

PRESENT

Members:

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

Other Attendees:

General Manager (Craig Swift-McNair)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Alex Fisher)
Director Strategy and Growth (Jeffery Sharp)
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 Stuart Webb from the Anglican Church delivered the Local Government Prayer.

03 APOLOGIES

RESOLVED: Levido/Cusato

That the apology received from Councillor Dixon be accepted.

CARRIED: 8/0

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

AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Intemann

That the Minutes of the Ordinary Council Meeting held on 16 May 2018 be confirmed.

CARRIED: 8/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in Item 09.01 - 2018 Local Government NSW Annual Conference, the reason being that Councillor Alley is one of the subjects of this report.

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 in relation to Item 12.07 - Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036.

Councillor Griffiths declared a Pecuniary Interest in Item 14.04 - T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators, the reason being that Councillor Griffiths has a business in Wauchope and a number of the tenderers are customers.

Councillor Levido declared a Pecuniary Interest in Item 14.04 - T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for some of the tenderers the subject of the report.

Mayor Pinson declared a Pecuniary Interest in Item 14.03 - T-18-16 Provision of Legal Services, the reason being that Councillor Pinson has had business dealings with tenderers for this item.

Mayor Pinson declared a Pecuniary Interest in Item 14.04 - T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators, the reason being that Councillor Pinson has had business dealings with tenderers for this item.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

That the Mayoral Discretionary Fund allocations for the period 2 May to 6 June 2018 inclusive be noted.

CARRIED: 8/0
FOR: Alley, Cusato, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

06.02 DEVELOPMENT & ENVIRONMENT DIVISION - WELCOME AND THANK YOU TO STAFF

RESOLVED: Pinson

That Council:

1. Welcome Melissa Watkins to Council on her formal commencement with Council on 18 June 2018 as the new Director of Development & Environment.
2. Acknowledge and thank Dan Croft for his dedication and commitment whilst acting in the position of Director Development & Environment for the past eight months.
3. Acknowledge and thank Clinton Tink for his efforts whilst relieving in the position of Group Manager Development Assessment for the past eight months.

CARRIED: 8/0
FOR: Alley, Cusato, Griffiths, 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 Colin Hardwick regarding the importance of volunteers.

RESOLVED: Levido/Alley

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

CARRIED: 8/0

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

AGAINST: Nil

08.01 IMPORTANCE OF VOLUNTEERS

Mr Colin Hardwick addressed Council in regard to the importance of volunteers and answered questions from Councillors.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 10.02 – Mr Glenn Dick in support of the recommendation.

Item 12.07 – Ms Donna Clarke in opposition of the recommendation.

Item 12.07 – Mr Maurice Driscoll in support of the recommendation.

Item 12.07 – Mr Tony Thorne in opposition of the recommendation.

Item 12.07 – Mr Michael Mowle in support of the recommendation.

Item 12.07 – Mr Daniel Bessell in opposition of the recommendation.

Item 12.07 – Ms Michelle Love in support of the recommendation.

Item 12.07 – Ms Susan Proust in opposition of the recommendation.

Item 12.08 – Ms Veronica Knudsen in support of the recommendation.

RESOLVED: Alley/Hawkins

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

CARRIED: 8/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Cusato/Alley

That Standing Orders be suspended to allow Items 10.02, 12.07 and 12.08 to be brought forward and considered next.

CARRIED: 8/0

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

AGAINST: Nil

10.02 RECOMMENDED ITEM FROM CULTURAL STEERING GROUP - (GENERAL BUSINESS ITEM) - SURF MUSEUM - TOWN BEACH NORTH

Mr Glenn Dick, Vice President/Secretary of the Port Macquarie Surfing History Association Inc., addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Intemann/Turner

1. That Council consider the unsolicited proposal for a Port Macquarie Surf Museum as a submission to the Reviewed Cultural Plan when it is on exhibition.
2. That Council congratulate the Port Macquarie Surfing History Association Inc. for initiating the surf museum on behalf of the community.

CARRIED: 8/0

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

AGAINST: Nil

12.07 PORT MACQUARIE-HASTINGS URBAN GROWTH MANAGEMENT STRATEGY 2017-2036

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 and left the meeting, the time being 6:07pm.

The Director Strategy and Growth tabled an updated Attachment 3 and provided a summary of the changes:

- UGMS Vol 1. pp.32-35: Now includes a note on each summary map (e.g. See replacement Summary Map for Lake Cathie/Bonny Hills in Appendix 1 of this Attachment).
- On p.2 of Appendix 1 in Attachment 3, the contents page has been amended to list the replacement summary maps.
- On pp.38-41 of Appendix 1 in Attachment 3, the replacement summary maps have been inserted.

