



# Minutes

## 18 September 2025

### Ordinary Council

#### **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)  
Director Community Utilities (Narelle D'Amico)  
Group Manager Governance (Michael Ferguson)  
Legal Counsel (Anthea Gilmore)  
Governance Officer (Tania Ellis)

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**The meeting opened at 2.00pm.**

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## 01 Acknowledgement of Country

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

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## 02 Remote Attendance at Meeting

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Nil

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## 03 Local Government Prayer

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The Reverend Benjamin Shuhyta from the Port Macquarie Presbyterian Church delivered the Local Government Prayer.

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## 04 Apologies

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**Resolved: Intemann/Sheppard**

**That the apology received from Councillor Maltman be accepted.**

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

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## 05 Confirmation of Minutes

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**Resolved: Edwards/Kirkman**

**That the Minutes of the Ordinary Council Meeting held on 21 August 2025 be confirmed.**

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

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## 06 Disclosures of Interest

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Acting Chief Executive Officer Robert Fish declared a Pecuniary interest in Item 13.01 City Heart Strategy and Master Plan. The reason being is that Acting Chief Executive Officer Fish owns property within the precinct of the strategy area that this item refers and the strategy may inform future planning related controls in the area.

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Acting Chief Executive Officer Fish intends to leave the meeting, be out of sight and take no part in consideration of this item.

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## 07.01 Mayoral Minute - Funding for Tuffins Lane EIS and Associated Studies

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**Moved: Roberts**

1. That Council note that at the Ordinary Council Meeting on 21 August 2025 Council resolved as follows:

*“That Council:*

1. *Publicly exhibit the revised draft Recreation and Open Space Action Plan for a period of not less than 28 days.*
2. *Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.*
3. *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 and 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*

*which specifically endorsed prioritisation of Tuffins Lane Drainage - Environmental and development approvals as a project that Council will continue to seek funding for.*

2. Request the Chief Executive Officer provide a report by the November 2025 Ordinary Council Meeting on options to fund preparation of the Environmental Impact Statement and development approvals for the Tuffins Lane Drainage Project.

EQUAL: 4/4

FOR: Hornshaw, Kirkman, Lipovac and Roberts

AGAINST: Edwards, Intemann, Sheppard and Tubman

CASTING VOTE FOR  
CARRIED

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## 07.02 Recognition of the Late Maureen Cooke

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### Moved: Roberts

**That Council formally recognise the contribution to the local community of the late Maureen Cooke.**

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

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## 08 Confidential Correspondence to Ordinary Council Meeting

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Nil

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## 09 Items to be Dealt With By Exception

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### Resolved: Intemann/Lipovac

**That Items 10.01, 11.01, 11.02, 11.03, 11.07 11.08 and 13.09 be considered as a block resolution**

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

### Resolved: Tubman/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*

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## 10.01 Mayoral Discretionary Fund Allocations - 7 August to 3 September 2025

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### Resolved: Tubman/Edwards

**That Council note the Mayoral Discretionary Fund allocations for the period 7 August to 3 September 2025.**

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### 11.01 Status Of Reports From Council Resolutions

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**Resolved: Tubman/Edwards**

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

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### 11.02 Monthly Budget Review - August 2025

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**Resolved: Tubman/Edwards**

That Council:

1. Adopt the adjustments in the August 2025 Adjustments section of the Monthly Budget Review – August 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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### 11.03 Investment Performance - August 2025

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**Resolved: Tubman/Edwards**

That Council note the Investment Performance report for August 2025.

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### 11.07 Policy Review - Debt Recovery Policy

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**Resolved: Tubman/Edwards**

That Council:

1. Note the outcomes of the public exhibition for the Draft Debt Recovery Policy.
  2. Adopt the Debt Recovery Policy.
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### 11.08 Policy Review - Hardship Policy

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**Resolved: Tubman/Edwards**

That Council:

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1. Note the outcomes of the public exhibition for the Draft Hardship Policy.
  2. Adopt the Hardship Policy.
  3. Rescind the Payment of Late Rate Instalment Due to Death of Ratepayers Spouse Policy.
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### 13.09 Lake Cathie Natural Resource Management Monthly Update Report

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#### Resolved: Tubman/Edwards

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.

