

PRESENT

Members:

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

Other Attendees:

General Manager (Craig Swift-McNair)
Director of Community and Economic Growth (Tricia Bulic)
Director of Corporate and Organisational Services (Rebecca Olsen)
Acting Director of Development and Environment Services (Dan Croft)
Director of Infrastructure and Asset Management (Jeffery Sharp)
Group Manager Governance and Executive Services (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communication Engagement and Marketing Team Leader (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, including Mr Aaron Patton OAM, a member of Council's Youth Advisory Council.

02 LOCAL GOVERNMENT PRAYER

Pastor Phillip Brown from the Port City Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

Councillor Hawkins arrived at the meeting, the time being 5.33pm.

04 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Cusato

That the Minutes of the Ordinary Council Meeting held on 21 October 2015 be confirmed subject to a pecuniary interest declaration from Councillor Roberts as tabled at the meeting.

CARRIED: 9/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 13.07 - South Lindfield Urban Release Investigation Area [PP2002-6.1], the reason being that Councillor Levido is a partner in the Port Macquarie Law Firm, Donovan Oates Hannaford Lawyers. The Firm acts for some of the owners of the properties within the Urban Release Investigation Area, the subject of the report.

Councillor Griffiths declared a Pecuniary Interest in Item 15.03 - Tender T-15-39 Supply, Delivery & Placement of Road Resurfacing (T191516MNC), the reason being that one of the tenderers is a customer of Councillor Griffiths' business.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 8 October to 4 November 2015 inclusive be noted.

CARRIED: 9/0

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

AGAINST: Nil

06.02 2015-2016 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL

RESOLVED: Besseling

That Council:

1. Determine the composition of the General Manager's Performance Review Panel for the 2015-2016 period to consist of the Mayor, Deputy Mayor, one (1) Councillor nominated by Council and one (1) Councillor nominated by the General Manager.
2. Appoint Councillor Justin Levido as the Councillor nominated by the Council to the General Manager's Performance Review Panel for the 2015-2016 period.
3. Note that Councillor Geoff Hawkins is the General Manager's nominated Councillor on the General Manager's Performance Review Panel for the 2015-2016 period.
4. Delegate to the General Manager's Performance Review Panel:
 - a) The whole process of performance management, including discussions about performance and performance reviews for the 2015-2016 period.
 - b) The reporting to Council of findings and recommendations of reviews for the 2015-2016 period and any actions that should be taken.
 - c) The determination of any new performance agreement for the period 2015-2016.
5. Determine for the 2015-2016 period that there be one formal performance review at the completion of the period and an informal performance review at four months, noting that the 2015-2016 General Manager performance plan will run from 1 November 2015 to 30 June 2016 so that future performance plans are aligned to financial years.

CARRIED: 9/0

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

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Besseling/Turner

That Council determine that the attachments to Item Number 09.09 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

Nil.

REQUEST TO SPEAK ON AN AGENDA ITEM

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

Item 13.07 - Mrs Michelle Love in support of the recommendation.

Item 13.07 - Mr Howard Durant in opposition of the recommendation.

Item 13.07 - Mr Tony Thorne in support of the recommendation.

RESOLVED: Sargeant/Hawkins

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

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

SUSPENSION OF STANDING ORDERS

RESOLVED: CUSATO/TURNER

That Standing Orders be suspended to allow Item 13.07 to be brought forward and considered next.

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

13.07 SOUTH LINDFIELD URBAN RELEASE INVESTIGATION AREA [PP2002-6.1]

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 5.41pm.

Mrs Michelle Love, Love Project Management, representing a land owner, addressed Council in support of the recommendation.

Mr Howard Durant addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Tony Thorne, King and Campbell Pty Ltd, representing a land owner, addressed Council in support of the recommendation.

