
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:

Acting Chief Executive Officer (Robert Fish)
Director Business and Performance (Keith Hentschke)
Director Community, Planning and Environment (Melissa Watkins)
Acting Director Community Infrastructure (Blayne West)
Group Manager Governance (Michael Ferguson)
Governance Officer (Tania Ellis)

The meeting opened at 2.00pm

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 REMOTE ATTENDANCE AT MEETING

Nil

03 LOCAL GOVERNMENT PRAYER

Reverend John Forbes from the Hastings River Presbyterian Church delivered the Local Government Prayer.

04 APOLOGIES

RESOLVED: Roberts/Kirkman

That the apology received from Councillor Maltman be accepted.

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

05 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Sheppard

That the Minutes of the Ordinary Council Meeting held on 20 February 2025 be confirmed.

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

Please note that Item 5 - Confirmation of Minutes was recommitted later in the meeting to correct an omission.

06 DISCLOSURES OF INTEREST

Councillor Sheppard declared a non-pecuniary significant interest in Item 11.02 Petition - Location of SouperVan. The reason being is that Council Sheppard had a personal relationship with the organiser of the petition, Troy Eggleton and his family, dating back approximately 30 years, and have not maintained regular contact in recent years. Councillor Sheppard considers that a reasonable and informed person would consider this relationship could influence her decision making on this matter. Councillor Sheppard intends to leave the meeting, be out of sight and take no part in consideration of this item.

Councillor Sheppard declared a non-pecuniary significant interest in Item 11.03 SouperVan Mobile Food Van - Use Of Bain Park. The reason being is that Council Sheppard had a personal relationship with the applicant in this item, Troy Eggleton and his family, dating back approximately 30 years, and have not maintained regular contact in recent years. Councillor Sheppard considers that a reasonable and informed person would consider this relationship could influence her decision making on this matter. Councillor Sheppard intends to leave the meeting, be out of sight and take no part in consideration of this item.

Councillor Sheppard declared a Non-Pecuniary - Less than Significant interest in Item 13.08 Post Exhibition Report - PP2022-2.1 - Planning Proposal, Proposed Catholic High School - Lot 6 DP 594793, Lots 6 & 7 DP 594792, 1175-1191 Ocean Drive Bonny Hills. The reason being is that Councillor Sheppard resides in a property she owns nearby to the subject land, and she has family who reside in a property they own nearby to the subject land, which may be perceived to be a conflict of interest. Councillor Sheppard considers the interest less than significant because neither she or her family stand to gain or lose from the decision before Council, and she intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence her decision making in the matter.

Councillor Tubman declared a Non-Pecuniary, Less Than Significant Interest in Item 13.08 - Planning Proposal Proposed Catholic High School, the reason being that Councillor Tubman previously worked at the St Agnes parish however it is noted that this employment there ceased almost 12 months ago. Councillor Tubman 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.

Councillor Tubman declared a Non-Pecuniary - Less than Significant interest in Item 13.12 Notice Of Motion - Secondary Dwellings On Rural Properties. The reason being is that Councillor Tubman is in the process of purchasing Rural zoned land. Councillor Tubman 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.

Councillor Hornshaw declared a Non-Pecuniary - Less than Significant interest in Item 13.12 Notice Of Motion - Secondary Dwellings On Rural Properties. The reason being is that Councillor Hornshaw is the owner of, and resides on Rural zoned land. Cr Hornshaw noted that any future changes to the Local Environmental Plan provisions relating to the rural zones impact all owners of rural zoned land. Councillor Hornshaw 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.

Acting Chief Executive Officer Robert Fish declared a Non-Pecuniary - Less than Significant interest in Item 11.01 Petition - Request for Information on Port Macquarie Athletics Track. The reason being is that Mr Fish is a member of the Port Macquarie Pacers Running Club whom coordinated the petition, and is a non-committee member of the club. Mr Fish considers the interest less than significant and he intends to remain in the meeting.

