

NOTICE OF ORDINARY MEETING

11 APRIL 2023



PORT STEPHENS COUNCIL

The Mayor and Councillors attendance is respectfully requested:

Mayor: R Palmer (Chair).

Councillors: L Anderson, G Arnott, M Bailey, C Doohan, G Dunkley, P Francis, P Kafer, S Tucker, J Wells.

SCHEDULE OF MEETINGS

TIME	ITEM	VENUE
5:30pm:	Public Access (if applied for)	Council Chambers
Followed by:	Ordinary Meeting	Council Chambers

Please Note:

In accordance with the NSW Privacy and Personal Information Protection Act 1998, you are advised that all discussion held during the Open Council meeting is public information. This will include any discussion involving the Mayor, a Councillor, staff member or a member of the public. All persons present should withhold from making public comments about another individual without seeking the consent of that individual in the first instance. Should you have any questions concerning the privacy of individuals at the meeting, please speak with the Governance Section Manager or the General Manager prior to the meeting.

Please be aware that Council webcasts its Open Council meetings via its website. All persons should refrain from making any defamatory remarks. Council accepts no liability for any defamatory remarks made during the course of the Council meeting.

For the safety and wellbeing of the public, no signs, placards or other props made from material other than paper will be permitted in the Council Chamber. No material should be larger than A3 in size.

Food and beverages are not permitted in the Council Chamber.

INDEX

SUBJECT

PAGE NO

COUNCIL REPORTS..... 14

1.	DEVELOPMENT APPLICATION 16-2022-839-1 (GROUP HOME - TRANSITIONAL) AT 1-11, 15, 17-23, 26-27, 29-38, 42-43 & 45 OLD PUNT ROAD, SWAN BAY AND 1 & 40 TRAWLER LANE, SWAN BAY.....	15
2.	CARBON NEUTRALITY PROJECT UPDATE	28
3.	NSW ELECTRIC VEHICLE STRATEGY	36
4.	MEDOWIE PLACE PLAN	86
5.	HEALTH FACILITIES IN PORT STEPHENS	118
6.	COMMUNICATIONS AND ENGAGEMENT ADVISORY GROUP	136
7.	DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS AND FEES AND CHARGES	157
8.	KIRRANG DRIVE, MEDOWIE - SHARED PATHWAY.....	192
9.	REQUEST FOR FINANCIAL ASSISTANCE	201
10.	INFORMATION PAPERS	204
11.	QUESTION ON NOTICE	205

INFORMATION PAPERS 208

1.	FORESHORE RESERVES AND PARKING ON COUNCIL LAND	209
2.	WORLD MENSTRUATION HYGIENE DAY	214
3.	DESIGNATED PERSONS' RETURN	219
4.	DELEGATIONS REPORT	220
5.	KOALA SIGNAGE.....	222
6.	COUNCIL RESOLUTIONS	225

NOTICES OF MOTION 233

1.	LAKESIDE MASTERPLAN	234
2.	NAMING RECREATION PRECINCT AT MEDOWIE AFTER GEOFF DINGLE.....	236
3.	DEVELOPMENT APPLICATION INFORMATION	264
4.	MAYORAL DIARY.....	267
5.	22 HOMESTEAD STREET, SALAMANDER BAY.....	271
6.	HOUSING AFFORDABILITY	273

BUSINESS

- 1) Opening meeting.
- 2) Acknowledgement of Country
We acknowledge the Worimi people as the original Custodians and inhabitants of Port Stephens. We acknowledge and pay respects to Worimi elders past and present. May we walk the road to tomorrow with mutual respect and admiration as we care for the beautiful land and waterways together.
- 3) Prayer - We recognise the rich cultural and religious diversity in Port Stephens and pay respect to the beliefs of all members of our community, regardless of creed or faith.
- 4) Apologies and applications for a leave of absence by Councillors.
- 5) Disclosures of interests.
- 6) Confirmation of minutes Ordinary Meeting of 28 March 2023.
- 7) Mayoral minute(s) – if submitted.
- 8) Motions to close meeting to the public – if submitted.
- 9) Reports to Council.
- 10) General Manager’s reports – if submitted.
- 11) Questions with Notice – if submitted.
- 12) Questions on Notice.
- 13) Notices of motions – if submitted.
- 14) Rescission motions – if submitted.
- 15) Confidential matters – if submitted.
- 16) Conclusion of the meeting.

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the commencement of this Council term to undertake their civic duties in the best interests of the people of Port Stephens and Port Stephens Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Meeting Practice and Code of Conduct.

PRINCIPLES FOR LOCAL GOVERNMENT

Port Stephens Council is a local authority constituted under the Local Government Act 1993. The Act includes the Principles for Local Government for all NSW Councils.

The object of the principles for councils is to provide guidance to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

Guiding principles for Council

1) Exercise of functions generally

The following general principles apply to the exercise of functions by Council. Council should:

- a. provide strong and effective representation, leadership, planning and decision-making.
- b. carry out functions in a way that provides the best possible value for residents and ratepayers.
- c. plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d. apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e. work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- f. manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g. work with others to secure appropriate services for local community needs.
- h. act fairly, ethically and without bias in the interests of the local community.
- i. be responsible employers and provide a consultative and supportive working environment for staff.

2) Decision-making

The following principles apply to decision-making by Council (subject to any other applicable law). Council should:

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

3) Community participation

Council should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Principles of sound financial management

The following principles of sound financial management apply to Council. Council should:

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

Integrated planning and reporting principles that apply to Council

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by Council. Council should:

- a. identify and prioritise key local community needs and aspirations and consider regional priorities.
- b. identify strategic goals to meet those needs and aspirations.
- c. develop activities, and prioritise actions, to work towards the strategic goals.
- d. ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- e. regularly review and evaluate progress towards achieving strategic goals.
- f. maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- g. collaborate with others to maximise achievement of strategic goals.
- h. manage risks to the local community or area or to the council effectively and proactively.
- i. make appropriate evidence-based adaptations to meet changing needs and circumstances.

PORT STEPHENS COMMUNITY STRATEGIC PLAN

The Local Government Act requires Council to adopt a Community Strategic Plan (10+ years). The Plan includes a Delivery Program (4 years), Annual Operational Plan and a Resource Strategy, it also includes the Council's budget.

The Community Strategic Plan is organised into 4 focus areas:

OUR COMMUNITY – Port Stephens is a thriving and strong community respecting diversity and heritage.

OUR PLACE – Port Stephens is a liveable place supporting local economic growth.

OUR ENVIRONMENT – Port Stephens' environment is clean and green, protected and enhanced.

OUR COUNCIL – Port Stephens Council leads, manages and delivers valued community services in a responsible way.

BUSINESS EXCELLENCE

Port Stephens Council is a quality and a customer service focused organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on 9 principles.

These outcomes align with the following Business Excellence principles:

- 1) Clear direction and mutually agreed plans enable organisational alignment and focus on achievement of goals.
- 2) Understanding what customers and other stakeholders value, now and in the future, enables organisational direction, strategy and action.
- 3) All people work in a system. Outcomes are improved when people work on the system and its associated processes.
- 4) Engaging people's enthusiasm, resourcefulness and participation improves organisational performance.
- 5) Innovation and learning influence the agility and responsiveness of the organisation.
- 6) Effective use of facts, data and knowledge leads to improved decisions.
- 7) Variation impacts predictability, profitability and performance.
- 8) Sustainable performance is determined by an organisation's ability to deliver value for all stakeholders in an ethically, socially and environmentally responsible manner.
- 9) Leaders determine the culture and value system of the organisation through their decisions and behaviour.

MEETING PROCEDURES SUMMARY

Starting time – All meetings must commence within 30 minutes of the advertised time.

Quorum – A quorum at Port Stephens Council is 6.

Declarations of Interest

Pecuniary – Councillors who have a pecuniary interest must declare the interest, not participate in the debate and leave the meeting.

Non-Pecuniary – Councillors are required to indicate if they have a non-pecuniary interest, should a Councillor declare a significant non-pecuniary they must not participate in the debate and leave the meeting. If a Councillor declares a less than significant non-pecuniary they must state why no further action should be taken. Councillors may remain in the meeting for a less than significant non-pecuniary.

Confirm the Minutes – Councillors are able to raise any matter concerning the Minutes prior to confirmation of the Minutes.

Public Access – Each speaker has 5 minutes to address Council with no more than 2 for and 2 against the subject.

Motions and Amendments

Moving Recommendations – If a Committee recommendation is being moved, ie been to a Committee first, then the motion must be moved and seconded at Council prior to debate proceeding. A Councillor may move an alternate motion to the recommendation.

Amendments – A Councillor may move an amendment to any motion however only one amendment or motion can be before Council at any one time, if carried it becomes the motion.

Seconding Amendments – When moving an amendment, it must be seconded or it lapses.

Incorporating Amendments – If a motion has been moved and the mover and seconder agree with something which is being moved as an amendment by others, they may elect to incorporate it into their motion or amendment as the case may be.

Voting Order – When voting on a matter the order is as follows:

- 1) Amendment (If any)
- 2) Foreshadowed Amendments – (If any, and in the order they were moved)
- 3) Motion

NB – Where an amendment is carried, there must be another vote on the amendment becoming the motion.

Voting – an item is passed where a majority vote for the subject. If the voting is tied the Chairperson has a second (casting) vote which is used to break the deadlock.

Closed Session – There must be a motion to close a meeting. Prior to voting on the motion the chairperson will invite the gallery to make representations if they believe the meeting shouldn't be closed. Then Councillors vote on the matter. If adopted the gallery should then be cleared and the matter considered in closed session. Any decision taken in session closed is a resolution. There must be a motion to reopen the Council meeting to the public. If decision occurred in 'closed session', the meeting is advised of the resolution in 'open session'.

Procedural Motion – Is a motion necessary for the conduct of the meeting, it is voted on without debate, eg defer an item to the end of the meeting (however, to defer an item to another meeting is not a procedural motion), extend the time for a Councillor to speak etc.

Points of Order – when any of the following are occurring or have occurred a Councillor can rise on a 'Point of Order', the breach is explained to the Chairperson who rules on the matter.

A Point of Order can be raised where:

- 1) There has been any non-compliance with procedure, eg motion not seconded etc.
- 2) A Councillor commits an act of disorder:
 - a. Contravenes the Act, any Regulation in force under the Act, the Code of Conduct or this Code.
 - b. Assaults or threatens to assault another Councillor or person present at the meeting.
 - c. Moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or address or attempts to address the Council or Committee on such a motion, amendment or matter.
 - d. Insults or makes personal reflections on or imputes improper motives to any other Councillor, any staff member or alleges a breach of Council's Code of Conduct.
 - e. Says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into disrepute.

Declarations of Conflict of Interest – Definitions

Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated as provided in Clause 7 of the Code of Conduct.

Non Pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Code of Conduct. These commonly arise out of family or personal relationships or involvement in sporting, social or other cultural groups and associations and may include an interest of financial nature.

The matter of a report to council from the conduct review committee/reviewer relates to the public duty of a councillor or the general manager. Therefore, there is no requirement for Councillors or the General Manager to disclose a conflict of interest in such a matter.

The political views of a Councillor do not constitute a private interest.



Form of Special Disclosure of Pecuniary Interest

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

ORDINARY COUNCIL - 11 APRIL 2023

Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the PORT STEPHENS COUNCIL

to be held on the _____ day of _____ 20__

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (eg is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

ORDINARY COUNCIL - 11 APRIL 2023

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Mayor/Councillor's signature _____

Date _____

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



Declaration of Interest form

Agenda item No. _____

Report title _____

Mayor/Councillor _____ declared a

Tick the relevant response:

<input type="checkbox"/>	pecuniary conflict of interest
<input type="checkbox"/>	significant non pecuniary conflict of interest
<input type="checkbox"/>	less than significant non- pecuniary conflict of interest

in this item. The nature of the interest is _____

If a Councillor declares a less than significant conflict of interest and intends to remain in the meeting, the councillor needs to provide an explanation as to why the conflict requires no further action to manage the conflict. (Attach a separate sheet if required.)

OFFICE USE ONLY: (Committee of the Whole may not be applicable at all meetings.)

Mayor/Councillor left the Council meeting in Committee of the Whole at _____pm.

Mayor/Councillor returned to the Council meeting in Committee of the Whole at _____ pm.

Mayor/Councillor left the Council meeting at _____ pm.

Mayor/Councillor returned to the Council meeting at _____ pm.

COUNCIL REPORTS

ITEM NO. 1

FILE NO: 23/51900
EDRMS NO: 16-2022-839-1**DEVELOPMENT APPLICATION 16-2022-839-1 (GROUP HOME - TRANSITIONAL)
AT 1-11, 15, 17-23, 26-27, 29-38, 42-43 & 45 OLD PUNT ROAD, SWAN BAY AND
1 & 40 TRAWLER LANE, SWAN BAY**REPORT OF: STEVEN PEART - GROUP MANAGER DEVELOPMENT SERVICES
GROUP: DEVELOPMENT SERVICES**RECOMMENDATION IS THAT COUNCIL:**

- 1) Refuse Development Application DA No. 16-2022-839-1 for the reasons contained in Recommended Reasons for Refusal (**ATTACHMENT 1**).

BACKGROUND

The purpose of this report is to present a Development Application (DA) 16-2022-839-1 for a change of use from a tourist facility to a transitional group home, comprising 29 cabins at 1-11, 15, 17-23, 26-27, 29-38, 42-43 & 45 Old Punt Road, Swan Bay and 1 & 40 Trawler Lane, Swan Bay to Council for determination.

A summary of the application and property is provided below:

Subject Land:	1-11, 15, 17-23, 26-27, 29-38, 42-43 & 45 Old Punt Road Swan Bay, 1 & 40 Trawler Lane Swan Bay
Total Area:	0.8ha
Zoning:	RU2 Rural Landscape
Submissions:	75 in objection of development
Key Issues:	The key issues identified throughout the assessment of the DA relate to social impacts and land use conflict.
Reasons for Refusal:	<ol style="list-style-type: none">1) The proposed development fails to satisfy Clause 2.3 (zone objectives) as it is likely to detract from existing tourist and visitor-oriented land uses.2) The proposed development is incompatible with surrounding land uses, resulting in adverse social impacts.3) The proposed development is not considered to be suitable for the site.4) The proposed development is not considered to be in the public interest as the development is likely to create a land use conflict, cause adverse social impact on the surrounding land uses and received substantial opposition from the community.

The DA has been reported in accordance with the 'Council Related Planning Matters Policy' as the DA was called up by Councillors Arnott, Wells and Anderson **(ATTACHMENT 2)**.

A Locality Plan is provided at **(ATTACHMENT 3)**.

Proposal

The DA seeks consent for a change of use to a transitional group home at the tourist facility known as 'Fisherman's Village'. The proposed group home facility would be operated by Connect Global Limited (CGL) as an outreach program. The proposed development includes the following key elements:

- Maximum capacity of 40 participants at any given period, not including staff
- Change of use for 29 existing tourist cabins to provide accommodation for the participants of the outreach program. The remaining balance of 10 cabins are proposed to remain for the approved tourist use
- Group activities associated with the outreach program will be undertaken within the existing oyster barn. The oyster barn building is currently approved as a restaurant under the parent tourist facility and therefore requires a change of use to operate as part of the proposed transitional group home facility. The applicant has indicated the oyster barn will be used for dual purposes, as both a restaurant and to accommodate the group activities associated with the transitional group home
- The existing restaurant in the oyster barn is proposed to continue operating from the site, providing meals to guests staying within the 'Fisherman's Village' tourist facility precinct. Hours of operation are:
 - Breakfast - 6:30am to 8:30am
 - Lunch - 12:30pm to 2pm
 - Dinner - 6pm to 7pm
- Shared use of communal facilities on Lot 1 and 2 between the tourist facility and group home uses. The shared communal facilities include common driveway, open space areas, oyster barn including kitchen and dining hall, swimming pool, laundry facilities and communal bathrooms
- The proposed hours for use of the oyster barn by participants is 6am to 8pm daily.

No physical works are proposed as part of the application given all activities and accommodation associated with the proposed group home use are within existing buildings.

A detailed description of the Connect Global program is described in an Operational Management Plan (OMP) submitted with the application.

Site Description and History

The site is located at 2 Old Punt Road, Swan Bay and is comprised of 46 community title allotments. The site is commonly known as the 'Fisherman's Village', which is an approved tourist facility. The tourist facility was originally approved in 1992, with a further expansion approved in 1993, which included a 46 lot community title subdivision.

The lot composition of the site includes 39 tourist cabins, 2 communal facilities and 5 vacant lots with no structures. Under this application, 29 cabins are proposed for use as part of the transitional group home, while 10 cabins would remain for use as tourist accommodation. Lot 1 and 2 contain common areas, which are proposed to be shared between the group home and tourist uses. Lot 1 includes common driveways, open space, tennis court and a swimming pool. Lot 2 contains the approved oyster barn with a commercial kitchen and dining area.

The site covers an area of approximately 8,000m² and is relatively flat and clear of vegetation with the exception of landscape plantings scattered throughout the site. The Swan Bay water body adjoins the site to the south and an artificial canal to the east. Various commercial/marine operations are undertaken on the adjoining lot to the west, which includes a large shed and jetty. Rural residential land is located to the north of the site.

Key Issues

The key issues identified throughout the assessment of the DA relate to social impacts and land use conflict. A detailed assessment of the development is provided in the Planners Assessment Report contained in **(ATTACHMENT 4)**.

Social Impacts

The application includes a Social Impact Assessment (SIA) which concludes the proposal would have beneficial social impacts, derived from the drug and alcohol rehabilitation programs. The proposal also provides transitional accommodation for participants, which allows participants to undertake the program away from the environment in which they may have previously used drugs or alcohol. The positive social benefits are evident in the description of the proposed program provided in the Operational Management Plan submitted with the application, as follows:

- 'Connect Global Limited (CGL) is a Not-for-Profit organisation that facilitates outreach programs for men who are socially disadvantaged and challenged. Specifically, the outreach program targets men who are ready to enter the recovery stage of dealing with their addiction to alcohol and/or drugs. In this sense CGL offer a Drug & Alcohol Rehabilitation, Education and Training Facility at their Swan Bay property.'

The SIA highlights that the proposed program would directly improve the mental and physical health and wellbeing of participants in the program and notes that

successfully recovered participants would be able to return to a productive life, no longer burdening health and welfare services. Families and associates of successful participants would also benefit as a result of a participants recovery. The SIA identifies a need for drug and alcohol rehabilitation services in the locality, noting that no such facilities registered as members of the Network of Alcohol and other Drugs Agencies (NADA) exist in the Port Stephens Local Government Area (LGA). It is noted CGL (program operator) is not a NADA Member service.

Despite the social benefits associated with the group home and the drug and alcohol rehabilitation program, there will be adverse social impacts that are likely to be experienced by the users of the remaining 10 tourist cabins which are intermixed with the 29 cabins proposed for use as transitional group accommodation. This would be further exacerbated by the shared nature of the communal facilities including the pool, laundry and restaurant/kitchen within the oyster barn.

Council commissioned Umwelt (dated February 2023) to conduct a third party review of the SIA submitted with the application. The review of the SIA by Umwelt raised a number of issues that are summarised as follows:

- The dual use of the site for tourist accommodation and as a group home are incompatible, based on consideration of the RU2 Rural Landscape zone objectives and consideration of the community submissions
- Social impacts have not been evaluated using likelihood and magnitude levels and consequently the overall significance of social impact has not been identified in the report. Umwelt is of the view that social impacts experienced by tourist users of the development are likely to be significant
- Stakeholders that may be impacted, or who have an interest in the proposal, have not been adequately consulted to consider all relevant views, including those of more vulnerable or marginalised groups
- There is no discussion in the assessment of how consideration of social impacts has been used to inform the proposal design/service delivery. This is evident as there have been no changes made to the OMP, following the completion of the SIA in October 2022
- Limited mitigation measures have been proposed to address the social impacts that have been identified in the assessment, with no reference to how the proponent intends to adaptively manage social impacts. A complaints and grievance process, while a valid mechanism, will not be sufficient to mitigate/manage the potential social impacts associated with the proposal
- As per the Practice Guide: Providing Alcohol and Other Drug Treatment in Residential Settings (2022), rehabilitation program operators have a duty of care to provide a safe alcohol and drug free environment for their participants to facilitate recovery, which in the current context will be difficult and unlikely to be achieved given the proposed mixed use of the site with tourists and shared communal spaces. As a result, rehabilitation participants may gain access to drugs or alcohol, compromising the safety of both program participants and tourist users

- Inadequate assessment has been provided regarding how the proposal may change the local demographic, social and cultural characteristics of the Village and the broader Swan Bay community
- The SIA has not examined how social impacts may change should the proposal not proceed.

Social issues are also identified within the public submissions received in relation to the proposal. All 75 of the submissions were opposed to the proposal, however, some recognised the importance of drug and rehabilitation facilities, if appropriately located. The relevant social issues raised in the submissions are summarised in the following broad categories:

- Mixing of local residents including children with convicted criminals and people recovering drug and alcohol addiction
- Equitable access to communal facilities at the site
- Safety concerns relating to the presence of convicted criminals and drug and alcohol users
- Anxiousness, fear and unease due to presence of convicted criminals and drug and alcohol users
- Overall dissatisfaction with the existing and proposed group home/rehabilitation program, including its effectiveness at rehabilitating participants
- Difficulties ensuring proper oversight, security and control of participants in the group home/rehabilitation program
- Potential for drug use or illegal activities to occur on the site
- Lack of access to emergency services
- Anti-social behaviour from group home/rehabilitation program users
- Traffic, noise, dust and general amenity related impacts.

Other miscellaneous objections to the proposal were made in the submissions, relating to other aspects of the development or current operations at the site. A large number of submissions included allegations and recounts of experiences regarding the existing group home/rehab operator at the site. Allegations of unlawful or anti-social activities relating to the existing operator are not relevant matters for consideration under the Environmental Planning & Assessment Act 1979 (EP&A Act 1979), as the assessment relates to the suitability of the proposed group home land use, rather than the granting of approval for an operator of the group home. In the event consent is granted for the approval, the group home would be required to operate in accordance with the OMP submitted with the application. Activities undertaken outside of the OMP may be subject to enforcement by relevant authorities.

In conclusion, the site could potentially be considered suitable, if the proposed change of use to a transitional group home was to encompass the entire tourist facility and was properly managed through detailed actions to avoid land-use conflict and adverse social outcomes. As outlined in the Umwelt peer review of the SIA, this would include a suite of social impact management measures to address levels of community outrage and more intangible social impacts such as psychosocial

impacts, impacts on sense of community within 'Fisherman's Village', potential division between residents and clients. Such measures have not been fully identified within the applicant's SIA provided as part of the application. However, due to the intermixed nature of tourist sites throughout the group home cabins and shared use of communal facilities it is unlikely that these dual uses could exist in harmony. This is further exacerbated by the transient nature of tourists, who may visit the site, unaware that it is shared with a transitional group home facility, as expressed in a large number of the public submissions received.

The applicant's OMP does not include sufficient management controls to appropriately manage the relationship between the group home and tourist users and ensure the safety of both parties. Moreover, the OMP does not include sufficient supervision and management controls to ensure a drug free environment. Given the intermixed nature of the dual land uses, it is unlikely that sufficient management controls could be implemented to rectify this land use conflict.

On this basis, the proposal would result in unacceptable social impacts and the application is recommended to be refused on these grounds.

Land use Conflict

The proposed development is defined as a transitional group home which is permissible with consent in the RU2 Rural Landscape zone. The objectives of the RU2 zone include facilitating a variety of tourist and visitor-orientated land uses that complement and promote a stronger rural sector appropriate for the area.

The application includes the change of use of 29 existing tourist cabins to accommodation associated with the transitional group home. The balance of 10 cabins are proposed to remain for the already approved tourist use. Whilst 10 cabins would be preserved for tourist use, the enjoyment and use of these cabins for tourist use would be impacted by the other cabins being used as a group home, given the intermixed nature of the tourist cabins in between the proposed group home cabins. These impacts extend to safety, health, wellbeing, community and amenity and are discussed in greater detail in the preceding social impacts section.

On this basis, the dual land-uses are not considered compatible in the circumstances and the proposal would cause unacceptable impacts to the remaining tourist cabins that contradicts the objectives of the zone relating to facilitate a variety of tourist and visitor-orientated land uses that complement and promote a stronger rural sector.

Conclusion

Based on the assessment by Council staff and independent review of the SIA by Umwelt, the DA is considered to be inconsistent with the Environmental Planning and Assessment (EP&A) Act 1979 and Port Stephens Local Environmental Plan 2013 for the following reasons:

- The proposed development fails to satisfy Clause 2.3 (zone objectives) as it is likely to detract from existing tourist and visitor-oriented land uses.
- The proposed development is incompatible with surrounding land uses, resulting in adverse social impacts.
- The proposed development is not considered to be suitable for the site.
- The proposed development is not considered to be in the public interest as the development is likely to create a land use conflict, cause adverse social impact on the surrounding land uses and received substantial opposition from the community.

A detailed assessment of the DA has been undertaken, and with consideration to the inconsistencies identified against the EP&A Act 1979 and PSLEP 2013, the DA is recommended for refusal for the reasons contained in **(ATTACHMENT 1)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Deliver an annual program for Council to provide development services to enhance public safety, health and liveability

FINANCIAL/RESOURCE IMPLICATIONS

The application could be potentially challenged in the Land and Environment Court. Defending Council's determination could have financial implications.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The DA is inconsistent with the relevant planning instruments including the EP&A Act and PSLEP 2013 as the development is likely to cause adverse social impact on the surrounding land uses and create a land use conflict. A detailed assessment of the proposal against these requirements is contained within the planners assessment report **(ATTACHMENT 4)**.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that if the DA is refused, the determination of the DA may be challenged by the applicant in the Land and Environment Court.	High	Accept the recommendation.	Yes
There is a risk that if the DA is approved, the determination of the DA may be challenged by a third party in the Land and Environment Court	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social and Economic Impacts

The DA has both positive and negative social and economic impacts. This has been discussed in detail in the key issues section above.

On balance, the adverse social impacts caused by the DA relating to the expected land use conflict between the group home occupants and tourists would outweigh the positive aspects of the DA. For this reason, the DA is recommended to be refused on these grounds.

Built Environment

The proposed development would not result in any impacts to the built environment as no physical works are proposed. The use of the site as a group home would take place within existing buildings and facilities.

Natural Environment

The proposed development would not result in any impacts to the natural environment as no physical works are proposed. The use of the site as a group home would take place within existing buildings and facilities.

CONSULTATION

Consultation with key stakeholders including internal referral officers has been undertaken for the purposes of the assessment of the application. Consultation with the public occurred as part of the notification process.

Public exhibition

The application was notified in accordance with Council's Community Engagement Strategy from 31 October 2022 until 14 November 2022. During this period, 75 submissions were received.

A detailed response to the submissions is outlined within the Planners Assessment Report (**ATTACHMENT 4**). The assessment has acknowledged some of these concerns as being insurmountable or not able to be mitigated and therefore, the application is recommended for refusal.

Internal

Internal Consultation was undertaken with Council's Development Engineering, and Building Surveying sections. The referral comments from these officers have been considered as part of the Planners Assessment Report (**ATTACHMENT 4**). The internal referral officers did not object to the DA, subject to conditions.

External

External Consultation was undertaken with the NSW Police, due to the potential for the DA to cause adverse social impacts. NSW Police responded, advising they were unable to make comment in regards to the application.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

- 1) Recommended Reasons for Refusal. [↓](#)
- 2) Call to Council Form. [↓](#)
- 3) Locality Plan. [↓](#)
- 4) Planners Assessment Report. (Provided under separate cover) [⇔](#)

COUNCILLORS ROOM

- 1) Development Plans.
- 2) Unredacted submissions.
- 3) Operational Management Plan.
- 4) Social Impact Statement.
- 5) Social Impact Statement Peer Review.

Note: Any third party reports referenced in this report can be inspected upon request.

TABLED DOCUMENTS

Nil.



RECOMMENDED REASONS FOR REFUSAL – DA 16-2022-839-1

1. The proposed development fails to satisfy Clause 2.3 (zone objectives) as it is likely to detract from existing tourist and visitor-oriented land uses (s.4.15(1)(a)(i) of the EP&A Act 1979).
2. The proposed development is incompatible with surrounding land uses, resulting in adverse social impacts (s.4.15(1)(b) of the EP&A Act 1979).
3. The proposed development is not considered to be suitable for the site (s.4.15(1)(c) of the EP&A Act 1979).
4. The DA is not considered to be in the public interest as the development is likely to create a land use conflict, cause adverse social impact on the surrounding land uses and received substantial opposition from the community (s.4.15(1)(e) of the EP&A Act 1979).



PORT STEPHENS COUNCIL

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Phone: 02 4980 0255
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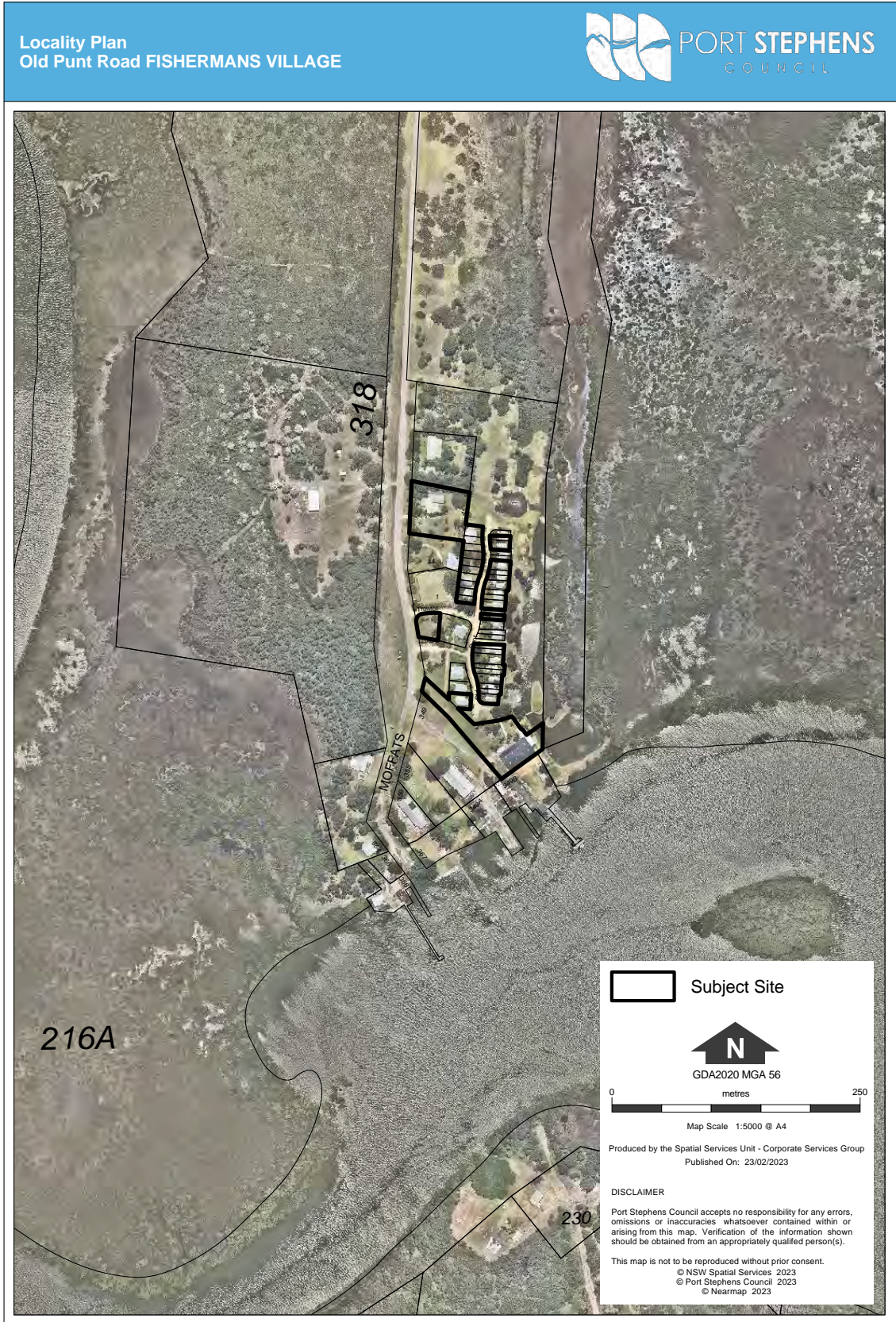
www.portstephens.nsw.gov.au



PORT STEPHENS COUNCIL

CALL TO COUNCIL FORM DEVELOPMENT APPLICATION

Development application (DA) call to Council request:	
<p>I/We (Mayor/Councillor/s) <u>Cr Arnott, Cr Anderson, Cr Wells</u> request that DA number <u>DA 16-2022-839-1</u> for DA description <u>Transitional Group Home - 2 Old Punt Rd, Swan Bay</u> located at _____ be reported to Council for determination.</p>	
Reason:	
Public interest	
Declaration of Interest:	
<p>I/We have considered any pecuniary or non-pecuniary conflict of interest (including political donations) associated with this DA on my part or an associated person.</p> <p>I/We (Mayor/Councillor/s) _____ have a conflict of interest:</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>If yes, please provide the nature of the interest and reasons why further action should be taken to bring this DA to Council:</p>	
<p>Signed: Cr Arnott - by email <small>Please sign or type name & attached to an email.</small></p>	<p>Date: <u>18/10/2022</u> a date.</p>
<p>Signed: Cr Anderson - by email <small>Please sign or forward supporting email.</small></p>	<p>Date: <u>18/10/2022</u> a date.</p>
<p>Signed: Cr Wells - by email <small>Please sign or forward supporting email.</small></p>	<p>Date: <u>18/10/2022</u> a date.</p>



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873612 Email: council@portstephens.nsw.gov.au

ITEM NO. 2

**FILE NO: 22/109005
EDRMS NO: 79-2022-3-1**

CARBON NEUTRALITY PROJECT UPDATE

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the status update for the Carbon Neutrality project.
- 2) Endorse the allocation of funding for the preparation of the Port Stephens Carbon Neutral Action Plan.

BACKGROUND

The purpose of this report is to provide a progress update and identify next steps in the development of a Carbon Neutral Action Plan for Port Stephens Council.

At its meeting of 12 October 2021, Minute No. 275 (**ATTACHMENT 1**), Council resolved to:

- 1) Commit to the goal of achieving carbon neutrality for Council operations by 2025.
- 2) Determine a suitable funding source to support Council in achieving this goal.
- 3) Provide a report to Council on a roadmap to achieving carbon neutrality.

Council has implemented a number of initiatives to reduce operational greenhouse gas (GHG) emissions. A summary of activities and initiatives is as follows:

- Participating in a Power Purchasing Agreement to secure 100% renewable energy from the electricity grid
- Installing a solar photovoltaic system on Council's Administration Building, reducing annual energy consumption by 25%
- Installing solar photovoltaic systems on many of Council's libraries, community centres and Rural Fire Service buildings
- Installing solar pool pre-heating at Lakeside Leisure Centre, Tomaree Aquatic Centre and Tilligerry Aquatic Centre
- Installing solar photovoltaic system and water tank at Salamander Waste Transfer Station
- Use of recycled glass 'greencrete' in capital works projects
- Installing Building Management Systems and Programmable Logic Controllers at our Administration Building, Lakeside Leisure Centre and many sports and community buildings to deliver energy efficiencies and lower operating costs

- Installing variable-speed drives (VSD) at Lakeside Leisure Centre, Kangaroo Street and Stockton Street flood pumps to reduce energy consumption
- Installing energy-saving LED field lighting at sports facilities
- Installing energy-saving LED lighting at Council's Administration Building, Tomaree Library and Community Centre, Council works depots, surf clubs, community centres and halls
- Reduction in overall waste to landfill through reuse of recycled materials and materials diversion. During the data collection period, Council saved 8,865 kg of CO₂-e of GHG emissions by utilising recycled materials over virgin materials
- Cross organisational consultation, data collection and gap analysis in partnership with NSW Sustainability Advantage to establish carbon baseline figures and establish key focus areas.

Whilst the initiatives that Council has put in place have greatly reduced the organisations GHG emissions, a number of areas remain as the focus for further emissions reductions in order to achieve Carbon Neutral status by the target date of 2025.

The focus areas for continued and future GHG emission reductions include electricity consumption (51%), Councils operational waste to landfill (27%), commuting (13.2%), and fleet vehicles and machinery emissions (8.8%).

In order to progress the project further, Council requires specialist knowledge and expertise that is not resourced within the organisation. Sustainability specialist providers in this industry have been contacted to provide estimated costs for the services required by Council to continue to progress the project.

Should the recommendation be accepted, a sustainability specialist would be engaged through Council's procurement process to undertake the summarised scope of work below:

Deliverables	
Comprehensive Carbon Audits (10 to 15 sites)	Audit of Council's highest emissions producers such as: <ul style="list-style-type: none">• Aquatic centres• Waste facilities• Administration buildings• Holiday parks• Libraries• Depots

Deliverables	
Comprehensive Cost Benefit Analysis	<p>Consideration and recommendation of emissions reduction options including:</p> <ul style="list-style-type: none"> • Operational process efficiencies, data collection, monitoring and reporting improvements. • Projected emissions reductions and scenario modelling. • Estimated costs to implement actions. • Estimated costs to maintain operations. • Payback period from operational savings.
Carbon Neutral Action Plan	Preparation of document and agreed action plan for Council endorsement.

Council sought an estimated quote for the provision of the above services, with the assistance from carbon neutral experts. The provision of the above services is estimated at \$47,000 (inc. GST). Cost is subject to Council’s procurement process to ensure best value of services, and therefore the final cost may change. To continue to progress this project, the allocation of funding for this purpose is requested.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Environmental Sustainability	Develop and deliver a program for Council leading the way to a climate positive future and mitigating environmental risks.

FINANCIAL/RESOURCE IMPLICATIONS

There is an immediate financial implication for the Carbon Neutrality project to resource the requisite skills and expertise.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	Yes	Est. \$47,000	Sustainability Reserve. Adoption of the recommendation will resource the next phase of the Carbon Neutrality project.
Developer Contributions (\$7.11)	No		

Source of Funds	Yes/No	Funding (\$)	Comment
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There is not a legal requirement for Council to achieve carbon neutrality. Local Government plays an important role in reducing Australia’s GHG emissions in their role as community leaders and creating environmentally sustainable regions. This assists in working towards the NSW State Government’s target of achieving net zero emissions by 2050.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a reputational risk that Council would not achieve its commitment to Carbon Neutrality of Council’s operational emissions by 2025 should resources not be allocated.	Medium	Accept the recommendation.	Yes
There is a financial risk that Council would need to fund the emissions gap to achieve its commitment to Carbon Neutrality of Council’s operational emissions by 2025 should resources not be allocated.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council’s commitment to achieving carbon neutrality for Council operations by 2025 is an ambitious target that requires sufficient resourcing to be reached. Responding to climate change protects the natural and built environment for the benefit of the community and generations to come. Resourcing this project would reduce potential damage to Council assets, reduce disruption to the delivery of Council’s services, reduce future costs associated with GHG emissions and set the example for the Port Stephens community.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section for technical refinement and awareness of the intent of the plan.

Internal

- Community Services Section
- Assets Section
- Finance Section
- Organisational Support Section

External

- NSW Government – Sustainability Advantage

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Minute No. 275, 12 October 2021. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 12 OCTOBER 2021

NOTICE OF MOTION

ITEM NO. 2

FILE NO: 21/268337

EDRMS NO: PSC2017-00019

CARBON NEUTRALITY

COUNCILLOR: RYAN PALMER

THAT COUNCIL:

- 1) Commit to the goal of achieving carbon neutrality for Council operations by 2025.
 - 2) Determine a suitable funding source to support Council in achieving this goal
 - 3) Provide a report to Council on a roadmap to achieving carbon neutrality.
-

**ORDINARY COUNCIL MEETING - 12 OCTOBER 2021
MOTION**

275	<p>Mayor Ryan Palmer Councillor Giacomo Arnott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Commit to the goal of achieving carbon neutrality for Council operations by 2025.2) Determine a suitable funding source to support Council in achieving this goal3) Provide a report to Council on a roadmap to achieving carbon neutrality.
------------	--

The motion was carried.

**BACKGROUND REPORT OF: JANELLE GARDNER – STRATEGY &
ENVIRONMENT SECTION MANAGER**

BACKGROUND

Climate change is a significant global challenge that directly impacts the Port Stephens community. Impacts such as increased sea level rise, intensity and frequency of storms, bushfire and rainfall patterns are challenging the way we manage our environment.

MINUTES ORDINARY COUNCIL - 12 OCTOBER 2021

Over the past few years, Council has implemented a number of initiatives to reduce our carbon footprint. These include:

- Installation of solar photovoltaic systems at Council's Administration Building, Salamander Waste Transfer Station, libraries, community centres and Rural Fire Service buildings.
- Installation of solar pool pre-heating at Lakeside Leisure Centre, Tomaree Aquatic Centre and Tilligerry Aquatic Centre.
- Use of recycled glass 'greencrete' in the upgrade of Tanilba Bay roundabout.
- Installation of Building Management System and Programmable Logic Controller at our Administration Building, Lakeside Leisure Centre and many sports and community buildings to deliver energy efficiencies and lower operating costs.
- Installation of water-saving irrigation and stormwater harvesting at Medowie Park and Kindlebark Oval.
- Installation of variable-speed drives at Lakeside Leisure Centre plus Kangaroo Street and Stockton Street flood pumps to save energy consumption.
- Installation of energy-saving LED field lighting at Ferodale Netball Courts, Tomaree Netball Courts and Tomaree Sports Complex, Administration Building, Tomaree Library and Community Centre, Council works depots, Birubi Surf Club and a number of community centres and halls.

The New South Wales State Government has adopted emission reduction and renewable energy policies that aim to achieve zero carbon emissions by 2050. Port Stephens Council will support these actions by committing to ensuring Council operations are carbon neutral by 2025.

To achieve this, Council will ensure any emissions released into the atmosphere from the organisation's activity will be balanced by the equivalent amount of emissions being removed. Council will work closely with the community, business and all levels of government to influence behaviour change, reduce energy demand and protect and enhance the natural environment. Council will:

- Undertake a review of current emissions to determine the baseline
- Commit to monitoring emissions on an annual basis
- Work with our community to develop a Sustainability Strategy
- Implement actions via the Integrated Planning and Reporting framework that deliver carbon neutrality
- Advocate to the NSW Environment Minister, the Hon Matt Kean and Premier, the Hon Dominic Perrottet, to request assistance in achieving carbon neutrality.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		

MINUTES ORDINARY COUNCIL - 12 OCTOBER 2021

Source of Funds	Yes/No	Funding (\$)	Comment
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

There being no further business the meeting closed at 8.05pm.

ITEM NO. 3

**FILE NO: 23/10211
EDRMS NO: PSC2023-01019**

NSW ELECTRIC VEHICLE STRATEGY

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy (**ATTACHMENT 1**).
 - 2) Endorse the Port Stephens Development Control Plan 2014 to be amended to include requirements for new development to be EV Ready.
 - 3) Endorse the development of a grant application seeking to upgrade a passenger fleet vehicle to an EV with associated charging infrastructure.
 - 4) Endorse the development of an Expressions of Interest process relating to opportunities for EV charging providers to be installed and publically available on Council property.
-

BACKGROUND

The purpose of this report is to provide information on local planning and infrastructure responses that can be undertaken to support the delivery of the NSW EV Strategy. This report follows a Notice of Motion at the Council meeting of 27 September 2022, Minute No. 269 (**ATTACHMENT 2**).

The NSW EV Strategy (**ATTACHMENT 3**) is the NSW Government's plan to accelerate the State's vehicle fleet of the future. It outlines the government's commitments to increasing the uptake of EVs to ensure New South Wales (NSW) shares in the benefits.

Through the NSW EV Strategy, NSW Government is targeting key areas of action to make NSW the easiest place to buy and use EVs in Australia. The NSW EV Strategy includes rebates, phased removal of stamp duty for EVs, targets for NSW Government fleet, incentives for council and private fleets and major investment to ensure widespread, world-class EV charging coverage.

The NSW EV Strategy is intended to increase EV sales to 52% by 2030–2031 and help NSW achieve net-zero emissions by 2050.

The report provided within (**ATTACHMENT 1**) provides Council with benchmarking data from other local Councils and an assessment of the available options for Council to consider.

The recommended options (Options 1, 2 and 3) of the report provided within **(ATTACHMENT 1)** can be delivered within Council’s existing budget and subject to grant funding (option 2).

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Environmental resilience Ecosystem function	Develop and deliver a program for Council leading the way to a climate positive future and mitigating environmental risks.

FINANCIAL/RESOURCE IMPLICATIONS

This report presents options for Council to consider which have a range of potential short term and long term costs. Council would be provided with more detailed cost implications subject to the options selected and once the scope has been determined.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		As per recommendation. Cost and resourcing implications of options 4 and 5, provided within (ATTACHMENT 1) , are to be determined should these be progressed.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Any future actions would require an assessment of legal, policy and risk implications.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that without Council investment, residents, visitors and businesses will not have access to EV infrastructure.	Low	Accept the recommendation.	Yes
There is a risk that not supporting the transition to EV's will conflict with Council's commitment to carbon neutrality and community expectations.	Low	Accept the recommendation.	Yes
There is a risk that adopting Options 4 or 5 would place increased pressure on the Council budget in both the short and long term.	Medium	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The recommendation will contribute to improved environmental outcomes as the passenger vehicles across the State transition to EVs rather than combustion engines. In addition to this, having a network of charging infrastructure can support businesses by ensuring that infrastructure is provided at destinations and along key movement routes. Supporting the uptake of EV's within the built environment and facilitating charging infrastructure provides significant benefits to the community as we consider the impacts of climate change.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section.

Internal

Stakeholders identified a number of potential opportunities and/or constraints to the delivery of EV infrastructure across the LGA. To inform this report staff engaged with:

- Assets Section
- Strategy and Environment Section
- Strategic Property

External

No external consultation was undertaken.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Report on local planning and infrastructure responses to the NSW Electric Vehicle (EV) Strategy. [↓](#)
- 2) 27 September 2022, Minute No. 269. [↓](#)
- 3) NSW Electric Vehicle Strategy. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.



Author: Strategic Planning Coordinator
 Date: 28 February 2023
 File No: PSC2023-01019
 Subject: Report on local planning and infrastructure responses that can be undertaken to support the delivery of the NSW Electric Vehicle (EV) Strategy

Background

The purpose of this report is to provide information on local planning and infrastructure responses that can be undertaken to support the delivery of the NSW EV Strategy. This report follows a Notice of Motion at Council's meeting of 27 September 2022, Minute No. 269 (**ATTACHMENT 2**).

The NSW EV Strategy is the NSW Government's plan to accelerate the State's vehicle fleet of the future (**ATTACHMENT 3**). It outlines the government's commitments to increasing the uptake of EVs to ensure NSW shares in the benefits.

Through the Strategy, the NSW Government is targeting key areas of action to make New South Wales the easiest place to buy and use EVs in Australia. The Strategy includes rebates, phased removal of stamp duty for EVs, targets for NSW Government fleet, incentives for council and private fleets and major investment to ensure widespread, world-class EV charging coverage.

The Strategy is intended to increase EV sales to 52% by 2030–2031 and help New South Wales achieve net-zero emissions by 2050.

Local Context

The use of and ownership of EVs across the state continues to increase year on year. In the 9 months to September 2022, 26,356 EVs were sold in Australia. This is up from less than 7,500 in 2020 within NSW.

