

PRESENT

Members:

Councillor Peter Besseling (Mayor)
Councillor Rob Turner
Councillor Adam Roberts (Deputy Mayor)
Councillor Lisa Intemann
Councillor Justin Levido
Councillor Geoff Hawkins
Councillor Trevor Sargeant
Councillor Michael Cusato
Councillor Sharon Griffiths

Other Attendees:

Acting General Manager (Craig Swift-McNair)
Director of Infrastructure & Asset Management (Jeffery Sharp)
Acting Director of Commercial Services & Industry Engagement (Rebecca Olsen)
Director of Development & Environment (Matt Rogers)
Director of Community & Organisational Development (Lesley Atkinson)
Group Manager Governance & Executive Services (Stewart Todd)
Acting Communications Co-ordinator (Stuart Carless)
Governance Support Officer (Bronwyn Lyon)

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 John West from St Thomas Anglican Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Cusato

1. That the Minutes of the Ordinary Council Meeting held on 18 December 2013 be confirmed.
2. That the Minutes of the Extra-Ordinary Council Meeting held on 10 February 2014 be confirmed.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Roberts declared a Pecuniary Interest in Item 11.02 - Tastings on Hastings Event, the reason being that Councillor Roberts' business, Yankee Deli, is a past stallholder at the event and will likely be a future stallholder should the event continue into the future.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 13.02 - Tender T-13-31 Houston Mitchell Drive Tenders for Design and Environmental Assessment, the reason being that Councillor Levido is a partner in the Port Macquarie Law Firm, Donovan Oates Hannaford Lawyers who currently acts for an entity (and its principals personally) being one of the unsuccessful tenderers.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

MOVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 6 December 2013 to 5 February 2014 be noted.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Cusato/Sargeant

That Council determine that the attachments to Item Numbers 11.02, 12.03, 13.01, 13.02, 13.03 and 13.04 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

08 PUBLIC FORUM

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

1. Mr David Waite regarding the plight of Wauchope District Historical Society, my thoughts on this and to discuss how we all may be able to assist this group.
2. Mr David Waite regarding Timbertown, tourism and better ways to move forward.
3. Mr John Simon regarding duplication of Ocean Drive through Lake Cathie and use of Council's Asset Register to construct roads.
4. Mr Jamie Harrison regarding availability of sporting facilities.
5. Ms Jenny Daniel regarding Big 4 Caravan Park, Bonny Hills - screaming, health, advertising, dangerous bucket, no adult, local kids unaccompanied.

Councillor Intemann declared a Non-Pecuniary, Insignificant Interest in Item 08.04 - Public Forum - Availability of Sporting Facilities, the reason being that a speaker, Jamie Harrison, is a supporter of Councillor Intemann.

RESOLVED: Roberts/Turner

1. That the above requests to speak in the Public Forum be acceded to
2. That speakers be allocated a maximum of five (5) minutes each.

CARRIED: 8/1

FOR: Besseling, Cusato, Griffiths, Hawkins, Levido, Roberts, Sargeant and Turner
AGAINST: Intemann

08.01 WAUCHOPE DISTRICT HISTORICAL SOCIETY

Mr David Waite addressed Council in regard to the plight of Wauchope District Historical Society, presenting his thoughts on this and how to assist this group. Mr Waite answered questions from Councillors.

08.02 TIMBERTOWN

Mr David Waite addressed Council in regard to Timbertown, tourism and better ways to move forward. Mr Waite answered questions from Councillors.

08.03 DUPLICATION OF OCEAN DRIVE THROUGH LAKE CATHIE

Mr John Simon addressed Council in regard to the duplication of Ocean Drive through Lake Cathie and use of Council's Asset Register to construct roads. Mr Simon answered questions from Councillors.

08.04 SPORTING FACILITIES

Councillor Intemann declared a Non-Pecuniary, Insignificant Interest in this matter and remained in the room during the Council's consideration.

