



Minutes

16 October 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)
Legal Counsel (Anthea Gilmore)
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 on line.

02 Remote Attendance at Meeting

Nil.

03 Local Government Prayer

Reverend Nathan Killick from the Camden Haven Anglican Church delivered the Local Government Prayer.

04 Apologies

Nil.

05 Confirmation of Minutes

RESOLVED: Maltman/Edwards

1. That the Minutes of the Ordinary Council Meeting held on 18 September 2025 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 9 October 2025 be confirmed.

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

06 Disclosures of Interest

Acting Chief Executive Officer Robert Fish declared a Pecuniary interest in Item 12.01 Quarterly Floodplain Management Project Status Update. The reason being is that Acting Chief Executive Officer Fish owns property within the Flood Planning area ,and flood modelling impacts on the property may vary pending the outcome of the finalisation and adoption of the study. Acting Chief Executive Officer Fish intends to leave the meeting, be out of sight and take no part in consideration of this item.

Acting Chief Executive Officer Robert Fish declared a Pecuniary interest in Item 13.02 Port Macquarie City Heart Strategy and Masterplan. 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. Acting Chief Executive Officer Fish 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 13.14 - 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

Nil.

09 Items to be Dealt With By Exception

RESOLVED: Edwards/Intemann

That Items 10.03, 11.01, 11.07, 11.08, 13.11, 13.12, 13.17 and 14.02 be considered as a block resolution

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

RESOLVED: Maltman/Edwards

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

10.03 Mayoral Discretionary Fund Allocations - 4 September to 1 October 2025

RESOLVED: Maltman/Edwards

That Council note the Mayoral Discretionary Fund allocations for the period 4 September to 1 October 2025.

11.01 Status Of Reports From Council Resolutions

RESOLVED: Maltman/Edwards

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

11.07 Monthly Budget Review - September 2025

RESOLVED: Maltman/Edwards

That Council:

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

RESOLVED: Maltman/Edwards

That Council note the Investment Performance report for September 2025.

13.11 Grant Funding Opportunities Quarterly Report

RESOLVED: Maltman/Edwards

That Council note the Grant Funding Opportunities Quarterly Report on relevant grant opportunities for the three months from 1 July 2025 to 30 September 2025.

13.12 Major Events Grant Program 2025-2026 - Round 1

RESOLVED: Maltman/Edwards

That Council grant financial assistance from the Major Events Grant Program Round 1, 2025-2026, to the total amount of \$16,000 for the following major events:

- | | |
|--------------------------------------|---------|
| • Wauchope Show | \$5,000 |
| • LatinFest | \$5,000 |
| • Birdrock Memorial Surf Classic | \$3,000 |
| • The Hastings Valley Open Art Prize | \$3,000 |
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13.17 Recommended Items from the September 2025 Meeting of the Port Macquarie-Hastings Sporting Fund

RESOLVED: Maltman/Edwards

That Council endorse the Port Macquarie-Hastings Sporting Fund Sub-Committee recommendation for the payment of \$750.00 to Lola Styles to compete at the Australian Youth Volleyball Championships between the 21 and 26 September 2025 in Perth. Noting the application was received prior to the event commencement date.

14.02 Policy Review - Recycled Water Services

RESOLVED: Maltman/Edwards

That Council:

1. Place on public exhibition the draft Recycled Water Services Policy, commencing as soon as practicable for a minimum of 28 days.
2. Note that a further report will be tabled at the December 2025 Ordinary Council meeting, detailing the submissions received from the public during the exhibition period and any subsequent changes made to the Policy.

Suspension of Standing Orders

RESOLVED: Lipovac/Sheppard

That Standing Orders be suspended to allow 13.03, 13.16, 14.01, 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 Post Exhibition Report - Thrumster Business Park PP-2023-2079 / 32.2023.0006.01 Applicant - Love Project Management Proponent - Thrumster Business Park Pty Ltd

RESOLVED: Intemann/Edwards

That Council:

1. Note the Engagement Report.
2. Note the conditional Gateway Determination granted by the Department

of Planning, Housing and Infrastructure on 19 February 2025 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 the 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 Lots 101-135, DP 1304965, and proposed Lots 304 - 306 in subdivision of part Lot 100 DP 1304965 Achievement Avenue, Vision Street and Legacy Street, Thrumster NSW 2444.
 - 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 (Amendment No. 63) to give effect to the Planning Proposal.
4. Note that to avoid over demand on the existing Wastewater Treatment Plant capacities and in accordance with clause 7.13 of the Port Macquarie Hastings Local Environmental Plan, this Planning Proposal relies on a utilities servicing plan that limits the development potential on the land based on sewer loading and capacity to allow for a staged development that ensures the project will not be fully realised until additional sewer capacity becomes available with commissioning of the new Thrumster Wastewater Scheme.
5. 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 should the Proposal proceed for finalisation.
6. Thank and notify all persons who lodged a submission of Council's decision.