Within the Port Stephens LGA, 46,481 passenger vehicles are registered. Information from TfNSW (December 2022) shows that of these, a total of 107 EVs registered within the LGA, representing 0.23% of the total passenger vehicle registrations in the LGA. A further 873 are nominated as hybrid electric which refers to petrol hybrid vehicles.

With respect to EV charging stations, the following table provides a summary of the known EV charging infrastructure in place across the LGA:

Location	Address	Chargers	Publicity Available
Heatherbrae Supercharger	2285 Pacific Hwy, Heatherbrae	6	Yes
Ampol Foodary Raymond Terrace North	40 Richardson Rd, Raymond Terrace	Planned 2	Yes

1

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

Location	Address	Chargers	Publicity Available
Lakeside Shopping Centre	74 Benjamin Lee Dr, Raymond Terrace	Planned 15	Yes
Murray Consulting Solutions	6 Muir St, Medowie	2	Yes
Latitude One	Latitude Dr, Anna Bay	2	No
BP Karuah	403 Tarean Rd, Karuah	4	Yes
Amarna Luxury Beach Resort	16 Christmas Bush Avenue, Nelson Bay	2	No
Soldiers Point Marina	2 Sunset Blvd, Soldiers Point	2	No
The Ridge Nelson Bay	14 Gynea Way, Nelson Bay	2	No
The Anchorage Port Stephens Hotel & Spa	26 Corlette Point Rd, Corlette	1	No
Australian Motor Homes Tourist Park and Fish Farm	4406 Pacific Hwy Twelve Mile Creek	3	Yes
Wanderers Retreat	7 Koala Pl, Boat Harbour	2	No
Newcastle Links Motel	1024 Nelson Bay Rd, Fern Bay	1	No
Total		27(44)	

Council Current Approach

Port Stephens Council does not presently own or manage any EV charging infrastructure as part of its asset portfolio. At its meeting on 27 September 2022, Council considered a report into the options for Council Fleet Management to look at improved environmental outcomes (**Appendix 1**).

In this regard, Council is trialing the use of hydrogen fuel in 2 Council owned heavy vehicles. This trial involves supplementing 30% diesel use with hydrogen gas. This trial is a hybrid system that can be fitted to any modern diesel engine without the capital costs associated with complete engine conversions.

With respect to the use of EVs for high kilometre use vehicles, such as pool cars, the report concluded that these are still being trialed in other Council areas. Fleet management noted that these trials have shown mixed results. Council will continue to work with other local government bodies to provide an informed decision on EV fleet options, should funding become available.

It is noted that steps are being taken to ensure some Council assets are EV ready. The new Raymond Terrace depot will have provisions for EV charging stations. This will allow for future Council owned EVs to be purchased and charged while stationed at work.

Benchmarking

Within the Hunter Region, the respective Councils are taking differing approaches. A brief summary of these is provided below.

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.Lake Macquarie City Council

In 2020, Lake Macquarie City Council (LMCC) adopted the EV Charging Strategy 2020-2023. The Strategy sought to provide Lake Macquarie with a charging infrastructure strategy that prepared the community for the global transition to EVs.

LMCC, as per the strategy, has continued to develop and invest in EV technology. LMCC currently has:

- 9 battery EVs and 75 hybrid EVs
- 5 DC Fast Chargers (Swansea, Toronto and Speers Point)
- EV Ready car park with a capacity for 53 vehicles
- Grant funding for 6 new charging stations within its holiday parks and Speers Point Park.

With respect to development controls, LMCC does not presently have any additional controls within its Development Control Plan specifically in relation to or requiring the provision of EV infrastructure.

The City of Newcastle

The City of Newcastle's (CoN) 'City of Sustainability' forms part of its Smart City Strategy. As part of this strategy, CoN is seeking to develop its own public EV charging network. Where possible these chargers will seek to use onsite solar panels and battery sources for renewable power. To date, the CoN has a network of 7 chargers installed across 4 sites, which provide a total of 14 charging bays.

The Newcastle Development Control Plan 2012, under Section 7.03, Traffic, Parking and Access, has been amended to include requirements for EV infrastructure. The Development Control Plan applies to any new development that involves car parking, or residential alterations and additions with an estimated cost of equal to or more than \$200,000. This includes low density development such as new dwellings and dual occupancy. More prescriptive requirements for multi-dwelling/residential flat buildings as well as commercial/industrial development are also specified.

Through the Development Control Plan, the CoN is seeking to ensure that future development is required to be EV ready. This means ensuring the installation of appropriate electrical circuitry to allow for future EV charging points, by pre-wiring. The scale of the requirements vary depending on the nominated use.

Maitland City Council

Maitland City Council (MCC) does not currently have any public strategy documentation or infrastructure plans relating to EV infrastructure. The MCC Development Control Plan does not contain any specific controls relating to EV infrastructure.

NSW Government

The NSW Government is investing \$149 million to develop a world-class charging network across the State. As part of this project, approximately 250 fast and ultra-fast charging stations developed across the State over the next several years. The program target is to deliver at least 4 fast or ultra-fast chargers per station, every 5 km in metropolitan areas, and at 100 km intervals across all major NSW highways.

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

Private Sector Development

With the continuing uptake of EVs, there is an increasing level of private sector investment in EV infrastructure. An overview of the notable companies investing in EV infrastructure is as follows:

- Ausgrid (EVX) – 30,000 new power pole charging stations by 2029
- Ampol (AmpCharge) – 110 fast charging bays at 19 new AmpCharge sites throughout Greater Sydney and Regional NSW, co-funded by the NSW Government
- BP (BPPulse) – Plan to install around 600 EV charging points around Australia
- NRMA – 50 electric car charging stations across major NSW roads and rolling out new Mobile EV Chargers as part of their patrol fleet.

Options Assessment

Taking the above information into consideration, a range of options have been developed for Council’s consideration. These have been considered to provide Council with a proportional response, allowing for consideration of the likely costs and benefits of the respective options.

Options	Detail and Actions taken	Indicative Resourcing and Timeframes
1. Amendments to the Port Stephens Development Control Plan (PSDCP)	In line with local government benchmarking, Council could develop new controls within the Port Stephens DCP to require the infrastructure needed for EV charging in new builds and alterations/additions. This could include varying requirements for all forms of development (residential, commercial, industrial tourist developments). The scale of requirements could vary depending on the size / scale of the development or proposed use. The intent would be to ensure that new development is considered to be EV ready.	<p>Resourcing: Managed within existing budgets and resourcing.</p> <p>Responsible Section: Strategy and Environment.</p> <p>Expected timeframe to implement: The inclusion of requirements for EV infrastructure within the PSDCP could be prepared for public exhibition and endorsed within 12 months.</p>
2. Council Fleet Transition Trial (seek external grant funding)	<p>As noted in the previous report of Council’s Assets Section (Appendix 1), Council is continuing to work with other local government bodies to provide an informed decision on EV fleet options.</p> <p>The market options for passenger fleet are more readily available and represent the most accessible choice for Council to add EV’s to its asset portfolio.</p>	<p>Resourcing: Managed within existing budgets and resourcing.</p> <p>Responsible Section: Assets.</p> <p>Expected timeframe to implement: 3 – 6 months for grant submission. 6 -12 months subject to</p>

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

Options	Detail and Actions taken	Indicative Resourcing and Timeframes
	<p>Heavier fleet and plant machinery options are limited at this current time and Fleet Management staff remain across market opportunities in this space.</p> <p>Access to EV assets is also limited by the sharp market increase over the past 12-24 months, with lead times of 6 months minimum being experienced.</p> <p>There are now grant programs that would allow Council to seek funding to transition some of the fleet to EV's. These grants offer the capacity for Council to effectively trial an EV with minimal cost or risk through covering the costs of the upgrade and charging infrastructure.</p>	<p>gaining grant funding and market availability.</p>
<p>3. Guide and Support EV Infrastructure</p>	<p>Option 3 acknowledges that the private sector, with support from the State and Federal government, are taking the lead in addressing the need for infrastructure to facilitate the further uptake of EVs. Through private investments and government grants a network of charging options is being delivered. This is generally consistent with the adopted NSW EV Strategy.</p> <p>In this scenario, Council has the opportunity to leverage existing car parking infrastructure to allow EV charging stations to be delivered by third parties. In this scenario, Council could enter into lease arrangements with infrastructure providers to allow them to install and maintain EV charging infrastructure on Council land. The third party would charge consumers to charge their vehicles. Council could charge an access fee for this. Reference information and an Expressions of Interest process would be required to commence this opportunity.</p>	<p>Resourcing: Managed within existing budgets and resourcing.</p> <p>Responsible Section: Assets, and Strategic Property.</p> <p>Expected timeframe to implement: 3 - 6 months to identify a series of suitable locations and develop an information package for distribution via an Expressions of Interest process.</p>

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

Options	Detail and Actions taken	Indicative Resourcing and Timeframes
	<p>This option supports the delivery of the needed infrastructure without the need for Council to commit capital funds or become liable for ongoing maintenance of grant-funded infrastructure.</p>	
<p>4. Council owned and managed EV Infrastructure (supported by grant funding)</p>	<p>Option 4, would rely on Council seeking grant funding to develop a network of EV charging infrastructure across the local government area. This would reduce the cost borne by Council through grant support.</p> <p>The current grant programs offered by the NSW Government provide funding for up to 50% of the total construction costs per station (grant upper limit of \$490,000 per site).</p> <p>In this option, the funding could be sought to deliver EV infrastructure in areas that Council identifies as key destinations, or where private investment, is unlikely to occur. The scope of the works would be limited by the grant funding support received.</p> <p>Council would be liable for ongoing maintenance of infrastructure and any supporting requirements.</p>	<p>Resourcing: Grant funding applications can be managed within existing budgets and resourcing.</p> <p>Responsible Section: Assets, and Strategic Property.</p> <p>Note that all available grants are seeking a co-contribution and Council would need to identify and contribute funding.</p> <p>Should this option be preferred, further investigations into project scope, capital costs and long term maintenance costs would need to be considered.</p>
<p>5. Council owned and managed EV Infrastructure (upfront investment and supported by grant funding)</p>	<p>If Council were seeking to invest significantly in EV infrastructure, Council could look to define and provide a network of charging stations across a number of existing facilities and car parks.</p> <p>In this option, selected public car parks, sporting and community facilities could be provided with EV charging stations for a portion of the provided parking.</p> <p>Grant funding would be sought to support Council in delivering this however, to ensure the timely delivery, Council would be required</p>	<p>Resourcing: The delivery of a broader strategy to install EV charging infrastructure could not be undertaken within existing resources or budgets.</p> <p>Responsible Section: Strategy and Environment, Assets, and Strategic Property.</p> <p>Note that all available grants are seeking a co-contribution and Council</p>

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

Options	Detail and Actions taken	Indicative Resourcing and Timeframes
	<p>to provide upfront project funding and prioritisation as part of the capital works program.</p> <p>This option would ensure the timeliest delivery of EV infrastructure however the potential costs supporting the delivery of the infrastructure are likely to be significant both in the short and long term.</p>	<p>would need to identify and contribute funding.</p> <p>Should this option be preferred, further investigations into project scope, capital costs and long term maintenance costs would need to be considered.</p>

Option Recommendations

There is significant evidence, both from the level of investment through grants and the amount of charging facilities already available, that EV infrastructure is being provided across the LGA. The NSW Government has committed significant funding which is being taken up by businesses within Port Stephens.

There are presently over 100 EVs in the LGA, with access to 27 charging stations, with at least another 17 to be available within the next 12 to 18 months. It is also evident that key tourist destinations and accommodation providers (Amarna Resort, Soldiers Point Marina, The Anchorage and Lakeside Shopping Centre) have recognised the value in providing this as a service to support their business.

As such, there appears to be little need for Council to also look to develop its own EV infrastructure network at the present time. If options to partner with third party providers are taken up this would ensure that the broader community, as well as visitors, are provided with the required infrastructure to support EV take up is across the State.

This could be supported by an amendment to the PSDCP to include requirements for new development to be EV ready. Council could also look at funding opportunities to support the transition fleet.

Collectively, Options 1, 2 and 3 are considered the most effective options with minimal cost or risk to Council.

Recommendations:

1. Endorse the Port Stephens Development Control Plan 2014 to be amended to include requirements for new development to be EV Ready.
2. Endorse the development of a grant application seeking to upgrade a passenger fleet vehicle to an EV with associated charging infrastructure.
3. Endorse the development of an Expressions of Interest process for opportunities for EV charging providers to install publically available infrastructure on Council property.

Strategic Planning Coordinator

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

Appendix 1

MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022

ITEM NO. 2

**FILE NO: 22/204194
EDRMS NO: PSC2019-05143**

HYDROGEN AND ELECTRIC VEHICLES IN COUNCIL'S FLEET

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

BACKGROUND

The purpose of this paper is to provide information regarding the use of hydrogen fuel in Council's fleet as requested in the Notice of Motion (**ATTACHMENT 1**) Council meeting on 13 July 2021, Minute No. 177.

Council will trial the use of hydrogen fuel in 2 council owned heavy vehicles. This trial involves supplementing 30% diesel use with hydrogen gas. This trial is a hybrid system that can be fitted to any modern diesel engine without exorbitant capital costs in engine conversions. As regional NSW does not currently have any commercial hydrogen refuelling stations, the selected system uses exchangeable tanks that are directly fitted to the vehicle. There are 2 national primary suppliers of hydrogen gas that have commercial cylinder exchange available in the Newcastle region.

The initial installation of the hydrogen systems will cost approximately \$9000 per unit. Assuming current fuel and hydrogen costs, the diesel cost savings will recover the installation costs within 1.5 years. After this 1.5 year payback period, diesel savings are estimated to be up to \$7500 per year and have an estimated reduced carbon footprint of 8804kg of CO2 emissions per year per vehicle.

Other vehicles and alternatives to diesel fuel have been reviewed, though the benefits are not positive for either sustainability or economic measures.

Council Workshop technical staff will be trained in the installation and maintenance of the systems including the periodical exchange of tanks.

The Fleet Management reserve will fund the initial costs of trialling this system.

As hydrogen has a dangerous goods classification of H220 (extremely flammable gas) additional training and certification will be implemented to ensure the safe and secure handling and storage of hydrogen gas on site.

Electric vehicles for high kilometre use vehicles, such as pool cars, are still being trialled in other Councils with a mixture of success. While electric vehicles are becoming more common for domestic users and low use commercial vehicles, Council is not in a position right now to operate electric vehicles. Though it should be noted that the new Raymond Terrace depot will have the provisions for an electric vehicle charging station. This will allow for future Council owned electric vehicles to be purchased and charged while stationed at work.

**ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND
INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV)
STRATEGY.**

MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022

ATTACHMENTS

- 1) Council Resolution - Hydrogen and Electric Vehicles in Council's Fleet - Minute No, 177 - Council Meeting 13 July 2021.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.

MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022

ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - HYDROGEN AND ELECTRIC VEHICLES IN COUNCIL'S FLEET - MINUTE NO, 177 - COUNCIL MEETING 13 JULY 2021

MINUTES ORDINARY COUNCIL - 13 JULY 2021

NOTICE OF MOTION

ITEM NO. 2

FILE NO: 21/176060

EDRMS NO: PSC2017-00019

HYDROGEN AND ELECTRIC VEHICLES IN COUNCIL'S FLEET

MAYOR: RYAN PALMER

THAT COUNCIL:

- 1) Staff investigate the future use of hydrogen and electric vehicles in its fleet including commuter vehicles, garbage trucks and plant.
- 2) Staff report back to Council on an estimated timeline of changeover, costs associated and carbon reduction, with a switch to new technologies in Council's fleet.
- 3) Staff investigate the needs of the community in regards to recharging stations over the coming 10 year period and make recommendations to meet these.

ORDINARY COUNCIL MEETING - 13 JULY 2021

MOTION

177	<p>Mayor Ryan Palmer Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) The General Manager investigate the future use of hydrogen and electric vehicles in its fleet including commuter vehicles, garbage trucks and plant.2) The General Manager report back to Council on an estimated timeline of changeover, costs associated and carbon reduction, with a switch to new technologies in Council's fleet.3) The General Manager investigate the needs of the community in regards to recharging stations over the coming 10 year period and make recommendations to meet these.
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The motion was carried.

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.**MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022****ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - HYDROGEN AND ELECTRIC VEHICLES IN COUNCIL'S FLEET - MINUTE NO, 177 - COUNCIL MEETING 13 JULY 2021****MINUTES ORDINARY COUNCIL - 13 JULY 2021****BACKGROUND REPORT OF: ANDREW BEHRENS, ACTING ASSETS SECTION MANAGER****BACKGROUND**

The purpose of this report is to advise Council of the potential future use of hydrogen and electric vehicles in its fleet including commuter vehicles, garbage trucks and plant.

As the technology and supporting infrastructure for alternative fuels continues to emerge and evolve, industry experts suggest that market users will buy what they consider suits their purpose, governments will legislate as required (eg emissions targets, safety) and manufacturers will build what suits their market position.

Council's current fleet contains vehicles in the following categories:

- Cars
- Utilities
- Mid-size trucks
- Heavy trucks
- Plant

There are a wide range of considerations that need to be taken into account in determining the appropriate alternative fuel type vehicle for a particular use such as vehicle availability, travel distance, weight limits, location of appropriate charging infrastructure, recharge timeframes, purchase price, whole of life costs, and compatibility. The industry currently suggests that the following alternative fuel types best suit the following class of vehicles:

- Electric - best suits light vehicles
- Hydrogen - mid-large size vehicles
- Electric - heavy long haul vehicles

At the present, there is a range of light vehicles available as electric vehicles including hybrid versions in Australia. There are very few mid-large size vehicles available in an affordable price range with most being in the luxury category. Some heavy vehicles are available via aftermarket kit or as European imports at a premium price.

There are also various levels of charging available for electric vehicles. The level of charging required influences the vehicle recharge timeframe and the extent of infrastructure required. Currently there are several different types of charge connection plugs dependent on the vehicle manufacturer. At present hydrogen refuelling is very limited in regional areas.

ITEM 3 - ATTACHMENT 1 REPORT ON LOCAL PLANNING AND INFRASTRUCTURE RESPONSES TO THE NSW ELECTRIC VEHICLE (EV) STRATEGY.**MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022****ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - HYDROGEN AND ELECTRIC VEHICLES IN COUNCIL'S FLEET - MINUTE NO, 177 - COUNCIL MEETING 13 JULY 2021****MINUTES ORDINARY COUNCIL - 13 JULY 2021**

Given the availability of appropriately priced and whole of life cost alternative fuel vehicles the passenger car class is the most appropriate to be considered at present given the relatively limited charging infrastructure presently in place within the local government area. At present the switch to alternative fuel vehicles for utilities, trucks and plant is considered cost prohibitive.

Council staff will continue to keep abreast of this evolving industry and continue to investigate and test the suitability of incorporating hydrogen and electric vehicles into Council's Fleet.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022**NOTICE OF MOTION****ITEM NO. 1****FILE NO: 22/164843****EDRMS NO: PSC2021-04195****NSW ELECTRIC VEHICLE STRATEGY****COUNCILLOR: CHRIS DOOHAN****THAT COUNCIL:**

- 1) Recognises the increase in Electric Vehicles (EV's) of local residents and visitors being used in our LGA and notes potential visitors may not come to Port Stephens due to a lack of public EV charging infrastructure.
- 2) Supports the NSW Government's Electric Vehicle Strategy.
- 3) Requests that the General Manager prepares a report identifying local planning and infrastructure responses that can be undertaken to support the delivery of the NSW Electric Vehicle Strategy.

**ORDINARY COUNCIL MEETING - 27 SEPTEMBER 2022
MOTION**

269	Councillor Chris Doohan Councillor Peter Francis It was resolved that Council: <ol style="list-style-type: none">1) Recognises the increase in Electric Vehicles (EV's) of local residents and visitors being used in our LGA and notes potential visitors may not come to Port Stephens due to a lack of public EV charging infrastructure.2) Supports the NSW Government's Electric Vehicle Strategy.3) Requests that the General Manager prepares a report identifying local planning and infrastructure responses that can be undertaken to support the delivery of the NSW Electric Vehicle Strategy.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Peter Francis, Peter Kafer and Steve Tucker.

Those against the Motion: Nil.

The motion was carried.

MINUTES ORDINARY COUNCIL - 27 SEPTEMBER 2022

BACKGROUND REPORT OF: BROCK LAMONT – STRATEGY & ENVIRONMENT SECTION MANAGER

BACKGROUND

The NSW Electric Vehicle Strategy is the NSW Government’s plan to accelerate the State’s vehicle fleet of the future (**ATTACHMENT 1**). It outlines the government’s commitments to increasing the uptake of electric vehicles (EV’s) to ensure New South Wales shares in the benefits.

Through the Strategy, the NSW Government is targeting key areas of action to make New South Wales the easiest place to buy and use an EV in Australia. The Strategy includes rebates, phased removal of stamp duty for EVs, targets for NSW Government fleet, incentives for council and private fleets and major investment to ensure widespread, world-class EV charging coverage.

The Strategy is intended to increase EV sales to 52% by 2030–2031 and help New South Wales achieve net-zero emissions by 2050.

Council is currently exhibiting the Integrated Planning and Reporting Framework documents for 2022 to 2032. Support for the NSW Electric Vehicle Strategy aligns with Council’s Community Strategic Plan actions for:

- E2 – E2.2 – Support renewable energy and alternative fuel use.
- E3 – E3.1 – Support community resilience to climate change including coastal and waterways hazards - Achieving Carbon Neutrality for Council by 2025.

Support for the NSW Electric Vehicle Strategy also aligns with aims and objectives within Council’s adopted Local Strategic Planning Statement (LSPS), Smart City Blueprint and Economic Development Strategy.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

- 1) NSW Electric Vehicle Strategy.



NSW Electric Vehicle Strategy

environment.nsw.gov.au



Ministers' foreword



The Hon. Andrew Constance MP
Minister for Transport and Roads



The Hon. Matt Kean MP
Minister for Energy and Environment

Australia is a nation that loves to travel.

From young adults saving up to buy their first car, right through to retirees hitting the road to explore Australia's vast countryside, travelling is central to Australia's way of life.

Over past decades, vehicle technology has improved significantly, allowing Australians to travel faster, more safely and in greater comfort. Technologies like airbags and ABS have saved countless lives, while transitioning from leaded to unleaded fuels has helped to reduce deadly air pollution.

Over the coming decades, vehicle technologies like hydrogen and autonomous vehicles are again set to transform the way Australians move. In the more immediate future, electric vehicle (EV) technology will revolutionise the use of Australia's roads.

EVs are high performing vehicles that are cheaper to run, quieter on the road and do not emit tailpipe air pollution or greenhouse gas emissions. They also stand to dramatically improve health outcomes for communities, particularly pregnant women and babies, people with chronic illnesses, and the elderly, through reduced toxic exhaust emissions. Most of the biggest manufacturers across the world are introducing more EVs into their fleets, creating a big opportunity for the people of New South Wales to also benefit from the technology.

New South Wales must act decisively to capture this opportunity. The world is moving to decarbonise in response to climate change and Australia is one of 191 countries that have committed to keeping global temperature rises to well below 2°C under the Paris Agreement. Failing to act could see our State miss out on better quality, cheaper EVs which do not make it to New South Wales because policy settings are better overseas.

The Electric Vehicle Strategy is our plan to make New South Wales the easiest and most affordable place to buy and use an EV in Australia. It is also a critical element of NSW's multi-faceted approach to revolutionising our road and transport network. Under this strategy, stamp duty on EVs will be slashed, drivers will have access to a world-class road network of ultra-fast charging stations and motorists will be supported to make their next vehicle an EV. It is a bold plan, designed to drive record numbers of EVs onto our roads and accelerate our fleet of the future.

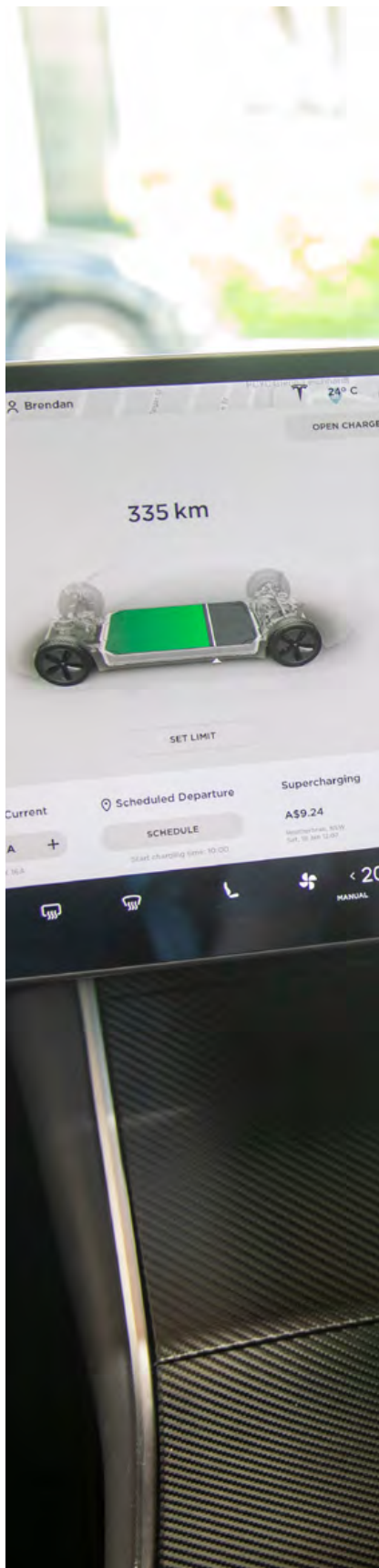
The Hon. Andrew Constance MP
Minister for Transport and Roads

The Hon. Matt Kean MP
Minister for Energy and Environment



Contents

Ministers' foreword	2
Introduction	4
Background	5
What is an electric vehicle?	5
Electric vehicle trends	6
Benefits of electric vehicles	10
Policy principles	14
Overcoming barriers to electric vehicle uptake	14
Maximising economic and public health opportunities	15
Consistency with achieving net zero by 2050	16
Fair and sustainable road revenue	16
Actions	17
Action 1 Helping drivers buy an electric vehicle	19
Action 2 Building a world-class electric vehicle charging network	21
Action 3 Making it easy to drive an electric vehicle	26
Action 4 Creating jobs and growing the economy	27
Action 5 Keeping road funding fair and sustainable	29
Projections	30
Keeping track and strategy review	31
References	31



Introduction

Communities, businesses and governments around the world are adopting new technologies and innovations that improve our way of life and create a more prosperous future. This is particularly so for the transport sector, where advances in technology are transforming the way people travel. Improvements in the road safety features of cars, real-time information and digital ticketing for public transport, and on-demand rideshare apps, are just some examples of how technology has improved transport.

The same is true for technology advances in the vehicle fleet itself, with the reduced environmental and health impacts, falling cost and high-quality driving experience of electric vehicles (EVs) making them an increasingly attractive option for motorists. Global demand for EVs has increased dramatically, with total stock reaching over 10 million in 2020 compared to less than 20,000 in 2010, with battery electric models driving the expansion (International Energy Agency, 2020). Ambitious government policies in some of the world's biggest economies like the US and UK, new companies like Tesla, as well as EV commitments from some of the world's biggest car makers including Volkswagen, Hyundai, General Motors, Toyota and Ford, are also accelerating this change.

New South Wales is well placed to embrace the EV opportunity. New South Wales:

- has strong geological prospects for several of the minerals crucial in the manufacture of EV batteries
- has a highly skilled workforce capable of contributing to the production and installation of EV infrastructure
- regularly trials and adopts world-leading technologies across the transport sector to modernise our road network and services, and
- has vast renewable energy sources ready to provide cheap electricity to fuel EV fleets allowing New South Wales to bring home jobs in the renewable electricity that powers these vehicles, unlike most jobs in the petrol and diesel supply chain that are interstate or overseas.

The NSW Government is committed to increasing the uptake of EVs, allowing more people to benefit from their cheaper running costs and a cleaner, quieter and more sustainable transport network. Currently, battery EVs make up only about 0.68% of new car sales in New South Wales. This compares to international market leader, Norway, where battery EVs made up 55% of new vehicle sales in 2020 and plug-in hybrid and battery EV sales combined made up 75% of sales. In the UK, battery EVs made up 7% of new vehicle sales in 2020.

The EV Strategy is the NSW Government's plan to accelerate the State's vehicle fleet of future. The Strategy is expected to increase EV sales to 52% by 2030-31 and the NSW Government's objectives are to achieve that goal and see the vast majority of new car sales being EVs by 2035.

NSW Government



Background

What is an electric vehicle?

There are a number of different types of EVs.



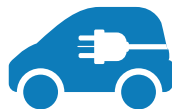
Battery EVs

Full EV powered entirely by electricity. Battery EVs produce no tailpipe emissions.



Hydrogen fuel cell EVs

Use a fuel cell instead of a battery and yet to achieve market breakthrough.



Plug-in hybrid EVs

Have both a small battery and petrol or diesel engine and can be run both on fuel and electricity.

The NSW Electric Vehicle Strategy mainly provides support for battery and hydrogen fuel cell EVs which produce no tailpipe exhaust emissions and have the capacity to be zero emissions when powered by renewable energy.

Electric vehicle trends

International context

According to the International Energy Agency, global demand for EVs increased by 43% in 2020 compared to 2019, with three million new EVs registered in 2020 (IEA, 2020). The increase in demand is driven in large part by the growth of new EV policies in international jurisdictions.



International electric vehicle policies

- The US under the Biden Administration plans to spend \$174 billion to drive EV uptake and upgrade its 640,000 Government fleet of vehicles to EVs
- Norway plans to end sales of new petrol and diesel vehicles by 2025
- The UK plans to ban the sale of new petrol and diesel vehicles by 2030
- Sweden offers a grant for up to 25% of the purchase price of low emissions vehicles and 50% of the price for home charging points
- Japan plans to end the sale of petrol and diesel cars by the mid-2030s
- France will spend €1.3 billion to drive the uptake of EVs before prohibiting the sale of petrol and diesel vehicles by 2040
- Germany plans to put 10 million EVs on the road and install 1 million charging stations by 2030
- China requires all automakers and car importers to manufacture or import at least 12% EVs
- Canada will spend CAD\$600 million to incentivise the uptake of EVs and develop a coast-to-coast fast charging network
- Singapore has a plan to ensure all vehicles in the country are low-emissions or zero emissions vehicles by 2040
- New Zealand plans to invest NZ\$300 million in electric vehicles and upgrade its Government fleet to be emission-free by 2025-26

Car makers

Many car makers are responding to the growing demand for EVs by committing to electrifying their fleets and retooling their production lines towards EVs.



Car maker electric vehicle commitments

- Toyota will produce 5.5 million EVs per year by 2030
- Volvo will be a fully electric car company by 2030
- Ford will phase out internal combustion engines in Europe by 2030
- General Motors will phase out internal combustion engines in light duty vehicles by 2035
- Hyundai will phase out internal combustion engines by 2040
- BMW will offer electric models across 90% of its range by 2023 and plans for 50% of global deliveries to be electric by 2030
- Honda will only sell EVs in Europe by the end of 2022
- Jaguar Land Rover will only sell EVs through its Jaguar brand from 2025 and through its Land Rover brand from 2036 globally
- Stellantis will offer EVs across 100% of its range by 2030
- Volkswagen will spend over US\$30 billion to develop EVs by 2023, and intends electric models to make up 40% of its fleet by 2030

ITEM 3 - ATTACHMENT 3 NSW ELECTRIC VEHICLE STRATEGY.

Table 1 Announcements by car makers related to electric light-duty vehicles (battery EVs and plug-in hybrid EVs) (IEA, 2020).

Original equipment manufacturer	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
BMW Group			25		15-25%					10
BAIC Group	2				1.3					50%
Changan Automobile (Group)					33					
Daimler		10			25%					50%
Dongfeng Motor Co.	1	30%	1		1				1	1
FAW					40%					60%
Ford		40				100%*				
GM Group			22		30	1				1
Honda										40%†
Hyundai-Kia					1	29				
Mazda		1								5%
Renault-Nissan		20								20%
Maruti Suzuki	1									1.5
SAIC					30%					30
Stellantis					38%*					70%*
					31%**					35%**
Toyota Group	1				15					>1
					20%					70%*
Volkswagen			1		3				26	
					75					50%**
Volvo (Geely Group)	1	1	1	1	50%					100%*

 % of sales electric
 Annual sales (million)
 Cumulative sales (million)
 New EV models (number)
 * European market only
 ** Chinese and US markets only
 † Includes both EVs and fuel cell EVs



NSW Context

In 2019, the NSW Government released its Electric and Hybrid Vehicle Plan (the Plan). The Plan has helped to kick-start the EV market in New South Wales and build critical EV infrastructure in the State.

Under the Plan, the NSW Government:

- is supporting at least 20 fast chargers in regional New South Wales and is trialling chargers in commuter carparks in Greater Sydney
- added 36 battery EVs, 23 plug-in hybrid EVs and 2741 hybrid EVs to the NSW Government fleet between January 2019 and March 2021
- has delivered an online NSW EV guide which provides information on available EV models, benefits of EVs, EV charging, and a total cost of ownership calculator.

The NSW Government has also committed to transitioning the State's 8000 buses to zero emissions technology. Over 50 electric buses were rolled out across Sydney in early 2021 in the first phase of this work, helping to reduce air pollution and greenhouse gas emissions. The transition to zero emissions buses also provides opportunities for local industry and manufacturing businesses, and supports the development of skills which can be utilised across other areas of the transport network including freight vehicles and light passenger vehicles.

In addition to this, the NSW Government has announced a target of net zero emissions from electricity used to run Sydney Trains and NSW TrainLink by 2025, which will be achieved progressively over the next four years, starting by offsetting all emissions from our stations' electricity use by 2022.

In March 2021 there were 7135 light battery EVs registered in New South Wales, making up about 0.1% of light vehicles on NSW roads. In 2020, battery EVs made up 0.68% of new light vehicle sales in New South Wales.

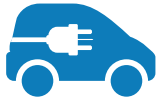
The NSW Government has also set carbon emissions reduction objectives of net zero by 2050 and 35% by 2030 and has set out its emissions reduction plan for the next decade in the Net Zero Plan Stage 1: 2020-2030.

Benefits of electric vehicles

There are a range of benefits of increasing EV uptake in New South Wales.

Lower running costs

Switching to an electric vehicle can save about **\$1000** in running costs a year



EVs have lower running costs and require less maintenance than petrol and diesel cars. An average NSW driver is likely to save around \$1000 in running costs per year by switching to an EV.

These savings are even higher for vehicles that are on the road more often, including taxis, buses, freight and rideshare vehicles. For example, a taxi driver can save up to around \$4500 per year by switching from a hybrid petrol car to a battery EV or even more if switching from a traditional petrol vehicle. For buses, the recent trial in Sydney found that the State can achieve reductions in operating and maintenance costs by switching from diesel to electric buses, with a full fleet transition estimated to achieve between \$1.1 and \$1.9 billion in environmental cost savings.

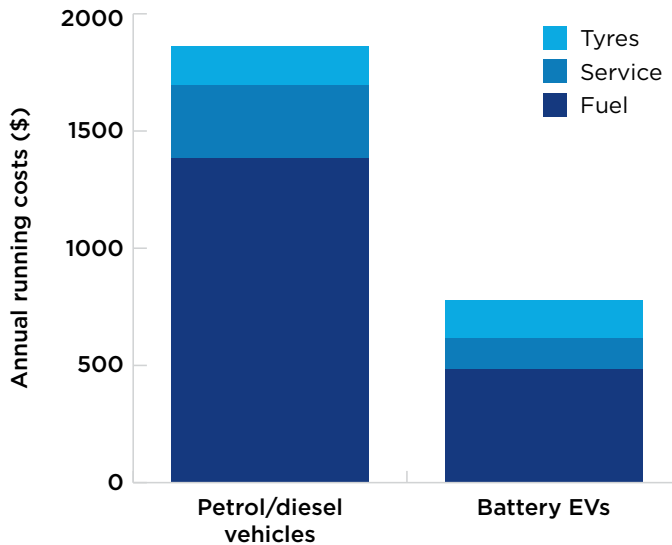


Figure 1 Comparison of annual running costs for small and medium passenger petrol/diesel vehicles and battery electric vehicles.



Cleaner air and health benefits

While all vehicles contribute to air pollution through road, brake and tyre wear, battery and fuel cell EVs do not produce tailpipe emissions of particle and gaseous air pollutants like petrol and diesel vehicles. Road transport air emissions are released near the ground and frequently within communities resulting in relatively high population exposure.

Statistics show that motor vehicles account for 62% of Sydney's nitrogen oxides (NOx) emissions, 24% of volatile organic compound (VOC) emissions and 14% of particulate matter (PM2.5) emissions (EPA, 2012) – all of which have direct and indirect effects on health of our communities. Motor vehicles are also a significant contributor to fine particle and ozone pollution in the Sydney basin area. Moreover, about 70 premature deaths each year are associated with long term exposure to vehicle pollution in the NSW Greater Metropolitan Region with vehicle exhaust emissions contributing 69% of the fine particle exposures associated with these deaths (Broome et al, 2020).

Reducing tailpipe emissions from vehicles can deliver significant health benefits for New South Wales, particularly for people living with, or more susceptible to, cardiovascular and respiratory health conditions like asthma and reduce other secondary health impacts caused by these emissions.

New job opportunities

Increasing the uptake of EVs in New South Wales presents an opportunity to create new jobs in the EV industry. These jobs could occur across many parts of the EV market, from manufacturing EV components through to installing, managing and maintaining EV infrastructure like chargers. There will also be new jobs created in the electricity industry to generate electricity needed to power EVs.

Improved fuel security

Australia currently relies heavily on international imports for our liquid fuels. The light passenger vehicle fleet uses 57% of the total liquid fuels used by the transport sector. Increasing the uptake of EVs in New South Wales reduces the State's reliance on imported liquid fuels, improving fuel security by relying on electricity generated in Australia.

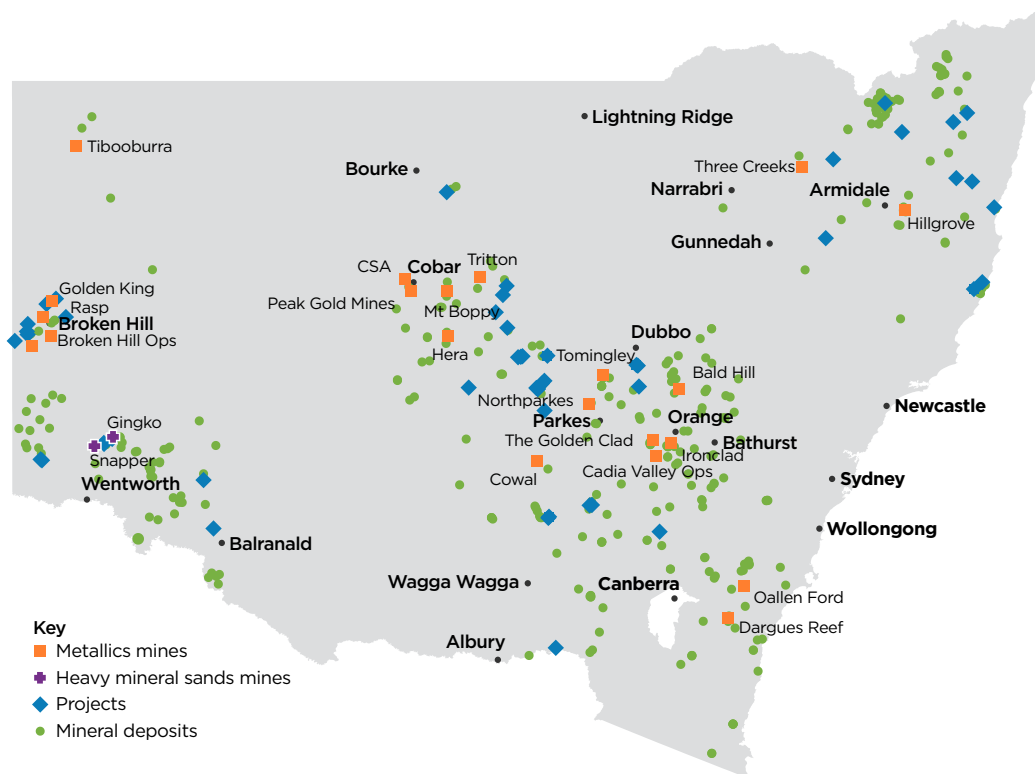


Figure 2 Mineral deposits in New South Wales.

New mining opportunities

New South Wales has a significant mineral endowment of nickel and cobalt which is used in EV battery manufacture as well as deposits of copper, a crucial mineral required in wiring and transmission of energy. Demand for these minerals will increase as EV charging networks widen, leading to more jobs in New South Wales.

The rise in EV uptake globally will continue to create new markets for these minerals, which could attract new mineral exploration, mining and processing investment in New South Wales and provide skilled and well-paid jobs in regional New South Wales.

Modernised road network

The Australian road network primarily relies on petrol and diesel vehicles to transport passengers and commuters from point A to point B. Future mobility and technology innovations such as EVs are part of modernising transport for the community and businesses to make ours a world class network. The NSW Government has focused on ensuring that NSW regions also benefit from this modernisation, including through the installation of regional EV charging infrastructure.



Quieter roads

Many people are concerned about the level of road traffic noise in their neighbourhood. EVs are quieter than petrol and diesel vehicles, and produce hardly any noise at lower speeds. That's why some EVs use acoustic vehicle alerting systems which make just enough noise for pedestrians to hear them approaching. Quieter roads help to improve the amenity of public spaces, allowing more people to enjoy outdoor areas and to live near busier roads with less noise disruption.

Lower greenhouse gas emissions

The transport sector is a significant and growing source of greenhouse gas emissions. In 2019, transport was responsible for 28 million tonnes of carbon dioxide equivalent (Mt CO₂e) of emissions, making up 20% of NSW emissions, with almost 50% of those from passenger vehicles. Transport emissions are currently projected to become the leading source of emissions by 2035, overtaking both electricity and other stationary energy sources.

Increasing the number of EVs on NSW roads and powering them with renewable energy will help to reduce emissions across the transport sector, contributing towards the State's objective to achieve net zero emissions by 2050.

Balanced energy supply

Some EVs can act like a home battery, allowing households to store excess rooftop solar electricity on sunny days and use that electricity at times when the sun is not shining. By integrating EVs into the electricity grid in a smart way, and optimising charging times, EVs can help households to take control of their electricity bills and improve the reliability of the grid.





Policy principles

Increasing the number of EVs on the road requires strategic planning and direction. This Strategy has been developed based on the following four principles.

- It will prioritise overcoming the biggest barriers to electric vehicle uptake.
- It will maximise the economic and public health opportunities that arise from increasing the number of electric vehicles on NSW roads.
- It will be consistent with the State's objective to achieve net zero emissions by 2050.
- It will adopt a fair and sustainable revenue model to build and operate the road network into the future.

Principle 1

The strategy will prioritise overcoming the biggest barriers to electric vehicle uptake

The top three barriers to the widespread uptake of EVs are:

1. **Upfront costs:**
Currently, the average EV sold into the NSW market is about \$28,000 more expensive than the average petrol or diesel car. While the average price of an EV is expected to fall, with many categories reaching price parity by 2027 (BloombergNEF, 2021), helping to reduce upfront costs in the next few years will help to create a vibrant EV market in New South Wales and allows drivers to access the lower running cost benefits sooner.
2. **Range anxiety:**
NSW EV drivers currently have access to around 450 public chargers across the State; however, many of these are located too far apart or charge at slower rates, meaning drivers have to wait longer before getting back on the road. Rolling out a world-class, ultra-fast charging network will give motorists confidence that they can quickly recharge their car when and where they need to.
3. **Model availability:**
There are currently only around 30 plug-in hybrid and battery EV models for sale in New South Wales, many of which are relatively expensive, luxury models. This compares to more than 75 EV models available in the UK. Bringing more affordable EV models into the NSW market is a key part of helping more people benefit from the EV driving experience.

The strategy will work to address these barriers in ways that are targeted and cost-effective and create a sustainable market for EVs in New South Wales in the long term.

NSW Government



Principle 2

The strategy will maximise the economic and public health opportunities that arise from increasing the number of electric vehicles on NSW roads

The health of our NSW communities is paramount. Encouraging the rapid adoption of EVs and other environmentally conscious technology across the transport network will immediately reduce air pollution and vehicle emissions. EV adoption is part of a broader, multi-faceted solution for NSW roads that extends to encouraging other modes of transport, including active and public transport.

There are also many opportunities to grow the economy and create jobs from the widespread adoption of EVs both in New South Wales and internationally, including by producing valuable minerals needed to make batteries and building and maintaining EV infrastructure. There will also be new jobs created in generating the electricity needed to power the vehicle fleet. Whereas most jobs in the production of petrol and diesel are based interstate or overseas, electrifying mobility would allow the State to bring those energy jobs back to New South Wales.





Principle 3

The strategy will be consistent with the State's objective to achieve net zero emissions by 2050

Australia is one of 191 countries that have committed to keeping global temperature rises to well below 2°C under the Paris Agreement. The NSW Government is taking action by committing to reducing emissions by 35% by 2030 compared with 2005 levels and achieving net zero emissions by 2050 while continuing to grow the economy, create jobs and reduce the cost of living.

The electrification of light vehicles is a key pathway for decarbonising the transport sector in a way that creates jobs and reduces the cost of driving and is important to achieving the State's net zero emissions objective.

Given that light vehicles stay on the road for around 15 years on average, moving to net zero emissions for light vehicles will require the vast majority of new car sales to be battery or fuel cell EVs by 2035.

Principle 4

The strategy will adopt a fair and sustainable revenue model to build and operate the road network into the future

Given they are powered by electricity rather than petrol or diesel, EVs do not pay fuel excise that other motorists currently pay at the bowser. Fuel excise is currently levied at 42.7 cents per litre. While EVs only make up a small part of the NSW vehicle fleet today, as more people buy EVs, the fuel excise revenue needed to help pay for road construction and maintenance is expected to go into long-term structural decline. Without a proper plan to manage the increase in EVs, this will affect the State's financial capacity to fund the future construction of new road infrastructure and maintain the quality and safety of existing roads. Therefore the Strategy will create the framework for a modern road funding model that will actively incentivise the purchase of EVs, while also setting the foundations for a road funding system that is fair and sustainable in the long term.


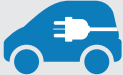


Actions

The NSW Government has identified five areas for action required to make New South Wales the easiest place to buy and use an EV in Australia:

- Action 1** **Helping drivers buy an electric vehicle**
- Action 2** **Building a world-class electric vehicle charging network**
- Action 3** **Making it easy to drive an electric vehicle**
- Action 4** **Creating jobs and growing the economy**
- Action 5** **Keeping road funding fair and sustainable**

Table 2 Applicability of NSW actions to vehicle types.

Type of vehicle	No stamp duty*	Rebate	Fleet incentives	Public charging network	Priority driving lanes	Road user charge**
 EVs	✓	✓	✓	✓	✓	✓
 Plug-in hybrids	✓	-	-	✓	-	✓

* From 1 September 2021 for EVs under \$78,000. All other EVs and plug-in hybrids will pay no stamp duty from 1 July 2027 or when EVs make up 30% of new car sales.

** From 1 July 2027 or when EVs make up 30% of new car sales.



Action

1

Helping drivers buy an electric vehicle

While EVs are expected to come down in price in the next few years, many EV models remain expensive, making cost one of the key barriers to increasing their market share. To help reduce the upfront cost of buying an EV, the NSW Government will remove stamp duty on EVs, offer EV rebates, provide fleet incentives and use the NSW Government fleet to bring a range of cheaper EV models into the State.

