

PRESENT

Members:

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

Other Attendees:

General Manager (Craig Swift-McNair)
Acting Director of Community and Economic Growth (Liesa Davies)
Director of Corporate and Organisational Services (Rebecca Olsen)
Director of Development and Environment Services (Matt Rogers)
Acting Director of Infrastructure and Asset Management (Gary Randall)
Group Manager Governance and Executive Services (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the Meeting with an Acknowledgement of Country and welcomed all in attendance in the Chamber.

02 LOCAL GOVERNMENT PRAYER

Reverend Malcolm Hausler from the Uniting Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Intemann/Hawkins

That the Minutes of the Ordinary Council Meeting held on 19 October 2016 be confirmed.

CARRIED: 9/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Cusato declared a Pecuniary Interest in Item 11.02 - Port Macquarie Airport Terminal Building Upgrade Project, the reason being that Councillor Cusato owns a hanger in the precinct.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.02 - DA 2016-298 - Lot 3, DP 366050, No 68 Church Street, Port Macquarie, the reason being that Councillor Levido is a Partner in law firm Donovan Oates Hannaford and the firm acts for the owner of the property being the subject of the report.

Councillor Levido declared a Pecuniary Interest in Item 15.03 - EOI-16-05 - Community Members of the Broadwater Canal Maintenance Plan Reference Group, the reason being that Councillor Levido owns and occupies principal place of residence in area covered by the Broadwater Special Rate and affected by Broadwater Canal Maintenance Plan and Reference Group.

Councillor Dixon declared a Non-Pecuniary, Significant Interest in Item 15.02 - T-16-52 - Synthetic Turf System for Second Hockey Field at Wayne Richards Park, the reason being that Councillor Dixon has previously been involved as Fixture Coordinator for Port Macquarie Hockey Association and have numerous close relationships with all clubs and players alike.

RESOLVED: Cusato/Hawkins

That the disclosures of interest be noted.

CARRIED: 9/0

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

AGAINST: Nil

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 6 October to 2 November 2016 inclusive be noted.

CARRIED: 9/0

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

AGAINST: Nil

06.02 2016-2017 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL

RESOLVED: Besseling

That Council:

1. Determine the composition of the General Manager's Performance Review Panel for the 2016-2017 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 Lee Dixon as the Councillor nominated by the Council to the General Manager's Performance Review Panel for the 2016-2017 period.
3. Note that Councillor Geoff Hawkins is the General Manager's nominated Councillor on the General Manager's Performance Review Panel for the 2016-2017 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 2016-2017 period.
 - b) The reporting to Council of findings and recommendations of reviews for the 2016-2017 period and any actions that should be taken.
 - c) The determination of any new performance agreement for the period 2017-2018.
5. Determine for the 2016-2017 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 2016-2017 General Manager performance plan will run from 1 November 2016 to 30 June 2017 so that future performance plans are aligned to financial years.

CARRIED: 9/0

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

AGAINST: Nil

06.03 COUNCILLOR PORTFOLIO STRUCTURE

RESOLVED: Besseling

That Council:

1. Adopt the revised Councillor Portfolio Structure as follows:

- (a) Communication, Governance and Community Relations
Chair: Mayor Peter Besseling
Alt Chair: General Manager, Craig Swift-McNair
- (b) Major Projects
Chair: Councillor Justin Levido
Alt Chair: Councillor Mike Cusato
- (c) Roads & Transport Infrastructure
Chair: Councillor Sharon Griffiths
Alt Chair: Councillor Lee Dixon
- (d) Economic and Cultural Development
Chair: Councillor Rob Turner
Alt Chair: Councillor Geoff Hawkins
- (e) Water, Stormwater, Sewer and Waste
Chair: Councillor Lisa Intemann
Alt Chair: Councillor Justin Levido
- (f) Towns, Villages and Public Spaces
Chair: Councillor Lee Dixon
Alt Chair: Councillor Sharon Griffiths
- (g) Planning, Environment and Sustainability
Chair: Councillor Peter Alley
Alt Chair: Councillor Rob Turner
- (h) External Grants and Revenues
Chair: Councillor Mike Cusato
Alt Chair: Councillor Peter Alley
- (i) Finance, Corporate Services and Information Technology
Chair: Councillor Geoff Hawkins
Alt Chair: Councillor Lisa Intemann

to champion the advancement of Council's key priorities by providing a means of gathering, receiving and discussing information in an efficient and timely manner.