RESOLVED: Roberts/Cusato

That Council:

1. Prepare a draft planning proposal as described in this report, 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 relation to the following Port Macquarie properties:
 - Lot 2 DP 1177586, Holland Cl
 - Lot 2 DP 1186806, Oxley Hwy
 - Lot 21 DP 1089272, 211 John Oxley Dr
 - Lot 2 DP 578793, 209 John Oxley Dr
 - Lot 4 DP 630393, 12 Philip Charley Dr
 - Lot 5 DP 630393, 1 Philip Charley Dr
 - Lot 1 DP 533058, 175 John Oxley Dr
 - Lot 2 DP 533058, 171 John Oxley Dr
 - Lot 3 DP 533058, 165 John Oxley Dr
 - Lot 1 DP 369206, 153 John Oxley Dr
 - part Lot 168 DP 1201505, Annabella Dr via Blackwood St
 - part Lot 1 DP 1177586, 1 Lindfield Park Rd
 - Lot 3 DP 773237, bounded by Oxley Hwy, John Oxley Dr & Philip Charley Dr (RMS)
 - parts Lots 3 & 5 DP 1105610, Blackwood St (PMHC)
 - enclosed roads and adjoining Oxley Highway.
2. Forward the draft planning proposal and 'South Lindfield KPoM Stage 2: Draft Koala Plan of Management, December 2014' (excluding proposed dog ownership restrictions) to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 56 - 58 of the Act.
3. 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.
4. In conjunction with the landowners, prepare Voluntary Planning Agreements as referred to in the report, and publicly exhibit for a minimum of 28 days in accordance with clause 25D of the Environmental Planning and Assessment Regulation 2000.
5. Prepare and publicly exhibit a draft Development Control Plan, incorporating objectives and associated development provisions relating to the matters identified in this report, for a minimum of 28 days in accordance with clause 18 of the Environmental Planning and Assessment Regulation 2000.
6. Prepare a draft Local Developer Servicing Plan for sewage services for the catchment of proposed Thrumster Sewerage Pump Station No. 4.
7. Advise the owners of properties following, that Council will separately consider revised LEP controls (including reduced minimum lot size requirements) in conjunction with a development application for these properties that addresses the issues identified in this report, in relation to:
 - Lot 4 DP 630393, 12 Philip Charley Dr
 - Lot 2 DP 578793, 209 John Oxley Dr
 - Lot 21 DP 1089272, 211 John Oxley Dr
 - Lot 2 DP 1186806, Oxley Hwy.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 5.57pm.

09.01 DELEGATED AUTHORITIES - CERTIFICATE OF IDENTIFICATION ISSUED UNDER THE SWIMMING POOLS ACT 1992

RESOLVED: Intemann/Cusato

That the seal of Council be affixed to the certificates of identification issued under the Swimming Pools Act 1992, for the following Council staff:

a) Stephen Neal (Ranger).

CARRIED: 9/0

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

AGAINST: Nil

09.02 STATUS OF OUTSTANDING REPORTS TO COUNCIL

RESOLVED: Sargeant/Levido

That the information in the September 2015 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 CODE OF CONDUCT COMPLAINT STATISTICS

RESOLVED: Intemann/Levido

That Council:

1. Note the Code of Conduct Complaint Statistics for the period 1 September 2014 to 31 August 2015.
2. Forward the Code of Conduct Complaint Statistics to the Office of Local Government.

CARRIED: 9/0

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

AGAINST: Nil

09.04 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY

RESOLVED: Intemann/Roberts

That Council:

1. Adopt the Payment of Expenses and Provision of Facilities to Councillors Policy, as attached to the report.
2. Pursuant to section 253 of the Local Government Act 1993, forward to the Office of Local Government:
 - a) A copy of the adopted Payment of Expenses and Provision of Facilities to Councillors Policy.
 - b) A copy of this report.
 - c) A copy of the notice of public exhibition.
 - d) Advice that no submissions were received.

CARRIED: 9/0

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

AGAINST: Nil

09.05 RECOMMENDED ITEM FROM AUDIT COMMITTEE - AUDIT COMMITTEE CHARTER

RESOLVED: Hawkins/Griffiths

That Council adopt the revised Audit Committee Charter, as attached.

CARRIED: 9/0

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

AGAINST: Nil

09.06 INVESTMENTS - OCTOBER 2015

RESOLVED: Cusato/Levido

That Council note the Investment Report for the month of October 2015.

CARRIED: 9/0

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

AGAINST: Nil

09.07 MONTHLY FINANCIAL REVIEW FOR OCTOBER 2015

RESOLVED: Hawkins/Griffiths

That Council adopt the adjustments in the “Financial Implications” section of the report for October 2015.

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

09.08 ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2015

RESOLVED: Hawkins/Griffiths

That Council adopts the Annual Financial Statements for the year ended 30 June 2015, as submitted, together with the Auditor’s Report.

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

09.09 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2015

RESOLVED: Hawkins/Griffiths

That Council note the Quarterly Budget Review Statement for the September 2015 quarter.

