

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)
Acting Director Corporate Performance (Ashley Grummitt)
Director Development and Environment (Melissa Watkins)
Acting Director Infrastructure (Jeffery Sharp)
Acting Director Strategy and Growth (Liesa Davies)
Governance Projects Officer (Darryl Hancock)
Governance Support Officer (Bronwyn Lyon)
EA to the Mayor (Linda Kocis)
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 Combined Christian Churches of Port Macquarie delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Alley

That the Minutes of the Ordinary Council Meeting held on 19 June 2019 be confirmed.

CARRIED: 9/0

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

05 DISCLOSURES OF INTEREST

Councillor Cusato declared a Pecuniary Interest in Item 13.05 - Planning Proposal - Airport Business Park, the reason being that Councillor Cusato owns a hanger at the Port Macquarie Airport.

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in Item 13.03 - Bold Street, Laurieton Pedestrian Crossing, the reason being that Councillor Alley serves as the Treasurer on the Parish Council of the Anglican Church of the Camden Haven. The Church operates a business in Laurieton - the Anglican Op Shop. However that business is not located in Bold Street and would not receive any benefit or loss as a consequence of any Pedestrian Crossing in any of the proposed locations and has no competing Op Shop that operate in this area that may be serviced by any of the proposed crossing locations.

06 MAYORAL MINUTES

Nil.

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Nil.

08 PUBLIC FORUM – MATTERS NOT ON THE AGENDA

The Mayor advised of requests to speak in the Public Forum - Matters Not On The Agenda from:

1. Ms Patricia Cooper regarding Kenwood Drive Bridge.
2. Ms Kate Aston regarding Lake Innes / Lake Cathie - Future Proofing Ecosystem.
3. Mr Denis Lane regarding Koala Management in Hastings Region.
4. Mr Daniel Bessell regarding Protection of Lake Innes Nature Reserve.

RESOLVED: Dixon/Alley

That the above requests to speak in the Public Forum - Matters Not On The Agenda be acceded to.

CARRIED: 9/0

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

AGAINST: Nil

08.01 KENWOOD DRIVE BRIDGE

Ms Patricia Cooper, member of Revive Lake Cathie, addressed Council in regard to the Kenwood Drive Bridge and answered questions from Councillors.

08.02 LAKE INNES / LAKE CATHIE - FUTURE PROOFING ECOSYSTEM

Ms Kate Aston, board member of Revive Lake Cathie, addressed Council in regard to Lake Innes / Lake Cathie - future proofing ecosystem and answered questions from Councillors.

08.03 KOALA MANAGEMENT IN HASTINGS REGION

Mr Denis Lane, representing Better Orbital Options Alliance, addressed Council in regard to koala management in the Hastings Region.

08.04 PROTECTION OF LAKE INNES NATURE RESERVE

Mr Daniel Bessell addressed Council regarding protection of Lake Innes Nature Reserve and answered questions from Councillors.

09 PUBLIC FORUM – MATTERS ON THE AGENDA

The Mayor advised of requests to speak in the Public Forum - Matters On The Agenda from:

- Item 11.04 - Mr Greg Freeman, Port Macquarie Aquatic Centre Committee in support of the recommendation.
- Item 11.04 - Mr Bruce Potter, Football Mid North Coast, in support of the recommendation.
- Item 13.01 - Mr Philip Lloyd in support of the recommendation.
- Item 13.01 - Mr Tony Thorne, King and Campbell Pty Ltd, in support of the recommendation.
- Item 13.02 - Mr David Irving in support of the recommendation.
- Item 13.03 - Mr Noel Hiffernan in opposition of the recommendation.
- Item 13.04 - Mr Simon Hancox, PRD Nationwide Laurieton, in opposition of the recommendation.
- Item 13.05 - Ms Donna Clarke, Land Dynamics, in opposition of the recommendation.
- Item 13.05 - Mr Tony Thorne, King and Campbell Pty Ltd, in support of the recommendation.
- Item 13.05 - Dr John Wilkins in opposition of the recommendation.

