

Ordinary Council

Business Paper

date of meeting: Thursday 20 February 2025

location: Council Chambers, 17 Burrawan Street, Port Macquarie

time: 2:00 PM

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.

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 20 February 2025

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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 12 December 2024 be confirmed.

PRESENT

Members:

Mayor Adam Roberts
Councillor Lauren Edwards
Councillor Mark Hornshaw
Councillor Lisa Intemann
Councillor Chris Kirkman
Councillor Nik Lipovac
Councillor Rachel Sheppard
Councillor Hamish Tubman

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)
Group Manager Governance (Michael Ferguson)
Legal Counsel (Anthea Gilmore)
Governance Officer (Tania Ellis)

The meeting opened at 10.00am

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 REMOTE ATTENDANCE AT MEETING

Nil

03 LOCAL GOVERNMENT PRAYER

Pastor David Pym from the Port Macquarie Baptist Church delivered the Local Government Prayer.

04 APOLOGIES

RESOLVED: Roberts/Edwards

That the apology received from Councillor Danielle Maltman be accepted.

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

05 CONFIRMATION OF MINUTES

RESOLVED: Intemann / Lipovac

That the Minutes of the Ordinary Council Meeting held on 14 November 2024 be confirmed.

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

06 DISCLOSURES OF INTEREST

Councillor Lipovac declared a Non-Pecuniary - Less than Significant interest in Item 11.03 Friends of Camden Head Lookout Volunteer Group. The reason being that Jon Bailey who is listed as one of the volunteers seeking endorsement, ran on Councillor Lipovac's Group Ticket at the Local Government Election September 2024. Councillor Lipovac intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence his decision making in the matter.

Director Fish declared a Pecuniary, Significant interest in Item 13.04 Hastings River Flood Study. The reason being is that Director Fish owns a property within the flood Planning area, and flood modelling impacts on the property may vary pending the outcome of the exhibition and adoption of the study. Director Fish intends to leave the meeting, be out of sight and take no part in consideration of this item.

07 MAYORAL MINUTES

Nil

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Nil

09 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Lipovac/Sheppard

That Items 10.01, 10.07, 11.01, 11.05, 13.06, 13.08, 13.09, 13.10, 13.11, 13.13, 13.14 and 13.15 be considered as a block resolution.

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

RESOLVED: Intemann/Edwards

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

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

10.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 31 OCTOBER TO 27 NOVEMBER 2024

RESOLVED: Intemann/Edwards

That Council note that there were no allocations made from the Mayoral Discretionary Fund for the period 31 October to 27 November 2024 inclusive.

10.07 INVESTMENTS AND LOANS - NOVEMBER 2024

RESOLVED: Intemann/Edwards

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

11.01 RECOMMENDED ITEMS FROM THE NOVEMBER 2024 MEETING OF THE PORT MACQUARIE-HASTINGS SPORTING FUND

RESOLVED: Intemann/Edwards

That Council endorse the Port Macquarie-Hastings Sporting Fund Sub-Committee recommendation for payment of \$1000 to James Constable to attend various athletic championships across Australia.

11.05 DRAFT PLACES TO PLAY PLANS

RESOLVED: Intemann/Edwards

That Council:

- 1. Place the next chapters of the draft Places to Play Plans, namely the:**
 - Skate Spaces Plan**
 - Outdoor Fitness Equipment Plan**
 - Outdoor Courts Plan**
 - Off-leash Areas and Designated Dog Parks Plan****on public exhibition for a period of not less than 42 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.**
-

13.06 UPDATE ON SITE SPECIFIC PLANNING PROPOSAL REQUESTS BI-ANNUAL REPORT

RESOLVED: Intemann/Edwards

That Council:

- 1. Note the status of site specific Planning Proposal requests detailed in this report; and**
 - 2. Receive a further update report in June 2025 regarding the progress of site specific Planning Proposal requests.**
-

13.08 LAND ACQUISITION - KING CREEK ROAD, KING CREEK

RESOLVED: Intemann/Edwards

That Council:

1. Proceed with the compulsory acquisition of a Crown Land lot in King Creek, more particularly described as Lot 1 DP 1311519, for the purpose of public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
 2. Make an application to the Minister of Local Government and the Governor for approval to acquire Lot 1 DP 1311519, by compulsory process under section 177(2)(b) of the Roads Act 1993.
 3. Pay compensation in the amount of \$2,500 (no GST payable) to the Department of Crown Lands for the acquisition of the land.
-

13.09 LAND ACQUISITION - BRIL BRIL-BELANGRY ROAD ROLLANDS PLAINS

RESOLVED: Intemann/Edwards

That Council:

1. Pay compensation in the amount of \$2,000 (ex GST) to the owner of Lot 77 DP 754406, PD McLaren, 511 Bril Bril-Bellangry Road Rollands Plains, for an acquisition more particularly described in the plan of acquisition as Lot 2 DP 1311134.
 2. Pursuant to Section 59 of the Land Acquisition (Just Terms Compensation) Act 1991, pay the landowner's property and conveyancing costs.
 3. Pursuant to Section 10 of the Roads Act 1993, dedicate Lot 2 DP 1311134 as public road.
-

13.10 ROAD CLOSURE - LORNE ROAD COMBOYNE

RESOLVED: Intemann/Edwards

That Council:

1. Pursuant to Section 38D of the Roads Act 1993 publish a Notice in the NSW Government Gazette to close that part of Lorne Road described as Lot 12 Deposited Plan 1305509.
 2. Upon closure vest Lot 12 Deposited Plan 1305509 in Council as operational land.
 3. Transfer Lot 12 Deposited Plan 1305509 to Philip Borham.
 4. Pay the legal costs incurred by Philip Borham attributable to the land transfer.
-

13.11 ANNUAL DRINKING WATER AND RECYCLED WATER REPORTS 2023-2024

RESOLVED: Intemann/Edwards

That Council note the information contained within this report regarding the quality performance of drinking and recycled water supplied to the community for the reporting period 1 July 2023 to 30 June 2024.

13.13 POLICY REVIEW - ROADS POLICY SUITE - POST PUBLIC EXHIBITION

RESOLVED: Intemann/Edwards

That Council:

- 1. Adopt the draft Road Policy Suite which includes the Road Reserve and Public Roads Management Policy, Sealed Roads Policy, Roadside Vegetation Management Policy, and Bridge and Culverts Policy.**
 - 2. Rescind the following existing policies:**
 - Road Reserve Management Policy 2022**
 - Roadside Vegetation Management Policy 2021**
-

13.14 POLICY REVIEW - TRANSPORT AND DRAINAGE POLICY SUITE - PRE PUBLIC EXHIBITION

RESOLVED: Intemann/Edwards

That Council:

- 1. Place on public exhibition the following draft policies for a period of not less than 28 days.**
 - Electric Vehicle Road Management and Infrastructure Policy**
 - Public Transport Infrastructure Policy**
 - Stormwater Overland Flow Policy**
 - Kerbside Use and Parking Management Policy**
 - Active Transport Crossing, Paths, and Walkways in Public Road Reserve Policy**
 - 2. Note that a further report will be provided by the March 2025 Ordinary Council meeting detailing the submissions received from the public during the exhibition period.**
-

13.15 POLICY REVIEW - LIQUID TRADE WASTE POLICY

RESOLVED: Intemann/Edwards

That Council:

- 1. Publicly exhibit the draft Liquid Trade Waste Policy for a period of not less than 28 days.**
 - 2. Note that a further report will be tabled at the March 2025 meeting of Council, detailing the submissions received from the public during the exhibition period.**
-

10.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Edwards/Intemann

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

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
CARRIED: 8/0
AGAINST: Nil

10.03 DISCLOSURE OF INTEREST RETURN - DESIGNATED PERSONS

RESOLVED: Roberts/Intemann

That Council note the Disclosure of Interest return for the following position.

- 1. Elected Member - Councillor**
- 2. Major Project Manager - Community Utilities**

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
CARRIED: 8/0
AGAINST: Nil

The Chairperson tabled the disclosures of interest return of the Designated Persons listed above.

10.04 NOTICE OF MOTION - CORRESPONDENCE FROM TOWN OF PORT HEADLAND COUNCIL

RESOLVED: Hornshaw/Intemann

That Council:

-
1. Note the correspondence from the Town of Port Headland Council as attached.
 2. Respond to the Town of Port Headland Council thanking them for their correspondence.
 3. Note that matters relating to the regulation of vaccines are not the responsibility of Local Government and fall within the responsibilities of Federal health authorities, such as the Therapeutic Goods Administration (TGA).

AMENDMENT

MOVED: Hornshaw/Intemann

That Council:

1. Note the correspondence from the Town of Port Headland Council as attached.
2. Respond to the Town of Port Headland Council thanking them for their correspondence.
3. Note that matters relating to the regulation of vaccines are not the responsibility of Local Government and fall within the responsibilities of Federal health authorities, such as the Therapeutic Goods Administration (TGA).
4. Note that Councillors are also elected to represent their community generally.
5. Note the interest in the Gallery in calling for a thoroughgoing Royal Commission into DNA contamination in the synthetic gene injections (mRNA Covid-19 vaccines) and its capacity to harm.

EQUAL: 4/4

FOR: Hornshaw, Intemann, Kirkman and Roberts

AGAINST: Edwards, Lipovac, Sheppard and Tubman

LOST

THE AMENDMENT ON BEING PUT WAS LOST

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Hornshaw/Intemann

That Council:

1. **Note the correspondence from the Town of Port Headland Council as attached.**
2. **Respond to the Town of Port Headland Council thanking them for their correspondence.**
3. **Note that matters relating to the regulation of vaccines are not the responsibility of Local Government and fall within the responsibilities of Federal health authorities, such as the Therapeutic Goods Administration (TGA).**

CARRIED: 6/2

FOR: Edwards, Hornshaw, Intemann, Kirkman, Roberts and Tubman

AGAINST: Lipovac and Sheppard

10.05 NOTICE OF MOTION - QUADRUPLE BOTTOM LINE OBLIGATIONS

RESOLVED: Sheppard/Intemann

That Council:

1. **Request the Chief Executive Officer provide a report to the February 2025 Ordinary meeting of Council that details proposed plans to progress embedding structured and data driven consideration of Quadruple Bottom Line (QBL) into Council decision making, including but not limited to:**
 - (a) **Inclusion of QBL implications/considerations in all Council reports as a standard item for consideration**
 - (b) **The Integrated Planning and Reporting (IP&R) framework and suite of documents and QBL outcomes being reported on in Council's Annual Report**
2. **Request the Chief Executive Officer to facilitate a Councillor Workshop in March 2025 regarding item 1 above and the implications for delivery of Council's 2025-2026 IP&R suite of documents including the following:**
 - (a) **Costs likely to be associated with actioning the outcome of Council's consideration of item 1 in the draft 2025-2026 IP&R documents.**
 - (b) **Resourcing available or required to support progressing the plans to embed a structured and data driven consideration of Quadruple Bottom Line (QBL) into Council decision making, including but not limited to external organisations such as the Joint Organisation and establishing a community reference group or advisory committee.**

CARRIED: 5/3

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman
AGAINST: Hornshaw, Kirkman and Roberts

10.06 NOTICE OF MOTION - MONEY RESERVES EXPLAINER

RESOLVED: Edwards/Tubman

That Council request the Chief Executive Officer to develop an updated Money Reserves Explainer to be distributed with the rates first instalment notice for 2025-2026.

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 10.07 Investments and Loans - November 2024, has been addressed previously within the meeting.

10.08 MONTHLY BUDGET REVIEW - NOVEMBER 2024

RESOLVED: Intemann/Lipovac

That Council:

- 1. Adopt the adjustments in the November 2024 Adjustments section of the Monthly Budget Review – November 2024 report and associated attachment.**
- 2. Amend the 2024-2025 Operational Plan to include all budget adjustments approved in this report.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

Councillor Tubman left the meeting, the time being 11:03am.

Councillor Tubman returned to the meeting, the time being 11:04am.

10.09 IMPROVEMENT PLAN 2022-2026 - GENERAL FUND OPERATING PERFORMANCE

RESOLVED: Sheppard/Intemann

That Council:

- 1. Note the update on initiatives within the Improvement Plan 2022-2026 which represents Council's plan to continually drive efficiency, productivity, and improved service delivery.**
- 2. Note the General Fund Operating Performance Ratio for the 2023-2024 financial year and the outlook over the decade to 2033-2024 which continues to reflect the 2024-2025 Long-Term Financial Plan.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

10.10 HIGHWAY SERVICE CENTRE SEWER WORKS DEVELOPER DEED

MOTION

MOVED: Sheppard/Edwards

That Council defer a decision on entering into a Developer Deed for the detailed designs until such time as Council has received further briefing and reporting on the Long Term Financial Plan, and seek more information in relation to the matter via a report to Council, including the LTFP review, progress on the Sancrox-

Fernbank Structure Plan, and VPA and Works-in-Kind considerations in relation to costs of design.

EQUAL: 4/4

FOR: Edwards, Intemann, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman, Lipovac and Roberts

LOST

THE MOTION ON BEING PUT WAS LOST

MOTION

MOVED: Roberts/Hornshaw

That Council:

1. Note the sewer works to be undertaken by Scott PDI No-6 Pty Ltd in accordance with 1179 Oxley Highway, Sancrox Planning Agreement, dated 24 July 2019, and associated with Development Consent DA2019/945, includes sewer works above what is required to solely service the development.
2. Note that the works are to provide additional capacity in the sewer pumping station, associated rising main and trunk gravity main to serve other future development in the growth area and as such would constitute works-in-kind.
3. Note that detailed design of the sewer works is required to gain an accurate estimate of the construction costs.
4. Note that the detailed design is to be in accordance with the alternative concept design alignment for the sewerage infrastructure long-term works put forward by Scott PDI No-6 Pty Ltd, including the ultimate connection to a new sewer pump station on Fernbank Creek road and catering for the revised catchment equivalent tenement calculation as determined by council staff.
5. Under the extenuating circumstances provision of 55(3)(i) of the Local Government Act 1993, resolve not to call tenders for the detailed design of the Sewerage Pump Station and associated works for the Highway Service Centre and surrounding catchment as it is considered that a satisfactory result would not be achieved by inviting tenders (due to extenuating circumstances) for the reason of the works being associated with and linked to a voluntary planning agreement and development consent as outlined in this report.
6. Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a Developer Deed contract for Design Works following negotiations with Scott PDI No-6 Pty Ltd, and present a further report to a future meeting of Council on completion of the designs for Council's information and consideration of forward funding construction works.
7. Note that a budget adjustment will be presented to a future Council Meeting as per the current monthly budget adjustment procedure to adjust the budget with funds from the Sewer Reserves, for the required amount in the 2024-2025 Financial Year and note that the required amount in the 2025-2026 Financial Year will be allocated in the draft 2025-2026 budget.
8. Note that the estimated cost of additional works has been identified in the draft Development Servicing Plan, due to be reported to Council for adoption in February 2025, and therefore are part of the calculation for future

developer contribution charges, which will facilitate Council recouping the costs from future development when it occurs.

AMENDMENT

MOVED: Sheppard/Edwards

That Council:

1. Note the sewer works to be undertaken by Scott PDI No-6 Pty Ltd in accordance with 1179 Oxley Highway, Sancrox Planning Agreement, dated 24 July 2019, and associated with Development Consent DA2019/945, includes sewer works above what is required to solely service the development.
2. Note that the works are to provide additional capacity in the sewer pumping station, associated rising main and trunk gravity main to serve other future development in the growth area and as such would constitute works-in-kind.
3. Note that detailed design of the sewer works is required to gain an accurate estimate of the construction costs.
4. Note that the detailed design is to be in accordance with the alternative concept design alignment for the sewerage infrastructure long-term works put forward by Scott PDI No-6 Pty Ltd, including the ultimate connection to a new sewer pump station on Fernbank Creek road and catering for the revised catchment equivalent tenement calculation as determined by council staff.
5. Under the extenuating circumstances provision of 55(3)(i) of the Local Government Act 1993, resolve not to call tenders for the detailed design of the Sewerage Pump Station and associated works for the Highway Service Centre and surrounding catchment as it is considered that a satisfactory result would not be achieved by inviting tenders (due to extenuating circumstances) for the reason of the works being associated with and linked to a voluntary planning agreement and development consent as outlined in this report.
6. Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a Developer Deed contract for Design Works following negotiations with Scott PDI No-6 Pty Ltd, and present a further report to a future meeting of Council on completion of the designs for Council's information and consideration of forward funding construction works.
7. Note that a budget adjustment will be presented to a future Council Meeting as per the current monthly budget adjustment procedure to adjust the budget with funds from the Sewer Reserves, for the required amount in the 2024-2025 Financial Year and note that the required amount in the 2025-2026 Financial Year will be allocated in the draft 2025-2026 budget.
8. Note that the estimated cost of additional works has been identified in the draft Development Servicing Plan, due to be reported to Council for adoption in February 2025, and therefore are part of the calculation for future developer contribution charges, which will facilitate Council recouping the costs from future development when it occurs.
9. Receive a written or in person briefing in relation to proposed sewer allocations within the draft LTFP and progress on the Sancrox Fernbank structure plan, as soon as practical February March 2025.

CARRIED: 7/1

FOR: *Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman*
AGAINST: *Edwards*

THE AMENDMENT ON BEING PUT WAS CARRIED

Councillor Kirkman left the meeting, the time being 11:55am.

THE AMENDMENT BECAME THE MOTION AND ON BEING PUT WAS CARRIED

RESOLVED: *Sheppard/Edwards*

That Council:

1. **Note the sewer works to be undertaken by Scott PDI No-6 Pty Ltd in accordance with 1179 Oxley Highway, Sancrox Planning Agreement, dated 24 July 2019, and associated with Development Consent DA2019/945, includes sewer works above what is required to solely service the development.**
2. **Note that the works are to provide additional capacity in the sewer pumping station, associated rising main and trunk gravity main to serve other future development in the growth area and as such would constitute works-in-kind.**
3. **Note that detailed design of the sewer works is required to gain an accurate estimate of the construction costs.**
4. **Note that the detailed design is to be in accordance with the alternative concept design alignment for the sewerage infrastructure long-term works put forward by Scott PDI No-6 Pty Ltd, including the ultimate connection to a new sewer pump station on Fernbank Creek road and catering for the revised catchment equivalent tenement calculation as determined by council staff.**
5. **Under the extenuating circumstances provision of 55(3)(i) of the Local Government Act 1993, resolve not to call tenders for the detailed design of the Sewerage Pump Station and associated works for the Highway Service Centre and surrounding catchment as it is considered that a satisfactory result would not be achieved by inviting tenders (due to extenuating circumstances) for the reason of the works being associated with and linked to a voluntary planning agreement and development consent as outlined in this report.**
6. **Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a Developer Deed contract for Design Works following negotiations with Scott PDI No-6 Pty Ltd, and present a further report to a future meeting of Council on completion of the designs for Council's information and consideration of forward funding construction works.**
7. **Note that a budget adjustment will be presented to a future Council Meeting as per the current monthly budget adjustment procedure to adjust the budget with funds from the Sewer Reserves, for the required amount in the 2024-2025 Financial Year and note that the required amount in the 2025-2026 Financial Year will be allocated in the draft 2025-2026 budget.**

8. Note that the estimated cost of additional works has been identified in the draft Development Servicing Plan, due to be reported to Council for adoption in February 2025, and therefore are part of the calculation for future developer contribution charges, which will facilitate Council recouping the costs from future development when it occurs.
9. Receive a written or in person briefing in relation to proposed sewer allocations within the draft LTFP and progress on the Sancrox Fernbank structure plan, as soon as practical, but no later than February or March 2025.

CARRIED: 6/1

FOR: Hornshaw, Intemann, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Edwards

Councillor Kirkman returned to the meeting, the time being 11:56am.

Councillor Lipovac left the meeting, the time being 11:56am.

10.11 CODE OF CONDUCT COMPLAINT STATISTICS

RESOLVED: Sheppard/Roberts

That Council note the Code of Conduct Complaint Statistics for the period 1 September 2023 to 31 August 2024.

CARRIED: 7/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Roberts, Sheppard and Tubman

AGAINST: Nil

Councillor Lipovac returned to the meeting, the time being 11:58am.

10.12 REPORT FROM THE DISCONTINUED COMMITTEES WORKING GROUP MEETING HELD 25 NOVEMBER 2024

RESOLVED: Edwards/Sheppard

That Council:

1. Note the information contained within this report.
2. Note the draft revised scope as attached to this report.
3. Amend the date of the Committee Structure review workshop to March 2025.

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

Item 11.01 Recommended Items from the November 2024 Meeting of the Port Macquarie-Hastings Sporting Fund, has been addressed previously within the meeting.

Councillor Sheppard left the meeting, the time being 12:05pm.

Councillor Sheppard returned to the meeting, the time being 12:06pm.

11.02 DRAFT PUBLIC ART POLICY

RESOLVED: Intemann/Tubman

That Council:

- 1. Endorse the draft Public Art Policy and place it on public exhibition for a period of not less than 42 days.**
- 2. Note that a further report will be tabled at the future meeting of Council of Council, detailing the submissions received from the public during the exhibition period following exhibition.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

Councillor Tubman left the meeting, the time being 12:24pm.

Councillor Tubman returned to the meeting, the time being 12:26pm.

Councillor Hornshaw left the meeting, the time being 12:26pm.

11.03 FRIENDS OF CAMDEN HEAD LOOKOUT VOLUNTEER GROUP NOMINATIONS

Councillor Lipovac declared a Non-Pecuniary - Less than Significant interest in this item. The reason being is that Jon Bailey who is listed as one of the volunteer's seeking endorsement, ran on Councillor Lipovac Group Ticket at the Local Government Election September 2024. Councillor Lipovac remained in the meeting, participated and voted in the matter as this perceived conflict did not influence his decision making in the matter.

MOTION

MOVED: Edwards/Lipovac

That Council:

- 1. Note the information contained within the report.**
- 2. Note the process and procedure for establishment of a Friends of Camden Head Lookout (FCHL) Volunteers group.**

-
3. Defer the endorsement of individual volunteers until after such time that nominees have responded to Council to:
 - a. Confirm their continued interest in being a volunteer with the FCHL volunteer group.
 - b. Agreed and signed up to a Volunteer Agreement, for the FCHL volunteer group.

This motion was withdrawn

RESOLVED: Roberts/Lipovac

That Council:

1. **Note the information contained within the report.**
2. **Note the process and procedure for establishment of a Friends of Camden Head Lookout Volunteers' group.**
3. **Endorse the following members of the Friends of Camden Head Lookout Volunteers Group subject to induction procedures: Margaret Carey, Carolyn Osborne, Blair Maxwell, Robyn Camozzato, Stephen Hamilton, Ron Byrnes, Jon Bailey, Dan Guthrie, Isaac Puriri, Russell Dodds, Dave Napper, James Weatherall, Gary Morriss, Stephen Allwood, Keith Turner, James Eve, Murray Cowled, Charlie Holtom, Alan Klahn, Greg Osborne, John Lawrie, Steven Hausfeld, Adrian Guthrie and Barbara Davies.**
4. **Thank the community for their interest in supporting efforts to manage Camden Head Lookout**

CARRIED: 7/0

FOR: Edwards, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

PROCEDURAL MOTION

MOVED: Sheppard/Roberts

That the Ordinary Council Meeting be adjourned for 5 minutes.

CARRIED: 7/0

FOR: Edwards, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

The meeting adjourned at 12.29pm

The meeting recommenced at 12.37pm

Councillor Hornshaw returned to the meeting, the time being 12.37pm

**11.04 DRAFT PRIVATE MEMORIALS AND COMMEMORATIVE NAMING IN
PARKS AND RESERVES POLICY**

RESOLVED: Sheppard/Roberts

That Council:

1. **Endorse the draft Private Memorials and Commemorative Naming in Parks and Reserves Policy for the purpose of public exhibition 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. **Determine that the draft Policy be amended prior to exhibition, to include the intended approach to existing plaques/memorials, namely that they will remain in place, however if they are removed, damaged or fall off they will not be replaced.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

Item 11.05 Draft Places to Play Plans, has been addressed previously within the meeting.

11.06 PETITION - REQUEST FOR CONSTRUCTION OF FOOTBRIDGE, WALKWAY AND WHALE VIEWING PLATFORM OVER DUCHESS CREEK, BONNY HILLS

Councillor Sheppard declared a Non-Pecuniary - Less than Significant interest in Item 11.06 Petition - Request For Construction Of Footbridge, Walkway And Whale Viewing Platform Over Duchess Creek, Bonny Hills. The reason being that Councillor Sheppard resides nearby to the location mentioned in this subject petition. Councillor Sheppard remained in the meeting, participated and voted in the matter as this perceived conflict did not influence her decision making in the matter.

RESOLVED: Edwards/Lipovac

That Council:

1. **Note the petition lodged by Lachlan Jones on behalf residents requesting the construction of a footbridge, walkway and whale watching platform over Duchess Creek, Bonny Hills.**
2. **Request the Chief Executive Officer respond to the organiser of the petition and include the following points:**
 - a. **The requested infrastructure is not currently identified as a priority within Council or community planning, including the Bonny Hills Community Plan, Bonny Hills Reserves Master Plan and Coastal Users Recreational Needs Analysis.**
 - b. **Substantial infrastructure investment is required to achieve the outcome sought via the petition.**
 - c. **Environmental approvals would also likely be a significant cost and require extensive environmental impact assessment and approvals from various government agencies to achieve the requested outcome as the proposed route passes through mapped areas of coastal wetland and littoral rainforest identified under *State***

Environmental planning policy (SEPP 2021) – Resilience and Hazards.

- d. **How to sign up for consultation and engagement opportunities with Port Macquarie-Hastings Council such as Have Your Say.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

11.07 NOTICE OF MOTION - ARTS MID NORTH COAST MEMBERSHIP

RESOLVED: Edwards/Sheppard

That Council:

1. Note that Arts Mid North Coast has extended an offer to Council to rejoin Arts Mid North Coast for 2024-2025 by making a payment of \$9,230.20 inclusive of GST.
2. Request the Chief Executive Officer to provide a report to the February 2025 Ordinary Council Meeting that includes the merits for Council's potential membership to Arts Mid North Coast and also to identify a potential funding source, if available, to fund this expenditure.
3. Request the Chief Executive Officer give consideration to the inclusion of resourcing for Port Macquarie-Hastings Council's membership with Arts Mid North Coast in the draft 2025-2026 Operational Plan.

CARRIED: 7/1

FOR: Edwards, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Hornshaw

The Chairperson tabled the correspondence from Arts Mid North Coast.

11.08 NOTICE OF MOTION - BEACHWATCH PARTNERSHIP PROGRAM

RESOLVED: Lipovac/Roberts

That Council:

1. Note the Beachwatch Partnership Program assists local councils to monitor and report recreational water quality along the NSW coast, monitoring a range of sites including ocean beaches, estuarine swimming areas, lake and lagoons swimming sites.
2. Request the Chief Executive Officer give consideration to the inclusion of resourcing in the draft 2025-2026 Operational Plan and budget for implementation and ongoing monitoring of and participation in the Beachwatch Partnership Program in the following Port Macquarie-Hastings Local Government Area locations:
 - Town Beach, Port Macquarie
 - Flynn's Beach, Port Macquarie

-
- Lighthouse Beach, Port Macquarie
 - Lake Cathie Lagoon, Lake Cathie
 - Rainbow Beach, Bonny Hills
 - Grants Beach, North Haven
3. Identify any/all impediments to inclusion of the Beachwatch Partnership Program in the 2025-2026 draft operational plan.

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

11.09 NOTICE OF MOTION - COMMUNITY SATISFACTION SURVEY RESULTS

RESOLVED: Sheppard/Intemann

That Council request the Chief Executive Officer:

1. To advise the governing body of the following information as soon as possible, but by end of December 2024:
 - (a) What results/reports Council operational body have received in relation to 2024 community satisfaction survey.
 - (b) Which preliminary results or reports can be provided to councillors currently, or with minor redaction or amendment.
2. To provide the governing body with preliminary results and reports identified in part 1(b), as soon as practical, but by end of December 2024.

CARRIED: 5/3
FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman
AGAINST: Hornshaw, Kirkman and Roberts

11.10 NOTICE OF MOTION - PORT MACQUARIE-HASTINGS SPORTING FUND

RESOLVED: Lipovac/Tubman

That Council:

1. Appoint Councillor Nik Lipovac to chair the Port Macquarie Hastings Sporting Fund.
2. Appoint Councillor Hamish Tubman as the alternative chair for occasions where the chair may be absent from the meeting.

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

11.11 COMMUNITY ENGAGEMENT STRATEGY REVIEW

RESOLVED: Sheppard/Intemann

That Council:

- 1. Note the information in the report regarding the review of the Community Engagement Strategy.**
- 2. Place the draft Integrated Planning and Reporting (IP&R) Community Engagement Strategy on public exhibition for a period of not less than 28 days.**

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

11.12 PROPOSED FUTURE USE OF THE CURRENTLY VACANT BUILDING - 143 GORDON STREET, PORT MACQUARIE

RESOLVED: Edwards/Lipovac

That Council:

- 1. Defer consideration of item 11.12 Proposed Future Use of the Currently Vacant Building - 143 Gordon Street, Port Macquarie to the February 2025 Ordinary Council meeting.**
- 2. Invite all interested parties including interested groups involved in Homelessness Services within the Port Macquarie-Hastings LGA, to express interest in the future use of the currently vacant building - 143 Gordon Street, Port Macquarie, regarding the lease and use of the premises.**

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

12.01 QUESTION WITH NOTICE - CAIRNCROSS WASTE MANAGEMENT FACILITY - DISPOSAL OF BRICKS AND CONCRETE

RESOLVED: Roberts/Kirkman

That the response provided to Councillor Maltman's Question on Notice regarding Cairncross Waste Management Facility be noted.

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

13.01 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE REPORT

RESOLVED: Intemann/Tubman

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, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

13.02 DEVELOPMENT ASSESSMENT PANEL - APPOINTMENT OF MEMBERS AND DELEGATED AUTHORITY

MOTION

MOVED: Sheppard/Tubman

That Council:

1. Appoint Mr David Crofts, Mr Christopher Gee, Mr Tony McNamara, Mr Murray Blackburn-Smith and the Group Manager Development Services to be members of Council's Development Assessment Panel until January 2029 or until such time a new Development Assessment Panel is appointed by Council.
2. Provide delegated authority to the Development Assessment Panel pursuant to Section 377 of the Local Government Act 1993 to determine applications under Part 4 of the Environmental Planning and Assessment Act 1979 and undertake development assessment related functions in accordance with the Development Assessment Panel Charter.
3. Appoint Mr David Crofts, Mr Christopher Gee, Mr Tony McNamara and Mr Murray Blackburn-Smith as Council's representatives on the Northern Regional Planning Panel on a rotational basis until January 2029, noting Council has 2 representatives per meeting.
4. Thank Mr Michael Mason for his service on the Development Assessment Panel for the past 4 years.
5. Following the Councillor induction session on Planning and Development request the Chief Executive Officer to undertake a review of the Development Assessment Panel Charter in line with the NSW Local Planning Panels model including consideration of the following:
 - a. Additional membership
 - b. Live streaming and recording of future DAPs, to be hosted on council website

-
- c. Revised information explaining the role, operation, membership, recruitment, selection, remuneration, legislative framework, and governance of the Development Assessment Panel
 - d. The delegated authority of the Panel
 - e. Cost implications for any proposed changes to the operation or administration of the Development Assessment Panel.
6. Receive a further report on the outcome of the Charter review detailing any proposed changes to the Charter by April 2025.

EQUAL: 4/4

FOR: Edwards, Intemann, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman, Lipovac and Roberts

LOST

MOTION

RESOLVED: Hornshaw/Sheppard

That Council:

1. **Appoint Mr David Crofts, Mr Christopher Gee, Mr Tony McNamara, Mr Murray Blackburn-Smith and the Group Manager Development Services to be members of Council's Development Assessment Panel until January 2029 or until such time a new Development Assessment Panel is appointed by Council.**
2. **Provide delegated authority to the Development Assessment Panel pursuant to Section 377 of the Local Government Act 1993 to determine applications under Part 4 of the Environmental Planning and Assessment Act 1979 and undertake development assessment related functions in accordance with the Development Assessment Panel Charter.**
3. **Appoint Mr David Crofts, Mr Christopher Gee, Mr Tony McNamara and Mr Murray Blackburn-Smith as Council's representatives on the Northern Regional Planning Panel on a rotational basis until January 2029, noting Council has 2 representatives per meeting.**
4. **Thank Mr Michael Mason for his service on the Development Assessment Panel for the past 4 years.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

Councillor Sheppard left the meeting, the time being 2:10pm.

Councillor Sheppard returned to the meeting, the time being 2:12pm.

13.03 REQUEST TO WAIVE DEVELOPMENT CONTRIBUTIONS FOR STATE SIGNIFICANT DEVELOPMENT APPLICATION SSD-71373460 - IN-FILL AFFORDABLE HOUSING - 33-37 GORDON STREET AND 22-24 GRANT STREET, PORT MACQUARIE

RESOLVED: Roberts/Edwards

That Council waive the development contributions totalling \$1,170,176.20, associated with the State Significant Development Application SSD-71373460 for infill affordable housing development comprising 94 units at 33-37 Gordon Street and 22-24 Grant Street, Port Macquarie.

CARRIED: 5/3
FOR: Edwards, Intemann, Kirkman, Lipovac and Roberts
AGAINST: Hornshaw, Sheppard and Tubman

13.04 HASTINGS RIVER FLOOD STUDY EXTENSION

Director Fish declared a Pecuniary, Significant interest in this item. The reason being is that Director Fish owns a property within the flood Planning area, and flood modelling impacts on the property may vary pending the outcome of the exhibition and adoption of the study. Director Fish Edwards took no part in the consideration or voting and was out of sight for consideration of this matter.

RESOLVED: Intemann/Sheppard

That Council:

- 1. Place on public exhibition the Hastings River Flood Study Extension, commencing in February 2025 for a minimum of 28 days.**
- 2. Request that a further report be tabled by the June 2025 meeting of Council, detailing the submissions received from the public during the exhibition period and any resulting changes to the study.**

CARRIED: 7/1
FOR: Edwards, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Hornshaw

Councillor Tubman left the meeting, the time being 02:30pm.

Councillor Tubman returned to the meeting, the time being 02:31pm.

13.05 WALKING AND CYCLING REVIEW - FOR PUBLIC EXHIBITION

RESOLVED: Sheppard/Edwards

That Council:

- 1. Note the information in this report regarding the process of developing the Walking and Cycling Review.**
- 2. Endorse the draft Walking and Cycling Review to be placed on public exhibition for a period of not less than 28 days.**
- 3. Note that a further report will be provided to Council outlining the submissions received during the exhibition period.**

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 13.06 Update on Site Specific Planning Proposal Requests Bi-Annual Report, has been addressed previously within the meeting.

13.07 PLANNING PROPOSAL THRUMSTER BUSINESS PARK PP-2023-2079 DD32.2023.006.01 APPLICANT - LOVE PROJECT MANAGEMENT PROPONENT - THRUMSTER BUSINESS PARK PTY LTD

RESOLVED: Sheppard/Roberts

That Council:

- 1. Endorse the draft Planning Proposal (Attachment 1), to enable rezoning of land at Thrumster Business Park and associated amendments prepared under section 3.33 of the Environmental Planning and Assessment Act 1979.**
- 2. Forward the draft Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979, and request that the Gateway Determination authorise Council to be the local plan-making authority.**
- 3. Delegate authority to the Director Community, Planning and Environment to make any minor updates to the Planning Proposal prior to seeking a Gateway Determination, and action/address conditions of Gateway determination accordingly.**
- 4. Receive a report following the public exhibition period on any submissions received.**
- 5. Notify the proponent of Council's decision.**
- 6. Request the Chief Executive Officer to provide a report to the March 2025 Ordinary Council meeting providing an update on the development of the Affordable Housing actions being considered under Council's recently endorsed Affordable Housing Plan.**

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 13.08 Land Acquisition - King Creek Road, King Creek, has been addressed previously within the meeting.

Item 13.09 Land Acquisition - Bril Bril-Belangry Road Rollands Plains, has been addressed previously within the meeting.

Item 13.10 Road Closure - Lorne Road Comboyne, has been addressed previously within the meeting.

Item 13.11 Annual Drinking Water and Recycled Water Reports 2023-2024, has been addressed previously within the meeting.

13.12 POLICY REVIEW - STORMWATER MANAGEMENT POLICY - POST PUBLIC EXHIBITION

RESOLVED: Intemann/Sheppard

That Council adopt the draft Stormwater Management Policy.

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

Item 13.13 Policy Review - Roads Policy Suite - Post Public Exhibition, has been addressed previously within the meeting.

Item 13.14 Policy Review - Transport and Drainage Policy Suite - Pre Public Exhibition, has been addressed previously within the meeting.

Item 13.15 Policy Review - Liquid Trade Waste Policy, has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Lipovac/Kirkman

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 Evaluation and Recommendation for Divestment of Council Land

This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 14.02 Strategic Land Purchase for Future Infrastructure Provision

This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 14.03 Confidential Legal Matter Advice

This item is considered confidential under Section 10A(2)(g) of the Local Government Act 1993, as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.:

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, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

RESOLVED: Lipovac/Tubman

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, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

14.01 EVALUATION AND RECOMMENDATION FOR DIVESTMENT OF COUNCIL LAND

RESOLVED: Sheppard/Roberts

That Council:

- 1. Approve the listing for sale of one single lot of Council-owned vacant land, zoned R1, General Residential, identified in this report.**
- 2. Endorse a listing price as specified within point 2 of the staff recommendation.**
- 3. Delegate authority to the Chief Executive Officer under section 377 of the Local Government Act 1993 to:**

-
- i) Finalise and execute all necessary documentation associated with the sale of the land.
 - ii) Undertake all actions required to complete the divestment in accordance with the attached Divestment Plan.
4. Request that, following the sale and settlement of the land, the CEO provide a progress report on the sale to Council at the next available meeting of Council after the transaction is completed.
 5. Maintain confidentiality of this report and its recommendations, in accordance with section 10A(2) of the Local Government Act 1993, to protect the commercial interests and privacy of the transaction.
 6. Resolve that the net proceeds of the land sale be paid into the Property Reserve, to be used for future Strategic Property Investment activities.

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

14.02 STRATEGIC LAND PURCHASE FOR FUTURE INFRASTRUCTURE PROVISION

RESOLVED: Roberts/Lipovac

That Council:

1. Note the information provided in this report.
2. Delegate authority to the Chief Executive Officer (CEO) under section 377 of the Local Government Act 1993 to:
 - i. Finalise and execute all necessary documentation associated with the acquisition of the land.
 - ii. Undertake all actions required to complete the acquisition in accordance with the Acquisition Plan.
3. Request that the Chief Executive Officer provide a progress report on the acquisition of the land to Council at the next most appropriate meeting of Council, following the settlement of the land.
4. Maintain the confidentiality of the documents and considerations regarding this matter.
5. If the subject land is purchased, Pursuant to Section 34 of the Local Government Act 1993, commence the process to classify the land as identified in this report as operational land by placing it on public exhibition for a minimum of 28 days.

CARRIED: 8/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Nil

14.03 CONFIDENTIAL LEGAL MATTER ADVICE

RESOLVED: Roberts/Lipovac

That Council:

- 1. Note the information provided in this report and the attached legal advice.**
- 2. Approve Option 1.2 as included in the report (28.2 in the attached legal advice).**

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

RESOLVED: Lipovac/Kirkman

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

CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman
AGAINST: Nil

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

The meeting closed at 2.56pm

.....
Adam Roberts
Mayor

Item: 06
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

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

Alignment with Delivery Program

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

RECOMMENDATION

That Council determine that the attachment to Item Number 10.05 and 10.12 be considered as confidential, in accordance with Section 10A(2)(c)(d(i)) of the Local Government Act 1993

Discussion

The following confidential attachments have been submitted to the Ordinary Council Meeting:

Item No: 10.05
Subject: 2024-2025 Quarterly Budget Review Statement and Operational Plan Status Report as at 31 December 2024

Attachment Description: CONFIDENTIAL - December 2024 Quarterly Budget Review - Consultancy

Confidential Reason: Relates information that would confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. (Local Government Act 1993 - Section 10A(2)(c)).

Item No: 10.12
Subject: Legal Fees

Attachment Description: CONFIDENTIAL - Legal Matters Greater Than \$10,000 2024-2025 Financial Year

Confidential Reason: 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))).

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 - 28
NOVEMBER 2024 TO 5 FEBRUARY 2025**

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 allocation for the period 28 November 2024 to 5 February 2025 inclusive.

Executive Summary

To advise of the Mayoral Discretionary Fund allocation for the period 28 November 2024 to 5 February 2025 inclusive.

Discussion

The following allocation was made by the Mayor from the Mayoral Discretionary Fund during this reporting period:

Donation of Glasshouse Vouchers to Comboyne Bowling Club fundraiser for Laurieton Seafoods	\$200.00
Total allocation	\$200.00

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: 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

MARCH 2025 REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Policy Review - Transport and Drainage Policy Suite	12/12/2024 Item 13.14	A report to Council following public exhibition	DCPI	Mar-25	
Policy Review - Liquid Trade Waste Policy	12/12/2024 Item 13.15	A report to Council following public exhibition	DCU	Mar-25	
Review: Audit, Risk and Improvement Committee	15/08/2024 Item 10.10	Waiting External Consultant to finalise draft report	DBP	Dec-24	Feb-24
Draft Procurement Strategy	14/11/2024 Item 10.21	Following public exhibition, a report to Ordinary Council Meeting February 2025	DBP	Feb-25	Completion of engagement has been delayed due to staff losses and absences in the Procurement Team during Jan and Feb 2025. It is proposed to provide the report to March 2025 Ordinary Council Meeting.