Ms Donna Clarke, Land Dynamics Australia, representing a number of clients, addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Maurice Driscoll, Axelle Pty Ltd, representing the Le Clos Sancrox Lot Owners, addressed Council in support of the recommendation.

Mr Tony Thorne, King and Campbell Pty Ltd, representing Expressway Spares, addressed Council in opposition of the recommendation.

Mr Michael Mowle, Hopkins Consultants, addressed Council in support of the recommendation and answered questions from Councillors.

Mr Daniel Bessell addressed Council in opposition of the recommendation and answered questions from Councillors.

Councillor Cusato left the meeting, the time being 06:43pm.

Councillor Cusato returned to the meeting, the time being 06:46pm.

Ms Michelle Love, Love Project Management, representing a number of property owners in the Sancrox area, addressed Council in support of the recommendation and answered questions from Councillors.

Councillor Turner left the meeting, the time being 07:00pm.

Councillor Turner returned to the meeting, the time being 07:04pm.

Ms Susan Proust, representing the Hastings Birdwatchers, addressed Council in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Hawkins/Turner

That Council:

1. Note the submissions received and recommended amendments to the draft Urban Growth Management Strategy contained in the attached Consultation Report.
2. Adopt the revised Urban Growth Management Strategy attached to this report.
3. Submit the revised Urban Growth Management Strategy to the Director General of the NSW Department of Planning for approval.
4. Delegate to the General Manager the authority to make minor amendments and corrections to the Strategy during referral to the Department of Planning.
5. That Council receive an annual update report in relation to the implementation and status of the Urban Growth Management Strategy actions during preparation of Council's annual Operational Plans.
6. That Council amend the revised Urban Growth Management Strategy attached to this report to address an ambiguity and ensure the body of the Strategy is consistent with Key Action #6, as follows: Page 62 be updated to reflect the combination of Fernbank Creek and Sancrox such that the wording is amended as follows: "*The priority order for long term investigations around Port Macquarie in terms of land capability and suitability is Fernbank Creek **and***

Sancrox, and then Lake Innes.”

7. Note the resolution from the Ordinary Council Meeting of February 2015 that the General Manager is to provide a report to Council on the Greater Sancrox Area after the Urban Growth Management Strategy is endorsed/adopted by Council.
8. Request that the report be presented at or before the Council Meeting of September 2018 and that the report consider in more detail the timing of investigations and the resourcing requirements to achieve an earlier commencement.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Griffiths returned to the meeting, the time being 7:38pm.

12.08 THE BOOM RESERVE DOG OFF-LEASH PARK

Ms Veronica Knudsen addressed Council in support of the recommendation.

RESOLVED: Alley/Pinson

That Council:

1. Note the information contained within the The Boom Reserve Dog Off-leash Park Report.
2. Rescind a resolution made at the Ordinary Council Meeting held on 20 April 2011 to establish a leash-free dog exercise area at The Boom Reserve, Port Macquarie.
3. Commence community engagement for the establishment at Stuart Park of Port Macquarie's Dog Off-leash Park.

CARRIED: 8/0

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

AGAINST: Nil

09.01 2018 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in this matter and remained in the room during the Council's consideration.

RESOLVED: Intemann/Pinson

That Council:

1. Grant approval for Mayor Peta Pinson, Councillor Peter Alley and Councillor Sharon Griffiths to attend the 2018 Local Government NSW Annual Conference to be held in Albury from 21 to 23 October 2018.

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2. Determine that Mayor Peta Pinson, Councillor Peter Alley and Councillor Sharon Griffiths be Council's voting delegates at the Conference.

CARRIED: 8/0

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

AGAINST: Nil

09.02 VOTING DELEGATES - VICE PRESIDENT LOCAL GOVERNMENT NSW BOARD

RESOLVED: Levido/Cusato

That Council nominate Mayor Peta Pinson, Deputy Mayor Intemann, Councillor Hawkins and Councillor Alley as voting delegates to vote for the current vacancy to the LGNSW Board role of Vice-President (Rural/Regional councils).