2. Adopt the draft Councillor Portfolio Protocol attached to the report.

CARRIED: 8/1

FOR: Besseling, Alley, Cusato, Dixon, Hawkins, Intemann, Levido and Turner

AGAINST: Griffiths

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Cusato/Intemann

That Council determine that the attachments to Item Numbers 9.07 and 11.02 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 9/0

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

AGAINST: Nil

08 PUBLIC FORUM

There were no applications to address Council in the Public Forum.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 13.05 - Mr Tony Thorne in support of the recommendation.

Item 13.07 - Mr Peter Roche in support of the recommendation.

RESOLVED: Turner/Griffiths

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

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Alley/Hawkins

That Standing Orders be suspended to allow items 13.05 and 13.07 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

13.05 PLANNING PROPOSAL FOR COUNCIL LAND - GREENMEADOWS DRIVE, PORT MACQUARIE

Mr Tony Thorne, King and Campbell Pty Ltd, representing J & G Newton, addressed Council in support of the recommendation, referred to a Plan of Management for the area and answered questions from Councillors.

RESOLVED: Turner/Griffiths

That Council:

1. Pursuant to Section 59(2) of the Environmental Planning and Assessment Act 1979, make the Local Environmental Plan to rezone and reclassify Lot 139, DP 815514, Greenmeadows Drive, Port Macquarie.
2. Fund the establishment and maintenance of the proposed environmental lands from the Property Reserve over a five year timeline.

CARRIED: 9/0

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

AGAINST: Nil

13.07 PLANNING PROPOSAL - REZONING AND RECLASSIFICATION OF LAND AT WAUCHOPE FOR REGIONAL SPORTS FACILITY

Mr Peter Roche addressed Council in support of the recommendation. Mr Roche offered Council the opportunity for the free use of part of his land in connection with the proposed Wauchope Sports Fields in exchange for consideration of rezoning his property and answered questions from Councillors.

RESOLVED: Griffiths/Dixon

That Council:

1. Prepare a draft planning proposal in relation Council owned land adjacent the Oxley Highway at Wauchope to amend the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, to permit the land to be used as a multi use regional sports and recreation precinct, as described in this report, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979.
 2. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to Sections 56 - 58 of the Act.
 3. Request that the Director General of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 59 of the Act in respect of the planning proposal.
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CARRIED: 9/0
FOR: Besseling, Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido and Turner
AGAINST: Nil

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Cusato

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

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

09.02 2016 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

RESOLVED: Cusato/Alley

That Council note the information contained in the 2016 Local Government NSW Annual Conference report.

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

09.03 COUNCIL STEERING GROUP APPOINTMENTS

RESOLVED: Intemann/Griffiths

That Council:

1. Appoint Councillor J Levido, as Chair of the Major Projects Portfolio, as the Councillor representative on the following Steering Groups:
 - Stingray Creek Bridge Replacement Project Steering Group;
 - Ocean Drive Duplication Steering Group;
 - Port Macquarie Indoor Stadium Expansion Steering Group;
 - Village Sewerage Scheme Steering Group.
2. Request the General Manager table a report at the 14 December 2016 Council meeting detailing suggested amendments to the Steering Group Charters to provide greater consistency across of operation across each of the Steering Groups.