The NSW Government will remove stamp duty on electric vehicles

The cost of stamp duty in New South Wales is currently \$3 per every \$100 for cars under \$45,000, and \$1350 plus \$5 per every \$100 for cars above \$45,000. The NSW Government will encourage EV uptake by removing this inefficient tax, which makes it harder for motorists to switch to an EV. Stamp duty will be removed for EVs under \$78,000 purchased from 1 September 2021 and all EVs including plug-in hybrids from 1 July 2027 or when EVs make up at least 30% of new car sales (whichever is earlier), when the road user charge is introduced.

The NSW Government will offer \$3000 rebates on new electric vehicle purchases

The NSW Government will provide rebates of \$3000 on the purchase of the first 25,000 EVs sold in New South Wales from 1 September 2021. Rebates will only be available for cars retailing under \$68,750, making sure the rebate is going to the cars more people can afford. Fleets will not be eligible.



The NSW Government will provide fleet incentives to help local councils and businesses buy electric vehicles

Fleet buyers are important participants in the new vehicle market in New South Wales. Fleet vehicles typically drive further and have higher petrol and maintenance costs, so fleet operators can realise greater savings by switching to EVs.

As fleet buyers purchase large numbers of vehicles at a time, their bulk purchasing power can also have influence on vehicle availability. Supporting fleet buyers will help encourage car makers to increase the range of EVs available in the NSW market, which will benefit all EV purchasers. Noting that fleet buyers replace their vehicles more frequently, typically every three to five years, encouraging fleets to purchase EVs will also help to build the second-hand EV market in the future.

As previously committed under the NSW Net Zero Plan: 2020–2030, the NSW Government will offer incentives to support medium to large sized fleets, such as local councils, businesses, car leasing companies and car share companies, to purchase battery or hydrogen fuel cell EVs. The incentives will be offered through a reverse auction process, ensuring the Government maximises value for money and uptake of EVs in New South Wales.

The NSW Government will target an all-electric passenger fleet by 2030

As of mid-2020, there were only 11 battery EV models available on the Australian market (Electric Vehicle Council, 2020). In order to bring more affordable models into New South Wales, importers need to have confidence in the local market.

The NSW Government will use its bulk purchasing power to incentivise importers to increase the range of EV models they sell in New South Wales. It will do this by setting a target of electrifying NSW Government passenger vehicle fleet procurement by 2030, with an interim target of 50% EV procurement by 2026. NSW Government fleet vehicles are typically resold on the second-hand market after three to five years, which will mean a higher number of second-hand light EVs will be available to NSW drivers.

The NSW Government will also conduct a strategic review of NSW Procurement's Approved Vehicle List and associated procurement processes, to make it as easy as possible for Government agencies to buy EVs.



Action

2

Building a world-class electric vehicle charging network

Currently New South Wales has limited public fast charging infrastructure for drivers of EVs. Motorists who are considering buying an EV are often concerned they might run out of charge and won't be able to find places to easily recharge their vehicle, especially on longer trips. This is commonly referred to as 'range anxiety'. Range anxiety is consistently identified as one of the biggest barriers to purchasing an EV.

The NSW Government will invest \$171 million over the next four years to ensure widespread, world-class EV charging coverage so current and future EV drivers can be confident they can drive their vehicles whenever and wherever they need to. Of the total investment:

- \$131 million is for ultra-fast charging infrastructure in areas with limited off-street parking, as well as to build EV Commuter Corridors and Super Highways across the State,
- \$20 million is for destination charging infrastructure in or near commuter carparks and other popular Transport for NSW sites
- \$20 million is for destination charging infrastructure at regional tourist locations, such as motels, restaurants and wineries.

The NSW Government will adopt a coordinated approach to delivering on-street charging infrastructure and make those location details available on an open data platform. This information will provide customers with greater visibility of charging locations, as well as enable app developers to create products that further improve the customer experience of owning and using an EV.

What is ultra-fast and destination charging?

Ultra-fast chargers have a capacity of 350 kilowatts (kW). Drivers plugging into an ultra-fast charger can recharge between 200 and 400 kilometres (km) in no more than 15 minutes. These chargers are best suited for people who need to get back on the road quickly.

Destination chargers have a capacity of between 7 kW and 25 kW. Drivers can recharge between 40 km and 140 km per hour. These chargers are best suited for places like commuter carparks and motels where people leave their cars parked for longer periods of time.

The chargers will be powered by electricity from renewable energy projects.



The NSW Government will ensure households in areas with limited off-street parking live no more than 5 km from an ultra-fast charger

About 30% of drivers are unable to access private off-street parking where they can recharge their EV. This includes many tenants and apartment owners who rely on street parking. The NSW Government will run a competitive funding process to co-fund the deployment of charging infrastructure for EVs, so households in areas with limited off-street parking live no more than 5 km from an ultra-fast charger.

The NSW Government will invest in EV Super Highways and Commuter Corridors across New South Wales

NSW EV drivers already have access to the largest regional network of EV fast chargers in Australia, with 59 EV fast charging sites featuring 153 charging stations available across New South Wales as of July 2020, and another 35 underway.

The NSW Government will build on this progress by co-investing in more ultra-fast chargers at 100 km intervals across all major highways in New South Wales – creating ‘EV Super Highways’ across the State. This will help regional residents and businesses share in the benefits of EVs by improving their access to charging infrastructure and encouraging more city-based EV drivers to travel to regional areas, boosting local tourism.

The NSW Government will also invest in ‘EV Commuter Corridors’ across Sydney, to make sure drivers have no more than 5 km to drive to the next ultra-fast EV charger along these roads.

See Figures 3 and 4 on the following page.

ITEM 3 - ATTACHMENT 3 NSW ELECTRIC VEHICLE STRATEGY.



Figure 3 Indicative map of NSW EV Super Highways.

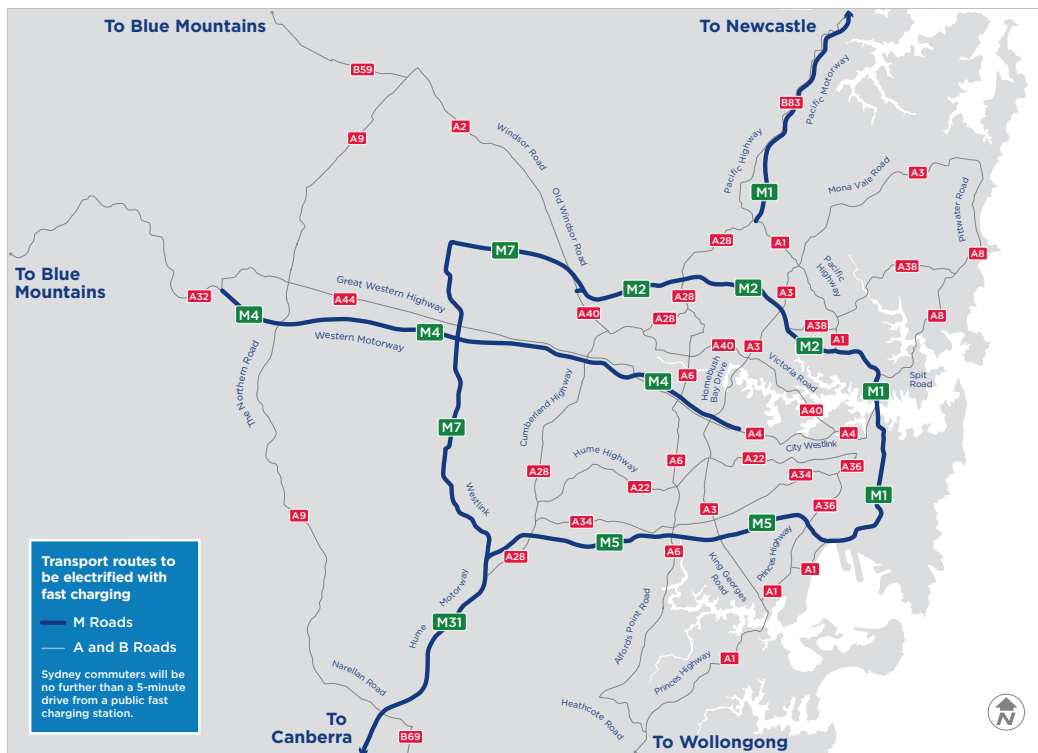


Figure 4 Indicative map of Sydney EV Commuter Corridors.

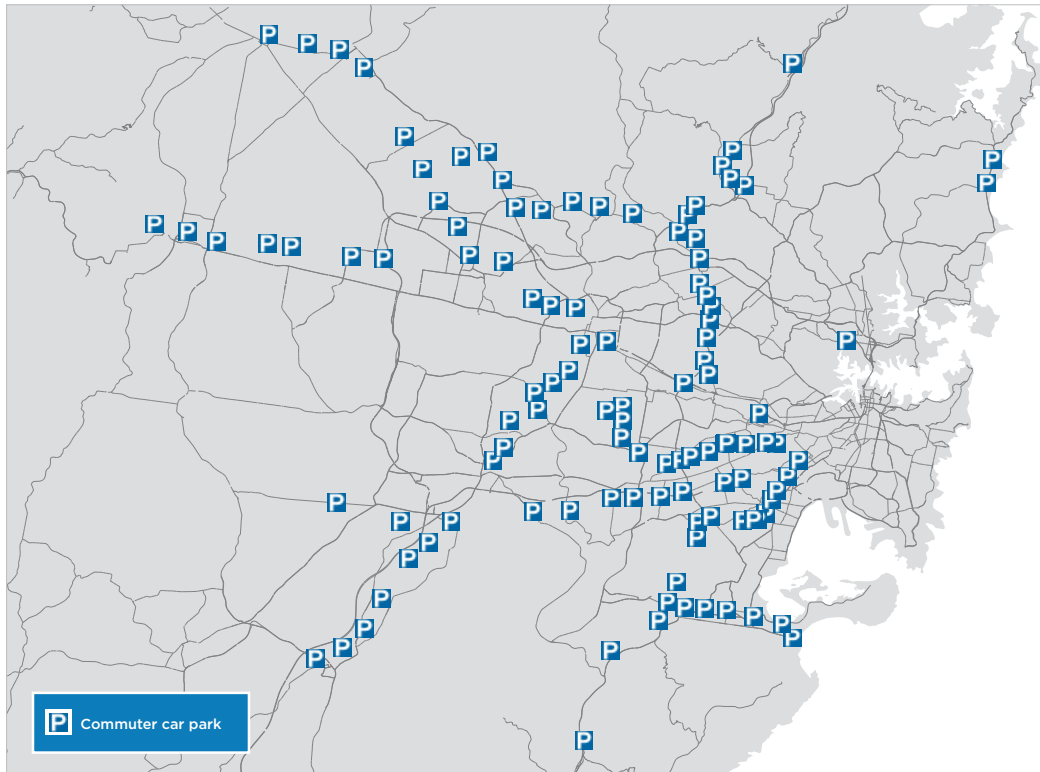


Figure 5 Indicative map of carparks to have destination chargers installed.

The NSW Government will support more destination chargers at commuter carparks and other key government locations

Many commuter carparks across New South Wales are already designed for the easy addition of EV charging and are ideal places for motorists to make the most of destination chargers while they are at work.

The NSW Government is currently trialling the installation of destination chargers at some commuter carparks. Under this strategy, the NSW Government will roll out the next stage of charging infrastructure at commuter carparks and other Transport for NSW sites across the State. The location of the chargers will encourage drivers to use public transport and other modes of transport as part of their commute and will tackle the first mile/last mile challenge many countries now face, taking more vehicles off congested roads and ensuring a more seamless connection between different journey modes.

The NSW Government will also ensure most future commuter car parks are supported by the necessary wiring and electrical capabilities, and adequate space considerations, so that EV infrastructure can be installed quickly and in response to the EV demand of local commuters.



The NSW Government will ensure new buildings and precincts are 'EV ready'

Many buildings are not currently designed in a way that easily accommodates the installation of charging infrastructure in the carpark. They lack the necessary wiring, electrical infrastructure and accessible space needed to install charging infrastructure. Retrofitting EV infrastructure into existing buildings can be expensive and technically challenging. Depending on the size, layout and age of the building, this can cost approximately \$75,000 for an apartment building with 20 car spaces. Ensuring that EV electrical infrastructure is built-in when a building is under construction is much cheaper and can save apartment owners at least 75% for the same building size if planned for upfront. The NSW Government will update relevant regulations to make sure all new buildings and precincts are constructed and wired to be 'EV ready'.

The NSW Government will manage the integration of electric vehicles into the electricity grid

Increased numbers of EVs will put demand on the electricity grid as more vehicles are plugged in to charge. The NSW Government will work to ensure that the increase in EV uptake is appropriately integrated with the electricity system, including with rooftop solar, batteries, and with smart chargers to manage the impact on peak electricity demand. With bidirectional charging capabilities, EV batteries can help support the grid at peak demand times in the future.

The NSW Government will empower councils to take action

The NSW Government will also work with local councils to support pilots of roadside charging infrastructure in conjunction with kerbside parking for EVs. These pilots will be used to inform the development of EV parking and charging guidelines for local councils in New South Wales.

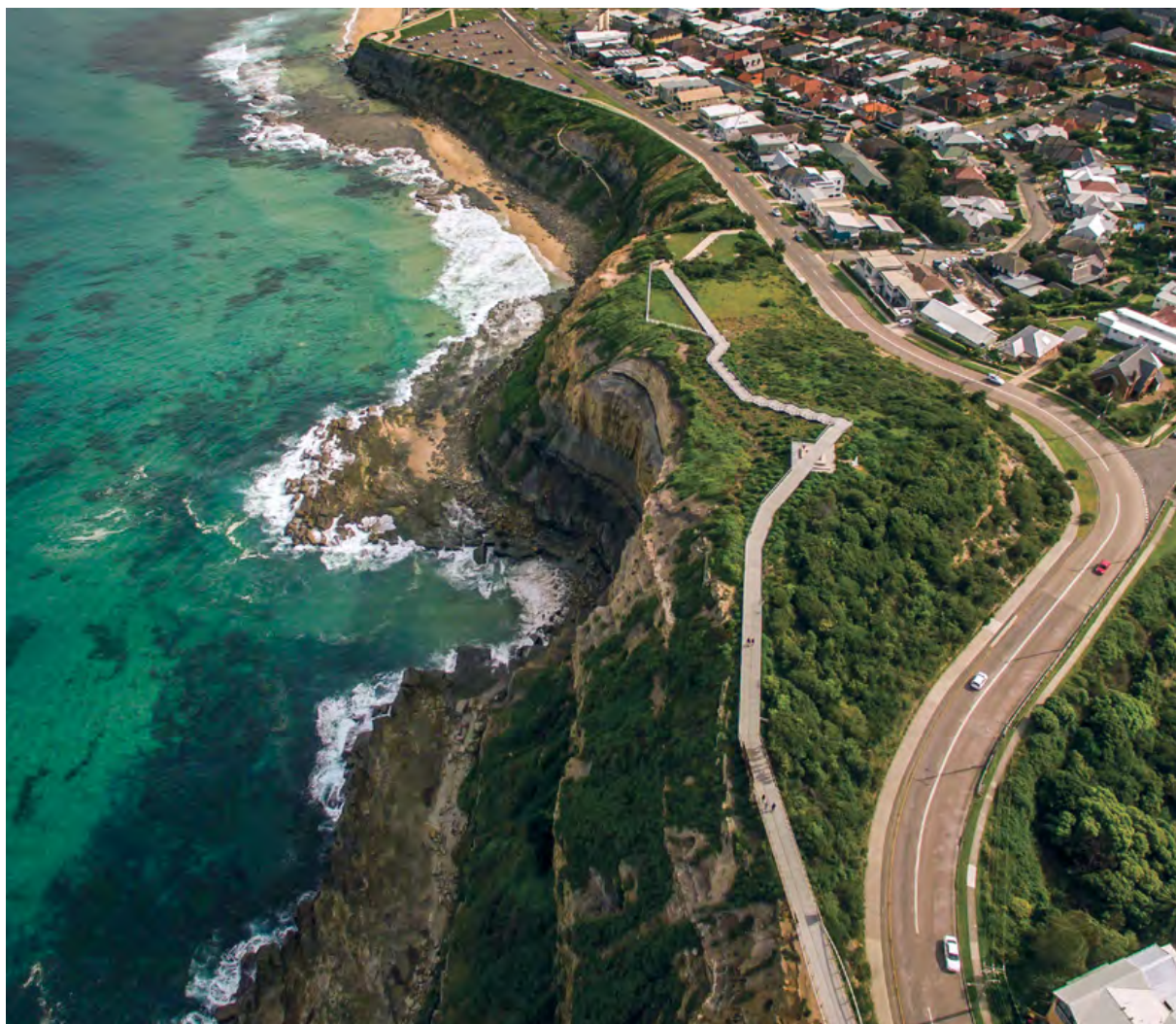


Action
3

Making it easy to drive an electric vehicle

In addition to improving access to public EV charging infrastructure, the NSW Government will update policies and legislation to allow EV drivers to use transit lanes such as T2 and T3 lanes for a limited time to encourage the uptake of EVs.

The NSW Government will work with local councils to make sure that carpark designations like signage is fit for purpose, including by allowing priority parking spots for EVs to recharge and ensuring that charging locations and nearby parking spots are readily accessible for EV users.





Action
4

Creating jobs and growing the economy

The NSW Government is committed to maximising the employment and economic benefits from increasing the uptake of EVs in the State. New South Wales has a highly skilled workforce and a diverse range of minerals that can be leveraged to unlock new economic opportunities for the State to grow.

The NSW Government will promote investment in the minerals needed to make electric vehicle batteries

Global demand for EVs is expected to grow quickly. The NSW Government is working closely with the Commonwealth Government to assist battery mineral project owners in our State to de-risk projects and encourage investments. By acting now to identify and promote opportunities to mine and value-add by downstream processing of cobalt, nickel and rare earth elements, regional New South Wales can benefit from these changes in global demand. The NSW Government will turbocharge its agenda to tap these resources and promote investment in high tech minerals in New South Wales.





The NSW Government will support EV-ready regional destinations

The continued growth of NSW’s regional tourism industry will rely on the ability of small regional businesses to cater for an increasing number of EV drivers. The NSW Government will support EV ready destinations across the State by providing \$20 million in grants to small regional businesses such as motels, wineries and restaurants to install charging points for their guests.

The NSW Government will also roll out ‘EV Tourist Drives’ across the State, promoting scenic regional driving routes that have the charging infrastructure needed to support an EV road trip. This initiative will encourage EV drivers to take a holiday in regional New South Wales, growing those local economies and supporting more regional jobs in the tourism industry.

The NSW Government will drive a skills and training agenda for the electric vehicle industry

This Strategy is expected to support 670 jobs, in particular jobs in the renewable electricity, minerals and the EV infrastructure sectors. The NSW Government will work to identify skills needs and opportunities for NSW workers to take up the EV jobs of the future. The NSW Government is investing \$318 million in skills in partnership with the Commonwealth and its JobTrainer program and will work to use these funds to create future focused careers in the transport sector.

The NSW Government has also announced specialised training to support the introduction of electric buses in New South Wales, as part of a partnership between TAFE NSW and Volvo Bus Australia. This will involve short courses to help mechanics upskill in EV technologies, such as working safely with high voltage systems.





Action

5

Keeping road funding fair and sustainable

Currently, NSW drivers contribute to the cost of road maintenance and construction through a combination of the fuel excise charge, stamp duty and registration costs. The uptake of EVs brings many positives, including lower vehicle running costs, better air quality and quieter roads. However, with the actions that New South Wales is taking to drive the uptake of EVs, the amount of revenue from the fuel excise available to fund critical roadwork is projected to decline over the coming years. Without rethinking the way our roads are funded, the quality of the road network is likely to deteriorate.

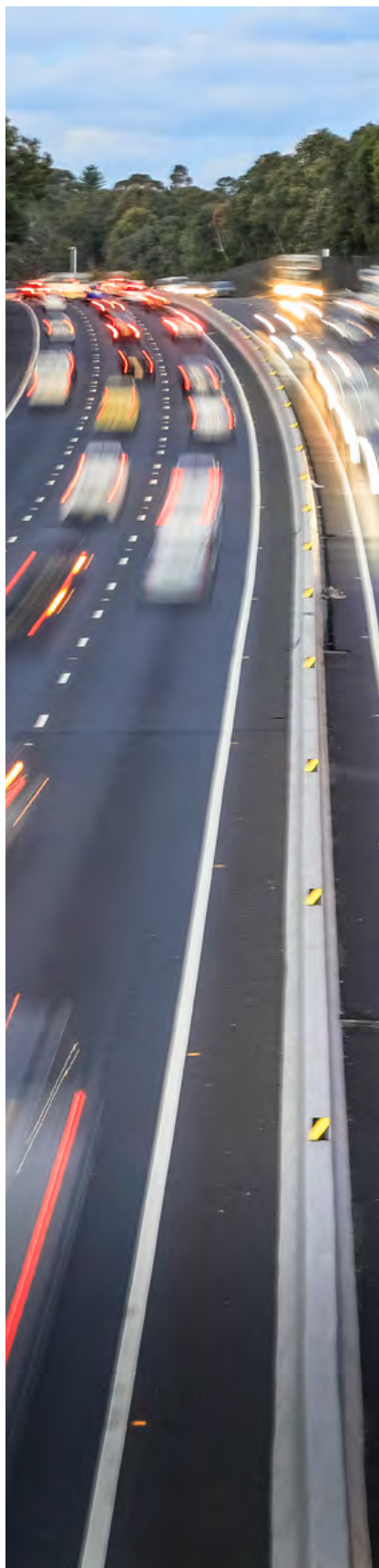
The NSW Government will reform the road taxation system by:

- from 1 September 2021, phasing out stamp duty on EVs sold for less than \$78,000 (including GST)
- from 1 July 2027 or when EVs make up at least 30% of new car sales (whichever is earlier):
 - phasing out stamp duty on all EVs
 - introducing a distance-based road user charge (RUC) for EVs.

The RUC rate will be set at 2.5 cents per kilometre for EVs and 2 cents per kilometre for plug-in hybrids. The distance-based charge will reflect an EV driver's use of the road network and will create a more efficient and fairer taxation framework for the State's vehicle fleet of the future.

The RUC is shaped by the following principles:

- Drivers of EVs should not pay on average more under the RUC than they currently pay through stamp duty and fuel excise.
- The RUC should not commence until EVs reach a significant (30%) share of total new car sales in New South Wales (forecast to be from 1 July 2027).
- The RUC should apply to all EV and plug-in hybrids that receive a stamp duty exemption at the point of purchase.
- The implementation of the RUC should minimise the administrative burden on drivers.
- The implementation of the RUC will be designed in consultation with key industry stakeholders, including relevant exemptions for kilometres driven on private roads.



Projections

Through the actions outlined in this strategy the NSW Government plans to stimulate the market to increase demand for and availability of EVs in New South Wales, allowing more consumers to benefit from the new transport technology.

Under the strategy, EVs are expected to make up 52% of new car sales in 2030-31 and it is the NSW Government's objective to achieve that uptake and see the vast majority of new car sales as EVs by 2035.

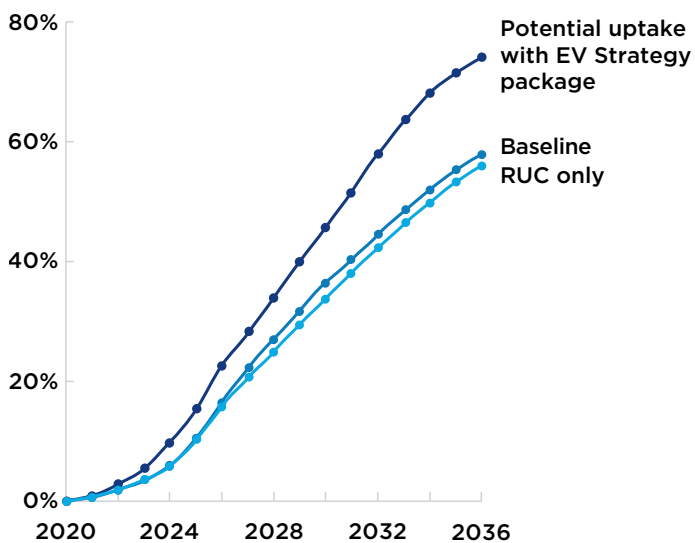


Figure 6 Share of battery electric vehicles in annual sales.

NSW Government



Keeping track and strategy review

The implementation of the strategy and progress of EV uptake will be reviewed regularly, with a first initial review by mid-2023 and subsequent three yearly reviews.

The impact of the EV Strategy in supporting progress towards net zero emissions, delivering clean air and associated health benefits, and realising economic benefits for New South Wales will be reported within future State of the Environment Reports.

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Cover photo: Person charging their electric vehicle (Quentin Jones/DPIE); **Page 3:** Peak hour traffic, Sydney (Bob Peters/DPIE); **Page 4:** Person driving a Tesla (Quentin Jones/DPIE); **Page 5:** Electric bus (Transport for NSW); **Page 6:** Person charging their electric vehicle (Quentin Jones/DPIE); **Page 7:** An electric vehicle (Quentin Jones/DPIE); **Page 9:** Tesla charging stations (DPIE); **Page 11:** Group exercise, Sea Acres National Park (John Spencer/DPIE); **Page 13:** Mobile phone showing electric vehicle charge (Quentin Jones/DPIE), Capital Wind Farm Bungendore (Rosie Nicolai/DPIE); **Page 14:** Darling Harbour rooftops with solar panels (Lisa Madden/DPIE); **Page 15:** NRMA electric vehicle charging (Transport for NSW), Electric vehicles under a solar powered electric vehicle charging station (Quentin Jones/DPIE); **Page 16:** Young family (Adam Hollingworth/DPIE); **Page 17:** Electric vehicle (Quentin Jones/DPIE); **Page 19:** Person driving an electric vehicle (Quentin Jones/DPIE); **Page 20:** Person charging their electric vehicle (Quentin Jones/DPIE); **Page 21:** Mennekes electric vehicle charging plug (DPIE); **Page 22:** Shops on Belmore Road in Riverwood, South Sydney NSW (Adam Hollingworth/DPIE); **Page 25:** Apartment buildings in Homebush, Inner West Sydney, NSW (Adam Hollingworth/DPIE), Electric vehicles (DPIE); **Page 26:** Newcastle, NSW (John Spencer/DPIE); **Page 27:** Electric bus (Transport for NSW); Broken Hill Solar farm (DPIE); **Page 28:** Tesla charging stations (DPIE), Roche Estate vineyard, Pokolbin, NSW (Jamie Plaza Van Roon/DPIE); **Page 29:** Road works between Bega and Bemboka, NSW (Jamie Plaza Van Roon/DPIE); **Page 30:** Slow shutter speed of M5 highway (Salty Dingo/DPIE); **Page 31:** Food and Wine Fair (Simone Cottrell/Botanic Gardens Trust).

ITEM NO. 4

**FILE NO: 23/15781
EDRMS NO: PSC2021-00558**

MEDOWIE PLACE PLAN

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the submissions received during the exhibition of the draft Medowie Place Plan and the response to the public submissions **(ATTACHMENT 1)**.
- 2) Adopt the Medowie Place Plan, as amended **(ATTACHMENT 2)**.

BACKGROUND

The purpose of this report is to advise Council on the outcome of the exhibition process for the draft Medowie Place Plan (the Place Plan) and note the response to submissions **(ATTACHMENT 1)**. The report recommends that Council adopt the Place Plan, as amended **(ATTACHMENT 2)**.

At its meeting on 25 October 2022, Minute No. 292 **(ATTACHMENT 3)**, Council resolved to exhibit the draft Medowie Place Plan for a minimum of 28 days. The Place Plan was exhibited from 1 November 2022 to 30 November 2022. During this period, 7 written submissions and 44 survey responses were received.

In response to submissions, some minor changes were made to the Place Plan. The changes provide clarification regarding some actions, the area to be included in a future masterplan for the town centre expansion site and timelines, and leading roles for the various actions, as well as improvements to the readability of maps. Post exhibition amendments to the Place Plan are outlined in the submissions table **(ATTACHMENT 1)** and included in the Place Plan, as amended **(ATTACHMENT 2)**.

Further details about the community consultation are outlined in the consultation section below.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

FINANCIAL/RESOURCE IMPLICATIONS

Actions identified in the Place Plan will be funded via a combination of sources, including existing budgets, Local Infrastructure Contributions, grant funds, sponsorships and partnerships in line with existing work programs.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Actions within the Place Plan that are currently unbudgeted will require identification of a funding source.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONSMedowie Planning Strategy (MPS)

The Place Plan supports the MPS by identifying additional opportunities for employment and conservation purposes. No new areas were identified for residential use beyond the extent of the endorsed MPS.

If adopted, the Place Plan would be considered in conjunction with the MPS. Where there are any inconsistencies between the Place Plan and the MPS, the Place Plan would prevail. Planning proposals seeking to rezone land in Medowie need to address the requirements of the MPS and the Place Plan.

Port Stephens Local Environmental Plan 2013 (LEP)

If the Place Plan is endorsed, it would result in actions requiring amendments to the LEP. Planning proposals would be assessed against the Place Plan, the MPS, and any other relevant Council and State plans and policies.

Port Stephens Development Control Plan 2014 (DCP)

The Place Plan includes an action to develop a site specific DCP for the Medowie town centre. This action seeks to ensure that the future development of the Medowie town centre is managed within the intent of the Place Plan and MPS.

Any new DCP chapter would include the existing shopping precinct and the town centre expansion site. The DCP would set out the future character of the town centre, including creating a natural setting and a high degree of connectivity. Objectives

would include achieving a shady and green town centre, with buildings designed to sit within a natural setting.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk of insufficient employment land in Medowie to cater for demand over the next 20 years.	Low	<p>Accept the recommendation.</p> <p>A recent commercial land needs assessment demonstrates the need for an additional 4 hectares of suitably zoned land for commercial, light industrial or other employment land uses in Medowie.</p> <p>The Place Plan identifies land within and near the town centre as being potentially suitable for rezoning to employment land.</p>	Yes
There is a risk that the Place Plan does not meet community expectations.	Low	<p>Accept the recommendation.</p> <p>The Port Stephens Liveability Index has been used to create the foundations of the Place Plan and actions have been created to respond to this data.</p> <p>The effectiveness of the Place Plan in addressing community values will be monitored through future liveability Index surveys.</p> <p>The Place Plan has been amended to address a number of issues raised during the exhibition.</p>	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social

Place Plans aim to enhance the liveability of places in Port Stephens to improve community wellbeing. They respond to the community's values and aspirations. Place

Plans enable a collaborative approach between residents, business and Council, to deliver great place outcomes. The Place Plan contains actions to inspire community involvement in creating a better place through activation, beautification, connectivity and conservation.

Economic

As Medowie continues to grow, residents will look for new business opportunities and jobs close to home. Consolidating and improving the town centre as the focus for commercial activity is a key focus of the Place Plan. A vibrant and interesting local centre, with an active and involved business community, drives economic activity. Actions led by local businesses and supported by Council and the community seek to improve economic outcomes for Medowie.

Environmental

Medowie residents place a high value on the natural environment, and the Place Plan aims to protect and celebrate this important asset. The plan recognises that key habitat corridors need to be maintained, strengthened, and where possible, rehabilitated. This includes improving the north-south corridor through the town centre. The Place Plan identifies a number of opportunities for conservation projects and the improvement of habitat corridors.

CONSULTATION

Internal

The Place Plan has been prepared in consultation with the relevant sections in the Development Services Group, Facilities and Services Group, and Corporate Services Group.

Officers met with Central Ward Councillors at 2 occasions to inform them about the community engagement processes and the contents of the draft Medowie Place Plan.

External

The Strategic Planning and Community Engagement teams have worked extensively with the Medowie community to prepare the Place Plan that accurately reflects the community's values and aspirations. The following engagement activities were undertaken to develop the Place Plan:

- A Liveability Index survey and Town Centre survey (464 surveys completed).
- A series of community workshops (47 attendees).
- A series of meetings with key stakeholders and landholders within the town centre.
- Workshops with community interest groups, local businesses and children from Medowie schools about the town centre expansion site (70 attendees).

- A check-in survey for workshop participants seeking feedback on the draft Place Plan actions and maps (14 completed surveys).
- Discussion with the Aboriginal Strategic Committee.

The Medowie Place Plan Engagement Report 'Engagement Report' (**ATTACHMENT 4**) provides detailed information about the outcomes of this engagement process.

The Place Plan was exhibited from 1 November 2022 to 30 November 2022. During the exhibition period, Council officers attended a Place Plan information stand at the Medowie markets and at a late night shopping Christmas event in Medowie. Officers engaged with 64 community members during these events.

An online survey was made available to help community members make a submission. 44 surveys were completed during the exhibition period. The response provided, via the survey, gave an indication of community support for each action in the Place Plan, which included 190 unique comments and suggestions. Survey responses are available in the Engagement Report (**ATTACHMENT 4**).

A further 7 written submissions were received.

The majority of the feedback expressed support for the Place Plan. This feedback was considered when finalising the Place Plan, resulting in minor changes to provide more detail or clarification to actions, improved document structure and simplified time frames.

The submissions table (**ATTACHMENT 1**) details the issues raised during the exhibition period and the response from Council officers, including whether an amendment was made to the Place Plan.

A summary of key issues raised during the exhibition is provided below:

Town Centre Concept Plan

Respondents generally show strong support for the Concept Plan for the town centre expansion site. Submissions noted that important considerations for the site included integration with the existing town centre, creation of a pedestrian friendly environment, opportunities for new businesses, the inclusion of recreational and community spaces as well as the natural environment.

Response:

The Place Plan includes an action to 'Create a Main Street', which seeks to improve Ferodale Road and Peppertree Road for pedestrians. The Place Plan was updated to include consideration of privately owned land north of Ferodale Road in a future masterplan for the area.

Environment

Environmental actions are strongly supported, including the creation of additional wildlife corridors. Hunter Water Corporation (HWC) sought more clarity and detail regarding future drainage infrastructure. In addition to this HWC raised concerns about possible future development near Grahamstown Dam and areas where wastewater servicing is problematic.

Response:

Various environmental actions address the ambitions of the community, such as the proposed rezoning of land to environmental zones. Council will continue to work with HWC, while the MPS remains in place to provide detailed guidance on matters relating to water quality.

Movement

Respondents made various requests for additional pathways and sought more clarity about whether pathways mentioned in the Place Plan are for pedestrians, cyclists or shared pathways.

Response:

The Place Plan identifies new footpaths to service the needs of a growing community. Additional pathway connections are identified on the Concept Plan for the town centre expansion site. The action, 'Extend and connect cycleways', specifically seeks to investigate options for active transport and (shared) pathways to be improved and extended.

Character

Respondents noted that the character of Medowie is changing and questioned whether Medowie should still be considered a village or if it should be aspiring to become a modern and welcoming town. Some respondents noted that more recent clearing has undermined Medowie's 'tall trees' character.

Response:

The action 'Define Medowie's character' aims to create a more detailed character description for Medowie, which may guide future development. Various actions in the Place Plan address matters of tree planting and consideration of additional environmental zones. The MPS and other relevant Council and State strategies and policies continue to provide a level of environmental protection.

Open Space

Respondents generally support the creation of new open space and additional opportunities for recreational activities and suggest a range of facilities that should be included.

Response:

As outlined in the 'Let's play' action, further investigations will consider community suggestions to determine the exact location for recreational and play areas and the elements to be included.

Planning for the future of Medowie

More residential and town centre development is generally supported. Some residents believe that (road) infrastructure cannot cope with additional development, and that future development may alter the character of Medowie.

Response:

Infrastructure capacity, including roads, drainage and wastewater, is considered during the planning proposal process. The Place Plan includes an action to review and update the current Medowie Traffic and Transport Study. The MPS remains in place and, together with a proposed DCP and masterplan, will provide guidance to future development proposals.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Submissions Table. [↓](#)
- 2) Medowie Place Plan. (Provided under separate cover) [⇒](#)
- 3) 25 October 2022, Minute No. 292. [↓](#)
- 4) Engagement Report - Medowie Place Plan. (Provided under separate cover) [⇒](#)

COUNCILLORS ROOM

- 1) Copy of Submissions.

TABLED DOCUMENTS

Nil.

Medowie Place Plan – Submissions Table

A – Summary of Submissions and Response Table

No.	From	Summary	Planning response
1.	Resident	<p>The submission expresses a strong appreciation for the place planning process and the level of community engagement undertaken by Port Stephens Council (PSC). The submission is very positive about many ideas and plans generated.</p> <p>The submission seeks clarification about matters regarding the Town Centre Concept Plan, including:</p> <ol style="list-style-type: none"> 1. whether the pathway connection to Medowie Social will be a shared pathway/cycle path. 2. what the proposed path to the south of the town centre expansion site will connect to. 3. whether parking along Ferodale Road is being considered. 4. the purpose of the access road to the south of the town centre expansion site from Medowie Road. Concern about the safety of adding another intersection on 	<p>The following information is provided in response to the matters raised:</p> <ol style="list-style-type: none"> 1. Details regarding pathways and parking along Ferodale Road are not yet included in the Concept Plan, as further investigations are required. Investigations will take into account available space to create pathways, parking, and other needs. 2. The proposed path to the south of the town centre expansion site is intended to link with Tallowood Estate in order to provide walkable, direct, and safe access to the town centre for residents. This will require future discussions with the owners of the Tallowood site. 3. Parking along Ferodale Road is considered in the Place Plan. The action 'Create a Main Street' will investigate parking along Ferodale Road. 4. The southern access road from Medowie Road into the town expansion centre site requires further detailed traffic studies and detailed master planning of the site.

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>Medowie Road is noted and the submission suggests that this area would be more suitable for additional car parking.</p>	<p>Considering the short timeframe, PSC has not been able to undertake these to determine the best car circulation and access to the residential, business, and recreational uses proposed for this site.</p> <p>The Plan includes 2 actions that will address this matter at a later stage: 'I like to move it, move it' and 'Planning the town centre expansion'.</p> <p>The Medowie Place Plan (MPP), as drafted, provides for all matters raised and therefore has not been amended.</p>
2.	<p>Planning consultant on behalf of landowner(s)</p>	<p>The submission seeks clarification about Precinct D of the Medowie Planning Strategy, located on the south eastern segment of the roundabout at Ferodale and Medowie Roads. The draft MPP identifies this precinct on the 'Future of Medowie' map.</p> <p>Particularly, the submission questions why the area marked for residential development within this precinct does not extend all the way to the southern end of the subject lots and assumes that this is an error in the Place Plan.</p>	<p>The subject precinct is unchanged from the Medowie Planning Strategy, with the exception of a new area identified as being potentially suitable for commercial development (subject to a future rezoning request).</p> <p>A planning proposal is currently being drafted for this precinct and a final development footprint will be considered as part of the rezoning request process, taking into account any site constraints like stormwater management and ecology.</p> <p>The residential footprint could potentially be extended over the whole of the subject lots should adequate justification be provided through the planning proposal process.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
			The Medowie Place Plan, as drafted, provides for all matters raised and therefore has not been amended.
3.	Resident	<p>The submission expresses concerns that “By 2040, the Medowie’s population is projected to grow by 15,000 people” as this will increase traffic on the roads.</p> <p>Further points of concern raised include:</p> <ul style="list-style-type: none"> • An increase in conflicts between traffic and pedestrians. • A lack of investment in pedestrian infrastructure, particularly in older areas of Medowie. • The draft MPP fails to adequately plan for the network of footpaths required to meet the priorities identified by the community. • The draft MPP priorities relating to the ‘Movement’ theme should be reviewed to determine the best order of actions. <p>The submission seeks clarification about the role of PSC, being ‘the primary organisation that delivers the projects’ and seeks clarification about whether this includes the funding of</p>	<p>The draft MPP states that the population of Medowie is project to grow to 15,000 people (from approximately 10,500). This is substantially less than the submission quotes.</p> <p>Like the submission, the draft MPP identifies the challenges of a growing community and the need to prioritise pedestrians and cyclists over cars. This is in line with what the community identified as a top priority during community workshops and surveys.</p> <p>One of the major themes identified for Medowie is ‘Movement’ and numerous actions in the MPP aim to address traffic safety, infrastructure, and pedestrian related matters. One action, ‘Extend and connect cycleways’, specifically seeks to investigate options for active transport and (shared) pathways to be improved and extended.</p> <p>It is acknowledged that the title of this action refers to cycleways only and this is rectified in the final version of the MPP.</p> <p>A number of proposed Civil projects relate to improving</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>projects from PSC budgets.</p> <p>Finally, the submission seeks clarification about civil projects numbered 8 to 13 on the “Creating better places and spaces in Medowie’ map, particularly whether these works include footpaths or shared paths.</p>	<p>pedestrian and bike safety by either introducing additional pathways, reducing car speed, installing pedestrian refuge islands, and creating signalised intersections.</p> <p>The Town Centre Concept Plan aims to introduce various paths through the site and pathways to connect with surrounding areas, create a car-free village square, and proposes to change Ferodale Road from a car focussed collector road into a Main Street that prioritises pedestrians (refer action: ‘Create a Main Street’).</p> <p>It is acknowledged that the draft MPP does not specifically prioritise the actions. It provides an indication of when actions may be undertaken. More detailed project planning and budgeting is required for many actions. For example, the proposed review of the traffic study will guide future infrastructure projects.</p> <p>As outlined in the draft MPP, PSC can play 1 of 4 roles in implementing place plans. When PSC is ‘the primary organisation that delivers the projects’ it means that Council will manage the project and may fund projects from the PSC budget. However, projects can also be funded through multiple sources like grants or in partnership with developers or other organisations.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
			<p>The civil projects on the “Creating Better Places” map numbered 9 and 11 already have a path along the road. Project 10 will include a path, while projects 8, 12, and 13 don’t include a path.</p> <p>The Medowie Place Plan, as drafted, provides for all matters raised, however, the title of the action ‘Extend and connect cycleways’ has been amended to read ‘Extend and connect shared pathways’. This ensures that both bike and pedestrian paths will be considered.</p>
4.	Resident	<p>The submission states that Peppertree Road has more traffic than originally anticipated, with cars going in all directions to and from parking areas on both sides. This creates a situation which is difficult for pedestrians to navigate. Crossing Peppertree Road is not easy.</p> <p>Solutions should prioritise pedestrians rather than cars, and may include ending the use of Peppertree Road as a thoroughfare between Medowie Road and Ferodale Road. Cars can use the roundabout instead.</p> <p>The submission also suggests that the bushland between Coles</p>	<p>The draft MPP includes an action to ‘Create a Main Street’, which seeks to reclaim Ferodale Road for pedestrians. The action seeks to develop a similar approach for Peppertree Road.</p> <p>In addition, an updated traffic study will guide future infrastructure projects for Peppertree Road.</p> <p>Most of the bushland between Coles and Yulong Oval is proposed for future conservation as indicated on the Future of Medowie Map.</p> <p>A path between Wilga Road to the town centre, including a bridge for creek crossing, is already listed under Potential Future Projects.</p> <p>The Medowie Place Plan, as drafted, provides for all matters</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>and Yulong Oval should be preserved.</p> <p>The submission suggests that a path be built between Yulong Oval and the shopping centre, alongside a waterway located behind the hardware store.</p>	<p>raised and therefore has not been amended.</p>
5.	Hunter Water Corporation (HWC)	<p>1. The submission welcomes the Plan's reference to the importance of maintaining and improving water quality in Grahamstown Dam.</p> <p>Opportunities for partnerships between HWC, PSC and the Medowie community are welcomed. HWC supports the Plan's strong focus on protection of natural assets in Medowie and the creation of a new regional park space, including habitat and wildlife corridor protection.</p> <p>HWC notes feedback received from the community regarding recreation near/on the Dam.</p> <p>2. While the draft Plan mentions the need for upgrades to drainage infrastructure, it is noted that it does not</p>	<p>1. PSC will continue to work with HWC and the community to achieve suitable water quality outcomes.</p> <p>2. The MPP acknowledges the importance of Grahamstown Dam and the need to improve drainage infrastructure. It does not specify type and location of such infrastructure which will take into account HWC's/PSC's joint position on the CDIA and include further consultation with HWC as appropriate</p> <p>3. PSC will continue to work collaboratively with HWC on issues related to the CDIA in line with our joint position.</p> <p>4. A possible future road connecting Brocklesby to Lisadell Road is identified in the Medowie Planning Strategy and is currently being investigated as part of a rezoning request for the subject land. HWC will be consulted should this proposal progress.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>outline what type of infrastructure and which locations are considered.</p> <p>3. HWC note that flooding and inundation in the Campvale Drain Inundation Area (CDIA) are existing issues for residents, which may be exacerbated by further development in the catchment and climate change. It is also noted that HWC and PSC have been working closely on land inundation issues related to the CDIA, particularly regarding the Campvale canal.</p> <p>4. It is advised that a future road connecting Brocklesby to Lisadell Road, as identified in the draft Plan, may exacerbate drainage and inundation issues in the CDIA. Early consultation with HWC regarding this road is requested.</p> <p>5. HWC does not support increasing the development density of land in the direct hydrological catchment of the Dam beyond the existing LEP provisions has a higher potential</p>	<p>5. The Medowie Planning Strategy and the draft MPP identify precincts for potential future residential development. Some of these are partially within the direct hydrological catchment of the Dam.</p> <p>In line with the requirements of the Department of Planning and Environment (Local Environmental Plan Making Guideline), PSC will consult with HWC when a rezoning request is received to ensure that potential impacts are considered and managed.</p> <p>6. The Medowie Planning Strategy will continue to apply to planning proposals in Medowie.</p> <p>7. PSC will continue to liaise with HWC on development matters in Medowie.</p> <p>8. PSC is interested in receiving the Medowie Wastewater Servicing Strategy when finalised.</p> <p>9. The Medowie Planning Strategy and MPP identify limited opportunity for future rural residential development in areas near the Grahamstown Dam. The MPS includes a range of water management principles which aim to protect water quality in</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>to impact on water quality.</p> <p>6. It is noted that the Medowie Strategy states that all future development in Medowie should connect to the wastewater system. HWC supports the overarching intent to protect water quality.</p> <p>7. It is advised that in certain areas, wastewater servicing in Medowie is problematic and therefore it is recommended that future development is located away from these areas wherever possible.</p> <p>8. HWC are preparing a Medowie Wastewater Servicing Strategy, which will determine ways to service possible development sites.</p> <p>9. It is advised that higher development density and land use intensity can adversely affect water quality in Grahamstown Dam and while such risks can be managed and mitigated through the implementation of</p>	<p>relation to future development. Consultation with HWC will be undertaken when a rezoning request is received.</p> <p>10. PSC will continue to work collaboratively and liaise with HWC on potential future water quality improvements in the Campvale/Medowie catchment as identified in the ongoing MUSIC modelling project.</p> <p>11. PSC will continue to advise proponents to seek Preliminary Servicing Advice from HWC for rezoning requests.</p> <p>12. The Town Centre Concept Plan identifies a substantial area for future conservation with more details outlined in the Concept Plan description.</p> <p>Following the recommendation from HWC, the MPP has been updated to include additional text in the description of the Town Centre Concept plan regarding the potential use of the site for integrated (storm)water management.</p> <p>13. Agree.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>appropriate controls in certain areas, land directly adjacent to, or draining directly to the Dam requires careful management. For these reasons Hunter Water does not support increasing the development density of land in the direct hydrological catchment of the dam beyond the existing LEP provisions.</p> <p>10. The draft Place Plan does not identify or specify land that could be used for future water quality improvements, as identified in the Medowie MUSIC Model project undertaken by HWC. The inclusion of identified sites would be beneficial.</p> <p>11. HWC recognises and appreciates PSC referring relevant Development Applications under Section 51 and encourage Council officers to direct proponents of planning proposals in the Medowie area to engage early with HWC by submitting a formal application for</p>	

