

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
Councillor Lee Dixon

Other Attendees:

General Manager (Craig Swift-McNair)
Director Corporate Performance (Rebecca Olsen)
Acting Director Development and Environment (Dan Croft)
Acting Director Infrastructure (Duncan Clarke)
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

Pastor Peter Huxley, Wauchope Presbyterian Church, delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Intemann/Levido

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

CARRIED: 9/0

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

AGAINST: Nil.

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.01 - Racewyn Close, Port Macquarie Stormwater Drainage Works as Material Public Benefit - Revised Application, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for the owner of a property the subject of the report.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.02 - Planning Proposal for Diamond Drive, Port Macquarie, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for the owner of a property the subject of the report.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.03 - Update on Site Specific Planning Proposal Requests, the reason being that is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for the two owners of a property the subject of the report.

Councillor Alley declared a Non-Pecuniary, Significant Interest in Item 12.03 - Update on Site Specific Planning Proposal Requests, the reason being that Councillor Alley is the Treasurer on the Anglican Diocese of Newcastle Parish Council. The subject matter of this item includes property immediately adjacent to property that is owned by the Property Approvals Board, Anglican's Diocese of Newcastle which holds that property for the benefit of the Anglican Parish of the Camden Haven. These changes may result in a financial loss or gain to nearby property owners and hence to the Property Trust.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

MOTION: Pinson

That the Mayoral Discretionary Fund allocations for the period 8 February to 7 March 2018 inclusive be noted.

CARRIED: 9/0

FOR: Alley, Cusato, Dixon, 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. Mrs Jeannette Rainbow regarding roads rehabilitation in Wauchope and Link Road.
2. Mr Raymond Griffiths, Rollands Plains Community Group, regarding roadside vegetation.

MOTION: Dixon/Alley

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

CARRIED: 9/0

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

08.01 ROADS REHABILITATION IN WAUCHOPE AND LINK ROAD

Mrs Jeannette Rainbow addressed Council in regard to roads rehabilitation in Wauchope and Link Road.

08.02 ROADSIDE VEGETATION

Mr Raymond Griffiths, representing the Rollands Plains Community Group, addressed Council in regard to roadside vegetation 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 12.02 – Mr Anthony Thorne, King and Campbell Pty Ltd, in support of the recommendation.

Item 12.03 – Mr Peter Scott, Scott PDI Pty Ltd, in support of the recommendation.

Item 12.05 – Mr Geoff Perry in opposition of the recommendation.

Item 12.05 – Ms Sally Murphy in support of the recommendation.

MOTION: Dixon/Turner

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

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

MOVED:

That Standing Orders be suspended to allow Items 12.02, 12.03 and 12.05 to be brought forward and considered next.

12.02 PLANNING PROPOSAL FOR DIAMOND DRIVE, PORT MACQUARIE

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 5:49pm.

Mr Anthony Thorne, King and Campbell Pty Ltd, addressed Council in support of the recommendation.

RESOLVED: Griffiths/Intemann

That Council:

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1. Prepare a draft planning proposal as described in this report in relation to Lot 22 DP 1229697 and Nos 19-31 Diamond Drive, Port Macquarie, pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979, for the amendment of Port Macquarie-Hastings Local Environmental Plan 2011.
 2. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 3.34, 3.35 and clause 4 of Schedule 1 of the Act.
 3. Request that the Director General of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 3.36 of the Act in respect of the planning proposal.

CARRIED: 8/0

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

AGAINST: Nil

12.03 UPDATE ON SITE SPECIFIC PLANNING PROPOSAL REQUESTS

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and remained out of sight during the Council's consideration.

Councillor Alley declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 5:51pm.

Mr Peter Scott, Scott PDI Pty Ltd, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Cusato/Dixon

That Council:

1. Note the current status of site specific Planning Proposal requests as described in this report.
2. Take the necessary steps to discontinue Planning Proposal request PP2009-1.1 in relation to Nos 302, 304 and 340 Ocean Drive, and 10 Mission Terrace, Lakewood, as the information required for Council to support an amendment to Port Macquarie Hastings LEP 2011 has not been provided.
3. Receive a further update in six months regarding the progress of all other site specific Planning Proposal requests.

CARRIED: 7/0

FOR: Cusato, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 06:10pm.

Councillor Alley returned to the meeting, the time being 06:10pm.

12.05 THE BOOM RESERVE DOG OFF-LEASH PARK

Mr Geoff Perry addressed Council in support of the recommendation.

Ms Sally Murphy addressed Council in support of the recommendation.

RESOLVED: Turner/Griffiths

That Council:

1. Note the information contained within the The Boom Reserve Dog Off-leash Park Report.
2. Defer the concept for the dog off-leash park in The Boom Reserve to allow for further investigation on whether the proposal can provide for off-street parking to support use of the facility.
3. Request the General Manager investigate whether there are more suitable alternatives for an off-leash dog park in Port Macquarie.
4. Request the General Manager provide a report to the Ordinary Council Meeting scheduled for June 2018 outlining the findings of points 2 and 3 above.