07 MAYORAL MINUTES

Nil.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Nil.

09 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Tubman

That Items 10.01, 10.02, 10.04, 10.08, 10.09, 11.04, 11.05, 12.01, 13.01, 13.02, 13.03, 13.09, and 13.10 be considered as a block resolution.

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

RESOLVED: Edwards/Lipovac

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 - 6 FEBRUARY TO 5 MARCH 2025

RESOLVED: Edwards/Lipovac

That Council note that there have been no allocations from the Mayoral Discretionary Fund for the period 6 February to 5 March 2025 inclusive.

10.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Edwards/Lipovac

That Council

- 1. Note the information contained in the Reports to Future Council Meetings - Council Resolutions.**
 - 2. Note the information contained in the Reports to Future Council Meetings - Cyclic**
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10.04 LEGISLATIVE COMPLIANCE REGISTER - REPORT

RESOLVED: Edwards/Lipovac

That Council note the 2023-2024 Legislative Compliance Register - Report.

10.08 INVESTMENTS AND LOANS - FEBRUARY 2025

RESOLVED: Edwards/Lipovac

That Council note the Investment and Loans Report for February 2025

10.09 COMMUNITY UTILITIES ANNUAL COMPLIANCE AND PERFORMANCE REPORT - 2023/24

RESOLVED: Edwards/Lipovac

That Council note the information contained within this report regarding the Annual compliance and performance reporting of Council's drinking and recycled water supply, wastewater systems and waste management services for the reporting period 1 July 2023 to 30 June 2024.

11.04 POLICY REVIEW - BEACH DRIVING

RESOLVED: Edwards/Lipovac

That Council:

- 1. Note the information contained within this report relating to the review of the Policy - Beach Driving.**
 - 2. Endorse the revised draft Policy - Beach Driving for public exhibition for a period of not less than 28 days.**
 - 3. Note that Council will receive a further report at a future Ordinary Council Meeting outlining community feedback received during the public exhibition period.**
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11.05 DRAFT PLACES TO PLAY PLANS

RESOLVED: Edwards/Lipovac

That Council:

1. **Place the latest draft sub plans of the Places to Play Plan, namely the:**
 - **Watercraft Access and Fishing Areas Plan and**
 - **Community Gardens Plan****in conjunction with the following previously adopted draft sub plans:**
 - o **Skate Spaces Plan**
 - o **Outdoor Fitness Equipment Plan**
 - o **Outdoor Courts Plan**
 - o **Off-leash Areas and Designated Dog Parks Plan****on 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 of all six draft sub plans as follows:**
 - **Skate Spaces Plan**
 - **Outdoor Fitness Equipment Plan**
 - **Outdoor Courts Plan**
 - **Off-leash Areas and Designated Dog Parks Plan**
 - **Watercraft Access and Fishing Areas Plan**
 - **Community Gardens Plan**

12.01 POLICY REVIEW - DOGS IN PUBLIC OPEN SPACES

RESOLVED: Edwards/Lipovac

That Council:

1. **Note the review of the Dogs in Public Open Spaces Policy in accordance with Council's Policy Framework.**
2. **Approve the public exhibition of the revised draft Dogs in Open Public Spaces Policy for a period of not less than 28 days.**
3. **Note that a further report will be tabled at a future Ordinary Council Meeting detailing the submissions received during the public exhibition period and any changes recommended.**

13.01 POLICY REVIEW - CONTROL OF BURNING

RESOLVED: Edwards/Lipovac

That Council:

1. **Note the review of the Control of Burning Policy in accordance with Council's Policy Framework.**
2. **Approve the public exhibition of the revised draft Control of Burning Policy for a period of not less than 28 days.**
3. **Note that a further report will be tabled at the May 2025 Ordinary Council Meeting detailing the submissions received during the public exhibition period and any changes recommended.**

