

Ordinary Council

Business Paper

date of meeting: Thursday 15 August 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 15 August 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 18 July 2024 be confirmed.

PRESENT

Members:

Mayor Peta Pinson
Councillor Lauren Edwards
Councillor Lisa Intemann
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)
Legal Counsel (Anthea Gilmore)
Governance Officer (Tania Ellis)

The meeting opened at 10.03am.

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.

In addition to the Acknowledgement of Country, the Mayor separately acknowledged migrants and members, and returned members, of the armed and emergency services for their contributions to the Country.

02 REMOTE ATTENDANCE AT MEETING

Nil

03 LOCAL GOVERNMENT PRAYER

Pastor Duncan Moody from the North Haven Baptist Church delivered the Local Government Prayer.

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Pinson

That the Minutes of the Ordinary Council Meeting held on 20 June 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 13.06 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.

Mayor Pinson declared a Non-Pecuniary, Significant interest in Item 14.05 Code of Conduct Matter. The reason being is that she authored the complaint in this matter. Mayor Pinson intends to leave the meeting and take no part in consideration of this item.

Councillor Sheppard declared a Non-Pecuniary, Less than Significant interest in Item 14.05 Code of Conduct Matter. The reason being that she intends to run a group of candidates with the respondent of the Code of Conduct matter, in the upcoming Local Government Election in September 2024. Councillor Sheppard sought and received advice from Council's Governance staff on this matter, clause 5.3 of Council's Code of Conduct, specifies that political views of a Council official do not constitute a private interest under the non-pecuniary provisions of the Code

of Conduct and do not require her to declare this interest. However, in the spirit and interest of transparency, she made the declaration. Councillor Sheppard 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

07.01 RECOGNITION OF THE LATE LEONARD RAYMOND COOPER OAM

RESOLVED: Pinson

That Council:

- 1. Formally recognise the contribution to the local community of the late Alderman and Mayor, Leonard Raymond Cooper, OAM.**
- 2. Hold a minute's silence in memory of Mr Cooper.**

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

07.02 CORRESPONDENCE FROM MINISTER FOR PLANNING & PUBLIC SPACES - UPDATED MINISTERIAL STATEMENT OF EXPECTATIONS ORDER

RESOLVED: Pinson

That Council note the updated Ministerial Statement of Expectations Order from the Minister for Planning and Public Spaces, the Hon Paul Scully MP, dated 3 July 2024.

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

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Nil

09 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Slade

That Items 10.01, 10.02, 10.05, 10.07, 10.08, 10.10, 12.01, 13.05, 13.09, and 13.10 be considered as a block resolution.

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

RESOLVED: Sheppard/Lipovac

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

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

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Maltman

That Standing Orders be suspended to allow Item 13.02 to be brought forward and considered following Item 10.03.

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

10.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 6 JUNE TO 3 JULY 2024

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the Mayoral Discretionary Fund allocations for the period 6 June to 3 July 2024 inclusive.

10.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Sheppard/Lipovac

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

10.05 REVISED AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

BLOCK RESOLVED: Sheppard/Lipovac

That Council adopt the Audit, Risk and Improvement Committee Charter as attached to this report.

10.07 CONTRACTS AWARDED UNDER DELEGATION BY THE CHIEF EXECUTIVE OFFICER

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the information provided in the Contracts Register.

10.08 INVESTMENTS AND LOANS - JUNE 2024

BLOCK RESOLVED: Sheppard/Lipovac

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

10.10 POLICY REVIEW - DRAFT PROCUREMENT POLICY - FOLLOWING PUBLIC EXHIBITION

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

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

12.01 PORT MACQUARIE AIRPORT - PILOT TRAINING AND AIRCRAFT NOISE - FLY NEIGHBOURLY AGREEMENT TRIAL - 12 MONTH REVIEW

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

- 1. Note the information provided in this Port Macquarie Airport - Pilot Training and Aircraft Noise - Fly Neighbourly Agreement Trial - 12 Month Review report.**
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2. **Endorse the extension of the Fly Neighbourly Agreement for a further 12 months as an effective method of managing circuit movements at the Airport to minimise impact on the local community, with a further report to be presented at the July 2025 Ordinary Council Meeting.**
-

13.05 DRAFT DEVELOPMENT SERVICING PLAN (DSP), 2024 - PUBLIC EXHIBITION

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

1. **Note the Information in the Draft Port Macquarie-Hastings Development Servicing Plan 2024 Report and Audit Report.**
 2. **Note that a cross subsidy option for Comboyne, Long Flat and Telegraph Point service areas has been applied.**
 3. **Endorse the Draft Port Macquarie-Hastings Development Servicing Plan 2024 to be placed on public exhibition for a minimum of 30 days in accordance with legislative requirements.**
 4. **Include a copy of the exhibited draft Development Contributions Assessment Policy in the public exhibition material for the Draft Port Macquarie-Hastings Development Servicing Plan 2024.**
 5. **Receive a report back to the November 2024 Ordinary Council meeting following the public exhibition.**
-

13.09 UPDATE REPORT - CAIRNCROSS WASTE MANAGEMENT FACILITY LEACHATE PRE-TREATMENT TEMPORARY SYSTEM - SINGLE SELECT PROCUREMENT

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

1. **Note the information provided in this report relating to the challenges implementing an interim leachate pre-treatment system.**
 2. **Note the action listed in the 2024-2025 Operational Plan to commence the planning for a permanent leachate management system for the Cairncross Waste Management Facility.**
-

13.10 STRATEGY REVIEW - DRAFT WASTE AND RESOURCE RECOVERY STRATEGY 2024-2034 - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

- 1. Note the information in the Draft Waste and Resource Recovery Strategy Community Engagement Report.**
 - 2. Note that no amendments have been made to the draft Strategy.**
 - 3. Adopt the Waste and Resource Recovery Strategy 2024-2034.**
-

10.03 NOTICE OF MOTION - FORMALISATION OF "ACKNOWLEDGEMENT OF COUNTRY" AT COUNCIL MEETINGS, COUNCIL EVENTS AND IN FORMAL SPEECHES

Item 10.03 Notice Of Motion Formalisation Of "Acknowledgement Of Country" At Council Meetings, Council Events And In Formal Speeches was withdrawn at the request of Mayor Pinson

13.02 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

RESOLVED: Pinson Roberts

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 two submissions and the number of persons who accessed the public exhibition material on Council's Have Your Say page.**
- 4. Notify all persons who lodged a submission of Council's decision.**

CARRIED: 8/0

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

AGAINST: Nil

10.04 CONSTITUTIONAL REFERENDUM - REDUCTION IN COUNCILLOR NUMBERS SUPPORTING INFORMATION

RESOLVED: Sheppard/Edwards

That Council note the information contained within this report.

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

Item 10.05 Revised Audit, Risk and Improvement Committee Charter, has been addressed previously within the meeting.

10.06 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 28 JUNE 2024

RESOLVED: Roberts/Edwards

That Council note the report of the Audit, Risk and Improvement Committee held 28 June 2024.

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

Item 10.07 Contracts Awarded under Delegation by the Chief Executive Officer, has been addressed previously within the meeting.

Item 10.08 Investments and Loans - June 2024, has been addressed previously within the meeting.

10.09 PAYMENT OF TOWN CENTRE MASTER PLAN LOAN FROM TOWN CENTRE MASTER PLAN RESERVE

MOTION

MOVED: Pinson/Roberts

That Council authorise payment of the Town Centre Master Plan loan from the Working Capital Reserve.

AMENDMENT

MOVED: Sheppard/Edwards

That Council

1. Include in the December 2024 General Fund Improvement Report, details of the costs, benefits and other relevant implications of directing the funds that are currently allocated to the TCMP to instead fund currently unfunded and underfunded improvement initiatives.
2. Defer consideration of this item, to be considered alongside the report detailed in point 1.
3. Continue to make TCMP loan repayments from the TCMP reserve.

EQUAL: 4/4

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

THE AMENDMENT ON BEING PUT WAS LOST

THE MOTION ON BEING PUT CARRIED

RESOLVED: Pinson/Roberts

That Council authorise payment of the Town Centre Master Plan loan from the Working Capital Reserve.

EQUAL: 4/4

FOR: Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Intemann, Lipovac and Sheppard

CASTING VOTE: FOR

CARRIED

Item 10.10 Policy Review - Draft Procurement Policy - Following Public Exhibition, has been addressed previously within the meeting.

11.01 CAMDEN HEAD LOOKOUT MASTER PLAN ENGAGEMENT OUTCOMES - POST EXHIBITION REPORT

MOTION

MOVED: Roberts/Pinson

That Council:

1. Note the information contained within the Camden Head Lookout Master Plan Community Engagement Report – July 2024
2. Endorse the Establishment of a 'Friends of Camden Head Lookout' volunteer group and proceed to establish the group by November 2024
3. Immediately proceed to undertake 'preliminary works' to tidy up the site as noted in this Report.
4. Adopt for the purposes as a starting point, the Individual Stakeholder Proposed Master Plan, to be further developed by the 'Friends of Camden Head Lookout' to be presented to Council for adoption, including a detailed scope of medium to long term works, project costings and likely legislated planning assessment pathway(s).

-
5. Thank submitters and advise them of the outcome of Council's consideration of this matter.
 6. Upon establishment of the 'Friends of Camden Head Lookout' group provide a Bi-Monthly Report to Council on the progress of the group development, preliminary works and progress towards the longer term works on the site.

AMENDMENT

MOVED: Sheppard/Edwards

That Council:

1. Note the Staff recommendation to Adopt the Amended Camden Head Lookout Reserve Master Plan included in Attachment 5.
2. Undertake a communication plan of the information contained within the report.
3. Defer this item until the communication plan has been developed.

EQUAL: 4/4

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

THE AMENDMENT ON BEING PUT WAS LOST

AMENDMENT

MOVED: Sheppard/Edwards

That Council:

1. Note the information contained within the Camden Head Lookout Master Plan Community Engagement Report - July 2024
2. Note the support of Government Authorities for the endorsed draft Camden Head Master Plan and opposition to the individual stakeholder master plan.
3. Note the majority of community feedback being in support of the endorsed draft Camden Head Master Plan
4. Undertake a communication plan of the information contained within the report.
5. Defer this item until the communication plan has been developed.
6. Immediately proceed to undertake 'preliminary works' to tidy up the site as noted in this Report.

EQUAL: 4/4

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Maltman, Pinson, Roberts and Slade

THE AMENDMENT ON BEING PUT WAS LOST

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Roberts/Pinson

That Council:

1. **Note the information contained within the Camden Head Lookout Master Plan Community Engagement Report – July 2024**

2. **Endorse the Establishment of a 'Friends of Camden Head Lookout' volunteer group and proceed to establish the group by November 2024**
3. **Immediately proceed to undertake 'preliminary works' to tidy up the site as noted in this Report.**
4. **Adopt for the purposes as a starting point, the Individual Stakeholder Proposed Master Plan, to be further developed by the 'Friends of Camden Head Lookout' to be presented to Council for adoption, including a detailed scope of medium to long term works, project costings and likely legislated planning assessment pathway(s).**
5. **Thank submitters and advise them of the outcome of Council's consideration of this matter.**
6. **Upon establishment of the 'Friends of Camden Head Lookout' group provide a Bi-Monthly Report to Council on the progress of the group development, preliminary works and progress towards the longer term works on the site.**

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

Councillor Edwards left the meeting, the time being 11:21am.

ADJOURN MEETING

RESOLVED: Pinson/Sheppard

That the meeting adjourn for 10 minutes.

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

The Ordinary Council Meeting adjourned at 11.23am

The Ordinary Council Meeting resumed at 11.34am

Councillor Edwards returned to the meeting, the time being 11:34am.

11.02 LANK BAIN STAND NAMING REQUEST

RESOLVED: Pinson/Lipovac

That Council:

1. **Note the information in the report.**
2. **Endorse the proposed naming of the stand at Lank Bain as "The Athol Lank Bain Stand" for the purpose of exhibition to seek community feedback on the proposed name.**
3. **Place the naming proposal on public exhibition for a period of 14 days.**

4. Request the Chief Executive Officer to provide a report to the August 2024 Ordinary Council meeting to consider any submissions.

CARRIED: 8/0

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

AGAINST: Nil

11.03 HASTINGS YOUTH VOICE - END OF TERM REPORT

RESOLVED: Sheppard/Lipovac

That Council note the 2023-2024 Hastings Youth Voice End of Term report.

CARRIED: 8/0

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

AGAINST: Nil

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

RESOLVED: Lipovac/Slade

That Council endorse the Port Macquarie-Hastings Sporting Fund Sub-Committee recommendations as follows:

- 1. Payment of \$250.00 to Shakilyah Chatfield to attend the NSW Harts Junior State Netball Titles in Sydney on 5 - 8 July 2024.**
- 2. Payment of \$250.00 to Gemirah Fernando to attend the NSW Harts Junior State Netball Titles in Sydney on 5 - 8 July 2024.**
- 3. Payment of \$750.00 to Stephanie Dun to attend the Australian Schools Orienteering Championships in Armidale on 28 September - 6 October 2024.**
- 4. Payment of \$750.00 to Jessica Dun to attend the Australian Schools Orienteering Championships in Armidale on 28 September - 6 October 2024.**

CARRIED: 8/0

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

AGAINST: Nil

Item 12.01 Port Macquarie Airport - Pilot Training and Aircraft Noise - Fly Neighbourly Agreement Trial - 12 Month Review, has been addressed previously within the meeting.

13.01 POLICY REVIEW - PLANNING AGREEMENTS POLICY - POST EXHIBITION REPORT

RESOLVED: Edwards/Sheppard

That Council:

- 1. Adopt the amended Planning Agreements Policy with the recommended changes.**
- 2. Delegate authority to the Director Community, Planning and Environment to make any minor amendments to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the commencement of the amended Planning Agreements Policy.**
- 3. Advise the local planning and development industry of the commencement of the amended Planning Agreements Policy and publish the new Policy on Council's website.**

CARRIED: 8/0

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

AGAINST: Nil

Item 13.02 Post Exhibition Report - Sancrox Employment Land Environmental Lands and Services Planning Agreement Applicant: King and Campbell and owner: Expressway Spares Pty Limited and James John Dunn and Catherine Brigette Dunn, has been addressed previously within the meeting.

13.03 URBAN GROWTH MANAGEMENT STRATEGY UPDATE

RESOLVED: Sheppard/Roberts

That Council:

- 1. Note the progress of actions from Council's Urban Growth Management Strategy as detailed within this report.**
- 2. Note the information and associated timeframes contained within this report, in relation to the proposed continued progression of actions as detailed within Council's Urban Growth Management Strategy.**

CARRIED: 8/0

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

AGAINST: Nil

13.04 UPDATE REPORT - SECONDARY DWELLINGS IN RURAL ZONES

RESOLVED: Edwards/Sheppard

That Council note the update report on Secondary Dwellings in Rural Zones

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

Item 13.05 Draft Development Servicing Plan (DSP), 2024 - Public Exhibition, has been addressed previously within the meeting.

13.06 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY REPORT

Councillor Maltman declared a Non-Pecuniary - Less than Significant interest in this item. The reason being is that she 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 will 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 the progress of the Coastal Management Program.

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

13.07 THURMSTER WASTEWATER TREATMENT PLANT FLOOD PLANNING

RESOLVED: Sheppard/Edwards

That Council:

- 1. Note the planning and concept design for the Thurmster Wastewater Treatment Plant is all but complete and the Environmental Impact Statement will be submitted to the Department of Planning in the coming weeks.**
- 2. Note that the site for the new plant is within the flood planning area for the Hastings River and the design has been undertaken in accordance**

with Council's current Flood Policy 2018, and current adopted Flood Planning Levels.

3. Note that the Hastings River and Camden Haven River Flood Studies are currently being revised and the Flood Policy will be updated following the flood study updates and Council endorsement.
4. Note that due to the significance of this project, it will not be delayed pending Council's endorsement of the revised flood studies and subsequent policy update.

CARRIED: 8/0

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

AGAINST: Nil

13.08 POLICY REVIEW - WASTEWATER POLICY - POST PUBLIC EXHIBITION

RESOLVED: Roberts/Lipovac

That Council:

1. Note that no relevant submissions were received on the Draft Wastewater Services Policy during the exhibition period.
2. Note that minor amendments, as detailed in this report, were made to the Draft Policy following further internal review to improve readability and provide improved clarity for several sections.
3. Adopt the Wastewater Services Policy.

CARRIED: 8/0

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

AGAINST: Nil

Item 13.09 Update Report - Cairncross Waste Management Facility Leachate Pre-Treatment Temporary System - Single Select Procurement, has been addressed previously within the meeting.

Item 13.10 Strategy Review - Draft Waste and Resource Recovery Strategy 2024-2034 - Post Public Exhibition, has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Lipovac/Roberts

1. That pursuant to section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Confidential Session of Council on the basis that items to be considered are of a confidential nature.
2. That Council move into Closed Session to receive and consider the following items

Item 14.01 T-22-04 Water SCADA

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 14.02 2024.049 Dunbogan Bridge Scour Repair And Pile Protection Works

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 14.03 2024.098 Monday.com Licencing

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 14.04 General Waste Red Bin Rubbish Collection Over Summer

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 14.05 Code of Conduct Matter

This item is considered confidential under Section 10A(2)(i) of the Local Government Act 1993, as it contains alleged contraventions of any Code of Conduct requirements applicable under Section 440.

3. That the resolutions made by Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.

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

RESOLVED: Slade/Lipovac

That the Council meeting be closed to the public for the consideration of confidential items for the reason as listed in the reports.

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

14.01 T-22-04 WATER SCADA

RESOLVED: Roberts/Pinson

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, decline to accept any tenders submitted for T-22-04 Water SCADA, and enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into contracts in relation to the subject matter of the contract.
2. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021, decline to invite fresh tenders since the evaluation panel considers that the market has not significantly changed and inviting fresh tenders likely will not achieve a satisfactory result.
3. Note that the Chief Executive Officer, under existing delegation to the General Manager, may accept a tender for T-22-04 - Water SCADA following successful negotiations, and present a further report to a future meeting of Council after contract award for Council's information.
4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-22-04 Water SCADA

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

14.02 2024.049 DUNBOGAN BRIDGE SCOUR REPAIR AND PILE PROTECTION WORKS

RESOLVED: Pinson/Maltman

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, decline to accept any tenders submitted for 2024.049 Dunbogan Bridge Scour Repair and Pile Protection Works, and enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.
2. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021, decline to invite fresh tenders for the reasons that the evaluation panel considers that the market has not significantly changed and inviting fresh tenders likely will not achieve a satisfactory result.
3. Note that the Chief Executive Officer, under existing delegation to the General Manager, may accept a tender for 2024.049 Dunbogan Bridge Scour Repair and Pile Protection Works following successful

negotiations, and present a further report to a future meeting of Council after contract award for Council's information.

4. **Maintain the confidentiality of the documents and consideration in respect of Request for Tender 2024.049 Dunbogan Bridge Scour Repair and Pile Protection Works.**

CARRIED: 8/0

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

AGAINST: Nil

14.03 2024.098 MONDAY.COM LICENCING

RESOLVED: Lipovac/Roberts

That Council:

1. **Under the extenuating circumstances provision of section 55(3)(i) of the Local Government Act 1993, not invite tenders for the licensing for the project management platform Monday.com through Amazon Web Services Inc due to the unavailability of competitive tenders.**
2. **Procure Monday.com licenses through the Amazon Web Services Inc on an annual basis for three years at an approximate annual cost of \$140,000 (excluding GST), commencing 17 July 2024 with the option for two further annual renewals at Council's discretion.**
3. **Maintain the confidentiality of the consideration in respect of the 2024.098 Monday.com Licensing procurement matter outlined in this report.**

CARRIED: 8/0

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

AGAINST: Nil

14.04 GENERAL WASTE RED BIN RUBBISH COLLECTION OVER SUMMER

RESOLVED: Roberts/Pinson

That Council:

1. **Note the implications of changing to a weekly general waste bin collection over summer as detailed in this report.**
2. **Implement a trial of a weekly Red bin collection between 24 December 2024 and 1 Feb 2025 inclusive.**
3. **Allocate funding for this trial (approximately \$140,000) from the Waste Reserve, noting the impact on future capital projects if future revenue is not raised to recover these costs.**
4. **Note the funding allocation will be included in August 2024-2025 monthly budget adjustment report.**

-
5. **Request the Chief Executive Officer to prepare a communications plan detailing this is a trial, education on the use of various bins and costs associated with increased bin services.**
 6. **Report back to Council with trial period data following the trial period.**

CARRIED: 6/2
FOR: Intemann, Lipovac, Maltman, Pinson, Roberts and Slade
AGAINST: Edwards and Sheppard

Mayor Pinson left the meeting, the time being 12.15pm

The Mayor vacated the Chair and an election of chairperson was conducted for this item.

ELECTION OF CHAIRPERSON

The Chief Executive Officer, acting as Returning Officer, called for nominations for Chairperson.

The Returning Officer, advised that a nomination for Chairperson had been received for Councillor Edwards.

As there was only one nomination, Councillor Edwards was elected chairperson.

Councillor Edwards assumed the chair.

14.05 CODE OF CONDUCT MATTER

Mayor Pinson declared a Non-Pecuniary, Significant interest in this item. The reason being is that she is the complainant in this matter. Mayor Pinson took no part in the consideration or voting and was out of sight for consideration of this matter.

Councillor Sheppard declared a Non-Pecuniary, Less than Significant interest in this item. The reason being that she intends to run a group of candidates with the respondent of the code of conduct matter, in the upcoming Local Government Election in September 2024. Councillor Sheppard sought and received advice from Council's Governance staff on this matter, that clause 5.3 of Council's Code of Conduct, specifies that political views of a Council official do not constitute a private interest under the non-pecuniary provisions of the Code of Conduct and do not require her to declare this interest. However, in the spirit and interest of transparency, Cr Sheppard made this declaration. Councillor Sheppard remained in the meeting, participated and voted in the matter as this perceived conflict will not influence her decision making in the matter.

Prior to leaving the meeting and in accordance with Clause 7.49 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, Councillor Intemann provided a verbal submission to the Council.

Councillor Intemann left the meeting, the time being 12.29pm

RESOLVED: Sheppard/Lipovac

That Council:

1. **Defer consideration of this matter under clause 7.52(b) of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW and seek an opinion from the Office of Local Government in relation to whether formal Censure is warranted,**
 - a) **with respect to the Investigation Report considering**
 - **seriousness of the conduct**
 - **harm or cost to Council or other individuals**
 - **damage to Council's reputation**
 - **consideration of mitigating circumstances**
 - **appropriateness of mediation between the respondent and complainant.**
 - b) **with respect to the Preliminary Assessment.**
2. **Provide a copy of the Preliminary Assessment with the request for opinion of the Office of Local Government.**
3. **Receive a further report detailing the opinion obtained from the Office of Local Government once received to determine an outcome in this matter.**

EQUAL: 3/3

FOR: Edwards, Lipovac and Sheppard

AGAINST: Maltman, Roberts and Slade

CASTING VOTE: FOR

CARRIED

Mayor Pinson returned to the meeting, the time being 1.03pm

Councillor Intemann returned to the meeting, the time being 1.03pm

Councillor Edwards vacated the Chair and Mayor Pinson resumed the Chair.

RESOLVED: Slade/Lipovac

That the Council Meeting be re-opened to the public.

CARRIED: 8/0

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

AGAINST: Nil

The outcomes of the Confidential Session of the Ordinary were read to the meeting by the Group Manager Governance.

The meeting closed at 1.15pm.

.....
Peta Pinson
Mayor

UNCONFIRMED

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: Signed:	Date:
Please submit to the Governance Support Officer at the Council Meeting.	

(Refer to next page and the Code of Conduct)

Pecuniary Interest

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- 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 <i>(the identified land)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST¹	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the subject land²)</i> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

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

Councillor's Signature: **Date:**

This form is to be retained by the council's 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

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 - 4 JULY TO 31 JULY 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 4 July to 31 July 2024 inclusive.

Executive Summary

To advise of the Mayoral Discretionary Fund allocations for the period 4 July to 31 July 2024 inclusive.

Discussion

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

Donation to What Were You Wearing Australia	\$500.00
Donation of Glasshouse Vouchers to Port Combined Netball Club	\$200.00
Total allocation	\$700.00

Options

This report is for noting only.

Community Engagement & Internal Consultation

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

Planning & 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 & 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 2024-2025 Operational budget.

Attachments

Nil

Item: 10.02

Subject: NOTICE OF MOTION - ACKNOWLEDGEMENT OF MAYOR PETA
PINSON

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

RECOMMENDATION

That Council acknowledge Mayor Peta Pinson's valuable contribution to the Port Macquarie-Hastings Council and Port Macquarie Hastings community between 2017-2024.

Comments by Councillor (if provided)

Nil

Attachments

Nil

Item: 10.03

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

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
Lank Bain Stand Naming Request	18/07/2024	A further report detailing submissions received following public exhibition	DCPE	Aug-24		
Integrated Transport Plan	20/06/2024 Item 13.08	A further report detailing submissions received following public exhibition	DCI	Aug-24		
Policy Review Management Of Public Spaces	20/06/2024 Item 11.03	A further report detailing submissions received following public exhibition	DCPE	Aug-24		
Draft Local Housing Strategy Update	16/11/2023 Item 13.08	Report to Ordinary Council April 2024, revised Housing Strategy, and outcomes of community engagement.	DCPE	Apr-24		Jun-24



AUGUST 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
Town Centre Master Plan	15/02/2024 Item 10.05	Report to Council on how Council will maintain the Port Macquarie, Wauchope and Laurieton CBD's in the future	DCPE	Aug-24		Aug-24
Policy Review Policy Framework	16/05/2024 Item 10.05	Several changes being made to the policy as a result of a Councillor workshop on 4 July 2024	DCPE			Aug-24
SEPTEMBER 2024 REPORTS						
COUNCIL ELECTION PERIOD NO COUNCIL MEETING						
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
Request Council to continue acceptance of Kempsey Shire Council Waste at Cairncross Landfill	20/06/2024 Item 13.10	A future report be tabled at the completion of the arrangement	DCU		Oct-24	Arrangement Extended
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	GMG	Na	Oct-24	



		resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election				
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 Conference	Na	Determine attendees at the annual Local Government conference	GMG		Oct-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. (PPA negotiations are still delayed	DCPE		Jun-24	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
Draft Development Servicing Plan (DSP), 2024 Public Exhibition	18/07/2024 Item 13.05	A future report to the tabled at the completion of public exhibition	DCU	Nov-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-23 Mar-24 May-24 Jul-24	Nov-24



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						
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 Budget Development Policy	20/06/2024 Item 10.04	Draft Budget Development Policy to be presented to Council before March 2025	DBP	Prior to March 2025		
FEBRUARY 2025 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 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	Feb-25
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie. Post Exhibition.	20/06/2018 Item 14.05	Reclassify the property to operational land, this is a statutory process. Council fees, public exhibition, submissions, a public hearing, council resolutions and Depot Planning approval. estimated 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

JULY 2025 REPORTS						
Port Macquarie Airport - Pilot Training and Aircraft Noise - Fly Neighbourly Agreement Trial 12 Month Review	18/07/2024 Item 12.01	A future report following the additional 12 month extension	DBP	Jul-25		
FEBRUARY 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 Number 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
T-22-04 Water SCADA	18/0/82024 Item 14.01	Further report to be presented after contract awarded	DCU			Future Report
Tacking Point Lighthouse Construction of Accessible Walkway	20/06/2024 Item 14.04	Further report to be presented after contract awarded	DCPE			
Planning and Land Use Discussion Paper	20/06/2024 Item 13.03	A report to Council following Public Exhibition	DCPE	Following September Council Election		
Draft Port Macquarie-Hastings Local	20/06/2024 Item 13.06	A report to Council following	DCPE			

Infrastructure Contributions Plan 2024		Public Exhibition				
FUTURE 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
Places to Play Plan	20/06/2024 Item 11.04	A further sub plans report to Council for consideration 2024-2025	DCPE			
Living and Place Strategy and Supporting Documents	18/04/2024 Item 13.04	A report to Council following public exhibition	DCPE	Future Report		
Biodiversity and Land Acquisition for offsets update	20/04/2023 Item 14.02	Further report presented for further consideration	DBP	Future Report		Estimated 2024
Environmental Land Rezoning - Council owned land	08/12/2022 Item 13.10	Further 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			

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		
Camden Head Lookout Bimonthly report on progress of group, development and preliminary works and progress toward the longer term of works (Item 11.01 18/07/2024)"	DCPE	Bimonthly	Sep, Nov, Feb, April, June and Aug.		
Community Inclusion Plan - Update of Tasks, Measures and Actions	DCPE	Biannual	Feb, Aug		
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 and Round 2	DCPE	Biannual	Sept Apr		
Chief Executive Officer's Performance Review	CEO	Annually	Aug		
Operational Plan – Quarterly Progress	DBP	Quarterly	May, Nov (other 2 quarters)		

			reported with DP 6 monthly progress report)		
CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Mayoral and Councillor Fees (Setting of)	CEO	Annually	May	June	
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		
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		
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		

AGENDA

**ORDINARY COUNCIL
15/08/2024**

Attachments

Nil

Item: 10.04

Subject: STATUS OF COUNCIL POLICIES

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 Status of Council Policies report.

Executive Summary

The "Making of Council Policy" policy requires that a report be presented to Council on an annual basis outlining the status of all current Council Policies. It is noted that this policy is currently under review and will be brought to Council for consideration in the coming months.

Council currently has 72 adopted Council Policies, which are published on Council's website for public viewing.

Discussion

An important component of public sector governance is establishing key policies and ensuring they are clear, available, regularly updated and monitored for compliance.

The "Making of Council Policy" policy provides an open and transparent statement as to how Council will establish, amend, and rescind Council Policy. In addition, the policy requires that a report be presented to Council on an annual basis outlining the status of all current Council Policies. Council has recently reviewed this policy and has developed a Draft Policy Framework for the consideration of Council.

In the past Council had made a concentrated effort to improve the currency of Council Policies and implement a process to monitor and maintain the currency of Council adopted policies. This process has made some improvements to the number of outstanding policies however further improvement is still required.

Current Status of Policies

A desktop review of the status of the seventy two (72) Council adopted policies was conducted in July 2024. The results of this review are provided as an attachment to this report.

As at 1 August 2024, the status of the 72 adopted Council Policies is:

Status	Number	%
Current	53	75%
Overdue	19	25%

This is an improvement on the August 2023 statistics where only 61% of policies were current.

Of the 19 Overdue policies, the status of these policies is outlined below:

Status	Number	%
Not commenced	1	5%
Public consultation	0	0%
Submitted to Exec	0	0%
Submitted to Council	4	21%
Review initiated	10	53%
Deferred	4	21%

Staff will continue to review Council Policies on an ongoing basis, with the Group Manager Governance providing the processes and framework to support this process.

Options

Council may resolve as recommended or in some other way.

Community Engagement & Internal Consultation

Internal Consultation

- Chief Executive Officer
- Group Manager Governance

Planning & Policy Implications

There are no planning implications in relation to this report. Policy implications are favourable, the currency, relevance and effectiveness of policies will improve and further support governance and risk management.

Financial & Economic Implications

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

Attachments

1.  Status of Council Policies

Item: 10.05

Subject: POLICY REVIEW - DRAFT POLICY FRAMEWORK - FOLLOWING PUBLIC EXHIBITION

Presented by: Business and Performance, Keith Hentschke

RECOMMENDATION

That Council adopt the draft Policy Framework.

Executive Summary

Council currently has an adopted Policy titled the Making of Council Policy. This policy was last adopted by Council in September 2015. A draft Policy Framework has been developed and is attached as Attachment 1. The current policy is attached as Attachment 2.

The purpose of the Policy Framework is to provide direction for the creation, review, amendment, and rescission of Port Macquarie-Hastings Council policies, procedures, and guidelines. This is a completely rewritten framework to make Council's management of policies more contemporary.

Council considered this draft policy framework at its Ordinary meeting held 21 March 2024 where it resolved to place the policy framework on public exhibition.

Following the exhibition period, Council further considered this item at its May 2024 Ordinary Council meeting where it resolved:

That Council defer the adoption of the Draft Policy Framework to the July 2024 Ordinary Council meeting following a briefing to be held with Councillors in June 2024 to discuss the associated Policy Framework procedure.

A briefing was scheduled for 29 June 2024 however this was deferred and conducted on 4 July 2024.

The draft policy is now recommended for adoption.

Discussion

Council currently has an adopted Policy titled the Making of Council Policy. This policy was last adopted by Council in September 2015. A draft Policy Framework has been developed and is attached as Attachment 1. The current policy is attached as Attachment 2.

Council's Executive Team endorsed this draft policy framework at its 27 February 2024 Strategic Executive Team meeting and by the Audit, Risk and Improvement Committee on 7 March 2024 to be presented to Council for consideration.

Council considered this draft policy framework at its Ordinary meeting held 21 March 2024 where it resolved:

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.*

The public exhibition period has now been completed and Council further considered this item at its May 2024 Ordinary Council meeting where it resolved:

That Council defer the adoption of the Draft Policy Framework to the July 2024 Ordinary Council meeting following a briefing to be held with Councillors in June 2024 to discuss the associated Policy Framework procedure.

A briefing was scheduled for 29 June 2024 however this was deferred and conducted on 4 July 2024. The draft policy has been amended based on the outcome of the Councillor briefing that has been included in red text in the draft Policy Framework attached to this report.

This draft Policy Framework is now recommended for adoption.

Options

- That the draft policy framework be amended and placed on further public exhibition.
- That the draft policy framework be adopted.
- That the draft policy framework be amended and adopted.
- That the draft policy framework be rejected.

Community Engagement and Internal Consultation

This draft framework was presented to the Senior Leadership Team. Minimal feedback was received with the only comment suggesting Local Approval Policies should be covered by this policy. It is proposed that these follow the same process so they have not been specifically mentioned in this policy.

Council's Executive Team endorsed this draft policy at its 27 February 2024 Strategic Executive Team meeting to be presented to Council for consideration.

Council's Audit, Risk and Improvement Committee endorsed the draft policy on 7 March 2024 to be presented to Council for consideration.

Council considered this draft policy framework at its Ordinary meeting held 21 March 2024 where it resolved to place the policy framework on public exhibition.

The draft policy was placed on public exhibition for the required 28 days. During this time, Council's Have Your Say webpage with regard to this draft policy framework experienced 21 page visits with 5 users downloading the draft policy framework. There were no submissions received from this public engagement.



Planning and Policy Implications

There are no planning implications in relation to this report. Should Council adopt this policy framework it will become a Council policy.

Financial and Economic Implications

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

Attachments

1.  Draft Policy Framework
2.  Current Adopted Policy - Making of Council Policy

Item: 10.06

**Subject: MID NORTH COAST JOINT ORGANISATION END OF TERM
REPORT**

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

1.2.1 Promote Council participation and build linkages in local, state and federal initiatives, forums and opportunities to support Council's continued planning for the growth of the region.

RECOMMENDATION

That Council note the information contained in the Mid North Coast Joint Organisation End of Term report.

Executive Summary

The purpose of this report is to provide the Mid North Coast Joint Organisation (MNCJO) end of term report for the information of Councillors.

Discussion

This report provides member council councillors and staff, and the community with an update on the achievements of the Mid North Coast Joint Organisation from 2021 to 2024. It outlines progress towards achieving the MNCJO Regional Strategic Priorities by showcasing key projects.

Some of the achievements highlighted in this report include:

- Koala Recovery Project (2019-2022)
- Mid North Coast Resilience Partnership (2020-2022)
- Climate Risk Ready (2021)
- Fixing Country Bridges (2022)
- Community Land Trust (2022-2023)
- Simtable for Community Empowerment (2022-2023)
- Simtable - Controlled Cultural Burns (2024)
- Joint Organisation Net Zero Acceleration (2023-2024)
- Circular Economy Centre of Excellence (2022-2023)
- Biodiversity Stewardship and Carbon Market Study (2022)
- Disaster Risk Reduction (2023-2024)

This is provided for the information of Council.

Options

Council can resolve to note this report or resolve in some other way.

Community Engagement and Internal Consultation

Nil

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.  Mid North Coast Joint Organisation End of Term Report

Item: 10.07

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:

- 1. Enterprise Applications Manager**

Executive Summary

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

The returns for the abovementioned positions 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:

- Enterprise Applications Manager

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

Lodgment 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: 10.08

Subject: LEGAL FEES

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 information in the Legal Fees report.

Executive Summary

At the July 2018 Ordinary Council meeting, Council resolved for a report to be provided to the September 2018 Ordinary Council meeting listing a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2017-2018 financial year. As a result of the September 2018 Ordinary Council meeting, Council requested an updated report to be provided to Council each quarter.

There were two matters costing more than \$10,000 in the 2023-2024 financial year as at the end of June 2024.

Discussion

At the July 2018 Ordinary Council meeting, Council resolved:

1. *Note the information contained within the Question from Previous Meeting - Enforcement of Unlawful Activity Policy report.*
2. *Request the General Manager undertake a review of the Regulatory Enforcement Policy in relation to its adequacy for assessing the cost benefits of taking enforcement action, prior to such action taking place.*
3. *Request the General Manager report back to a future meeting of Council as soon as practicable on the findings of the review referred to in 2) above.*
4. *Request the General Manager provide a report to the September 2018 Council meeting listing a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2017-2018 financial year.*

A report was then provided to the September 2018 Ordinary Council meeting that related to point 4 of the resolution above. As a result, at the September 2018 Ordinary Council meeting, Council resolved:

That Council:

1. *Note the information in the Legal Fees report.*
2. *Request the General Manager to provide an updated report quarterly to Council.*

Attached is a confidential file that provides the information that relates to point 2 of the resolution above. This includes a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2023-2024 financial year as at the end of June 2024.

