



Minutes

21 August 2025

Ordinary Council

PRESENT

Members:

Mayor Adam Roberts
Councillor Lauren Edwards
Councillor Mark Hornshaw
Councillor Lisa Intemann
Councillor Chris Kirkman
Councillor Nik Lipovac
Councillor Danielle Maltman
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)
Director Community Utilities (Narelle D'Amico)
Group Manager Governance (Michael Ferguson)
Governance Officer (Tania Ellis)

The meeting opened at 2.01pm.

01 Acknowledgement of Country

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

02 Remote Attendance at Meeting

Resolved: Intemann/Tubman

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

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

03 Local Government Prayer

Pastor Terri Thomson from the Divergent Church delivered the Local Government Prayer.

04 Apologies

Nil

05 Confirmation of Minutes

Resolved: Roberts/Maltman

That the Minutes of the Ordinary Council Meeting held on 17 July 2025 be confirmed.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

06 Disclosures of Interest

Councillor Tubman declared a Pecuniary interest in Item 11.13 Draft Airport Master Plan - Post Public Exhibition. The reason being is that Councillor Tubman owns a property and resides in the area that is affected by aircraft noise relating to the Port Macquarie Airport. Councillor Tubman intends to leave the meeting, be out of sight and take no part in consideration of this item.

Councillor Tubman declared a Pecuniary interest in Item 13.05 Sovereign Hills Planning Agreement - Post Exhibition Report Applicant: Lewis Developments Pty LTD as Trustee for the Lewis Developments Trust Landowner: PM Land Pty Ltd. The reason being is that a member of his immediate family is employed by Lewis Land Group. Councillor Tubman intends to leave the meeting, be out of sight and take no part in consideration of this item.

Councillor Maltman declared a Non-Pecuniary - Less than Significant interest in Item 13.10 - Lake Cathie Natural Resource Management Monthly Update Report. The reason being that Councillor Maltman is a non-financial life member and former President of the community organisation Revive Lake Cathie Incorporated. Councillor Maltman intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence her decision making in the matter.

07 Mayoral Minutes

Nil.

08 Confidential Correspondence to Ordinary Council Meeting

Resolved: Sheppard/Kirkman

That Council determine that the attachments to Item Number 11.14 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Councillor Edwards experienced temporary remote access technical issues that prevented her from voting for the next item.

09 Items to be Dealt With By Exception

Resolved: Lipovac/Kirkman

That Items 10.02, 11.01, 11.02, 11.07, 11.08, 11.09, 11.10, 11.11, 11.14, 12.01, 13.11, 13.14 and 13.15 be considered as a block resolution

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

Councillor Edwards' temporary remote access technical issues were resolved at this time.

Resolved: Intemann/Hornshaw

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

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

10.02 Mayoral Discretionary Fund Allocations - 3 July to 6 August 2025

Resolved: Intemann/Hornshaw

That Council note the Mayoral Discretionary Fund allocations for the period 3 July to 6 August 2025.

11.01 Status Of Reports From Council Resolutions

Resolved: Intemann/Hornshaw

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

11.02 Draft Code of Meeting Practice - Post Public Exhibition

Resolved: Intemann/Hornshaw

That Council:

- 1. Adopt the draft Code of Meeting Practice.**
- 2. Formally thank those who made submissions and advise them of Council's decision on this matter.**

11.07 Monthly Budget Review - July 2025

Resolved: Intemann/Hornshaw

That Council:

1. **Adopt the adjustments in the July 2025 Adjustments section of the Monthly Budget Review – July 2025 report and associated attachment.**
 2. **Amend the 2025-2026 Operational Plan to include all budget adjustments approved in this report.**
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11.08 Council Loan Funding - July 2025

Resolved: Intemann/Hornshaw

That Council note the Loan Funding report for July 2025.

11.09 Investment Performance - July 2025

Resolved: Intemann/Hornshaw

That Council note the Investment Performance report for July 2025.

