
PRESENT**Members:**

Councillor Peter Besseling (Mayor)
Councillor Michael Cusato
Councillor Sharon Griffiths
Councillor Peter Alley
Councillor Justin Levido
Councillor Lisa Intemann
Councillor Lee Dixon

Other Attendees:

General Manager (Craig Swift-McNair)
Acting Director of Community and Economic Growth (Liesa Davies)
Director of Corporate and Organisational Services (Rebecca Olsen)
Director of Development and Environment Services (Matt Rogers)
Director of Infrastructure and Asset Management (Jeffery Sharp)
Group Manager Governance and Executive Services (Blair Hancock)
Executive Assistant to the Mayor (Linda Kocis)
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: Griffiths/Alley

1. That the apology received from Councillor Hawkins be accepted. Councillor Hawkins being absent on approved leave.
2. That the apology received from Councillor Turner be accepted.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Griffiths

That the Minutes of the Ordinary Council Meeting held on 15 March 2017 be confirmed.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary - Less than Significant Interest in Item 11.01 - 2016-17 Community Grants Projects for Endorsement, the reason being that Councillor Levido is a member of the Rotary Club of Port Macquarie Sunrise Inc which the Club is a recipient of a grant under the 2016-17 Community Grants Project Scheme.

Councillor Levido declared a Non-Pecuniary - Significant Interest in Item 15.05 - EOI-17-13 Independent Members of the Cultural Group, the reason being Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and Councillor Levido acts for two of the appointees detailed in the report.

Councillor Levido declared a Non-Pecuniary - Significant Interest in Item 15.06 - EOI-17-02 Independent Members of the Economic Development Steering Group, the reason being that Councillor Levido is a partner in Port Macquarie law firm, Donovan Oates Hannaford Lawyers and Councillor Levido acts for one of the appointees and he is a business partner with another appointee detailed in the report.

Councillor Cusato declared a Pecuniary Interest in Item 15-07 - T-16-06 Advertising on and Maintenance of Transport Assets, the reason being that Councillor Cusato uses bus shelters to advertise his business in Port Macquarie.

RESOLVED: Dixon/Alley

That the Disclosures of Interest as presented be noted.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 2 March to 5 April 2017 inclusive be noted.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Nil.

08 PUBLIC FORUM

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

1. Ms Denise Williams regarding trees in Sequoia Avenue, Port Macquarie.
2. Ms Cheyne Flanagan, Koala Hospital, regarding the removal of koala habitat - Beach Street, Bonny Hills.

RESOLVED: Griffiths/Levido

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

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

08.01 TREES IN SEQUOIA AVENUE, PORT MACQUARIE

Ms Denise Williams addressed Council in regard to trees in Sequoia Avenue, Port Macquarie.

Ms Williams also suggested that Council's water meter readers should be supplied with a motorbike to undertake their duties.

08.02 REMOVAL OF KOALA HABITAT - BEACH STREET, BONNY HILLS

Ms Cheyne Flanagan, Koala Hospital, addressed Council in regard to the removal of koala habitat - Beach Street, Bonny Hills.

REQUEST TO SPEAK ON AN AGENDA ITEM

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

- Item 09.07 - Mr David Tooby, King and Campbell on behalf of the Lake Cathie Progress Association, in support of the recommendation.
- Item 12.02 - Mr Kevin Shanahan, Pacific Drive Estate Pty Ltd, in opposition of the recommendation.
- Item 12.02 - Mr Daniel Bessell in support of the recommendation.
- Item 12.02 - Mr David Rogers, Bonny Hills Youth and Community Projects Group, in opposition of the recommendation.
- Item 12.02 - Mr Roger Barlow, Bonny Hills Progress Association, in support of the recommendation.
- Item 12.03 - Mr Jamie Harrison in support of the recommendation.

RESOLVED: Levido/Dixon

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

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Dixon/Alley

That Standing Orders be suspended to allow Items 09.07, 12.02 and 12.03 to be brought forward and considered next.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

09.07 DRAFT INTEGRATED PLANNING AND REPORTING (IPR) SUITE OF DOCUMENTS FOR PUBLIC EXHIBITION

Mr David Tooby, King and Campbell on behalf of the Lake Cathie Progress Association, addressed Council in support of the recommendation.