MARCH 2025 REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Planning Proposal Thrumster Business Park PP-2023-2079 DD32.2023.006.01	12/12/2024 Item 13.07	A report be tabled to the March 2025 Ordinary Council Meeting	DCPE	Mar-25	
Environmental Sustainability Strategy	14/11/2024 Item 13.02	Following public exhibition, a report to Ordinary Council Meeting March 2025	DCPE	Mar-25	
APRIL 2025 REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
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 Dec-24 Nov-24 Feb-25
Sporting Venue Sponsorship Program	14/11/2024 Item 11.01	A report to Council regarding the options available to consider the establishment of a Sporting Venue Sponsorship	DCPE	Apr-24	

JUNE 2025 REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Places to Play Plan	20/06/2024 Item 11.04	A further sub plans report to Council for consideration 2024-2025	DCPE	Jun-25	
Hastings River Flood Study Extension	12/12/2024 Item 13.04	A report to Council by June 2025 Ordinary Council Meeting	DCI	Jun-25	
JULY 2025 REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Community Grants Program 2024-2025	15/08/2024 Item 11.05	Receive a report to the July 2025 Council Meeting on outcomes of the 2024-2025 Grants Program	DCPE	Jul-25	
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	
NOVEMBER 2025 REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie - post exhibition.	20/06/2018 Item 14.05	To be incorporated in strategic property portfolio review undertaken 2022/2023 Reclassify property to operational land, a statutory process involving planning proposal which includes	DCI	Future Report	Feb-25

		Council fees, public exhibition, submissions, a public hearing, council resolutions and Depot Planning approval. It is estimated that this would take at least 6-9 months.			
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FEBRUARY 2026 REPORTS

Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s 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
Administering 2028 Local Government Election	Na	Na	GMG	Na	Na

JULY 2027 REPORTS

Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Councillor Numbers for 2028 Local Government Election	Na	Na	GMG	Na	Na

FUTURE REPORTS

Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Draft Public Art Policy	12/12/2024 Item 11.02	A future report to be tabled at Ordinary Council Meeting	DCPE	Future Report	
Draft Private Memorials and Commemorative Naming in Parks and Reserves Policy	12/12/2024 Item 11.04	A future report to be tabled at Ordinary Council Meeting	DCPE	Future Report	



FUTURE REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Walking and Cycling Review	12/12/2024 Item 13.05	A report to Council following public exhibition	DCI	Future Report	
Strategic Land Purchase for Future Infrastructure Provision	12/12/2024 Item 14.02	A future progress report to the next available Ordinary Council Meeting on the Acquisition of the land to Council	DCPI	Future Report	
Evaluation and Recommendation For Divestment of Council Land	12/12/2024 Item 14.01	A future progress report to the next available Ordinary Council Meeting on the Sale	DBP	Future Report	
NSW National Parks and Wildlife Services Land Revocation	18/05/2024 Item 13.11	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.	DCPE	Future Report	
T-22-04 Water SCADA	18/0/2024 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	Future Report	
Planning and Land Use Discussion Paper	20/06/2024 Item 13.03	A report to Council following public exhibition	DCPE	Following Council Election	

FUTURE REPORTS					
Report	Date and Item of Resolution	Status	Reporting Officer	Due Date from Council resolution	Previous Anticipated Date/s for Report
Draft Port Macquarie-Hastings Local Infrastructure Contributions Plan 2024	20/06/2024 Item 13.06	A report to Council following public exhibition	DCPE		
Living and Place Strategy and Supporting Documents	18/04/2024 Item 13.04	A report to Council following public exhibition	DCPE	Future Report	
Draft Recreation and Open Space Action Plan and Sporting Infrastructure Priorities	18/04/2024 Item 11.03	A report to Council following public exhibition	DCPE	Future Report	
Classification of Council Land - Waapangal Road Thrumster	18/04/2024 Item 13.07	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 to be presented for further consideration	DBP	Future Report	
Environmental Land Rezoning - Council owned land	08/12/2022 Item 13.10	A report to Council following public exhibition	DCPE	Future Report	
Draft s9.11 Airport Business Park Roads Contribution Plan	20/05/2020 Item 13.05	To be considered as part of wider development contribution framework review and proposed development yet to be assessed.	DCPE	Future Report (Prior to development)	Dec-20 Jun-21 Oct-21 Jun-22 Dec-22
T-22-10 Inlet Odour Management Works	21/09/2023 Item 14.02	Future report to Ordinary Council after contract awarded for Council's information	DCU		
Sancrox Employment Land Environmental Lands and Services Planning Agreement Assessment Report	15/02/2024 Item 13.06	Future report to council following public exhibition	DCPE		

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Mayoral Discretionary Fund Allocations	CEO	Monthly	Every		
Monthly Budget Update	DBP	Monthly	Every (except July)		
Investments	DBP	Monthly	Every		
Recommendations by the Port Macquarie-Hastings Sporting Fund Sub-Committee	DCPE	Monthly	Every (except Feb)		
Lake Cathie Natural Resource Management update (13/01/2022 Item 05.01) (18/05/2023 Item 13.04) Continue with monthly reporting for the Lake Cathie Natural Resource Management Update Report and review the frequency of reporting no later than the November 2023 Ordinary Council Meeting.	DCPE	Monthly	Every		
Recreation Action Plan – Status	DCPE	Annually	Aug		Review has changed due to the Recreation and Open Space Action Plan being adopted in August 2024
Annual Drinking Water and Recycled Water Reports	DCU	Annually	Aug		Proposed reviewed draft August 2025.
Draft Community Strategic Plan (following Council Election)	DBP	4 Years	March		
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		

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
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 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)		
Quarterly Budget Review Statement	DBP	Quarterly	Feb, May, Nov		
Mayoral and Councillor Fees (Setting of)	CEO	Annually	May		
General Fund Operating Performance	CEO	Biannual	June Dec		
Update on Site Specific Planning Proposal Requests	DCPE	Biannual	Jun, Dec		
Kooloonbung Creek Flying Fox Camp Management Plan - Annual Update (16/06/2021 - Item 12.03)	DCPE	Annually	Jun		
Port Macquarie-Hastings Destination Management Plan 2020-2024 (20/05/2020 - Item 12.01)	DCPE	Annually	Jun		
Draft Delivery Program (Incl Draft OP and Fees and Charges)	DBP	Annually	Jun		

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
Draft Resourcing Strategy (FP)	DBP	Annually	Jun		
Community Strategic Plan (following Council Election)	DCPE	4 Years	Jun		
Draft Community Engagement Strategy (following Council Election)	DCPE	4 Years	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		
Draft Procurement Strategy 14/11/24 - Item 10.21	DBP	Annually	Oct		
Councillor Attendance at Meetings 14/11/24 - Item 10.04	DBP	Annually	Oct		
Council Meeting Dates	CEO	Annually	Nov		
Legislative Compliance Register	CEO	Annually	Nov Feb-25	Mar-25	There has been significant work on the legislative compliance register and this will come back to Council in March 2025.
Council's Annual Report	DBP	Annually	Nov		
Performance of Property Investment Portfolio (20/11/19 - Item 10.17)	DBP	Annually	Nov		

CYCLIC REPORTS	Reporting Officer	Reporting Cycle	Month	Altered Report Date	Reason for Altered Date
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		
State of Our Region (following Council Election)	DBP	4 Years	Nov		
Code of Conduct Complaints Annual Report	CEO	Annually	Dec		

Attachments

Nil

Item: 10.03

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 returns for the following positions.

- 1. Elected Member - Councillor**
- 2. Community Infrastructure - Fleet Technical Officer**
- 3. Community Utilities - Senior Project Manager**
- 4. Community Utilities - Waste Manager**
- 5. Community Infrastructure - Senior Project Engineer**
- 6. Community Infrastructure - Group Manager Project Delivery**
- 7. Business and Performance - Revenue Accounting 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 positions have been deemed a designated person under the Local Government Act:

- Elected Member - Councillor
- Fleet Technical Officer
- Senior Project Manager
- Waste Manager
- Senior Project Manager
- Group Manager Project Delivery
- Revenue Accounting 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 ConsultationInternal 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: 10.04

Subject: MID NORTH COAST JOINT ORGANISATION ANNUAL REQUEST FOR FUNDING

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 endorse and approve the annual request for funding of \$25,000 to continue its membership with the Mid North Coast Joint Organisation.

Executive Summary

The purpose of this report is to formally request Council's endorsement for Port Macquarie-Hastings Council's annual membership contribution to the MNCJO, following the procedure that was adopted in 2021.

Discussion

The Mid North Coast Joint Organisation is overseen by a Board comprising the Mayors of the three member councils. The Board meets four times each year. The three Mayors are the voting members of the Board. The General Managers of Bellingen and Kempsey and Chief Executive Officer of Port Macquarie Hastings Council also attend Board meetings. The General Managers Advisory Committee (GMAC) meets prior to each board meeting and minutes and papers from this meeting form part of the agenda of the Board meeting. Board and GMAC meetings are also attended by representatives of Regional NSW, Destination NSW, Regional Development Australia and the Office of Local Government.

The basis of this report is to adhere with the resolution that was adopted by Council at the October 2021 meeting.

- 1. That the Mid North Coast Joint Organisation prepare in writing, any request for funding for the attention of the Chief Executive Officer.*
- 2. Requests for funding are to be received no later than 2 months prior to funding requirements;*
- 3. That the Chief Executive Officer present this request to the next appropriate Council meeting for decision by the elected body.*

In keeping with the abovementioned procedure, Council has received an invoice (Attachment 1), from the Mid North Coast Joint Organisation Executive Officer, requesting the \$25,000 member contribution for the 2024-2025 financial year.

In order to process this funding contribution, Council are now requested to endorse and approve the annual request for funding to continue its membership with the Mid North Coast Joint Organisation.

A copy of the MNCJO End of Term Report (2021-2024) has been attached to this report, detailing the achievements over the period including:

- Koala Recovery Project – maintaining focus on Koala protection and habitat conservation and building on the Koala Recovery Project
- Mid North Coast Resilience Project – building capacity in the regional community to deal with severe weather events and natural disasters
- Fixing Country Bridges – development of Bridge Prospectus used in submission for the restoration and renewal of regional roads and bridges
- Community Land Trust – developing a plan on regional housing supply, demand and housing affordability
- Simtable for Community Empowerment – building capacity in the regional community to deal with severe weather events and natural disasters
- Joint Organisation Net Zero Acceleration (JONZA) – program to help regional councils reduce their carbon emissions
- Circular Economy Centre of Excellence – project to develop improved solutions for waste management at a regional level
- Biodiversity Stewardship and Carbon Market Study – project providing a feasibility assessment of ecological values present on selected sites

Options

Council may choose to endorse and approve the annual funding contribution of \$25,000 or resolve in another manner.

Community Engagement and Internal Consultation

There are no Community Engagement implications in relation to this report.




Planning and Policy Implications

There are no specific planning and policy implications in relation to this report, however if Port Macquarie-Hastings Council was to withdraw from the Mid North Coast Joint Organisation, then it is likely that the Mid North Coast Joint Organisation would cease to exist with only two member Councils.

Financial and Economic Implications

If Council resolves not to contribute any funds to the Mid North Coast Joint Organisation and if no other member Council chooses to do so and / or the NSW government do not contribute any further operational funds to the Mid North Coast Joint Organisation, then it is likely that the Mid North Coast Joint Organisation will be unable to trade and will effectively cease to exist. If this were to occur, this in itself would not have any direct financial implications for Council. Funding has been provided in the 2024-2025 budget for this membership.

Attachments

1.  Invoice - 2024/2025 PMHC MNCJO Contribution
2.  Correspondence - MNCJO Member Contributions 2024-2025 - 2024 12 11
3.  Report - MNCJO End Of Term Report 2021-2024

Item: 10.05

Subject: 2024-2025 QUARTERLY BUDGET REVIEW STATEMENT AND OPERATIONAL PLAN STATUS REPORT AS AT 31 DECEMBER 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. Note the Quarterly Budget Review Statements as at 31 December 2024.**
- 2. Note the 2024-2025 Operational Plan Second Quarter Status Report as at 31 December 2024.**
- 3. Authorise the deferral of the following Actions/Projects, with the Status of Council approved Action Deferred / Not Progressing**
 - HBR 01 On-site Sewage Management Policy**
 - SDF 01 West Port (Buller Street) Flood mitigation works, Port Macquarie**
 - SPA 03 Amethyst Way Reserve, Port Macquarie**
 - SPA 06 Rainbow Beach Local Park, Lake Cathie/Bonny Hills**
 - SPA 07 Rainbow Beach, Lake Cathie/Bonny Hills**
 - SPA 12 Camden Haven Surf Club Building**
 - SPA 27 Hastings Regional Sporting Complex**
 - SPA 31 Port Macquarie Regional Stadium Upgrades**
 - SPA 36 Thrumster Sports Fields**
 - WAW 02 Thrumster Wastewater Treatment Scheme**
 - WAS 23 Telegraph Point Clearwater Capacity Upgrade**
 - WAS 28 Pumps Renewal and VSD upgrade - Koree Island**
 - WAS 30 Cowarra Dam Pump Station Upgrade**

Executive Summary

The Quarterly Budget Review Statement (QBRs) is a statutory report prepared in compliance with Sections 202 and 203 of the Local Government (General) Regulation 2021. It aligns with the Integrated Planning and Reporting Guidelines, ensuring that estimated income and expenditure outlined in the Operational Plan's revenue policy are monitored and updated. The QBRs provides a snapshot of actual financial performance, revises projections for the remainder of the year, and facilitates necessary budget adjustments on a quarterly basis. This process enhances transparency and keeps councillors, and the community informed about progress against both the original and revised budgets.

To strengthen the connection between financial management and corporate strategy, this report consolidates the Quarterly Budget Review Statement and the 2024–2025 Operational Plan First Quarter Status Report (as of 31 December 2024), which were previously presented separately.

Key Points

- 91% of Operational Plan actions have been Completed or are On Track year-to-date
- 21 actions have been identified as Off Track and this report seeks approval for the deferral of 13 of these actions which have been impacted by external delays
- Council previously resolved to defer 13 actions in Quarter 1, with 12 postponed to later years beyond the four-year Delivery Program period
- An additional 88 Actions/Projects were introduced through 2023–2024 carry-overs and the Monthly Budget Review process, with 85 Actions either completed or On Track

Discussion

Quarterly Budget Review Statement

The Quarterly Budget Review Statement provides a summary of the Council's financial position at the end of the first, second, and third quarters of the financial year. It serves as a key mechanism for keeping councillors and the community informed about the Council's progress against its adopted budget.

While regulations mandate the preparation of quarterly revised estimates of income and expenditure through the QBRS, Port Macquarie-Hastings Council proactively adopts budget variations on a monthly basis to ensure greater financial responsiveness.

Attachment 1 – December 2024 Quarterly Budget Review Statement includes the mandated components of the Quarterly Budget Review Statement as prescribed by the NSW Local Government Code of Accounting Practice and Financial Reporting. It also provides commentary on significant variances and financial impacts.

Confidential Attachment 2 – December 2024 Quarterly Budget Review – Consultancy Engagements contains information that, if disclosed, could confer a commercial advantage on a party with whom the Council is conducting or proposing to conduct business, in accordance with Section 10A(2)(c) of the Local Government Act 1993.

While regulations mandate the preparation of quarterly revised estimates of income and expenditure through the Quarterly Budget Review Statement, Port Macquarie-Hastings Council implements budget variations on a monthly basis to ensure greater financial flexibility and responsiveness.

Summary of Year to Date Results to 31 December 2024

	YTD Actuals (\$000)	YTD Budget (\$000)	YTD Actuals as a % of Budget	Projected Year End (\$000)
Total Income	166,412	167,922	99.1%	280,838
Total Expenses (Operating)	98,626	105,357	93.6%	219,549
Operating Result before Capital - Surplus/(Deficit)	48,233	52,653	91.6%	(11,618)
Capital Expenditure	68,827	91,649	75.1%	218,790

(Table data extracted from Attachment 1 - December 2024 Quarterly Budget Review Statement)

The projected year end operating result before capital (deficit of \$11.6m) remains consistent with the original budget. This will be monitored closely throughout the remainder of the financial year.

Total Income is tracking slightly below budget (99.1%), primarily due to operating grants and contributions tracking at 47.2% of budget. This variance represents a timing issue between the budget phasing of revenue and when grant contributions are received. This is offset somewhat by above budget interest returns from Council’s investment portfolio due to interest rates remaining higher for longer than anticipated in the budget.

Operating expenditure remains below the year-to-date (YTD) budget (93.6%), largely due to lower-than-budgeted employee costs, and material and contract expenses also tracking below budgeted levels. The continuation of this trend will depend on the spending profile of several large maintenance programs over the remainder of the year, which will be closely monitored in subsequent quarters.

Capital expenditure is also significantly below the YTD budget (75.1%) by \$23 million. The lower than budget performance partially reflects the underspend of off-track capital projects which have been requested for deferral as part of the Operational Plan component of this report. The lower capital spend is also influenced by the timing of contractor payments, which are expected to increase in the latter months and align with budget levels by the end of the year.

Budget variations and carry-overs adopted throughout the financial year have generally not had a material impact on most of the forecasted T-Corp ratios in the original budget. However, the projected Operating Performance Ratio, Unrestricted Current Ratio, and rates outstanding are projected to deteriorate slightly and will be continually monitored over the coming quarters.

Statement by Responsible Accounting Officer


Below is a statement made by Council’s Responsible Accounting Officer made in pursuant to section 203(2) of the Regulations:



Responsible Accounting Officer Statement

It is my opinion that the Quarterly Budget Review Statement for Port Macquarie-Hastings Council for the quarter ended 31 December 2024 indicates that Council's projected financial position at 30 June 2025 will be less than satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

The operating deficit will be addressed through ongoing review with budget managers to identify potential savings, as well as the development and implementation of a formal improvement plan.



Rod Archer December 31, 2024

Responsible Accounting Officer - Port Macquarie-Hastings Council

2024-2025 Operational Plan Status Report

This status report represents second quarter progress of the 2024-2025 operational year and provides details to inform both Council and the community on progress of Actions/Projects contained within the 2024-2025 Operational Plan.

Delivery against the 2024-2025 Operational Plan to date is 91%.

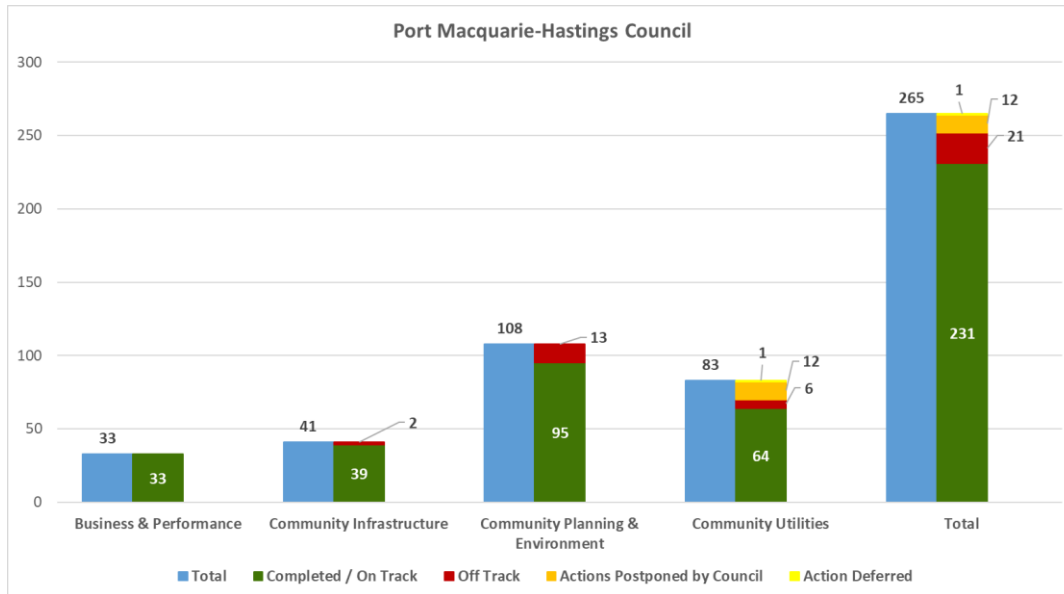
Reporting for the 2024-2025 Operational Plan continues as per the Action/Project status categories and definitions contained within the following table.

Status		When to Report this status
✔	Completed	The Action/Project has met the Performance Measurement criteria detailed in the Operational Plan.
●	Progressing as Scheduled	The Action/Project is continuing to progress and is expected to meet the Performance Measurement criteria and timeline 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 outer year's adopted Operational Plans • or as an approved budget carry forward request or other adjustment via a Council Report.
●	Actions Postponed by Council	The Action/Project has been deferred or postponed beyond the four year view of the Deliver Program, and in some cases beyond the view of the Long Term Financial Plan.
●	Off Track	The Action/Project will not meet the Performance Measurement criteria detailed in the Operational Plan.

The 2024–2025 Operational Plan includes a total of 265 actions and projects, with the following status updates:

- 231 are either completed or progressing as scheduled
- 13 have been approved for deferral/postponement from the Q1 report
- 21 are off track at December 2024, with 13 being requested for deferral as part of this report

For this report, Operational Plan outcomes have been categorised by directorate. The accompanying table provides a breakdown of the number of actions and their status to 31 December 2024.



2024-25 Operational Plan Summary of Action/Project Progress					
Port Macquarie-Hastings Council	Total	Completed / On Track	Deferred/ Postponed	Off Track	Delivery %
Business & Performance	33	33	0	0	100%
Community Infrastructure	41	39	0	2	95%
Community Planning & Environment	108	95	0	13	88%
Community Utilities	83	64	13	6	90%
Total	265	231	13	21	91%

The Delivery rate of 91% is calculated by dividing the number of Completed/On Track Actions and Projects (230) by the total number of Actions/Projects (265), excluding those that have been Deferred or Postponed.

A detailed summary of outcomes achieved for each Operational Plan Action/Project is provided in **Attachment 3 – 2024–2025 Operational Plan Quarterly Progress Report for the quarter ending 31 December 2024.**

Actions identified as Off Track are outlined in **Attachment 4 – 2024–2025 Operational Plan Quarterly Exception Report** for the same period.

There are 13 Actions/Projects identified as Off Track for which Council approval is sought to defer to a later date. Subject to Council approval, the budget adjustments associated with the deferral of these Actions will be considered by council at its Ordinary Meeting to be held 20 March 2025.

Community Infrastructure
Stormwater, Drainage & Flooding

SDF 01 West Port (Buller Street) Flood mitigation works, Port Macquarie
Off Track.

Design works progressing to finalisation for highest priority upgrades. Construction commencement is expected to occur mid-year 2025 to allow sufficient time to address unforeseen underground utility conflicts that have been identified that require resolution ahead of construction. Based on the current project program and associated budget phasing a budget carry forward to 2025/26 is planned.

As a result, Council approval is sought to defer this action for completion in the 2025-2026 Operational Plan.

Community, Planning & Environment
Health & Building Regulation

HBR 01 On-site Sewage Management Policy
Off Track.
Budget \$100,000

Currently pending the State Government to publish updated Environment and Health Protection Guidelines: Onsite Wastewater Management (which was due for release in early 2024). The updated guidelines will guide the On-site Management Policy review.

As a result, Council approval is sought to defer this action for completion in the 2025-2026 Operational Plan.

Spaces and Places

SPA 03 Amethyst Way Reserve, Port Macquarie
Off Track
Budget \$98.500

Amethyst Way playground has been assessed as safe and in a compliant state and therefore will not need renewal until 2029.

A request to have the current budget for this project reallocated to Wallace Reserve (SPA 09_L 3.2) and Waterlily Reserve (SPA 10_L 3.2) upgrades has been completed.

As a result, Council approval is sought to defer this action for completion in the 2028-29 Operational Plan.

SPA 06 Rainbow Beach Local Park, Lake Cathie/Bonny Hills

Off Track.

Budget \$307,220

Site has been identified in the Open Space contributions plan, however, is reliant on the Developer to progress acquisition. Works associated with Voluntary Planning Agreement (VPA) and the project is to acquire land for park development, the land has not yet been unlocked by the developers. Refer also to OP Ref: SPA 07_L3.2.

As a result, Council approval is sought to defer this action for completion at a later date, upon completion of the acquisition.

SPA 07 Rainbow Beach, Lake Cathie/Bonny Hills

Off Track.

Budget \$306,199

Site has been identified in the Open Space contributions plan, however, is reliant on the Developer to progress acquisition. Works associated with Voluntary Planning Agreement (VPA) and the project is to acquire land for park development, the land has not yet been unlocked by the developers. Refer also to OP Ref SPA 06_L3.2.

As a result, Council approval is sought to defer this action for completion at a later date, upon completion of the acquisition.

SPA 12 Camden Haven Surf Club Building

Off Track.

Budget \$200,000

Concept design development and engagement commenced. However, issues with Land Tenure (unidentified crown land) and Native Title Claims have been identified and are currently being worked through with Crown Lands.

As a result, Council approval is sought to defer this action for completion upon resolution of Land Tenure and Native Title Claims.

SPA 27 Hastings Regional Sporting Complex

Off Track.

Budget \$460,500

Land acquisitions delayed due to residents' probate activities. Site works cannot commence until acquisitions finalised.

As a result, Council approval is sought to defer this action for completion in the 2025-2026 Operational Plan.

SPA 31 Port Macquarie Regional Stadium Upgrades

Off Track - Proposed to Defer Action Completion.
Budget \$115,300

Delays in delivery are due to the Contractor going into administration, which has led to delays with procurement timing of materials. Installation of upgrades at the stadium are now planned to be completed in 2025-26.

As a result, Council approval is sought to defer this action for completion in the 2025-2026 Operational Plan.

SPA 36 Thrumster Sports Fields

Off Track.
Budget \$10,200,000

Awaiting Developers to complete required preliminary work on site. Construction cannot commence until acquisition approvals are complete. Refer to OP Ref: SPA 35_L 3.2.

As a result, Council approval is sought to defer this action for completion in the 2025-2026 Operational Plan.

**Community Utilities
Sewerage**

WAW 02 Thrumster Wastewater Treatment Scheme

Off Track - Proposed to Defer Action Completion.
Budget \$8,600,000

Environmental Impact Statement (EIS) submitted with exhibition period complete. Comments on the EIS from the public and agencies advice received. Engagement of the Consultant for response to advice and comments is ongoing, including further archaeological heritage assessment having been undertaken. This further review has presented a delay to the project program and subsequent approval of the EIS.

Expression of Interest for participation in Early Tenderers Involvement (ETI) is complete, and workshops with shortlisted respondents undertaken to complete ETI phase. Issue of select Request for Tender is Pending Financial Affordability Assessment and finalisation of response submission for the EIS exhibition.

A budget adjustment will be undertaken to address the reduced expected spend during the current 2024-2025 Operational Plan year based on the expected construction commencement timing being in 2025/26 and the associated project program and budget phasing of this multi-year project.

It is noted that decision making for the project approval is not within the control of Council and is accordingly a project risk for construction commencement.

Water Supply**WAS 23 Telegraph Point Clearwater Capacity Upgrade**

Off Track.

Budget \$1,000,000

Survey/environmental/geotechnical investigations are progressing. Landowner discussions are underway to confirm the concept arrangement. Negotiations with the landowner are progressing slower than expected which has delayed design progress. As this project is multi-year delivery, based on the current project program and associated budget phasing a budget carry forward to 2025/26 is planned. As design works will not be to the stage as outlined in the performance measure, the measure is shown as off track. A minor delay in delivery can be managed within operations.

As a result, Council approval is sought to defer this action to the 2025-2026 Operational Plan.

WAS 28 Pumps Renewal and VSD upgrade - Koree Island

Off Track

Investigations completed has confirmed a Variable Speed Drive (VSD) is no longer required. Procurement is underway to secure an additional pump to become a rotatable spare to allow for redundancy and risk mitigation for our largest pump station. The need to change the project scope has resulted in a delay in delivery.

Based on the current project program and associated budget phasing a budget carry forward to 2025/26 is planned. As works will not be complete the performance measure is shown as off track. A minor delay in delivery can be managed within operations.

As a result, Council approval is sought to defer this action to the 2025-2026 Operational Plan.

WAS 30 Cowarra Dam Pump Station Upgrade

Off Track

The Procurement has been substantially completed, with Council resolving to "reject all and negotiate".

Negotiations are continuing, however, some delays have been experienced in responses from potential suppliers.

Lead time in the acquisition of pumps and equipment associated with this project are expected to be circa 26 weeks. In view of the foregoing, completion of Cowarra Dam Pump Station upgrades is expected in the first half of the 2025/26 financial year. Based on the current project program and associated budget phasing a budget carry forward to 2025/26 is planned.

As a result, Council approval is sought to defer this action to the 2025-2026 Operational Plan.

These items are currently identified as Off Track.

Additionally, Council approved the deferral of 13 actions from the 2024–2025 Operational Plan in the first quarter of the financial year. Of these, 12 were postponed and reclassified under the Actions Postponed by Council category.

A detailed breakdown of these postponed actions is provided in **Attachment 5 – 2024–2025 Operational Plan Quarterly Exception (Actions Postponed) Report** for the same period.

Delivery Status of Significant Projects

At the Ordinary Meeting on 16 November 2023, Council requested that Quarterly Operational Plan Status Reports, along with additional commentary, be provided for key projects. This request was made in recognition of the Thrumster Wastewater Treatment Plant and the Water Treatment/Filtration Plant at Cowarra Dam – Pre-Construction as State Significant Infrastructure Projects.

WAW 02 Wastewater Treatment Plant (WWTP) - Thrumster Wastewater Treatment Scheme

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.

The Performance Measure contained in the 2024-25 Operational Plan is Environmental Impact Statement approved; Phase 1 of delivery procurement complete with early contractor involvement commenced.

2024-2025 Operational Plan Status as at 31 December 2024

Off Track - Proposed to Defer Action Completion.

Environmental Impact Statement (EIS) submitted with exhibition period complete. Comments on the EIS from the public and agencies advice received. Engagement of the Consultant for response to advice and comments is ongoing, including further archaeological heritage assessment having been undertaken. This further review has presented a delay to the project program and subsequent approval of the EIS.

Expression of Interest for participation in Early Tenderers Involvement (ETI) is complete, and workshops with shortlisted respondents undertaken

to complete ETI phase. Issue of select Request for Tender is Pending Financial Affordability Assessment and finalisation of response submission for the EIS exhibition.

A budget adjustment will be undertaken to address the reduced expected spend during the current 2024-2025 Operational Plan year based on the expected construction commencement timing being in 2025/26 and the associated project program and budget phasing of this multi-year project.

It is noted that decision making for the project approval is not within the control of Council and is accordingly a project risk for construction commencement.

As a result, Council approval is sought to defer the Environmental Impact Statement approval component of the action to the 2025-2026 Operational Plan.

WAS 04 Water Network Planning - Cowarra Water Scheme

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.

The Performance Measure contained in the 2024-25 Operational Plan is Construction contractor engaged and detailed design of the Cowarra Water Scheme commenced.

2024-2025 Operational Plan Status as at 31 December 2024

Off Track.

Response to community comment and Agencies' advice on the Environmental Impact Statement is planned for submission early quarter 3. This follows the completion of review and revision of selected studies/assessments in response to comments received. Minister's approval for the required land acquisition from NSW Forestry was achieved late quarter 2, a significant milestone in the project's delivery.

Early Tenderers Involvement completed following expression of interest phase of the procurement. A select Request for Tender is planned to be issued to the shortlisted respondents in quarter 3, prior to contact award in quarter 1 of 2025/26.

As this project is multi-year delivery, based on the current project program and associated budget phasing a budget carry forward of construction funding to 2025/26 is planned. As a tender will not be awarded the performance measure is shown as off track.

TPT 12 Ocean Drive Duplication - Construction Phase

Completed.

This performance measure of 'Continued construction of the Ocean Drive Duplication project with completion of segmental arch extensions and associated retaining walls and the commencement of Southbound Carriageway construction' was achieved in December 2024.

Arch extensions and associated retaining walls are complete with a major traffic switch implemented in December 2024. Pedestrian access through the two arch underpasses was reopened in conjunction with this traffic switch.

Southbound carriageway construction has commenced in December 2024 with the project on track for completion late 2025.

2023-2024 Carry Overs and 2024-2025 Monthly Budget Adjustments

In addition to the 265 actions adopted in the 2024–2025 Operational Plan, Council has approved 88 additional actions/projects, comprising 55 carry-over actions from 2023–2024 and 33 actions resulting from 2024–2025 monthly budget adjustments. The total value of these additional actions/projects is \$18,127,224.

Across the combined budget reviews and 2023–2024 Operational Plan carry-overs:

- 24 actions have been completed
- 61 actions are on track
- 3 actions have been identified as off track

A detailed list of these projects is provided in **Attachment 6 – 2023-24 Carry Overs and Monthly Budget Reviews Status Report**.

Options

Council may adopt the recommendation or amend as required.

The Quarterly Budget Review Statement is a statutory report prepared in accordance with sections 202 and 203 of the Local Government (General) Regulation 2021 ('Regulations'). The consideration of the 2024-2025 Operational Plan Quarterly Progress Report Quarter ended 31 December 2024 in conjunction with the Quarterly Budget Review Statement aligns with the principles of the Integrated Planning and Reporting guidelines.

Community Engagement & Internal Consultation

Internal consultation was undertaken with:

- Chief Executive Officer, Directors, Executive and Group Managers.
- All staff reporting against the 2024-2025 Operational Plan.
- Chief Financial Officer.
- Planning and Reporting Development Officer; and
- Statutory Reporting Officer.

Planning & Policy Implications

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

Financial & Economic Implications

As indicated in the Quarterly Review Budget Statement, the projected operating result for Council on a consolidated basis, as at 31 December 2024, is a deficit of \$11.618m. As at 31 December 2024 there was a cash balanced budget for 2024-2025.

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






Despite maintaining a balanced budget position, several factors continue to impact the operating deficit, including:

- **Rate Peg restrictions:** Council's primary revenue stream—rates and annual charges—is capped each year by the Independent Pricing and Regulatory Tribunal (IPART). This limits revenue growth while service delivery demands increase due to population growth. In recent years, costs have risen faster than revenue generation.
- **Economic and external pressures:** Global economic conditions and domestic events, such as natural disasters, have led to higher material and resource costs and supply chain disruptions, resulting in significant cost escalations.
- **Increased maintenance expenditure:** Council has strategically increased funding for core infrastructure maintenance, including roads, drainage, and parks.
- **Cost shifting:** The transfer of financial responsibility from other levels of government continues to add pressure on Council's budget.

As highlighted during the development of the Operational Plan and original budget, the immediate impact of these challenges has been partially offset by the strategic use of internal reserves. While a negative operating result is manageable in the short term, ensuring Council's long-term financial sustainability remains a key priority.

To address this, Council will continue to focus on improving the General Fund operating result, particularly through the Improvement Plan.

Attachments

1.  December 2024 Quarterly Budget Review Statement
2. Confidential - December 2024 Quarterly Budget Review - Consultancy Engagements (Confidential)
3.  2024-2025 Operational Plan Quarterly Progress Report Quarter ended 31 December 2024
4.  2024-2025 Operational Plan Quarterly Exception Report Quarter ended 31 December 2024
5.  2024-2025 Operational Plan Quarterly Exception (Actions Postponed) Report Quarter ended 31 December 2024
6.  2023-2024 Carry Overs and Monthly Budget Review Status Report as at 31 December 2024

Item: 10.06

Subject: 2022-2026 DELIVERY PROGRAM - SIX MONTH PROGRESS
REPORT AS AT 31 DECEMBER 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 for the period 1 July 2024 to 31 December 2024.

Executive Summary

Biannual progress reports on the Delivery Program are a legislative requirement under the NSW Government's Integrated Planning and Reporting Framework. These reports keep both the Council, and the community informed about actions undertaken in line with the strategies outlined in the 2022-2026 Delivery Program.

The 2022-2026 Delivery Program Progress Report builds upon the outcomes reported in the 2024-2025 Operational Plan, which is provided separately. It establishes a clear link between the achievements of the Operational Plan and the broader strategies within the Delivery Program, aligning them with the overarching Objectives and Themes of the Imagine2050 Community Strategic Plan.

Unlike the annual Operational Plan, reporting on the 2022-2026 Delivery Program takes a long-term perspective. Actions, activities, and projects that are not yet completed may still be classified as "On Track," as they are designed for multi-year implementation and will be delivered over time.

Attachment 1 contains the 2022-2026 Delivery Program Progress Report, serving as a key reference for councillors and the community. It provides a clear overview of actions, activities, and projects, highlighting achievements against the adopted Delivery Program across the local government area.

Discussion

The Delivery Program outlines the Council's commitments to the Port Macquarie-Hastings community throughout the term of an elected Council. It sets out the objectives Council aims to achieve, guiding the development of the annual Operational Plan.

The Operational Plan details the specific actions, activities, and projects undertaken each financial year to support the broader objectives of the Delivery Program and contribute to the long-term vision and goals of the Imagine2050 Community Strategic Plan. At a higher level, the Delivery Program serves as a framework for translating the

community's aspirations into tangible outcomes, as envisioned in the Imagine2050 Community Strategic Plan.

Biannual progress reporting ensures transparency by keeping both Council and the community informed about progress toward achieving the objectives of the Delivery Program. This report specifically focuses on actions, activities, and projects undertaken in Year 3 of the 2022-2026 Delivery Program, covering progress up to 31 December 2024.

While this report provides a broader overview, detailed updates on the status of actions, activities, and projects within the 2024-2025 Operational Plan are included in the 2024-2025 Operational Plan Second Quarter Status Report, available separately.

This report offers a current snapshot of progress across the Community Priority Areas outlined in the 2022-2026 Delivery Program. A summary of key initiatives supporting each priority area is provided below, with a more comprehensive progress report available in Attachment 1, Delivery Program 2022-2026 Six Month Progress Report 1 July to 31 December 2024. While data and statistics contained within the attachment relate to the period 1 July 2024 to 31 December 2024, the broader attachment references the progress of projects across the life of the 2022-2026 Delivery Program.

Priority Area: Reduced Traffic

- Walking and Cycling Review
- Ocean Drive Duplication Port Macquarie
- Hasting River Drive Upgrade Port Macquarie
- Boundary Street Upgrade Port Macquarie
- Lorne Road Upgrade Lorne
- Maria River Road (Port Macquarie/Kempsey)
- Gordan Street Upgrade Port Macquarie

Priority Area: Stable Infrastructure

- Development Contributions Plan
- Cowarra Water Scheme
- Thrumster Wastewater Treatment Scheme
- Kew/Kendall Wastewater diversion to Camden Haven
- Southern Arm Trunk Main Houston Mitchell Drive, Pacific Highway to Ocean Drive

Priority Area: Improved Pathways

- Review of the Pedestrian Access and Mobility Plan (PAMP) via the Walking Pedestrian Access and Mobility Plan and Bike Plans
- Beach to Beach Walk - Camden Haven - Stage D5
- Schools to Schools shared pathway - Kendall to Laurieton
- Tacking Point Lighthouse - Viewing Platform and Boardwalk
- Over 1.3kms of new footpath constructed at:
 - Lake Road Port Macquarie
 - Bonny Hills (Ocean Dr near Beach St)
 - Kendall Recreation Reserve
 - Middle Rock Reserve
 - Mrs Yorks Garden Reserve
 - Kooloonbung Creek Nature Park

Priority Area: Environment

- Development of the Biodiversity Management Strategy
- Koala Plan of Management Compliance
- Town and Villages Annual Action Plans
- Implement Flying Fox Camp Management Plan
- Over 87 hectares of land controlled for high-risk weeds and ecological restoration
- General roadside spraying of high-risk weeds undertaken on 1,651kms, with 110kms of those on priority weeds
- 'Koala Safe' education videos developed
- 'Drive with Care' Koala billboards operational
- 26,509t reduced from landfill (recycled)

Priority Area: Affordable Living

- Housing Supply Land Monitoring Model

Priority Area: Thriving Economy

- Economic Analysis of Local Government Area
- Eco-Tourism Certification
- Airport Business and Technology Park
- 15 Major Events supported
- Over 174,000 visits to the destination website
- Passenger numbers at Port Macquarie Airport up 20% compared to same point in the previous year

Priority Area: Inclusive Community

- Reconciliation Action Plan
- Community Volunteering Program
- Social Strategy
- 333 individual tags removed by Graffiti Blaster volunteers supporting the Community Volunteer Program

Priority Area: Collaboration

- Community Engagement Strategy
- PMHC Inclusion Plan
- Town and Villages Annual Action Plans
- Community Events included:
 - Painting in the Park supporting International Day of People with a Disability
 - Sea Acres Cultural Tour
 - Event Management workshop

Priority Area: Transparency

- Engagement Strategy
- Review the Community Strategic Plan and suite of Integrated Planning and Reporting (IP&R) documents.
- 42 media releases
- 517 posts on social media
- 13,290 online visits to "Have your say"
- 237 email campaigns with 303,702 emails generated

Priority Area: Quality of Life

- Cultural Plan review
- Glasshouse Strategic Business Plan
- Port Macquarie Community Centre Design
- Thrumster Sports Fields
- Civic Precinct Plan
- Port Macquarie Aquatic Facility
- Social Infrastructure Strategy

Options

In compliance with the Integrated Planning and Reporting Guidelines under the Local Government Act, Council must provide progress reports on the principal activities outlined 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 2024-2025 Operational Plan
- Chief Financial Officer
- 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.  2022-2026 Delivery Program Six Month Progress Report - 1 July to 31 December 2024

Item: 10.07

Subject: DRAFT BUDGET DEVELOPMENT POLICY

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. Endorse the draft Budget Development Policy for public exhibition.**
- 2. Request a further report be presented to Council following the public consultation period to consider adoption of the final policy.**

Executive Summary

The draft Budget Development Policy has been developed to provide a structured and transparent framework for developing the annual budget as part of the Operational Plan.

Key objectives of the policy include:

1. Embedding sound financial management principles as required under Section 8B of the *Local Government Act 1993*.
2. Ensuring each Council fund (General, Waste, Water, Sewer) remains independently sustainable.
3. Targeting a surplus Net Operating Result before capital grants and contributions to enhance financial sustainability.
4. Providing clear guidance on the roles and responsibilities of Councillors, the Executive, and staff in the annual budget process.

The policy has been informed in consultation with Office of Local Government Guidelines and Codes as well as a review of practices across other NSW councils to ensure alignment with best practices and legislative requirements.

Discussion

This report is presented in response to the June 2024 Ordinary Council resolution as follows:

10.04 NOTICE OF MOTION - DRAFT BUDGET DEVELOPMENT POLICY

That Council Request the Chief Executive Officer develop a Draft Budget Development Policy to present to Council for consideration in the new term and before the March 2025 Ordinary Council meeting.

The annual budget process is a critical component of Council's Operational Plan, serving as the mechanism for allocating resources to deliver services and infrastructure to the community. It also serves to continually update the Council's Long-Term Financial Plan.

Section 8B of the Local Government Act 1993 outlines principles of sound financial management, including:

- Responsible and sustainable spending.
- Effective financial and asset management.
- Consideration of intergenerational equity.

To align with these principles, the draft policy establishes clear and transparent parameters and processes for budget development.

Key Features of the Draft Budget Development Policy

Financial Sustainability:

- Ensures all Council funds (General, Waste, Water, Sewer) are independently sustainable.
- Targets a surplus Net Operating Result before capital grants.

Budget Development Parameters:

- Aligns with the Integrated Planning & Reporting Handbook for NSW councils.
- Incorporates the annual rate peg and considers the requirements of long-term works programs.
- Requires detailed work plans for new budget items or increased service levels.
- Prohibits the use of asset sale proceeds for operational expenditure.

Governance and Accountability:

- Clearly defines roles for Councillors, the Executive, and staff.
- Establishes robust monitoring and reporting mechanisms, including quarterly reviews and monthly budget updates.

Community Transparency:

- Commits to open communication about financial performance and long-term planning.

It is noted that this draft policy does not appear in the recently adopted policy template as work had commenced prior to the adoption of new Policy Framework however this format will be updated prior to public exhibition.

Risk Implications

Adoption of the draft policy supports Council's commitment to financial governance. It mitigates risks associated with financial instability and ensures alignment with Council's Risk Appetite Statement.

IP&R guidelines for financial management and alignment with Best Practices

The draft policy aligns with the following legislation and guidelines:

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*

- *Integrated Planning & Reporting Guidelines for Local Government in NSW 2021*
- *Integrated Planning & Reporting Handbook for Local Councils in NSW 2021*

The adoption of a Budget Development Policy provides a framework that promotes a transparent process that engages the community and governance structures defining key responsibilities in the development and decision making process.

The draft policy has been developed following extensive research of industry standards and policies and incorporates these best practices while addressing the specific context of Port Macquarie-Hastings Council.

Options

Adopt the Draft Policy for public exhibition: Endorsing the draft policy will establish a clear framework for budget development, enhancing financial sustainability and governance.

Amend and Adopt the Draft Policy for public exhibition: Council may identify specific amendments before adoption.

Do Not Adopt the Draft Policy: If the policy is not adopted, Council will continue to rely on existing practices, which may lack the clarity and structure provided by the draft policy.

Community Engagement and Internal Consultation

The draft policy will be subject to public consultation in accordance with Council's Community Engagement Strategy. Feedback will be reviewed and incorporated into the final policy where appropriate.

Planning and Policy Implications

The draft policy aligns with the following legislation and guidelines:

- Local Government Act 1993
- Local Government (General) Regulation 2021
- Integrated Planning & Reporting Guidelines for Local Government in NSW 2021
- Integrated Planning & Reporting Handbook for Local Councils in NSW 2021.

Financial and Economic Implications

The policy aims to enhance Council's financial sustainability and improve resource allocation.

Attachments

1.  Draft Budget Development Policy

Item: 10.08

Subject: MONTHLY BUDGET REVIEW - JANUARY 2025

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 January 2025 Adjustments section of the Monthly Budget Review – January 2025 report and associated attachment.**
- 2. Amend the 2024-2025 Operational Plan to include all budget adjustments approved in this report.**

Executive Summary

This report outlines the recommended budget adjustments for January 2025. At the start of the 2024–2025 financial year, Council adopted a balanced budget. The adjustments proposed in this report continue to result in a balanced budget as of January 2025, as detailed in the table below.