RESOLVED: Dixon/Cusato

That the above requests to speak in the Public Forum - Matters On The Agenda be acceded to.

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Cusato/Hawkins

That Standing Orders be suspended to allow Items 11.04, 13.01, 13.02, 13.03, 13.04 and 13.05 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

11.04 PORT MACQUARIE AQUATIC FACILITY - SITE SELECTION

The Director Development and Environment tabled replacement page 1 for Attachment 5A to this item. The amendment being made to the list of stakeholders to include Birpai Local Aboriginal Land Council CEO David Carroll.

Mr Greg Freeman, Port Macquarie Aquatic Centre Committee addressed Council in support of the recommendation and answered questions from Councillors.

Mr Bruce Potter, General Manager of Football Mid North Coast, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Cusato/Griffiths

That Council:

1. Note the details of community engagement that have been undertaken to date as outlined in this report regarding a new aquatic facility in Port Macquarie;
2. Note the facility design components contained within the Otium Planning Group's Port Macquarie-Hastings Aquatic Strategy (Attachment 2) in conjunction with the community's 2017 feedback on priorities for inclusion in a new facility;
3. Note the schematic layouts containing the facility design components for six (6) identified sites for the new Port Macquarie Aquatic Facility (Attachment 3) and the alternate option to upgrade the existing site (Attachment 3A);
4. Endorse the Port Macquarie Aquatic Facility Community Engagement Plan (Attachment 5) and proceed to the next stage of community engagement on the seven (7) options contained within this report; and
5. Request the General Manager to table a report at the September 2019 Council meeting detailing the outcomes of community engagement.

CARRIED: 9/0

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

AGAINST: Nil

13.01 RESCISSION MOTION - PROPOSED ORBITAL ROAD PROJECT

Mr Philip Lloyd addressed Council in support of the recommendation.

Mr Tony Thorne, King and Campbell Pty Ltd, representing J Newton Construction, J and G Newton and St Agnes Care and Lifestyle as owners of Emmaus Residential Aged Care Facility, addressed Council in support of the recommendation and answered questions from Councillors.

The Mayor tabled letters from State Member for Port Macquarie, Leslie Williams and the Federal Member for Cowper, Pat Conaghan.

MOTION: Pinson/Griffiths

That the undermentioned motion adopted at the Ordinary Council Meeting held on 19 June 2019:

That Council:

1. Note the strong community support, including published support from the State Member for Port Macquarie and Federal Member for Cowper, for the concept of an Orbital Road as an integral part of the future strategic transport network planning for Port Macquarie;
2. Note the information provided in:
 - a) this Proposed Orbital Road Community Engagement Council report; and
 - b) the RPS Proposed Orbital Road Community Engagement Report being Attachment 1.
3. Request the General Manager to proceed to the next stage of the proposed Orbital Road process, being the development of a Strategic Business Case, known as "Gate 1" (incorporating a Needs Confirmation Summary, known as "Gate 0") as identified in the NSW Infrastructure Investment Assurance Framework.
4. Note that the Strategic Business Case will take up to 24 months and will include both a review and assessment of (but will not be limited to):
 - a) Findings to date (e.g. traffic network studies, Orbital Road Feasibility Study and recent community engagement);
 - b) Investigation of alternate routes for an East-West link road (Ocean Drive to Oxley Highway) and a North-South link road (Oxley Highway to Boundary Street), including alternate upgrades to the existing road network assuming no alternate route crossing of the Lake Innes Nature Reserve;
 - c) Planned traffic network improvements and upgrades to the existing road network, including Lake Road and Ocean Drive;
 - d) Cost-benefit analysis of options to improve the traffic network;
 - e) Project specific traffic studies;
 - f) Environmental impact investigations (including heritage); and
 - g) Social and economic impact investigations;
 - h) Arrange value management workshops for the east-west link road options and north-south link road of the Orbital Road options to include Lake Road upgrade as an option to assist with ranking options on the basis of best value for the community, at a time determined by the General Manager within the strategic business case process.
5. In proceeding with the Strategic Business Case, will engage and partner with relevant agencies including:
 - a) Roads and Maritime Service (RMS)/Transport for NSW (TfNSW)
 - b) NSW Office of Environment and Heritage (OEH)
 - c) NSW National Parks and Wildlife Service (NPWS)
 - d) NSW Department of Planning and Environment (DPE).
6. Note the strategic importance of a flood-free Primary Airport Access Road, regardless of any other link roads, and request the General Manager to separate the flood-free Primary Airport Access Road from the proposed Orbital Road project (including that project's Strategic Business Case) and to progress planning for a flood-free Primary Airport Access Road as a stand-alone priority, including consultation with RMS/TfNSW and the community.
7. Request the General Manager to establish a Proposed Orbital Road Community Consultative Committee that will be guided by a Council-adopted