RESOLVED: Levido/Griffiths

That Council:

1. Place the following Integrated Planning and Reporting (IPR) documents on public exhibition for a period of 28 days from 20 April to 18 May 2017:
 - a) Draft Towards 2030 Community Strategic Plan.
 - b) Draft Delivery Program 2017-2021.
 - c) Draft Resourcing Strategy 2017-2021 with the following components:
 - i) Long Term Financial Plan (2017-2027).
 - ii) Workforce Management Strategy 2017-2021.
 - iii) Asset Management Strategy and Plan.
 - d) Draft Operational Plan 2017-2018.
 - e) Draft Fees & Charges 2017-2018.
 - f) Draft Revenue Policy 2017-2018.
 - g) Rating Maps 2017-2018.
2. Note that a further report will be tabled at the June 2017 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

12.02 PLANNING PROPOSAL - LOT 2 DP1091253, BEACH STREET, BONNY HILLS, FOR PACIFIC DRIVE ESTATE PTY LTD

Mr Kevin Shanahan, Pacific Drive Estate Pty Ltd, addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Daniel Bessell addressed Council in support of the recommendation, with suggested amendments. (2, 7 and new 8).

Mr David Rogers, Bonny Hills Youth and Community Projects Group, addressed Council in opposition of the recommendation, in particular Rec No 2. Mr Rogers answered questions from Councillors.

Mr Roger Barlow, Bonny Hills Progress Association, addressed Council in support of the recommendation.

RESOLVED: Levido/Intemann

That Council:

1. Not support the rezoning request as submitted due to the likely impact on known EEC and koala habitat.
2. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011 in respect to Lot 2 DP 1091253 Beach Street Bonny Hills to change the zoning of the land to part residential and part environmental protection, as described in the report.
3. Forward the planning proposal to the NSW Department of Planning and Environment requesting a gateway determination pursuant to section 56 of the

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- Environmental Planning and Assessment Act 1979.
4. Request that the Secretary of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
 5. Delegate authority to the Director Development and Environment to make any minor amendments to the Planning Proposal prior to public exhibition of the proposal.
 6. Undertake community consultation in accordance with the gateway determination.
 7. Receive a report following the public exhibition period to demonstrate compliance with the Gateway Determination and to assess any submissions received.

CARRIED: 6/1

FOR: Besseling, Alley, Dixon, Griffiths, Intemann and Levido

AGAINST: Cusato

12.03 LONG TERM RENEWABLE ENERGY STRATEGY

Mr Jamie Harrison addressed Council in support of the recommendation and answered questions from Councillors.

MOTION: Intemann

That this matter:

1. Be deferred to allow a further workshop/briefing to be undertaken with Councillors as to the draft Long Term Renewable Energy Strategy, such workshop/briefing to be held by 30 June 2017; and
2. Thereafter be the subject of a further report to Council.

LAPSED FOR WANT OF A SECONDER.

FORESHADOWED MOTION: Alley

That Council:

1. Place the draft Long Term Renewable Energy Strategy on public exhibition from 20 April 2017 until 19 May 2017.
2. Note that a further report will be tabled at the June 2017 meeting of Council, detailing the submissions received from the public during the exhibition period.

RESOLVED: Levido/Cusato

That this matter:

1. Be deferred to allow a further workshop/briefing to be undertaken with Councillors as to the draft Long Term Renewable Energy Strategy, such workshop/briefing to be held by 31 July 2017; and
2. Thereafter be the subject of a further report to Council.