Monthly Budget Review Summary

Original Budget position as at 1 July 2024	Balanced	\$0
<i>Plus adjustments:</i>		
July Review	Balanced	\$0
September Review	Balanced	\$0
October Review	Balanced	\$0
November Review	Balanced	\$0
January Review	Balanced	\$0
Revised Budget position as at 31 January 2025	Balanced	\$0

Discussion

Monthly Budget Review – January 2025

Each month, Council’s budgets are reviewed by Group Managers and Directors, with any necessary adjustments reported to ensure financial alignment. This report



provides an updated overview of Council's actual financial position compared to the originally adopted 2024–2025 budget, including any proposed reallocation of funds. Budget variations exceeding \$50,000 and 2% of the project budget are subject to Executive review and approval, ensuring effective oversight of operational activities and strategic financial management.

January 2025 Budget Adjustments

The following commentary should be read alongside the "Forecast Budget Statement for the Year Ending 30 June 2025" (page 3) of this report. Further details on specific transactions are available in Attachment 1: January 2025 Budget Review.

Grants and Contributions

A total of \$1.369 million in grants and contributions was recognised in January 2025, including:

- Bushfire Asset Protection Zone Mitigation Works – \$101,000
- Port Macquarie Regional Stadium Upgrades – \$98,000
- Apex Park Fish Cleaning Table – \$39,000
- McInherney Park Fish Cleaning Table – \$39,000
- Bonny Hills Footpath – \$735,000
- The Point Drive, Lake Innes – \$110,000
- Greater than budgeted earnings on investments which has resulted from sustained high interest rates are proposed for allocation to
 - Community Grants (\$200,000) in accordance with Council's resolution of 20 June 2024.
 - Communications (\$47,000) for business as usual activities to meet increased community and organisational demand.

Executive-Endorsed Budget Variance Requests

The Executive endorsed budget adjustments for key projects, including:

- Beach to Beach Shared Path Stage D5 – \$1.055 million
- Belah & Bolwarra Road Water Reticulation Main Upgrades – \$655,000
- Annual Live Water Mains Relocations – \$2.253 million
- Sewer Gravity Main Relining Program – \$480,000
- Rotary Park Play Space – \$200,000
- Tuffins Lane Sports Field Drainage Design – \$57,000
- Kookaburra Place Sewer Upgrades (Wauchope) – \$205,000
- Effluent Management Strategy & Wastewater Servicing Plan – \$135,000
- Weekly Red Bin Trial Advertising – \$6,000
- Inlet Odour Management System – Port Macquarie Wastewater Treatment Plant – \$1.214 million

Other Budget Adjustments

Additional accounting entries and project reallocations were made, with no impact on Council's overall budget position.

Capital Works Program Review

As part of ongoing monitoring of the 2024–2025 Operational Plan, a capital works expenditure review was conducted. This process assessed the current status and projected progress of capital projects, identifying several initiatives that require re-prioritisation to future financial years to enhance efficiency and resource allocation.

Budget Statement for the Year Ended 30 June 2025

	2024-25 Original Budget ‘\$000	Carry Overs ‘\$000	Approved Adj YTD ‘\$000	Prior Month Forecast ‘\$000	Current Month Adj ‘\$000	Works Program Review ‘\$000	2024-25 Full Year Forecast ‘\$000
Operating Activities Movements							
Income from continuing operations							
Rates and Annual Charges	121,907		0	121,907			121,907
User Charges and Fees	48,186		0	48,186			48,186
Interest Received	11,114		0	11,114	247		11,361
Grants and Contributions	85,166	3,994	3,433	92,593	1,567		94,160
Other Operating Receipts	7,038		0	7,038			7,038
Expenses from continuing operations							
Employee Costs	(71,850)		0	(71,850)			(71,850)
Materials and Contracts	(59,571)	(347)	(1,094)	(61,012)	(2,531)		(63,543)
Depreciation	(59,851)		0	(59,851)			(59,851)
Interest Paid	(3,029)		0	(3,029)	(618)		(3,647)
Other Operating Payments	(20,757)		0	(20,757)			(20,757)
Loss on Disposal of Assets	(3,050)		0	(3,050)			(3,050)
Operating result from continuing operations	55,303	3,647	2,339	61,289	(1,335)	0	59,954
Restricted Asset Movements							
Transfer from Restricted Assets	105,532	7,315	(7,601)	105,246	7,085	(2,699)	109,632
Transfer to Restricted Assets	(62,827)		0	(62,827)			(62,827)
Net Revenues (Used in)/Provided by in Restricted Assets	42,705	7,315	(7,601)	42,419	7,085	(2,699)	46,805
Property, Plant and Equipment Movements							
Purchase of Assets	(205,452)	(10,962)	5,262	(211,152)	(5,750)	2,699	(214,203)
Developer Provided Assets	(8,000)		0	(8,000)			(8,000)
Net Revenues (Used in)/Provided by Property, Plant and Equipment Activity	(213,452)	(10,962)	5,262	(219,152)	(5,750)	2,699	(222,203)
Financing Activities Movements							
Proceeds from Borrowings and Advances	59,360			59,360			59,360
Repayments of Borrowings and Advances	(6,817)			(6,817)			(6,817)
Net Revenues (Used in)/Provided by Financing Activity	52,543	0	0	52,543	0	0	52,543
Net Result (Incl Depreciation)	(62,901)	0	0	(62,901)	0	0	(62,901)
Add Back: Non Cash Items	62,901		0	62,901			62,901
Budget Surplus/(Shortfall)	0	0	0	0	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 January 2025 this position remains a balanced budget and this position is considered acceptable”.

Attachments

1.  January 2025 Budget Review

Item: 10.09

Subject: INVESTMENTS AND LOANS - DECEMBER 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 December 2024.

Executive Summary

- All Council investments comply with Section 625 of the Local Government Act 1993 and Council's Investment Policy.
- Council's investment portfolio met all compliance requirements in December 2024 and throughout the financial year to date.
- Returns on invested funds have exceeded year-to-date budget expectations by \$1,876,097. However, potential interest rate cuts in the second half of 2024-2025, as predicted by some analysts, may impact this trend.
- For the financial year to date, Council's investment portfolio (excluding cash holdings) achieved an actual return of 1.69% (3.39% annualised), slightly underperforming the benchmark AusBond Bank Bill Index return of 2.24% (4.50% annualised).
- This underperformance is primarily due to sustained higher interest rates and Council's existing term deposits made during a low-inflation period when rate increases were not anticipated.
- The loans portfolio is currently benefiting from lower average rates compared to new investments, resulting in a positive net exposure to interest rates for Council.

Discussion

Clause 212 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer to provide Council with a monthly report on all funds invested under Section 625 of the Local Government Act 1993. This report must certify that all investments comply with the Act, the Regulations, the revised Investment Order issued by the Minister for Local Government, and Council's Financial Investment Policy.

This report outlines the status of Council's investment and loan portfolios as of 31 December 2024. Attachments 1 (Port Macquarie-Hastings Council Investment Report) and 2 (Port Macquarie-Hastings Council Portfolio Valuation), prepared by Council's Investment Advisors, Arlo Advisory, provide a detailed analysis of the investment portfolio's performance for December 2024.

Investment Portfolio

Council’s investments primarily consist of:

- Externally restricted funds under the Local Government Act (e.g., Water and Sewer), which are designated for specific purposes and cannot be used for general operations.
- Funds allocated for specific projects, to be expended based on the timing of future works and project delivery schedules.

A detailed breakdown of investments by external and internal restrictions as of 31 December 2024 is provided below.

	Amount \$	% of total
Externally Restricted		
Water Fund	157,964,325	39%
Water Reserve	91,031,583	23%
Developer Contributions	66,932,742	17%
Sewer Fund	54,088,826	14%
Sewer Reserve	27,729,732	7%
Developer Contributions	26,359,094	7%
Waste Fund	25,240,875	6%
General Fund	128,209,876	32%
General Reserves	40,943,131	10%
Developer Contributions	87,266,745	22%
Total Externally Restricted	365,503,902	91%
Internally Restricted		
General Fund	34,439,183	9%
Total Internally Restricted	34,439,183	9%
Total Investments	399,943,086	100%

The 2024-2025 Long-Term Financial Plan projects that Water, Sewer, and Waste investments—totalling \$237.3 million (60% of total investments)—will be fully utilised over the next 10 years to fund key infrastructure projects, including the Cowarra Water Treatment Plant, Thrumster Sewerage Treatment Plant, and the Kew Sewerage Treatment Plant Upgrade.

General Fund investments are nearly fully allocated, with the following breakdown as of the end of the 2023-2024 financial year:

- **Developer Contributions:**
\$87.3 million (22% of total investments) is restricted to funding growth-related infrastructure in accordance with adopted plans. These funds cannot be used for existing infrastructure or projects outside the approved plans.

- Unexpended Grants:**

\$34.3 million (9% of total investments) consists of grant funding received for specific purposes but not yet expended.
- Deposits and Bonds:**

\$7.9 million (2% of total investments) represents security bonds that will be returned to suppliers upon project completion.
- Working Capital:**

\$7.1 million (1.8% of total investments) is maintained as a reserve for urgent or emerging priorities. This amount is modest relative to the size of the organization but reflects sound financial management.
- Committed Works:**

\$3.8 million (1% of total investments) is allocated for works scheduled for delivery in 2024-25 or future years.
- Plant Replacement:**

\$4.5 million (1% of total investments) is designated for vehicle and major plant replacements, funded through plant hire fees.
- Employee Leave Entitlements:**

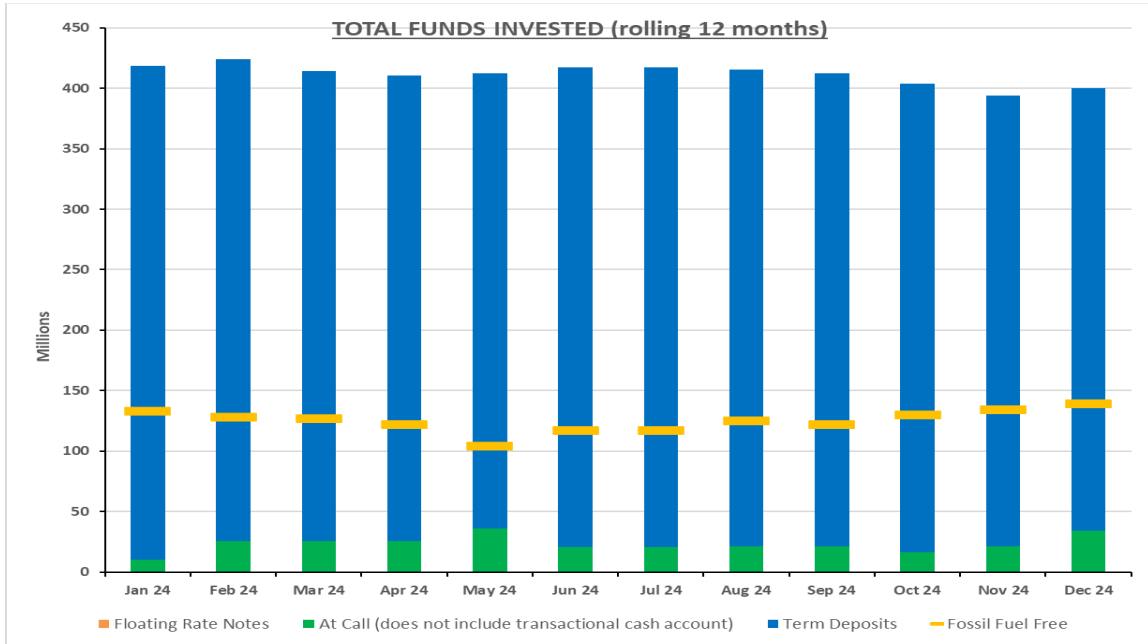
\$3.8 million (1% of total investments) is reserved for employee leave liabilities.

The remaining investments are distributed across multiple internal reserves earmarked for specific purposes, including projects already included in Council’s 10-year works program.

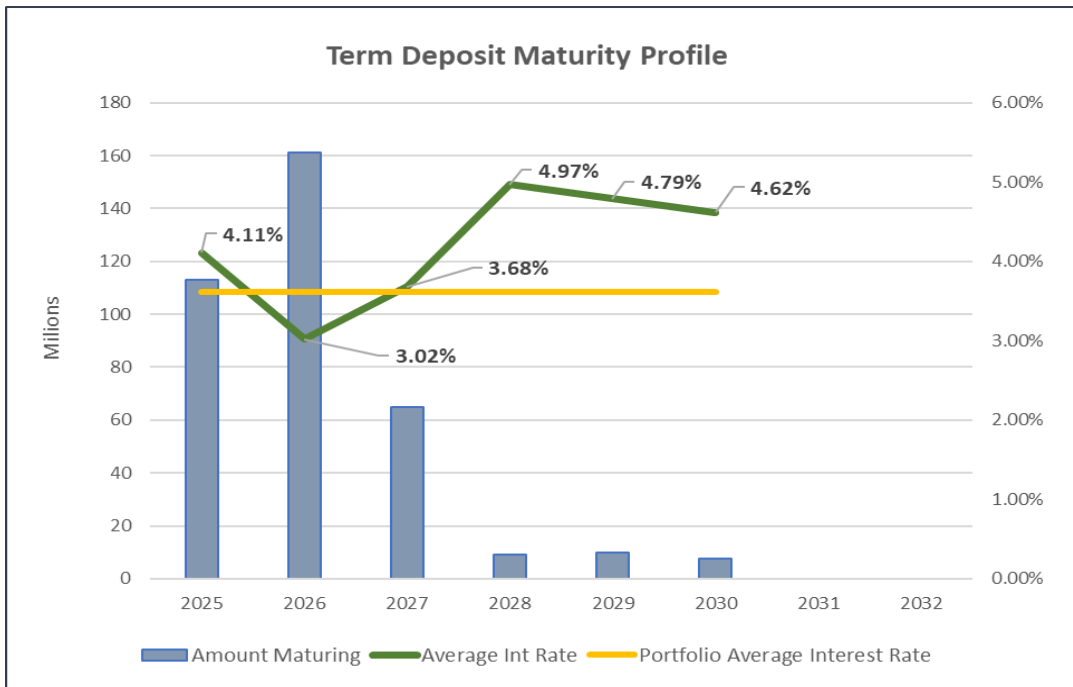
Details of investment movements during December 2024 are outlined below.

Activity	Amount \$	Institution	Rate	Term	Funds Fossil Fuel
Matured	2,000,000	Westpac	1.62%	3yrs	Yes
Matured	5,000,000	Bank Vic	5.45%	1yr	No
Matured	5,000,000	ICBC	1.92%	3yrs	Yes
Matured	5,000,000	NTTC	0.90%	3yrs	Yes
Withdrawal	0	Westpac	4.60%	On Demand	Yes
Total Matured	17,000,000				
Deposit	13,111,302	Westpac	4.60%	On Demand	Yes
Invested	5,000,000	MyState	5.15%	1yr	No
Invested	5,000,000	BOQ	4.80%	2yrs	Yes
Total New Investments	23,111,302				
Net Investment Movement being the difference in principal invested at end of month & excluding Investment Earnings	6,111,302				

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 on call) is shown below, demonstrating a well-balanced distribution of maturities over the next 3 to 5 years, in line with Council’s Investment Policy.



The average interest rate on maturities in 2024-2025 reflects the impact of longer-term investments made prior to the interest rate decline during the COVID-19 pandemic. The Movements in Investments table above highlights investments with lower interest rates maturing in December 2024, which are largely being reinvested

at higher rates. This shift will help enhance Council’s performance in relation to key metrics such as the budget and the AusBond Bank Bill Index.

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

Financial institutions funding fossil fuels	Purchases since 01/07/24	Purchases since 01/07/24	Amount invested at 31/12/24	Amount invested at 31/12/24
Yes	22,076,760	41%	291,943,086	73%
No	32,000,000	59%	108,000,000	27%
	54,076,760		399,943,086	

Further commentary on fossil fuel investments can be found in the attached Monthly Investment Report (Attachment 1) prepared by Arlo Advisory.

In its investment decisions, Council seeks multiple quotes from a range of financial institutions across various rating levels. When a bank does not lend to the fossil fuel industry, offers the highest rate, and complies with Council's Policy risk limits, Council prioritises that bank in alignment with the Investment Policy.

The following table presents the interest returns as of 31 December 2024 for 2024-2025 and compares the portfolio's performance against the benchmark (Bank Bill Index).

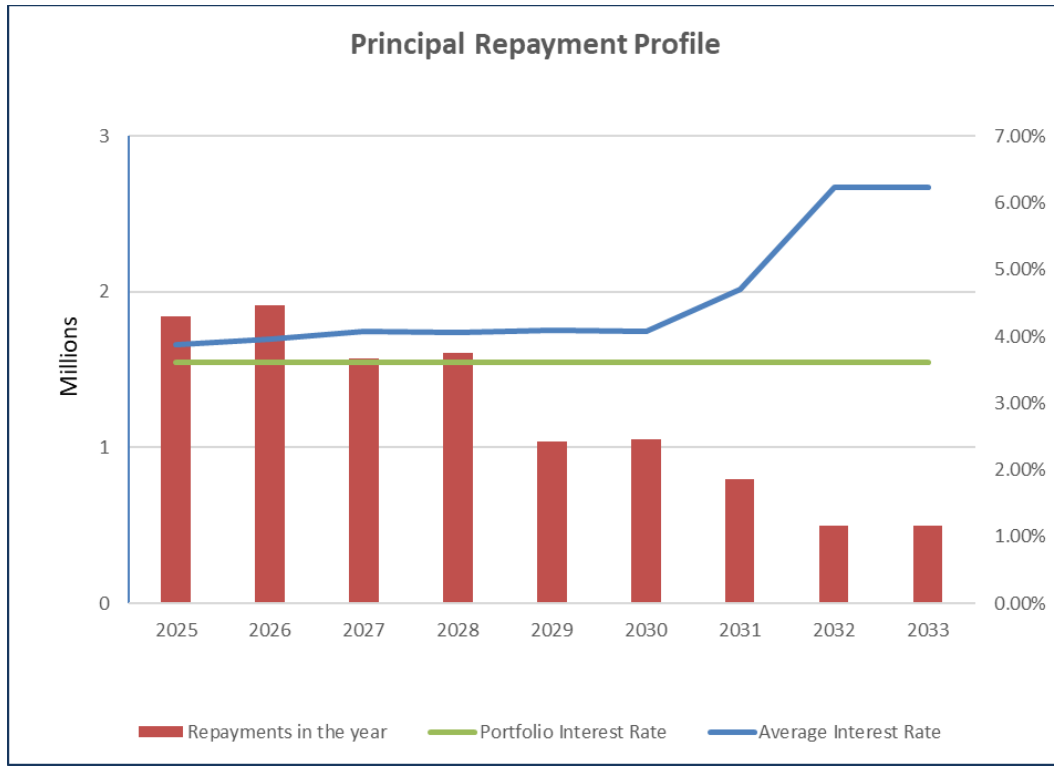
Item	Performance
Interest for the Month (\$)	1,242,041
Interest YTD (\$)	7,237,492
% of Annual Budget Rec'd	67%
Portfolio Performance FYTD Actual (%)	1.69%
AusBond Bank Bill Index FYTD Actual (%)	2.24%
Performance Compared to Bank Bill Index (%)	-0.55%

Loan Portfolio

A detailed table of council’s borrowings is provided at Attachment 3. The following table summarises Council’s loans by Fund and interest expense for December 2024.

Fund	Amount Borrowed	Outstanding Balance	Weighted Average Interest Rate	Accrued Interest for Month	Remaining Repayments FYTD
General	66,144,755	10,566,632	4.28%	38,729	1,979,428
Waste	1,500,000	258,923	3.44%	1,000	89,291
Total	67,644,755	10,825,555		39,729	2,068,719

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.



Summary - Net Position Investments and Loans

Interest Analysis for the Month	Values \$
Investment Interest Income	1,242,041
Loan Interest Expense	(39,729)
Net Interest Income for the Month	1,202,312
Investments Vs Borrowings	
Total Current Investment Balance	399,943,086
Total Current Loan Balance	(10,825,555)
Net Position	389,117,531

As interest rates rise, Council is able to invest funds at higher rates, currently securing rates around 5.15%. With a significant portion of the loan portfolio locked in at lower average rates, Council is benefiting from a positive net exposure to interest rates. However, this position may come under pressure in the future, as upcoming loans are expected to incur 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 - 31 December 2024
2.  Port Macquarie Hastings Council Portfolio Valuation - 31 December 2024
3.  Port Macquarie Hastings Council Loan Repayments - 2024-2025

Item: 10.10

Subject: INVESTMENTS AND LOANS - JANUARY 2025

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 January 2025.

Executive Summary

- All Council investments comply with Section 625 of the Local Government Act 1993 and Council's Investment Policy.
- Council's investment portfolio met all compliance requirements in January 2025 and throughout the financial year to date.
- Returns on invested funds have exceeded year-to-date budget expectations by \$2,230,926. However, potential interest rate cuts in the second half of 2024-25, as predicted by some analysts, may impact this trend.
- For the financial year to date, Council's investment portfolio (excluding cash holdings) achieved an actual return of 2.00% (3.42% annualised), slightly underperforming the benchmark AusBond Bank Bill Index return of 2.63% (actual), or 4.51% p.a. (annualised).
- This underperformance is primarily due to sustained higher interest rates and Council's existing term deposits made during a low-inflation period when rate increases were not anticipated.
- The loans portfolio is currently benefiting from lower average rates compared to new investments, resulting in a positive net exposure to interest rates for Council.

Discussion

Clause 212 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer to provide Council with a monthly report on all funds invested under Section 625 of the Local Government Act 1993. This report must certify that all investments comply with the Act, the Regulations, the revised Investment Order issued by the Minister for Local Government, and Council's Financial Investment Policy.

This report outlines the status of Council's investment and loan portfolios as of 31 January 2025. Attachments 1 (Port Macquarie-Hastings Council Investment Report) and 2 (Port Macquarie-Hastings Council Portfolio Valuation), prepared by Council's Investment Advisors, Arlo Advisory, provide a detailed analysis of the investment portfolio's performance for January 2025.

[Investment Portfolio](#)

Council’s investments primarily consist of:

- Externally restricted funds under the Local Government Act (e.g., Water and Sewer), which are designated for specific purposes and cannot be used for general operations.
- Funds allocated for specific projects, to be expended based on the timing of future works and project delivery schedules.

A detailed breakdown of investments by external and internal restrictions as of 31 January 2025 is provided below.

	Amount \$	% of total
Externally Restricted		
Water Fund	157,964,325	41%
Water Reserve	91,031,583	24%
Developer Contributions	66,932,742	17%
Sewer Fund	54,088,826	14%
Sewer Reserve	27,729,732	7%
Developer Contributions	26,359,094	7%
Waste Fund	25,240,875	6%
General Fund	128,209,876	33%
General Reserves	40,943,131	11%
Developer Contributions	87,266,745	22%
Total externally restricted	365,503,902	95%
Internally Restricted		
General Fund	20,554,543	5%
Total internally restricted	20,554,543	5%
Total investments	386,058,445	100%

The 2024-2025 Long-Term Financial Plan projects that Water, Sewer, and Waste investments - totalling \$237.3 million (60% of total investments) - will be fully utilised over the next 10 years to fund key infrastructure projects, including the Cowarra Water Treatment Plant, Thrumster Sewerage Treatment Plant, and the Kew Sewerage Treatment Plant Upgrade.

General Fund investments are nearly fully allocated, with the following breakdown as of the end of the 2023-2024 financial year:

- **Developer Contributions:**
\$87.3 million (22% of total investments) is restricted to funding growth-related infrastructure in accordance with adopted plans. These funds cannot be used for existing infrastructure or projects outside the approved plans.
- **Unexpended Grants:**
\$34.3 million (9% of total investments) consists of grant funding received for specific purposes but not yet expended.
- **Deposits and Bonds:**

\$7.9 million (2% of total investments) represents security bonds that will be returned to suppliers upon project completion.

- **Working Capital:**

\$7.1 million (1.8% of total investments) is maintained as a reserve for urgent or emerging priorities. This amount is modest relative to the size of the organization but reflects sound financial management.

- **Committed Works:**

\$3.8 million (1% of total investments) is allocated for works scheduled for delivery in 2024-25 or future years.

- **Plant Replacement:**

\$4.5 million (1% of total investments) is designated for vehicle and major plant replacements, funded through plant hire fees.

- **Employee Leave Entitlements:**

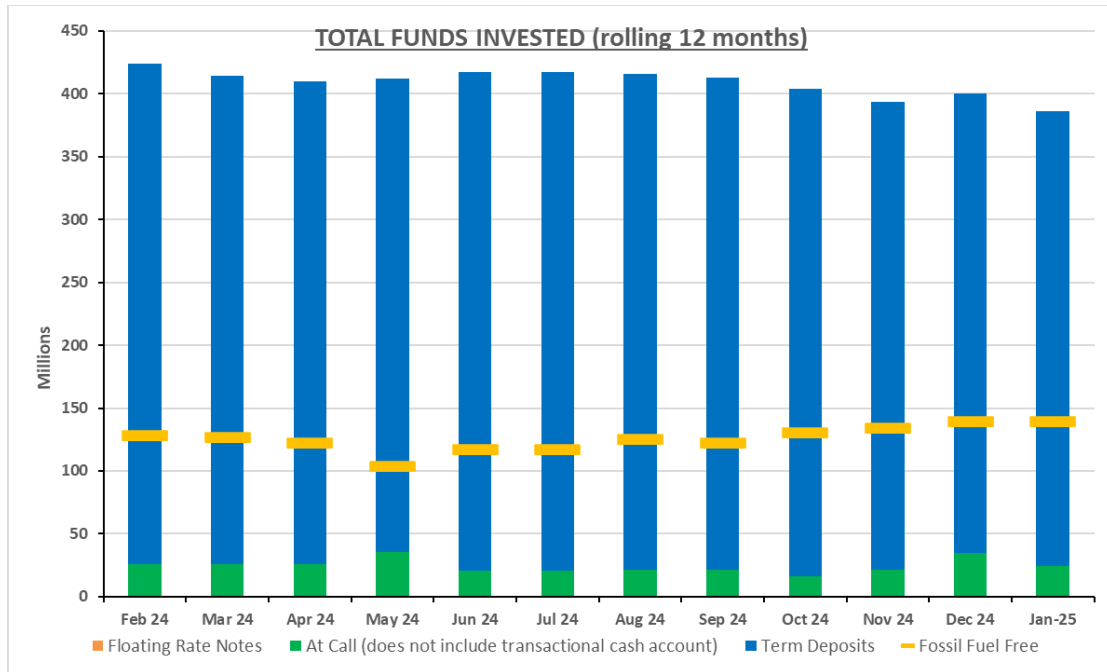
\$3.8 million (1% of total investments) is reserved for employee leave liabilities.

The remaining investments are distributed across multiple internal reserves earmarked for specific purposes, including projects already included in Council’s 10-year works program.

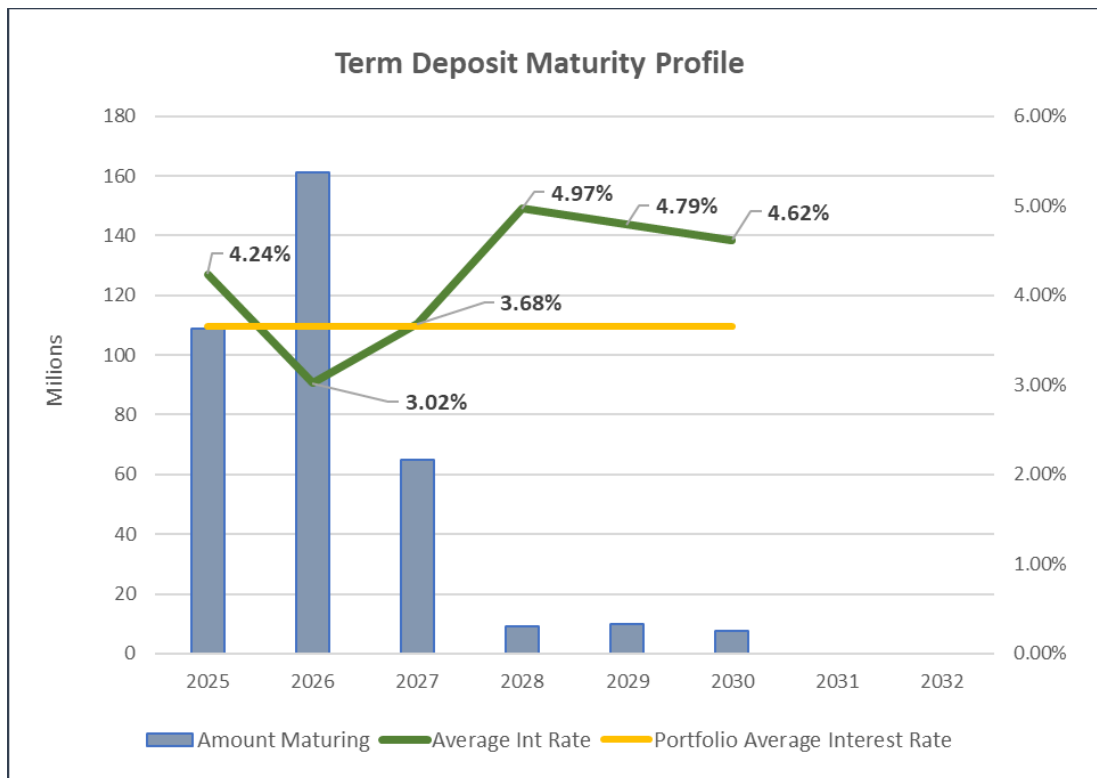
Details of investment movements during January 2025 are outlined below.

Activity	Amount \$	Institution	Rate	Term	Funds Fossil Fuel
Matured	4,000,000	NAB	0.72%	4yrs	Yes
Withdrawal	10,000,000	Westpac	4.60%	On Demand	Yes
Total Matured	14,000,000				
Deposit	115,360	Westpac	4.60%	On Demand	Yes
Total New Investments	115,360				
Net Investment Movement being the difference in principal invested at end of month & excluding Investment Earnings	-13,884,640				

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 on call) is shown below, demonstrating a well-balanced distribution of maturities over the next 3 to 5 years, in line with Council’s Investment Policy.



The average interest rate on maturities in 2024-2025 reflects the impact of longer-term investments made prior to the interest rate decline during the COVID-19

pandemic. The Movements in Investments table above highlights investments with lower interest rates maturing in January 2025, which are largely being reinvested at higher rates.

This shift will help enhance Council's performance in relation to key metrics such as the budget and the AusBond Bank Bill Index.

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 31/01/25	Amount invested at 31/01/25
Yes	22,076,760	41%	278,058,445	72%
No	32,000,000	59%	108,000,000	28%
	54,076,760		386,058,445	

Further commentary on fossil fuel investments can be found in the attached Monthly Investment Report (Attachment 1) prepared by Arlo Advisory.

In its investment decisions, Council seeks multiple quotes from a range of financial institutions across various rating levels. When a bank does not lend to the fossil fuel industry, offers the highest rate, and complies with Council's Policy risk limits, Council prioritises that bank in alignment with the Investment Policy.

The following table shows the interest returns as of 31 January 2025 for 2024-25 and the portfolio performance against benchmark (bank bill Index).

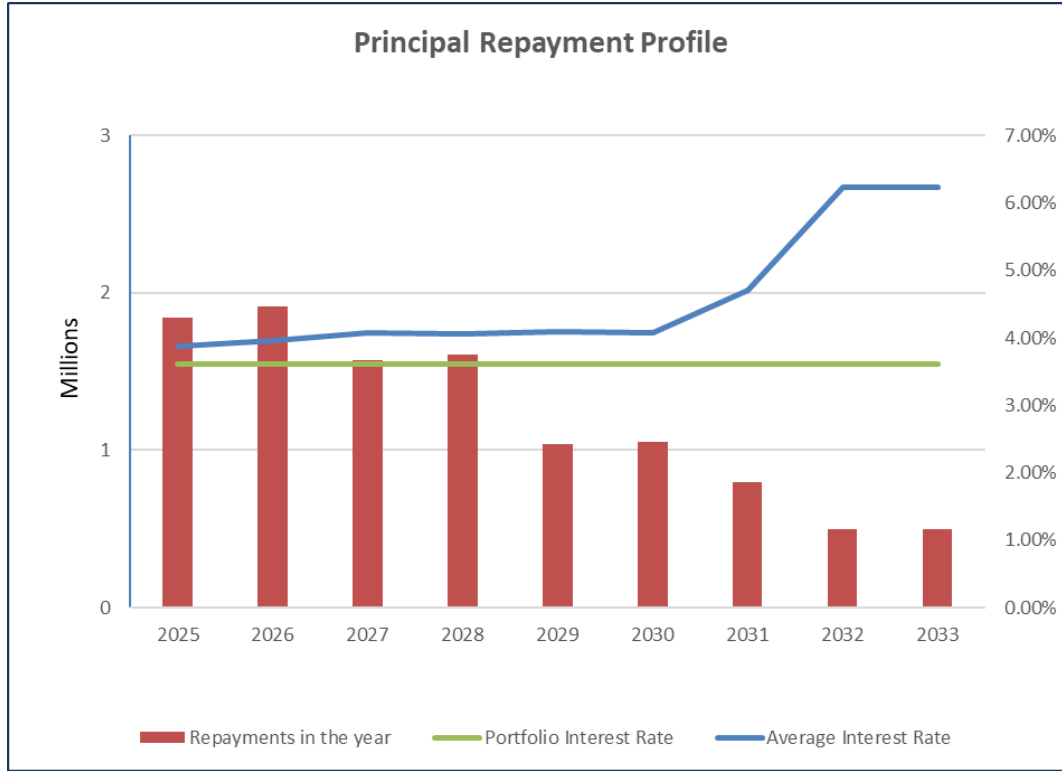
Item	Performance
Interest for the Month (\$)	1,248,395
Interest YTD (\$)	8,485,886
% of Annual Budget Rec'd	79%
Portfolio Performance FYTD Actual (%)	2.00%
AusBond Bank Bill Index FYTD Actual (%)	2.63%
Performance Compared to Bank Bill Index (%)	-0.63%

Loan Portfolio

The following table presents the interest returns as of 31 January 2025 for 2024-25 and compares the portfolio's performance against the benchmark (Bank Bill Index).

Fund	Amount Borrowed	Outstanding Balance	Weighted Average Interest Rate	Accrued Interest for Month	Remaining Repayments FYTD
General	66,144,755	10,566,632	4.28%	38,448	1,979,428
Waste	1,500,000	258,923	3.44%	756	89,291
Total	67,644,755	10,825,555		39,204	2,068,719

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.



Summary - Net Position Investments and Loans

Interest Analysis for the Month	Values \$
Investment Interest Income	1,248,395
Loan Interest Expense	(39,204)
Net Interest Income for the Month	1,209,191
Investments Vs Borrowings	
Total Current Investment Balance	386,058,445
Total Current Loan Balance	(10,825,555)
Net Position	375,232,890

As interest rates rise, Council is able to invest funds at higher rates, currently securing rates around 5.15%. With a significant portion of the loan portfolio locked in at lower average rates, Council is benefiting from a positive net exposure to interest rates. However, this position may come under pressure in the future, as upcoming loans are expected to incur 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 - 31 January 2025
2.  Port Macquarie Hastings Council Portfolio Valuation - 31 January 2025
3.  Port Macquarie Hastings Council Loan Repayments - 2024-2025

Item: 10.11

Subject: QUADRUPLE BOTTOM LINE OBLIGATIONS

Presented by: Community, Planning and Environment, Melissa Watkins

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. Note the report on Council's Quadruple Bottom Line Obligations.**
- 2. Note how the obligations are presently met and opportunities to amplify the application of Quadruple Bottom Line in Council decision making and reporting.**

Executive Summary

The Ordinary Council Meeting held on 12 December 2024 included a Council resolution on Item 10.05 Notice of Motion - Quadruple Bottom Line Obligations as follows:

10.05 NOTICE OF MOTION - QUADRUPLE BOTTOM LINE OBLIGATIONS

That Council:

1. *Request the Chief Executive Officer provide a report to the February 2025 Ordinary meeting of Council that details proposed plans to progress embedding structured and data driven consideration of Quadruple Bottom Line (QBL) into Council decision making, including but not limited to:*
 - (a) Inclusion of QBL implications/considerations in all Council reports as a standard item for consideration*
 - (b) The Integrated Planning and Reporting (IP&R) framework and suite of documents and QBL outcomes being reported on in Council's Annual Report*
2. *Request the Chief Executive Officer to facilitate a Councillor Workshop in March 2025 regarding item 1 above and the implications for delivery of Council's 2025-2026 IP&R suite of documents including the following:*
 - (a) Costs likely to be associated with actioning the outcome of Council's consideration of item 1 in the draft 2025-2026 IP&R documents.*
 - (b) Resourcing available or required to support progressing the plans to embed a structured and data driven consideration of Quadruple Bottom Line (QBL) into Council decision making, including but not limited to external organisations such as the Joint Organisation and establishing a community reference group or advisory committee.*

The purpose of this report is to provide the information requested in item 1 of the Council resolution.

The Local Government Act 1993 (NSW) includes guiding principles for decision making as follows:

“The following principles apply to decision-making by councils (subject to any other applicable law)—

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

The Local Government Act 1993 (NSW) also includes principles of sound financial management as follows:

The following principles of sound financial management apply to councils—

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

Councils satisfy the principles set out in the Local Government Act 1993 (NSW) through a range of practices and frameworks that emphasise accountability, transparency, community participation and sustainable effective use of resources.

The Quadruple Bottom Line (QBL) is one method to satisfy the Local Government Act (NSW) principles. Council have introduced the QBL principles into risk management, planning and community consultation and plan to evolve the use of QBL further in reporting in the future.

The value of QBL to Council is that it balances a leadership element supporting financial, environmental and social considerations. The risks to effective use of QBL include but are not limited to:

1. Ambiguity in terms of reference
2. Challenges in measurement
3. Superficial implementation that is not embedded in strategic decision making
4. Common misunderstandings about language and the application of QBL

To overcome these risks, it is essential Council include well defined frameworks and a genuine commitment to balanced decision making. It is essential that Council needs to use the Local Government Act 1993 (NSW) principles and integrate QBL into the strategic processes rather than apply a cosmetic treatment to existing practices.

It is considered that QBL suffers from misunderstandings and misinterpretation because of its title. The inference in the name that it is a process exercise or overemphasises reporting through the production of a bottom line for metrics that vary in qualitative and quantitative outcomes is a risk to effective use of the model.

As Council continues its evolution of strategic decision making it may consider using a title for QBL that is more reflective of the model's strategic decision-making role and balancing the impacts of these decisions with visibility from all stakeholders.

This report will identify the strengths and weaknesses of the QBL model, the use of the model presently in Council, the opportunities for further evolution of the QBL model use and the resource impact considerations of embedding the QBL model.

Discussion

Council satisfies the principles set out in the Local Government Act 1993 (NSW) through a range of practices and frameworks that emphasise accountability, transparency, community participation and sustainable effective use of resources.

The Quadruple Bottom Line (QBL) is one method to satisfy the Local Government Act (NSW) principles. Council has introduced the QBL principles into risk management, planning and community consultation and plan to evolve the use of QBL further in reporting in the future.

THE EXISTING PRACTICES AND FRAMEWORKS EXCLUSIVE OF QBL

Council satisfies the principles of the Local Government Act 1993 (NSW) through an integrated approach. The following addresses existing practices that satisfy the Local Government Act 1993 (NSW) principles exclusive of the discrete and specific application of QBL, however it is noted that the QBL principles are inherent in some of the elements.

1. TRANSPARENT DECISION MAKING

Open Meetings and Public Records

Council holds public meetings and publish detailed agenda, minutes and decision rationales. This ensures decisions are visible and justifiable to the community.

Documentation and Reporting

Council maintains comprehensive records of processes, evaluations and decisions. Regular reporting to elected members and the public demonstrates accountability.

2. EVIDENCE BASED POLICY AND PLANNING

Data Driven Decisions

Council maintains comprehensive records of processes, evaluations and decisions including financial audits, risk management and performance and identifies options and recommendations in reports to Council.

Strategic Planning Frameworks

Council has developed integrated strategic plans that set out clear goals, priorities and resource allocation that align with the community identified needs and legislative requirements.

3. STAKEHOLDER CONSULTATION

Community Consultation and Workshops

Council organises community forums, surveys and workshops to gather feedback on policy proposals, strategy and plan development, projects or changes to services or service levels. This ensures that decisions reflect local community priorities.

Targeted Engagement Initiatives

Council organises opportunities for targeted groups to engage on specific issues to ensure detail is gathered on feedback to initiatives that impact represented community groups disproportionately in a positive or negative manner.

Clear Communication Channels

Council uses multiple communication platforms to keep the community informed and engaged. This maximises opportunities for engagement outcomes to be as representative of the broader community as possible.

4. FINANCIAL AND OPERATIONAL EFFICIENCY

Robust Budgeting and Forecasting Processes

Council has matured its financial budgeting and forecasting processes to improve long term fiscal planning. This helps ensure that funds are allocated efficiently and that investments deliver tangible benefits.

Strategic Planning Reporting

The framework for reporting in the Integrated Planning and Reporting suite of documents ensures regular monitoring provides opportunity to track progress and identify areas of improvement or reprioritisation.

5. RISK MANAGEMENT AND QUALITY ASSURANCE

Risk Assessment Frameworks

Council continues to develop risk management processes that identify potential issues early and develop mitigation strategies. This minimises the chance of inefficient or ineffective resource use.

Quality Assurance Programs

Council uses internal audits and third party evaluations to maintain high standards across all council operations. Continuous improvement processes help refine practices over time.

6. PROMOTING SUSTAINABLE AND RESPONSIBLE DEVELOPMENT

Integrated Planning Approaches**Sustainable Development Principles**

Council has strategic planning principles and development frameworks that focus on long term community wellbeing, economic resilience and environmental stewardship.

Holistic Impact Assessments

Council considers in its strategies and planning, project prioritisation and policies an impact assessment that includes economic, social and environmental factors. This ensures a balanced view of immediate and long term outcomes. Council is maturing in its holistic impact assessments and whole of life cycle costing in each application.

Community Wellbeing and Social Impacts**Social Impact Assessments**

Council evaluates how policies and projects impact community wellbeing, social wellbeing of the community and the local culture of a community. This can at times involve partnering with local organisations to assess and monitor outcomes.

Diversity Focussed Initiatives

Council implements programs aimed at recognition of the diversity of the community and considering the representation and respect for all members of the community. Council recognises individuals and acknowledge the various and many demographic groups of which any individual may have membership at any given time.

Council has adopted robust governance practices, engaging meaningfully with the community, employing data driven planning and performance management, and integrating risk and quality assurance measures.

Council can fully satisfy the principles outlined in the Local Government Act 1993 (NSW). These approaches ensure accountability, transparency, efficient resource management, and community responsiveness, fulfilling legislative requirements without relying on the QBL model. Each of these strategies are being evolved to local contexts, ensuring that decisions remain both effective and aligned with the community's long-term interests.

EXISTING QBL APPLICATION AND PLANS TO AMPLIFY ITS APPLICATION

Whilst Council meets its legislative obligations by the mechanisms outlined in this report, it is recognised that the appropriate application of QBL in a strategic context is useful and may assist in clarity of integrated strategies and performance reporting. The following are examples of where QBL is proposed to be embedded in the business in a formal manner.

Draft Community Strategic Plan Review

Council staff are reviewing the Community Strategic Plan (CSP) as a legislative element of the preparation of the IP&R suite of documents.

The identified areas for continuous improvement being considered include:

1. A Community Strategic Plan Summary on a page
2. The high level objectives being described in the language of Community Outcomes.
3. The inclusion of the Quadruple Bottom Line elements delivered by each identified Community Outcome.
4. A summary of the identified strategies that deliver on the Community Outcomes.

One of the key objectives of the evolution of the Community Strategic Plan is to reinforce and clarify the performance measures within the CSP. This will increase visibility and simplify the document. Additionally, it creates a clearer and more visible connection between the Annual Report, the Community Outcomes, the achievement of the strategies and the Quadruple Bottom Line category that the outcomes address. Applying QBL in this manner delivers on the strategic intent of the model in an accountable and transparent way that is achievable within the existing resources and can inform reporting frameworks for consistency and integration.