CARRIED: 9/0

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

AGAINST: Nil

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Levido/Griffiths

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

CARRIED: 9/0

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

AGAINST: Nil

09.02 JOINT ORGANISATION OF MID NORTH COAST COUNCILS

RESOLVED: Turner/Intemann

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), Port Macquarie-Hastings Council (Council) resolves:

1. That the Council inform the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation in accordance with this resolution.
2. To approve the inclusion of the Port Macquarie-Hastings Council's area in the Joint Organisation's area.

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3. That the Joint Organisation be established to cover the Council's area and any one or more of the following Council areas:
 - Kempsey Shire Council;
 - Nambucca Shire Council;
 - Bellingen Shire Council;
 - Coffs Harbour City Council;
 - Clarence Valley Council.
 4. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) With a copy of this resolution including the date on which Council made this resolution; and
 - b) Inform the Minister that this resolution has not been rescinded for the purpose of the Minister issuing a certificate under section 400P of the Act.
 5. That Council will provide no financial guarantee to the Joint Organisation, nor will it accept any liability for decisions made and/or debts incurred.
 6. To request the Joint Organisation consider the following points in the determination of its charter:
 - a) That decision making occurs via consensus and that a dispute resolution mechanism be included;
 - b) That a primary objective of any proposed Joint Organisation is to deliver cost-savings to the member councils, and therefore the JO should not entrench excessive ongoing expense or administrative burden;
 - c) That the purpose and core functions of the Joint Organisation be limited to the following functions, with all other functions to be decided on a case-by-case basis:
 - i. strategic planning and regional priority setting,
 - ii. intergovernmental collaboration, and
 - iii. regional leadership and advocacy
 7. That any requests for financial contribution to be decided by Council resolution.
 8. That agendas for meetings of the Joint Organisation be provided to PMHC Councillors prior to the meetings, and that all official business of the Joint Organisation be reported to a subsequent Ordinary Meeting of Council, including agendas, reports, and minutes of meetings.
 9. That Council's decision to participate in the Joint Organisation be reviewed against the stated goals of additional investment to the region, and substantial benefit and significant cost savings to Councils, within 24 months of the commencement of the Joint Organisation.

CARRIED: 7/2

FOR: Alley, Dixon, Griffiths, Intemann, Levido, Pinson and Turner

AGAINST: Cusato and Hawkins

09.03 JOINING REGIONAL CITIES NSW

RESOLVED: Intemann/Griffiths

That Council:

1. Note the information contained within the Joining Regional Cities NSW report.
2. Note that the Mayor and the General Manager will attend a further meeting of the Inland Forum in Sydney on 31 May 2018 to gain further insights into the benefits or otherwise of joining the proposed Regional Cities NSW group.

CARRIED: 8/1

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

AGAINST: Cusato

09.04 INVESTMENTS - FEBRUARY 2018

RESOLVED: Hawkins/Alley

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

CARRIED: 9/0

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

AGAINST: Nil

09.05 PROJECT MANAGEMENT FRAMEWORK

RESOLVED: Levido/Hawkins

That Council note the implementation, operation and effectiveness to date of the Project Management Policy.

CARRIED: 9/0

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

AGAINST: Nil

09.06 SIX MONTHLY DELIVERY PROGRAM 2017 - 2021 - PROGRESS REPORT (JULY 2017 TO DECEMBER 2017)

RESOLVED: Alley/Hawkins

That the information in the six monthly Delivery Program 2017-2021 progress report (July to December 2017) be noted.

CARRIED: 9/0

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

AGAINST: Nil

09.07 DRAFT INTEGRATED PLANNING AND REPORTING (IP&R) DOCUMENTS FOR PUBLIC EXHIBITION

Councillor Dixon left the meeting, the time being 7:25pm.

Councillor Cusato left the meeting, the time being 7:28pm.

Councillor Dixon returned to the meeting, the time being 7:28pm.

Councillor Cusato returned to the meeting, the time being 7:29pm.

RESOLVED: Turner/Griffiths

That Council:

1. Place the following Integrated Planning and Reporting (IP&R) documents on public exhibition for a period of 28 days from 22 March to 22 April 2018:
 - a) Draft Delivery Program 2017-2021 (Revised 2018) and Draft Operational Plan 2018-2019
 - b) Draft Fees & Charges 2018-2019
 - c) Draft Revenue Policy 2018-2019
 - d) Rating Maps 2018-2019
2. Note that a further report will be tabled at the June 2018 meeting of Council for the adoption of the 2018-19 IP&R documents, detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

09.08 MONTHLY FINANCIAL REVIEW FOR FEBRUARY 2018

RESOLVED: Hawkins/Turner

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for February 2018.