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

13.16 Friends of Camden Head Lookout (Pilot Station) update

RESOLVED: Maltman/Sheppard

That Council note the update on current activities of the Friends of Camden Head Lookout volunteer group.

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

14.01 Lakewood (Area 15) Trunk Sewer Main Construction - Developer Works Deed DA2023/73

RESOLVED: Sheppard/Edwards

That Council:

1. Note the sewer works to be undertaken by Jojeni Investments Pty Ltd under and associated with Development Consent DA2023/73 includes trunk sewer works to serve future development in the Lakewood Area 15 Urban Release Area and as such constitutes works-in-kind.
2. Under the extenuating circumstances provision of 55(3)(i) of the Local Government Act 1993, resolve not to call tenders for the construction of the sewer trunk gravity mains within Lot: 12 Plan No: DP1091444 and Lot: 10 Plan No: DP1250178 as it considers that a satisfactory result would not be achieved by inviting tenders due to extenuating circumstances for the reason of the works being associated with and linked to the development consent as outlined in this report.
3. Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a Developer Deed Agreement contract with Jojeni Investments Pty Ltd.
4. Note that the cost of works provided have been identified in the Development Servicing Plan and therefore are part of the calculation for developer contribution charges, which will facilitate Council recouping the costs from future development when it occurs.

CARRIED: 9/0

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

AGAINST: Nil

10.01 Creation of the Office of Deputy Mayor

RESOLVED: Tubman/Sheppard

That Council:

1. Create the Office of Deputy Mayor.
2. Set the term of the Office of Deputy Mayor to be 12 months.
3. Elect the Deputy Mayor by way of open voting, if more than one nomination for Deputy Mayor is received.

CARRIED: 9/0

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

AGAINST: Nil

The Acting Chief Executive Officer, acting as Returning Officer, called for nominations for the Office of Deputy Mayor.

The Returning Officer, advised that a nomination for the Office of Deputy Mayor had been received for Councillor Lipovac, nominated by two Councillors and accepted by Councillor Lipovac.

As there was only one nomination, the Returning Officer declared Councillor Lipovac elected to the Office of Deputy Mayor for the period of 12 months as resolved by Council.

The Acting Chief Executive Officer congratulated Councillor Lipovac on the election to the Office of Deputy Mayor.

10.02 Mid North Coast Joint Organisation Annual Request for Funding

RESOLVED: Edwards/Roberts

That Council:

- 1. Authorise payment of the \$25,000 annual membership contribution to the Mid North Coast Joint Organisation for the 2025-2026 financial year, consistent with the resolution adopted at the October 2021 Ordinary Council Meeting.**
- 2. Note that Council is a statutory member of the Mid North Coast Joint Organisation and cease the requirement to report annually on membership and membership contributions.**
- 3. Request the Chief Executive Officer to invite for the Mid North Coast Joint Organisation to give a presentation to Port Macquarie-Hastings Council - Councillors, and a collective Mid North Coast Joint Organisation Councillors, on the current and ongoing Mid North Coast Joint Organisation projects.**

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

Item 10.03 Mayoral Discretionary Fund Allocations - 4 September to 1 October 2025, has been addressed previously within the meeting.

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

11.02 Disclosure Register - Annual Returns 2024-2025

RESOLVED: Sheppard/Maltman

That Council:

1. Note the information in the Disclosure Register for 2024-2025.
2. Note that the Acting Chief Executive Officer determines Designated Persons of the organisation under delegation.
3. Note that a further report(s) will be presented to an Ordinary Council Meeting tabling the outstanding Annual Disclosure Returns as detailed in this report.