CARRIED: 8/0

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

AGAINST: Nil

09.03 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Cusato

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

CARRIED: 8/0

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

AGAINST: Nil

09.04 DISCLOSURE OF INTEREST RETURN

RESOLVED: Levido/Hawkins

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

1. Bridges and Structures Engineer.

CARRIED: 8/0

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

AGAINST: Nil

09.05 MAKING OF RATES AND CHARGES FOR 2018/2019, ADOPTION OF THE FEES AND CHARGES AND REVENUE POLICY FOR 2018/2019

RESOLVED: Alley/Hawkins

That Council:

1. Make an Ordinary Rate – Residential, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.27861 cents) in the dollar with a Base Amount of \$583.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Residential Defined Urban Centres’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 49.31%.
2. Make an Ordinary Rate – Residential, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.29615 cents) in the dollar with a Base Amount of \$483.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Residential Other’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 39.2%.
3. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.58793 cents) in the dollar with a Base Amount of \$583.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Business Defined Urban Centres’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 20.1%.
4. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (2.28888 cents) in the dollar with a Base Amount of \$583.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Business Port Macquarie CBD’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 5.11%.
5. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.51241 cents) in the dollar with a Base Amount of \$483.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Business Other’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 30.55%.
6. Make an Ordinary Rate – Farmland, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.29574 cents) in the dollar with a Base Amount of \$583.30 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Farmland’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 26.78%.
7. Make a Special Rate – Residential, pursuant to Section 495 of the Local Government Act, for 2018/2019 of (0.06927 cents) in the dollar for all rateable land within the Broadwater Special Rate area outlined in the attached rating maps.
8. Make a Special Rate – Residential, pursuant to Section 495 of the Local Government Act, for 2018/2019 of (0.15433 cents) in the dollar for all rateable land within the Sanctuary Springs Special Rate area outlined in the attached rating maps.
9. Make an Annual Charge for Waste Management Services – Domestic, pursuant to Section 496 of the Local Government Act, for 2018/2019 on all rateable land, categorised as Residential or Farmland, to which a domestic waste service is (or able to be) provided. The Domestic Waste Annual Charge will be based on the type of service received:

Type of Service	Charge for 2018/19
Standard service – 240 litre fortnightly general waste	\$435.00
Minimiser service – 140 litre fortnightly general waste	\$382.00
Excess Service – 240 litre weekly general waste	\$644.00
Half standard service – 240 litre fortnightly general waste (multi-unit dwellings only)	\$240.00
Half excess service – 240 litre weekly general waste (multi-unit dwellings only)	\$345.00
Half minimiser service - 140 litre fortnightly general waste (multi-unit dwellings only)	\$213.00
Half special weekly service (multi-unit dwellings only)	\$292.00
Availability charge on vacant land	\$75.00
Availability charge on land not receiving full charge (multi-unit dwellings only)	\$135.00
Additional recycling service – 240 litre fortnightly	\$63.00
Additional organics service – 240 litre weekly	\$93.00
Additional weekly garbage service – 240 litre general waste	\$338.00
Additional weekly garbage service – 140 litre general waste (multi-unit dwellings only)	\$257.00
On application only special weekly service – 140 litre weekly general waste	\$538.00
Minimum waste charge – single dwellings	\$382.00

10. Make an Annual Charge for Waste Management Services – Other, pursuant to Section 501 of the Local Government Act, for 2018/2019 on all rateable land, categorised as Business, to which a waste service is (or able to be) provided. The Other Waste Annual Charge will be based on the type of service received:

Type of Service	Charge for 2018/19
Commercial weekly service – 140 litre general waste	\$538.00
Commercial excess Service – 240 litre weekly general waste	\$644.00
Commercial half weekly service – 140 litre fortnightly general waste (shared)	\$292.00
Commercial half excess service – 240 litre weekly general waste (shared)	\$345.00
Availability charge on vacant land – business properties	\$75.00
Commercial availability charge on land not receiving full charge	\$75.00
Commercial additional recycling service – 240 litre fortnightly	\$63.00

Commercial additional organics service – 240 litre weekly	\$93.00
Commercial additional weekly garbage service – 240 litre general waste	\$338.00
Commercial additional weekly garbage service – 140 litre general waste	\$257.00
Waste management access charge	\$29.00

11. Make an Annual Charge for Water Availability and a charge per kilolitre for Water Usage, pursuant to Section 501 and 502 of the Local Government Act, for 2018/2019 on all rateable land, to which a water service is (or able to be) provided. The Water Annual Charge will be based on water meter size:

Size of water meter connection	Charge for 2018/19
20 mm including vacant properties and equivalent tenants	\$205.00
25 mm	\$319.00
32 mm	\$526.00
40 mm	\$820.00
50 mm	\$1,284.00
80 mm	\$3,280.00
100 mm	\$5,123.00
150 mm	\$11,534.00
200 mm	\$20,499.00
Fire service – 50 mm	\$642.00
Fire service – 80 mm	\$1,640.00
Fire service – 100 mm	\$2,561.50
Fire service – 150 mm	\$5,767.00
Fire service – 200 mm	\$10,249.50
Step 1 usage charges – per kilolitre	\$2.86
Step 2 usage charges – per kilolitre	\$5.72