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

09.10 FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

RESOLVED: Sargeant/Hawkins

That Council:

1. Note the information contained within the report with regard to the financial impact of cost shifting from other levels of government.
2. Request that the General Manager write to Local Government NSW seeking the amendment of their biannual cost shifting survey to all NSW Councils, to incorporate a breakdown of the different categories of cost shifting that take place, for example:
 - a) Services previously provided by other spheres of Government.
 - b) Concessions and rebates required to be paid by Councils on behalf of other levels of government.
 - c) The services provided by Council that have a strong element of regional/ State and / or National public good, that is the 'local' services that are provided by Council and have a much wider benefit.
 - d) Compliance activity provided by Councils on behalf of the State government.

CARRIED: 9/0

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

AGAINST: Nil

Councillor Cusato left the meeting, the time being 6.25pm.

Councillor Cusato returned to the meeting, the time being 6.27pm.

09.11 ZERO BASED BUDGETING

RESOLVED: Hawkins/Turner

That Council:

1. Defer consideration of this report to the March 2016 Council Meeting.
2. Request the General Manager to provide a briefing to Councillors in relation to Zero Based budgeting during February 2016.

CARRIED: 9/0

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

AGAINST: Nil

09.12 QUESTION ON NOTICE - ENERGY STRATEGY

RESOLVED: Turner/Intemann

That Council:

1. Seek advice from an appropriate energy expert/s on current and future opportunities and options for the development of a long-term energy strategy, which focuses on the future financial sustainability of Council;
2. Request the General Manager explore any future potential partnerships that might be available to Council in the development of energy initiatives;
3. As a guiding principle of a long-term energy strategy, seek to systematically leverage all Council assets across the organisation in order to facilitate the generation of the maximum amount of electricity from renewable sources;
4. Request the General Manager report to the March 2016 Council Meeting on advice received to date that may form part of any long-term energy strategy.

CARRIED: 9/0

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

AGAINST: Nil

09.13 COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-COMMITTEE CHARTER

RESOLVED: Intemann/Sargeant

That Council adopt the Port Macquarie-Hastings Coast, Estuary & Floodplain Advisory Sub-Committee Charter as outlined in this report.

CARRIED: 7/2

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

AGAINST: Griffiths and Roberts

09.14 2015-2016 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT AS AT 30 SEPTEMBER 2015

RESOLVED: Intemann/Turner

That Council note the 2015-2016 Operational Plan Quarterly Progress Report as at 30 September 2015.

CARRIED: 9/0

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

AGAINST: Nil

09.15 2014-2015 ANNUAL REPORT

RESOLVED: Cusato/Griffiths

That Council:

1. Adopt the 2014-2015 Annual Report, comprising Parts A, B and C.
2. Submit the adopted 2014-2015 Annual Report to the Minister for Local Government by the 30 November 2015.
3. Publish the adopted 2014-2015 Annual Report on Council's website and make copies of the report available at all Council Offices and Libraries.
4. Note distribution proposal for Part A Community Report Card 2014-2015.

CARRIED: 9/0

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

AGAINST: Nil

10.01 WAUCHOPE MAIN STREET PLAN - EXHIBITION

The Director of Community and Economic Growth tabled a replacement attachment.

RESOLVED: Intemann/Sargeant

That Council:

1. Note the submissions for the Wauchope Main Street Plan.
2. Adopt the Wauchope Main Street Plan and continue with detailed design for the commencement of stage one construction to enhance pedestrian safety.

CARRIED: 9/0

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

AGAINST: Nil

**10.02 SECTION 355 COMMUNITY HALLS MANAGEMENT COMMITTEES
MEMBERSHIP 2015**

RESOLVED: Cusato/Levido

That Council:

1. Endorse the membership of Bonny Hills Community Hall Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - F. Hoad - President
 - B. Howell - Vice President
 - A. Drury - Treasurer
 - L. Winner - Minutes Secretary
 - C. Power - Secretary
 - A. Drury - Booking Officer
 - B. Howell - Maintenance Officer
 - P. Barlow - Committee member

2. Endorse the membership of CC "Mac" Adams Music Centre Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Ms Leanne Howlett - President
 - Mr Maurie Griffin - Vice President
 - Mr Allan Kearns - Treasurer
 - Mr Glen Stanley - Booking Officer / Secretary
 - Mr Dale Bleasdale - Maintenance Officer
 - Mr Brian Corrigan - Committee Member
 - Ms Betty Hobby - Committee Member