11.10 Policy Review - Investment Policy

Resolved: Intemann/Hornshaw

That Council:

1. **Note the outcomes of the public exhibition period for the draft Investment Policy.**
 2. **Adopt the Investment Policy.**
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11.11 Policy Review - Pensioner Concession Rebates Policy

Resolved: Intemann/Hornshaw

That Council:

1. **Note the outcomes of the public exhibition for the Draft Pensioner Concession Rebates Policy.**
 2. **Adopt the Pensioner Concession Rebates Policy.**
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11.14 Legal Fees

Resolved: Intemann/Hornshaw

That Council note the information in the Legal Fees Report.

12.01 Voluntary House Raising - Post Exhibition

Resolved: Intemann/Hornshaw

That Council:

1. Note the submissions and feedback received relating to the Voluntary House Raising Scheme during the public exhibition period.
 2. Thank people who provided feedback and submissions during the public exhibition period and advise them of Council determination.
 3. Receive a further report on the feasibility of participating in the Voluntary House Raising Scheme after undertaking further investigation through a technical assessment, financial feasibility study, and alignment with updated Flood Risk Management Plans.
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13.11 Kooloonbung Creek Flying-fox Camp Management Plan - Annual Update

Resolved: Intemann/Hornshaw

That Council:

1. Note this Report as the annual report in regard to the Kooloonbung Creek Flying-fox Camp Management Plan.
2. Note that a review of the Kooloonbung Creek Flying-fox Camp Management Plan has been completed and is presented in the attached Review and Recommendations Report by WolfPeak.
3. Note that the Review and Recommendations Report by WolfPeak recommended continuation of existing management actions (with refinement) which were included where appropriate into the endorsed Delivery Program 2025-2029 and Operational Plan 2025-2026.

13.14 Investigating a Sporting Venue Sponsorship Program

Resolved: Intemann/Hornshaw

That Council:

1. Note the information contained in the report.
 2. Receive a further report with a draft Sporting Venue Sponsorship Policy at the November 2025 Ordinary Council meeting.
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13.15 Draft Revised Recreation and Open Space Action Plan 2025-2030 and Sporting Infrastructure Priorities

Resolved: Intemann/Hornshaw

That Council:

1. Publicly exhibit the revised draft Recreation and Open Space Action Plan for a period of not less than 28 days.
 2. Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.
 3. Endorse the prioritisation of Sporting Infrastructure Projects that Council will continue to seek funding for as follows:
 - a) Port Macquarie Aquatic Centre
 - b) Regional Stadium - Master Plan and staged upgrades
 - c) Wayne Richards Park Stage 3&4
 - d) Rainbow Beach Sporting Fields - Stage 2
 - e) Thrumster Sporting Fields - Stage 2
 - f) Tuffins Lane Drainage – Environmental and development approvals
 - g) Hastings Regional Sporting Complex
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Suspension of Standing Orders

Resolved: Sheppard/Lipovac

That Standing Orders be suspended to allow items 13.03, 13.05 and 13.16 to be brought forward and considered next.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman
AGAINST: Nil

13.03 PP2024-13.1 - Planning Proposal Assessment Report - Ocean Drive Lake Cathie

Applicant - Hopkins Consultants
Landowner - Jojeni Investments

Motion:

Moved: Hornshaw/Maltman

That Council:

1. Endorse the draft Planning Proposal, to enable rezoning of part of the land from R1 General Residential to C3 Environmental Management, R3 Medium Density Residential and associated amendments to the minimum lot size, height of building and floor space ratio maps, as per the proponents proposal of an 11m wide C3 buffer zone, comprised of the existing approved 6m wide firetrail and an additional 5m wide landscape buffer on the eastern side of the existing koala fence, to be managed as an asset protection zone by way of a VMP, reflecting the recommendations of the consulting ecologist Greenloaning Biostudies Pty Ltd and appropriate restriction on title, 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, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and 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/or as a result of the issue of Gateway Determination.
4. Receive a report following the public exhibition period on any submissions received.
5. Notify the proponent of Council's decision.

