

PRESENT

Members:

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

Other Attendees:

General Manager (Craig Swift-McNair)
Director of Corporate Performance (Rebecca Olsen)
Acting Director of Development and Environment (Dan Croft)
Acting Director of Infrastructure (Andrew Doig)
Director of Strategy and Growth (Jeffery Sharp)
Group Manager Governance and Procurement (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Major Kevin Unicomb from the Salvation Army Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Alley/Dixon

That the Minutes of the Ordinary Council Meeting held on 18 October 2017 be confirmed.

CARRIED: 9/0

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

05 DISCLOSURES OF INTEREST

Councillor Alley declared a Pecuniary Interest in Item 09.14 - Care Expenses Request, the reason being that the subject matter of this item involves reimbursement of costs to his family for childcare related costs.

Councillor Alley declared a Pecuniary Interest in Item 12.06 - PP2016 - 11.1 Planning Proposal - Mission Terrace, Lakewood, the reason being that the subject matter of this item includes property near to property that is owned by the Anglican Church Property Trust, Diocese of Newcastle which holds that property for the benefit of the Anglican Parish of the Camden Haven, of which I serve as the Treasurer on the Parish Council. These changes may result in a financial loss or gain to nearby property owners and hence to the Property Trust.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.04 - Determination of DA2017 - 669.1 Dwelling including Clause 4.6 Objection to Clause 4.2A (Erection of Dwelling Houses in Rural Zones) under the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 54 DP 754442 Bellangry Road, Mortons Creek, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for the owner of the property being the subject of the report.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

That the Mayoral Discretionary Fund allocations for the period 5 October to 1 November 2017 inclusive be noted.

CARRIED: 9/0

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

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Intemann/Turner

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

CARRIED: 9/0

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

08 PUBLIC FORUM

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

1. Ms Susan East regarding the Lake Cathie Foreshore Master Plan.
2. Ms Janette Jones, representing the Rollands Plains Community Group, regarding rural roads in Rollands Plains.
3. Ms Ellen Brown regarding Port Macquarie Base Hospital roundabout – beautify and memorial to doctors, nurses and medics who served in WWI, WWII and all conflicts.
4. Ms Colleen Carmody, representing Ms Margaret Halfpenny, regarding the provision of low cost housing for women over 65 years.

RESOLVED: Griffiths/Turner

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

CARRIED: 9/0

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

08.01 LAKE CATHIE FORESHORE MASTER PLAN

Ms Susan East addressed Council in regard to the Lake Cathie Foreshore Master Plan and answered questions from Councillors.

08.02 RURAL ROADS IN ROLLANDS PLAINS

Ms Janette Jones, representing the Rollands Plains Community Group, addressed Council and displayed a presentation in regard to rural roads in Rollands Plains and answered questions from Councillors.

**08.03 PORT MACQUARIE BASE HOSPITAL ROUNDABOUT -
BEAUTIFY AND MEMORIAL TO DOCTORS, NURSES AND
MEDICS WHO SERVED IN WWI AND WWII AND ALL
CONFLICTS**

Ms Ellen Brown addressed Council and displayed a presentation in regard to the Port Macquarie Base Hospital roundabout – beautify and memorial to doctors, nurses and medics who served in WWI, WWII and all conflicts and answered questions from Councillors.

**08.04 PROVISION OF LOW COST HOUSING FOR WOMEN OVER
65 YEARS**

Ms Colleen Carmody, on behalf of Ms Margaret Halfpenny, addressed Council in regard to the provision of low cost housing for women over 65 years and answered questions from Councillors.

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Hawkins

That Standing Orders be suspended to allow Item 12.08 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

12.08 QUESTION FROM PREVIOUS MEETING - MANAGEMENT AND MAINTENANCE OF RURAL ROADS

RESOLVED: Griffiths/Intemann

That Council:

1. Note the information provided in relation to the management of rural roads.
2. Request the General Manager provide a briefing to Councillors in early 2018 on the management of rural roads including any opportunity to seal unsealed rural roads.
3. Consider the inclusion of funding for increased works on rural roads in the development of the 2018-2019 Operational Plan.