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>Preliminary Servicing advice.</p> <p>12. The submission suggests that the Town Centre Concept Plan includes the potential use of the site for integrated (storm)water management within the proposed conservation area.</p> <p>13. HWC notes that improving liveability in Medowie is a strong focus of the draft Plan and advises that enhancing community liveability is also a strategic objective for Hunter Water.</p> <p>A balance with the need to protect water quality and ensure the ongoing supply of safe drinking water for the Lower Hunter Region is important. HWC looks forward to collaborating with PSC and the Medowie community on initiatives in this area.</p>	
6.	Planning Consultant on behalf of landowner(s)	The submission agrees that a residential use of Precinct L, as outlined in the Medowie Planning Strategy, is no longer the best outcome for the land, and instead the land should be identified for light industrial uses. The submission requests that	<p>The Medowie Planning Strategy identifies Precinct L as a potential residential urban release area with an intended R2 Low Density Residential zoning (subject to future planning proposal).</p> <p>The Strategy also notes that "...In the longer term there may</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
		<p>the plan be updated to confirm that the precinct should be rezoned for light industrial use, and remove references to further investigation.</p> <p>Land within this precinct, including 30 Ferodale Road, is currently zoned R5 Large Lot Residential, but existing land uses are a mix of industrial, service industry and residential.</p> <p>The submission also requests that 30 Ferodale Road be shown as an existing industrial establishment, and not as an area of investigation.</p>	<p>be potential merit in investigating expansion of the light industrial land uses towards Ferodale Road".</p> <p>In preparing the draft MPP, a review of the proposed residential zoning of this land, in consultation with landowners, was undertaken. It was determined that this precinct be considered for future expansion of employment land.</p> <p>To determine the appropriate future zone, amount of land required, and future demand, an employment needs analysis is required. The draft MPP outlines that any rezoning request for this precinct will need to be accompanied by a needs analysis.</p> <p>As part of the engagement and consultation process, the requirement for a needs analysis was discussed with the landowners within the Precinct. The landowners were given the opportunity to prepare a needs analysis prior to or concurrent with the drafting of the place plan, to identify a more certain outcome for the precinct. This opportunity was not pursued by any of the landowners.</p> <p>It should be noted that the current industrial use on 30 Ferodale Road is undertaken on land zoned R5 Large Lot Residential. To support further development of land within the</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

No.	From	Summary	Planning response
			precinct, this land requires rezoning for employment uses. The Medowie Place Plan, as drafted, provides for all matters raised and therefore has not been amended.
7.	Resident	<p>The submission makes the following suggestions for the Concept Plan for the town centre expansion site:</p> <ul style="list-style-type: none"> • To make the proposed extension of Peppertree Road into the town centre expansion site a pedestrian boulevard as it would better integrate the existing playground and car parking near the community centre. • To create a town square that is actually square. • To locate the proposed play area further away from Ferodale Road. 	<p>The Concept Plan does not represent an actual design, but will inform future detailed design.</p> <p>A future Masterplan for the new town centre expansion site will detail the best use, design, and integration of the site with the existing town centre.</p> <p>Traffic movement and access, and the location of community and recreation spaces will be considered at this time. Community consultation will be undertaken to inform the Masterplan.</p> <p>The Medowie Place Plan, as drafted, can provide for all matters raised and therefore has not been amended.</p>

B – Summary of Survey Comments and Response Table

Topics	Comment summary	Response
Town Centre Concept Plan	<p>Several respondents confirm that the existing town centre lacks cohesion, is dangerous for pedestrians, and lacks a town square for people to meet.</p> <p>Respondents generally show strong support for the Concept</p>	<p>A future Masterplan for the new town centre expansion site will further detail the best use, design, and integration with the existing town centre. Community consultation will be undertaken to inform the Masterplan.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
	<p>Plan for the town centre expansion site. The event and community spaces and the integration of the natural environment (future conservation area) were well received.</p> <p>Comments reiterate that integration of the existing town centre and new town centre expansion site is important and that the expansion site also needs to be pedestrian friendly, with better pathways and reduced vehicle speed.</p> <p>Respondents would like to see a range of businesses establish in the town centre expansion site especially cafes and restaurants.</p> <p>The inclusion of additional recreational areas at the expansion site is generally supported. Respondents suggest that there is a need for BBQ facilities, picnic areas, all weather leisure options, and recreation spaces that cater for both young children and adolescents. Other facilities mentioned are a new skate park, pump-track, and a regional sized playground.</p> <p>There are conflicting views about the need for a new skate park in this location.</p> <p>A few respondents express mixed opinions about the potential for medium density</p>	<p>The best location for a future skate park requires further investigation, as outlined in the 'Let's Play' action in the Open Space theme.</p> <p>To ensure integration of the existing and new town centre expansion site, the action 'Planning the town centre expansion' will include part of the privately owned land north of Ferodale Road for consideration in the proposed Masterplan.</p> <p>Consequently, a future Masterplan will consider this new area, in consultation with respective land owners. This opens up the opportunity to discuss possible (re)development of private land for commercial use which may support the creation of a Ferodale Main Street environment.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
	<p>and shop top housing at the town centre expansion site. Some suggest that the area should instead be used for more community facilities such as a library or a pool. Other comments note that the proposed mixed use will activate the area and are supportive of a well-designed town centre.</p> <p>One comment suggests that priority should be given to fixing infrastructure (such as pot holes) and the existing town centre before investing in other aspects of the plan.</p>	
Environmental Actions	<p>The environmental actions are strongly supported. Respondents request a reduction of clearing in Medowie and the planting of additional vegetation to create wildlife corridors for native birds and fauna.</p> <p>Some respondents have requested that the pine trees on the town centre expansion site be preserved for aesthetic reasons, while others note that replacing these with native species is a positive environmental outcome for the site.</p>	<p>Various environmental actions address the ambitions of the community, including revegetation of areas to create new wildlife corridors (town centre expansion site), the proposed rezoning of land into environmental zones, and opportunities for the community to be involved in conservation groups.</p> <p>Clearing of vegetation is regulated through Federal, state and local legislation. Port Stephens Council continues to apply these regulations to achieve the best environmental outcomes through the planning proposal and development application process.</p> <p>The pine trees on 38 Ferodale Road are an invasive species and do not provide good habitat for native wildlife. It is</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
		<p>proposed to replace these exotic species with more appropriate native vegetation to create a wildlife corridor as outlined in the 'Native is best' action.</p> <p>No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.</p>
<p>Movement Actions</p>	<p>Comments provided during public exhibition confirm the earlier findings from community engagement that improving transport and movement systems in Medowie is very important.</p> <p>Comments from survey respondents focus on:</p> <ul style="list-style-type: none"> • The need for better pathways throughout Medowie, connecting with schools, recreational facilities, and the town centre. • The current condition of roads and pathways. • The need to improve accessibility for people with mobility issues. • The need for traffic slowing devices should be installed. • Prioritising which new paths should be created first. 	<p>Engagement with the community through workshops, meetings, and surveys has revealed that more opportunities for walking and cycling is a high priority.</p> <p>Some suggestions for paths may not be feasible due to narrow road reserves or the low usage in more rural areas which is not cost efficient.</p> <p>A range of actions of the place plan address the concerns raised, including a proposal to update the current Medowie Traffic and Transport Study.</p> <p>The "I like to move it move it" action has been updated to include that the traffic study specifically reviews and prioritisation the timing and funding of (dual) pathways connecting to schools, recreation areas, and the town centre.</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
Character Actions	<p>Respondents note that the character of Medowie is changing and question whether Medowie should still be considered a village or if it should be aspiring to become a modern and welcoming town. Others state that Medowie’s rural look and feel should be retained.</p> <p>Suggestions are made for a range of possible styles for future development, art, street furniture, and landscaping.</p> <p>Some respondents note that more recent clearing has undermined Medowie’s “tall trees” character. They support the proposal to plant additional native trees as outlined in the actions of the plan.</p>	<p>Community views on the future character of Medowie are very diverse. The ‘Define Medowie’s character’ action aims to create a more detailed character description for Medowie. This will provide direction for future design of the built environment and place making activities.</p> <p>No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.</p>
Open Space Actions	<p>Respondents generally support the creation of new open space and additional opportunities for recreational activities, and suggest a range of facilities that should be included. There is consensus that such spaces should aim to cater for all ages and abilities.</p> <p>The potential for a skate park to be located in the town centre expansion site received a number of comments both for and against. Those against the skate park being located in the town centre are concerned that skate parks attract antisocial behaviour.</p>	<p>The need for additional open space in Medowie was identified by the Port Stephens Council Recreation Strategy 2018. The town centre expansion site can provide for recreational space with place space in a central, accessible location.</p> <p>Further investigations will consider community suggestions to determine the exact recreational and play elements to be included. As outlined in the ‘Let’s play’ action, this may include a play space, skate park, climbing structures and the like that cater for all ages. The town</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
		<p>centre expansion site will also include recreational opportunities and areas for groups to gather and spaces for socialising and entertainment.</p> <p>No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.</p>
Management and Safety Actions	<p>Safety actions, particularly the use of effective lighting and design that allows for passive surveillance are supported.</p> <p>2 respondents note that Medowie has become too busy and unsafe.</p>	<p>No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.</p>
Economy Actions	<p>A number of respondents note that there are opportunities and benefits to inviting tourists to visit or stay in Medowie. Others express concerns about an increase in traffic related to increase in visitation.</p> <p>There is an interest in creating more café/bar/dining, retail and recreational opportunities through the future Masterplan for the town centre expansion site.</p> <p>Comments are generally supportive of a Town Team approach, but some require more information about the details.</p>	<p>The current lack of commercial space in Medowie is addressed in the Place Plan with the identification of various precincts that may be suitable for rezoning to employment lands and the potential of the new town centre expansion site to accommodate commercial space.</p> <p>Town Teams are a group of proactive people that work collaboratively to improve a place or area. They are inclusive and open to everyone – businesses, residents, and community groups. Officers are preparing additional information about these teams and the future rollout, and</p>

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
	There is some concern about a lack of available commercial space in Medowie.	communities will be informed about how they can participate. No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.
Planning for the Future of Medowie	<p>Respondents provided comments on the land use map which shapes the Future of Medowie.</p> <p>More residential and town centre (commercial) development is generally supported, while others believe that the current roads, like Medowie and Ferodale Roads, are not able to cope with additional residential development and therefore increased traffic. A suggestion is made for a ring road around the Medowie town centre to reduce traffic and create a pedestrian friendly town centre .</p> <p>Some respondents are concerned that future residential development may alter the character of Medowie and reduce existing bushland.</p>	<p>Infrastructure capacity, including roads, drainage and wastewater, is considered through consultation with relevant state agencies during the planning proposal process.</p> <p>A range of actions of the place plan address the concerns raised, including a proposal to update the current Medowie Traffic and Transport Study.</p> <p>The 'Define Medowie's character' action aims to create a more detailed character description for Medowie and will be used to guide the design of future development in Medowie.</p> <p>No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.</p>
Final Comments	<p>The survey gave respondents the opportunity to provide some final comments.</p> <p>Most respondents summarised and highlighted what they</p>	No changes are proposed as the Place Plan provides sufficient direction and flexibility to consider suggestions made during public exhibition.

ITEM 4 - ATTACHMENT 1 SUBMISSIONS TABLE.

Topics	Comment summary	Response
	<p>already said in responses to the various themes.</p> <p>New comments provided, include:</p> <ul style="list-style-type: none"> • Support for PSC to have purchased the land at 38 Ferodale Road in order to create an area that can accommodate the various uses shown on the Concept Plan. • Support for a Place Plan being made for Medowie as it will bring a sense of belonging and community spirit. • Various comments and ideas about play and recreational facilities which should be available for children of various ages. 	

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022

ITEM NO. 5

**FILE NO: 22/241614
EDRMS NO: PSC2021-00558**

DRAFT MEDOWIE PLACE PLAN

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the Medowie Place Plan Engagement Report (**ATTACHMENT 1**).
- 2) Endorse the draft Medowie Place Plan (**ATTACHMENT 2**) for exhibition for a period of 28 days.

**ORDINARY COUNCIL MEETING - 25 OCTOBER 2022
MOTION**

292	<p>Councillor Jason Wells Councillor Steve Tucker</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Note the Medowie Place Plan Engagement Report (ATTACHMENT 1).2) Endorse the draft Medowie Place Plan (ATTACHMENT 2) for exhibition for a period of 28 days.
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Councillor Giacomo Arnott left the meeting at 7:13pm.
Councillor Giacomo Arnott returned to the meeting at 7:16pm.
Councillor Leah Anderson left the meeting at 7:16pm.
Councillor Leah Anderson returned to the meeting at 7:19pm.

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022**BACKGROUND**

The purpose of this report is to seek Council's endorsement to exhibit the draft Medowie Place Plan (**ATTACHMENT 2**) for a period of 28 days.

Place plans are a new way of planning for the growth of the unique towns and villages across Port Stephens. Place plans provide a local filter on the Port Stephens Community Strategic Plan and other strategic documents, and create place specific actions that improve the liveability and wellbeing of our communities. Actions in place plans guide the way we plan for future land use, invest in new infrastructure, attract investment, and activate our streets.

The draft Medowie Place Plan aims to strengthen community values and priorities that are performing well and promotes opportunities for those that require improvement. A series of workshops, surveys, and meetings with community members, businesses, schools, landholders and community groups explored the priorities and ideas for Medowie in more detail (**ATTACHMENT 1**).

The draft Medowie Place Plan responds to these priorities and ideas by including:

- A structure plan, which identifies opportunities for future rezoning of land for employment and conservation purposes. The plan does not identify any land for residential development in addition to that already identified in the Medowie Planning Strategy (MPS).
- Potential infrastructure projects programmed for the next 5 years, such as additional shared paths, playground replacements, park furniture, and the replacement of facilities and amenities at Yulong Oval.
- A place activation plan, which includes ideas for future community activities and events.
- A concept plan for the town centre expansion site at 38 Ferodale Road, Medowie. This concept plan provides an indication of how the site can accommodate a range of residential, commercial, recreational, and environmental opportunities to improve the town centre. The concept plan will be refined through further consultation and master-planning of the site.
- A range of actions that can be undertaken by the community, businesses, Port Stephens Council, and other key stakeholders.

The draft place plan aims to deliver a vibrant town centre to cater for the needs of the Medowie community. Actions from the plan seek to engage and involve the community and local businesses in activities that build on Medowie's strengths and make it an even better place to live, work and play. The place plan allows for an integrated recreation precinct within the town centre site. This area could include elements such as a playground, interactive sculptural pieces, skate park facilities, event spaces and nature play opportunities. The more detailed planning and design of this space would be subject to further master planning and community engagement activities.

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

FINANCIAL/RESOURCE IMPLICATIONS

The public exhibition of the draft Medowie Place Plan and associated community engagement activities will be undertaken using existing budgets.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Medowie Planning Strategy

The draft Medowie Place Plan provides further context to the MPS by identifying additional opportunities for employment and conservation purposes. No new areas are identified for residential use beyond the extent of the endorsed MPS.

If adopted, the place plan would be considered in conjunction with the MPS. Where there are any inconsistencies between the place plan and the MPS, the Medowie Place Plan would prevail. Planning proposals seeking to rezone land in Medowie need to address the requirements of the MPS, in addition to other relevant state and local plans and legislative requirements.

Port Stephens Local Environmental Plan 2013 (LEP)

If the draft Medowie Place Plan is endorsed, it would result in actions requiring amendments to the LEP. Planning proposals would be assessed against the Medowie Place Plan, the Medowie Planning Strategy, and any other relevant Council and State plans and policies.

Port Stephens Development Control Plan 2014

The draft Medowie Place Plan was developed with consideration to the Development Control Plan (DCP). If adopted, an action to develop a site specific DCP for the town

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022

centre would be enacted. This actions intent is to ensure that the future development of the Medowie town centre is managed within the intent of the draft Medowie Place Plan and MPS.

Any new DCP chapter would include the existing shopping precinct and the town centre expansion site. The DCP would set out the future character of the town centre, including creating a natural setting and a high degree of connectivity. Objectives would include achieving a shady and green town centre, with buildings designed to sit within a natural setting.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the draft Medowie Place Plan does not meet community expectations.	Low	<p>Adopt the recommendation to release the draft Medowie Place Plan for exhibition to seek community feedback.</p> <p>Extensive community engagement during the exhibition period will assist Council to understand community expectations and identify possible changes to be made to the draft place plan.</p>	Yes.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Social

Place plans aim to enhance the liveability of places in Port Stephens to improve community wellbeing. They respond to the community's values and aspirations. Place plans enable a collaborative approach between residents, business and Council to deliver great place outcomes. The draft Medowie Place Plan contains actions to inspire community involvement in creating a better place through conservation, beautification, connectivity and activation.

Economic

As Medowie continues to grow, new residents will look for new business opportunities and jobs close to home. Consolidating and improving the town centre as the focus for commercial activity is a key focus of the draft Medowie Place Plan. A vibrant and interesting local centre, with an active and involved business community drives economic activity. Actions led by local businesses and supported by Council and the community leads to improved economic outcomes for Medowie.

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022

Environmental

Medowie residents place a high value on the natural environment and the draft Medowie Place Plan aims to protect and celebrate this important asset. The draft plan recognises that key habitat corridors need to be maintained, strengthened, and where possible, rehabilitated. This includes improving the north-south corridor through the town centre. The draft Medowie Place Plan identifies a number of opportunities for conservation projects and the improvement of habitat corridors.

CONSULTATION

Internal

The draft Medowie Place Plan has been prepared in consultation with the relevant sections in the Development Services Group, Facilities and Services Group, and Corporate Services Group.

External

The Strategic Planning and Community Engagement teams have worked extensively with the Medowie community to prepare a draft Place Plan that accurately reflects the community's values and aspirations. The engagement activities included:

- A Liveability Index survey and Town Centre survey.
- A series of workshops with community groups, local businesses and children from Medowie schools.
- A series of meetings with key stakeholders including Hunter Water Corporation and landholders within the town centre.
- A specific workshop with community interest groups and local businesses about the town centre expansion site.
- A return survey of the draft actions and town centre concept plan with the workshop participants.

The Medowie Place Plan Engagement Report (**ATTACHMENT 1**) provides detailed information about the outcomes of this consultation.

If endorsed, the draft Medowie Place Plan will be exhibited for a period of 28 days with integrated engagement activities including an online community survey, on-site drop in sessions and activation activities.

Outcomes of the public exhibition process and any changes made to the draft would be reported to Council for endorsement with the final version of the Medowie Place Plan.

MINUTES ORDINARY COUNCIL - 25 OCTOBER 2022

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Medowie Plan Plan Engagement Report. (Provided under separate cover)
- 2) Draft Medowie Place Plan. (Provided under separate cover)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 5

FILE NO: 23/51220
EDRMS NO: PSC2023-01174

HEALTH FACILITIES IN PORT STEPHENS

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the report on Health Facilities in Port Stephens (**ATTACHMENT 1**).
 - 2) Nominate a Councillor and an alternate as local government representatives to the existing Port Stephens Local Health Committee.
 - 3) Adopt recommendations to:
 - a) Advocate for government investment in public hospitals and associated tertiary education and/or research facilities in Port Stephens.
 - b) Review the Local Housing Strategy.
 - c) Finalise the Centres and Employment Lands Study.
 - d) Seek grant funding to resource planning strategies and rezonings to expand existing local health precincts.
 - e) Ensure rezonings in centres do not prohibit land uses which support an existing or emerging local health precinct.
 - f) Update the Local Infrastructure Contributions Plan and Strategic Asset Management Plan and apply for grant funding to deliver local infrastructure that supports local health precincts.
-

BACKGROUND

At its meeting of 11 October 2022, Minute No. 284 (**ATTACHMENT 2**), Council raised a Notice of Motion (NOM) relating to health facilities in the Port Stephens Local Government Area (LGA).

The NOM required that Council staff commence discussions with State and private operators to advocate for increased services and to determine any necessary land use changes required to support the development of health services, and prepare a report that:

- a) Investigates other councils who have established health precincts to identify opportunities that can be applied to the Port Stephens LGA, including opportunities to increase the number of these facilities.
- b) Investigates opportunities to develop health precincts in strategic centres, any necessary changes to the Port Stephens Local Environmental Plan 2013 and

opportunities to include supporting infrastructure in the Local Infrastructure Contributions Plan (LIC Plan).

- c) Investigates the opportunity to develop a Local Health Advisory Committee and advise what is required to form a committee and report how such a committee could assist with this issue.

In November 2022, Council staff consulted with the health sector, including NSW Health, to advocate for increased services and to identify barriers to increased health services and facilities.

Consultation will continue with the health sector as part of planning projects currently underway, including the preparation of the Centres and Employment Lands Study.

The report provided within **(ATTACHMENT 1)** details the investigation and the options summarised in **Table 1** below.

Table 1:

Notice of Motion	Recommendations	Indicative Resourcing and Timeframes
<p>a) Investigate other Councils who have established health precincts to identify opportunities that can be applied to the Port Stephens LGA, including opportunities to increase the number of these facilities.</p>	<p>1. Advocate for government investment in public hospitals and associated tertiary education and/or research facilities in Port Stephens which can be catalysts for growing existing health precincts or establishing new precincts (similar to actions taken by Orange City Council).</p>	<p>Resourcing: Managed within existing budgets and resourcing</p> <p>Responsible Section: Communications Section</p> <p>Expected timeframe to implement: Currently being implemented as part of the Community Advocacy Priorities adopted by Council.</p>
	<p>2. Review the Local Housing Strategy to grow the population of Port Stephens, which can support future government decisions to fund health facilities in Port Stephens.</p>	<p>Resourcing: Managed within existing budgets and resourcing</p> <p>Responsible Section: Strategy and Environment</p>

		<p>Expected timeframe to implement: The review is expected to be finalised by December 2023 for Council's consideration</p>
	<p>3. Co-ordinate the preparation of studies, strategies and plans to support the expansion of the existing local health precinct at Nelson Bay East (similar to actions taken by Blacktown City Council).</p>	<p>Resourcing: The project is dependent on key landowners committing to funding. If Council wanted to fund the project and accelerate delivery, it would cost over \$500,000 and require additional resources.</p> <p>Responsible Section: Strategy and Environment.</p> <p>Expected timeframe to implement: Dependent on key landowners. With committed funding and resourcing, a Place Strategy to expand the health precinct at Nelson Bay East could take 18-24 months to scope, prepare and deliver.</p>
	<p>4. Finalise the Centres and Employment Lands Study to investigate gaps in commercial land supply, including for private health facilities, and may provide evidence to</p>	<p>Resourcing: Managed within existing budgets and resourcing. Note a rezoning to implement the</p>

	<p>support expanding the existing health precinct at Raymond Terrace (similar to actions taken by Blacktown City Council).</p>	<p>recommendations of the Study would cost over \$200,000 and is not currently resourced.</p> <p>Responsible Section: Strategy and Environment</p> <p>Expected timeframe to implement: The Study will be completed by July 2023.</p> <p>With committed funding and resourcing, a planning proposal to implement the recommendations of the Study in Raymond Terrace could take could take 18-24 months to scope, prepare and deliver.</p>
	<p>5. Market Council owned property to attract investment from private health and education providers or for related supporting uses.</p>	<p>Resourcing: \$30,000 (not currently funded)</p> <p>Responsible Group: Corporate Services Group</p> <p>Expected timeframe to implement: With committed funding and resourcing, 6 months.</p>
<p>b) Investigate opportunities to develop health precincts in strategic centres, any necessary changes to the Port Stephens Local</p>	<p>1. Seek grant funding to resource prioritising planning strategies and rezonings to expand existing local health precincts at Nelson Bay</p>	<p>Resourcing: Managed within existing budgets and resourcing</p>

<p>Environmental Plan 2013 and opportunities to include supporting infrastructure in the Local Infrastructure Contributions Plan.</p>	<p>East and Raymond Terrace.</p>	<p>Responsible Section: Strategy and Environment</p> <p>Expected timeframe to implement: Ongoing</p>
	<p>2. Ensure any rezoning in a centre that proposes a residential, local centre or commercial centre zone will not prohibit the following land uses which can support an existing or emerging local health precinct:</p> <ul style="list-style-type: none"> • business premises • restaurants or cafes • take-away food and drink premises • neighbourhood shops and supermarkets • educational establishments • early education and care facilities • health services facilities • markets • community facilities • recreation areas. 	<p>Resourcing: Managed within existing budgets and resourcing</p> <p>Responsible Section: Strategy and Environment</p> <p>Expected timeframe to implement: Ongoing</p>
	<p>3. Update the LIC Plan and Strategic Asset Management Plan (SAMP) and apply for grant funding to ensure the local infrastructure necessary to support new and emerging local health precincts is funded, planned and delivered (e.g. roads, bus stops, cycle paths, open space and public domain improvements).</p>	<p>Resourcing: Managed within existing budgets and resourcing</p> <p>Responsible Section: Strategy and Environment Section Asset Section</p> <p>Expected timeframe to implement:</p>

ORDINARY COUNCIL - 11 APRIL 2023

		<p>The LIC Plan will be updated by December 2023.</p> <p>The SAMP will be updated by July 2023.</p>
<p>c) Investigate the opportunity to develop a Local Health Advisory Committee and advise what is required to form a committee and report how such a committee could assist with this issue.</p>	<p>1. Nominate a Councillor or Councillors as local government representatives to the existing Port Stephens Local Health Committee. The Terms of Reference for the Committee specify local government nominees may be members and Councillors were previously members of the Committee.</p>	<p>Resourcing: Managed within existing budgets and resourcing.</p> <p>Responsible Section: Strategy and Environment</p> <p>Expected timeframe to implement: Nominations can be made at any time.</p>

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		At this stage, there is no intent to seek additional funding towards either the Nelson Bay East Place Strategy or Raymond Terrace Health Precinct.
Reserve Funds	Yes	\$30,000	As noted in the report to market Council owned property to attract health facilities would require additional funding.
Developer Contributions (\$7.11)	Yes		Updates to the LIC Plan are funded by Developer Contributions.
External Grants	No		

ORDINARY COUNCIL - 11 APRIL 2023

Source of Funds	Yes/No	Funding (\$)	Comment
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no known significant legal, policy or risk implications as a result of the recommendations.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that without carrying out the recommended actions, health precincts in Port Stephens fail to establish or grow.	Low	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The recommendations made within this report are considered to have positive social, environmental and economic benefits for Council and the wider community. An increase in the level of health services facilities will provide a net social benefit by providing the services that are needed at a local scale. Improved access to health services will also assist in improving the overall health and wellbeing of our community. Investment in health facilities can also be catalytic for the transformation of our strategic centres, encouraging further investment and economic growth.

CONSULTATION

Consultation with internal stakeholders has been undertaken by the Strategy and Environment Section with the following sections of Council:

- Assets Section
- Communications Section
- Corporate Services Group

External

The NOM required that Council begin consultation with the health sector to advocate for increased services and to help determine any barriers to increased health services and facilities. Council staff consulted with the Port Stephens Local Health Committee, NSW Health, and selected private health providers and will continue consultation as part of the preparation of the Centres and Employment Lands Study.

In relation to amending the SAMP and LIC plan, public exhibition and consultation would be undertaken in accordance with statutory requirements.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Report on Health Facilities in Port Stephens. [↓](#)
- 2) 11 October 2022, Minute No. 284. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.



Author: Senior Strategic Planner – Infrastructure Coordination & Funding
Date: 23 February 2023
File No: PSC2023-01174
Subject: Report on Health Facilities in Port Stephens

Background:

At its meeting of 11 October 2022, Minute No. 284, Council resolved to prepare a report that:

- a) Investigates other councils who have established health precincts to identify opportunities that can be applied to the Port Stephens LGA, including opportunities to increase the number of these facilities.
- b) Investigates opportunities to develop health precincts in strategic centres, any necessary changes to the Port Stephens Local Environmental Plan 2013 and opportunities to include supporting infrastructure in the Local Infrastructure Contributions Plan.
- c) Investigates the opportunity to develop a Local Health Advisory Committee and advise what is required to form a committee and report how such a committee could assist with this issue.

Council staff have undertaken consultation with NSW Health to inform the preparation of this report, including on health precincts in NSW and on local health committees in Port Stephens. Consultation with private health sector providers has been undertaken to understand potential site requirements and other matters that impact investment decisions.

Health precincts in NSW

NSW Health defines a health precinct as 'a holistic approach to the co-location of clinical service delivery with related education, training and research activities'. Health precincts identified or recognised by the State government in NSW have all received significant government investment to support their establishment and growth, including:

- John Hunter Health and Innovation Precinct
- Westmead Health and Innovation District
- Blacktown Health and Education Precinct
- Orange Health and Innovation Precinct.

All of the above precincts are identified as joint initiatives between partners such as Federal and State government departments, TAFE or universities, research organisations, and industry. There is a varied level of local government involvement and influence, from active partnership to key stakeholder during consultation. For example, in many cases the State government has exercised planning powers in establishing these precincts in the place of the local council.

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.

In all of the above examples, government investment in expanding these facilities has been supported by population data and forecasts.

The local councils that have taken a more proactive role in facilitating and supporting the development of the above precincts include Blacktown City Council and Orange City Council.

Blacktown Council is aiming to realise and extend the benefits of the NSW Government's \$700 million investment in Blacktown Hospital by working with the NSW Government and the private health sector to facilitate the co-location of a private hospital facility or allied medical health services within the precinct in Blacktown CBD. A planning proposal to facilitate the co-located uses was prepared by the Council and finalised in December 2022.

That planning proposal was supported by an economic assessment of the existing and future market conditions for the proposed Blacktown Health Precinct. It is estimated that this type of study would cost around \$100,000 to complete for a precinct in Port Stephens and other studies would also be required to progress any subsequent rezoning.

Orange City Council has supported a rezoning submitted by the co-located Bloomfield Private Hospital to facilitate expansion of their site and zones for supporting uses such as retail and commercial premises, including childcare facilities. Orange City Council is also advocating to the State government to have the precinct declared a Special Activation Precinct with accelerated development approvals and associated benefits to attract investment.

Locally identified 'health precincts' can be clusters of health services facilities and supporting uses in centres or around existing health service facilities. In Port Stephens, there are local health precincts or emerging precincts in Nelson Bay East (around the existing Tomaree Hospital) and Raymond Terrace.

Issues:**Opportunities that can be applied in Port Stephens to increase the number of health facilities**

Potential actions include:

1. Advocate for government investment in public hospitals and associated tertiary education and/or research facilities in Port Stephens which can be catalysts for growing existing health precincts or establishing new precincts (similar to actions taken by Orange City Council).
2. Review the Local Housing Strategy to grow the population of Port Stephens, which can support future government decisions to fund health facilities in Port Stephens.
3. Co-ordinate the preparation of studies, strategies and plans that investigate expanding the existing local health precinct at Nelson Bay East (similar to actions taken by Orange City Council).
4. Finalise the Centres and Employment Lands Study to investigate gaps in commercial land supply, including for private health facilities (similar to actions taken by Blacktown Council).

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.

5. Market Council owned land in local health precincts to attract investment from private health and education providers or for related supporting uses (similar to actions taken by Orange City Council).

Implications:

Councils can have a limited role in influencing public health initiatives, infrastructure and services delivered by the State and Federal Governments. The NSW Government provides and funds hospitals, ambulance services, and community health services and programs. The Australian Government funds medical research, some primary health care services, subsidises aged care services and maintains the number of doctors in Australia as well as their distribution.

Government investment in expanding health and related facilities is justified by population statistics and forecasts. In Port Stephens, the Local Housing Strategy includes actions to achieve sustainable growth, including ensuring there is suitable land supply available and opportunities for higher population densities in strategic centres.

Local governments have responsibilities to regulate and maintain a healthy environment (e.g. managing stormwater, waste disposal and providing environmental health related services such as food safety inspections etc.), maintaining roads and public places to certain safety standards, providing and funding recreational areas including public open space and delivering some support services such as community child care.

Local government can have a proactive role in attracting private investment in health and related services to an area by ensuring planning controls facilitate and attract development. Appropriately located Council owned property can also be marketed to attract tenants or investment from the private health sector.

A Nelson Bay East local health precinct sits between Nelson Bay and Shoal Bay. Key landowners in the precinct have previously approached Council about developing a Place Strategy for this area which may identify an area along Austral Boulevard that could potentially support additional health and supporting services nearby to the Tomaree Hospital. There are significant land holdings in this area that could be considered undeveloped or underdeveloped that could be investigated to facilitate expanding this local health precinct. This is similar to actions taken by Blacktown Council.

This project would be dependent on key landowners committing to funding planning investigations and the independent preparation of a Place Strategy for consideration by Council, including community and stakeholder consultation. If Council wanted to commit to fund the project to accelerate delivery, it is estimated to cost over \$500,000 and may require additional staff resources allocated to the Strategic Planning Team. This may not be a considered value for money for Council at this stage when there has been no interest expressed from the health sector at this time.

Although Raymond Terrace does not provide hospital or emergency services, the strategic centre has been identified as a local health precinct that supports a wide range of primary health care, allied health and other services. The Greater Newcastle Metropolitan Plan 2018 identifies Raymond Terrace as a 'major health precinct' and includes the following actions for councils, NSW Health and State government in major health precincts:

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.

- facilitate the development of allied health, education, training, hotels, aged care services and research facilities
- locate all new major health facilities in strategic centres or existing major health precincts
- facilitate complementary land uses within proximity of health precincts.

Council is currently investigating the changes that would need to be made to local planning in Raymond Terrace to facilitate the growth of the local health precinct, including undertaking a commercial land needs analysis and investigating changes to planning controls around the existing Raymond Terrace Community Health Centre. It is likely that progressing any changes to planning controls to facilitate the expansion of the local health precinct (such as a planning proposal to increase in heights) would require further planning studies as supporting justification. This is estimated to cost Council over \$200,000 and it is currently not included in the budget or resourcing allocation.

There has been recent interest in developing various health facilities in Port Stephens. For example, Council owns several parcels of land in the Raymond Terrace town centre and has received interest previously from private health providers and providers of related services and facilities. Council could be proactive in marketing suitable Council owned land in strategic centres or other appropriate locations to attract investment from private health and education providers or for related supporting uses. It is estimated to cost Council around \$30,000 for a commercial agent to run a marketing campaign and is currently not included in the budget or resourcing allocation.

Opportunities to develop health precincts in strategic centres, any necessary changes to the Port Stephens Local Environmental Plan 2013, and opportunities to include supporting infrastructure in the Local Infrastructure Contributions Plan

As set out above, Council can proactively attract private investment in local health precincts. Opportunities to expand local health facilities in Nelson Bay East and Raymond Terrace have been identified above.

Potential actions include:

1. Seek grant funding to resource prioritising planning strategies and rezonings to expand existing local health precincts at Nelson Bay East and Raymond Terrace.
2. Ensure any rezoning in a centre that proposes a residential, local centre or commercial centre zone will not prohibit the following land uses which can support an existing or emerging local health precinct:
 - business premises
 - restaurants or cafes
 - take-away food and drink premises
 - neighbourhood shops and supermarkets
 - educational establishments
 - early education and care facilities
 - health services facilities
 - markets
 - community facilities
 - recreation areas.

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.

3. Update the Local Infrastructure Contributions (LIC) Plan and Strategic Asset Management Plan (SAMP) and apply for grant funding to deliver the local infrastructure necessary to support new and emerging local health precincts (e.g. roads, bus stops, cycle paths, open space and public domain improvements).

Implications:

The nature and mix of business uses within health precincts will inform the built form and associated planning controls necessary to attract investment in local health precincts. Buildings in existing health precincts in other locations are getting larger and taller as the objective of collaboration drives a desire to co-locate departments, organisations and uses in the same building to facilitate the opportunity to congregate, exchange ideas, meet, talk and eat (Michaela Sheahan, Architecture Australia – May 2015 (Issue 3), The importance of public spaces and pedestrians in hospital precincts.) These matters can inform planning investigations around Nelson Bay East and the Raymond Terrace town centre.

Accelerating and progressing planning strategies, studies and rezoning to make changes to the Port Stephens Local Environmental Plan 2013 around the Nelson Bay East health precinct is not currently included in Council's resourcing or budget allocation. The cost of the project is detailed above.

Preparing a rezoning and the associated studies to make changes to the Port Stephens Local Environmental Plan 2013 in the Raymond Terrace health precinct is not currently included in Council's resourcing or budget allocation. The cost of the project is detailed above.

Health precincts can consist of co-located allied medical health services or supporting facilities and services for a workforce such as childcare facilities and shops. Uses that can facilitate the development of a local health precinct might include: seniors housing, nursing and teaching institutes and facilities, accommodation for healthcare staff (including hotels and affordable housing), commercial and retail opportunities, student accommodation, restaurants and takeaway shops and childcare facilities.

While local councils do not fund, provide, or manage local health facilities, councils can fund the enabling infrastructure to facilitate the development or growth of a local health precinct and make it attractive to investors. High levels of amenity and walkability, with good transport connections make centres attractive locations for health care providers and other services.

The LIC Plan and SAMP can identify funding for this type of infrastructure and by updating these plans Council can ensure that infrastructure that is conducive to attracting further investment and improved health outcomes in centres is funded and provided in a timely matter. Applying for grant funding is another mechanism that allows Council to deliver local infrastructure that can support investment by the health sector. Council can prioritise and target grant programs that are located within the Raymond Terrace and Nelson Bay East local health precincts.

Local Health Advisory Committee

Council can establish committees and advisory bodies to either carry out functions of Council under delegation and/or provide advice to Council to inform decision making. Committees that only have an advisory role are non-statutory and can be established by resolution of Council. Depending on the membership and terms of reference, there may

5

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.

be Council policies relevant to administration and governance that apply to advisory committees.

Hunter New England Health established 2 local health committees in Port Stephens (Port Stephens East (Tomaree) and Port Stephens West (Raymond Terrace) Local Health Committees) which have recently merged to be the Port Stephens Local Health Committee.

Most hospitals and health services across the Hunter New England Health District have a local health committee. The key role of local health committees is to provide leadership in the local community to ensure health services meet local health needs and ensure the promotion and enhancement of the health of the community.

A local health committee works with (and consults with) key community partners to represent the local community on matters relating to health and health services. The terms of reference state that the purpose is to provide leadership in their communities to:

- ensure health services meet local community health needs
- promote health services and initiatives
- enhance the health of their community.

Members of a local health committee can include staff from local health services, the Local Health Community Manager, a representative from the relevant Primary Health Network, and people with health consumer, carer or support experience for groups such as older people, families and young people, Aboriginal and Torres Strait Islander communities, people living with mental illness, people living with a disability, and people experiencing social and economic disadvantage. The terms of reference specify that membership can include local government nominees.

Up until 2018, Councillors were nominated as representatives on both the Port Stephens (Port Stephens East (Tomaree) and Port Stephens West (Raymond Terrace) Local Health Committees. There are currently no local government nominees to the Port Stephens Local Health Committee.

Issues:Opportunities for a Local Health Committee

Potential actions include:

1. Nominate a Councillor and an alternate as local government representatives to the existing Port Stephens Local Health Committee.

Implications:

Any local health committee Council might establish is likely to require similar membership to the existing Port Stephens East (Tomaree) and Port Stephens West (Raymond Terrace) Local Health Committees.

The terms of reference for any Council initiated local health committee may also overlap with the existing Port Stephens Local Health Committee.

ITEM 5 - ATTACHMENT 1 REPORT ON HEALTH FACILITIES IN PORT STEPHENS.

As set out above, Council can have a limited role in influencing health initiatives, infrastructure and services delivered by the State. Membership on the existing Local Health Committees may be an opportunity to better advocate for these services in Port Stephens in an already established forum administered by the State government.

Local government representatives on the existing Port Stephens Local Health Committee can better inform Council decision making. Representatives will be able to advise and report back to Council on key local health issues, including matters that are within the responsibilities of local government (such as facilitating co-location of health and allied health services in local centres through planning controls or disability inclusion action planning).

Consultation has been undertaken with the Chair of the existing Port Stephens Local Health Committee who has advised he has previously advocated to have Councillors as representatives on the Committee and would support the nomination of a Councillor or Councillors to the Committee as local government representatives.

Recommendations:

- 1) Note the issues and implications identified in this report.
- 2) Implement the actions identified in this report that can be managed within existing budgets and resourcing:
 - a) Advocate for government investment in public hospitals and associated tertiary education and/or research facilities in Port Stephens.
 - b) Review the Local Housing Strategy.
 - c) Finalise the Centres and Employment Lands Study.
 - d) Seek grant funding to resource planning strategies and rezonings to expand existing local health precincts.
 - e) Ensure rezonings in centres do not prohibit land uses which support an existing or emerging local health precinct.
 - f) Update the Local Infrastructure Contributions Plan and Strategic Asset Management Plan and apply for grant funding to deliver local infrastructure that supports local health precincts.

Senior Strategic Planner – Infrastructure Coordination & Funding

MINUTES ORDINARY COUNCIL - 11 OCTOBER 2022

NOTICE OF MOTION

ITEM NO. 2

FILE NO: 22/261010

EDRMS NO: PSC2021-04195

HEALTH FACILITIES

COUNCILLOR: LEAH ANDERSON

THAT COUNCIL:

- 1) Notes there is a shortage of health facilities in the Port Stephens LGA.
- 2) Commences discussions with the State Government and private operators to:
 - a. Advocate for increased health services facilities.
 - b. Determine any necessary land use changes required to support development of health services facilities.
- 3) Requests the General Manager provide a report that:
 - a. Investigates other Councils who have established health precincts to identify opportunities that can be applied to the Port Stephens LGA, including opportunities to increase the number of these facilities.
 - b. Investigates opportunities to develop health precincts in strategic centres, any necessary changes to the Port Stephens Local Environmental Plan 2013 and opportunities to include supporting infrastructure in the Local Infrastructure Contributions Plan.
 - c. Investigates the opportunity to develop a Local Health Advisory Committee and advise what is required to form a committee and report how such a committee could assist with this issue.

**ORDINARY COUNCIL MEETING - 11 OCTOBER 2022
MOTION**

284	<p>Councillor Leah Anderson Councillor Giacomo Arnott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Notes there is a shortage of health facilities in the Port Stephens LGA.2) Commences discussions with the State Government and private operators to:<ol style="list-style-type: none">a. Advocate for increased health services facilities.b. Determine any necessary land use changes required to support development of health services facilities.3) Requests the General Manager provide a report that:
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MINUTES ORDINARY COUNCIL - 11 OCTOBER 2022

- | | |
|--|---|
| | <ol style="list-style-type: none">a. Investigates other Councils who have established health precincts to identify opportunities that can be applied to the Port Stephens LGA, including opportunities to increase the number of these facilities.b. Investigates opportunities to develop health precincts in strategic centres, any necessary changes to the Port Stephens Local Environmental Plan 2013 and opportunities to include supporting infrastructure in the Local Infrastructure Contributions Plan.c. Investigates the opportunity to develop a Local Health Advisory Committee and advise what is required to form a committee and report how such a committee could assist with this issue. |
|--|---|

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND REPORT OF: BROCK LAMONT – STRATEGY AND ENVIRONMENT SECTION MANAGER**BACKGROUND**

Port Stephens local government area is presently served by 1 hospital and 23 general practices. The Primary Health Network population health snapshot (2021) notes that every full-time General Practitioner in the Port Stephens LGA there is an average of 827 patients.

Tomaree Hospital, located in Nelson Bay, currently provides a 14 bed acute medical ward and a 5 bed emergency ward. Community and allied health, pathology and dental is also provided on site.

Outside of the LGA, there are additional public hospitals at Waratah (Mater Hospital), Metford (Maitland Hospital) and New Lambton (John Hunter Hospital).

Port Stephens has a median age of 47 and over 25% of the Port Stephens population is currently older than 65. This will result in increased demand for health services across the LGA.

This is generally consistent with the trend across Australia. Health and aged care are projected to be the fastest growing areas of government spending over the next 40 years. Health is predicted to increase from 19% of total government spending in 2021 to 2022, to 26% in 2060 to 2061.

MINUTES ORDINARY COUNCIL - 11 OCTOBER 2022**FINANCIAL/RESOURCE IMPLICATIONS**

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

There being no further business the meeting closed at 7:16pm.

ITEM NO. 6

**FILE NO: 23/8116
EDRMS NO: PSC2023-01307**

COMMUNICATIONS AND ENGAGEMENT ADVISORY GROUP

REPORT OF: JANELLE GARDNER - COMMUNICATIONS SECTION MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Communications and Engagement Advisory Group Terms of Reference (**ATTACHMENT 2**).
- 2) Nominates the Mayor and 3 Councillors (1 Councillor from each Ward) to the Communications and Engagement Advisory Group.

BACKGROUND

The purpose of this report is to seek endorsement for the Communications and Engagement Advisory Panel Terms of Reference and to nominate the Mayor and 3 Councillors (1 Councillor from each Ward) to the Communications and Engagement Advisory Group.

Following extensive community engagement, Council's Communications and Engagement Strategy (2022 to 2027) was adopted on 13 December 2022 (**ATTACHMENT 1**).

This strategy provides the framework for the delivery of transparent and timely communications and meaningful community engagement to build community participation and trust in Council decision making.

As part of the strategy, a key action is to establish a community based advisory group to provide input into the design and delivery of engagement and communications programs.

Following engagement with the community and benchmarking with other local government organisations, a new Communications and Engagement Advisory Group Terms of Reference (**ATTACHMENT 2**) has been created.

The Terms of Reference outlines the selection criteria for panel members, the process for selection and the role of the group members.

The Terms of Reference has been designed to reduce barriers to participation, encourage equity and create opportunity for all members of our community to participate in the decision making process.

ORDINARY COUNCIL - 11 APRIL 2023

A Communications Plan has been developed to promote the new advisory group and encourage applications from a diverse cross section of the community. **(ATTACHMENT 3).**

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Communication and Engagement	Provide a voice for the community.

FINANCIAL/RESOURCE IMPLICATIONS

Minimal financial resources are required for the development and implementation of the Communications and Engagement Advisory Group.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The following risks are consistent with those outlined in the Communication Plan **(ATTACHMENT 1).**

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the Communications and Engagement Advisory Group is not established resulting in less than acceptable engagement with the community	Medium	Endorse the recommendation	Yes

There is a risk that community applications are misrepresentative of a diverse cross section of the community resulting in biased community outcomes	Medium	Advertise as broadly as possible and engage with a large number of community groups about the selection process. Include community group affiliations as part of the application form.	Yes
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SUSTAINABILITY IMPLICATIONS

Over the past few years, a fundamental shift has occurred in the approach to public sector communication and engagement. Residents have a greater desire to engage in planning for their place and evidence shows that best practice community engagement is directly linked to the liveability and wellbeing of the community.

CONSULTATION

The Communications and Engagement Strategy was developed following detailed consultation and engagement with residents. The feedback obtained through this process has provided input into the development of the Communications and Engagement Advisory Group.