CARRIED: 9/0

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

AGAINST: Nil

09.04 COUNCILLOR MEMBERSHIP TO COMMITTEES, GROUPS AND BOARDS

RESOLVED: Besseling/Intemann

That Council:

1. Appoint appropriate Councillor representation to the following currently established Committees, Groups and Boards:

Committee / Steering Group	Councillor Representation
Airport Advisory Group	Clr J Levido
Arts Mid North Coast Board	Clr R Turner
Audit, Risk & Improvement Committee	Clr L Intemann Clr G Hawkins
Australia Day Sub-Committee	Clr S Griffiths
Coast, Estuaries & Floodplain Sub-Committee	Clr M Cusato
Local Traffic Committee / Local Development Committee (Traffic)	Deputy Mayor
Mayor's Sporting Fund Sub- Committee	Mayor
Port Macquarie-Handa Sister City Sub-Committee	Clr L Dixon
Port Macquarie-Hastings Access Sub-Committee	Clr P Alley
Port Macquarie-Hastings Economic Development Steering Group	Clr R Turner
Town Centre Master Plan Sub-Committee	Clr G Hawkins Clr M Cusato

2. Dissolve the Glasshouse Sub-Committee and request that the General Manager thank in writing, each of the independent members of the Sub-Committee for their support and contributions.
3. Request the General Manager table a report at the 15 February 2017 Council meeting providing a review and future options for:
 - a) Heritage, Arts and Cultural Priorities Advisory Group
 - b) Aboriginal Advisory Committee
 - c) Implementation and monitoring of the Glasshouse Strategic Plan, particularly in relation to the objectives of the Cultural Plan.
 - d) PMHC Youth Advisory Committee
 - e) Mid North Coast Co-operative Library Committee
4. Request the General Manager undertake a review of the Town Centre Master Plan Sub Committee Charter, with a report to be tabled at the 14 December 2016 Council Meeting.
5. Request the General Manager undertake a review of the Audit, Risk and Improvement Committee Charter to ensure alignment with recent legislation, with a report to be tabled at the 15 March 2017 Council Meeting.
6. Request the General Manager undertake a review of the Airport Advisory Group Charter, with a report to be tabled at the 14 December 2016 Council Meeting.

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7. Request the General Manager undertake a review of the following Committees in an effort to achieve a more streamlined approach to such civic event committees, with a report to be tabled at the 15 February 2017 Council meeting:
 - Australia Day Sub-Committee;
 - Mayor's Sporting Fund;
 - Port Macquarie-Hastings Sister City Sub-Committee.
 8. Consider alternate Chairs for Committees to be brought to the February 2017 Council meeting.

CARRIED: 8/1

FOR: Besseling, Alley, Cusato, Dixon, Hawkins, Intemann, Levido and Turner

AGAINST: Griffiths

09.05 PROJECT MANAGEMENT

RESOLVED: Hawkins/Turner

That Council:

1. Place on public exhibition from 25 November 2016 until 23 December 2016 (28 days), the draft Project Management Policy.
2. Place on public exhibition from 25 November 2016 until 23 December 2016 (28 days) its intention to rescind the:
 - (a) Project Management and Gateway Policy.
 - (b) Project Management Guidelines Policy.
3. Note that a further report will be tabled at the February 2017 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

09.06 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY

RESOLVED: Intemann/Griffiths

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 directly related to this Policy were received.
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CARRIED: 9/0

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

AGAINST: Nil

09.07 QUARTERLY BUDGET REVIEW STATEMENT

RESOLVED: Hawkins/Cusato

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

CARRIED: 9/0

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

AGAINST: Nil

09.08 FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

RESOLVED: Hawkins/Cusato

That Council:

1. Note the information in this report on the financial impact of cost shifting from other levels of Government.
2. Note that the calculated financial impact in the current 2016-2017 financial year for each of the 31,946 Residential ratepayers within Council's LGA is approximately \$288 per ratepayer on average.
3. Request the General Manager write to the Member for Port Macquarie the Hon. Leslie Williams MP, the Member for Oxley the Hon. Melinda Pavey MP, the Member for Cowper the Hon. Luke Hartsuyker MP and the Member for Lyne the Hon. Dr. David Gillespie MP, enclosing a full copy of this Financial Impact of Cost Shifting report and request their active assistance in removing this financial burden on our community.

CARRIED: 9/0

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

AGAINST: Nil

**09.09 2016-2017 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT AS
AT 30 SEPTEMBER 2016**

RESOLVED: Intemann/Griffiths

That Council note the 2016-2017 Operational Plan Quarterly Progress Report as at 30 September 2016.