13.02 POLICY REVIEW - TRANSPORT AND DRAINAGE POLICY SUITE - POST PUBLIC EXHIBITION

RESOLVED: Edwards/Lipovac

That Council

1. **Adopt the following Policies:**
 - **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. **Rescind the following existing Policies**
 - **Parking Policy**
 - **Footpath and Walkways in Public Reserves Policy**

13.03 POLICY REVIEW - LIQUID TRADE WASTE POLICY - POST PUBLIC EXHIBITION

RESOLVED: Edwards/Lipovac

That Council:

1. **Note that no submissions were received during the exhibition period**
2. **Adopt the Liquid Trade Waste Policy**

**13.09 LAKE CATHIE NATURAL RESOURCES MANAGEMENT MONTHLY
UPDATE REPORT**

RESOLVED: Edwards/Lipovac

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.

**13.10 EXTENSION OF CONTRACT T-20-06 OPERATION OF PORT
MACQUARIE-HASTINGS COUNCIL VEHICULAR FERRY SERVICES**

RESOLVED: Edwards/Lipovac

That Council:

- 1. Request the Chief Executive Officer to enter into negotiations to vary Contract T-20-06 for the Operation of Port Macquarie-Hastings Council Vehicular Ferry Services, extending the contract for a further period of six (6) months until 31 December 2025, in accordance with the contract's terms and conditions.**
 - 2. Delegate authority to the Chief Executive Officer to negotiate and execute the Contract extension agreement with Ferrymen (Port Macquarie) Pty Ltd for a period of up to six (6) month period ending by 31 December 2025, in accordance with the current contract's terms and conditions.**
 - 3. Note that procurement planning is underway for an open tendering process to be advertised in mid-2025 for a new contract for the Operation of Port Macquarie-Hastings Council Vehicular Ferry Services anticipated to be awarded by September 2025.**
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SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Lipovac

That Standing Orders be suspended to allow Items 11.02, 11.03 and 13.08 not in the block to be brought forward and considered next.

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

11.02 PETITION - LOCATION OF SOUPERVAN

Councillor Sheppard declared a non-pecuniary significant interest in this item. The reason being is that Council Sheppard had a personal relationship with the organiser of the petition, Troy Eggleton and his family, dating back approximately 30 years, and have not maintained regular contact in recent years. Councillor Sheppard considers that a reasonable and informed person would consider this relationship could influence her decision making on this matter. Councillor Sheppard left the meeting, was out of sight and took no part in consideration of this item.

RESOLVED: Lipovac/Hornshaw

That Council:

- 1. Note the petition lodged by Mr. Troy Eggleton from The Adventist Development and Relief Agency (ADRA) seeking Council grant permission for the SouperVan to return to its original location in Wauchope.**
- 2. Respond to the organiser of the petition with the outcome of Council's consideration in this matter**

CARRIED: 7/0

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

AGAINST: Nil

11.03 SOUPERVAN MOBILE FOOD VAN - USE OF BAIN PARK

Councillor Sheppard declared a non-pecuniary significant interest in Item 11.03 Soupervan Mobile Food Van - Use Of Bain Park. The reason being is that Council Sheppard had a personal relationship with the applicant in this item, Troy Eggleton and his family, dating back approximately 30 years, and have not maintained regular contact in recent years. Councillor Sheppard considers that a reasonable and informed person would consider this relationship could influence her decision making on this matter. Councillor Sheppard intends to leave the meeting, be out of sight and take no part in consideration of this item.