Internal

- Communications and Engagement Unit
- Executive Team
- Mayor and Councillors

External

- Community as part of the public exhibition of the draft Communications and Engagement Strategy inclusive of the focus group engaged in earlier phases of the Strategy development.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Communications and Engagement Strategy. (Provided under separate cover) ⇨
- 2) Communications and Engagement Advisory Group Terms of Reference. [↓](#)
- 3) Communications and Engagement Advisory Group Communications Plan. [↓](#)

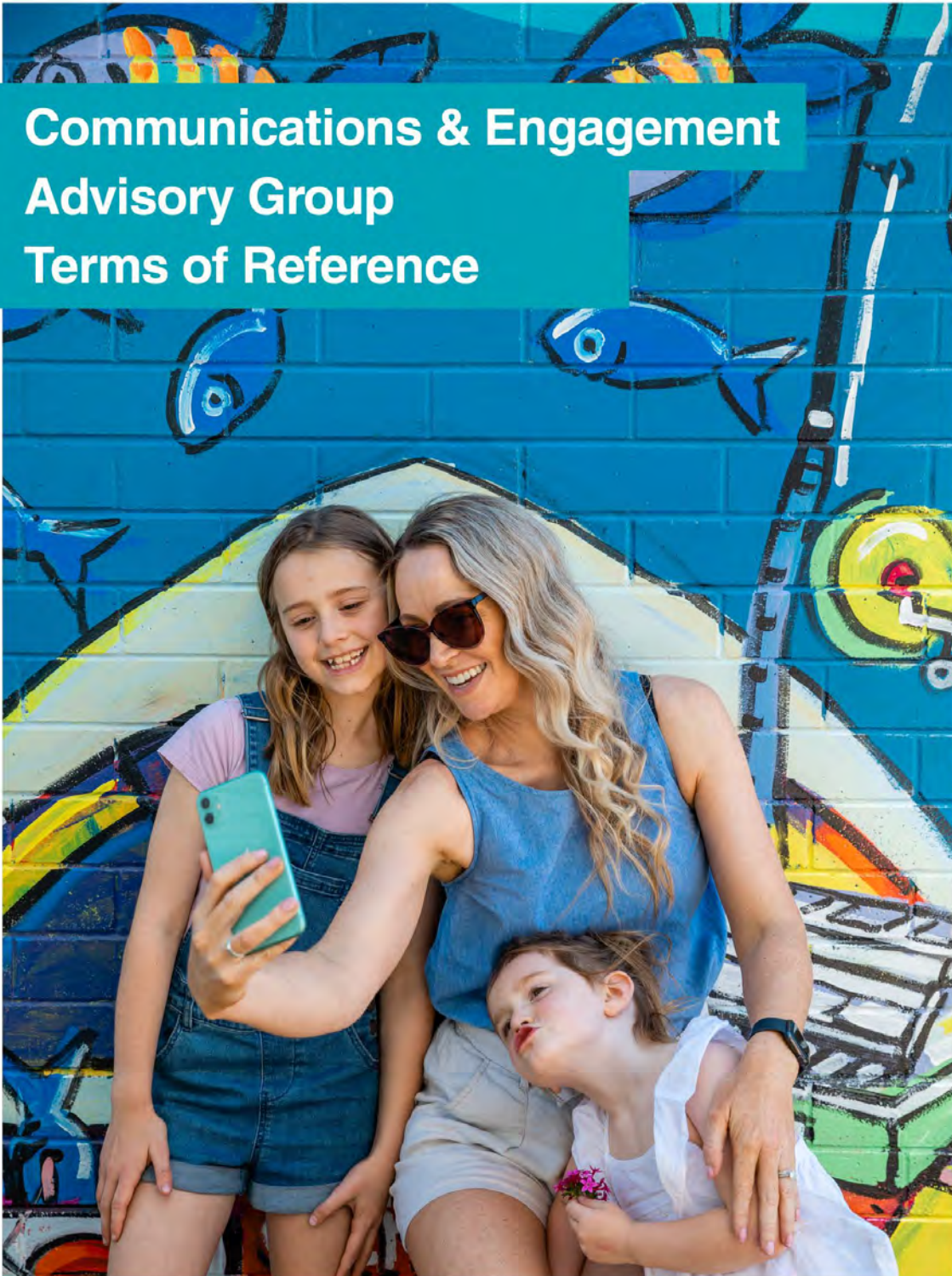
COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Communications & Engagement Advisory Group Terms of Reference



**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



**COMMUNICATIONS AND ENGAGEMENT ADVISORY
GROUP**

1. PURPOSE:

- 1.1. The Port Stephens Council Communications and Engagement Advisory Group (CEAG) will support the delivery of transparent communications and meaningful community engagement.
- 1.2. The CEAG will provide information, advice and guidance on the development and delivery of Council communications and engagement programs to ensure a diversity of voices participates in decision making for their place.

2. BACKGROUND:

- 2.1. Following extensive community engagement, Council's Communications and Engagement Strategy (2022 – 2027) was adopted on 13 December 2022.
- 2.2. Establishing the CEAG was identified within the strategy as an important action for Council and the community.

3. SCOPE:

- 3.1. Provide advice, local knowledge and guidance on the design and delivery of communications and engagement projects
- 3.2. Projects will include those which are identified as having a significant social impact on the community. Examples of projects may include: cycling and pedestrian connectivity, town centre improvements, upgrades of parks and playgrounds, improvements to sporting facilities and the development of strategies and plans.
- 3.3. The panel is required to comply with the following policies and legislation:
 - a) Local Government Act 1993
 - b) Work Health and Safety Act 2011
 - c) Privacy and Personal Information Protection Act 1998
 - d) State Records Act 1998
 - e) PSC Code of Conduct
 - f) PSC Code of Meeting Practice
 - g) PSC Access to Information Policy
 - h) PSC WHS Statement of Commitment

TERMS OF REFERENCE

**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



4. DEFINITIONS:

CEAG	Communications and Engagement Advisory Group.
Council	Port Stephens Council and the officers of Council.
The Group	Communications and Engagement Advisory Group.
The Strategy	Port Stephens Communications and Engagement Strategy.
TOR	Terms of Reference.
Social Impact	The effect the project may have on residents, business and visitors who utilise the place.

5. AUTHORITY:

- 5.1. The CEAG will provide advice and guidance on communications and engagement projects.
- 5.2. Projects will be determined based on the level of social impact on the community or as otherwise determined by the General Manager or their delegate.
- 5.3. The CEAG does not:
- a) make decisions on behalf of Council;
 - b) provide formal policy advice or recommendations to Council;
 - c) expend moneys on behalf of Council;
 - d) commit Council to any arrangement;
 - e) consider any matter outside its specific reference;
 - f) Direct Council officers in the performance of their duties.

6. TERM:

- 6.1. The CEAG membership will align to the term of Council.
- 6.2. Council to review the TOR within three months following each Council election.

7. MEMBERSHIP:

- 7.1. The Group will be chaired by the appointed Councillors, rotating every 12 months for the term of Council.
- 7.2. Port Stephens Council: five (5) representatives – three (3) Councillors (one from each ward), two (2) Council Officers. The Mayor is an optional attendee.
- 7.3. Community representatives: minimum eight (8) and a maximum of twelve (12).
- 7.4. All members are eligible for reappointment and there is no limit to the number of terms a person may serve on the CEAG.

TERMS OF REFERENCE

**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



- 7.5. A CEAG member may resign at any time by advising of their resignation in writing to the Chairperson.
- 7.6. Council may appoint a community representative to fill the casual vacancy for the remainder of the term.
- 7.7. A CEAG member who is absent for more than two consecutive meetings without leave or reasonable excuse, may be requested to explain their absence. If absenteeism of a member is ongoing, the CEAG may request Council to declare the position vacant.

8. COMMUNITY REPRESENTATIVE SELECTION PROCESS:

- 8.1. Eight to twelve (8 -12) Community representatives will be selected for the CEAG through an expression of interest (EOI). EOIs will be accepted in multiple formats including but not limited to:
 - a) written (electronic or handwritten);
 - b) video (including video recording of person using Auslan);
 - c) audio.
- 8.2. An assessment panel of three (3) nominated Councillors and two (2) Council Officers will assess all applications and endorse panel membership of the new CEAG. Future assessment panels will revert to the following:
 - a) at least one delegated Councillor;
 - b) one Council Officer.
- 8.3. Community representatives on the CEAG must reside, work or study in the Port Stephens LGA and demonstrate they meet three or more of the below criteria:
 - a) have strong community networks and connections;
 - b) have current involvement in the community;
 - c) have a willingness to make an active contribution to discussions;
 - d) have a capacity to commit to the CEAG.
- 8.4. If more than twelve (12) applicants are deemed suitable for appointment as community representatives, offers of membership will be made to the twelve (12) applicants most closely aligned with the selection criteria. The remainder will be placed on an eligibility list for up to 2 years.
- 8.5. Two Council officers will support the groups operation.

9. ROLES AND RESPONSIBILITIES

- 9.1. The General Manager may refer any matter to CEAG within the scope of its role and responsibilities.
- 9.2. The responsibilities of CEAG may be revised or expanded by the Council from time to time.

TERMS OF REFERENCE

**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



9.3. The Chairperson ensures that the CEAG functions effectively, that there is full participation at meetings, all relevant matters are discussed and that effective decisions are made.

9.4. In addition, the group provides:

- a) an understanding of the purpose of community engagement;
- b) the importance of effective local government communications;
- c) connections with their local community;
- d) support to establish and strengthen relationships – within the group, but also with the broader community;
- e) help to build trust;
- f) local knowledge and advice on key issues within the community;
- g) provide a forum for discussion and demonstrated how diverse stakeholders can work together to improve the wellbeing and liveability of the community.

9.5. Conflict of interest must be managed in accordance with the Code of Council.

10. ADMINISTRATION ARRANGEMENTS:

10.1. Meeting practices and cycles

10.1.1. Unless otherwise specified in this Terms of Reference and in accordance with any Local Government Act requirements, the CEAG will determine its meeting practice, processes and protocols.

10.1.2. The CEAG will meet as required however, a maximum of six and a minimum of two meetings will be held per year.

10.1.3. Meetings will be targeted between Tuesday - Thursday, 6pm until 8pm, unless amended by mutual agreement.

10.1.4. These meetings will take place using a hybrid model in order to meet the needs of the group. They will be scheduled in advance.

10.1.5. Members are expected to attend all meetings, if unable to attend, members must notify the Chair or the Communications and Engagement Coordinator or their delegate.

10.1.6. A quorum for the CEAG shall be half the elected members plus one. If, for any reason, a quorum is not reached the meeting will be rescheduled.

10.2. Secretariat

10.2.1 Council will provide a secretariat for the Committee and that position will be filled by a staff member of the Communications Section. The secretariat role is not a member of the Committee and has no voting rights.

10.3. Agenda and minutes

10.3.1 Any CEAG member may submit agenda items 7 calendar days before to the meeting date,

TERMS OF REFERENCE

**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



10.3.2 The Secretariat will ensure the agenda for each meeting and supporting papers are circulated to members in sufficient time (at least three working days) before the meeting.

10.3.3 Circulation of the agenda will be by electronic means as determined by CEAG.

10.3.4 A formal record of CEAG meetings, including action responsibilities shall be prepared by the Secretariat and circulated to all members within one week of the meeting.

10.4 Recordkeeping

10.4.1 The Secretariat will be responsible for minute taking and appropriate record keeping in line with Council policy and the requirements of the State Records Act 1998.

11 CONFIDENTIALITY

11.1 Members listed in this Terms of Reference may become acquainted with or have access to confidential and/or sensitive information. Members should not disclose such information to any other party unless specifically authorised to do so and should not make improper use of any information.

12 INTELLECTUAL PROPERTY:

12.1 The CEAG acknowledges and agrees:

- a) It is important for Council to develop, maintain, protect and manage the organisation's intellectual property including copyright, trademarks, registered designs, patents and databases.
- b) The CEAG has a duty to observe and help protect Council's intellectual property by not copying or supplying such property without the express permission of Council or the copyright owner.
- c) Council retains ownership of all intellectual property created by Members in the course of their CEAG work.

12.2 The CEAG will refer to the Secretariat any questions relating to intellectual property rights or the use of another organisation's document.

13 MEDIA:

13.1 Any media liaison associated with the activities of CEAG shall be undertaken in accordance with Port Stephens Council policy and with the approval of CEAG.

14 REVIEW:

14.1 The Terms of Reference will be reviewed at the first meeting in each calendar year.

TERMS OF REFERENCE

**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



15 OTHER MATTERS

15.1 In carrying out its functions the CEAG will be guided by existing processes and policies of Council.

16 MEETING CODE OF COOPERATION

- We start on time and finish on time.
- We focus on the strategic intent of the item.
- We ensure that people attending meetings are provided with guidance and support.
- We consider the risks and opportunities of each item.
- We are prepared to have open and honest conversations about an issue even if it is uncomfortable.
- We all participate fully and are prepared to challenge each other.
- We use improvement tools that enhance meeting efficiency and effectiveness.
- We actively listen to what others have to say, seeking first to understand then to be understood.
- We consider the deployment of actions and programs through appropriate frameworks and communicate the consensus view through appropriate channels.
- We follow up on the actions we are assigned responsibility for and complete them on time.
- We give and receive open and honest feedback in a constructive manner.
- We use data to make decisions (whenever possible).
- We determine issues arising by consensus or refer to the Chair for consideration.
- We strive to continually improve our meeting process and build time into each agenda for reflection and learning.
- We will promote best practice, keeping open minds, combining our experiences and shared learnings to inform our deliberations.

17 Related documents:

- Code of conduct
- Local Government Act 1993
- Crown Land Management Act 2016
- Communications and Engagement Strategy

TERMS OF REFERENCE

**ITEM 6 - ATTACHMENT 2 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP TERMS OF REFERENCE.**

Terms of Reference



CONTROLLED DOCUMENT INFORMATION:

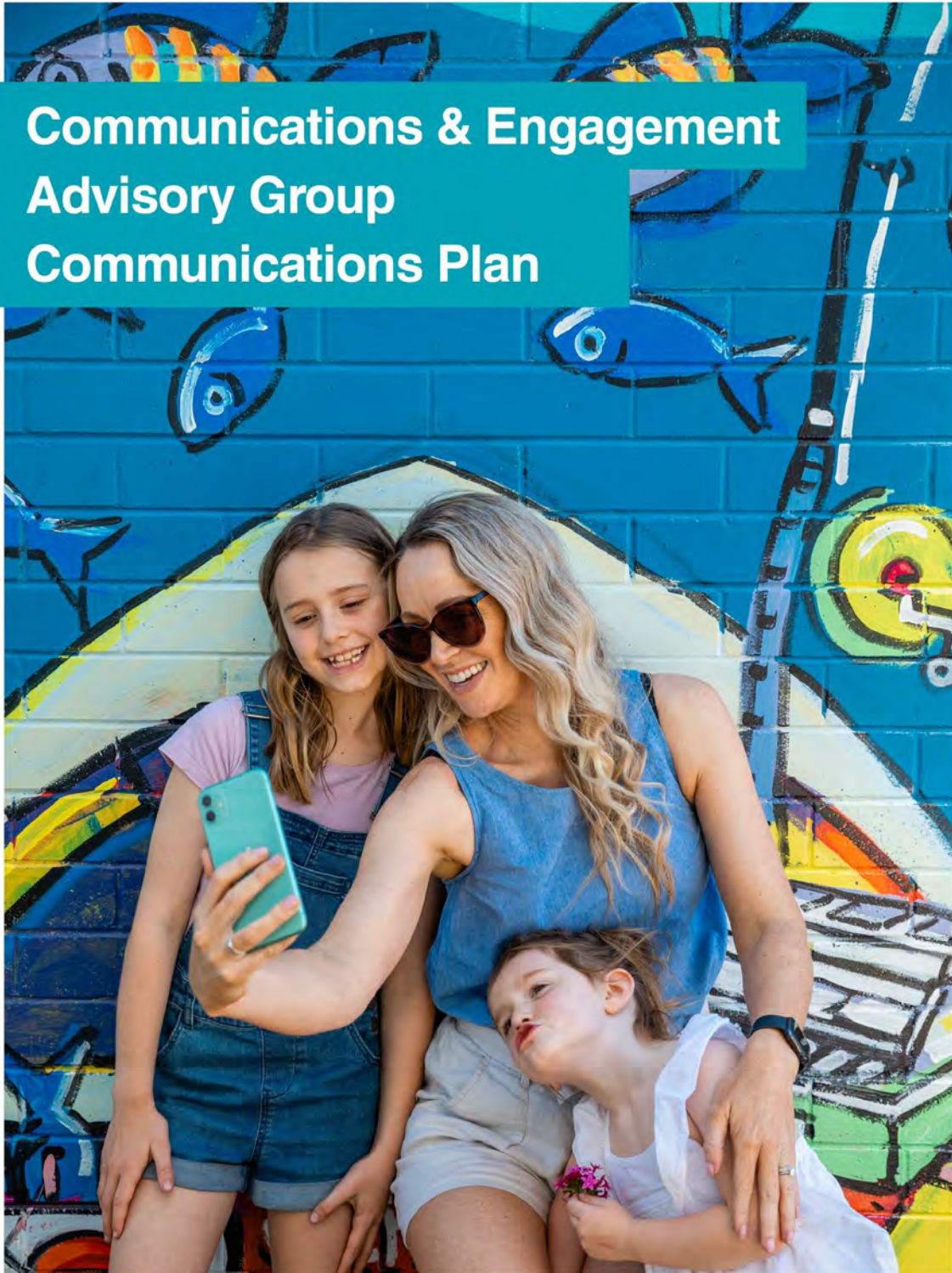
This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website www.portstephens.nsw.gov.au			
EDRMS container No		EDRMS record No	
Audience	Community and Engagement Advisory Group		
Process owner	Communications and Engagement Coordinator		
Author	Communications and Engagement Coordinator		
Review timeframe	Annually	Next review date	1 January 2024
Adoption date	31 July 2022		

VERSION HISTORY:

Version	Date	Author	Details
1	13/03/2023	Communications and Engagement Coordinator	Placed on new template.

TERMS OF REFERENCE

Communications & Engagement Advisory Group Communications Plan



Contents



Context	2
Objectives	3
Audience profile	3
Communications channels	4
Key messages	5
Key risks	6
Key milestones	6
Action plan	7
Success criteria	7

**ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP COMMUNICATIONS PLAN.**

Context

Our Communications and Engagement Strategy (2022 – 2027) was adopted by Council on the 13 December 2022. The new strategy outlines 5 principles that guide and support us as we work to provide a framework for the delivery of open and effective communication that actively shapes and influences the future of Port Stephens.

Our principles

- 1 We deliver **relevant, timely and easy to understand** information
- 2 We're **honest and transparent**
- 3 We're **inclusive** and encourage a **diversity of voices** to be heard
- 4 We **listen, value and respect community** input and feedback
- 5 We embrace **innovation** and encourage **new ideas**





These five principles underpin our 3 strategic priorities:

- community engagement
- community communication
- media and public relations

A key action within these priorities is to *'Implement a Communications and Engagement Advisory Group to provide input into how we will engage with stakeholders for major projects'*. Creating a Communication and Engagement Advisory Group enables the community to have input into the engagement process, creating transparency and building community ownership within Council projects.

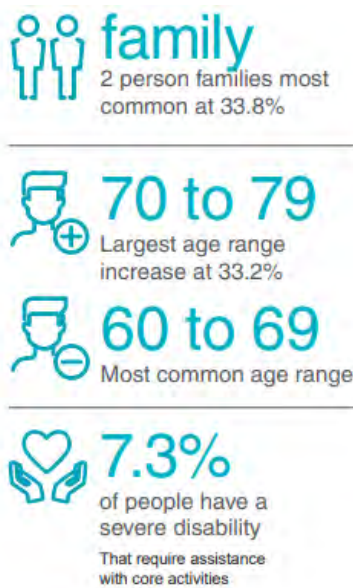
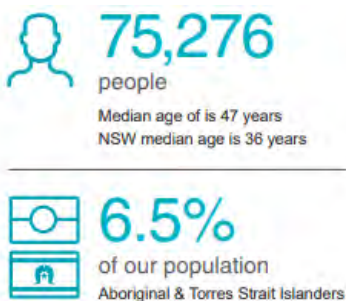
ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT ADVISORY GROUP COMMUNICATIONS PLAN.

Objectives

-  Increase community awareness of the Communications & Engagement Advisory Group (CEAG)
-  Inform the key stakeholders and community about the CEAG application process
-  Attract a diverse range of applicants for the CEAG
-  Ensure the CEAG is representative of our community

Audience profile

This communications plan has been designed to target a broad cross section of the Port Stephens community.



**ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP COMMUNICATIONS PLAN.**

Communications channels

To ensure there is strong community awareness around the group, its purpose and the process to apply, a wide range of communication channels will be used.

	Communications channels
Recruitment of the Communications and Engagements Advisory Group	<ul style="list-style-type: none">• Media release/s• Social media - organic and paid• Print Advertising• Direct email to community groups• Direct email to high schools• Direct email to previous Mayoral Scholarships, Australia Day Award recipients and International Women's Day recipients• Council website• Councils E-Newsletters• Flyers at Council locations and community events• Councillor social media toolkit

**ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP COMMUNICATIONS PLAN.**

Key messages

- Council adopted a new Communications and Engagement Strategy in December last year.
- This strategy aims to guide our communication and engagement in a way that shares our stories, listens to our community, informs our future and improves the wellbeing of those that live, work and visit in Port Stephens.
- The Communications and Engagement Advisory Group (CEAG) is a key objective from the Communications and Engagement Strategy (2022 – 2027).
- The purpose of the CEAG is to provide input into the design of communications and engagement programs for Council projects which have a high social impact on the community.
- The Communication and Engagement Advisory Group will work with Council staff to determine who Council should communicate with and seek input from, when communication and feedback should be sought and what methods and channels they should use
- We want to make sure the recruitment process reaches diverse cross-section of the community to ensure a balanced representation of Port Stephens residents.
- We are ensuring the EOI process is inclusive. EOIs will be accepted in multiple formats including but not limited to:
 - written (electronic or handwritten)
 - video (including video recording of person using Auslan)
 - audio
- Community representatives on the CEAG must reside, work or study in the Port Stephens LGA and demonstrate they meet three or more of the below criteria:
 - have strong community networks and linkages relevant to the group
 - have current involvement in the community
 - have a willingness to make an active contribution to discussions
 - have the capacity to commit to the CEAG for the required duration

ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT ADVISORY GROUP COMMUNICATIONS PLAN.

Key risks

Risk	Mitigation strategy
Minimal applications received from a diverse representation of the Port Stephens community	<ul style="list-style-type: none"> • Advertise as broadly as possible and engage with a large number of community groups about the CEAG and the selection process • Include community group affiliations as part of the application form
Applications are mainly representative of voices we are already hearing from	<ul style="list-style-type: none"> • Selection criteria enables a more balanced and diverse membership.
Recent discussions around community engagement impede the process	<ul style="list-style-type: none"> • Messaging will promote the positive impact members of community can have on the engagement process. • Target people who have a negative experience with Council to ask for their input

Key milestones

Activity	Date
Communications and Engagement Strategy adopted	13 December 2022
Terms of reference documentation drafted	February 2023
Expressions of interest survey application drafted	March 2023
Councillor two-way	21 March 2023
Council to endorse EOI process + Terms of Reference	11 April 2023
Expressions of interest open for application	12 April – 10 May 2023
Selection process	10 – 31 May 2023
Initial CEAG meeting	July 2023

**ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP COMMUNICATIONS PLAN.**

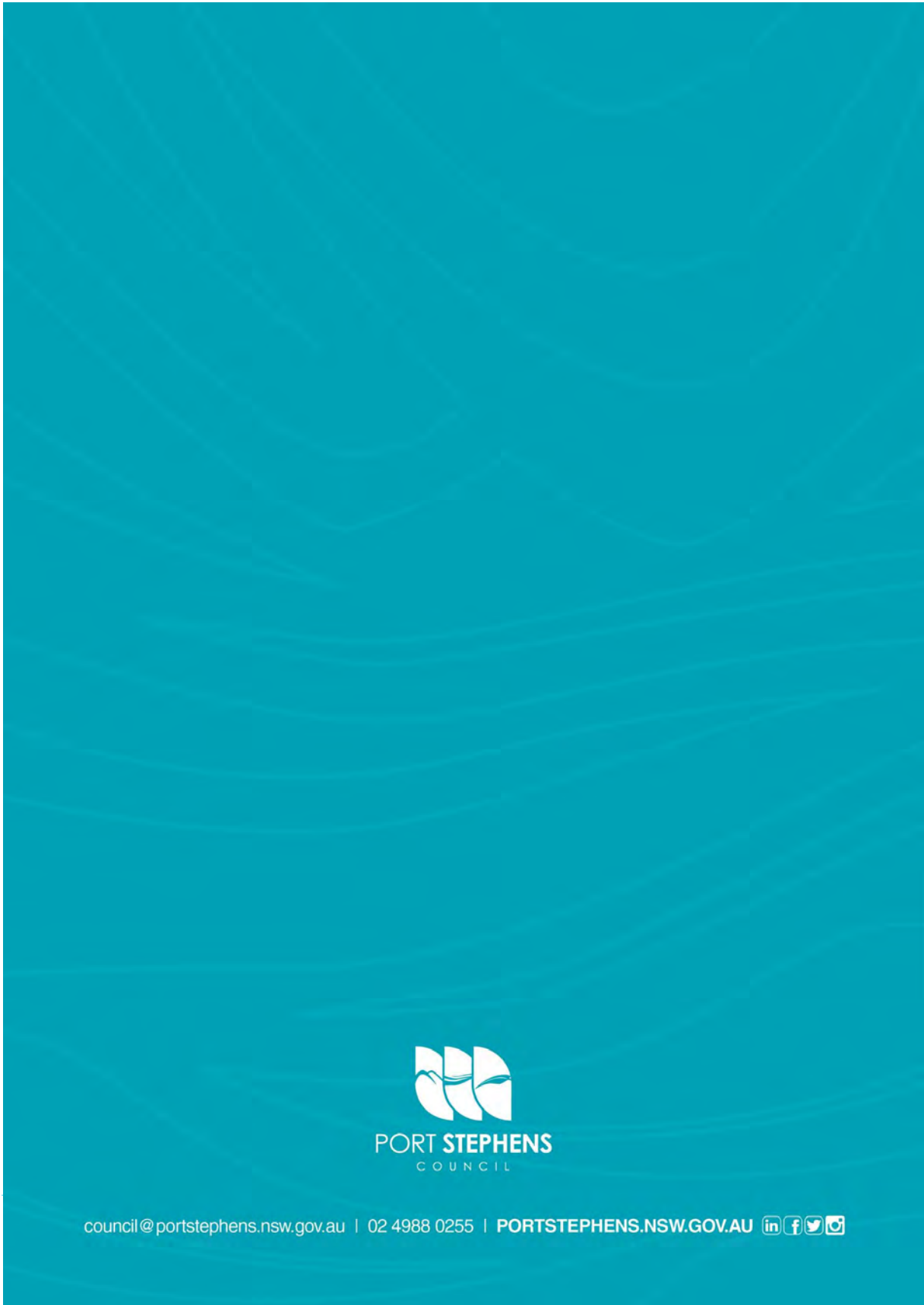
Action plan for selection process

Activity	Date
Project launch	12 April 2023
Website page and EOI application form live	12 April 2023
Media release	12 April 2023
Social Media – organic and paid	12 April 2023
Direct emails distributed	12 April 2023
Social media toolkit shared with Councillors	12 April 2023
Monitor EOIs received	April-May 2023
Councils E-newsletter distributed	3 May 2023
Social media – reminder as needed	1 May 2023
Expressions of interest close	10 May 2023
Applications prepared for assessment	10 – 17 May 2023
Selection panel to assess applications	17 – 31 May 2023
Final decision made on CEAG members	31 May 2023
Selection process outcome sent to all applicants	1 June 2023

Success Criteria

Objectives	Success Criteria	Outcomes
Ensure strong community awareness of the Communications & Engagement Advisory Group (CEAG)	We have an adequate number of applications for the CEAG	
Key stakeholders and community are informed about the CEAG application process	We have applicants from key community groups across the LGA.	
We receive a diverse range of applicants for the CEAG	Applications are received from across the LGA, across age groups and representative of diverse communities.	
Council selection panel and CEAG members satisfied with recruitment and application process	Council endorses the CEAG Terms of Reference and Council representatives. The selection panel in turn completes CEAG application assessment process.	

ITEM 6 - ATTACHMENT 3 COMMUNICATIONS AND ENGAGEMENT
ADVISORY GROUP COMMUNICATIONS PLAN.



PORT STEPHENS
COUNCIL

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ITEM NO. 7

**FILE NO: 22/318660
EDRMS NO: PSC2017-00180**

DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS AND FEES AND CHARGES

REPORT OF: ZOE PATTISON - ACTING GROUP MANAGER CORPORATE SERVICES
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorses the draft Integrated Planning and Reporting documents, being the Delivery Program 2022 to 2026 incorporating the Operational Plan 2023 to 2024 (**ATTACHMENT 1**), Resourcing Strategy 2023 to 2033 incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033 and Strategic Asset Management Plan 2023 to 2033 (**ATTACHMENT 2**) and the Fees and Charges 2023 to 2024 (**ATTACHMENT 3**).
 - 2) Endorses the revised Debt Recovery and Hardship Policy with adoption subject to Council's Special Rate Variation application being approved by IPART (**ATTACHMENT 4**).
 - 3) Places the draft documents (**ATTACHMENTS 1 - 4**) on public exhibition for a period of 28 days, invites submissions and reports back to Council.
 - 4) Subject to Council's Special Rate Variation application being approved, endorses the establishment of the Enhanced Services Focus Areas Reserve as outlined in the Long Term Financial Plan.
-

BACKGROUND

The purpose of this report is to seek Council endorsement to place the following draft documents on public exhibition for a period of 28 days and invite submissions in accordance with the Local Government Act 1993 (Local Government Act).

Draft Integrated Planning and Reporting (IP&R) documents:

- Delivery Program 2022 to 2026 incorporating the Operational Plan 2023 to 2024 (**ATTACHMENT 1**).
- Resourcing Strategy 2023 to 2033 incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033 and Strategic Asset Management Plan 2023 to 2033 (**ATTACHMENT 2**).
- Draft Fees and Charges 2023 to 2024 (**ATTACHMENT 3**).
- Revised Debt Recovery and Hardship Policy (**ATTACHMENT 4**).

Draft Integrated Planning and Reporting (IP&R) documents

In accordance with the Local Government Act and other applicable legislation, Council is required to:

- Review its 4-year Delivery Program each year when preparing the Operational Plan.
- Have its Operational Plan adopted before the beginning of each year and detail the activities to be engaged in by the council during the year as part of the delivery program covering that year.
- Prepare a Resourcing Strategy which includes the Long Term Financial Plan, Workforce Management Strategy and Strategic Asset Management Plan, for the provision of resources required to perform its functions.
- Set its Fees and Charges prior to 1 July 2023, and make the rates prior to 1 August 2023.
- Publicly exhibit all of the IP&R documents and Fees and Charges for a period of at least 28 days, considering submissions prior to adoption of the final documents.

This iteration of draft documents forms part of Council's normal annual review of its IP&R documents which includes the most up to date information and data.

The draft Operational Plan for 2023 to 2024 includes Council's unanimous resolution of 8 November 2022, Minute No. 304 (**ATTACHMENT 5**) to apply for a Special Rate Variation (SRV) of 9.5% per year for 3 years. The SRV application to the Independent Pricing and Regulatory Tribunal (IPART) was submitted in January 2023 with IPART to announce its determination in May 2023. As a result of this pending determination, the Long Term Financial Plan and the Statement of Revenue Policy are proposed to be exhibited with both the Base Scenario (including 4.4% rate cap) and the SRV Scenario (9.5% SRV).

Revised Debt Recovery and Hardship Policy

Following the SRV community engagement program and public exhibition period, Council has revised its Debt Recovery and Hardship Policy to include additional affordability measures.

Please note that yellow highlighting in the revised Debt Recovery and Hardship Policy (**ATTACHMENT 4**) indicates an amendment has been made and strikethrough text is to be deleted.

The policy revisions are subject to the SRV application being approved by IPART.

Should the SRV outcome be unsuccessful then a further review of the policy will be required and subsequently reported back to Council for consideration.

Enhanced Services Focus Areas Reserve

Subject to an approved SRV, it is proposed that an Enhanced Services Focus Areas Reserve be established to set aside funds allocated from the SRV for the purpose of enhancing services in the 4 focus areas (Roads, Natural Environment, Foreshores and Waterways, Public Space) set out in Council’s SRV application. This reserve will serve as an internal mechanism to assist with reporting and transparency.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver the Integrated Planning and Excellence Program.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to undertake integrated planning and report activities in accordance with the Local Government Act, Local Government (General) Regulation 2021 (Local Government Regulation) and the NSW Government’s Integrated Planning and Reporting Guidelines (IPR Guidelines) and Handbook (IPR Handbook) September 2021. Sections 403 to 406 and 608 to 610 of the Local Government Act outline the specific requirements for developing the IP&R documents and Fees and Charges.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council does not have the resources to meet its Delivery Program and annual Operational Plan.	Medium	Staff continue to realistically plan and investigate resourcing opportunities as outlined in the Delivery Program and Resourcing Strategy.	Yes

ORDINARY COUNCIL - 11 APRIL 2023

<p>There is a risk that if the draft documents are not exhibited as required:</p> <ul style="list-style-type: none"> • The fees therein cannot be charged. • Funds cannot be expended; and • Plans will not be implemented prior to 1 July as legislatively required. • Additional affordability measures will not be available to be accessed by ratepayers, if the SRV application is successful. This could lead to a loss of time, potential financial, reputational and legal implications for Council. 	<p>Low</p>	<p>Public exhibition of draft documents during April and May 2023 to allow sufficient time for public submissions and Council consideration and adoption of the final documents prior to 30 June 2023.</p>	<p>Yes</p>
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SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The Community Strategic Plan, Delivery Program and Operational Plan are founded on a quadruple bottom line basis of social, economic, environmental and governance factors through 4 interconnected focus areas: Our Community, Our Place, Our Environment and Our Council. The 4 focus areas provide a structure for planning in each of the documents, enabling Council to address key actions while aiming to holistically meet the community’s vision of ‘A great lifestyle in a treasured environment’.

CONSULTATION

These draft documents are originally founded on the integrated engagement with Councillors and the community over multiple phases when reviewing the Community Strategic Plan 2022 to 2032. Further to this, community feedback from the extensive engagement program surrounding financial sustainability and the Special Rate Variation application has been integrated into the adopted revised documents in November 2022. These draft documents have now been updated in consultation with staff across Council to reflect the most up to date information and data.

ORDINARY COUNCIL - 11 APRIL 2023

The draft Delivery Program and Operational Plan, draft Resourcing Strategy, draft Fees and Charges, and revised Debt Recovery and Hardship Policy will go on public exhibition for 28 days.

Community input will be considered at a Council meeting in June 2023 following the public exhibition process and prior to adoption of the documents.

The documents will be available for download from Council's website. Advertisements will be placed in the Port Stephens Examiner inviting submissions as well as on Council's website.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Draft Delivery Program 2022-2026 and Operational Plan 2023-2024. (Provided under separate cover) [⇨](#)
- 2) Draft Resourcing Strategy 2023 to 2033. (Provided under separate cover) [⇨](#)
- 3) Draft Fees and Charges 2023-2024. (Provided under separate cover) [⇨](#)
- 4) Revised Debt Recovery and Hardship Policy. [↓](#)
- 5) Minute No. 304 - 8 November 2022. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



FILE NO: PSC2009-02488
TITLE: DEBT RECOVERY AND HARDSHIP
OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of this policy is to ensure:
- a) Efficient and effective processes for collection of outstanding debts.
 - b) Provision of a decision making framework for assessment of financial hardship applications.
 - c) Statutory requirements are met for recovery of rates, charges, fees and other debts.
 - d) Debts are recorded in Council's accounting system.
 - e) Compliance with the Office of Local Government Debt Management and Hardship Guidelines.

2. CONTEXT/BACKGROUND:

- 2.1 This document prescribes Council procedures to recover monies that become overdue for rates, charges, fees and other debts and assistance to ratepayers and debtors experiencing financial hardship.

3. SCOPE:

- 3.1 This policy has been written considering the following principles:
- a) Council has a responsibility to recover monies owing to it in a timely, efficient and effective manner to fund its operations.
 - b) All people will be treated fairly and consistently.
 - c) All matters will be considered confidentially.
 - d) Financial hardship will be recognised and people treated with respect and compassion in considering their circumstances.


4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

30 day trading account A sundry debtor account wherein Council extends credit to the debtor to be paid in full monthly in arrears.

Policy

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



Aged pensioner	A person verified by Centrelink as receiving an aged pension and holding a pensioner concession card.
Legal action	Debt recovery action taken under the Civil Procedure Act 2005 or Local Government Act 1993.
Letter of demand	Correspondence sent to a ratepayer or debtor formally requesting payment.
Recovery action	Making contact with a ratepayer or debtor to request payment of overdue amounts.

5. STATEMENT:

Part 1 – Recovery of rates and charges

- 5.1 Rates and charges notice:
 - a) A rates and charges notice will be sent in July each year payable in four instalments due on 31 August, 30 November, 28 February and 31 May.
 - b) An instalment notice will be sent 30 days before instalments two, three and four are due.
 - c) Ratepayers can elect to receive rate instalments and reminder notices by email.
- 5.1.1 Overdue instalment notices:
 - a) An overdue instalment notice will be sent 14 days after the due date for all unpaid assessments over \$25.00.
- 5.1.2 Overdue instalment notices will include:
 - a) Debt details.
 - b) A request to pay within 14 days.
 - c) An option of repayment arrangement.
 - d) A notice of referral to Council's debt collection agency if the overdue amount exceeds ~~\$1,200~~ \$1,400 and remains unpaid.
 - e) An instruction to disregard notice if complying with a repayment arrangement.
- 5.1.3 Recovery action – referral to debt collection agency
 - 5.1.3.1 21 days after the issue of the overdue instalment notice, assessments will be referred to Council's debt collection agency where:
 - a) The debt balance is ~~\$1,200~~ \$1,400 or more.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- b) There is no repayment arrangement in place.
 - c) There is no undetermined request for financial assistance.
 - d) There has been no contact from a support service on behalf of the ratepayer.
- 5.1.4 Recovery action – debt collection agency procedures
- 5.1.4.1 Council's debt collection agency will issue a letter of demand in relation to each debt advising that:
- a) Council has referred the debt for collection.
 - b) Payment is required within 28 days of the date of the letter.
 - c) If unpaid; legal action will be commenced.
 - d) The minimum amount in legal costs that will be added to the ratepayer's assessment if legal action is commenced.
- 5.1.5 Council will only commence legal action as a last resort. The debt will escalate to the following stages only if it remains unpaid:
- a) 28 days after the date of the letter a statement of liquidated claim will be prepared, filed with the court and issued for service.
 - b) If unpaid after the statutory period following service, judgment will be obtained.
 - c) Further action will be commenced to recover the debt including examination notice, examination notice writ of execution and garnishee orders.
- 5.1.6 Arrangements to pay rates and charges
- 5.1.6.1 A ratepayer may enter into a weekly, fortnightly or monthly arrangement to pay rates and charges with Council or Council's debt collection agency subject to the following conditions:
- a) The overdue amount must be paid in full within 12 months.
 - b) Normal interest charges apply, unless written off under hardship provisions of this policy at part 4.
 - c) Council's Finance Officer – Revenue Collection may enter into a longer term repayment arrangement if in that Officer's opinion a ratepayer's financial circumstances warrant this.
 - d) A ratepayer dissatisfied with a decision of the Finance Officer – Revenue Collection may have that decision reviewed by the Finance Officer - Revenue Team Leader.
 - e) Ratepayers will be advised at the time of making a repayment arrangement that if the arrangement is dishonoured recovery action will recommence without further notice.
 - f) Where an arrangement has been dishonoured, a new arrangement cannot be accepted until a payment is received to show good faith.
 - g) Where legal action has commenced, arrangements must be in the form of lodgement of terms of settlement with the court or a court instalment order.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- h) Extensions of time beyond 3 months without any payment will not be acceptable.
- i) Where a supplementary rates and charges notice is issued in the latter part of the year and where an arrangement is made for payment of the rates within 6 months of the due date, interest will be written off provided payment of one half of the amount due is made within 3 months and the balance is paid within 6 months.

Part 2 – Recovery of sundry debtor accounts

5.2 Sundry debtor invoices and statements

5.2.1 Sundry debtor accounts and invoices will be created when information becomes available and emailed or posted weekly. The payment due date will be 30 days after the invoice issue. A statement will be issued within 7 days of month's end.

5.2.1.1 Hardship provisions apply to sundry debtor accounts in certain circumstances; refer to paragraphs 5.2.3 and 5.4.1.

5.2.2 Overdue sundry debtors

5.2.2.1 The following process applies to recovery of overdue sundry debtor accounts:

- a) If unpaid by the due date a second and then a third monthly statement will be forwarded as a reminder.
- b) Warning letter will be sent by Council before an overdue sundry debt is referred to Council's debt collection agency. Section 355(b) committees, sporting clubs and government agencies will not be referred to the debt collection agency.

5.2.3 Overdue sundry debtors – aged pensioners

5.2.3.1 If a sundry debtor account is a charge on the land ie kerb and gutter, or foot paving, and it is payable by an aged pensioner, the aged pensioner may apply to Council to have the account deferred against their estate subject to the hardship provisions of this policy and provided they have already deferred their rates against their estate.

5.2.4 Recovery action – suspension of credit facilities

5.2.4.1 If the account is a recurring account, e.g. waste tipping fees, and any part remains unpaid for more than 60 days, further credit to that debtor account may be withdrawn until the overdue amount is paid. The process of suspending credit facilities will be:

- a) Council will make contact with the debtor to notify of the Council's intention to suspend credit facilities. Notification will include a letter when credit is suspended.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- b) After payment of the overdue amount or commencement of a satisfactory repayment arrangement, credit facilities may be resumed; and
 - c) If payment terms are breached again Council may cancel credit facilities.
- 5.2.5 Recovery action – referral to debt collection agency
- 5.2.5.1 21 days after issue of the warning letter as described in 5.2.2.1 above, Council will refer overdue accounts to its debt collection agency.
- 5.2.6 Recovery action – debt collection agency procedures
- 5.2.6.1 Council's debt collection agency will issue a letter of demand in relation to each debt advising:
- a) Council has referred the debt for collection.
 - b) Payment is required within 28 days of the date of the letter.
 - c) If unpaid, legal action will be commenced.
 - d) The minimum amount in legal costs that will be added to the debtor's account if legal action is commenced.
- 5.2.7 Council will only commence legal action as a last resort. The debt will escalate to the following stages only if it remains unpaid:
- a) 28 days after the date of the letter a statement of liquidated claim will be prepared, filed with the court and issued for service.
 - b) After the statutory period following service, judgment will be obtained.
 - c) Further action will be commenced to recover the debt including examination notice, writ of execution and garnishee orders.
- 5.2.8 Arrangements to repay sundry debtor accounts
- 5.2.8.1 A debtor may enter into a weekly, fortnightly or monthly arrangement to repay accounts with Council or Council's debt collection agency subject to the following conditions:
- a) The overdue amount must be paid in full within 12 months.
 - b) Council's Finance Officer – Revenue Collection may enter into a longer term repayment arrangement if in that Officer's opinion a debtor's financial circumstances warrant this.
 - c) A debtor dissatisfied with a decision of the Finance Officer – Revenue Collection may have that decision reviewed by the Finance Officer – Revenue Specialist.
 - d) Debtors will be advised at the time of making a repayment arrangement that if the arrangement is dishonoured recovery action will recommence without further notice.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- e) Where an arrangement has been dishonoured, a new arrangement cannot be accepted until a payment is received to show good faith.
- f) Where legal action has commenced, arrangements must be in the form of lodgement of terms of settlement with the court or a court instalment order.
- g) Extensions of time beyond 3 months without any payment will not be acceptable.

Part 3 – Credit control

5.3 Terms of payment – 30 day accounts

5.3.1 All accounts with Council will be strictly 30 days trading terms, without exceptions. Council will open credit accounts in accordance with this policy.

5.3.2 Terms of payment – credit accounts:

5.3.2.1 No credit account will be opened unless a 30-day trading application form has been completed and returned. Council will conduct a reference check on the applicant, verifying references provided by the applicant, before a credit account is offered.

5.3.3 Terms of payment – one off usage

5.3.3.1 No company or individual will be extended credit for one off use of:

- a) room hire
- b) hall hire
- c) community centre bookings
- d) holiday park bookings
- e) council stores
- f) sporting field use
- g) enrolment fees
- h) tipping fees
- i) vehicle repairs
- j) sundry sales including documents, copying and plant.

5.3.4 Council will invoice government departments that provide a purchase order. All other one off usages must be paid for in advance or at the time of usage to avoid difficulties in locating debtors and recovering fees. Council's receipts satisfy the requirements of a tax invoice for business debtors.

5.3.5 Council will extend credit and allow payment plans for animal impounding fees and sustenance fees at the discretion of the Coordinator Environmental Health and Compliance to avoid hardship.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- 5.3.6 Terms of payment – deposits and progress payments
- 5.3.6.1 For private works Council will provide a written quote for the proposed work to cover estimated costs for the work. For work to proceed, Council requires written authorisation from the client and proof of identity. For work valued at more than \$1,000 a 10% deposit will be required before work commences. For work valued at more than \$10,000 Council will require agreed progress payments at various stages.
- 5.3.7 Judgment debts and credit history
- 5.3.7.1 Credit reporting agencies access some court records relating to debt recovery. Specifically, they access details of all default judgments and record these on the individual's credit history, in some cases for 5 years. If a statement of liquidated claim is served and the debtor:
- Makes no payment in the next 28 days.
 - Doesn't pay the amount claimed, including legal costs.
 - Doesn't apply for a court instalment order to pay off the amount claimed, including legal costs.
 - Doesn't lodge a notice of defence with the court disputing the claim.
 - Then the debtor may be liable to incur a default judgment. It is these default judgments, where a debtor has not responded to a statement of claim that may be included in an individual's credit history.
- 5.3.8 If the debt has been paid in full, Council will upon request, write a letter to the debtor confirming that the debt has been repaid in full which may then be presented as proof of payment. Credit reporting agencies will not remove from an individual's credit history the existence of a default judgment because it assists users of their reports with credit risk assessment.
- 5.3.9 Debtors may sometimes ask for Council to consent to the filing of a notice of discontinuance or to have judgment set aside to have the default judgment removed from their credit history. The process requires a notice of motion to have judgment set aside and then a notice of discontinuance. Council will not have judgment set aside or issue a notice of discontinuance in these circumstances. A notice of discontinuance is a remedy for correcting a claim that was issued in error, before judgment is entered by the court. A debtor has no right to have a default judgment erased upon payment of the debt. The debtor had the opportunity to avoid default judgment when they were issued with the statement of claim and judgment warning letter. A default judgment is a valid court judgment.
- 5.3.9.1 Council does not report debts to any credit reporting agencies, and is under no obligation to assist debtors to delete factually correct court judgment history.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- 5.3.10 Notwithstanding clause 5.3.9, if a debtor satisfies the Finance Officer – Revenue Collection that there were extenuating circumstances that resulted in default judgment, then Council may agree to setting aside judgment on one occasion only subject to:
- a) The judgment debt having been paid in full, and
 - b) Current rates being up to date, and
 - c) The judgment debtor to arrange the necessary documentation for Council to sign at the judgment debtor's own cost, or
 - d) The judgment debtor meeting the cost of Council's debt collection agency in preparing any necessary documentation.