Mr Jamie Harrison, on behalf of the Port Macquarie Sharks RLFC, was not present to address Council, however Mr Robert Harrison attended and addressed Council in regard to the availability of sporting facilities. Mr R. Harrison answered questions from Councillors.

08.05 BIG 4 CARAVAN PARK BONNY HILLS

Ms Jenny Daniel addressed Council in regard to the Big 4 Caravan Park, Bonny Hills - screaming, health, advertising, dangerous bucket, no adult, local kids unaccompanied.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 13.03 - Ms Narelle Milligan in support of the recommendation.

RESOLVED: Turner/Hawkins

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

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner
CARRIED: 9/0
AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Hawkins

That Standing Orders be suspended to allow Item 13.03 to be brought forward and considered next.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

13.03 UPDATE ON COUNCIL'S FERRY OPERATIONS

Ms Narelle Milligan, representing the Northside Progress Association Inc. addressed Council in support of the recommendation.

RESOLVED: Intemann/Turner

That Council:

1. Note the information contained in the report relating to the current review of ferry services.
2. Endorse the actions of the General Manager in authorising the assignment of the ferry contract from Ferrymen Pty Ltd to Ferrymen (Port Macquarie) Pty Ltd.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

09.01 DISCLOSURE OF INTEREST RETURNS

RESOLVED: Levido/Griffiths

That the Disclosure of Interest returns for the Group Manager Financial Services and the Building Surveyor Compliance be noted.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

09.02 STATUS OF OUTSTANDING REPORTS TO COUNCIL - FEBRUARY 2014

RESOLVED: Sargeant/Griffiths

That the information in the February 2014 Status of Outstanding Reports to Council be noted.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

09.03 GLASSHOUSE FINANCIAL QUARTERLY REPORTING DECEMBER 2013

RESOLVED: Roberts/Levido

That Council note the information provided in the report.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

09.04 QUESTION ON NOTICE - PORT MACQUARIE LIBRARY SOLAR

RESOLVED: Griffiths/Levido

That Council:

1. Note the information contained in the report.
2. Request that a further report be tabled at the May 2014 Council Meeting that considers the following issues:
 - a) Further gains available using photovoltaic power including full capacity utilisation of current installation.
 - b) Suitability for conversion of Council administration and other library buildings.
 - c) Potential cost of such a program and the likely timing of implementation if approved by Council.
 - d) Cost effectiveness with consideration to changing economic factors, carbon credits, rebates, grant availability and increased cost of electricity.
 - e) Council's legislative requirement to offset carbon dioxide in the future.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

**09.05 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2013 AND
MONTHLY FINANCIAL REVIEW FOR DECEMBER 2013 AND JANUARY
2014**

RESOLVED: Cusato/Levido

That Council:

1. Note the Quarterly Budget Review Statement for the December Quarter.
2. Adopt the adjustments in the "Financial Implications" section of the report for December 2013/January 2014.

CARRIED: 9/0

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner*

AGAINST: Nil

09.06 INVESTMENTS - DECEMBER 2013

RESOLVED: Levido/Griffiths

That Council receive and note the Investment Report for the month of December 2013.

CARRIED: 9/0

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner*

AGAINST: Nil

09.07 INVESTMENTS - JANUARY 2014

RESOLVED: Levido/Turner

That Council receive and note the Investment Report for the month of January 2014.

CARRIED: 9/0

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner*

AGAINST: Nil

09.08 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

Councillor Cusato left the meeting, the time being 06:49pm.

Councillor Cusato returned to the meeting, the time being 06:50pm.

RESOLVED: Intemann/Cusato

1. That Council note the Development Activity and Assessment System Performance Report for the second quarter of 2013-2014.
2. That Council write to the local state members and relevant minister:
 - a) Expressing significant disappointment as to the recent amendment to the notification requirements for complying development; and
 - b) Seeking a review of the amendment to the legislation; and
 - c) Requesting better, proactive and effective communication with councils prior to any future changes to planning regulations in line with the State and Local Government agreement.

