

PRESENT

Members:

Councillor Peta Pinson (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
Councillor Michael Cusato
Councillor Peter Alley
Councillor Justin Levido
Councillor Geoff Hawkins

Other Attendees:

General Manager (Craig Swift-McNair)
Acting Director Corporate Performance (Ashley Grummitt)
Acting Director Development and Environment (Dan Croft)
Director Infrastructure (Alex Fisher)
Acting Director Strategy and Growth (Liesa Davies)
Group Manager Governance and Procurement (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Reverend Malcolm Hausler from the Uniting Church delivered the Local Government Prayer.

03 APOLOGIES

RESOLVED: Turner/Cusato

1. That the apology received from Councillor Griffiths be accepted. Councillor Griffiths being absent on approved leave.
2. That the apology received from Councillor Dixon be accepted. Councillor Dixon being absent as he is overseas.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Turner/Levido

That the Minutes of the Ordinary Council Meeting held on 21 March 2018 be confirmed.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

05 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

That the Mayoral Discretionary Fund allocations for the period 8 March to 4 April 2018 inclusive be noted.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

**06.02 COMPLIMENTS TO COUNCIL STAFF - PRESENTATION TO PORT
MACQUARIE BASE HOSPITAL PAEDIATRIC UNIT**

RESOLVED: Pinson

That Council:

1. Compliment the General Manager, Executive Team and Council staff for their efforts in providing 100 Hospital Care Packs to the Port Macquarie Base Hospital Paediatric Unit, an initiative as part of the Employee Engagement Days.
2. Note the kind donations towards the Care Packs from Priceline, K-Mart, Balmoor Distributors and Big W.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

There are no confidential attachments to reports for the Ordinary Council Meeting.

08 PUBLIC FORUM

The Mayor advised of applications to address Council in the Public Forum from:

1. Mr Daniel Bessell regarding various matters in relation to Bonny Hills.

RESOLVED: Intemann/Levido

That the above requests to speak in the Public Forum be acceded to.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

08.01 VARIOUS MATTERS IN RELATION TO BONNY HILLS

Mr Daniel Bessell addressed Council in regard to the following matters in relation to Bonny Hills:

1. Public meeting on 16 April 2018.
 2. Faecal contamination of Bonny Hills Beach and creeks.
 3. New Bonny Hills toilet block.
 4. Sewerage system during short storm events.
 5. Lot 2 DP 1091253 Beach Street, Bonny Hills.
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REQUESTS TO SPEAK ON AN AGENDA ITEM

The Mayor advised of requests to speak on an agenda item, as follows:

Item 10.02 – Mr Peter Stephens in opposition of the recommendation.

Item 10.02 – Ms Janette Hyde in support of the recommendation.

Item 10.02 – Ms Jill McKittrick in opposition of the recommendation.

Item 12.01 – Ms Pam Anderson in support of the recommendation.

Item 12.01 – Ms Joan Collis in support of the recommendation.

Item 12.02 – Mr Fred O'Toole in support of the recommendation.

Item 12.13 – Mr Stephen Kerr in support of the recommendation.

RESOLVED: Hawkins/Turner

That the requests to speak on an agenda item be acceded to.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Cusato

That Standing Orders be suspended to allow Items 10.02, 12.01, 12.02 and 12.13 to be brought forward and considered next.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

10.02 TASTINGS ON HASTINGS

Mr Peter Stephens, Backa Smallgoods Mid North Coast, addressed Council in opposition of the recommendation and answered questions from Councillors.

Ms Janette Hyde, Greater Port Macquarie Tourism Association, addressed Council in support of the recommendation and answered questions from Councillors.

Ms Jill McKittrick, Ewetopia Farm, in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Cusato/Hawkins

That Council:

1. Note the further engagement on and assessment of the potential 2018 Tastings on Hastings event.
2. Not deliver a Tastings on Hastings Event in 2018.
3. Request the General Manager develop and implement an October 2018 Bicentenary event, as the key community event for 2018.
4. Request the General Manager table a future strategy for Tastings on Hastings at the November 2018 Ordinary Council meeting with the intention that Council continue to deliver the Tastings on Hastings event from 2019 onwards.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

**12.01 NOTICE OF MOTION - PETITION - FLYING FOX COLONY IN
KOOLOONBUNG CREEK NATURE RESERVE**

Ms Pam Anderson addressed Council in support of the recommendation and answered questions from Councillors.

Councillor Turner left the meeting, the time being 6:27pm.
Councillor Turner returned to the meeting, the time being 6:30pm.

Ms Joan Collis addressed Council in support of the recommendation.