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#### Suspension of Standing Orders

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#### Resolved: Sheppard/Roberts

That Standing Orders be suspended to allow 13.01 to be brought forward and considered next.

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

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### 13.01 City Heart Strategy and Master Plan

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Acting Chief Executive Officer Robert Fish declared a Pecuniary interest in Item 13.01 City Heart Strategy and Master Plan. The reason being is that Acting Chief Executive Officer Fish owns a property and resides within the precinct that this item refers to and may inform future planning decisions in the area. Acting Chief Executive Officer Fish left the meeting, was out of sight and took no part in consideration of this item.

#### Moved: Intemann/Roberts

That Council:

1. Note the report and the Community Engagement and Consultation outcomes on the City Heart Strategy and Masterplan development.
2. Endorse the City Heart Principles as identified in this report and derived from the Community Engagement and Consultation program.
3. Receive a further report to the November 2025 Ordinary Council Meeting on the City Heart Strategy and Master Plan seeking endorsement for public exhibition.

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### **Amendment:**

#### **Moved: Sheppard/Edwards**

That Council:

1. Note the report and the Community Engagement and Consultation outcomes on the City Heart Strategy and Masterplan development.
2. Endorse the City Heart Principles as identified in this report and derived from the Community Engagement and Consultation program subject to the inclusion of an additional Principle that recognises the importance of embedding climate change resilience and natural disaster resilience into the City Heart Strategy and Master Plan.
3. Receive a further report to the November 2025 Ordinary Council Meeting on the City Heart Strategy and Master Plan seeking endorsement for public exhibition.
4. Request that the report referred to in item 3 include the proposed additional Principle for embedding climate change resilience and natural disaster resilience as identified in item 2 and details of the consideration of climate and natural disaster resilience in the development of the City Heart Strategy and Master Plan, in accordance with Council's adopted Climate Change Response Policy, relevant legislation and other relevant planning requirements.

*CARRIED: 5/3*

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

**The amendment on being put was carried.**

**The amendment became the motion.**

### **Amendment**

#### **Moved: Hornshaw/Roberts**

That Council:

1. Note the report and the Community Engagement and Consultation outcomes on the City Heart Strategy and Masterplan development.
2. Endorse the City Heart Principles as identified in this report and derived from the Community Engagement and Consultation program subject to the inclusion of an additional Principle that recognises the importance of embedding climate change resilience and natural disaster resilience into the City Heart Strategy and Master Plan.
3. Receive a further report to the November 2025 Ordinary Council Meeting on the City Heart Strategy and Master Plan seeking endorsement for public exhibition.
4. Request that the report referred to in item 3 include the proposed additional Principle for embedding climate change resilience and natural disaster resilience as identified in item 2 and details of the consideration of climate and natural disaster resilience in the development of the City Heart Strategy and

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Master Plan, in accordance with Council's adopted Climate Change Response Policy, relevant legislation and other relevant planning requirements.

LOST: 3/5

FOR: *Hornshaw, Kirkman and Roberts*

AGAINST: *Edwards, Intemann, Lipovac, Sheppard and Tubman*

**The amendment on being put was lost.**

**The motion on being put was carried.**

**Resolved: Sheppard/Edwards**

**That Council:**

- 1. Note the report and the Community Engagement and Consultation outcomes on the City Heart Strategy and Masterplan development.**
- 2. Endorse the City Heart Principles as identified in this report and derived from the Community Engagement and Consultation program subject to the inclusion of an additional Principle that recognises the importance of embedding climate change resilience and natural disaster resilience into the City Heart Strategy and Master Plan.**
- 3. Receive a further report to the November 2025 Ordinary Council Meeting on the City Heart Strategy and Master Plan seeking endorsement for public exhibition.**
- 4. Request that the report referred to in item 3 include the proposed additional Principle for embedding climate change resilience and natural disaster resilience as identified in item 2 and details of the consideration of climate and natural disaster resilience in the development of the City Heart Strategy and Master Plan, in accordance with Council's adopted Climate Change Response Policy, relevant legislation and other relevant planning requirements.**