RESOLVED: Lipovac/Roberts

That Council:

- 1. Note the application from ADRA for the operation of the SouperVan at Bain Park, High Street, Wauchope.**
- 2. Note the information provided relating to alternate locations.**
- 3. Approve the Section 68 Application for the applicant's preferred location at Bain Park for a period of twenty-four (24) months for a Mobile Food Vendor - SouperVan.**
- 4. Waive all the fees associated with the application(s) for the approved location through until the end of the 2026-2027 Financial Year.**

5. Inform the applicant of the outcome of Council's consideration of this matter.

CARRIED: 7/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts and Tubman
AGAINST: Nil

**13.08 POST EXHIBITION REPORT - PP2022-2.1 - PLANNING PROPOSAL
PROPOSED CATHOLIC HIGH SCHOOL - LOT 6 DP 594793, LOTS 6 & 7
DP 594792, 1175-1191 OCEAN DRIVE BONNY HILLS
APPLICANT - KING AND CAMPBELL PTY LTD
LANDOWNER - ST AGNES CATHOLIC PARISH, THE TRUSTEES OF
THE ROMAN CATHOLIC CHURCH DIOCESE OF LISMORE**

Councillor Sheppard declared a Non-Pecuniary - Less than Significant interest in this Item. The reason being is that the Councillor Sheppard resides in a property she owns nearby to the subject land, and she has family who reside in a property they own nearby to the subject land, which may be perceived to be a conflict of interest. Councillor Sheppard considers the interest less than significant because neither she or her family stand to gain or lose from the decision before Council, and she intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence her decision making in the matter.

Councillor Tubman declared a Non-Pecuniary, Less Than Significant Interest in this item, the reason being that Councillor Tubman previously worked at the St Agnes parish however it is noted that this employment ceased almost 12 months ago. Councillor Tubman remained in the meeting, participated and voted in the matter as this perceived conflict did not influence his decision making in the matter.

RESOLVED: Roberts/Intemann

That Council:

- 1. Note the engagement report (Attachment 4) summary of submissions received during public exhibition of the Planning Proposal PP-2022-2.1.**
- 2. Note the conditional Gateway Determination (Attachment 2) granted by the Department of Planning, Housing and Infrastructure on 5 July 2024 authorising Council as the planning proposal authority to exercise the functions of the local plan-making authority under section 3.36(2) of the Environmental Planning and Assessment Act 1979.**
- 3. As a result of the consideration of submissions and Government agency responses:**
 - a) endorse the Planning Proposal as publicly exhibited (Attachment 1) under section 3.35 of the Environmental Planning and Assessment Act 1979 in relation to Lot 6 DP 594793, Lots 6 and 7 DP 594792, 1175 and 1191 Ocean Drive Bonny Hills to rezone the subject land from RU1 Primary Production to part SP2 Infrastructure (school) and part C2 Environmental Conservation to enable an educational establishment under the Port Macquarie-Hastings LEP 2011, and**

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- b) take the necessary steps under Section 3.36 of the Environmental Planning and Assessment Act 1979 to finalise the Port Macquarie-Hastings Local Environmental Plan 2011 (Map Amendment No 8) to give effect to the Planning Proposal.
 4. Delegate authority to the Director Community, Planning and Environment to make inconsequential or minor administrative amendments to the Planning Proposal prior to forwarding it to the Department of Planning, Housing and Infrastructure for finalisation.
 5. Notify all persons who lodged a submission of Council's decision.

CARRIED: 8/0

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

AGAINST: Nil

PROCEDURAL MOTION

RESOLVED: Sheppard/Roberts

That Council recommit Item 5 Confirmation of Minutes to correct an omission in the previous resolution.

CARRIED: 8/0

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

AGAINST: Nil

14 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Lipovac

1. That the Minutes of the Ordinary Council Meeting held on 20 February 2025 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 11 March 2025 be confirmed.

CARRIED: 8/0

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

AGAINST: Nil

Item 10.02 Status of Reports From Council Resolutions, has been addressed previously within the meeting.

**10.03 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE
MEETING HELD 4 MARCH 2025**

RESOLVED: Sheppard/Roberts

That Council note the report of the Audit, Risk and Improvement Committee held 4 March 2025.

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

Item 10.04 Legislative Compliance Register - Report, has been addressed previously within the meeting.

10.05 POLICY REVIEW - DRAFT RISK MANAGEMENT POLICY

RESOLVED: Sheppard/Roberts

That Council adopt the draft Risk Management Policy.