3. Endorse the membership of Lorne Recreation Centre Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Mr Bryan Alley - President
 - Ms Janet Lewin - Vice President
 - Ms Nicola Nosworthy - Secretary
 - Ms Stephanie Philips - Treasurer
 - Ms Helen Anderson - Committee Member
 - Mr Alan Anderson - Committee Member

4. Endorse the membership of Port Macquarie Historic Court House Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Mr Roger Heath - President
 - Mr Ramsey Collins - Vice President
 - Ms Lyn Stevenson - Secretary
 - Ms Angela Old - Treasurer
 - Ms Veronica Heath - Booking Officer
 - Ms Audrey Prowse - Maintenance Officer

5. Endorse the membership of Port Macquarie Seniors Centre Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Mr Allen Ross - President / Booking Officer
 - Ms Tess Peters - Treasurer / Secretary
 - Mr Fred Evens - Maintenance Officer
 - Ms Marj Utley- Committee Member
 - Ms Di Last - Committee Member
 - Mr Norm Bodenham- Committee Member

6. Endorse the membership of Upper Pappinbarra Recreation Ground s355 Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Ms Robyn Flanagan - President/Secretary
 - Ms Kelly Gould - Treasurer
 - Mr Damian Privatt - Booking Officer
 - Mr Steve Ostler - Maintenance Officer
 - Ms Sue Frost - Committee Member

7. Endorse the membership of Wauchope Community (Arts) Hall Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Ms Krissa Wilkinson - President
 - Ms Lis Tuck - Vice President
 - Ms Susan Ashton - Secretary
 - Ms Deb Murrell - Treasurer / Maintenance officer
 - Ms Vana Ford/Amy Hubers - Booking Officer
 - Mr Douglas Gilbert - Committee Member

8. Endorse the membership of Wauchope Rotary Youth Hall Management Committee as elected at their 2015 Annual Review Meeting, comprising:
 - Mr Kevin Whitbread - President & Secretary
 - Ms Marie Winter - Treasurer & Booking Officer
 - Mr Stuart Weir - Committee Member
 - Mr Barry Thompson - Committee Member
 - Ms Pat Howarth - Committee Member
 - Mr Andy Neal - Committee Member

9. Resume direct management of the Pembroke Community Hall as there was no interest in the local community to volunteer on the s355 Management Committee and that the Recreation & Building team review this asset and add it to Council's Property section's 2015/16 Land Review.

CARRIED: 9/0

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

AGAINST: Nil

12.01 DA2015 - 0506 ALTERATIONS AND ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND AN ANCILLARY SHED AT LOT 222 DP 208479, 42 ANDERSON STREET, PORT MACQUARIE

RESOLVED: Intemann/Levido

That the determination of DA2015 - 506 for alterations and additions to dwelling including Clause 4.6 objection to Clause 4.3 (height of buildings) under the Port Macquarie Hastings Local Environmental Plan 2011 and an ancillary shed at Lot 222, DP 208479, No. 42 Anderson Street, Port Macquarie, be noted.

CARRIED: 9/0

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

AGAINST: Nil

12.02 QUESTION ON NOTICE - WASTE STRATEGY

RESOLVED: Turner/Cusato

That Council note the information contained in the "Question on Notice - Waste Strategy" report.

CARRIED: 9/0

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

AGAINST: Nil

12.03 CAIRNCROSS LANDFILL GAS TRIAL

The General Manager tabled a document with recent results for the table in the report.

RESOLVED: Turner/Sargeant

That Council:

1. Register the Landfill Gas Project at the Cairncross Waste Management Facility with the Clean Energy Regulator to ensure eligibility for Carbon Credits under the Emission Reduction Fund.
2. Include a trial landfill gas project in the 2015 - 2016 Operational Plan, to be funded by \$200,000 from reserves held within the Waste Fund.
3. Report back to Council on the results of the trial.

CARRIED: 7/2

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

AGAINST: Griffiths and Roberts

**13.01 REGIONAL SHARED PATH FROM KENDALL TO LAURIETON -
STRATEGIC ALIGNMENT STUDY**

RESOLVED: Intemann/Roberts

That Council receive and note the report for the Regional Shared Path from Kendall to Laurieton - Strategic Alignment Study.