Draft Delivery Program and Operational Plan

Council staff are proposing to present Council with a combined draft Delivery Program and Operational Plan as part of the continuous improvement program to evolve the strategic suite of documents. The key objectives include:

1. A stronger connection between the Delivery Program and the Operational Plan.
2. Improving the connection and visibility between the objectives of the Community Strategic Plan and the cascading of Community outcomes into Delivery Program and Operational Plan strategies and plans.
3. Simplifying the presentation of the documents whilst maintaining the fundamental locations of key information.
4. The introduction of QBL elements to the Delivery Program and Operational Plan services and programs descriptions.

5. Evolve the integration of reporting throughout the suite of documents for greater connection and consistency in the reporting suite.

One of the key objectives of the evolution of the Delivery Program and the Operational Plan is to reinforce and clarify the performance measures within the suite of IP&R documents. This will increase visibility and simplify the documents. Additionally, it creates a clearer and more visible connection between the Delivery Program and Operational Plan reporting and its connection to the CSP Community Outcomes.

Applying QBL in this manner delivers on the strategic intent of the model in an accountable and transparent way that is achievable within the existing resources and can inform reporting frameworks for consistency and integration.

It should be noted that the Integrated Planning & Reporting Guidelines includes in the Annual report section an essential requirement for Council's progress with respect to achieving the quadruple bottom line in the Delivery Program and Operational Plan is to be reported on in the Annual Report. The evolution of the documents results in achieving this with greater clarity and integration across the suite of documents.

Council Reports

Council staff are in the process of reviewing the template to produce Council Reports.

One key objective of the evolution of the template is to improve the information provided on risk management.

The current report template presently includes a section on financial and economic implications. Many reports to Council are considering the social, leadership and environmental impacts of the subject of the report. There are reports that have the balance of these considerations inherent in the legislative process and considerations for recommendations and decisions making.

There is consideration being given to the implementation of QBL factors in the Council report template. The factors to be considered before implementation include:

1. Council and Council staff would need clarity on the definitions. That is, define what the parties value as information on Leadership, Financial, Social and Environmental terms for Port Macquarie-Hastings. This is critical to meet the objectives.
2. Council staff would need to determine how reports may include the overlapping concepts and overcoming the challenge of delineating clear boundaries between different bottom lines.
3. Social and Leadership aspects of QBL often rely on qualitative assessments. The challenge is to avoid inconsistent or subjective evaluations across all staff that reduce the framework's reliability and comparability.
4. Council and Council staff need to consider the assumption of equal weighting across quadruple bottom line and how conflicts between categories are resolved in decision making.
5. Council staff need to consider the potential for QBL to overemphasise reporting and the administrative burden and resource constraints this can create. QBL is a strategic tool for driving change and making decisions.

The Quadruple Bottom Line offers a valuable perspective by encouraging Council to consider leadership factors alongside economic, environmental, and social impacts. However, QBL effectiveness can be hindered by ambiguity, measurement challenges, and potential superficiality.

A clear, well-defined framework with standardised metrics and a genuine commitment to balanced decision making is essential for overcoming these weaknesses and avoiding common misunderstandings. Council should ensure that QBL is integrated into their strategic processes rather than being treated as a cosmetic addition to existing practices.

To achieve a further amplification of embedding QBL will require education, training and engagement on clarity definitions and assessment.

THE KEY RESOURCE CONSIDERATIONS TO FUTURE EMBED QBL

The key resource requirements to amplify the implementation of QBL and to consider external organisations is indicative only and would need to be responsive to Council's maturity in QBL, existing capabilities and strategic priorities.

Some key considerations, beyond those identified earlier in this report, address planning, initial rollout, training and education, stakeholder engagement and early evaluation.

People

This would need to be led by senior staff in Council across all the QBL elements. It is not considered that capacity exists presently to add this to existing roles unless strategic priorities are reconsidered.

There is not a specialist role in Council presently that could perform the role of specialist or advisor and potentially that expertise could need to be resourced externally or recruited.

Technology

To embed QBL into internal and external parties in a more granular manner than the strategic decision-making model would require a software solution that would assist with integration of new data collection and reporting systems into existing ICT infrastructure.

Training

There may need to be external training, workshops or seminars provided for external parties. There would not be existing capacity to conduct this training externally and resourcing it would need consideration.

Time

For external parties who have low maturity in QBL it is estimated it would take 18 months to establish the foundation with continuous improvement thereafter.

The method of implementation of QBL at Council has been to identify opportunities to embed the principles into existing reporting frameworks to ensure that the approach remains effective and aligned with Council's evolving needs. By taking this approach Council have been able to prioritise the highest impact of QBL and focus on strategic decision making and aligned reporting. This method would be required for external party consideration.

Options

This report is provided for notation only.

Community Engagement and Internal Consultation

The Community Engagement on the immediate intent of QBL will form a part of the exhibition and education period of the IP&R suite.

Planning and Policy Implications

There are no planning implications as a direct result of this report. However, the framework of QBL is proposed to be embedded in the draft IP&R suite of documents

Financial and Economic Implications

There are no financial or economic implications directly in relation to this report. There may be further financial implications of embedding QBL internally and externally.

Attachments

Nil

Item: 10.12

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

1. Note the information in the Legal Fees report.
2. Approve future Legal Fee reports to be provided on a six-monthly basis unless a matter of significance is brought to Council's attention via a standalone report.
3. Approve the future reporting threshold be increased to matters costing more than \$50,000 (ex GST) and that are litigated unless determined by the Legal Department in conjunction with the Executive Leadership Team that it is a matter requiring reporting.
4. Maintain the confidentiality of the documents and consideration in respect of the attachment(s) to this 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.

Given that this reporting framework is now nearly 7 years old and was established before the employment of in-house legal counsel and based on outdated financial thresholds, this report proposes an update to the reporting approach to better align with contemporary governance practices and financial oversight.

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.*

Since the introduction of in-house Legal Counsel, there have been significant improvements in the management and oversight of legal matters, reducing reliance on external legal services and improving cost efficiencies. The prior threshold of \$10,000 does not adequately reflect the current financial and operational realities of legal expenditures, and quarterly reporting is administratively burdensome without yielding additional governance benefits.

The updated reporting approach aims to:

- Improve efficiency in reporting legal matters by reducing administrative burden while maintaining transparency on significant legal expenditures.
- Ensure that reporting captures only significant legal matters that have a material financial or reputational impact on the Council.
- Align reporting practices with contemporary local government financial governance standards.
- Maintain confidentiality on legal matters to protect commercial and strategic interests.

The attachment titled "Legal matters greater than \$50,000 2024-2025 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)). It should be noted that this threshold may be cumulative over the life of a legal matter.

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 Consultation

Internal Consultation

- Director Business and Performance
- Legal Department

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 beyond the improved governance and oversight of legal expenditures.

Attachments

1. Legal Matters Greater Than \$10,000 2024-2025 Financial Year (Confidential)

Item: 10.13

Subject: PAYMENT OPTIONS

Presented by: Business and Performance, Keith Hentschke

Alignment with Delivery Program

1.4.3 Deliver a customer focused service that provides the community a consistent experience of Council.

RECOMMENDATION

That Council note the ongoing work being undertaken to provide additional options for ratepayers to pay rates, including:

1. Reintroducing the option for ratepayers to make payments in person at Australia Post outlets.
2. Exploring and implementing a new digital payment solution incorporating automated payment plans, with future capabilities for other bill types such as water bills.

Executive Summary

At the Ordinary Meeting on 18 April 2024, Council resolved:

10.05 NOTICE OF MOTION - PAYMENT OPTIONS FOR RATES (BILLS)

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

This report outlines the progress made in response to that resolution.

The first initiative being considered involves reintroducing payments via Australia Post outlets, enabling ratepayers to make in-person payments at any Australia Post location nationwide. This option will be especially beneficial for those who prefer face-to-face transactions or live in areas where visiting a Council customer service centre is less convenient.

The second initiative focuses on implementing a modern digital payment solution. This system will include automated payment plans, providing ratepayers with flexibility to schedule regular payments. It will also be scalable, allowing for the inclusion of other bill types, such as water and other Council services, in the future.

Both measures are designed to improve ratepayer convenience and reduce the reliance on cash transactions at Council's customer service centres. This reduction in cash handling is expected to lower operational costs and align with contemporary financial practices.

Council is committed to offering diverse payment options to meet the varying needs of the community and to ensure efficient, secure, and user-friendly financial interactions.

Discussion

Payments utilising Australia Post

In 2020, the option for ratepayers to make payments via Australia Post was discontinued. The primary reason for this decision was the high costs associated with maintaining this payment channel. At the time, these costs were deemed unsustainable given the financial landscape and usage rates of the service.

However, a more recent review of payment options and financial practices has identified that reintroducing Australia Post as a payment channel is now viable. Factors contributing to this change include improved operational efficiencies, an increased focus on enhancing customer convenience, and a broader strategy to diversify payment methods for ratepayers.

Reintroducing Australia Post payments will complement Council's efforts to develop and implement a modern digital payment platform. By offering both in-person and digital payment options, Council can cater to a wider range of ratepayer preferences, ensuring inclusivity and accessibility. Furthermore, the anticipated reduction in cash transactions at Council's customer service centres will result in lower costs associated with cash handling, while also aligning with contemporary financial practices.

Digital Payment Solution

The new digital payment platform will modernize the rate payment system, transitioning many manual and labour-intensive processes to an automated and self-serve model.

This platform will empower ratepayers to manage their obligations more effectively, with features such as direct debit from cards, payment scheduling aligned with salary dates, and automated reminders. Additionally, the platform is projected to recover approximately 4,800 staff hours annually, redirecting resources to higher-value tasks and improving productivity.

Key outcomes of this platform include:

- Estimated cost savings of up to \$130,000 annually through transaction fee optimization and reduced postage costs.
- Improved compliance with payment plans, increasing from approximately 50% to over 85%, thereby enhancing cash flow.
- A significant reduction in manual tasks, such as processing payment plans and responding to customer enquiries, currently accounting for over 35,000 interactions annually.

These advancements will further improve the ratepayer experience by offering greater flexibility and reducing the need for manual intervention, while delivering financial and operational benefits for Council.

Timing: The implementation of Australia Post payment options and the new digital payment platform will be phased. Key milestones and launch dates for these

initiatives will be finalised and communicated in due course. Australia Post payments are expected to be reintroduced first, followed by the rollout of the digital platform and its associated features, including automated payment plans. Specific timelines will be determined as project planning progresses.

Community Engagement and Internal Consultation

Extensive internal collaboration has been undertaken between the Finance, Customer Service, and Digital Technology teams.

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: 10.14

Subject: **CONTRACTS AWARDED UNDER S377 LOCAL GOVERNMENT ACT**

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

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the contracts awarded under s377 of the Local Government Act 1993 for the period 1 October 2024 to 31 December 2024.

Executive Summary

Attached is an extract of the GIPA Contracts Register published on the website of Council detailing contracts awarded by the Chief Executive Officer under section 377 Local Government Act 1993 in the period 1 October 2024 to 31 December 2024.

Discussion

Under s377 of the Local Government Act 1993 (Act), a Council may by resolution delegate to the general manager or any other person specific functions. This includes the function to accept tenders as set out in s178(a) of the Local Government (General) Regulation 2021 (Regulation) and in accordance with s377(1) of the Act.

Delegate Authority

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

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

The procurement delegate and/or the Chief Executive Officer will retain discretion to refer to Council for decision any procurement outcome:

- which otherwise falls within the Chief Executive Officer's delegated authority
- which has materially deviated from the approved procurement and evaluation plan

- that has a significant level of public interest in the service
- that is contentious in nature, or
- for any other reason described in the evaluation & recommendation report.

A report is tabled on a quarterly basis detailing contracts that have been awarded by the Chief Executive Officer under s377 of the Act.

Options

This report is provided for information. Council can resolve to request further information.

Community Engagement and Internal Consultation

Internal consultation has been undertaken with the following staff:

- the contract manager / owner
- Contracts Officer
- Group Manager Procurement
- Executive Lead Finance & Commercial Operations, and
- Director Business and Performance.

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.  GIPA Contract Register - Extract 2024 12 31 [published separately]

Item: 10.15

**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 second quarter of 2024-2025.

Executive Summary

This quarterly cyclic report provides a summary of development assessment, building certification and subdivision certification activities for the October to December 2024-2025 quarter. 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 second quarter of 2024-2025, the current year to date monthly average, relative to the monthly average of the preceding 2 years.

The monthly average number of Development Applications (DAs) received for the year to date was 74, which is up on the previous year monthly average of 64. There is a significant number of applications in the registration backlog so it is likely that the number of DAs received will remain high for the months ahead. 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 295 certificates, compared to the previous year monthly average of 285.

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 25, compared to 29 for the previous year monthly average. The year to date monthly

average number of plumbing and drainage applications determined was 67, slightly down from the previous year monthly average of 72.

The year to date monthly average number of building and plumbing inspections was 463 inspections, down from the monthly average of 483 for the previous year.

The data for construction activity suggests an overall downward trend however with DA numbers increasing it is anticipated that an increase in construction related approvals and inspections will follow.

Table 1 - Applications Received and Determined

Applications Received and Determined	2022-23 Monthly Average	2023-24 Monthly Average	2024- 25 TOTAL	2024-25 Monthly Average	Oct-24	Nov-24	Dec-24
Development Application Received	83	64	444	74	80	92	65
Development Application Approved	77	65	417	70	60	82	83
Development Application Refused/Withdrawn/Rejected	4	3	26	4	2	2	7
DA Modifications Received	19	13	79	13	13	17	8
DA Modifications Determined	17	14	79	13	17	11	13
Complying Development Certificates Received (Council)	4	3	17	3	3	1	4
Complying Development Certificates Determined (Council)	3	2	13	2	1	1	1
Complying Development Certificates Determined (Private Certifier)	28	20	85	14	6	19	13
Construction Certificates - Building Work Received (Council)	35	29	150	25	30	29	19
Construction Certificates - Building Work Determined (Council)	34	29	150	25	24	20	22
Construction Certificates - Building Work Determined (Private Certifier)	38	33	116	19	24	7	0
Plumbing & Drainage Received	79	71	451	75	70	102	53
Plumbing & Drainage Determined	84	72	400	67	77	63	64
Subdivision Works Certificates Received	8	2	5	1	1	1	0
Subdivision Works Certificates Determined	6	4	9	2	1	0	2
Subdivision Certificates Received	7	6	33	6	2	3	1
Subdivision Certificates Determined	6	6	36	6	12	3	6
Strata Certificates Received	2	3	22	4	1	5	7
Strata Certificates Determined	2	3	16	3	0	3	4
Roads Act Applications Received	46	44	306	51	46	72	41
Roads Act Applications Determined	46	38	276	46	65	58	46
Planning Certificates Issued	268	285	1770	295	288	291	215
Building Inspections Undertaken	515	483	2780	463	503	469	350
Planning Proposals (received)	0	0	9	2	0	0	0
Building Information Certificates (received)	8	3	43	7	4	8	10
Building Information Certificates (determined)	4	5	42	7	4	9	5

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 87 days, being an increase from the previous year monthly average of 77 days. This increase is largely owing to the increase in applications being received and a number of older applications being determined, particularly during the month of October. The net monthly average time for processing DAs for the year to date was 60 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 136 days compared the previous year's monthly average of 196 days. Whilst the timeframe is coming down, a number of long-standing applications continue to be finalised, negatively impacting on the average. 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 52 days, a slight increase on the previous year monthly average of 48 days.

Table 2 - Application Processing Times

Processing Days	PMHC 2022-23 Monthly Average	PMHC 2023-24 Monthly Average	PMHC 2024-25 Monthly Average	Oct-24	Nov-24	Dec-24
Development Application Net Median Days	53	45	47	55	50	44
Development Application Gross Median Days	65	58	59	66	66	54
Development Application Net Average Days	63	58	60	79	59	60
Development Application Gross Average Days	89	77	87	123	78	84
Complying Development Net Average Days	20	29	28	15	7	53
Complying Development Gross Average Days	27	47	37	15	7	53
Building Construction Certificate Net Average Days	27	38	43	49	45	25
Building Construction Certificate Gross Average Days	79	95	102	103	176	55
Plumbing and Drainage Net Average Days	53	65	63	58	55	64
Plumbing & Drainage Gross Average Days	78	72	67	64	60	66
Subdivision Works Certificates Net Average Days	94	196	136	192	0	126
Subdivision Works Certificates Gross Average Days	146	373	194	192	0	126
Subdivision and Strata Certificates Net Average Days	54	48	52	33	55	64
Subdivision and Strata Certificates Gross Average Days	60	69	53	37	55	64
Roads Act Net Average Days	38	54	70	67	72	104
Roads Act Gross Average Days	51	64	71	67	72	109
Single Dwelling Applications Net Average Days		45	41	49	40	41
Single Dwelling Applications Gross Average Days		58	49	57	53	45

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 Minister's Order is requiring councils to determine all DAs (i.e. 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.

As discussed in previous quarterly reports, 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 below the Minister's ultimate 85-day benchmark for 2027. Unfortunately, with an increase in the volume of DAs being received, the 77-day average is unlikely to be reached for 2024-2025 as the current average is 86 days.

Within the dashboard, Council has been grouped with 85 regional councils. The average processing time for DAs across all regional councils for the year to date was 98 days. Table 3 below provides a comparison of selected regional coastal councils data from the Portal dashboard for the 2023-2024 year as well as the 2024-2025 year to date average (July to December).

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

Council	Total DAs determined 2023-2024	Total DAs determined 2024-2025 year to date (July to Dec)	Gross average assessment time (days) 2023-2024	Gross average assessment time (days) 2024-2025 (July to Dec)	Total DA development cost (million)
Regional Council average			100	98	
Port Macquarie-Hastings	797	414	77	86	\$222
Ballina	363	219	183	163	\$244
Byron	354	179	159	112	\$190
Clarence	598	341	117	97	\$104
Coffs Harbour	722	334	95	87	\$100
Kempsey	226	96	109	144	\$43
Mid Coast	1001	487	88	87	\$291
Nambucca	267	111	37	38	\$31
Tweed	642	313	189	161	\$253

There are additional requirements contained within the Order and League Table 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 Councils is 16 days and PMHC is 13 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.

Table 4 below illustrates the total value of works approved for the quarter compared to the preceding 2 years. As evidenced in the data, the value of works is up on the previous year, largely corresponding with the increase in application volume, increasing construction costs and a number of significant applications determined over the quarter. 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 2022 - 2023	Total 2023 - 2024	Total 2024 - 2025	Oct-24	Nov-24	Dec-24
Development Applications	\$498,575,614	\$406,878,312	\$293,183,507	\$105,796,483	\$43,191,668	\$58,828,918
Complying Development Certificates	\$73,141,331	\$47,242,521	\$15,954,506	\$542,362	\$3,447,225	\$2,383,487
Monthly Total	\$571,716,945	\$454,120,833	\$309,138,013	\$106,338,845	\$46,638,893	\$61,212,405

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. 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.



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

Item: 10.16

Subject: POLICY REVIEW - CONFLICT OF INTEREST POLICY - COUNCIL-RELATED DEVELOPMENT APPLICATIONS

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:

- 1. Note that the review of the Conflict of Interest Policy - Council Related Development Applications does not recommend any material changes to the existing Policy.**
- 2. Adopt the Conflict of Interest Policy - Council-Related Development Applications.**
- 3. Note that the revised Policy does not require public exhibition.**

Executive Summary

This report is a routine review of an existing Council policy, being the 'Conflict of Interest Policy - Council-Related Development Applications' (Attachment 1).

It is recommended that no material changes be made to the Policy other than converting to the new Council Policy template format as proposed in Attachment 2. Accordingly, the revised Policy does not require public exhibition.

Discussion

As part of Council's wide ranging functions, there are times when Council needs to lodge development applications to undertake works, or provide owner's consent for another party to lodge a development application on Council land. Being the Consent Authority for the majority of development applications therefore leads to circumstances of conflict of interest for Council. Council's Conflict of Interest Policy - Council-Related Development Applications sets out a procedure to manage these conflicts.

It is worth noting that there are thresholds where certain Council applications are required to be determined via the State under *State Environmental Planning Policy (Planning Systems) 2021* (SEPP). Council projects with a capital investment value greater than \$5 million are the most common trigger applying to Council related development applications under the SEPP. This therefore provides greater transparency for what could be considered higher risk Council-related applications.

Council is required to comply with the *Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022* (Attachment 3) and associated Guideline (Attachment 4). The Regulation requires all Councils to have a Policy on how they manage conflicts of interest arising from Council-related development applications.

In this regard, Council has had a longstanding policy in place. The requirements of the Regulation and guideline were incorporated into the Policy in 2022 (Attachment 1). The Regulations requirements are summarised in the table below:

Regulation/Guideline Requirement	Response
Policy must be in place by 3 April 2023	Council updated its longstanding Policy in 2022 to comply with the newly released Regulation.
Council-related applications must be exhibited for 28 days.	Council’s Policy includes the requirement to exhibit Council-related applications for 28 days.
Council-related development applications must now be accompanied by either a management strategy statement, which explains how Council will potentially manage conflicts of interest, or a statement that Council has no management strategy for the application.	The required management strategy provisions are included in the Policy.
Council must record conflicts of interest in connection with each Council-related development application, and the measures taken to manage to conflicts, in its existing DA register.	Administration processes have been established to meet this requirement. An example management statement template included in the Policy.

Since Council last updated the Policy in 2022 to incorporate the above Regulation requirements, it has been operating effectively without cause for concern or change. Council staff have not received any complaints from the community in relation to the application of the Policy. There have not been any adverse governance or legal matters that have arisen that necessitate a change to the Policy.

The guideline recommends that Council consider further measures post development consent in order to manage potential conflicts. An example of this would be processing a construction certificate for Council related development. No criteria have been specified or mandated by the State at this point in time. Post consent matters are typically more objective and quantifiable by nature. This, coupled with the significant challenges in sourcing unrestricted building certifiers in regional areas, means that it is not proposed to introduce any measures in the Policy at this stage. Management will continue to monitor projects on a case-by-case basis as a matter of normal business to determine whether any additional probity measures are required for Council-related development, post consent.

Options

Options available Council include:

1. Maintain the Policy as is with minor update to reflect Council's new policy template (Attachment 2).
2. Make additional amendments to the Policy outlining different criteria to manage Council's interest in relevant applications.

This report recommends Option 1 be adopted. This option satisfies the Regulation and is considered to effectively recognise when a conflict of interest arises and sets out a process to follow in these particular circumstances. Note that it is proposed to convert the policy into the new Council policy template. This is essentially an administrative change although it has necessitated the inclusion of a policy 'statement' in the document so as to conform to the template headings. The statement is proposed as follows: 'Port Macquarie-Hastings Council (PMHC) is committed to open and transparent development assessment.'

Allowing senior staff to determine when an external consultant is engaged for the assessment of an application is considered to provide the right balance in ensuring Council appropriately manages its varying roles. Requiring all applications lodged by Council or on Council land that receive submissions to be determined by Council (excluding those required to be determined by the State), following consideration by the Development Assessment Panel (DAP), is considered to be effective criteria to manage transparency and probity. The receipt of submissions is a good indicator as to when there may be a particular sensitivity with an application and referring all such applications to Council is therefore recommended.

Community Engagement and Internal Consultation

Internal consultation has been undertaken with Council's Development Services and Governance staff. It is not proposed to undertake community engagement as part of the routine review of the Policy. Should Council opt to undertake a more wholesale review of the Policy then community engagement would be undertaken.





Planning and Policy Implications

Under the Regulations, Council is required to have a policy in place outlining how it manages conflicts arising from council-related development applications. The Policy in Attachment 2 is considered to meet this requirement.

Financial and Economic Implications

There are no financial and economic implications in relation to this report based on not altering the Policy. If Council chose to not use external consultants in the assessment of any Council-related development applications, there would be a minor saving in planning consultant fees (approximately \$10K per annum). If Council made other amendments to the Policy, there could be additional financial impacts. For example, if Council required an external consultant to assess all applications Council was a party to, this would have a financial impact potentially in the order of \$75K+ per annum, depending on the number and type of applications lodged over the year.

Attachments

1.  Conflict of Interest Policy - Council-Related Development Applications (existing format)
2.  Conflict of Interest Policy - Council-Related Development Applications (New Policy Template February 2025)
3.  Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022
4.  Council-related Development Applications Conflict of Interest Guidelines

Item: 10.17

Subject: **GLASSHOUSE BIENNIAL REPORT AND UPDATE ON
GLASSHOUSE PLAN 2024-2025 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 note the information provided in the Glasshouse Biannual Report (Attachment 1) and Update on Glasshouse Plan 2024-2025 Actions report (Attachment 2).

Executive Summary

- Operating income in the first half of 2024-2025 was \$34,037 or 3% lower than budget. It was \$283 less than operating income for the same period in 2023-2024.
- Operating costs are being effectively managed and actual costs in the first half of 2024-2025 were \$93,377 or 4% less than budget.
- Year to date, the net contribution to the Glasshouse from the General Fund (before interest and depreciation) was \$1,385,749 which is \$59,341 or 4% less than budget.
- Results for key performance indicators in the Glasshouse Plan 2024-2025 are generally on track, with year-to-date targets for 6 out of 10 KPIs exceeded.
- Council resolved on 15 February 2024 that staff commence a Strategic Review of the Glasshouse. A Strategic Review progress update is included in this report.

Discussion

Glasshouse Finances

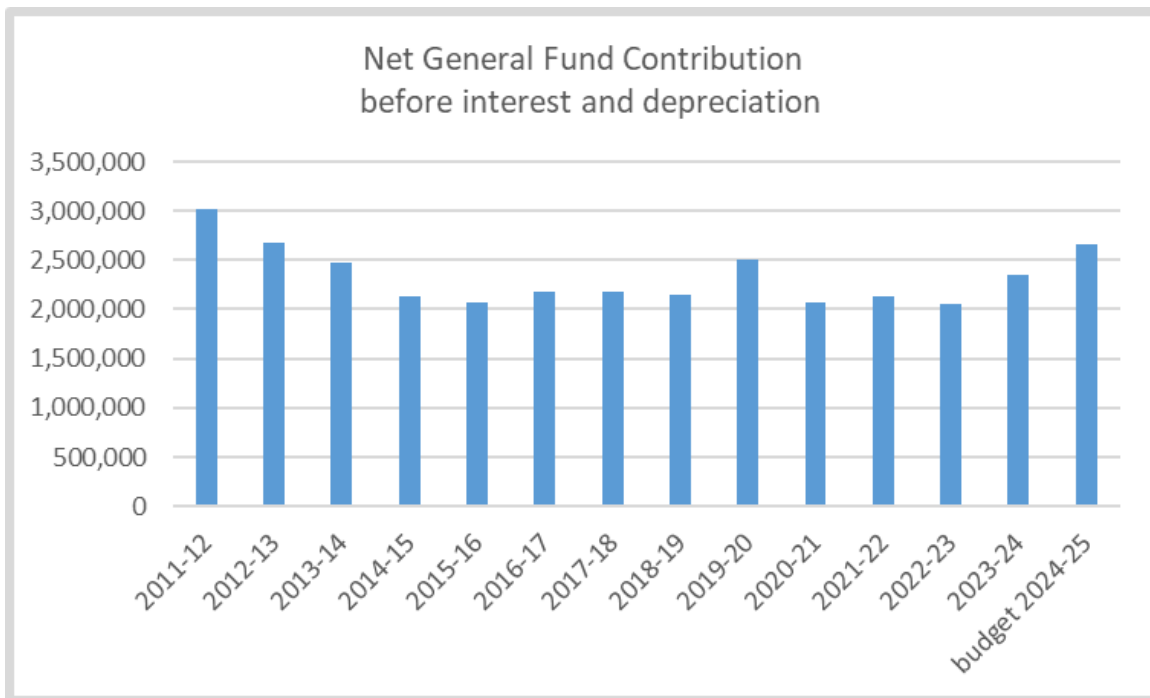
This report and the Glasshouse Financial Statements ([Attachment 1](#)) present the financial performance of the Glasshouse for the second quarter (1 September 2024 to 31 December 2024) and the first half of 2024-2025. For the purposes of this report, the annual budgeted figures for Council overheads have been used.

Entertainment and the hire of venues are subject to market forces, availability of show product in the marketplace, and seasonality. Entertainment is a discretionary spending choice for patrons, and given current cost of living pressures, the first half year result has held up well against budget. Operating income in the first half of 2024-2025 was \$34,037 or 3% lower than budgeted. It was \$283 less than operating income for the same period in 2023-2024.

Operating costs in 2024-2025 were budgeted to be 7% higher compared to 2023-2024, to cover increases in wages, electricity, insurance and building maintenance costs. Actual operating costs are being effectively managed, and costs are currently \$93,377 or 4% under budget for the first half of 2024-2025.

Year to date, the net contribution to the Glasshouse from the General Fund (before interest and depreciation) is \$1,385,749 which is \$59,341, or 4% less than budget. Over the full year, operating costs are expected to be close to budget.

Net contributions to the Glasshouse from the General Fund (before interest and depreciation) between 2011-2012 and 2024-25 is shown in the following table.



Glasshouse Capital Expenditure

An engineering consultant has completed an extensive Condition Assessment Report of the Heating, Ventilation and Air Conditioning (HVAC) system. The report recommends the replacement of the existing main heat pump. The heat pump has broken down many times and is operating at less than 50% capacity. The heat pump is critical for the supply of hot water and for effective dehumidification.

The procurement process for the contractor to complete the supply and install project for the heat pump has commenced. Additional sensors and other minor HVAC modifications (that will increase the overall efficiency of the Glasshouse HVAC system) will be included in the project scope. The heat pump project will be completed in late 2025.

The report also identified a number of other HVAC components that are not working effectively, as well as main ductwork that is heavily corroded. Planning to replace these components is underway, and these items are also being considered in the Council budget risk register.

Glasshouse Loan Balances

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

Loan	Outstanding balance 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

Council approved the full repayment of Glasshouse Loans from the Developer Contributions (General Fund) Reserve on 15 August 2024, and all the above loans have now been fully repaid.

Glasshouse Plan 2024-2025 Actions

At the Ordinary Council Meeting on 15 August 2024, Council adopted an extension of the Glasshouse Plan 2020-2022 through to 31 December 2025. Progress against the key outcomes and actions identified in the plan are summarised in the *Update on Glasshouse Plan 2024-2025 Actions - February 2025*, (Attachment 2) with key outcomes discussed briefly below.

Glasshouse performance measures

The following Key Performance Indicator (KPI) data show Glasshouse utilisation, occupancy and other performance targets for the reporting periods indicated.

Performance Indicator	2022-23	2023-24	2024-25 July - Dec Target	2024-25 July-Dec Result
Visitation (Glasshouse)	151,324	174,377	>90,000	108,609
Visitation (Gallery)	19,764	38,971	>20,000	17,936
Visitation (website)	238,482	397,297	>150,000	187,386
Utilisation (%) (theatre)	41%	48%	>40%	51%
Utilisation (%) (studio)	34%	34%	>35%	32%
Utilisation (%) (meeting rooms)	42%	41%	>40%	33%
Average attendance (%) (theatre)	70%	71%	>70%	71%
Average attendance (%) (studio)	82%	68%	>70%	90%
Number of tickets processed	66,926	73,383	>36,000	34,247
Percentage of tickets sold online	55%	58%	>50%	66%

Between 1 July and 31 December 2024, the Glasshouse delivered or achieved the following:

- 215 events
- 88 Theatre performances
- 5 Gallery exhibitions
- 53 Gallery events
- 74 non-performance events in the conference and meeting rooms
- 1,558 Glasshouse memberships
- 3,710 students attended Education @ Glasshouse events
- 22 new venue hire clients
- 13 community events received Council support at the Glasshouse
- 83% of ticket buyers originate from the Port Macquarie-Hastings local government area (LGA)

KPIs for the first six months of the current financial year are close to or above target. There is a degree of seasonality in the data, with the second half of the financial year traditionally stronger than the first half.

The Glasshouse is a member of the NSW/ACT Performing Arts Centres Association (NAPACA) and feedback from other venues indicates that economic pressures are slowing consumer spending and impacting the entertainment industry. Some commercial show promoters have also expressed concerns around recent slower ticket sales which has led to a number of show cancellations.

Compared to other NAPACA venues, the Glasshouse Select Program and the Education Program are tracking strongly, with a number of shows selling out. Glasshouse bar and catering sales have also been strong.

Strategic Review

Council resolved on 15 February 2024 to commence a Glasshouse Strategic Review, and on 15 August 2024 approved a Glasshouse Strategic Review Plan. The plan sets out the approach to the review, review activities, high-level inclusions and assumptions, and review governance and reporting arrangements.

Stage 1 of the Strategic Review is underway, with key items completed or that are underway noted below:

- The Steering Group has been established and is chaired by the Director Business and Performance, with SLT representation from across Council. A Working Group is undertaking the review work and reports to the Steering Group monthly.
- A review of Glasshouse financial reporting is underway and an alternative analysis report for income and expenditure attributed to the following Glasshouse functional areas is being developed:
 - The Gallery
 - Theatre Program
 - Venue hire
 - Visitor Information Centre and Shop

This financial report will help to quantify the level of Council support for these different Glasshouse functional areas, as well as expenditure and income issues and opportunities.

- A consultant has been engaged to prepare a Glasshouse *Economic Impact Assessment* (EIA) report, building upon the previous 2015 Glasshouse EIA. The Glasshouse has grown significantly since 2015, with a 33% increase in annual ticket sales, a 27% increase in annual event numbers, and a +80% increase in Glasshouse membership to a record 1,558 members in 2024. These indicate strong and ongoing support for the Glasshouse venue, and for its arts, cultural, entertainment and educational programs.
- The EIA will quantify direct and indirect economic benefits of the Glasshouse, supplemented by qualitative data on cultural, community and non-economic benefits, including Council support for local arts and community groups.
- An updated Strengths, Weakness, Opportunities and Threats (SWOT) analysis has been drafted. This will help to identify feasible growth opportunities, including growth within existing services and program areas, and growth from new or alternative revenue opportunities. These opportunities will be further developed in Stage 2 of the Strategic Review.

As well as completing the above items, upcoming work to complete Stage 1 of the Strategic Review will include:

- Further benchmarking against other regional entertainment venues; and
- An assessment of current programs and performance, the wider and local cultural environment, and how Council's current commitment to support arts and culture compares with similar council-owned venues.

Stage 2 of the Strategic Review will include

- Development of a revised draft strategy and Glasshouse (business) plan for adoption by Council.
- Updated financial reporting by functional areas.
- A report on cultural and commercial growth opportunities for the Glasshouse.
- High level business proposes or selected, outline business cases, as well as implementation plans to realise any changes in strategic directions.
- Implementation plans to progress the revised strategic objectives and growth opportunities.

The activities in Stage 1 have taken longer than expected, and the proposed Strategic Review progress briefing to Council is now planned for mid-2025.

Options

The report contents are for information only. The Strategic Review update is a progress report, and work is continuing. The 2024-2025 Glasshouse financial statements at 31 December 2024 are unaudited, and the commentary and Glasshouse Plan 2024-2025 update report are for information only.

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 Glasshouse Plan 2024-2025.

Financial and Economic Implications

From a financial perspective, year to date at 31 December 2024, 2024-2025 income for the Glasshouse was 3% lower than budget, and operating costs are 4% lower than budget. This resulted in the net contribution to the Glasshouse by the General Fund being \$59,341 better than budget.

Attachments

1.  Glasshouse Financial Statements - Income and Expenditure to 31 December 2024
2.  Update on Glasshouse Plan 2024 - 2025 Actions - February 2025

Item: 10.18

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 six-months of the 2024-2025 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 2024 to 31 December 2024.

This report constitutes Council's biannual reporting on our Grants program for February and August each year.

Over the six-months period from 1 July 2024 to 31 December 2024, Council has applied for 30 grants totalling over \$48.7 million. Nine applications have resulted in successfully securing over \$2.66 million in funding and 17 remaining applications valued at \$31.6 million are still being assessed by State and Federal funding bodies.

Discussion

Council plays a critical role in making our neighbourhoods and townships a great place to live and visit. 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 to support Council's strategic advocacy for grant funded outcomes.

Councillors are also provided with a monthly grants update report for their information.

Activity over the last six-months

The Council Grants Register (Attachment 1) details all the grant applications made, successfully, unsuccessfully, or outcome unknown for the first six-months of the 2024-2025 financial year.

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

- \$2.3 million Roads to Recovery via the Australian Government for road maintenance at 21 sites including:
 - Gordon & Horton St intersection upgrade
 - Bitumen resealing works for Pioneer Place Wauchope
 - Kirmington Terrace West Haven
 - Batar Creek Rd Kendall.
- \$55k to provide disaster recovery equipment and training to volunteer groups via the NSW Reconstruction Authority.
- \$10k for summer and autumn youth school holiday programs via NSW Government
- \$61,529 for technology and building upgrades across all three libraries including newspaper digitisation, new furniture and signage via State Library NSW

Council staff invested in the order of 617 hours in the preparation of grant applications in the last six-months.

The grants team is currently monitoring and reporting on 82 active grant-funded projects to the value of \$103,706,016. The current pipeline of active grant funding reports into 29 different government grant management offices (GMOs) spread across Australia.

Over the last six-months the Grants team have prepared and submitted:

- 30 grant applications valued at \$48.7 million.
- 3 EOI's valued at \$714k.
- 12 Project Completion Reports with final payment claims (Acquittals).
- 39 Milestone Reports, many with progress payment claims.
- 11 submissions for Funding Deed variation for extension of time and/or change of project scope.
- 15 Letters of Support / Landowner permission for community groups, sporting clubs and event organisers applying for external grants.
- 12 Award nominations for projects.
- 36 online meetings were attended with a variety of state and federal GMOs.

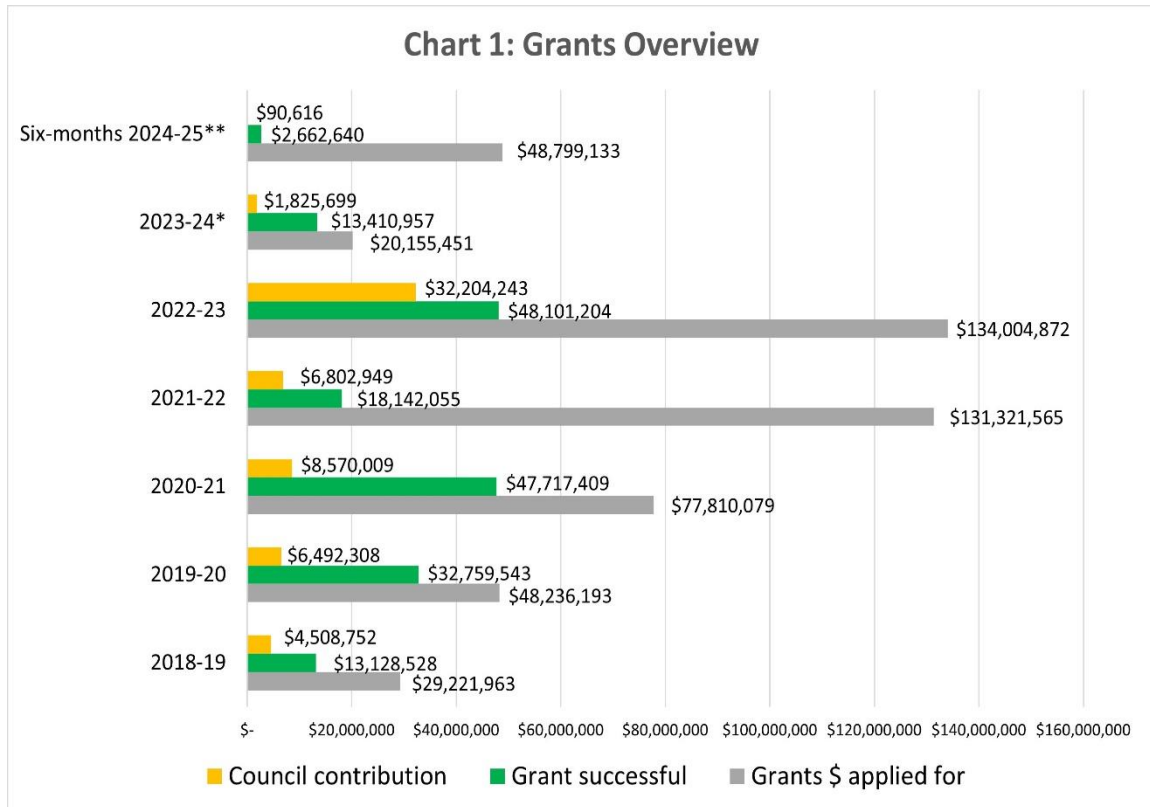
The past six-months have seen increased fervour by Federal and state governments calling for grant submissions, however we are experiencing a long lag-time for announcement of funding outcomes. For example, 6 months ago in August 2024 Council applied to the Australian Government for 3 grants for:

- \$9.5m Construction of the North Arm Trunk main water pipeline
- \$14.4m construction and commissioning of the new Kew Water Reservoir
- \$2.7m to construct a network of trunk gravity sewer mains west of Lakewood

To date no outcome has been announced. The timing of announcements may be being impacted by the upcoming Federal election cycle.

Broad trend analysis

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



*\$2,910,850 in applications still being assessed for 2023-24

** \$31,620,568 in applications still being assessed for 2024-25

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 six-months, 15 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 383 registered users, with 29 new registrations this period, representing local community organisations, sporting clubs and event managers. There were 36,108 generated emails automatically sent to our registered users who have opted in to receiving alerts for when specific grants open.

Options

This is an information report.

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 or 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 on Council staff resources. Council's operational plan delivery, funding and capacity will be assessed at the time.

Financial and Economic Implications

The only direct economic implications are the staff resources utilised to prepare and manage grant applications. This involves actively seeking and submitting grant applications. Where successful Council is required to provide funding bodies with regular progress reports, during and at project completion, accounting for how the grant funds were spent.

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

Grants from various sources are an important source of funding for a wide variety of Council activities and supporting the delivery of services and infrastructure for our community. 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 - 1 July 2024 to 31 December 2024

Item: 10.19

Subject: NOTICE OF MOTION - GRANT FUNDING REPORT

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

RECOMMENDATION

That Council:

- 1. Request the Chief Executive Officer to provide, within the Elected Member Portal and at the end of each calendar month, a list of all Grant Funding opportunities, for which NSW Local Governments are eligible to apply for, that have become available during the month as advertised via Port Macquarie-Hastings Council's Grant watching system.**
- 2. Request the Chief Executive Officer to consider for inclusion in the 2025-2026 Operational Plan the development of a cyclic quarterly report on relevant Grant Funding opportunities, for which the NSW Local Government sector is eligible to apply for, that have become available within the quarter and detail which were, and which were not applied for including the reason/s for either.**

Comments by Councillor Edwards

The Strategic decision making of Council is not always clear to the general public and sometimes even for Councillors so to increase transparency and understanding I am seeking greater attention be given to Grant Funding moving forward.

Comments by Chief Executive Officer

Item 1 of this Notice of Motion is not supported for the following reasons:

- Staff currently prepare and/or maintain the following grants reports or data:
 - A monthly report is provided directly to all Councillors regarding the status of all grant applications
 - A quarterly report to Council on the status of all grant applications
 - A quarterly report to each Local Member of Parliament with an update of grant applications relating to their respective electorates
 - Monthly updates on the status of grants on Council's website under Grants Applications Register
 - Access to Grants Finder on Council's website which includes all available grants is accessible to everyone who signs in

The request to provide "a list of all Grant Funding opportunities, for which NSW Local Governments are eligible to apply for, that have become available during the month" is too onerous and not considered to be a sound use of Council's resources given the number of grants that are available and the criteria applicable to each one to determine whether PMHC would be eligible to apply, noting that while Council's may be eligible for a grant individual Council may not

meet the specified criteria.

- This information is publicly available on Council's website, where you can search by Category "Council" and Status "open."

Noting the comments above relating to item 1, staff have no objection to considering additional funding for the delivery of item 2 of the Notice of Motion with the development of the draft 2025/26 Operational Plan.