CARRIED: 9/0

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

AGAINST: Nil

09.09 BUSINESS IMPROVEMENT STRATEGY

RESOLVED: Pinson/Dixon

That Council endorse the Business Improvement Strategy.

CARRIED: 9/0

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

AGAINST: Nil

09.10 VILLAGE SEWERAGE SCHEME STEERING GROUP CHARTER AMENDMENT

RESOLVED: Levido/Hawkins

That Council adopted the amended Village Sewerage Scheme Steering Group Charter.

CARRIED: 9/0

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

AGAINST: Nil

09.11 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR GRIFFITHS

RESOLVED: Pinson/Dixon

That Council grant leave of absence for Councillor Griffiths for the period 14 to 25 April 2018, which includes the Ordinary Meeting of Council scheduled for 18 April 2018.

CARRIED: 9/0

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

AGAINST: Nil

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

RESOLVED: Pinson/Alley

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. Phoebe Bentley, the amount of \$250.00 to assist with the expenses that will she will incur travelling to and competing at the 2018 NSW Country Swimming Championships to be held at Sydney Olympic Aquatic Centre from 23 – 25 February 2018 inclusive.
2. Annika Toohey, the amount of \$1000.00 to assist with the expenses she will incur representing Australia as a member of the School Sport Australia Girl's Hockey Team to compete in South Africa from 28 June to 14 July 2018 inclusive.

CARRIED: 9/0

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

AGAINST: Nil

11.0 YOUR BUSINESS AND INDUSTRY – Nil reports for this section.

12.01 RACEWYN CLOSE, PORT MACQUARIE STORMWATER DRAINAGE WORKS AS MATERIAL PUBLIC BENEFIT - REVISED APPLICATION

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:39pm.

RESOLVED: Griffiths/Turner

That Council:

1. Subject to the applicant entering into a Works in Kind Agreement, approve the revised application to undertake works involving the construction of stormwater infrastructure at Racewyn Close 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).
2. Delegate authority to the General Manager to execute the Works in Kind Agreement in item 1.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 7:40pm.

Item - 12.02 Planning Proposal for Diamond Drive, Port Macquarie - has been moved to another part of the document.

Item - 12.03 Update on Site Specific Planning Proposal Requests - has been moved to another part of the document.

12.04 PORT MACQUARIE TOWN SQUARE PLANNING PROPOSAL

RESOLVED: Hawkins/Griffiths

That Council, as the planning proposal authority, take the necessary steps under sections 3.35 and 3.36 of the *Environmental Planning and Assessment Act 1979* to finalise Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment no 51), which relates to applying a B3 Commercial Core zone to part of Port Macquarie Town Square, Horton Street, Port Macquarie.

CARRIED: 9/0

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

AGAINST: Nil

Item - 12.05 The Boom Reserve Dog Off-leash Park - has been moved to another part of the document.

13 QUESTIONS FOR NEXT MEETING

13.01 LAKE CATHIE OPENING STRATEGY

Question from Mayor Pinson:

Can the General Manager please provide information to Councillors on the Lake Cathie Opening Strategy - its history, current status and how Council might go about reviewing the strategy.

Comments by Councillor (if provided):

Nil.

13.02 SHOW GROUND PRIMITIVE CAMPING

Question from Mayor Pinson:

Can the General Manager please provide information on how Council might go about offering an exception to contributions for show ground trusts who wish to increase their primitive camping capacity?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Griffiths

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 T-18-05 Supply, Installation and Maintenance 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.

Item 14.02 T-18-08 Supply and Delivery of One (1) Pipeline Inspection Unit and 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.

Item 14.03 T-17-53 Organisational Wide Customer Interactions Review

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-17-57 Investigation and Design of Trunk Water Main Augmentation Between Sancrox Reservoir and Wauchope

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 T-17-58 Flynn's Beach Seawall (Stage 1) - Design & Construct

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 14.13 T-17-52 Project Management Services for the Construction of Wauchope Main St Upgrades

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 14.06 Audit, Risk and Improvement Committee Chair

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 14.07 Boundary Adjustment

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 14.08 Request for Compensation from Local Business

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 14.09 Minor Plant Review

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 14.10 Replacement of Budget and Reporting Tool

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 14.11 Appointment of New Member to 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 14.12 IRONMAN Australia Hosting Agreement

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, confer a commercial advantage on a competitor of the Council.

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: 9/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7:45pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:25pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Dixon/Cusato

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

Item 14.01 T-18-05 Supply, Installation and Maintenance 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. Accept the tender from Wave1 Pty Ltd for a lump sum of \$331,832 (exclusive of GST) for the supply, installation and maintenance support of Network Microwave Equipment.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of tender T-18-05.