Part 4 – Hardship provisions

- 5.4 Defer payment of rates and charges – aged pensioners
- 5.4.1 Aged pensioners who satisfy the eligibility criteria may make application to defer the payment of rates and charges and property related sundry debtor accounts against their estate. If granted, payment of the rates, charges, interest and property related sundry debts will be deferred until any of the following occurs:
- a) Death of the ratepayer.
 - b) Sale of the property.
 - c) The ratepayer ceases to occupy the property as their principal place of living and rents the property out.
- 5.4.2 The criteria used to determine eligibility for deferral will be:
- a) The ratepayer must be an aged pensioner as defined by Centrelink in receipt of a pensioner rate concession in relation to the property.
The property must be the ratepayer's principal place of living.
 - b) The property must be used for residential or farming purposes only.
 - c) The property can have no more than a single dwelling house or residential unit erected upon it.
 - d) The total annual amount of rates and charges (net of pensioner concession) payable must be more than ~~8%~~ 7% of the age pension of an individual (if the ratepayer is an individual) or ~~8%~~ 7% of the age pension of a couple (if the ratepayer is a couple) at the date of the initial application.
- 5.4.3 An initial application form must be completed and lodged with Council and determined by the Finance Revenue Coordinator. A ratepayer dissatisfied with a decision of the Finance Revenue Coordinator may have that decision reviewed by the Hardship Panel

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Policy



established under this policy. The Hardship Panel may approve an application for deferral if it believes the circumstances of the ratepayer warrant this even if the eligibility criteria have not been met. A letter of determination will be issued to the ratepayer. If an application is refused, the ratepayer will be provided with reasons for the refusal.

- 5.4.4 After approval, a letter will be posted out annually to the ratepayer with a copy to sign and return to continue the deferral. The purpose of the annual letter will be to confirm that the ratepayer continues to own and occupy the property, is still alive, and is aware of and agrees to the deferral. Deferral will continue once granted without the need to satisfy the ~~8%~~ 7% criteria again, provided that the ratepayer continues to own and occupy the property. Where the ratepayer ceases to occupy the rateable property and the property becomes rented a repayment timeframe for the deferred rates and charges will be negotiated by the Finance Officer – Revenue Collection. A person dissatisfied with a decision of the Finance Officer – Revenue Collection may have that decision reviewed by the Finance Officer – Revenue Specialist.
- 5.4.5 Interest charges accrue in respect of deferred rates and charges at the rate determined under the Local Government Act. No deferred rates, charges or interest will be written off under this policy.
- 5.4.6 Writing off of accrued interest
- 5.4.6.1 The Finance Officers – Revenue Collection and Finance Officer – Revenue Specialist have delegated authority to write off small amounts of interest that have accrued on rates and charges where the person was unable to pay the rates and charges when they became due and payable for reasons beyond their control. The Finance Revenue Coordinator has delegated authority to write off an unspecified amount of interest.
- 5.4.6.2 Ratepayers seeking to have interest written off under hardship provisions must submit the prescribed application form to be considered by the Finance Revenue Coordinator. Accrued interest on rates and charges may be written off where payment of the accrued interest would cause the person hardship. A person dissatisfied with a decision of the Finance Revenue Coordinator may have that decision reviewed by the Hardship Panel. The Hardship Panel may request the ratepayer to come to an interview if it is necessary to understand the issues causing hardship.
- 5.4.7 Hardship resulting from a general revaluation of the Port Stephens Local Government Area.
- 5.4.7.1 In accordance with section 601 of the Local Government Act a ratepayer who suffers substantial hardship as the consequence of the making and levying of a rate on the most recent valuation, may apply to Council for relief. Assistance will only be available in the first year new valuations are used to calculate rates.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



5.4.7.2 The criteria used to determine eligibility:

- a) Rates payable must be more than 3% of the gross household income.
- b) The applicant must be an owner and occupier of the property to which the rates relate and the dwelling must be the applicant's sole or principal place of living.
- c) The ordinary rate increase must be more in percentage terms than the amount determined by Council at each revaluation. The ordinary rate increase is calculated as the ordinary rates payable for the new rating year (being the first year in which new valuations are used) minus the ordinary rates payable in the previous rating year increased by the allowed rate pegging increase for the year (e.g. rates 2020-2021-2023-2024 \$1,200 minus rates 2019-2020 2022-2023 \$1,000 plus 2.6% 4.4% rate pegging increase (\$1,026-\$1,044) = \$174 \$156).

5.4.7.3 Applications must be submitted on the prescribed application form. Assistance will be calculated as follows:

- a) One half of the ordinary rate increase up to a maximum of \$200 (e.g. \$176 \$156 increase x 0.5 = \$87 \$78).
- b) No assistance will be given for domestic waste management charges, Hunter Local Land Services Catchment Contribution or other charges.
- c) The maximum amount of assistance in aggregate for all ratepayers will be \$20,000.

5.4.7.4 Applications will be considered in the order in which they are received by Council. No further applications will be considered once the aggregate amount of assistance has been granted. Applications will be considered by the Finance Officer – Revenue Specialist. A ratepayer dissatisfied with a decision of the Finance Officer – Revenue Specialist may have that decision reviewed by the Hardship Panel established under this policy. If an application is refused, the applicant will be provided with reasons for the refusal.

5.4.8 Rates Assistance Program

- 5.4.8.1 Council partners with local welfare and/or financial counselling services to act as a referral point for ratepayers experiencing financial hardship. Participating services are empowered to assess ratepayer's individual financial circumstances and recommend to Council that rates and charges up to \$250 \$500 be written off due to financial hardship. Each participating service is given an annual limit of \$5,000 \$10,000 that they can recommend for financial assistance. Assistance is limited to non-pensioners to assist individuals and families who are experiencing financial hardship and difficulty paying rates, but are not eligible for a pensioner concession. \$500 assistance is available to individual non-pensioner rate assessments per annum and \$250 is available to individual pensioner rate assessments per annum (in addition to the pensioner rate concession) to assist ratepayers who are experiencing financial hardship and difficulty paying rates. Participating services are to contact Council to recommend assistance. Council will check

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



the ratepayer's property ownership and pensioner rate concession status and provide confirmation of the maximum eligible amount to the participating service. Council will check to ensure the ratepayer is not in receipt of a pensioner rate concession and provide confirmation to the participating service. A credit will then be processed to the ratepayer's rate assessment. A record of all assistance is kept. and assistance is limited to \$250 per ratepayer per annum. Assistance is provided in the order that recommendations are received by Council.

- 5.4.8.2 The rates assistance program is included in Council's revenue policy annually and publicly exhibited as a proposed donation for a class of individuals under section 356 of the Local Government Act 1993 and the aggregated cost included in the annual report.
- 5.4.9 Fees and Charges
- 5.4.9.1 The Compliance Coordinator Environmental Health and Compliance may consider hardship matters relating to animal impounding and sustenance fees. Assistance may be provided in the form of allowing additional time to pay or waiving the fees in cases of hardship. A customer dissatisfied with a decision of the Compliance Coordinator Environmental Health and Compliance may have that decision reviewed by the Hardship Panel established under this policy. Applicants under this section will be made aware that fees and charges in relation to animal impounding increase on a daily basis and will accrue during the review period. Council will not consider hardship applications in relation to animal registration fees or the costs of microchipping or veterinarian fees and charges.
- 5.4.9.2 The Waste Management Coordinator may allow payment plans or reduce charges for additional waste services to avoid hardship of ratepayers or residents with medical conditions or who are koala carers that directly and significantly contribute to the generation of waste. A customer dissatisfied with a decision of the Waste Management Coordinator may have that decision reviewed by the Hardship Panel established under this policy.
- 5.4.9.3 Where a ratepayer or debtor has incurred cheque or direct debit dishonour fees the Finance Officer – Revenue Collection may write off the fee on one occasion per customer per financial year where the officer is satisfied that the non-payment was due to circumstances beyond the customers' control.
- 5.4.10 Hardship Panel
- 5.4.10.1 A panel comprising the Finance Revenue Coordinator, Finance Officer - Revenue Specialist and the Financial Services Section Manager will determine applications for assistance referred to it and review decisions as necessary.
- 5.4.10.2 Referral of matters to Hardship Panel

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



5.4.10.3 The General Manager or Mayor may refer any Council matter involving financial hardship of a ratepayer or resident to the Hardship Panel for consideration and advice.

5.4.10.4 In the event of a natural disaster such as, but not limited to storm, flood, bushfire or disease outbreak affecting primary producers in Port Stephens LGA, the General Manager or Mayor may request a report on potential financial impacts in the context of rate payments of affected producers and any potential feasible financial response.

5.4.11 Privacy

5.4.11.1 In accordance with the Privacy Code of Practice and Council's Privacy Management Plan, personal information collected as a consequence of this policy will only be used for the purpose of assessing eligibility under the policy and will not be used for any other purpose or disclosed to any other person unless Council is required by law to do so or authorised to do so by the person to whom that personal information relates.

Part 5 – Sale of land for unpaid rates or charges:

5.4.12 Where rates or charges for a property are overdue for more than five years the land is liable to be sold under Section 713 of the Local Government Act 1993. The process in compliance with the requirements of ss713-726 of the Local Government Act 1993 will generally be as follows:

- a) Each September outstanding rate assessments will be reviewed to identify all land liable to be sold.
- b) Land titles will be searched and all persons with an interest in the land will be notified of Council's intention.
- c) A report will be prepared for Council to consider offering the land for sale by public auction.
- d) A date will be set for the public auction.
- e) A real estate agent will be appointed to conduct the sale.
- f) Notice of the auction will be published in accordance with s715 of the Act and given to all persons with an interest in the land.
- g) Contracts for sale will be prepared.
- h) The real estate agent will market the land.
- i) Reserve prices will be established.
- j) All land will be offered for sale by public auction unless all overdue amounts are paid in full prior to auction.
- k) On auction day a deposit of 10% in cash or bank cheque will be payable by the successful bidder.
- l) If the land is not sold at auction the land may be sold by private treaty, subject to the restrictions contained in s716 of the Act.
- m) All costs associated with the sale must be met from sale proceeds.
- n) Sale proceeds will be applied as required by the Act.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



- o) The land will be conveyed free of debts to the extent provided by the Act.
- p) Council will hold any surplus proceeds for persons having estates or interests in the land immediately before the sale according to their respective estates and interests.
- q) Council will pay the balance of the purchase money or any part of the balance to or among the persons who are, in its opinion, clearly entitled to it.

Part 6 – Pensioner rate concessions:

5.4.13 The following prescribes how Council will grant concessions to pensioners:

5.4.13.1 Eligibility for pensioner concessions - In all situations where an eligible pensioner has assumed full and sole responsibility for the paying of rates, notwithstanding the nature of the ownership of the property, Council agrees to grant the full pensioner concession under Section 577 of the Act. The presentation of a Pensioner Concession Card, and completion of any prescribed form will be accepted by Council as a sufficient test to meet the hardship requirements of the Act under these circumstances.

5.4.13.2 Backdating of pensioner concessions - Where an eligible pensioner applies for a concession Council will backdate that concession for up to 2 years prior to the current year (i.e. a maximum total of 3 years including the current year) provided that:

- a) The pensioner was at all times eligible for the concession.
- b) The pensioner provides a statutory declaration that the rateable property was their sole or principal place of living for all of the period that the concession is claimed for.

Part 7 – Social implications:

5.4.14 Council has a charter under the Local Government Act 1993 to raise funds for local purposes by imposing rates, charges and fees fairly. A policy that prescribes Council's process of collecting debts facilitates consistency and promotes fairness.

5.4.15 The hardship provisions of this policy empower Council to provide practical financial assistance to financially vulnerable ratepayers and debtors, which is consistent with Council's charter of social justice and equity.

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



6. RESPONSIBILITIES:

- 6.1 The Finance Revenue Coordinator is responsible for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy.
- 6.2 The Finance Officer - Revenue Specialist and Finance Officer – Revenue Collection are responsible for complying with the policy.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993 – specifically sections 564, 567, 577, 601, 712 and 713-726.
- 7.2 Code of Conduct

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No	PSC2009-02488	EDRMS record No	TBA
Audience	Council staff and Community		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	2-3 years	Next review date	TBA
Adoption date	28/08/2007		

Policy

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	28/08/2007	Financial Services Section Manager	Policy adopted	235
2.0	14/12/2010	Financial Services Section Manager	Revised policy adopted	404
3.0	11/12/2012	Financial Services Section Manager	Revised policy adopted	338
4.0	25/11/2014	Financial Services Section Manager	Revised policy adopted	315
5.0	25/10/2016	Financial Services Section Manager	Adopted by Council	313

Policy

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



6.0	29/01/2019	Financial Services Section Manager	<p>Increased minimum threshold for commencing rates legal action from \$700 to \$800.</p> <p>Additional dot point regarding letters of demand at 5.2.2.</p> <p>Removed two dot points regarding overdue sundry debtor accounts at 5.2.2.</p> <p>Added dot point regarding credit facilities at 5.2.4.</p> <p>Removed two dot points regarding overdue accounts at 5.2.4.</p> <p>Added 'or' to dot points at 5.3.7.</p> <p>Changed 'will' to 'may' to dot point 5 at 5.3.7.</p> <p>Changed financial years from 2014 – 2015 to 2017 – 2018 and 2013 – 2014 to 2016 – 2017 to dot point 3 at 5.4.8.</p> <p>Changed pricing from \$900 to \$1000 and \$700 to \$800 to dot point 3 at 5.4.8.</p> <p>Changed rate pegging increase from 2.8% to 1.5% and subsequent calculation of \$719.60 = \$180.40 to \$812.00 = \$188.00 to dot point 3 at 5.4.8.</p> <p>Changed assistance calculation from \$180.40 x 0.5 = \$90.20 to \$188.00 x 0.5 = \$94.00 to dot point 1 at 5.4.9.</p> <p>Removed '\$500 increase x 0.5 = \$200 max' to dot point 1 at 5.4.9.</p> <p>Changed 'special rates' to 'other charges' to dot point 2 at 5.4.9.</p> <p>Added section on 'Rates Assistance Program' to 5.4.11.</p> <p>Amended numbering from 5.4.11 through to 5.4.15.</p>	004
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Policy

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



			<p>Removed 'Senior Social Planning Officer' and 'a representative from Corporate Services'; replaced with 'Finance Revenue Team Leader' and 'Finance Services Section Manager' at 5.4.12.</p> <p>Removed dot point regarding provisions of revised policy at 5.7.3.</p> <p>Added at 1.1 reference to the new OLG Debt Management and Hardship Guidelines</p> <p>Removed 'Genuine' from the last dot point at 3.1</p> <p>Added to option to receive notice by email at 5.1.1</p> <p>Replaced 14 days with 21 days at 5.1.3</p> <p>Added to 5.1.3 'or undetermined request for financial hardship assistance, or contact from a support service on behalf of the ratepayer,'</p> <p>Added to 5.1.4.1 'Council will only commence legal action as a last resort'</p> <p>Replaced Nine days with 21 days at 5.1.4.1</p> <p>Replaced 'repay overdue' with 'pay' at 5.1.5 and 5.1.5.1</p> <p>Added paragraph about hardship at 5.2.1.2</p> <p>Replaced 'recovery notice' with 'letter of demand' and the paragraph referencing at 5.2.5.1</p> <p>Added to 5.2.6.2 'Council will only commence legal action as a last resort'</p> <p>Replaced 'Nine' with '21' days at 5.2.6.2</p>	
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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.


Policy



7.0	14/07/2020	Financial Services Section Manager	<p>Change the reference to Council's overdue debtor letter as a warning letter rather than a letter of demand. Correct the spelling of 'judgment'.</p> <p>Removed reference to the Council assistance program, which was proposed as part of the special rate variation application. Update the s.601 financial assistance worked examples. Introduce the process of an examination notice.</p> <p>Introduce the discretion to set aside judgment and write off payment dishonour fees in extenuating circumstances.</p> <p>Remove references to revoked policies in related documents.</p> <p>Updated staff job titles where required.</p> <p>5.4.12.2 - Added 'The Waste Management Coordinator may allow payment plans or reduce charges for additional waste services to avoid hardship of ratepayers or residents with medical conditions that directly and significantly contribute to the generation of waste. A customer dissatisfied with a decision of the Waste Management Coordinator may have that decision reviewed by the Hardship Panel established under this policy.'</p>	Deferred
8.0	10/11/2020	Financial Services Section Manager	Added clause 5.4.11 and updated numbering accordingly.	238

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ITEM 7 - ATTACHMENT 4 REVISED DEBT RECOVERY AND HARDSHIP POLICY.

Policy



9.0	TBA	Finance Officer – SRV project	<p>Policy revised to include the additional affordability measures outlined in the revised Delivery Plan/Operational Plan as part of the Special Rate Variation engagement program and Council's application.</p> <p>5.1.2 d) Increased amount to \$1400 (from \$1200).</p> <p>5.1.3.1 a) Increased amount to \$1400 (from \$1200).</p> <p>5.4.2 d) Decreased amount to 7% (from 8%).</p> <p>5.4.4 Decreased amount to 7% (from 8%).</p> <p>5.4.7.2 c) Updated year, adjusted pricing and rate pegging % in the example for currency.</p> <p>5.4.7.3 a) Decreased amount to \$156 (from \$176) and = \$78 (from \$87) in the example for currency.</p> <p>5.4.8.1 Recommend to Council that rates and charges be written off due to financial hardship increased to \$500 (from \$250).</p> <p>5.4.8.1 Increase in annual limit to \$10,000 (from \$5000).</p> <p>5.4.8.1 Added '\$500 assistance is available to individual non-pensioner rate assessments per annum and \$250 is available to individual pensioner rate assessments per annum (in addition to the pensioner rate concession) to assist ratepayers</p>	TBA
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			<p>who are experiencing financial hardship and difficulty paying rates' and 'Council will check the ratepayer's property ownership and pensioner rate concession status and provide confirmation of the maximum eligible amount to the participating service'.</p> <p>5.4.9.1 – Updated title for Compliance Coordinator to current.</p> <p>5.4.9.2 – Added 'or who are koala careers'.</p> <p>5.4.10.4 – Added new clause.</p> <p>Controlled document information:</p> <ul style="list-style-type: none"> Amended review timeframe to 3 years in accordance with Council's policy and management directive review timeframe. 	
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Attachment 5

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

ITEM NO. 1

**FILE NO: 22/287452
EDRMS NO: PSC2017-00180**

SPECIAL RATE VARIATION - REVISED INTEGRATED PLANNING AND REPORTING DOCUMENTS - RATE RISE OPTIONS ENGAGEMENT

REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER
GROUP: CORPORATE SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the Independent Financial Analysis 2022 – Consolidated Reports from UNE Emeritus Professor Brian Dollery and Professor Joseph Drew (**ATTACHMENT 1**).
 - 2) Receive and note the community submissions and responses in relation to the Draft 2023 to 2033 Integrated Planning and Reporting documents revised for a Special Rate Variation (**ATTACHMENT 3**).
 - 3) Receive and note outcomes of the community engagement provided in the Rate Rise Options Engagement Report (**ATTACHMENT 4**).
 - 4) Note the recommendations relating to amendments to the 2023 to 2033 Integrated Planning and Reporting documents revised for a Special Rate Variation (**ATTACHMENT 5**).
 - 5) Adopt the Integrated Planning and Reporting documents, being the Delivery Program 2022 to 2026 incorporating the Operational Plan 2023 to 2024, Resourcing Strategy 2022 to 2032 (incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033 and Strategic Asset Management Plan 2023 to 2033) revised for a Special Rate Variation with amendments provided in (**ATTACHMENT 5**).
 - 6) Apply to the Independent Pricing and Regulatory Tribunal under Section 508(2) of the Local Government Act for a 2023-2024 Special Rate Variation of 26%, to be a permanent increase that will be retained within the rate base with financial sustainability being the key purpose of the application.
 - 7) Subject to the approval of a Special Rate Variation endorse the inclusion of the proposed additional affordability measures into the Debt Recovery & Hardship Policy to further support ratepayers should a Special Rate Variation be approved.
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MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

**ORDINARY COUNCIL MEETING - 8 NOVEMBER 2022
MOTION**

304	<p>Councillor Leah Anderson Councillor Jason Wells</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"> 1) Receive and note the Independent Financial Analysis 2022 – Consolidated Reports from UNE Emeritus Professor Brian Dollery and Professor Joseph Drew (ATTACHMENT 1). 2) Receive and note the community submissions and responses in relation to the Draft 2023 to 2033 Integrated Planning and Reporting documents revised for a Special Rate Variation (ATTACHMENT 3). 3) Receive and note outcomes of the community engagement provided in the Rate Rise Options Engagement Report (ATTACHMENT 4). 4) Note the recommendations relating to amendments to the 2023 to 2033 Integrated Planning and Reporting documents revised for a Special Rate Variation (AMENDED ATTACHMENT 5). 5) Adopt the Integrated Planning and Reporting documents, being the Delivery Program 2022 to 2026 incorporating the Operational Plan 2023 to 2024, Resourcing Strategy 2022 to 2032 (incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033 and Strategic Asset Management Plan 2023 to 2033) revised for a Special Rate Variation with amendments provided in (AMENDED ATTACHMENT 5) relating to the base scenario as well as amendments that reflect the special rate variation application type and percentage as stated in recommendation 6. 6) Apply to the Independent Pricing and Regulatory Tribunal under Section 508(A) of the Local Government Act for a 2023-2024 Special Rate Variation of a cumulative increase of 31.29%, being a 9.5% increase for three consecutive years 2023-2024 to 2025-2026, to be a permanent increase that will be retained within the rate base with financial sustainability being the key purpose of the application. 7) Subject to the approval of a Special Rate Variation endorse the inclusion of the proposed additional affordability measures into the Debt Recovery & Hardship Policy to further support ratepayers should a Special Rate Variation be approved. 8) Requests the General Manager to provide information regarding its hardship policy & the process on the Rates Notices 9) Requests the General Manager to provide a comprehensive monthly report at each month's council meeting detailing income and expenditure for each month and year to date actual v budget 10) Requests the General Manager to provide a comprehensive quarterly two-way discussion with the Mayor and Councillors regarding Council's overall financial position, income, and expenditure, and that quarterly budget review reports are promptly made available to the Mayor and Councillors and the general public as close as possible after the end of each quarter
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MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

	<p>11) Requests the General Manager to develop a program to address the additional recommendations of the independent financial review, specifically providing a two-way conversation on the following topics:</p> <ol style="list-style-type: none"> 1) Combat fiscal illusion ongoing by providing carefully constructed financial sustainability information with rates and charges notices. 2) Review of its Corporate Structure 3) Service Level Review program 4) Internal efficiencies review, including potential deferral of discretionary projects, improved procurement practices, review of community grant schemes, and improved capture of tourist revenues including more appropriate use of tailored fees and charges.
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Matthew Bailey, Chris Doohan, Peter Francis, Peter Kafer and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

ORDINARY COUNCIL MEETING - 8 NOVEMBER 2022
MOTION

305	<p>Councillor Chris Doohan Councillor Peter Francis</p> <p>It was resolved that Cr Leah Anderson be granted an extension of time to address Council.</p>
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Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Matthew Bailey, Chris Doohan, Peter Francis, Peter Kafer and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to officially provide Council with the Rate Rise Options Engagement Report, the summary of public submissions and proposed amendments to the Draft 2023-2033 Integrated Planning and Reporting (IP&R) documents revised for a Special Rate Variation (SRV) with the key purpose of financial sustainability.

Financial sustainability and a small 1% surplus budget target has always been a key focus of Council. Combining factors including the Long Term Financial Plan (LTFP) predicting financial strain on the organisation in 2022 due to rising legislative costs, the financial impacts of the state mandated lockdowns for the COVID-19 pandemic and numerous weather events have highlighted Council's reliance on non-rate

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

revenue. These factors have further emphasised the organisation's vulnerability to external shocks given Council's relatively low rate base.

At its meeting in October 2021, Council acknowledged the ongoing impacts on its financial sustainability outlook and endorsed the Financial Sustainability and Prosperity Fund (later renamed Resilience Fund) to set key directions for ongoing financial sustainability. Based on the current LTFP projections, Council will see consecutive deficits for the next 10 years and will be considered unsustainable if no corrective action is taken.

Council engaged Professor Dollery and Professor Drew through the University of New England (UNE) for an independent assessment, in which Council opted to forgo traditional commercial consultants as the Professors are widely accepted by the sector as independent voices with a level of depth and insight beyond standard practices within the local government sector. The reports recognised the effects taken by the organisation over the past few years in delivering services valued by the community under relatively low rate income compared to other councils of the same size and nature, but considered that such an ongoing approach could not be sustained. Numerous recommendations were made and have since been implemented, one that is now for consideration by the Council is a SRV. **(ATTACHMENT 1).**

Based on the current LTFP projections, Council will see consecutive deficits for the next 10 years and will be considered unsustainable if no corrective action is taken. This position was confirmed and presented to Council by Independent Analysis Reports commissioned through the UNE by Emeritus Professor Brian Dollery and Professor Joseph Drew.

At the Council meeting on 28 June 2022, Council adopted its 2022-2032 Long Term Financial Plan (Minute No. 160) **(ATTACHMENT 2)** which projected a 10 year \$80 million dollar operating shortfall. Along with the LTFP, Council endorsed the Financial Sustainability Report and a detailed engagement program, named 'Our Funded Future' (Minute No. 161) **(ATTACHMENT 2)**, to discuss financial sustainability with the community and seek feedback on a number of options.

In July/August 2022, Council undertook extensive community engagement that included 5 different options for a SRV, ranging from 26% to 45% cumulative. This was alongside options for increasing fees and charges, reducing service delivery, selling underperforming assets, removal of the residential paid parking exemption and continuing efforts to seek grant funding.

Council considered the community feedback from the Our Funded Future engagement at its meeting of 23 August 2022 and resolved to endorse the development of revised IP&R documents. These documents include 2 SRV scenarios, the base scenario of reducing services, inclusion of a one-off 5% increase in fees and charges, continued efforts in seeking grant funding and the continued investigation with community consultation of selling underperforming assets.

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

It was decided that any net profits from the sale of underperforming assets were to be placed in the Resilience Fund. Council also sought to exclude the removal of the residential paid parking exemption option from being further considered.

Through the engagement, it was clear the support for having a financially sustainable Council was high, as was the desire for enhanced services in particular areas of roads maintenance, waterways and drainage, protecting our natural environment and looking after our public space. These priorities are consistent with the outcomes of Council's Integrated Engagement Program undertaken over the past 2 years. This includes decreases in community satisfaction for road maintenance activities through Council's annual satisfaction survey through to 2022.

Following the Council meeting on 13 September 2022, Council endorsed the following:

- Draft Delivery Program 2022 to 2026 and Operational Plan 2023 to 2024, revised for a proposed SRV.
- Resourcing Strategy 2023 to 2033 incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033, and Strategic Asset Management Plan 2023 to 2033 revised for a proposed SRV.
- Noting and incorporating the proposed additional affordability measures held within the IP&R documents.
- Place the IP&R documents on public exhibition for a period of 28 days.
- The revised Rate Rise Options Engagement Plan.

The plans modelled 3 scenarios for community consultation:

- **Base Scenario** – 2.5% state imposed rate cap assumption.
- **Single Year Scenario** – A 26% increase for a single year, being 2023-2024 only.
- **Independent Recommendation Scenario** - A cumulative increase of 34.92%, being a 10.5% increase for 3 consecutive years 2023-2024 to 2025-2026.

Through the IP&R documentation both SRV scenarios show the increased income raised by an SRV would be used to eliminate forecasted shortfalls, covering the rising costs associated with delivering planned services to our community over the next 10 years. Where additional funds are generated Council proposed to increase funding into community priorities being road maintenance, condition of public spaces, and protecting our waterways and natural environment.

Four proposed additional affordability measures were included in the IP&R documents to be considered as part of the proposed SRV in order to mitigate the impact of a special rate increase on those ratepayers who may experience financial stress. These measures included both pensioners and non-pensioner ratepayers. Subject to an approval of a SRV, these additional affordability measures will be incorporated into Council's existing Debt Recovery and Hardship Policy.

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022**RATE CAP ANNOUNCEMENT**

During the public exhibition period, IPART announced the 2023-2024 financial rate cap amount set at 3.7%. In addition, Port Stephens has been recognized as a population growth area and can apply an additional 0.7% - taking the total rate increase to 4.4%. As the 4.4% for the 2023-2024 financial year is greater than the modelled and exhibited 2.5% rate cap that IPART had instructed Council to use, the Rate Rise Options website, fact sheets and FAQs were updated to reflect this change, as well as additional communication about the change.

Whilst the 4.4% rate cap assists with Council's financial sustainability it still does not meet the anticipated consumer price index or inflation factor that IPART have been reported to estimate to be 5.3% for the next financial year. IPART have also indicated that councils should continue to forward project rate capping increases of only 2.5% for the next 10 years.

Amendments to the IP&R documents relating to the announced rate cap have been summarised in **(ATTACHMENT 5)**.

PUBLIC EXHIBITION AND SUBMISSIONS

The IP&R documents were on public exhibition from 14 September 2022 until 12 October 2022.

During the public exhibition period, numerous submissions were received. Key issues have been summarised **(ATTACHMENT 3)** and recommended changes to the documents, where deemed appropriate from the community submissions/ engagement or administrative corrections are detailed within **(ATTACHMENT 5)**. For privacy and consistency reasons, full submissions have not been made publicly available.

RATE RISE OPTIONS ENGAGEMENT

Phase 2 of the Rate Rise Options engagement was revised to incorporate feedback on the engagement process and methods gained in Phase 0 and 1 known as Our Funded Future. The engagement period ran concurrently with the public exhibition period being 14 September 2022 until 12 October 2022.

The engagement was extensive and aimed to continue to increase the community's awareness of Council's financial situation and its journey to date, and further discuss the community's views on the streamlined preferred options.

The Rate Rise Options communication and engagement program had a community awareness reach of 83,999 and participation of 7,819. A number of key themes came from community input across all engagement opportunities which included online survey comments, community drop in sessions, special interest group presentations and Council interactions. The themes encompassed the community's understanding of the SRV application process and ratepaying in general.

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

Key themes surrounded the affordability of the proposed rate rise during a time where the cost of living is also rising, Council's financial accountability linked to current and proposed service levels as well as local and state based issues separate from the SRV process.

Following the extensive survey during Phase 1, a short 3 question survey was provided to clarify the community's views on narrowed-down scenarios. The survey had a total of 671 responses with 883 comments provided.

Question 1 in the survey sought to understand the community's preference between 2 different rate rise scenarios that had been streamlined from 5 original options during earlier phases, with results showing a preference for the Single Year Scenario, with 61% in favour. Question 2 asked respondents about how supportive they were of the proposed distributions of additional funds to enhance services. The community was generally in favour of the financial disbursement (54%) with 22% 'very supportive' and 32% 'supportive' of the split. Conversely, 26% were against the proposal, 9% being 'opposed' and 17% 'very opposed', with 19% of respondents 'unsure'. Question 3 asked whether the community wanted to pursue a rate rise option or the base scenario with a reduced services option. Over half of all respondents (53%) were in favour of a rate rise and the benefits that increased income would bring.

The Rate Rise Options Engagement Report (**ATTACHMENT 4**) provides a comprehensive overview of all communications, engagement methods and outcomes.

ISSUES

Council has and continues to investigate and implement a range of alternative measures to address financial sustainability. Council will continue to strive to contain costs and run more efficiently through our Service Review Program and affiliated processes that are engrained in our culture with reviews undertaken continuously and systematically.

In consideration of Council's engagement with the community on the 'Rate Rise Options' and the proposed SRV including face-to-face community sessions and online survey comments, it is quite clear that the condition of roads is of high priority and importance to the community, with the distribution of additional funds being generally supported.

In response, Council has modified the proposed schedule of enhanced services to ensure road maintenance expenditure is scheduled in the first 3 years of the approved rate rise implementation. This will see a faster injection of the allocated \$14 million into our road maintenance programs, \$6.5 million in year 1, \$5.3 million in year 2 and \$2.2 million in year 3. Whilst funding for road maintenance has been brought forward, Council is still committed to funding the 3 other focus areas of condition of public space, protecting our natural environment and waterways from 2025.

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

Amendments to the IP&R documents relating to the prioritisation of road maintenance have been summarised in **(ATTACHMENT 5)**.

Council has considered all feedback gained through this extensive engagement process. We value the time and effort taken by community members in participating in the process and providing their feedback and submissions. Council’s critical issue for the future is to safeguard Council’s long-term financial sustainability and to ensure generations to come are well placed to both benefit and enjoy living a great lifestyle in a treasured environment.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Maintain strong financial sustainability.

FINANCIAL/RESOURCE IMPLICATIONS

The costs for the public exhibition, community engagement, and the development of an application to IPART have been absorbed by Council’s operational budget.

If a Special Rate Variation was approved by IPART in May 2023, Council’s subsequent IP&R documentation will reflect Council’s strategic intent and new income streams.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to undertake integrated planning and reporting activities in accordance with the Local Government Act, Local Government (General) Regulation 2021 (Local Government Regulation) and the NSW Government’s Integrated Planning and Reporting Guidelines (IPR Guidelines) and Handbook (IPR Handbook) September 2021.

Under the Local Government Act 1993, councils may apply to IPART for a Special Rate Variation under Section 508 of the Act. IPART assesses these applications against criteria in guidelines set by the Office of Local Government.

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council does not have adequate funding to ensure ongoing levels of operations without significant change in service levels.	High.	Adopt the recommendations. Apply to IPART for a Special Rate Variation.	Yes.
There is a risk that applying to IPART for a Special Rate Variation will be received poorly by some members of the community.	High.	Adopt the recommendations. Continued communication with the community on the purpose, need, and process of a Special Rate Variation application.	Yes.
There is a risk that failure to revise the Debt Recovery and Hardship Policy to include the additional affordability measures might demonstrate inadequate hardship assistance for individuals if an SRV was approved.	Medium.	Adopt the recommendations. Move to revise the Debt Recovery and Hardship Policy with proposed inclusions.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The plans have been developed in alignment with the principles of sustainability and social justice addressing social, economic, environmental, and governance factors (quadruple bottom line) through 4 interconnected focus areas: Our Community, Our Place, Our Environment, and Our Council.

The 4 focus areas provide a structure for planning in each of the documents, enabling Council to address key actions while aiming to holistically meet the community’s vision of ‘A great lifestyle in a treasured environment’.

MINUTES ORDINARY COUNCIL - 8 NOVEMBER 2022**CONSULTATION**

Consultation with key stakeholders has been undertaken by the Financial Services Section in collaboration with the Integrated Planning and Excellence team and the Communications and Engagement Section.

Internal

- Executive Team.
- Senior Leadership Team.
- Project Control Group – Financial Sustainability.
- Councillor workshops.

External

- Community Strategic Plan 2022 to 2032 – Adopted 28 June 2022.
- Long Term Financial Plan 2022 to 2032 – Adopted 28 June 2022.
- Delivery Program and Operational Plan 2022 to 2032 – Adopted 28 June 2022.
- Integrated Planning and Reporting Engagement Program.
- Our Funded Future Engagement Program Phase 0 and 1.
- Rate Rise Options Engagement Program Phase 2.
- Public exhibition period for the Draft IP&R documents revised for a Special Rate Variation.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Consolidated Report - Independent Financial Analysis 2022. (Provided under separate cover)
- 2) Minute No. 160 and Minute No. 161 - 28 June 2022.
- 3) Summary of Submissions. (Provided under separate cover)
- 4) Rate Rise Options Communications and Engagement Report. (Provided under separate cover)
- 5) Changes to the 2023 to 2033 Integrated Planning and Reporting Documents Revised for a Special Rate Variation. (Provided under separate cover)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 8

**FILE NO: 23/55083
EDRMS NO: PSC2019-00302**

KIRRANG DRIVE, MEDOWIE - SHARED PATHWAY

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Prioritise the Kirrang Drive, Medowie shared pathway for eligible external grant funding programs.

BACKGROUND

The purpose of this report is to provide Council with the outcomes of further investigations for the proposed shared pathway along Kirrang Drive, Medowie. These investigations were in response to the previous Council resolution, Minute No. 217, 10 August 2021 (**ATTACHMENT 1**).

Council staff have undertaken conceptual investigations and design into the provision of a reinforced concrete shared path within the road reserve of Kirrang Drive from Ferodale Road to Medowie Road.

The eastern side of Kirrang Drive was selected due to favourable features including Yulong Park and existing concrete pathway connections. The concept design also considers the provision of pedestrian refuge facilities at the Medowie Road intersection and upgrade to the Campvale Drain crossing.

The conceptual design has been costed using a combination of recent similar projects and the Independent Pricing and Regulatory Tribunal (IPART) Infrastructure Benchmarking costings, with an estimated project cost of \$2.6m.

The 2017 Medowie Traffic and Transport Study identifies the same pathway for delivery, with the works subsequently being listed within the Local Infrastructure Contributions Plan (LICP). The LICP has an estimated delivery timeframe of 2032.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Infrastructure and facilities	Provide, manage and maintain community assets in accordance with the SAMP 2022-2032

FINANCIAL/RESOURCE IMPLICATIONS

Expansion of our shared pathway network has historically been undertaken by a combination of external grants and/or developer contributions. With regard to sources of funds to undertake the work, there is no annual allocation made towards new shared path construction within our Capital Works Program.

The project may access partial funding in developer contributions under the Local Infrastructure Contributions Plan (LICP) up to a value of 45% based upon the proportion of the proposed pathway estimated to serve new development, this is only to undertake the initial designs.

For a project of this size and nature, a two phased grant funding approach is recommended. The initial phase will deliver detailed designs and other project documentation to ensure that the project is funding ready for the second phase construction grant funding rounds open.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the broader community will object to the reprioritisation of the subject project/deferral of other projects leading to damage to public image and reputation.	Low	Undertake any proposed change in infrastructure priority with the annual updates to the Local Infrastructure Contributions Plan and the Capital Works Program.	Yes
There is a risk that the concept estimate of project costs may have underestimated the project costs leading to underfunding of the project.	Low	Concept estimates of project cost are based upon recent project delivery, with allowances and contingencies to cater for unknown expenses.	Yes

SUSTAINABILITY IMPLICATIONS

There are clear social, economic and environmental benefits for providing shared pathways. Council's recent Place Census highlighted that residents highly valued pathways and would prefer an expansion of the existing network.

CONSULTATION

Consultation with key stakeholders will be undertaken by the Assets Section during design phase of the project once funding sources have been secured.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

- 1) Council Resolution - Kirrang Drive, Medowie - Shared Pathway - Minute No. 217 - 10 August 2021. [↓](#)

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

**ITEM 8 - ATTACHMENT 1 COUNCIL RESOLUTION - KIRRANG DRIVE,
MEDOWIE - SHARED PATHWAY - MINUTE NO. 217 - 10 AUGUST 2021.**

MINUTES ORDINARY COUNCIL - 10 AUGUST 2021

ITEM NO. 8

**FILE NO: 21/205615
EDRMS NO: PSC2005-3177**

KIRRANG DRIVE, MEDOWIE SHARED PATHWAY

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive the outcome of preliminary investigations into the Kirrang Drive, Medowie shared pathway project.
- 2) Endorse further investigations to understand the financial requirements and options to accelerate the delivery of the Kirrang Drive, Medowie shared pathway project and receive a report on the outcome of these investigations.

**ORDINARY COUNCIL MEETING - 10 AUGUST 2021
MOTION**

217	<p>Councillor Chris Doohan Councillor Giacomo Arnott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Receive the outcome of preliminary investigations into the Kirrang Drive, Medowie shared pathway project.2) Endorse further investigations to understand the financial requirements and options to accelerate the delivery of the Kirrang Drive, Medowie shared pathway project and receive a report on the outcome of these investigations.
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Councillor Jaimie Abbott left the meeting at 6:20pm.

The motion was carried.

BACKGROUND

The purpose of this report is to present the outcome of preliminary investigations into the Kirrang Drive, Medowie shared pathway and endorse further investigations to understand the financial requirements and options to accelerate the delivery of the project. The outcome of these further investigations will be reported to Council when an estimate and preliminary design have been prepared.

ITEM 8 - ATTACHMENT 1 COUNCIL RESOLUTION - KIRRANG DRIVE, MEDOWIE - SHARED PATHWAY - MINUTE NO. 217 - 10 AUGUST 2021.**MINUTES ORDINARY COUNCIL - 10 AUGUST 2021**

Council resolved at its Meeting on 22 June 2021, as shown in (**ATTACHMENT 1**), to receive an update report on this matter.

The Port Stephens' Pathways Plan was adopted in 2016, and is a collection of maps that shows existing footpaths and shared paths throughout Port Stephens and identifies locations for future pathway construction. The current revision of the Pathways Plan does not feature any prioritisation of identified pathways, but is a useful tool in identifying pathways to consider funding through local infrastructure contributions and other external funding. The Kirrang Drive shared pathway was identified in the Pathways Plan for future construction.

There are significant constraints, challenges and complexities in various locations along the route of the proposed Kirrang Drive shared pathway that need to be further investigated such as the topography, landscape, environmental conditions, location of services, potential property acquisitions, road realignment/widening, and drainage and flooding considerations. These constraints, limitations, challenges and requirements need to be better understood through site investigations and conceptual design to enable an indicative cost estimate to be prepared and appreciate the financial requirements to deliver the project.

Having a more accurate understanding of the financial requirements of the Kirrang Drive shared pathway will enable Council staff to investigate options to fund an accelerated delivery of the project and the potential impact this may have on other already funded projects. Funding options including the Local Infrastructure Contributions Plan, Capital Works Program and grant sources will be investigated.

The outcome of these further investigations into the financial requirements of the Kirrang Drive shared pathway project and options to accelerate the delivery of the project will be reported to Council.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2022
Infrastructure and Facilities	Maintain the Council's civil and community infrastructure to support the community.

FINANCIAL/RESOURCE IMPLICATIONS

A preliminary conceptual design will be required to determine indicative cost estimates and understand the project's financial requirements. It is anticipated that the cost to undertake site investigations, prepare a preliminary concept design and an indicative cost estimate will be in the range of 10% to 15% of the total cost.

ITEM 8 - ATTACHMENT 1 COUNCIL RESOLUTION - KIRRANG DRIVE, MEDOWIE - SHARED PATHWAY - MINUTE NO. 217 - 10 AUGUST 2021.

MINUTES ORDINARY COUNCIL - 10 AUGUST 2021

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		A portion of the funds to undertake the preliminary conceptual design will need to be allocated from the existing budget.
Reserve Funds	No		
Developer Contributions (\$7.11)	Yes		A portion of the funds (43%) to undertake the preliminary conceptual design may be drawn from the Local Infrastructure Contributions Plan.
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the broader community will object to the reprioritisation of the subject project/deferral of other projects leading to damage to public image and reputation.	Low	Undertake any proposed change in infrastructure priority with the annual updates to the Local Infrastructure Contributions Plan and the Capital Works Program.	Yes
There is a risk that the strategic estimate of project costs may have under-estimated the project costs leading to underfunding of the project.	Low	Complete site specific investigation and conceptual design to identify project constraints/opportunities, and reduce uncertainty	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are clear social, economic and environmental benefits for providing shared pathways. Council's recent Place Census highlighted that residents highly valued pathways and would prefer an expansion of the existing network.

**ITEM 8 - ATTACHMENT 1 COUNCIL RESOLUTION - KIRRANG DRIVE,
MEDOWIE - SHARED PATHWAY - MINUTE NO. 217 - 10 AUGUST 2021.**

MINUTES ORDINARY COUNCIL - 10 AUGUST 2021

CONSULTATION

Consultation with key stakeholders will be undertaken by the Assets Section during further investigations.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

- 1) Notice of Motion - Pathways Plan - Kirrang Drive, Medowie - 22 June 2021.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil

ITEM 8 - ATTACHMENT 1 COUNCIL RESOLUTION - KIRRANG DRIVE, MEDOWIE - SHARED PATHWAY - MINUTE NO. 217 - 10 AUGUST 2021.

MINUTES ORDINARY COUNCIL - 10 AUGUST 2021

ITEM 8 - ATTACHMENT 1 NOTICE OF MOTION - PATHWAYS PLAN - KIRRANG DRIVE, MEDOWIE - 22 JUNE 2021

MINUTES ORDINARY COUNCIL - 22 JUNE 2021

NOTICE OF MOTION

ITEM NO. 3

FILE NO: 21/157168

EDRMS NO: PSC2017-00019

PATHWAYS PLAN - KIRRANG DRIVE, MEDOWIE

MAYOR: RYAN PALMER
COUNCILLOR: CHRIS DOOHAN

THAT COUNCIL:

- 1) Update the projects in the Pathways Plan seeking a priority for Kirrang Drive, Medowie into the Capital Works Program.

**ORDINARY COUNCIL MEETING - 22 JUNE 2021
MOTION**

156	Councillor Chris Doohan Councillor Giacomo Arnott It was resolved that Council: <ol style="list-style-type: none">1) Update the projects in the Pathways Plan seeking a priority for Kirrang Drive, Medowie into the Capital Works Program.2) The outcome of this update be reported to the Council meeting of 27 July 2021, with the expectation that Kirrang Drive's proposed pathway will be brought forward from 2032 in light of the major safety concerns of the community.
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The motion was carried.

BACKGROUND REPORT OF: JOHN MARETICH – ASSETS SECTION MANAGER

The purpose of this report is provide information to this Notice of Motion.

The Port Stephens Council's Pathway Plan was adopted in 2016. The Pathway Plan shows existing and proposed pathways that, when completed, would allow the community and visitors to move between areas of interest such as town centres, schools, sporting areas, local shops and facilities to name a few. Increasing the pathway network not only helps remove vehicles off the road, but improves the health and wellbeing of the community.

ITEM 8 - ATTACHMENT 1 COUNCIL RESOLUTION - KIRRANG DRIVE, MEDOWIE - SHARED PATHWAY - MINUTE NO. 217 - 10 AUGUST 2021.**MINUTES ORDINARY COUNCIL - 10 AUGUST 2021****ITEM 8 - ATTACHMENT 1 NOTICE OF MOTION - PATHWAYS PLAN - KIRRANG DRIVE, MEDOWIE - 22 JUNE 2021****MINUTES ORDINARY COUNCIL - 22 JUNE 2021**

Council's recent Place Census highlighted that residents highly valued pathways and would prefer an expansion of the existing network.

Kirrang Drive in Medowie is on the Council's Pathways Plan. Like many of the proposed missing links and new pathways, Kirrang Drive is currently unfunded. At the time of writing this Notice of Motion, the proposal has not been scoped or designed. As such, Council does not yet have a preliminary estimate or a source of funds to place this project in the Capital Works Program.

It is acknowledged that this connection is important to the residents of Medowie.

FINANCIAL/RESOURCE IMPLICATIONS

Preliminary concepts will be required to determine indicative estimates and the financial requirements.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

ITEM NO. 9**FILE NO: 23/73893
EDRMS NO: PSC2021-04206****REQUEST FOR FINANCIAL ASSISTANCE**REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**RECOMMENDATION IS THAT COUNCIL:**

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral funds to the following:-
 - a) Salamander Bay Child Care Centre – Mayoral funds - \$1000 donation towards an Early Childhood Educator Conference in Port Stephens.

BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by the Mayor and or Councillors as deserving of public funding. The Grants and Donations Policy gives the Mayor and Councillors a wide discretion either to grant or to refuse any requests.