Attachments

Nil

Item: 10.20

Subject: NOTICE OF MOTION - CHIEF EXECUTIVE OFFICER'S
PERFORMANCE REVIEW PANEL

Mayor Adam Roberts has given notice of an intention to move the following motion:

RECOMMENDATION

That Council:

1. Determine that the composition of the Chief Executive Officer's Performance Review Panel for the period ending 30 June 2025 to consist of the Mayor, the Deputy Mayor, one (1) Councillor nominated by Council and one (1) Councillor nominated by the Chief Executive Officer.
2. Determine the Councillor as Council's representative to participate on the Chief Executive Officer's Performance Review Panel.
3. Note that Councillor Danielle Maltman is the Chief Executive Officer's nominated Councillor on the Chief Executive Officer's Performance Review Panel for the subject period.
4. Delegate to the Chief Executive Officer's Performance Review Panel the process of performance management, including discussions about performance, reporting and performance reviews for the period ending 30 June 2025.

Comments by Mayor Roberts

The Office of Local Government issued Guidelines in 2022 for the Appointment and Oversight of General Managers (the Guidelines). It is noted that this applies to Council's Chief Executive Officer. The Guidelines recommend that the Chief Executive Officer's Performance Review Panel comprise the Mayor, the Deputy Mayor, a Councillor nominated by Council and a Councillor nominated by the Chief Executive Officer. It is therefore recommended that Council's Chief Executive Officer's Performance Review Panel comprise the Mayor, the Deputy Mayor, a Councillor nominated by Council and a Councillor nominated by the Chief Executive Officer. It is noted that Councillor Danielle Maltman is the Chief Executive Officer's nominated Councillor.

The Guidelines further provide that the entire process of performance management be delegated to the Chief Executive Officer's Performance Review Panel including the conduct of performance reviews, reporting the findings and recommendations of those reviews to Council and the development of the performance agreement.

The Standard Contract for General Managers requires that the performance of the General Manager (Chief Executive Officer) must be formally reviewed at least annually. No additional interim reviews were requested or agreed to during this current review period. Councillors not on the Chief Executive Officer's Performance Review Panel can contribute to the process by providing feedback to the Mayor or other panel members on the Chief Executive Officer's performance.

The role of the review panel includes:

- Conducting performance reviews
- Reporting the findings and recommendations of reviews to the Council, and
- Development of the performance agreement

In accordance with the Guidelines, it is proposed to engage a professional facilitator to facilitate the process of the Chief Executive Officer's performance review being Kath Roach of Sinc Solutions. Ms Roach is experienced in the facilitation of performance reviews of General Managers/Chief Executive Officers and is available to assist in this process. It is noted that Ms Roach successfully facilitated the performance review process of the Chief Executive Officer in 2024. Ms Roach has indicated that she is available to participate in this process. Further, and in accordance with the Guidelines, it is also proposed to engage an independent observer to participate in the process. An independent observer was engaged during the performance review process of the Chief Executive Officer in 2024 which added value to the process. It is proposed to again engage Ms Mel Jacobs to undertake this role who acted as an independent observer throughout the 2024 Chief Executive Officer Performance Review process. Ms Jacobs is an independent member of Council's Audit, Risk and Improvement Committee and involvement in this process is not deemed to be conflict of interest. Ms Jacobs has indicated that she is available to participate in this process.

Comments by Chief Executive Officer

There are no concerns with the contents of this Notice of Motion.

Attachments

Nil

Item: 10.21

Subject: NOTICE OF MOTION - COMMENCE PRELIMINARY DISCUSSION OF 2025-2026 CHIEF EXECUTIVE OFFICE PERFORMANCE AGREEMENT

Councillor Rachel Sheppard has given notice of an intention to move the following motion:

RECOMMENDATION

That Council:

- 1. Note that the Chief Executive Officer Performance Review process occurs during a particularly busy period for Council, in relation to adoption of Integrated Planning and Reporting.**
- 2. Determine that the Chief Executive Officer Performance Review Panel meet before 31 March 2025 to commence preliminary discussion of the new Performance Agreement, for the purpose of best supporting alignment with the strategic directions of the new Council.**

Comments by Councillor Sheppard

Commencing preliminary discussion of the new CEO Performance Agreement will support operational alignment with the strategic directions of the new Council.

Comments by Chief Executive Officer

It is suggested that it would be premature for the Chief Executive Officer Review Panel to meet in during March 2025 to discuss the new Performance Agreement of the Chief Executive Officer for 2025-2026.

The Office of Local Government Guidelines for the Appointment and Oversight of General Managers states with regard to performance agreements that “As one of the general manager’s key responsibilities is to oversee the implementation of the council’s strategic direction, it is important to align the general manager’s performance criteria to the goals contained in the community strategic plan, and the council’s delivery program and operational plans.”

Council will be adopting the new strategic direction of Council through the Community Strategic Plan, Delivery Plan and Operational Plan (and other Integrated Planning and Reporting documents) in June 2025 that will form the basis of the Chief Executive Officer’s next Performance Agreement for 2025-2026. It would be inappropriate to consider the contents of the next Performance Agreement when these key documents will not be adopted until June 2025 and the contents unknown at this stage with the performance review of the Chief Executive Officer’s not due until July 2025.

Attachments

Nil

Item: 10.22

Subject: NOTICE OF MOTION - MEMBER FOR PORT MACQUARIE MP LESLIE WILLIAMS RETIREMENT

Councillor Nik Lipovac has given notice of an intention to move the following motion:

RECOMMENDATION

That Council acknowledge the retirement of Leslie Williams Local Member for Port Macquarie and thank her for her contribution and commitment to the community through drought, floods, bushfires and the pandemic since taking office on 26 March 2011.

Comments by Councillor Lipovac

I would like to take this opportunity on behalf of our LGA to wish the Member for Port Macquarie all the very best for the future and to thank her for 14 years of service to our community. Leslie Williams is the longest running Local Member for this electorate and that in itself speaks volumes of the support she has had over the years and for all that she has achieved.

Comments by Chief Executive Officer

This Notice of Motion is supported by staff.

Attachments

1.  220125 Leslie Williams To Retire From Parliament

Item: 10.23

Subject: NOTICE OF MOTION - FEDERAL CANDIDATES FUNDING
PRIORITIES

Councillor Nik Lipovac has given notice of an intention to move the following motion:

RECOMMENDATION

That Council provide a list of Council's key Project Funding Priorities and estimated costs to all candidates in the respective Federal Seats of Cowper and Lyne in the upcoming Federal Election, and the upcoming State Seat of Port Macquarie by-election, once nominations are finalised.

Comments by Councillor Lipovac

It is imperative Council receives support for the funding of future projects from Federal Candidates prior to the Election.

Comments by Chief Executive Officer

It is noted that the Mayor is currently meeting with candidates and providing them with a pack including Council's strategic priorities and projects to identify areas Council considers are high priorities for the region.

Attachments

Nil

Item: 10.24

Subject: NOTICE OF MOTION - DEVELOPING AN ECONOMIC DEVELOPMENT STRATEGY

Councillor Rachel Sheppard has given notice of an intention to move the following motion:

RECOMMENDATION

That Council:

- 1. Note that no funding source has been identified specifically for the development of a new Economic Development Strategy in the 2024-2025 Operational Plan.**
- 2. Determine to include development of a draft Economic Development Strategy in the 2025-2026 draft Operational Plan, that would enable a Draft Economic Development Strategy to be presented to an Ordinary Meeting of Council, no later than October 2025, should the action be included in the adopted 2025-2026 Operational Plan.**
- 3. Request a Councillor briefing in March 2025 detailing:**
 - i. What, if any, work has already taken place or is underway in the 2024-2025 financial year that would support the preparation of a new Economic Development Strategy.**
 - ii. What further work is required to support preparation of a new Economic Development Strategy early in the 2025-2026 financial year.**

Comments by Councillor Sheppard

Summary:

This motion seeks to start the process to prepare an appropriate Economic Development Strategy, to be presented to Council in the new financial year. This will support a more transparent and strategic approach to Council's future role and influence in the local economy, to ensure maximum impact with the finite resources available.

Body:

An Economic Development Strategy ensures that Council's economic development activities are efficient, and transparently aligned with the strategic directions of Council and needs of the Port Macquarie-Hastings Local Government Area.

Council's Economic Development Strategy (2017-2021) is well out of date, raising issues of transparency, relevance and effectiveness in prioritising and delivering Council's economic development activities, in much changed and still changing economic landscape. While Council had prepared a contemporary Economic Development Strategy in collaboration with community, consultants and Council staff, in April 2022, the previous Council determined not to adopt the strategy or to initiate the preparation of an alternative.

This is particularly problematic given the Economic Development Strategy has been identified as a lead strategy in Council's ten-year Community Strategic Plan, developed in collaboration with the community.

Ideally, before Council endorses the new four-year Delivery Program and one year Operational Plan, Council should adopt an updated Economic Development Strategy prior to allow for full transparency about intended approach to economic development and resourcing over the course of the coming operational plan and delivery program. However, it is understood that no resources are available for the preparation of an Economic Development Strategy in the current financial year.

As such, it is prudent for the new Council to start an appropriate process to develop and adopt a contemporary Economic Development Strategy, by including this action in the 2025-2026 Operational Plan. This will help to avoid a reactive and ad hoc economic development activities, and instead show commitment to a transparent, efficient and effective approach to economic development for our Region.

Comments by Chief Executive Officer

Staff have no objection to the proposed Motion.

Attachments

Nil

Item: 10.25

Subject: NOTICE OF MOTION - INTEGRATED PLANNING AND REPORTING

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

RECOMMENDATION

That Council:

1. Request the Chief Executive Officer to give consideration to the following desired improvements to Council's upcoming Integrated Planning & Reporting (IP&R) suite of documents and future reporting.
 - i. Clarity regarding how each line item is funded. For example, if both Reserves and Development Contributions are used to fund an action, the document to specify how much money is being budgeted from each source.
 - ii. Including the whole name of each funding source: e.g. which specific reserve and sub-reserve/s is the funding coming from and which specific developer contributions fund is it coming from.
 - iii. Works program being presented as a document with a 10-year view and contains all details currently provided in the draft works program, plus the capital works program scenarios, changes/carry overs reflected and highlighted within the document as they are decided upon and made available via the Elected Member Portal.
 - iv. Inclusion of a contents page in all draft and final IP&R documents.
 - v. Inclusion of a 'living' appendix to the Operational Plan, which lists cumulative changes (movement out and in) and is updated as resolutions are made.
 - vi. Consistency of the Operational Plan format across the delivery program, including:
 - Maintaining the names of service areas for the duration of the delivery program
 - Maintaining composition of service areas for the duration of the delivery program
 - Consistency of Operational Plan references and lay-out of the document.
 - vii. Automatic allocation of a line item for actions/items not delivered in the Operational Plan in the following years Operational Plan with the line item denoted by the original Operational Plan reference.
 - viii. All deferrals proposed in reports stipulating the Operational Plan reference and a date to which the project is to be deferred to.
 - ix. Reporting Progress on Operational Plan line items: Progress be reported both in writing, and also with a visual system that includes the following categories:

- Completed
 - On track
 - Off-track, with the subcategories:
 - o offtrack but still to be completed in the current Operational Plan,
 - o deferred to next Financial Year
 - o deferred to years 3 or 4 within Delivery Plan
 - o deferred to another year within the Works Program - 5-10 years
 - Deferred to outside of the Works Program
 - Not progressing
2. Receive a response to each of the requested considerations as part of the Councillor Briefing to be scheduled prior to finalisation of the draft IP&R suite of documents.
 3. Receive the response to each of the requested considerations in clause 1 in the report to the Ordinary Council Meeting which presents the Draft IP&R suite.
 4. Request the Chief Executive Officer provide a Councillor Briefing on the future IP&R and other Council reporting enhancements planned for 2025-2026 by August 2025.

Comments by Councillor Edwards

Nil

Comments by Chief Executive Officer

Development of the new suite of draft IP&R documents is now well advanced and nearing completion for the draft documents to be presented to Council. The new documents are being prepared in accordance with the NSW Office of Local Government's mandated Integrated Planning and Reporting Guidelines for Local Government in NSW and the Integrated Planning and Reporting Handbook.

Proposed changes are being included in the documents to address readability, transparency, integration and reporting and to ensure compliance with the updated Government mandated requirements.

Staff have no objection to the proposed Motion.

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: DRAFT FINDLAY PARK MASTER PLAN

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. **Endorse the draft Findlay Master Plan for public exhibition 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.**

Executive Summary

The Findlay Park Master Plan project is identified in the 2024-2025 Operational Plan as part of Council's Delivery Program Strategy L3.2 to plan for community facility, sport, recreation, play, open space and foreshore infrastructure provision and support project delivery.

This report recommends that the draft Master Plan be placed on public exhibition to seek community feedback on the proposed future development of Findlay Park.

Discussion

The Findlay Park Master Plan (Attachment 1) aims to provide the necessary strategic plan to support the provision of high-quality recreation facilities. Findlay Park is a district level sport facility in Port Macquarie, activated primarily by Football (soccer) in the winter sport season and Softball in the summer sport season. The facility is also activated year-round by the neighbouring school, Hastings Secondary College Westport.

To ensure the park's continued development and to optimise use, the creation of a Master Plan is essential. This plan will serve as a strategic framework for the management and enhancement of Findlay Park, addressing community needs and recreational opportunities. By implementing a Master Plan, Council can ensure that the park be developed appropriately and effectively managed, catering to the diverse needs of residents and sporting clubs alike.

The development of the Master Plan involves a thorough assessment of the existing facilities and amenities within Findlay Park. The vision for Findlay Park will encompass improvements such as upgraded sports facilities, enhanced access and landscaping, as well as formalising and providing additional car parking spaces. This approach aims to foster physical activity, social interaction, and overall accessibility among users.

Options

Council has the option to not adopt the draft Findlay Park Master Plan for exhibition and may request the draft Plan be amended further prior to being placed on exhibition. This report recommends adoption of the draft Plan to seek community feedback.

Community Engagement and Internal Consultation

External Consultation

On Wednesday 23 October 2024 Council held a co-design workshop. Five community members attended representing 2 sporting clubs and 2 sporting associations that activate Findlay Park, Port Macquarie.

A Council/Community co-design workshop was deemed an effective way to gather community input for a draft Master Plan because it values the knowledge and expertise of community members, promotes collaboration and engagement, and fosters a sense of ownership and empowerment. By involving the community in the planning and decision-making process, Council can create more inclusive, and responsive solutions that truly meet the needs of the community.

The workshop aimed to discuss and develop a draft Master Plan for Findlay Park in Port Macquarie. At the workshop the key points discussed were as follows:

- The various clubs expressed their needs and desires for improved facilities and recreational spaces, highlighting the importance of making these areas more accessible to all users.
- There were specific requests for additional water taps near the first softball diamond and the installation of updated amenities, including universal change rooms that cater to the needs of female users, ensuring comfort and privacy.
- Participants proposed improvements to the lighting for night training sessions to enhance safety and visibility.
- The need to address existing drainage issues was emphasised to prevent water accumulation and maintain field usability.
- Other suggestions included shade shelters to protect spectators, regular pruning of trees to ensure safety, and better parking solutions to accommodate the growing number of visitors.
- The need for a detailed Master Plan was stressed, focusing on collaboration among clubs to explore funding opportunities for future developments.

Overall, the workshop served as a platform to gather input, discuss ideas, and lay the foundation for a comprehensive Master Plan for Findlay Park's recreational facilities.

Following the co-design workshop the sporting club and association representatives were further engaged via email in November 2024. Council shared the draft concept plan and sought feedback to assist with the development of the draft plan.

Pre engagement has also taken place with Hastings Secondary College Westport through NSW School Infrastructure. In December 2024 NSW Schools Infrastructure shared the concept Plan with the principal at Hastings Secondary College Westport. The school provided feedback in February 2025 expressing that the access from the school to the sport facility to be wheelchair accessible. The sports field is included on the schools emergency evacuation plan and required to be accessed by several students with mobility issues.

Ongoing Internal Consultation has occurred with;

- Group Manager Liveable Communities
- Manager Spaces and Places
- Recreation & Community Initiatives Coordinator
- Recreation & Community Strategy Coordinator
- Recreation and Open Space Planner
- Tree Management and Open Space Planner
- Senior Community Development Officer
- Facilities Coordinator
- Asset Officer
- Community Engagement and Communication Coordinator
- Property and Leasing Coordinator
- Parks and Open Space Coordinator
- Future Asset Officer
- Community Engagement Officer

Planning and Policy Implications

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

Financial and Economic Implications

No funding is currently available for the delivery of the Master Plan.

Future projects will be identified for delivery from 2025-2026 onward and are subject to priority review and budget endorsement through subsequent Operational Plan development, they will be identified in the 10-year Works Program and the Recreation and Open Space Action Plan.

The planning and delivery of Findlay Master Plan is expected to provide a positive economic impact for the Port Macquarie community by contributing to the area being a great place to live and recreate.

Attachments

1.  Draft Findlay Park Master Plan

Item: 11.02

Subject: PETITION - ROTARY PARK UPGRADE AND RELATED TRAFFIC ISSUES

Presented by: Community Infrastructure, Chris Favaloro

Alignment with Delivery Program

2.1.1 Support community safety initiatives.

RECOMMENDATION

That Council:

1. Note the petition lodged by Mr John Burman on behalf of concerned residents and business owners.
2. Respond to the organiser of the petition with the outcome of Council's consideration in the matter.

Executive Summary

A letter and petition containing 587 signatures has been received by Council from Mr John Burman on behalf of concerned residents and business owners requesting *“that Council consult urgently with local residents and to collaborate with Transport for NSW to develop and implement a High Pedestrian Activity Area (HPAA) with a speed limit reduction to 40 km/hr, which has received strong community support as per Rotary Park Master Plan already approved by Council on 20 July 2023”* (Attachment 1).

In accordance with Council's "Petitions Policy", petitions lodged with Council containing 250 signatures or more will be included in the agenda of the next available Ordinary Council Meeting where the agenda has not already been determined with a recommendation for notation.

The desire to establish a *High Pedestrian Activity Area (HPAA) with a speed limit reduction to 40 km/hr* is referenced throughout the adopted Rotary Park Master Plan in response to feedback received from the community during the consultation period. A final decision on the designation of a High Pedestrian Activity Area (or HPAA) and speed zone reduction cannot be resolved through the Master Plan at this time due to funding restrictions to undertake the next steps that are required by TfNSW to authorise this decision.

Discussion

The petition lodged by Mr Burman on behalf of the community contains 585 signatures (Attachment 1).

Mr Burman states that a speed limit reduction in the area was part of the upgrade plan approved by Council in July 2023 and that the reduction received overwhelming support from residents who had commented on the Council's draft plans for Rotary

Park in October 2022 and via subsequent consultations. A meeting has also been requested to discuss the matter and a copy of the is attached for information.

For context, the Rotary Park Master Plan (adopted July 2023) (Attachment 2) provides a high-level vision for the park's future development over a 30-year period. It outlines what may be achieved over time and is proposed to be delivered in stages as funding becomes available. Detailed designs for specific elements of the park, such as plant species, playground equipment, and BBQ shelters, are determined during the implementation phase at Council's discretion.

During community consultation, feedback from residents was received on the following issues:

- traffic speed,
- parking,
- landscaping,
- playground upgrades, footpaths,
- seating, and
- shelters.

The feedback was captured in the community engagement report and where appropriate it was incorporated into the final adopted version of the Rotary Park Master Plan. One of the key requests for consideration was to reduce the speed limit from 50km to 40km/hr within the Rotary Park precinct which was adopted and included in the Rotary Master Plan.

After the adoption of the Master Plan, Council undertook a follow up with TfNSW to understand the requirements to establish a High Pedestrian Activity Area (HPAA) and the subsequent reduction of the speed limit from 50km to 40km/hr. For clarity, Transport for NSW (TfNSW) are responsible for the authorising the creation of a HPAA and for setting speed limits on all roads based on a set of standardised guidelines and national agreements to ensure road safety. As such, to enable this request, Council must follow a process of applying to TfNSW to gain approval for the establishment of an HPAA. TfNSW have undertaken an initial review of the request to establish a HPAA and have advised Council that prior to a further assessment, a Local Area Traffic Management Plan for the location must be completed.

A Local Area Traffic Management (LATM) plan is a strategic document developed in accordance with AUSTRROADS Guidelines to manage and improve traffic conditions within a specific local area. The primary goal of an LATM Plan is to enhance road safety, reduce traffic congestion, and improve the overall quality of life for residents. The following are key aspects of an LATM plan:

- **Traffic and Safety Analysis:** LATM plans involve a detailed analysis of traffic data, including speed, volume, and crash history, to identify problem areas and prioritise interventions.
- **Community Engagement:** Councils engage with residents and businesses to gather feedback and ensure that the proposed solutions address community concerns and needs.
- **Traffic Calming Measures:** The plan may include various traffic calming measures such as speed humps, roundabouts, chicanes, and pedestrian crossings to slow down traffic and enhance safety.

- **Parking Management:** LATM plans often address parking issues by proposing changes to parking regulations, creating new parking spaces, or improving existing ones.
- **Pedestrian and Cyclist Safety:** Enhancing safety for pedestrians and cyclists is a key focus, with measures such as improved footpaths, dedicated bike lanes, and safer crossings.

Due to financial constraints, the progression of the HPAA and associated LATM Plan has been allocated to an unfunded future works list and will be subject to future funding consideration.

The current budget allocated for the delivery of the current stage of the Master Plan is focused on landscaping, pathways, play space and the integration of services with the new observatory.

A copy of the adopted Rotary Park Masterplan is attached for information (Attachment 2).

Options

Council has the option to note the petition or resolve in some other manner as appropriate. This report recommends that given the advice provided, the petition be noted.

Community Engagement and Internal Consultation

There has been no community engagement in the preparation of this report. Internal discussion has occurred between:

- Acting Director Community Infrastructure
- Director Community, Planning and Environment

Planning and Policy Implications

There are no planning or policy implications in relation to this report should Council decide to note the petition.



Should Council decide to action in some way, this will require further investigation by staff.

Financial and Economic Implications

There are no financial or economic implications in relation to this report should Council decide to note the petition.

Should Council decide to action the request in some way, there may be future financial costs to implement any change in the speed limit in the area.

Attachments

1.  Petition - Consultation and collaboration with Transport for NSW to implement a High Pedestrian Activity Area
2.  Rotary Park Master Plan - June 2023

Item: 11.03

Subject: PETITION - SUPPORT FOR LOCATION OF PROPOSED SURF MUSEUM ON LOT 717, PACIFIC DRIVE - OXLEY BEACH/RESERVE

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.5.1 Support cultural activities within the community.

RECOMMENDATION

That Council:

1. **Note the petition lodged by Mr Alan Jeffrey from the Port Macquarie Surf Museum in support of the Surf Museum's Expression of Interest (EOI) to be allocated the right to lease Lot 717, Pacific Drive - Oxley Beach/Reserve.**
2. **Respond to the organiser of the petition with the outcome of Council's consideration in this matter.**

Executive Summary

A letter and accompanying petition (Attachment 1) containing more than 900 signatures has been received by Council from the President of the Port Macquarie Surf Museum, Mr Alan Jeffrey, seeking Council *"to endorse the Surf Museum to occupy the land"*. The land in question relates to Lot 717, DP 823793, Pacific Drive, Oxley Beach/Reserve.

Also received was an on-line petition with comments (Attachment 2).

In accordance with Council's "Petitions Policy", petitions lodged with Council containing 250 signatures or more will be included in the agenda of the next available Ordinary Council Meeting where the agenda has not already been determined with a recommendation for notation.

It should be noted that the issue of the Expression of Interest for the lease of the subject land was deferred from the November 2024 Ordinary Council Meeting and is the subject of a separate report on the February 2025 Council Meeting agenda.

Discussion

The petition lodged by the Port Macquarie Surf Museum contains more than 900 signatures, with an additional on-line petition containing 210 signatures.

A copy of the petition and on-line petition are attached for information (Attachments 1 and 2).

The applications received in relation to the Expression of Interest for the lease of the subject land was deferred from the November 2024 Ordinary Council Meeting and is the subject of a separate report to the February 2025 Council Meeting.

The Surf Museum advises that if they are granted approval for the subject land, it is their intention to proceed with the preparation of the documentation to lodge a Development Application, which will involve extensive consultation with property owners in the immediate vicinity to ensure the design of the Surf Museum will have minimal impact.

Options

Council has the option to note the petition or resolve in some other manner as appropriate. This report recommends that given the matter of the Expression of Interest for the lease of the subject land is the subject of a separate report to the February 2025 Council Meeting this petition be noted.

Community Engagement and Internal Consultation

There has been no community engagement in the preparation of this report. Internal discussion has occurred with:

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



Planning and Policy Implications

There are no planning or policy implications in relation to this report should Council decide to note the petition.

Financial and Economic Implications

There are no financial or economic implications in relation to this report should Council decide to note the petition.

Attachments

1.  Petition - In support of the Port Macquarie Surf Museum as the preferred applicant for Lease of Land on Pacific Drive PMQ
2.  On-Line Petition - Comments in support of the Port Macquarie Surf Museum

Item: 11.04

Subject: DETERMINATION FOR THE USE OF THE VACANT LAND AT OXLEY OVAL

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. Thank the two community groups for their interest in the site and the work they have put into their applications.**
- 2. Endorse the Port Macquarie Tennis Club as the preferred user group for the vacant land at the northern end of Oxley Oval for further Crown Land approval.**

Executive Summary

At the Ordinary Council meeting held on the Thursday 14 November 2024 Council resolved as follows:

- 1. Defer consideration of the determination for the use of the vacant land at Oxley Oval until the February 2025 Ordinary Council meeting.*
- 2. Request the Chief Executive Officer to provide a briefing to Councillors on this matter on Thursday 6 February 2025 or thereabouts before the February 2025 Ordinary Council Meeting.*

A briefing was provided for Councillors on Thursday 6 February 2025. Attached is the report that was presented to Council on the 14 November 2024 (Attachment 1)

This matter is now presented to Council for determination.

Discussion

As requested by the Council resolution, a briefing on the vacant land at Oxley Reserve and the two expressions of interest was presented to Councillors on the 6 February 2025, highlighting the key points of both submissions, including the challenges and benefits of both as described by the applicants, as well a discussion on the intent of the Crown Land Plan of Management. (Attachment 2) The expressions of interest submitted by both parties are attached to this report. (Attachment 3 & 4)

A site map is also attached for point of reference (Attachment 5).

Staff and Councillors also received further information from the Port Macquarie Surf Museum on 7 February 2025. It needs to be noted that this was received outside of the original timeframe requested for complete submissions. This highlighted further history on the development of the surf museum in Port Macquarie. (Attachment 6)

Options

1. Endorse a preferred user group as recommended or
2. Request more information.
3. Not endorse a preferred user group and resolve in some other manner.

This report recommends that the Port Macquarie Tennis Club be endorsed by Council as the preferred user group for the vacant land at the northern end of Oxley Oval (Option 1).

Community Engagement and Internal Consultation

The submitted EOIs have been reviewed by staff from the following sections of Council:

- Recreation and Community Strategy Team - Liveable Communities
- Property and Leasing - Liveable Communities.
- Group Manager Liveable Communities
- Director Community, Planning and Environment

Council staff provided a briefing to Councillors on this matter on Thursday 6 February 2025.







Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

1.  Ordinary Council Report - 14 Nov 2024
2.  Extract from the Council Managed Crown Land
3.  Port Macquarie Tennis Club - Expression of Interest.
4.  Port Macquarie Surf Museum - Expression of Interest
5.  Site Map
6.  Late Submission Letter - Surf Museum

Item: 11.05

Subject: COMMUNITY INCLUSION PLAN - REPORT CARD

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 Six-Month Progress Report.

Executive Summary

Council's Community Inclusion Plan 2022–2025 outlines the overarching vision, goals, strategies, and actions to build a socially just, resilient, and inclusive community. It focuses on promoting active participation, improving disability access, reducing disadvantage, strengthening well-being, and celebrating diversity.

This report provides a summary of actions achieved under the Plan from 1 August 2024 to 31 January 2025, in response to the Council resolution (Item 11.08) on 16 August 2023, which requires a six-monthly progress report in February and an annual report in August.

Discussion

Programs and events delivered under the Community Inclusion Plan have strengthened relationships with community volunteers, youth, seniors, people with disabilities, and Aboriginal and cultural communities. Council recognises the social and economic benefits of building a vibrant, creative, and inclusive community.

The Plan's five strategic objectives are:

1. A connected community
2. An accepting community
3. A liveable community
4. A resilient community
5. A community leader.

These objectives were developed through broad community consultation and ongoing engagement with community groups, feedback from community events, project participation, and input from reference groups.

During the first half of the 2024–2025 financial year, Council delivered initiatives addressing key community priorities, including:

- Supporting and attracting community volunteers
- Promoting awareness and education on cultural diversity
- Strengthening relationships with Aboriginal communities
- Building strong community partnerships

- Providing event management workshops
- Delivering community grants
- Hosting disability-accessible events
- Designing and constructing inclusive parks and playgrounds
- Activating public spaces and increasing youth engagement

KEY ACHIEVEMENTS (August 2024 – January 2025)**Connected Community****1. Community Events**

To create a sense of belonging in our community we have delivered free community events for various sectors of the community. The key outputs include:

- 28 events attended by 11,904 people.
- Secured \$35,000 in external funding to deliver Holiday Programs in Spring and Summer for youth, a Cultural Connections event and Citizenship Ceremony as part of Council's Australia Day program.

Spotlight events:

- Mind Your Mates Mental Health Workshop
- Kendall Skate Jam (skate park opening)
- Event Management Workshop
- Sea Acres Cultural Tour
- Our Mob, Our Game Basketball Days
- Birds of Australia Storybox & Aboriginal Languages Week
- Christmas Fair
- Disability Artist Talk and Exhibition
- Family Dragon Boating
- Kites at Kendall
- Artwalk Expression of Interest out in the market calling for artists, performers and vendors for Council's flagship arts and cultural event on 6 June 2025.

2. Volunteering

We continue to support volunteer groups through community grants and our volunteers at Council facilities and on land we own or manage. The key activities this period include:

- Library, Glasshouse, and environmental land volunteers continued to be engaged under Council's formal agreements.
- The Graffiti Blasters Program expanded, now operating five mornings a week with 12 volunteers.
- 395 graffiti volunteer hours contributed, addressing 53 vandalism reports, earning a Community Spirit Award nomination for this successful civic volunteering program.

3. Community Grants Program

In Funding Round 1, Council awarded \$108,015 for 24 community-delivered projects and events. Sponsoring activities that support youth week 2025, volunteer initiatives, creative industry workshops, artist discovery trails, domestic violence recovery workshops, cultural camps for Indigenous boys, a multicultural festival, seasonal events, and celebrations for NSW Seniors Festival.

Accepting Community

1. Diverse community

1. To celebrate our cultural diversity and promote positive attitudes and behaviours we delivered the following:

- Disability Artist talk and exhibit at the library, along with a Painting in the Park event held on 3 December 2024, specifically for people living with a disability to recognise the International Day of People with Disability.
- Grant and events management support to the Mid North Coast Indian Association to deliver a multicultural Festival - Diwali on Town Green in November 2024.
- Through a partnership with Birpai Local Aboriginal Land Council, we delivered an inclusive Cultural Connections event at the amphitheatre as part of the Australia Day Program.

2. Reconciliation Action Plan

Council staff established a working group to develop Council's draft Reconciliation Action Plan (RAP), with the first version submitted to Reconciliation Australia in the last quarter of 2024. Consultations with Local Aboriginal Land Councils and other local organisations who have already begun their RAP journey are in progress to refine the plan. This is the first version of a reconciliation action plan for Council and is focused on internal operations and aligned with Reconciliation Australia's guidelines.

Liveable Community

Our actions to improve access to public spaces, buildings, and infrastructure for all, included the following:

- Consultations in October and December with the Enabled Disability 'lived experience' working group providing input on Council's Infrastructure designs and social planning.
- Priority projects identified for funding under Council's Disability Capital Works Program include:
 - Wheelchair ramp for Lorne Historic Hall
 - Safety rail at Town Beach
 - Accessible parking study
 - Beach matting investigation and trial
- Secured a \$500,000 grant from Transport for NSW for a street activation program. This funding will help reduce costs for street closures, making it easier for event holders to manage permit applications and traffic control measures. Four streets have been selected, local businesses consulted, and procurement underway to purchase infrastructure such as lighting, staging, and the inclusion of public art installations to transform these streets into vibrant event spaces. This project will continue over this calendar year.
- Input provided on the accessible designs for the upgrade of Council's Port Macquarie Customer Service Centre. Works underway will improve disability access with wheelchair and dementia friendly spaces, neurodivergent features, and a hearing loop.

Resilient Community

1. Support during emergencies

To create a resilient community that is able to prepare and respond in times of emergency, our actions this reporting period included:

- Consultation with key Council-Community-Action Teams and evacuation centres in towns and villages for Council to procure small equipment for Neighbourhood Safer Places. Procurement and training for volunteers will commence in the first quarter of 2025 under the Spontaneous Volunteers Program.
- Maintaining Council's emergency services dashboard to enable communities to access information and remain prepared to respond in times of emergency.

2. Community skills and partnerships

To build skills for community organisations and enhance Council's relationships with agency stakeholders, our actions included:

- Delivery of a free events bootcamp workshop, facilitated by the Australian Centre for Regional Events. This workshop for not-for-profit organisations and community groups attended by 36 people provided valuable event management skills and networking opportunities.
- Partnered on the delivery of community events with Charles Sturt University, Local Aboriginal Land Council, Headspace and PCYC.
- Staff attended 71 community engagement meetings, to support our program actions, community grant priorities, and event collaborations.
- Secured a \$10,000 grant for a partner program with the Australian School of Entrepreneurship. The 5-week skills workshops aim to increase employment outcomes for youth aged 16-25 years. Council's program will be launched at the Luminosity Youth Summit in Port Macquarie, July 2025.

Community Leader

As an employer of choice Council has actively promoted respectful, safe and responsive work cultures. Our actions include:

- We employ accessible recruitment and on-boarding practices through our reasonable adjustments service to remove barriers for applicants with a disability.
- Staff can volunteer for their community accessing wellbeing leave through our Flexible Working Policy.
- Implemented a new Human Resource Information System to capture and report on employee demographics to inform Council's People Strategic and Diversity Inclusion Plan.
- Held four cultural education and celebration events to support healthy and respectful work culture.
- Created a new Veteran Employment Program adopted by NSW Office of Veteran Affairs.
- Training provider contracted to deliver diversity and discrimination training this financial year.

Council's Community Inclusion Plan and our internal business partners continue to drive positive outcomes, fostering community connection, cultural celebration, and social inclusion. This report highlights the key achievements, demonstrating how Council's funding, partnerships, and resources are making a meaningful impact.

Options

This is 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 or policy implications in relation to this report.

Financial and Economic Implications

The actions in the Community Inclusion Plan are funded through the Operational Plan and funding of \$635,000 received from State and Federal grant programs.

Attachments

Nil

Item: 11.06

Subject: EXPRESSION OF INTEREST - LEASE 143 GORDON STREET (25 GORE STREET) PORT MACQUARIE

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. Note the information within the report**
- 2. Continue to advertise the property for Lease and investigates additional options for marketing the property.**

Executive Summary

The purpose of this report is to advise Council of the results of a recent Expression of Interest (EOI) for the lease of the premises at 25 Gore Street Port Macquarie.

Discussion

Council at its meeting held 12 December 2024 resolved as follows:

11.12 PROPOSED FUTURE USE OF THE CURRENTLY VACANT BUILDING - 143 GORDON STREET, PORT MACQUARIE

That Council:

- 1. Defer consideration of item 11.12 Proposed Future Use of the Currently Vacant Building - 143 Gordon Street, Port Macquarie to the February 2025 Ordinary Council meeting.*
- 2. Invite all interested parties including interested groups involved in Homelessness Services within the Port Macquarie-Hastings LGA, to express interest in the future use of the currently vacant building - 143 Gordon Street, Port Macquarie, regarding the lease and use of the premises.*

On 19 December 2025 Council advertised an open EOI for the lease of 25 Gore Street Port Macquarie. The lease was advertised on the property and on Council's website.

A property inspection for interested parties was scheduled for Thursday 16 January 2025. Despite contacting the various groups who had enquired about the property previously, no one registered to attend.

The inspection was rescheduled to Thursday 23 January 2025 and was subsequently cancelled as no enquiries were received.

A private viewing was subsequently requested and organised for 29 January 2025 with YP SPACE MNC. This group are looking for a space with showers for the homeless youth and advised that the property was not suitable to their needs. No further enquiries or submissions have been received.

Options

1. Continue to advertise the property for lease using current methods and investigate additional marketing opportunities and associated costs or
2. Remove the property from the market and investigate alternate uses.

This report recommends that Council proceed with Option 1.

Community Engagement and Internal Consultation

There has been an internal consultation with the following Council staff in development of this EOI:

- Group Manager Liveable Communities
- Group Manager Development Services

Various groups contacted Council expressing an interest in the property prior to the end of 2024. These groups and other parties who had contacted Council on previous occasions were contacted to alert them to the EOI for Lease. No submissions were received by the closing date of the EOI.

Planning and Policy Implications

The property has the benefit of an active development consent issued on 23 August 2022 under DA2022 - 484. This consent is for use of the site for a 'continued temporary use' of business premises.

An important component of the current consent includes a condition relating to a time restriction of the consent limited until 23 August 2027.

Preliminary enquiries made with Council Planning staff confirm that it is possible for a modification application to be lodged to apply for a further minor extension of timeframe of 1 to 2 years beyond the 2027 limit. The current building was intended to be temporary and ultimately removed in the future to enable more significant redevelopment of the property. If a modification of consent was lodged to extend the consent timeframe, this would also require appropriate detail with specific reasoning for the temporary time limit extension.

Redevelopment of the property would be required to align with planning controls and desired built form outcomes for the site. The property is a long-term strategic development site within Council's property portfolio and will be retained to enable future consideration in City Heart Masterplan.

Financial and Economic Implications

Previously the property has been leased as office space to commercial businesses. It was then used as a shared space by Council Economic Development staff with a commercial operator as a business hub and then as the drop-in information centre for the Gordon Street Upgrade Project. It was also used extensively during the 2021 floods as a recovery centre.


The property has remained vacant since late 2021 despite multiple advertisings for lease. Council has received various enquiries for lease, however the proposed uses have not met the development consent for use or have been abandoned due to the cost of modifying the property to suit the proposed use. The pending expiry date of the development consent has also deterred some interested groups.

Alternative marketing strategies are available, such as real estate websites, or to list with a Real Estate Agent. Costs would need to be investigated further and a budget allocated.

Council obtained a commercial rental valuation as to the level of rental that could be expected to be received for this property. Based on this advice, the EOI included an expectation of a rental of between \$3,617 and \$4,521 ex GST per calendar month for the first year of the Lease.

Whilst the property is vacant Council is continuing to pay for grounds maintenance.

Attachments

1.  Expression of Interest - Lease - 25 Gore Street Port Macquarie

Item: 11.07

Subject: COMMUNITY SATISFACTION SURVEY RESULTS

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

2.4.1 Work with the community to identify and address community needs, to inform Council processes, services and projects.

RECOMMENDATION

That Council:

- 1. Note the results of Council's 2024 Community Satisfaction Survey**
- 2. Publicly release the survey findings and communicate key takeaways from the results**
- 3. Note that the survey outcomes will be considered for future planning and resource allocation**
- 4. Request the Chief Executive Officer to develop and Action Plan from the information provided detailing how Council will be responding to the feedback received**

Executive Summary

As part of Council's commitment to ongoing community engagement, an independent Community Satisfaction Survey was conducted by Micromex Research in July-August 2024. This survey builds on previous studies conducted over the past 13 years with the most recent ones being in 2017, 2020, and 2022 and provides insights into community perceptions of Council's performance, priorities, and areas for improvement.

Key findings from the 601-resident survey indicate that 75% of residents are at least somewhat satisfied with Council's performance over the past 12 months. This result provides a solid foundation of trust and approval upon which future improvements can be built.

For a comprehensive understanding of the survey results, the full Community Satisfaction Survey report is provided attached as Attachment 1. The report provides detailed insights into all demographics, key areas of interest, and trends across the Port Macquarie Hastings region and a regional comparison.

This report recommends that Council note the findings of the survey and develop an action plan to respond to issues raised. The results will be made publicly available, and communications will be developed on the key takeaways from the survey results.

Background

Council at its December 2024 Ordinary meeting considered a Notice of Motion (Item 11.09) in respect of the Community Satisfaction Survey and resolved as follows:

RESOLVED: Sheppard/Intemann

That Council request the Chief Executive Officer:

1. *To advise the governing body of the following information as soon as possible, but by end of December 2024:*
 - (a) What results/reports Council operational body have received in relation to 2024 community satisfaction survey.*
 - (b) Which preliminary results or reports can be provided to councillors currently, or with minor redaction or amendment.*
2. *To provide the governing body with preliminary results and reports identified in part 1(b), as soon as practical, but by end of December 2024.*

CARRIED: 5/3 FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman AGAINST: Hornshaw, Kirkman and Roberts

As there were no scheduled meetings of the Council between the December and February 2025 meetings, in response to item 1(b) and 2 of the resolution, Councillors were, on 20 December 2024, provided with a preliminary summary of the findings from the survey as the final report had not yet been received.

The following information is provided in response to item 1(a) of the resolution:

Staff followed a structured approach with the 2024 Customer Satisfaction Survey to ensure thorough review, validation, and clear communication of the survey results before presenting them to Councillors at the 6 February 2025 briefing.

This process was as follows:

- Executive Briefing (June 2024)
 - The proposed survey approach and draft questionnaire were presented to Executive for review and refinement before finalising the survey process.
- Survey Implementation (July – August 2024)
 - Community satisfaction survey undertaken by Micromex, collecting key community feedback.
- Preliminary Report (Late August 2024)
 - Preliminary survey results received and reviewed internally by Council staff.
- Internal Review & Clarifications (September 2024)
 - Meetings held with Micromex to seek clarification on key findings and query specific factors to ensure accuracy and a deeper understanding of results.
- Updated Report (October 2024)
 - Micromex provided an updated report to staff, incorporating refinements based on queries.
- Messaging & Summary Development (November 2024)
 - Further discussions with Micormex to clarify some areas of the revised reporting

- A summary of key findings was developed, ensuring clear and accurate messaging
- Briefing was provided to the Executive
- Summary shared with senior Leadership Team for review and discussion
- Councillor Briefing Planning (December 2024 – February 2025)
- Councillor Briefing presentation - 6 February 2025

This process was designed to ensure that the survey methodology, results, and key insights were thoroughly reviewed, questioned, and refined before being formally presented to Council and ultimately the community.

This information was also provided separately to Councillors on 10 February 2025.

Discussion

This year Council engaged Micromex Research to measure the community's satisfaction of Council's performance. Council undertakes this survey every two - three years to understand and identify community priorities for the local government area (LGA). This aligns with our objectives to engage with the community to help inform our service delivery.

The survey seeks to:

- Understand and identify community priorities.
- Identify the community's overall level of satisfaction with Council performance.
- Identify the community level of support for priority areas and desired level of investment for Council services.
- Determine residents' perceived quality of life living in the Port Macquarie Hastings region.

Survey Methodology

- Telephone survey with 601 residents (landline: 223, mobile: 378).
- Survey period: 15-25 July 2024.
- Margin of error: $\pm 4.0\%$ at a 95% confidence level.
- Weighted sample to reflect ABS 2021 Census demographics.

Overall Satisfaction

- 75% of residents are at least somewhat satisfied with Council's performance.
- 78% of residents are at least somewhat satisfied with Council's communication.
- 94% of residents rated their quality of life as good to excellent.



While satisfaction levels remain strong, the survey indicates a slight decline compared to previous years. Several factors may have contributed to this trend:

- Economic Pressures – Rising cost of living has impacted household budgets, leading to increased scrutiny of Council spending and services.
- Infrastructure Strain – Population growth and increasing demand for infrastructure have led to heightened expectations for road maintenance and transport solutions.
- Natural Disasters and Climate Events – Recent severe weather events have affected perceptions of Council’s ability to respond to emergencies and maintain resilience.
- Increased Access to Information – With greater access to digital platforms, residents are more informed and engaged, leading to higher expectations and critical feedback.
- Long-Term Planning Concerns – Some residents expressed concerns about Council’s strategic planning and its ability to balance growth, environmental sustainability, and community well-being.