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

11.03 Disclosure of Interest Return - Designated Persons

RESOLVED: Sheppard/Intemann

That Council note the Disclosure of Interest Return for the following position:

- Environmental Health Officer - Community Planning and Environment

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

11.04 Councillor Attendance at Meetings November 2024 - September 2025

MOTION

MOVED: Edwards/Roberts

That Council:

1. Note the information provided within this report.
2. That the Chief Executive Officer be requested to include a summary of annual Councillor attendance at Ordinary and Extraordinary Council Meetings and Public Forums within the Port Macquarie-Hastings Council Integrated Planning and Reporting Annual Report, as a standard and ongoing inclusion, commencing from the 2024-2025 reporting period.

AMENDMENT

MOVED: Sheppard/Maltman

That Council:

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1. Note the information provided within this report.
 2. That the Chief Executive Officer be requested to include a summary of annual Councillor attendance at Ordinary and Extraordinary Council Meetings and Public Forums within the Port Macquarie-Hastings Council Integrated Planning and Reporting Annual Report, as a standard and ongoing inclusion, commencing from the 2024-2025 reporting period.
 3. Cease receiving council attendance meeting report annually, noting it will now be included in the annual report.

LOST: 1/8

FOR: Sheppard

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

THE AMENDMENT ON BEING PUT WAS LOST

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Edwards/Roberts

That Council:

1. Note the information provided within this report.
2. That the Acting Chief Executive Officer be requested to include a summary of annual Councillor attendance at Ordinary and Extraordinary Council Meetings and Public Forums within the Port Macquarie-Hastings Council Integrated Planning and Reporting Annual Report, as a standard and ongoing inclusion, commencing from the 2024-2025 reporting period.

CARRIED: 9/0

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

AGAINST: Nil

11.05 Draft Code of Meeting Practice and Draft Public Forum Rules

RESOLVED: Sheppard/Lipovac

That Council:

1. Note that pursuant to section 361(3) of the Local Government Act 1993, the draft Code of Meeting Practice place must be placed on public exhibition for a period of not less than of 28 days.
2. Note that pursuant to section 361(4) of the Local Government Act 1993, Council must accept submissions on the draft Code of Meeting Practice, for a period of not less than 42 days.
3. Place the draft Code of Meeting Practice, as attached as Attachment 1, on public exhibition for a period of 42 days.
4. Place the draft Public Forum Rules, as attached as Attachment 2, on public exhibition for a period of 28 days.
5. Note that a further report will be presented at the December 2025 Ordinary Council meeting, detailing the submissions received during the

exhibition period for both the draft Code of Meeting Practice and draft Public Forum Rules.

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

11.06 Council Loan Funding - September 2025

RESOLVED: Sheppard/Edwards

That Council:

1. Note the loan funding report for September 2025.
2. Request that the updated draft Long-Term Financial Plan be reported to the December 2025 meeting of the ARIC, including commentary on emerging budget risks and key developments in the Long-Term Financial Planning.
3. Request that ARIC provide its views to Council arising from the draft long term financial plan, particularly in relation to implications for debt servicing, impact on maintenance/renewals, risk exposure and other topic the ARIC views as relevant for Council consideration.

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

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

Item 11.08 Investment Performance - September 2025, has been addressed previously within the meeting.

11.09 Draft Customer Commitments

RESOLVED: Edwards/Lipovac

That Council:

1. Note the information contained in this report regarding the development of the draft Customer Commitments.
2. Adopt the draft Customer Commitments as Council's framework for its customer experience standards.
3. Endorse the priorities outlined in this report for staged implementation.

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

12.01 Quarterly Floodplain Management Project Status Update

Acting Chief Executive Officer Robert Fish declared a Pecuniary interest in item. The reason being is that Acting Chief Executive Officer Fish owns property within the Flood Planning area, and flood modelling impacts on the property may vary pending the outcome of the finalisation and adoption of the study. Acting Chief Executive Officer Fish left the meeting, was out of sight and took no part in consideration of this item.

RESOLVED: Maltman/Lipovac

That Council note the content of the report outlining the status of the Hastings River Flood Study Extension, 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 Draft Economic Development Strategy 2025-2035

RESOLVED: Sheppard/Edwards

That Council:

- 1. Endorse the Draft Economic Development Strategy 2025–2035 and associated Draft Implementation and Evaluation Framework, for the purposes of public exhibition for a minimum period of 28 days.**
- 2. Note that a further report will be presented following the conclusion of the exhibition period, incorporating community and stakeholder feedback.**

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

13.02 Port Macquarie City Heart Strategy and Masterplan

Acting Chief Executive Officer Robert Fish declared a Pecuniary interest in item. The reason being is that Acting Chief Executive Officer Fish owns a property and resides within the precinct that this item refers 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.