CARRIED: 5/2

FOR: Besseling, Cusato, Dixon, Griffiths and Levido

AGAINST: Alley and Intemann

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Levido

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

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

09.02 DISCLOSURE OF INTEREST RETURN

RESOLVED: Intemann/Cusato

That Council note the Disclosure of Interest return for the position of Road Safety Coordinator.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

09.03 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR CUSATO

MOVED: Intemann/Levido

That Council grant leave of absence for Councillor Cusato for the period 11 May 2017 to 23 May 2017, which includes the Ordinary Meeting of Council scheduled for 17 May 2017.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

09.04 MONTHLY FINANCIAL REVIEW FOR MARCH 2017

RESOLVED: Griffiths/Alley

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for March 2017.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

09.05 INVESTMENTS - MARCH 2017

RESOLVED: Levido/Cusato

That Council:

1. Note the Investment Report for the month of March 2017.
2. Request the General Manager undertake an external independent review of Council's internal and external financial reserves with the following overall objectives:
 - (a) To review the extent to which Council's Reserve Balances are appropriate in consideration of the size and breadth of the organisation (including benchmarking to similar sized Councils) and various legislation and Council resolutions that apply.
 - (b) In consideration of the Externally Restricted reserves provide comment on the following:
 - i. Whether the S94/S64 Development Contribution Plans are up to-date.
 - ii. Whether the charges in the Plans are adequate to fund the infrastructure identified.
 - iii. Whether the Council is maximising its use of development contributions revenue in funding the forward works program.
 - (c) Determine whether further opportunities exist to use reserve balances as a means of funding (including opportunities for borrowing against these reserves and the impact of such a strategy) for other projects not currently funded in the works program.
3. Request the General Manager provide updates on the progress of the financial reserves review to the Finance, Corporate Services and Information Technology Portfolio and to all Councillors via appropriate briefings, prior to a final report being tabled at a future meeting of Council.
4. Undertake public education that explains why the financial reserves have been established, how they receive income and how they relate to Council's longer-term plans, including future projects that the reserves are likely to be allocated towards.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

09.06 T CORP RATIO TARGETS

RESOLVED: Levido/Cusato

That Council:

1. Adopt the proposed short term targets (1-2 years), as appropriate levels for Council to strive for.
2. Note that Port Macquarie-Hastings Council has over \$2 billion of assets to maintain, which impacts on Council's ability to meet some of the TCorp benchmarks.
3. Request the General Manager write to the Auditor-General of NSW, TCorp and the Minister for Local Government advocating for a review of the TCorp ratios and associated benchmarks in consideration of the different types of local government entities such as metropolitan, regional and rural; and also noting that the infrastructure composition can vary considerably across the sector.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

Item - 09.07 Draft Integrated Planning and Reporting (IPR) Suite of Documents for Public Exhibition - has been moved to another part of the document.

09.08 ASSET MANAGEMENT POLICY - CONSIDERATION OF SUBMISSIONS AND ADOPTION

RESOLVE: Intemann/Cusato

That Council:

1. Note the submissions to the Draft Asset Management Policy as discussed in the report.
2. Adopt the Asset Management Policy as amended based on the comments received during the exhibition period.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

09.09 DEVELOPMENT ASSESSMENT PANEL CHARTER

RESOLVED: Intemann/Dixon

That Council:

1. Adopt the revised Development Assessment Panel Charter.
2. Request the General Manager appoint new external members to the Panel following a public Expression of Interest process.
3. Note that operation of the revised Charter will commence following appointment of the new external members.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

10.01 ABORIGINAL AWARENESS AND UNDERSTANDING STRATEGY 2013 - 2017 PROGRESS REPORT

RESOLVED: Levido/Alley

That the information in the Aboriginal Awareness and Understanding Strategy 2013 - 2017 progress report be noted.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

10.02 CULTURAL PLAN 2016-2019 - PROGRESS REPORT

RESOLVED: Intemann/Alley

That Council note:

1. The information in the Port Macquarie-Hastings Council Cultural Plan 2016-2019 progress report.
2. A review of the Cultural Plan will be discussed with the Cultural Steering Group and completed before August 2017.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

11.01 2016-2017 COMMUNITY GRANTS PROJECTS FOR ENDORSEMENT

RESOLVED: Levido/Cusato

That Council:

- Pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2016-2017 Round 2 and Event Sponsorship Round 2 in the total amount of \$132,610.00 to:

Organisation Name	Project	Funding
General:		
Hastings Country Music Association	New Equipment	\$7,452
Lake Cathie Skate and Recreation Park	Master Plan	\$10,000
Port Macquarie Historical Society	Conservation Plan	\$5,000
Little Bowerbird Steiner Playgroup	Shade Sail	\$1,830
4Life Care and Training	Mobile Forklift	\$1,845
Make a Difference/Orange Sky Laundry	Washing Machines	\$10,000
Hastings Men's Shed	Replacement Tools	\$3,432
Queens Lake Sailing Club	Storage Racks	\$6,246
Port Macquarie Community Preschool	Garden Shed	\$6,000
Port Macquarie Marine Rescue	VHF Radios	\$5,866
Port United Soccer Club	New Awning	\$6,000
Wauchope Community Arts Council	New Sound Equipment	\$5,500
Birpai Local Aboriginal Land Council	Creative Circle	\$2,500
	Sub Total	\$71,671
Non Council Owned Halls:		
Pappinbarra Progress Assoc.	Fire Equipment	\$10,000
	Sub Total	\$10,000
Place Making:		
Rotary Club of Port Macquarie Sunrise	Community Pathway	\$10,000
Camden Haven Chamber of Commerce	Christmas in July	\$4,457
Friends of Mrs York's Garden	Staircase	\$6,500
Wauchope District Historical Society	Exhibition Resources	\$9,982
	Sub Total	\$30,939

Total Allocated	\$112,610
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Event Sponsorship:	
Blues and BBQ Festival	\$5000
Beer and Cider Festival	\$5000
Beach to Brother Marathon	\$5000
Ekam Yoga Festival	\$2500
Bago Bluff Mountain Bike Marathon	\$2500

Total Allocated	\$20,000
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2. Request the General Manager provide a briefing to the Economic and Cultural Development Portfolio around the existing Community Grants and Event Sponsorship Grants processes; and then subsequently provide a full Councillor briefing to specifically address:
 - (a) the application process for applicants.
 - (b) the evaluation process relating to applications received.
 - (c) the parameters to be included in the reporting of the successful and unsuccessful applications to Council.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

11.02 COMMERCIAL ACTIVITIES ON COUNCIL-MANAGED LAND POLICY

RESOLVED: Cusato/Dixon

That Council:

1. Note the submissions and feedback received on the Commercial Activities on Council-Managed Land Policy (draft) during the public exhibition period.
2. Adopt the Commercial Activities on Council-Managed Land Policy as presented.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

**12.01 DA2017 - 49.1 ADDITIONS TO EXISTING DWELLING INCLUDING
CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF
THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN
2011 - LOT 390 DP 236950, 5 VENDUL CRESCENT, PORT MACQUARIE**

RESOLVED: Intemann/Cusato

That DA 2017 – 49.1 for additions to dwelling, including Clause 4.6 Objection to Clause 4.3 (Height Of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 390, DP 236950, No. 5 Vendul Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

Item - 12.02 Planning Proposal - Lot 2 DP1091253, Beach Street Bonny Hills, for Pacific Drive Estate Pty Ltd. - has been moved to another part of the document.

Item - 12.03 Long Term Renewable Energy Strategy - has been moved to another part of the document.

12.04 LAND DEVELOPMENT APPROVALS PROCESS REVIEW UPDATE

RESOLVED: Levido/Cusato

That Council note progress on the implementation of recommendations from the land development approvals process review.

CARRIED: 7/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido
AGAINST: Nil

**13.01 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE - 2017
IRONMAN TRIATHLON AUSTRALIA**

RESOLVED: Intemann/Griffiths

That Council approve the temporary road closures and support the associated transport management arrangements associated with the 2017 Ironman Triathlon Australia on Sunday 7 May 2017, subject to the following conditions:

1. That the event organiser advertise, at no cost to Council, the following details of all temporary road closures and temporary parking restrictions associated with this event in the local print media on separate days, at least twice (2) within 14 days prior to the event:
 - temporary road closure times