12. Make an Annual Charge for Sewer Availability, pursuant to Section 501 of the Local Government Act, for 2018/2019 on all rateable land, to which a sewer service is (or able to be) provided. Make a usage charge for sewerage usage, pursuant to Section 502 of the Local Government Act, for 2018/2019 on Caravan Parks, Retirement Homes, Motels, Clubs, Hotels, Schools, Backpacker Hostels, Flats, Major Regional Shopping Centres. The Sewer charges are as follows:

Service	Charge for 2018/19
Pressure Sewer	\$829.50
Connected or available (excluding churches and halls)	\$859.50
Non-rateable (other than churches & halls S555)	\$684.20
Non-rateable (S556)	\$859.50
Unconnected (S548a)	\$551.60
Non-rateable (churches & halls S555)	\$551.60
Usage Charge - per kilolitre	\$1.29

13. Make an Annual Charge for Reclaimed Water Availability, pursuant to Section 501 of the Local Government Act, for 2018/2019 on Port Macquarie urban area business/commercial/council facilities where a reclaimed water service is provided. Make a usage charge for reclaimed water usage, pursuant to Section 502 of the Local Government Act, for 2018/2019 where a reclaimed water service is provided. The reclaimed water annual charges are based on meter size:

Reclaimed Metre size	Charge for 2018/19
20 mm	\$102.50
25 mm	\$159.50
32 mm	\$263.00
40 mm	\$410.00
50 mm	\$642.00
80 mm	\$1,640.00
100 mm	\$2,561.50
150 mm	\$5,767.00
200 mm	\$10,249.50
Usage Charge - per kilolitre	\$1.43

14. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act, for 2018/2019 on each parcel of rateable land for which the service is available. The stormwater annual charges are as follows:

Service	Charge for 2018/19
Residential	\$25.00
Residential - Strata	\$12.50
Business - Strata	\$12.50
Business – 0m ² to 350m ²	\$25.00
Business – 351m ² to 700m ²	\$50.00
Business – 701m ² to 1,000m ²	\$75.00
Business – 1,001m ² to 1,400m ²	\$100.00
Business – 1,401m ² to 1,750m ²	\$125.00
Business – 1,751m ² to 2,100m ²	\$150.00
Business – 2,101m ² to 2,450m ²	\$175.00
Business – 2,451m ² to 2,800m ²	\$200.00
Business – 2,801m ² to 3,200m ²	\$225.00
Business – 3,201m ² to 3,500m ²	\$250.00
Business – 3,501m ² to 3,850m ²	\$275.00
Business – 3,851m ² to 4,200m ²	\$300.00
Business – 4,201m ² to 4,600m ²	\$325.00
Business – 4,601m ² to 4,900m ²	\$350.00
Business – 4,901m ² to 5,200m ²	\$375.00
Business – 5,201m ² to 5,600m ²	\$400.00
Business – 5,601m ² to 5,950m ²	\$425.00
Business – 5,951m ² to 6,300m ²	\$450.00
Business – 6,300m ² to 6,600m ²	\$475.00
Business > 6,601m ²	\$500.00

15. Make an Annual Charge for Onsite Effluent Services, pursuant to Section 501 of the Local Government Act, for 2018/2019 on each parcel of rateable land for which the service is provided. The Onsite Effluent annual charge are based on the risk of the system:

System	Charge for 2018/19
Low risk system	\$37.00
Medium risk system	\$73.00
High risk system	\$104.00
Small commercial	\$208.00
Large commercial	\$260.00

16. Adopt the following Integrated Planning and Reporting (IPR) documents:
- Fees & Charges 2018-2019
 - Revenue Policy 2018-2019
 - Rating Maps 2018-2019
17. Set the interest rate on overdue rates and charges at 7.5% from 1 July 2018 in accordance with the Office of Local Government directive.

CARRIED: 8/0

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

AGAINST: Nil

09.06 INTEGRATED PLANNING AND REPORTING (IPR) DOCUMENTS

RESOLVED: Turner/Griffiths

That Council:

- Adopt the following Integrated Planning and Reporting (IPR) documents:
 - Delivery Program 2017-2021 (Revised 2018); and
 - Operational Plan 2018-2019.
- Note the 2018-2019 budget position of a \$511,873 shortfall which will be reported to Council monthly during the financial year.
- Enter into total borrowings of \$1.5 million as outlined in the Financial Implications section of the report for playing fields at Wauchope.
- Transfer \$5,500,000 from the Playing Fields reserve to the Regional Roads Infrastructure reserve as Council's contribution towards the Ocean Drive duplication project.
- Transfer \$337,967 to the Regional Roads Infrastructure Reserve as Council's general fund contribution to the Lighthouse Road East project.
- Transfer \$2,000,000 into the Regional Road Infrastructure Reserve as Council's contribution for Maria River Road subject to grant funding being successful and also subject to matching funds from Kempsey Shire Council, noting that this funding will come from a combination of the following:-
 - A one off transfer of \$162,033 into the Regional Road Infrastructure Reserve;
 - A transfer of savings from the 2017-2018 financial year up to a maximum of \$1,837,967;

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- c) In the event that b) cannot be achieved that borrowings are entered into for the balance required.