CARRIED: 8/0

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

AGAINST: *Nil*

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**Suspension of Standing Orders**

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**Resolved: Edwards/Sheppard**

**That Standing Orders be suspended to allow 13.07 to be brought forward and considered next.**

CARRIED: 8/0

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

AGAINST: *Nil*

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### 13.07 Draft Domestic, Family and Sexual Violence Policy

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#### Resolved: Edwards/Lipovac

That Council:

1. Endorse the draft Domestic, Family and Sexual Violence Policy for the purposes of public exhibition for a period of not less than 28 days.
2. Note that a further report will be presented to Council for consideration following the conclusion of the public exhibition period.

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

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

Item 11.02 Monthly Budget Review - August 2025, has been addressed previously within the meeting.

Item 11.03 Investment Performance - August 2025, has been addressed previously within the meeting.

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### 11.04 Draft Annual Financial Statements for the year ended 30 June 2025

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#### Resolved: Sheppard/Edwards

That Council:

1. Refer the draft Financial Statements for the year ended 30 June 2025 to audit.
2. Request that the Chief Executive Officer seek further assurance regarding the completeness of Key Management Personnel (KMP) related party disclosures, as required under AASB 124 – Related Party Disclosures and the Local Government Code of Accounting Practice and Financial Reporting (2024–2025), particularly in relation to Council's internal practices for collecting Key Management Personnel (KMP) disclosures, by referring the matter to the NSW Audit Office for review and comment as part of the 2024–2025 audit of the financial statements. Any observations should be communicated to Council through the Auditor's Report or accompanying correspondence.
3. Endorse the signing of the "Statement by Councillors and Management" made pursuant to section 413(2)(c) of the Local Government Act 1993, by the Responsible Accounting Officer, Chief Executive Officer, the Mayor, and one Councillor.
4. Note that a further report will be presented to the November 2025 Ordinary Meeting of Council for consideration of the final audited

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**Financial Statements for the year ended 30 June 2025, together with the Auditor's Report.**

5. **Note that the draft financial statements includes feedback from ARIC based on 3 September 2025 version review and that the latest draft statements presented to Council have been circulated to ARIC on 16 September 2025 and additional feedback has been provided for consideration by management during the external audit phase noting matters raised were minor however, concern completion and accuracy.**

*CARRIED: 8/0*

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

*AGAINST: Nil*

Councillor Lipovac left the meeting, the time being 03:20pm.

Councillor Kirkman left the meeting, the time being 03:21pm.

Councillor Lipovac returned to the meeting, the time being 03:22pm.

Councillor Kirkman returned to the meeting, the time being 03:23pm.

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#### **11.05 2025-2026 Financial Assistance Grants**

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**Resolved: Edwards/Sheppard**

**That Council:**

1. **Note the report and attached correspondence from the NSW Local Government Grants Commission regarding the 2025-2026 Financial Assistance Grant allocation for Port Macquarie-Hastings Council.**
2. **Request, through planned upcoming briefings and workshop on the 2026-2027 budget, to be provided detailed information on:**
  - a. **Allocation of the 2025-2026 Financial Assistance Grant, General Purpose Components,**
  - b. **Allocation of the 2025-2026 Financial Assistance Grant-Local Roads Component; and**
  - c. **How the Relative Disadvantage Factors for which Council receives a higher amount of Financial Assistance Grant Funding are addressed through the 2025 -2026 Operational Plan.**

*CARRIED: 8/0*

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

*AGAINST: Nil*

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## 11.06 Council Loan Funding - August 2025

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### Resolved: Edwards/Sheppard

That Council note the Loan Funding report for August 2025 noting table on page 64 has each year misaligned.

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

Item 11.07 Policy Review - Debt Recovery Policy, has been addressed previously within the meeting.

Item 11.08 Policy Review - Hardship Policy, has been addressed previously within the meeting.

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## 11.09 Report of the Audit, Risk and Improvement Committee Meeting Held 3 September 2025

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### Resolved: Sheppard/Hornshaw

That Council note the report of the Audit, Risk and Improvement Committee held 3 September 2025.