RESOLVED: Pinson/Alley

That Council:

1. Note the 2014 petition to Ms Leslie Williams MP resubmitted to the Mayor from concerned residents regarding the Flying Fox colony in the Kooloonbung Creek Nature Reserve.
2. Note the response from Ms Leslie Williams MP dated 7 March 2018 in relation to the Flying Fox colony in the Kooloonbung Creek Nature Reserve.
3. Request that the General Manager write to Office of Environment & Heritage (OEH) and both Federal and State local members of parliament seeking advice on funding opportunities to manage the impact of Flying Fox colonies adjoining residential properties.
4. That the General Manager bring back a report to Council for further consideration as soon as practicable following receipt of advice from the OEH.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.02 NOTICE OF MOTION - PETITION - REQUEST FOR OCEAN TIDAL POOL IN PORT MACQUARIE

Councillor Cusato left the meeting, the time being 6:46pm.
Councillor Cusato returned to the meeting, the time being 6:48pm.

Mr Fred O'Toole, Port Macquarie Tidal Pool Committee Inc., addressed Council in support of the recommendation and answered questions from Councillors.

MOTION

MOVED: Pinson/Levido

That Council:

1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.
2. Note the petition received by the Mayor from Jenny Broughton in March 2018 in favour of an ocean tidal pool in Port Macquarie.
3. Request the General Manager write to the Member for Port Macquarie, Mrs Leslie Williams MP, requesting that the NSW Government make funding available to the Port Macquarie Tidal Pool Committee Incorporated (the Committee) to enable the Committee to undertake a detailed Feasibility Study for an ocean tidal in Port Macquarie.

AMENDMENT

MOVED: Levido/Intemann

That Council:

1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.
2. Note the petition received by the Mayor from Jenny Broughton in March 2018 in favour of an ocean tidal pool in Port Macquarie.
3. Noting that as any development of a Tidal Pool would require consent from the landowner (in this case the Crown) as part of any future Development Application, request the General Manager seek advice from the Department of Industry Crown Lands as to what information the Crown would require from the Port Macquarie Tidal Pool Committee Incorporated, in order to be able to consider such a decision to grant land owners consent.
4. Upon receipt of the information as noted in Item 3 above and assuming the Crown will give consideration to grant land owners consent as part of any future Development Application for a Tidal Pool, request the General Manager write to the Member for Port Macquarie, Mrs Leslie Williams MP, requesting that the NSW Government make funding available to the Port Macquarie Tidal Pool Committee Incorporated to enable the Committee to undertake a detailed Feasibility Study for an ocean tidal pool in Port Macquarie that is in accordance with the Crown's requirements.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

THE AMENDMENT BECAME THE MOTION AND WAS PUT:

RESOLVED: Levido/Intemann

That Council:

1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.
2. Note the petition received by the Mayor from Jenny Broughton in March 2018 in favour of an ocean tidal pool in Port Macquarie.
3. Noting that as any development of a Tidal Pool would require consent from the landowner (in this case the Crown) as part of any future Development Application, request the General Manager seek advice from the Department of Industry Crown Lands as to what information the Crown would require from the Port Macquarie Tidal Pool Committee Incorporated, in order to be able to consider such a decision to grant land owners consent.
4. Upon receipt of the information as noted in Item 3 above and assuming the Crown will give consideration to grant land owners consent as part of any future Development Application for a Tidal Pool, request the General Manager write to the Member for Port Macquarie, Mrs Leslie Williams MP, requesting that the NSW Government make funding available to the Port Macquarie Tidal Pool Committee Incorporated to enable the Committee to undertake a detailed Feasibility Study for an ocean tidal pool in Port Macquarie that is in accordance with the Crown's requirements.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

12.13 DA2018 - 48 - DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF EMERGENCY SERVICES FACILITY (AMBULANCE STATION) AND LOT CONSOLIDATION - LOTS 26 & 27 DP 37531, 94 - 96 HIGH STREET, WAUCHOPE

Mr Stephen Kerr, City Plan, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Levido/Hawkins

That:

1. DA2018 – 48.1 for demolition of existing structures and erection of emergency services facility (ambulance station) and lot consolidation at Lot 26 & 27, DP 37531, No. 94 - 96 High Street, Wauchope, be determined by granting consent subject to the recommended conditions.
2. Council note the significant public benefit that will be provided by the facility. This public benefit is considered to be a key factor in supporting the alternate stormwater management system and it is noted that the system has been designed so as not to increase pre development stormwater flow rates to neighbouring properties.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.01 GENERAL MANAGER USA STUDY TOUR - POST TOUR REPORT