Amendment

Moved: Sheppard/Edwards

That Council:

1. Endorse the draft Planning Proposal, to enable rezoning of part of the land from R1 General Residential to C3 Environmental Management, R3 Medium Density Residential (as per attachment 2) and associated amendments to the minimum lot size, height of building and floor space ratio maps (as per attachment 1), 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, Housing and Infrastructure for a Gateway Determination under Section 3.34 of

the *Environmental Planning and 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/or as a result of the issue of Gateway Determination.
4. Receive a report following the public exhibition period on any submissions received.
5. Notify the proponent of Council's decision.

LOST: 3/6

FOR: Edwards, Lipovac and Sheppard

AGAINST: Hornshaw, Intemann, Kirkman, Maltman, Roberts and Tubman

The amendment on being put was lost.

Motion

Moved: Hornshaw/Maltman

That Council:

1. Endorse the draft Planning Proposal, to enable rezoning of part of the land from R1 General Residential to C3 Environmental Management, R3 Medium Density Residential and associated amendments to the minimum lot size, height of building and floor space ratio maps, as per the proponents proposal in respect of the proposed 5m C3 zone, 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, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and 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/or as a result of the issue of Gateway Determination.
4. Receive a report following the public exhibition period on any submissions received.
5. Notify the proponent of Council's decision.

The motion on being put was carried.

Resolved: Hornshaw/Maltman

That Council:

1. **Endorse the draft Planning Proposal, to enable rezoning of part of the land from R1 General Residential to C3 Environmental Management, R3 Medium Density Residential and associated amendments to the minimum lot size, height of building and floor space ratio maps, as per the proponents proposal in respect of the proposed 5m C3 zone, 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, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and 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/or as a result of the issue of Gateway Determination.**
4. **Receive a report following the public exhibition period on any submissions received.**
5. **Notify the proponent of Council's decision.**

CARRIED: 7/2

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

13.05 Sovereign Hills Planning Agreement - Post Exhibition Report
Applicant: Lewis Developments Pty LTD as Trustee for the Lewis Developments Trust
Landowner: PM Land Pty Ltd

Councillor Hamish Tubman declared a Pecuniary, Significant interest in this item. The reason being that a member of his immediate family is employed by Lewis Land Group. Councillor Tubman took no part in the consideration or voting, left the meeting and was out of site for consideration of this matter.

Resolved: Intemann/Sheppard

That Council:

1. **Delegate to the Acting Chief Executive Officer to enter into and execute the Sovereign Hills Planning Agreement as amended (Attachment 1).**
 2. **Take all reasonable steps to repeal the following Planning Agreements which have been replaced by the Sovereign Hills Planning Agreement:**
 - a. **The Sovereign Hills Estate Voluntary Planning Agreement**
 - b. **The Area 13 Environmental Land Management Voluntary Planning Agreement**
 - c. **The Area 13 Environmental Land Management Voluntary Planning Agreement for Lot 71 in Deposited Plan 1061516**
 - d. **The Sovereign Hills Estate Highway Works Voluntary Planning Agreement**
 3. **Note the Post Exhibition Engagement Summary Report which provides details of the submissions and the number of persons who accessed the public exhibition material on Council's Have Your Say page.**
 4. **Thank all persons who lodged a submission and notify them of Council's decision.**
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CARRIED: 8/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, and Sheppard
AGAINST: Nil

13.16 Petition - Dog Park in Lake Cathie

Resolved: Lipovac/Intemann

That Council:

1. **Note the petition received by Ms Kerrie Angel-Starr, requesting Council to provide a divided, fenced dog park in Lake Cathie.**
2. **Respond to the organiser of the petition with the outcome of Council's consideration in the matter.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

10.01 2025 Local Government NSW Annual Conference

Resolved: Edwards/Tubman

That Council:

1. **Approve the attendance of the following at the 2025 Local Government NSW Annual Conference to be held in Penrith from 23 to 25 November 2025:**
 - **Mayor Adam Roberts**
 - **Councillor Lauren Edwards**
 - **Councillor Nik Lipovac**
 - **Councillor Mark Hornshaw**
2. **Determine that Mayor Roberts and Councillors Edwards, Lipovac and Hornshaw be Council's voting delegates on motions and the Board elections at the Conference.**
3. **Should a Councillor withdraw their attendance a further report will be brought to the next available Ordinary Council meeting to determine if an alternative Councillor should attend.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 10.02 Mayoral Discretionary Fund Allocations - 3 July to 6 August 2025, has been addressed previously within the meeting.