CARRIED: 8/1

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant and Turner

AGAINST: Roberts

09.09 QUESTION ON NOTICE - BUILDING A NEW LOCAL GOVERNMENT PERFORMANCE MEASUREMENT FRAMEWORK

Councillor Intemann left the meeting, the time being 06:59pm.

Councillor Intemann returned to the meeting, the time being 07:03pm.

RESOLVED: Hawkins/Roberts

That Council note:

1. The answers to the questions posed by Cr Hawkins.
2. The response sent to the Division of Local Government.
3. That the Acting General Manager table a report at the April 2014 Ordinary Meeting of Council, that details:
 - a) How Council proposes to determine that the organisation is achieving goals in line with community expectations, and
 - b) In both an overall organisational context and specifically in terms of Council's performance measurement framework, strategy and methodology, how this performance will be measured and benchmarked against not just other comparable councils but also other relevant service-driven organisations.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

09.10 2013 - 2014 OPERATIONAL PLAN MODIFICATIONS

RESOLVED: Griffiths/Intemann

That Council:

1. Adopt changes to the 2013-2014 Operational Plan actions as detailed in this report.
2. Note the highlighted capital works projects at risk of not being completed as programmed.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

09.11 2013 - 2014 COMMUNITY GRANTS ROUND TWO ASSESSMENT AND PROCESS FOR 2014-2015 COMMUNITY GRANTS PROGRAM

RESOLVED: Turner/Sargeant

That Council:

1. Pursuant to provisions of section 356 of the Local Government Act 1993, grant financial assistance from the round two Community Grants 2013-2014 to:

Organisation	Project	Funding
Pappinbarra Progress Association Inc.	An evening of bush dancing to engage with their neighbours. Target group: residents of the Pappinbarra Valley	\$1,000
Port Macquarie Neighbourhood Centre Inc.	Connecting the immediate neighbours, including older and younger generations. Monthly lunches or morning teas at Centre for residents in streets immediately adjacent to Neighbourhood Centre (Muston/Dodds/Douglas/Oxide & Allman Streets, PM)	\$5,200
Rollands Plains Recreation Reserve Trust	Engaging elderly residents in compiling local history + facilitate interaction between this age and the community. Interaction with students at Rollands Plains Upper PS through visits and exchange of information.	\$2,280
Port Macquarie Historical Society Inc.	Hosting a neighbourhood day at Museum which brings together people in Clarence Street - including permanent residents, visitors, and community groups.	\$2,000
Communities of the Three Brothers	The development of telephone tree/personal contact networks during emergencies, a "buddy" in their street. An area of villages includes Johns River, Hannam Vale, Ross Glen and Herons Creek.	\$1,000

Honour, An Australian Christian Church	Billy Cart Derby Innes Lake - bringing together by building and entering a cart. Offer billy cart making workshops. Overcome barriers of participation within single parent families, the elderly.	\$4,345
TOTAL		\$15,825

2. Approve the balance of funds be allocated to the development of a short 10 minute You Tube Video that complements the Information Sessions in providing support to prospective grant applicants (\$3,000) and trial one or two small "place making" projects (\$28,267).

3. Note the process for Round 1 of the 2014-2015 Community Grants Program.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

10.01 SALE OF PART LOT17 DP244821 AT 9 COOPERABUNG DRIVE, TELEGRAPH POINT (PIN19819)

RESOLVED: Intemann/Hawkins

That Council:

1. Sell that part of Lot 17 Deposited Plan 244821 as depicted in the plan attached to this report in the amount of \$1,700 (GST Exclusive).
2. Affix the Common Seal to the linen plan of subdivision (boundary adjustment) of Lots 7 and 17 Deposited Plan 244821.
3. Pursuant to section 377 of the Local Government Act 1993 delegate to the General Manager authority to sign the Contract for the sale of the land.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