Item 14.02 T-18-08 Supply and Delivery of One (1) Pipeline Inspection Unit and 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. Accept the tender from Nordkapp Investments Pty Ltd trading as Sewer Equipment Company Australia for \$145,836 (exclusive of GST) for the supply and delivery of one (1) pipeline inspection unit and equipment.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-08.

Item 14.03 T-17-53 Organisational Wide Customer Interactions Review

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 Future Reference for a lump sum of \$408,650 (exclusive of GST) with a provisional budget for travel, accommodation and ancillary costs of \$50,411 (exclusive of GST) for the delivery of the Organisational Wide Customer Interaction Review.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of tender T-17-53.

Item 14.04 T-17-57 Investigation and Design of Trunk Water Main Augmentation Between Sancrox Reservoir and Wauchope

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 quotation, through Local Government Procurement, from Calibre Consulting (NSW) Pty Ltd for \$154,890 (exclusive of GST) for the investigation and design of the Trunk Water Main augmentation between Sancrox Reservoir and Wauchope.

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2. Accept the Schedule of Rates from Calibre Consulting (NSW) Pty Ltd for the investigation and design of the Trunk Water Main augmentation between Sancrox Reservoir and Wauchope.
 3. Affix the seal of Council to the necessary documents.
 4. Maintain the confidentiality of the documents and consideration in respect of Tender T-17-57.
 5. Note the expected total cost of the project and endorse the overall project budget as described in the included project financial summary.

Item 14.05 T-17-58 Flynn's Beach Seawall (Stage 1) - Design & Construct

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 Michilis Pty Ltd for (Design Option 3) for two million and seventy thousand, eight hundred and ninety seven dollars (\$2,070,897.00)(exclusive of GST) for the Design and Construction of Flynn's Beach Seawall (Stage 1).
2. Accept the Price Schedule from Michilis Pty Ltd for the Design and Construction of Flynn's Beach Seawall (Stage 1).
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-58.
5. Note the expected total cost of the project and endorse the overall project budget as described in the included project financial summary.

Item 14.06 Audit, Risk and Improvement Committee Chair

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 Grahame Marchant as the Chair of the Audit, Risk and Improvement Committee.
2. Maintain the confidentiality of the documents and considerations in respect to the Chair of the Audit, Risk and Improvement Committee selection process.

Item 14.07 Boundary Adjustment

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 Council make application to the Minister of Local Government and Midcoast Council to approve a minor boundary adjustment from Midcoast Council to Port Macquarie-Hastings Council.

Item 14.08 Request for Compensation from Local Business

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. Note the request from Mr and Mrs Walsh for compensation in respect of road works undertaken in Hill Street, Port Macquarie.
2. Adopt the position of Council's Insurer in respect of this claim, which is to reject the offer of settlement and deny liability.

Item 14.09 Minor Plant Review

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. Note the information contained within the Minor Plant Review report.
2. Continue to deliver the Minor Plant service in-house.

Item 14.10 Replacement of Budget and Reporting Tool

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. Pursuant to Section 55 (3) (i) of the Local Government Act 1993, due to the extenuating circumstances as described in this report, resolves to not invite tenders for the supply of budgeting and reporting software and associated consulting costs.

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2. Accept the quotation from Jedox Pty Ltd for \$298,620 (ex GST) for the prepayment of 60 days of consulting fees for customisation and implementation, and for three (3) years in software licence fees.

Item 14.11 Appointment of New Member to 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 Mrs Susan East as a member of the Port Macquarie-Hastings Economic Development Steering Group, noting the recent resignation of Mr John Saunders.
2. Formally thank Mr John Saunders for his commitment and contribution during his tenure.

Item 14.12 IRONMAN Australia Hosting Agreement

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, confer a commercial advantage on a competitor of the Council.

RECOMMENDATION

That Council delegate authority to the General Manager to negotiate a new tripartite hosting agreement with Destination NSW and IRONMAN Oceania for the 2019-2021 IRONMAN Australia and IRONMAN 70.3 events, based on the financial terms noted in this report.

Item 14.13 T-17-52 Project Management Services for the Construction of Wauchope Main St Upgrades

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 price of Public Works Advisory of \$224,842 (exclusive of GST) for the Project Management Services for the Construction of Wauchope Main Street Upgrades.
2. Accept the Schedule of Rates tendered in the Schedule of Prices from Public Works Advisory to be used solely for the purpose of valuing relevant variation work, for the Project Management Services for the Construction of Wauchope Main Street Upgrades.

3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and consideration in respect of Tender T-17-52.
5. Note the expected total cost of the project and endorse the overall project budget as described in the included project financial summary.

CARRIED: 9/0

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

AGAINST: Nil

The meeting closed at 8:26pm.

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Peta Pinson
Mayor