The survey highlights that satisfaction levels were lower among younger residents aged 18-35 and residents in Wauchope compared to other demographics. These groups expressed concerns around road conditions, long-term planning, and opportunities for community engagement, indicating areas where targeted improvements may help increase satisfaction.

There were a number of high-performing areas, the following Council services received high satisfaction ratings (80% or higher):

- Library services (97%)
- Cemeteries (96%)
- Sewerage services (92%)
- The Glasshouse (92%)
- Boat ramps, wharves, and jetties (91%)
- Disaster management and preparedness (improved from 2022)

Throughout the survey there are several key areas that the community have identified as community priorities for the next four years, the residents identified the following key priority areas:

1. Road maintenance (56%) – The most cited issue.
2. Improving the road network (26%) – Traffic flow, infrastructure improvements.
3. Liveability (15%) – Parks, playgrounds, sports, and recreation.
4. Infrastructure maintenance and planning (15%) – Keeping pace with growth.

There were also a number of areas that are identified as areas for improvement, while satisfaction remains strong, the survey highlights areas where residents expect more. These include:




- Roads, transport, and connectivity – Identified as the highest priority.
- Long-term planning and development – Managing population growth effectively.
- Community engagement and transparency – Further improvements in communication and involvement in decision-making.

Through the survey a scorecard was developed to show areas that are performing well as well as areas to focus on as shown below.

Satisfaction Scorecard

Positively, in terms of satisfaction scores, only 3 service areas fell below 60%. These areas identified for improvement are highlighted red in the table to the right (long-term delivery planning and vision, managing development and maintenance of roads).

20 of the 36 service areas scored 80% or higher.

-  **Good performance**
(T3B sat score ≥80%)
-  **Monitor**
(T3B sat score 60%-79%)
-  **Needs improvement**
(T3B sat score <60%)

Authentic and High Performing	Liveable	Connected
Community involvement in Council's planning	Strategic planning of the LGA	Maintenance of roads
Providing strong leadership	Managing development	Maintaining Council's assets
Providing transparent corporate and financial management	Creating a sense of place and community involvement and connection	Planning for integrated transport networks
Long-term delivery planning and vision	Parks, playgrounds, and recreation facilities	Creating and maintaining footpaths and cycleways
Online accessibility to services	Pools	Water supply services
Opportunity to engage with Council	Community halls	Sewerage services
Council's customer service standards	Boat ramps, wharves and jetties	Providing services for specific groups such as older people, younger people, the Aboriginal community, and people with disabilities
Informing our community about council activities	Cultural activities	Library services
	The Glasshouse	Cemeteries
	Animal shelter	
Thriving	Resilient	Environmentally Sustainable
Promotion of the area through major events	Providing grant money	Environmental and climate impact management
Encouraging industry and business growth	Disaster management and preparedness	Waste collection and disposal
Creating vibrant town centres and public places	An adequate stormwater drainage system	Promotion of renewable energy options

Also through the survey the community members were also asked where the Council should focus its investment priorities. The survey identified 13 key service areas where more than 50% of residents desire increased investment including:

- Roads, bridges, and transport (84%) – The top priority for additional investment.
- Strategic planning (65%) – Strong demand for sustainable growth planning.
- Disaster management and preparedness (54%) – Continued investment in emergency response.
- Environmental sustainability (43%) – Managing climate impacts, waste, and sustainability.

The 2024 Community Satisfaction Survey, identifies key actions to enhance service delivery, address community concerns, and align future planning with resident priorities. The following areas could drive continuous improvement:



1. Addressing Community Concerns
 - Roads and Transport – Implement the Regional Integrated Transport Strategy.
 - Development and Infrastructure – Increase transparency in planning and engage the community.
 - Strategic Growth Planning – Balance future development with environmental and community needs.
2. Strengthening Communication & Engagement
 - Improve outreach – Expand communication via newsletters, social media, and face-to-face engagement.
 - Increase transparency – Provide accessible updates on Council projects and spending.
 - Host community forums – Encourage ongoing dialogue between residents and Council.
3. Aligning Investment with Community Priorities
 - Increase funding in priority areas – Roads, disaster preparedness, and strategic planning.
 - Transparent budgeting – Clearly communicate financial decisions and allocations.
 - Regular updates on progress – Keep the community informed about milestones and improvements.

To ensure continued improvement, it is recommended that Council:

1. Publicly release the survey findings and communicate key takeaways.
2. Develop an action plan for improving community satisfaction.
3. Integrate survey insights into future planning, including the new Integrated Planning & Reporting (IPR) framework.
4. Enhance community engagement efforts, ensuring more inclusive and transparent communication.

The 2024 Community Satisfaction Survey provides valuable insights into resident priorities and serves as a roadmap for future improvements. By focusing on key investment areas, enhancing communication, and addressing community concerns,

Options

Council has the following options:

1. Adopt the recommendations; or
2. Seek additional information and/or analysis of the information provided in this report

This report recommends option 1.

Community Engagement and Internal Consultation

The survey analysed the satisfaction and perception of over 601 residents of the Port Macquarie Hastings area towards Council's services, facilities and future priorities.

The information gathered will complement, Council ongoing community engagement activities and the 2023 Liveability Census and assist in developing current and future programs, initiatives and investment decisions to meet the needs and expectations of the community. Key findings also inform the development of an action plan and the new draft comprehensive Community Engagement Strategy.

The survey was developed in consultation with Micromex and approved by the Council's Executive Team prior to being launched. The survey was undertaken in July 2024.

Since the draft results have been received there has been additional discussions with the Chief Executive Officer, Director of Community, Planning and Environment as well as a briefing with the Executive and Senior Leadership teams in late 2024, and the Councillors in February 2025.

Planning and Policy Implications

There are no planning or policy implications in relation to this report specifically, although it is acknowledged the survey data will provide important insights for future Council planning. Accordingly, it is also recommended that the findings of the survey be the subject of a future action plan to assist in improving levels of satisfaction.

Financial and Economic Implications

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

Attachments

1.  Community Customer Satisfaction Survey Report 2025

Item: 11.08

Subject: ARTS MID NORTH COAST MEMBERSHIP REPORT

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 information provided on Council's potential membership with Arts Mid North Coast.

Executive Summary

At the December 2024 meeting Council requested the Chief Executive Officer to provide information regarding Council rejoining Arts Mid North Coast as a member for the remainder of 2024-2025 and consider funding being included in the draft 2025-2026 Operational Plan (Item 11.07).

This report provides information for Council regarding the merits of Council's potential membership of Arts Mid North Coast and potential funding.

Discussion

At the Ordinary Council meeting on 11 December 2024 Council resolved as follows:

"That Council:

- 1. Note that Arts Mid North Coast has extended an offer to Council to rejoin Arts Mid North Coast for 2024-2025 by making a payment of \$9,230.20 inclusive of GST.*
- 2. Request the Chief Executive Officer to provide a report to the February 2025 Ordinary Council Meeting that includes the merits for Council's potential membership to Arts Mid North Coast and also to identify a potential funding source, if available, to fund this expenditure.*
- 3. Request the Chief Executive Officer give consideration to the inclusion of resourcing for Port Macquarie-Hastings Council's membership with Arts Mid North Coast in the draft 2025-2026 Operational Plan."*

Arts Mid North Coast is the peak body for arts and cultural development across the Mid North Coast region, encompassing areas such as Bellingen, Coffs Harbour, Kempsey, Kendall, Macksville, Port Macquarie and Wauchope.

Merits of membership of Arts Mid North Coast

The potential merits of Council joining Arts Mid North Coast (AMNC) include:

1. Increased Support for Local Arts & Culture
 - Access to regional arts expertise, networks, and funding opportunities.
 - Strengthens Council's commitment to cultural development and creative industries.
 - Support for public art initiatives, cultural tourism, and community engagement in the arts.
2. Funding & Grant Opportunities
 - AMNC can assist with identifying and applying for grants at state and federal levels.
 - Council can leverage regional partnerships to secure arts funding and investment for local projects.
3. Regional Collaboration & Networking
 - Membership provides opportunities to collaborate with other councils, artists, and cultural organisations across the Mid North Coast.
 - Enhances knowledge-sharing and strategic partnerships in arts and cultural development.
4. Economic & Tourism Benefits
 - A stronger arts presence can boost cultural tourism and local economic activity.
 - AMNC membership can help position Port Macquarie-Hastings as a regional arts and cultural hub.
5. Access to Professional Development & Resources
 - AMNC offers training, workshops, and industry insights to support Council staff and local creatives.
 - Access to research, trends, and policy guidance to support informed decision-making in arts and culture.
6. Alignment with Strategic Priorities
 - Supports Council's cultural strategy, community engagement, and liveability goals.
 - Reinforces Council's commitment to a vibrant, creative, and inclusive community
7. Networking Opportunities:
 - Membership provides access to a network of local artists, cultural organisations, local government and creative businesses, fostering collaboration and exposure within the regional arts community.
8. Access to Resources:
 - Members can utilise practical business, project, and research tools designed for the creative community, aiding in professional development and project execution.
9. Event Promotion:
 - Members have the opportunity to list their events for free on the organisation's "What's On Guide," increasing visibility and audience reach.

10. Project Support:

- The organisation delivers and supports a range of services, projects, and programs aimed at creating opportunities for artists and encouraging community participation in the arts.

The financial implications of Council's potential membership in Arts Mid North Coast encompass both costs and prospective benefits as follows:

Membership Fees:

Specific membership fees for councils are not publicly detailed. However, correspondence from AMNC has indicated a request for a Council resolution regarding membership, suggesting that formal membership may involve certain financial commitments.

Potential Financial Benefits:

- **Access to Grants:** Membership may provide Council with information and assistance in applying for various arts and cultural grants. For instance, the Country Arts Support Program (CASP) offers small grants aimed at supporting community arts and cultural development in regional NSW.
- **Collaborative Opportunities:** Being part of AMNC could open avenues for collaborative projects with other member councils and organizations, potentially leading to shared funding opportunities and cost savings.
- **Economic Development:** Investing in arts and culture can stimulate local economies through tourism and community engagement, potentially leading to increased revenue for the region.

Constraints to Membership in Arts Mid North Coast (AMNC):

1. Financial Constraints
 - **Membership Fee:** Council's membership in AMNC requires an annual commitment of \$18,000.
 - **Budget Limitations:** Due to the 0.0% rate freeze, in order to mitigate impacts on other areas, Council determined to remove this item from the budget in the 2024-2025 financial year.
 - **No Available Funds to Redirect:** There is no budget allocated for Creative Placemaking or Public Art implementation in 2024-2025, meaning there are no available funds that could be redirected to cover the membership fee.
 - **Long-Term Financial Planning:** There are currently no plans to fund this membership in the Long-Term Financial Plan.
2. Geographical Focus & Value for Money
 - With multiple council members in AMNC, Council competes for attention and resources among other cultural trails, creative places, venues, and projects across the Mid North Coast.
 - This makes it difficult to guarantee that Council would receive sufficient return on investment for its membership fee.
3. Local Government Participation & Precedent
 - While AMNC still retains some local government memberships, MidCoast Council withdrew its membership to focus on supporting local arts directly.

- This raises the question of whether a locally focused approach—rather than a regional membership—would be more beneficial for Council.
- 4. Focus on Individual Support
 - AMNC primarily supports individual artists and creatives, rather than councils directly, which may limit its strategic value for Port Macquarie Hastings Council in comparison to other potential investments in local arts programs.

Given financial limitations, competing regional priorities, and the focus on individual artists rather than Council initiatives, PMHC may need to consider alternative approaches to supporting local arts rather than committing to AMNC membership at this time

In summary, membership with Arts Mid North Coast offers opportunities for professional development and workshops for creatives, networking, resources, and support within the regional arts community. However, Council's budget allocation for this area does not allow for Arts MNC membership at this time.

Options

This is an information report for Council's notation.

Community Engagement and Internal Consultation

Internal consultation occurred with the Liveable Communities team.

Planning and Policy Implications

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

Financial and Economic Implications

If Council resolves to fund Arts Mid North Coast membership, it will need identify an alternative funding source and assess the impact on planning for future budgets with an ongoing annual budget of \$18,000 plus CPI. Should Council wish to proceed with funding this should be considered in the draft 2025/26 Operational Plan, give this is only a few months away from being finalised for Council's consideration.

Attachments

Nil

Item: 11.09

Subject: DRAFT COMMUNITY ENGAGEMENT STRATEGY

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

1.1.1 Use a variety of tools to engage with the community in a manner that is transparent, effective, relevant and inclusive.

RECOMMENDATION

That Council:

- 1. Note the information in the report regarding the review of the Community Engagement Strategy.**
- 2. Endorse the draft Community Engagement Strategy for the purpose of public exhibition.**
- 3. Note the proposed Engagement Plan included as Attachment 3.**
- 4. Place the Community Engagement Strategy on public exhibition for a period of not less than 28 days.**

Executive Summary

The Local Government Act 1993 mandates that each council must establish and implement a Community Engagement Strategy (CES) to guide how they will engage the community on all works that Council undertaking and in developing and reviewing their Community Strategic Plan (CSP) and the suite of Integrated Planning and Reporting documents. This engagement strategy should be based on social justice principles and identify relevant stakeholder groups, outlining the methods for their engagement.

Reviewing the Community Engagement Strategy (CES) in a timely manner, that is within three months of a new council's term, is required to ensure that Council can maintain effective community engagement and ensure it remains effective and aligned with the community's needs and Council's objectives.

As detailed in the December 2024 report to Council (Item 11.11) a review of the existing Community Engagement Strategy 2022 - 2025 (Attachment 2) has been completed. This review was adopted by Council at the December 2024 Council meeting. A new comprehensive draft Community Engagement Strategy has now been developed to support ongoing community engagement and participation, in alignment with the requirements of the Local Government Act and the Environmental Planning and Assessment Act and specifically the requirements of the Integrated Planning and Reporting legislation and is now ready to be shared with the community to seek community input into the proposed strategy.

As an interim a draft IP&R Community Engagement Strategy was also adopted by Council for the purpose of community feedback to ensure focussed consultation can be carried out in respect to the draft Strategy while the new comprehensive

Community Engagement Strategy was being finalised with any relevant feedback being able to be considered in the comprehensive CES, this IPR Engagement Strategy is currently out in the community for feedback and will support the upcoming exhibition of the draft IP&R documents.

This report recommends adoption of the draft CES (Attachment 1) for the purpose of public exhibition in accordance with the proposed Engagement Plan included in Attachment 3.

Discussion

Local Governments in NSW are required to have a robust Community Engagement Strategy to ensure transparency, inclusivity, and meaningful participation in decision-making. Our current Engagement Strategy, adopted in 2022, (Attachment 1) has guided our approach, and we have since developed a tailored Engagement Strategy for the Integrated Planning and Reporting (IPR) framework. Now, we are taking the next step by developing an overarching Engagement Strategy that will align all legislative requirements, including those under the IPR framework and the Environmental Planning and Assessment (EPA) Act and the insights we have gained through engagement over the past three years. This strategy will create a consistent, structured, and community-focused approach to engagement across all areas of Council, ensuring that we continue to empower our community and enhance the way we connect, listen, and respond.

Council, at the December 2024 Council meeting (Item 11.11) resolved that the Draft IP&R Community Engagement strategy be placed on public exhibition for a period of not less than 28 days. Public exhibition of the draft IP&R Community Engagement Strategy is currently underway.

It was determined that given the need to have an Engagement Strategy in place to support public exhibition and engagement of the upcoming Integrated Planning and Reporting (IP&R) suite of documents that this specific component of the CES would proceed to exhibition now and allow further review and refinement of the comprehensive CES. The two will ultimately be merged into one document before finalisation of the CES to result in a comprehensive CES.

Additional work has now been completed to prepare a draft comprehensive Community Engagement strategy (CES) (Attachment 2) and it is now being presented to Council for endorsement for community engagement and feedback.

The review of the existing CES has highlighted areas for improvement and provided insights to inform the development of the new strategy. Key findings include:

1. Gaps Identified:

- Limited inclusivity in engagement practices.
- Lack of transparency of when the community engage and what level of influence do they have on decision making.
- Weaknesses in feedback mechanisms, particularly in closing the loop with participants and the broader community.

2. Opportunities for Improvement:

- Broadening participation to include under-represented groups, by the development of an online resident consultation group which will provide a broader cross section of participation within the Local Government Area (LGA).
- Enhancing community satisfaction through better engagement experiences.
- Development and maintenance of a more comprehensive stakeholder database that allows for the correct audience to be reached to inform other projects into the future.
- Addressing insights from Councillor feedback
- Community Satisfaction Survey feedback.

3. Challenges Noted:

- Reaching Under-Represented Groups: Marginalised and hard-to-reach populations remain under-engaged.
- Managing Diverse Stakeholder Interests: Balancing varying community expectations requires ongoing effort.
- Addressing Engagement Fatigue: Frequent consultations risk disengaging participants over time.
- Ensuring equity of access: Considering the different ways people like to provide feedback and the relative ease of doing so.

Strategic Objectives

To address these gaps and challenges, the comprehensive strategy incorporates the following objectives:

1. ***Building Capacity:*** Internally and externally, leveraging emerging technologies and practices to enhance engagement.
2. ***Inform and Involve:*** Develop tailored engagement activities to increase participation from diverse communities and educate participants on their level of influence over the project in which they are engaging on, so they can provide more informed and measured feedback.
3. ***Accountability and Transparency:*** Strengthening feedback mechanisms, including updates on the "Have Your Say" (HYS) platform and e-newsletters and communication channels. Providing clear data on survey response in simple language for the community to have a snapshot of the outcomes.
4. ***Continuous Improvement:*** Regularly evaluate and improve engagement practices using participant feedback

Options

Council has the following options available:

1. Endorse the draft Community Engagement Strategy for public exhibition or
2. Seek additional information about the Draft Community Engagement Strategy or
3. Resolve in some other manner.

This report recommends option 1.

Community Engagement and Internal Consultation

A Councillor briefing was provided by staff on 5 December 2024 regarding community engagement.

Pre-engagement was provided for the Draft IP&R Community Engagement Strategy commencing in December 2024, allowing for the community to have an opportunity to review the draft document prior to the survey opening on 13 January 2025 for the consultation period of 28 days.

The survey period is still ongoing and will conclude on 16 February 2025, to date there have been a total of 277 visits to the page, with 93 community members downloading the document and a total of 4 submissions at the time of preparing this report. A further report will be provided to Council at the conclusion of the exhibition period to consider submissions.

If the draft CES is endorsed by Council, it will be also placed on public exhibition for a period of not less than 28 days and a further report will be provided to Council for consideration of the feedback received. A tailored engagement plan has been developed to guide how we connect with our diverse community throughout the Strategy's engagement process (Attachment 3). Our approach focuses on reaching all demographics, ensuring we hear from those we don't typically engage with, and creating inclusive opportunities for meaningful input. Through a mix of engagement methods, we aim to capture a broad range of voices and perspectives, strengthening our Strategy's alignment with community needs.

Planning and Policy Implications

Once the overarching or comprehensive Community Engagement Strategy is adopted by Council, the Community Participation Plan will need to be rescinded as it would then form part of the CES and a review of the Community Engagement Policy will be also undertaken.




Financial and Economic Implications

The financial and economic impacts of implementing the revised Community Engagement Strategy include potential increases in operational costs to enhance communication platforms, develop stakeholder databases, and support local groups including the establishment of the Community Voice initiative. However, this would be managed within the existing operational budget allocated.

Operational costs may include requirement for training staff, hosting engagement events, improvements to existing HYS platform and review of alternative platform for future growth and expanding outreach methods, such as non-digital communication.

These investments can yield long-term economic benefits by fostering trust and collaboration, reducing project delays caused by community dissatisfaction, and ensuring decisions align with community needs, potentially enhancing local economic outcomes and resource efficiency.

Attachments

1.  Engagement Strategy 2022
2.  Draft - Community Engagement Strategy
3.  Draft Engagement Plan - Community Engagement Strategy

Item: 11.10

Subject: QUESTION WITH NOTICE - LIBRARY BOOK UPDATE

Presented by: Community, Planning and Environment, Melissa Watkins

RECOMMENDATION

That the verbal response provided to Councillor Lipovac's Question With Notice regarding Library Book Update be noted.

Question from Councillor Lipovac

That the Chief Executive Officer be requested to respond to the following questions with notice:

1. Can the Chief Executive Officer provide an update to Council in respect of the October 2024 Council resolution regarding Item 10.05 Notice of Motion - Library Facilities and any actions to date?
2. Can the Chief Executive Officer confirm what action, if any, is to be undertaken in respect of the book(s) discussed in the original October 2024 Notice of Motion (Item 10.05)?

Comments by Councillor Lipovac

Nil

Comments by Chief Executive Officer

A verbal response will be provided at the February 2025 Council meeting.

Attachments

Nil

Item: 11.11

Subject: QUESTION WITH NOTICE - 2025 TUFFINS LANE SPORTING FIELDS

Presented by: Community, Planning and Environment, Melissa Watkins

RECOMMENDATION

That the response from the Chief Executive Officer provided in response to Councillor Lipovac's Question With Notice regarding Tuffins Lane Sporting Fields be noted.

Question from Councillor Lipovac.

That the Chief Executive Officer be requested to respond to the following question with notice:

Can the Chief Executive Officer provide Council an update on the current status of drainage works investigations at Tuffins Lane and what improvements or upgrades, if any are likely to occur between now and the end of the 2025 at the Regional Stadium and Tuffins Lane Sporting Fields

Comments by Councillor (if provided)

Nil

Comments by Chief Executive Officer

Update on Tuffins Lane/Regional Stadium

1. Current status of the proposed Drainage Works at Tuffins Lane -
 - a. Stages 1 & 2 - Preliminary Site Investigations & Options Assessment Report was completed and submitted to Council in March 2024
 - b. An update report was provided and considered at the June 2024 Council meeting (Item 11.02)
 - c. Stages 3 & 4 - Detailed Site Investigations & Detailed Design is now in progress. The 90% Detailed Design has been received and is currently being reviewed by staff. There are a few elements of the design that are yet to be confirmed, however Council anticipates receipt of the final design by mid-February 2025.

2. Improvements or upgrades that are likely to occur between now and the end of the year at the Regional Stadium and Tuffins Lane Sporting Fields are as follows:
 - a. Planned works at Regional Stadium include waterproofing and replacement of the grandstand seating. Timing will depend on lead time for the new seating, however this work is currently planned for completion by May 2025.
 - i. Replacement of seating -

- Removal of old seating - Procurement has been completed and is ready to go with a local company. Removal works can be scheduled once seating install has been locked in, to minimise disruption.
 - Supply and install of new seating - Currently with Procurement for review, planning for release of the Request for Quotations (RFQ) are now due.
- ii. Waterproofing - Evaluation and Recommendation Report circulating for signatures. To be completed following removal of old seating and prior to installation of new seating.
- b. Tuffins Lane - No works planned for 2025, any drainage works recommended from the site investigation and detailed design report are to be reviewed, budgeted and programmed by Council for future years through the Operational Plan process.

Attachments

Nil

Item: 11.12

**Subject: QUESTION WITH NOTICE - COMMUNITY VOICE EDUCATION
AWARENESS CAMPAIGNS**

Presented by: Community, Planning and Environment, Melissa Watkins

RECOMMENDATION

That the response provided to Councillor Edwards' Question With Notice regarding Community Voice Education Awareness Campaigns be noted.

Question from Councillor Edwards

That the Chief Executive Officer be requested to respond to the following question with notice:

Can the Chief Executive Officer to advise the February 2025 Ordinary Council meeting what 5 awareness campaigns Council has developed and implemented and what the spend has been for each?

Comments by Councillor Edwards

Nil

Comments by Chief Executive Officer

A verbal response will be provided at the February 2025 Council meeting.

Attachments

Nil

Item: 11.13

Subject: NOTICE OF MOTION - HASTINGS YOUTH VOICE

Councillor Hamish Tubman has given notice of an intention to move the following motion:

RECOMMENDATION

That Council request the Chief Executive Officer to:

- 1. Undertake a review of the Hastings Youth Voice Charter in collaboration with Hastings Youth Voice, including mechanisms to increase opportunities for Hastings Youth Voice to have input into critical Council planning and decision-making mechanisms for Hastings Youth Voice to communicate directly with the governing body.**
- 2. Provide a further report to Council in April 2025 following completion of the review of the Charter.**

Comments by Councillor Tubman


Nil

Comments by Chief Executive Officer

Staff have no objections to the recommendations, noting that in accordance with the existing Charter, a review of the Hastings Youth Voice working group is to be undertaken every one (1) year to ensure the purpose, membership and operations are appropriate.

A copy of the existing Charter is attached for information (Attachment 1).

Attachments

-  Charter - Hastings Youth Voice - adopted 2022 09 15

Item: 11.14

Subject: NOTICE OF MOTION - SHARPS DISPOSAL BINS

Councillor Nik Lipovac has given notice of an intention to move the following motion:

RECOMMENDATION

That Council:

1. Request the Chief Executive Officer give consideration to the inclusion of resourcing in the draft 2025-2026 Operational Plan and budget for implementation and ongoing maintenance of the installation of additional Sharp Disposal Bins in Public Toilets specifically in areas where syringes, needles and lancets are regularly found to have been disposed of incorrectly.
2. Provide communications to the public, should this action be implemented, indicating the location of public toilets that include sharps bins.

Comments by Councillor Lipovac

Although Councils may not control the actions of individuals in public spaces, they must implement reasonable measures to minimize risks from discarded sharps to workers, volunteers and the public. This includes ensuring there are appropriate sharps disposal bins available.

Comments by Chief Executive Officer

Staff have no objection to this request.

Attachments

1.  NSW Community Sharps Guidance

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: LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY
UPDATE REPORT

Presented by: Community, Planning and Environment, Melissa Watkins

Alignment with Delivery Program

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

RECOMMENDATION

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

Executive Summary

Council is currently involved in several projects relating to the management of the Lake Cathie/Lake Innes/Cathie Creek waterway (referred herein as Lake Cathie) and surrounds. This report provides an update on the Lake Cathie 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 December 2024 Ordinary Council Meeting.

Works currently being undertaken and outlined in this report include:

1. Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project
2. Water Quality Improvement Strategy
3. Review of the Lake Cathie Entrance Management Strategy
4. Development of the CMP and Other Projects

Discussion

1. Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project

Bluecoast Consulting Engineers are completing the Coastal Hazard Assessment and Coastal Vulnerability Assessment Mapping Project on behalf of Council. Council staff and the NSW Department of Climate Change, Energy, Environment and Water (DCCEEW) have completed their review of the Coastal Hazard Assessment and Bluecoast are now finalising this component of the project. The hazard assessment will be used in the development of Coastal Vulnerability Assessment maps for the Port Macquarie Hastings Council LGA.

Staff from Council, Bluecoast, NSW DCCEEW and NSW Department of Planning, Housing and Infrastructure (DPHI) are meeting in February 2025 to discuss the development of these maps. These maps are expected to be completed in the next 3

months. A briefing to Councillors about the outcomes of this project will be provided once the work has been completed.

2. Water Quality Improvement Strategy

Rhelm has been engaged to undertake Water Quality Improvement Strategies for three waterways: Hastings River Estuary, the Camden Haven River Estuary and Lake Cathie/Bonny Hills catchments. The 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 project involved five key steps that follow the NSW Risk-based Framework for Considering Waterway Health Outcomes:

1. Establish the Context
2. Effects based Framework
3. Comparison against Water Quality Objectives
4. Strategic Impacts Assessment
5. Design and Implementation

Rhelm is currently 'establishing the context' of water quality across the three investigation areas. Rhelm has been undertaking a review of existing water quality data, as well as undertaking targeted stakeholder engagement. The project is expected to be completed by September 2025.

3. Review of the Lake Cathie Entrance Management Strategy

Council has been successful in obtaining funding from NSW DCCEEW under the Coastal and Estuary Grants Program to go toward an Entrance Management Strategy (EMS) for the Lake Cathie System. Following on from their work on the updated Hydrodynamic Model of Lake Cathie, Royal Haskoning DHV (RHDHV) have been engaged to complete the EMS. The EMS will use the findings from recent investigations undertaken on the waterway, and current guidelines and legislation, to develop short, medium and long-term management options to manage the entrance of the system. The project will commence in February and is expected to be completed by mid-2025.

4. Development of the CMP and Other Projects

The development of CMPs is prescriptive and includes five stages.

- Stage 1: Identify the scope of a CMP
- Stage 2: Determine risks, vulnerabilities and opportunities
- Stage 3: Identify and evaluate options
- Stage 4: Prepare, exhibit, finalise, certify and adopt the CMP
- Stage 5: Implement, monitor, evaluate and report

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 - 2025	2023 - 2025
	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 will 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.

The Water Quality Improvement Strategy is the final major Stage 2 project and, while it is expected to take up to 12 months to complete, Council staff are preparing a scope to develop Stage 3 and 4 of the CMP in parallel to the project to enable more rapid preparation of the final CMP.

Invasive Weed Management

Invasive weed control activities that have occurred since the December 2024 Lake Cathie Natural Resource Management Monthly Update Report include:

- Approximately 4.8ha of coastal wetland along the northern edge of Lakeside Woods off Cowarra Creek has been treated for invasive weeds including Groundsel bush, Cocos palm, Coral berry, Ground asparagus, Lantana, Chinese tallow tree, Nandina and Murraya.
- Glory lily has been treated along the bushland edge of Karikeree Street, along with other weeds introduced by dumping of garden waste.
- Madeira vine has been treated in the gully beside Lake Cathie Bowling Club.
- Approximately 2ha of Ground asparagus has been treated in coastal bushland opposite Boodgery Street and Dirah Street.
- Over 5ha of littoral rainforest along Chepana Street has been treated for Ground asparagus, Cassia and Lantana.
- Giant reed was identified and contained on Ocean Drive.
- Approximately 6ha of high priority weeds including Sickletorn, Glory lily and Groundsel bush treated along the Lake Innes National Park boundary on Tallong Drive.

Emergency Erosion Works

During the storms that caused large swell coinciding with king tides along the coast from 16 January 2025, significant erosion was observed at Lake Cathie Foreshore that threatened the stability of trees and Reserve furniture. Ahead of worsening weather and predicted large swell, Council teams undertook emergency stabilisation works in challenging conditions to prevent loss of the trees and furniture on Saturday



18 January. The works were successful, with the trees and furniture being well utilised over the Australia Day weekend.

Coast and Estuary staff are commissioning a concept design for a medium-term sandbag structure to prevent further erosion and to maintain the bank location. The concept will be assessed for costs and, if these are acceptable, will proceed to construction as soon as practicable.

Riverbank Restoration works

Stage 1 Hastings River Hybrid Shorelines

Council held an open tender to complete riverbank restoration works along the Hastings River at the North Shore. The tender closed in December 2024. The tender involved the detailed design and construction of restoration works of a ~200m section of the Hastings River Estuary on Port Macquarie Hastings Council (PHMC) owned foreshore reserve and adjacent Crown land located off the western end of Shoreline Drive, North Shore. A concept design has been prepared for the length of bank and intertidal sand flat which will demonstrate best practice erosion control measures where public access, amenity and estuarine vegetation (mangroves) protection are considered key issues.

The project is being partially funded by a NSW Department of Primary Industries and Regional Development (DPRID) Flagship Fish Habitat Rehabilitation Grant. The grant program offers funds to projects that significantly enhance fish habitat, water quality and fish passage opportunities within the coastal catchments of NSW. The project includes the use of a full-scale oyster reef hybrid fillet prototype. This prototype is being supplied under the Hybrid Living Shoreline Research Study being undertaken out of the University of Melbourne as an Australian Research Council (ARC) Linkage grant project.

Council staff are currently reviewing the tender responses and are aiming to identify a preferred contractor to undertake the works by the end of February 2025. Further engagement with the immediate community around the reserve will be undertaken during the design phase, building on conversations held during concept development.

Limeburner's Creek Riverbank Restoration Works

The Department of Primary Industries and Regional Development (DPIRD) - Fisheries is delivering a bank stabilisation project designed to mitigate flood damage and improve flood resilience and environmental outcomes in NSW estuaries. DPRID Fisheries and Council staff identified a suitable priority site off Limeburner's Creek, upstream of the Shoreline Drive Bridge. The site is approximately 180m long and contains a failing rock revetment wall. DPRID Fisheries is funding a project to repair and replace the failing rock revetment wall which will stop further erosion at the site and improve water quality to the surrounding area which is utilised by oyster growers.

Initial environmental investigations at the site commenced in January and Council staff are providing project management support in both the planning and implementation stages of the project. The project is expected to be completed by mid-2025 and result in improved water quality outcomes for the Hastings estuary and the oyster industry.

North Haven Foreshore Stabilisation Works

The Department of Primary Industries and Regional Development (DPIRD) - Fisheries is also undertaking riverbank restoration works at Riverview Reserve North Haven as part of its bank stabilisation program designed to mitigate flood damage and improve flood and environmental resilience in NSW estuaries.

Council staff identified the foreshore along Riverview Reserve as a priority area to undertake these works and prepared a concept master plan. This project will progress the preparation of detailed designs that introduce best practice, including living shoreline elements, into the erosion mitigation design. As the site is heavily utilised for public recreation, a detailed design that incorporates increased opportunities for biodiversity and complex habitat, while facilitating public access and recreational use is required. Realm has been engaged by DPIRD Fisheries to undertake the detailed design. DPIRD - Fisheries are funding the project, while Council staff are providing project management support, technical advice and some in-kind services, including site survey. Realm is currently working with DPIRD Fisheries and Council staff to finalise the detailed design. The project is expected to be completed by mid-2025, subject to available funding from DPIRD - Fisheries.

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. Draft actions for a Sea Country Action Plan, informed by community consultation, will be presented to the group in the coming months.

Council staff are preparing an Expression of Interest process for the community to develop mapping, collect stories, and create artworks relating to Sea Country for use in educational signage, throughout the CMP documentation, and to record important cultural heritage for future generations.

Options

This report is provided for information purposes only.

Community Engagement and Internal Consultation

This report is provided for information purposes only.

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 specifically. An updated budget status of current adopted projects is provided below.

Project	Grant Funding (\$)	Council Contribution (\$)	Total Estimated Project Cost (\$)
Current Projects			
Water Quality Improvement Strategy	200,001	100,000	300,001
Coastal Hazard Assessment & Coastal Vulnerability Assessment	108,000	54,000	162,000
Lake Cathie Entrance Management Strategy	82,800	41,400	124,200
TOTAL	390,801	195,400	586,201

Attachments

Nil

Item: 13.02

**Subject: FRIENDS OF CAMDEN HEAD LOOKOUT (PILOT STATION)
UPDATE**

Presented by: Community, Planning and Environment, Melissa Watkins

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 note the current activities supporting the establishment of the Friends of Camden Head Lookout (Pilot Station).

Executive Summary

At the Ordinary Council meeting held on 18 July 2024 (Item 11.01), Council resolved in part as follows:

- “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”*

Accordingly, a bi-monthly report from this group is listed as an item in Council’s cyclic reports.

At the Ordinary Meeting of Council in December 2024 (Item 11.03) Council noted the information provided outlining the process and procedures for establishing the “Friends of Camden Head Lookout” group. The volunteer group is still working on establishing themselves, however this report is provided as an update on the progress to date in accordance with the July resolution.

Discussion

The Friends of Camden Head Lookout volunteer group nominations was discussed at the Ordinary Council meeting on 12 December 2024 (Item 11.03).

At that meeting, Council resolved to:

- 1. Note the information contained within the report.*
- 2. Note the process and procedure for establishment of a Friends of Camden Head Lookout Volunteers’ group.*
- 3. Endorse the following members of the Friends of Camden Head Lookout Volunteers Group subject to induction procedures: Margaret Carey, Carolyn Osborne, Blair Maxwell, Robyn Camozzato, Stephen Hamilton, Ron Byrnes, Jon Bailey, Dan Guthrie, Isaac Puriri, Russell Dodds, Dave Napper, James Weatherall, Gary Morriss, Stephen Allwood, Keith Turner, James Eve, Murray*

Cowled, Charlie Holtom, Alan Klahn, Greg Osborne, John Lawrie, Steven Hausfeld, Adrian Guthrie and Barbara Davies.

4. *Thank the community for their interest in supporting efforts to manage Camden Head Lookout*

The first meeting of the group was held on-site at the Pilot Station on 21 January 2025, attended by Councillor Intemann, five Council staff (Director Community, Planning and Environment, Group Manager Liveable Communities, Spaces and Places Manager, Community Activation Manager and Community Development Officer) and 26 community members including endorsed volunteers and other interested parties.

The purpose of this meeting was to introduce the members and set the framework for the operation of the group as a Council endorsed "Friends group" in line with how our other Friends of groups such as Mrs York's Garden operate.

Information was provided to the members preceding the meeting including a formal agenda (Attachment 1). A further email was sent to the group on Monday 20 January that included the agenda, a "Friends of" Procedure, NSW Fair Trading information about establishing an incorporated group, as well as the amended Camden Head Lookout Master Plan, the review of environmental factors and the ecological report.

Key outcomes from the 21 January meeting were as follows:

1. Information sharing:

- Council asked the group to confirm their willingness to share information collaboratively.
- The group agreed to convene their own meeting to progress with establishing an incorporated association.

2. Next steps for the group:

- The group was instructed to meet separately (ie without staff) to discuss arrangements for the establishment of a Friends of Camden Head as a not-for-profit association as outlined in NSW Fair Trading information about establishing an incorporated group. This is in line with the practice and arrangements of Council's other volunteer groups, such as Friends of Mrs Yorks and Friends of Kooloonbung Creek. NB: The group asked if they could be renamed as the Friends of Camden Head (Pilot Station).
- Elect a committee and formally establish the Friends of Camden Head as a not-for-profit association.
- Obtain insurance coverage, with a minimum required coverage of \$20 million, with Council supporting this for the first 12 months.
- Refer to the NSW Fair Trading guidelines to ensure compliance and best practices.

3. Council's role moving forward:

- Council staff will reconvene with the group in late February to review progress, discuss Code of Conduct expectations, and assess alignment with the Council's December resolution. This meeting will be held as a virtual Teams meeting rather than face to face.

Once the induction has been completed staff will only meet with the Committee (once it is formed) periodically to review the work program for the group. The schedule of meetings will be determined once the group is established and a regular compliance check once a quarter will also be implemented as is completed with other "Friends of" groups.

Since the 21 January meeting:

- Council has responded to correspondence from various members of the Group clarifying Council's role, noting that Council will not be allocating resources to act or appoint a mediator for the members and reminding them instead, that the group is expected to work collaboratively, adhering to the values of mutual respect and shared vision.
- Council has received information from members of the group about the first meeting of the group in forming a separate entity and the election of office bearers.
- All endorsed members have been contacted with information about next steps.
- Council has confirmed public contact details for members of the group
- Contact list shared with the group
- Expected behaviours document shared.

Next Steps for Council Staff:

1. Continue to provide information and resources (e.g., links to guidelines, formation requirements).
2. Convene a follow-up online meeting in late February to:
 - Review the group's progress in establishing their association.
 - Provide Council's Code of Conduct training, as required for all volunteers
3. Provide a clear summary of Council's role and limitations in facilitating group operations or moderating disputes.
4. Provide clear distinction between areas of responsibility of the Friends of Camden Head Lookout and the Local Landcare groups
5. Prepare a Memorandum of Understanding (MOU) for the group and the works to be undertaken
6. Prepare a revised MOU with the Local Landcare groups for the remainder of the land to continue to be managed by Landcare.
7. Monitor ongoing correspondence and concerns to ensure the group remains on track with its commitments.

Next steps for the Friends of Camden Head volunteer group:

1. Formation of a Not-for-Profit Association

- The next step is to formally establish the Friends of Camden Head as a not-for-profit association or incorporated group.
- At a group meeting on 30 January, the following committee members were elected
 - Chairman - Blair Maxwell
 - Secretary - Greg Osborne
 - Site Supervisor - Dan Guthrie

2. Insurance Coverage

- The group will need to obtain insurance coverage. A minimum coverage of \$20 million is required.

3. Guidelines and Best Practices

- The NSW Fair Trading guidelines provide guidance to ensure the group's operations align with best practices for governance and management.
- To reinforce amongst the group the importance of mutual respect within the group. Successful collaboration depends on recognising the value of everyone's contributions and opinions. Working together with respect and understanding will be key to achieving the group's goals.

Options

This is a report for Council's notation only.

Community Engagement and Internal Consultation

As outlined above.

Planning and Policy Implications

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

Financial and Economic Implications

Council may be required to fund the group insurance payment for its first year of operation. Council may also be required to supply the group with PPE as required under Council's safety guidelines. This will be funded through the Operational Budget volunteer allocation.

Attachments

1.  Friends Of Camden Head Lookout agenda 21 January 2025

Item: 13.03

Subject: LAND ACQUISITION - COMBOYNE ROAD BYABARRA

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 owner of 1541 Comboyne Road Byabarra, Lots 106, 121 and 122 DP 754453, P A Mumford, for the land acquisition more particularly described in the plan of acquisition as Lots 1, 2 and 3 DP 1311647.
2. Pursuant to Section 59 of the *Land Acquisition (Just Terms Compensation) Act 1991*, pay the landowner's property and conveyancing costs.
3. Pursuant to Section 10 of the *Roads Act 1993*, dedicate Lots 1, 2 and 3 DP 1311647 as public road.

Executive Summary

This report recommends that Council proceed with the acquisition of part of 1541 Comboyne Road Byabarra, to formalise the realignment and safety improvements undertaken as part of the Comboyne Road Embankment Repairs Project.

Discussion

The Comboyne Road Embankment Repairs Project was funded under the Disaster Recovery Funding Arrangements (DRFA) from damages sustained during the March 2021 Flood Disaster. \$7 million in disaster funding was provided to repair Comboyne Road and improve safety conditions for road users. The property owner agreed to the works being undertaken, pending the finalisation of the partial land acquisitions and the payment of compensation.

The Project works were completed by an external contractor between August 2023 and August 2024. The works included: vegetation removal, culvert installation, installation of soil nails and mesh, construction of shotcrete walls and new asphalt within the road slip areas.

The works involved cutting back large embankments along multiple faces and installing soil nails and mesh to secure the batters reducing the likelihood of future land slips. This widened the road batters and re-aligned the road into the Mumford property, making the land acquisition necessary.

Council obtained an independent valuation on the compensation payable to the property owner for the acquisition. Having regard to the provisions of the *Just Terms (Land Acquisition Compensation) Act 1991*, the valuation has been assessed at \$2,000 ex GST.

The offer of compensation has been made to and accepted by PA Mumford. The acquisitions are now reported to Council to enable the land acquisitions to be completed.

Options

There are no other options available to Council. Council is obliged to pay the property owner compensation to the property owner for the land acquisition which is to be formalised into the Council Road reserve.

Community Engagement and Internal Consultation

800 flyer notifications were sent to residents and impacted business users. The Comboyne Circular posted information regarding the road closure and Council's social media provided updates throughout the period of works. Council's website Project page was updated with information as needed.

Planning and Policy Implications

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



Financial and Economic Implications

Council obtained an independent valuation on the compensation payable to the property owner for the acquisition. Having regard to the provisions of the *Just Terms (Land Acquisition Compensation) Act 1991*, the valuation has been assessed at \$2,000 ex GST.

The offer of compensation has been made to and accepted by PA Mumford. The acquisitions are now reported to Council to enable the land acquisitions to be completed.

There is funding in the project budget to meet the land acquisition and conveyancing costs.

Attachments

1.  Location Plan - Land Acquisition - Comboyne Road Byabarra
2.  Plan of Acquisition - Comboyne Road Byabarra - DP 1311647

Item: 13.04

Subject: DA2023 - 716.1 RESIDENTIAL FLAT BUILDING AND STRATA SUBDIVISION INCLUDING CLAUSE 4.6 VARIATION TO PORT MACQUARIE-HASTINGS LEP 2011 CLAUSE 4.3 (HEIGHT OF BUILDINGS) LOT:1 DP:230726, NO.7 SCHOOL STREET, PORT MACQUARIE, INCLUDING WORKS TO ADJOINING BUILDING AT NO.9 SCHOOL STREET, PORT MACQUARIE

APPLICANT: W E ELLIS

OWNER: C J ALEXOPOULOS AND P A ALEXOPOULOS, N R SUBBIAH

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 determine DA2023 - 716.1 for a Residential Flat Building and strata subdivision including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 1 DP 230726, No. 7 School Street, Port Macquarie and works to adjoining building at Lot 2 DP 230726 No.9 School Street, Port Macquarie, by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for demolition of existing buildings and construction of a residential flat building and provides an assessment of the application in accordance with the *Environmental Planning and Assessment Act 1979*.