10.02 NEW ARTS, CULTURE AND HERITAGE SUB-COMMITTEE

RESOLVED: Sargeant/Intemann

That Council:

1. Create a new Heritage Arts and Culture Priorities Advisory Group.
2. Adopt the attached draft Charter for the Heritage Arts and Culture Priorities Advisory Group, save and except the membership limits of clause 3.0 Membership.
3. Set the Heritage Arts and Culture Priorities Advisory Group membership to comprise two (2) Councillors and up to a maximum of seven (7) independent community members, all with voting rights.
4. Seeks expressions of interest from interested community members to fill the seven (7) independent community positions on the Heritage Arts and Culture Priorities Advisory Group.

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5. Following the membership expression of interest process, a report be provided to Council with the proposed membership for consideration.
 6. Request the Heritage Arts and Culture Priorities Advisory Group, as an initial task, to review the current Charter, its relevance and make recommendations to Council.
 7. Encourage special interest groups within the Heritage, Arts and Culture sector to continue to meet amongst themselves and to direct any future matters requiring Council's attention through the Heritage Arts and Culture Priorities Advisory Group so as to ensure the overall interests of the sector are able to be considered by Council.
 8. Undertake a review of the Heritage Arts and Culture Priorities Advisory Group after 12 months of formation.
 9. Disband both the Heritage & Museums Sub-Committee and the Arts & Cultural Development Committee.
 10. Formally thank the members of the Heritage & Museums Sub-Committee and the Arts & Cultural Development Committee for their commitment and time to date and draw their attention to the expression of interest for membership of the Heritage Arts and Culture Priorities Advisory Group.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner

AGAINST: Nil

11.01 QUESTION ON NOTICE - SHOP ADJACENT TO COACH TERMINAL (PIN62740)

RESOLVED: *Levido/Cusato*

That Council seek to obtain through an Expression of Interest process, a commercial return from the vacant office premises adjoining the Coach Terminal in Gordon Street, Port Macquarie.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner

AGAINST: Nil

11.02 TASTINGS ON HASTINGS EVENT

Councillor Roberts declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 07:24pm.

MOTION

MOVED: *Cusato/Turner*

That Council:

1. Note the information presented regarding the 2013 Tastings on Hastings event.
2. Note the results of recent event visitor surveys which indicated Tastings on Hastings is a valued community event which creates a sense of pride in our place.

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3. Plan and provide support for Tastings on Hastings in 2014; with the event management contracted to a third party(s) who will work with Council's Economic Development team to maximise the return on Council's investment for the event.
 4. Request the General Manager to present a report to the April 2014 Ordinary Meeting of Council with a budget of all cash and in-kind Council expenditure for the 2014 event.
 5. Request the General Manager to present a report to the August 2014 Ordinary Meeting of Council which provides a full review of the Tastings on Hastings event including its future strategic development and financial sustainability.
 6. That consideration be given during 2014-2015 to opportunities to further activate the Port Macquarie CBD via other major events.

AMENDMENT

MOVED: Sargeant

That Council:

1. Note the information presented regarding the 2013 Tastings on Hastings event.
2. Note the results of recent event visitor surveys which indicated Tastings on Hastings is a valued community event which creates a sense of pride in our place.
3. Plan and provide support for Tastings on Hastings in 2014; with the event management contracted to a third party(s) who will work with Council's Economic Development team to maximise the return on Council's investment for the event.
4. That we hold the 2014 Tastings on Hastings at a location with some existing infrastructure already in place particularly power, parking and undercover areas so as the costs are more manageable
5. Request the General Manager to present a report to the April 2014 Ordinary Meeting of Council with a budget of all cash and in-kind Council expenditure for the 2014 event.
6. Request the General Manager to present a report to the August 2014 Ordinary Meeting of Council which provides a full review of the Tastings on Hastings event including its future strategic development and financial sustainability.
7. Consider opportunities to further activate the Port Macquarie CBD via other major events.