CARRIED: 8/0

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

AGAINST: Nil

09.07 MONTHLY FINANCIAL REVIEW FOR MAY 2018

RESOLVED: Hawkins/Intemann

That Council:

1. Adopt the adjustments in the “Financial & Economic Implications” section of the Monthly Financial Review Report for May, 2018.
2. Note the Report from the May, 2018 Audit, Risk and Improvement Committee that “PMHC is well positioned in terms of Audit Committee related issues.”
3. Request the General Manager to consider budgets for infrastructure road programs rather than individual infrastructure road project budgets during the compilation of the 2019/2020 budget.

CARRIED: 8/0

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

AGAINST: Nil

09.08 INVESTMENTS - MAY 2018

RESOLVED: Alley/Hawkins

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

CARRIED: 8/0

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

AGAINST: Nil

09.09 TOWN CENTRE MASTER PLAN SUB-COMMITTEE - MEMBERSHIP

RESOLVED: Cusato/Hawkins

That Council:

1. Extend current tenure of each member by twelve months from September 2018.
2. Due to the current vacancy on the Sub Committee following the resignation of Mr Michael Mowle, invite Mr John McGuigan to be a voting member for a twelve month period.
3. Consider a report detailing the revised Town Centre Master Plan Charter at the March 2019 meeting.

CARRIED: 8/0

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

AGAINST: Nil

10.01 KENDALL MAIN STREET MASTER PLAN

RESOLVED: Alley/Griffiths

That Council:

1. Note the information contained within the Community Engagement & Internal Consultation section of this report.
2. Adopt the Kendall Main Street Master Plan as presented for future implementation.

CARRIED: 8/0

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

AGAINST: Nil

Item - 10.02 Recommended Item from Cultural Steering Group - (General Business Item) - Surf Museum - Town Beach North - has been moved to another part of the document.

10.03 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - MAY 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. That Connor Cook be granted the amount of \$150.00 to assist with the expenses he would have incurred competing at the NSW State Cricket Challenge held in Campbelltown Sydney from 15 – 18 April 2018 inclusive.
2. That Madelaine Goodridge be granted the amount of \$300.00 to assist with the expenses she would have incurred competing at the 2018 Georgina Hope Australian Age Swimming Championships held in Sydney from 21–28 April 2018 inclusive.

CARRIED: 8/0

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

AGAINST: Nil

10.04 ARTWALK 2018 - POST EVENT REPORT

RESOLVED: Turner/Griffiths

That Council:

1. Note the information in the ArtWalk 2018 – Post Event Report.
2. Request the Cultural Steering Group work with staff on the ongoing development of future ArtWalk events.

CARRIED: 8/0

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

AGAINST: Nil

10.05 CULTURAL PLAN REVIEW

MOTION

MOTION: Turner/Hawkins

That Council:

1. Acknowledge the Cultural Steering Group's review and endorsement of the Draft 2018 – 2021 Cultural Plan and place the draft plan on public exhibition for a period of 30 days between 25 June and 20 July 2018.
2. Refer the submissions to the Cultural Steering Group for consideration prior to the finalisation of the Plan and reporting to Council.

AMENDMENT

MOTION: Intemann/Alley

1. Acknowledge the Cultural Steering Group's review and endorsement of the Draft 2018 – 2021 Cultural Plan and place the draft plan on public exhibition for a period of 30 days between 25 June and 20 July 2018.
2. Amend for exhibition the wording on page 4 of the draft document to read "Our region is recognised internationally as an innovative leader of creativity and culture".
3. Refer the submissions to the Cultural Steering Group for consideration prior to the finalisation of the Plan and reporting to Council.

EQUAL: 4/4

FOR: Alley, Cusato, Intemann and Pinson

AGAINST: Griffiths, Hawkins, Levido and Turner

CASTING VOTE: Pinson: FOR

THE AMENDMENT BECAME THE MOTION AND WAS PUT

1. Acknowledge the Cultural Steering Group's review and endorsement of the Draft 2018 – 2021 Cultural Plan and place the draft plan on public exhibition for a period of 30 days between 25 June and 20 July 2018.
2. Amend for exhibition the wording on page 4 of the draft document to read "Our region is recognised internationally as an innovative leader of creativity and culture".
3. Refer the submissions to the Cultural Steering Group for consideration prior to the finalisation of the Plan and reporting to Council.