CARRIED: 9/0

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

AGAINST: Nil

**13.02 PORT MACQUARIE RECLAIMED WATER TREATMENT PLANT
UPGRADE FOR GROWTH**

RESOLVED: Sargeant/Griffiths

That Council:

1. Note the overall project budget required to complete the upgrade to the Port Macquarie Reclaimed Water Treatment Plant is required over two financial years.
2. Increase the existing 2015/16 budget allocation for 5.5.3.1 (c) Port Macquarie Reclaimed Water Treatment Plant Upgrade for growth by an amount of \$500,000.
3. Allocate an additional budget figure of \$2,000,000 in the 2016/17 Draft Operational Plan to complete the project.

CARRIED: 9/0

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

AGAINST: Nil

13.03 AREA 15 SEWERAGE UPGRADE

RESOLVED: Griffiths/Levido

That Council:

1. Bring forward the upgrade of the Area 15 sewerage upgrade to provide for future development in the area
 2. Include the Area 15 sewerage upgrade as a new project in the 2015/16 Operational Plan, with a budget of \$1,250,000.
 3. Allocate a budget of \$3,000,000 for the Area 15 sewerage upgrade in the draft 2016/17 Operational Plan.
 4. Make a suitable allocation to complete the Area 15 sewerage upgrade in the draft 2017/18 Operational Plan.
-

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

13.04 CAMDEN HAVEN SEWER PUMPING STATION NUMBER 22 - ACQUISITION OF EASEMENTS

RESOLVED: Levido/Griffiths

That Council:

1. Pursuant to Section 186 of the Local Government Act 1993, make application to the Minister for Local Government and His Excellency the Governor for the compulsory acquisition of the easement for electricity purposes and the easement for the drainage of sewage as depicted (A) and (B) respectively in Deposited Plan 1212278; the easements being required to facilitate an upgrading of the Camden Haven Sewer Pumping Station Number 22.
2. Define the terms of the easement for electricity purposes as those set forth in Memorandum No AG189384 registered at the Land Titles Office.
3. Exclude mines and minerals from the compulsory acquisition.
4. Delegate to the General Manager authority to sign the Land and Property Information:
 - a. Transfer of Easement in Gross form;
 - b. Extinguishment or Cancellation of Easement form.

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

13.05 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

RESOLVED: Intemann/Hawkins

That Council note the Development Activity and Assessment System Performance Report for the first quarter of 2015-2016.

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

13.06 DESIGN EXCELLENCE PROVISIONS FOR THE PORT MACQUARIE FORESHORE: RESULTS OF COMMUNITY ENGAGEMENT

RESOLVED: Cusato/Hawkins

That Council:

1. As a result of consideration of the submissions set out in this report, approve the planning proposal as exhibited.
2. Take the necessary steps under section 59 of the Environmental Planning and Assessment Act 1979 to finalise Local Environmental Plan 2011 (Amendment 37).
3. Thank in writing all those who made a submission for their contribution and provide information on Council's decision on the matter.

CARRIED: 9/0

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

AGAINST: Nil

13.08 COUNCIL CONTROLLED POOLS AND POOL FACILITIES

RESOLVED: Intemann/Hawkins

That the information in the Council Controlled Pools and Pool Facilities Report be noted.

CARRIED: 9/0

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

AGAINST: Nil

13.09 FUNDING FOR THE PORT MACQUARIE INDOOR STADIUM

RESOLVED: Turner/Cusato

That Council:

1. Support the funding proposal detailed in this report for the expansion of the Port Macquarie Indoor Stadium that will allow Council to meet its obligations under the Federal funding agreement.
2. Amend the project budget and funding sources for the 2015/2016 year as outlined in the Financial and Economic Implications of this report.
3. Allocate a project budget of \$2,555,000 to complete the project in the draft 2016/2017 Operational Plan (noting the funding sources as outlined in the Financial and Economic Implications of this report) that will allow Council to meet its obligations under the Federal funding agreement.
4. Endorse the inclusion of the Director of Community & Economic Growth as a member of the Port Macquarie Indoor Stadium Expansion Steering Group and remove the Director Infrastructure and Asset Management, and Group

- Manager Community Place as members.
5. Adopt the amended Port Macquarie Indoor Stadium Expansion Steering Group Charter as presented.

CARRIED: 8/1

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

AGAINST: Roberts

14 QUESTIONS FOR NEXT MEETING

14.01 GLASSHOUSE - LOCAL PRODUCTIONS

Question from Councillor Turner:

Since 2012, how many local productions have been included in the "Glasshouse Presents" and the "Education at the Glasshouse" programs, and what is the process by which local entities can apply to, or be selected for inclusion?