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

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## 12.01 Integrated Transport Plan - Annual Update

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### Resolved: Edwards/Roberts

That Council:

1. Note the progress update on the 2024-2025 Integrated Transport Plan.
2. Endorse the public release of the 2024-2025 Integrated Transport Plan Progress Update.
3. Continue to monitor implementation of the Integrated Transport Plan and receive future updates on a 12-monthly basis.

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

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## 12.02 Implementation of the 2025 Authorisation and Delegation Instrument from Transport for NSW

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### Resolved: Edwards/Roberts

#### That Council:

1. Rescind the Local Traffic Committee (LTC) and formally thank all members and contributors for their service over the years.
2. Establish the Local Transport Forum (LTF) in accordance with the 2025 Authorisation and Delegation Instrument from Transport for NSW.
3. Appoint Mayor Roberts as Chairperson for the Local Transport Forum noting his previous appointment to chair the Local Traffic Committee.
4. Appoint the Deputy Mayor as alternate Chairperson to chair the Local Transport Forum in the event of the Mayor being unavailable.
5. In accordance with clause (d) of the Authorisation and Delegation Instrument (the Instrument), Sub-delegate all functions and powers under Schedule 1 of the Instrument to the General Manager (CEO), subject to the conditions and limitations set out in Schedule 4 of the Instrument.
6. Receive a report at the December 2025 Ordinary Council meeting to review the charter of the Local Transport Forum, ensuring clarity on its advisory role, membership, and attendance following consideration by the Local Transport Forum.

CARRIED: 8/0

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

AGAINST: Nil

Item 13.01 City Heart Strategy and Master Plan, has been addressed previously within the meeting.

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### Adjourn meeting

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### Resolved: Sheppard/Hornshaw

That the Ordinary Council meeting be adjourned.

CARRIED: 5/3

FOR: Edwards, Hornshaw, Lipovac, Sheppard and Tubman

AGAINST: Intemann, Kirkman and Roberts

The Ordinary Council Meeting adjourned at 3.35pm

The Ordinary Council Meeting recommenced at 3.41pm

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## 13.02 Homelessness in the Port Macquarie-Hastings Local Government Area

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### Motion

#### Moved: Edwards/Lipovac

That Council:

1. Note the data provided on homelessness and availability of social and affordable housing in the Port Macquarie-Hastings Local Government Area.
2. Note the data provided on Short-Term Rental Accommodation in the Port Macquarie-Hastings LGA.
3. Note the actions taken to date within Council's control to address homelessness and affordable housing, and continue to support coordinated, cross-sector efforts to improve housing outcomes for the community.
4. Note that it will continue to play its role in advocating to State and Federal governments for increased investment in, and policy support, for social and affordable housing in the LGA.
5. Request the Chief Executive officer to make use of the newsletter / follower within the Summer Rates Notice to:
  - a. Communicate both the land use zones in which it is permissible to build secondary dwellings and the exempting of Section 7.11 contributions for dwellings under 60sqm.
  - b. Make an appeal to those who own properties that are currently used as Short-Term rentals, to consider making those homes available for Long-Term rental to assist with the shortage of rental accommodation in the Hastings LGA.

LOST: 1/7

FOR: Edwards

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

### Motion:

#### Resolved: Roberts/Sheppard

That Council:

1. **Note the data provided on homelessness and availability of social and affordable housing in the Port Macquarie-Hastings Local Government Area.**
2. **Note the data provided on Short-Term Rental Accommodation in the Port Macquarie-Hastings Local Government Area.**
3. **Note the actions taken to date within Council's control to address homelessness and affordable housing, and continue to support coordinated, cross-sector efforts to improve housing outcomes for the community.**

4. **Note that it will continue to play its role in advocating to State and Federal governments for increased investment in, and policy support, for social and affordable housing in the Local Government Area.**

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

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### 13.03 Planning Proposal - LEP Housekeeping Amendments 2025

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#### Resolved: Hornshaw/Roberts