Item 11.01 Status Of Reports From Council Resolutions, has been addressed previously within the meeting.

Item 11.02 Draft Code of Meeting Practice - Post Public Exhibition, has been addressed previously within the meeting.

11.03 Policy Review - Councillor and Staff Interaction Policy

Resolved: Edwards/Intemann

That Council adopt the draft Councillor and Staff Interaction Policy as attached to this report as Attachment 1, subject to inclusion of the following note in the policy: "Councillors and staff are not prevented from both being in attendance at council engagements, community meetings or other events as a result of this policy. The requirements of this policy apply in these settings, as in all others".

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman
AGAINST: Nil

11.04 Policy Review - Councillor Expenses and Facilities Policy - Post Public Exhibition

Motion

Moved: Edwards/Intemann

That Council:

1. Adopt the draft Councillor Expenses and Facilities Policy, subject to the following Changes
 - (a) Amend the professional development allocation to reflect \$12,000 per Councillor, per term available at the commencement of the term, rather than annual Councillor allocation of \$3,000 expiring annually.
 - (b) Insertion of a footnote that "The Professional Development allocation does not include group training sessions for all Councillors or attendance at the annual Local Government NSW Conference or the Australian Local Government Association National General Assembly".
2. Request advice on options to fund the shortfall in the current allocation for the 2025-2026 financial year in order to meet the requirements of point 1 (a) as part of the next quarterly budget review.
3. Formally thank those who made submissions and advise them of Council's decision on this matter.

Councillor Sheppard left the meeting, the time being 03:29pm.

Councillor Hornshaw left the meeting, the time being 03:31pm.

Councillor Sheppard returned to the meeting, the time being 03:32pm.

Amendment

Moved: Intemann/Roberts

That Council:

1. Adopt the draft Councillor Expenses and Facilities Policy.

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2. Request a report to the October 2025 Ordinary Council meeting advising on methods by which to implement the proposal contained in Councillor Edwards' moved motion.
 3. Formally thank those who made submissions and advise them of Council's decision on this matter.

LOST: 3/5

FOR: Intemann, Kirkman and Roberts

AGAINST: Edwards, Lipovac, Maltman, Sheppard and Tubman

The amendment on being put was lost.

Councillor Hornshaw returned to the meeting, the time being 03:34pm.

The motion on being put was carried.

Resolved: Edwards/Intemann

That Council:

1. **Adopt the draft Councillor Expenses and Facilities Policy, subject to the following Changes**
 - (a) **Amend the professional development allocation to reflect \$12,000 per Councillor, per term available at the commencement of the term, rather than annual Councillor allocation of \$3,000 expiring annually.**
 - (b) **Insertion of a footnote that "The Professional Development allocation does not include group training sessions for all Councillors or attendance at the annual Local Government NSW Conference or the Australian Local Government Association National General Assembly".**
2. **Request advice on options to fund the shortfall in the current allocation for the 2025-2026 financial year in order to meet the requirements of point 1(a) as part of the next quarterly budget review.**
3. **Formally thank those who made submissions and advise them of Council's decision on this matter.**

CARRIED: 6/3

FOR: Edwards, Hornshaw, Lipovac, Maltman, Sheppard and Tubman

AGAINST: Intemann, Kirkman and Roberts

Councillor Maltman left the meeting, the time being 03:39pm.

Councillor Maltman returned to the meeting, the time being 03:42pm.

11.05 2022-2026 Delivery Program Six Month Progress Report as at 30 June 2025

Resolved: Intemann/Roberts

That Council:

1. **Note the progress report against the 2022-2026 Delivery Program as at 30 June 2025**
2. **Promote the key activities in each of the community priority areas as**

listed within the report.