CARRIED: 6/2

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

AGAINST: Griffiths and Hawkins

11 Your Business and Industry – no reports for this section.

12.01 ACQUISITION OF LAND AND EASEMENT - LONG FLAT SEWERAGE SCHEME

RESOLVED: Intemann/Alley

That Council:

1. Pay the negotiated amount of \$101,250.00 (GST free) for compensation and the reimbursement of design review and negotiation costs to the owners of Lot 22 DP818173 and Lot 1 DP1042541, PJ & M L O'Neill, for the acquisition of land generally shown as Lot 2 in Mark Rogers' draft plan of survey reference 17380DP02 and the acquisition of an easement for the drainage of sewage 3 metres wide as shown in Mark Rogers' draft plan of survey reference 17380DP04.
2. Pay the owner's legal costs for the property conveyance.
3. Delegate authority to the General Manager to sign:
 - a) Deed of Acquisition / Contract for the Sale of Land;
 - b) Deed of Agreement;
 - c) Land Registry Services Transfer Forms;
 - d) Revenue NSW Purchaser Declaration;
 - e) Letter to Revenue NSW seeking exemption from the payment of stamp duty.

CARRIED: 8/0

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

AGAINST: Nil

12.02 REGIONAL TRANSPORT INFRASTRUCTURE STEERING GROUP MEMBERSHIP AMENDMENT

RESOLVED: Levido/Cusato

That Council:

1. Appoint the Engineering Planning Manager, Transport and Stormwater Network as a voting member of the Regional Transport Infrastructure Steering Group in lieu of the Group Manager Transport and Stormwater Network
2. Endorse the amended Regional Transport Infrastructure Steering Group Charter reflecting the membership changes.

CARRIED: 8/0

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

AGAINST: Nil

12.03 STORMWATER STRATEGY DEVELOPMENT UPDATE - INTEGRATING COUNCIL'S STORMWATER STRATEGY WITH THE INTEGRATED WATER CYCLE MANAGEMENT STRATEGY

RESOLVED: Intemann/Alley

That Council note:

1. The key objectives, priorities and initiatives underpinning the development of Council's stormwater strategy as outlined in this report.
2. That, based on the stormwater strategy planning work to date, a number of stormwater flood mitigation projects are currently underway, which have been funded by the Water Fund Dividend.
3. That the forward development, community and stakeholder engagement, and formal adoption of the stormwater strategy will be included within the development of Integrated Water Cycle Management Strategy.
4. That the development and adoption the final Integrated Water Cycle Management Strategy, including the stormwater strategy, is a key operational activity within the 2018/19 Operational Plan.

CARRIED: 8/0

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

AGAINST: Nil

12.04 GARDEN CRESCENT, PORT MACQUARIE CAR PARKING WORKS AS MATERIAL PUBLIC BENEFIT

RESOLVED: Intemann/Griffiths

That Council:

1. Approve the application to undertake works involving the construction of 46 car parking spaces at Garden Crescent, Port Macquarie on the basis that the work will provide material public benefit pursuant to s7.11(5)(b) of the Environmental Planning and Assessment Act 1979 (as amended), subject to the applicant entering into a Works in Kind Agreement.
2. Pursuant to Section 55(3)(i) of the Local Government Act 1993, not invite tenders for the construction of the works in Item 1, due to extenuating circumstances, as described in the report.
3. Delegate authority to the General Manager to execute the Works in Kind Agreement in item 1 above.

CARRIED: 8/0

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

AGAINST: Nil

12.05 OPEN SPACE CONTRIBUTIONS PLAN

RESOLVED: Levido/Cusato

That Council:

1. Approve the Open Space Contributions Plan 2018 with the alterations detailed in the report.
2. Give public notice of the approval of the Open Space Contributions Plan 2018 to commence on 31 July 2018.

CARRIED: 8/0

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

AGAINST: Nil

12.06 DEFERRAL OF STRATA DEVELOPMENT CONTRIBUTIONS

RESOLVED: Levido/Pinson

That Council:

1. Note the issues and risks identified in the review of the Development Contributions Deferral Service, as described in this report.
2. Request the General Manager provide a report to the November 2018 Ordinary Council meeting following a detailed review of the existing Deferral Scheme, addressing but not limited to the funding shortfall in administration costs currently identified.
3. Defer consideration of an additional investigation to expand the scheme to include Major Strata Developments until a formal review of the existing scheme is completed.

CARRIED: 8/0

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

AGAINST: Nil

Item - 12.07 Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 - has been moved to another part of the document.

Item - 12.08 The Boom Reserve Dog Off-Leash Park - has been moved to another part of the document.