CARRIED: 9/0

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

AGAINST: Nil

**09.10 ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
2016**

RESOLVED: Hawkins/Griffiths

That Council adopt the Annual Financial Statements for the year ended 30 June 2016, as submitted, together with the Auditor's Report.

CARRIED: 9/0

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

AGAINST: Nil

09.11 2015-2016 ANNUAL REPORT

RESOLVED: Intemann/Griffiths

That Council:

1. Adopt the 2015-2016 Annual Report, comprising Parts A, B, C and D.
2. Submit the adopted 2015-2016 Annual Report to the Minister for Local Government by the 30 November 2016.
3. Publish the adopted 2015-2016 Annual Report on Council's website and make copies of the report available at all Council Offices and Libraries.
4. Note the distribution proposal for Part A Community Report Card 2015-2016.

CARRIED: 9/0

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

AGAINST: Nil

09.12 MONTHLY FINANCIAL REVIEW FOR OCTOBER 2016

RESOLVED: Hawkins/Turner

That Council adopt the adjustments in the “Financial and Economic Implications” section of the Monthly Financial Review Report for October 2016.

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

09.13 INVESTMENTS - OCTOBER 2016

RESOLVED: Cusato/Hawkins

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

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

09.14 MAKING A DECISION ABOUT FUTURE RATES

MOTION

MOVED: Turner/Alley

That Council:

1. Place the following draft documents on public exhibition for a period of 28 days from 21 November to 18 December 2016:
 - Amended 2013-2017 Delivery Program.
 - Amended Long Term Financial Plan.
2. Lodge an IPART expression of interest for a Special Rate Variation in December 2016 in relation to embedding the existing Special Rate Variation into the future noting that the submission of an expression of interest will not bind Council in applying for a Special Rate Variation.
3. Note that a further report will be tabled at the February 2017 meeting of Council, detailing the submissions received from the public during the exhibition period that will provide Council with information that can be taken into account in considering whether to formally apply for a Special Rate Variation to maintain the current funding levels.

AMENDMENT

MOVED: Griffiths/

That Council:

1. Place the following draft documents on public exhibition for a period of 28 days from 21 November to 18 December 2016:
 - Amended 2013-2017 Delivery Program.
 - Amended Long Term Financial Plan.
2. Lodge an IPART expression of interest for a Special Rate Variation in December 2016 in relation to the existing Special Rate Variation for five years noting that the submission of an expression of interest will not bind Council in applying for a Special Rate Variation.
3. Note that a further report will be tabled at the February 2017 meeting of Council, detailing the submissions received from the public during the exhibition period that will provide Council with information that can be taken into account in considering whether to formally apply for a Special Rate Variation to maintain the current funding levels.

LAPSED FOR WANT OF A SECONDER

THE MOTION WAS PUT

RESOLVED: Turner/Alley

That Council:

1. Place the following draft documents on public exhibition for a period of 28 days from 21 November to 18 December 2016:
 - Amended 2013-2017 Delivery Program.
 - Amended Long Term Financial Plan.
2. Lodge an IPART expression of interest for a Special Rate Variation in December 2016 in relation to embedding the existing Special Rate Variation into the future noting that the submission of an expression of interest will not bind Council in applying for a Special Rate Variation.
3. Note that a further report will be tabled at the February 2017 meeting of Council, detailing the submissions received from the public during the exhibition period that will provide Council with information that can be taken into account in considering whether to formally apply for a Special Rate Variation to maintain the current funding levels.

CARRIED: 8/1

FOR: Besseling, Alley, Cusato, Dixon, Hawkins, Intemann, Levido and Turner

AGAINST: Griffiths

09.15 2016 COMMUNITY NEEDS SURVEY

RESOLVED: Turner/Dixon

That Council note the information included within the 2016 Community Needs Survey report.

CARRIED: 9/0

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

AGAINST: Nil

10.01 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - OCTOBER 2016 MEETING

RESOLVED: Besseling/Turner

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

1. That Benjamin Oakley be granted the amount of \$250.00 to assist with expenses he would have incurred travelling and competing at the 2016 National Youth Football Championships held in Coffs Harbour from 3 October to 7 October 2016 inclusive.
2. That Kyle De Domizio be granted \$350.00 to assist with the expenses he would have incurred travelling to and competing at the NSW all Schools Track and Field Championships held in Sydney Olympic Stadium from 13 October to 15 October 2016 inclusive.