The application includes variation to the height of building development standard in the *Port Macquarie-Hastings Local Environmental Plan 2011* by more than 10% (12.68% variation). In accordance with the Department's *Guide to Varying Development Standards*, the elected Council is required to determine a development application that includes a variation to a development standard by more than 10%.

The subject application was referred to Council's Development Assessment Panel (DAP) for assessment prior to being submitted to Council for determination. A copy of the assessment report as presented to the DAP is provided here as Attachment 2.

This report recommends that the development application, including the Clause 4.6 exception, be granted consent subject to the conditions included in Attachment 1.

Discussion

A detailed assessment of the of the application in accordance with the relevant requirements in Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been carried out and is included in Attachment 2 to this report.

The Development Assessment Panel considered the proposal at its meeting on 11 December 2024 (Item 06), with the consensus being:

“That Development Application 2023 - 716 for a Residential Flat Building and Strata Subdivision including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 1, DP 230726, No. 7 School Street, Port Macquarie, and works to the adjoining building at Lot 2 DP230726, No.9 School Street, Port Macquarie, be recommended to Council for consent subject to the recommended conditions.

Additional general condition to read:**Protection of adjoining buildings**

The proponent is required to protect and support the existing party wall, garage and covered deck on No. 9 School Street whether or not the excavation on No. 7 extends below level of the base of the footings of those structures and that structural design details of the manner in which the existing structures on No. 9 School Street are to be protected and supported are to be provided to the owners of No. 9 School Street prior to the issue of a Construction Certificate.

Reason: To protect adjoining buildings.

Additional condition under ‘before demolition work’:**Protection of adjoining buildings**

The owner of No. 9 School Street is to be provided a minimum of 14 days’ notice prior to the commencement of any demolition work approved by the development consent. The preconstruction dilapidation report and the structural engineering design advice containing details of the manner in which the existing party wall, garage and covered deck on No. 9 School Street will be protected and supported is to be provided to the owner of No. 9 School Street 14 days prior to the commencement of any demolition work involving the existing No. 7 garage attached to the party wall.

Reason: To protect adjoining buildings.

Additional condition prior to release of construction certificate:**Structural engineering detail**

Prior to Issue of a Construction Certificate structural engineering design advice containing details of the manner in which the existing party wall, garage and covered deck on No. 9 School Street will be protected and supported during works along and adjacent to the common boundary with No. 7 School Street is to be provided to the owner of No. 9 School Street prior to issue of the Construction Certificate. Note: landowner consent from No. 9 School Street is required prior to commencement of any work on the existing party wall or any of the structures on No. 9 School Street and their footings.

Reason: To protect adjoining buildings.

**Amend condition 9 prior to release of construction certificate:
Dilapidation report**

Prior to the issue of the Construction Certificate a dilapidation report shall be prepared by a professional registered engineer for buildings/structures on adjoining properties. Such report shall be furnished to the Principal Certifier. The preconstruction dilapidation report is also to be provided to the owners of 9 School Street prior to the issue of the Construction Certificate.

Condition Reason: To protect nearby building assets.

**Additional condition during building work:
Protection of Adjoining buildings**

Details of the provisions for the support of the structures on No. 9 to be provided to the owners of No. 9 School Street.

Reason: To protect adjoining buildings.”

The site is considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public interest and will not result in significant adverse social, environmental or economic impact.

This report recommends that the development application be granted consent subject to the conditions included as Attachment 1. The DAP's recommended changes to the conditions have been incorporated in Attachment 1.

Options

Council has the following options in determining the development application:

1. Grant consent to the application subject to the recommended conditions.
2. Grant consent to the application subject to amended conditions.
3. Refuse consent to the application.

If consent is refused, Council is required to provide reasons for refusal in accordance with the *Environmental Planning and Assessment Act 1979*.

Community Engagement and Internal Consultation

The application has been notified in accordance with the *Port Macquarie-Hastings Council Community Participation Plan 2019*. Following exhibition of the application, three (3) submissions were received. The submissions are addressed in detail in the assessment report included in Attachment 2.

The assessment report and recommended conditions of consent were prepared with internal consultation in relation to water supply, sewer, stormwater drainage and traffic.

Planning and Policy Implications

The assessment report in the attachments includes consideration of relevant planning legislation applicable to the proposed development.

The application includes variation to the Height of Buildings development standard in the *Port Macquarie-Hastings Local Environmental Plan 2011*. In this instance, the Height of Buildings development standard is proposed to be exceeded by 1.84m (a 12.68% variation to the standard). There are considered to be sufficient environmental planning grounds to support the variation and approval is not considered likely to erode the integrity of the standard for the reasons outlined in the detailed assessment included in Attachment 2.

Financial and Economic Implications

The recommended conditions of consent would require the developer to pay development contributions in accordance with the relevant contributions plans and Development Servicing Plan as detailed in the attachments.

Attachments

1.  Attachment 1 - Recommended Conditions
2.  Attachment 2 - DAP Report 11 12 2024

Item: 13.05

Subject: PLANNING AND LAND USE DISCUSSION PAPER - POST EXHIBITION

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. **Note the post exhibition report and summary of submissions received during the public exhibition of the Planning and Land Use Discussion Paper**
2. **Proceed with a review and consolidation of the Local Strategic Planning Statement (LSPS) and Urban Growth Management Strategy (UGMS) documents.**
3. **Align the document with the Imagine 2050 Community Strategic Plan and Living and Place 2024 Local Housing Strategy priorities.**
4. **Notify all persons who lodged a submission of Council's decision.**

Executive Summary

The purpose of this report is to discuss the submissions received regarding the Land Use Discussion Paper and outline the next steps.

The Discussion Paper provided an overview and evaluation of the Local Strategic Planning Statement and Urban Growth Management Strategy, assessing their relevance within the broader strategic planning framework established by the NSW Government. This paper enabled Council to engage proactively with the community and industry, serving as an important information tool before revising these essential strategic documents. The Discussion Paper was publicly exhibited from 14 October 2024 to 22 November 2024.

Staff will consider the feedback received in the submissions and draft a new Local Strategic Planning Statement that reflects the future growth of the Local Government Area (LGA).

Discussion

The Port Macquarie-Hastings Local Government Area (LGA) continues to be a preferred destination for living, working, visiting, and recreational activities. Over the next 20 years and beyond, the region is expected to experience sustained population growth.

Council has a responsibility to adequately plan for this growth by regularly reviewing essential strategic land use strategies and plans to adapt to changing community needs and priorities. There is additionally the changing environment of national and state directives that need to be satisfied.

Councils in New South Wales (NSW) play the central role in land use planning and development approval. Currently, the Port Macquarie-Hastings Council utilises a variety of local, regional, state, and national guidelines that influence its present and future land use planning.

Planning helps identify the most effective ways to use land, thereby creating sustainable and vibrant communities. It considers both short-term and long-term goals and aims to balance the diverse needs of the community. Strategic planning looks at the broader picture and guides decisions on where and how development should occur, where to locate new housing and community infrastructure, where employment opportunities are situated, and where transport links should be established.

Council decisions regarding development and land use are directed by the NSW planning framework, which outlines planning controls and provides a clear context for local decision making. This ensures that actions are fair, transparent, and aligned with broader planning principles and objectives.

The Discussion Paper serves as a guide to the existing strategies and plans. It compares these against various factors, including current population forecasts, national and state priorities, community needs and aspirations, demographic changes, and shifts in the external environment. The paper aimed to stimulate informed discussion and feedback from the community and stakeholders, to inform the update and enhancement of planning strategies.

The NSW North Coast Regional Plan 2041 (NCRP), released in November 2022, offers high level regional guidance for future growth and development. Council's Community Strategic Plan, titled Imagine 2050, adopted in 2022, outlines the community's aspirations and priorities for the future, providing strategic direction to align policies, programs, and services.

The Local Strategic Planning Statement (LSPS) Shaping Our Future 2040, endorsed in September 2020, is the overarching Strategic Land Use Strategy for the LGA and local planning. The LSPS has legislative authority, meaning all changes to Local Planning Policy, including the Local Environmental Plan (LEP) and the Development Control Plan (DCP), must align with it.

The Urban Growth Management Strategy 2017-2036 (UGMS), endorsed in August 2018, focuses on urban development within the LGA. This includes considerations for housing, commercial areas, tourism development, parks, public spaces, community facilities, and physical infrastructure such as roads, water, sewage, and stormwater management. The strategy examines population forecasts, demand for new residences, the natural environment, and how to accommodate housing and employment growth over the next 20 years.

The Living and Place Strategy, adopted in 2024, is Port Macquarie-Hastings Council's housing strategy. It establishes a clear path for delivering new housing across the LGA until 2046. This strategy builds upon the North Coast Regional Plan

2041, the Imagine 2050 Community Strategic Plan, and the Local Strategic Planning Statement.

The Discussion Paper provides an overview and review of the LSPS and UGMS concerning their relevance to broader strategic planning and the NSW Government Framework that the Council operates within. It enabled Council to actively engage with the community and industry as a vital information element before proceeding with revisions to these critical strategic documents.

At the Ordinary Meeting of Council held on 20 June 2024, Council resolved as follows:

That Council:

1. *Endorse the Local Strategic Planning Statement Discussion Paper for the purposes of public exhibition and place the Discussion Paper on public exhibition for a period of not less than 28 days.*
2. *Note that a further report will be presented to Council, following the public exhibition period, detailing the submissions received and any recommended changes to the Discussion Paper for consideration by Council following the 2024 Council election.*

The Discussion Paper was publicly exhibited from 14 October 2024 until 22 November 2024.

During this public exhibition period, Council received 7 submissions and 26 completed surveys. Council also conducted 3 community conversation sessions in which 31 people attended. 3 pop-ups we also held, for 3 to 4 hrs in the following locations.

- Foreshore Markets, Westport Park Port Macquarie
- Riverwalk Markets, Laurieton
- IGA, Wauchope CBD

The following key themes emerged across all engagement activities for this project. The themes reflect a preference for balanced, sustainable urban development that prioritises environmental protection, housing diversity, and maintaining a high level of service for infrastructure.

- **Environment Protection & Sustainability**

2.
 - Strong emphasis on preserving green spaces, nature reserves, and minimising further deforestation for new developments. Many respondents urge the protection of koala habitat and other natural areas, with a call for more intensive use of existing cleared land.
 - A focus on sustainable urbanisation, including sustainable transport options, waste management, and energy systems. There is concern over the impact of urban sprawl and the importance of limiting population growth in line with environmental capacity.
 - Encouragement for higher-density housing in urban areas and commercial conversions rather than extending into undeveloped land.

- **Housing & Community Needs**
 - The need for affordable housing, with some highlighting the lack of affordable homes in the region.
 - Emphasis on providing a range of housing types for a range of demographics.
 - A preference for increased rezoning of existing areas (for example converting R2 to R1) and infill development within urban boundaries to avoid sprawl. Housing developments should also consider connectivity to local services and amenities.

- **Infrastructure & Transport**
 - Improved transport infrastructure, particularly public transport and active transport options including cycle paths and pedestrian walkways. There is concern about the lack of connectivity, particularly for residents in new housing estates.
 - Suggestions for addressing the congestion on existing roads and creating more efficient road networks. Some respondents advocate for shared pathways and better integration of transport planning with housing developments.

- **Urban Design & Planning**
 - There is support for mixed use zoning in urban areas, particularly in town centres, to encourage community interaction and reduce car dependency.
 - Higher density developments are encouraged, but with a focus on thoughtful design that accommodates the needs of the elderly and disabled. Some respondents advocate for more creative architectural solutions, rejecting "box like" high rises, particularly near the coast.
 - An expressed view that planning should balance environmental preservation with social needs, ensuring access to green spaces, sports facilities, and community amenities.

- **Economic Development**
 - Ensuring that new developments provide local job opportunities, particularly in construction and other essential industries, to support the community's economic stability.

- **Community Consultation & Governance**
 - A desire for more active community consultation and ensuring that planning decisions reflect the needs and desires of local residents. Several respondents highlighted frustration with the lack of follow-through on previous plans and the slow pace of action.
 - There is a call for more proactive governance, with many expressing dissatisfactions with how plans are often discussed without tangible outcomes or enforcement. Residents want Council to act on the community's input, rather than just discussing it.

- **Preserving the Character of the Region**
 - A recurring theme is the desire to maintain the region's aesthetic and environmental appeal. There is a desire to preserve historical neighbourhoods and avoid over-dense developments that detract from the charm of towns and villages.

- **Public Services & Social Cohesion**
 - A focus on fostering social cohesion, with some suggesting that housing developments should encourage community interaction. Public spaces, sporting facilities, and adequate parking are essential to maintaining a sense of belonging and community safety.
 - Strong support for investing in public amenities such as parks, sports facilities.

A summary of the submissions and responses are below and in the Engagement report (Attachment 1)

Next Steps

Should the recommendation be adopted, staff will further consider the information provided within the submissions and draft a new Port Macquarie Hastings Land Use Planning Strategy that consolidates the current LSPS and the UGMS actions and priorities with the future growth of the LGA, informed by community feedback and relevant strategies and documents.

Options

Council can opt to:

1. Adopt the recommendations and proceed with a review and draft of a new Local Strategic Planning Statement.
2. Request further information.
3. Not endorse the recommendation and resolve in some other manner.
4. Retain existing strategy documents without change.

This report recommends option 1.

Community Engagement and Internal Consultation

Internal Consultation

Consultation with was undertake with internal staff from the following sections of Council:

- Strategy and Land Use Planning
- Development Assessment
- Natural Resource Management
- Community Utilities (Water and Sewer)
- Community Infrastructure

External Consultation

See engagement report for full external engagement activities (Attachment 1)

Submission 1		Issue
1	King and Campbell on behalf of Client #01	With respect to the Urban Growth Area Boundary shown on the map at page 31 of the discussion paper, it is noted that only part of the subject land is identified as being within the boundary. In this regard, given that: all of the subject land is identified as being within the Fernbank Creek & Sancrox Structure Plan Area; and all of the subject land is identified as being within the Sancrox and Fernbank Creek Investigation Area of the Local Housing Delivery Plan; and all of the subject land will be required to be investigated as part of any future Planning Proposal; it is requested that the Urban Growth Area Boundary is adjusted to include all of the subject land.
	Response/ Comment:	The area will be considered for inclusion in the urban growth investigation boundary. This investigation is required to consider all planning impacts for the area. It is also highlighted that Urban growth boundaries are formally set by the NSW Department of Planning through the North Coast Regional Plan, The department has indicated the next review and update is 2027/2028.
Submission 2		Issue
2	King and Campbell on behalf of Client #02	With respect to the Urban Growth Area Boundary shown on the map at page 31 of the discussion paper, it is noted that only part of the subject land is identified as being within the boundary. In this regard, given that: all of the subject land is identified as being within the Fernbank Creek & Sancrox Structure Plan Area; and all of the subject land is identified as being within the Sancrox and Fernbank Creek Investigation Area of the Local Housing Delivery Plan; and all of the subject land will be required to be investigated as part of any future Planning Proposal; it is requested that the Urban Growth Area Boundary is adjusted to include all of the subject land.
	Response/ Comment:	The area will be considered for inclusion in the urban growth investigation boundary. This investigation is required to consider all planning impacts for the area. It is also highlighted that Urban growth boundaries are formally set by the NSW department of planning through the North Coast Regional Plan, The department has indicated the next review and update is 2027/2028.
Submission 3		Issue

3	Community Member	<p>It is vital that before any more land is released for residential development (ie new investigation areas) that infrastructure including roads, active transport opportunities, water and sewerage is well in place to cope with population growth. In addition Council needs to update its Biodiversity Management Strategy and complete the State Government funded Koala habitat mapping so that all areas of High Environmental Value and as much native vegetation as possible including koala corridors are protected under C2 Zoning. Again this should happen before any new urban release areas are considered.</p> <p>I consider the Local Strategic Planning Policy Statement gives a clear direction to Council to consider biodiversity and the impacts of climate change in all of its land use planning and any update of the LSPS should retain these important objectives.</p>
	Response/ Comment:	<p>The review LSPS will seek to retain Koala and biodiversity protections in line with community feedback themes and legislative requirements.</p> <p>The current LSPS includes 5 priorities around our natural environment and its protection.</p>
Submission 4		Issue
4	Community Member 2	<p>The site is vacant and substantially cleared of native vegetation. However, the parcel lies just outside the investigation boundary of the UGMS. Making our land still absent from the future investigation zones (see the map on page 31 Planning and Land Use Discussion Paper).</p> <p>We request that the land be included into the UGMS and note that the owners of the land are ready to develop as soon as council permits. Although other areas of land are slated for future residential housing subdivision, the owners of that land are not always ready and willing or financial enough to pull the trigger and build the residential developments that you are looking for.</p> <p>We have reviewed the Draft Local Housing Strategy 2021-2041 prepared by City Plan and supporting documents available on Council’s Have Your Say website. We also attended the online public and developer forums.</p> <p>This misinforms the need for residential land, education, services and infrastructure to support a younger and more active population. The report itself acknowledges that the evidence relied on is pre-pandemic and that the document may need to be reviewed accordingly.</p>
	Response/ Comment:	<p>The area will be considered for inclusion in the urban growth investigation boundary. This investigation is necessary to assess all planning impacts in the area.</p>



		<p>It is important to note that urban growth boundaries are formally established by the NSW Department of Planning through the North Coast Regional Plan. The Department has indicated that the next review and update will take place in 2027/2028.</p> <p>Council's demographic and land use data is modelled through REMPLAN, which is based on the 2021 ABS data and annual Estimated Residential Population updates, ensuring independent scrutiny and robustness. The updated REMPLAN modelling differs from the 2021 City Plan study, and the draft 2021 Housing Strategy has been reviewed, updated, and further adopted in the Living and Place Strategy 2024.</p> <p>The property market is one of the key considerations in Council's strategic planning, alongside demographics, liveability, servicing requirements, and future conditions. A central strategy in our Housing Strategy and Community Strategic Plan (CSP) is promoting housing diversity. If we do not encourage a variety of housing options, this could negatively impact liveability, affordability, and, in the long run, social cohesion and the economy.</p>
Submission 5		Issue
5	Hopkins Consultants	We make this submission to ensure the future Structure Plan again includes land prior to finalisation of the exhibition documentation.
	Response/ Comment:	<p>The area will be considered for inclusion in the urban growth investigation boundary. This investigation is necessary to assess all planning impacts in the area.</p> <p>It is also highlighted that Urban growth boundaries are formally set by the NSW department of planning through the North Coast regional plan, The department has indicated the next review and update is 2027/2028.</p> <p>This will be further considered in the Fernbank Creek Sancrox structure plan review work.</p>
Submission 6		Issue
6	The Honourable David Gillespie	See attachment 2
	Response/ Comment:	See attachment 3
Submission 7		Issue



7	Community Member 3	I believe the two existing East-West arteries, William and Gordon streets are likely to be overwhelmed. A third thoroughfare is needed and I believe that funding needs to be sought from State and Federal sources to put in place a bridge linking Hill St. and Table St. Hill street is already a priority road and Table St. carries bypass traffic from Ocean Drive to Hollingsworth St.
	Response/Comment:	The transport link suggested, will be optioned as part of the proposed City Heart Master Plan which is currently underway and future transport studies.




Planning and Policy Implications

The LSPS integrates with Council’s Community Strategic Plan and updates to planning priorities will inform and guide decision making across the organisation, including within other strategies and actions plans.

Financial and Economic Implications

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

Attachments

1.  Engagement Report
2.  Submission - Landuse discussion paper - The Hon Dr David Gillespie MP
3.  Response - Submission Landuse discussion paper - The Hon Dr David Gillespie MP

Item: 13.06

Subject: STORMWATER STRATEGIC ACTION PLAN

Presented by: Community Infrastructure, Chris Favaloro

RECOMMENDATION

That Council:

1. Note the information in this report regarding the process of developing the Stormwater Strategic Action Plan public facing document.
2. Endorse the draft Stormwater Strategic Action Plan public facing document to be placed on public exhibition for a period of not less than 28 days.
3. Note that a further report will be provided to Council outlining the submissions received during the exhibition period.

Executive Summary

The Port Macquarie-Hastings Council (PMHC) Stormwater Strategic Action Plan (SSAP) provides a strategic framework to manage stormwater infrastructure while supporting the region's vision of becoming "the most liveable, sustainable, and innovative place in Australia".

The plan aligns with key strategies, including the *Imagine 2050 Community Strategic Plan* and the *Infrastructure Strategy 2022-2042*, focusing on social, environmental, and economic sustainability.

The SSAP prioritises seven strategic objectives:

- Identify the legislative and regulatory framework that requires Council to deliver stormwater infrastructure and management.
- Identify the key strategic documents that guide Council in decision-making regarding the delivery of Stormwater Infrastructure.
- Identify LGA-specific issues (both current and future) that need to be considered when delivering stormwater projects/programs.
- To complete a gap analysis on the Council's provision of stormwater management projects/programs.
- Identify key actions/programs to be undertaken to address identified gaps in service delivery to improve the current and future stormwater network.
- Using a multi-criteria analysis, assess and prioritise the identified key strategic actions into high, medium, and low-priority categories.
- Nominate projects required to deliver key actions and provide estimates regarding the cost associated with program delivery.

To achieve these goals, the SSAP identified 47 strategic actions organised into seven implementation packages for phased execution over the next decade.

Following the reporting of the SSAP technical report to Council in August 2024, staff have worked on the completion of a detailed action plan, to guide the internal

implementation of the plan actions and objectives and have prepared a public-facing document designed to engage the community with clear, accessible information. Following from the Council resolution at the August 2024 Ordinary Council Meeting, the Stormwater Strategic Action Plan public facing document is now presented to Council, seeking endorsement for the plan to be placed on public exhibition.

Subject to this endorsement and once finalised, the SSAP will ensure the Council delivers sustainable, cost-effective stormwater solutions, that address both condition and capacity of our network, fostering resilience and environmental stewardship while addressing community needs and long-term regional goals.

Discussion

Port Macquarie-Hastings Council's (PMHC) Stormwater Strategic Action Plan (SSAP) serves as a strategic framework to support our vision of becoming “the most liveable, sustainable, and innovative place in Australia.”

This Action Plan delivers on the principles outlined in the *Imagine 2050 Community Strategic Plan*, the *Integrated Water Cycle Management (IWCM) Strategy*, and the *Infrastructure Strategy 2022-2042*. It ensures that the actions we deliver through stormwater management align with our defined social, cultural, environmental, and economic sustainability aims.

The Stormwater Strategic Action Plan was reported to the August 2024 Ordinary Council Meeting. The report presented to the August Council meeting provides specific details of the plan and its background, a copy is attached to this report.

At that prior Council meeting the following was resolved:

13.04 STORMWATER STRATEGIC ACTION PLAN

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.*

In accordance with the August 2024 recommendations staff have been subsequently working towards the creation of a detailed action plan and the preparation of a community facing version of the plan.

The status of both is discussed below:

a) Detailed Action Plan

In accordance with the August 2024 Council resolution, a detailed action plan has been created to clearly articulate and sequence the completion of the actions, works and initiatives identified within the SSAP into meaningful and project sized steps. This information will be used as an internal resource and translates the strategic actions into on the ground works, initiatives and action.

The SSAP identifies 47 strategic actions for effective stormwater management which dependent on funding, are proposed to address existing stormwater infrastructure challenges. Actions have been grouped into projects in preparation of detailed and prioritised catchment-specific plans. These projects will inform PMHC's annual Operational Plans and four-year Delivery Plans, translating strategy into action.

b) SSAP Public-facing Document

The Stormwater Strategic Action Plan (SSAP) public-facing document is a streamlined, accessible version of the SSAP intended to engage the community. It provides an overview of the plan's objectives, strategic actions, and anticipated benefits, using clear language and visuals to enhance understanding. In contrast, the SSAP technical report as reported to Council in August 2024 is a comprehensive, detailed document that delves into methodologies, technical analyses, and data supporting each strategic action. While the technical report is geared toward professionals and council staff who require in-depth information for implementation, the public-facing document is designed to inform the broader community.

A copy of the draft SSAP Public-facing Document is attached to this report for endorsement by the Council to be placed on public exhibition. It is intended that the public exhibition phase will allow the community to review the proposed plan, its content and the defined actions and provide valuable feedback to ensure it addresses community needs and aligns with our long-term strategic vision.

Options

Council may elect to:

1. Exhibit the draft Stormwater Strategic Action Plan public facing document for a period of not less than 28 days.
2. Request further information or determine not to exhibit the Draft Stormwater Strategic Action Plan public facing document.

Community and Internal Consultation

Community consultation

Consultation on the Draft Stormwater Strategic Action Plan has been undertaken internally, at three Councillor Briefings and the presentation of the draft Stormwater Strategic Action Plan technical report to the August 2024 Ordinary Council meeting. The draft public facing document is now requested to be placed on public exhibition for specific whole of community feedback.

Internal Consultation

In developing the Stormwater Strategic Action Plan, the Community Infrastructure Planning and Design Strategic team have organised and undertaken a series of internal consultation workshops that brought together a diverse group of key stakeholders from within the organisation. Participants included:

- 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 (Strategic)
- 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

These workshops aimed to foster collaboration and gather insights from these varied roles to inform the stormwater strategic action plan.

Planning and Policy Implications

There are no direct planning and policy implications in relation to this report, however the longer-term implementation of the actions of the plan will in many cases lead to the development of new and updated policy, procedure and standards in relation to the way Council and the community manage risks associated with the provision of stormwater drainage infrastructure and services.

Financial and Economic Implications

The Stormwater Strategic Action Plan and associated detailed Action Plan will be utilised to guide the development of future Operational Plans and Delivery Programs and inform priorities for grant applications (where eligible) relating to the provision of stormwater investigation, maintenance, renewal and upgrades throughout the LGA in a considered, cost effective and prioritised manner.

Implementation of the actions and recommendations identified will require funding allocation by Council with the support of the NSW and Australian Government where possible. The Stormwater Strategic Action Plan will provide an advocacy platform and will assist all funding support requests.

Attachments

1.  Public Facing - Stormwater Strategic Action Plan - Final Draft

Item: 13.07

Subject: POLICY REVIEW - WASTEWATER SERVICES POLICY

Presented by: Community Utilities, Robert Fish

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Adopt the draft Wastewater Services Policy for public exhibition for a period of not less than 28 days.**
- 2. Note that a further report will be tabled at the May 2025 Ordinary Council Meeting, detailing the submissions received from the public during the exhibition period.**

Executive Summary

The attached draft Wastewater Services Policy provides a legislative and consistent framework for provision of wastewater services across the Local Government Area (LGA). This was a new Policy adopted by Council in July 2024. The Water Services Association of Australia specification codes for the design and construction of water and sewer assets have recently been incorporated as part of Council's AUS-SPEC specifications for the LGA as well as updated the approvals process for water and sewer works as part of any development activity in accordance with the Water Management Act. The use of these specifications and updated approvals process has cross references to and direction requirements from Council policies. Therefore, the Wastewater Services Policy has been updated to ensure consistency with the implemented design and construction specifications and Water Management Act approvals process.

Discussion

Port Macquarie Hastings Council (Council) adopted the Wastewater Services Policy in 2024.

The Wastewater Services Policy includes information on treatment plants and systems provided, use of wastewater disposal services / facilities, applicable wastewater fees and charges, requirements for new properties and developments within the LGA, approval requirements for wastewater augmentations and what materials are allowed to enter the wastewater system.

This Policy applies to Council activities, Council staff, anyone interacting with Council wastewater infrastructure, ratepayers and those in the community utilising Council's wastewater services.

Most of the Policy remains unchanged from the previous adoption. Some changes have been made to ensure consistency with the use of the Water Services Association of Australia (WSAA) specification codes for the design and construction of water and sewer assets in the LGA as part of Council's AUS-SPEC specifications and updates to the approvals process for water and sewer works as part of any development activities in accordance with the Water Management Act. The changes made are outlined in the attached document - Attachment 1.

Additionally, minor administrative amendments have been made to correct any errors in grammar, spelling or document structure.

It is noted that this draft policy does not appear in the recently adopted policy template however this format will be updated prior to public exhibition.

Options

Council has the option to:

1. Resolve in line with the recommendation and place this draft policy on public exhibition; or
2. Request further amendments be made prior to exhibition.

Community Engagement and Internal Consultation

Engagement has occurred with the development industry relating to the updated approvals process and design and construction specifications updates being introduced.



Planning and Policy Implications

The adoption of this Policy would align Council's AUS-SPEC specification requirements outlined in the WSAA codes relating to wastewater infrastructure and assets.

Financial and Economic Implications

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

Attachments

1.  Changes to Wastewater Services Policy 2025
2.  Draft Wastewater Services Policy 2025

Item: 13.08

Subject: POLICY REVIEW - WATER SUPPLY SERVICES POLICY REVIEW

Presented by: Community Utilities, Robert Fish

Alignment with Delivery Program

4.1.1 Plan, investigate, design and construct water supply assets ensuring health, safety, environmental protection and security of supply for the future growth of the region.

RECOMMENDATION

That Council:

- 1. Adopt the draft Water Supply Services Policy for public exhibition for a period of not less than 28 days.**
- 2. Note that a further report will be tabled at the May 2025 Ordinary Council meeting, detailing the submissions received from the public during the exhibition period.**

Executive Summary

The attached draft Water Supply Services Policy provides a legislative and consistent framework for provision of water supply services across the Local Government Area (LGA). This Policy was last reviewed and adopted by Council in December 2023. The Water Services Association of Australia specification codes for the design and construction of water and sewer assets have recently been incorporated as part of Council's AUS-SPEC specifications for the LGA as well as updated the approvals process for water and sewer works as part of any development activity in accordance with the Water Management Act. The use of these specifications and updated approvals process has cross references to and direction requirements from Council policies. Therefore, the Water Supply Services Policy has been updated to ensure consistency with the implemented design and construction specifications and Water Management Act approvals process.

Discussion

Port Macquarie Hastings Council (Council) most recently adopted the Water Supply Services Policy in 2024.

The Water Supply Services Policy includes information on the water supply schemes in the area, use of these systems, delineation of responsibilities, applicable water fees and charges, requirements for new properties and developments within the LGA, approval requirements for water system augmentations, water conservation measures and water restriction information.

This Policy applies to Council activities, Council staff, anyone interacting with Council water infrastructure, ratepayers and those in the community utilising Council's water supply services.

Most of the Policy remains unchanged from the previous adoption. Some changes have been made to ensure consistency with the use of the Water Services Association of Australia (WSAA) specification codes for the design and construction of water and sewer assets in the LGA as part of Council's AUS-SPEC specifications and updates to the approvals process for water and sewer works as part of any development activities in accordance with the Water Management Act. The changes made are outlined in the attached document - Attachment 1.

Additionally, minor administrative amendments have been made to correct any errors in grammar, spelling or document structure, and the addition of page numbers which were missing from the last version.

It is noted that this draft policy does not appear in the recently adopted policy template however this format will be updated prior to public exhibition.

Options

Council has the option to:

1. Resolve in line with the recommendation and place this draft policy on public exhibition; or
2. Request further amendments be made prior to exhibition.

Community Engagement and Internal Consultation

Engagement has occurred with the development industry relating to the updated approvals process and design and construction specifications updates being introduced.



Planning and Policy Implications

The adoption of this Policy would align Council's AUS-SPEC specification requirements outlined in the WSAA codes relating to water infrastructure and assets.

Financial and Economic Implications

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

Attachments

1.  Changes to Water Supply Services Policy 2025
2.  Draft Water Supply Services Policy 2025

Item: 13.09

Subject: **DEVELOPMENT SERVICING PLAN (DSP) WATER AND SEWERAGE - POST EXHIBITION**

Presented by: **Community Utilities, Robert Fish**

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. **Note the feedback received on the draft Port Macquarie-Hastings Development Servicing Plan 2024 during the exhibition period and responses to the feedback outlined in this report.**
2. **Note the updates made to the draft Port Macquarie-Hastings Development Servicing Plan 2024 as outlined in this report.**
3. **Adopt the Port Macquarie-Hastings Development Servicing Plan 2024 as presented with a cross-subsidy for the village service areas of Long Flat, Comboyne and Telegraph Point of a \$0.81 increase to the Typical Residential Water Bill and a \$0.91 increase to the Typical Residential Sewerage Bill.**
4. **Update the 2024-2025 Fees and Charges to reference the Port Macquarie-Hastings Development Servicing Plan 2024, with the new charges effective immediately.**
5. **Note the financial and economic implications of the adoption of the new Development Servicing Plan as outlined within this report.**

Executive Summary

At the 18 July 2024 Ordinary Council Meeting, Council resolved:

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

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.

The draft Port Macquarie-Hastings Development Servicing Plan (DSP) 2024 was placed on public exhibition from 14 October to 22 November 2024 with a stakeholder information session held on 29 October 2024. The exhibition of the DSP was undertaken jointly with the Draft Local Infrastructure Contributions Plan. A 10-day notification period was also given for the engagement from 30 September - 11 October 2024, as per the requirements of the NSW Government’s 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (Guidelines).

Five submissions were received that referred to the draft DSP. Three community members also completed the Have Your Say Survey that was open during the exhibition period. Nineteen industry stakeholders attended a 1.5-hour information session held at Council headquarters. Key staff and subject matter experts from Community Utilities and Community Engagement teams led the discussion and responded to questions from attendees.

The Public Exhibition Engagement Report is included at Attachment 1. A summary of the relevant DSP submissions and context of Council’s responses is included at Attachment 2. This summary page is also included within the final DSP, meeting a requirement of the Guidelines.

Feedback was generally supportive of the updated DSP, commenting on the readability, formatting and alignment to the NSW Government Guidelines. The proposed reduction of the water charges was also supported.

Concern was raised around the increases to the sewerage rates across the Local Government Area, in particular the large increase in the growth areas of Thrumster, Bonny Hills and Camden Haven.

One of the submissions provided suggested amendments and edits to the draft document to improve completeness without having to refer to the Guidelines, more information displayed on the maps and including policy matters within the plan and not in a separate policy document.

Following a review of all submissions the draft DSP was reviewed and updated. Several sewerage future capital works program amendments occurred resulting in revision to the rates from the draft version to the final DSP.

In accordance with Section 9 of the DSP, developer charges are to be indexed quarterly in line with movements in the CPI for Sydney all groups. Indexing the charges in the draft DSP to the December 2024 quarter (published in February 2025) equates to a 1.45% increase.

Indexed Developer Charges to be implemented at time of adoption (per recommendation) of the Final DSP are:

	DSP Service Area	Developer Charge (per ET)	Cross-subsidy: resulting increase in the Typical Residential Bill
Water Supply	Long Flat	7,080	\$0.81 (0.1%)
	Comboyne	7,080	

	Telegraph Point	7,080	
	Hastings	7,080	
Sewerage	Bonny Hills	16,230	\$0.91 (0.1%)
	Camden Haven	16,230	
	Thrumster	16,230	
	Wauchope	8,457	
	Long Flat	5,407	
	Comboyne	5,407	
	Telegraph Point	5,407	
	Port Macquarie	5,407	

The final Port Macquarie-Hastings Development Servicing Plan 2024, recommended for adoption, is included at Attachment 3.

Discussion

The Port Macquarie-Hastings region is one of the fastest growing regions in NSW. As an area grows, significant amounts of infrastructure is required to support this development. While the majority of the infrastructure within a new subdivision, such as the new roads, water and sewer pipes etc., are provided by the developer, the new community within the subdivision will also rely on upgraded and increased capacity from infrastructure external to the subdivision. As the need for this new and upgraded infrastructure is a result of the development, it is logical it is paid for by the development. This is achieved by Council levying infrastructure contribution charges on the development as a condition of approval.

Section 7.11 (formerly Section 94) of the Environmental Planning and Assessment Act allows NSW councils to collect contributions for public amenities and services, such as roads, open space, and public administration costs, and are specified in a Contributions Plan (CP). However, this does not cover water and/or sewerage infrastructure as not all councils in NSW are Local Water Utilities. For councils that are Local Water Utilities, Section 64 of the Local Government Act applies. This section serves as a cross reference to Division 5, Part 2 of Chapter 6 of the Water Management Act (Sections 305 to 307). Section 306 of the Water Management Act outlines that the payment of a contribution towards water and/or sewerage works can be requested as a pre-condition of granting a certificate of compliance for the development. The contribution amount is specified in a Development Servicing Plan (DSP).

Section 306 of the Water Management Act also specifies that consideration is to be given to any guidelines issued by the Minister for Water when calculating the amount of the contribution charge. The current guidelines issued by the NSW Government's Water Branch are the 2016 Developer Charges Guidelines for Water Supply,

Sewerage and Stormwater. The method for calculating charges and ultimately adopting a DSP is prescribed in detail within the guidelines.

Council has developed a new DSP in accordance with the 2016 Guidelines to replace the current DSP that was developed in 2014. Adherence to the Guidelines has been assured via a successful independent audit. Following a report presented to Council in July 2024 detailing the development of the new DSP, the draft plan was placed on public exhibition for 30 days from 14 October to 22 November 2024. Details of the exhibition, including submissions received are outlined below in the Community Engagement section of the report, in the Public Exhibition Engagement Report included at Attachment 1 and the summary of submissions and Council response context included at Attachment 2.

Following the exhibition period and considering submissions, a final review of the draft DSP was undertaken with several updates being made. Key updates were:

- Sewerage Future Capital Works Program (DSP Section 16) amendments:
 - Removal of five sewer pump stations identified as being developer provided assets (as they will only service a single land holding), therefore cannot be included in the DSP calculation as per the Guidelines. This reduces the developer charge in the respective areas.
 - Inclusion of a project to deliver an on-site emergency backup generator at Thrumster sewer pump station #08. This project was identified in a submission outlining further development in the pump station catchment. This inclusion results in a minor increase in the Thrumster Sewerage charge.
 - Updates to the estimated project costs for two new pump stations to service the southern (Billabong Dr) Sancrox precinct. The revised cost estimates were taken from the concept design work completed for the Highway Service Centre project and the draft wastewater servicing plan. These revised costs result in increases to the Thrumster Sewerage Charge.
 - Inclusion of Lake Cathie/Bonny Hills Sewer Pump Station #20. While this an existing asset, Council is off setting the costs for the initial developer (via contribution credits), therefore are required to recoup the funds through the DSP. This inclusion results in an increase in the Bonny Hills Sewerage Charge.
- Minor adjustment to the Existing Assets data. This adjustment results in a small decrease in some sewerage service area charges and a resultant small decrease in the sewerage cross subsidy.
- Future growth investigation areas have been included as DSP Planning Areas (identified in the area maps), defined as lands adjacent to DSP area boundaries which must be considered in the design and construction of any future asset works within the DSP.
- Section 2.3 Dispute Resolution has been updated to include the wording from the Guidelines in full to remove the need for readers to refer to the guidelines. This was a suggested update from a submission.

- A reference to REMPLAN population projections and Australian Bureau of Statistics (ABS) historic data has been included in Section 3.1 for completeness. This was a suggestion in a submission.
- The maps included in Section 13 were updated to show more of the new work from the program and their indicative location within the respective service areas. This was a suggestion from a submission.
- Addition of a new Section 20 - DSP Submission Feedback Summary. The Guidelines require the final DSP to include a summary of all submissions received during the exhibition period and summary of the respective responses.
- Addition of a new Section 21 - Administrative Matters. Currently the administration of contributions is outlined in the Development Contribution Assessment Policy (DCAP), 2016. This policy is under review with consideration being given to rescinding the policy and including the relevant administration and procedural matters in the respective plans. The new Section 21, while currently refers to the DCAP, allows for the easy inclusion of all relevant administrative matters in a single section without needing to amend the whole DSP. This was also a suggestion from a submission.

The adjustments to the Sewerage Capital Works Program and changes to the calculated developer charges has resulted in the amalgamation of the Bonny Hills, Camden Haven and Thrumster areas and subsequent charge calculations (as per the requirements in the 2016 Guidelines). The resultant change to the charges from the draft to the final DSP is a \$1017 increase in the Thrumster area and a \$934 decrease in the Bonny Hills and Camden Haven areas. Other charge changes are a \$403 decrease in the Wauchope area and a \$1 decrease for the Port Macquarie and Village areas.

There were no changes to the Water Supply charge.

The calculated developer charges (in 2024 dollars) in the new DSP are outlined below:

	DSP Service Area	Developer Charge (\$2024 per ET)	Cross-subsidy: resulting increase in the Typical Residential Bill
Water Supply	Long Flat	6,979	\$0.80 (0.1%)
	Comboyne	6,979	
	Telegraph Point	6,979	
	Hastings	6,979	
Sewerage	Bonny Hills	15,998	\$0.90 (0.1%)
	Camden Haven	15,998	
	Thrumster	15,998	

Wauchope	8,336
Long Flat	5,330
Comboyne	5,330
Telegraph Point	5,330
Port Macquarie	5,330

CPI Indexed DSP Charges to be Implemented

In accordance with Section 9 of the DSP, developer charges are to be indexed quarterly in line with movements in the CPI for Sydney all groups. Calculations within DSP have been defined based upon March 2024 CPI indices published in May 2024 (137.7). With adoption, these rates are to be updated to reflect December 2024 CPI indices published in February 2025 (139.7). As shown in table below, this reflects a 1.45% increase from calculated rates.

Indexed Developer Charges to be implemented at time of adoption are:

	DSP Service Area	Developer Charge (per ET)	Cross-subsidy: resulting increase in the Typical Residential Bill
Water Supply	Long Flat	7,080	\$0.81 (0.1%)
	Comboyne	7,080	
	Telegraph Point	7,080	
	Hastings	7,080	
Sewerage	Bonny Hills	16,230	\$0.91 (0.1%)
	Camden Haven	16,230	
	Thrumster	16,230	
	Wauchope	8,457	
	Long Flat	5,407	
	Comboyne	5,407	
	Telegraph Point	5,407	
	Port Macquarie	5,407	

The difference between the indexed new and existing charges for each service areas, shown as a combined water and sewer development charge, is outlined in the table below:

DSP Area	Existing Combined Water & Sewerage Charge ¹	Proposed Combined Water & Sewerage Charge	Difference
Port Macquarie	\$16,943	\$12,487	-\$4,456
Thrumster	\$16,943	\$23,310	\$6,367
Wauchope	\$16,943	\$15,537	-\$1,406
Bonny Hills	\$16,943	\$23,310	\$6,367
Camden Haven	\$16,943	\$23,310	\$6,367
Long Flat	\$16,943	\$12,487	-\$4,456
Comboyne	\$16,943	\$12,487	-\$4,456
Telegraph Point	\$16,943	\$12,487	-\$4,456

Note 1: Indexed current rate as of 6 February 2025.

The final Port Macquarie-Hastings Development Servicing Plan 2024, recommended for adoption, is included at Attachment 3.

Options

Council has the following options:

1. Resolve as recommended to adopt the new Port Macquarie-Hastings Development Servicing Plan 2024, including cross-subsidies with the charges effective immediately.
2. Resolve to delay the induction of the new charges to 1 July 2025. This presents a significant financial risk of an increase in certificate of compliance requests being received prior to this date under the current DSP rates, resulting in less income being received by Council to service development. Also note detailed commentary within the Community Engagement and Internal Consultation and Financial and Economic Implications sections of this report.
3. Resolve to phase in the new charges over 1, 2 or 3 financial years. While phasing in new charges over a 3-year period where there is a significant change to charges is permitted under the NSW Government Guidelines, the Guidelines state it is not encouraged.
4. Resolve to adopt lower charges than calculated, noting the NSW Government Guidelines states that adopting lower charges should be cross subsidised by the community through higher water and sewer fees, with such cross subsidies disclosed in the DSP, Council's Annual Report and annual Operational Plan.

The NSW Government Guidelines outline it is not permissible to adopt higher charges than those calculated.