CARRIED: 7/2

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

AGAINST: Edwards and Hornshaw

Councillor Kirkman left the meeting, the time being 03:54pm.

Councillor Kirkman returned to the meeting, the time being 03:57pm.

11.06 2024-2025 Carry Forward Projects and Operational Plan Full Year Status Report as at 30 June 2025

Resolved: Edwards/Tubman

That Council:

- 1. Note the 2024-2025 Operational Plan Full Year Status Report as at 30 June 2025.**
- 2. Adopt the 2024-2025 carry forward projects outlined in this report for inclusion in the 2025-2026 budget.**
- 3. Amend the 2025-2026 Operational Plan to include all approved carry forward projects that do not currently have an associated action, by adding them as individual action items.**

CARRIED: 9/0

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

AGAINST: Nil

Item 11.07 Monthly Budget Review - July 2025, has been addressed previously within the meeting.

Item 11.08 Council Loan Funding - July 2025, has been addressed previously within the meeting.

Item 11.09 Investment Performance - July 2025, has been addressed previously within the meeting.

Item 11.10 Policy Review - Investment Policy, has been addressed previously within the meeting.

Item 11.11 Policy Review - Pensioner Concession Rebates Policy, has been addressed previously within the meeting.

11.12 Glasshouse Biannual Report and Update on Glasshouse Plan 2024-2025 Actions

Resolved: Hornshaw/Lipovac

That Council note the information provided in the Glasshouse Biannual Report and Update on Glasshouse Plan 2024-2025 Actions report (Attachment 1 and Attachment 2).

CARRIED: 9/0

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

AGAINST: Nil

11.13 Draft Airport Master Plan - Post Public Exhibition

Councillor Hamish Tubman declared a Pecuniary interest in this item. The reason being is that Councillor Tubman owns a property and resides in the area that is affected by aircraft noise relating to the Port Macquarie Airport. Councillor Tubman left the meeting, was out of sight and took no part in consideration of this item.

Resolved: Edwards/Intemann

That Council:

- 1. Note the information contained within the Port Macquarie Airport Community Engagement Report**
- 2. Thank submitters for their contribution to the Community Engagement Report.**
- 3. Note the amendments to the Draft Airport Master Plan resulting from Community comment received during public exhibition.**
- 4. Adopt the Draft Airport Master Plan.**

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

Item 11.14 Legal Fees, has been addressed previously within the meeting.

Item 12.01 Voluntary House Raising - Post Exhibition, has been addressed previously within the meeting.

12.02 Policy Review - Flood Policy

Resolved: Sheppard/Intemann

That Council:

- 1. Note the executive decision to delay the resolved public exhibition of the draft Flood Policy from June 2025 to enable further review of the draft Flood Policy in parallel with the current review of the Hastings River Flood Study Extension project.**
- 2. Endorse further review of the draft Flood Policy in parallel with the current review of the Hastings River Flood Study Extension project.**
- 3. Receive a revised version of the Draft Flood Policy for a consideration of commencement of public exhibition.**
- 4. Receive quarterly updates on the progress of the Hastings River Flood Study Extension, Flood Risk Management Study, and Flood Risk Management Plan, with reporting to continue until the adoption of the Flood Risk Management Study and Flood Risk Management Plan.**

CARRIED: 9/0

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

13.01 Grant Applications Biannual Report

Resolved: Maltman/Tubman

That Council note the Grant Applications Biannual Report, providing an update on grants that Council has applied for and/or obtained, for the 2024-2025 financial year.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman
AGAINST: Nil

13.02 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 Living and Place Strategy, 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 Living and Place Strategy Affordable Housing Plan and Local Housing Delivery Plan.**
- 3. Note that a further update on the implementation of the actions identified within Council's Affordable Housing Plan and Local Housing Delivery Plan is to be provided to Council in August annually.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman
AGAINST: Nil

13.03 PP2024-13.1 - Planning Proposal Assessment Report - Ocean Drive Lake Cathie Applicant - Hopkins Consultants Landowner - Jojeni Investments, has been addressed previously within the meeting.

