

PRESENT

Members:

Councillor Peter Besseling (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Adam Roberts
Councillor Justin Levido
Councillor Geoff Hawkins
Councillor Trevor Sargeant
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)
Director of Development and Environment Services (Matt Rogers)
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.

02 LOCAL GOVERNMENT PRAYER

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

03 APOLOGIES

RESOLVED: Intemann/Hawkins

That the apologies received from Councillors Turner and Cusato be accepted.

CARRIED: 7/0

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

AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Roberts

That the Minutes of the Ordinary Council Meeting held on 20 April 2016 be confirmed.

CARRIED: 7/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Roberts declared a Pecuniary Interest in Item 09.03 - Request for Leave of Absence - Councillor Roberts, the reason being that Councillor Roberts is the subject of the report.

Councillor Levido declared a Pecuniary Interest in Item 13.02 - Broadwater Canals - Canal Maintenance Plan, the reason being that Councillor Levido owns his residence within the area covered by the Broadwater Special Rate.

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 in relation to Item 13.09 North Coast Regional Plan.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 5 April 2016 to 3 May 2016 inclusive be noted.

CARRIED: 7/0

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

AGAINST: Nil

06.02 ELECTION OF BOARD MEMBERS OF LOCAL GOVERNMENT NSW

RESOLVED: Besseling

That Council determine that Mayor Besseling, Deputy Mayor Intemann and Councillors Levido and Cusato be Council's voting delegates for the Elections of Office Bearers and the Board of Local Government NSW.

CARRIED: 7/0

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

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Levido/Griffiths

That Council determine that the attachments to Item Numbers 09.08 and 11.01 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 7/0

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

AGAINST: Nil

08 PUBLIC FORUM

Nil.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 12.04 - Mr David Stevens.

Item 12.05 - Mr David Pensini, in support of the recommendation.

Item 12.06 - Mr David Pensini, in support of the recommendation.

Item 13.08 - Mr Bart Elias in opposition of the recommendation.

RESOLVED: Roberts/Griffiths

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

CARRIED: 7/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Hawkins/Roberts

That Standing Orders be suspended to allow Items 12.04, 12.05, 12.06 and 13.08 to be brought forward and considered next.

CARRIED: 7/0

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

AGAINST: Nil

12.04 QUESTION ON NOTICE - REPORTING REQUIREMENTS FOR PARAGLIDERS

Mr David Stevens and Mr Daniel Rosen, representing the Mid North Coast Flyers, addressed Council and answered questions from Councillors.

RESOLVED: Hawkins/Intemann

That Council:

1. Note the information and reporting requirements for paragliders outlined in the report.
2. Request the General Manager provide a briefing to Councillors in June 2016 on the status of the formal applications by High Adventure Paragliding, Cloudbase Paragliding Australia and the Mid North Coast Flyers and an update on their compliance with the Parks and Reserves Use Policy.

CARRIED: 7/0

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

AGAINST: Nil

12.05 DA2014 - 410.3 MODIFICATION TO SHOP TOP HOUSING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 123 DP1219042, CLARENCE STREET, PORT MACQUARIE

Mr David Pensini, representing the applicant, addressed Council in support of the recommendation.

RESOLVED: Roberts/Griffiths

That section 96 modification to DA2014 - 410.3 for Shop Top Housing including Clause 4.6 variation to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 123, DP1219042, Clarence Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

CARRIED: 7/0

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

AGAINST: Nil

**12.06 DA2016 - 149.1 SHOP TOP HOUSING INCLUDING CLAUSE 4.6
VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT
MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT
123 DP1219042, CLARENCE STREET, PORT MACQUARIE**

Mr David Pensini, representing the applicant, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Roberts/Griffiths

That DA2016 - 149.1 for Shop Top Housing including Clause 4.6 variation to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 123, DP1219042, Clarence Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

CARRIED: 7/0

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

AGAINST: Nil

**13.08 QUESTION ON NOTICE - STUDENT ACCOMMODATION
DEVELOPMENTS**

Mr Bart Elias, representing Chase Property Investments Pty Ltd, addressed Council in opposition of the recommendation and answered questions from Councillors.