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

10.06 DISCLOSURE OF INTEREST RETURN - DESIGNATED PERSONS

RESOLVED: Roberts/Intemann

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

- 1. Community Infrastructure - Fleet Services Manager**
- 2. Community Planning and Environment - Group Manager Environment and Regulatory Services**
- 3. Community Utilities - Water and Sewer Compliance Coordinator**
- 4. Community Utilities - Project Manager**

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

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

10.07 MONTHLY BUDGET REVIEW - FEBRUARY 2025

RESOLVED: Edwards/Roberts

That Council:

1. **Adopt the adjustments in the February 2025 Adjustments section of the Monthly Budget Review – February 2025 report and associated attachment.**
2. **Approve the \$11,354,833 budget carry forwards relating to Operational Plan Actions deferred by Council in February 2025.**
3. **Approve the deferral of additional actions in the 2024-2025 Operational Plan to future years as follows:**
 - **COA 14 Port Macquarie Community Centre-Design & Construct**
 - **CIR 03 Laurieton Depot Building Upgrade**
 - **LUP 04 Develop precinct plan**
 - **SPA 02 Greenmeadows Reserve - Playground Upgrade**
 - **SPA 35 Thrumster Sports Fields - Construction**
 - **SPA 09 Wallace Reserve, Scarborough Way - Playground Upgrade**
 - **WAS 04 Port Macquarie Bulk WTP at Cowarra Dam**
 - **WAS 31 Preconstruction Works for Kew (Area 15) Reservoir**
4. **Having regard to item 3 above, approve the associated \$20,337,000 in budget carry forwards.**
5. **Approve \$19,717,302 in additional budget carry forwards for programs detailed in Attachment 3 to this report.**
6. **Amend the 2024-2025 Operational Plan to include all budget adjustments and deferrals approved in this report.**

CARRIED: 8/0

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

AGAINST: Nil

Item 10.08 Investments and Loans - February 2025, has been addressed previously within the meeting.

Item 10.09 Community Utilities Annual Compliance and Performance Report - 2023/24, has been addressed previously within the meeting.

10.10 NOTICE OF MOTION - NATIONAL GENERAL ASSEMBLY

RESOLVED: Edwards/Tubman

That Council approves the following motions to be put to the 2025 National General Assembly:

- (a) **This National General Assembly calls on the Australian Government to:**

Support Local Governments in addressing the need for Climate Adaptation initiatives, through formula-based funding that is provided to all Councils.

- (b) This National General Assembly calls on the Australian Government to:**
Ensure that any further Federal grant funding programs for enabling infrastructure that supports housing delivery apportions at least \$500million each year for which only Local Governments are eligible.

CARRIED: 5/3

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman and Roberts

11.01 PETITION - REQUEST FOR INFORMATION ON PORT MACQUARIE ATHLETICS TRACK

Acting Chief Executive Officer Robert Fish declared a Non-Pecuniary - Less than Significant interest in Item 11.01 Petition - Request for Information on Port Macquarie Athletics Track. The reason being is that Mr Fish is a member of the Port Macquarie Running Club whom coordinated the petition, and is a non-committee member of the club. Mr Fish considers the interest less than significant and he intends to remain in the meeting.

RESOLVED: Lipovac/Roberts

That Council:

- 1. Note the petition lodged by Laura Philp on behalf of the community.**
- 2. Provide a response to the author of the petition in respect of the items raised in the petition.**

CARRIED: 8/0

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

AGAINST: Nil

Item 11.02 Petition - Location of SouperVan, has been addressed previously within the meeting.

Item 11.04 Policy Review - Beach Driving, has been addressed previously within the meeting.