Comments by Councillor (if provided):

Nil.

14.02 TOWN BEACH NORTH AMENITIES PROJECT

Question from Councillor Cusato:

Could the General Manager provide to the December 2015 Council Meeting an update on the current status of the Town Beach North Amenities project, including current main issues holding up the project, a projected budget and the latest design proposed for the site.

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Hawkins/Levido

1. That pursuant to section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole (Closed Session) on the basis that items to be considered are of a confidential nature.
2. That Council move into Confidential Committee of the Whole (Closed Session) to receive and consider the following items:
 - Item 06.03 Mayoral Minute - 2014-2015 General Manager's Annual Performance Review

This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).
 - Item 15.01 Tender T-15-47 Management of Wauchope Waste Transfer Station

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 15.02 Tender T-15-50 Pressure Cleaning of Street Litter Bins

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 Tender T-15-39 Supply, Delivery & Placement of Road Resurfacing (T191516MNC)

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: 9/0

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

AGAINST: *Nil*

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7.42pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8.08pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Roberts/Turner

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

Item 15.01 Tender T-15-47 Management of Wauchope Waste Transfer Station

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 Subloo's Pty Ltd for the Management of Wauchope Waste Transfer Station for \$319,254.24 (exclusive of GST) for a two (2) year period commencing 1 December 2015 with an option to extend for a further one (1) year period.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-47.

Item 15.02 Tender T-15-50 Pressure Cleaning of Street Litter Bins

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 Glen Barnett trading as B & B Wheelie Bin Wash for \$101,664.00 (exclusive of GST) for the Pressure Cleaning of Street Litter Bins for a two (2) year period commencing 1 December 2015 with an option to extend for a

- further one (1) year period.
2. Accept the Schedule of Rates from Glen Barnett trading as B & B Wheelie Bin Wash.
 3. Affix the seal of Council to the necessary documents.
 4. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-50.

Item 15.03 Tender T-15-39 Supply, Delivery & Placement of Road Resurfacing (T191516MNC)

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

RECOMMENDATION

That Council:

1. Accept the tenders from the following suppliers to be appointed to a panel of suppliers in each category for the provision of T-15-39 Supply, Delivery & Placement of Road Resurfacing for a three (3) year period commencing 19 November 2015, with an option to extend for a further one (1) year period:
 - 1.1. Category 1 – Bitumen Spray Sealing
 - a) Fulton Hogan Industries Pty Ltd;
 - b) RPQ Spray Seal Pty Ltd trading as NSW Spray Seal Pty Ltd;
 - c) SRS Roads Pty Ltd;
 - d) State Asphalt Services Pty Ltd.
 - 1.2. Category 2 - Asphaltic Concrete
 - a) Accurate Asphalt & Road Repairs Pty Ltd;
 - b) Pacific Blue Metal Pty Ltd;
 - c) State Asphalt Services Pty Ltd;
 - d) Tropic Asphalts Pty Ltd trading as Tropic Asphalts.
 - 1.3. Category 3 – Mill and Re-sheet
 - a) Accurate Asphalt & Road Repairs Pty Ltd;
 - b) Pacific Blue Metal Pty Ltd;
 - c) State Asphalt Services Pty Ltd;
 - d) Tropic Asphalts Pty Ltd trading as Tropic Asphalts.
 - 1.4. Category 4 - Crack Sealing
 - a) BMR Quarries Pty Ltd trading as Roadwork Industries;
 - b) Pacific Blue Metal Pty Ltd;
 - c) SRS Roads Pty Ltd;
 - d) The trustee for SuperSealing Unit Trust trading as Supersealing.
 - 1.5. Category 5 – Heavy Patching
 - a) Accurate Asphalt Services Pty Ltd;
 - b) Fenworx Pty Ltd trading as Newpave Asphalt Pty Ltd;
 - c) Pacific Blue Metal Pty Ltd;
 - d) Tropic Asphalts Pty Ltd trading as Tropic Asphalts.

2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-39 (T191516MNC).

Item 06.03 2014-2015 General Manager's Annual Performance Review

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

RECOMMENDATION

That Council note the report on the performance of the General Manager following the annual performance review for 2014-2015, undertaken by the General Manager's Performance Review Panel on 29 October 2015.

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

The meeting closed at 8.09pm.

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Peter Besseling
Mayor