RESOLVED: Intemann/Pinson

That Council note the information provided in the General Manager USA Study Tour, post tour report.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.02 CORRESPONDENCE RESPONSES UPDATE - BY-ELECTION FOR POPULARLY ELECTED MAYOR

RESOLVED: Levido/Alley

That Council:

1. Note the information contained within the Correspondence Responses Update – By-Election for Popularly Elected Mayor report.
2. Request the General Manager follow up in writing any outstanding responses from the original list of correspondence recipients.
3. Request the General Manager table a report to Council's 18 July 2018 Council meeting providing a further update as to the responses received.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.03 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Levido/Alley

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

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.04 DISCLOSURE OF INTEREST RETURN

RESOLVED: Intemann/Cusato

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

1. Director Infrastructure.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.05 MONTHLY FINANCIAL REVIEW FOR MARCH 2018

RESOLVED: Turner/Hawkins

That Council:

1. Adopt the adjustments in the “Financial and Economic Implications” section of the Monthly Financial Review Report for March 2018.
2. Refer discussion around the Economic Development reserve to the Economic and Cultural Development portfolio to begin to establish a process around future use of this reserve.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.06 INVESTMENTS - MARCH 2018

RESOLVED: Hawkins/Intemann

That Council note the Investment Report for the month of March 2018.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.07 CLIMATE LEADERSHIP CONFERENCE

RESOLVED: Alley/Levido

That Council note the Climate Leadership Conference report.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

10.01 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - MARCH 2018

RESOLVED: Pinson/Intemann

That Council, pursuant to the provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Mayor's Sporting Fund as follows:

1. Ian Matthews in the amount of \$300.00 to assist with the expenses he will incur travelling to and competing as part of the Northern NSW Team to compete at the Tokyo U14s International Youth Football Tournament to be held in Tokyo in May 2018.
2. Dylan De Domizio in the amount of \$400.00 to assist with the expenses he would have incurred travelling to and competing for three days at the Australian Junior Athletics Championships held 14 – 18 March 2018 in Sydney.
3. Max Milligan in the amount of \$400.00 00 to assist with the expenses he would have incurred travelling to and competing for three days at the Australian Junior Athletics Championships held 14 – 18 March 2018 in Sydney.
4. Matthew Catania in the amount of \$200.00 00 to assist with the expenses he would have incurred travelling to and competing for one day at the Australian Junior Athletics Championships held 14 – 18 March 2018 in Sydney.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 10.02 Tastings on Hastings - has been moved to another part of the document.

11.01 NOTICE OF MOTION - DEFERRAL OF STRATA DEVELOPMENT CONTRIBUTIONS

RESOLVED: Pinson/Turner

That Council request the General Manager investigate and report back to the June 2018 Council Meeting:

1. The possibility of offering the deferral of development contributions for major strata developments, with particular emphasis on the financial implications of such deferrals and whether a trial of such an initiative is possible.
2. A review of the contributions deferral scheme as applied to vacant residential land subdivisions over the last couple of years including the option of levying a fee for service as part of the contributions deferral scheme moving forward to take into account the reality of the increased administrative workload on Council in operating this scheme.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

11.02 QUESTION FROM PREVIOUS MEETING - SHOW GROUND PRIMITIVE CAMPING

RESOLVED: Pinson/Turner

That Council maintain the current waiver for up to 4 Equivalent Tenements (ET) for any short-term camping grounds approved at not-for-profit showgrounds.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 12.01 Notice of Motion - Petition - Flying Fox Colony in Kooloonbung Creek Nature Reserve - has been moved to another part of the document.

Item - 12.02 Notice of Motion - Petition - Request for Ocean Tidal Pool in Port Macquarie - has been moved to another part of the document.

12.03 NOTICE OF MOTION - RECYCLED WASTE

RESOLVED: Turner/Alley

That Council request the General Manager bring back a report to the May 2018 Council Meeting to address the likely impact of recent changes to global markets for recycled waste, including:

1. Impact on current waste management processes.
2. Impact on current and future Council budgets.
3. Impact on Council's Waste Strategy.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.04 LAND ACQUISITION - CLASSIFICATION OF LAND RECENTLY ACQUIRED BY COUNCIL - STINGRAY CREEK

RESOLVED: Levido/Intemann

That Council:

1. Pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 1 Deposited Plan 1234044 as "operational" land by placing on public exhibition the proposed resolution "It is intended to classify Lot 1 Deposited Plan 1234044 (land off Stingray Creek - Royan Road, North Haven) as operational land", from 25 April 2018 for a minimum period of 28 days.