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- duration of the temporary road closures temporary parking restrictions times and duration
 - alternative routes and access arrangements.
2. That the event organiser advertise the event by undertaking a letter box drop to all residents and businesses directly affected by the temporary road closures and temporary parking restrictions at least 14 days prior to the event, advising the following:
 - event name
 - event times
 - contact details of at least two (2) people involved in the
 - organisation of the Event, in case of an emergency
 - proposed actions to be undertaken to mitigate the impact of the temporary road closures and temporary parking restrictions.
 3. That the Traffic Management Plan and associated Traffic Guidance Scheme dated 7 February 2017 be implemented. Any modifications to the plans must be agreed with Council prior to the running of the event.
 4. That the event organiser abides by the written approval from the NSW Police.
 5. That the event organiser notify the NSW Ambulance, NSW Fire & Rescue and the State Emergency Service of the proposed road closures at least 14 days in advance of the event.
 6. That the event organiser notifies local Transport Services (Bus Companies, Taxis) of the proposed road closures at least 14 days in advance of the event and assists in developing alternatives for affected users.
 7. An RMS accredited (Yellow card) person is to be used for the establishment and removal of the traffic control devices.
 8. RMS accredited traffic controllers (Blue card) are to be used to control traffic.
 9. That the event organiser abides by any other condition that Council and the Police may impose at any time.
 10. That the event organiser submit to Council 14 days prior to the commencement of the event evidence of Public Liability Insurance for the amount of \$20 million, which is valid for the duration of the event, including placement and removal of traffic control devices.
 11. The event organiser must have this approval and the Traffic Management Plan and Traffic Guidance Scheme described above on site at all times for the duration of the event.
 12. That a review of the implementation of the Transport Management Plan (TMP) be undertaken by the proponent within three months of the conclusion of the event. The review is to be in consultation with Council and other services so that the TMP can be further refined and any issues identified can be addressed prior to any future events.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

13.02 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE - ULYSSES CLUB - PORT MACQUARIE-WAUCHOPE 2017 AGM EVENT

RESOLVED: Cusato/Alley

That Council approve the temporary road closures and support the associated transport management arrangements associated with the Ulysses Club – Port Macquarie-Wauchope AGM Event between Monday 22 – Sunday 28 May 2017, subject to the following conditions:

1. That the event organiser advertise, at no cost to Council, the following details of all temporary road closures and temporary parking restrictions associated with this event in the local print media on separate days, at least twice (2) within 14 days prior to the event:
 - temporary road closure times
 - duration of the temporary road closures temporary parking restrictions times and duration
 - alternative routes and access arrangements.
2. That the event organiser advertise the event by undertaking a letter box drop to all residents and businesses directly affected by the temporary road closures and temporary parking restrictions at least 14 days prior to the event, advising the following:
 - event name
 - event times
 - temporary road closure times
 - duration of the temporary road closures temporary parking restrictions times and duration
 - alternative routes and access arrangements
 - contact details of at least two (2) people involved in the organisation of the Event, in case of an emergency
 - proposed actions to be undertaken to mitigate the impact of the temporary road closures and temporary parking restrictions.
3. That the Traffic Management Plan and associated Traffic Guidance Scheme dated 24 March 2017 be implemented. Any modifications to the plans must be agreed with Council prior to the running of the event.
4. The number of participants in the Grand Parade on 27 May 2017 is limited to no more than 1,200 Ulysses Club members.
5. Rolling road closures for the Grand Parade on 27 May 2017 are permitted to commence from 8.30am and all roads must be fully re-opened by 10.30am. The first rider is permitted to depart from the Town Beach car park at 9.00am and the final rider must depart John Downes Park by 9.45am.
6. That the event organiser abides by the written approval from the NSW Police.
7. That the event organiser notify the NSW Ambulance, NSW Fire & Rescue and the State Emergency Service of the proposed road closures at least 14 days in advance of the event.
8. That the event organiser notifies local Transport Services (Bus Companies, Taxis) of the proposed road closures at least 14 days in advance of the event and assists in developing alternatives for affected users.
9. An RMS accredited (Yellow card) person is to be used for the establishment and removal of the traffic control devices.
10. RMS accredited traffic controllers (Blue card) are to be used to control traffic.
11. That the event organiser installs signs to inform bus users of the temporary

arrangements at the Clarence Street, Short Street (north), Short Street (south) and William Street bus stops.