MOTION

MOVED: Hawkins/Griffiths

That Council:

1. Include the following provisions in the trial arrangements for Student Accommodation development contributions:
 - a) Payment of contributions can be deferred for a maximum period of 5 years from the issue of a Construction Certificate or until the sale of the land, whichever is the sooner.
 - b) Payment of contributions being secured by way of a deed of deferral and a registered charge on the land or a bank guarantee.
 - c) The amount of the charge or bank guarantee is to be calculated based on the amount of the outstanding contributions together with an interest component.
 2. Note that this report has been tabled as the result of a formal resolution of Council from the 20 April 2016 Council meeting and not in response to a Question on Notice as listed in the agenda.
-

FORESHADOWED MOTION

MOVED: Sargeant/

That this matter be deferred until after a further report is presented to Council on the results of the trial period estimated in July 2016.

THE MOTION WAS PUT

RESOLVED: Hawkins/Griffiths

That Council:

1. Include the following provisions in the trial arrangements for Student Accommodation development contributions:
 - a) Payment of contributions can be deferred for a maximum period of 5 years from the issue of a Construction Certificate or until the sale of the land, whichever is the sooner.
 - b) Payment of contributions being secured by way of a deed of deferral and a registered charge on the land or a bank guarantee.
 - c) The amount of the charge or bank guarantee is to be calculated based on the amount of the outstanding contributions together with an interest component.
2. Note that this report has been tabled as the result of a formal resolution of Council from the 20 April 2016 Council meeting and not in response to a Question on Notice as listed in the agenda.

CARRIED: 4/3

FOR: Besseling, Hawkins, Intemann and Levido

AGAINST: Griffiths, Roberts and Sargeant

09.01 STATUS OF OUTSTANDING REPORTS TO COUNCIL

RESOLVED: Intemann/Levido

That Council note the information in the Status of Outstanding Reports to Council report.

CARRIED: 7/0

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

AGAINST: Nil

09.02 DISCLOSURE OF INTEREST RETURN

RESOLVED: Roberts/Levido

That the Disclosure of Interest return for the Bridges and Structures Engineer be noted.

CARRIED: 7/0

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

AGAINST: Nil

09.03 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR ROBERTS

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 6:24pm.

RESOLVED: Levido/Intemann

That Council grant leave of absence for Councillor Roberts for the period 23 May to 22 June, which includes the Ordinary Meeting of Council scheduled for 15 June 2016.

CARRIED: 6/0

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

AGAINST: Nil

Councillor Roberts returned to the meeting, the time being 6:24pm.

09.04 COUNCIL MEETINGS DATES FOR 2016

RESOLVED: Levido/Griffiths

That Council adopt:

1. An amended date for the August Ordinary Council Meeting from 17 August 2016 to 10 August 2016.
2. An amended date for the September Ordinary Council Meeting from 21 September 2016 to 28 September 2016.

CARRIED: 7/0

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

AGAINST: Nil

09.05 INVESTMENTS - APRIL 2016

RESOLVED: Hawkins/Griffiths

That Council note the Investment Report for the month of April 2016.

CARRIED: 7/0

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

AGAINST: Nil

09.06 QUARTERLY BUDGET REVIEW STATEMENT

RESOLVED: Hawkins/Intemann

That Council note the Quarterly Budget Review Statement for the March 2016 quarter.

CARRIED: 7/0

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

AGAINST: Nil

09.07 MONTHLY FINANCIAL REVIEW FOR APRIL 2016

RESOLVED: Sargeant/Hawkins

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review for April 2016 report.

CARRIED: 7/0

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

AGAINST: Nil

09.08 LOAN REVIEW

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the information included in the Loan Review report.
2. Delegate authority to the General Manager to seek best offers and to execute loan documents as required.

CARRIED: 7/0

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

AGAINST: Nil

**09.09 2015 - 2016 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT AS
AT 31 MARCH 2016**

RESOLVED: Hawkins/Levido

That Council:

1. Note the 2015 - 2016 Operational Plan Quarterly Progress Report as at 31 March 2016.
2. Approve the Operational Plan modification contained in this report.

CARRIED: 7/0

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

**10.01 CELEBRATE CREATIVE AGEING FESTIVAL (SENIORS WEEK) 2016
POST EVENT REPORT**

RESOLVED: Intemann/Sargeant

That Council note the information included in the Celebrate Creative Ageing Festival (Seniors Week) 2016 Post Event Report.

CARRIED: 7/0

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

**10.02 PORT MACQUARIE HASTINGS COUNCIL YOUTH WEEK 2016 EVENT
WRAP UP**

RESOLVED: Intemann/Hawkins

That Council note the information included in Port Macquarie-Hastings Council Youth Week 2016 Event Wrap Up report.