##### That Council:

1. **Endorse the Council-initiated Planning Proposal (Attachment 1), to enable *Local Environmental Plan Housekeeping Amendments 2025* under section 3.33 of the *Environmental Planning and Assessment Act 1979*.**
2. **Note that the two (2) amendments as resolved by Council on 19 June 2025 proposed to permit detached dual occupancies and expanded secondary dwelling controls in rural zones have been withdrawn following advice from the NSW Department of Planning, Housing and Infrastructure.**
3. **Forward the draft Council-initiated 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*.**
4. **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.**
5. **Receive a 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

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#### 13.04 Draft Community Inclusion Plan and Disability Inclusion Action Plan 2025-2029

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**Resolved: Sheppard/Roberts**

**That Council:**

1. Endorse the draft Port Macquarie-Hastings Community Inclusion Plan and Disability Inclusion Action Plan 2025-2029 for public exhibition for a period of at least 28 days.
2. Note that a further report will be presented to Council for consideration following conclusion of the public exhibition.

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

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#### 13.05 Draft Community Engagement Policy - Post Public Exhibition

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**Resolved: Edwards/Roberts**

**That Council:**

1. Note the outcomes of the public exhibition of the draft Community Engagement Policy.
2. Adopt the Community Engagement Policy
3. Thank people who made submissions and advise of the outcome of Council's consideration.

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

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#### 13.06 Draft Community Engagement Strategy - Post Public Exhibition

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**Resolved: Edwards/Intemann**

**That Council**

1. Note the outcomes of the public exhibition of the draft Community Engagement Strategy.
  2. Adopt the Community Engagement Strategy subject to the inclusion of the Annual Report as an additional communication tool to 'inform' the community in the table on Page 26 of the Strategy under the heading "Methods of communication and engagement".
  3. Formally thank those who made submissions and advise them of Council's decision on this matter.
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CARRIED: 7/1

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

Item 13.07 Draft Domestic, Family and Sexual Violence Policy, has been addressed previously within the meeting.

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### 13.08 Draft Cultural Plan 2025 - 2029

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**Resolved: Edwards/Tubman**

**That Council:**

1. **Endorse the draft Port Macquarie Hastings Council Cultural Plan 2025-2029 for public exhibition for a period of at least 28 days.**
2. **Note that a further report will be presented to Council for consideration following the conclusion of the public exhibition.**

CARRIED: 7/1

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

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

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### 13.10 ArtWalk Report and Future Strategy

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**Resolved: Edwards/Sheppard**

**That Council:**

1. **Note the details in the report providing an overview of ArtWalk 2025.**
2. **Endorse the future three-year strategy for ArtWalk from 2027-2029 subject to funding being confirmed.**
3. **Proceed to incorporate funding to support strategy delivery in the development of the draft 2026-2027 Operational Plan and Long-Term Financial Plan for future funding for Council's consideration.**

CARRIED: 8/0

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

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### 13.11 Recommended Items from the July 2025 Meeting of the Port Macquarie-Hastings Sporting Fund

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**Resolved: Lipovac/Intemann**

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

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1. Payment of \$500.00 to Stephanie Dun to compete at the Australian Schools Orienteering Championships in Queensland between the 27 September and 5 October 2025.
  2. Payment of \$500.00 to Jessica Dun to compete at the Australian Schools Orienteering Championships in Queensland between 27 September and 5 October 2025.
  3. Payment of \$750.00 to Lily Moseley to compete at the 2025 Australian Secondary Schools Rugby League Championships between the 28 June and 5 July 2025. Noting the application was received prior to the event commencement date.
  4. Payment of \$500.00 to Macey Walker to compete at the Hockey 2025 National Championships in Brisbane between the 5 and 11 October 2025.

CARRIED: 8/0

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

AGAINST: Nil

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#### 15.01 Notice of Motion - Annual Reports Special Schedule

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**Resolved: Edwards/Sheppard**

**That Council:**

1. Include in future Annual Reports a summary of service-level financial data consistent with the Net Cost of Services previously reported under Special Schedule 1 of the former Local Government Code of Accounting Practice and Financial Reporting, using data sourced from Council's Financial Data Return (FDR) to the Office of Local Government.
2. Present this information in a clear and accessible format for the community, incorporating both tabular and graphical summaries where appropriate.
3. Ensure the data is published alongside Council's audited financial statements within the Annual Report, with appropriate disclaimers noting its unaudited status and any limitations in alignment with Council's Integrated Planning and Reporting (IP&R) framework services categories.