13.04 Ocean Club Resort Planning Agreement Assessment Report
Applicant - King & Campbell Pty Ltd
Landowner - Gwynvill Trading Pty Ltd

Resolved: Intemann/Roberts

That Council:

- 1. Endorse the draft Ocean Club Resort Planning Agreement for public exhibition for a period of not less than 28 days.**
- 2. Receive a further report following the public exhibition period on any submissions received.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 13.05 Sovereign Hills Planning Agreement - Post Exhibition Report
Applicant: Lewis Developments Pty LTD as Trustee for the Lewis Developments Trust
Landowner: PM Land Pty Ltd, has been addressed previously within the meeting.

13.06 Development Activity and Assessment System Performance

Resolved: Edwards/Intemann

That Council:

- 1. Note the Development Activity and Assessment System Performance report for the fourth quarter of 2024-2025.**
- 2. Request the Chief Executive Officer include data on Development Applications and Complying Development Certificates approved for Secondary Dwellings in future Development Activity and Assessment System Performance cyclic reports.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

13.07 Community Inclusion Report Card 2024-2025

Resolved: Edwards/Intemann

That Council note the Community Inclusion Report Card 2024-2025.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Procedural Motion

Resolved: Hornshaw/Maltman

That the Ordinary Council Meeting be adjourned.

CARRIED: 7/2
FOR: Edwards, Hornshaw, Kirkman, Maltman, Roberts, Sheppard and Tubman
AGAINST: Intemann and Lipovac

The meeting adjourned at 4.35pm

The meeting recommenced at 4.43pm

13.08 Cultural Plan Report Card

Resolved: Lipovac/Sheppard

That Council note the Cultural Plan Report Card 2024-2025.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

13.09 Draft Establishment and Management of Committees Policy

Resolved: Edwards/Sheppard

That Council:

- 1. Place on public exhibition the draft Establishment and Management of Committees Policy for a period of not less than 28 days.**
- 2. Note that a further report will be tabled at the October 2025 meeting of Council, detailing the submissions received from the public during the exhibition period.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

13.10 Lake Cathie Natural Resource Management Monthly Update Report

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

Resolved: Maltman/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.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 13.11 Kooloonbung Creek Flying-fox Camp Management Plan - Annual Update, has been addressed previously within the meeting.

13.12 Friends of Camden Head Lookout (Pilot Station) update

Resolved: Lipovac/Intemann

That Council:

- 1. Note the update on current activities of the Friends of Camden Head Lookout volunteer group.**
- 2. Request the acting Chief Executive Officer to provide a briefing to Councillors to the matters raised in this report by the end of November 2025.**

CARRIED: 8/1
FOR: Edwards, Hornshaw, Intemann, Kirkman, Maltman, Roberts, Sheppard and Tubman
AGAINST: Lipovac

13.13 Policy Review - Volunteering

Resolved: Intemann/Sheppard

That Council:

- 1. Note the outcomes of the public exhibition of the draft Volunteer Policy.**
- 2. Adopt the revised Volunteer Policy.**
- 3. Thank those people who made a submission and advise them of Council's determination.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 13.14 Investigating a Sporting Venue Sponsorship Program, has been addressed previously within the meeting.

Item 13.15 Draft Revised Recreation and Open Space Action Plan 2025-2030 and Sporting Infrastructure Priorities, has been addressed previously within the meeting.

Item 13.16 Petition - Dog Park in Lake Cathie, has been addressed previously within the meeting.

Councillor Lipovac left the meeting, the time being 05:11pm.

13.17 Notice of Motion - Koala Corridors - Pacific Highway

Resolved: Edwards/Intemann

That Council write to the NSW Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, the Hon. Penny Sharpe, MLC, and the NSW Koala Strategy Team, seeking a commitment to and funding for TfNSW to undertake the following:

1. Maintenance of the two existing fauna underpasses along the Pacific Highway at Karrikee Creek and Sancrox.
2. A monitoring and reporting program to assess the effectiveness of these underpasses.
3. A strategic evaluation/study of options to improve fauna connectivity across the Pacific Highway, to inform future direction, whether that be a land bridge or a range of other options for the protection of koalas

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

Councillor Lipovac returned to the meeting, the time being 05:15pm.