RESOLVED: Maltman/Edwards

That Council:

1. Note the feedback received to date in the development of the draft Port Macquarie City Heart Strategy and Master Plan as included in the Engagement Outcomes Final Report.
2. Endorse the draft Port Macquarie City Heart Strategy and Master Plan to go on public exhibition for a period of not less than 28 days.
3. Note that a further report will be presented to Council following the public exhibition period.

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

Item 13.03 Post Exhibition Report - Thrumster Business Park PP-2023-2079 / 32.2023.0006.01, has been addressed previously within the meeting.

13.04 Stage 2 Planning Proposal - Health and Education Precinct Mixed Use Development
Applicant: King + Campbell
Landowner: Alceon Group No.81 Pty Ltd

RESOLVED: Sheppard/Edwards

That Council:

1. Endorse the Planning Proposal (Attachment 1), to enable rezoning of land within the Health and Education Precinct prepared under section 3.33 of the Environmental Planning and Assessment Act 1979.
2. Note the following in respect of the Planning Proposal:
 - a. Sewer Servicing: That a justified inconsistency exists under Local Planning Direction 4.1 due to the current lack of available sewer capacity.
 - b. Biodiversity: That the site contains areas of High Environmental Value vegetation and mapped Secondary (A) Koala Habitat requiring further arboricultural and ecological investigations with any future development application.
 - c. Traffic and Access: That current traffic generation and parking supply are considered adequate at the strategic planning stage and that further traffic modelling refinements will be required to be undertaken by Council and Transport for NSW.
3. Forward the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979.
4. Note the Letter of Offer for a Planning Agreement which seeks to secure the staged delivery of the road and pedestrian/cycle spine and the dedication of public open space, and authorise staff to negotiate and draft a Planning Agreement for public exhibition.
5. Delegate authority to the Director Community, Planning and Environment to make any minor updates to the Planning Proposal prior to seeking a

Gateway Determination, and action/address conditions of Gateway determination accordingly.

- 6. Receive a 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

13.05 Stage 2 Council-initiated Planning Proposal - Land Reclassification for 52 John Oxley Drive, Port Macquarie

RESOVED: Lipovac/Maltman

That Council:

- 1. Endorse the draft Council-initiated Planning Proposal (Attachment 1), to facilitate the reclassification of land owned by Port Macquarie-Hastings Council at 52 John Oxley Drive (Lot 1 DP1012883) from 'community' to 'operational' land prepared under section 3.33 of the *Environmental Planning and Assessment Act 1979*.**
- 2. 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 & 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 draft Planning Proposal prior to seeking a Gateway determination, and action / address conditions of Gateway determination accordingly.**
- 4. Note that the draft Council-initiated Planning Proposal will be required to be publicly exhibited, and a public hearing held in accordance with sections 29 and 47G of the *Local Government Act 1993*.**
- 5. Receive a 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

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

13.06 Ocean Club Resort Planning Agreement - Post Exhibition Report
Applicant - King & Campbell Pty Ltd
Landowner - Gwynvill Trading Pty Ltd

RESOLVED: Kirkman/Edwards

That Council:

- 1. Delegate to the Chief Executive Officer to enter into and execute the Ocean Club Resort Planning Agreement as amended (Attachment 1).**
- 2. Take all reasonable steps to repeal the following Planning Agreements which have been replaced by the Ocean Club Resort Planning Agreement:**
 - a. The Ocean Club Residential Community Planning Agreement (Attachment 2)**
 - b. The Tolone Area 14 Stage 1A Planning Agreement (Attachment 3)**
- 3. Note the Exhibition Engagement Report.**
- 4. Thank all persons who lodged a submission and notify them of Council's decision.**

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

13.07 Batar Creek Road Planning Agreement - Post Exhibition Report
Applicant - Land Dynamics Australia
Landowner - Allam MHE #2 Pty Ltd

RESOLVED: Edwards/Intemann

That Council:

- 1. Authorise the Chief Executive Officer to enter into and execute the Batar Creek Road Planning Agreement as amended (Attachment 1).**
- 2. Note the Post Exhibition Engagement Summary.**
- 3. Thank all persons who lodged a submission and notify them of Council's decision.**

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

Councillor Sheppard returned to the meeting, the time being 3:38pm.