The attachment titled "Legal matters greater than \$10,000 2023-2024 Financial Year" is confidential as it contains information that relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (*Local Government Act 1993* - Section 10A(2)(d)(i)).

Options

This report is for notation only. Council may resolve to request further information however as this contains commercial in confidence information, any discussion on the details contained in the attachment would need to be referred to a confidential session of Council or provided to Councillors out of session.

Community Engagement and Internal ConsultationInternal Consultation

- Director Business and Performance

Planning and Policy Implications

There are currently 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. Legal matters greater than \$10,000 2023-2024 Financial Year (Confidential)

Item: 10.09

**Subject: REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE
MEETING HELD 1 AUGUST 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 report of the Audit, Risk and Improvement Committee held 1 August 2024.

Executive Summary

In accordance with the Risk Management and Internal Audit for Local Government in NSW Guidelines, Council's Audit, Risk and Improvement Committee is required to report to Council following each ordinary meeting on the items considered and outcomes of the meeting.

It is noted that due to the sensitive nature of some items considered at this meeting, some details may be excluded from this report.

Discussion

Council's Audit, Risk and Improvement Committee met on 1 August 2024. The meeting was conducted on-line and attended by Chairperson Stephen Coates Independent Members Mel Jacobs and Kerry Phillips and Councillor Adam Roberts. The meeting was also attended by Council's Chief Executive Officer, Dr Clare Allen and Director Business and Performance, Keith Hentschke together with other support staff including Governance, Legal and Internal Audit staff.

Prior to the commencement of the meeting, the Committee held an in-camera meeting with Council's Internal Auditor, followed by a further in-camera meeting with only Committee members in attendance.

As it had been only 5 weeks since the previous meeting, as this meeting was brought forward due to the Local Government elections in September 2024, there were not as many items as may have been usually considered. There were 9 items considered outside of housekeeping items such as previous minutes and disclosures of interest.

All Audit, Risk and Improvement Committee meetings commence with members being informally asked to indicate if they are aware of any emerging risks that Council may wish to consider. A number of risks were informally discussed, and the committee agreed not to formally record the contents of this informal discussion.

The Committee received a report from the Group Manager Project Delivery on the status of major projects currently underway by Council. These projects include:

- Ocean Drive Duplication
- Maria River Road
- Fixing Country Bridges
- Thrumster Wastewater Scheme
- Port Macquarie Bulk Water Treatment Plant at Cowarra (Cowarra Water Supply Scheme)
- Kew/Kendall Wastewater Scheme Diversion to Camden Haven
- Port Macquarie Aquatic Facility

The Group Manager Project Delivery provided a more detailed presentation on the Ocean Drive Duplication Project and Maria River Road Project as requested at the June 2024 committee meeting.

Council's Executive Lead Finance and Commercial Operations attended to address a report on Council's 2024-2025 Long Term Financial Plan. Following discussion on this item, the Committee determined that the Audit, Risk and Improvement Committee:

1. Noted the 2024-2025 Long-Term Financial Plan (2024-2025 LTFP) which will be provided to the Ordinary Council Meeting for noting on 15 August 2024.
2. Expressed concern at the deteriorating position over the long term.
3. Encourages Council to consider each of the proposed actions to address the issue and leverage other opportunities.

It is noted that the Chairperson of the Committee requested that the determination of the Committee on this matter be included in this report for the information of Council.

An update report was provided to the Committee from the Group Manager Governance on a transformation project that has commenced to enhance Council's enterprise risk management maturity.

A report was also presented to the Committee by Council's Legal Counsel to give a brief legislative update regarding a public inquiry regarding Liverpool City Council. A further report as also presented detailing Council's material litigation matters for the information of the Committee.

An internal audit report was presented to the Committee on Fraud and Corruption Prevention. Nine actions were identified as a result of this audit that will be addressed by staff and progress reported to the Committee. A status report was also presented as a status update on the Asset Management Internal Audit currently underway.

The Internal Audit Activity Report was presented to the Committee. The Committee also noted with concern the number of improvement recommendations which were not implemented by officers in the agreed timeframes and requested additional effort to address these outstanding recommendations.

The final report was the Committee's Strategic Workplan. The Committee commended and endorsed the workplan for implementation.

The only item of General Business was to discuss the Committee's annual report. A draft had been circulated out of session and Committee members were satisfied with the content of the annual report which will be presented to Council at its August 2024 Ordinary Council meeting.

The next meeting will be held on 28 November 2024 however an extraordinary Committee meeting will be held later in October 2024 (date to be confirmed) to consider the annual financial statements.

Options

This report is for notation only.

Community Engagement and Internal Consultation

**No engagement was required or has occurred regarding 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.

Attachments

Nil

Item: 10.10

**Subject: AUDIT, RISK AND IMPROVEMENT COMMITTEE - ANNUAL REPORT
2023-2024**

Presented by: Business and Performance, Keith Hentschke

RECOMMENDATION

That the Audit, Risk and Improvement Committee Annual Chairperson's Report for the period 2023-2024 be noted.

Discussion


The Audit, Risk and Improvement Committee Annual Report 2023-2024 (attached) provides a summary of the activities of the Audit, Risk and Improvement Committee during the 2023-2024 period.

The Committee's key functions include:

- Compliance
- Risk Management
- Fraud Control
- Financial Management
- Governance
- Implementation of the Community Strategic Plan, Delivery Program and Strategies
- Service Reviews
- Performance of Council Functions
- Internal Audit

This report is provided for information.

Attachments

1.  Annual Chairperson's Report for 2023-2024

Item: 10.11

Subject: GRANT APPLICATIONS BIENNIAL REPORT

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

1.2.1 Promote Council participation and build linkages in local, state and federal initiatives, forums and opportunities to support Council's continued planning for the growth of the region.

RECOMMENDATION

That Council note the Grant Applications Biannual Report, providing an update on grants that Council has applied for and/or obtained, for the 2023-2024 financial year.

Executive Summary

Grants from State and Federal Government support the delivery of a range of Council services and infrastructure for our community. This report provides an update on Council's grant applications and outcomes for the period 1 July 2023 to 30 June 2024.

This report continues biannual reporting to Council, in February and August each year.

In the 12 months from 1 July 2023 to 30 June 2024 Council has applied for 54 grants totalling over \$20.9 million. To date, 34 applications have been successful in securing over \$11.9 million in grant funding. Thirteen remaining applications are still being assessed, valued at over \$7.9 million and awaiting a funding outcome for the reporting period.

Discussion

Every year, Council applies for and obtains, a significant number of grants to support the delivery of a range of services and infrastructure for our community. Council continues to work closely with our local members and representatives at other levels of government to advocate for positive grant outcomes and apply for all appropriate opportunities. Council provides a grant status report to Federal and State elected members every three months to keep them informed of current grant project status and grants sought and a status report is made available on Council's website.

Activity over the last 12-months

The Council Grants Register (Attachment 1) details grant applications made, successfully, unsuccessfully, or outcome unknown for the 2023-2024 financial year.

During the reporting period Council has been advised of the success of some of these applications with highlights including:

- \$140,000 Wauchope Library Refurbishment via State Library NSW Infrastructure Grants;
- \$299,000 Laurie St Laurieton Playground via NSW Local Small Commitments Allocation;
- \$118,640 No Space for Weeds via NSW Weeds Action Program;
- \$115,323 Airport Security Infrastructure via the Australian Government Regional Airports Screening Infrastructure Program;
- \$350,000 Wauchope Multiuse Sports Courts via the Australian Government Local Roads & Community Infrastructure; and
- \$583,634 Bold Street Laurieton Road Rehabilitation via the Australian Government Local Roads & Community Infrastructure.

Staff also submitted an ambitious EOI for \$94m for the construction of the Cowarra Water Supply Scheme, to be cash matched by Council. Still awaiting an outcome if we will be invited to proceed to the next stage of submitting a grant application to the National Water Grid Fund.

Council staff invested in the order of 808 hours in the preparation of grant applications in the last year.

The grants team is currently monitoring and reporting on 80 active grant-funded projects to the value of \$103,501,427. The current pipeline of active grant funding reports into 29 different government grant management offices (GMOs) spread across Australia. Over the last 12-months the Grants team have prepared and submitted:

- 54 Grant applications;
- 41 Project Completion Reports with final payment claims (Acquittals);
- 108 Milestone Reports, many with progress payment claims;
- 28 submissions for Funding Deed variation for extension of time and/or change of project scope;
- 20 Award nominations for projects; and
- 41 Letters of Support / Landowner permission to community groups, sporting clubs and event organisers.

In addition, a further 54 online meetings were attended with a variety of state and federal GMOs.

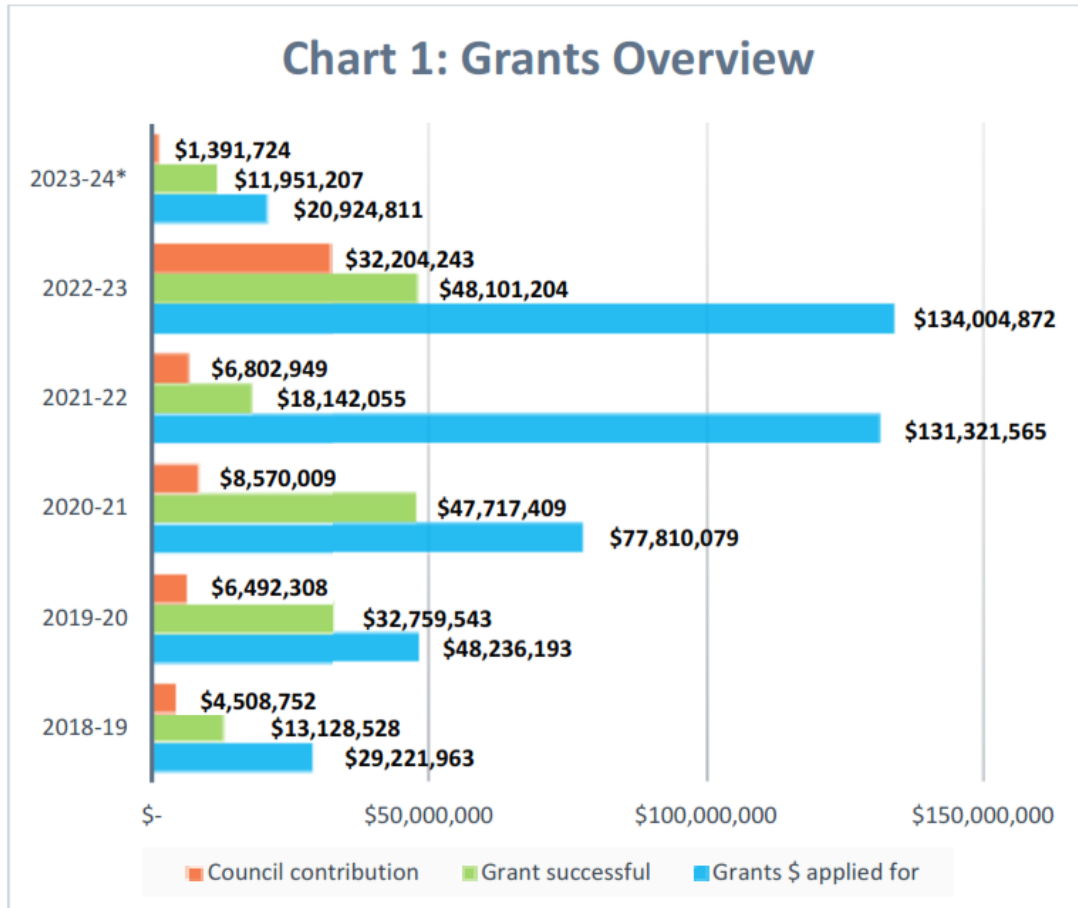
The NSW Government advised 30 May 2024 the successful outcome of two applications we submitted back in September 2022, being:

- \$6 million Beechwood Road Yippin Creek Flood free Access (with \$400k PMHC and Developer Contributions and \$5m via Aust Govt Bridges Renewal program.
- \$13,347,650 Detailed Design and Construction of the Kew/Kendall Wastewater Diversion Scheme and \$18,334,000 PMHC co-contribution.

This additional funding is now reflected in the Chart 1, with \$48m grant funding now achieved in 2022-2023.

Broad trend analysis

The following chart (collated from the Grants Register) shows an overview of the last six years.



2023-24* \$7,954,710 in applications still being assessed.

The past 12-months have been a challenging funding landscape. The \$11.9m funding awarded demonstrates the changing funding priorities of the Australian and NSW Governments who are proffering smaller funding envelopes.

With these lower expectations, at one stage it was projected as being unlikely to achieve \$10m in funding, thankfully with focused and strategic tenacity we have climbed to \$11.9m in awarded funding, noting \$7.9m in applications yet to be advised.

We anticipate in 2024-2025 that with the lion’s share of grant-funded back log works completed that there will be an increased capacity for staff resources to deliver funded projects. This will open the gates for the grants team to proactively seek appropriate future grant opportunities.

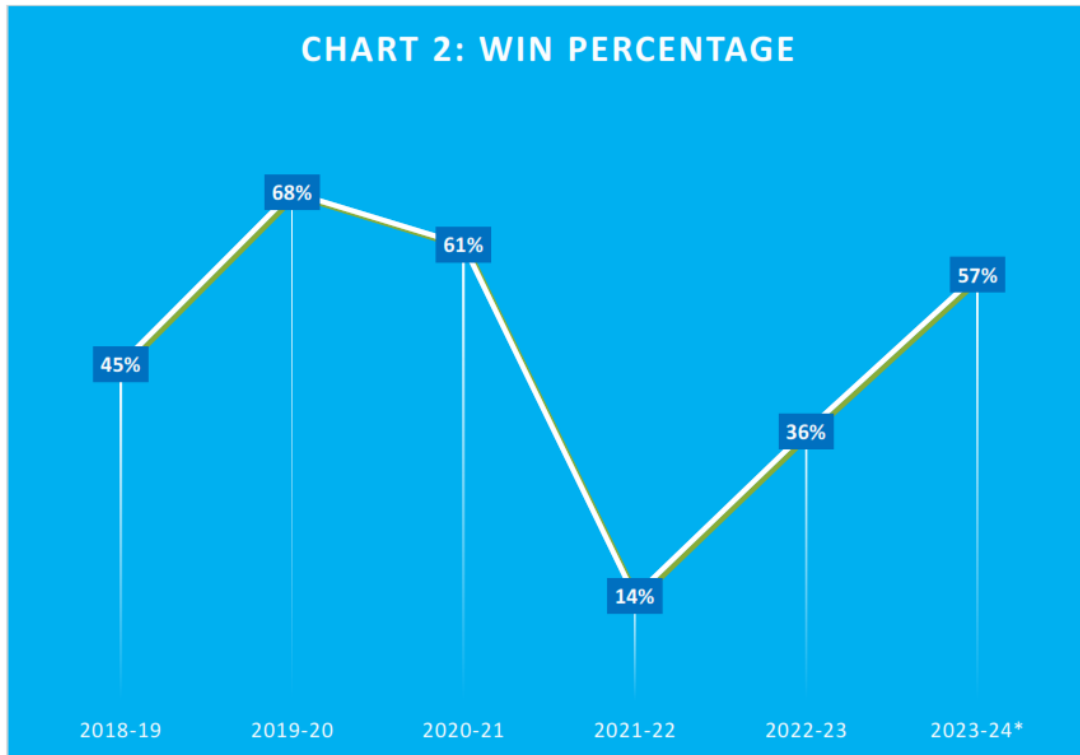
Noting the impacts this year with staff resources stretched to deliver once-in-a-generation projects such as the 13 new bridge constructions, via the 2022-2023 NSW Fixing Country Bridges \$21.2m grant. This colossal effort sees the 13th and final bridge being completed in Spring 2024 and the finalisation of this grant program.



Win percentage

Reviewing the data for the \$ amount applied for and \$ amount successful, the win percentage for 2023-2024 to date is 57%.

This means for every \$100 dollars applied for, Council was successful and received \$57 dollars in grant funding. The 57%-win percentage is a pleasing outcome, and this is expected to substantially increase as thirteen grant applications are still under assessment, so the win-percentage may go even higher.



2023-24* \$7,954,710 in applications still being assessed.

Community Support

Each year Council proactively seeks and applies for, or obtains, a significant number of grants to support the delivery of a range of services and infrastructure for our community. Council works closely with, and advocates to local members and representatives at all levels of government to secure grant opportunities that support the delivery of Council priorities. Every three months Council provides a report to Federal and State elected members on the status of grants sought and/or progress updates on current grant projects.

Council’s grants team also support community members and groups through the grant application process by assisting with information, data, and letters of support and land-owner approval where applicable.

Over the last twelve-months, 41 letters were issued in support of sporting clubs, event organisers and community groups. Grants acquired by community groups are not included in the report data, nor are those grants disbursed by Council to our community.

The Council's Grant Finder website pmhc.grantguru.com.au provides a free search engine for grants. It has 354 registered users, representing local community organisations sporting clubs and event managers. There were 32,499 generated emails automatically sent to our registered users who have opted in to receiving alerts for when specific grants open.

Options

This report is submitted for notation only.

Community Engagement and Internal Consultation

All staff developing grant applications were consulted in finalising the Grants Register at Attachment 1.

Planning and Policy Implications

There are no planning and policy implications directly related to this report. It is noted, however, that the timing of grants received, and project implementation and delivery can have implications for Council's Operational Program delivery and funding that will be assessed at the time.

Financial and Economic Implications

The only direct economic implications in relation to this report are the staff resources consumed for Grant applications and management of successful grants, as identified in the Discussion section of this report.

It is noted that if successful in receiving grants, often there is a requirement for Council to provide matched funding.

Additionally, further resources are required to not only implement the grant funded project, but also to complete an acquittal at the end of the project term and for many projects, to provide regular progress reports as the grant funds are expended.

Grants from various sources are an important source of funding for a wide variety of Council activities. Many grant funded projects result in the use of local suppliers and contractors, which contributes significantly to local economic activity.

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

Attachments

1.  Grants Register 2023-2024

Item: 10.12

Subject: 2024-2025 LONG-TERM FINANCIAL PLAN

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 Office of Local Government has directed that the 2024-2025 Long-Term Financial Plan be provided to the August 2024 Ordinary Council Meeting for noting and then placed on the Council's website.
2. Note the 2024-2025 Long-Term Financial Plan which is based on the 2024-2025 budget adopted by Council and Council's 10-year Works Program.
3. Agree the 2024-2025 Long-Term Financial Plan be placed on the Council website as directed by the Office of Local Government.
4. Note the actions required to address key financial issues identified in the 2024-2025 Long-Term Financial Plan.

Executive Summary

The 2024-2025 Long-Term Financial Plan (2024-2025 LTFP) (Attachment 1) contains 10-year projections of the Income Statement, Balance Sheet and Cash Flow Statement for the General, Water and Sewer Funds based on the 2024-2025 budget adopted by Council and Council's 10-year Works Program.

The 2024-2025 LTFP identifies the following key financial issues:

- There is a projected cash shortfall in the Sewer Fund every year from 2025-2026 totalling \$115.7m over 9 years, and a projected cash shortfall in the Water Fund of \$42.7m across 2026-2027 and 2027-2028.
 - Projected shortfalls are driven by the historically high capital investment through the Works Program (reflected in Purchase of Infrastructure, Property, Plant and Equipment in the Cash Flow Statements).
 - Shortfalls show a substantial portion of the current capital Works Program from 2025-2026 is unfunded. For example, the Sewer shortfall in 2025-2026 shows there is no source of cash to fund 28% of the planned capital Works Program.
- In addition to cash shortfalls, the Sewer and Water Funds are projected to incur operating losses from 2026-2027, totalling \$27.4m and \$60.9m over the remainder of the decade respectively.
- The General Fund is projected to have cash shortfalls every year from 2027-2028, totalling \$151.0m over 8 years, and operating losses every year over the decade, totalling \$237.4m.

- It is projected that Council will not meet several financial performance measures prescribed by the Office of Local Government (OLG) through the Integrated Planning and Reporting Framework.

The organisation is undertaking the following actions to address these issues:

- Until further notice, no dividend will be proposed to be paid from the Water or Sewer Funds to the General Fund under section 409(5) of the Local Government Act.
- Community Utilities Division will urgently review and prioritise Sewer and Water projects in the Works Program to determine what can be delivered with the cash projected to be available in the 2024-2025 LTFP.
- Community Utilities Division and Financial Services Group will work together to investigate revenue and loan options for any proposed Sewer and Water projects in the Works Program that cannot be delivered within the cash projected to be available in the 2024-2025 LTFP.
- Community Utilities Division and Financial Services Group will brief Councillors on the proposed Works Program and any revenue and loan options as soon as possible so that Council can make decisions ahead of the 2025-2026 financial year.
- Financial Services Group will prepare a proposal to 'catch up' all foregone rating revenue in 2025-2026 to address worsening General Fund operating losses and brief Councillors on the proposal as soon as possible. The Independent Pricing and Regulatory Tribunal states that Council may 'catch up' on the shortfall in general income over any one or more of the next 10 years where general income has increased by less than the permissible Rate Peg.
- Financial Services Group will undertake further analysis to determine what, if any, additional revenue measures may be required from 2026-2027 (in addition to the proposed 2025-2026 'catch up' of rating revenue) to inform scenarios in the 2025-2029 Resourcing Strategy.

The LTFP will be comprehensively reviewed, exhibited and adopted by Council as part of the 2025-2029 Resourcing Strategy in line with the Integrated Planning and Reporting Guidelines (IP&R Guidelines).

Discussion

IP&R Guidelines and the Long-Term Financial Plan

The IP&R Guidelines require councils to prepare and adopt an LTFP that covers a minimum period of 10 years. The LTFP must be used to inform decision-making during the preparation and finalisation of the Community Strategic Plan and the development of the Delivery Program.

The IP&R Guidelines also require key underlying assumptions on which the LTFP is based, and the projected Income Statement, Balance Sheet and Cash Flow Statement, to be reviewed and updated at least annually as part of the development of the Operational Plan.

In line with these requirements, Council adopted an LTFP on 29 June 2022 and published it on the Council website as part of the 2022-2026 Resourcing Strategy. The LTFP was updated as part of the development of subsequent Operational Plans, with briefings on the updated financial outlook provided to councillors on

23 February 2023 and 28 March 2024. Updated LTFPs were also provided to the Audit, Risk and Improvement Committee for noting on 23 August 2023 and 1 August 2024.

On 20 June 2024, the OLG wrote to Council regarding the impact of Council's 2024-2025 rate peg decision on current and future financial sustainability (Attachment 2). Based on the last published LTFP being from 2022-2023, the OLG reiterated that the LTFP is to be reviewed and updated at least annually as part of the development of the Operational Plan.

Subsequent engagement with the Office of Local Government (OLG) clarified that updated LTFPs must be publicly exhibited, adopted by Council, and placed on the website as part of the annual Operational Plan process. This was reiterated in correspondence from the OLG to the CEO on 23 July 2024 (Attachment 3).

For 2024-2025, the OLG has directed that we will provide the 2024-2025 LTFP for noting at the Ordinary Council Meeting on 15 August 2024, and publish it on Council's website. For 2025-2026, the LTFP will be updated as part of the 2025-2029 Resourcing Strategy. In subsequent years, the LTFP will be updated, exhibited and adopted by Council each year as part of the Operational Plan process.

Methodology for developing the 2024-2025 LTFP




The 10-year projections in the 2024-2025 LTFP are based on the 2024-2025 budget adopted by Council and Council's 10-year Works Program. While the Works Program has detailed estimates across 10 years, detailed operating budgets are currently developed for one year only. Assumptions are therefore required to project those operating budgets across the 10-year period of the LTFP.

Revenue and expenditure assumptions underpinning projections are stated on page 6 of the 2024-2025 LTFP. Page 8 of the 2024-2025 LTFP provides an explanation of the key risks to the projections (i.e. the risk that projections are under or over-stated).

Options

Council has the option to note the 2024-2025 LTFP and publish it on the Council's website as directed by the Office of Local Government, or not.

Attachments

1.  2024-2025 Long-Term Financial Plan
2.  Letter of 20 June 2024 from the Office of Local Government to the Chief Executive Officer
3.  Letter of 23 July 2024 from the Office of Local Government to the Chief Executive Officer

Item: 10.13

Subject: 2023-2024 OPERATIONAL PLAN FULL YEAR STATUS REPORT AS AT 30 JUNE 2024

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 note the 2023-2024 Operational Plan Full Year Status Report as at 30 June 2024.

Executive Summary

The purpose of the 2023-2024 Operational Plan - Full Year Status Report is to consider delivery against the Actions contained within the Operational Plan.

Where the organisation has been required to re-scope an Action/Project to deliver a different or newly identified outcome, provide cost savings or has been delayed due to external forces, action has been taken to either defer or not progress the Action/Project with a resolution from Council to support non-delivery of the Action/Project in the 2023-2024 operational year.

In most cases, while Council has approved non-delivery of some Actions/Projects in the 2023-2024 operational year, work continues to complete them in 2024-2025.

It should be noted that there are no additional Actions/Projects requesting deferral in the fourth quarter. With continued focus on delivery, 23 Actions/Projects have been deferred in 2023-2024 which compares favourably against 2022-2023 which had 122 Actions/Projects deferred.

Delivery against the 2023-2024 Operational Plan to date is 88%

This status report provides details of delivery against the 2023-2024 Operational Plan and through the attachments, provides details to inform both Council and the community on progress of Actions/Projects contained within the 2023-2024 Operational Plan.

In accordance with statutory requirements, a report detailing achievements and progress against the 2022-2026 Delivery Program has been provided to Council under separate cover at this meeting.

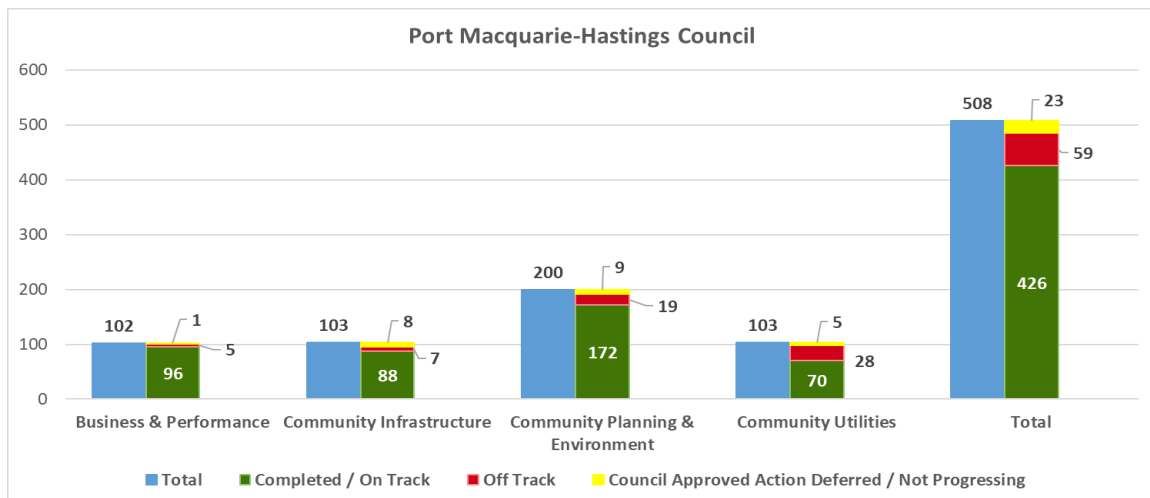
Discussion

Reporting for the 2023-2024 Operational Plan continues as per the Action/Project status categories and definitions contained within the following table.

Status		When to Report this status
✓	Completed	The Action/Project has met the Performance Measurement criteria detailed in the Operational Plan.
●	Council approved Action Deferred / Not Progressing	The Action/Project has been deferred to outer years, or the Project will not continue. There has been a Council Resolution to: <ul style="list-style-type: none"> • defer or cease the Action/Project via a Council Report • inclusion in the following year’s adopted Operational Plan • or as an approved budget carry forward request or other adjustment via a Council Report.
●	Off Track	The Action/Project will not meet the Performance Measurement criteria detailed in the Operational Plan.

The 2023-2024 Operational Plan contains a total of 508 Actions/Projects with 426 Actions identified as Completed and 59 Off Track.

For this report, Operational Plan outcomes have been categorised by directorate, with the following table detailing the total number of Actions and their status by directorate for Quarter 4 of the 2023-2024 operational year.



2023-2024 Operational Plan Summary of Action/Project Progress						
Port Macquarie-Hastings Council	Total	Completed/ On Track	Action Deferred/ Not Progressing	Off Track	Completed/ On Track %	Delivery %
Business & Performance	102	96	1	5	94%	95%
Community Infrastructure	103	88	8	7	85%	93%
Community Planning & Environment	200	172	9	19	86%	90%
Community Utilities	103	70	5	28	68%	71%
Total	508	426	23	59	84%	88%



Delivery % (88%) is calculated as the percentage of Completed/On Track Actions /Projects (426) against the total number of Actions/Projects (508) less Actions Deferred/Not Progressing (23).

Details of outcomes achieved against each Operational Plan Action/Project are provided in the attached 2023-2024 Operational Plan Full Year Progress Report Quarter ended 30 June 2024.

Actions identified as either Off Track or Action Deferred/ Not Progressing are detailed in the attached 2023-2024 Operational Plan Full Year Exception Report Quarter ended 30 June 2024.

There are 59 Actions/Projects identified as Off Track. In addition, there are 23 Actions/Projects that are Council approved Action Deferred/ Not Progressing. For additional details, refer to the attachments to this report.

Delivery Status of Significant Projects

At the Ordinary Meeting on 16 November 2023, Council requested that, given the significance of Thrumster Wastewater Treatment Plant (2023-2024 Operational Plan item S 16_L 2.2) and Water Treatment/Filtration Plant at Cowarra Dam - Pre-Construction (2023-2024 Operational Plan item WS 30_L 2.2) as State Significant Infrastructure Projects, Quarterly Operational Plan Status Reports and additional commentary in relation to the projects be provided.

S 16_L 2.2 Thrumster WwTP (Construction)

The Thrumster Wastewater Scheme supports the significant residential growth in the western region of Port Macquarie, encompassing Thrumster and Sancrox. The scheme aims to meet the growing demand for wastewater services, while minimising environmental impacts and promoting community health and safety. The scheme has received State Significant Infrastructure (SSI) status, highlighting its importance to regional growth.

The scheme includes the construction of a new wastewater treatment plant (WWTP), new pipelines for improved connectivity, and other essential infrastructure such as a water recycling plant in Thrumster.

2023-2024 Operational Plan Status: Completed.

Performance measure milestone completed.

- Environment Impact Statement investigation and studies are continuing (80% Completed).
- Concept Design is 90% completed.
- Design of power supply has been completed with responses to comments provided back to Essential Energy.
- Site geotechnical investigations have been completed.
- Network Optimization and Sewer Diversion studies are now complete.
- Stage 1 procurement. Expression of Interest for early tenderer Involvement for Design and Construction of the Plant is issued, and the Industry Briefing Session was arranged.

WS 30_L 2.2 Water Treatment/Filtration Plant at Cowarra Dam - Pre-Construction

The Cowarra Water Supply Scheme including a new water treatment plant (WTP), clear water reservoir and trunk main to service the water reticulation systems of Sancrox, Thrumster, Port Macquarie and Camden Haven regions.

The project aims to deliver reliable filtered water for the growing population of Port Macquarie-Hastings. The Cowarra Water Supply Scheme strives to guarantee a sustainable and high-quality water supply. With an estimated current population of 86,400 projected to grow by 16.5% to approximately 100,700 by 2041, the scheme is specifically designed to provide reliable filtered water, ensuring the wellbeing of our residents well into the future.

2023-2024 Operational Plan Status: Completed

Performance measure milestone completed.

- Environmental Impact Statement investigations are nearing completion.
- Concept Design is complete.
- Geotechnical investigations at the treatment plant and clearwater reservoir sites were completed.
- Detailed electrical design has been completed.
- Stage 1 - Shortlisting of the Respondents to Expression of Interests completed
- Stage 1 - Early Tenderers Involvement for Detailed Design and Construction of the plant and Clearwater reservoir is underway.

In addition, the following provides more detailed commentary in relation to delivery of the Ocean Road Duplication as referenced at TR 19_C 1.1 of the 2023-2024 Operational Plan.

TR 19_C 1.1 Port Macquarie - Ocean Drive Duplication

The Ocean Drive Duplication project is a large-scale priority project that is critical to the future planning of a sophisticated road network for our region.

The project will include the duplication of Ocean Drive from two lanes to four divided travel lanes from Greenmeadows Drive (south) to Matthew Flinders Drive/Emerald Drive in Port Macquarie (est. 3.4kms). It will ease traffic flow at the Pacific Drive, Crestwood Drive and Matthew Flinders Drive intersections during peak periods.

2023-2024 Operational Plan Status: Completed

Ocean Drive Duplication construction from Matthew Flinders Drive to Greenmeadows Drive continuing per program with works on track for project completion late 2025.

Significant works undertaken throughout 2023-2024 include: the construction of the Pacific Drive/Jonas Absalom Drive intersection works; major structures along the new northbound carriageway; northbound road pavement works; service relocations; and commencement of the intersection construction at Matthew Flinders Drive/Emerald Drive.

Actions Deferred / Not Progressing

As detailed above, there are no additional Actions/Projects requesting deferral in the fourth quarter. With continued focus on delivery, 23 Actions/Projects have been deferred in 2023-2024 which compares favourably against 2022-2023 which had 122 Actions/Projects deferred.

Additional Actions/Projects assigned through Carry Overs and Monthly Budget Reviews		
Port Macquarie-Hastings Council	Action Deferred / Not Progressing	Budget \$
Business & Performance	1	300,000
Community Infrastructure	8	8,077,884
Community Planning & Environment	9	956,235
Community Utilities	5	8,845,160
Total	23	18,179,279

The above table provides a breakdown of the Actions, and budget by Directorate, that have been approved by Council for Deferral from the 2023-2024 operational year. The attached 2023-2024 Actions Deferred by Quarter report details that the Actions that have been deferred and the commentary supporting that deferral.

The full budgeted value of the 23 Actions deferred in 2023-2024 sits at \$18,179,279 which compares favourably with the 54 Actions either carried over from 2022-23 or new actions established through budget adjustments, budgeted at \$26,863,225.

Carry Overs and Monthly Budget Adjustments

In addition to the 508 Actions adopted and included in the 2023-2024 Operational Plan, Council has undertaken, through Monthly Budget Reviews and Carry Overs, an additional 54 Actions/Projects with 11 completed and the remaining 43 On Track. The budget value of these additional Actions/Projects is \$26,863,225.

The following table provides an assessment of the volume and value of Actions/Projects that have been deferred by Council against new actions that have been introduced through Monthly Budget Reviews.

Additional Actions/Projects assigned through Carry Overs and Monthly Budget Reviews		
Port Macquarie-Hastings Council	New Actions/ Projects	Budget \$
Business & Performance	2	121,010
Community Infrastructure	21	10,570,275
Community Planning & Environment	20	13,001,903
Community Utilities	11	3,170,037
Total	54	26,863,225



Of the \$26,863,225 additional Actions/Projects identified above, \$7,584,503 relate to Actions that were deferred from the 2022-2023 Operational Plan with action required to be undertaken in the 2023-2024 operational year now Completed, as detailed in the attached 2022-23 Operational Plan Carryover Status Report - Quarter ended 30 June 2024.

An additional \$19,278,722 in grant funding was received in the 2023-2024 operational year: \$11,912,494 to Projects delivered by Community Infrastructure and \$7,366,228 to projects delivered by Community, Planning & Environment. The status of these actions is detailed in the attached 2023-2024 Budget Adjustments Progress Report - Quarter ended 30 June 2024.

New Actions/Projects assigned through Carry Overs and Monthly Budget Reviews by funding source						
Port Macquarie-Hastings Council	Reserves	Revenue	Grant	Developer Contrib.	Environment Levy	Total
Business & Performance	121,010	-	-	-	-	121,010
Community Infrastructure	242,139	55,483	12,704,281	-	-	13,001,903
Community Planning & Environment	2,034,998	110,822	8,256,333	103,069	65,053	10,570,275
Community Utilities	3,088,368	0	-	81,669	-	3,170,037
Total	5,486,515	166,305	20,960,614	184,738	65,053	26,863,225
No. of Actions	19	3	29	2	1	54

Options

It is a statutory requirement under Integrated Planning and Reporting legislation to report on what has been delivered against the Delivery Program on a six-monthly basis. Council considers quarterly progress reports of the Operational Plan in addition to its statutory requirements.

Community Engagement and Internal Consultation

Internal consultation was undertaken with:

- Chief Executive Officer, Directors, Executive and Group Managers
- All staff reporting against the 2023-2024 Operational Plan
- Business Performance Analyst (Corporate Reporting)
- Planning and Reporting Development Officer
- Planning and Reporting Officer.

Planning and Policy Implications

This report complies with statutory obligations in the Local Government Act and aligns with the requirements of the NSW Integrated Planning and Reporting Framework.








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

Financial and Economic Implications

This report has no direct financial implications. Quarterly Budget Review Statements align with the reporting period referenced in this report.

Attachments

1.  2023-24 Operational Plan Final Status Report as at 30 June 2024
2.  2023-24 Operational Plan Final Exception Report as at 30 June 2024
3.  2022-2023 Carry Over Status Report as at 30 June 2024
4.  2023-24 Monthly Budget Adjustment Status Report as at 30 June 2024
5.  2023-24 Actions Deferred by Quarter

Item: 10.14

**Subject: 2022-2026 DELIVERY PROGRAM (YEAR 2) - SIX MONTH
PROGRESS REPORT AS AT 30 JUNE 2024**

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 note the progress against the 2022-2026 Delivery Program (Year 2) for the period 1 January 2024 to 30 June 2024.