CARRIED: 7/0

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

10.03 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING - APRIL 2016 MEETING

RESOLVED: Besseling/Roberts

That Council, pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Mayor's Sporting Fund to:

1. Paige Leonhardt in the amount of \$350.00 to assist with the expenses she would have incurred competing at the Georgia Hope Foundation National Age Swimming Championships and the National Age Swimming Championships held in Adelaide from 2 - 4 April and 7 - 14 April 2016 respectively.
2. Annika Toohey in the amount of \$500.00 to assist with the expenses she would have incurred competing as part of the Under 15's Girls State Hockey Team to compete at the 2016 Australian Under 15's Girls Hockey Championships held in Wollongong from 9 - 18 April 2016 inclusive.
3. Joe Begbie in the amount of \$100.00 to assist with the expenses he would have incurred competing at the NSW Combined High Schools Triathlon Team to compete at the School Sport Association National Championships held in Queensland from 18 - 21 April 2016 inclusive.
4. Julia Williams in the amount of \$500.00 to compete at the National Age Diving Championships held in Sydney from 12 - 17 April 2016 inclusive.
5. Jessica Messina be advised that her application for financial assistance has been unsuccessful as she does not meet the Criteria of the Mayor's Sporting Fund.
6. Ryan Payne be allocated the amount of \$500.00 to assist with the expenses he would have incurred competing as part of the Under 15's Boys State Hockey Team to compete at the 2016 Australian Under 15's Boys Hockey Championships held in Wollongong from 9 - 18 April 2016 inclusive.

CARRIED: 7/0

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

AGAINST: Nil

11.01 TASTINGS ON HASTINGS PRELIMINARY PLANNING AND DRAFT BUDGET FOR 2016 EVENT UPDATE

RESOLVED: Hawkins/Roberts

That Council note the information in the Tastings on Hastings preliminary planning and draft budget for 2016 event report.

CARRIED: 7/0

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

AGAINST: Nil

12.01 DA2015 - 945.1 DEMOLITION OF DWELLING AND CONSTRUCTION OF DUAL OCCUPANCY WITH TORRENS TITLE SUBDIVISION, INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 66, DP 246284, NO. 10 CORNWALLIS CLOSE, PORT MACQUARIE

RESOLVED: Levido/Griffiths

That the determination of DA 2015 - 945.1 for Demolition of Dwelling and Construction of Dual Occupancy with Torrens Title Subdivision, Including Clause 4.6 Objection to Clause 4.4 (Floor Space Ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 66, DP 246284, No. 10 Cornwallis Close, Port Macquarie, be noted.

CARRIED: 7/0

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

AGAINST: Nil

12.02 QUESTION ON NOTICE - PORT MACQUARIE-HASTINGS KOALA HABITAT AND POPULATION ASSESSMENT 2013

MOVED: Griffiths/Intemann

That Council:

1. Note the information provided in response to the Question For Next Meeting - Port Macquarie-Hastings Koala Habitat and Population Assessment 2013.
2. Defer to the State Government and property owners through the development approvals process for further reviews and refinement of flora and fauna habitat assessment.

THE MAYOR RULED POINT 2 AS OUT OF ORDER

MOTION

MOVED: Griffiths/Roberts

That Council:

1. Note the information provided in response to the Question For Next Meeting - Port Macquarie-Hastings Koala Habitat and Population Assessment 2013.
2. Receive a report from the General Manager to the July 2016 Council Meeting on the consequences of Council not undertaking further studies on koala habitat and population assessment.

FORESHADOWED MOTION

MOTION: Intemann/Levido

That Council note the information provided in response to the Question For Next Meeting - Port Macquarie-Hastings Koala Habitat and Population Assessment 2013.

THE MOTION WAS PUT

MOVED: Griffiths/Roberts

That Council:

1. Note the information provided in response to the Question For Next Meeting - Port Macquarie-Hastings Koala Habitat and Population Assessment 2013.
2. Receive a report from the General Manager to the July 2016 Council Meeting on the consequences of Council not undertaking further studies on koala habitat and population assessment.

LOST: 2/5

FOR: Griffiths and Roberts

AGAINST: Besseling, Hawkins, Intemann, Levido and Sargeant

THE FORESHADOWED MOTION WAS PUT

RESOLVED: Intemann/Levido

That Council note the information provided in response to the Question For Next Meeting - Port Macquarie-Hastings Koala Habitat and Population Assessment 2013.