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

11.06 DRAFT COMMUNITY ENGAGEMENT STRATEGY

RESOLVED: Sheppard/Intemann

That Council:

- 1. Note the draft Community Engagement Strategy and the proposed Engagement Plan to support the public exhibition of the draft Community Engagement Strategy.**
- 2. Request the Chief Executive Officer review the proposed Engagement Plan for the specific proposed public exhibition, to provide greater detail about the specific targeted engagement activities planned for groups that have been identified as underrepresented in past Council engagements.**
- 3. Request that the revised engagement plan in point 2 also include a document to be exhibited alongside the draft Community Engagement Strategy, which lists the underrepresented stake-holders and a more comprehensive range of example targeted engagement methods that are used or may be used in future engagement plans to engage each of those groups.**
- 4. Request that Councillors receive a briefing before the Engagement Plan is finalised and the draft Community Engagement Strategy is presented to Council.**
- 5. Receive a further report to the May 2025 Ordinary Meeting of Council.**

CARRIED: 5/3

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

11.07 INTEGRATED PLANNING & REPORTING (IP&R) COMMUNITY ENGAGEMENT STRATEGY - POST EXHIBITION

RESOLVED: Sheppard/Intemann

That Council:

- 1. Note the feedback received included in the attached Integrated Planning and Reporting (IP&R) Community Engagement Strategy - Engagement Report.**
- 2. Adopt the Integrated Planning and Reporting (IP&R) Community Engagement Strategy for the purpose of engaging on the 2025-29 IP&R suite of documents**
- 3. Note that after the exhibition and adoption of the Community Engagement Strategy this will be primary approach to Engagement.**
- 4. Request that the Engagement Plan for draft IP&R suite of documents, which is to be presented to the April 2025 Ordinary meeting of Council, include details of the intended targeted methods proposed to engage demographics who have been identified as being underrepresented in past Council engagements and outlines a range of engagement methods proposed to be used to reach these groups.**

CARRIED: 8/0

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

AGAINST: Nil

Item 12.01 Policy Review - Dogs In Public Open Spaces, has been addressed previously within the meeting.

12.02 NOTICE OF MOTION - INTEGRATED TRANSPORT PLAN - REPORTING

RESOLVED: Edwards/Sheppard

Request the Chief Executive Officer to update the Status of Reports from Council Resolutions for the April 2025 Ordinary Council Meeting to include a regular reporting frequency of once per year for the Port Macquarie-Hastings Integrated Transport Plan to be provided in September 2025, which includes but is not limited to, works completed and priority projects for Port Macquarie-Hastings Council and TfNSW for the next 2 years.

CARRIED: 8/0

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

AGAINST: Nil

12.03 NOTICE OF MOTION - ENVIRONMENT AND COMMUNITY INFRASTRUCTURE LEVY

This Notice of Motion was withdrawn by Councillor Edwards.

Item 13.01 Policy Review - Control of Burning, has been addressed previously within the meeting.

Item 13.02 Policy Review - Transport and Drainage Policy Suite - Post Public Exhibition, has been addressed previously within the meeting.

Item 13.03 Policy Review - Liquid Trade Waste Policy - Post Public Exhibition, has been addressed previously within the meeting.

Councillor Kirkman left the meeting, the time being 3:29pm.

Councillor Hornshaw left the meeting, the time being 3:29pm.

Councillor Kirkman returned to the meeting, the time being 3:30pm.

Councillor Hornshaw returned to the meeting, the time being 3:31pm.

13.04 LIVING AND PLACE STRATEGY, AFFORDABLE HOUSING PLAN & LOCAL HOUSING DELIVERY PLAN - UPDATE ON ACTIONS

RESOLVED: Edwards/Intemann

That Council:

- 1. Note the progress of actions identified in Council's Affordable Housing Plan and Local Housing Delivery Plan as detailed within this report.**
- 2. Note the information and associated timeframes contained within this report, in relation to the proposed continued progression of actions as detailed within Council's Affordable Housing Plan and Local Housing Delivery Plan.**
- 3. Receive an update on the implementation of the actions identified within Council's Affordable Housing Plan and Local Housing Delivery Plan in August 2025 and annually thereafter.**

CARRIED: 8/0

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

AGAINST: Nil

Councillor Tubman left the meeting, the time being 3:35pm.