CARRIED: 9/0

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

AGAINST: Nil

11.01 NOTICE OF MOTION - OPPORTUNITIES FOR LOCAL FIRMS TO DO BUSINESS WITH COUNCIL

RESOLVED: Turner/Hawkins

That Council:

1. Request the General Manager provide a briefing to Councillors in early 2017 outlining options and strategies to increase the opportunities for local firms to do business with Council.
2. Request the General Manager provide a report to the Ordinary Council Meeting on 15 March 2017 outlining options and strategies to increase the opportunities for local firms to do business with Council that complement the current Council adopted integrated strategy for local supply.

CARRIED: 9/0

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

AGAINST: Nil

11.02 PORT MACQUARIE AIRPORT TERMINAL BUILDING UPGRADE PROJECT

Councillor Cusato declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:03pm.

RESOLVED: Intemann/Hawkins

That Council:

1. Include the Port Macquarie Airport Terminal Building Upgrade project in the 2016-2017 Operational Plan, with a current year budget of \$250,000 for the commencement of detailed design.
2. Note the overall \$7.5 million budget for the Port Macquarie Airport Terminal Building Upgrade project, with funding sources and future year budget allocations as detailed in the Financial and Economic Implications section of this report to be considered in draft future Operational Plans.
3. Delegate authority to the General Manager to sign and enter into the \$5 million Restart NSW (RNSW768) Funding Deed and the \$1.25 million Funding Agreement with the Australian Government for the Port Macquarie Airport Terminal Building Upgrade project.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Cusato returned to the meeting, the time being 7:04pm.

11.03 PORT MACQUARIE COACH TERMINAL LED BILLBOARD

RESOLVED: Turner/Dixon

That Council request the General Manager undertake an expression of interest process for the installation and management of a new LED billboard on the Gordon Street Coach Terminal Building.

CARRIED: 9/0

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

AGAINST: Nil

12.01 LAND ACQUISITION - STINGRAY CREEK BRIDGE ENVIRONMENTAL OFFSET

RESOLVED: Intemann/Cusato

That Council:

1. Pay compensation in the amount of \$78,800 (excl. GST) to D R & M D Green for the acquisition of 3.08ha of land from Lot 5 Deposited Plan 774400.
2. Delegate to the General Manager, pursuant to the provisions of Section 377 of the Local Government Act 1993, authority to sign:
 - (a) Deed of Acquisition/Contract For Sale;
 - (b) Land and Property Information Transfer Form.
3. Consider a further report on the classification of the land once the land acquisition has been finalised.

CARRIED: 9/0

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

AGAINST: Nil

12.02 DA2016 - 298 - RESIDENTIAL FLAT BUILDING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND STRATA SUBDIVISION - LOT 3 DP 366050, NO 68 CHURCH STREET, PORT MACQUARIE

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:08pm.

RESOLVED: Cusato/Hawkins

That the determination of DA 2016 - 298 for a residential flat building including clause 4.6 objection to clause 4.3(height of buildings) under the Port Macquarie-Hastings Local Environmental Plan 2011 and strata subdivision at Lot 3, DP 366050, No. 68 Church Street, Port Macquarie, be noted.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 7:08pm.

12.03 QUESTION FROM PREVIOUS MEETING - WALL RESERVE, NORTH HAVEN

RESOLVED: Dixon/Alley

That Council note the information contained within the Wall Reserve Update report.

CARRIED: 9/0

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

AGAINST: Nil

13.01 NOTICE OF MOTION - OPTIONS TO ACQUIRE TUFFINS LANE SPORTING FIELDS

MOTION

MOVED: Griffiths/

That the General Manager provide a report to the December 2016 Council Meeting on the options to secure Tuffins Lane sporting fields - lease; purchase; partnership arrangement; offset agreement or other feasible method.