CARRIED: 5/2

FOR: Besseling, Hawkins, Intemann, Levido and Sargeant

AGAINST: Griffiths and Roberts

12.03 SALE OF AUSTRALIAN CARBON CREDITS

RESOLVED: Sargeant/Hawkins

That Council note the successful bid in the April 2016 Emissions Reduction Fund auction.

CARRIED: 7/0

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

AGAINST: Nil

13.01 WATER FLUORIDATION

RESOLVED: Intemann/Roberts

That Council:

1. Note the information provided in the water fluoridation report and continue to gather information on this matter.
2. Make a submission to the National Health and Medical Research Council when its Information Paper on fluoridation is released for public comment later this year, with draft/s of the submission provided to Councillors for input and approval prior to finalising the submission.

CARRIED: 7/0

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

AGAINST: Nil

13.02 BROADWATER CANALS - CANAL MAINTENANCE PLAN

Councillor Levido declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:30pm.

RESOLVED: Intemann/Hawkins

That Council publicly exhibit the Draft Broadwater Canals - Canal Maintenance Plan from 27 May to 24 June 2016 and consider a further report following the exhibition period.

CARRIED: 6/0
FOR: Besseling, Griffiths, Hawkins, Intemann, Roberts and Sargeant
AGAINST: Nil

Councillor Levido returned to the meeting, the time being 07:32pm.

13.03 LAND ACQUISITION - TUFFINS LANE, PORT MACQUARIE

RESOLVED: Sargeant/Griffiths

That Council:

1. Pay compensation in the amount of \$5,000 (GST Exclusive) to the Penrith Rugby League Club Limited for the acquisition of part Lot 135 Deposited Plan 754434 more particularly described in the registered plan of acquisition as Lot 101 Deposited Plan 1181696.
2. On the acquisition of Lot 101 Deposited Plan 1181696 in pursuance of Section 10 of the Roads Act 1993, dedicate Lot 101 Deposited Plan 1181696 as a public road.
3. Delegate to the General Manager authority to:
 - a) Sign the Deed of Acquisition/Contract For Sale.
 - b) Sign the Land Titles Office Transfer Form.
 - c) Sign the Land Titles Office Request Form.

CARRIED: 7/0
FOR: Besseling, Griffiths, Hawkins, Intemann, Levido, Roberts and Sargeant
AGAINST: Nil

13.04 PACIFIC HIGHWAY UPGRADE - NAMING OF SERVICE ROADS

RESOLVED: Griffiths/Sargeant

That Council:

1. Pursuant to Section 7 of the Roads Regulation 2008, publicly notify the proposed naming of service roads as listed in recommendations 2, 3, 4, and 5 below for a period of 15 days in accordance with Section 7.1.4 of the GNB publication NSW Addressing User Manual.
2. Advertise the name "Winery Drive" for the service road (Road 1) situated between Fernbank Creek Road and Hastings River Drive.
3. Advertise the name "Hastings River Drive" for the service road (Road 2) situated between Hastings River Drive and the Blackmans Point Road interchange.
4. Advertise the name "Telegraph Point Road" for the service road (Road 3) situated between the Blackmans Point Road Interchange and Haydons Wharf Road.
5. Advertise the name "Hosking Road" for the road (Road 4) being the remnant section of Blackmans Point Road.

CARRIED: 7/0

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

AGAINST: Nil

13.05 LAND CLASSIFICATION - INTERSECTION OF SHORELINE DRIVE AND MARIA RIVER ROAD

RESOLVED: Levido/Griffiths

That Council classify Lot 10 Deposited Plan 704834 as operational land.

CARRIED: 7/0

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

AGAINST: Nil

13.06 LAND CLASSIFICATION - LOTS 56 & 57 QUEENS GRANT ESTATE NORTH SHORE

RESOLVED: Levido/Griffiths

That Council classify Lots 56 & 57 Deposited Plan 219719 as operational land.

CARRIED: 7/0

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

AGAINST: Nil

13.07 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

Councillor Roberts left the meeting, the time being 07:38pm.

RESOLVED: Griffiths/Hawkins

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

CARRIED: 6/0

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

AGAINST: Nil

13.09 DRAFT NORTH COAST REGIONAL PLAN RELEASED FOR COUNCIL AND COMMUNITY FEEDBACK

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest and left the meeting, the time being 7:39pm.

Councillor Roberts returned to the meeting, the time being 07:40pm.