13.08 Draft Establishment and Management of Committees Policy - Post Exhibition

RESOLVED: Edwards/Tubman

That Council:

1. Note the outcomes of public exhibition of the draft Establishment and Management of Committees Policy as detailed in the Engagement Report.
2. Adopt the new Establishment and Management of Committees Policy.
3. Thank those people who made a submission and advise them of Council's determination and publish the new Policy on Council's website.

CARRIED: 5/4
FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman
AGAINST: Hornshaw, Kirkman, Maltman and Roberts

13.09 Policy Review - Works-in-Kind Agreement and Developer Works Deed Policy - Post Exhibition

RESOLVED: Sheppard/Edwards

That Council:

1. Adopt the draft Works-in-Kind Agreement and Developer Works Deed Policy with the recommended changes subject to a further amendment to Section 4(a) of the draft Policy (on pages 4 and 5) to replace the last two paragraphs of this section with the following:
 - For transparency, a Planning Agreement is the appropriate mechanism to deliver material public benefits that are not included within a LICP.
 - A Planning Agreement is also the appropriate mechanism to deliver material public benefits that are not included within a DSP. However, where a greater material public benefit may be realised through a DWD, at Council's discretion, a DWD may be entered into.
2. Note the Engagement Summary Report.
3. Delegate authority to the Director Community, Planning and Environment to make any minor amendments to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the commencement of the draft Works-in-Kind Agreement and Developer Works Deed Policy.
4. Advise the local planning and development industry of the commencement of the draft Works-in-Kind Agreement and Developer Works Deed Policy and publish the new Policy on Council's website.
5. Thank and notify all persons who lodged a submission of Council's decision.

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

13.10 Policy Review - Planning Agreement Policy - Post Exhibition

RESOLVED: Edwards/Maltman

That Council:

1. Adopt the Planning Agreement Policy with the recommended changes subject to an amendment to Objective 4(f) of the Policy to incorporate the word “enhancement” as follows: “Protection, restoration, enhancement, and sustainable management of the natural environment to support biodiversity, ecological resilience, and community well-being”.
2. Note the Engagement Summary Report.
3. Delegate authority to the Director Community, Planning and Environment to make any minor amendments to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the commencement of the Planning Agreement Policy.
4. Advise the local planning and development industry of the commencement of the Planning Agreement Policy and publish the new Policy on Council’s website.
5. Notify all persons who lodged a submission of Council’s decision
6. Request a Councillor Workshop be held to consider a possible developer contribution framework/approach to consider the implications for and mechanisms to:
 - a. specify that Affordable Housing is an expected category of public benefit for residential rezonings that result in an increased residential density
 - b. identify a suggested benchmark % of uplift value or dwellings to be allocated for Affordable Housing
 - c. provide a valuation methodology for assessment of land value uplift/capture

CARRIED: 9/0

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

AGAINST: Nil

Item 13.11 Grant Funding Opportunities Quarterly Report, has been addressed previously within the meeting.

Item 13.12 Major Events Grant Program 2025-2026 - Round 1, has been addressed previously within the meeting.

Councillor Tubman left the meeting, the time being 3:46pm.

13.13 Community Grants Program 2025-2026 - Funding Round 1 Recommendation

RESOLVED: Edwards/Lipovac

That Council allocate \$95,980 in funding under Round 1 of the 2025-2026 Community Grants program to the following organisations:

Autism Swim LTD - Dippers Port Macquarie	\$5,000
Douglas Vale Conservation Group - Seniors Festival	\$5,280
Arts Mid North Coast - Writing for Wellbeing workshops	\$6,000
The Camden Haven Words & Music Festival	\$7,000
Wauchope Chamber of Commerce - Community Christmas	\$7,000
Port Macquarie Historical Society Inc - Hastings Arts Trail 2026	\$7,000
Port Macquarie Surf Life Saving Club - Garuda Water Immersion	\$7,500
YMCA NSW - Australia Day Splashfest	\$9,200
Gathangga Wakulda - Birpai Nation Building	\$10,000
Port Macquarie Historical Society - Birpai Stories Exhibition	\$10,000
Mothership Music - Seven all-ages live music events	\$10,000
Birpai Land Council - Endless Summer Kids Club	\$12,000
TOTAL	\$95,980

CARRIED: 8/0

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

AGAINST: Nil

13.14 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/Sheppard

That Council note the progress of natural resource management projects/initiatives within the Lake Cathie, Lake Innes and Cathie Creek Waterways and the progress of the Coastal Management Program.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Tubman returned to the meeting, the time being 3:51pm.