CARRIED: 9/0

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

AGAINST: Nil

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Alley

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

CARRIED: 9/0

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

AGAINST: Nil

09.02 CORRESPONDENCE RECEIVED RELATING TO THE NOTICE OF MOTION RE BY-ELECTION FOR POPULARLY ELECTED MAYOR

RESOLVED: Levido/Griffiths

That Council:

1. Note the information contained in this report that relates to a Notice of Motion tabled at the 16 August 2017 Council meeting on issues around the operation of Section 276 (2) of the NSW Local Government Act 1993, relating to the by-election for the popularly elected Mayor.
2. Request the General Manager bring a report to Council's April 2018 Meeting with a further update as to the responses generated.

CARRIED: 9/0

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

AGAINST: Nil

**09.03 GENERAL MANAGER'S ATTENDANCE - UNITED STATES OF AMERICA
STUDY TOUR**

RESOLVED: Hawkins/Pinson

That Council:

1. Note and congratulate the General Manager on his successful selection by Local Government Professionals Australia, NSW to attend the League of California Cities, City Managers conference in Newport Beach California and related study tour in January / February 2018.
2. Request the General Manager table a report on the City Managers conference and the learnings from the study tour at the 18 April 2018 Council meeting.

CARRIED: 9/0

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

AGAINST: Nil

09.04 NOTICE OF MOTION - MAYORAL MEETINGS

RESOLVED: Intemann/Alley

That Council request the General Manager advise Councillors at the time of all meetings held, issues raised and outcomes of Mayoral meetings with Ministers and local Members and regular Mayoral meetings with local community groups.

CARRIED: 8/1

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

AGAINST: Griffiths

09.05 DISCLOSURE OF INTEREST RETURN - MAYOR PETA PINSON

RESOLVED: Pinson/Intemann

That the Disclosure of Interest return for Mayor Peta Pinson be noted.

CARRIED: 9/0

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

AGAINST: Nil

09.06 DISCLOSURES REGISTER - ANNUAL RETURN 2016-2017 FOR ROAD SAFETY OFFICER

RESOLVED: Hawkins/Alley

That Council note the Annual Disclosure Return for the Road Safety Officer as detailed in this report.

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

09.07 ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

RESOLVED: Hawkins/Intemann

That Council adopt the Annual Financial Statements for the year ended 30 June 2017, as submitted, together with the Auditor's Report.

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

09.08 QUARTERLY BUDGET REVIEW STATEMENT

RESOLVED: Hawkins/Griffiths

That Council note the Quarterly Budget Review Statement for the September 2017 quarter.

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

09.09 MONTHLY FINANCIAL REVIEW FOR OCTOBER 2017

RESOLVED: Griffiths/Hawkins

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for October 2017.

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

09.10 INVESTMENTS - OCTOBER 2017

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the Investment Report for the month of October 2017.
2. Request the General Manager submit a report to a future Council Meeting (before June 2018) after review by the Audit, Risk & Improvement Committee that examines alternative investment options that are likely to give Council a higher return on its investments whilst remaining within approved risk parameters.
3. Request the General Manager to submit a report to the February 2018 meeting of Council that reviews the investment income budget for the 2017/2018 Financial Year.

CARRIED: 9/0

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

AGAINST: Nil

09.11 FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

RESOLVED: Alley/Intemann

That Council:

1. Note the information in this report on the financial impact of cost shifting from other levels of Government.
2. Request the General Manager provides a revised "Waste Levy" figure for 2017/18 in an updated table of cost shifting at the February, 2018 Council Meeting.
3. Request the General Manager provide future reports in a format that separate "Federal Government" cost shifting impacts from "NSW State Government" impacts.
4. Request the General Manager provide in the next *Financial Impact of Cost Shifting from Other Levels of Government* report in November 2018, at least one detailed example of a cost shifting exercise involving council funded infrastructure that relates to government schools, hospitals, public housing or universities.
5. Request the General Manager write to:
 - a) the Member for Port Macquarie the Hon. Leslie Williams MP;
 - b) the Member for Oxley the Hon. Melinda Pavey MP;
 - c) the Member for Cowper the Hon. Luke Hartsuyker MP;
 - d) the Member for Lyne the Hon. Dr. David Gillespie MP;
 - e) The Honourable Courtney Housos, Labor duty MLC for Port Macquarie;
 - f) The Honourable Lynda Voltz, Labor duty MLC for Oxley;
 - g) Senator Sam Dastyari, Labor duty Senator for Lyne;
 - h) Senator Jennifer McAllister, Labor duty Senator for Cowper;
 - i) Local Government NSW;