13.18 Notice of Motion - Compliance and Enforcement Education

Resolved: Edwards/Intemann

That Council request the Chief Executive Officer to provide a report to the November 2025 Ordinary Meeting of Council on potential alternative community education initiatives, deterrents, or Council responses to suspected or alleged unauthorised or illegal activities in line with Council's adopted Compliance and Enforcement Policy.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Confidential Session

Resolved: Intemann/Hornshaw

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 16.01 Land Acquisition - 79 Beechwood Road Yippin Creek

This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

Item 16.02 Land Acquisition - 88 Beechwood Road Yippin Creek

This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

Item 16.03 T2025.124 Coastal Management Program Stages 3 & 4 and Coastal Vulnerability Area Planning Proposal

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.

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: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Resolved: Tubman/Kirkman

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

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

16.01 Land Acquisition - 79 Beechwood Road Yippin Creek

Resolved: Intemann/Tubman

That Council:

- 1. Proceed with the part land acquisition of 469.6 sqm of land being part of existing Lot 31 DP 1192366, known as 79 Beechwood Road Yippin Creek, more particularly described in the plan of acquisition as Lot 311 DP 1314410.**
- 2. Pay compensation to the owners of Lot 31 DP 1192366, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 as set**

out in Attachment 3.

3. Pay the landowners valuation, property and conveyancing costs.
4. Pursuant to Section 10 of the Roads Act 1993, dedicate Lot 311 DP 1314410 as public road.
5. Maintain the confidentiality of the documents and consideration in respect of the Land Acquisition - 79 Beechwood Road Yippin Creek.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman
AGAINST: Nil

16.02 Land Acquisition - 88 Beechwood Road Yippin Creek

Resolved: Tubman/Kirkman

That Council

1. Proceed with the part land acquisition of 2,513 sqm of land being part of existing Lots 103 and 104 DP 1135493, known as 88 Beechwood Road Yippin Creek, more particularly described in the plan of acquisition as Lots 1 and 2 DP 1314411.
2. Pay compensation to the owners of the Lots 103 and 104 DP 1135493, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 as set out in Attachment 3.
3. Pay the landowners valuation, property and conveyancing costs.
4. Pursuant to Section 10 of the Roads Act 1993, dedicate Lots 1 and 2 DP 1314411 as public road.
5. Maintain the confidentiality of the documents and consideration in respect of the Land Acquisition - 88 Beechwood Road Yippin Creek.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman
AGAINST: Nil

16.03 T2025.124 Coastal Management Program Stages 3 & 4 and Coastal Vulnerability Area Planning Proposal

Resolved: Lipovac/Maltman

That Council:

1. Decline to accept, in accordance with Clause 178(1) of the Local Government (General) Regulation 2021, any tenders submitted for 2025.124 Coastal Management Program Stages 3 & 4 and Coastal Vulnerability Area Planning Proposal, and enter into negotiations with

any person (whether or not the person was a tenderer) with a view to entering into contracts in relation to the subject matter of the contract.

2. Decline to invite, in accordance with Clause 178(4)(a) and (b) of the Local Government (General) Regulation 2021, fresh tenders since the evaluation panel considers that the market has not significantly changed and inviting fresh tenders will likely not achieve a satisfactory result.
3. Note that the Acting Chief Executive Officer, under existing delegation to the General Manager, may accept a tender for 2025.124 Coastal Management Program Stages 3 & 4 and Coastal Vulnerability Area Planning Proposal following successful negotiations, and present a further report to a future meeting of Council after contract awarded for Council's information.
4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender 2025.124 Coastal Management Program Stages 3 & 4 and Coastal Vulnerability Area Planning Proposal.

CARRIED: 9/0

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

AGAINST: Nil

Resolved: Maltman/Tubman

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

CARRIED: 9/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, 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 5.35pm.

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Adam Roberts
Mayor