RESOLVED: Intemann/Hawkins

That Council:

1. Forward the attached submission to the NSW Department of Planning and Environment in response to the public exhibition of the Draft North Coast Regional Plan.
2. Request a meeting with senior representatives of the Department of Planning and Environment to discuss the operation of the proposed Coordination and Monitoring Committee and the Regional Cities Steering Committee and the need for increased local government involvement in the Committees' decision making process.

CARRIED: 6/0

FOR: Besseling, Hawkins, Intemann, Levido, Roberts and Sargeant

AGAINST: Nil

Councillor Griffiths returned to the meeting, the time being 07:48pm.

13.10 ROCKS FERRY RESERVE - RIVER BANK EROSION

Councillor Hawkins left the meeting, the time being 07:49pm.

Councillor Hawkins returned to the meeting, the time being 07:50pm.

RESOLVED: Intemann/Sargeant

That Council:

1. Note the information contained in the Rocks Ferry Reserve - River Bank Erosion report.
2. Authorise Council staff to pursue additional funding sources to complete all works required for inclusion in the draft 2016-17 Operational Plan.
3. Request the General Manager write to the Local Member for Oxley seeking funding assistance for works at Rocks Ferry Reserve.

CARRIED: 7/0

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

AGAINST: Nil

14 QUESTIONS FOR NEXT MEETING

14.01 COUNCIL STOCKPILING OF ROAD MATERIALS

Question from Councillor Roberts:

Can the General Manger please advise how excavated road materials from the Hastings River Drive road upgrade construction site ended up being deposited on private land off Tuffins Lane, Port Macquarie, within State Forest on Reids Road, Telegraph Point and also being used as part of road grading on Ballengarra-Brandson Road, Telegraph Point.

As part of the response could the General Manager please advise:

1. Whether additional sites to those nominated above received deposits of this material.
 2. Whether legislated excavation, transport and deposit processes were adhered to.
 3. How much material was excavated and transported.
 4. How much material has been located and contained after advice from the EPA.
 5. Were the materials excavated fit for the purpose of use in road grading, maintenance or construction.
 6. What specific jobs the excavated materials were destined to be utilised for and in what timeframe these jobs were due to be undertaken and completed.
-

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Sargeant

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 15.01 Lifeguard Services

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).

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

Item 15.02 Council Store Operation

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).

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

Item 15.03 Bushland Management Services

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).

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

Item 15.04 Tender T-16-16 Concrete and Masonry Processing Services

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

Item 15.05 Tender T-16-20 Town Beach Park Amenities and Kiosk

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

3. That the resolutions made by the Council in Confidential Committee of the Whole (Closed Session) be made public as soon as practicable after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.

CARRIED: 7/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7:57pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:01pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Roberts/Griffiths

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

Item 15.01 Lifeguard Services

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).

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 Lifeguard Services report.
2. Explore opportunities to provide increased levels of lifeguard services by proceeding to formal tender for the potential best value outsourcing of these services.

Item 15.02 Council Store Operation

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).

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 in the Council Store Operation report.
2. Continue to deliver the Store service.
3. Note that the Store Service will be listed for Process Improvement as part of the Service Review Project.

Item 15.03 Bushland Management Services

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).

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 in the Bushland Management Services report.
2. Continue to deliver Bushland Management Services as outlined in Option 1.

Item 15.04 Tender T-16-16 Concrete and Masonry Processing Services

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

RECOMMENDATION

That Council:

1. In accordance with the Local Government (General) Regulations 2005, 178 1(b), decline to accept any of the tenders submitted for Tender T-16-16 for Concrete and Masonry Processing Services.
2. Decline to invite fresh tenders due to the limited number of submissions received for this Tender and due to the submissions received not adequately addressing Council's requirements for

- Concrete and Masonry Processing Services.
3. In accordance with Local Government (General) Regulations 2005, 178 (3) (a), postpone or cancel the proposal for contract.
 4. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-16.

Item 15.05 Tender T-16-20 Town Beach Park Amenities and Kiosk

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. Defer consideration of this tender until 15 June 2016 Council Meeting.
2. Request the General Manager table a further report to the 15 June 2016 Council meeting with regard to Tender T-16-20 for the Town Beach Park Amenities and Kiosk to allow for the further consideration by Council of potential funding sources for the current project funding shortfall.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-20.

CARRIED: 7/0

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

AGAINST: Nil

The meeting closed at 8:01pm.

.....
 Peter Besseling
 Mayor