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- Charter (yet to be determined), with membership of the Committee to be determined via a formal Expression of Interest process, ensuring that a broad cross-section of interests and expertise are represented on the Committee.
8. Request the General Manager to develop a communications and engagement plan to cover the period of the development of the Strategic Business Case, as a way of keeping the community informed and engaged, including via the Community Consultative Committee, in a transparent and timely manner in relation to progress of the project.
 9. Request the General Manager to develop a plain English version of the Port Macquarie-Hastings Council Area Wide Traffic Study, which is then to be made available to the public via the Council web site.
 10. Request the General Manager to write to the State Member for Port Macquarie, Leslie Williams MP, seeking ongoing support for Port Macquarie-Hastings traffic network improvements and \$400,000 in grant funding as a co-contribution towards the estimated \$800,000 cost to develop the Strategic Business Case, with Council also to contribute \$400,000.
 11. Request the General Manager to make this Council report (including any attachments) and the subsequent Council resolution available to the public, through appropriate communication channels, including Council's web site.
 12. Request the General Manager to make this Council report (including any attachments) and the subsequent Council resolution available to State agencies as listed above such as TfNSW, OEH, NPWS, DPE and any others deemed applicable, as well as to the State Members of Parliament for Port Macquarie and Oxley and the Federal Members of Parliament for Cowper and Lyne.
 13. Thank the community for the feedback received during the engagement period in relation to the proposed Orbital Road and other traffic network improvements and request the General Manager advise those who made submissions of Council's determination in this matter.
 14. Request the General Manager to table a report at the September 2019 Council meeting detailing progress on the resolutions of Council as they relate to this Proposed Orbital Road Community Engagement report and traffic network improvements generally.

be rescinded.

LOST: 3/6

FOR: Dixon, Griffiths and Pinson

AGAINST: Alley, Cusato, Hawkins, Intemann, Levido and Turner

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7:15pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 7:19pm.

13.02 NOTICE OF MOTION - PETITION FOR SECOND ENTRY/EXIT TO CRESTWOOD ESTATE

Mr David Irving, petition founder, addressed the Council in support of the recommendation.

RESOLVED: Pinson/Cusato

That Council:

1. Note the petition from residents and regular visitors to Crestwood Estate requesting that prior to the finalisation of the planned duplication of Ocean Drive, that Council make the proposed emergency exit a permanent entry/exit to the Estate by regular vehicular traffic.
2. Request the General Manager table a report to the September 2019 Council meeting detailing the following:
 - a) The feasibility of including a permanent secondary access into the Crestwood Estate through the design work already undertaken for the upgrade / duplication of Ocean Drive and what would be involved in doing this; and
 - b) Any other additional access options for the Crestwood Estate.

CARRIED: 9/0

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

AGAINST: Nil

13.03 BOLD STREET LAURIETON PEDESTRIAN CROSSING

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in this matter and remained in the room during the Council's consideration.

Mr Noel Hiffernan addressed Council in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Intemann/Alley

That Council:

1. Note that Council staff recommend a mid-block (Option 1) alignment for the position of the Bold Street, Laurieton pedestrian crossing for the reasons as detailed in this report.
2. Request the General Manager undertake additional community engagement for a period of 28 days from 22 July 2019, regarding the preferred location of the Bold Street, Laurieton pedestrian crossing, ensuring that the mid-block (Option 1) and the two alternate crossing locations are included in this engagement process.
3. Request the General Manager provide a report to the September 2019 Council meeting summarising the outcomes of the community engagement.