Councillor Sheppard left the meeting, the time being 3:35pm.

Councillor Sheppard returned to the meeting, the time being 3:36pm.

Councillor Tubman returned to the meeting, the time being 3:36pm.

13.05 LETTER OF OFFER - PLANNING AGREEMENT - BATAR CREEK ROAD UPGRADE APPLICANT - LAND DYNAMICS AUSTRALIA LANDOWNER - ALLAM MHE #2 PTY LTD

RESOLVED: Intemann/Roberts

That Council:

- 1. Note the letter of offer provided by Land Dynamics Australia on behalf of Allam MHE #2 Pty Ltd.**
- 2. Authorise the Director Community, Planning and Environment to prepare and negotiate and draft a Planning Agreement based on the terms outlined in the report in accordance with s7.4 of the Environmental Planning and Assessment Act 1979 and Council's Planning Agreements Policy.**
- 3. Undertake public exhibition of the draft Planning Agreement for a period of not less than 28 days in accordance with clause 204 of the Environmental Planning and Assessment Regulation 2021.**

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- 4. Receive a further report following the public exhibition period on any submissions received.**

CARRIED: 8/0

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

AGAINST: Nil

13.06 LAND ACQUISITION - CORNER STONEY CREEK ROAD AND OXLEY HIGHWAY WAUCHOPE

RESOLVED: Intemann/Roberts

That Council:

- 1. Pay compensation in the amount of \$117,853.00 (ex GST) to the owner of 64 Stoney Creek Road Wauchope, Lot 1 DP 1235528, G Jones, for the land acquisition more particularly described in the plan of acquisition as Lot 1 DP 1314689.**
- 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 1 DP 1314689 as public road.**

CARRIED: 8/0

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

AGAINST: Nil

13.07 DA2024 - 670.1 ALTERATIONS TO DWELLING, CONVERSION OF BUILDING TO DWELLING AND 2 LOT TORRENS TITLE SUBDIVISION INCLUDING A CLAUSE 4.6 VARIATION TO CLAUSE 4.1 (LOT SIZE) OF THE PORT MACQUARIE-HASTINGS LEP 2011 AT LOTS 15 AND 16 DP 7451, NO 14 MAIN STREET, COMBOYNE

**APPLICANT: A P BLUE & J R BLUE
OWNER: C W & K L TURNER**

RESOLVED: Intemann/Roberts

That Council determines DA2024 - 670.1 for alterations to dwelling, conversion of building to dwelling and 2 lot Torrens title subdivision including Clause 4.6 variation to Clause 4.1 (Lot Size) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 15 and 16, DP 7451, No. 14 Main Street, Comboyne, by granting consent subject to the recommended conditions.

CARRIED: 8/0

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

Item 13.09 Lake Cathie Natural Resources Management Monthly Update Report, has been addressed previously within the meeting.

Item 13.10 Extension of Contract T-20-06 Operation of Port Macquarie-Hastings Council Vehicular Ferry Services, has been addressed previously within the meeting.

13.11 OUTCOMES OF GENERAL WASTE RED BIN RUBBISH COLLECTION TRIAL OVER SUMMER

RESOLVED: Roberts/Kirkman

That Council:

- 1. Note the details in the report as to the outcomes of the weekly general waste bin collection trial undertaken between 23 December 2024 and 31 January 2025 inclusive.**
- 2. On an ongoing basis provide one extra red (general waste) bin collection service over the Christmas/New Year period for those who receive a fortnightly red bin collection, in line with the current additional yellow (recycling) bin collection service that occurs over that period.**
- 3. Endorse a review of waste fees and charges to ensure that the cost of any changes made to collections is user funded.**

CARRIED: 7/1

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

13.12 NOTICE OF MOTION - SECONDARY DWELLINGS ON RURAL PROPERTIES

Councillor Tubman declared a Non-Pecuniary - Less than Significant interest in this item. The reason being is that Councillor Tubman is in the process of purchasing Rural zoned land. Councillor Tubman remained in the meeting, participated and voted in the matter as this perceived conflict did not influence his decision making in the matter.