Executive Summary

Six monthly progress reports on the Delivery Program are a legislated requirement of the NSW Government's Integrated Planning and Reporting Framework. The progress report allows Council and the community to know what action has undertaken relative to the strategies contained within the 2022-2026 Delivery Program.

The purpose of the 2022-2026 Delivery Program (Year 2) Progress Report is to expand on the outcomes reported through the 2023-2024 Operational Plan provided under separate cover.

The Delivery Program Progress report provides connection between the outcomes reported against the 2023-2024 Operational Plan to the Strategies contained within the Delivery Program as they relate to the higher-level Objectives and Themes of the *Imagine2050* Community Strategic Plan.

Reporting against the 2022-2026 Delivery Program takes a longer-term view than that of the annual Operational Plan and, as such, Actions/Activities/Projects not yet completed may still be considered On Track as they have a multi-year component that will likely continue through the 2024-2025 operational year.

Attachment 1 provides the Delivery Program 2022-2026 (Year 2) Progress Report that serves as a reference document for councillors and the community to easily identify outcomes and delivery across the local government area. It provides information on actions, activities and projects, and outlines achievements against the adopted Delivery Program.

Discussion

The Delivery Program represents the Council's commitments to the Port Macquarie-Hastings community during the term of an elected Council. Objectives in the Delivery Program represent the outcomes Council aims to achieve and serve as a guide in the development of the annual Operational Plan. The Operational Plan sets out the actions, activities and projects that will be undertaken

each financial year to deliver the overall objectives in the Delivery Program and ultimately contribute to achieving the vision and goals outlined in the long-term Community Strategic Plan.

In a broad context, the Delivery Program enables Council to deliver the community's aspirations for the future, as described in the *Imagine2050* Community Strategic Plan.

Six monthly reporting allows Council and the community to see the progress made in delivering outcomes to achieve the Delivery Program objectives across the life of the Program.

The six-monthly reporting process focuses on the progress that has been made against actions, activities and projects that have been undertaken by Council for year 2 of the 2022-2026 Delivery Program to 30 June 2024.

While this report takes a broader view of delivery, the status of actions, activities and projects contained in the 2023-2024 Operational Plan are detailed in the 2023-2024 Operational Plan Second Quarter Status Report as at 30 June 2024 provided under separate cover.

This report provides a current view of delivery against the Priority Areas of the 2022-2026 Delivery Program. The following is a summary of the key outcomes, with a more comprehensive Progress Report contained within Attachment 1.

Priority Area: Reduced Traffic

- Adoption of the Regional Integrated Transport Strategy.
- Integrated Transport Plan - Multi modal transport planning for the LGA in collaboration with Transport for NSW identifying priority actions across the local, regional and state road networks.
- Ocean Drive Duplication works commenced November 2022 with the project continuing into 2023-24.
- Lake Road Duplication planning.

Priority Area: Stable Infrastructure

- Adoption of the Infrastructure Strategy.
- Concept designs for the Port Macquarie Bulk Water Treatment Plant at Cowarra Dam.
- Pre-construction and planning for the Thrumster Sewerage Treatment Plant and upgrade of the Kew Sewerage Treatment Plant.

Priority Area: Improved Pathways

- Review of the Pedestrian Access and Mobility Plan (PAMP) via the Walking and Cycling Review.
- Maintenance and construction of footpaths and cycle ways undertaken in accordance with the Port Macquarie-Hastings PAMP and Bike Plan.
- Beach to Beach - Construction contract entered in October 2023 for Section D3, in the vicinity of Bay Street Dunbogan. On completion of construction opening of this section occurred in June 2024.
- Project planning of the Schools-to-Schools Shared Pathway Preliminary concept designs complete for the section between Kendall to Kew to inform future staging.
- New footpaths constructed at:

- Roma Terrace, Port Macquarie - 101 lineal metres
- Pacific Drive, Port Macquarie - 934 lineal metres
- Burrawan / Owen Street Port Macquarie - 215 lineal metres
- Burrawan Street Port Macquarie - 178 lineal metres
- Elliot Way / Alban Place Port Macquarie - 113 lineal metres
- Oxley Highway Port Macquarie - 157 lineal metres

Priority Area: Environment

- A review of the scope for the redevelopment of the Biodiversity Strategy commenced to ensure it alignment with current council priorities and Quadruple Bottom Line Sustainability Framework.
- Koala Plans of Management. The Koala Action Plan was adopted by Council on 15 February 2024 with the project plan for outstanding actions finalised in April 2024. All compliance actions have been identified, delivered, or scheduled for delivery.
- The Flood Management Program has been incorporated into overall Flood Mitigation Planning activities.
- 450 properties inspected for invasive weeds.
- Controlled over 996 hectares of land for high-risk weeds such as Groundsel bush and Kudzu.
- Inspected over 3,358 kilometres of land for high-risk weeds including high-risk pathways and rivers.
- Drive with Care, Be Koala Aware project hotspot road markings and speed signage installed.
- Erosion stabilisation at Illaroo Road Lake Cathie.
- 66,472 tonnes reduced from landfill (recycled).
- Installation of 4 Electronic Vehicle (EV) charging stations at Council facilities.

Priority Area: Affordable Living

- Draft Housing Strategy and affordable Housing Policy and Action Plan. The Draft Local Housing Strategy, the Housing Delivery Plan, and the Housing Affordability Plan were reported to Council in April 2024 and placed on public exhibition. Exhibition was extended twice and concluded on 23 June 2024. 34 submissions were received.

Priority Area: Thriving Economy

- Economic analysis of the local government area is underway and will be reported to Council as an informing piece to support a future draft Economic Development Strategy.
- Place Score were engaged to undertake the Liveability Index project - the data gathering phase will be ongoing following community engagement.
- New destination branding fully implemented across all platforms/channels, including updating flags and banners.
- 15 Major Events have been supported.
- 343 Building Construction Certificates with an average processing time of 38 days.
- Estimated value of approved applications was \$406m.

Priority Area: Inclusive Community

- Reconciliation Action Plan - Council has registered with Reconciliation Australia to develop its Reconciliation Action Plan. A draft Action Plan has been developed and members for a staff working group have been recruited.

- Graffiti Management - Over the year, there were 193 Customer requests logged with the program that required 633 volunteer hours.
- Community Emergency Response Plans. Community Emergency Booklets and website Emergency Hub have been designed, reviewed, and updated to support Community Emergency Response Plans.
- The Community Volunteering Program supported:
 - The Graffiti Blaster Program
 - National Plant Tree Day
 - Two Youth community service volunteers have been inducted for graffiti removal
 - Volunteer drive for all Port Macquarie-Hastings Council volunteer opportunities.

Priority Area: Collaboration

- The Community Engagement Strategy developed to support Integrated Planning and Reporting documents.
- The Community Inclusion Activity Program delivered Community Events including:
 - NAIDOC Week
 - National Plant Tree Day
 - Matildas World Cup Semi-final at Amphitheatre
 - Hastings Youth Voice - Pineapple festival
 - Sim table Demonstrations
 - Harmony Haven
 - Day of persons with disability
 - Christmas Fair

Priority Area: Transparency

- Community Engagement Strategy developed to support Integrated Planning and Reporting documents. An overall organisational approach is also currently under development.
- 88 media releases.
- 874 posts on social media.
- 468 email campaigns with 529,343 emails sent.

Priority Area: Quality of Life

- Cultural Plan - Planning the delivery of the Cultural Plan has been completed. A review of the Cultural Plan has commenced in the second quarter of the 2023-2024 financial year and is ongoing.
- Recreation Action Plan adopted in March 2023. The Recreation Action Plan aims to provide Council with the necessary framework to provide for sport and recreation facilities in the short to medium term.
- Concept Designs for the Port Macquarie Aquatic Facility have been completed. Development Application submission is scheduled for February 2024.
- The Glasshouse presented its bi-annual report against the Glasshouse Plan to Council in August 2023 and February 2024. The Glasshouse has 1,387 members, welcomed 174,337 visitors to the venue and has presented:
 - 161 Theatre Performances
 - 12 gallery exhibitions
 - 326 events.

Options

In accordance with the Integrated Planning and Reporting Guidelines of the Local Government Act, Council is required to report on the progress of the principal activities detailed in the Delivery Program, at least every six months.

Community Engagement and Internal Consultation

Internal consultation was undertaken with:

- Chief Executive Officer, Directors, Executive and Group Managers
- All staff reporting against the 2023-2024 Operational Plan
- Business Performance Analyst (Corporate Reporting)
- Planning and Reporting Development Officer
- Statutory Reporting Officer.

Planning and Policy Implications

This report complies with the statutory obligations contained within Local Government Act and is in line with the requirements of the NSW Integrated Planning and Reporting Framework.

Financial and Economic Implications

There are no direct financial implications in relation to this report. Quarterly Budget Review Statements align with the reporting period referenced in this report.

Attachments

1.  Delivery Program Six Month Progress Report as at 30 June 2024

Item: 10.15

Subject: 2023-2024 CARRY-OVER PROJECTS

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 2023-2024 carry-over projects outlined in this report for inclusion in the 2024-2025 budget.**
- 2. Amend the 2024-2025 one-year Operational Plan to include all projects approved to be carried over as individual action items.**

Executive Summary

This report lists projects from the 2023-2024 budget, which were not finalised or completely expended in the financial year and need to have their budgets carried over into the 2024-2025 budget to enable completion. Adopting these projects for inclusion in the 2024-2025 Operational Plan (and budget) ensures they will continue and/or be completed.

Preliminary expenditure figures show that Council expended approximately \$147 million in 2023-2024 on Works Program projects including land purchases and some flood impacted works. This level of expenditure is higher than 2022-2023 and more than the average over the last 5 years as shown in the table below:

Year	Total Works Program Spend
2023-2024	\$147,267,735**
2022-2023	\$93,295,414*
2021-2022	\$85,143,574
2020-2021	\$76,219,535
2019-2020	\$81,249,807
Average	\$96,635,267

*This figure was reported to the 17 August 2023 Ordinary Council meeting as \$92,449,413 as a preliminary result.

**This is a preliminary figure waiting on end of year transactions to be completed.

Expenditure in the general course of business is impacted by the phasing of significant multi-year projects, for example, when the project is in the planning phase the level of expenditure may be less than during the construction phase and not always indicative of the amount of work completed. The 2023-2024 expenditure

includes significant amounts on the progression and finalisation of some major projects including the Ocean Drive Duplication Construction, Embankment repairs on Comboyne Road, Road Resealing Works, Sewer Pump Station Upgrades and the continuation of the construction of the Southern Arm Trunk Main.

The delivery of some projects within the 2023-2024 Operational Plan has been delayed due to impacts associated with exceptional operational challenges during the financial year. In 2023-2024 Council and the community continued to deal with the impacts of significant weather events, requiring the direct involvement of Council staff in operational responses to support the immediate needs of the community, as well as the reprioritisation of resources to remediation projects.

National and global events have led to significant cost escalations, economic volatility, rising interest rates and pressures on supply chain, resourcing and contractor availability.

Despite some of the challenging circumstances during 2023-2024, the expenditure figures confirm that Council still delivered a record amount of works.

The following table illustrates the level of carry-over in relation to the total budget for the last 5 years. The Revised Budget at 30 June is the final budget for the year, which includes any carry-overs from the previous year and budget adjustments throughout the year. Some of these carry-over projects listed in the attached are capital whilst others are operational. This expenditure is in addition to recurrent operational expenditure incurred in delivering services to the community.

Year	Original Budget	Revised Budget at 30 June	Q4 Carry-over	%of Revised budget
2023-2024	\$193,095,864	\$207,190,215	\$11,308,541	5%
2022-2023	\$146,655,199	\$147,661,110	\$21,660,045	15%
2021-2022	\$78,473,294	\$103,500,764	\$18,030,536	17%
2020-2021	\$95,952,777	\$86,475,993	\$8,931,712	10%
2019-2020	\$97,885,485	\$96,439,460	\$11,307,655	12%

Discussion

It is normal practice for Councils to carry forward some project budgets from the previous financial year to enable their completion in the following financial year. Some factors such as weather impacts, new grant funding meaning a reprioritisation of resources, or third-party impacts are beyond Councils’ control. As noted above the delivery of projects in 2023-2024 has been significantly impacted by some particularly significant events such as weather and global cost pressures, including their impacts on resourcing and supply chains.

Attached to this report is a full listing of projects that were partially completed in 2023-2024 and need to have budget amounts carried over to facilitate completion in 2024-2025. The carry-over value from 2023-2024 is \$11,308,541 and is broken down into the following deferral categories:



Deferral Category	Total
Awaiting Tender	112,525
Grant Funded Project	1,555,000
Grant not Received	150,000
Multi-Year Project	5,952,804
Operational considerations	3,474,212
Weather	64,000
Grand Total	11,308,541

The carry-over can also be broken down by Fund and Section as follows:

As noted above, there are a number of reasons why project budgets need to be carried over into the next financial year. Some of these reasons are summarised as follows:

Amount to Be Carried Over		
Fund	Section	Total
General Fund	Aquatic Facilities	60,500
	Drainage	289,595
	Financial Services	55,000
	Human Resources	45,000
	Natural Resources	116,822
	Parks & Recreation	182,503
	Strategic Planning	10,000
	Transformation	105,476
	Transport and Traffic	4,528,495
General Fund Total		5,393,391
Water Fund	Water Supply	1,991,031
Water Fund Total		1,991,031
Sewer Fund	Sewerage Services	3,821,381
Sewer Fund Total		3,821,381
Waste Fund	Waste Disposal	102,739
Waste Fund Total		102,739
Grand Total		11,308,541

Grant Funded Projects

If a project is subject to grant conditions, Council is obliged to carry-over any unspent funds for the purposes of completing the project. If all of the grant funding is not required, then Council is generally required to repay the unspent grant funds. Delays in grant projects can be caused by delays in grant confirmations from the relevant grant funding authority. The table below represents the funding composition of the carry-over projects, with grant funding representing 33% of the total.

Funding Source	Amount	%
Grants	3,780,283.67	33%
Loans	566,487.56	5%
Reserves	6,942,969.86	61%
S7.11	18,800.14	0.2%
Grand Total	11,308,541	100%

Operational Considerations

Many operational considerations impact on Council’s ability to deliver projects as scheduled. Such considerations can include weather impacts, disaster events, competing projects which may divert resources away from scheduled delivery, resourcing implications (e.g. unplanned staff absences and vacancies), third party impacts beyond the control of Council (e.g. project partners) and market forces (e.g. availability and cost of materials/contractors). Approximately 26% of the carry-over amount is due to operational constraints, such as weather, resourcing, (Including contractor availability) and supply chain issues.

Not completing a project which has already commenced may expose Council to a range of risks including those in the areas of service delivery, public safety, political, reputational, legal and financial.

Budget Development Timeframes

The Council budget each year commences development in the September - October period prior to the financial year to which it relates. It is often difficult to estimate so far in advance what impact any of the above operational considerations may have on project delivery.

Multi-Year Projects

Major projects will generally span financial years. End of financial year budget variances associated with these types of projects do not necessarily reflect under or overspends and are dependent on many factors. Projects are broken up into separable portions for example planning, design, construction and budgeted as such. Sometimes projects will progress through these stages faster or slower than others, affecting the year-on-year variance, but having no effect on the overall project budget or performance.

The budget for the financial year reflects the financial commitment of the Delivery Plan and is based on the best information available at the time. Estimating the split



by year can be difficult given the budget timeframes as previously mentioned, and these may shift as the project progresses. The projects that are considered multi-year projects are outlined in the attachment to this report.

Future considerations

Council remains committed to ensuring that, where appropriate, improvements to processes and practices are achieved.

Phased capital budgets have been included in the budget for a number of years now. Regular monitoring through the phasing of capital budgets assists in the early detection and management of potential carry-overs during the current year.

It should be noted that whilst ongoing improvements will continue to be made to the budget process with a view to reducing the quantum of carry-overs, some level of carry-over should still be expected for the reasons outlined in this report.

Options

Council has the option of approving the carry-overs in total, in part, or not approving them at all. If no carry-over projects are approved, the projects that are currently partially completed would not be able to be finalised and any grant funding currently available for projects would be required to be returned to the relevant funding body. As outlined in the body of the report, other risks may exist by not approving various carry-over budgets.

Community Engagement and Internal Consultation

Consultation has taken place with all divisions of Council.


Planning and Policy Implications

There are no direct policy implications as a result of this report, however the 2024-2025 Operational Plan will need to be amended to include the approved carry-over projects to be completed this financial year. There may be a subsequent impact on delivery of the 2024-2025 Operational Plan and this will be monitored via the monthly budget review process.

Financial and Economic Implications

The attached report outlines the carry-over projects and the amount of the carry-over for each project. By carrying over the remaining budgets for these projects, funding will be available in 2024-2025 to undertake the works remaining on these projects.

Attachments

1.  Proposed Carry-Overs from 2023-2024 to 2024-2025

Item: 10.16

Subject: INVESTMENTS AND LOANS - JULY 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 July 2024.

Executive Summary

- All of Council's investments are in accordance with section 625 of the Local Government Act 1993 and Council's Investment Policy.
- Council's investment portfolio met compliance requirements for the month of July and year-to-date (YTD) investment income (\$1,097,069) exceeded the YTD budget (\$926,159).
- YTD Investment portfolio performance is 0.08% below the benchmark (the AusBond Bank Bill Index). This is due to a significant portion of Council's investments being purchased while the Reserve Bank of Australia's cash rate was at a record low between March 2020 and May 2022 and attracting lower rates than currently available.
- 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.

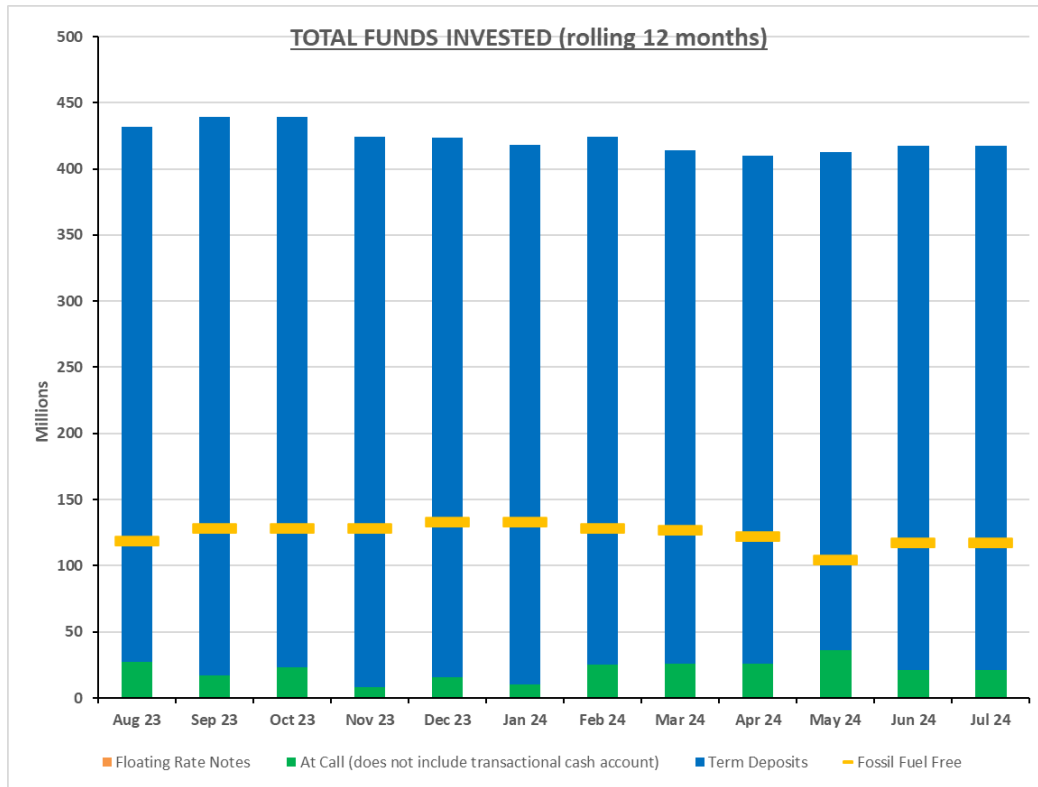
Discussion

This report provides details of Council's investment and loan portfolios. Attachments 1 and 2 have been prepared by Arlo Advisory and provide detailed information on the performance of Council's investment portfolio for July 2024.

Investment Portfolio

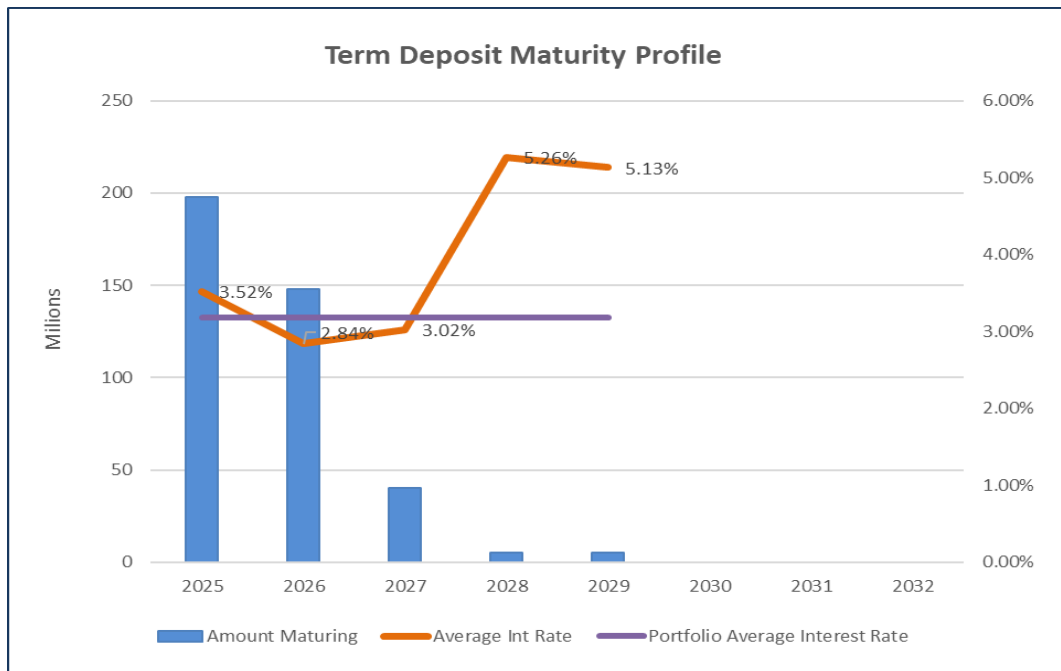
As of 30 July 2024, Council's investments totalled \$417,446,338. No investment activity occurred during the month of July.

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



The maturity profile of investments (excluding the cash management account which is at call) is illustrated below and shows that maturities are well balanced across the next 3 to 5 years in accordance with Council’s Investment Policy.

The average interest rate of maturities in 2024-25 reflects longer-term investments prior to the interest rate decline during the COVID-19 pandemic. From next year, the average interest rate of maturities falls, reflecting the maturation of investments purchased during the record low period of interest rates between March 2020 and May 2022. Moving forward, Council will benefit from higher interest rates if re-investing maturing investments.



The following table shows Council’s investment portfolio by fund.

Fund	Balance (\$)	Notes
General Fund	161,731,235	1
Waste Fund	31,316,824	2
Water Fund	163,067,063	2
Sewer Fund	61,331,216	2
Total	417,446,338	

Much of Council’s investments relate to the restricted Water and Sewer funds or funds held for specific purposes. Capital investments are cyclical, and it is normal for restricted assets to accumulate at times to fund significant projects over time.

The 2024-2025 Long-Term Financial Plan shows how restricted assets will be used to fund projects and services over the period from 2024-2025 to 2033-2034. It shows the planned capital Works Program over that period exceeds Council’s current investments, with key points to note including:

- Around 83% of current Water Fund investments are allocated to just the Cowarra Water Treatment Plant (\$125m) and the Kew and Bonny Hills Reservoirs (\$11m).
- Around 88% of current Sewer Fund investments are allocated to just the Kew Sewer Treatment Plant Upgrade (\$35m) and Thrumster Sewerage Treatment Plant (\$19m) alone.
- General Fund investments are almost completely allocated as follows:
 - Around \$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.
 - Around \$59m are grants for specific projects to be spent in 2024 and 2025, including for Ocean Drive (\$16.6m) and Maria River (\$10.6m).

- o Remaining reserves (circa 15% of General Fund investments) 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.
- o This leaves around \$2.8m of General Fund investments which Council has discretion over for core operational purposes.

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

Financial institutions funding fossil fuels	Purchases since 01/07/24 (\$)	Purchases since 01/07/24 (%)	Amount invested at 30/07/24 (\$)	Amount invested at 30/07/24 (%)
Yes	0	0%	300,446,338	72%
No	0	0%	117,000,000	28%
	0		417,446,338	

Further commentary on fossil fuel investments is provided by Arlo Advisory in the attached Monthly Investment Report ([Attachment 1](#)).
When investing, Council seeks multiple quotes from a range of financial institutions across the ratings spectrum. Where a bank is not lending to the fossil fuel industry, is offering the highest rate, and complies with the various Policy risk limits, Council preferences that bank, in accordance with the Investment Policy.

Interest on Investments

The following table shows the interest returns as of 30 July 2024 for 2024-25 and the portfolio performance against benchmark (bank bill Index).

Item	Performance
Interest for the Month (\$)	1,097,069
Interest YTD (\$)	1,097,069
% of Annual Budget Rec'd	10%
Portfolio Performance FYTD Actual (%)	0.27%
AusBond Bank Bill Index FYTD Actual (%)	0.35%
Performance Compared to Bank Bill Index (%)	-0.08%

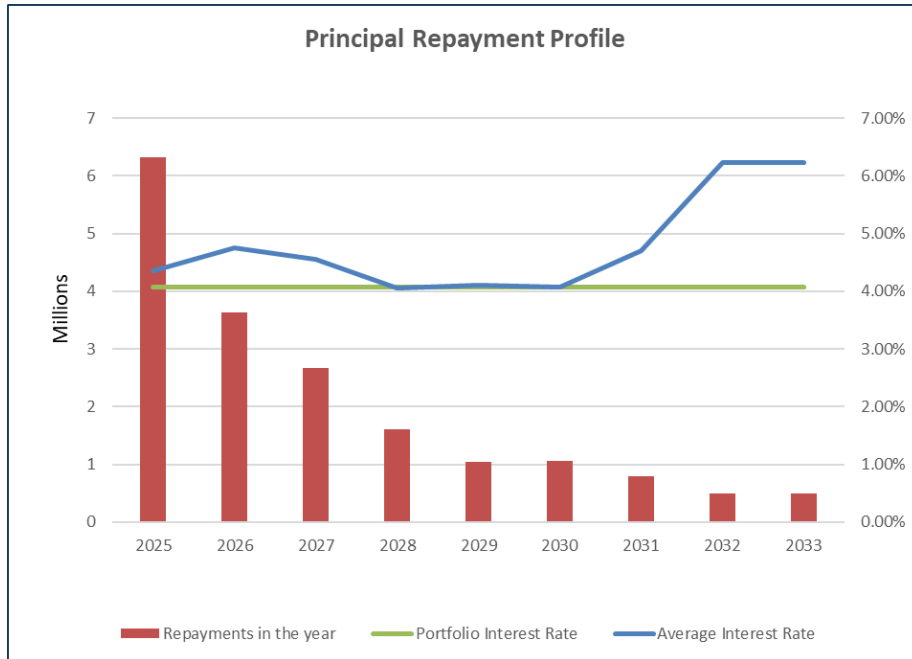
Loan Portfolio

Below are details of Council’s current loan balances and interest expense for July.

Fund	Amount Borrowed	Outstanding Balance	Weighted Average Interest Rate	Accrued Interest for Month	Remaining Repayments FYTD
General	66,144,755	17,772,573	4.55%	68,691	6,868,097
Waste	1,500,000	342,342	3.44%	1,000	178,582
Total	67,644,755	18,114,915		69,691	7,046,679

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

The maturity profile of the loans portfolio is shown below, providing details of when outstanding loan balances will be paid down, including the average interest rate payable. Additional detail on the loan portfolio is provided in Attachment 3.



Summary - Net Position Investments and Loans

Interest Analysis for the Month	
Investment Interest Income	1,097,069
Loan Interest Expense	(69,691)
Net Interest Income for the Month	1,027,378
Investments Vs Borrowings	
Total Current Investment Balance	417,446,338
Total Current Loan Balance	(18,114,915)
Net Position	399,331,423

As interest rates rise, Council can invest funds at higher rates, currently locking in rates in the vicinity of 5.30%. 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 YTD basis. Returns are currently marginally below benchmark.

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 - 30 July 2024
2.  Port Macquarie Hastings Council Portfolio Valuation - 30 July 2024
3.  Port Macquarie Hastings Council Loan Repayments - 2024-2025

Item: 10.17

Subject: MONTHLY BUDGET REVIEW - JULY 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 July 2024 Adjustments section of the Monthly Budget Review – July 2024 report and associated attachment.**
- 2. Amend the 2024-2025 Operational Plan to include all budget adjustments approved in this report.**

Executive Summary

This report details monthly budget adjustments recommended for the month of July 2024. The Council-adopted 2024-2025 budget position at the commencement of the financial year was a balanced budget. The budget adjustments contained in this report maintain this position and forecast a balanced budget as at the end of July 2024. This is outlined in the table below.

Monthly Budget Review Summary

Original Budget as at 1 July 2024	Balanced	\$0
<i>Plus adjustments:</i>		
July Review	Balanced	\$0
Forecast Budget Position for 30 June 2025	Balanced	\$0

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 2024-2025 budget position along with any proposed movement of funds.

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

July 2024 Adjustments

The commentary below is to be read in conjunction with the “Forecast Budget Statement for the Year Ended 30 June 2025” on page 3 of this report. Further details on individual transactions are provided in Attachment 1: July 2024 Budget Review.

Grants and Contributions totalling -\$130k was recognised during the month of July. These include grants for the Roads to Recovery Program (\$-449k), Hastings River Hybrid Living Shoreline Project (\$50k), School Holiday Breaks Winter & Spring (\$13k), Road Safety Program (\$21k), Regional Roads Block Grant (\$35k) and Water Quality Improvement Strategy project (\$200k).

A budget adjustment was also recognised during the month relating to a resolution of a Council meeting on 18 July 2024: General Waste Red Bin Rubbish Collection Over Summer (\$140k).

Budget Variance Requests were approved by the Executive during the month for the Road Resurfacing Program (\$1,464k), Gordon and Horton Street Intersection Signalisation (\$761k), Hastings River Flood Study Update (\$24k), Traffic Modelling at Fernbank Creek, Sancrox & Thrumster (\$50k) and the Tacking Point Accessible Walkway (\$150k).

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

2023-2024 Works Program Finalisation

Projects that require carryovers for works not complete at the end of 2023-2024 can be found in the report “2023-2024 Carry-over Projects” which is also included in the agenda of this report.

As part of the finalisation of the 2023-2024 Works Program funding, a number of projects have been identified that were ahead of schedule, with work being completed earlier than anticipated. As such the approved funding for these works has been pulled forward to the 2023-2024 financial year from the current year and the 2024-2025 budget adjusted accordingly. Details are provided in the attachment.

Forecast Budget Statement for the Year Ended 30 June 2025

	2024-25 Original Budget ‘\$000	Current Month Adj ‘\$000	2024-25 Full Year Forecast ‘\$000
Operating Activities Movements			
Income from continuing operations			
Rates and Annual Charges	121,907		121,907
User Charges and Fees	48,186		48,186
Interest Received	11,114		11,114
Grants and Contributions	85,166	(130)	85,036
Other Operating Receipts	7,038		7,038
Expenses from continuing operations			
Employee Costs	(71,850)		(71,850)
Materials and Contracts	(59,571)	(340)	(59,911)
Depreciation	(59,851)		(59,851)
Interest Paid	(3,029)		(3,029)
Other Operating Payments	(20,757)		(20,757)
Loss on Disposal of Assets	(3,050)		(3,050)
Operating result from continuing operations	55,303	(470)	54,833
Restricted Asset Movements			
Transfer from Restricted Assets	105,532	134	105,666
Transfer to Restricted Assets	(62,827)		(62,827)
Net Revenues (Used in)/Provided by in Restricted Assets	42,705	134	42,839
Property, Plant and Equipment Movements			
Purchase of Assets	(205,452)	336	(205,116)
Developer Provided Assets	(8,000)		(8,000)
Net Revenues (Used in)/Provided by Property, Plant and Equipment Activity	(213,452)	336	(213,116)
Financing Activities Movements			
Proceeds from Borrowings and Advances	59,360		59,360
Repayments of Borrowings and Advances	(6,817)		(6,817)
Net Revenues (Used in)/Provided by Financing Activity	52,543	0	52,543
Net Result (Incl Depreciation)	(62,901)	0	(62,901)
Add Back: Non Cash Items	62,901		62,901
Budget Surplus/(Shortfall)	0	0	0

Note that 'Other Operating Payments' includes items such as waste levy and 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 a balanced budget.

Statement by Responsible Accounting Officer

"The adopted original budget result for 2024-2025 was a balanced budget. As at 31 July 2024 this position remains a balanced budget and this position is considered acceptable".

Attachments

1.  July 2024 Budget Review

Item: 10.18

Subject: PAYMENT OF GLASSHOUSE LOAN FROM THE SECTION 7.11 RESERVE

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 authorise the finalisation and payment of Glasshouse Loans from the Developer Contributions (General Fund) Reserve.

Executive Summary

Council receives contributions under the Port Macquarie-Hastings Community, Cultural and Emergency Services Development Contributions Plan 2005 (the Plan), which come with specific conditions imposed.

The Strategy Team has recently reviewed existing plans and analysed opportunities to expend current contribution funds before the rollover of funds into new work schedule projects in the Local Infrastructure Contributions Plan 2024.

Analysis of restricted funds through the Developer Contributions Register, has identified an opportunity to pay out the Glasshouse land acquisition and construction loans ahead of schedule using existing contributions. This is possible because the Plan schedule has specific considerations around paying for loans used for the purchase of land, project management, construction and interest on the loans for the Glasshouse.

Paying out the outstanding Glasshouse loans will result in an interest saving of around \$170,000 in 2024-2025. These savings will contribute to mitigating the financial impact of the 0.0% rate peg in 2024-2025 and help achieve Council's resolution that mitigations exclude a reduction in Community Grants.

Discussion

Developer Contributions (General Fund) Reserve

As per the Developer Contributions guidelines and legislation, Council must ensure that the use of restricted funds aligns with the original contribution's intent, generally as specified in the contributions plan under which they were levied.

The Port Macquarie-Hastings Community, Cultural and Emergency Services Development Contributions Plan 2005 provides for, among other considerations, the

construction of the Port Macquarie Glasshouse, as the Regional Cultural Centre with Council levying contributions to this end.

Glasshouse Loan Balances

Council has four loans associated with the Glasshouse with balances as at 1 July 2024 shown in the table below.

Loan	Outstanding Balance as at 1 July 2024
2005.5 - Glasshouse	290,537
2007.2 - Glasshouse	1,097,466
2007.3 - Glasshouse	2,193,311
2016.6 LR - Glasshouse	736,871
Total Balance	4,318,185

Leveraging restricted contributions to pay out Glasshouse loans early presents an opportunity to achieve savings on interest and improve cash flow in the General Fund.

Options

Council may resolve as per the recommendations of this report, amend as necessary and/or request that further information be provided.

Community Engagement and Internal Consultation

Consultation has occurred between the Strategy Team and Financial Services Group.

Planning and Policy Implications

This proposal aligns with the original intent of the respective Contributions Plan and complies with Council’s obligations in relation to Developer Contributions guidelines and legislation.

Financial and Economic Implications

Council regularly monitors its debt position and assesses opportunities and viability of debt reduction. This opportunity has been identified through this process, in conjunction with a review of Developer Contributions by the Strategy Team.

Attachments

Nil

Item: 10.19

Subject: **GLASSHOUSE BIENNIAL REPORT AND UPDATE ON
GLASSHOUSE PLAN 2020-2022 ACTIONS**

Presented by: **Business and Performance, Keith Hentschke**

Alignment with Delivery Program

1.5.3 Develop, manage and maintain Council Business Units through effective commercial management.

RECOMMENDATION

That Council:

1. **Note the information provided in the Glasshouse Biannual Report and Update on Glasshouse Plan 2020-2022 Actions report (Attachment 1 and Attachment 2).**
2. **Endorse the proposed plan for the Glasshouse Strategic Review (Attachment 3).**
3. **Adopt minor amendments to, and the extension of, the existing Glasshouse Plan 2020-2022, to 31 December 2025 (Attachments 4 and 5).**

Executive Summary

- Financial figures for the Glasshouse are based on the preliminary end-of-year results for 2023-2024 and are subject to change based on the finalisation of end-of-year processes.
- Operating income in 2023-2024 was \$231,676 or 11% higher than budgeted and 14% higher than achieved in 2022-2023.
- The increase in operating income was achieved with operating costs being only \$147,550, or 3%, more than budgeted. This was despite \$81,000 of that increase was due to significant unbudgeted maintenance costs.
- The net contribution to the Glasshouse from the General Fund (before interest and depreciation) was \$2,343,459 which is \$84,125 or 3% less than budgeted.
- Achievement against key performance indicators in the Glasshouse Plan 2020-2022 tracked well, 8 out of 10 targets being exceeded.
- Council resolved on 15 February 2024 that staff commence a strategic review of the Glasshouse. A proposed Strategic Review Plan has been prepared for endorsement by Council (Attachment 3).
- Revised strategic objectives and actions from the Glasshouse Strategic Review that are agreed by Council will be incorporated into the future Glasshouse Plan. It is therefore proposed, as an interim approach, that the existing Glasshouse Plan be extended to 31 December 2025 with only minor amendments (Attachment 4 and Attachment 5).

