 10%, which is predicted to increase to 26% before the new Thrumster WwTP is commissioned, planned for mid to late 2028. Due to power limitations at the Port Macquarie WwTP site, significant capacity upgrade works are not straight forward to implement in a short period of time. While process optimisations are possible in the short term, which will achieve approximately 5% to 10% increase in capacity, the on-going capacity shortfall and the risk of breaching the Environmental Protection Licence means the previously adopted trigger for Planning Proposal should remain and not progress beyond Stage 6 of the Gateway process until such time as there is certainty with the delivery timeframe of the Thrumster WwTP. Delivery certainty will be available following both the approval of the Environmental Impact Statement (EIS) and Council entering into a detailed design and construction contract for the proposed Thrumster WwTP.

A review of vacant developable zoned residential land has also been completed. As of 30 June 2023, there was 628.6ha (gross) of vacant residential land available for development in the Local Government Area. It is assessed that this undeveloped residential will provide for approximately 7,543 Dwellings. If no further land is re-zoned/up-zoned, it is expected based on population forecast that this land supply will be exhausted by 2034.

Discussion

At the 18 August 2022 Ordinary Council Meeting, Council resolved the following in relation to this matter:

14.04 WASTEWATER TREATMENT PLANT CAPACITIES

That Council:

1. *Note the capacity issues of the Port Macquarie-Hastings Sewerage Schemes, as outlined in this report.*
2. *Note that a Process Capacity Review and Optimisation Study for the Port Macquarie Wastewater Treatment Plant has been commissioned.*
3. *Continue to implement Council's strategic planning program, including*
 - a) *Complete the higher order strategies that will be used to complement and inform the Blueprint;*
 - b) *Continue to progress the strategic land use planning actions identified in the Urban Growth Management Strategy – Background and Next Steps*
 - c) *Continue to progress the 33 Housing Actions, Economic Development Actions and Making It Happen Actions included in the Urban Growth Management Strategy.*
 - d) *Continue to progress those Planning Proposals reported to Council in Item 14.02 Update On Site Specific Planning Proposal Requests – Bi-Annual Report at the Ordinary Council meeting 16 June 2022;*
4. *Not proceed past Stage 6 Finalisation Stage of the Planning Proposal process for any existing or new Planning Proposals that will increase the loading to the Port Macquarie, Kew / Kendall and Wauchope Wastewater Treatment Plants until such time as all design work is complete and approvals are in place for the respective upgrades.*
5. *Request the Chief Executive Officer to investigate additional resources to support Council's strategic planning team in Implementation of the strategic planning program outlined above.*
6. *Request the Chief Executive Officer to provide a report to Council in November 2022 regarding Council's approach to Planning Proposal Assessment in response to the issues identified above and include in the report, details regarding the following;*
 - a) *How much vacant residential land can be developed under the current zoning(s)*
 - b) *Based on current (and past) growth, when is this projected to be exhausted*
 - c) *Reaffirm the trigger points at which rezoning applications could proceed*
7. *Request the Chief Executive Officer to provide a further report to Council regarding Council's approach to finalising Planning Proposals in the Port Macquarie/Thrumster Sewerage Scheme catchment once the outcomes identified in 2 (above) are known.*

A report was previously presented to the 11 November 2022 Ordinary Council meeting in response to Point (6) of the August 2022 resolution. It was noted at the time of the report that insufficient information was available to provide the required detail requested on remaining developable vacant zoned residential land and the projected remaining time until it is exhausted. At this time the population projections provided to Council by the NSW Department of Planning, Housing and Infrastructure (DPHI) were utilised in the planning as one growth scenario. DPHI utilises a top-down methodology that starts with projections for the whole of NSW and then seeks

to apportion this at an LGA scale. As a result, DPHI Population forecasts are often considered conservatively low and cannot be agile in responding to localised or contemporary trends in population and migration.

The status presently is that in consultation with Council staff, REMPLAN has developed a draft main or medium population growth scenario this is the growth scenario considered the closest to likely realised growth. REMPLAN has utilised a 'Bottom-up' methodology that seeks to utilise a robust evidence-based approach to population forecasting. The approach models the population trends on small area geographies, which are conglomerated to get the LGA level forecasts. They utilise local data such as development data provided by Council, ERP, fertility and mortality rates, and migration trends to determine the region's unique population change propensity.

Demographics and population forecasts across the LGA were presented on a whole of LGA level in the recent Housing Strategy Workshop and have been relied upon in the Living and Place Strategy (also known as the Housing Strategy). The forecasts on a holistic level for the LGA are reliable and robust for the purposes of whole of LGA planning. These forecasts will be presented to Council as a future report. The work that is continuing presently to support that information is analysis of each of the centres and key areas within the LGA for demographic profiles and change, housing needs and housing stock requirements that respond to different demographics and the subsequent demand on infrastructure and services on a more granular level across the LGA. The objective is to present a Council position, and a whole of Council approach, to an adopted set of forecasts. This work will present the various scenario analysis and will provide further detail on the potential growth in each scenario for strategic planning across the community and it is scheduled to be complete by June 2024.

Regarding the questions raised in point (6) of the August 2022 resolution, specifically:

- a) *How much vacant residential land can be developed under the current zoning(s)*
- b) *Based on current (and past) growth, when is this projected to be exhausted*
- c) *Reaffirm the trigger points at which rezoning applications could proceed*

Assessments of the developable vacant zoned residential land (highly constrained zoned land has been excluded) has been completed and determined that based on recently completed population growth forecasts this will be exhausted by 2034.