12.09 CLASSIFICATION OF LAND TRANSFERRED TO COUNCIL FOR SEWER PURPOSES

RESOLVED: Levido/Cusato

That Council classify Lot 72 Deposited Plan 1239695 (land off Major Innes Road, Port Macquarie) as operational land.

CARRIED: 8/0

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

AGAINST: Nil

12.10 CLASSIFICATION OF LAND ACQUIRED BY COUNCIL - STINGRAY CREEK

RESOLVED: Levido/Griffiths

That Council classify Lot 1 Deposited Plan 1234044 as operational land.

CARRIED: 8/0

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

AGAINST: Nil

12.11 LOW RISE MEDIUM DENSITY HOUSING CODE

RESOLVED: Griffiths/Hawkins

That Council:

1. Note the information contained in the report.
2. Not seek a 12 month delayed commencement of the Low Rise Medium Density Housing Code in the Port Macquarie-Hastings local government area.

CARRIED: 5/3

FOR: Cusato, Griffiths, Hawkins, Levido and Turner

AGAINST: Alley, Intemann and Pinson

FORESHADOWED MOTION:

MOVED: Alley/

That Council:

1. Note the information contained in the report.
2. Seek a 12 month delayed commencement of the Low Rise Medium Density Housing Code in the Port Macquarie-Hastings local government area.

13 QUESTIONS FOR NEXT MEETING

13.01 ENFORCEMENT OF UNLAWFUL ACTIVITY POLICY

Question from Councillor Turner:

Could the General Manager provide advice to Council on the adequacy of the existing Council policy titled 'Enforcement of Unlawful Activity' to guide appropriate decisions on enforcement by Council officers, including information on when this policy was last reviewed.

Comments by Councillor (if provided):

Nil.

13.02 USE OF DRONES

Question from Councillor Griffiths:

Could the General Manager advise where and for what purpose drones are used by Port Macquarie-Hastings Council and the legalities of use over public and private property?

Comments by Councillor (if provided):

Nil.

13.03 LIBRARY FUNDING CUTS

Question from Councillor Hawkins:

Can the General Manager please indicate what the financial impact of the library funding cuts will be to Port Macquarie-Hastings Council for 2018-2019, announced in the recent NSW Government budget?

Comments by Councillor (if provided):

Nil.

13.04 FERNBANK CREEK BOAT RAMP AND JETTY UPGRADE PROGRESS

Question from Councillor Cusato:

As part of Council's recreational plan actions, the boating infrastructure needs for our LGA have been investigated. Can Council get an update on the progress of the proposed ramp and jetty upgrade at the Fernbank Creek boat ramp site?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Cusato

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 Request for Bad Debt Write-Off

This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

Item 14.02 T-18-13 Hartys Creek Bridge Replacement

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-18-16 Provision of Legal 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 14.04 T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators

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 14.05 Property Purchase by Property Reserve

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

Item 14.06 Supply of Electricity for Small Tariff Sites

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: 8/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 9:23pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 9:28pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Alley

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

Item 14.01 Request for Bad Debt Write-Off

This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

RECOMMENDATION

That the accounts outlined in the Request for Bad Debt Write-off report

be written off as “bad debts not recoverable”.

Item 14.02 T-18-13 Hartys Creek Bridge Replacement

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 Saunders Civilbuild Pty Ltd for \$1,657,293.71 (exclusive of GST) for the replacement of Hartys Creek Bridge on Comboyne Road.
2. Accept the Schedule of Rates from Saunders Civilbuild Pty Ltd for the replacement of Hartys Creek Bridge.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and consideration in respect of Tender T-18-13.

Item 14.03 T-18-16 Provision of Legal 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 contractors to be appointed to a panel arrangement for the provision of Legal Services for a three (3) year period commencing 1 July 2018, with two (2) options to extend for a further two (2) year periods, such option(s) to be for the benefit of the Council and may be exercised only by the Council in its sole discretion:
 - a) Lindsay Taylor Lawyers;
 - b) Local Government Legal;
 - c) Marsdens Law Group; and
 - d) Wilshire Webb Staunton Beattie Lawyers.
2. Accept the Schedule of Rates from:
 - a) Lindpsay Taylor Lawyers;
 - b) Local Government Legal;
 - c) Marsdens Law Group;
 - d) Wilshire Webb Staunton Beattie Lawyersfor the provision of Legal 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-18-16.