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4. Request the General Manager write to the Local Member for Port Macquarie, Leslie Williams MP requesting an extension to the current grant funding agreement for the Bold Street, Laurieton pedestrian crossing, to cater for the additional community engagement process and related timelines.

CARRIED: 9/0

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

AGAINST: Nil

13.04 NORTH BROTHER LOCAL CATCHMENTS FLOOD STUDY - PUBLIC EXHIBITION SUBMISSIONS REPORT

Mr Simon Hancox, PRD Nationwide Laurieton, addressed Council in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Cusato/Turner

That Council:

1. Adopt the North Brother Local Catchments Flood Study (2019) report (Attachment 1).
2. Acknowledge the submissions made during the exhibition period and advise those who made submissions of the outcome of Council's consideration of this matter.
3. Proceed with the Floodplain Risk Management Study (FRMS) phase.

CARRIED: 9/0

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

AGAINST: Nil

13.05 PLANNING PROPOSAL - AIRPORT BUSINESS PARK

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 8:15pm.

Ms Donna Clarke, Land Dynamics, representing neighbouring Missen land in Boundary Street, Port Macquarie, addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Tony Thorne, King and Campbell Pty Ltd, representing Port Macquarie-Hastings Council, addressed Council in support of the recommendation and answered questions from Councillors.

Dr John Wilkins addressed Council in opposition of the recommendation and answered questions from Councillors.

MOTION

MOVED: Intemann/Alley

That Council:

1. Endorse the Planning Proposal attached at Attachment 1 pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979 to amend the Port Macquarie-Hastings Local Environmental Plan 2011 in relation to the Port Macquarie Airport and surrounding lands in accordance with the Planning Proposal.
2. Forward the Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination, and request that the Determination not authorise Council to be the local plan-making authority.
3. Prepare draft Development Control provisions in respect of the Airport Business Park as outlined in this report in accordance with clause 18 of the Environmental Planning and Assessment Regulation 2000.
4. Prepare a draft Section 9.11 Airport Business Park Roads Contribution Plan as described in this report.
5. Commit to bind any purchaser of the Council owned Business Park Zone to contribute proportionally to the cost of upgrading Boundary Street and the Hastings River Drive/Boundary Street intersection.
6. Receive a further report providing details of the draft Development Control provisions in 3 above for approval prior to the Planning Proposal and draft Development Control provisions being exhibited concurrently.
7. Receive a report following the public exhibition to assess any submissions received.
8. Delegate authority to the Director Development and Environment to make minor amendments to the Planning Proposal prior to submission for Gateway Determination.

FORESHADOWED MOTION

MOVED: Pinson/

That Council:

1. Defer consideration of the planning proposal for the purpose of seeking further information and a Councillor Briefing to clarify concerns over the Missen land.
2. Request the General Manager bring a report back to the September 2019 Council Meeting for further consideration.

THE MOTION WAS PUT

RESOLVED: Intemann/Alley

That Council:

1. Endorse the Planning Proposal attached at Attachment 1 pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979 to amend the Port Macquarie-Hastings Local Environmental Plan 2011 in relation to the Port Macquarie Airport and surrounding lands in accordance with the Planning Proposal.

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2. Forward the Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination, and request that the Determination not authorise Council to be the local plan-making authority.
 3. Prepare draft Development Control provisions in respect of the Airport Business Park as outlined in this report in accordance with clause 18 of the Environmental Planning and Assessment Regulation 2000.
 4. Prepare a draft Section 9.11 Airport Business Park Roads Contribution Plan as described in this report.
 5. Commit to bind any purchaser of the Council owned Business Park Zone to contribute proportionally to the cost of upgrading Boundary Street and the Hastings River Drive/Boundary Street intersection.
 6. Receive a further report providing details of the draft Development Control provisions in 3 above for approval prior to the Planning Proposal and draft Development Control provisions being exhibited concurrently.
 7. Receive a report following the public exhibition to assess any submissions received.
 8. Delegate authority to the Director Development and Environment to make minor amendments to the Planning Proposal prior to submission for Gateway Determination.