LAPSED FOR WANT OF A SECONDER

FORESHADOWED MOTION

MOVED: Intemann

That Council:

1. Note the information presented regarding the 2013 Tastings on Hastings event.
2. Note the results of recent event visitor surveys which indicated Tastings on Hastings is a valued community event which creates a sense of pride in our place.
3. Plan and provide support for Tastings on Hastings in 2014; with the event management contracted to a third party(s) who will work with Council's Economic Development team to maximise the return on Council's investment for the event.
4. Request the General Manager present a report to the April 2014 Ordinary

- Meeting of Council including consideration of the possibility of holding the 2014 event at a location with some existing infrastructure already in place particularly power, parking and undercover areas so as the costs are more manageable, with a budget of all cash and in-kind Council expenditure for the 2014 event.
5. Request the General Manager to present a report to the August 2014 Ordinary Meeting of Council which provides a full review of the Tastings on Hastings event including its future strategic development and financial sustainability.
 6. Consider opportunities to further activate the Port Macquarie CBD via other major events.

AMENDMENT

MOTION: Intemann/Sargeant

That Council:

1. Note the information presented regarding the 2013 Tastings on Hastings event.
2. Note the results of recent event visitor surveys which indicated Tastings on Hastings is a valued community event which creates a sense of pride in our place.
3. Plan and provide support for Tastings on Hastings in 2014; with the event management contracted to a third party(s) who will work with Council's Economic Development team to maximise the return on Council's investment for the event.
4. Request the General Manager present a report to the April 2014 Ordinary Meeting of Council including consideration of the possibility of holding the 2014 event at a location with some existing infrastructure already in place particularly power, parking and undercover areas so as the costs are more manageable, with a budget of all cash and in-kind Council expenditure for the 2014 event.
5. Request the General Manager to present a report to the August 2014 Ordinary Meeting of Council which provides a full review of the Tastings on Hastings event including its future strategic development and financial sustainability.
6. Consider opportunities to further activate the Port Macquarie CBD via other major events.

LOST: 2/6

FOR: Intemann and Sargeant

AGAINST: Besseling, Cusato, Griffiths, Hawkins, Levido and Turner

THE MOTION WAS PUT

RESOLVED: Cusato/Turner

That Council:

1. Note the information presented regarding the 2013 Tastings on Hastings event.
2. Note the results of recent event visitor surveys which indicated Tastings on Hastings is a valued community event which creates a sense of pride in our place.
3. Plan and provide support for Tastings on Hastings in 2014; with the event management contracted to a third party(s) who will work with Council's Economic Development team to maximise the return on Council's investment for the event.
4. Request the General Manager to present a report to the April 2014 Ordinary Meeting of Council with a budget of all cash and in-kind Council expenditure for the 2014 event.
5. Request the General Manager to present a report to the August 2014 Ordinary Meeting of Council which provides a full review of the Tastings on Hastings

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- event including its future strategic development and financial sustainability.
6. That consideration be given during 2014-2015 to opportunities to further activate the Port Macquarie CBD via other major events.

CARRIED: 7/1

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido and Turner

AGAINST: Sargeant

Councillor Roberts returned to the meeting, the time being 07:44pm.

12.01 QUESTION ON NOTICE - NEW DEVELOPMENT - ILLAROO ROAD, LAKE CATHIE

RESOLVED: Intemann/Cusato

That the New Development - Illaroo Road, Lake Cathie report be noted.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

12.02 LAKE CATHIE REVETMENT WALL INVESTIGATION & DESIGN

RESOLVED: Intemann/Roberts

That the Lake Cathie Revetment Wall Options Assessment & Preliminary Design Report be publicly exhibited for four (4) weeks in March 2014.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

12.03 TENDER T-13-29 MULCHING OF GREENWASTE AND WOODWASTE

RESOLVED: Intemann/Hawkins

That Council:

1. Accept the Tender from Davis Earthmoving and Quarrying Pty Ltd, for the Mulching of Greenwaste and Woodwaste including cartage for \$209,950 (ex GST) for a 24 month term commencing on 1 March 2014, with options to extend for a further two (2) x 12 month periods (at Council's discretion).
2. Affix the seal of Council to the necessary documents.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

**12.04 STATUS UPDATE ON THE CAMDEN HAVEN FLOODPLAIN RISK
MANAGEMENT PLAN**

RESOLVED: Griffiths/Cusato

That the Status Update on the Camden Haven Floodplain Risk Management Plan be noted.