Council's Grants and Donations Policy provides the community, the Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

- 1) Mayoral Funds
- 2) Rapid Response
- 3) Community Financial Assistance Grants – (bi-annually)
- 4) Community Capacity Building

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the Local Government Act 1993. This would mean that the financial assistance would need to be included in the Operational Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

The requests for financial assistance are shown below:

MAYORAL FUND

Salamander Bay Child Care Centre	The Salamander Bay Child Care Centre is a community based	\$1000	Donation towards an Early Childhood Educators
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ORDINARY COUNCIL - 11 APRIL 2023

	centre striving to deliver the best learning outcomes for children and their families.		Conference in Port Stephens.
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COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Provide the Community Financial Assistance Program

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL AND POLICY IMPLICATIONS

To qualify for assistance under Section 356(1) of the Local Government Act 1993, the purpose must assist the Council in the exercise of its functions. Functions under the Act include the provision of community, culture, health, sport and recreation services and facilities.

The policy interpretation required is whether the Council believes that:

- a) applicants are carrying out a function, which it, the Council, would otherwise undertake.
- b) the funding will directly benefit the community of Port Stephens.
- c) applicants do not act for private gain.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council may set a precedent when allocating funds to the community and an expectation those funds will always be available.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with key stakeholders has been undertaken by the General Manager's Office.

Consultation has been undertaken with the key stakeholders to ensure budget requirements are met and approved.

OPTIONS

- 1) Accept the recommendation.
- 2) Vary the dollar amount before granting each or any request.
- 3) Decline to fund the request.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 10

**FILE NO: 23/84626
EDRMS NO: PSC2022-02308**

INFORMATION PAPERS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 11 April 2023.

No:	Report Title	Page:
1	Foreshore Reserves and Parking on Council Land	209
2	World Menstruation Hygiene Day	214
3	Designated Persons' Return	219
4	Delegations Report	220
5	Koala Signage	222
6	Council Resolutions	225

ITEM NO. 11

FILE NO: 23/73906
EDRMS NO: 58-2017-10-1**QUESTION ON NOTICE**REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE**RECOMMENDATION IS THAT COUNCIL:**

- 1) Receives and notes the information provided.

BACKGROUND

The purpose of this report is to provide a response to Questions taken on or with Notice in accordance with the Code of Meeting Practice.

Item:	2 – 14 March 2023 Ordinary Council Meeting – Draft Amendment to Port Stephens Development Control Plan (2014) Chapter D17: Stockton Rifle Range
Councillor:	Cr Jason Wells
Date Received:	14 March 2023
Question with Notice:	Summary of changes around revised heritage requirements under D17A, and removal to D17.5, regarding the first subdivision development to consider the recommendation of the Aboriginal Cultural Heritage and Archaeological Assessment Report.
Response:	<p>The draft Development Control Plan (DCP) proposed is to remove the requirement for the first subdivision development to consider the recommendations of the Aboriginal Cultural Heritage and Archaeological Assessment Report – Residential Development Planning Proposal – Stockton Rifle Range, Stockton (Umwelt 2017).</p> <p>This was considered appropriate for the following reasons:</p> <ol style="list-style-type: none">1) Aboriginal heritage must be addressed as part of the development application process under separate legislation. There is no need for the DCP to include this as the matter is required by other

	<p>legislation. The inclusion of these requirements in the DCP is therefore superfluous.</p> <p>2) In reviewing the draft DCP, concerns were raised that the provision only required the “first subdivision” to consider the Aboriginal Cultural Heritage and the Archaeological Assessment Report. This wording is misleading because other legislation requires Aboriginal heritage to be addressed as part of any development application for the site. It is proposed to delete the DCP provision to remove any ambiguity for other/future stages of the precinct and to remove duplication with the requirements of other legislation.</p>
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COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Program to develop and implement Council's key planning documents

FINANCIAL/RESOURCE IMPLICATIONS

There are no known financial or resource implications for Council as a consequence of the proposed recommendation.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no known legal, policy or risk implications resulting from the proposed recommendation.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the DCP amendment is not made, complicating the Development Application for residential development on the site.	Low	Accept the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The DCP amendment will improve development outcomes on the site and allow residential development to occur on zoned land. A Development Application for the subdivision of the site will not be accepted until the draft DCP is adopted.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section to formulate a response, as the information was unable to be provided at a previous council meeting.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 23/74720
EDRMS NO: PSC2017-0019**

FORESHORE RESERVES AND PARKING ON COUNCIL LAND

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

BACKGROUND

The purpose of this report is to provide information as requested in the Notice of Motion (**ATTACHMENT 1**) Council Meeting 8 February 2022, Minute No. 019.

Structures on Foreshore Reserves

Council owns and manages a large portfolio of land for the community and public to use. The interface between private and public land on foreshore reserves can often lead to situations where clear lines of ownership and responsibility are difficult for property owners and the public to define.

Council recognises that some adjoining private property owners will undertake works to beautify and maintain Council's land to the mutual benefit of each party. This is not dissimilar to the mowing of a nature strip or the removal of leaf litter from kerb drainage.

In some cases these works extend beyond general maintenance and may result in private structures being placed on Council land. This can lead to a sense of ownership and pride that benefits Council and the public. In other cases, this beautification and encroachment on Council owned or managed land may have a negative impact to the community, public safety, environment and amenity of the land. The extent of the encroachment and the organisation's risk appetite determines Council's ability to accept or deny each encroachment and any further action required.

It is important to note that retrospective development consent for structures cannot be issued by Council. Council may only permit the encroachment to remain once matters such as structural adequacy, prevention of public use or access, impediment of fire management, aesthetic appearances, and public safety have been assessed in accordance with Council's Public Property Encroachment Policy.

Council is currently preparing a Coastal Management Program (CMP) in partnership with the NSW Department of Planning and Environment (DPE). The preparation and implementation of the CMP is legislated under the Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018.

An outcome of the CMP will be to provide clarity for foreshore landholders who share an interface with Council owned or managed land. Resources will be made available to better educate these property owners on land tenure and boundary definition, the

necessary approval process required for works on both private and public land as well as best practice coastal zone maintenance activities.

Parking on Council Land

Council owns and manages a large portfolio of the road network within the LGA. In some locations the interface between private and public land and the road reserve may not be clearly defined and may lead to confusion. Additionally there may on occasions be some registered vehicles parking in locations which can lead to reduced sight distances at driveways and intersections, inconvenience for pedestrians as well as restricting available road width on narrow local roads.

Parking enforcement in our LGA is guided by the NSW Road Rules and Council's Compliance Policy. Council's Compliance Policy allows for discretion.

Discretion is often required for parking on road reserves where, for example, there are narrow streets and there is not a clearly defined kerb and gutter. Parking enforcement will be undertaken where it is considered to be a road safety issue where sight lines at intersections are blocked or unreasonably impeded, where a formed footpath is blocked or pedestrians have to reasonably move out onto the road to get around a vehicle parked on the road reserve. Additionally, in select locations, parking restrictions may be considered and implemented as recommended by the Local Traffic Committee to improve vehicle and pedestrian safety.

ATTACHMENTS

- 1) Council Resolution - Foreshore Reserve and Parking on Council Land - Minute No. 019 - 8 February 2022. [↓](#)

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

ITEM 1 - ATTACHMENT 1 COUNCIL RESOLUTION - FORESHORE RESERVE AND PARKING ON COUNCIL LAND - MINUTE NO. 019 - 8 FEBRUARY 2022.

MINUTES ORDINARY COUNCIL - 8 FEBRUARY 2022

NOTICE OF MOTION

ITEM NO. 5

FILE NO: 21/288541

EDRMS NO: PSC2017-0019

FORESHORE RESERVES AND PARKING ON COUNCIL LAND

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Notes the following issues:
 - The potential damage to our foreshores that unauthorised structures can cause.
 - Across the whole Council area, cars, caravans and boats are parked on road reserves or other public spaces.
 - 2) Asks the General Manager to prepare a report on:
 - existing unauthorised structures on foreshore areas, and what action Council is taking to have them removed or development approval provided.
 - what action Council is taking to ensure that footpaths and roads are accessible and free of nuisance vehicles taking up space.
-

**ORDINARY COUNCIL MEETING - 8 FEBRUARY 2022
MOTION**

019	<p>Councillor Giacomo Arnott Councillor Leah Anderson</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Notes the following issues:<ul style="list-style-type: none">• The potential damage to our foreshores that unauthorised structures can cause.• Across the whole Council area, cars, caravans and boats are parked on road reserves or other public spaces.2) Asks the General Manager to prepare a report on:<ul style="list-style-type: none">• existing unauthorised structures on foreshore areas, and what action Council is taking to have them removed or development approval provided.• what action Council is taking to ensure that footpaths and roads are accessible and free of nuisance vehicles taking up space.
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ITEM 1 - ATTACHMENT 1 COUNCIL RESOLUTION - FORESHORE RESERVE AND PARKING ON COUNCIL LAND - MINUTE NO. 019 - 8 FEBRUARY 2022.

MINUTES ORDINARY COUNCIL - 8 FEBRUARY 2022

The motion was carried.

BACKGROUND REPORT OF: JOHN MARETICH – ASSETS SECTION MANAGER

BACKGROUND

Foreshore Reserves

The purpose of this report is to provide background information to allow consideration of the Notice of Motion.

Council owns and manages a large portfolio of land for community use. The interface between private and public land on foreshore reserves can often lead to situations where clear lines of ownership and responsibility are difficult for property owners to define.

Council recognises that some adjoining private property owners will undertake works to beautify and maintain Council's land to the mutual benefit of each party. This is not dissimilar to the mowing of a nature strip or the removal of leaf litter from kerb drainage.

In some cases these works extend beyond general maintenance and may result in private assets being placed on Council land. This can lead to a sense of ownership and pride that benefits Council and the public. In other cases, this beautification and encroachment on Council owned or managed land may have a negative impact to the community, public safety, environment and amenity of the land. The extent of the encroachment and the organisation's risk appetite determines Council's ability to accept or deny each encroachment and any further action required.

It is important to note that retrospective development consent cannot be issued by Council. Council may only permit the encroachment to remain once matters such as structural adequacy and design have been assessed.

Council is currently preparing a Coastal Management Program (CMP) in partnership with the NSW Department of Planning, Industry and Environment (DPIE). The preparation and implementation of the CMP is legislated under the Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018.

An outcome of the CMP will be to provide clarity for foreshore landholders who share an interface with Council owned or managed land. Resources will be made available to better educate these property owners on land tenure and boundary definition, the necessary approval process required for works on both private and public land as well as best practice coastal zone maintenance activities.

ITEM 1 - ATTACHMENT 1 COUNCIL RESOLUTION - FORESHORE RESERVE AND PARKING ON COUNCIL LAND - MINUTE NO. 019 - 8 FEBRUARY 2022.**MINUTES ORDINARY COUNCIL - 8 FEBRUARY 2022**Parking on Council Land

Parking enforcement in our LGA is guided by the NSW Road Rules and Council's Compliance Policy. Council's Compliance Policy allows for discretion.

Discretion is often required for parking on road reserves where, for example, there are narrow streets and there is not a clearly defined kerb and gutter. Parking enforcement will be undertaken where it is considered to be a road safety issue where sight lines at intersections are blocked or unreasonably impeded, where a formed footpath is blocked or pedestrians have to reasonably move out onto the road to get around a vehicle parked on the road reserve.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

ITEM NO. 2

**FILE NO: 23/74570
EDRMS NO: PSC2017-00180**

WORLD MENSTRUATION HYGIENE DAY

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

BACKGROUND

The purpose of this report is to provide information as requested in the Notice of Motion (**ATTACHMENT 1**) Council Meeting 24 May 2022, Minute No. 138.

An investigation in to the cost of installation and ongoing servicing of sanitation bins in Council's amenities and sporting facilities has been completed. It was noted that the cost would increase the call on revenue to implement this important and required service.

Following savings made through this year's austerity measures, this service will now be implemented and will form part of Council's ongoing services to the community. At the time of writing this information paper, the sanitation bins had been ordered and once received will be installed and continuously serviced.

ATTACHMENTS

- 1) Council Resolution - World Menstruation Hygiene Day - Minute No. 138 - Council Meeting 24 May 2022. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - WORLD
MENSTRUATION HYGIENE DAY - MINUTE NO. 138 - COUNCIL MEETING 24 MAY
2022.

MINUTES ORDINARY COUNCIL - 24 MAY 2022

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 22/125921

EDRMS NO: PSC2017-00180

WORLD MENSTRUATION HYGIENE DAY

COUNCILLOR: LEAH ANDERSON

THAT COUNCIL:

- 1) Recognises that 28 May is World Menstrual Hygiene Day.
- 2) Raises awareness about the challenges regarding access to menstrual products, education about menstruation and period-friendly sanitation facilities.
- 3) Notes the brand-new sportsgrounds/amenities recently opened at Nelson Bay and not 1 sanitary bin has been installed. The toilets and change rooms are unisex/disabled access but you need to find a bin outside. Also, there is reportedly no soap either for hand washing?
- 4) Notes that nearby Nelson Bay netball courts are littered with girls and women, again not 1 sanitary bin.
- 5) Notes that the lack of amenity overall in council public toilets and allied infrastructure (i.e. sport facilities) is appalling and an issue that needs addressing.
- 6) Also recognises that 'A lack of sanitary bins for men is a wee problem that nobody wants to talk about. In fact, The Continence Foundation estimates about 1 in 4 Australians suffer incontinence and, if you add in the fact that about 1 in 6 men develop prostate cancer, that means you have a good chance of needing to seek out a sanitary bin if you're a bloke'.
- 7) Requests the General Manager to provide a report to Council to advise how many sanitary bins for both men and women are in Council's public toilets and what toilet locations have them.
- 8) Includes in the requested report high traffic public toilets that do not have sanitary bins for men and women.
- 9) Investigates proactive councils such as the:
 - a. **City of Kingston**, which notes in its Public Toilet Strategy Document 'The provision of sanitary napkin disposal bins should be provided in all female toilet facilities and unisex facilities, including ambulant toilets, accessible toilets and changing places facilities'.
 - b. The **South Australian Council of Gawler**, in the Barossa Valley, which is leading the way for local government by installing continence pad disposal bins in their men's public toilets.

**ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - WORLD
MENSTRUATION HYGIENE DAY - MINUTE NO. 138 - COUNCIL MEETING 24 MAY
2022.**

MINUTES ORDINARY COUNCIL - 24 MAY 2022

- c. **Camden Council** - Men's incontinence product disposal bins installed across Camden.
- 10) Investigates the cost of placing sanitary bins for both men and women in Council's public toilets across the LGA.
- 11) Seeks community consultation and reports community feedback back to Council.

**ORDINARY COUNCIL MEETING - 24 MAY 2022
MOTION**

138	<p>Councillor Leah Anderson Councillor Giacomo Arnott</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Recognises that 28 May is World Menstrual Hygiene Day.2) Raises awareness about the challenges regarding access to menstrual products, education about menstruation and period-friendly sanitation facilities.3) Notes the brand-new sportsgrounds/amenities recently opened at Nelson Bay and not 1 sanitary bin has been installed. The toilets and change rooms are unisex/disabled access but you need to find a bin outside. Also, there is reportedly no soap either for hand washing?4) Notes that nearby Nelson Bay netball courts are littered with girls and women, again not 1 sanitary bin.5) Notes that the lack of amenity overall in council public toilets and allied infrastructure (i.e. sport facilities) is appalling and an issue that needs addressing.6) Also recognises that 'A lack of sanitary bins for men is a wee problem that nobody wants to talk about. In fact, The Continence Foundation estimates about 1 in 4 Australians suffer incontinence and, if you add in the fact that about 1 in 6 men develop prostate cancer, that means you have a good chance of needing to seek out a sanitary bin if you're a bloke'.7) Requests the General Manager to provide a report to Council to advise how many sanitary bins for both men and women are in Council's public toilets and what toilet locations have them.8) Includes in the requested report high traffic public toilets that do not have sanitary bins for men and women.9) Investigates proactive councils such as the:<ol style="list-style-type: none">a. City of Kingston, which notes in its Public Toilet Strategy Document 'The provision of sanitary napkin disposal bins should be provided in all female toilet facilities and unisex facilities,
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ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - WORLD MENSTRUATION HYGIENE DAY - MINUTE NO. 138 - COUNCIL MEETING 24 MAY 2022.

MINUTES ORDINARY COUNCIL - 24 MAY 2022

	<p>including ambulant toilets, accessible toilets and changing places facilities’.</p> <p>b. The South Australian Council of Gawler, in the Barossa Valley, which is leading the way for local government by installing continence pad disposal bins in their men’s public toilets.</p> <p>c. Camden Council - Men’s incontinence product disposal bins installed across Camden.</p> <p>10) Investigates the cost of placing sanitary bins for both men and women in Council’s public toilets across the LGA.</p> <p>11) Seeks community consultation and reports community feedback back to Council.</p>
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Councillor Peter Francis left the meeting at 8:44pm.
Councillor Peter Francis returned to the meeting at 8:46pm.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Chris Doohan, Glen Dunkley, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND REPORT OF: TAMMY GUTSCHE – COMMUNITY SERVICES SECTION MANAGER

BACKGROUND

The purpose of this report is to provide background information for this Notice of Motion.

Poor menstrual hygiene caused by a lack of education on the issue, persisting taboos and stigma, limited access to hygienic menstrual products and poor sanitation infrastructure undermines the educational opportunities, health and overall social status of women and girls around the world. Today, millions of women and girls around the world are stigmatised, excluded and discriminated against simply because they menstruate.

Menstrual Hygiene Day (MH Day) is a global platform that brings together non-profits, government agencies, individuals, the private sector and the media to promote good menstrual health and hygiene for all women and girls.

Council actively raises awareness of the challenges regarding access to menstrual products, education and menstruation. Raymond Terrace Library has the first ‘Share the Dignity’ vending machine in the region, dispensing free packs of 6 tampons and 2 pads to ensure people have access to basic sanitary items during their menstrual cycle.

**ITEM 2 - ATTACHMENT 1 COUNCIL RESOLUTION - WORLD
MENSTRUATION HYGIENE DAY - MINUTE NO. 138 - COUNCIL MEETING 24 MAY
2022.****MINUTES ORDINARY COUNCIL - 24 MAY 2022**

We know that there are people across Australia and our community that struggle to afford menstrual products each month. The Share the Dignity program is one way we can support our community and provide access to safe and hygienic menstrual products.

A review of existing sanitary bin locations can be undertaken along with an investigation into the costs associated with the supply and installation of further sanitary bins across the LGA.

A report can be provided to Council in the coming months outlining details associated with potential implementation including ongoing costs to Council.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

ITEM NO. 3

**FILE NO: 23/70636
EDRMS NO: PSC2022-01241**

DESIGNATED PERSONS' RETURN

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
GROUP: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to table Councillor and Designated Persons' Return/s (return) submitted.

In accordance with the Part 4 – Pecuniary Interest of the Code of Conduct, all designated persons are required to submit a return. Returns are to be tabled at the first Council meeting after the lodgement date.

The following is a list of position/s who have submitted return/s:

- Cr Glen Dunkley

ATTACHMENTS

Nil.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

ITEM NO. 4

**FILE NO: 23/73894
EDRMS NO: PSC2009-00965**

DELEGATIONS REPORT

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
GROUP: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to advise Council of each occasion the Mayor and/or General Manager have exercised their delegations, other than under section 226 and 335 of the Local Government Act 1993, which are conferred on each role.

The report at **(ATTACHMENT 1)** provides details of the delegation exercised, such as the delegated authority, the date and the reason for exercising the delegation.

ATTACHMENTS

- 1) Delegations Report. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

MAYOR AND GENERAL MANAGER DELEGATION REPORT

Date exercised	Delegations exercised	Purpose	Role exercising delegation	Reported to Council
27 March 2023	Code of Meeting Practice	Approval of Public Access application - Notice of Motion 2 - Environmental Advisory Committee	Mayor	11 April 2023
28 March 2023	Clause 178 of the Local Government (General) Regulation 2022	Acceptance of tender for Heating Ventilation and Air Conditioning (HVAC) Scheduled Servicing	Acting General Manager	11 April 2023
28 March 2023	Clause 178 of the Local Government (General) Regulation 2022	Acceptance of tender for ICT Server and Storage Infrastructure	Acting General Manager	11 April 2023

ITEM NO. 5

**FILE NO: 23/74587
EDRMS NO: PSC2021-04195**

KOALA SIGNAGE

REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER
GROUP: FACILITIES & SERVICES

BACKGROUND

The purpose of this report is to provide information as requested in the Notice of Motion (**ATTACHMENT 1**) Council Meeting 12 July 2022, Minute No. 182.

Council staff have met with community members to workshop options to raise awareness of the local koala population. The workshops considered the koala population distribution as shown on the Council Koala Sightings online portal and discussed various treatment options to supplement the koala signage and pavement markings already installed.

Additional signage was discussed and it was explained that studies into the effectiveness of animal warning signs have revealed that motorists do not take any precautions after a period of time when they continually travel a road with a warning sign. Typically, the most impact that these signs have on a driver is during the first trip along the road, however, precautions often diminish on subsequent trips when an animal is not seen.

It was agreed that to overcome this driver behaviour that a suitable approach would be to install hinged signs. The signs would be opened during periods of high predicted or observed koala activity locally.

Council has funds to install hinged koala signs. Council staff will also continue to seek funds to undertake a larger roll out of the hinged signs.

ATTACHMENTS

1) Council Resolution - Koala Signage - Minute No.182 - 12 July 2022. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

**ITEM 5 - ATTACHMENT 1 COUNCIL RESOLUTION - KOALA SIGNAGE -
MINUTE NO.182 - 12 JULY 2022.**

MINUTES ORDINARY COUNCIL - 12 JULY 2022

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 22/173950

EDRMS NO: PSC2021-04195

KOALA SIGNAGE

COUNCILLOR: LEAH ANDERSON

THAT COUNCIL:

- 1) Works collaboratively with a local resident and Port Stephens Koala Hospital regarding signage for Koalas in Koala kill hotspots across Port Stephens.
- 2) Requests the General Manager to provide a report to Council on options to consider, costs involved and collaborative actions to place more signage in Port Stephens to raise awareness.

**ORDINARY COUNCIL MEETING - 12 JULY 2022
MOTION**

182	<p>Councillor Leah Anderson Councillor Glen Dunkley</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) Works collaboratively with a local resident and Port Stephens Koala Hospital regarding signage for Koalas in Koala kill hotspots across Port Stephens.2) Requests the General Manager to provide a report to Council on options to consider, costs involved and collaborative actions to place more signage in Port Stephens to raise awareness.
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Councillor Giacomo Arnott left the meeting at 7:34pm.
Councillor Giacomo Arnott returned to the meeting at 7:36pm.
Councillor Peter Kafer left the meeting at 7:42pm.
Councillor Peter Kafer returned to the meeting at 7:43pm.
Councillor Glen Dunkley left the meeting at 7:44pm.
Councillor Glen Dunkley returned to the meeting at 7:46pm.
Councillor Jason Wells left the meeting at 7:49pm.
Councillor Jason Wells returned to the meeting at 7:51pm.

**ITEM 5 - ATTACHMENT 1 COUNCIL RESOLUTION - KOALA SIGNAGE -
MINUTE NO.182 - 12 JULY 2022.****MINUTES ORDINARY COUNCIL - 12 JULY 2022**

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Chris Doohan, Glen Dunkley, Peter Francis, Peter Kafer, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

**BACKGROUND REPORT OF: STEVEN PEART – GROUP MANAGER
DEVELOPMENT SERVICES****BACKGROUND**

If supported, staff shall prepare a report in accordance with the resolution of Council.

The installation of signage within the road reserve is prioritised to driving critical information and is assessed based on the existing road environment and crash data statistics.

Road safety signs in the road reserve are an important control for driver safety. Transport for NSW (TfNSW) has standards relating to roadside signage which are designed to minimise distractions for drivers.

Animal warning signs generally have greatest impact on a driver during the first trip along the road, however, driver precautions often diminish on subsequent trips when an animal is not seen.

Noting the above, thoughtful consideration is required to be given to the placement of Koala signage within the road reserve which meets the TfNSW standards and which will be most effective in conveying its message.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

ITEM NO. 6

**FILE NO: 23/73891
EDRMS NO: PSC2017-00106**

COUNCIL RESOLUTIONS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to inform the Mayor and Councillors of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

ATTACHMENTS

- 1) Corporate Services Group Council resolutions. [↓](#)
- 2) Development Services Group Council resolutions. [↓](#)
- 3) Facilities & Services Group Council resolutions. [↓](#)
- 4) General Manager's Office resolutions. [↓](#)

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

ITEM 6 - ATTACHMENT 1 CORPORATE SERVICES GROUP COUNCIL RESOLUTIONS.



Action Sheets Report	Division: Corporate Services	Date From: 27/08/2013
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Property Investment and Development Policy	30/06/2023	12/10/2022	22/273002
1						
29 Mar 2023 Public Exhibition deferred to allow for further clarification on the distribution of funds.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Acquisition and Divestment of Land	30/06/2023	12/10/2022	22/273002
2						
29 Mar 2023 Report deferred to allow for further clarification on the distribution of funds.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/11/2022	Hazell, Tim	Special Rate Variation - Revised Integrated Planning and Reporting Documents - Rate Rise Options Engagement	30/06/2023	9/11/2022	22/300562
1						
29 Mar 2023 Recommendation endorsed. Council submitted an application to the Independent Pricing and Regulatory Tribunal for a Special Rate Variation in January 2023. Application pending assessment.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/09/2020	Pattison, Zoe	Newline Road, Raymond Terrace	30/06/2023		20/288489
2						
29 Mar 2023 Completion of the acquisition is subject to completion of the road works, as finished levels are required to inform the survey. The road works have been substantially delayed due to continued adverse weather conditions.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/05/2021	Pattison, Zoe	Car parking in Shoal Bay	30/06/2023	12/05/2021	21/123694
1						
29 Mar 2023 Construction of the car park is subject to adoption of a Plan of Management for the land. The land has been added to the draft Plan of Management for the Shoal Bay Holiday Park. The draft Plan of Management is currently on public exhibition from 28 February 2023 to 11 April 2023.						

ITEM 6 - ATTACHMENT 1 CORPORATE SERVICES GROUP COUNCIL RESOLUTIONS.



Action Sheets Report	Division: Corporate Services	Date From: 27/08/2013
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/08/2013	Pattison, Zoe	Campvale Drain	30/06/2023		
243						
29 Mar 2023						
Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.						

ITEM 6 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP COUNCIL RESOLUTIONS.



Action Sheets Report	Division: Development Services	Date From: 14/09/2021
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Gardner, Janelle	Policy Review: Media Liaison Policy	15/04/2023	15/03/2023	
5		Pear, Steven				23/69308
15 Mar 2023						
Media Liaison Policy on Exhibition until 15 April 2023. To be reported to a Council meeting after the exhibition has closed.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Lamont, Brock	Matter Arising - LEP Amendment to review building height controls	15/12/2023		
		Pear, Steven				
29 Mar 2023						
Council is reviewing work plans and investigating options to include the resolved LEP amendment in the 2023 review. A draft amendment is forecasted to be presented to Council at the 12 December 2023 meeting, seeking endorsement to submit the planning proposal to the NSW Department of Planning and Environment for a Gateway determination.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/03/2023	Lamont, Brock	Street Tree Strategy	11/08/2023	29/03/2023	
1		Pear, Steven				23/81000
29 Mar 2023						
Council has commenced benchmarking and investigations on the development of a Street Tree Strategy. A report is forecasted to be presented to Council at the 8 August 2023 meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/09/2021	Lamont, Brock	Port Stephens Waterway Strategy	29/12/2023	15/09/2021	
1		Pear, Steven				21/252518
08 Mar 2023						
Council was unsuccessful in the Regional NSW - Business Case and Strategy Development Fund grant, other funding sources are currently being investigated. Funding is being sought for consultants to prepare the Port Stephens Waterways Strategy.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/02/2023	Drinan, Kate	Development Application (DA) 16-2022-223-1 for a Residential Flat Building at 18 to 20 Soldiers Point Road, Soldiers Point	11/07/2023	2/03/2023	
3		Pear, Steven				23/54781
29 Mar 2023						
It was resolved that Council defer Development Application DA No. 16-2022-223-1 to allow for conversations between Council staff and the proponent, with the aim of reducing the building height to comply with the 15m height limit. The Development Application will be returned to a future Council meeting.						

ITEM 6 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP COUNCIL RESOLUTIONS.



Action Sheets Report	Division: Development Services	Date From: 14/09/2021
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Lamont, Brock	Draft amendment to Port Stephens Development Control Plan (2014) Chapter D17: Stockton Rifle Range	26/05/2023	15/03/2023	
2		Peart, Steven				23/69308
15 Mar 2023						
Council has placed the Draft amendment to Port Stephens Development Control Plan (2014) Chapter D17: Stockton Rifle Range on public exhibition for a 28 day period, commencing 16 March 2023. A report on the outcomes of the public exhibition is scheduled to be presented to Council at the 23 May 2023 meeting.						

ITEM 6 - ATTACHMENT 3 FACILITIES & SERVICES GROUP COUNCIL RESOLUTIONS.



Action Sheets Report	Division: Facilities & Services	Date From: 09/02/2021
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 24/05/2022	Maretich, John	Review of Dog Off Lead Areas - Boat Harbour Beach	30/06/2023	27/05/2022	
4		Kable, Gregory				22/136825
29 Mar 2023						
Report was endorsed by Council at its meeting held 24 May 2022, Minute No. 133. A review will be carried out in 12 months as per the Council resolution.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/02/2022	Maretich, John	Medowie Library	31/05/2023	14/02/2022	
2		Kable, Gregory				22/45826
29 Mar 2023						
A report will be prepared for the Council Meeting scheduled for the 9 May 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/03/2023	Maretich, John	Naming of Athletics Track at Vi Barnett Oval	31/05/2023	29/03/2023	
4		Kable, Gregory				23/81000
29 Mar 2023						
Currently designing sign to be ordered and installed as soon as possible.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 26/07/2022	Maretich, John	Smart Parking	31/05/2023	27/07/2022	
2		Kable, Gregory				22/199431
29 Mar 2023						
Staff compiling details to report back to Council at the meeting to be held on 23 May 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/08/2021	Maretich, John	Raymond Terrace Seven Day Makeover	30/04/2023		
17		Kable, Gregory				21/218740
29 Mar 2023						
This will be discussed with the Councillors in the lead up to William Street, Stage 2 which is funded through the Streets of Shared Spaces grant. There is the possibility to incorporate a Business Boosters Program to create great business vibrancy in Raymond Terrace.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/02/2021	Maretich, John	Medowie Regional Playground and Town Centre	30/04/2023		
2		Kable, Gregory				21/33235
29 Mar 2023						
The regional playground will be addressed in the Medowie Place Plan. A separate report will be prepared for Council following the outcome of the Medowie Place Plan.						

ITEM 6 - ATTACHMENT 3 FACILITIES & SERVICES GROUP COUNCIL RESOLUTIONS.



Action Sheets Report	Division: Facilities & Services	Date From: 09/02/2021
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 8/02/2022	Maretich, John	Policy Review - Contribution to Works for Kerb and Guttering Construction Policy	31/05/2023	14/02/2022	
6		Kable, Gregory				22/45826
29 Mar 2023						
A report will be prepared for the Council Meeting scheduled for 9 May 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/10/2021	Gutsche, Tammy	Change to Lease Arrangements for Fingal Bay Surf Life Saving Club and Commercial Tenancies	30/04/2023	13/10/2021	
8		Kable, Gregory				21/274186
29 Mar 2023						
Lease for Saltwater Restaurant has been executed. Still waiting on solicitors for Longboat Café and Fingal Surf Club to finalise these leases.						



Action Sheets Report	Division: General Manager's Office	Date From: 28/02/2023
	Committee:	Date To: 28/03/2023
	Officer:	Printed: Wednesday, 29 March 2023

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Wickham, Tony	Policy Review: Requests for Assistance - Legal Costs Policy	11/04/2023	15/03/2023	
10		Crosdale, Tim				23/69308
29 Mar 2023 On public exhibition until 14 April 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/03/2023	Wickham, Tony	Policy Review: Legislative Compliance Policy	11/04/2023	15/03/2023	
9		Crosdale, Tim				23/69308
29 Mar 2023 On public exhibition until 14 April 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/02/2023	Wickham, Tony	Code of Meeting Practice	19/04/2023	2/03/2023	
1		Crosdale, Tim				23/54781
29 Mar 2023 On public exhibition until 13 April 2023.						

NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

FILE NO: 23/64745

EDRMS NO: PSC2021-04195

LAKESIDE MASTERPLAN

COUNCILLOR: PETER KAHER

THAT COUNCIL:

- 1) Note that a Masterplan has been developed for Tomaree Sports Complex and King Park Sports Complex.
 - 2) Acknowledge that Lakeside Sports Complex is a valued sporting facility in Port Stephens.
 - 3) Acknowledge the financial contribution of \$25,000 from West Ward Sports Council towards the development of a Masterplan.
 - 4) Facilitate the development of a Masterplan for Lakeside Sports Complex with consideration of available financial and staffing resources.
-

BACKGROUND REPORT OF: JOHN MARECH – ASSET SECTION MANAGER

BACKGROUND

Lakeside Sports Complex is a district sporting facility located at 13 Leisure Way, Raymond Terrace. The facility contains 3 senior rugby league fields and 2 synthetic cricket wickets and is home to the Raymond Terrace Roosters Junior Rugby League Football Club, the Raymond Terrace Magpies Rugby League Club and the Lakeside Village Tavern Panthers Cricket Club. The facility also hosts the Nations of Origin Rugby League Competition and finals for the Tooheys Newcastle Rugby League Competition. The facility is regarded as one of the premier rugby league facilities within the Hunter and has a fundamental role in the growth of the game.

Across Port Stephens the sporting landscape is changing with people seeking a variety of sporting opportunities, all year round and at convenient times. Contemporary facilities are improving in quality and offer an inclusive environment for people of all backgrounds to enjoy the benefits of community sport. To ensure the Ports Stephens community has access to quality facilities, it is important that Council invests in its planning framework to prioritise future upgrades and take advantage of funding opportunities.

State and Federal Government funding programs are requesting funding applications, particularly for higher value projects, to be supported with a robust business case and evidence that Council has undertaken consultation and planning to identify a project.

A masterplan is an effective planning tool to document the needs and desires of users and illustrate the future vision for a facility. Following the adoption of the Tomaree Sports Complex Masterplan in 2018 and King Parks Sports Complex Masterplan in 2020, both facilities have received significant amounts of funding from government grants.

FINANCIAL/RESOURCE IMPLICATIONS

The cost to develop a masterplan is estimated at \$60,000. The West Ward Sports Council has expressed its interest to contribute \$25,000. This contribution is not adequate to engage a consultant to deliver the masterplan in its entirety, therefore, there will need to be further contribution from Council by way of staffing resources or other funding sources.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		Staffing resources to project manage and/or develop background information such as consultation outcomes and demand analysis.
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	Yes	\$25,000	West Ward Sports Council contribution.

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 2

FILE NO: 23/82070

EDRMS NO: PSC2021-04195

NAMING RECREATION PRECINCT AT MEDOWIE AFTER GEOFF DINGLE

**COUNCILLOR: GIACOMO ARNOTT
PETER KAUFER**

THAT COUNCIL:

- 1) Recognises that Geoff Dingle served as a Councillor on Port Stephens Council for 13 years from 2004 to 2017.
- 2) Notes that Geoff passed away on 31 December 2019.
- 3) Passes its condolences on the passing of Geoff to his wife, Libby, and ask that she pass on Port Stephens Council's thanks for his service to his community to their whole family.
- 4) Acknowledges that Geoff spent decades imparting his knowledge and skills to local children through his work with Scouts.
- 5) Agrees to name the new recreational precinct at 38 Ferodale Road, Medowie after Geoff Dingle, in recognition of his intimate involvement in promoting and caring for Medowie for many decades.

BACKGROUND REPORT OF: JOHN MARETICH – ASSET SECTION MANAGER

BACKGROUND

The purpose of this report is to provide background information on the proposal to name the recreation precinct at 38 Ferodale Road, Medowie after Geoff Dingle.

The late Geoff Dingle served as a Councillor on Port Stephens Council between 2004 and 2017. In addition to work as a Councillor, Geoff Dingle was a very active member of a number of community groups.

The NSW Geographical Names Act 1966 empowers the Geographic Naming Board (GNB) as the body responsible for overseeing the formal naming of places. The GNB Place Naming Policy (**ATTACHMENT 1**) sets out the rules and regulations that apply to such applications.

Relative to this Notice of Motion, the policy states that names of deceased persons are suitable for the naming of reserves. Such persons shall have had a long term association with the area, or have made a significant contribution to the area of the proposed park or reserve. To assist local governments in determining the suitability

of a name the GNB offers the following guidelines regarding association or contribution:

- Two or more terms of office on the governing local government council.
- Twenty or more years association with a local community group or service club.
- Twenty or more years of association or service with a local or state government or organisation.
- Action by an individual to protect, restore, enhance or maintain an area that produces substantial long term improvements for the community.
- The death of a person within a place is not solely to be considered sufficient justification for commemoration.
- Local residents of note.

It should be noted that 38 Ferodale Road, Medowie is subject to a masterplan and possible subdivision exercise. At the completion of these processes the recreational precinct will be identified. Council has the ability to name sections or sub sets of a destination location such as a park or a reserve. In the past, if a destination location is to be named, Council has passed the naming to the GNB. The name 'Geoff Dingle Reserve' will be proposed to the GNB for the precinct.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

- 1) Geographical Names Board of NSW - Place Naming Policy. [↓](#)



Geographical
Names Board

Geographical Names Board of NSW Policy

Place Naming

July 2019

ISSN: 2206-6373 (Online)



**ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW -
PLACE NAMING POLICY.**

Title: Geographic Names Board of NSW Policy
ISSN: 2206-6373 (Online)
Subjects: Place names, naming, geographical, policies

Other Authors/Contributors: Geographical Names Board (NSW)

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This information is correct at the date of publication; changes after the time of publication may impact upon the accuracy of the material.

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DCS P18/10/077

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

Document Control

Version and amendment table

Date	Version	Amendments	Authorised
23 April 15	1.0	First draft	B Hirst / B Goodchild
12 Nov 15	2.0	First circulation to members	B Hirst / B Goodchild
20 Dec 15	3.0	Amended based on GNB feedback	B Hirst / B Goodchild
8 March 16	3.1	Aboriginal policy updated based on feedback received.	B Hirst / B Goodchild
10 March 16	4.0	Formatted for document consistency	B Hirst / B Goodchild
18 March 16	5.0	Amended based on March GNB meeting	B Hirst / B Goodchild
19 April 16	5.1	Minor amendments and changes accepted	B Hirst / B Goodchild
2 May 16	6.0	Amendments based on Secretariat input	B Hirst / B Goodchild
6 May 16	6.1	New section on changing names	B Hirst / B Goodchild
May 17	6.2	Update to section 6.1 and 11.1	N Underwood
Sep 18	6.3	Update branding	N Underwood
4 Jul 19	6.4	Update to section 10.2	N Underwood

Repeals and Review

The policies identified in this document are consistent with national and international best practice. They repeal all existing Geographical Names Board of NSW (GNB) policies and guidelines in respect to geographical naming in NSW, apart from those included in the NSW Addressing User Manual, which are complementary to these policies. They do not apply retrospectively, and any arrangements that predate these rules are not necessarily subject to its terms.

Recognition of any existing NSW geographical name that does not conform to these policies does not establish a precedent for any future naming proposal.

This document is to be revised annually or as required. Where minor changes are required, the GNB must ensure the version number is updated. However, where changes in legislation or operating environment result in substantive rewriting of the document, the sponsor must create a new document and ensure it is entered into TRIM (electronic file management system). This will ensure the integrity of the original document.

Contents

1. **Scope**1

2. **Responsibilities**1

3. **Glossary**1

4. **Introduction**2

5. **Legislation and Authority**2

6. **Policy - Universal Naming Principles**3

 6.1 Language 3

 6.2 Form and Character of names 4

7. **Policy - Commemorative names** 4

 7.1 Personal Names 4

8. **Policy - Duplication of names** 4

 8.1 Duplication of place names 5

 8.2 Place names other than localities 5

9. **Policy - Place Naming Process**6

 9.1 General 6

 9.2 Selection of names 6

 9.3 Changing names 7

 9.4 Correct designation values 7

 9.5 Council resolutions to identify community support 7

 9.6 Naming of Cross Border Features 7

 9.7 Referring names to Local Government 7

 9.8 Generic reserve names 8

 9.9 Use of the name Anzac 8

 9.10 Naming of facilities within reserves 8

 9.11 Renaming of reserves 8

 9.12 Naming of properties and homesteads 9

10. **Policy - Recognition and use of Aboriginal names**9

 10.1 Background 9

 10.2 Recognition and use of Aboriginal names 9

11. **Policy - Infrastructure**10

 11.1 Railway stations10

 11.1.1 Other infrastructure10

 11.2 Bridge Naming 11

Bibliography12

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

1 Scope

This policy applies to the operations of the GNB and its Secretariat.

2 Responsibilities

Geographical Names Board

The GNB is responsible for the governance of this policy.

Department of Customer Service (DCS)

DCS is responsible for the administrative management, technical support and promotion of the policy under the auspices of the GNB.

3 Glossary

Act	<i>Geographical Names Act 1966 No 13</i>
CGNA / PCPN	Committee of Geographic Names of Australasia – now renamed the Permanent Committee on Place Names. Part of ICSM
GNB / Board	Geographical Names Board of NSW as constituted under the Act
DCS	Department of Customer Service
Gazetteer	List of geographical names. In NSW the Geographical names gazetteer is stored in the Geographical Names Register database.
Geographical name	The name of a place as determined by the provisions of the Act and been notified in the Gazette as a geographical name, but does not include a name which has ceased to be a geographical name under the Act.
GNB (the GNB)	Geographical Names Board as constituted under the Act
ICSM	Intergovernmental Committee on Surveying and Mapping
Place	Defined by the Act as <i>'any geographical or topographical feature or any area, district, division, locality, region, city, town, village, settlement or railway station or any other place within the territories and waters of the State of New South Wales but does not include any road, any area (within the meaning of the Local Government Act 1993) or area of operations of a county council (within the meaning of that Act), any electoral district under the Parliamentary Electorates and Elections Act 1912, any school or any place or place within a class of places to which the provisions of this Act do not apply by virtue of the regulations.'</i>
Recorded name	Defined by the Act as <i>'the name of a place as it appears on a Lands Department map or, where the name of a place appears differently on two or more such maps, the name of that place as it appears on whichever of those maps was published later than the other or others.'</i>
Road / Road Naming Authority	Road and Road Naming Authority are defined under the <i>Roads Act 1993</i> and summarised in section 5.3 of the <i>NSW Address policy</i>
Secretariat	GNB secretariat appointed in accordance with section 4 of the Act
Spatial Services	A division of the Department of Customer Service (DCS). Spatial Services is the government body responsible for the implementation of the Geographical Names Act.

4 Introduction

Consistent use of accurate place names is an essential element of effective communication worldwide, and supports socio-economic development, conservation and national infrastructure. (Permanent Committee on Place Names)

Department of Customer Service, Spatial Services and the GNB have statutory responsibility to establish, update, preserve and publicise place naming in New South Wales.

The *Geographical Names Act 1966* recognises the importance of unambiguous and official place names. Place names reflect the relationship between people and place and create a link that forms the basis for communication, location and addressing. Clear and unambiguous place names are essential for emergency services, postal and service delivery as well as professional and personal navigation.

The GNB is committed to recognising our Aboriginal cultural heritage by registering place names given by Aboriginal people so that they can be assigned as geographical names alone or used alongside existing non-Aboriginal names.

The GNB is committed to open and transparent practices and procedures in the selection of place names. This document brings together the policies adopted by the GNB and enables all interested parties to understand why specific names are selected.

The policies detailed in this document are consistent with national and international policies, guidelines and practices.

5 Legislation and Authority

As set out in the *Geographical Names Act 1966* (Section 5), the GNB has the following powers and functions:

- assign names to places
- approve that a recorded name of a place shall be its geographical name
- alter a recorded name or a geographical name
- determine whether the use of a recorded name or a geographical name shall be discontinued
- adopt rules of orthography, nomenclature and pronunciation with respect to geographical names
- investigate and determine the form, spelling, meaning, pronunciation, origin and history of any geographical name
- the application of any geographical name with regard to position, extent or otherwise
- compile and maintain a vocabulary of Aboriginal words used or suitable for use in geographical names and to record their meaning and origin
- compile and maintain a dictionary of geographical names with a record of their form, spelling, meaning, pronunciation, origin and history
- publish a gazetteer of geographical names
- inquire into and make recommendations on any matters relating to the names of places referred to it by the Minister

The GNB may compile, maintain and publish a list of road names.

6 Policy – Universal Naming Principles

The following principles shall apply for all new geographical names in New South Wales.

6.1 Language

- 1 Geographical names shall be written in standard Australian English or a recognised format of an Australian Aboriginal language local to the area of the geographical name.
- 2 Diacritical marks (symbols such as ´ in é, ç or ÿ) are not used in Australian English names, and shall be omitted from names drawn from languages that use such marks.
- 3 Geographical names shall be easy to pronounce, spell and write, and preferably not exceed three words (including any designated term) or 25 characters. An exception to this is in the use of Aboriginal names when it is accepted that a traditional name may at first appear to be complex but will, over time, become more familiar and accepted by the community.
- 4 The following types of punctuation as used in Australian English shall not be included as part of a geographical name: period (.), comma (,), colon (:), semi-colon (;), quotation marks (""), exclamation mark (!), question mark (?), ellipsis (...), hyphen (-), solidus (/) and parenthesis (()). For surnames or other names that include a hyphen, the hyphen shall be omitted when used for a geographical name.
- 5 An apostrophe mark shall not be included in geographical names written with a final 's', and the possessive 's shall not be included e.g. Georges River not George's River. Apostrophes forming part of an eponymous name shall be included (e.g. O'Connell Plains).
- 6 A geographical name shall not include a preposition e.g. Avenue of the Allies.
- 7 Geographical names shall not include the definite article (the) as the sole name element of a place name e.g. The Reserve is not acceptable.
- 8 A geographical name shall not be abbreviated or contain an abbreviation, initial or acronym e.g. Point, not Pt except that St shall be used for Saint. An exception may be where an abbreviation may have become widely accepted by the community. Eg CWA for Country Women's Association.
- 9 For the purposes of consistency, names starting with Mc or Mac shall not have a space included between the Mc or Mac and the rest of the name.
- 10 A geographical name shall not include Arabic numerals e.g. 3 or 4th or Roman numerals e.g. IV or X. Where numbers are included in a geographical name they shall be written in full e.g. Fourth Top Ridge, Eleven Mile Creek.
- 11 A geographical name shall not include initials e.g. A F Wyatt Reserve.
- 12 The spelling of geographical names derived from the same source shall be uniform in spelling. e.g. Mount Kosciuszko is now spelt with z to be consistent with original spelling.
- 13 Postnominals and titles shall not be included in geographical names.eg John Smith not John Smith AO. An exception is the use of 'VC'.

Justification

The principles identified above ensure consistency thereby reducing the potential for confusion. These principles are consistently applied throughout Australia and commonly adopted internationally. They also facilitate reliable electronic searching essential for navigation systems, service delivery and public safety.

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.**6.2 Form and Character of Names**

Place names shall be recognisable words or acceptable combinations of words and shall be appropriate to community sensitivities.

Discriminatory or derogatory names are not acceptable. Such names are those perceived, at a given point in time, to be offensive, demeaning, or harmful to the reputation of individuals, or to social, ethnic, religious or other groups. It is recognised that the perception of 'discriminatory' or 'derogatory' may vary through time and from place to place. In response to requests from the public, the GNB will investigate the appropriate status of any names deemed to be discriminatory or derogatory.