Discussion

Glasshouse Finances

This report and the preliminary 2023-2024 Glasshouse Financial Statements (Attachment 1) provide an update on the financial performance of the Glasshouse for the fourth quarter (1 March 2024 to 30 June 2024) and the 2023-2024 financial year.

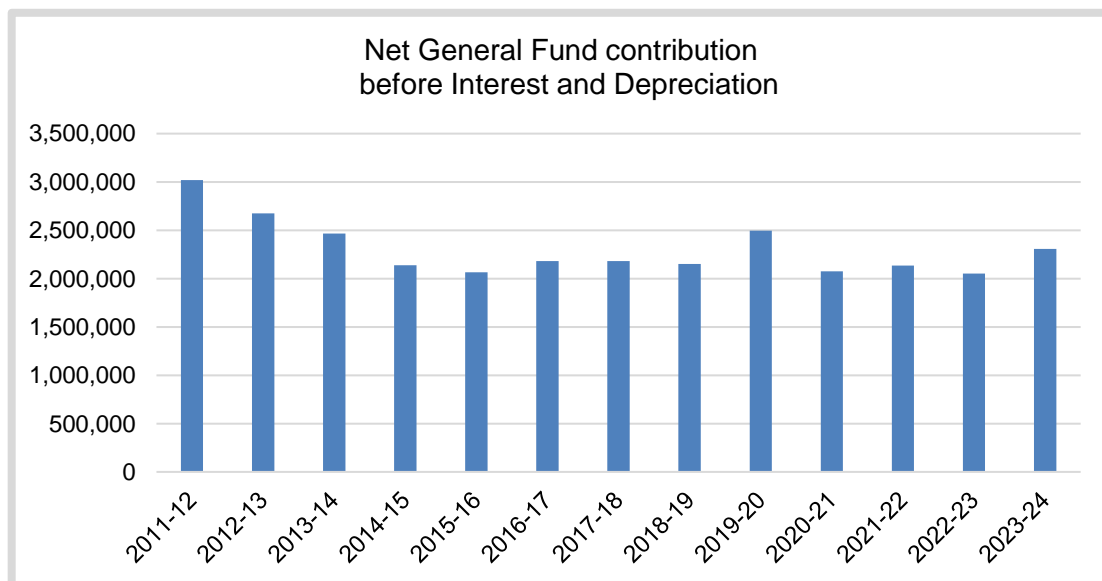
Council is currently preparing the 2023-2024 financial statements for audit, and the financials in this report are indicative until that is completed. For the purposes of this report, the annual budgeted figures for Council overheads have been used.

Operating costs in 2023-2024 were budgeted to be 5% higher than 2022-2023 due to significant increases in electricity, insurance and building maintenance costs. Despite significant unbudgeted maintenance costs, operating costs were only \$147,550 or 3% over budget. Unbudgeted maintenance in relation to damaged glass panels, lifts, air conditioning and the fire system accounted for around \$81,000 of that cost. The 11% increase in operating income was therefore achieved without a significant increase in operating costs.

Demand for entertainment and venue hire services is subject to market forces, availability of show product in the marketplace, and seasonality. Given significant cost of living pressures, the preliminary result highlights the effectiveness of the Glasshouse team to grow new business opportunities whilst managing expenditure.

The net contribution to the Glasshouse from the General Fund (before interest and depreciation) was \$2,343,459 which is \$84,125 or 3% less than budgeted. The net contribute equates to 50% of Glasshouse expenditure. By comparison, the operating deficit for the Glasshouse in 2011-2012 was \$3,020,491 which represented 75% of Glasshouse expenditure.

Net contributions to the Glasshouse from the General Fund (before interest and depreciation) between 2011-2012 and 2023-2024 is shown in the following table.



Glasshouse Capital Expenditure

Two major capital projects for the Glasshouse commenced in the third quarter of 2023-2024:

- The first project was an upgrade to the Glasshouse Regional Gallery lighting which was fully funded by a Creative Capital grant and completed in the fourth quarter of 2023-2024.
- The second is the replacement of major components for the Heating, Ventilation and Air Conditioning (HVAC) system. Stage 1 of the contract for a condition assessment report into the HVAC system is complete. The report provides recommendations for the procurement of a replacement heat pump system. A tender is being developed for the heat pump system, and the project should be completed in early 2025.

Glasshouse Loan Balances

Council has four loans associated with the Glasshouse with balances as at 1 July 2024 shown in the table below.

Loan	Outstanding Balance as at 1 July 2024
2005.5 - Glasshouse	290,537
2007.2 - Glasshouse	1,097,466
2007.3 - Glasshouse	2,193,311
2016.6 LR - Glasshouse	736,871
Total Balance	4,318,185

A separate report to this Ordinary Council Meeting recommends that Council authorise payment of Glasshouse Loans from the Developer Contributions (General Fund) Reserve. If authorised, this would result in all loans being repaid in 2024 instead of by 2027.

Glasshouse Plan 2020-2022 Actions

At the Ordinary Council Meeting on 15 July 2020, Council adopted the Glasshouse Plan 2020-2022. Progress against the key outcomes and actions identified in the plan are summarised in the attached *Update on Glasshouse Plan 2020-2022 Actions - August 2024* with some specific outcomes discussed below.

4.7 Cultural performance measure

The following table includes Key Performance Indicator (KPI) data associated with Glasshouse utilisation and occupancy rates across financial years. Eight KPIs were exceeded, while another two were within 5% of the benchmark.

Performance Indicator	2021-22	2022-23	2023-24	2023-24 Target
Visitation (Glasshouse)	86,831	151,324	174,377	>160,000
Visitation (Gallery)	22,648	19,764	38,971	>30,000
Visitation (website)	161,106	238,482	397,297	>250,000
Utilisation (%) (theatre)	25%	41%	48%	>40%
Utilisation (%) (studio)	22%	34%	34%	>35%
Utilisation (%) (meeting rooms)	18%	42%	41%	>40%
Average attendance (%) (theatre)	61%	70%	71%	>70%
Average attendance (%) (studio)	51%	82%	68%	>70%
Number of tickets processed	33,269	66,926	73,383	>70,000
Percentage of tickets sold online	48%	55%	58%	>50%

In 2023-2024, the Glasshouse delivered the following:

- 326 events
- 161 Theatre performances
- 12 Gallery exhibitions
- 145 non-performance events in the conference and meeting rooms
- 1,387 Glasshouse memberships
- 7,473 students attended Education @ Glasshouse events
- 37 new venue hire clients
- 14 community events received Council support at the Glasshouse
- 82% of ticket buyers originate from the Port Macquarie-Hastings local government area (LGA)

Good progress continues to be made against a wide range of key outcomes and specific actions in in the Glasshouse Plan 2020-2022 (Attachment 2) demonstrating continued operational performance improvement.

Strategic Review

Council resolved on 15 February 2024 to commence a Strategic Review of the Glasshouse. A Strategic Review Plan (see Attachment 3) has been prepared to set out the approach to the review, high-level inclusions and assumptions, and governance and reporting arrangements.

A two-stage review approach is proposed:

- The first stage will assess programs and performance, the wider and local cultural environment, and Council’s commitment to support arts and culture against similar venues.
- The second stage will identify cultural and commercial growth opportunities for the Glasshouse. The key product of the second stage will be a revised strategy, together with plans to develop and work towards the revised strategic objectives and growth opportunities.

A progress report to Council on the Glasshouse Strategic Review is planned for February 2025. This would be accompanied by a Councillor progress briefing on the Strategic Review before the February 2025 progress report is finalised.



Proposed changes to the Glasshouse Plan

The Glasshouse reports to Council bi-annually (in February and August) on actions and targets in the Glasshouse Plan 2020-2022. This plan is now out of date. After the outcomes of the Glasshouse Strategic Review are known, the future Glasshouse Plan will need to be reviewed and revised to align with any changed Glasshouse strategy and new actions agreed to by Council.

In the interim, minor updates to the Glasshouse Plan are recommended to ensure it reflects current operations and activities. Extending the plan until 31 December 2025 will allow the Glasshouse Strategic Review to be completed, and review outcomes to be included in future iterations of the Glasshouse Plan.

There are no major amendments or changes in overall strategic direction in the proposed amended Glasshouse Plan 2024-2025. Minor updates to content have been made, including:

- Alignment with the current PMHC Cultural Plan 2021-2025.
- Alignment with Council's Delivery Program and 2024-2025 Operational Plan.
- Updates to reflect current programs and activities.
- Inclusion of current 2024-2025 Key Performance Indicators.
- Removal of content which is no longer current e.g. COVID references.

The proposed Glasshouse Plan changes are included in the draft Glasshouse Plan 2024-2025 (Attachment 4) with changes marked up in red. For clarity, a clean copy of the Glasshouse Plan 2024-2025 is also included (Attachment 5).

Options

The preliminary 2023-2024 Glasshouse financial statements, commentary and Glasshouse Plan 2020-2022 update report are for information only.

Council may resolve as recommended to endorse the proposed plan and approach for the Glasshouse Strategic Review or may resolve to request another approach to the review, additional review content or other changes to the plan.

Council may resolve as recommended to amend the Glasshouse Plan and extend the plan to 31 December 2025, or may resolve to request other changes to the Glasshouse Plan.

Community Engagement and Internal Consultation

The information provided in this report has been reviewed by Glasshouse and Financial Services staff.






Planning and Policy Implications

This report is consistent with the key outcomes, actions and reporting requirements identified in the Council adopted Glasshouse Plan 2020-2022. The strategy and objectives of the proposed updated Glasshouse Plan 2024-2025 are consistent with the previous plan.

Financial and Economic Implications

From a financial perspective, 2023-2024 income for the Glasshouse was 11% higher than budgeted, and operating costs are 3% higher than budgeted despite significant unbudgeted maintenance expenditure. This resulted in the net contribution to the Glasshouse by the General Fund being \$84,125 better than budgeted.

Attachments

1.  Glasshouse Financial Statements - Income and Expenditure to 30 June 2024
2.  Update on Glasshouse Plan 2020-2022 Actions August 2024
3.  Glasshouse Strategic Review Plan
4.  Glasshouse Plan 2024-2025 - marked up copy
5.  Glasshouse Plan 2024-2025 - clean copy

Item: 10.20

Subject: DRAFT PROCUREMENT STRATEGY

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. Publicly exhibit the draft Procurement Strategy for a period of not less than 45 days.
2. Note that a further report will be tabled at the November 2024 Ordinary Council meeting detailing the submissions received from the public during the exhibition period.

Executive Summary

The purpose of this report is to seek Council's approval of the proposed Procurement Strategy to go on public exhibition for a period of not less than 45 days. The standard public exhibition period is 28 days however it is proposed that the exhibition period be extended to 45 days to ensure ample time for meaningful collaboration on the Procurement Strategy. This will enhance transparency and public engagement on the draft strategy. The intent of the proposed Procurement Strategy is to replace the 2016 Procurement Strategy and the Tendering Local Preference Policy.

Discussion

Local government procurement involves both internal and external aspects because it aims to balance the efficient use of public funds with the broader goal of supporting the local economy.

Council adopted the current Procurement Strategy in March 2016. The strategy concentrated on improving Council's procurement maturity, focusing on strategic procurement, best practice, system and process improvements and strong governance.

While the 2016 strategy's actions have been significantly implemented, Council's focus and strategic objectives have evolved over the last eight years. The initial outcomes were set when the Council's procurement function maturity was low. Despite the progress made with the 2016 strategy, it no longer aligns with Council's operational or organisational focus.

To continue progressing and aligning with Council's current strategic objectives, there is a need for an updated procurement strategy. The new draft strategy builds

on the foundation laid by the 2016 strategy, incorporating the lessons learned and addressing the evolved needs and maturity of the Council's procurement function.

Our procurement function improvement focuses on two key aspects: internal and external. Internally, we prioritise planning, savings, efficiencies, and compliance. Externally, we aim to support local businesses, become a trusted partner, promote sustainability, impact the community positively, and drive local economic development. Our Procurement Improvement Program targets internal enhancements, while the proposed Procurement Strategy aims to leverage procurement to bolster external benefits.

The draft Procurement Strategy focuses on supporting local businesses and strengthening our community while adhering closely to local government legislation. It's centred around supporting local businesses, fostering sustainability, promoting ethical practices, and strengthening our community. By aligning our efforts with local government legislation and focusing on deepening our community, active leadership, shaping our norms and practices, and building trust in Council, the draft Strategy aims to create a thriving, inclusive, and sustainable local economy.

The draft strategy states that a local benefits approach will apply to procurements. It proposes:

- Low value and low risks procurement, first consideration will be given to our local businesses, and
- High value and / or high risk, the 'Local Content' evaluation criteria will be applied with a minimum weighting of 5%.

The draft Procurement Rules (internal document) have further defined the application of 'Local Content' for high-value and/or high-risk procurements. Specifically, for Level 4 procurements, a minimum weighting of 5% must be allocated to the contribution of local and economic development. This means that procurement activities exceeding \$200k or deemed high-risk will have a mandatory minimum 5% weighting towards local and economic development contributions.

The intent is to support local businesses through this contribution weighting rather than by providing a notional offset to their tendered price, as was done under the existing Tendering Local Preference Policy. We intend to seek Council's approval to rescind the Tendering Local Preference Policy and replace it with the contribution of local and economic development weighting.

The benefits of this 'Local Content' approach are:

- The weighting allows for a more comprehensive assessment of a business's overall contribution to the local economy, including job creation, local sourcing, and community involvement, rather than focusing solely on price.
- It ensures that contracts are awarded based on a combination of quality, value, and economic impact, rather than just lowering the tendered price, which can sometimes lead to compromises in quality.
- The weighting for local and economic development promotes sustainable growth by encouraging businesses to invest in the local economy, leading to long-term benefits such as job creation, skill development, and local reinvestment.
- It recognises and rewards the broader economic benefits of local businesses, such as the multiplier effect, where local spending circulates within the community, boosting overall economic activity.

- The weighting ensures that contracts are awarded based on merit, encouraging all businesses, including local ones, to innovate and improve their offerings to meet the criteria.
- It incentivises businesses to engage in practices that benefit the local community, such as hiring locally, training employees, and participating in community initiatives.

A notional offset could create an uneven playing field by artificially reducing the price of local bids, potentially undermining fair competition and discouraging efficiency and innovation.

Options

1. Council has the option to not adopt the draft Procurement Strategy for exhibition.
2. Council may amend the draft Procurement Strategy prior to exhibition.

Community Engagement and Internal Consultation

The draft Procurement Strategy is planned to be publicly exhibited for a period of 45 days.

Internal consultation included the following stakeholders:

- Chief Executive Officer
- Director Business and Performance
- Director Community Infrastructure
- Director Community, Planning and Environment
- Director Community Utilities
- Executive Leader Finance and Commercial Operations
- Group Manager Procurement
- Environment & Sustainability Manager, and
- Economic Development Manager.

Planning and Policy Implications

This draft Procurement Strategy is supported by the recently adopted Procurement Policy.

Financial and Economic Implications

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

Attachments

1.  Draft Procurement Strategy 2025-2028

Item: 10.21

**Subject: DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM
PERFORMANCE**

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.3.1 Undertake transparent and efficient development assessment in accordance with relevant legislation.

RECOMMENDATION

That Council note the Development Activity and Assessment System Performance report for the fourth quarter of 2023-2024.

Executive Summary

This quarterly cyclic report provides a summary of development assessment, building certification and subdivision certification activities for the April to June 2023-2024 quarter and rounds out the financial year. Data on the number of applications and processing times, together with a commentary on development trends is provided for the information of Council.

Comparative data has also been provided from the new NSW Planning Portal 'League Table' to enable comparisons with councils across the State. The League Table has been established directly in response to the Minister's recent Statement of Expectations Order that has been issued to all NSW Councils. A copy of the letter from the Minister and the Statement of Expectations Order was tabled at the July 2024 Ordinary Council meeting (Item 07.02).

Discussion

Table 1 below provides data on the volume of applications received and determined over the fourth quarter of 2023-2024, the current year to date monthly average, relative to the monthly average of the preceding 3 years.

The monthly average number of Development Applications (DAs) received for the year to date was 64, which is down on the previous year monthly average of 83. Interestingly, planning certificates, often considered to be a lead indicator, were up on the previous year monthly average, with the current year to date monthly average of 285 certificates, compared to the previous year monthly average of 268.

On the subject of planning certificates, development services and digital technology staff reached a significant milestone in a continuous improvement project by making 30,000+ properties eligible for automated on-line planning certificates.

Up until July 2024, all certificates have had to be manually checked and issued by staff, which has taken up to a week or more to process and issue. With enhancements to Council's property data and systems, applicants who are typically solicitors and conveyancers, are now able to 'self-serve' on the spot and obtain certificates that are eligible for on-line delivery. For the remaining certificates requiring manual issue, workflows have now been established to cleanse property attribute data so as these properties can then be eligible for an on-line planning certificate for all subsequent property transactions. This means that in time all planning certificates will be able to be obtained on-line.

Construction Certificate (CC) approvals are slightly below the previous year monthly average. The year to date monthly average number of CCs issued by Council totalled 29, compared to 34 for the previous year monthly average. The year to date monthly average number of plumbing and drainage applications determined was 72, down from the previous year monthly average of 84.

The year to date monthly average number of building and plumbing inspections was 483 inspections, down from the monthly average of 515 for the previous year.

The data suggests an overall downward trend in activity from previous year monthly averages. It will be interesting to see how the beginning of the new financial year unfolds.

Table 1 - Applications Received and Determined

Applications Received and Determined	2020-21 Monthly Average	2021-22 Monthly Average	2022-23 Monthly Average	2023-24 TOTAL	2023-24 Monthly Average	Apr-24	Mag-24	Jun-24
Development Application Received	99	92	83	770	64	65	63	55
Development Application Approved	90	86	77	781	65	49	64	62
Development Application Refused/Withdrawn/Rejected	5	2	4	37	3	2	5	1
DA Modifications Received	17	16	19	160	13	9	18	15
DA Modifications Determined	16	15	17	162	14	13	13	11
Complying Development Certificates Received (Council)	9	6	4	39	3	2	2	5
Complying Development Certificates Determined (Council)	5	4	3	23	2	3	2	0
Complying Development Certificates Determined (Private Certifier)	19	27	28	234	20	26	13	11
Construction Certificates - Building Work Received (Council)	48	40	35	343	29	22	20	26
Construction Certificates - Building Work Determined (Council)	43	39	34	343	29	27	26	20
Construction Certificates - Building Work Determined (Private Certifier)	22	30	38	401	33	31	42	23
Plumbing & Drainage Received	95	81	79	856	71	54	61	58
Plumbing & Drainage Determined	87	72	84	866	72	54	73	69
Subdivision Works Certificates Received	8	9	8	21	2	2	2	1
Subdivision Works Certificates Determined	8	7	6	44	4	1	8	0
Subdivision Certificates Received	7	6	7	76	6	6	3	6
Subdivision Certificates Determined	8	7	6	75	6	3	18	1
Strata Certificates Received	1	3	2	35	3	3	5	3
Strata Certificates Determined	1	3	2	31	3	2	4	3
Roads Act Applications Received	55	49	46	533	44	54	40	41
Roads Act Applications Determined	49	45	46	459	38	31	52	21
Planning Certificates Issued	277	293	268	3414	285	255	276	274
Building Inspections Undertaken	456	426	515	5800	483	477	544	463
Planning Proposals (received)		1	0	0	0	0	0	0
Building Information Certificates (received)		5	8	41	3	3	7	0
Building Information Certificates (determined)		6	4	59	5	3	9	3

Application processing data and longer-term trends for the various application types is provided in Table 2. For DAs, monthly gross average processing times for the year to date was 77 days, being a significant improvement from the previous year monthly average of 89 days. The net monthly average time for processing DAs for the year to date was 58 days compared to the previous year net monthly average of 63 days.

The monthly net average processing days for subdivision works certificates for the quarter was 196 days compared the previous year’s monthly average of 94 days. A number of long-standing applications have been finalised over the year, negatively impacting on the average. There is also an apparent trend whereby developers are not making bond payments as timely as they were previously. This is the final step in the works certificate process to enable release of the approval and would appear to reflect the softening of market conditions and slowing of land sales.

Staff are continuing to work on the lodgement review process to improve the quality of applications being received and are actively working on more timely payment of bond monies to enable the release of those longstanding applications. Difficulties in recruiting development engineering positions has also been a factor in increased processing times. Net monthly average times for subdivision certificates for the year to date was 48 days, being an improvement of the previous year monthly average of 54 days.

Table 2 - Application Processing Times

Processing Days	PMHC	PMHC	PMHC	PMHC			
	2020 - 21 Monthly Average	2021-22 Monthly Average	2022-23 Monthly Average	2023-24 Monthly Average	Apr-24	May-24	Jun-24
Development Application Net Median Days	41	48	53	45	34	39	44
Development Application Gross Median Days	50	61	65	58	44	55	54
Development Application Net Average Days	47	54	63	58	56	49	70
Development Application Gross Average Days	68	71	89	77	71	85	95
Complying Development Net Average Days	21	20	20	29	36	75	0
Complying Development Gross Average Days	25	37	27	47	36	134	0
Building Construction Certificate Net Average Days	14	24	27	38	42	51	45
Building Construction Certificate Gross Average Days	61	72	79	95	138	82	76
Plumbing and Drainage Net Average Days	21	38	53	65	77	52	57
Plumbing & Drainage Gross Average Days	60	83	78	72	95	64	59
Subdivision Works Certificates Net Average Days	73	74	94	196	96	527	0
Subdivision Works Certificates Gross Average Days	99	116	146	373	1021	752	0
Subdivision and Strata Certificates Net Average Days	48	45	54	48	26	53	34
Subdivision and Strata Certificates Gross Average Days	94	65	60	69	74	55	35
Roads Act Net Average Days	19	21	38	54	70	59	94
Roads Act Gross Average Days	37	46	51	64	74	94	96
Single Dwelling Applications Net Average Days				45	33	42	42
Single Dwelling Applications Gross Average Days				58	35	46	53

The NSW Planning Portal now provides a council 'League Table' following release of the Minister's Statement of Expectations Order, enabling performance to be compared and monitored across NSW councils. The housing crisis in Australia has been well documented in the media in recent times. There are a myriad of factors impacting the delivery of housing, with by far the most significant factors arguably relating to finance and construction costs. Notwithstanding this, it is acknowledged that councils play an important role in facilitating the delivery of housing through the zoning of land for residential purposes and the processing of DAs. The intent of the Minister's Order is to target these aspects and improve application processing times. The Minister's Order and the League Table are available on the Department's website.

The Minister's Order is requiring councils to determine all DAs (ie not just those relating to housing) as soon as practical and whichever is the lessor of the council's previous financial year average, or an average of:

- 115 days from lodgement, from 1 July 2024 to 30 June 2025.
- 105 days from lodgement, from 1 July 2025 to 30 June 2026.
- 95 days from lodgement, from 1 July 2026 to 30 June 2027.
- 85 days from lodgement, from 1 July 2027 onwards.

It appears that PMHC is significantly disadvantaged by the performance metrics as the 2023-2024 average number of DA processing days for Council was 77, as published on the Department's League Table. The Order would therefore require Council to exceed the previous financial year average, year on year, which is already significantly better than the Minister's ultimate 85-day benchmark for 2027. The metrics therefore appear to benefit those poorer performing councils who perhaps haven't yet realised business improvement potential.

Continuous improvement year on year is certainly something Council's development assessment staff strive for; however, it is not considered to be always realistic given:

1. The variability of the market. Council has no control over the type or volume of DAs received.
2. There is a severe shortage of building surveyors, development engineers and planners across the state. Recent recruitment campaigns have proven to be very difficult. Replacing positions and/or gearing up with additional resources to achieve a year-on-year improvement would be problematic, take considerable time and potentially be unachievable.
3. Council has already introduced a significant number of development assessment business improvements, such as:
 - a. Not requiring single storey dwellings and additions that comply with Council's Development Control Plan to be notified. This provides significant savings in assessment time.
 - b. Standardised DA assessment and consent templates.
 - c. Working on improvements to internal specialist referrals.
 - d. Select officers focused on the more routine DAs to enable expedited assessment for simpler DAs.
 - e. Assistant building surveyor program introduced to contribute to succession planning within the development assessment team and meet the short fall in the availability of building surveys in the industry.

4. The increasing complexities with the development assessment process. The State should arguably be focusing on reviewing *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) to make complying development for residential development simpler. The whole intent of the Codes SEPP is to enable routine development to go through a streamlined assessment process with Council or a private certifier. PMHC's experience with the Codes SEPP is that is becoming increasingly complex, leading to residential development being diverted to the DA pathway instead of the intended streamlined Codes SEPP pathway which adds time to the assessment process.
5. The Planning Portal has proven to be administratively cumbersome, adding significant processing times and extremely costly from a staff resource and digital technology point of view.

Staff will continue to investigate business improvements (which is in itself business as usual) however, such improvements are really only going to provide 'tweaks' to the system and not likely to result in any drastic improvement to overall average DA processing times.

In addition to the above comments, it is noted that the performance metrics outlined in the Order relate to all DAs and are not specific to new dwellings, representing an apparent flaw in the scheme, understood to be focused on housing supply. There are residential performance metrics within the League Table however, this is not recognised in the Minister's Order. The residential metrics also appear to capture all residential development types (including alterations and additions etc.) and don't provide data on the actual number of new dwellings being approved. Accordingly, councils could arguably focus on improving the processing times for minor DAs for sheds, fences, swimming pools etc., to bring the overall DA processing average down. This would have no impact in speeding up the delivery of new housing, yet the performance metrics would be more easily satisfied. Whilst Council staff are not advocating for such an approach to be taken, it does raise questions with the scheme.

There are additional requirements contained within the Order relating to lodgement times, which is effectively the time to progress an application through the NSW Planning Portal from the applicant's initial submission to the payment of fees and formal 'lodgement'. The order is requiring this process to be undertaken within in an average of 14 days from 1 July 2024 to 30 June 2025 and an average of 7 days from 1 July 2025 to 30 June 2026. The current average lodgement days for Regional NSW Councils is 21 days. This lodgement process is typically a period where Council affords time for proponents to provide missing information as opposed to rejecting applications outright. The payment of fees is also highly variable and outside the control of Council. The lodgement metric is therefore difficult to consider as one that reflects the performance of Council.

Within the League Table, Council has been grouped with Regional NSW councils. The average processing time for DAs across all Regional NSW councils for the 2023-2024 year was 100 days. Table 3 below provides a comparison of selected regional NSW councils data from the league table for the 2023-2024 average.

Table 3 - Regional NSW Council Application Performance Data from Planning Portal

Council Name	Average Lodgement Days	Average DA Assessment Days	Number of DAs	Total development costs
Regional NSW Council average	21	100		
Minister's Order 2024-2025	14	115 (or better than previous financial year)		
Port Macquarie-Hastings	19	77 (72 days for residential DAs)	797	\$358,726,152 (\$270,383,208 for residential DAs)
Coffs Harbour	20	95	722	\$258,458,692
Mid Coast	25	88	1001	\$356,279,599
Kempsey	33	108	221	\$136,271,077
Nambucca	7	37	267	\$79,987,889
Ballina	44	183	363	\$159,509,332
Byron	23	159	354	\$268,868,702
Tweed	31	189	639	\$249,291,372

Table 4 below illustrates the total value of works approved for the quarter compared to the preceding 3 years. As evidenced in the data, the value of works is down on the previous year, largely corresponding with the reduction in application numbers compared to the previous year. Note the discrepancy with the values in the Department's League Table above appears to relate to applications that have been lodged over the financial year as opposed to Council's figures below that capture applications determined over the financial year.

Table 4 - Value of Works

Estimated value of works for LGA	Total 2020 - 2021	Total 2021 - 2022	Total 2022 - 2023	Total 2023 - 2024	Apr-24	May-24	Jun-24
Development Applications	\$290,362,833	\$426,495,205	\$498,575,614	\$406,878,312	\$17,289,379	\$15,540,947	\$29,375,158
Complying Development	\$53,333,062	\$61,691,010	\$73,141,331	\$47,242,521	\$3,160,484	\$4,281,152	\$494,969
Monthly Total	\$343,695,895	\$488,186,215	\$571,716,945	\$454,120,833	\$20,449,863	\$19,822,099	\$29,870,127

Options

This is an information report.

Community Engagement and Internal Consultation

Development assessment statistics are discussed internally as the key indicator of system performance.

Planning and Policy Implications

There are no planning or policy impacts.

Financial and Economic Implications

There are a variety of potential financial and economic implications, depending on the approach Council takes in response to the Minister's Order.

Additional resourcing would come at additional cost and will not necessarily be offset by revenue, particularly noting that development activity is slightly down on previous years and a plateauing effect is likely for a period of time. The general fund would likely be directly impacted if Council was to bolster development assessment resourcing. This financial impact would therefore be likely to directly correspond to whatever additional resourcing level was pursued.

On a positive note, the Minister has indicated that satisfying the milestones of the Order will lead to the potential for councils to access a pool of \$200 million for local infrastructure projects. There are no details on the criteria for the grant scheme at this stage. It could be viewed that the additional resourcing would be offset by the provision of additional local infrastructure for the community, however the bottom line for the general fund would still be impacted. This would also be considered to be a relatively risky approach given that at the time of writing there are no details on the grant scheme.

At this point in time it is proposed to continue to monitor Council's performance on the Department's 'League Table' and provide quarterly updates to Council. Management will engage with the Department on any requests/opportunities as required and when details on the grant scheme are made available.

Attachments

Nil

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: NOTICE OF MOTION - HOMELESSNESS AND DISADVANTAGED PERSONS

Councillor Lauren Edwards has given notice of her intention to move the following motion:

RECOMMENDATION

That Council:

1. **Note that staff have confirmed that one of the buildings at Lot 23 DP 1129456 143 Gordon Street, formally referred to as “The Hub” is owned by Port Macquarie-Hastings Council and is currently vacant.**
2. **Note that staff have confirmed that the other building; a dwelling located at 143 Gordon Street, is currently occupied/leased as a dwelling.**
3. **Note that staff have confirmed that the subject land is zoned E1 Local Centre in accordance with the Port Macquarie-Hastings Council Local Environmental Plan.**
4. **Note that staff have confirmed that the Objectives of the E1 zoning are as follows:**
 - **To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.**
 - **To encourage investment in local commercial development that generates employment opportunities and economic growth.**
 - **To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council’s strategic planning for residential development in the area.**
 - **To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.**
 - **To provide a focal point for the neighbourhood community.**
5. **Note that staff have confirmed that in accordance with the Port Macquarie-Hastings LEP, the uses permitted with development consent in the E1 zone include:**
Amusement centres; Artisan food and drink industries; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Any other development not specified in item 2 or 4 (of the LEP Clause)
6. **Request the Chief Executive Officer provide a report to the November 2024 Ordinary Council meeting that details the following:**
 - **The proposed future use of the currently vacant building 143 Gordon Street**

- **The options for use of 143 Gordon Street that could support the work of the Homelessness Interagency Services**
- **The process and costs involved in establishing a use of the building that could support the work of the Homelessness Interagency Services.**
- **Request the Chief Executive Officer to pause all activities in respect of leasing of 143 Gordon Street until Council has had time to consider the report at the November 2024 Ordinary Council meeting.**

Comments by Councillor Edwards

Many current Councillors for the Port Macquarie-Hastings have stated that they wish to do more to address the ever-increasing numbers of people experiencing homelessness and disadvantage within our Local Government Area.

The housing crisis has led to what is now widely recognised as a homelessness crisis and there is a current petition seeking that the State Government officially recognises this too: LEGISLATIVE ASSEMBLY - Signing ePetition - Declaring a State of Emergency for Homelessness in NSW

I seek the support of my fellow Councillors to receive a report to the future Council for consideration.

Further:

Council has a Community Inclusion Plan and the Council's Community Strategic Plan, page 21 under the heading of Resilient shares that our community said some of what they want is:

"the region to be a place that is inclusive of people regardless of age, gender and cultural background, occupation or level of income" to have "support services for the elderly and disadvantaged groups" and to, respond effectively and positively to crises.

Some of the Resilient objectives are:

"We are a welcoming, safe and inclusive community that nurtures healthy minds and bodies"

"Our neighbourhoods inspire social interaction and support community wellbeing"

Many of the Community Plans for our Towns and Villages echo these sentiments.

Attachments

Nil

Item: 11.02

Subject: QUESTION WITH NOTICE - ASSET MANAGEMENT

Presented by: Business and Performance, Keith Hentschke

RECOMMENDATION

That Council's Chief Executive Officer please advise to the 15 August 2024 Ordinary Council meeting to what extent is the attached example of an Asset Management Plan from the Queanbeyan-Palerang NSW Council consistent with or deviating from the definition, content type and function to the draft Asset Management Plans that Port Macquarie-Hastings Council is currently working to produce for all 12 of its Asset Classes.

Comments by Councillor Edwards

I believe that many from among us Port Macquarie-Hastings Councillors have been eagerly awaiting the draft Asset Management Plans. During this term we have pursued the Asset Management Framework, delivered through external expertise and we now look forward to seeing and understanding how this information will be delivered for transparency and for the benefit of Councillors and the community alike.

Attachments

1.  Parks and Recreation Asset Management Plan

Item: 11.03

Subject: QUESTION WITH NOTICE - KOALA STRATEGY MAPPING

Presented by: Business and Performance, Keith Hentschke

RECOMMENDATION

That Council's Chief Executive Officer please advise to the 15 August 2024 Ordinary Council what progress to date has been made on the Koala Mapping project that is set to be undertaken with the NSW Koala Strategy funding of \$300,000, including any reasons for lack of any progress and the currently expected time of completion.

Comments by Councillor Edwards

Port Macquarie-Hastings Council received the first half, \$150,000 of NSW Koala Strategy mapping funding in December of 2023 with the final \$150,000 following by the financial year end 30 June 2024.

The Port Macquarie-Hastings is one of the vitally important Koala ARKs (Area of Regional Koala Significance) in NSW and was identified as a population for immediate investment in the NSW Koala Strategy 2022. The Port Macquarie-Hastings Koala population is considered a stronghold location and with a regional partnership status.

Our neighbours to the North of us at Coffs Harbour City Council, recognised as a stronghold location but not having a regional partnership, and Mid Coast Council to our South, who are not even recognised as a stronghold location, have already completed their mapping using the NSW Koala Strategy funding.

It is important that we understand if there are any barriers to progressing this important strategic mapping project for our LGA and to know when our community can look forward to having this important data on, and for the benefit of, our local Koala populations.

Attachments

Nil

Item: 11.04

Subject: CENTRAL BUSINESS DISTRICT (CBD) MAINTENANCE

Presented by: Community Infrastructure, Robert Fish

Alignment with Delivery Program

2.3.3 Develop and implement management of operational and maintenance programs for open space, recreational and community facilities.

RECOMMENDATION

That Council:

1. Note the information in this report with respect to changes to maintenance services within the Port Macquarie Central Business District (CBD) following the removal of the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Business Rate.
2. Note that existing maintenance services within the Wauchope and Laurieton CBD areas shall continue at levels previously undertaken.

Executive Summary

At the February 2024 Ordinary Meeting Council considered a report on the 'Impacts and Options in Relation to the Abolition of the Town Centre Master Plan Component of the Port Macquarie CBD Ordinary Business Rate'. As part of the consideration of this item, Council resolved to request a report be brought back to Council in August 2024 advising on how Council will maintain the Port Macquarie, Wauchope and Laurieton CBDs into the future, including any options for fair and equitable resourcing. The purpose of this report is to advise Council on this request.

The recent decision to remove the remaining TCMP (Town Centre Management Plan) component of the Port Macquarie CBD Business Rate will necessitate a shift in maintenance strategy as remaining funds in the TCMP Reserve are drawn down and exhausted. Without the funding that previously supported an ongoing comprehensive planned maintenance schedule, there is a need to transition to a more reactive approach, similar to what has been applied in Wauchope and Laurieton CBD areas.

Discussion

Background Information

At the February 2024 Ordinary Meeting of Council, Council resolved the following:

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.*

The purpose of this report is to report back to Council with respect to part 4 of this resolution.

Further to the February 2024 Ordinary Meeting, Council subsequently resolved at the June 2024 Ordinary Meeting as part of the consideration of the '2024-2025 Operational Plan - Results of Public Exhibition' agenda item to remove the Town Centre Master Plan (TCMP) component of the Port Macquarie CBD Business Rate without redistribution.

Within the February 2024 Ordinary Council Meeting report, the following advice was provided regarding the abolition of the remaining TCMP component (without redistribution) of the Port Macquarie CBD Business Rate:

'To mitigate the impact, additional maintenance works currently funded by the TCMP component would be ceased, resulting in a reduction of service levels and the residual funds in the TCMP reserve would be quarantined to cover remaining repayments of the TCMP loan.'

The adoption of the 2024-2025 Operational Plan enabled continuation of the current levels of maintenance that have been provided for within the Port Macquarie CBD, via the use of the TCMP Reserve. The TCMP Reserve at the end of 2023-2024 estimate is \$1,384,669, noting this is a preliminary number and subject to finalisation of end of year processing. Continued use of the Reserve is therefore a short-term proposition without an alternative funding source once exhausted.

Port Macquarie CBD Maintenance

Maintenance within the Port Macquarie CBD historically has been provided by a combination of TCMP income from the Port Macquarie CBD Business Rate and operational maintenance budgets.

Accordingly, the recent decision to remove the remaining TCMP component of the Port Macquarie CBD Business Rate will necessitate a shift in maintenance strategy. Within maintenance planning, this report outlines the need to phase out the current higher level of maintenance provided within the Port Macquarie CBD to ensure the Reserve may be maintained as long as practicable to support higher priority maintenance activities and acknowledging that there are significant sections of footpath and paving that are increasingly becoming hazards and will require maintenance intervention or rehabilitation/replacement.