CARRIED: 6/2

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

AGAINST: Griffiths and Pinson

Councillor Cusato returned to the meeting, the time being 9:12pm.

Councillor Dixon left the meeting, the time being 9:13pm.

10.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 6 JUNE TO 3 JULY 2019

RESOLVED: Pinson/Griffiths

That Council note the allocations from the Mayoral Discretionary Fund for the period 6 June to 3 July 2019 inclusive.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Alley left the meeting, the time being 9:14pm.

Councillor Dixon returned to the meeting, the time being 9:15pm.

Councillor Alley returned to the meeting, the time being 9:15pm.

10.02 2019 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

RESOLVED: Griffiths/Cusato

That Council:

1. Grant approval for Mayor Peta Pinson, Councillor Alley and the General Manager to attend the 2019 Local Government NSW Annual Conference to be held in Warwick Farm from 14 to 16 October 2019.
2. Determine that Mayor Peta Pinson and Councillor Alley be Council's voting delegates on motions at the Conference.
3. Determine that Mayor Peta Pinson and Councillor Alley be Council's voting delegates on the election of Office Bearers and the Board (Board election) at the Conference.

CARRIED: 9/0

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

AGAINST: Nil

Councillor Turner left the meeting, the time being 9:17pm.

10.03 PUBLIC SECTOR WOMEN IN LEADERSHIP MASTERCLASS REPORT

RESOLVED: Pinson/Griffiths

That Council note the report on the Public Sector Women in Leadership Masterclass.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Turner returned to the meeting, the time being 9:18pm.

10.04 WHY LOCAL GOVERNMENT MATTERS - RESEARCH FINDINGS

RESOLVED: Intemann/Griffiths

That Council note the information contained in this Why Local Government Matters - Findings report.

CARRIED: 9/0

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

AGAINST: Nil

10.05 2019 SMART CITIES CONFERENCE REPORT

RESOLVED: Hawkins/Turner

That Council note the information contained in this 2019 Smart Cities Conference Report.

CARRIED: 9/0

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

AGAINST: Nil

10.06 RELEASE OF IPART REPORTS INTO RATING & COMPLIANCE MATTERS

RESOLVED: Griffiths/Intemann

That Council:

1. Note that the following IPART reports have been released by the NSW Government for consultation:
 - a) Review of the Local Government Rating System.
 - b) Review of Reporting & Compliance Burdens on Local Government.
 - c) Review of Local Government Compliance & Enforcement.
2. Request the General Manager hold a Councillor briefing on the above-mentioned reports with a view to considering making a submission to the Office of Local Government.

CARRIED: 9/0

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

AGAINST: Nil

10.07 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Dixon

That Council note the information contained 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

10.08 STATUS OF COUNCIL POLICIES

RESOLVED: Griffiths/Hawkins

That Council note the information provided in the Status of Council Policies report.

CARRIED: 9/0

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

AGAINST: Nil

10.09 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR GEOFF HAWKINS

RESOLVED: Turner/Dixon

That Council grant leave of absence for Councillor Hawkins for the period 30 August to 17 October 2019, which includes the Ordinary Meeting of Council scheduled 18 September and 16 October 2019.

CARRIED: 8/1

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

AGAINST: Cusato

10.10 DISCLOSURE OF INTEREST RETURN

RESOLVED: Intemann/Griffiths

That Council note the Disclosure of Interest returns for the following positions:

1. Contracts Administrator.

CARRIED: 9/0

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

AGAINST: Nil

10.11 INVESTMENTS - JUNE 2019

RESOLVED: Turner/Hawkins

That Council note the Investment Report for the month of June 2019.