CARRIED: 9/0
*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner*
AGAINST: Nil

13.01 TENDER T-13-24 CONSTRUCTION OF SANCROX RESERVOIR

RESOLVED: Levido/Hawkins

That Council:

1. Accept the tender for \$4,011,090.91 (ex GST) received from Hornick Constructions Pty Ltd for the construction of the 20 Megalitre Sancrox Reservoir.
2. Affix the seal of Council to the necessary documents.

CARRIED: 9/0
*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner*
AGAINST: Nil

13.02 TENDER T-13-31 HOUSTON MITCHELL DRIVE TENDERS FOR DESIGN AND ENVIRONMENTAL ASSESSMENT

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 07:55pm.

MOTION

MOTION: Roberts/Cusato

That Council:

1. Accept the lump sum tender \$114,845 (ex GST) from SMEC Australia Pty Ltd for the Design and Environmental Assessment for Houston Mitchell Drive.
2. Affix the seal of Council to the necessary documents

AMENDMENT

MOVED: Intemann/Sargeant

That Council:

1. Accept the lump sum tender \$114,845 (ex GST) from SMEC Australia Pty Ltd for the Design and Environmental Assessment for Houston Mitchell Drive.
2. Affix the seal of Council to the necessary documents
3. Reallocate \$97,000 from this project to GL 41387 Lighthouse Road West Preconstruction and Design Project, Pacific Dr to Matthew Flinders Drive, as detailed in the Financial and Economic Implications Section of this report.
4. Reallocate \$71,000 from this project to GL 41167 Lighthouse Road East Preconstruction and Design Project, Matthew Flinders Drive to the Lighthouse as detailed in the Financial and Economic Implications Section of this report.

EQUAL: 4/4

FOR: Besseling, Intemann, Sargeant and Turner

AGAINST: Cusato, Griffiths, Hawkins and Roberts

CASTING VOTE: FOR

CARRIED

THE AMENDMENT BECAME THE MOTION

RESOLVED: Intemann/Sargeant

That Council:

1. Accept the lump sum tender \$114,845 (ex GST) from SMEC Australia Pty Ltd for the Design and Environmental Assessment for Houston Mitchell Drive.
2. Affix the seal of Council to the necessary documents
3. Reallocate \$97,000 from this project to GL 41387 Lighthouse Road West Preconstruction and Design Project, Pacific Dr to Matthew Flinders Drive, as detailed in the Financial and Economic Implications Section of this report.
4. Reallocate \$71,000 from this project to GL 41167 Lighthouse Road East Preconstruction and Design Project, Matthew Flinders Drive to the Lighthouse as detailed in the Financial and Economic Implications Section of this report.

CARRIED: 5/3

FOR: Besseling, Cusato, Intemann, Sargeant and Turner

AGAINST: *Griffiths, Hawkins and Roberts*

Councillor Levido returned to the meeting, the time being 08:05pm.

13.04 PORT MACQUARIE INDOOR STADIUM EXPANSION - PROJECT UPDATE (PIN56563)

The Director of Infrastructure & Asset Management tabled a replacement attachment "Port Macquarie Indoor Stadium Expansion Steering Group Charter" (Attachment 1).