As this phasing out occurs, without the funding that previously supported a comprehensive planned maintenance schedule in the Port Macquarie CBD, there will

be a need to adopt a reactive approach like what has been applied in the Wauchope and Laurieton CBDs with the remaining operational maintenance budgets available for the Port Macquarie CBD. This will aim to ensure resourcing and standards are equitably provided across the LGA, noting and with due consideration of the Port Macquarie CBD area being a significant attraction within the LGA.

Within the below information the key planned and reactive maintenance activities that have historically been partly or fully funded by the TCMP generated income within the Port Macquarie CBD are outlined:

Planned Maintenance Activities

- Detailed Cleaning of Streetscape Furniture: Regular removal of graffiti, chewing gum, posters, and other debris to ensure aesthetic and functional integrity.
- Quarterly High-Pressure Cleaning and Sealing of Paved Areas: Intensive cleaning sessions to maintain cleanliness and prevent deterioration of public areas particularly in areas where there are high use and food service.
- Daily Street Sweeping: Routine cleaning to improve the appearance and hygiene of streets and selected paths.
- Flag and Halyard Event Replacement: Routine updates, repairs to flags and associated hardware to promote community events, seasons, and Christmas etc.
- Planned Gardening and Replanting: Scheduled horticultural maintenance efforts and plantings/tree replacement, particularly at critical intersections and entrance nodes, including at the intersection of Gordon and Horton Street at the historic cemetery, key CBD street corridors and planter boxes, to beautify the area.
- Electrical Supply Maintenance: Lighting and general power outlet proactive maintenance to ensure reliable functioning.
- Bin cleaning: Weekly bin cleaning is undertaken to improve hygiene and odour given the high level of waste generation and nature of the use.
- Bollards and Barriers: Proactive maintenance to preserve condition and repairs and replace as required.

Reactive Maintenance Activities

- Pavement/Footpath Repairs: Addressing wear, damage and hazards promptly to ensure safety and accessibility.
- Street Furniture Repairs: On-demand maintenance to address damage or degradation.
- Painting: Touch-ups and full repaints as needed to maintain visual appeal and prevent decay and open space directional and placemaking signage and line marking maintenance and renewal.
- Localised High-Pressure Cleaning: Responding to specific requests or incident reports requiring immediate attention.
- Bins: Cleaning up of bin overflow.

Additionally, the TCMP generated income previously provided for landscape architect advice, oversight and coordination of activities within the Port Macquarie CBD area. The maintenance allocation from the TCMP income also covered the ongoing Crown Licence fees associated with foreshore projects on Crown Lands, as well as the Licence fees for Council assets on Crown Lands.

As part of phasing out of the specific maintenance funding for the TCMP area, initially it is proposed to reduce banner flag maintenance and pavement pressure cleaning. Businesses within the TCMP area would need to be informed of the latter point in order to seek to promote a higher degree of business ownership of their direct frontage. It is noted that selected leased areas require the owner/tenant to clean their frontage (e.g. selected dining locations with a lease in place). Other activities would then reduce over the subsequent two years (with the depletion of the Reserve as outlined above) and then be funded at a lower standard, or in some instances ceased, by existing operational maintenance budgets for the Port Macquarie CBD and broader LGA going forward.

The resulting adoption of a more reactive maintenance approach and absorbing maintenance and renewal activities into existing operational maintenance budgets will result in key higher-level risks to assets and services. Increased renewal and refurbishment costs over time or accelerated deterioration is anticipated. Without a proactive/preventative maintenance schedule, higher expenses in the long run are likely due to the compounded effects of deferred maintenance and emergency repairs. With an expected inability to replace or refurbish, lower priority failed assets may require removal from service without replacement. A service quality decline shall also be realised. As issues are only addressed as they arise, there is a risk of a decline in the quality of community services, leading to reduced satisfaction among residents, businesses and visitors. In advising the above, it is noted that much of the TCMP area has been upgraded using designs based on the historical level of maintenance that has been funded. This includes features such as landscaping, paved areas and street furniture.

As advised, there is a need to transition to a more reactive approach similar to what has been applied in Wauchope and Laurieton CBD areas. With respect to specific assets and services, the following service impacts have been identified on exhausting of the TCMP Reserve:

- Cleaning of Streetscape Furniture - Without regular detailed cleaning and a reduction in capacity to reactively respond, deterioration of cleanliness standards is anticipated. Persistent litter, graffiti and illegal posters may also be anticipated. Selected furniture will require prioritisation for lower standards of cleaning within existing operational maintenance allocations for the Port Macquarie CBD area.
- Pavement/Footpath Cleaning - Reducing or removal of high-pressure cleaning services shall result in progressive build-up of grime and greying over time of near-white exposed aggregate pavement areas. When reactive high pressure spot cleaning occurs (due to spill, graffiti etc) the grime build up shall be more obvious further diminishing the appearance. Where of high priority, reactive cleaning will need to be performed within existing operational maintenance budgets for the Port Macquarie CBD, noting that currently this activity rarely occurs across other parts the LGA.
- Street sweeping - A reduction in service frequency and standard within the Port Macquarie CBD and the LGA generally will result as the activity is absorbed into existing operational maintenance budgets for road and open space areas. Increased presence of litter and debris will be observed on roads and paved areas, impacting the standard of appearance, and resulting in larger quantities of debris draining into the stormwater network resulting in increased blockage risks and maintenance needs.

- Footpath/Pavement Maintenance and Repairs - A minor reduction in capacity to undertake reactive maintenance and management of risk (trip hazards etc) within road and open space areas within the TCMP location and the LGA generally will result as the activity is absorbed into existing operational maintenance budgets. Standards of maintenance provided shall also be largely based on cost, with increased asphalt placement for example in place of paver treatments progressively diminishing visual appeal. It is noted that there are large areas of footpath in the Port Macquarie CBD area that currently require or need regular maintenance to address hazards. This item is further addressed in more detail below.
- Landscape Maintenance and Rejuvenation - A reduction in service generally in open space and road areas, resulting in lower standards of appearance will result within the TCMP area and more broadly across the LGA, as former TCMP area maintenance activities are absorbed into existing operational maintenance allocations for the Port Macquarie CBD area and the broader LGA. An increased rate of deterioration of town centre plant beds without renewal and Town Square planter boxes will result and a partial loss of the tropical environment and feel of the precinct may be anticipated.
- Bollards - Capacity to repair and/or replace to protect the public will be diminished. The larger bollards within the precinct are also nearing the end of their lifespan due to rotting timber. Replacement for the purposes of safety would be prioritised within existing operational maintenance allocations for the Port Macquarie CBD and broader LGA, however a lower standard of furniture may be required.
- Flag Provision and Rotation - The activity will be absorbed into existing operational allocations for the Port Macquarie CBD. Rotation of flags would be reduced due to the expense of this activity given traffic control needs. Periods of no banners being in place is anticipated, in particular as seasonal tattered banners are unable to be replaced.
- Signage Maintenance and Replacement - This activity will be absorbed into open space and road operational maintenance allocations with only a minor service impact. High cost signage within the Port Macquarie CBD area may not be replaced.
- Seat Maintenance and Refurbishment/Replacement - This activity will be absorbed into open space and road operational maintenance allocations for the Port Macquarie CBD and broader LGA. Minimal capacity exists within these allocations to provide for this activity across the LGA. Progressive deterioration may be anticipated, and replacement will be at a lower standard/aesthetic appeal.
- Crown Licence Fees - Provision of ongoing fees will need to be absorbed within existing operational budgets.
- Supporting Resourcing and Coordination - Landscape architect support, oversight of standards and overall coordination of activities within the CBD shall be diminished as there is no longer funding for this resource.

It is noted that waste collection service schedules will be unchanged, as will be the case within other CBD areas.

An ongoing issue identified relates to the paver banding across footpath/pavement and intersection areas within the Port Macquarie CBD. The maintenance requirements for this feature have proven to be particularly intensive. On transitioning to a reactive strategy, it is imperative to explore alternative materials or designs that

require less ongoing maintenance and can sustain the quality and appearance of public areas at a lower installation cost and with reduced ongoing maintenance needs. It is highlighted that any program to provide lower maintenance surfaces is unfunded, thereby occurrence of trip hazards and visual appearance can be expected to worsen as there are many areas that are due for replacement or require significant rehabilitation.

Development of a plan which captures the extent of high risk paved areas (constant trip hazard areas) that need replacing and failed paving in vehicle lanes/heavy vehicle access areas is required, including analysis of scope of works, indicative costs, replacement materials to be used and designs. This is a large undertaking and not currently resourced.

Wauchope and Laurieton CBD Areas

These locations do not have separate operational maintenance allocations. This report proposes to continue maintenance in these locations in line with current standards.

It is also noted that Council has been advised in previous reports with respect to a TCMP style business rate within these areas.

Options

The report is provided as an information report for noting.

Community Engagement and Internal Consultation

As indicated within the June 2024 Ordinary Meeting Council report on the '2024-2025 Operational Plan - Results of Public Exhibition' with respect to the TCMP, community interest in maintaining standards of maintenance within the CBD was considered to be high. With the TCMP component of the Port Macquarie CBD Business Rate no longer being collected, the community will need to appreciate there will be a progressive impact on the maintenance provided as the remaining Reserve is depleted.

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 the recommendations of this report. Any amendment to enhance maintenance would require funding allocation.

Maintenance within the Port Macquarie CBD historically has been provided by a combination of TCMP income and operational maintenance allocations. Loss of the TCMP income will largely be offset via the remaining TCMP Reserve for the next 2 to 3 years to alleviate/minimise service impacts in the Port Macquarie CBD. Income

previously collected via the Port Macquarie CBD Business Rate for the purposes of funding maintenance was of the order of \$460,000 per annum.

Implications of the removal of the TCMP were comprehensively documented within the report to the Ordinary Meeting of Council in February 2024 on the '*Impacts and Options in Relation to the Abolition of the Town Centre Master Plan Component of the Port Macquarie CBD Ordinary Business Rate*'.

Attachments

Nil

Item: 11.05

Subject: COMMUNITY GRANTS PROGRAM 2024-2025

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:

- 1. Adopt the proposed funding criteria for the 2024-2025 Community Grants Program.**
- 2. Receive a report to the July 2025 Council meeting on the outcomes of the 2024-2025 Community Grants program.**

Executive Summary

Port Macquarie Hastings Council provides grants to community organisations in accordance with Council's Policy - Providing Funding and Support to the Community (Attachment 1) and S356 of the Local Government Act NSW 1993. Providing financial assistance for community delivered projects that align to the strategic objectives identified in the Community Strategic Plan, Community Inclusion Plan, and Cultural Plan.

Following the 2024-2025 draft Operational Plan community consultation, Council resolved that a reduction in community grants would not be used to mitigate the financial impact of the 0.0% rate peg in 2024-2025 as originally recommended in the draft Operational Plan. Accordingly, a new program for community grants has now been developed as has occurred in previous years.

Following a review of past grants and some benchmarking against other Council's this report seeks Council's endorsement of the 2024-2025 Community Grants Program including the following changes:

Proposed Changes:

- 1. Increased Maximum Funding Per Recipient:** Increased maximum project funding amounts for major round grant categories to account for rising costs.
- 2. Updated Categories:** Grant categories have been updated to align with current community needs and the priorities in Council's Community Inclusion Plan and Cultural Plan.
- 3. Adjusted Application Dates:** Application dates have been adjusted to consider the September 2024 Local Government elections and financial restrictions during the caretaker period (Ref. Council Policy - Local Government Caretaker Period, Item 4.1).

The Community Grants Program provides funding for projects delivering social, cultural, or environmental outcomes within the Port Macquarie Hastings Local Government Area. It supports community-driven initiatives that contribute to a diverse, creative, resilient, and connected community, aligning with Council’s strategic plans.

Funding Available:

Category	Max. Amount 2023-2024	Max. Amount 2024-2025	Total funding available in this category
1. Community Projects	\$10,000	\$15,000	\$70,000
2. Creative Community	\$5,000	\$10,000	\$70,000
3. Community Celebrations	\$5,000	\$7,000	\$40,000
4. Micro Grants	\$2,000	\$2,000	\$20,000
TOTAL			\$200,000

Grant Categories:

- 1. Community Projects:** Projects fostering inclusive and self-determining communities, supporting initiatives that enhance community spaces, build resilience, and improve resident wellbeing through social, environmental, and cultural programs. Priority is given to programs supporting youth, seniors, people with disabilities, the homeless, and First Nations people.
- 2. Creative Community:** Projects that enhance the cultural vibrancy of the region, supporting innovative arts and cultural initiatives that involve community participation, develop cultural spaces, honour cultural heritage, support creative industries, and promote collaboration.
- 3. Community Celebrations:** Events that positively contribute to the community, primarily for residents, showcasing arts, cultural, and community benefits. Priority is given to events for Youth Week, Seniors Festival, Reconciliation Week, NAIDOC Week, Disability Inclusion, and Volunteer Week.
- 4. Micro Grants:** Provides micro grants for community capacity-building projects, small equipment purchases to enhance community facilities, civic volunteering, and hosting community events.

Eligibility and Exclusions:

- **Eligible Organisations:** Must be an incorporated association or a not-for-profit operating in the local government area. Unincorporated groups may apply under the auspice of an Eligible Organisation.
- **Eligibility Criteria:** Projects must be within the local government area, meet an objective in Council’s strategic plans, and comply with other requirements such as having an ABN and Public Liability Insurance of \$20 million.
- **Exclusions:** Existing projects, completed projects, commercial projects, insurance costs, direct requests for donations, works on private property, ongoing operational costs, and projects duplicating Council’s core business are excluded.



Key Dates:

Adjustments to the timeline are necessary due to the Local Government elections scheduled for 14 September 2024. The Caretaker Period starts on 16 August 2024, with financial restrictions in place.

- **Round 1:**
 - Opening Date: 1 September 2024
 - Closing Date: 29 September 2024
 - Council Meeting: 14 November 2024
 - Notification: One week after the Council meeting
- **Round 2:**
 - Opening Date: 2 February 2025
 - Closing Date: 22 February 2025
 - Council Meeting: March 2025
 - Notification: One week after the Council meeting
- **Micro Grants:** Determined within two weeks of receipt under delegation of the Group Manager Liveable Communities.

Options

Council may resolve as per the recommendations of this report, amend as necessary, and/or request that further information to be provided.

Community Engagement and Internal Consultation

Community feedback on the draft Operational Plan 2024-2025 supported retaining the Community Grants Program. Staff engaged with stakeholders to prioritise funding in areas of community need, aligning with strategic plans.


Planning and Policy Implications

The Community Grants Program is provided in accordance with Council's Policy Providing Funding and Support to the Community, and under Section 356 of the Local Government Act NSW 1993. Council resolved to fund a 2024-2025 Community Grants Program at the 20 June 2024 meeting under ITEM 10.09 (10).

Financial and Economic Implications

A budget of \$200,000 is required for the Community Grants program. There is no increase in funding required to implement the recommendations as proposed.

Attachments

1.  Policy - Providing Funding and Support to the Community

Item: 11.06

Subject: COMMUNITY INCLUSION PLAN - REPORT CARD 2023-2024

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.3.6 Support a range of inclusive community activities and programs.

RECOMMENDATION

That Council note the Community Inclusion Plan Report Card for 2023-2024.

Executive Summary

Our Community Inclusion Plan (2022-2025) (Attachment 1) adopted in June 2022 is Council's framework for supporting a connected, accepting, liveable, and resilient community and workforce.

The 2023-2024 program emphasised the importance of supporting diversity, cultural connection and participation across demographic groups including youth, seniors, people with disabilities, and Aboriginal communities.

The Community Inclusion Plan Report Card 2023-2024 (Attachment 2), is a summary of the key outputs from 30 June 2023 to 1 July 2024 that deliver on the objectives under the Plan which are to:

- Offer accessible events and programs to unite people.
- Encourage volunteering to strengthen community bonds and engagement.
- Provide grants to support community initiatives.
- Embrace cultural knowledge to enrich community life and belonging.
- Activate and increase the utilisation of community facilities.
- Enhance resilience through support networks, partnerships, and resources.
- Ensure opportunities for all residents to participate and contribute.
- Foster an inclusive and diverse workplace.

Discussion

We value and respect our diverse community and recognise that we have a role in promoting and facilitating active community participation and working with other levels of government and community groups to help reduce disadvantage, strengthen wellbeing, and celebrate cultural diversity in our communities.

The Community Inclusion Plan sets out our strategic objectives, and actions to develop a socially just, resilient, connected, inclusive, liveable, and engaged community - a community that respects the rights of all people and encourages self-

determination and equity. The 5 strategic outcomes in the Plan are illustrated below in Figure 1.

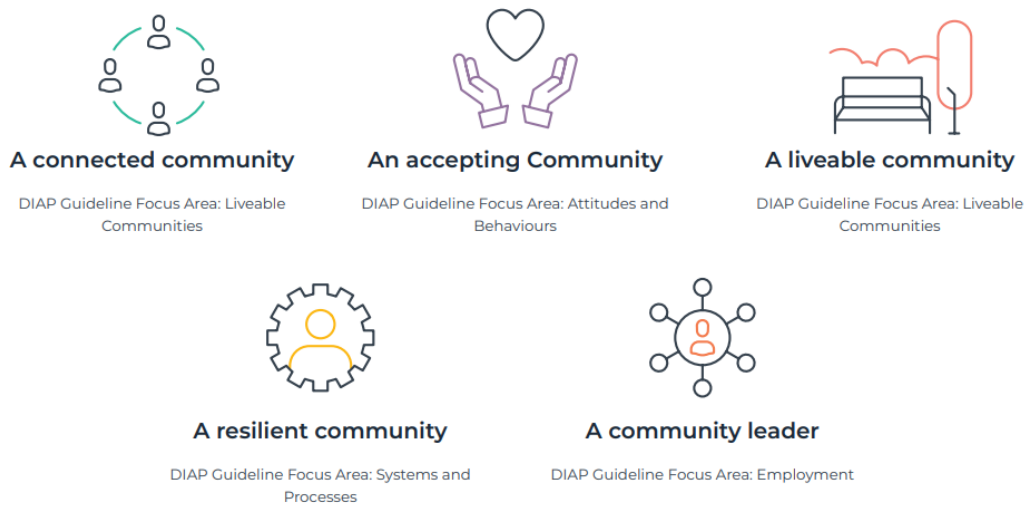


Figure 1 - Community Inclusion Plan - Strategic Outcomes.

An overview of the key events and activities in the 2023-2024 Financial Year are summarised below and detailed in the Community Inclusion Report Card 2023-2024 (Attachment 2).

In our 5 strategic focus areas we met our inclusion targets as follows.

1. CONNECTED COMMUNITY

Encourage and provide opportunities for members of the community to participate in activities to improve their quality of life.

We held 3 large whole-of-community events: Matildas screening, Christmas Fair and Artwalk. The inclusive community events were free and held at disability accessible places. Attended by 45,450 people.

Two NSW government grant funded school holiday programs for youth delivered in Spring 2023 and Autumn 2024. Attended by 617 participants. Continued support and growth of Council's volunteer management program, a re-designed community directory, and \$200,000 awarded in grants to community groups through Council's Community Grants program.

2. ACCEPTING COMMUNITY

Support opportunities which enhance social cohesion through connecting people from diverse backgrounds, building unity and reducing inequality.

Our engagements with stakeholder groups including the Hastings Youth Voice, Mid North Coast Seniors Agency, Hastings Disability Network, Council Community Action Teams, Hastings Club Grants, Headspace/EACH and Aboriginal organisations and Land Councils, helped to identify the needs in communities. Based on the feedback we received, we implemented a program that:

- Supported youth inclusion in decision-making.
- Addressed loneliness and financial barriers to participation.

- Improved infrastructure and events for people with mobility restrictions or disabilities.
- Supported volunteers, new citizens, and community leaders.
- Focused on crime prevention including a submission to a Parliamentary Inquiry on Community Safety

Examples include establishment of Port Macquarie-Hastings Council Youth Council Hastings Youth Voice and free events for youth. Multicultural harmony day showcasing the cultural diversity of the Port Macquarie Hastings. Free, disability accessible, connection events in NSW Seniors Festival, Youth Week, on Australia Day, Volunteer Week, Reconciliation Week, and NAIDOC Week. A pilot youth graffiti offenders' program with Police and Youth Justice and community safety programs.

3. LIVEABLE COMMUNITY

Create a community that has accessible facilities and offers opportunities for everyone to participate in activities.

Ongoing commitment to a graffiti management program resulting in 633 volunteer hours spent on removing graffiti from public facilities and recreation spaces. To support disability inclusion, we funded 6 disability programs through community grants. In May 2024 we formed a community reference group composed of individuals with lived disability experience. Their purpose is to provide feedback on the design of new public infrastructure, specifically focusing on community facilities, parking, and recreational assets as a priority.

Some of the new accessible capital works delivered in 2023-2024 includes 3,212m of pedestrian infrastructure. Sealing of Hamilton Green carpark, new 'everyone can play' playgrounds and improvements to existing parks such as water bottle fill stations, shelters, picnic tables and BBQs. Upgrades to lighting at 2 sporting facilities to increase use and public safety.

4. RESILIENT COMMUNITY

Create a resilient community by enabling them to respond to, withstand, and recover from adverse situations.

We held a free grant writing workshop for Aboriginal people and businesses. The aim was to help these groups enhance their application skills and improve their success in securing funding.

We delivered a 6-month agency outreach pilot program in Wauchope and Laurieton to connect those communities still recovering from disaster. Through the needs identified at these visits Council funded several welfare and social prescribing initiatives through the community grant program.

Council maintains a disaster dashboard of resources for the public on what to do before, during and after an emergency. We organised preparedness workshops in small towns and villages, one series for bushfire and the other for flood. The workshops were attended by 89 residents.

5. COMMUNITY LEADER

Lead the way in fostering a better awareness of the lived experiences of people from various cultures, backgrounds, and abilities.

Actions in this space have been focussed on growing inclusion and diversity in our workplace to position Council as an employer of choice. Activities include team building and place-making days to enhance community spaces. A staff development day to plant out the Town Beach amphitheatre embankment, staff cultural learning tours with Birpai leaders, consultations with Local Aboriginal Land Councils, and a working group for the development of Council's Reconciliation Action Plan (RAP).

We have implemented a Human Resources Information System (HRIS) which also captures data on cultural diversity in the workplace. Our initiatives include inclusive and accessible recruitment practices, an updated Flexible Working Policy, and partnerships with industry and community groups to attract employees with STEM experience and those from Aboriginal and Torres Strait Islander backgrounds. Our efforts in this strategic focus area have been recognised at the 2024 Australian HR Awards, where Council is listed as an Excellence Awardee for the Best Workplace Diversity & Inclusion Program with winners to be announced on 13 September.

Options

This in an information report presented for Council's notation.

Community Engagement and Internal Consultation

There was no consultation required for this report.



Planning and Policy Implications

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

Financial and Economic Implications

The actions in the Community Inclusion Plan are funded through Council's Operational Plan and budget and funding received from State and Federal grant programs.

Attachments

1.  Community Inclusion Plan 2022-2025
2.  Community Inclusion Plan Report Card 2023-2024

Item: 11.07

Subject: CULTURAL PLAN - REPORT CARD 2023-2024

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.5.1 Support cultural activities within the community.

RECOMMENDATION

That Council note the Cultural Plan Report Card for 2023-2024.

Executive Summary

Council's Cultural Plan identifies the overarching vision and specific goals, strategies and actions that drive and support cultural development within our region for the period 2021-2025. This report on actions achieved under the Plan for the 2023-2024 Financial Year is provided in response to part 4 of the 4 August 2021 Council resolution (Item 10.01) as below.

10.01 CULTURAL PLAN 2021 - 2025

BLOCK RESOLVED: Hawkins/Alley

That Council:

1. Note the submissions and feedback received on the draft Cultural Plan during the exhibition period;
2. Thank all those in the community who made submissions;
3. Adopt the Port Macquarie-Hastings Cultural Plan 2021-2025;
4. Request Chief Executive Office report annually commencing in August 2022, on the implementation of the Cultural Plan and evaluation of actions undertaken of the Cultural Plan.

Discussion

Programs delivered under the Cultural Plan have seen connection, collaboration and relationships with and within our local arts, heritage, cultural and creative communities strengthen. Council recognises the social and economic benefit of building a vibrant creative arts and cultural community.

The Cultural Plan has the following focus goals:

1. Build a skilled and capable creative community
2. Provide infrastructure which supports a healthy cultural economy
3. Build demand for cultural products and services
4. Ensure access to finance for cultural businesses
5. Maximise arts and cultural experiences for all sectors of our community
6. Identify and develop the cultural identity of our places (towns and villages)

7. Improve social amenity through public art
8. Build community capability and capacity to value and preserve our cultural heritage.

An overview of the key cultural programs, activities and inclusive events delivered in 2023-2024 financial year are summarised below and detailed in the Cultural Plan Report Card 2022-2023 (Attachment 1).

In the goal area of 'build a skilled and capable creative community' ArtWalk was the centrepiece. Celebrating our creative industries, the one-night event on 7 June 2024 brought vibrance, light and energy to the Port Macquarie CBD. Grassroots engagement created stronger ties with the creative and business sectors. 140 artists and performers activated businesses and public spaces, supporting the night-time economy.

A second activity was conducted to better understand the state of the arts in the LGA. The gap analysis report mapped the creative landscape via a survey on Have Your Say (47 respondents) and six in depth interviews to gain deeper insights into the opportunities and challenges facing our local creative industries.

In the goal area of 'provide infrastructure which supports a healthy cultural economy' the new amphitheatre at Town Beach was used for Pineapple - Express Yourself youth event. The event had a program curated and led by youth and was funded by a grant from the NSW Government. Held over five days in September 2023, more than 300 attended the outdoor art workshops, performances, beach activities, bands and movie night.

In the goal area of 'build demand for cultural products and services' two large public events showcased the talent of local creatives. The Christmas fair and ArtWalk events attracted more than 40,000 families, tourists, and locals to enjoy live stage performances, exhibits and markets. Schools, producers, community groups and NDIS providers contributed to the inclusive feel and making both events accessible to all abilities.

In the goal area of 'ensure access to finance for cultural businesses', Council promoted its Community Grants program to over 700 people across the creative arts community. Two rounds of the 2023-2024 Community Grants program provided access to finance to fund the following creative arts projects:

- Public art along the Beach to Beach walk
- Feel Good art exhibition
- Aboriginal cultural activities from Strong Spirit Aboriginal Services
- Singer songwriter circle Wauchope Community Arts Council
- Waste to Art program at Wauchope
- Youth performances at the Cage by ArtsMNC
- Children as Artists event at Bonny Hills

Other funded activities indirectly supporting creative industries included: disability art therapy, a dementia singing group, community movie nights, Cosplay event at the library and a winter lantern workshop for school students.

'Storytelling' is a new mural commissioned by PMHC. Painted by Aboriginal artist collective, Our Storyplace, this was the first commission for the group. Designed and

painted in collaboration, the mural conveys traditional storytelling around a fire. The mural was launched during NAIDOC Week alongside an exhibition by the same artists. The entire mural installation was recorded by a local videographer, with the footage edited into a vibrant short film projection on the Mid Pacific Hotel at ArtWalk.

In the goal area of 'maximise arts and cultural experiences for all sectors of our community' the outputs included Council's flagship event, ArtWalk as well as a smaller multicultural event, Harmony Haven in Laurieton. The boardwalk stage at ArtWalk was programmed by Wauchope Regional Arts Program, an all-abilities group.

In the goal area of 'identify and develop the cultural identity of our places, towns and villages' Council delivered a 'pocket park' event celebrating cultural diversity. Showcasing cultural dancers, food and music of our Chinese, Filipino, Indian, Thai, Ukrainian and Vietnamese communities. Held in Laurieton in October 2023, the event was attended by close to 700 people.

Parks Week was celebrated with kite making workshops in Bonny Hills and Town Green. This was a hands-on opportunity to colour, assemble and fly kites, attended by 100 people.

The new skate park in Kendall was completed in June. In a bold move, the skate park will be finished with an eye-catching and vibrant mural, painted by mid north coast mural artist INDO.

In goal area 7 'improve social amenity through public art' Council implemented the Graffiti Management Mural Program. The curated program included five large scale murals across the LGA. The program aimed to reduce the social, environmental and economic impact of graffiti vandalism, transforming sites with striking public art.

A second output under goal area 7 was a new historic courthouse projection. A short film captures the graffiti transformation project, with before and after footages as well as interviews with the artists. This was launched in March 2023.

In the final goal area 'build community capability and capacity to value and preserve our cultural heritage' A creative industries gap analysis report was prepared for the Functional Business Plan. Named 'State of the Arts', the report included an online survey and six in depth interviews with local creatives. Results from this local analysis aligned closely with a wider review of the creative industries across the mid north coast. Conducted by Patternmakers on behalf of Arts Mid North Coast, 361 respondents in our LGA contributed to the broader engagement program.

Options

This report is provided for notation.

Community Engagement and Internal Consultation

There was no consultation required for this report.

Planning and Policy Implications

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

Financial and Economic Implications

The actions in the Cultural Plan are funded through the Operational Plan and budget and through funding received from government grant programs.

Attachments

1.  Cultural Plan Report Card

Item: 11.08

Subject: RECREATION AND OPEN SPACE ACTION PLAN - POST EXHIBITION

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. Adopt the Recreation and Open Space Action Plan 2024 - 2029.**
- 2. Note the information contained within the Recreation and Open Space Action Plan Community Engagement Report - July 2024.**
- 3. Thank submitters and advise them of the outcome of Council's determination.**

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.

At the Ordinary Council meeting held on 18 April 2024 (Item 11.03), Council resolved as follows:

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*

This report provides information on the public exhibition on the Draft Recreation and Open Space Action Plan, in line with recommendation 2 above.

Discussion

At the Ordinary Council Meeting held on 18 April 2024, Council resolved to place the draft Recreation and Open Space Action Plan on public exhibition.

The plan was subsequently placed on public exhibition from Wednesday 29 May 2024 to Friday 28 June 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 1.

There was a total of 585 visits to Council's Have Your Say engagement website page during the exhibition period.

A total of 32 Have Your Say survey submissions and 1 email response was received for the draft Plan with 714 downloads of the draft Plan.

The total level of engagement is noted to be significantly higher than that of the previous engagement period of the now superseded Recreation Action Plan. Engagement levels were tracked weekly and to address a low response rate, direct emails were developed and distributed by the Spaces and Places team. Emails were sent to key sport user group contacts for each sport facility within the Port Macquarie Hastings region and the response rate increased following this action.

A summary of feedback received includes:

- Consider additional projects at Port Macquarie Regional Stadium include ball nets and an additional and upgraded canteen, BBQ facility
- Plan for the new Ocean baths
- Improve surfaces of sports fields to reduce closures - underground drainage, reshaping etc.
- Upgrades to Sporting facilities including field drainage and formalising of car parking
- Additional sporting infrastructure specifically for over 50 years age group
- Safety concerns regarding amenity buildings; need for additional change rooms and access concerns at facilities like Andrews Park
- Support for the Port Macquarie Aquatic Centre project
- Requests for toilet facilities and BBQs at Crestwood Park.
- Additional dog off leash space
- Additions to play spaces including the request for sensory equipment and equipment for young adults
- Consider the inclusion of more bike/cycle lanes and footpaths
- Plan for a new bike riding facility for the Kendall area to support mountain bike and BMX riders
- Various comments regarding the frequency of parks maintenance, specifically mowing
- Request for the Rainbow Beach Reserve Master Plan to be undertaken

The detailed responses to all submissions can be found on page 9-39 of Attachment 1.

Overall, it is clear that the community appreciate and value our open spaces and recreational facilities. The draft Recreation and Open Space Action Plan 2024-2029 was well-received, and feedback was constructive for additional inclusions. The consideration of additional active and passive recreation infrastructure is currently

being reviewed as part of the Places to Play Plan. As the Plan continues to be developed further actions and priorities may be include in future reviews of the Recreation and Open Space Action Plan.

The Port Macquarie Hastings Sports Council met on 23 July 2024 and considered the post exhibition report for the Draft Recreation and Open Space Action Plan 2024 - 2029. In response to community and sport club feedback, the Sports Council considered the inclusion of two additional sport facility upgrades into the 2024-2029 Recreation and Open Space Action Plan as short-term priority projects (proposed delivery 2024- 2026).

Location	Facility	Project Detail
Port Macquarie	Findlay Park	Field Upgrades
Wauchope and surrounds	Fairmont Garden Sporting Fields	Field Upgrades

Accordingly, the Sub-Committee resolved to recommend to Council as follows:

That Council:

1. *Note the information contained in this report.*
2. *Agree with the two additional projects to be included in the revised Recreation and Open Space Action Plan*

Minor amendments to the Plan have been made in response to community feedback and Port Macquarie Hastings Sports Council recommendation; a summary of amendments is below:

- Field upgrades for Findlay Park and Fairmont Gardens Sporting Fields
- Master Planning at Rainbow Beach Reserve
- Play Space upgrade at The Boom Reserve

At the Ordinary Council Meeting held on 20 June 2024, Council resolved to adopt the Places to Play Plan, Play Space Plan.

That Council:

1. *Adopt the Places to Play Plan, Play Spaces Plan*
2. *Note the information contained within the Places to Play Plan Community Engagement Report - March 2024*
3. *Thank submitters and advise them of the outcome of Council’s consideration.*
4. *Note that further sub plans of the Places to Play Plan will be reported to Council for consideration in 2024-2025.*

With the adoption of the Play Spaces Plan additional future upgrades of 14 play spaces are now also included in the Recreation and Open Space Action Plan 2024-2029.

A copy of the Recreation and Open Space Action Plan 2023-2028 is included as Attachment 2.

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.

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

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 or have received grant funding.

Since the development of the draft 2024-2029 Recreation and Open Space Action Plan a number of short-term priority projects have been included in the adopted 2024-2025 Operational Plan.

Projects identified for delivery from 2025-2026 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 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 the area being a great place to live.

Attachments

1.  Engagement REPORT Recreation & Open Space Action Plan 2024-2029
2.  Draft Recreation and Open Space Action Plan

Item: 11.09

Subject: LANK BAIN NAMING REQUEST - POST PUBLIC 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. Adopt the naming of the stand at Lank Bain "The Athol Lank Bain Stand"
2. Provide signage on the stand to reflect the adopted name.
3. Advise the proponent and all submitters of Council's determination.

Executive Summary

At the Ordinary Council Meeting held on 18 July 2024, Council resolved as follows:

That Council

1. *"Note the information in the report.*
2. *Endorse the proposed naming of the stand at Lank Bain as "The Athol Lank Bain Stand" for the purpose of exhibition to seek community feedback on the proposed name.*
3. *Place the naming proposal on public exhibition for a period of 14 days.*
4. *Request the Chief Executive Officer to provide a report to the August 2024 Ordinary Council meeting to consider any submissions."*

The proposal was subsequently placed on public exhibition from 19 July until 2 August 2024. During this exhibition, 2 submissions were received on the proposal.

This report provides information on the public exhibition of the proposed naming of the stand at Lank Bain as "The Athol Lank Bain Stand", in line with recommendation 3 above and recommends that Council proceed with naming the stand at Lank Bain "The Athol Lank Bain Stand".

Discussion

At the Ordinary Council Meeting held on 18 July 2024, Council resolved to place the proposed naming of the stand at Lank Bain "The Athol Lank Bain Stand" on public exhibition.

The plan was subsequently placed on public exhibition for 14 days. The public exhibition period is now complete with the outcomes of the exhibition process are

discussed below. There is an Engagement Summary Report provided for this exhibition included here as Attachment 1.

There was a total of 27 visits to Council's Have Your Say engagement website page during the exhibition period.

A total of 2 Have Your Say Poll submissions were received.

Yes or No were the two available responses. There were 2 respondents to this question, both of which answered 'yes' in support of the proposal.

The detailed responses to all submissions can be found on page 1 of Attachment 1.

Options

Council has the following options:

1. Adopt the recommendation to name the stand at Lank Bain "The Athol Lank Bain Stand" or;
2. Determine not to accede to the request for naming and take no further action or;
3. Request further information before determining the request.

This report recommends option 1.

Community Engagement and Internal Consultation

The naming proposal was placed on 14 days' public exhibition with 2 submissions being received. There is an Engagement Summary Report provided for this exhibition.

Planning and Policy Implications

While the naming request is contrary to the Naming and Renaming of Reserves Policy, in accordance with the Policy, Council may consider such a request if there are exceptional circumstances and subject to community consultation and formal resolution of Council. This proposal was placed on public exhibition for 14 days and the feedback received supported the proposal.

Financial and Economic Implications

The most recent cost estimates indicate the cost would be in the order of \$2,000 to design, supply and install the sign which is to be funded from the Mayor's Discretionary Budget.

Attachments

1.  Engagement Report - Naming of Athol Lank Bain Stand

Item: 11.10

Subject: MANAGEMENT OF PUBLIC SPACES POLICY - POST PUBLIC EXHIBITION

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.3.1 Ensure access to community facilities and activities; including access to natural environment.

RECOMMENDATION

That Council adopt the Management of Public Spaces Policy.

Executive Summary

At the Ordinary Council Meeting held on 20 June 2024, Council resolved to:

1. *Endorse the draft Management of Public Spaces Policy for the purpose of public exhibition for a period of not less than 28 days.*
2. *Request the Chief Executive Officer to amend the Outdoor Dining and Trading Procedure to permit applications to be made for the inclusion of Council approved retractable blinds in association with footpath dining applications.*
3. *Request the Chief Executive Officer to amend the procedure to remove the requirement for the payment of a bond in association with minor activities unlikely to cause damage on public land.*
4. *Note that a further report will be tabled at the August 2024 meeting of Council, detailing the submissions received from the public during the exhibition period.*

The policy was subsequently placed on public exhibition from 9 July 2024, Until 6 August 2024. During this exhibition, 4 submissions were received on the Policy.