LAPSED FOR WANT OF A SECONDER

FORESHADOWED MOTION

MOVED: Cusato/Turner

That the General Manager provide Councillors with a briefing, should any future offer to purchase or lease Tuffins Lane sporting fields be received.

THE MOTION WAS PUT

RESOLVED: Cusato/Turner

That the General Manager provide Councillors with a briefing, should any future offer to purchase or lease Tuffins Lane sporting fields be received.

CARRIED: 8/1

FOR: Besseling, Alley, Cusato, Dixon, Hawkins, Intemann, Levido and Turner

AGAINST: Griffiths

13.02 QUESTION FROM PREVIOUS MEETING - STINGRAY CREEK BRIDGE

RESOLVED: Alley/Turner

That the progress update on the Stingray Creek Bridge replacement be noted.

CARRIED: 9/0

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

AGAINST: Nil

**13.03 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE - PORT
MACQUARIE SCHOOL ZONE TIMES**

RESOLVED: Intemann/Hawkins

That the existing afternoon school zone flashing light times should be altered by The Centre for Road Safety to reflect the new school operating times at:

1. Westport campus in Findlay Avenue, 2.00pm to 4.00pm as agreed to by Centre for Road Safety.
2. Port Macquarie campus in Burrawan Street, 2.00pm to 4.00pm noting that the Centre for Road Safety does not concur with the alterations to the times and that Council should liaise with the Centre for Road Safety, School representatives and the community in relation to the implementation of these school zone times.

CARRIED: 9/0

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

AGAINST: Nil

**13.04 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE -
COUNTDOWN TO CHRISTMAS 2016**

RESOLVED: Turner/Dixon

That Council approve the temporary road closure of Horton Street, Port Macquarie (between Town Green and Hayward Street) to conduct the annual Countdown to Christmas event on Thursday, 24 November 2016 from 5:30pm to 9:00pm, subject to the following conditions:

1. That the Countdown to Christmas event be categorised as a Class 2 special event.
 2. That the event organiser advertise, at their cost, the following details of all temporary road closures and temporary parking restrictions associated with this event in the local print media on separate days, at least twice (2) within 14 days prior to the event:
 - temporary road closure dates
-

-
- times and duration of the temporary road closures
 - alternative routes and access arrangements.
3. That the event organiser, at their cost, advertise the event by undertaking a letter box drop to all residents and businesses directly affected by the temporary road closures and temporary parking restrictions at least 14 days prior to the event, advising the following:
 - event name
 - event times
 - contact details of at least two (2) people involved in the organisation of the Event, in case of an emergency
 - proposed actions to be undertaken to mitigate the impact of the temporary road closures.
 4. That the Traffic Guidance Scheme dated 17 June 2016 be implemented. Any modifications to the plans must be agreed with Council's Transport Section prior to the running of the event.
 5. That the event organisers obtain, and abide by, written approval from NSW Police.
 6. That the event organiser notify the NSW Ambulance, NSW Fire & Rescue and the State Emergency Service of the proposed road closures at least 14 days in advance of the event.
 7. That the event organiser abides by any other condition that Council and the Police may impose at any time.
 8. That the event organiser notifies local Transport Services (Bus Companies, Taxis) of the proposed road closures at least 14 days in advance of the event and assists in developing alternatives for affected users.
 9. That RMS accredited persons are to be used to implement the Traffic Guidance Scheme (formerly known as the Yellow Card).
 10. That RMS accredited traffic controllers are to be used to control traffic (formerly known as the Blue Card).
 11. That the event organiser submit to Council not less than fourteen (14) days prior to the commencement of the event evidence of Public Liability Insurance for the amount of \$20 million which is valid for the duration of the event including the running and pull down of the event and .
 12. The event organiser must have this approval, the Traffic Guidance Scheme described above and NSW Police approval on site at all times for the duration of the event.

CARRIED: 9/0

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

AGAINST: Nil

Item - 13.05 Planning Proposal for Council Land - Greenmeadows Drive, Port Macquarie - has been moved to another part of the document.

13.06 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

RESOLVED: Intemann/Cusato

That Council note the Development Activity and Assessment System Performance report for the first quarter of 2016-2017.