CARRIED: 8/0

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

AGAINST: Nil

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## 15.02 Notice of Motion - Proposed Local Government NSW Annual Conference Motion - Biodiversity and Conservation SEPP 2021

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### Moved: Edwards/Sheppard

That Council submit the following motion to the 2025 Local Government NSW Annual Conference for consideration:

That Local Government NSW advocates to the NSW Government for improved biodiversity protection and calls on the NSW Government to amend the Biodiversity and Conservation SEPP 2021 to apply the Koala Tree Species Schedule contained in Chapter 4 to all land use zones across NSW to ensure consistent protection of koala habitat regardless of land use zoning.

LOST: 4/4

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

Deputy Mayor Edwards left the meeting, the time being 04:49pm.

Deputy Mayor Edwards returned to the meeting, the time being 04:51pm.

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## 15.03 Notice of Motion - Proposed Local Government NSW Annual Conference Motion - Constitutional Referendums

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### Resolved: Intemann/Lipovac

That Council submit the following motion to the 2025 Local Government NSW Annual Conference for consideration:

That Local Government NSW calls on the NSW Government to amend section 20(1) of the Local Government Act 1993 to require that the question at a council constitutional referendum is carried if it is supported by at least a 60% majority of the votes cast.

CARRIED: 5/3

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

Councillor Edwards left the meeting, the time being 4.49pm

Councillor Edwards returned to the meeting, the time being 4.51pm.

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#### **15.04 Notice of Motion - Proposed Local Government NSW Annual Conference Motion - Determine Method of Electing Mayor**

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This item was withdrawn by Councillor Lipovac

Councillor Kirkman left the meeting, the time being 05:00pm.

Councillor Kirkman returned to the meeting, the time being 05:01pm.

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#### **15.05 Notice of Motion - Proposed Local Government NSW Annual Conference Motion - Environmental Monitoring, Planning and Decision Making**

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**Resolved: Edwards/Sheppard**

That Council submit the following motion to the 2025 Local Government NSW Annual Conference for consideration:

That Local Government NSW advocates for the improved usefulness of environmental reporting and calls on the NSW Government to amend the Protection of the Environment Administration Act 1991 to require the NSW EPA to provide for State of the Environment Reporting that includes the ability to observe LGA-scale breakdown to enable more targeted and locally relevant environmental monitoring, planning and decision making.

*CARRIED: 5/3*

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

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#### **15.06 Notice of Motion - Proposed Local Government NSW Annual Conference Motion - Funding to Support Monitoring and Enforcement of Development Consent Conditions**

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**Resolved: Edwards/Intemann**

That Council submit the following motion to the 2025 Local Government NSW Annual Conference for consideration:

That Local Government NSW advocates to the NSW Government for dedicated and ongoing funding to support Councils in the monitoring and enforcement of development consent conditions, including staffing, training, and digital compliance tools. This funding should reflect the increasing complexity and volume of development activity and be administered through the Department of Planning, Housing and Infrastructure as part of a broader strategy to uphold planning integrity and community trust.

*CARRIED: 5/3*

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

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Councillor Tubman left the meeting, the time being 05:21pm.

Councillor Tubman returned to the meeting, the time being 05:22pm.

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#### **15.07 Notice of Motion - Proposed Local Government NSW Annual Conference Motion - Stormwater Management Services**

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This item was withdrawn by Councillor Edwards

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#### **15.08 Notice of Motion - Southern Breakwall Upgrade Project**

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**Resolved: Lipovac/Roberts**

**That Council:**

- 1. Through the Acting Chief Executive Officer write to Transport for NSW requesting for a written update on the progress of the Port Macquarie Southern Breakwall Upgrade Project and their plans to repair the recent damage to the Northern Breakwall.**
- 2. A copy of the request be provided to all Councillors.**
- 3. The response be tabled at the next available Ordinary Meeting of Council.**

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

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#### **Confidential Session**

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**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 16.01 Land Acquisition - 24 Beechwood Road Wauchope**

**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 - Corner Lake Road and Ocean Drive Port Macquarie**

**This item is considered confidential under Section 10A(2)(h) of the Local Government Act 1993, as it contains information concerning the nature**

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and location of a place or an item of Aboriginal significance on community land.