12. That the event organiser abides by any other condition that Council and the Police may impose at any time.
13. That the event organiser submit to Council 14 days prior to the commencement of the event evidence of Public Liability Insurance for the amount of \$20 million, which is valid for the duration of the event, including placement and removal of traffic control devices.
14. The event organiser must have this approval and the Traffic Management Plan and Traffic Guidance Scheme described above on site at all times for the duration of the event.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

13.03 PEDESTRIAN ACCESS AND MOBILITY PLAN FOR BEECHWOOD, COMBOYNE, LONG FLAT, NORTH SHORE AND TELEGRAPH POINT

RESOLVED: Intemann/Griffiths

That Council:

1. Note the submissions made in response to the exhibition of the Draft Final Pedestrian Access and Mobility Plan for Beechwood, Comboyne, Long Flat, North Shore and Telegraph Point.
2. Adopt the Pedestrian Access and Mobility Plan for Beechwood, Comboyne, Long Flat, North Shore and Telegraph Point with the inclusion of changes as identified within the report.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

13.04 LOOKOUT ROAD HARD ROCK QUARRY PLANNING AGREEMENT

RESOLVED: Levido/Alley

That Council note the Lookout Road Hard Rock Quarry Planning Agreement report.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

13.05 TOWN AND VILLAGE SIGNAGE

RESOLVED: Dixon/Griffiths

That Council:

1. Note the structural designs, cost estimates and community engagement to date for the Town and Village Signage project.
2. Note the proposed 2016-2017 rollout for the Town and Village Signage project.
3. Give consideration to budget allocations in 2017-18 and 2018-19 that will allow completion of the Town and Village Signage project with a three year window.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

14 QUESTIONS FOR NEXT MEETING

14.01 TENDER ASSESSMENTS

Question from Councillor Intemann:

Could the General Manager please advise the details and wording of whatever law, regulation or legal advice that Council relies on in:

1. Not making publicly available as part of the tender scope the intended weighting for a tender assessment; and
2. Not sharing with an unsuccessful tenderer their tender score and/or ranking position.

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Alley/Dixon

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:

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- Item 15.01 Review of Organisation Structure
- 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 15.02 T-17-04 LED Digital Display Billboard
- This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- Item 15.03 T-17-10 Supply, Installation and Maintenance Support of Network Microwave Equipment
- This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- Item 15.04 T-17-15 Town Green East Implementation - Concrete Works Package
- This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- Item 15.05 EOI-17-03 Independent Members of the Cultural Steering Group
- 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 15.06 EOI-17-02 Independent Members of the Economic Development Steering Group
- 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 15.07 T-16-06 Advertising on and Maintenance of Transport Assets
- This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, 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: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levdo

AGAINST: Nil

The Ordinary Council Meeting adjourned at 7.45pm.

The Ordinary Council Meeting resumed at 8.09pm.

The Directors and Group Manager Governance & Executive Services returned to the Meeting at 8.10pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Cusato

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

Item 15.01 Review of Organisation Structure

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:

1. In accordance with Section 333 of the NSW Local Government Act, determine the Organisation Structure for Port Macquarie-Hastings Council as detailed in this Review of Council Organisation Structure report.
2. In accordance with Section 332 of the NSW Local Government Act, determine the following roles as Senior Staff positions within Council, reporting directly to the General Manager:
 - (a) Director Corporate Performance;
 - (b) Director Development & Environment;
 - (c) Director Infrastructure;
 - (d) Director Strategy & Growth.
3. Approve the appointment of a Strategic Projects Officer role as a full time permanent employee to assist in the development of long term strategies.

Item 15.02 T-17-04 LED Digital Display Billboard

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 alternate tender from oOh! Media Assets Pty Ltd for the Supply, Maintenance and Management of an Electronic LED Digital Display Billboard, subject to Council obtaining the necessary planning approval and the execution, by both Council and oOh! Media Assets Pty Ltd, of the final Contract.

2. Should the required planning approval to support the alternate tender from oOh! Media Assets Pty Ltd not be obtained, accept the ranked two (2) conforming tender from oOh! Media Assets Pty Ltd subject to the execution, by both Council and oOh! Media Assets Pty Ltd, of the final Contract.
3. Subject to Resolution 1 and 2 above, accept the Schedule of Rates from oOh! Media Assets Pty Ltd for the Supply, Maintenance and Management of an Electronic LED Digital Display Billboard for the period of five (5) years with an option to extend for a further five (5) year period (such option to be for the benefit of the Council and may be exercised only by the Council in its sole discretion).
4. Delegate authority to the General Manager to enter into the final and agreed contract with oOh! Media Assets Pty Ltd.
5. Affix the seal of Council to the necessary documents.
6. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-04.