RESOLVED: Levido/Sargeant

That Council:

1. Note the status report (including the attached Detailed Project Plan) for the Port Macquarie Indoor Stadium Expansion Project.
2. Form the Port Macquarie Indoor Stadium Expansion Project Steering Group for the duration of the project with a Steering Group Charter as attached to this report.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

13.05 DRAFT PORT MACQUARIE TOWN CENTRE MASTER PLAN EXHIBITION

RESOLVED: Hawkins/Roberts

That Council:

1. Note the submissions received during exhibition for the Port Macquarie Town Centre Master Plan.
2. Request the Town Centre Master Plan Sub-Committee consider the submissions against the draft Master Plan and return a report to the March 2014 Ordinary Meeting of Council with responses to the submissions and a list of priorities as an outcome of the exhibition.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

**13.06 QUESTION ON NOTICE - SAFETY ON BEND ON STONEY CREEK ROAD
450M SOUTH-EAST OF INTERSECTION WITH REDBANK ROAD**

RESOLVED: Griffiths/Turner

That Council:

1. Receive and note the Road Safety Investigation - Stoney Creek Road report.
2. Install a curve warning sign for south bound traffic in Stoney Creek Road, 450m south-east of Redbank Road, including assessment of the advisory speed environment.
3. Assess the advisory speed sign requirement of the existing curve for north bound traffic in Stoney Creek Road, 450m south-east of Redbank Road.

CARRIED: 9/0

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner*

AGAINST: Nil

**13.07 SHORT STREET CAR PARK RESERVE (R87283)
KOOLONBUNG CREEK RESERVE (R87617) (PIN27568)
PROPOSED SALE OF PART RESERVE 87283 AND REVOCATION AND
ADDITION TO RESERVE TRUST LANDS**

RESOLVED: Besseling/Roberts

That Council in its capacity of Reserve Trust Manager of Reserves R87283 and R87617:

1. Advise Crown lands - Trade and Investment that consideration of their correspondence dated 11 December 2013 be deferred until further details are known regarding the Department's proposal to amend the future use of these Reserves for:
 - a) Public car parking under a proposed covenant on title
 - b) Full Development Application details for a proposal to include a commercial activity on the sites currently reserved for public car parking and
 - c) Development of the Port Macquarie CBD waterfront in the vicinity of the Koolonbung Creek under a yet to be adopted Plan of Management titled Hastings Regional Crown Reserves Precinct prepared by Crown Lands in October 2012
 2. Note the Crown Port Macquarie Foreshore Draft Plan of Management Hastings Regional Crown Reserve Precinct A stipulates that the "granting of such land dealings will be through an EOI process having regard also to the partnership agreements that may need to be resolved with other landowners in the area" and that "all development is to face and address the waterfront, to achieve maximum activation of the foreshore".
 3. Seek full details implemented by Crown Lands - Trade and Investment regarding the public interest test carried out on the disposal of these Reserves as set out in their correspondence dated 11 December 2013 in support of the proposal outlined.
 4. Request Crown Lands - Trade & Investment to commit to ensuring that any and
-

all proceeds from the sale of the Lot 701 DP1026899 are spent on agreed improvements to the Port Macquarie foreshore.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner

AGAINST: Nil

13.08 DRAFT DEVELOPMENT CONTROL GUIDELINES - BIRDON MARINE WEST

RESOLVED: Sargeant/Cusato

That Council:

1. Endorse the preparation of the attached draft Port Macquarie-Hastings Development Control Plan 2013 (Amendment No 2) in accordance with Section 74C of the Environmental Planning & Assessment Act 1979.
2. Exhibit the draft Development Control Plan for a minimum 28 days (commencing in March 2014) in accordance with Clause 18 of the Environmental Planning and Assessment Regulation 2000.
3. Require a report back to Council after the exhibition period has closed that includes a summary of submissions received.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner

AGAINST: Nil

13.09 WORKS IN KIND APPLICATION - LOCAL PARK AT ASCOT PARK

RESOLVED: Levido/Griffiths

1. The Works in Kind offer for provision of a local park at Lot 2 DP 1190501 off Phillip Charley Drive, Port Macquarie be accepted subject to the completion of a Works in Kind Agreement, on the basis that the works will provide a material public benefit.
2. The General Manager be granted delegated authority to sign the Works In Kind Agreement on behalf of Council.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant
and Turner

AGAINST: Nil

14 QUESTIONS FOR NEXT MEETING

14.01 DEVELOPMENTS NOT FRONTING A PUBLIC ROAD

Question from Councillor Sargeant:

When Council approves a commercial business/enterprise such as a short term holiday facility that is not directly fronting a 'public road', how can Council ensure that the interests of neighbours fronting or close by the access road are protected?