13.15 Hastings Youth Voice Review - Six Monthly Progress

RESOLVED: Maltman/Lipovac

That Council note the six-monthly update on the Hastings Youth Voice (HYV) activities delivered, including the progress of the establishment of a 'Meet your Councillors' forum.

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

Item 13.16 Friends of Camden Head Lookout (Pilot Station) update, has been addressed previously within the meeting.

Item 13.17 Recommended Items from the September 2025 Meeting of the Port Macquarie-Hastings Sporting Fund, has been addressed previously within the meeting.

Item 14.01 Lakewood (Area 15) Trunk Sewer Main Construction - Developer Works Deed DA2023/73, has been addressed previously within the meeting.

Item 14.02 Policy Review - Recycled Water Services, has been addressed previously within the meeting.

14.03 Extension of Contract T-20-23 Pipe Relining and Relaying Works (Sewer, Stormwater and Water Mains)

RESOLVED: Sheppard/Edwards

That Council:

1. **Request the Acting Chief Executive Officer to enter into negotiations to vary panel arrangement Contract T-20-23 Pipe Relining and Relaying Works (Sewer, Stormwater and Watermains), extending the contract for a further period of seven (7) months until 30 June 2026, in accordance with the Contract's terms and conditions.**
2. **Delegate authority to the Acting Chief Executive Officer to negotiate and execute the Contract extension agreement with:**
 - Wilmot Pipelining
 - Total Drain Cleaning Services
 - M.C. Dirtworks
 - Interflow Pty Ltd
 - Insituform Pacific Pty Ltd
 - Fitt Resources Pty Ltd
 - Eire Constructions Pty Ltd
 - Downer PipeTech
 - Ditchfield
 - Abergeldie Rehabilitation

for a period of up to seven (7) month period ending by 30 June 2026, 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 early 2026 for a new contract for Pipe Relining and Relaying Works (Sewer, Stormwater and Watermains) with an anticipated award by June 2026 and commencement 1 July 2026.

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

15.01 Notice of Motion - Resolutions Register

RESOLVED: Edwards/Roberts

That Council request the Chief Executive Officer to provide to each Ordinary Council meeting an outstanding resolutions report that details all resolutions of Council requiring action that are currently outstanding.

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

Confidential Session

RESOLVED: Maltman/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 Extension of Waste Collections, Processing of Dry Recyclables and Organics Processing Contracts

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

Item 16.02 2024.067.01 Design and Construction of Thrumster Wastewater Treatment Plant Tender

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

Item 16.03 2024.096 Phase 2 Landfill Gas System Implementation

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

**Item 16.04 2024.144 Operation of Port Macquarie Hastings Council
Vehicular Ferry Services Tender**

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

**Item 16.05 Approval to Negotiate Settlement - Port Macquarie-Hastings
Council v Willis - Write Off Debt**

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

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

CARRIED: 9/0

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

AGAINST: Nil

RESOLVED: Tubman/Lipovac

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

CARRIED: 9/0

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

AGAINST: Nil

**16.01 Extension of Waste Collections, Processing of Dry Recyclables and
Organics Processing Contracts**

RESOLVED: Maltman/Tubman

That Council:

1. In accordance with Section 55(3)(i) of the Local Government Act, 1993, due to time needed to navigate the joint collaboration approach as detailed in this Report, seek to not to call public tenders for Waste Collection Services, Organics Processing Services and the Processing of Dry Recyclables at this time.
2. Note the regional collaboration for all three waste services being undertaken with Kempsey Shire Council, Nambucca Valley Council and Bellingen Shire Council requires the alignment of contract expiry dates, as per this request.