**Item 16.03      Approval to Negotiate Settlement - Port Macquarie-Hastings Council v Willis**

This item is considered confidential under Section 10A(2)(e) of the Local Government Act 1993, as it contains information that would, if disclosed, prejudice the maintenance of law.

**Item 16.04      2025.067.01 Cairncross Interim Leachate Management**

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.

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/Sheppard**

**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*

Councillor Sheppard left the meeting, the time being 5.29pm.

Councillor Sheppard returned to the meeting, the time being 5.31pm.

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**16.01      Land Acquisition - 24 Beechwood Road Wauchope**

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**Resolved: Moved: Intemann/Roberts**

**That Council:**

1. Proceed with the whole land acquisition, Lot 2 DP 1125021, being 24 Beechwood Road Wauchope.
2. Pay compensation to the owner of Lot 2 DP 1125021, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and other related costs as set out in the report and Attachment 3.
3. Pay the land owner's valuation, property and conveyancing costs.
4. Pursuant to Section 10 of the Roads Act 1993, dedicate Lot 2 DP 1125021 as public Council road.

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5. **Maintain the confidentiality of the documents and consideration in respect of the land acquisition of 24 Beechwood Road Wauchope.**

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

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## **16.02 Land Acquisition - Corner Lake Road and Ocean Drive Port Macquarie**

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**Resolved: Lipovac/Intemann**

**That Council:**

1. **Proceed with the part land acquisition of 1,949 sqm of land being part of existing Lot 7315 DP 1165313 being Crown land on the corner of Lake Road and Ocean Drive Port Macquarie, more particularly described as Lot 1 in the draft plan of acquisition.**
2. **Sign the Deed of Agreement with the NSW Aboriginal Land Council and the Birpai Local Aboriginal Land Council for the withdrawal of the land claim on the portion of land to be acquired.**
3. **Pay compensation to the Birpai Local Aboriginal Land Council, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 for the value of the land being acquired to the value as set out in Attachment 4.**
4. **A further report be brought to Council in relation to progressing the part land acquisition with Crown Lands, the Minister for Local Government and the Governor of NSW.**

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

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## **16.03 Approval to Negotiate Settlement - Port Macquarie-Hastings Council v Willis**

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**Resolved: Roberts/Kirkman**

**That Council:**

1. **Authorise the Chief Executive Officer to negotiate a settlement of Port Macquarie-Hastings Council v Willis as outlined within this report.**
2. **Delegate authority to the Chief Executive Officer to finalise and execute any settlement deed and associated consent orders necessary to give effect to a negotiated settlement.**
3. **Note that any settlement will be reported back to Council through the litigation update and in accordance with statutory reporting obligations.**

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4. **Maintain the confidentiality of the documents and consideration in respect of this matter.**

CARRIED: 8/0

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

AGAINST: Nil

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#### **16.04 2025.067.01 Cairncross Interim Leachate Management**

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##### **Resolved: Intemann/Edwards**

**That Council:**

1. **Note the financial cost information for the project as described in the Financial & Economic Implications section of this report.**
2. **In accordance with section 178(1) of the Local Government (General) Regulation 2021, decline to accept any tenders submitted for 2025.067.01 Cairncross Interim Leachate Management 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.**
3. **Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021, decline to invite fresh tenders for the reasons that the evaluation panel considers that the market has not significantly changed and inviting fresh tenders likely will not achieve a satisfactory result.**
4. **Note that the Chief Executive Officer, under existing delegation to the General Manager, will execute the necessary contract documents for 2025.067.01 Cairncross Interim Leachate Management following successful negotiations, and present a further report to a future meeting of Council after contract award for Council's information.**
5. **Maintain the confidentiality of the documents and consideration in respect of Request for Tender 2025.067.01 Cairncross Interim Leachate Management.**

CARRIED: 8/0

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

AGAINST: Nil

##### **Resolved: Sheppard/Intemann**

**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.

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The meeting closed at 5.42pm.

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Adam Roberts  
Mayor

UNCONFIRMED