This report provides information on the public exhibition on the Draft Management of Public Spaces Policy, in line with recommendation 4. Recommendation 2 will be addressed separately to this report. Recommendation 3 will be reviewed as part of a Fee Reduction, Waiver and Refund Policy which is currently being developed to ensure compliance with the Local Government Act.

Discussion

At the Ordinary Council Meeting held on 20 June 2024, Council resolved to place the draft Management of Public Spaces Policy on public exhibition.

The plan was subsequently placed on public exhibition for 28 days. 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 1.

There was a total of 120 visits to Council's Have Your Say engagement website during the exhibition period.

A total of 4 Have Your Say survey submissions were received, with 31 downloads of the draft Management of public Spaces Policy noted.

The total level of engagement is noted to be significantly lower than previous engagement of the Draft Management of Public Spaces Policy.

There were no significant engagement outcomes, and therefore there are no changes proposed to the policy as exhibited. One submission raised a suggestion to be considered with the review of the Procedure. It is recommended that the draft Policy attached as Attachment 2 be adopted.

Options

Council has the option to:

1. Adopt the draft Management of Public Spaces Policy as recommended; or
2. Not adopt the draft Management of Public Spaces Policy; or
3. Seek further information or changes.

This report recommends option 1.

Community Engagement and Internal Consultation

Community Engagement

This draft policy was placed on 28 days' public exhibition with 4 submissions being received. There is an Engagement Summary Report provided for this exhibition. Attached as attachment number 1.

Based on the engagement and the feedback received there are no changes to the policy.

Internal Consultation

- Director, Community, Planning and Environment
- Group Manager, Liveable Community

Planning and Policy Implications

This report recommends the adoption of the Management of Public Spaces Policy.

Financial and Economic Implications

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

Attachments

1.  Engagement Report - Management of Public Spaces
2.  Draft Management of Public Spaces Policy

Item: 11.11

Subject: RECOMMENDED ITEMS FROM THE JULY 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 July 2024 Sub-Committee meeting and endorse payment from the fund of \$1,000 to Mia Szumowski for representation at the World Junior Wushu Championships.

DISCUSSION

The Port Macquarie-Hastings Sporting Fund committee met on 25 July 2024 and considered grant applications. The submission from Mia Szumowski was determined to have met the funding criteria. Accordingly, the Sub-Committee recommends to Council the following payment from the fund:

- Mia Szumowski - \$1,000 to compete at the World Junior Wushu Championships in Brunei Darussalam on 22 September - 30 September 2024.

The amount recommended is consistent with the amount payable for participation at an International Sporting Level under the Port Macquarie-Hastings Sporting Fund.

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: POLICY REVIEW - STORMWATER MANAGEMENT POLICY

Presented by: Community Infrastructure, Robert Fish

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:

- 1. Place the draft Stormwater Management Policy on public exhibition for a period of 28 days.**
- 2. Note that a further report will be provided by the December 2024 Ordinary Council meeting detailing the submissions received from the public during the exhibition period.**

Executive Summary

The Council manages a comprehensive stormwater drainage network designed to effectively manage and direct stormwater runoff into various natural waterways within the local government area (LGA).

The newly proposed draft Stormwater Management Policy aims to establish a clear framework for the governance of this extensive network.

The Policy's objectives include defining the scope of the Council's stormwater assets, delineating roles, and responsibilities, outlining the management strategy for stormwater systems and assets within the Council's resources and ensuring alignment with legislative requirements and Council strategic plans whilst seeking to meet community expectations.

The inaugural version of this Policy is now presented for consideration by the Council to place on public exhibition.

Discussion

Council manages an extensive network of stormwater drainage infrastructure that functions to safely convey, treat, control and manage stormwater runoff from its source through a network of pits, pipes, basins and other controls to one of many natural waterways through the LGA.

The network currently consists of the following assets:

- 374km of pipes
- 15,510 pits
- 77 gross pollutant traps

- 23km of open drains
- 2,095 headwalls
- 63 sub-catchments

The draft Stormwater Management Policy is a new policy which seeks to define the way Council manages its wide range of public stormwater infrastructure and seeks to:

- Clearly define the range of Councils stormwater assets.
- Provide clarity around roles and responsibilities.
- Clarify how Council intends to manage stormwater systems and assets within available resourcing.
- Align Council's service delivery with relevant legislation, Council's asset management and infrastructure strategies and community expectations.
- Articulate Council's obligations to services and the members of the community.

The first version of the draft Stormwater Management Policy is presented to Council for consideration to place on public exhibition.

Options

Council has the option to not endorse the draft Stormwater Management Policy for exhibition, or request amendment ahead of exhibition.

Community Engagement

Following endorsement of this report by Council, public exhibition for a period of 28 days will occur.

Internal Consultation

- Director Community Infrastructure
- Group Manager Community Infrastructure Planning and Design
- Manager Planning and Design (Strategic)
- Manager Planning and Design (Program)


Planning and Policy Implications

By adopting this Policy following exhibition, Council will be adopting a new policy.

Financial and Economic Implications

As these updates have been undertaken without a comprehensive review of current maintenance and management practices and service levels, there are no identified financial or economic implications associated with this update.

Attachments

1.  Draft Stormwater Management Policy

Item: 13.02

Subject: POLICY REVIEW - ROADS POLICY SUITE

Presented by: Community Infrastructure, Robert Fish

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:

- 1. Place on public exhibition the draft Roads Policy Suite including Road Reserve and Public Roads Management Policy, Sealed Roads Policy, Roadside Vegetation Management Policy, and Bridge and Culverts Policy for a period of 28 days.**
- 2. Note that a further report will be provided by the December 2024 Ordinary Council meeting detailing the submissions received from the public during the exhibition period.**

Executive Summary

An important component of public sector governance is establishing key policies and ensuring they are clear, available, regularly updated and monitored for compliance.

The draft Roads Policy suite (individual policies listed below), have been developed for consideration by Council and details how and when Council considers and manages roads and roadside vegetation in accordance with the NSW Roads Act 1993 and other relevant NSW Legislation.

- Road Reserve and Public Roads Management Policy
- Sealed Roads Policy
- Unsealed Roads Policy (included in separate report for the purposes of adoption)
- Roadside Vegetation Management Policy
- Bridges and Culverts Policy

The suite of policies is presented to Council for the purposes of placing on public exhibition

Discussion

The draft Roads Policy Suite has been developed with the following considerations:

- To make clear the categories and management as well as Council obligations and position related to the management of roads within the PMHC LGA. This includes roadside vegetation, sealed roads network, unsealed roads network,



bridges and culverts, and road reserves within the bounds of Council’s available resourcing.

- Align relevant legislation, Council’s asset management, funding strategies and community expectations.

Policy Review

Outlined below are the major themes within the draft Roads Policy Suite, excluding unsealed roads as that has been provided to Council in a separate report.

1) Road Reserve and Public Roads Management Policy

This Policy merges the content contained within the following policies to reduce overlap, gaps and the need to amend multiple policies containing the same information:

- Road Reserve Policy
- Public Road Management Policy
- Placement of Recycled Clothing Collection Bins on Council Owned Land
- Construction of Infrastructure Works on Public Property by Contractors

When this Policy is reported to Council for adoption, it will be recommended that Council rescind the above aforementioned policies. This request will be tabled at a future Council meeting.

Changes to this combined Policy included in the draft are as follows:

Modified and added content within the Management Principles
Updated references and definitions
Update to position titles and teams responsible for Policy

2) Roadside Vegetation Management Policy

This Policy is a revision of the previous Policy dated 2021.

Changes to the current Policy included in the draft are as follows:

Updated Statement and Scope
Updated Management Principles in further detail
Level of Service removed and reference to Asset Management Plans
Updated position titles

3) Sealed Roads Policy

This is a new Policy outlining the management of the sealed roads network across our Local Government Area in line with Roads Act (1993) and relevant legislation. The Policy details the six road categories, including footpaths, and outlines management principles in conjunction with the Road Reserve and Public Roads Management Policy.



4) Bridges and Culverts Policy

This is a new Policy outlining the management of the bridges, culverts and other structures within the road network across our Local Government Area. The Policy outlines the structure types and categorisation in accordance with the Bridge Management System (BMS), and the management principles in conjunction with the Road Reserve and Public Roads Management Policy.

Options

Council has the option to not endorse the draft Roads Policy Suite or singular policies therein for exhibition, or request amendment ahead of exhibition.

Community Engagement and Internal ConsultationCommunity Engagement

Following endorsement of this report by Council, public exhibition for a period of 28 days will occur.

Internal Consultation

- Director Community Infrastructure
- Group Manager Community Infrastructure Planning and Design
- Group Manager Community Infrastructure Operation and Recreation
- Manager Planning and Design (Strategic)
- Manager Planning and Design (Programs)



Planning and Policy Implications

By adopting this Policy following exhibition, Council will be adopting new policies.

Financial and Economic Implications

As these updates have been undertaken without a comprehensive review to current maintenance and management practices, there are no identified financial or economic implications associated with these updates.

Attachments

1.  Road Reserve and Public Roads Management Policy
2.  Sealed Roads Policy
3.  Roadside Vegetation Management Policy
4.  Bridges and Culverts Policy

Item: 13.03

Subject: POLICY REVIEW - UNSEALED ROADS POLICY - POST PUBLIC EXHIBITION

Presented by: Community Infrastructure, Robert Fish

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 Unsealed Roads Policy.

Executive Summary

At the Ordinary Council Meeting held on 16 May 2024, Council resolved to place the draft Unsealed Roads Policy on public exhibition.

The Policy was subsequently placed on public exhibition from 5 June 2024 to 2 July 2024. During the exhibition period, 13 submissions provided feedback on various topics relating to the draft Unsealed Roads Policy.

Discussion

Following the presentation of the draft Unsealed Roads Policy to Council in May 2024, at the Ordinary Council meeting held on 16 May 2024 Council resolved as follows:

That Council:

- 1. Place the draft Unsealed Roads Policy on public exhibition for 28 days.*
- 2. Note that a further report will be provided to the July 2024 Ordinary Council meeting detailing the submissions received from the public during the exhibition period.*

Following that time, the Draft Unsealed Roads Policy was placed on public exhibition from 5 June 2024 to 2 July 2024.

This Policy has been developed to define and align with current practices, guidelines and standards, as well as relevant NSW legislation, including the Roads Act 1993, Local Government Act 1993, Environmental Planning and Assessment Act 1979 and the Civil Liability Act 2002.

Public Exhibition

The public exhibition period is now complete with the outcomes of the exhibition process discussed below.

The exhibition period saw a total of 165 page visits to Council's engagement website during the exhibition period. Of those 165 visits:

- 115 documents were downloaded or viewed, and
- 13 submissions were received, in support and opposition of the proposed Policy amendments (see attached).

Community Engagement and Internal Consultation

There were 13 submissions received regarding this Policy, with detailed commentary and individual responses to each contained within the attached engagement report. A summary of the key issues/submissions is below for reference:

- **Advocacy for sealing Diamond Head Road:** A suggestion that sealing Diamond Head Road would enhance tourism opportunities in the area.
- **Concerns about grading intervals and drainage:** Evaluation of the 12-month grading interval for Category B unsealed roads, citing heavy weather and traffic causing roads to deteriorate beyond safe usability, and a request for clarification on who maintains drainage on unsealed roads, highlighting perceived dangerously deep gutters on Foxes Creek Road that haven't been addressed for years.
- **Request for intermittent road dust sealing:** Proposal to implement intermittent road dust sealing where dust affects nearby dwellings.
- **Call for audit and additional grading of dirt road to Bago Winery:** Suggestion for auditing and potentially additional grading of the dirt road to Bago Winery to enhance tourism benefits for both locals and visitors.
- **Advocacy for progressive sealing of significant unsealed roads:** Feedback that Council should implement a policy to progressively seal significant unsealed roads like Bagnoo Road, emphasising cost-effectiveness, tourism benefits, and improved community connectivity.
- **Recommendation for vegetation clearing and grading frequency:** Proposal to clear roadsides of vegetation, especially on bends, and advocate for more frequent grading of unsealed roads, particularly in areas serving dairy farms, milk tankers, and log trucks. This included a specific suggestion to raise the causeway by 1 metre with box culverts on Clarefield Dungay Creek Road.
- **Importance of drainage for road maintenance:** Emphasis on prioritising drainage maintenance on both sealed and unsealed roads to prevent road surface collapses and reduce maintenance visits.

As noted above, responses to each of the 13 submissions are included within the attached engagement report and have been considered, however regarding the final version of the draft Unsealed Roads Policy, none of the submissions resulted in changes being made to the policy between draft and final version. This is on the basis that the submissions primarily relate to either planning or operational matters including service levels, or in the case of two submissions, to the content of other policies that are currently under review (Stormwater Management Policy and Roadside Vegetation Management Policy).

Options

Council has the option to amend or not to amend the draft Unsealed Roads Policy identified within this report prior to adoption.



Planning and Policy Implications

This report recommends the amendment of the Unsealed Roads Policy, which is a current Council Policy, per the attached draft Policy. By adopting this Policy following exhibition, Council will be updating an external policy and recognising the amendments.

Financial and Economic Implications

There are no direct costs associated with this report, however there are financial implications for the funding and provision of management of Council's unsealed road network. This Policy has been updated to provide balanced outcomes for the community in relation to the unsealed road network with affordability in the current economic climate.

Attachments

1.  Engagement Report Draft Unsealed Roads Policy
2.  Unsealed Roads Policy Final Draft

Item: 13.04

Subject: STORMWATER STRATEGIC ACTION PLAN

Presented by: Community Infrastructure, Robert Fish

Alignment with Delivery Program

4.1.6 Develop and implement annual maintenance and renewal programs for stormwater assets.

RECOMMENDATION

That Council:

1. **Note the report provided on the development of the Stormwater Strategic Action Plan.**
2. **Note the final Stormwater Strategic Action Plan.**
3. **Endorse the next steps to prepare a detailed action plan and community facing overview of the Plan as outlined in the report.**

Executive Summary

The purpose of this report is to present the Stormwater Strategic Action Plan to Council and to seek endorsement of the next steps in the delivery of the overarching Stormwater Strategic Action Plan project. This Plan is a key stormwater infrastructure planning project that will guide the efficient and effective management of Council's \$273 million stormwater asset portfolio towards achieving its vision of being 'The most liveable, sustainable and innovative place in Australia.'

The Stormwater Strategic Action Plan (SSAP) is a comprehensive project, being developed in four stages reflecting the approach used for the recently completed Integrated Transport Plan.

The first stage involved determining the strategic direction of the SSAP for the provision of stormwater management by defining the alignment of the service with existing plans and legislative requirements. The second stage focused on a gap analysis undertaken by an internal Council working group to identify discrepancies between current stormwater management practices and the established strategic direction. This analysis identified an initial listing of high-level strategic actions needed in the short, medium, and long term.

The third stage consisted of the completion of the Risk and Opportunities Workshops, where the working group and consultant discussed critical areas and potential actions, allowing the consultant to present their findings and discuss the integration of various projects within the strategic framework.

The outcomes of stages 1-3 culminated in the development of the SSAP, which is attached to this report.

The Council is requested to acknowledge the final SSAP and endorse the subsequent phases of this project as proposed and outlined in the report.

The next step, Stage 4, involves developing detailed action plans based on the high-level strategies identified by the SSAP and includes:

- a) Preparation of an internal detailed action plan that sequences the high-level initiatives with ongoing capital works and projects, ensuring alignment with strategic objectives, and
- b) Development of a community-facing version document, designed to communicate the plan's objectives, themes, and rationale, along with a comprehensive list of actions in a 'plain English' format, aligning with Council's corporate style guide.

In conjunction with the SSAP, both of these additional documents will provide clarity and direction for future stormwater management efforts and are scheduled for presentation to the Council in 2025.

Background

Port Macquarie - Hastings Council have been working towards the creation of the SSAP, a key stormwater planning document that will:

- Guide the efficient and effective management of Council's \$273 million stormwater asset portfolio.
- Provide clear linkages between works, initiatives and on ground actions/activities to Council strategic objectives.
- Assist the Council in achieving its vision of being 'The most liveable, sustainable and innovative place in Australia.'

A summary of project objectives are shown by the Figure 1 below:



Figure 1 - Stormwater Strategic Action Plan Objectives

Within the Council's strategic planning hierarchy, the Stormwater Strategic Action Plan is guided by the following higher level Strategic Plans and Strategies:

Strategy Hierarchy	Plan / Strategy Document
Strategic Plan	"Imagine 2050" Community Strategic Plan
	Local Strategic Planning Statement (Shaping our Future 2040)
Lead Strategies	Infrastructure Strategy
Theme Strategies	Integrated Water Cycle Management Strategy

Table 1 -Strategic Hierarchy

This hierarchy of planning is detailed in Figure 2 below:



Figure 2 - Strategic Hierarchy

Stormwater Strategic Action Plan Development

The Stormwater Strategic Action Plan has been developed as part of a 4 stage project, mirroring the pathway undertaken to prepare the recently finalised Integrated Transport Plan (ITP).

To facilitate the delivery of this project, a consultant was engaged to undertake the required investigations and reporting in early 2024, following a Request for Quote (RFQ) issued and assessed via the Local Government Procurement Panel 1208-4.

Project stages and status is as follows:

Stage 1 - Assessment of strategic direction and alignment - COMPLETE

The assessment of strategic direction and alignment involved identifying and reviewing the Council's current supporting strategic plans and strategies and the overarching state and federal legislative requirement for Council to

undertake stormwater management services. The objective of this stage was to set the scene and understand the drivers for stormwater management within the Port Macquarie - Hastings LGA.

Stage 2 - Gap analysis of existing action plans - COMPLETE

A gap analysis was then undertaken in consultation with staff from an internal Council working group, to review Council's current stormwater management activities and actions against the requirements identified in Stage 1 and to provide a consolidated listing of all gaps, identified in the form of initial higher level strategic actions for completion in the short, medium and long term.

Stage 3 - Risk and Opportunities Workshops - COMPLETE

The Council project working group held meetings with the consultant to discuss and highlight critical areas, identify actions and to refine those into categories, and provided the Consultant an opportunity to present their findings to date based on a literature review. The working group also discussed and identified the linkages between projects, actions and initiatives to the higher-level strategic framework.

The output from the above 3 stages and workshops has been utilised to develop the attached Stormwater Strategic Action Plan, including the high level strategic actions.

This Plan uses data gathered from the prior stages, investigations and workshops to identify 68 strategic level actions that if completed would ensure effective management of the Council's stormwater system, adherence with best practice and legislative requirements, and the delivery of the Council's overarching strategic objectives.

A priority assessment was completed on all 68 actions via the use of a multi-criteria analysis. Each action has demonstrated linkages between nominated projects, key strategic themes, and strategic initiatives.

The criteria used in the multi-criteria analysis were determined following the review of Council's strategic framework documents and specific actions/projects nominated by the Council. The criteria were allocated a weighting based on their importance, with all actions assessed and scored, with the overall score determining the priority of the project.

Of the 68 actions assessed, 10 were identified as high-priority, 28 as medium-priority, and 30 as low-priority.

As noted above, an analysis of the nominated actions by the working group identified that several items had a similar theme. The project working group have subsequently grouped all high-level strategic actions into 1 of 5 themes as outlined below:

- **Education and Engagement**
 - Self-service options – fact sheets, signage, automated searches
 - Stormwater data and condition works program
 - Integrated condition data into financial planning
- **Standards and Information**

- Policy updates
- Updates to construction and design standards
- Overland flow path mapping
- **Maintenance and Renewal**
 - Stormwater renewal works program
 - Stormwater maintenance works program
 - Condition assessments
- **Technology**
 - Smart technologies for monitoring water levels
 - Investigate options for water reuse
 - Improved systems for the tracking of stormwater assets
- **New Works and Upgrades**
 - Strategic identification for future planning and improvements

As a synopsis the top 20 actions identified within the SSAP have been included below and are shown as per chapter themes:

Action	Priority	Strategic Objective Alignment
Education and Engagement		
Suitable evacuation routes during local storm events are identified and mapped, and information is made available to LEMO.	Medium	Customers
Identify properties that have building footprints inundated during local flood events based on overland flow mapping. Floor-level information used to inform the development of planning controls and guide work prioritization	Medium	Assets and Infrastructure
Identify and prioritise locations where flood depth markers relating to overland stormwater flows should be installed for educational purposes.	Medium	Assets and Infrastructure
Implementation of smart technologies to monitor the status of public stormwater infrastructure, waterways and key risk areas associated with overland flows and development of public-facing portals to advise the community of the risks associated with overland flows and their impacts on key transport linkages.	Medium	Assets and Infrastructure Customers
Standards and Information		
Review and update stormwater asset criticality ratings.	High	Assets and Infrastructure
Identify key transport linkages as utilized by our communities and undertake an audit of culverts, waterway crossings, and any other locations impacted by overland flows. Develop a priority listing of locations for upgrade, monitoring, and maintenance.	High	Assets and Infrastructure
Complete an audit to identify structures prone to blockage and develop a prioritised upgrade/monitoring plan to manage the associated risks.	High	Assets and Infrastructure
Overland flow path (known and potential) mapping is developed and made publicly accessible to assist the	High	Customers

Action	Priority	Strategic Objective Alignment
community in identifying overland flood risks and to assist in the design of compatible development.		
Prepare and implement standard maintenance procedures and checklists for WSUD assets.	High	Assets and Infrastructure
Undertake catchment-based analysis to identify and prioritise locations of regional stormwater treatment, rehabilitation, and waterway stabilisation.	High	The Environment
Legally evaluate risks related to the delivery of and management of the Council's stormwater infrastructure to ensure project regulatory compliance.	Medium	Customer Financial Stability
Regularly review and update Council design standards and policy to account for the impacts of climate change.	High	Assets and Infrastructure
Undertake a review of any unsuitably zoned land with respect to local flooding.	Medium	Assets and Infrastructure
Develop a database of property floor levels to assist with disaster management and climate change adaptation planning.	Medium	Assets and Infrastructure
A water Quality Improvement Plan is developed to identify the current condition of waterways and community desires for their usage and to define catchment-specific water quality targets based on meeting the community's needs.	Medium	The Environment Water Security Drinking Water Quality
Develop a cross-Council and cross-asset-class Multi-Criteria Assessment Prioritisation framework to assess projects for inclusion in future programs.	Medium	Assets and Infrastructure
Develop a better understanding of catchments within the LGA via undertaking of modelling of stormwater infrastructure within each based on a priority ranking that has been determined based on risk.	High	Assets and Infrastructure Customer
New Works and Upgrades		
Identify, prioritise, and allocate funding within the Council's Long Term Financial Plan for the construction of structural measures to mitigate the risks associated with stormwater overland flooding on a catchment-wide basis.	High	Financial Stability The Environment Drinking Water Quality Water Security
Technology		
Stormwater HotSpot mapping is developed and made publicly available.	High	Customers
Undertake floor-level surveys of properties affected by overland flow inundation	Medium	Assets and Infrastructure
Maintenance and Renewal		



Action	Priority	Strategic Objective Alignment
Identify inefficient and/or defective WSUD assets through the completion of condition assessment and implementation of a water quality improved plan	Medium	Assets and Infrastructure
Annually review and update maintenance programs for stormwater assets	Medium	Assets and Infrastructure

Table 2 - top 20 actions

A copy of the full list of 68 High Level Actions is included within the appendix of the attached SSAP.

When viewing the total listing of high-level strategic actions, a significant portion of actions, accounting for 49%, related to the category of “standards and information”, emphasising the importance of having robust frameworks and accurate data to guide decision-making processes.

A further 23% of actions are focused on “education and engagement”, highlighting the need to inform and involve stakeholders and the community in understanding and supporting these initiatives.

“Maintenance and renewal” actions constitute 17% of the total, reflecting the ongoing need to preserve and enhance existing infrastructure.

The remaining actions are divided between “technology” advancements and “new works and upgrades”, which make up 6% and 5%, respectively. These smaller but crucial segments underscore the role of innovation and the development of new infrastructure to meet future demands and challenges.

Overall, this distribution of actions demonstrates a balanced approach to managing and improving our systems, with a strong emphasis on standards, information, and community engagement.

Current Status and Next Steps

This report recommends that Council receive and note the attached final SSAP and endorse the next steps proposed to be undertaken as defined below:

Stage 4 - Detailed Action Plans

As outlined above, the SSAP resulted in the preparation of a range of high-level strategic actions that are now proposed to be utilised to guide the development of a detailed action plan for internal use in works scheduling and prioritisation, and the preparation of a community facing overview of the Plan. Further specific details of each are as below:

- a) Detailed action plan (internal use)
 - A detailed action plan will be created to clearly articulate and sequence the completion of:
 - the actions, works and initiatives identified within the report having consideration for the Councils financial and resource limitations; and



- will include linkages to and re-prioritise the range of existing pending capital works, projects, designs etc. as contained within the Long-Term Financial Plan and other prioritised listings of pending works.

b) Community document (public facing)

A community-facing overview of the Stormwater Strategic Action Plan, designed to communicate the plan's objectives, themes, and rationale, along with a comprehensive list of actions in a 'plain English' format, aligning with Council's corporate style guide will be prepared. This document will showcase the project and provide the community with a transparent overview of the Council's direction with respect to the management of stormwater infrastructure into the future.

Both the detailed action plan and community document will be presented to Council in 2025.

Options

Council has the option to amend, not support the recommendation, or request further information.

Community Engagement and Internal Consultation

During the preparation of the Stormwater Strategic Action Plan, the following internal staff have been consulted and / or participated in project working group discussions:

- Director Community Infrastructure
- Group Manager Community Infrastructure Planning and Design
- Group Manager Development Assessment
- Manager Planning and Design (Strategic)
- Manager Planning and Design (Programs)
- Senior Stormwater Engineer (Programs)
- Strategic Projects Manager
- Operations Manager, Transport and Stormwater Network
- Coast and Estuary Coordinator, Environmental and Regulatory Services
- Community Engagement & Communications Coordinator
- Asset Management Coordinator

Councillors were briefed with regard to the Stormwater Strategic Action Plan development in June and August 2024.

As part of the next steps, following Stage 4 completion and Council endorsement, external public exhibition and consultation is proposed (2025).

Planning and Policy Implications

The completion of the next stages of the Stormwater Strategic Action Plan project will ultimately guide the update and development of the stormwater related actions, works and initiatives contained within future iterations of Councils Long Term Financial Plan, Delivery Program and Operational Plan.

Financial and Economic Implications

There are no financial and economic implications in relation to this report. Implementation of the actions within the Stormwater Strategic Action Plan will require future funding allocation by Council to progress.

Attachments

1.  Stormwater Strategic Action Plan

Item: 13.05

Subject: CLASSIFICATION OF COUNCIL LAND - LOT 50 WAAPANGAL
PLACE 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 pursuant to Section 34 of the *Local Government Act 1993* classify Lot 50 DP 1299688 Waapangal Road, Thrumster as operational land.

Executive Summary

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

Discussion

Council at its meeting held 18 April 2024 resolved:

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.*

A public notice was published on Council's website on 30 April 2024 for a period of 28 days and no submissions were received.

Options

There is an option to classify the property as either community or operational land in accordance with the Local Government Act, 1993, however it is Council's practice to classify Sewer Fund land containing sewer infrastructure as operational land.

Community Engagement and Internal Consultation

A public notice was published on Council's website on 30 April 2024 for a period of 28 days and no submissions were received.


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 as the pump station and property are being dedicated to Council at no cost to Council.

Attachments

1.  Attachment 1 - Lot 50 Waapangal Road Thrumster

Item: 13.06

Subject: SETTLEMENT POINT AND HIBBARD FERRY OPERATIONS

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 response dated 18 July 2024 from The Hon Jenny Aitchison MP, Minister for Regional Transport and Roads, regarding Council's request for the NSW Government to take over the operation of Hastings River vehicular ferry services or provide funding support.
2. Note that this continued position of the NSW Government results in Port Macquarie-Hastings Council continuing to fund vehicular ferry services across the Hastings River.
3. Note the correspondence provided by the Chief Executive Officer dated 31 July 2024, which requests the NSW Government make a contribution of \$500,000 - \$800,000 annually towards the cost of providing the vehicular ferry services across the Hastings River.
4. Note that a media release has been issued to inform the community of Council's advocacy with the NSW Government and of Council's request for a financial contribution.

Executive Summary

Council wrote to the Minister for Regional Transport and Roads, the Hon Jenny Aitchison MP, in April 2024 with respect to the prospect of the NSW Government taking over the Hastings River vehicular ferry operations or providing funding support. A response was received in July 2024 advising the NSW Government was not in a position to provide any support. A further response to the Minister has been provided and a media release issued. This report notes the correspondence received and the actions taken.

Discussion

Following receipt of correspondence from the Minister for Regional Transport and Roads, the Hon Jenny Aitchison MP, with respect to the Hastings River vehicular ferry services that operate from Settlement Point and Hibbard, at the March 2024 Ordinary Meeting of Council arising from a Notice of Motion from the Mayor Peta Pinson Council resolved the following:

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.*

Arising from the resolution to continue advocacy on the matter, the CEO wrote to the Minister on 10 April 2024. Following becoming aware of the Lower Portland Ferry, which operates in the Hawkesbury catchment, being transferred to management from the local Council to the NSW Government, the CEO further wrote to the Minister on 11 April 2024. This correspondence highlighted the inequity across NSW in the provision of vehicular ferry services and the cost burden of the Hastings River services on ferry users and the broader community who pay rates. This correspondence is attached.

On 18 July 2024 the Minister responded to the CEO. This correspondence is attached. The response advised that '*Transport for NSW is unable to take over the operation of the ferries or provide financial support towards their operation due to the NSW Government's existing commitments and present financial position*'. Further the letter sought to outline the rationale for the NSW Government taking over the operation of the Lower Portland Ferry and that the Hastings River ferries operate under a different environment.

The Minister's continued engagement on the matter is appreciated. Given Council's advocacy and reasons for seeking assistance however, this response was disappointing and further reinforced the inconsistencies in vehicular ferry provision in NSW.

Given the cost of the Hastings River ferry services for users and the broader community who pay rates is an important issue, and as the services are having a negative impact on Council's financial position due to the operating loss they incur, the CEO has written to the Minister on 31 July 2024. This correspondence is attached.

This correspondence outlines concern in the advice provided in the Minister's correspondence, and disputes the rationale provided for the NSW Government for taking over the Lower Portland Ferry versus consideration of taking over or providing funding support for the Hastings River services.

A formal request for an annual contribution of \$500,000 - \$800,000 per year is made within this correspondence. This request is on the basis that the Lower Portland Ferry service has been receiving \$500,000 of NSW Government funding annually, the annual operating loss of the Hastings River services is of this order (note this does not include asset refurbishment or renewal), and as there are two ferries that operate on the Hastings River. The correspondence outlines the potential benefits of

such a contribution for ferry users, the broader community who pay rates and for Council.

Council now awaits a response to this correspondence.

In parallel with writing to the Minister, a media release is being issued to inform the community of the outcome of Council's advocacy, express concern with the continued stance of the NSW Government, and to advise of the further steps taken to continue to advocate on the matter.

Options

The report is provided for noting only.

Community Engagement and Internal Consultation

The community, in particular those who reside on the North Shore and the North Side Progress Association, have long advocated with Council with respect to ferry operations and user charges. The advocacy undertaken by Council through 2023 and 2024 has sought to support this cause via a number of meetings with Transport for NSW, the Minister and correspondence to the NSW Government. This report outlines the continued steps in this regard.





Planning and Policy Implications

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

Financial and Economic Implications

There are no current financial and economic implications in relation to this report as the report is provided for noting. The continued stance of the NSW Government means that the operational and capital costs associated with the Hastings River ferry services will remain with Council. Should a financial contribution from the NSW Government be agreed, then the operating loss of the service to Council will reduce accordingly.

Attachments

1.  Correspondence to Minister 10 April 2024
2.  Correspondence to Minister 11 April 2024
3.  Response from Minister 18 July 2024
4.  Correspondence to Minister 31 July 2024

Item: 13.07

Subject: INTEGRATED TRANSPORT PLAN - POST PUBLIC EXHIBITION

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. **Adopt the draft Integrated Transport Plan 2024.**
2. **Note the information in the Integrated Transport Plan Community Engagement Report 2024.**
3. **Note the responses to feedback categories and associated updates made to the draft Integrated Transport Plan 2024.**
4. **Thank submitters and advise them of the outcome of Council's consideration.**

Executive Summary

At the 20 June 2024 Ordinary Council Meeting, Council resolved to place the draft Integrated Transport Plan (ITP) on public exhibition. At this meeting Council resolved the following:

That Council:

1. *Note the information in this report regarding the process of developing the draft Integrated Transport Plan.*
2. *Note that through the partnership approach with Transport for NSW to develop the draft Integrated Transport Plan, the document has received Ministerial approval from the NSW Government for co-branding.*
3. *Endorse the co-branded draft Integrated Transport Plan to be placed on public exhibition for a period of not less than 28 days.*
4. *Note that a further report will be provided to Council at the August 2024 Meeting outlining the submissions received during the exhibition period.*

The draft ITP was subsequently exhibited for a period of 28 days from 24 June to 22 July 2024.

During this time four community pop-up sessions were held across the LGA and a video was produced and shared on social media platforms featuring Community Infrastructure Director and Acting Group Manager Community Infrastructure Planning and Design to accurately explain what the ITP was to help community members provide meaningful feedback.

In summary the online engagement received:

- 759 page visits
- 201 downloads of the Integrated Transport Plan document
- 138 downloads of supporting documents including a Frequently Asked Questions sheet, a Status Update sheet addressing assets owned by TfNSW
- 25 survey submissions

Overall, the community emphasised the importance of active transport and micro mobility and several submissions requested additional actions and a stronger focus or more detailed consideration on some of the key actions listed within the ITP. Further information on the feedback is included in the report below and is attached in the Community Engagement Report.

It is recommended that the updated draft ITP be adopted. The updated ITP is attached.

Discussion

The ITP is a joint plan developed between Port Macquarie-Hastings Council and Transport for NSW (TfNSW) detailing the future strategic planning and actions that will be targeted to be undertaken by both organisations. The ITP will guide forward funding allocations via priority actions identified and will be an advocacy platform to seek NSW and Australian Government funding support for the transport network across the LGA.

The purpose of the ITP as a Supporting Strategic Plan is to provide clear and concise actions to improve network planning across the LGA. The Plan outlines the actions that are intended to progress over a 10-year timeframe, whilst still having visibility of the long-term actions to guide future planning. It will be revised periodically with actions removed once they are achieved and current longer-term actions will be considered for inclusion as medium-term actions in future revisions.

Actions are included in the appendix of the draft ITP document, which provides detail on indicative timing, responsibility, realm of the expected cost, purpose, and the objective achieved by undertaking each action. The action plan will assist in providing guidance to the Long-Term Financial Plan, Delivery Program and Operational Plan of Council, and the strategic priorities of TfNSW. The action plan is aspirational and ultimately progression of actions is subject to funding provision, with this clearly outlined within the document. Council and TfNSW have a strong advocacy role in this regard.

The draft ITP was publicly exhibited for 28 days between 24 June and 22 July 2024. The below report outlines the community engagement and internal consultation that was undertaken and the outcomes of those processes.

During this period 25 survey submissions were received along with a number of formal written submissions, including:

- The Hon Dr David Gillespie, Member for Lyne, regarding Wauchope Inner Bypass
- Mr Michael Kemp, Member for Oxley, regarding Wauchope Inner Bypass
- Nine submissions from King & Campbell on behalf of their clients
- One submission from Hopkins Consulting on behalf of their client

- Other submissions from community groups and individuals

The feedback from all submissions can be broadly grouped into one of the following 'categories':

1. Indicative Action, Timing and Priority
2. Reducing Congestion and Improve the Movement of People and Freight
3. Active Transport and Micro Mobility
4. Improving Road Safety
5. Catering for Growth
6. Public Transport and Ride Sharing
7. Car Parking
8. Road Condition and Maintenance
9. Errors in the Document

In summary, a considerable number of submissions were focused on active transport relating to the broader benefits of improving active transport, improving safety for cyclists, improvements to the existing walking and cycling network, and the development of strategic active transport link between localities. This feedback has been considered, noting one of the key focus areas of the ITP is to improve active transport and micro-mobility / active transport connections through the development of cycleways and footpaths that create safe and accessible routes for cyclists and pedestrians.

Several submissions received related to the road network confirmed the importance of the actions included in the draft Plan, made requests for additional actions and requested a stronger focus or more detailed consideration on some of the key actions listed within the draft Plan. In particular congestion issues within the road network in particular the Wrights Road and Lake Road intersections with the Oxley Highway, and the Lake Road corridor and Ocean Drive intersection were of interest.

Other submissions received related to improved Public Transport options between locations within the LGA and better network servicing.

Careful consideration of all feedback received has been undertaken with detailed responses to all categories of the submissions provided within the attached Community Engagement Report.