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3. Request the Chief Executive Officer to enter into negotiations to vary contract number S.600.119.05.02 for the Processing of Dry Recycling at the Cairncross Materials Recovery Facility with J.R. & E.G. RICHARDS PTY LTD for a further period expiring 30 June 2028 with one 12-month option to extend until 30 June 2029, in accordance with the terms and conditions specified in the contract.
 4. Request the Chief Executive Officer to enter into negotiations to vary contract number T-13-21 (Part A) for Waste Collection Services with J.R. & E.G. RICHARDS PTY LTD for a further period expiring 30 June 2028 with one 12-month option to extend until 30 June 2029, in accordance with the terms and conditions specified in the contract.
 5. Request the Chief Executive Officer to enter into negotiations to vary contract number T-13-21 (Part B) for Organics Processing Services with REMONDIS PTY LTD for a further period expiring 30 June 2028 with one 12-month option to extend until 30 June 2029, in accordance with the terms and conditions specified in the contract.
 6. Note that a further report will be tabled providing the negotiated outcomes and contract variations for Council approval to extend the Contract/s through a deed of variation.
 7. Delegate to the Chief Executive Officer the authority to develop an Memorandum of Understanding with Kempsey Shire Council, Nambucca Valley Council and Bellingen Shire Council, for each council to be involved in:
 - a) A joint regional waste collection tender,
 - b) Regional processing of domestic organics, domestic recyclables and other sources as agreed, to the Cairncross Waste Management Facility, to be reported to Council for endorsement.
 8. Maintain the confidentiality of the documents and consideration in respect of these contracts.

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

16.02 2024.067.01 Design and Construction of Thrumster Wastewater Treatment Plant Tender

RESOLVED: Roberts/Maltman

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, decline to accept any tenders submitted for 2024.067.01 Design and Construction of Thrumster Wastewater Treatment Plant Tender and enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into contract in relation to the subject matter of the contract.
2. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021, decline to invite fresh tenders for the reasons that the

evaluation panel considers that the market has not significantly changed and inviting fresh tenders likely will not achieve a satisfactory result.

3. Note that a future report will be presented to Council outlining the outcome of negotiations for Council's consideration to award the contract for 2024.067.01 Design and Construction of Thrumster Wastewater Treatment Plant.
4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender 2024.067.01 Design and Construction of Thrumster Wastewater Treatment Plant Tender.

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

16.03 2024.096 Phase 2 Landfill Gas System Implementation

RESOLVED: Sheppard/Edwards

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, decline to accept any tenders submitted for 2024.096 Phase 2 Landfill Gas Implementation, and enter negotiations with any person (whether or not the person was a tenderer) with a view to entering into contracts in relation to the subject matter of the contract.
2. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021, decline to invite fresh tenders since the evaluation panel considers that the market has not significantly changed and inviting fresh tenders likely will not achieve a satisfactory result.
3. Note that the Chief Executive Officer, under existing delegation to the General Manager, may accept a tender for 2024.096 Phase 2 Landfill Gas Implementation following successful negotiations, and present a further report to a future meeting of Council after contract award for Council's information.
4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender for 2024.096 Phase 2 Landfill Gas Implementation

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

16.04 2024.144 Operation of Port Macquarie Hastings Council Vehicular Ferry Services Tender

RESOLVED: Lipovac/Sheppard

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 up to three (3) months until 31 March 2026, 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 three (3) month period ending by 31 March 2026, in accordance with the current contract's terms and conditions.**
- 3. Note that the tender assessment is currently in progress for a new contract under tender 2024.144 for the Operation of Port Macquarie-Hastings Council Vehicular Ferry Services as outlined within the report.**

CARRIED: 9/0

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

16.05 Approval to Negotiate Settlement - Port Macquarie-Hastings Council v Willis - Write Off Debt

RESOLVED: Roberts/Sheppard

That Council:

- 1. Writes off \$70,457.58 (being the amount outstanding in excess of \$505,000.00) (Outstanding Amount) in water charges owed by Ms Deborah Willis to Council in respect of 229 Ocean Drive Lakewood NSW 2443 once the following events have occurred:**
 - (a) the Court has handed down judgment in favour of the Council in proceedings 2024/00447617 or consent orders have been made finalising proceedings 2024/00447617, and**
 - (b) Council has received payment of \$505,000.00 in respect of the outstanding water charges owed by Ms Deborah Willis to Council in respect of 229 Ocean Drive Lakewood NSW 2443**
- 2. Writes off the Outstanding Amount in accordance with section 131(4) of the Local Government (General) Regulation 2021, being as a result of a decision of a court and because recovery of the Outstanding Amount would not be cost effective.**

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

Councillor Edwards left the meeting, the time being 4:19pm.

Councillor Edwards returned to the meeting, the time being 4:22pm.

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 4.24pm.

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Adam Roberts
Mayor