CARRIED: 9/0

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

AGAINST: Nil

Item - 13.07 Planning Proposal - Rezoning and Reclassification of Land at Wauchope for Regional Sports Facility - has been moved to another part of the document.

13.08 TOWN AND VILLAGE SIGNAGE

RESOLVED: Turner/Alley

That Council:

1. Note the Town and village signage concept designs.
2. Note that a further report will be tabled at the March 2017 meeting of Council, detailing the structural designs, cost estimates and community engagement for the signage development and implementation.

CARRIED: 9/0

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

AGAINST: Nil

13.09 QUESTION FROM PREVIOUS MEETING - CAMDEN HAVEN SURF CLUB LICENCE

RESOLVED: Dixon/Cusato

That Council note the information contained within the Camden Haven Surf Club Licence Report.

CARRIED: 9/0

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

AGAINST: Nil

14 QUESTIONS FOR NEXT MEETING

14.01 SHORT-TERM HOLIDAY LETTING

Question from Councillor Cusato:

How is Council currently managing problems associated with short-term holiday letting in residential areas and what are the potential implications of the recommendations from the NSW Inquiry into Short Term Holiday Letting?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Dixon/Cusato

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 T-16-38 Road Stabilisation 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 15.02 T-16-52 Synthetic Turf System for Second Hockey Field at Wayne Richards Park

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 15.03 EOI-16-05 Community Members of the Broadwater Canal Maintenance Plan Reference Group

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 15.04 EOI-16-10 Lease of North Town Beach 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.

Item 15.05 T-16-58 Microsoft Enterprise Agreement

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: 9/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7:25pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 7:29pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Griffiths/Cusato

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

Item 15.01 T-16-38 Road Stabilisation 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. Accept the quotations, through Local Government Procurement
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contract, Bitumen, Emulsions and Asphalt Materials and Services (LGP213), from the following suppliers to be appointed to a panel of suppliers for the Provision of Road Stabilisation Services for the period 16 November 2016 to 28 February 2018. Council's participation in any available options after this date will be at Council's sole discretion:

- a. Downer EDI Works Pty Ltd
 - b. Stabilised Pavements of Australia Pty Ltd
2. Accept the Schedule of Rates from Downer EDI Works Pty Ltd and Stabilised Pavements of Australia Pty Ltd.
 3. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-38.

Item 15.02 T-16-52 Synthetic Turf System for Second Hockey Field at Wayne Richards Park

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 Polytan Asia Pacific Pty Ltd for \$376,885 (exclusive of GST) for supply and installation of the Synthetic Turf System for the Second Hockey Field at Wayne Richards Park.
2. Accept the Schedule of Rates from Polytan Asia Pacific Pty Ltd for the supply and installation of the Synthetic Turf System for the Second Hockey Field at Wayne Richards Park.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-52

Item 15.03 EOI-16-05 Community Members of the Broadwater Canal Maintenance Plan Reference Group

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

RECOMMENDATION

That Council:

1. Appoint four (4) new members to the Broadwater Canal Maintenance Plan Reference Group:
 - (a) Mr Peter Bastable
 - (b) Mr Larry Crowley
 - (c) Mr John McGuigan
 - (d) Mr Raymond Linney.
2. Commence the appointments by inviting the new members to the next Broadwater Canal Maintenance Plan Reference Group meeting on 23 March 2017.
3. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-16-05.

Item 15.04 EOI-16-10 Lease of North Town Beach 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. Accept the Expression of Interest submission received from B & R Howard for the Lease of North Town Beach Kiosk.
2. On behalf of the Reserve Trust, finalise the terms of the Lease of the new North Town Beach Kiosk, for an initial term of two (2) years with an option for a further three (3) years, with the Lease commencing from the date of issue of the Occupation Certificate for the new building.
3. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-16-10.

Item 15.05 T-16-58 Microsoft Enterprise Agreement

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

RECOMMENDATION

That Council:

1. Accept the quotation, through Local Government Procurement, from Data#3 Limited, for the purchase of Microsoft Enterprise Agreement for \$723,591 (excl GST).
2. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-58.

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

The meeting closed at 7:29pm.

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Peter Besseling
Mayor