Comments by Councillor (if provided):

Recently approved short-term residential accommodation off Batar Creek Road has become a problem for a nearby neighbour and his attempts to further develop farming activities in a RU1 zone.

The commercial facility, according to some residents, has resulted in a significant increase in traffic meaning that the relevant insurance company has had to reclassify the roadway as a public road. In turn this has meant that any farming activities or a shed extension, external to the home paddock, as planned by the neighbour, are now unable to proceed because they cannot be insured.

14.02 ENVIRONMENTALLY RESPONSIBLE DISPOSAL OF EUTHANISED ANIMALS

Question from Councillor Sargeant:

Could information be provided as to the most appropriate procedure for the environmentally responsible disposal of euthanised pet animals and how this process should be regulated? It is understood that some vets do not support the burying of animals in backyards because of the drugs (chemicals) involved and it is understood that some councils may have banned the practice to avoid the risk of polluting watercourses, producing odours, spreading disease and interfering with community amenity.

Comments by Councillor (if provided):

It has been brought to my attention that some euthanised animals are being disposed of as general rubbish at landfill sites or buried in residential backyards when it would appear that more appropriate methods of disposal are readily available.

Disposing of dead animals promptly and properly is very important. Decomposing carcasses are a source of disease producing bacteria such as salmonella, streptococcus and tuberculosis and provide the ideal habitat for disease vectors such as blow flies, mosquitos and other vermin. Poor carcass disposal can result in contamination of land and waterways used for human recreation or drinking water. The sight and smell of dead animals also creates a bad public perception of the Council's waste management facility.

Perhaps commercial cremation/incineration where carcasses are destroyed quickly and any pathogens present are destroyed is a cost effective method.

14.03 'TRUSTED BUSINESS / NOT FOR PROFIT ORGANISATION' CONCEPT

Question from Councillor Sargeant:

Is it possible to incorporate a trusted business/organisation concept into Council's planning processes whereby businesses/organisations who have a sound track record would be given exemption from some of the 'red tape' - not the regulations, just the paperwork?

Comments by Councillor (if provided):

This is an attempt to relieve some of the pressures in the development and planning assessment process. As the economy responds to a number of encouraging growth signals it will be important to ensure that investment proposals are able to continue to be considered in a timely manner. After all, Council is now promoting that it is 'Open for Business'.

Regarding Not for Profit (NFP) organisations, many are required anyway to undertake certain design work by their parent body. Landcare is an example of this whereby any funding proposals must be supported by design work provided by, in their case, the Catchment Management Authority. Should Council have confidence in the expertise of the parent body, this might reduce the need for some, or all, of the DA requirements and hence save the NFP with costs which can so often be a burden on their operation.

The proposal does not suggest that a proponent should be removed from any of the development conditions but rather, just some of the paperwork as an incentive for their track record in doing the 'right thing'.

14.04 ROAD ACCIDENTS

Question from Councillor Griffiths:

What responsibility does Council hold in relation to road accidents? Is there a requirement for Council to respond to requests from emergency authorities to provide traffic control and asset risk assessment when an accident has occurred? What would be the formal notification process?

Comments by Councillor (if provided):

Nil.

The Director of Infrastructure & Asset Management spoke to the question from Councillor Griffiths and undertook to provide a written response to Council.

The meeting closed at 8.25pm.

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Peter Besseling
Mayor