Following review of the feedback provided, the following changes were made to the ITP:

Amendment	Reference	Change	Explanation
Amended Text	Page 17	Text amended	<i>References and wording of columns in action table did not correctly align with text on Page 17.</i>
Amended Figures	Page 22/23	Figure amended	<i>Project pins adjusted to align with actions in Appendix B - ITP actions table.</i>

Revised Action Number	3.4.0	Develop and deliver separated cycle ways to improve connections for cyclists within Port Macquarie, including the delivery of a separated cycle way to link Pacific Drive to the Coastal Walk and an active transport corridor along Lighthouse Road.	<i>Action 15.1.0 moved to Action 3.4.0 to be grouped under the Port Macquarie section to allow a broader review of road corridors for active transport links.</i>
New Action	3.5.0	Undertake planning and detailed design for the upgrade of Koala Street between Kennedy Drive and Ocean Drive, including active transport link.	<i>Additional action included following submission responses and consideration of this key local East-West link between Pacific Drive / Kennedy Drive and Ocean Drive, along with desire for improved active transport along this corridor.</i>
Amended Action	7.5.0	Upgrade road shoulders for the entire length of Ocean Drive outside the urban area to support active transport use including North Haven to Bonny Hills, and Lake Cathie to Port Macquarie.	<i>Amended action to specifically call out key areas of focus within the Ocean Drive corridor.</i>
Amended Action	13.11.0	Review traffic modelling in the Local Government area in 2026. Consideration to include but not limited to alternate routes bypassing Bonny Hills, and alternate access to the airport/access between Oxley Highway corridor and Hastings River Drive.	<i>Reference to Wauchope removed from this action, and new action added (refer 14.3.0 below) to allow specific focus and consideration of Wauchope township.</i>
New Action	14.3.0	Review traffic modelling in the Wauchope area to aid in the design of works to improve	<i>Additional action included within the Wauchope section to support identification</i>

		network functionality and traffic flow along key corridors including High Street, Blackbutt Road and Cameron Street.	<i>and progression of network enhancements where modelling determines a need exists to assist with congestion on key corridors, specifically High Street. Note with the creation of this more specific action, Wauchope was removed from action 13.11.0 as outlined above.</i>
Revised Action Number	14.4.0	Complete the remaining stages of the Beechwood Road upgrade to provide for future development needs and enhanced flood resilience.	<i>Action 16.1.0 moved to Action 14.4.0 to be grouped under the Wauchope section to allow consideration of broader traffic improvements within this rural centre</i>

Following review of exhibition submissions, this report recommends that the revised draft ITP be adopted. The revised document is attached.

Community Engagement and Internal Consultation

Key stakeholder groups and the broader community were invited to provide their feedback on the ITP through a Have Your Say survey or by providing their response in writing.

During this period, the Council’s Community Infrastructure Planning and Design and Community Engagement teams held four pop ups at a variety of locations and times to promote the public exhibition period and encourage the community to have their say.

In addition to the above, the exhibition of the ITP was promoted through social media posts, e-newsletters, direct emails, presentations to stakeholder groups and the implementation of an interactive map. Internal engagement was also undertaken with Council’s staff through workplace and internal newsletters.

A summary of the engagement activities undertaken, and results is included within the attached Community Engagement Report.

The ITP was exhibited on Council’s Have Your Say Page from the 24 June until 22 July 2024. In that time, it received a total of 759 page visits, 339 document downloads (201 of which were for the Plan itself) and 25 survey submissions. Also, on the page was supporting documents such as a Frequently Asked Questions sheet, a Status Update sheet addressing assets owned by TfNSW, and a video featuring Community Infrastructure Director and Acting Group Manager Community Infrastructure Planning and Design to accurately explain what the ITP was to help community members provide meaningful feedback.



Sentiment analysis of the different points of feedback provided through all sources were tagged and categorised. The following categories were determined to be most suitable with the numbers of individual items of feedback from that category in bold.

1. Indicative action, timing and priority: **25**
2. Reducing congestion and improve the movement of people and freight: **15**
3. Active transport and micro mobility: **29**
4. Improving road safety: **8**
5. Catering for growth: **3**
6. Public transport and ride sharing: **6**
7. Car parking: **2**
8. Road condition and maintenance: **3**
9. Errors in document: **2**

Detailed responses to the above key categories and specific projects raised through the submissions have been provided in the attached Community Engagement Report.

Options

Council has the option to:

1. Accept the recommendations as listed, including adoption of the revised draft ITP; or
2. Resolve in another way.

Planning and Policy Implications

Within Council's Strategic Planning Hierarchy, the ITP is a supporting strategic plan and as such will play a key role in informing and guiding actions which relate to the objectives of the Regional Integrated Transport Strategy as the overarching primary strategy.

Financial and Economic Implications

There are no financial and economic implications in relation to this report. Successful implementation of the actions within the draft ITP will require funding allocation in future years by Council and/or TfNSW, with the support of the Australian Government where possible. The ITP will provide an advocacy platform to seek NSW and Australian Government funding support for the transport network across the LGA.

Attachments

1.  Integrated Transport Plan Community Engagement Report
2.  Revised Draft Integrated Transport Plan 2024

Item: 13.08

**Subject: HOUSING FOR OUR FUTURE - LOCAL HOUSING STRATEGY
POST EXHIBITION REPORT**

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. Adopt the Living and Place Strategy (Local Housing Strategy) as amended.**
- 2. Adopt the Local Housing Delivery Plan as amended.**
- 3. Adopt the Affordable Housing Plan as amended.**
- 4. Prepare an implementation and evaluation framework and report it back to Council by August 2025.**
- 5. Send the adopted Living and Place Strategy to the Department of Planning, Housing and Infrastructure for endorsement.**
- 6. Thank all persons who lodged a submission and notify them of Council's decision.**

Executive Summary

The Housing for our Future documents includes the Living and Place Strategy (LPS) (previously known as the Local Housing Strategy), the Local Housing Delivery Plan, and the Affordable Housing Plan. Council resolved in April 2024 to exhibit these documents publicly.

Throughout the public exhibition period, Council undertook two Pop-Ups and a stakeholder workshop with 35 industry and community representatives. 42 formal submissions were received, 555 visits to the project webpage were made, 49 people participated in the survey, and 324 people downloaded the documents.

Submissions were generally supportive, with approximately 60% expressing broad support for the LPS and the delivery plans. For ease of reference, the feedback has been split into eight key themes, which are further considered in the community engagement section of the report. The key themes are:

- 1. Infrastructure and Sustainable Growth**
- 2. Focus on Affordable Housing**
- 3. Alignment with Sustainable Goals**
- 4. Application of Planning Frameworks**
- 5. Clear Prioritisation and Strategic Planning**
- 6. Community Engagement and Adaptability**

7. Biodiversity and Environmental Considerations
8. Evaluation and Monitoring

This report outlines the consultation outcomes, proposed changes to the draft documents and recommends adoption of the revised suite of documents.

Discussion

The draft Local Housing Strategy (LHS) 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, a targeted stakeholder engagement session (workshop) was undertaken with both internal and external stakeholders, including previously underrepresented groups such as the disability, youth, social housing, and health sectors.

The workshop resulted in significant constructive feedback and ideas for the draft strategy. Based on the feedback in the workshop and feedback on the original draft LHS, the Strategy was comprehensively re-drafted, renamed the Living and Place Strategy (LPS), and was reported to Council's November meeting. The LPS was reported to Council with two draft implementation plans; the Local Housing Delivery Plan (LHDP) and the Affordable Housing Plan (AHP). Council resolved in November:

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.*

While not expressly resolved, Councillors expressed a preference for the LPS and supporting documents to be placed on public exhibition for six weeks. Following this resolution, the draft LPS, LHDP, and AHP were placed on public exhibition from 22 April until 23 June 2024.

Throughout this consultation period, we held two pop-ups and one stakeholder workshop with 35 Industry and Community representatives. We value the input of our stakeholders, and their contributions are crucial to our process. Other consultation activities were planned, though were later cancelled due to bad weather or low registrations.

While it should be noted, the weather was a challenge for outdoor events in the public exhibition process, other challenges included:

- Simultaneous consultation with the Draft Operation Plan 2024-25.
- Barriers in understanding complex planning documents.
- Engagement fatigue.

Despite the challenges, our online presence has made a significant impact. Our promotion through social media reached approximately 200,000 people, the project webpage received 555 visits, 324 people downloaded a document, 49 people participated in the online survey, and 42 formal submissions were received.

Based on the feedback received the following key changes were made to the draft documents:

- Numerous minor amendments to spelling, grammar or minor terminology changes.
- Bolstering of Strategic Context part of the Strategy to expand consideration of North Coast Regional Plan, Local Strategic Planning Statement, Port Macquarie Regional City Action Plan and State Environmental Planning Policies.
- Additional demographic and data analysis in the LHDP to further outline need for housing and infill development required.
- Additional commentary on Lake Innes area
- Additional commentary on North Yippin Creek and Crosslands Area in the Wauchope catchment and some amendments to the mapping.
- Simplified maps for easier reading and reference.
- Changes to timing of actions to ensure consistency across plans.

The updated draft documents with full mark ups have been provided as attachments 7 and 8. Attachments 1, 2 and 3 show simplified final versions for reference.

A copy of the individual submissions have been provided to Councillors under separate cover.

Options

Council has the following options:

1. Adopt draft documents as amended (as per attachments)
2. Adopt draft documents as exhibited and make no further amendments or changes.
3. Adopt draft documents subject to additional changes.
4. Resolve in some other manner.

Option 1 - Is recommended as the amended strategies seek to address feedback received while meeting Council’s requirements and NSW Government guidance.
 Option 2 - Is not recommended as this does not sufficiently consider or address feedback received throughout public exhibition.
 Option 3 - Council may adopt the documents and request additional changes or additional information. However, Council should be clear what additional changes are required and provide justification for any further changes proposed.

Community Engagement and Internal Consultation

The draft Housing for our Future documents were publicly exhibited for over 8 weeks from 22 April until 23 June 2024. During this time, we received a considerable amount of feedback from a diverse range of sources, including Government Agencies, Industry, and the community. This collective feedback is summarised in the engagement report (Attachment 6), reflecting the inclusive nature of the consultation process.

Formal responses were received from various Government agencies, including the Department of Planning, Housing and Infrastructure, the Department of Climate Change, Energy, the Environment and Water, the Department of Primary Industries Agriculture, and the Department of Education. The comments from these agencies are summarised in the table below.

Agency Advice		Summary of Advice
1.	Department of Planning, Housing and Infrastructure (DPHI)	<p>The Department supports the aspirational projections in the Housing for our Future documents - emphasising adequate housing supply and recommending that future rezoning proposals be linked to actual growth with infrastructure servicing plans.</p> <p>The strategic context should align with State and Local Government frameworks, including the North Coast Regional Plan 2041, with a buffer in theoretical dwelling capacity to address potential shortfalls.</p> <p>Clear implementation actions and timeframes for planning controls, master planning, and precinct planning are advised. The Department also stresses completing structure plans before rezoning for orderly staging and release, ensuring consistency with state policies and the Local Housing Strategy Guideline 2018. Consulting relevant State agencies and submitting the final strategy for Department approval is essential to address policy inconsistencies.</p>
	Response/ Comment:	<p>Support for the population projections used is noted, and it is understood that additional information is required to support planning proposals.</p> <p>The Strategic Context section of the Strategy has bolstered to provide further consideration of the regional plan, LSPS, Regional City Action Plan and State Environmental Planning Policies.</p>

		<p>Actions and timeframes have been reviewed to ensure clear timing. It is also intended that Council prepare an implementation and evaluation framework within 12 months of adoption.</p> <p>It's important to note that the completion of Structure Plans or Master Plans is a prerequisite before we can extend our support to any rezoning or planning proposals.</p> <p>An appendix (Attachment 4) has been provided addressing s9.1 ministerial direction.</p>
2.	Department of Climate Change, Energy, the Environment and Water (DCCEEW)	<p>Alignment with Regional Plans Revise Strategic Priority 1 of the draft Living and Place Strategy to align more closely with Strategy 1.3 of the North Coast Regional Plan 2041 (NCRP).</p> <p>Feasibility and Planning of Infrastructure Services The draft Living and Place Strategy must mandate the planning and assessment of infrastructure feasibility before any land rezoning occurs. This proactive approach is essential for ensuring sustainable development.</p> <p>Environmental Considerations Detailed assessments of High Environmental Value areas are crucial during the feasibility assessment phase for infrastructure services. The strategy must ensure these areas are identified, avoided, and zoned for conservation to protect environmental integrity.</p> <ul style="list-style-type: none"> The draft Local Housing Delivery Plan (LHDP) should be changed to exclude areas that haven't been marked for urban growth or investigation in the NCRP or other approved plans and that have conservation priority areas identified by the Port Macquarie – Hastings Council's Biodiversity Management Strategy (BMS). <p>Consistency with Urban Growth Criteria Revise the draft LHDP to demonstrate how proposed urban investigation areas, not previously identified in the NCRP or other approved strategies and lacking conservation priority areas, comply with the Urban Growth Area Variation Criteria in Appendix B of the NCRP. This revision is necessary to ensure that urban growth is strategically planned and justified.</p>
	Response/ Comment:	<p>The wording of priority one has been changed to reflect the need to deliver infrastructure to support sustainable growth. It is considered that this is directly consistent with the North Coast Regional Plan. Wording in the LHDP has been amended to clarify that infrastructure delivery suitability and certainty must be ascertained prior to planning proposal stage but</p>

		<p>construction may not be necessary until after planning proposal.</p> <p>The Strategy seeks to protect areas of High Environmental Value (HEV) and biodiversity corridors, and a measurable item is to increase protection through land zoning of HEV land.</p> <p>The draft Strategy seeks to be a Local Strategy and we will seek endorsement from the Department of Planning accordingly. As such, it can identify land outside the urban growth area boundary. It should also be noted that many of these areas are identified in the Council’s Urban Growth Management Plan and may require or facilitate conservation zoning and protection of high environmental values. Further commentary is provided in the LHDP.</p> <p>Planning Proposals must demonstrate consistency with Urban Growth Area Boundary variation criteria where relevant.</p>
3.	Department of Primary Industries Agriculture	<p>New Investigation Areas The DPI notes that the LHDP includes new investigation areas at Sancrox, Wauchope, and Bonny Hills, which are outside the urban growth boundaries established by the North Coast Regional Plan (NCRP) 2041. One area in Bonny Hills is mapped as Important Farmland by the NCRP 2041.</p> <p>Need for Detailed Assessments Detailed precinct or site-specific assessments are necessary to evaluate the use of these new investigation areas for residential purposes in relation to surrounding agricultural land uses.</p> <p>Impact on Agricultural Land It is crucial to identify and mitigate potential impacts on existing agricultural operations if these areas transition from rural to residential land. This may only be temporary as land transitions to residential purposes or agricultural activities relocate.</p> <p>Structure Plans and Buffers The DPI encourages Council to continue preparing structure plans for new release areas, such as the Sancrox Fernbank Creek Villages Structure Plan. These plans should identify buffers between future residential and rural lands early in the strategic planning framework to reduce land use conflict and provide certainty to developers and farmers.</p>
	Response/ Comment:	<p>Land in Bonny Hills is not identified as important farmland, but it is noted that some land in Sancrox and Lake Cathie identified for growth investigation is identified as important farmland.</p> <p>More detailed planning and investigation of these areas are required, and productive agricultural land should be retained, and appropriate buffers should be identified to limit land use conflicts.</p>

4.	Department of Education	<p>The Department of Education (DoE) is conducting school planning in the Port Macquarie-Hastings LGA to determine where and when additional school provisions are needed and to identify areas where school populations may remain stable or decline. Our strategy prioritises optimising existing assets through measures such as realigning school intake areas, monitoring enrolments, renewing assets, increasing school size and functionality, and using temporary classrooms for short-term enrolment fluctuations.</p> <p>The DoE collaborates with schools to increase enrolments where capacity exists and secures land for future educational facilities through mechanisms like Voluntary Planning Agreements (VPAs). Infrastructure planning considers new housing areas, demographic trends, educational requirements, asset conditions, site constraints, transport links, and community feedback to identify the most effective asset solutions. When sustained and stable enrolments cannot be met through expanded facilities, new schools are provided as necessary, with a state-wide prioritisation of needs.</p>
	Response/ Comment:	Noted, Council’s Strategic Planning Staff will continue to engage and work with the Department of Education and support the need to identify and provide additional school provision for the growing community.

In addition to these agency submissions the engagement report (Attachment 6) also outlines the community feedback which is summarised in the following eight themes as per the table below.

Feedback Theme	Council Officers’ Response/Comment
<p>Infrastructure and Sustainable Growth</p> <ul style="list-style-type: none"> The inclusion of infrastructure planning that supports sustainable growth and interconnected, and accessible public transportation are seen as positive steps. The priority of infrastructure supporting growth, without the qualifier of sustainability, is questioned, along with inconsistencies in timelines and descriptions of infrastructure needs. 	<p>The Strategy identifies infrastructure is vital to the growth of the LGA. Sustainability has been added to this priority, changing it from ‘deliver infrastructure which supports growth’ to ‘deliver infrastructure which supports sustainable growth’, it is agreed that this better reflects the intent of the priority and better aligns with the North Coast Regional Plan.</p>
<p>Focus on Affordable Housing</p> <ul style="list-style-type: none"> The focus on increasing the availability of affordable housing and addressing housing stress is acknowledged positively. 	<p>Noted. It is not the place of the strategy to criticise past governments or Council’s, rather to identify what can be done to address this issue at a Local Government level. It is noted that</p>



<ul style="list-style-type: none"> There is an omission of the historical context of policy inaction and lack of effective advocacy and decision-making from all levels of government in addressing affordable housing needs. 	<p>advocacy is of significant importance as many of the levers to address affordability are held by State and Federal Governments.</p>
<p>Alignment with Sustainable Goals</p> <ul style="list-style-type: none"> The alignment with the United Nations Sustainable Development Goals (SDGs) is recognised as a forward-thinking and globally aware approach. The mention of SDGs is seen as tokenistic without clear means of evaluating or determining how well the various plans work towards them. 	<p>The Sustainable Development Goals are identified throughout the themes and priorities of the Strategy.</p>
<p>Application of Planning Frameworks</p> <ul style="list-style-type: none"> The application of insights from the NSW Integrated Planning & Reporting Handbook for Local Councils in NSW and the adoption of the Australian Business Excellence Framework are praised for adding clarity and structure. There is a lack of detailed explanation on how these frameworks will be integrated and used for evaluation across all plans. 	<p>It is proposed that within the first 12 months of adoption Council will develop an implementation and evaluation framework to ensure implementation occurs in line with Council’s Integrated Planning & Reporting Framework and consistent evaluation of the strategy and plans occurs.</p>
<p>Clear Prioritisation and Strategic Planning</p> <ul style="list-style-type: none"> Specific strategic priorities and objectives in the Living and Place Strategy, are commended for their clarity. Inconsistencies in the stated number of dwellings required and vague terminology are noted, undermining the clarity of strategic objectives. 	<p>Dwelling numbers have been reviewed and updated where inconsistent. A review of actions has resulted in some timing changes to ensure better alignment of plans and project delivery.</p>
<p>Community Engagement and Adaptability</p> <ul style="list-style-type: none"> The intent to involve the community in developing frameworks and the adaptive 	<p>Noted. Multiple engagement pathways and mechanisms were used throughout consultation and engagement activities. This feedback will be utilised for consideration in future consultations.</p>

<p>approach to infrastructure planning are noted positively.</p> <ul style="list-style-type: none"> • There is a lack of detailed information on how community engagement will be conducted and how adaptive approaches will be implemented. 	
<p>Biodiversity and Environmental Considerations</p> <ul style="list-style-type: none"> • The inclusion of biodiversity considerations and the protection of areas of high environmental value, including koala populations, are appreciated. • The inconsistency in mentioning biodiversity across different sections of the plans and the need for more comprehensive environmental considerations are highlighted. 	<p>Biodiversity, ecology and the protection of High Environmental Value (HEV) land is a priority and is identified throughout the strategy and LHDP. Some areas require a greater focus in this regard, and this is highlighted in the LHDP accordingly.</p>
<p>Evaluation and Monitoring</p> <ul style="list-style-type: none"> • The plan to use the Australian Business Excellence Framework and the Integrated Planning & Reporting Handbook for monitoring and evaluation is seen positively. • There is a need for more detailed information on the evaluation and monitoring processes, including specific measures, indicators, and timelines for review. 	<p>It is proposed that within the first 12 months of adoption Council will develop an implementation and evaluation framework to ensure implementation occurs in line with Council’s Integrated Planning & Reporting Framework and consistent evaluation of the strategy and plans occurs</p>

There were also numerous industry submissions received, many of these related to specific sites and are further explored in the community engagement report (Attachment 6).

The Table below summarises industry submissions received.

Submission(s) Number	Summary of Submission(s)
<p>1. Hastings Construction Industry Association</p>	<ul style="list-style-type: none"> • The Hastings Construction Industry Association (HCIA) submits strong support for the Local Housing Delivery Strategy Plan and specifically endorses the Fernbank/Sancrox Structure Plan as critical to addressing future housing supply in the Port Macquarie Hastings LGA.

		<p>Highlighting key concerns and recommendations, HCIA emphasises the urgent need for rezoning Fernbank/Sancrox to avoid a housing shortfall projected by 2028/29. They advocate for incentives to achieve the 40% medium density housing target, citing the necessity for reduced parking requirements and contribution reductions.</p> <p>HCIA also stresses the market preference for standalone single dwellings and underscores the importance of prioritising infrastructure development, particularly for sewer, water, and road networks like Lake Road, Boundary St, and John Oxley Drive upgrades.</p> <p>They urge continued strategic planning resourcing to ensure successful implementation of both the Housing Delivery Plan and the Fernbank Structure Plan.</p>
	<p>Response/ Comment:</p>	<p>Any substantive short fall in zoned land supply would be likely to occur in early 2030's dependent on construction trends and demand. It should be noted housing supply challenges are more complicated than land supply. The Local Housing Delivery Plan outlines a plan to address shortfalls and identifies surpluses in land supply to ensure a buffer of supply and long term. It is anticipated planning proposals will proceed for Sancrox and Fernbank Creek following the finalisation of the structure plan in this 24/25 FY as identified in Council's OP. Actions relating to incentives provisions are identified in both delivery plans. Effective and ongoing resourcing of strategic planning is supported and encouraged.</p>
<p>2.</p>	<p>Bonny Hills Progress Association (2)</p>	<p>The Bonny Hills Progress Association (BHPA), representing Bonny Hills residents, recently met with Council to discuss the Housing for our Future documents.</p> <p>BHPA appreciates the effort and detailed information compiled in the Housing for our Future strategy and plan. While generally supportive of the recorded plans, concerns are raised about rushed decisions due to higher-level housing targets and developer pressures. Key themes are summarised below.</p> <p>Importance of Biodiversity and Land Zoning</p> <ul style="list-style-type: none"> • Emphasis was placed on the significance of biodiversity areas and land zones in guiding development and protecting natural environments. • Integrated Planning Approach • BHPA urged Council to maintain the listed key factors in the suite of documents, ensuring housing needs are addressed alongside infrastructure planning and environmental protection. <p>Preservation of Community Character</p>

		<ul style="list-style-type: none"> • Protecting Bonny Hills' distinct community character, a priority voiced by residents in the 2019 Community Plan, remains crucial. <p>Call for Strong Communication</p> <ul style="list-style-type: none"> • BHPA stressed the necessity for ongoing, transparent communication between Council and the community to achieve the best outcomes for all stakeholders.
	<p>Response/ Comment:</p>	<p>Protection and enhancement of the environment and biodiversity is a paramount consideration in the future development of our LGA. This is reflected in the draft Living and Place Strategy along with the North Coast Regional Plan.</p> <p>Delivering on desired future character outlined in community plans is an important consideration for future structure plans. Council staff met directly with BHPA and agree communication with community and stakeholders is important to ensure best outcomes.</p>
<p>3.</p>	<p>Solo Water Pty Ltd (3)</p>	<p>Solo Water is an existing private water utility that holds current network operator and retail supplier licences issued by Independent Pricing and Regulatory Tribunal (IPART) and Department of Planning, Housing and Infrastructure (DPHI) under Water Industry Competition Act (WICA). Solo Water is licenced to provide decentralised drinking water, sewerage, recycled water, and retail water services directly to end use customers.</p> <p>The submission is made in relation to an initial agreement made between Solo Water and a majority landowner of land identified as the West Bonny Hills Investigation Area in the future housing documents.</p> <p>Solo Water proposes to support the development plans outlined in the future housing documents by offering a sustainable and technologically advanced water and wastewater management solution for the West Bonny Hills Investigation Area.</p> <p>As a licensed private water utility, Solo Water proposes to implement a range of compliant water and sewer services that are independent of Council's existing infrastructure, including the Bonny Hills Sewerage Scheme and WWTP, while supporting local housing stock development with environmentally responsible water management practices.</p>
	<p>Response/ Comment:</p>	<p>Noted - This would be subject to consideration in the West Bonny Hills Structure Plan in which an infrastructure servicing strategy would be required to establish the most efficient and effective way to service land. Utilisation and upgrades of existing infrastructure should be prioritised where possible.</p>

<p>4, 5, 6, 7, 8, 9</p>	<p>King and Campbell (4,5,6,7,8 and 9)</p>	<p>Summary feedback is broadly categorised into the 6 strategic objectives contained in the draft Living and Place Strategy.</p> <p>Infrastructure to Support Growth We endorse Council's proactive approach to enhancing infrastructure delivery aimed at supporting housing growth. It's imperative that infrastructure timelines align closely with the housing development process to meet the critical 10-year zoned land supply targets. This synchronisation is pivotal in ensuring efficient planning proposal processes alongside infrastructure delivery, facilitating concurrent progress and timely rezoning. We advocate for regular communication from Council on catalyst and supporting infrastructure delivery statuses to streamline planning and approvals, potentially increasing representations to state authorities for enhanced funding and support.</p> <p>Diverse Housing Supply; Connected Communities; Well Planned Growth Precincts. We strongly support Council's commitment to fostering diverse housing options across infill and new growth areas. Emphasising medium to high-density developments adjacent to community hubs like commercial and recreational spaces is key. Achieving density targets, particularly in new urban release areas such as East Sancrox, is feasible through robust planning controls that support efficient land use and amenity. Moreover, the integration of green spaces and pathways in these developments is crucial for creating connected and liveable neighbourhoods, enhancing community well-being and accessibility.</p> <p>Creating Resilient, Sustainable Neighbourhoods Our approach aligns with creating safe, sustainable neighbourhoods resilient to natural hazards, ensuring that planning integrates measures for flood and bushfire resilience and optimal solar access. We commend the strategic planning efforts in well-planned growth precincts, balancing housing delivery with environmental conservation. The completion of strategic plans like the Fernbank Creek & Sancrox Structure Plan is essential to achieving these goals.</p> <p>Affordable Housing Our support extends to Council's initiatives to increase the availability of affordable housing, advocating for diverse tenure options and strategic infrastructure investments that enhance affordability for low to moderate-income households. This holistic approach underscores our commitment to collaborative planning and sustainable growth, ensuring that Port Macquarie-Hastings continues to evolve into a vibrant and inclusive community.</p>
	<p>Response/Comment:</p>	<p>King and Campbell made seven submissions on behalf of nine clients. Project or property specific feedback was</p>



		<p>considered in finalisation of the Housing for our Future documents. The support and endorsement of direction in the plans and strategies is noted and appreciated.</p>
10.	All About Planning (AAP)	<p>Submission received on behalf of client relating to inclusion of land in the Wauchope area into the Living and Place Strategy in line with historic and recent planning submissions.</p> <p>AAP highlights the strategic and site-specific merits of rezoning RU1 Primary Production zoned land in Wauchope for future residential and urban purposes. The proposed urban land offers several advantages:</p> <ul style="list-style-type: none"> • It adjoins existing urban zoned land, facilitating seamless integration into the urban fabric. • High-value agricultural land is retained while avoiding flood-prone and bushfire-prone areas. • Approximately 101 hectares of retained Primary Production zoned land allows for two viable farms, each exceeding Council’s minimum 40-hectare lot size requirement. • Viable vehicle access points can be established from multiple directions • The site is well outside the odour buffer zone for the Wauchope Sewage Treatment Plant. • It can be easily serviced with essential utilities such as water, sewer, recycled water, and electricity. • Existing nearby amenities, including a childcare centre, will benefit from increased residential density nearby. • Future plans include incorporating a General Store and Café within the proposed urban extension, enhancing community convenience. • AAP emphasises the historical nomination of these sites for inclusion in Council’s Local Housing Strategy, dating back to 2015 and supported by subsequent planning submissions in 2020 and 2023. <p>They urge Council to reconsider and include this area in an updated Housing Opportunities Strategy Map for Wauchope, responding to stakeholder feedback expressing the need for additional housing supply.</p>
	Response/ Comment:	<p>The submission by AAP is noted and is generally agreed and changes have been made to the delivery plan accordingly. It should be noted this land has several challenges which will need to be addressed in future structure planning processes such as natural hazards, biodiversity management, buffers and interface with production lands and infrastructure servicing. Some of this commentary is further outlined in the LHDP relating to North Yippin Creek and Crosslands.</p>
	Hopkins Consultants	<p>The Directors of Hopkins Consultants express strong support for PMHC Strategic Planning staff’s efforts in developing strategy plans to address the forecast need for an additional</p>



<p>11, 12, 13</p>	<p>15,000 dwellings in the LGA by 2046. Our business is focused on delivering land and infrastructure for housing, which is crucial for the local economy's sustainability.</p> <p>We note that the current zoned land supply is less than 5,000 dwellings and will be depleted by 2028/29. We urge Council to adopt the Housing Delivery Plan, Hastings Affordable Housing Plan, Living and Place Strategy, and especially the Fernbank/Sancrox Structure Plan.</p> <p>We also stress the urgency of starting the Planning Proposal process for Fernbank/Sancrox to secure land supply beyond 2028.</p> <p>We commend Council's efforts in advancing key sewer and water infrastructure projects, such as the Cowarra Water Treatment Plant and Thrumster WwTP.</p> <p>The following feedback is on behalf of a Hopkins client:</p> <p>Our client strongly supports the draft strategy prepared by Council to meet the projected housing demand of 15,000 dwellings by 2046 in the LGA. They highlight several critical issues:</p> <p>Land Supply: The current R1 zoned land supply of 4,579 dwelling sites across the LGA, with 2,031 in Thrumster and Sancrox, is expected to be nearly exhausted by 2028/29 due to ecological, bushfire, flooding, and topographical constraints.</p> <p>Fernbank Creek and Sancrox Structure Plan: Urgent commencement of the Fernbank and Sancrox Structure Plan in 2025 is crucial to avoid a severe housing shortfall from 2028 onward. This includes progressing the transport network plan for Thrumster, Sancrox, and Fernbank Creek.</p> <p>Medium Density Target: Achieving the 40% medium density housing target is deemed unfeasible in the short term. They propose introducing developer incentives such as reduced parking requirements and development contribution reductions. Amendments to the LEP and DCP are suggested to allow dual occupancies and semi-detached dwellings in R3 zones and more diverse residential types in MU1 zones.</p> <p>Sewer and Water Infrastructure: Continued prioritisation of sewer and water infrastructure is essential to support the housing strategy.</p> <p>Road Infrastructure:</p>
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		<p>Urgent planning, design, and delivery of road infrastructure, including upgrades to John Oxley Drive, Thrumster Road link to Frogs Rd, Lake Road, Boundary St, and a second access to the Health and Education Precinct, are emphasised. Future planning for an outer orbital road linking Houston Mitchell Drive to Fernbank Creek Road is also recommended.</p> <p>Development Contributions: Concerns are raised about potential impacts on [clients land] from future growth in Fernbank Creek and Sancrox. They advocate ensuring that [their clients land] is not burdened with increased infrastructure demands resulting from new developments.</p>
	Response/ Comment:	<p>Any substantive short fall in zoned land supply would be likely to occur in early 2030's dependent on construction trends and demand. It should be noted housing supply challenges are more complicated than land supply. The Local Housing Delivery Plan outlines a plan to address shortfalls and identifies surpluses in land supply to ensure a buffer of supply and long term.</p> <p>It is anticipated planning proposals will proceed for Sancrox and Fernbank Creek following the finalisation of the structure plan in this 24/25 FY as identified in Council's OP. Actions relating to incentives provisions are identified in both delivery plans. Effective and ongoing resourcing of strategic planning is supported and encouraged.</p>
14	Barr Planning	<p>Submission received on behalf of a client relating to potential environmental management mapping in the Fernbank Creek and Sancrox Villages Structure Plan.</p> <p>The request to amend Figure 8 of the Local Housing Delivery Plan to remove the proposed 'Potential Environmental Management' mapping from [clients land] is justified based on the approval of DA[withheld] and accompanying technical reports. These reports have thoroughly assessed and deemed the proposed development suitable for the site, including management of environmental impacts over the non-perennial stream. Additionally, the Stamped Biodiversity Assessment and Ecological Assessment by Biodiversity Australia confirm that the site primarily consists of cleared land with non-native vegetation, indicating limited flora and fauna considerations. Therefore, the designation of 'Potential Environmental Management' for this area in the Local Housing Delivery Plan is deemed unnecessary and inconsistent with the PMH DCP 2013 (March 2024).</p>
	Response/ Comment:	<p>This figure has been amended to simplify the mapping and to provide higher level analysis. Future zoning will be determined in the planning proposal process subject to comprehensive biodiversity and ecological assessment.</p>

15	<p>Expressway Spares</p>	<p>Expressway Spares, a major employer in the PMHC area with 210 staff, owns significant land parcels in Sancrox and Fernbank Creek, facilitating extensive employment opportunities. The workforce, primarily composed of trades and unqualified labour, faces substantial challenges due to the lack of affordable housing, impacting recruitment and retention, and causing wage disparities between branches. Thrumster/Sancrox/Fernbank Creek is identified as the logical area for housing growth due to its proximity to major employment centres.</p> <p>PMHC’s planned Thrumster Wastewater Treatment Plant and Cowarra Water Supply System projects are crucial but delayed, limiting current rezoning and development.</p> <p>The existing road network faces severe congestion, with critical issues on the Oxley Highway and surrounding routes. Upgrades to secondary roads, including Fernbank Creek Road, Rawdon Island Road, and Sancrox Road, are urgently needed to ensure safety and efficiency.</p> <p>Improved public transport frequency and coverage in the Sancrox/Thrumster/Fernbank Creek area are necessary to support residential growth and accessibility for school children, the elderly, and those unable to afford personal vehicles. PMHC should prioritise the Sancrox/Thrumster/Fernbank Creek area for residential land, given its strategic advantages and the urgent need for affordable housing to support the local workforce and broader community.</p>
	<p>Response/ Comment:</p>	<p>Noted. The strategy does have a focus on infrastructure which is required to support sustainable growth such as the Thrumster wastewater treatment plant and this is identified as priority one for this reason. Integrated transport networks including public transport and walking and cycling is vital to the success of any community as such this must be a focus of any future residential development in the Fernbank Creek and Sancrox areas.</p>
16.	<p>Community Submission</p>	<p>Below in my opinion are Urgent priorities for Council to address for Port Macquarie now & for future growth planning Thrumster Wastewater Treatment Plant prioritise construction Current Ocean Drive \$111m Upgrade works will be ineffective unless all arterial roads are upgraded Urgently namely</p> <ul style="list-style-type: none"> • Lake Rd is a severe bottleneck to business, schools & all traffic , bottleneck & traffic jams will be exacerbated by Ocean Dr 111m upgrade • Oxley Highway Upgrade - Lake Road and Wrights Road Intersection, is also a “hand in glove “priority to traffic from/to Ocean Dr /Lake Rd / Gordon St etc

		<ul style="list-style-type: none"> • Gordon St / John Oxley to Ocean Dr intersection requires similar attention to above • Hastings River Dr from Boundary Rd upgrade should be considered as necessary traffic relief / overflow in peak times to allow efficient flow to Ocean Drive / Gordon St intersection • I consider most of above short term necessities, Council must plan ahead 10-20 years for new road bypass links to move traffic efficiently to feeder roads <p>Growth of southern areas (Cathie /Bonny etc) requires easy / safe access to Freeway to avoid major pressure on Ocean drive & Port suburbia from these southern areas</p> <ul style="list-style-type: none"> • Houston Mitchell drive intersection requires safety overpass • Exit ramps at Freeway/ Oxley Highway require upgrade to safe standards to cope with current (let alone future) traffic, currently exiting traffic from south freeway to try to access Oxley Hwy is queued out on to the freeway proper a 110kph zone with large trucks at speed <p>Traffic flow affects many things but principally lost work hours, business efficiency, environment in relation to fuel wastage / pollution, social disharmony.</p> <p>In relation to public open spaces & environmental protection for future generations Lighthouse Beach South to Lake Cathie should be closed to all motor vehicle (incl motor cycles) speeding / reckless “fun” no rules is a real safety issue for other beach users , sand dunes are being destroyed at what cost to Council / State & future generations . LGA’s growth is overwhelming this small strip of coast being over used & recklessly used by small percentage of ratepayers / visitors.</p>
	<p>Response/ Comment:</p>	<p>The infrastructure priorities are noted, many of these are identified and justified in the LHDP. Balancing and meeting recreational across the LGA is important to the management, upgrade and delivery of recreational infrastructure. That is why an action of the LHDP is to develop a Recreational Needs Strategy for the LGA.</p>
<p>17.</p>	<p>Community Member Submission</p>	<p>The upgrade of Lake Road is a high priority. Provide diverse housing Prioritise Infill and Medium Density Development Encourage energy efficient and adaptable housing.</p> <p>No reducing or removing car-parking provisions for dwellings in central and well-located areas.</p>
	<p>Response/</p>	<p>It is noted that Lake Road is already identified as a priority infrastructure upgrade. Noted support for infill and higher</p>