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

AGAINST: Nil

09.12 2017-2018 OPERATIONAL PLAN - QUARTERLY PROGRESS REPORT AS AT 30 SEPTEMBER 2017

RESOLVED: Hawkins/Griffiths

That Council note the 2017-2018 Operational Plan - Quarterly Progress Report as at 30 September 2017.

CARRIED: 9/0

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

AGAINST: Nil

09.13 2016-2017 ANNUAL REPORT

RESOLVED: Turner/Griffiths

That Council:

1. Adopt the 2016-2017 Annual Report, comprising Parts A and B.
2. Submit the adopted 2016-2017 Annual Report to the Minister for Local Government by the 30 November 2017.
3. Publish the adopted 2016-2017 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 2016-2017.

CARRIED: 9/0

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

AGAINST: Nil

09.14 CARE EXPENSES REQUEST

Councillor Alley declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:23pm.

RESOLVED: Intemann/Pinson

That Council approve the special consideration request for child care costs to Councillor Peter Alley totalling \$480 that are incurred due to Councillor Peter Alley attending the Local Government NSW Conference on 4-6 December 2017.

CARRIED: 7/1

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

AGAINST: Cusato

Councillor Alley returned to the meeting, the time being 07:25pm.

09.15 DRAFT CODE OF CONDUCT SUBMISSION

RESOLVED: Intemann/Turner

That Council request the General Manager submit feedback relating to the draft Code of Conduct to the Office of Local Government.

CARRIED: 9/0

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

AGAINST: Nil

09.16 INVESTMENT POLICY REVIEW - POST EXHIBITION

RESOLVED: Hawkins/Turner

That Council adopt the amended Investment Policy.

CARRIED: 9/0

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

AGAINST: Nil

09.17 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

RESOLVED: Intemann/Pinson

That Council note the Development Activity and Assessment System Performance report for the first quarter of 2017-2018.

CARRIED: 9/0

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

AGAINST: Nil

10.01 RECOMMENDED ITEM FROM CULTURAL STEERING GROUP - BICENTENARY

RESOLVED: Turner/Hawkins

That Council:

1. Note the currently proposed Bicentenary activities as reported to the Cultural Steering Group.
2. Support and encourage the active involvement of the Birpai people in the activities and events.
3. Consider a further report at the December Ordinary Council Meeting outlining the options for the level of involvement and resources required of Council in relation to the celebrations.

CARRIED: 9/0

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

AGAINST: Nil

10.02 RECLASSIFICATION OF LAND AT WAUCHOPE FROM OPERATIONAL LAND TO COMMUNITY LAND

RESOLVED: Intemann/Dixon

That Council:

1. Pursuant to Section 33 of the Local Government Act 1993 reclassify Lot 52 DP1035553, Lots 11 & 12 DP855941 and Lot 2 DP1118155 (land situated on the corner of Oxley Highway and Stoney Creek Road, Wauchope as 'Community land' for regional sports.
2. Request the General Manager take the necessary administrative steps to update Council's land register and GIS mapping systems.

CARRIED: 9/0

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

AGAINST: Nil

**11.01 ECONOMIC DEVELOPMENT STRATEGY 2017-2021: SIX MONTHLY
REPORT ON PROGRESS**

RESOLVED: Turner/Alley

That Council note the six monthly progress report on implementation of the 2017-2021 Port Macquarie-Hastings Economic Development Strategy.