Commercial and business names shall not be used for geographical names, particularly where the name can be construed to be promoting a business. However, business names no longer in use which promote the heritage of an area are acceptable.

Use of club, society, association or special interest group names is discouraged. Such association may change their focus or for some reason lose community support. Community based associations, particularly those philanthropic associations, may be acceptable (eg Rotary, Lions, Apex).

7 Policy - Commemorative Names

Commemorative names are those that commemorate a person, event or place. Acts of bravery, community service and exceptional accomplishments are typical grounds for this recognition. The name of persons who gave their lives in service for their country are often used as commemorative names.

The person commemorated should have contributed significantly to the area around the geographic feature or locality.

When such a name is applied, it shall be given posthumously, at least one year after the decease of the person. Names of living persons are by their nature subject to partisan perception and changes in community judgement and acceptance.

Commemorative names shall not be used to commemorate victims of, or mark the location of, accidents or tragedies. Ownership of land is not in itself grounds for the application of an owner's name. Names of persons holding public office shall not be used.

Personal names, including those of persons still living, may be used for built features e.g. pavilions and grandstands etc., however these features are not formally assigned by the GNB and are not covered by the Act.

7.1 Personal Names

The names of deceased persons are suitable for the naming of reserves. Such persons shall have had a long term association with the area, or have made a significant contribution to the area of the proposed park or reserve. To assist local governments in determining the suitability of a name the GNB offers the following guidelines regarding association or contribution:

- Two or more terms of office on the governing local government council.
- Twenty or more years association with a local community group or service club.
- Twenty or more years of association or service with a local or state government or organisation.

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

- Action by an individual to protect, restore, enhance or maintain an area that produces substantial long term improvements for the community.
- The death of a person within a place is not solely to be considered sufficient justification for commemoration.
- Local residents of note.

Justification

Using the name of a living person is unacceptable (nationally and internationally) as it may lead to favouritism and/or inappropriate naming. There are examples where people commemorated have later proven to be of poor character or otherwise thought to be unworthy.

8 Policy - Duplication of names**8.1 Duplication of place names**

In accordance with the NSW Addressing User Manual (6.8.1 Uniqueness, Duplication), no new locality name shall be duplicated within NSW or any other state or territory in Australia.

Duplication includes identical or similar spelling and/or pronunciation.

8.2 Place names other than localities

Uniqueness is the most essential quality to be sought in proposing a new place name. Duplication should be avoided wherever possible, but new place names may be duplicated provided there is no duplication of the name within the local government or adjoining local government.

Place names with a different designation value are not considered to be duplications. For example, Jenolan River and Jenolan Caves are acceptable.

The GNB encourages efforts by local governments to change or modify duplicate names wherever ambiguity or confusion is likely to occur. Such name changes should be coordinated with the GNB.

Justification

The purpose of place names is primarily to provide unambiguous direction and reference to identify geographical entities. Duplication of locality names is to be avoided because of the confusion this will cause, particularly in the dispatch of emergency services, which is now often coordinated from call centres. Duplication of locality names used for addressing purposes can result in delays in arrival of essential services.

Duplication can also cause personal difficulties such as failed parcel and service delivery and difficulty for tourists and visitors.

Where duplication occurs inter State or Territory, the respective authorities should liaise in order to attempt to arrive at an acceptable solution.

9 Policy – Place Naming Process

9.1 General

This policy is for the application of place names within the territories and waters of New South Wales including reserves under the management of local government.

The Department of National Parks and Wildlife Services has a separate policy for the naming of national parks under its management.

- All proposals for place naming shall conform to the GNB's Naming Principles.
- All place name proposals shall include a map or diagram clearly defining the extent of the feature proposed to be named.
- Proposals for place naming shall be submitted to the GNB for consideration and formalisation process.
- Private ownership of the land on which a geographical or physical feature is located does not confer any naming right to the land owner or manager. This is also true in respect to land under the various forms of public management, including national parks and reserves.
- Place names (excluding localities) shall not be duplicated within the same LGA or locality or in an adjoining LGA or locality.

9.2 Selection of names

- Aboriginal names are encouraged as the name to be used for any feature that currently does not have a name recognised by the GNB.
- Names acknowledging the multicultural nature of NSW are encouraged.
- Names associated with the heritage of an area are encouraged, especially the names of early explorers, settlers, naturalists, events.
- A name suggested for any place that owes its origin to the peculiarity of the topographic feature designated such as shape, vegetation, animal life etc. may be accepted.
- Gender diversity in names is encouraged.
- The multiplication of names for different parts of the same topographical feature such as a stream or mountain range shall be avoided, and the one name applied to a stream or mountain range throughout its entire length. However, an Aboriginal name may apply to a limited section of a feature.
- The naming of forks, arms and branches of a river as North Branch and South Branch is not supported. Unique names shall be assigned to river branches.
- When a choice is offered between two or more names for the same place, locality or feature, all supported by local usage, the GNB may adopt one of such names as is considered appropriate in accordance with its principles and policies.
- The use of cardinal points of the compass as a prefix or suffix to an existing name shall not be used.
- The changing of long established place names is to be avoided except where necessary to avoid ambiguity or duplication.
- The GNB may approve a first or given name as part of a geographical name only where it is necessary to appropriately honour the person referred to or where it is necessary to avoid ambiguity.

9.3 Changing names

Where names have been changed or corrupted by long established local usage, it is not usually advisable to attempt to restore the original. Changes are discouraged unless the change has been deemed to be in the public interest or for safety reasons. Changing well established names can lead to address or location confusion, especially to electronic navigation services.

9.4 Correct designation values

The GNB has compiled a Glossary of Designation Values in the Geographical Names Register in order to assist in determining the correct designator to be applied to place names at the time of naming.

New names proposed for place names shall include the designation value appropriate to the nature of the feature.

The Glossary of Designation Values is attached as Appendix A.

9.5 Council resolutions to identify community support

When Council submit a naming proposal, it should be supported by a Council resolution. Council should also supply evidence that they have sought community feedback on the proposal. This could include advertising and inviting comment using:

- Local newspapers.
- Relevant web site.
- Local council facilities (eg offices, libraries etc).
- Notices to residents in the area surrounding the feature of the proposed name.
- Notices to local progress associations.

9.6 Naming of Cross Border Features

The name for any feature that crosses the State boundary shall be the same on both sides of that boundary. The basis for the selection of a name for such a feature should be the consensus between relevant authorities. Primary responsibility for obtaining consensus should rest with the authority within which the majority of the feature is located. Any matters regarding naming or renaming of features that cross the state border shall be referred to the Cross Border Commission.

9.7 Referring names to Local Government

Where a submission proposing a name is received by the Secretariat, that submission must be referred to the relevant Local Government and the submitter notified of this action.

9.8 Generic reserve names

The GNB has classified a number of reserve names as "generic", and when one of these names is proposed it shall also include the name of the locality within which the reserve is located. For example, Volunteer Park is a generic name, and if this name is proposed in Muswellbrook, it shall be proposed as Muswellbrook Volunteer Park.

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

The following park names have been classified as “generic” by the GNB

ACACIA PARK	ANZAC PARK
APEX PARK	BI-CENTENARY PARK
BI-CENTENNIAL PARK	CENTENARY PARK
CENTENNIAL PARK	CENTRAL PARK
CIVIC PARK	GALLIPOLI PARK
HERITAGE PARK	JUBILEE PARK
KINGS PARK	LIONESS PARK
LIONS PARK	MEMORIAL PARK
OLYMPIC PARK	PEACE PARK
PIONEER PARK	PRESIDENT PARK
PRINCE PARK	PRINCESS PARK
QUEENS PARK	QUOTA PARK
REMEMBRANCE PARK	RIVERSIDE PARK
ROTARY PARK	SESQUI CENTENARY PARK
SESQUI CENTENNIAL PARK	VOLUNTEER PARK
WAR MEMORIAL PARK	

9.9 Use of the name Anzac

The use of the name Anzac is protected by Commonwealth regulations, and may only be used for the naming of a road or park in which, there is situated a public memorial relating to the war which commenced on the fourth day of August 1914, or the war which commenced on the third day of September 1939. (Commonwealth 'Protection of the word 'Anzac' regulation.')

9.10 Naming of facilities within reserves

Facilities within an officially assigned reserve, such as a pavilion, grandstand, garden, buildings etc. may also be named according to this policy, but do not require the formal approval of the GNB. However, the GNB shall be notified of such names to ensure the name, position and origin is recorded in the Spatial Services' Digital Topographic Database and the name shown on maps, where relevant.

9.11 Renaming of reserves

Names chosen for reserves are expected to be enduring, and the renaming of these features is confusing and disruptive and is discouraged. If the renaming of a reserve is proposed, evidence of community support for the name change must be provided. The GNB will then evaluate the merits of the proposal before making a decision.

9.12 Naming of properties and homesteads

The GNB does not officially assign names of properties or homesteads. However names of properties and homesteads may be recorded in the NSW Digital Topographical Database (DTDB).

10 Policy – Recognition and use of Aboriginal names**10.1 Background**

The names we give to places convey their significance through a sense of history, identity and connection between people and a place. The land is seamless with spirituality and identity for Aboriginal people. A key manifestation of this connection are the names given to features on the land that relate to the ancestors, histories, law and lore of its people.

For Aboriginal people connection with 'Country' is intrinsically connected to identity. Country is the area where an Aboriginal community is connected by language, cultural practices and long held relationships between people and the land. Countries are said to own people whereas for non-Aboriginal people land is owned through a range of legal titles. Country and people are inseparable for Aboriginal communities.

This policy is designed to encourage and promote recognition of Aboriginal place names and to foster the more frequent and official use of these names, particularly for places where the names have not been assigned as geographical names. The policy also provides, where it is possible, for the reinstatement of an Aboriginal place name through the dual naming process.

The NSW Government is committed to continuing the recognition of our Aboriginal cultural heritage by registering the original place names used by Aboriginal people to identify geographical features. Where a feature is identified by a non-Aboriginal name and that name is well established, an Aboriginal name put forward for the feature can be assigned as a dual name and sit alongside the existing non-Aboriginal name.

The GNB prefers the use of Aboriginal names for geographical features. Where a feature currently has a non-Aboriginal name, it may be considered for a dual name provided that documentary or oral evidence of the Aboriginal name is provided.

10.2 Recognition and use of Aboriginal names

- Aboriginal place names are preferred for the name of any place that does not have an assigned geographical name.
- Prior to submitting an Aboriginal name for consideration by the GNB, the proponent should consult the Local Aboriginal Land Council and Aboriginal communities on all matters concerning Aboriginal place names occurring in their area of current occupation and traditional association, in line with self-determination policies. This includes any proposals to assign new names, alter spellings of existing names or assign dual names.
- A name nominated by a Local Government Council will not be accepted by the GNB unless the Local Aboriginal Land Council and relevant Aboriginal communities have been consulted. The GNB Secretariat can provide guidance.
- Aboriginal place names which have been assigned as geographical names shall not be amended in form, spelling, extent or position without the consent of the relevant Local Aboriginal Land Council or Community.
- A dual naming system may be used for the naming of a physical and environmental place[s] of significance to the local Aboriginal Land Council or Community when a non-Aboriginal assigned geographical name already exists. Dual naming shall not apply to localities, towns or roads.

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

- A dual name can only be assigned where there is plausible historical evidence in the form of documentary or oral sources, that the feature has an existing Aboriginal name and that some authority or authenticity can be attributed to the source or sources for the form, origin, spelling, history and meaning of the name. The name cannot be a new name assigned for the purpose of a tribute etc.
- Signs or notices explaining the origins of Aboriginal place names should also identify the name of the language group from which the name originated. For example, the name '...' means '.....' from the '...' Aboriginal language group.
- The GNB endorses and supports the Permanent Committee on Place Names "Guidelines for the Use of Aboriginal and Torres Strait Islander Names" which is included in the PCPN's "Guidelines for the Consistent Use of Place Names".
- The GNB does not have a role in the determining naming, spelling or determination of boundaries of Aboriginal Countries or Nations.

11 Policy - Infrastructure

11.1 Railway Stations

Railway stations shall be named after its locality or area of interest unless to do so would lead to a duplicated station name. In these cases a name that identifies the area or location of the station should be used. For example Town Hall Station and Martin Place Station are situated in Sydney where multiple stations are in one locality.

Justification

Railway station names assist in location and navigation and are particularly important for visitors and other travellers.

11.2 Other infrastructure

The GNB does not have specific statutory responsibility for formally naming infrastructure (other than Railway Stations and Post Offices), schools, private estate names or building names.

Nevertheless, naming any prominent feature should follow the accepted practice for naming as detailed in this policy.

Justification

Infrastructure such as buildings and sporting facilities are generally not used for addressing purposes however there is a high likelihood that they may be used for location including emergency services. Unique names for all infrastructure will assist in ensuring their location for emergency services.

11.3 Bridge Naming

The GNB does not name bridges, however, it encourages all bridge naming to follow the guidelines as set out in this policy.

The naming of bridges and other structures on roads does not have a formal legislative basis. However, the same procedures for road naming applies to bridges and other road infrastructure:

- RMS is responsible for the naming of bridges and other structures on freeways.
- Local councils initiate the naming of bridges on local, regional and state roads (other than freeways). RMS to approve these proposals.

RMS will approve a naming proposal for a bridge or structure provided that:

- The name has wide community support.
- An Aboriginal name has the support of local Aboriginal groups.
- Consideration has been given to National and State commemorative initiatives involving the naming of new of key road infrastructure.
- The name is consistent with GNB place name criteria.
- The design of the name plaque accords with RMS requirements.

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**ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW -
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Appendix A



Geographical
Names Board

Glossary of designation values in the
Geographical Names Register

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ABORIGINAL RESERVE

Crown land set aside for Aborigines, where they may continue their traditional lifestyle away from the influence of white Australians and access to which is controlled by federal or state authorities or by Aboriginal Land Councils.

AERODROME

All licensed aerodromes and government aerodromes maintained by the Federal Airports Corporation, other than those designated 'airports'.

AIRFIELD

A landing or taking-off area for aircraft.

AIRPORT

An aerodrome that handles regular schedules of passengers and freight.

AMPHITHEATRE

Basin shaped hollow, particularly one having steep sides. Considerable variation in size.

ANABRANCH

A distributary of an anastomosing river which links up with other distributaries and sometimes with the parent stream.

ARM

A comparatively long, narrow and natural waterway extending from a larger body of water.

ARTESIAN BORE

A hole bored perpendicularly into strata, producing a constant supply of water at the surface without pumping.

BACKWATER

A body of stagnant water connected to a river.

BASIN

1. The tract of country drained by a river and its tributaries, or which drains into a particular lake or area.

2. A circumscribed formation in which the strata dip inward from all sides to the centre; the stratified deposit, especially of coal, lying in such a depression.

3. An area of water limited in extent and nearly enclosed by structures alongside which vessels can lie. A non-tidal basin is one closed by caisson of gates to shut off from open water, so that a constant level of water can be maintained in it. Also called a 'wet dock'. A tidal basin is one without gates in which the level of the water rises and falls with the tide. Sometimes called an 'Open Basin'.

BAY

A well-marked indentation made by the sea or a lake into a coastline, whose penetration is in such proportion to the width of its mouth as to contain land locked waters and constitutes more than a mere curvature of the coast.

BEACH

The sloping shore along a body of water that is periodically washed by waves or tides and is usually covered with sand or gravel.

BIGHT

A crescent-shaped indentation in the coastline usually of large extent and not more than a 90 degree sector of a circle. See 'Bay' and 'Gulf'.

BILLABONG

An efflux from a stream, usually an old bend in the stream, which has been cut off by erosion and deposition. When the fall of a stream is only a few centimetres per kilometre channel is usually incapable of clearing flood waters, which overflow into this efflux. As the water recede the efflux or billabong becomes a pool or a series of pools, which in dry periods may completely dry up.

BLUFF

A spur or ridge terminating in a steep, rocky face.

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BORE

A deep vertical hole of a small diameter drilled to obtain water. Designation includes 'Artesian Bore'.

BOUNDARY

That which serves to indicate the limits of a particular area. Various types of boundaries which may be encountered are:

1. UNCLASSIFIED BOUNDARIES; those drawn by the compiler prior to classification to delineate a change in surface characteristics.
2. INTERNATIONAL BOUNDARIES; those defining the territorial sovereignty of a country.
3. STATE OR TERRITORY BOUNDARIES; those defining the major administrative or political divisions within a country.
4. ADMINISTRATIVE AREA BOUNDARIES; those defining areas of common local or regional administration.
5. PROHIBITED AREA BOUNDARIES; those defining the limits of an area into which entry is prohibited, without prior permission from a controlling authority, for security or safety reasons.

BREAKWATER

A natural or artificial structure along a coast capable of checking the force of the waves, thereby reducing beach erosion. The designation includes 'groyne', 'training wall' and 'levee'. The latter two are to restrict rivers to a defined course.

BROOK

A small stream or rivulet.

BUTTE

A small residual of a mesa. The level top being the upper surface of the hard stratum but little lowered by erosion. The slopes on all sides are escarpments and its maximum horizontal dimension in any one direction is about 400 metres.

BUTTRESS

A very steep spur projecting from a hill, mountain, plateau, range etc., having the appearance of supporting it.

CAMP

A place where tents, cabins, etc. are erected for the use of military troops, etc.

CANAL

A large artificial watercourse used for irrigation or navigation.

CANYON

A gorge, relatively narrow but of considerable size, bounded by steep slopes. It has often been formed by a river cutting through the soft rocks of an arid region; the scantiness of the rainfall prevents denudation of the canyon walls, and so maintains their steepness. The walls of a large canyon, however, rarely approach the vertical, and their irregularity of slope is due to inequalities in the hardness of the rock.

CAPE

A piece of land jutting into the sea; a projecting headland or promontory.

CATCHMENT AREA

The region which drains all the rain water that falls on it, apart from that removed by evaporation, into a river or stream, which then carries the water into the sea or a lake; it may thus coincide with the 'River Basin'. Its boundary is defined by the ridge beyond which water flows in the opposite direction - away from the basin.

CAUSEWAY

A raised roadway of solid structure built across low or wet ground or across a stretch of water.

CAVE

A hollowed-out chamber in the earth, especially a natural cavity with an opening to the surface.

CEMETERY

A place or area for burying the dead.

CHANNEL

1. An artificial watercourse used for drainage or irrigation purposes.
2. A comparatively deep and narrow waterway affording a passage for vessels. The waterway may be natural or dredged and can occur in a river, harbour or sea.

CHASM

A particularly narrow portion of a gorge or ravine where the width is notably exceeded by the depth and the sides are vertical or nearly so.

CITY

A centre of population, commerce and culture with all essential services; a town of significant size and importance, generally accorded the legal right to call itself a city under, either, the Local Government Act, the Crown Lands Act or other instruments put in place by government.

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CIVIC PLACE

A pedestrian area or open space, especially a square or plaza, within an urban environment which is frequented by citizens for a variety of purposes including public activities. It may be a place of commemoration. It does not include areas specifically created for commercial or business purposes. It is not to be used in an official address.

CLEARING

An area of ground within a forest, where less than 15% of the ground is covered by trees or scrub. Clearings within areas of dense vegetation may be manmade or naturally occurring.

CLIFF

A perpendicular or steep face of rock considerable in height, either inland or along the coast.

COLLEGE

An establishment for technical or vocational education usually post secondary.

COMMON

A tract of land which belongs to the local community as a whole, and is open to common use.

COUNTY

Territorial division of the state for administrative purposes.

COVE

A small indentation in a coast, usually sheltered.

COWAL

A small lake or dam.

CRATER

A bowl shaped cavity, in particular, at the summit or on the side of a volcano. And from which smoke and steam may emanate if the volcano is active. Craters of extinct volcanoes may contain crater lakes. The word crater is applied to other depressions especially those caused by the fall of large meteorites onto the earth's surface. Volcanic craters are sometimes called calders.

CREEK

A natural watercourse that is usually a tributary of a river or another creek. It may be perennial or non-perennial and in some areas its course may become indefinite or even peter out.

CROSSING

A place where a street, railway, stream, etc., may be crossed.

CUTTING

An open excavation through high ground, generally for a transportation system.

DAM

1. A barrier built across a stream to impound its water for any purpose.
2. An earthen structure built to contain water for stock purposes.

DEPRESSION

A depressed or sunken place.

DESERT

An almost barren tract of land in which precipitation is so scanty or spasmodic that it will not adequately support vegetation.

DIP

A place for controlling ticks on cattle.

DISTRICT

1. Territory marked off for special administrative purposes.
2. A tract of country, up to about 1600 sq. kms in area, distinguished by certain common characteristics, natural or cultural.

DOCK

An artificial structure in which ships are built or repaired.

DRAIN

A channel, man made or natural, by which liquid is drained or gradually carried away.

DUNES

Mounds or ridges of sand formed, either in a desert or along the sea coast, through transportation by the wind.

ESCARPMENT

A more or less continuous line of cliffs or steep slopes terminating any generally level upland surface, and is due to erosion or faulting.

ESTUARY

The tidal mouth of a river, where the tide meets the current of fresh water; more commonly, an arm of the sea at the lower end of a river.

FALLS

A sudden, more or less perpendicular, descent of water over a natural step in the bed of a river or stream.

FAULT

A fracture in the earth's crust along which movement has taken place, and where the rock strata on the two sides therefore do not match.

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

FLAT

A relatively level piece of ground within an area of greater relief; a tract of country without hills and smaller than a plain. In river valleys they may be Valley or River Flats, along the foreshores and subject to tidal action they are Tidal Flats and according to the nature of the surface they may be Mud, Stony or Sandy Flats.

FLORA RESERVE

Crown land set aside for the protection of flora, and access to which is controlled by federal or state authorities.

FORD

The shallow part of a stream or other body of water, where it may be crossed by vehicle or by wading. The crossing may be natural or improved, but not by bridging.

FOREST

An area of land proclaimed to be a forest under a Forest Act.

GAOL

A place for the confinement of persons convicted and sentenced to imprisonment or of persons awaiting trial.

GAP

A low point or opening between hills or mountains or in a ridge or mountain range.

GLEN

A narrow, wooded valley with a stream flowing at its bottom. Its sides being generally steep.

GOLF COURSE

An area of ground laid out for the playing of golf.

GORGE

A valley deep in proportion to its width, usually with precipitous or very steep sides. Generally a feature of some magnitude, relative to the surrounding base.

GRADIENT

A noteworthy gradient inclination or slope of the surface of the ground on the side or end of an elevated relief feature.

GRAVEYARD

A place for graves; a burial ground, esp. a small one or one in a churchyard.

GULF

Large valleys in mountain ranges OR an area of sea partly enclosed by land; usually of larger extent, and greater relative penetration than a bay, that is, Gulf of Carpentaria.

GULLY

A natural watercourse formed in the earth's surface, especially a hillside, by the action of water. It only carries water after rain and its sides are generally steep. Usually one of the smallest branches of a drainage system, and often associated with erosive action.

HARBOUR

A natural or artificially improved stretch of water where vessels can anchor or secure to buoys or alongside wharves etc and obtain protection from sea and swell. The protection may be afforded by natural features or by artificial works. The place may be provided with terminal and transfer facilities for loading and discharging cargo or passengers.

HEAD

A comparatively high promontory of land projecting into the sea with a steep face. An un-named head is usually described as a 'Headland' when a specific name is assigned, it becomes a 'Head'.

HEADLAND

A narrow area of land jutting out into a sea, lake, etc.

HILL

A small portion of the earth's surface elevated above its surroundings, of lower altitude than a mountain. Generally its altitude is less than 300 metres above the surrounding country but this can change in areas of low relief.

HILLOCK

A small hill or mound.

HISTORIC AREA

An area or precinct containing no or minimum present activity, but which at one time was an area of recognised name and purpose.

HISTORIC SITE

A specific place or site which has at one time been the site of an event or purpose.

HISTORICAL LOCALITY

An area or precinct containing no or minimum present activity, but which at one time was an area of recognised name and purpose.

HISTORICAL RECONSTRUCTION

An area or precinct which at one time was an area of recognised name and purpose and has now been redeveloped to recognise its past.

HOLE

An area hollowed out in or an opening in the ground.

INLET

A narrow indentation in the coastline or in the lake or river by which the water penetrates into the land.

ISLAND

A piece of land usually completely surrounded by water.

ISLET

A comparatively small insular landmass. Smaller than an Island but larger than a Cay.

KNOB

Rounded projection from a surface.

KNOLL

A small rounded Hill.

LAGOON

An enclosed area of water separated from the open sea or from a stream by some more or less effective, but not complete, obstacle such as low sandbanks.

LAKE

An extensive sheet of fresh or saltwater, natural or artificial, enclosed or nearly enclosed by land. It may or may not have in and out-flowing water, and in dry areas may even dry up at times.

LAKE BED

The area of a lake which is under water or once was under water.

LANDING PLACE

The act of coming to land. A place of disembarkation.

LANDMARK

A prominent or well known object in or feature of a particular landscape. A boundary marker. A large continuous area of land, as opposed to seas or islands.

LANDSCAPE FEATURE

This designation is used for a feature of the landscape, whether natural or cultural, which does not fit comfortably in any other designation and the number (actual and expected) of such places in NSW does not warrant a specific separate designation.

LIGHTHOUSE

A distinctive structure on or off the Coast, exhibiting a major light designed to serve as an aid to navigation.

LOCALITY

A bounded area within the landscape that has a 'Rural' Character.

LOCK

A section of a canal or river that may be closed off by gates to control the water level and the raising and lowering of vessels that pass through it.

LOOKOUT

A natural scenic viewpoint on elevated ground. Works or structures within the immediate vicinity of the view point improving the safety, amenities or view may be evident.

LOOP

A railway branch line which leaves the main line and rejoins it after a short distance.

MARINA

A docking facility for yachts and other pleasure boats accessible for private patrons only.

MARSHES

Low poorly drained land that is sometimes flooded and often lies at the edge of lakes etc.

MESA

A flat table-like upland, which falls away steeply on all sides (escarpments). It is larger in area than a 'butte' but smaller than a 'plateau'.

MONOLITHS

Large block of stone or anything that resembles one in appearance, intractability, etc. A statue, obelisk, column, etc, cut from one block of stone. A large hollow foundation piece sunk as a caisson and filled with concrete.

MOOR

A tract of unenclosed ground, usually covered with heather, coarse grass, bracken, and moss.

MOUNT

A natural elevation of the earth's surface rising more or less abruptly from the surrounding level, and attaining an altitude which, relative to adjacent elevations, is impressive or notable. In general the elevation of a mountain is more than 300 metres from foot to summit, but this distinction is arbitrary. For reasons of euphony and local usage 'Mount' is usually used when the generic term precedes the specific term and 'Mountain' when it succeeds it.

MOUNTAIN

A large natural elevation of the earth's surface.

MOUNTAIN LAKES

A lake created by an extinct volcanic crater.

MOUNTAIN PEAK

A prominent point of a hill or mountain. The separately named summits on a range of hills or mountains.

MOUNTAIN RANGE

A series or line of mountain or hill ridges with or without peaks, in which the crests are relatively narrow. Its minimum length is about 16 kilometres.

NAVAL ESTABLISHMENT

An institution, pier or building specially designed and equipped for use by the Navy.

NECK

A narrow strip of land; peninsula or isthmus.

NEIGHBOURHOOD

The immediate environment; surroundings. A district where people live. The people in a particular area. Living or situated in and serving the needs of a local area.

OBSERVATORY

An institution or building specially designed and equipped for observing meteorological and astronomical phenomena. Any building or structure providing an extensive view of its surroundings.

OCEAN

A very large stretch of sea. The vast body of water on the surface of the globe that surrounds the land.

PARISH

Territorial division of the state for administrative purposes.

PASS

A depression or gap in a range of mountains or hills permitting easier passage from one side to the other.

PASSAGE

A comparatively deep and narrow waterway affording a passage for a vessel.

PEAK

A prominent point of a hill or mountain. The separately named summits on a range of hills or mountains.

PENINSULA

A piece of land almost surrounded by water, especially one connected with the mainland by only a narrow neck of land or isthmus.

PICNIC AREA

A location to which people bring food to be eaten in the open air.

PINNACLE

The highest point. A towering peak, as of a mountain.

PIT

A large usually deep opening in the ground.

PLAIN

A tract of country the general surface of which is comparatively flat or slightly undulating. In extent generally not less than 2,500 hectares and sparsely, if at all timbered.

PLATEAU

An elevated tract of comparatively flat or level land, having a large part of its total surface at or near the summit level. Its local relief may be very great in cases where it is cut by gorges, or it may have a small local relief like a plain in cases where erosion has not been severe. Its minimum horizontal dimension in any direction generally exceeds 1.6km.

POINT

A location, spot, or position. Point of land. A small promontory,

POND

A pool of still water, often artificially created.

POOL

A small body of still water, usually fresh. A deep part of a stream or river where the water runs very slowly.

PORT

A town or place alongside navigable water with facilities for the loading and unloading of ships.

POST OFFICE

A local office for receiving, distributing and transmitting mail, providing telecommunication services etc.

POWER STATION

An electrical generating station.

PRISON

A place to which persons are legally committed, either while awaiting trial or for punishment.

PUBLIC WATERING PLACE

An artificial waterhole.

RACECOURSE

A place which has been licensed by government for the holding of horse races.

RAILWAY

A permanent track composed of a line of parallel metal rails fixed to sleepers for transport of passengers and goods in trains.

RAILWAY CUTTING

An excavation in a piece of high land for a railway.

RAILWAY LOOP

A short branch off a railway track, often connected at both ends to the main track where trains can pass on a single line stretch of railway. In some cases freight may be handled at these sidings. This designation includes 'Railway Siding'.

RAILWAY SIDING

A short branch off a railway track, often connected at both ends to the main track where trains can pass on a single line stretch of railway. In some cases freight may be handled at these sidings. This designation includes 'Railway Loop'.

RAILWAY STATION

A structure beside a railway line with facilities for passengers and freight.

RAMP

An area set aside for the launching of small water craft, usually paved.

RANGE

A series or line of mountain or hill ridges with or without peaks, in which the crests are relatively narrow. Its minimum length is about 16 kilometres.

RAPIDS

Portions of a stream with accelerated current where it descends rapidly without a break in the slope of the bed sufficient to form a waterfall.

RAVINE

A deep narrow steep sided valley.

REACH

A comparatively straight part of a river or channel between two bends.

REEF

A ridge of rocks or coral lying near the surface of the sea, which may be visible at low tide, but is usually covered by water.

REGION

A region is a relatively large tract of land distinguished by certain common characteristics, natural or cultural. Natural unifying features could include same drainage basin, similar landforms, or climatic conditions, a special flora or fauna, or the like. Cultural determining features could include boundaries proclaimed for administrative purposes, common land use patterns etc.

REGULATOR

Any of various mechanisms or devices such as a governor valve, for controlling fluid flow, pressure, temperature, etc.

RESEARCH STATION

An institution, farm or building specially designed and equipped for carrying out agricultural research.

RESERVE

An area proclaimed to be a public reserve by government legislation.

RESERVOIR

An artificial lake or structure storing water for domestic or other uses.

RIDGE

A long and narrow stretch of elevated ground. It generally has a length less than 16 kilometres.

RIFLE RANGE

An area used for target practice with rifles.

RIVER

A major natural stream in a large catchment basin, carrying water to another river, a lake or the sea. Usually perennial, but not necessarily so in arid areas.

RIVER BEND

A curve in the course of a stream. This designation includes 'meander'.

RIVER CROSSING

A place where a river may be crossed.

RIVER FLAT

A relatively level piece of ground within an area of greater relief; a tract of country without hills and smaller than a plain, caused by the laying down of sediment by a river.

RIVER MOUTH

The area at which a river makes contact with the sea.

RIVULET

A small stream.

ROAD BEND

A bend in a road.

ROADS

An open way, usually surfaced with tarmac or concrete, providing passage from one place to another.

ROADSTEAD

An open anchorage for ships, which may be sufficiently sheltered to give protection from seas, usually by reefs, sandbanks, or islands.

ROCK

A prominent or isolated out crop of rock, or even a single large stone. This designation includes 'boulder' 'crag' 'needle' 'pillar' and 'tor'.

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

ROCK FACE

An area of exposed rock, generally in a vertical position.

RURAL PLACE

A place, site or precinct in a rural landscape, generally of small extent, the name of which is in current use.

SADDLE

A col or pass or any land form recalling in shape a saddle.

SANDBANK

A bank of sand in a sea or river that may be exposed at low tide.

SANDBAR

A ridge of sand in a river or sea, built up by the action of tides, currents, etc, and often exposed at low tide.

SANDHILL

A mound, ridge or hill of drifted sand either in a desert or along a sea coast, formed by the action of wind.

SANDRIDGE

Sand drifts in long ridges tending parallel to and elongating in the direction of the prevailing winds.

SCHOOL

An establishment for primary or secondary education created by the Education Act.

SCRUB

A vegetation consisting of stunted trees, bushes, and other plants growing in an arid area. An area of arid land covered with such vegetation.

SEA

One of the divisions of the oceans, especially if partly enclosed by land.

SHOAL

A ridge of sand or of rocks just below the surface of the sea or of a river and therefore dangerous to navigation.

SPORTSGROUND

A reserve used for sporting fixtures.

SPRING

A flow of water issuing naturally out of the ground, either continuously or intermittently.

SPUR

A minor linear projection off a range, ridge, mountain, tableland, hill or plateau being generally not more than 2 kilometres in length and decreasing in altitude from the parent feature.

STATE

A major administrative or political division within a country.

STATION

A structure beside a railway line with facilities for passengers and freight.

STEEPS

The very steep and deep sides of a mountain or high plateau.

STRAIT

A comparatively narrow passage connecting two seas or two large bodies of water.

STREAM

Small river, brook. Any steady flow of water or other fluid.

SUBURB

A bounded area within the landscape that has an 'Urban' Character.

SURF BREAK

A permanent obstruction such as a reef, bombara, rock or sandbar which causes waves to break thus making conditions conducive to surfing.

SWAMP

A tract of land normally saturated with water, having little or no drainage and characterised by a growth of grass or reeds. This designation includes 'marsh'.

SYPHON

A tube/pipe placed with one end at a certain level in a body of water and the other in a body of water below this level.

TABLELAND

An elevated tract of land with a generally level surface of considerable extent, generally with a minimum area of 2,500 hectares.

TANK

An artificial waterhole forming a reservoir for rainwater and adjacent run-off.

TERMINAL

A reception or departure building at the terminus of a bus, sea or air transport route.

TERRACE

A level or nearly level strip of land, usually narrow and bordering the sea, a lake or river, lying between a slope upwards to hills on one side and a slope, often abrupt, downwards on the other.

TOPS

The top of a hill

ITEM 2 - ATTACHMENT 1 GEOGRAPHICAL NAMES BOARD OF NSW - PLACE NAMING POLICY.

TOWER

A tall usually square or circular structure, sometimes part of a larger building and usually built for a specific purpose.

TOWN

A commercial nucleus offering a wide range of services and a large number of shops, often several of the same type. Depending on size, the residential area can be relatively compact or (in addition) dispersed in clusters on the periphery.

TRACK

A formed and/or marked track that is used by people either walking, cycling or riding a horse. This designation includes 'trails'.

TRAINING WALL

See 'Breakwater'.

TRIG. STATION

A point on the ground, the geographic position of which has been determined by geodetic survey.

TUNNEL

An underground passageway, esp. one for trains or cars. Any passage through or under something.

UNIVERSITY

An institution of higher education having authority to award bachelor and higher degrees, usually having research facilities.

URBAN LOCALITY

Not now recommended, see 'Urban Place'.

URBAN PLACE

A place, site or precinct in an urban landscape, the name of which is in current use, but the limits of which have not been defined under the address locality program.

URBAN VILLAGE

A cohesive populated place in an urban landscape, which may provide a limited range of services to the local area.

VALLEY

Long depression in the land surface, usually containing a river, formed by erosion or by movements in the earth's crust. Any elongated depression resembling a valley.

VILLAGE

A cohesive populated place in a rural landscape, which may provide a limited range of services to the local area. Residential subdivisions are in urban lot sizes.

WATER AERODROME

All licenced aerodromes and government aerodromes maintained by the Federal Airports Corporation, other than those designated 'airports' which have landing facilities on water for sea planes etc.

WATER FEATURE

A feature within water.

WATER SYPHON

See 'Syphon'

WATERFALL

A sudden descent of water over a step in the bed of a stream, the fall being much steeper than in the designation 'rapids'. In place names frequently shortened to 'Fall' or 'Falls'. This designation includes 'cascade' and 'cataract'.

WATERHOLE

A natural hole or hollow containing water, often in the dry bed of an intermittent river.

WEIR

A barrier, erected across a stream to impound and raise the water level for the purpose of maintaining it at the level required for irrigation or navigation purposes.

WELL

A hole or pit dug in the ground to obtain water.

WHARF

A platform alongside of which ships may be secured for loading or unloading cargo or passengers. This designation includes 'pier', 'quay', 'jetty', and 'marina' for those marinas that only have public access.

NOTICE OF MOTION

ITEM NO. 3

FILE NO: 23/82198

EDRMS NO: PSC2021-04195

DEVELOPMENT APPLICATION INFORMATION

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Notes that Dungog Council, Upper Hunter Council, Canterbury-Bankstown Council, Woollahra Council and many others currently display the name of the owner of sites on their DA Tracker websites hosted in their Council's websites.
- 2) Notes that many other Councils currently retain all DA documents on their websites, from when the documents are lodged and in perpetuity.
- 3) Agrees that this information being displayed to the community is important for transparency, accountability and to ensure that the community has faith in Council's governance system for DAs.
- 4) Requests the General Manager to:
 - a) Begin displaying the name of the owner of sites in a new field on the DA Tracker system on Council's website starting as soon as possible, but from 1 June 2023 at the latest, along with the name of the Applicant as is current practice.
 - b) Provide a report back to Council with benchmarking and recommendations on how to display the documents associated with all DAs on the DA Tracker system on Council's website, and how long those documents should be available for after they are uploaded.
 - c) Prepare a new system for anyone who makes a submission on a DA, whereby each submitter is provided with the option of having their name and/or suburb made public on their submission, or having it redacted.
 - d) Ensure that the contents of a submission to a DA are made available for the public, except where those submissions identify other individuals who have not consented to having their information provided in the submission.

**BACKGROUND REPORT OF: STEVEN PEART – GROUP MANAGER
DEVELOPMENT SERVICES**

BACKGROUND

Display of Development Application Information

Council has implemented an ePlanning system which includes an online portal (DA Tracker) where members of the public can view the status of development applications (DAs) under assessment, view submissions and obtain copies of the final determination.

The plans and documentation lodged with the DA are available to view during the exhibition period. The intent of the ePlanning system is to provide greater customer service and transparency by enabling members of the public to view plans online and to reduce the amount of staff time spent answering basic development questions.

The implementation of the ePlanning system raised the question of Council's copyright obligations in respect of DA matters as a disparity exists between State and Federal legislation relating to the provision of information by Council for public consumption. The Environmental Planning and Assessment Act 1979 (NSW) and the Government Information (Public Access) Act 2009 (NSW) both encourage transparency and the provision of information to the public, however, there is a view that DA plans and documentation are protected by the Copyright Act 1968 (Cth).

Consequently, there is a conflict between Council's obligations to make certain information relating to DAs publicly available for the public interest and transparency purposes, and the restrictions on Council under the Copyright Act.

Despite the risk of copyright infringement, other Councils currently publish DA information online and more Councils appear to be taking this approach in the interest of improved transparency.

Display of land ownership and submissions

DA information that is submitted by an applicant for a DA and also public submissions received on DAs contain a significant amount of personal information.

This means that the balancing test under s13 of the GIPA Act must be undertaken with regard to information access. Council must consider whether there is an overriding public interest against disclosure of information if there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure.

The Information and Privacy Commission has published Guideline 3: For local government – personal information in development applications. This provides direction to Councils on publishing information on the website, which is to the whole at large.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 4

FILE NO: 23/82205

EDRMS NO: PSC2021-04195

MAYORAL DIARY

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Notes that on 8 February 2022, a motion was passed to publish the Mayor's diary on the Port Stephens Council website.
- 2) Notes that the diary, as published, is currently under-reporting meetings held by the Mayor.
- 3) Notes that in February 2023, for example, the published diary excludes a meeting held on 13 January 2023 with "PRD Ben", a meeting on 20 January 2023 with "Jewell Drury" and a meeting held on 31 January 2023 with "Lotus".
- 4) Requests the General Manager to ensure that all meetings by the Mayor are disclosed in the Mayoral Diary as required by the Council resolution from 8 February 2022.

**BACKGROUND REPORT OF: TONY WICKHAM – GOVERNANCE SECTION
MANAGER**

BACKGROUND

Council at its meeting held on 8 February 2022 (**ATTACHMENT 1**) resolved:

That Council:

- 1) Notes public interest in knowing who the Mayor is meeting with and being potentially influenced by.
- 2) Notes that Newcastle City Council publishes their Lord Mayor's diary on a regular basis.
- 3) Agrees that this practice would improve accountability and transparency.
- 4) Agrees to publish the Mayor of Port Stephens' diary, with information to include who the meeting was with, the platform it was held (in person, video conference etc), and the nature of the meeting, on the Port Stephens Council website by the 7th of each month, for the month prior.
- 5) The publication of the Mayor's diary will exclude names of individuals.

The examples provided in the Notice of Motion have been reviewed and determined to be private matters, with the exception of "Jewell Drury" who was a staff member of

ORDINARY COUNCIL - 11 APRIL 2023

News of the Area. PRD (real estate agent) and Lotus (dermatologist) are meetings of a personal nature, not in his capacity as Mayor. The meeting with News of the Area was not held.

At times, private appointments are included in the Mayoral diary to ensure Mayoral meetings are not scheduled due to prior commitments.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

- 1) 8 February 2022 - Council meeting minutes extract – Minute No. 038. [↓](#)

MINUTES ORDINARY COUNCIL - 8 FEBRUARY 2022**NOTICE OF MOTION**

ITEM NO. 14

FILE NO: 21/326288

EDRMS NO: PSC2017-00019

MAYORAL DIARY**COUNCILLOR:** GIACOMO ARNOTT**THAT COUNCIL:**

- 1) Notes public interest in knowing who the Mayor is meeting with and being potentially influenced by.
- 2) Notes that Newcastle City Council publishes their Lord Mayor's diary on a regular basis.
- 3) Agrees that this practice would improve accountability and transparency.
- 4) Agrees to publish the Mayor of Port Stephens' diary, with information to include who the meeting was with, the platform it was held (in person, video conference etc), and the nature of the meeting, on the Port Stephens Council website by the 7th of each month, for the month prior.

**ORDINARY COUNCIL MEETING - 8 FEBRUARY 2022
MOTION**

038	Councillor Giacomo Arnott Mayor Ryan Palmer It was resolved that Council: <ol style="list-style-type: none">1) Notes public interest in knowing who the Mayor is meeting with and being potentially influenced by.2) Notes that Newcastle City Council publishes their Lord Mayor's diary on a regular basis.3) Agrees that this practice would improve accountability and transparency.4) Agrees to publish the Mayor of Port Stephens' diary, with information to include who the meeting was with, the platform it was held (in person, video conference etc), and the nature of the meeting, on the Port Stephens Council website by the 7th of each month, for the month prior.5) The publication of the Mayor's diary will exclude names of individuals.
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MINUTES ORDINARY COUNCIL - 8 FEBRUARY 2022

The motion was carried.

BACKGROUND REPORT OF: TONY WICKHAM – GOVERNANCE SECTION MANAGER**BACKGROUND**

There is currently no requirement under the Local Government Act 1993, the Local Government (General) Regulation 2021 or any other legislation for the Mayor's diary to be made public.

If Council were of the mind to publish the Mayor's diary, Council would need to ensure compliance with the Privacy and Personal Information Protection Act 1998 and must not disclose personal information unless:

- 1) The disclosure relates to the purpose for which the information was collected.
- 2) Council has no reason to believe the individual/s concerned would object to the disclosure.
- 3) The individual/s concerned is reasonably likely to be aware or has been made aware, that the information of this kind is usually disclosed to another person or body.
- 4) Council believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to life or health of the individual concerned or another person.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 5

FILE NO: 23/82315

EDRMS NO: PSC2021-04195

22 HOMESTEAD STREET, SALAMANDER BAY

COUNCILLOR: LEAH ANDERSON

THAT COUNCIL:

- 1) Requests the General Manager provide a report that investigates the following:
 - a) Preparation of a planning proposal to rezone land at 22 Homestead Street, Salamander Bay (Part of Lot: 51 DP: 803471, Lot: 598 DP: 27382 and Lot: 599 DP: 658257) from RE1 - Public Recreation to C2 Environmental Conservation.
 - b) Preparation of an Environmental Management Plan for those lots (Part of Lot: 51 DP: 803471, Lot: 598 DP: 27382 and Lot: 599 DP: 658257) to facilitate koala feed tree planting and the relocation of rehabilitated koalas from the Port Stephens Koala Hospital.

BACKGROUND REPORT OF: BROCK LAMONT – STRATEGY & ENVIRONMENT SECTION MANAGER

BACKGROUND

The preparation of a planning proposal to rezone land at 22 and 30 Homestead Street, Salamander Bay and 1 Diemars Road, Salamander Bay from RE1 Public Recreation to C2 Environmental Conservation would integrate the site zoning with the land to the north and south which is currently zoned C2 Environmental Conservation.

The site is subject to a number of environmental constraints, including preferred koala habitat, endangered ecological communities and flooding, which make the subject land challenging to develop for any significant urban development.

Should this Notice of Motion be supported, a report outlining the relevant processes, costs and resourcing required would be prepared and presented to Council.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 6

FILE NO: 23/82370

EDRMS NO: PSC2021-04195

HOUSING AFFORDABILITY

COUNCILLOR: LEAH ANDERSON

THAT COUNCIL:

- 1) Notes the issue of declining housing affordability across Port Stephens.
- 2) Requests the General Manager to prepare and exhibit a draft Affordable Housing Action Plan outlining steps to increase housing affordability and support the delivery of more affordable housing in Port Stephens.

BACKGROUND REPORT OF: BROCK LAMONT – STRATEGY AND ENVIRONMENT SECTION MANAGER

BACKGROUND

Housing affordability in Port Stephens has been in decline since 2016. While household incomes have risen, they have not kept pace with growth in house prices and rents (Ethos Urban, Housing Diversity and Supply Delivery Program prepared for Port Stephens Council, 2022).

Housing affordability is the relationship between the cost of housing (prices, mortgage payments or rent) and household income.

Actions to increase housing affordability can also include actions to increase the supply of 'affordable housing', which is defined by the planning legislation as housing available for rent for very low, low or moderate income households and managed by a community housing provider (such as NSW Land & Housing Corporation).

Affordable housing can also be known as 'social housing' and it may be provided to households on fixed incomes (eg people with a disability) or key workers that meet income thresholds.

Other councils in NSW and around Australia offer incentives to attract social housing providers to increase the supply of affordable housing in their area or programs and policies to increase housing supply more generally. This includes discounts on development application fees for social housing providers and actions to encourage housing diversity.

ORDINARY COUNCIL - 11 APRIL 2023

An Affordable Housing Action Plan would outline steps to support the delivery of more affordable homes in Port Stephens.

Should this motion be supported, a draft Action Plan would be publicly exhibited for 28 days before being reported to Council for adoption.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.