As of 30 June 2023, the following vacant residential land (gross) was available for development:

- Total - 628.6 ha
 - R1 General Residential - 603.8 ha
 - R2 Low Density Residential and RU5 Village - 8.6 ha
 - R3 Medium Density Residential - 15.3 ha
 - R4 High Density Residential 1.1 ha

It is assessed that this undeveloped residential land will provide for approximately 7,543 Dwellings. If no further land is re-zoned/up-zoned, it is expected based on population forecast that this land supply will be exhausted by 2034.

This following information now responds to Point (7) of the August 2022 resolution. A capacity assessment of the Port Macquarie Wastewater Treatment Plant (WwTP) was completed in June 2023 by consultants BECA Hunter H2O.

The growth projections included in the assessment of the Port Macquarie WwTP were based on current zoned land together with a mix of the greenfield subdivision development and infill development opportunities identified within Port Macquarie.

The capacity assessment looked at the five key elements of the treatment process, being:

- Hydraulics;
- Bioreactor aeration across the three bioreactor tanks;
- Bioreactor decanting;
- Sludge dewatering and solids handling; and
- Effluent management.

Out of the five key elements, two elements; Bioreactor Aeration and Bioreactor Decanting, were assessed as having current and long term capacity issues that would require augmentation or modification.

The bioreactor aeration was assessed as having the most significant deficiency and therefore presenting the most risk. The report concluded that the PM WwTP is approximately 10% over original design capacity, based on Tanks 1 and 2 currently at aeration capacity and Tank 3 having a shortfall in peak aeration. Without augmentation, and based on the growth projections included, this will increase to approximately 26% by the time the Thrumster WwTP is commissioned.

Aeration is a critical factor in the wastewater process as insufficient aeration may cause high ammonia concentrations during peak load periods. As the population load increases, there is a risk the ammonia concentrations discharged may not meet the current Environmental Protection Licence (EPL) limit with all three tanks having an increasing shortfall in capacity. Additionally, as the aeration capacity is critical, any aeration equipment failure at the plant may lead to a breach of the ammonia licence limit as there is no redundancy within the treatment process.

Whilst the recent assessment highlighted the current overall shortfall in peak aeration capacity, it is worth noting that no concentration limits associated with the current Environmental Protection Licence were exceeded over the 2023 - 2024 peak tourist summer period, with the plant performing satisfactorily.

The other key elements were ultimately assessed to be operating satisfactorily and were also being capable of handling the projected loads out to 2028, noting the increase in operational risk due to decreasing redundancy, mainly associated with the sludge dewatering and solids management.

Planning work is underway on a project to augment the aeration capacity and adjust the bioreactor decanting to ensure the Environmental Protection Licence can continue to be met until such time as the new Thrumster WwTP is commissioned. The augmentation project is looking at two elements, one being optimising the aeration run-time and decanting sequences through changes to the Programmable Logic Controller (PLC) coding within the Supervisory Control and Data Acquisition (SCADA) system, and the second being a staged upgrade of the floating aeration units in Tank 3.

Power capacity at and within the site is a major limiting factor for upgrading the aeration units. The PLC SCADA optimisation is assessed as being able to achieve a 5% to 10% increase in capacity in the short term, with the remaining 15% to 20% capacity being achieved with the aeration units' upgrade.

The upgrades are aiming to address the 26% capacity shortfall to ensure the plant can continue to operate within the EPL limits up to 2028 when the network diversions will occur to the Thrumster WwTP. The resulting capacity once the diversions to Thrumster have shed the load off the Port Macquarie WwTP is assessed as adequate for further planned growth via infill development within the Port Macquarie WwTP catchment out to 2058.

Whilst works on the augmentations needed will continue, in the short term to 2028, there is no 'extra' capacity above what is required to cater for current growth based on current zoned land within the catchment of the PM (currently including Thrumster) WwTP.

As outlined above, based on the capacity constraints at the Port Macquarie WwTP the trigger point for which rezoning applications could proceed should remain as not progressing beyond Stage 6 of the Gateway process until such time as there is certainty with the delivery timeframe of the Thrumster WwTP. This delivery certainty will be achieved with the approval of the EIS and a construction program as part of a detailed design and construction contract between Council and a principal contractor. The current project schedule for the Thrumster Wastewater Scheme project has this occurring in mid-2025, however is contingent on the approval of the EIS, which is outside of Council's control.

Options

This is an information report. Council has the option to seek further information or clarification to be contained in a future update report if so requested.

Community Engagement and Internal Consultation

There has been no specific community or stakeholder consultation or engagement in relation to this report.

Council's Strategic Land Use Planning team have been consulted to inform this report.

Planning and Policy Implications

The REMPLAN Population forecast work is reliable at the whole of LGA level as it was presented at the Housing Strategy Workshop. The data is being developed now to understand the different demographics and housing needs in each of the centres

and key areas at a more granular level. At the completion of that work the information will be presented to Council. That date is anticipated to be June 2024.

Other than the REMPLAN work, there are no further planning and policy implications in relation to this report above what was outlined in the 18 August 2022 Ordinary Council Meeting Report Item 14.04.

Financial and Economic Implications

There are no financial implications in relation to this report.

It is noted that a prolonged pause on any rezoning may have a negative impact on the region's economy and housing supply stock, therefore the delivery of the new Thrumster Wastewater Scheme project remains a high priority.

Attachments

Nil