Community Engagement and Internal Consultation

The draft DSP was placed on public exhibition from 14 October to 22 November 2024. A 10-day notification period was also given for the engagement from 30 September - 11 October 2024, as per the requirements of the NSW Government Guidelines. The exhibition of the DSP was undertaken jointly with the Draft Local Infrastructure Contributions Plan.

A 1.5-hour stakeholder information session was held at Council Headquarters building on 29 October 2024, where nineteen industry stakeholders attended. Key staff and subject matter experts from Community Utilities and Community Engagement teams led the DSP discussions and responded to questions from attendees.

Based on the statistics from the Have Your Say platform there were 12 engaged, 202 Informed and 370 Aware stakeholders. There was a total of 609 page visits and 179 downloads of the exhibited documents.

A total of nine submissions were received during the exhibition period. Three community members also completed the Have Your Say survey that was open over the period. The survey responses were more aligned to Council services to the community and project specific comments rather than relating to the development, adoption and implementation of the DSP.

Of the nine submissions only five related to the DSP.

A detailed analysis of the engagement undertaken, and submissions received is included in the Public Exhibition Engagement Report at Attachment 1. A summary of the submissions relevant to the DSP and context of Council's response is included at Attachment 2.

Feedback on the DSP was generally supportive of the updated DSP, commenting on the readability, formatting and alignment to the NSW Government Guidelines. The proposed reduction of the water charges was also supported.

Concern was raised around the increases to the sewerage rates across the Local Government Area, in particular the large increase in the growth areas of Thrumster, Bonny Hills and Camden Haven. Also, concern was raised with what appears to be inequity with lower charges in some areas compared to others, this is addressed by ensuring the calculations are undertaken in accordance with the NSW Government Guidelines, which is demonstrated by successfully passing the independent audit by Department of Climate Change, Energy, the Environment and Water (DCCEEW) approved consultant Hydrosphere Consulting Pty Ltd.

Two submissions requested the increase in sewerage charges be either phased in over 3 years or the introduction be delayed until 1 July 2025. A key concern raised was the potential for the increased charges to subsequently increase the cost of housing. In response to this concern Council staff were able to refer to a recently released (August 2024) NSW Productivity and Equality Commission report '*Review of housing supply challenges and policy options for New South Wales*'.

A key point from the NSW Productivity and Equality Commission report was:

The Commission does not support waiving or reducing infrastructure contributions. When designed well, as NSW contributions are, infrastructure contributions do not reduce new housing supply. By the same token, waiving contributions does not boost housing supply. Developers generally cannot pass the cost of infrastructure contributions onto homebuyers, because homebuyers' budgets are limited by their borrowing capacity. Housing prices are generally set by prices in the established market, not by the cost of developing new housing. So, when a government signals infrastructure contributions requirements clearly and in advance, as the NSW Government has, developers adapt to them by reducing what they are willing to pay for developable land.

This means contributions are effectively paid by landowners rather than developers or homebuyers. The reverse is also true. When developers are given concessions on their contributions, they use the extra funds to bid for scarce developable land, and land prices rise. Waiving infrastructure contributions therefore results in windfall gains for landowners, not more homes or cheaper homes. This idea is well-supported by the academic literature, and we have strong empirical evidence that waiving infrastructure contributions increases land prices, not housing supply. The NSW Government waived water developer charges in 2008-09 in the hope of boosting housing supply, but the outcome was higher land prices, not higher housing supply (Box 6).

Box 6: Waiving water developer charges in 2008-09 did not improve housing supply

The NSW Government set DSPs for Sydney Water and Hunter Water to zero in 2008-09 as a stimulatory response to the global financial crisis (NSW Government, 2008). It was intended to support the construction sector during an economic downturn, but the waiver was not reversed, even after the Australian economy and property markets recovered in the ensuing years.

The NSW Productivity Commission recommended charges be restored in its 2020 Review of Infrastructure Contributions in New South Wales. A phased-in return to water developer charges commenced in 2023.

IPART recently analysed the experience of zero developer charges for metropolitan water utilities (IPART, 2024). It concluded the additional cashflow for developers had no effect on housing supply. IPART found:

- vacant land prices in areas where water and wastewater charges were removed increased by roughly the value of the charges compared to areas not subject to the policy change*
- the change had no statistically significant impact on housing prices compared to other Australian capital cities (where there was no change in charges).*

They conclude that landowners benefited from the removal of developer charges, without a significant impact on housing supply and/or prices. Additionally, they expect the cost burden of the reintroduction of developer charges will be primarily borne by owners of vacant land and will not impact housing prices.

Therefore, based on this independent analysis it is not recommended to phase in or delay the implementation of the new charges given the large increase in the sewerage charges is somewhat offset by a decrease in the water charge and any

such delay (and hence cheaper developer charges in the short term) is not expected to be passed onto homebuyers.

One of the submissions provided detailed suggestions for amendments and edits to the draft document to improve completeness without having to refer to the Guidelines, more information displayed on the maps and including policy matters within the plan and not in a separate policy document. All the suggested amendments, except including the policy matters, were able to be implemented in the final DSP. The review of the Development Contributions Assessment Policy, 2016, is still on-going. However, a new section, Section 21, has been added to the final DSP, which can be updated as a standalone section to include the required policy/procedural administrative matters following the review of the current policy.

Response letters have been sent to all parties that provided a submission.

Internal consultation has occurred between the Utilities Planning Design Group and Strategy Group.

Planning and Policy Implications

Following the adoption of the Water and Sewer Development Servicing Plan, all Water and Sewerage contributions will be based on the new charges as detailed in the adopted DSP.

The Development Contributions Assessment Policy, 2016, is still being reviewed, and as such remains the current policy for the administration of development contributions. A future report will be provided to Council once the review of this policy has been completed.

Financial and Economic Implications

The calculation of the Developer Charges outlined in the Development Servicing Plan 2024 have been carried out in accordance with the NSW *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* and also been subject to an independent audit by a DCCEEW approved consultant to ensure compliance with the guidelines. The resultant charges are therefore an accurate reflection of the cost of works to service the expected growth over the next 10 years above assets required to be delivered by development.

As expected, the combined water and sewer charges for growth areas (Thrumster, Bonny Hills and Camden Haven) have gone up compared to the existing charges, while the other areas (Port Macquarie, Wauchope, Comboyne, Long Flat and Telegraph Point) have gone down as detailed in this report.




The assessed increase in sewer reserve income over the 10-year Long Term Financial Plan because of the increased developer charges is approximately \$25 million, a 43% increase. This increased income is important for the affordability of the identified sewer works program.

Due to the large increase in the sewerage developer charge in several areas, there has been an increase in requests from developers with approved Development Application consents for a Notice of Payment to only pay their current sewerage contribution on the lower rate for their entire approved development. This forward

payment of contributions is not normal, with payment of contributions usually occurring once a sub-division stage is constructed. It is assumed they would then look to wait and pay their water contributions once the new lower rate is in effect.

Council staff have reviewed the legality of this practice as it may significantly impact the projected income that will be received. As required under the Water Management Act, to obtain a Certificate of Compliance from the Water Authority (Council), all current obligations for the payment of water and sewerage contributions must be met within the validity period of the Notice of Payment, being 90 days in accordance with the Development Contributions Assessment Policy. Should this not be achieved, and a new request is lodged to obtain a Certificate of Compliance, all contribution obligations for water and sewer will be based on the rate at the time of the new request irrespective of any part payments that may have been made under the initial Notice of Payment provided. The practical implications of this are that if the new Port Macquarie-Hastings Development Servicing Plan 2024 is adopted, all contributions must be paid within 90 days of the Notice of Payment that was provided under the current Development Servicing Plan, and if not contributions will be required to be paid in full in accordance with the updated DSP rates. This will mean developers are not able to selectively pay the cheaper rates for the water and sewer components from the respective plans.

Attachments

1.  DSP and LICP Public Exhibition Engagement Report, December 2024
2.  Summary of DSP Submissions and Responses
3.  Port Macquarie Hastings Council Development Servicing Plan, 2024 (Final)

Item: 13.10

Subject: PROPOSED CHANGES TO PROCESSES AND FEES & CHARGES
FOR ACCEPTANCE OF BRICKS AND CONCRETE

Presented by: Community Utilities, Robert Fish

Alignment with Delivery Program

4.1.7 Develop and implement effective waste management strategies.

RECOMMENDATION

That Council:

1. Place the proposed fee of \$100.00 (GST inclusive) per tonne for Bricks / Concrete on public exhibition for 28 days.
2. Note that a report will be presented to the April 2025 Ordinary Council Meeting outlining feedback receiving during the public exhibition period..
3. Note that loads containing Tiles will continue to be diverted to landfill due to the high likelihood of contamination and charged at the applicable Mixed Solid Waste fee.

Executive Summary

At the June 2024 Ordinary Council Meeting, as part of the adoption of the annual Fees and Charges, Council removed the fee for Bricks / Concrete (and Tiles) following asbestos contamination issues and volumes stored above Environment Protection Licence (EPL) allowable limits. These materials have since been charged as Mixed Solid Waste, a charge of \$275.50 / tonne GST inclusive as they have needed to be directed to landfill. Up until July 2024, Bricks / Concrete were charged at \$30 / tonne GST inclusive per the adopted 2023/24 Fees and Charges.

Operational arrangements are currently progressing in order to divert contaminated Concrete, Bricks and Tiles (CBT) to landfill, and to improve controls to screen for asbestos contamination and management of stockpiles in future.

With these operational arrangements coming into effect, in order to support and encourage cost recovery, stakeholder business interest and to align with the strategic objectives outlined in the adopted Waste and Resource Recovery Strategy 2024 - 2034, a new rate needs to be considered by Council for acceptance of Bricks / Concrete. The relevant strategic objectives from the Strategy include 'increase diversion of waste from landfill', 'support and promote circular economy principles' and 'minimise the impact of waste management on the natural and built environment'.

This report recommends a new rate of \$100 / tonne GST inclusive for Bricks / Concrete be placed on public exhibition, and notes that Tiles need to continue to be diverted to landfill due to the higher likelihood of asbestos contamination.

Discussion

Concrete, Bricks and Tiles (CBT) are received at Cairncross Waste Management Facility (WMF), located at 351 Telegraph Point Road, Pembroke. This facility receives waste from transfer stations, kerbside collections, businesses, and from the nearby Telegraph Point locality. Cairncross WMF houses contracted organic and comingle recycling material processing facilities, a general waste cell, stockpiles for organics, scrap metals and CBT and other environmental control infrastructure.

The source of the CBT material is predominantly received from development and project works within the Local Government Area (LGA), and a smaller percentage from residential households. As the fee charged for receipt of CBT is lower than surrounding LGAs, transport of the material to the Cairncross WMF is often observed.

Approximately 13,000 tonnes of CBT on average is received at the Cairncross Waste Management Facility (WMF) per annum. This quantity exceeds the annual licenced quantity of 10,000 tonnes / year received and results in a risk of exceedance of the 10,000 tonne in stockpile at any given time licence condition. CBT is subject to the \$97.90 per tonne Waste Levy imposed by the Environment Protection Authority upon receipt, and a Levy reduction occurs for all volumes processed and sent from the site for reuse purposes. Reuse is via use on the Cairncross WMF site, other Council facilities or projects and private sale.

Under normal operating conditions, the concrete is stockpiled and then processed by a contractor into 40 mm and 80 mm aggregate. The material is reused in line with circular economy principles as outlined above, creating revenue and expenditure savings from a Levy reduction and savings on the purchase of aggregate for site maintenance requirements.

Arising from the consideration of Fees and Charges for 2024-2025 at the June 2024 Ordinary Meeting of Council, Bricks / Concrete (and Tiles) was removed and therefore subject to the Mixed Solid Waste fee of \$275.50 / tonne. The material has since been diverted to landfill as a temporary measure to enable management of existing stockpiles to occur and screening practices to be reviewed. This was to also allow opportunity for an appropriate disposal fee to be determined and reported to Council.

A fee of \$100 / tonne GST inclusive is proposed. This will ensure operational costs to process and provide the service are covered. It shall also support ensuring that Council may remain within its annual EPL allowable limit by reducing out of area waste being disposed of at the Cairncross WMF. For reference other Councils on the Mid North Coast charge:

- Coffs Harbour City Council - \$175 / tonne
- Bellingen Shire Council - \$350 / tonne (charges as general waste)
- Kempsey Shire Council - \$286 / tonne mixed sorted waste, \$420 / tonne for unsorted waste
- MidCoast Council - \$100 / tonne

Contamination

In September 2023, the stockpiles of CBT were processed and tested. Sampling found asbestos fibre clusters within six of the stockpiles of processed material. In December 2023, Council engaged an Environmental Hygienist to provide options for the management of the asbestos contaminated material (ACM). The hygienist recommended that licensed local companies be invited to tender for proposed remediation works.

A tender process, including preferred contractor negotiation and WorkSafe NSW approvals, successfully engaged a contractor to undertake the remediation work. The contractor will undertake the remediation works in February 2025, with work expected to be completed over a period of two weekends.

The remediation work includes the removal of CBT stockpiles contaminated with ACM to landfill, the separation of current stockpiles and additional testing to determine reuse options.

Enhancements to processes and procedures are being developed to ensure that the business is in the best position to identify contaminated materials and subsequently either landfill this material, or to reject it in its entirety. Included within this shall be a Stockpile Management Plan to minimise the likelihood of stockpiles being co-mingled prior to processing and testing to confirm that the stockpile is not contaminated. Given the high risk of contamination, loads containing any amount of Tile materials that are received at the Cairncross WMF will be processed as Mixed Solid Waste to landfill and charged at the applicable Mixed Solid Waste rate in place at the time (currently \$275.50 / tonne GST inclusive).

Operational readiness at the end of April 2025, once the remediation works are undertaken, to recommence accepting Bricks / Concrete is proposed. This would follow the proposed adoption of the applicable fee to apply for Bricks / Concrete for the remainder of the 2024-2025 financial year.

Initial process changes shall come into effect once receipt of Bricks / Concrete to stockpile resumes. To further enhance processes and procedures, additional resourcing shall be required to manage the stockpile area on the ground and to assist with detection. Plans are being formulated for these requirements for consideration of future implementation.

Options

Council has the option to:

1. Resolve in accordance with the recommendations of this report
2. Delay consideration of the new Bricks / Concrete fee until the 2025-2026 Fees and Charges are exhibited and adopted.

Community Engagement and Internal Consultation

A Council must not determine the amount of a fee until it has given public notice of the fee for 28 days in accordance with section 610F Public Notice of Fees under the Local Government Act 1993, and has considered any submissions duly made to it during the period of public notice. This report proposes to provide public notice of the Bricks / Concrete fee per this requirement.

Internal consultation has taken place with the following stakeholders:

- Acting Director Community Utilities
- Group Manager Utilities Operations
- Waste Manager
- Executive

External consultation has been undertaken with Midwaste, Hunter Region and Northern Inland Waste groups in the development of future management procedures.

An industry briefing session was held 14 August 2024 to advise of the fee changes implemented at the time. Additional information and subsequent updates were provided on the status / proposed timeline of the matter in August and September 2024.

Planning and Policy Implications

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

Financial and Economic Implications

Adopting the proposed recommendation as presented will have a positive benefit to the community by providing a saving of \$175.50 per tonne relating to disposal of Bricks / Concrete to that currently charged, and providing a recyclable resource available to the community.

The proposed fee shall ensure the Waste Fund may cover the processing and operational costs incurred. The processed product that leaves the site as recycled material will receive a refund of the EPA Waste Levy.

As referenced above, to further enhance processes and procedures additional resourcing shall be required to manage the stockpile area on the ground and to assist with detection. Plans are being formulated for these requirements for consideration of future implementation. This is expected to include a staff member to manage the stockpile areas and inspect loads, plant item to assist with stockpile management and sorting, and a handheld asbestos analyser to support screening.

Attachments

Nil

Item: 13.11

Subject: REGIONAL WASTE (ORGANICS AND RECYCLABLES)
PROCESSING COLLABORATION - MEMORANDUM OF
UNDERSTANDING

Presented by: Community Utilities, Robert Fish

Alignment with Delivery Program

4.1.7 Develop and implement effective waste management strategies.

RECOMMENDATION

That Council note the proposed regional collaboration approach and endorse signing of the draft MoU for Regional Waste Processing (Organics and Recyclables) between Port Macquarie-Hastings Council, Kempsey Shire Council, Bellingen Shire Council and Nambucca Valley Council

Executive Summary

Port Macquarie-Hastings Council's three major waste contracts for collection, organic processing and dry recyclables processing all expire on 31 August 2026. Kempsey Shire Council, Nambucca Valley Council and Bellingen Shire Council have all demonstrated their support on collaborating with Council on joint waste processing contracts with a signed letter of intent.

A Memorandum of Understanding (MoU) has been drafted which commits these Councils to send their organics and recycling to the Cairncross Waste Management Facility (CWMF) for processing under the new waste contracts being developed. If Council endorses the proposed regional collaboration approach and MoU, and it is signed by all parties, contractually-binding supply agreements will be developed with each Council to ensure the delivery of the material.

Including the additional dry recyclables and organics tonnage for processing at CWMF from the other Councils under a central contract administered by PMHC increases the economies of scale and will likely result in a lower per tonne processing cost, ultimately benefiting the community. Grant funding is available for developing waste contracts that involve regional collaboration and a signed MoU would support such an application.

Discussion

Background

Council's three major waste contracts all expire on 31 August 2026 and there are no further extension options within each contract. These contracts are:

- Waste Collection Services (referred to as Collections Contract)
- Organics Processing Services (referred to as Organics Contract)
- Processing of Dry Recyclables (referred to as Recycling Contract)

PMHC currently accepts and processes Kempsey Shire Council (KSC) domestic organics and recyclables at the Organics Resource Recovery Facility (ORRF) and Materials Recovery Facility (MRF) respectively as KSC do not have processing facilities.

Nambucca Valley Council (NVC) and Bellingen Shire Council (BSC) have a joint waste collection contract with Coffs Harbour City Council (CHCC), which includes sending their kerbside recyclables and organics to CHCC's facilities for processing. This contract expires in March 2027. Council has been aware of previous discussions between NVC, BSC and CHCC that have indicated that CHCC are focused on local waste challenges and not looking to collaborate on a regional basis.

In May 2024, NVC met with PMHC staff to discuss collaboration opportunities for processing recyclables and organics regionally, with particular interest in sending their material to the ORRF and MRF at the Port Macquarie-Hastings Cairncross Waste Management Facility.

Arising from this and to support further discussions with the respective Councils, it was determined that an MOU would be an appropriate mechanism to investigate waste and resource recovery joint contract opportunities.

PMHC waste planning and procurement staff attended a local government waste procurement workshop in Coffs Harbour in August 2024 hosted by the NSW Environment Protection Authority (EPA). In attendance were members of KSC, NVC, BSC, CHCC, Impact Environmental Consultants (who chaired the workshop) and the NSW EPA Joint Procurement team. At this workshop, the opportunity for collaboration on waste contracts was discussed with all council members in attendance demonstrating their willingness to investigate further. It is noted that CHCC did not demonstrate as strong of a willingness to proceed compared to the other councils due to their continued focus on local waste challenges.

Following the workshop, a letter of intent (Attachment 1) was signed by the General Managers / Chief Executive Officers of PMHC, KSC, NVC and BSC on 5 September 2024 outlining each council's support of progressing a regional approach for processing organics and recycling at the Cairncross WMF. This letter was sent to the NSW EPA to highlight the intention of all councils working together and pre-empting seeking grant funding to support this approach.

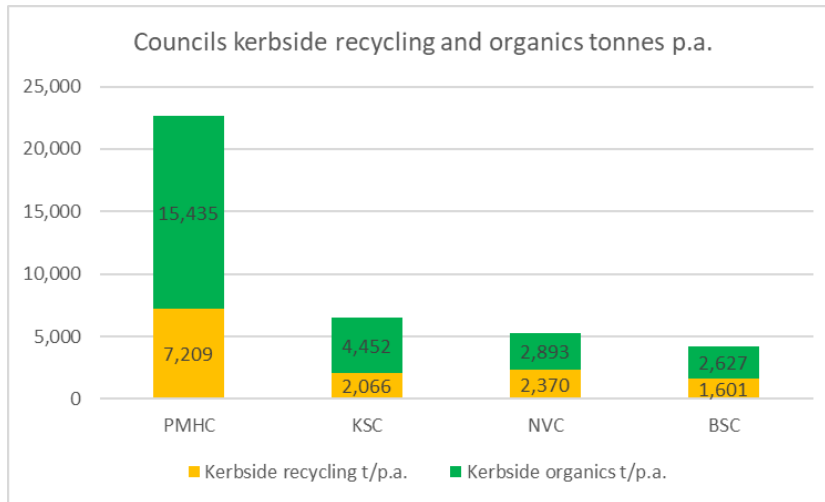
Waste quantities

The below graph shows the annual tonnage of domestic kerbside recycling and organics from each council. The ORRF processes approximately 35,000 tonnes per annum (t/p.a). and is licensed to process up to 50,000 t/p.a. The MRF processes approximately 15,000 t/p.a. and is licensed to process up to 30,000 t/p.a. While the ORRF is currently experiencing challenges with excess onsite stock, this has not been caused by an oversupply of incoming material. When operating normally, the ORRF could manage the additional quantities of kerbside organics from NVC and BCS. The existing MRF operator has confirmed that they would be able to manage the NVC and BSC material if it were sent for processing.

Indicative quantities of CHCC kerbside commingled recycling and food and garden organics are 12,000 tonnes and 15,500 tonnes per annum respectively. If PMHC

were to accept these quantities from CHCC in addition to NVC’s and BSC’s, it would exceed the licence annual limits for the MRF and ORRF. If Council were to consider accepting CHCC’s material, it would require consultation with the EPA and facility operators on varying the licence and would likely require significant capital investment to cater for processing more material.

For this reason, CHCC is not part of the regional collaboration MoU.



MoU details

The MoU (Attachment 2) has been drafted in-house with support from Council’s Legal Counsel. While it is not a contractually-binding document, it does establish a more formalised commitment from all participating councils. It was sent to KSC, BSC and NVC for their review and no significant changes were proposed.

If the MoU is endorsed, it will be sent to the other councils for execution. Once signed, PMHC would commence work on developing supply agreements with each council that will be contractually binding. These agreements are required to ensure the agreed quantities of material for processing are received at the facilities, as this will be a contractual requirement of PMHC and the respective processing contractors, whose prices will be based on the stated quantities. There would likely be a contractual penalty should the quantities continually fall below the agreed amount. The contractually binding supply agreements between PMHC and the other councils could ensure any such penalties are covered by the other councils to maintain equity between all parties. The supply agreements would also set out the required overhead payments on top of the direct contract payment each council would pay to PMHC to cover the respective share of any capital improvements to the facilities funded by PMHC and the on-going operational costs for the management of the contracts and facilities.

It is noted that the acceptance of general waste for landfilling at any council’s landfill and joint collection contracts are outside the scope of the MoU.

Funding opportunities

The NSW EPA released the Waste and Sustainable Materials Strategy 2041 - Stage 1: 2021 - 2027 in June 2021 which sets the direction of the state for the next 6 years.



This strategy identifies the need to help local governments jointly procure waste services at scale to underpin investment in new infrastructure.

The NSW EPA have established a joint procurement facilitation service to assist local councils in undertaking joint procurement for waste services. It includes market data and analytics, funding support, panel of experts and a library of training and guidance materials. Council has already been successful in receiving Stream 1 grant funding from this program in late 2024 and will seek Stream 2 funding for the development of these waste contracts. A signed MoU would support this grant application in showing the commitment for regional collaboration.

Strategic benefits of collaboration

By consolidating local council waste volumes and approaching the market with scale, PMHC may be able to attract investment in new infrastructure and services. This can help remove barriers to entry for new investors, increase competition in the waste services sector and put downward pressure on costs for councils and households. It can also promote innovation in waste service delivery by providing opportunities to trial and scale up new ideas and provide a forum to test standardisation of services where appropriate.

If PMHC were to accept recyclables and organics from NVC and BSC on top of KSC, which is already received, it may lower the processing rate per tonne that PMHC would pay for the new Recycling Contract and Organics Contract as the costs would be shared between all participating councils.

Collaborating with neighbouring councils links directly to the strategic objectives in the Council-adopted Waste and Resource Recovery Strategy 2024-2034. The strategic leading principle of this strategy is: "We will manage waste and resources responsibly and be a regional leader in building a circular economy". Two of the strategic objectives directly relate to regional collaboration as shown below:

- Be a regional leader in waste management
- Leverage the benefits of regional collaboration and cooperation with respect to best practice waste management

Existing regional collaboration

PMHC, KSC, NVC, BSC and CHCC are all members of the MidWaste Regional Waste Forum so there are long-standing relationships already established in delivering waste initiatives. Council, KSC and BSC are also members of the Mid North Coast Joint Organisation.

Options

Council has the following options:

- Resolve in line with the recommendation as proposed
- Not endorse the MoU for regional waste collaboration and focus on managing PMHC waste only
- Propose amendments to the MoU and/or seek further information.

Community Engagement and Internal Consultation

No direct community engagement has occurred in relation to this report.

The Waste and Resource Recovery Strategy 2024-2034 was adopted following community engagement in 2024.

Engagement has occurred with the other councils with discussions at a local procurement workshop in August 2024 and the drafting and subsequent signing of the letter of intent. The MoU has been shared with relevant staff of KSC, NVC and BSC for review.

Further discussion in September 2024 has also taken place between PMHC and CHCC staff in relation to regional opportunities for collaboration regarding waste. PMHC staff outlined that while open to further regional collaboration the volumes of waste from CHCC cannot be processed at the current Cairncross facilities, which are intended to be used as part of the next contracts.

Internal Consultation

Internal consultation has occurred between:

- Waste Projects Officer
- Innovation, Process and Compliance Manager
- Group Manager, Community Utilities Planning & Design
- Legal Counsel
- Director, Community Utilities

Planning and Policy Implications



Regional collaboration on waste is aligned to the objectives stated in PHMC's adopted Waste and Resource Recovery Strategy.

There are no policy implications in relation to this report.

Financial and Economic Implications

If Council were to accept recyclables and organics from NVC and BSC, it may lower the processing rate per tonne that the Council would pay for the new Recycling Contract and Organics Contract as the costs would be shared between all participating councils.

Attachments

1.  Letter of Intent - Mid North Coast Regional Waste Collaboration 2024 09 05
2.  Memorandum of Understanding (MoU) - Regional collaboration for waste collection and processing 2025 02 06

Item: 13.12

Subject: IMPACTS OF ACCEPTANCE OF KEMPSEY SHIRE COUNCIL
WASTE AT CAIRNCROSS LANDFILL AUGUST 2022 - DECEMBER
2024

Presented by: Community Utilities, Robert Fish

Alignment with Delivery Program

4.1.7 Develop and implement effective waste management strategies.

RECOMMENDATION

That Council note the report detailing the waste accepted from Kempsey Shire Council at the Cairncross Landfill over the period August 2022 to December 2024.

Executive Summary

Following a request from Kempsey Shire Council (KSC) arising from landfill capacity issues KSC were experiencing, at the Ordinary Council Meeting held on 18 August 2022, Council resolved to accept KSC kerbside municipal general waste at the Cairncross Landfill until 30 June 2023. In addition Council noted a further report would be tabled at the conclusion of the period detailing the waste received.

Following subsequent requests from KSC to give consideration to extensions of the arrangement, reports were presented to the May 2023, December 2023 and August 2024 Ordinary Council meetings where Council resolved to continue the arrangement until 31 December 2024. This arrangement is now finalised.

This report details the waste accepted from Kempsey Shire Council at the Cairncross Landfill and resultant impacts.

Discussion

Background

In July 2022, Kempsey Shire Council (KSC) advised Council that they had significant landfill capacity issues and approached Council to request some of their waste be disposed of at the Cairncross Landfill. Following this request, at the Ordinary Council Meeting held on 18 August 2022, Council resolved to:

1. *Note the request to accept kerbside municipal general waste from Kempsey Shire Council at the Cairncross Landfill until 30 June 2023.*
2. *Charge Kempsey Shire Council the Option 1 Rate for the disposal of their kerbside municipal general waste at the Cairncross Landfill until 30 June 2023 as detailed within the report.*

3. *Note the intention to work collaboratively with Kempsey Shire Council to develop and implement effective waste management strategies that benefit the region.*
4. *Note a report will be tabled at the August 2023 Ordinary Council Meeting detailing the Kempsey Shire Council waste accepted at the Cairncross Landfill for 2022-2023 Financial year.*

The Option 1 rate mentioned in the resolution above was a reduced gate fee of \$219 per tonne (incl. GST) as receiving KSC's waste at the beginning had some operational benefit to Council while the initial stages of the new landfill cell at Cairncross were being landfilled.

Following subsequent requests from KSC to give consideration to extensions of the arrangement, reports were presented to the May 2023, December 2023 and August 2024 Ordinary Council Meetings where Council resolved to continue the arrangement until 31 December 2024. Between 1 July 2023 and 31 December 2024, no reduced gate fee was applied and KSC was charged Council's adopted fees and charges.

Between 23 August 2022 and 30 December 2024, KSC sent 19,991 tonnes of waste to the Cairncross Landfill. For context, Council landfilled a total of 168,746 tonnes of waste (including KSC's) in the same period. Waste coming directly from KSC made up almost 12% of this total.

Using the latest estimated compaction rate of 0.84 t/m³ from the December 2024 volumetric survey, the waste received directly from KSC has consumed 16,792m³ of landfill space. For context, the design volume of the new landfill cell is approximately 846,936m³, therefore the additional KSC waste equated to less than 2% of the design space. As of December 2024, there is estimated to be 638,586m³ of capacity remaining.

It is noted that while KSC's landfill was closed (from approximately July 2023), customers who would have normally delivered their waste to the Crescent Head Landfill delivered their waste to the Cairncross Landfill. Council was unable to separate these records in the weighbridge software so is unable to quantify exactly how much additional waste was received other than waste that came directly from KSC as detailed earlier.

Based on the information received from KSC previously, they normally landfill approximately 18,650 tonnes of waste annually, or 1,554 tonnes per month. Using this monthly figure, between July 2023 and December 2024, Council may have received up to an additional 12,917 tonnes of waste from the Kempsey Shire (not directly from KSC). Combining this with the known waste coming directly from KSC, Council may have received up to 32,908 tonnes of additional waste from the Kempsey Shire between 23 August 2022 and 30 December 2024.

The gate fees from KSC for receiving their direct waste (19,991 tonnes) between 23 August 2022 and 30 December 2024 totals \$5,145,856. Of this, Council had to pay \$1,864,190 in waste levy to the NSW Government. Any other waste received from individuals in the Kempsey Shire was charged in accordance with adopted fees and charges.

Community Engagement and Internal Consultation

There was no community engagement undertaken for development of this report.

Internal consultation to develop this report was undertaken with:

- Waste Projects Officer
- Innovation, Process and Compliance Manager
- Group Manager, Community Utilities Planning & Design
- Director, Community Utilities

Planning and Policy Implications

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

Financial and Economic Implications

The income received from KSC as outlined within the report is allocated to the Waste Reserve and will be allocated towards the operation and maintenance of the Cairncross Waste Management Facility and the design and construction costs for future landfill stages.

Attachments

Nil

Item: 13.13

Subject: MR538 AND MR600 CORRIDOR STRATEGY

Presented by: Community Infrastructure, Chris Favaloro

Alignment with Delivery Program

4.5.2 Plan for infrastructure that supports population growth.

RECOMMENDATION

That Council note that the information contained in the draft MR538 and MR600 Corridor Strategy has been used to inform the adopted Integrated Transport Plan.

Executive Summary

During the Ordinary Council Meeting on 19 May 2022, Council was presented with the draft MR538 (Main Road) and MR600 Corridor Strategy. At that meeting the following was resolved:

14.04 DRAFT MR538 AND MR600 CORRIDOR STRATEGY

That Council:

1. *Note the Draft MR538 and MR600 Corridor Strategy*
2. *Endorse the release of the Draft MR538 and MR600 Corridor Strategy and report for public exhibition.*

Staff undertook public consultation of the Corridor Strategy from the 23 May to 19 June 2022. A total of 24 submissions were made by stakeholders. The final Strategy was not taken to Council for final endorsement. The outstanding reports to Council have listed that the matter would be reported back to Council in February 2025, with the comment '*Alignment of the Corridor Strategy with the Integrated Transport Plan will be required. The Draft Corridor Strategy will be reviewed on completion of the Integrated Transport Plan*'.

In April 2023, the PMHC Regional Integrated Transport Strategy (RITS) was adopted, providing a comprehensive LGA-wide perspective that aligns transport vision and outcomes with state, regional, and local planning. In support of the RITS, the Integrated Transport Plan (ITP) was endorsed as a Supporting Strategic Plan, detailing specific, actionable steps to address transport challenges and accommodate growth within the Port Macquarie-Hastings LGA. While the RITS established the overarching vision, the ITP serves to translate this vision into a tangible 10-year plan, outlining actions to guide network planning, infrastructure improvements, and the achievement of long-term transport goals.

In developing the ITP, a comprehensive literature review, which included the draft MR538 and MR600 Corridor Strategy, was completed. As the actions outlined in the

Corridor Strategy have been incorporated into the development of the ITP, it is recommended that the strategy no longer requires separate adoption by Council as an independent document.

Discussion

The draft MR538 and MR600 Corridor Strategy was developed to guide future transport planning along the MR538 (Hastings River Drive) and MR600 (Ocean Drive) corridors and inform Council’s discussions with other government agencies about the corridor, such as Transport for NSW (TfNSW).

The strategy considers all road users (including traffic, walking, cycling and public transport) and focussed on:

- preserving the corridor
- setting out a broad design framework for future transport network upgrades
- defining priorities for future road maintenance, operation, and the safety of all road users
- considering the communities it serves, and planned growth across the region.

The strategy identified and examined strategic works within the two corridors.



Image 1 - Road Corridor Section Map

In the 2019-2020 Operational Plan year, Council recognised the need for a Regional Integrated Transport Strategy (RITS), incorporating it as a multi-year project in the Operational Plan. In April 2023, the PMHC RITS was adopted, taking an LGA-wide perspective to align transport vision and outcomes with state, regional, and local planning. The RITS aims to address current transport network challenges, accommodate forecast growth, and guide improvements in integrated land use,

transport infrastructure, services, policies, and community behaviour for the Port Macquarie Hastings LGA.

After the RITS, the ITP was endorsed as a Supporting Strategic Plan, providing direct action with specific, actionable steps to address transport challenges and growth in the Port Macquarie-Hastings LGA. While the RITS set the overarching vision, the ITP translates this into a clear 10-year plan, outlining actions to guide network planning, infrastructure improvements, and long-term transport goals.

Development of the Integrated Transport Plan (ITP) began in 2022. The concept of developing an ITP between Port Macquarie-Hastings Council and Transport for NSW (TfNSW) was resolved by Council via numerous resolutions, including at the March 2021, July 2021 and November 2021 Ordinary Council Meetings. A report was prepared for the 18 August 2022 Ordinary Council Meeting (OCM), resolution noted below, to align the various resolutions into a single plan and to routinely provide an update to Council on the development of the ITP.

14.05 DRAFT JOINT INTEGRATED TRANSPORT NETWORK PLAN UPDATE

That Council:

1. *Note the progress of the draft Joint Integrated Transport Network Plan*
2. *Note the proposed title change to Integrated Transport Plan*
3. *Request the Chief Executive Officer provide a report to Council in accordance with milestone events associated with progress on the Integrated Transport Plan.*

In developing the ITP, a comprehensive literature review was completed. The draft MR538 and MR600 Corridor Strategy was included in the list of literature that was included in the review. The initial review identified over 1000 actions of various detail, complexity, and priority that are either in existing plans or identified in the draft documents under development. The long list was refined to reduce the number of actions to ensure that actions that were to be included in the final document were of the highest impact across the LGA and provided the best value for money. This comprehensive review provided Council with an opportunity to consolidate numerous technical reports and action plans, ensuring a streamlined approach and focus on the most impactful actions for the Port Macquarie-Hastings LGA.

As the key actions outlined in the Corridor Strategy have been incorporated into the development of the ITP, it is recommended that the strategy no longer requires separate adoption by Council as an independent document. The document will continue to be used as a technical resource to inform future planning and on-ground works.

Options

Council may choose to resolve in another manner, including:

1. Request additional information
2. Request that the Corridor Strategy is adopted as an independent document outside of the Integrated Transport Plan.

Community Engagement and Internal Consultation

During the development of the draft MR538 and MR600 Corridor Strategy extensive community consultation was undertaken. Community and stakeholder input was captured through three separate opportunities in the drafting of the strategy. This included an initial phase that included key stakeholders and internal staff to define the vision, objectives and targets for the document. The document was then exhibited on the Have Your Say website two times. The first opportunity was during the development of the plan and the second during the public exhibition phase. Workshops, surveys and meetings were held to gather feedback.

The key themes emerging from the consultation included:

- Walking and cycling improvements requested
- Issues with road condition and services
- Traffic congestion
- Environmental impacts
- Public transport improvements requested
- Road safety concerns

The themes have been addressed and considered within the ITP as several actions are listed for delivery against the following key objectives:

- 1) Provision of safe and efficient access and connectivity.
- 2) Provision of co-ordinated integrated transport networks that include active public and road-based transport systems to facilitate whole of journey options.
- 3) Deliver a transport network that enables transition to net zero emission, resilient to shocks and stresses and provides sustainable transport options.
- 4) The integration of transport and land use planning that enables growth and efficient delivery of goods and services.
- 5) Provision of transport and infrastructure that promotes safe access to services and facilities for healthier living.
- 6) A transport network that supports a tourism and visitor economy.

Planning and Policy Implications

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

Financial and Economic Implications

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

Attachments

1.  Draft MR538 and MR600 Corridor Strategy

Item: 13.14

Subject: NOTICE OF MOTION - OXLEY HIGHWAY CORRIDOR

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

RECOMMENDATION

That Council:

1. Note the Integrated Transport Plan includes actions which seek to enhance public and active transport connection between the Health and Education Precinct and the Port Macquarie CBD to support behavioural change and reduce congestion.
2. Request the Chief Executive Officer to:
 - a) Before the end of February 2025, write to both the Hon. Catherine King MP – Minister Infrastructure, Transport, Regional Development and Local Government and, the Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads, and Transport for NSW at the earliest convenience to express the urgency in progressing project planning to address traffic congestion and:
 - i. Share with both Ministers the Integrated Transport Plan and the Housing Delivery Plan and highlight the fact that the upgrade of the Oxley Highway Corridor between Wrights Road and Lake Road is catalyst infrastructure needed to allow for greater number and diversity of housing supply, reduce traffic congestion and improve liveability here in the Port Macquarie-Hastings.
 - ii. Request via the correspondence with the Hon. Catherine King MP – Minister Infrastructure, Transport, Regional Development and Local Government the Minister to note that the funding previously allocated from the Australian Government for the Stage 2 Planning for the Oxley Highway Wrights Road to Lake Road was revoked as a result of the IIP Review in 2023 and ask that Council might be made aware of funding streams that will soon be available for progressing with critical regional infrastructure projects, such as this, in the upcoming Federal Government budget.
 - iii. Request via the correspondence with the Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads, and Transport for NSW that at a recent meeting with Council it was confirmed that responsibility to source the funding needed to continue with Stage 2 Planning for the Oxley Highway Wrights Road to Lake Road section of the corridor, lies with the NSW State Government and ask that Council might be made aware of funding streams that will soon be available for progressing with critical regional infrastructure projects, such as this, in the upcoming State Government budget.
 - iv. Request via the correspondence with the Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads, and Transport

for NSW that a trial commence for a frequent direct express bus service between the Health and Education Precinct and the Port Macquarie CBD to support behavioural change and reduce congestion and additionally, to consider that this trial service be free of charge to passengers.

- b) Inform Councillors of any response received to these requests.**

Comments by Councillor Edwards

Nil

Comments by Chief Executive Officer

Council and Council staff have advocated for continued commitment from the State and Federal government to the Oxley Highway corridor, specifically the intersection with Wrights Road with a heightened focus in recent years resulting from increased congestion, community concern, removal of federal funding for planning purposes and the recent integration of this route within the Integrated Transport Plan (ITP). The below points note critical correspondence and actions as relevant to the Notice of Motion.

1. Shortly following the Federal Government review of the Infrastructure Investment Program (IIP) in late 2023 which saw \$5M funding removed for planning at this location, a report was presented to council in December 2023 with Council resolving to note that funding from the Australian Government for the upgrade of the Oxley Highway at Wrights Road and Lake Road has been revoked after the review of the Infrastructure Investment Program. A meeting was held with the Hon Kristy McBain, Minister for Regional Development, Local Government and Territories in March 2024.
2. Several meetings have been held with regards to the Oxley Highway Corridor since the previous NSW State Election. Most recently, a meeting was held with the Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads with Councillors and Council staff attending on Wednesday 5th February 2025 noting continued advocacy for funding and progression of these works.
3. The Integrated Transport Plan (ITP) includes specific actions for connectivity with the Health and Education Precinct (HEP) via means of public transport, specifically action items 1.2.0 to 1.2.3. These actions detailed below are noted as being delivered in partnership with TfNSW/NSW Government
 - a. Provide services and infrastructure to provide attractive alternative travel modes along Oxley Highway (Action)
 - b. Develop and deliver end of trip facilities for Pedestrians and Cyclists at key locations including Port Macquarie CBD and Health and Education Precinct to support active transport use. Facilities may include showers, bike lockers, seats and water fountains (sub-action)
 - c. Investigate options and undertake a business case, including concept design and estimates, for a bus interchange and/or park and ride share facilities to support increased services between the Health and Education Precinct, CBD and surrounding residential areas (sub-action)

- d. Following a positively endorsing business case, deliver bus interchange and/or park and ride share facilities nearby to the Health and Education Precinct or otherwise determined location (sub-action)
4. It is noted that the success of a public transport solution has relationship to the overall journey experience, including active transport connection, parking etc. at the origin and destination.
5. Advocacy has occurred with the NSW Government and TfNSW in regard to the 16 Regional Cities Services Improvement Program. Correspondence was sent to Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads in October 2023 reinforcing this support and advocating for progression of these programs.
6. Existing bus services to the HEP are serviced by Routes 325, 328, 335 and 336 with service frequency noted on the Busways timetable for these respective route services. The frequency of these services vary between peak and off peak hours with a typical 3-4 services per hour during peak periods servicing the HEP to and from the CBD and Settlement City/Settlement Point area.

Attachments

Nil

Item: 13.15

Subject: NOTICE OF MOTION - WASTE DIVERSION PROGRAM

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

RECOMMENDATION

That Council:

1. Note the Waste and Resource Recovery Strategy targets of '*achieve a 60% landfill diversion rate by 2034*' and '*reduce self-haul domestic mixed waste (MSW) disposed to landfill by 10% by 2034*'.
2. Request the Chief Executive Officer to provide a report to the April 2025 Ordinary Council meeting outlining which of the following waste items, produced by residents of the Port Macquarie-Hastings Local Government Area, currently go to landfill and which, if any, are being diverted away from landfill via circular economy waste collection streams:
 - a. Soft Plastics
 - b. Textiles
 - c. E-waste
 - d. Other hard to recycle items that are not suitable for the yellow bin

Comments by Councillor Edwards

Council should be commended for producing a Waste and Resource Recovery Strategy during the last term of Council but now as we look to action planning, and observing what our contemporaries are achieving in the circular economy space, its pertinent to understand what waste streams Council might already be diverting from landfill.

Comments by Chief Executive Officer

The requested information may be provided to the April 2025 meeting should Council resolve per the recommendation of the Notice of Motion.

Attachments

Nil

Subject: CONFIDENTIAL SESSION

RECOMMENDATION

1. That Council move into Confidential Session to receive and consider the following items:
 - Item 14.01 Update Report - Cairncross Waste Management Facility Leachate Pre-Treatment Temporary System

This item is considered confidential under Section 10A(2)(g) of the Local Government Act 1993, as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - Item 14.02 Enterprise Resource Planning Platform Cloud Migration and Upgrade

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 2024.058 Supply and Delivery of Ready-Mix Concrete

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 Notice of Motion - Possible NRL Trial Game February 2026

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.
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.