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2. Note that a further report will be tabled to Council at the June 2018 Ordinary Council meeting, detailing any submissions received from the public during the exhibition period.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.05 TRANSFER OF LAND TO COUNCIL FOR SEWER PURPOSES

RESOLVED: Levido/Cusato

That Council:

1. Accept the transfer of land being Lot 72 Deposited Plan 1239695.
2. Delegate authority to the General Manager to sign:
 - a) The Land Registry Services Transfer Form
 - b) Letter to Revenue NSW seeking exemption from the payment of Stamp Duty
 - c) Revenue NSW Purchaser Declaration Form
3. Pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 72 Deposited Plan 1239695 as “operational” land by placing on public exhibition the proposed resolution “It is intended to classify Lot 72 Deposited Plan 1239695 (land off Major Innes Road, Port Macquarie) as operational land”, from 25 April 2018 for a minimum period of 28 days.
4. Note that a further report will be tabled to Council at the June 2018 Ordinary Council meeting, detailing any submissions received from the public during the exhibition period.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.06 WATER FLUORIDATION UPDATE

RESOLVED: Alley/Levido

That Council:

1. Note the current ongoing legislative requirement to continue with fluoridation of the drinking water supply in accordance with the NSW Fluoridation of Public Water Supplies Act 1957.
2. Continue to monitor relevant updates concerning fluoridation including advice from NSW Health, NHMRC and the outcome of the current Federal Circuit Court matter of Lusk v. Tong and Commonwealth Ombudsman, noting that any changes to the environment or legislation that may impact on Council's drinking water fluoridation scheme will be reported to Council.
3. Note the information provided within this report.
4. Refer the matter to the Water, Stormwater, Sewer and Waste Portfolio for consideration on further action or correspondence with the relevant authorities.

CARRIED: 6/1

FOR: Alley, Cusato, Hawkins, Intemann, Levido and Turner

AGAINST: Pinson

12.07 LONG TERM ENERGY STRATEGY - 6 MONTH REVIEW

RESOLVED: Levido/Alley

That Council:

1. Note the update on the Long Term Energy Strategy implementation, as provided in this report.
2. Alter the form of future reports to contain:
 - a) A percentage estimate of the split between the source of electricity used by Council on a renewable versus non-renewable basis (as billed to Council) as at the end of a six month period.
 - b) An indication as to how such split is verified.
 - c) An estimate in kW of the electricity saved by efficiency measures during that six month period and to date.
 - d) A reasonable estimate of the electricity generated and used by Council from its own generation sources during the six month period.
 - e) The cost to Council of its electricity usage (ie the amount billed to Council) on a cyclical basis during that six month period.
3. Apply for membership with the Cities Power Partnership, a free national program that exists to celebrate and accelerate the emission reduction and clean energy successes of Australian towns and cities.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

12.08 RECOMMENDED ITEM FROM TOWN CENTRE MASTER PLAN SUB-COMMITTEE - BICENTENARY FORESHORE SHARED PATHWAY WEST OF TOWN CENTRE

RESOLVED: Hawkins/Turner

That Council:

1. Give priority to completing further design work, including concept development and cost estimates for all the “missing links” in the Bicentenary Foreshore Pathway.
2. Request the General Manager ensure due consideration is given to the Foreshore Pathway as a potential Bicentennial Project when considering funding opportunities from other levels of government.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.09 PLANNING PROPOSAL - ROAD CLOSURES, LEP AMENDMENT NO 47 - POST EXHIBITION REVIEW OF SUBMISSIONS

RESOLVED: Cusato/Intemann

That Council:

1. Take the necessary steps under sections 3.35 and 3.36 of the Environmental Planning and Assessment Act 1979 to finalise Local Environmental Plan 2011 (Amendment No 47), relating to road closures under the Roads Act 1993 and to the mapping provisions for roads in the vicinity of Pacific Drive, Windmill Hill, Port Macquarie.
2. Thank in writing the person who made a submission for their contribution and provide information on Council’s decision on the matter.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.10 DA2017 - 234 - WASTE MANAGEMENT FACILITY (CONCRETE RECYCLING) - LOT 1 DP 1202080, PACIFIC HIGHWAY, PEMBROOKE

RESOLVED: Intemann/Hawkins

That DA2017 - 234 for a waste management facility (concrete recycling facility) at Lot 1, DP 1202080, Pacific Highway, Pembroke, be determined by refusing consent for the following reasons:

1. Integrated Development concurrence has not been obtained for the proposal. An Environment Protection License has not been granted by the NSW Environment Protection Authority for the proposal pursuant to section 91 of the Environmental Planning and Assessment Act 1979 and Protection of the Environment Operations Act 1997.
2. The Applicant has failed to submit a site and development specific specialist Traffic Report to address the proposal's likely impacts and ascertain whether mitigation measures will be required.
3. The Applicant has failed to submit a specialist Noise and Dust report to address the proposal's likely impacts and ascertain whether mitigation measures will be required.
4. The Applicant has failed to provide the necessary specialist stormwater management plans to satisfactorily address required stormwater quality management.
5. The Applicant has failed to provide satisfactory details on management of asbestos and contaminated materials.
6. The Applicant has failed to provide the necessary dust monitoring (depositional dust analysis) in accordance with AS/NZS 3580.10.1-2003.
7. The Applicant has failed to provide satisfactory details on perimeter landscaping details.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.11 CLEARING OF VEGETATION ON FLAGSTAFF HILL

RESOLVED: Turner/Hawkins

That Council:

1. Note the information contained within the report.
2. Note that the Flagstaff and Flagstaff Hill is designated as having Heritage significance in the Port Macquarie – Hastings LEP 2011.
3. Request the General Manager investigate the clearing of a maximum of 0.25Ha on Flagstaff Hill and selected section of the Coastal Walk.
4. Request the General Manager provide a briefing to Councillors in June 2018 outlining:
 - a) Potential areas for clearing that maximise viewpoints of the Flagstaff along the coastal walk.
 - b) Details of proposed 1:1 offset planting.
 - c) How the proposed clearing will be maintained as part of the site's Heritage Management Plan.
 - d) How the clearing could be funded.
5. That the General Manager provide a report to the Ordinary Council Meeting in August 2018 to further progress the matter.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.12 QUESTION FROM PREVIOUS MEETING - LAKE CATHIE OPENING STRATEGY

RESOLVED: Intemann/Alley

That Council:

1. Note the information contained in the report.
2. Not pursue a review of the Lake Cathie Opening Strategy.
3. Request the General Manager investigate allocating funding in future operational budgets to upgrade collateral on the Lake Cathie Opening Strategy, including upgrade to on site signage, website material and Opening Strategy brochure.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 12.13 DA2018 - 48 - Demolition Of Existing Structures And Erection Of Emergency Services Facility (Ambulance Station) And Lot Consolidation - Lots 26 & 27 DP 37531, 94 - 96 High Street, Wauchope
- has been moved to another part of the document.

13 QUESTIONS FOR NEXT MEETING

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Alley/Levido

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

Item 14.01 General Manager 2017-2018 Mid-Year Performance Review

This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).

Item 14.02 T-18-03 Tree Maintenance and Management Services

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

Item 14.03 T-18-12 Provision of Dredging Services

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

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

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 8:37pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:42pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Turner

That the undermentioned recommendations from Confidential Committee of the Whole (Closed Session) be adopted:

Item 14.01 General Manager 2017-2018 Mid-Year Performance Review

This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).

RECOMMENDATION

That Council note the information contained in the General Manager 2017-2018 Mid-Year Performance Review report.

Item 14.02 T-18-03 Tree Maintenance and Management Services

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

RECOMMENDATION

That Council:

1. Accept tenders from the following suppliers to be appointed to a panel arrangement for the provision of Tree Maintenance and Management Services for a three (3) year period commencing 1 May 2018, with no options to extend:
 - a) Mid North Coast Tree Services Pty Ltd.
 - b) Port Tree Fella Pty Ltd.
 - c) Woodvale Tree Services Pty Ltd.
2. Accept the Schedule of Rates from Mid North Coast Tree Services Pty Ltd, Port Tree Fella Pty Ltd and Woodvale Tree Services Pty Ltd for the provision of Tree Maintenance and Management Services.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-03.

Item 14.03 T-18-12 Provision of Dredging Services

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

RECOMMENDATION

That Council:

1. Accept the tender from Dredging Solutions Pty Ltd t/as National Dredging Services for \$329,578 (exclusive of GST) for the maintenance dredging of lower Lake Cathie and beach nourishment (Part A).
2. In accordance with the Local Government (General) Regulations 2005 clause 178 (1) (b), decline to accept any of the tender submitted for Settlement Shores Estate Canal Maintenance Dredging (Part B) due to the cost and inability to determine value for money noting the additional cost differential of separating Part A and Part B of the tender.
3. In accordance with the Local Government (General Regulations) 2005 clause 178 (3) (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender for Settlement Shores Estate Canal Maintenance Dredging (Part B).
4. Affix the seal of Council to the necessary documents.
5. Maintain the confidentiality of the documents and considerations in respect of tender T-18-12.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

The meeting closed at 8:42pm.

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Peta Pinson
Mayor