Item 14.04 T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators

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 tenders from the following suppliers to be appointed to a panel of suppliers for the Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators for a period 1 July 2018 to 30 June 2019 with a further two (2) options to extend each for a period of twelve (12) months, such options are to be for the benefit of the Council and may be exercised only by the Council in its sole discretion:
 - AJ & JA Wilson Family Trust;
 - AS & S Collins t/as Mortons Creek Haulage;
 - Blanch Earthmoving Pty Ltd;
 - Booker Backhoe Bobcat & Tipper Hire Pty Ltd;
 - Bridle Concrete Resources;
 - CJ Hoogland t/as Hoogland Plant Hire;
 - CNC Roads;
 - Coastal Hire & Sales;
 - Coates Hire Operations Pty Ltd;
 - Conplant Pty Ltd;
 - CSC Industries Pty Ltd t/as Platinum Excavation and Plant Hire;
 - Ditchfield Contracting Pty Ltd;
 - DJ & D Coombes;
 - Eire Constructions Pty Ltd;
 - Elf's Excavations;
 - Fenech Group Pty Ltd;
 - FJ & BJ Lyon Pty Ltd;
 - Garry Hooper Haulage Pty Ltd;
 - GC & LR Mellor t/as Midcoast Tipper Hire;
 - G H Lindsay Earthmoving Pty Ltd;
 - Glenn Martin Backhoe Hire;
 - HC & K Bennett Pty Ltd;
 - Hobbs Rural Services;
 - Hollfields Plumbing Excavation;
 - Jim Anderson Earthmoving;
 - JR & EG Richards Pty Ltd;
 - Keegan Civil Pty Ltd;
 - Kennards Hire Pty Ltd;
 - Lake Cathie Excavations;
 - Laurie Mascord Backhoe Hire;
 - LinCon Earthmoving Pty Ltd;
 - Magnum Haulage & Excavations Pty Ltd;
 - Manton Building & Excavations;

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- Marden Alliance Pty Ltd t/as Marden Civil;
 - Marschall Bobcat Service;
 - Master Hire Pty Ltd;
 - Mid Coast Cranes Pty Ltd;
 - Mid North Coast Hydro Digging & Service Locating Pty Ltd;
 - Mid North Coast Water Tankers Pty Ltd;
 - Mitchbrook Management Pty Ltd t/as Mitchbrook Construction;
 - ML & LT Swan;
 - ONeills Backhoe Services Pty Ltd;
 - Port Cranes Pty Ltd;
 - Redhead Machinery Pty Ltd;
 - Rollers Australia Pty Ltd;
 - Schmutter Earthmoving & Demolition Pty Ltd;
 - Specialised Pavement Services Pty Ltd;
 - Stephen McNeilly Bobcat & Tipper Hire;
 - Steve Wallis Transport;
 - TFH Hire Services Pty Ltd;
 - Tutt Bryant Equipment;
 - Tyrrells Earthmoving t/as Next Level Earthworks;
 - Winicki Excavations;
 - XXXDirtworx Pty Ltd t/as M C Dirtworx; and
 - YI Constructions.
2. Affix the seal of Council to the necessary documents.
 3. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-18.

Item 14.05 Property Purchase by Property Reserve

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

RECOMMENDATION

That Council:

1. Submit an Expression of Interest within the adopted value range nominated by Council's Consulting Valuer for the purchase of Lot 1 DP1012883 (52 John Oxley Drive).
2. Subject to the outcome of resolution 1 above, delegate to the General Manager authority to:
 - a) Sign the Contracts for Sale.
 - b) Sign the letters to Revenue NSW seeking an exemption from the payment of Stamp Duty.
 - c) Sign the Revenue NSW Purchaser Declaration Forms.
 - d) Sign the Land Registry Services Transfer Forms.
 - e) Sign any of the above or additional forms, either by hand or electronically, that may be required with the introduction of e-conveyancing from 1 July 2018.
3. Utilise Council's Property Reserve to complete this acquisition should Council's offer be accepted.

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4. On completion of the purchase of Lot 1 DP1012883 (52 John Oxley Drive), pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 1 DP1012883 as “operational” land by placing on exhibition for minimum of 28 days the proposed resolution “it is intended to classify Lot 1 DP1012883 (52 John Oxley Drive, Port Macquarie) as operational land.”
 5. Note that a further report will be tabled to Council detailing any submissions received from the public during the exhibition period.

Item 14.06 Supply of Electricity for Small Tariff Sites

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. In accordance with Local Government Act 1993, Section 55 (3)(g), enter in to a six (6) month extension through Local Government Procurement to supply electricity to small tariff sites with Powerdirect (AGL Energy).
2. Delegate the General Manager the authority to sign the required contract to enact the extension for Supply of Electricity for Small Tariff Sites.
3. Maintain the confidentiality of the documents and considerations in respect of the Supply of Electricity for Small Tariff Sites Report.

CARRIED: 8/0

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

AGAINST: Nil

The meeting closed at 9:28pm.

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Peta Pinson
Mayor