Item 15.03 T-17-10 Supply, Installation and Maintenance Support of Network Microwave Equipment

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 the Local Government (General) Regulations 2005 clause 178 (1) (b), decline to accept any of the tenders submitted for Tender T-17-10 Supply, Installation and Maintenance Support of Network Microwave Equipment due to the potential need to refine the scope of works;
2. In accordance with the Local Government (General) Regulations 2005 clause 178 (3) (b) invite, in accordance with clause 167, fresh tenders based on different details;
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-10.

Item 15.04 T-17-15 Town Green East Implementation - Concrete Works Package

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 lump sum tender from FJE & J Farlow Concrete for \$315,142 (exclusive of GST) for the supply of the Town Green East Implementation - Concrete Works Package.

2. Accept the Schedule of Rates from FJE & J Farlow Concrete for the supply of the Town Green East Implementation - Concrete Works Package for the purposes of managing potential variations to the contract.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-15.

Item 15.05 EOI-17-03 Independent Members of the Cultural Steering Group

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. Appoint the following people as community representatives of the Cultural Steering Group for a two (2) year term:
 - (a) Mr Brian Barker
 - (b) Mr Chris Denny
 - (c) Ms Kate Ford
 - (d) Mr Beric Henderson
 - (e) Ms Jennifer Hutchison
 - (f) Mr Simon Luke
 - (g) Ms Stacey Morgan
 - (h) Ms Willhemina Wahlin
2. Commence the appointments by inviting the new members to the first Cultural Steering Group meeting to be held in May 2017.
3. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-17-03.
4. Request the General Manager table a report at the June 2017 Council meeting dealing with the future of the following Committees in light of the establishment of the Cultural Steering Group:
 - (a) Heritage, Arts and Cultural Priorities Advisory Group
 - (b) Australia Day Sub-Committee
 - (c) Handa Sister City Committee
 - (d) Port Macquarie-Hastings Youth Advisory Committee.

Item 15.06 EOI-17-02 Independent Members of the Economic Development Steering Group

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. Appoint the following people as independent members of the

Economic Development Steering Group for a two (2) year term:

- (a) Ms Heather Cavanagh (Higher Education)
 - (b) Mr Paul Dawson (Greater Port Macquarie Tourism Association)
 - (c) Mr Greg Freeman (Individual)
 - (d) Mr Peter Halliwell (Individual)
 - (e) Ms Kelly King (Hastings Business Women's Network)
 - (f) Mr Hadyn Oriti (Port Macquarie Chamber of Commerce)
 - (g) Mr John R Saunders (Camden Haven Chamber of Commerce)
 - (h) Mr Anthony Thorne (Hastings Construction Industry Association)
2. Commence the appointments by inviting the new members to the next Economic Development Steering Group meeting to be held on 5 May 2017.
 3. Formally thank all past members of the Economic Development Steering Group for their commitment and contribution during their tenure.
 4. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-17-02.

Item 15.07 T-16-06 Advertising on and Maintenance of Transport Assets

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 revised Tender from Claude Outdoor Pty Ltd for Tender T-16-06 for the provision of Advertising on and Maintenance of Transport Assets, for the period of five (5) years with an option to extend for a further five (5) year period (such option to be for the benefit of the Council and may be exercised only by the Council in its sole discretion), subject to the execution, by both Council and Claude Outdoor Pty Ltd, of the final Conditions of Contract.
2. Accept the Schedule of Rates tender from Claude Outdoor Pty Ltd (Option D) for the provision of Advertising on and Maintenance of Transport Assets.
3. Delegate authority to the General Manager to continue with and complete negotiations with Claude Outdoor Pty Ltd for the Advertising on and Maintenance of Transport Assets contract and to execute a contract once he has formed the opinion that the terms are satisfactory to Council.
4. Affix the seal of Council to the necessary documents.
5. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-06.

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Intemann and Levido

AGAINST: Nil

The meeting closed at 8.10pm.

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Peter Besseling
Mayor