Councillor Hornshaw declared a Non-Pecuniary - Less than Significant interest in Item 13.12 Notice Of Motion - Secondary Dwellings On Rural Properties. The reason being is that Councillor Hornshaw is the owner of, and resides on Rural zoned land. Cr Hornshaw noted that any future changes to the Local Environmental Plan provisions relating to the rural zones impact all owners of rural zoned land. Councillor Hornshaw 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.

RESOLVED: Hornshaw/Tubman

That Council request the Chief Executive Officer to include a review of the 'secondary dwellings' Local Environmental Plan provisions relating to the rural zones in conjunction with the next administrative review of the Port Macquarie Hastings Local Environmental Plan scheduled to be presented to Council in June 2025.

CARRIED: 8/0

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

AGAINST: Nil

13.13 STRATEGY REVIEW - ENVIRONMENTAL SUSTAINABILITY STRATEGY - POST PUBLIC EXHIBITION

RESOLVED: Sheppard/Edwards

That Council:

- 1. Note the Engagement Report detailing submissions on public exhibition of the draft Environmental Sustainability Strategy and the recommended changes.**
- 2. Adopt the draft Environmental Sustainability Strategy as amended subject to graphic design and updated data to align with draft Integrated Planning and Reporting documents.**
- 3. Thank all who provided feedback during public exhibition.**
- 4. Determine that if adopted, the Environmental Sustainability Strategy will repeal the Long-Term Energy Strategy.**

CARRIED: 5/3

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman and Roberts

CONFIDENTIAL SESSION

RESOLVED: Kirkman/Roberts

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

Item 14.01 2025.007 Citizen Centric Payment Experience Project

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

Item 14.02 2024.0229 Management of Developer Contributions Solution

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.:

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: Kirkman/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 2025.007 CITIZEN CENTRIC PAYMENT EXPERIENCE PROJECT

RESOLVED: Lipovac/Tubman

That Council:

1. Under the extenuating circumstances provision of section 55(3)(i) of the Local Government Act 1993, not invite tenders, as a satisfactory outcome would not be achieved for the reason of limited availability of vendors that provide a payment product that integrates with Council's core Enterprise Resource Planning system, CIVICA Authority.
2. Enter into direct negotiations with NSW Government prequalified vendor Payable Pty Ltd for a payment experience platform under the NSW Government SCM0020 ICT Prequalification Scheme for three years, at an approximate annual cost of \$93,000, with the option to undertake annual renewals for a further two years at Council's discretion.
3. Maintain the confidentiality of the consideration in respect of the 2025.007 payment platform procurement matter outlined in this report.

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

14.02 2024.0229 MANAGEMENT OF DEVELOPER CONTRIBUTIONS SOLUTION

MOVED: Roberts/Kirkman

That Council:

- 1. Under the extenuating circumstances provision of section 55(3)(i) of the Local Government Act 1993, not invite tenders, as a satisfactory outcome would not be achieved for the reason of limited availability for the implementation of an off-the-shelf SaaS solution for the management of developer contributions due to the unavailability of competitive tenders.**
- 2. Enter into negotiations with Novoplan Holdings Pty Ltd under the NSW Government ICT Services Scheme SCM0020, for the implementation and licencing of a SaaS solution for a period of five years, at an estimated cost of \$1,438,675 (including GST), with the option to renew for a further five years at Council's discretion.**
- 3. Maintain the confidentiality of the consideration in respect to 2024.229 Management of Developer Contributions solution procurement matter outlined in this report.**

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

RESOLVED: Edwards/Lipovac

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 4.16pm

.....
Adam Roberts
Mayor

UNCONFIRMED