CARRIED: 9/0

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

AGAINST: Nil

**12.01 CAMDEN HAVEN SEWER PUMP STATION 22 - GRANT OF EASEMENT
FOR UNDERGROUND ELECTRICITY**

RESOLVED: Hawkins/Dixon

That Council, pursuant to Section 377 of the Local Government Act 1993, delegate authority to the General Manager to sign the:

1. Land Titles Office Transfer Granting Easement form.
2. Survey plan showing easement to be granted.

CARRIED: 9/0

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

AGAINST: Nil

**12.02 QUESTION FROM PREVIOUS MEETING - POTENTIAL PUMPED HYDRO
SITES**

RESOLVED: Alley/Intemann

That Council note the information contained in the Potential Pumped Hydro Sites report.

CARRIED: 9/0

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

AGAINST: Nil

12.03 DETERMINATION OF DA2017 - 562.1 FOR A 4 LOT TORRENS TITLE SUBDIVISION INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.1 (MINIMUM SUBDIVISION LOT SIZE) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND FENCE/ESTATE SIGNAGE AT LOT 201 DP 1232146 SEASIDE DRIVE, LAKE CATHIE

RESOLVED: Intemann/Griffiths

That the determination of DA2017 – 562.1 for a 4 Lot Torrens Title Subdivision including Clause 4.6 Objection to Clause 4.1 (Minimum Subdivision Lot Size) of the Port Macquarie-Hastings Local Environmental Plan 2011 and Fence/Estate Signage at Lot 201, DP 1232146, Seaside Drive, Lake Cathie, be noted.

CARRIED: 9/0

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

AGAINST: Nil

12.04 DETERMINATION OF DA2017 - 669.1 DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.2A (ERECTION OF DWELLING HOUSES IN RURAL ZONES) UNDER THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 54 DP 754442 BELLANGRY ROAD, MORTONS CREEK

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 7:38pm.

RESOLVED: Griffiths/Turner

That the determination of DA2017 – 669.1 for a Dwelling including Clause 4.6 objection to Clause 4.2A (erection of dwelling houses in rural zones) under the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 54, DP 754442, Bellangry Road, Mortons Creek, be noted.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 07:39pm.

12.05 HASTINGS REGIONAL SPORTS FIELDS - SUBMISSIONS REVIEW

The Director Strategy and Growth tabled an omitted attachment 1 for this item.

RESOLVED: Turner/Dixon

That Council:

1. Take the necessary steps under sections 58 and 59 of the Environmental Planning and Assessment Act 1979 to finalise Local Environmental Plan 2011 (Amendment No 44) as attached.
2. 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: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.06 PP2016 - 11.1 PLANNING PROPOSAL - MISSION TERRACE, LAKEWOOD

Councillor Alley declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:42pm.

RESOLVED: Griffiths/Pinson

That Council:

1. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 in relation to part of Lot 2 DP 771931, Mission Terrace, Lakewood for residential and environmental purposes as described in this report.
2. Submit the planning proposal to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979 and the issue of 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.
3. Delegate authority to the Director Strategy and Growth to make any amendments to the planning proposal as a result of the section 56 Gateway Determination, prior to public exhibition of the proposal.
4. Note that a further report will be presented to Council following the public exhibition period to demonstrate compliance with the Gateway Determination and to provide details of any submissions received during public exhibition.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Alley returned to the meeting, the time being 7:42pm.

12.07 TOWN SQUARE PORT MACQUARIE PLANNING PROPOSAL

RESOLVED: Hawkins/Turner

That Council:

1. Prepare a planning proposal 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 respect to the Port Macquarie Town Square, Horton Street Port Macquarie to change the zoning of the land to B3 commercial Core, as described in this report.
2. Forward the planning proposal to the NSW Department of Planning and Environment requesting a gateway determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979.
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. Delegate authority to the Director Strategy and Growth to make any minor amendments to the Planning Proposal as a result of the Section 56 Gateway Determination, prior to public exhibition of the proposal.
5. Undertake community consultation in accordance with the Gateway Determination.
6. Receive a report following the public exhibition period to demonstrate compliance with the Gateway Determination and to assess any submissions received.

CARRIED: 9/0

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

AGAINST: Nil

Item - 12.08 Question From Previous Meeting - Management and Maintenance of Rural Roads - has been moved to another part of the document.