	Comment:	density development and energy efficient and adaptable housing.
18.	Community Member Submission	<p>I am in support of the changes proposed in the Councils draft Housing for the future strategy and plans, and agree with the push for more connected walking and cycling paths to reduce congestion (costly upgrades) and promote healthy lifestyles. I would also suggest that R2 low density zones be reviewed - I was not able to see any change proposed for that.</p> <p>Reviewing particularly those R2 zones within the health and education precinct, would allow for more sensible housing density close to work and education. Affordable housing for essential (hospital) workers, close to their work and alleviating travel time for people on call would be beneficial.</p>
	Response/ Comment:	The support is noted and appreciated. The HEP is identified in the LHDP and this includes a recommendation to rezone much of the R2 Low Density zoned land to mixed use to facilitate higher density residential uses and supportive health industries. The LHDP has been amended to include a recommendation to review R2 Low Density Residential zones to see if suitable infill development can be achieved.
19.	McCloy Group Pty Ltd	<p>Write to provide a submission in support of the following draft documents:</p> <ul style="list-style-type: none"> • Draft Living and Place Strategy, • Draft Local Housing Delivery Plan (the Draft Plan), and • Draft Affordable Housing Plan, <p>which are on public exhibition until midnight, Sunday, 23 June 2024.</p> <p>McCloy Bonny Hills Pty Ltd is the majority landowner of land identified as the 'West Bonny Hills Investigation Area' within the Draft Plan (April 2024) (p. 23).</p> <p>The identification of this Investigation Area is the continuation of the ongoing commitment of Port Macquarie-Hastings Council to facilitate housing and the associated road bypass in this location.</p>
	Response/ Comment:	The Submission raises many items in relation to specific actions and the responsibility of these actions. If adopted it is proposed that Council will develop an implementation and evaluation framework which will outline who is responsible for each action.
20.	Community Member Submission	<p>Firstly, I congratulate you for the depth of detail you have provided in the documents. I have no objections to all that has been proposed. I simply wish to emphasis and reinforce some of the key intentions made. They are:</p> <ul style="list-style-type: none"> - infrastructure not being an afterthought but fully planned and developed before people move into the new housing

		<p>- preservation of natural environment by not just going out (into green field land), but up where appropriate within the character of the area</p> <p>- maintaining distinct community character in Villages such as Bonny Hills, which was made clear in our Community Plan endorsed by PMHC in 2019.</p>
	Response/ Comment:	<p>Noted, if adopted by Council, Council staff will seek to implement the strategy in accordance with the direction, priorities, actions, and measures outlined in the documents.</p> <p><i>Port Macquarie-Hastings Local Housing Delivery Plan</i></p>
21.	Community Member Submission	<p>A significant area within the UGMS boundary west of Lake Innes, has not been considered for residential growth and the plan should explain why it has not? At the same time potential growth/inspection areas that are understood to contain HEV have been included for discussion but it should clear that this is not consistent with the LSPS or community expectations for sustainable development. 1e, 1j and 1k are meant to be taking place already and so should have an immediate time-frame. 2a, 2c, 2f and 2g should have a short time-frame. 5j, 5l should have a short time-frame.</p> <p><i>Port Macquarie-Hastings Affordable Housing Plan.</i></p> <p>There are many actions that it seems ought to be happening sooner than suggested in the Plan. 9d should perhaps be immediate? Especially if they'll deliver affordable rental housing. 13a and 13b must be immediate time-frame actions. 14a, 14b and 14c should be short time-frame actions. Time-frame periods given in each Plan are not in alignment but should be.</p>
	Response/ Comment:	<p>The LHDP has been amended to outline Lake Innes area referenced and the challenges of developing this area. It is noted this area poses a higher environmental risk than other investigation areas identified. The timing of actions has been reviewed and some have been brought forward. However, the actions must be achievable with limited resources so some level of prioritisation must be applied.</p>
22.	Community Member Submission	<p>I am writing to provide feedback on Council's Housing for our Future Project, with particular reference to the draft Delivery Plans. Both Plans give priority to infill and medium density development. There must be early regard given to the impact that increased density has on access to services and schools (location and quantity); traffic management; availability of onsite and street parking (to accommodate carers, visitors, trades and deliveries) and maintaining streetscapes and amenities. I speak from direct experience where this been poorly done and it would be a shame if this was replicated in this LGA. It is argued that "... smaller dwellings, such as studio and one-bedroom units provided through the private market have the potential to be affordable for low to moderate income earners. Increasing the supply of these</p>

	<p>dwellings can help facilitate affordable housing...”. An aspiration to be supported and it will be interesting to see measurable and real delivery in this respect. Hopefully, planning controls will not overlook that low to moderate income earners with young families continue to need larger, affordable homes. Recognition of the need to provide walking and cycling infrastructure is to be expected and is welcome: provided the infrastructure ensures pedestrian safety and is properly lit and maintained in the future. I note that that there is an explicit action to “investigate reduced or removal of car parking provisions” (Section 5 (b) of the Port Macquarie-Hastings Draft Affordable Housing Plan April 2024). Such an investigation must be rigorous and well communicated. I am particularly concerned about this matter as it applies in precincts where there is already some density and movement, for example the CBD and Town Beach. There is insufficient street parking, visitor parking and restricted mobility parking as it is. Especially in peak tourist seasons. It is not reasonable to assume that residents will not need to use a/their vehicle to varying degrees.</p> <p>The OLG ‘s 2021/2022 Your Council profile for Port Macquarie-Hastings Council advises that 28.6% of Council’s population is aged 60 years and older. Falling in that demographic. I can assure you that while I enjoy walking as often as I can, there are many times that driving is my only option and especially when transporting grandchildren and elderly and less mobile relatives and friends. I note that the issues I refer to above are on the whole, programmed for consideration in the medium term and I assume there will be future opportunities to contribute further through wide and ongoing consultation. I look forward to that. In the interim I hope that my preliminary feedback will be recognised and considered during this phase of the Plans’ development and amendment. Thankyou.</p>
<p>Response/ Comment:</p>	<p>Council staff continue to work with and engage with Department of Education and NSW Schools Infrastructure to assist where possible with the forward planning and needs for educational infrastructure. Council is not responsible for directly delivering this infrastructure and must work closely with Schools Infrastructure to deliver outcomes for the community.</p> <p>It is noted that housing affordability is a complex issue which requires many initiatives from all levels of Government and the non-Government sector to resolve. Providing more housing and more diverse housing is only part of the solution. Reducing car-parking provisions may lead to delivery of more affordable housing, but Council needs to weigh up potential impacts to amenity, car parking capacity and access</p>

		and mobility in its consideration to ensure a evidence based and balanced approach.
23.	Community Member Submission	Demand for housing and residential development has increased in our Local Government Area. Port Macquarie has some constraints to residential development as it needs a new sewerage treatment plant (which is being planned at the moment but won't be approved and built until at least 2028) so there are current restrictions on the zoning of new housing areas that would put more load on Port Macquarie. Therefore, Wauchope becomes very important as we have the capacity to cater for additional residential zonings. In order to provide the housing, we need, it is important to identify housing areas where new residents have an existing community with access to the services and facilities already available in Wauchope, and to further support Wauchope businesses.
	Response/ Comment:	There was a submission attachment relating to some specific land which is not considered suitable for investigation as it is considered flood prone land and there are suitable alternative sites to investigate near Wauchope which do not pose the same flood risk. It is agreed that housing supply in Wauchope is important to grow the community and land at Yippin Creek and Crosslands identified is considered adequate to meet the future needs to 2046.
24.	Community Member Submission	<ol style="list-style-type: none"> 1. There is not enough social housing included. I work with the homeless and they need affordable housing near the town centre. 2. We need to use less bushland and build more densely, such as infill and smaller plots, it's etc. 3. The timelines in the plan are too long to address the urgent need, especially for accessible rental and social housing.
	Response/ Comment:	The plans outline the need for additional social and affordable housing. The Strategy and Plans also outline a framework to increase housing density and diversity. The timing of actions has been reviewed and some have been brought forward. However, the actions must be achievable with limited resources as such some level of prioritisation must be applied
25.	Community Member Submission	I support Council's continued planning for a growth precincts, such as the Central Sancrox precinct. Coupled with this, I also support Council's planning for supporting infrastructure to facilitate the orderly development of the planned precincts. I believe a timeline is required to ensure the necessary approvals, infrastructure and funding is in place, both as a catalyst for development and to ensure land supply is available to meet the expected growth projections.

		Historically, appropriate infrastructure has been an impediment to growth in a number of areas in the region. Sufficient lead time is required to ensure a minimum supply of 10-years of zoned land is available to meet the housing demand.
	Response/ Comment:	There was a submission attachment relating to some specific land located within the area subject to the Sancrox structure plan. It is noted this is consistent with the Strategy and supporting plans and the Fernbank Creek and Sancrox Structure Plan can be progress once the strategy is adopted.
26.	Rawson Pty Ltd	<p>I write on behalf of Rawson Pty Ltd to advise PMHC that as landholders within the investigation area we support both the adoption of the Housing Delivery Plan and the Fernbank/Sancrox Structure Plan.</p> <p>The Housing Delivery Plan forecasts that this LGA will need an additional 15000 dwellings by 2046. The proposed Fernbank/Sancrox Structure Plan is anticipated to provide 4000-4500 dwellings which are critical to housing supply and the local economy.</p> <p>We also support council endeavours to provide the necessary sewer and water infrastructure that is needed for the additional population in these new release areas.</p> <p>In addition, we note that currently developable zoned land supply is limited and as such council should commence the rezoning process as soon as possible to meet forecast housing demands in the next few years.</p>
	Response/ Comment:	Noted and support is appreciated. The Strategy and Plans outline a framework for future zoning. It should be noted housing supply challenges are more complicated than land supply. The Local Housing Delivery Plan outlines a plan to address shortfalls and identifies surpluses in land supply to ensure a buffer of supply and long term. It is anticipated planning proposals will proceed for Sancrox and Fernbank Creek following the finalisation of the structure plan in this 24/25 FY as identified in Council's OP. Actions relating to incentives provisions are identified in both delivery plans. Effective and ongoing resourcing of strategic planning is supported and encouraged.

Planning and Policy Implications

The 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 Living and Place 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.  Living and Place Strategy - Final Draft
2.  Local Housing Delivery Plan - Final Draft
3.  Draft Affordable Housing Plan - Final Draft
4.  Living and Place Strategy Appendix A - Response to s9.1 Directions
5.  Living and Place Strategy Appendix B - Mapping
6.  Housing for Our Future - Community Engagement Report
7.  Draft Living and Place Strategy - full mark up showing changes
8.  Draft Local Housing Delivery Plan - full mark up showing changes

Item: 13.09

Subject: LAND ACQUISITION - MARIA RIVER ROAD LIMEBURNERS
CREEK

Presented by: Community, Planning and Environment, Melissa Watkins

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. Pay compensation in the amount of \$2,000 (ex GST) to the owners of Lot 24 DP 754451, Timothy Willsallen Superannuation Pty Ltd, for the acquisition of that part of Lot 24 DP 754451 more particularly described as Lots 1 and 2 in the plan of acquisition Deposited Plan 1293813.
2. Pursuant to Section 59 of the *Land Acquisition (Just Terms Compensation Act) 1991*, pay the landowner's property conveyancing costs.
3. Pursuant to Section 10 of the Roads Act 1993, dedicate Lots 1 and 2 DP 1293813 as public road.

Executive Summary

This report recommends the payment of compensation for the acquisition of land required as part of the Maria River Road upgrade project.

Discussion

The Maria River Road comprises a 30km length of road linking the coastal towns of Crescent Head and Port Macquarie, via the Settlement Point ferry at Port Macquarie. The road is situated within two local government areas with the southern 11.7km of unsealed road in the Port Macquarie-Hastings local government area and the northern 12.7km of unsealed road within the Kempsey local government area.

The existing 24.4km unsealed stretch of road is well known to locals and tourists for its safety concerns and is characterised by numerous sharp bends and the fluctuating condition of the unsealed road pavement, particularly after wet weather events.

Kempsey Shire Council and Port Macquarie-Hastings Council agreed that the unsealed section of Maria River Road to be a major problem and detractor to industry, future development, and tourism to the area. Serious concerns had also been raised for the safety of people travelling on the road with numerous crashes recorded on the unsealed section of the road.

Kempsey Shire Council and Port Macquarie-Hastings Council formed a steering committee to develop and oversee a project plan for the road upgrade. A joint funding application was successful under the Fixing Local Roads Scheme 2020.

Following adoption of a final design it was identified that various land acquisitions from private landowners would be necessary, including eight in Kempsey local government area and one in Port Macquarie-Hastings local government area.

As part of the project, it was identified that two portions of the Willsallen property, Lot 24 DP 754451, would be required for road realignment. A location plan is attached in Attachment 1.

The two portions to be acquired comprising a total area of 115.5sqm are shown highlighted in red on the Plan of Acquisition in Attachment 2.

Options

There is the option to:

- Proceed with the land acquisition and pay the agreed compensation and legal fees; or
- Not proceed with the land acquisition and seek further information from staff.

Community Engagement and Internal Consultation

There has been ongoing consultation with the landowner since the road upgrade project was announced. Council's Project Managers and Engagement Officer have met with and corresponded with the landowner numerous times throughout the project.

Planning and Policy Implications

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

Financial and Economic Implications

The acquisition of Lots 1 and 2 DP 1293813 entitles the owner to the payment of compensation. Having regard to the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, compensation has been assessed by Council's consulting valuer at \$2,000 (ex GST). An offer of this amount has been made to and accepted by the landowner. With written acceptance of the offer the acquisition is now reported to Council to enable the land acquisition to be completed.

In addition to the payment of compensation for the land, section 59 of the Land Acquisition (Just Terms Compensation) Act 1991 requires Council to pay the landowner's legal and property conveyancing costs that will be incurred arising from the land acquisition. These costs are estimated at \$2,500 (ex GST).

There is allocated funding budgeted for in the project to meet the land acquisition and conveyancing costs.

Attachments

1.  Location Plan - Willsallen property Maria River Road Limeburners Creek
2.  Plan of Acquisition

Item: 13.10

Subject: LAND ACQUISITIONS - LORNE ROAD COMBOYNE

Presented by: Community, Planning and Environment, Melissa Watkins

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. Pay compensation in the amount of \$45,435.00 plus GST to the owner of Lot 1 Deposited Plan 866401 and Lot 102 Deposited Plan 1150364, Philip Borham, for the acquisition of 4 parts of Lot 1 Deposited Plan 866101 and 5 parts of Lot 102 Deposited Plan 1150364, more particularly described as Lots 1, 2, 3, 4, 6, 7, 8, 9, and 10 in the plan of acquisition Deposited Plan 1305509.**
- 2. Pursuant to Section 59 of the *Land Acquisition (Just Terms Compensation) Act 1991*, pay Mr Borham's property conveyancing costs.**
- 3. Pursuant to Section 10 of the *Roads Act 1993*, dedicate Lots 1, 2, 3, 4, 6, 7, 8, 9, and 10 Deposited Plan 1305509 as public road.**
- 4. Pay compensation in the amount of \$55,963.00 plus GST to the owners of Lot 1 Deposited Plan 701091, Michael and Jennifer Hurrell, for the acquisition of parts of Lot 1 Deposited Plan 701091, more particularly described as Lots 13, 14, 15, 16 and 17 in the plan of acquisition Deposited Plan 1305509.**
- 5. Pursuant to Section 59 of the *Land Acquisition (Just Terms Compensation) Act 1991*, pay Mr and Mrs Hurrell's property conveyancing costs.**
- 6. Pursuant to Section 10 of the *Roads Act 1993*, dedicate Lots 13, 14, 15 16 and 17 Deposited Plan 1305509 as public road.**

Executive Summary

This report recommends the payment of compensation for the acquisition of land from two property owners, required as part of the upgrade of a section of the Lorne Road.

Discussion

The upgrade of a section of Lorne Road involves the detailed design and sealing of 2 kilometres of road, commencing from the Western extent of seal, South of Comboyne Road and concluding at Upsalls Creek Crossing.

Council recognises the importance of Lorne Road as a key link between Kew and Comboyne, two of our region's significant rural centres and has committed to upgrading this section of road to improve driver safety. The location of the proposed upgrade works is shown in Attachment 1.

The road pavement and sealing works will be completed from \$5m funded by the Australian Government. Council will contribute up to \$5m in additional funding, allowing a maximum \$10m in a combined contribution to complete the agreed scope of works.

The design and survey for the upgrade of Lorne Road identified the need for the acquisition of several small portions of both the Borham and Hurrell properties.

A section of Lorne Road was also identified to be closed and transferred to Philip Borham to rectify an anomaly of the location of the road carriageway being on the Borham property and not within the dedicated public road. Lot 12 in DP 1305509 is the area of road closure, the value of which has been offset against the proposed compensation payable to Philip Borham.

The extent of the areas of land to be acquired from Philip Borham has been surveyed as 10 areas including Lots 1, 2, 3, 4, 6, 7, 8, 9 and 10 in DP 1305509. The total area to be acquired is 1835.3 sqm and is shown highlighted in yellow and the closed road portion in pink in Attachment 2.

The extent of the areas of land to be acquired from Michael and Jenny Hurrell has been surveyed as Lots 13, 14, 15, 16 and 17 in DP 1305509. The total area to be acquired is 2,249.5 sqm and is shown highlighted in yellow in Attachment 3.

Options

There is the option to:

- Proceed with the land acquisitions and pay the agreed compensation amounts and legal fees; or
- Not proceed with the land acquisitions and seek further information from staff.

Community Engagement and Internal Consultation

There has been ongoing consultation with both landowners since the road upgrade project was announced. Council's Project Managers and Engagement Officer have met with and corresponded with the landowners' numerous times throughout the project.

Planning and Policy Implications

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

Financial and Economic Implications

The proposed acquisitions entitle the property owners to the payment of compensation. Having regard to the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, compensation has been assessed by Council's consulting valuer at \$45,435.00 (plus GST) as payable to Philip Borham. An offer of this amount has been made to and accepted by the landowner. With written acceptance

of the offer the acquisition is now reported to Council to enable the land acquisition to be completed.




In addition to the payment of compensation for the land, section 59 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires Council to pay the landowner's legal and property conveyancing costs that will be incurred arising from the land acquisition. These costs are estimated at \$2,500 (plus GST).

Having regard to the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, compensation has been assessed by Council's consulting valuer at \$55,963.00 (plus GST) as payable to Michael and Jennifer Hurrell. An offer of this amount has been made to and accepted by the landowner. With written acceptance of the offer the acquisition is now reported to Council to enable the land acquisition to be completed.

In addition to the payment of compensation for the land, section 59 of *the Land Acquisition (Just Terms Compensation) Act 1991* requires Council to pay the landowner's legal and property conveyancing costs that will be incurred arising from the land acquisition. These costs are \$3,500 (plus GST).

There is allocated funding budgeted for in the project to meet the land acquisition and conveyancing costs.

Attachments

1.  Attachment 1 - Extent of Lorne Road Upgrade Works
2.  Attachment 2 - Land Acquisitions - Borham
3.  Attachment 3 - Land Acquisitions - Hurrell

Item: 13.11

Subject: NSW NATIONAL PARKS AND WILDLIFE SERVICES LAND
REVOCATION

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. Progress the land transfer process with National Parks and Wildlife Service (NPWS) for areas of recently revoked National Park land at Lake Innes Nature Reserve and Sea Acres National Park for the following locations/projects:
 - a) Lake Road, Port Macquarie - revocation between Ocean Drive and Chestnut Road.
 - b) Lighthouse Road, Port Macquarie - revocation between Pacific Drive and Matthew Flinders Drive.
 - c) Ocean Drive, Lake Cathie - revocation on western and northern boundaries of the Lake Cathie sports fields.
 - d) Ocean Drive, Lake Cathie to Port Macquarie - revocation between Lake Cathie sports fields and Pozieres Estate 821 Ocean Drive Port Macquarie.
2. Endorse the proposed transfer of the revoked NPWS lands to Council.
3. Endorse the proposed offer of Council owned land, Lot 71 DP 246597 and Lot 72 DP 246597, Lake Innes Drive Lake Innes, to NPWS as compensation for the transfer to Council of the revoked lands.
4. Note that a further report will be presented to Council detailing the outcome of the compensation process discussions with NPWS and seeking a Council resolution to proceed with the transfers.

Executive Summary

In late 2023, Council was presented with the opportunity to progress a series of proposed National Park land revocations within a draft Parliamentary Bill being prepared by National Parks and Wildlife Services (NPWS). These proposed revocations were largely associated with areas of legacy encroachments by Council on NPWS land along with the inclusion of lands required for the future Lake Road and Lighthouse Road upgrade projects. The revocation process is legislated within the *National Parks and Wildlife Act 1974* for lands reserved under this Act.

In May 2024 a revocation Bill, the National Parks and Heritage Legislation Amendment Bill, was introduced into NSW Parliament. The Bill captured revocations associated with the proposed future Lake Road and Lighthouse Road upgrade

projects, along with two other park amendments associated with legacy encroachments by Council on NPWS land on Ocean Drive north of Lake Cathie and adjacent to the Lake Cathie sports fields.

On 20 June 2024 the NSW Parliament passed the National Parks and Heritage Legislation Amendment Bill. The Bill received Governor's assent on 24 June 2024, making it the *National Parks and Heritage Legislation Amendment Act 2024 (Amendment Act)*.

The *Amendment Act* revokes areas of NPWS land of approximately 6.21 hectares from Lake Innes Nature Reserve and approximately 0.11 hectares from Sea Acres National Park. This NPWS land is intended to be transferred to Port Macquarie-Hastings Council.

In order to progress the revoked land transfer to Council and in accordance with the *Amendment Act*, the Minister administering the *National Parks and Wildlife Act 1974* must be satisfied that appropriate compensation has been provided to NPWS. The purpose of this report is to seek Council endorsement to progress the proposed land transfer as per the process outlined in the letter from NPWS dated 22 July 2024 - see Attachment 1.

Discussion

In late 2023, Council was presented with the opportunity to progress a series of proposed National Park land revocations within a draft Bill being prepared by National Parks and Wildlife Services (NPWS). These proposed revocations were largely associated with areas of legacy encroachments by Council on NPWS land, along with the inclusion of lands required for the proposed future Lake Road upgrade (duplication) and Lighthouse Road upgrade projects.

A summary of the four areas of revocation are listed below and are shown on the maps in Attachment 2 (shown in red shading):

- Lake Road, Port Macquarie - revocation between Ocean Drive and Chestnut Road.
- Lighthouse Road, Port Macquarie - revocation between Pacific Drive and Matthew Flinders Drive.
- Ocean Drive, Lake Cathie - revocation on western and northern boundaries of the Lake Cathie sports fields.
- Ocean Drive, Lake Cathie to Port Macquarie - revocation between Lake Cathie sports fields and Pozieres Estate 821 Ocean Drive Port Macquarie

The revocation process facilitates the revoking of the National Parks status and transfers the land vesting it in the Minister administering the *National Parks and Wildlife Services Act 1974*. The land can then be transferred to Council.

Through the revocation process, consideration has been given to land which may be suitable as compensation to NPWS, with two parcels of Council owned land identified comprising Lot 71 DP 246597 and Lot 72 DP 246597 Lake Innes Drive, Lake Innes, as shown on Attachment 3. These lands are immediately adjacent to the western extent of the Lake Innes Nature Reserve and are zoned C2 Environmental Conservation consistent with the value of the revoked lands to be transferred to

Council. The land area of the respective parcels is a total of 20.17 hectares comprised of 12.72 hectares associated with Lot 71 DP 246597 and 6.45 hectares associated with Lot 72 DP 246597. NPWS officers have indicated that these lands are an acceptable form of compensation, and with the revocation step now complete more formal discussions can now proceed to confirm this.

As part of the land transfer process Council will also need to complete the necessary subdivision and land title registration tasks.

Options

In accordance with the *Amendment Act*, the Minister must be satisfied that appropriate compensation has been provided prior to the revoked land being transferred to Council. Should Council not endorse the proposed land to be presented for compensation, alternate lands will need to be identified to the satisfaction of the Minister. No other suitable lands have been identified to date. The *Amendment Act* requires that the adjustments be made including the compensatory lands proposed, so long as a significant reduction in the size or value of the land reserved does not occur.

Community Engagement and Internal Consultation

Positive discussions have been held to date with NPWS officers. Internal consultation has occurred with the Council Executive Group with regard to the proposed compensatory lands.




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 as the Council land to be offered to NPWS is the form of compensation to NPWS. Costs related to subdivision and land title registration shall be funded via the Lake Road and Lighthouse Road planning allocations within the 2024/25 Operational Plan.

Attachments

1.  NPWS Letter to Council 22 July 2024
2.  Maps of Revoked NPWS Lands
3.  Maps of Council Land Proposed as Compensation

Item: 13.12

Subject: KOOLOONBUNG CREEK FLYING-FOX CAMP MANAGEMENT
PLAN UPDATE

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

4.8.2 Increase community awareness and enable access to the natural environment.

RECOMMENDATION

That Council:

1. **Note the Kooloonbung Creek Flying Fox Camp Management Plan update report for the implementation of the actions from the Kooloonbung creek flying fox Camp Management Plan (Attachment 1)**
2. **Note for information only, the Appropriate Land Use Planning Framework Report prepared for the Kooloonbung Creek Flying Fox Camp Management Plan (Attachment 2).**

Executive Summary

The Kooloonbung Creek Flying-Fox Camp Management Plan (CMP) was adopted by Council at the June 2019 Ordinary Council meeting.

Since adoption, staff have been implementing the Level 1 and 2 management actions identified in Table 8 of the adopted CMP (Attachment 1). The report presented to Council 15 June 2023 provided a detailed account of all actions delivered and is included for reference as Attachment 3.

The focus of the 2023-2024 Operational Year was to investigate the appropriate land use planning actions that could assist in the management of the land use interface between developed land and the Camp. This report provides an update on the progress of that action.

Environmental Consultant Company WolfPeak were engaged in 2023 to provide a report with recommendations and drafted suggested changes to the planning framework.

The recommendations of the Appropriate Land Use Planning Framework Report (Attachment 2) are to:

- Amend Part 7 of the Port Macquarie Hastings Local Environmental Plan 2011 to include an Additional Local Provision for Flying-Fox Habitat with supporting Map.
- Add to Chapter D11 Locality Specific Provisions of the Port Macquarie Development Control Plan to include provisions to manage the urban interface with the Kooloonbung Creek Flying-Fox camp.

- Include a notation to the s10.7 Planning Certificates for properties mapped pursuant to a Part 7 LEP clause.

These suggested recommendations will have to be considered further with a future review of the LEP and DCP inline with the NSW Government's planning framework and Guidelines,

The recommendation regarding the Local Strategic Planning Statement (LSPS) will also be considered with the upcoming review of the LSPS (as per the 2024-2025 Operational Plan - Project LUP 01 to 'review the LSPS and prepare a draft update for public exhibition and community consultation).

A review of the Camp Management Plan, including an updated 5-year Action Plan, will be delivered in 2024-2025.

Discussion

The Kooloonbung Creek Flying-Fox Camp Management Plan (CMP) was adopted by Council at the June 2019 Ordinary Council meeting and follows the NSW Government Flying Fox Camp Management Policy 2015 (NSW Office of Environment and Heritage). It was prepared using the template for developing a flying fox camp management plan issued by NSW Department of Planning Industry and Environment (2019). The CMP includes legislative guidelines and contains recommendations specific to Kooloonbung Creek for action based on feedback from the community and the residents.

The focus of the 2023-2024 Operational Year was to investigate the appropriate land use planning action. This report provides an update on the progress of that action.

Environmental Consultant company WolfPeak were engaged in 2023 through a competitive request for quote process to investigate the appropriate land use planning action and provide a report with recommendations and drafted proposed changes to the planning framework. The report was finalised on the 18 June 2024 titled Kooloonbung Creek Flying Fox Camp Management Plan - Appropriate Land Use Planning Framework.

The investigation undertaken by WolfPeak included a review of a Noise Impact Assessment that staff had commissioned by acoustic consultant engineers from Cardno Pty Ltd (now Stantec) in 2021. The Noise Impact Assessment model was updated by Stantec in 2024 using two average camp extent maps. This modelling was used by WolfPeak to form the basis of land use planning recommendations for impacted residents (Attachment 2 included as appendices to WolfPeak Report).

The objective of the Appropriate Land Use Planning Framework Report (Attachment 2) was to satisfy the Camp Management Plan action by proposing to:

- Apply an appropriate suite of planning control measures to minimise land use conflict with the Kooloonbung Creek Flying-fox camp.
- Set in place a planning framework that both identifies and protects other Flying-fox camp habitat; and

- Guide future planning decisions (whether rezoning or DA) such that the management of future development avoids negative impacts on Flying-fox camp habitat and minimises potential land use conflicts going forward.

The suggested recommendations of the Appropriate Land Use Planning Framework Report (Attachment 2) are to:

- Amend Part 7 of the Port Macquarie Hastings Local Environmental Plan 2011 to include an Additional Local Provision for Flying-Fox Habitat with supporting Map.
- Add to Chapter D11 Locality Specific Provisions of the Port Macquarie Development Control Plan to include provisions to manage the urban interface with the Kooloonbung Creek Flying-Fox camp.
- Include a notation to the s10.7 Planning Certificates for properties mapped pursuant to a Part 7 LEP clause.

These recommended Land Use Planning measures were developed to be used in tandem with CMP actions to minimise land use conflict with the Camp.

Section 2 of the Appropriate Land Use Planning Framework Report (Attachment 2) considers a Strategic Planning approach to avoiding future urban edge conflicts with Flying-fox camps.

The recommendations include:

- Establish a set of Flying-fox camp habitat criteria
- Identify a reasonable buffer/separation distance from new residential to the habitat
- Add to the Part 7 LEP provisions to ensure residential land subdivisions consider proximity to Flying-fox camp habitat, if applicable.
- Add to the DCP Chapter B2 Environmental Management provisions buffers between Flying-fox camp habitat and new residential estates.

Updates to the Local Strategic Planning Statement (LSPS) will be considered as part of the Operational Plan 2024-2025 Project LUP 01. The recommended amendments to the Local Environmental Plan 2011 and the Development Control Plan will be considered when these documents are next reviewed in line with the NSW Government's planning framework and Guidelines. The Appropriate Land Use Planning Framework Report is presented here for information only.

In addition to investigating options for appropriate land use planning, staff have continued to monitor the Flying Fox Camp and undertake quarterly counts to add to the National Flying Fox Census. An interactive map is now available where viewers can see all camp areas and numbers of Flying Fox for each season from 2019 onwards. This map is accessible from Council's Website [Flying foxes Port Macquarie Hastings Council \(nsw.gov.au\)](https://www.portmacquariehastings.nsw.gov.au).

The last 12 months has seen expected camp numbers with no significant increases, remaining steady throughout the year. The numbers did increase during peak times from February to April however this year was not as high as previous years. The Little Red Flying Fox returned during peak season however not in significant numbers. Staff estimated the numbers of Little Red Flying Fox were at maximum during April 2024 with approximately 20,000 and they were gone by May 2024. This

data was shared to Port Macquarie Airport to assist Airport Management to understand the risk of Biomass in the area.

A summary of the National Census count is provided by staff for reference:

16 August 2023

- 22,813 Grey Headed Flying Fox
- 3,802 Black Flying Fox

16 November 2023

- 7,625 Grey Headed Flying Fox
- 816 Black Flying Fox

26 March 2024

- 7,625 Grey Headed Flying Fox
- 816 Black Flying Fox
- 2,000 Little red Flying Fox

16 May 2024

- 14,941 Grey Headed Flying Fox
- 3,383 Black Flying Fox

The Education Team continued to deliver educational outcomes to the Community using resourced developed from previous years discussed in detail in Attachment 3.

The Friends of Kooloonbung Creek continued to collaborate with Council to maintain the Flying Fox Camp area and surrounding habitat. Activities undertaken included weed management, rubbish collection, cleaning interpretive signs, keeping boardwalks clean and clear of debris throughout the Kooloonbung Creek Nature Park.

Options

This report is presented to Council for information. Council has the following options available:

1. Note this Kooloonbung Creek Flying Fox Camp Management Plan Update and Kooloonbung Creek Flying Fox Camp Management Plan Appropriate Land User Planning Framework (Attachment 2) or
2. Seek further information.

Community Engagement and Internal Consultation

Regular project meetings and consultation with the Strategic Planning and Development Planning teams assisted in the delivery of the Appropriate Land Use Planning Framework Report prepared for the Kooloonbung Creek Flying Fox Camp Management Plan (Attachment 2).

The next community information session is on 21 August 2024 to share the progress of implementing the Camp Management Plan and work through any communications actions. The Community Engagement Team have distributed social updates through a range of channels.

The Education Team is delivering activities to raise awareness about flying foxes using resources developed in previous years (See Attachment 3).

Planning and Policy Implications

There are no immediate planning and policy implications in relation to this report. Any future planning implications that are to be considered on the back of the WolfPeak report (Attachment 2) will be the subject of further consideration by staff and Council.

Financial and Economic Implications




The Operational Plan actions from the Flying Fox Camp Management Plan delivered through the 2023-2024 operational budget totalled \$39,364.

Actions delivered included costs associated with education and awareness and investigation of appropriate land use planning through engagement of Acoustic Consultants Stantec to update the acoustic modelling and WolfPeak to investigate options for appropriate land use planning.

\$65,000 of funding has been allocated in the 2024-2025 Operational Plan for the Flying Fox Camp Management Plan actions.

Actions proposed to be delivered in accordance with the Camp Management Plan include a future review of the Camp Management Plan with updated actions table for a further 5 years, education and awareness, routine camp management, flying fox census data collection and costs involved with implementing the land use planning recommendations. The revised draft Camp Management Plan will be presented to Council for further consideration at a future meeting.

Attachments

1.  Kooloonbung Creek Camp Management Plan
2.  Kooloonbung Creek Flying Fox Camp Management Plan - Appropriate Land Use Planning Framework Report
3.  Progress Report Action Table June 2023

Item: 13.13

Subject: LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY 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 the progress of 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 July 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 Hazard Assessment and Coastal Vulnerability Assessment Mapping Project
4. Water Quality Improvement Strategy
5. Review of the Lake Cathie Entrance Management 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

The Hydrodynamic Model of Lake Innes, Lake Cathie and Cathie Creek has now been finalised. Council staff are organising a presentation about the project to key stakeholders involved in the management of the system in the coming months depending on the government agencies and consultant's availability. The outcomes

of the model will be referenced in the development of the CMP including the Review of the Lake Cathie Entrance Management Strategy.

2. Bundella Avenue Asbestos Remediation Works

Revegetation works have commenced along the remediated embankment off Bundella Avenue. Lomandra and Pigface have been planted along the embankment. Half of the revegetation works was brought forward to discourage the public from climbing on the remediated area and causing damage to the jute matting. Ongoing maintenance works will continue to encourage the establishment of the plants including an ongoing watering regime. The remaining 50% of the plants will be planted in September. A timber fence will be established along the top of the embankment in the coming weeks.

3. Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project

Bluecoast Consulting Engineers are continuing the development of the Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project on behalf of Council. Bluecoast Consulting Engineers are currently assessing the various coastal hazards across the LGA. This hazard assessment will be used in the development of Coastal Vulnerability Assessment maps for the Port Macquarie Hastings Council Local Government Area (LGA). The overall project is expected to be completed in November 2024.

4. Water Quality Improvement Strategy

Council released a tender on late May 2024 to identify a consultant to develop three Water Quality Improvement Strategies for three waterways including the Hastings River Estuary, the Camden Haven River Estuary and Lake Cathie / Bonny Hills catchments. The overarching aim of these strategies is to identify current and future impacts to water quality within the coastal waterways of the LGA and provide Council with specific management actions to improve water quality within the coastal waterways. The tender closed on 27 June 2024. Five submissions were received. At the time this report was prepared, a preferred submission had been identified by the evaluation team and Council staff were preparing the tender award documentation.

5. Review of the Lake Cathie Entrance Management Strategy

Council staff have approached the consultant that undertook the Hydrodynamic Model, requesting they prepare a proposal undertake the Lake Cathie Entrance Management Strategy. The review will consider the findings of the updated Hydrodynamic Model and the recommendations put forward in the Soil Conservation Service / Southern Cross University Bushfire Affected Coastal Waterways report.

The proposal is expected to be provided to Council in the coming months, with the project aiming to commence in the second half of 2024.

6. Invasive Weed Management

There have been no invasive weed control activities that have occurred in the area in last month. This is due to the number of activities undertaken in the previous months and the reduced growth of invasive species during cooler months. Invasive weed control activities in the area are expected to recommence as the weather warms.

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 Estuary	Camden Haven River Estuary	Open Coastline
✓	Stage 1	Complete			
⇒	Stage 2	2021 - 2025	2022 - 2025	2023 - 2023	2023 - 2024
	Stage 3 - 4	2025	2025	2025	2025
	Stage 5	2025+	2025+	2025+	2025+

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 and a faster pathway to Government approval.

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.

Council staff attended the NAIDOC Week Family Fun Day at Wauchope to provide the community with information about the Sea Country project and allow the Community to contribute ideas towards the project. Community participation was very positive, and the results will be taken to the Sea Country Working Group for discussion.

4WD Signage

Council staff recently installed a number of signs across the LGA targeting drivers of vehicles on beaches. Signs were installed at Lighthouse Beach, Lake Cathie, North Shore, Queens Head Dunbogan Beach and Diamond Head at beach access points and the boundaries of where vehicles are permitted on beaches. The signs inform beach drivers where vehicles are permitted/not permitted and speed limits as per the Beach Driving Policy.



Figure1: Installation of Sign at Beach Access Point at Lake Cathie

Options

This report is provided for information purposes only.

Community Engagement and Internal Consultation

This report is provided for information purposes.

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

Project	Grant Funding (\$)	Council Contribution (\$)	Total Estimated Project Cost (\$)
Current Projects			
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
Water Quality Improvement Strategy	200,001	100,000	300,001
Coastal Hazard Assessment & Coastal Vulnerability Assessment	108,000	54,000	162,000
TOTAL	1,125,267	586,266	1,711,533

Attachments

Nil



Subject: CONFIDENTIAL SESSION

RECOMMENDATION

- 1. That Council move into Confidential Session to receive and consider the following items:**

Item 14.01 2024.111 WaterOutlook Subscription

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 14.02 Chief Executive Officer's Performance Review

This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).

- 2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Confidential Session of Council on the basis that the items to be considered are of a confidential nature.**
- 3. That the resolutions made by Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.**