13 QUESTIONS FOR NEXT MEETING

13.01 WALL RESERVE CAR PARK, NORTH HAVEN

Question from Mayor Pinson:

Could the General Manager please provide an estimate on what the cost to Council would be to seal the car park at Wall Reserve, North Haven and suggest how Council might be able to fund this work during the current financial year, noting competing priorities?

Comments by Mayor Pinson (if provided):

The management of Wall Reserve is Council's responsibility as the Trust Manager of the Crown Reserve.

Wall Reserve, along with every other Council asset or entrusted asset, has to be managed in line with available resourcing to meet Council's statutory responsibilities.

Councillors have received requests from members of the community in the past to seal Wall Reserve, North Haven.

Wall Reserve is a popular area used by visitors and locals of the North Haven area. The parking area creates excessive amounts of dust which is airborne during times of strong winds and is a constant frustration for residents living in close proximity to Wall Reserve.

Sealing the car park will improve the asset of Council and demonstrate Council's commitment to improving areas such as these throughout the Port Macquarie Hastings region.

13.02 COMMUNITY PROJECTS

Question from Councillor Griffiths:

Could the General Manager please advise how Council assists community and sporting groups to undertake projects, including those requiring specialist or technical advice?

Comments by Councillor (if provided):

Nil.

13.03 FERAL DEER

Question from Councillor Cusato:

1. Does Council have an estimate of feral deer numbers within our Local Government Area?
2. Is Council investigating and addressing the growing problem of feral deer populations within our Local Government Area?

Comments by Councillor (if provided):

Nil.

13.04 OLD PACIFIC HIGHWAY, DENNIS BRIDGE, WILSON RIVER BRIDGE

Question from Councillor Cusato:

After the opening of the new Pacific Highway this month from Sancrox to Kundabung:

1. When does Council take ownership and responsibility for the Old Pacific Highway?
2. Does Council also take ownership and responsibility for the maintenance and upkeep of the Dennis Bridge and the Wilson River Bridge?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Turner/Alley

1. That pursuant to section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole (Closed Session) on the basis that items to be considered are of a confidential nature.
2. That Council move into Confidential Committee of the Whole (Closed Session) to receive and consider the following items:

Item 14.01 T-17-48 Wauchope Swimming Pool – Shaded Outdoor Children’s Water Play Area

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

Item 14.02 T-17-37 Technical Project Manager for Dunbogan Bridge Rehabilitation

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

Item 14.03 Proposed Acquisition of Part Lot 5 DP 211319 from Roads and Maritime 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.

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

CARRIED: 9/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7:48pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 7:53pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Griffiths

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

Item 14.01 T-17-48 Wauchope Swimming Pool – Shaded Outdoor Children’s Water Play Area

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 Aquatics Unit Trust ATF Swimplex Aquatics Pty Ltd for \$399,906 (exclusive of GST) to design and construct the Wauchope Swimming Pool – Shaded outdoor children’s water play area.
2. Accept the Schedule of Rates from Aquatics Unit Trust ATF Swimplex Aquatics Pty Ltd to design and construct the Wauchope Swimming Pool – Shaded outdoor children’s water play area for variation to the project.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-48.

Item 14.02 T-17-37 Technical Project Manager for Dunbogan Bridge Rehabilitation

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 Section 55(3)(i) of the Local Government Act, 1993, due to the extenuating circumstances, as described in this report, resolves not to call public tenders for technical project management services for the Dunbogan Bridge Rehabilitation project.
2. Accept the quotation from Focus Bridge Engineering Pty Ltd to undertake the technical project management of the Dunbogan Bridge Rehabilitation project on an hourly fee plus disbursements engagement at an estimated cost of \$540,500.
3. Accept the Schedule of Rates from Focus Bridge Engineering Pty Ltd.
4. Maintain the confidentiality of the documents and consideration in respect to the quotation.

Item 14.03 Proposed Acquisition of Part Lot 5 DP 211319 from Roads and Maritime 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 delegate authority to the General Manager to commence negotiations with the Roads and Maritime Services for the Compulsory Acquisition by Agreement for Part Lot 5 DP 211319, 7909 Pacific Highway, Pembroke.

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

The meeting closed at 7:54pm.

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Peta Pinson
Mayor