CARRIED: 9/0

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

AGAINST: Nil

**11.01 NOTICE OF MOTION - PARK & RIDE BUS SERVICE FOR PORT
MACQUARIE**

RESOLVED: Pinson/Intemann

That Council:

1. Request the General Manager to write to Transport for NSW, (with a copy to Busways Port Macquarie) for the purpose of commencing discussions on a Park & Ride bus service through certain parts of Port Macquarie, yet to be determined.
2. Raise a Park & Ride bus service through areas of Port Macquarie with Minister for Regional Transport and Roads at the 31 July 2019 meeting.
3. Request the General Manager to brief Councillors following a response from Transport for NSW.

CARRIED: 9/0

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

AGAINST: Nil

**11.02 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-
COMMITTEE - JUNE 2019**

RESOLVED: Pinson/Griffiths

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

1. That Lleyton Wall be granted the amount of \$1,500.00 to assist with the expenses he will incur travelling to, and competing as part of the Australian Triathlon Team (Age Group 16 - 19 yrs) at the ITU World Triathlon Championships to be held in Lausanne, Switzerland from 20th August - 1st September 2019 inclusive.

CARRIED: 9/0

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

AGAINST: Nil

Councillor Hawkins left the meeting, the time being 9:31pm.

11.03 PORT MACQUARIE ALCOHOL FREE ZONE REVIEW AND EXTENSION 2019

RESOLVED: Cusato/Griffiths

That Council:

1. Re-establish the Alcohol Free Zone in the CBD for a further four years from October 2019 to October 2023.
2. Place the proposal on public exhibition to inform the community of the intention to re-establish an Alcohol Free Zone in the Port Macquarie Central Business District, in accordance with the requirements under the Local Government Act for an exhibition period of 6 weeks, commencing 22 July to 2 September 2019.

CARRIED: 8/0

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

AGAINST: Nil

Item - 11.04 Port Macquarie Aquatic Facility - Site Selection - has been moved to another part of the document.

Councillor Hawkins returned to the meeting, the time being 9:34pm.

11.05 DRAFT FLYNNS BEACH MASTER PLAN - COMMUNITY ENGAGEMENT

RESOLVED: Griffiths/Cusato

That Council:

1. Note the information contained in the Draft Flynn's Beach Master Plan - Community Engagement Report 2018 (Attachment 2).
2. Endorse the Flynn's Beach Master Plan Community Engagement Plan (Attachment 3).
3. Place the Draft Flynn's Beach Master Plan (Attachment 4) on public exhibition for 28 days from 22 July to 18 August 2019.
4. Request the General Manager provide a report to the September 2019 Ordinary Council Meeting outlining community feedback provided during the public exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

12.01 POLICY REVIEW - COMMERCIAL ACTIVITIES ON COUNCIL MANAGED LAND

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the feedback received during the recent exhibition and review of the Commercial Activities on Council Managed Land.
2. Agree the Policy remain in place unchanged, noting that implementation will have a greater focus on compliance activities.
3. Note that concerns raised relating to paragliding activities since Council's 2017 review and implementation of risk management improvements relate to Bartlett's Beach and not the broader Local Government Area.
4. Request the General Manager undertake a review of the adequacy of existing risk management controls associated with paragliding activities at Bartlett's Beach, and that a report outlining the findings of this review be presented to the October 2019 Ordinary Council Meeting.
5. Acknowledge the submissions received and advise submitters of the outcome of Council's consideration of this matter.

CARRIED: 9/0

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

AGAINST: Nil

Item - 13.01 Rescission Motion - Proposed Orbital Road Project - has been moved to another part of the document.

Item - 13.02 Notice of Motion - Petition for Second Entry/Exit to Crestwood Estate - has been moved to another part of the document.

Item - 13.03 Bold Street Laurieton Pedestrian Crossing - has been moved to another part of the document.

Item - 13.04 North Brother Local Catchments Flood Study - Public Exhibition Submissions Report - has been moved to another part of the document.

Item - 13.05 Planning Proposal - Airport Business Park - has been moved to another part of the document.

13.06 HIBBARD PRECINCT FLOOD STUDY - PUBLIC EXHIBITION SUBMISSIONS REPORT

RESOLVED: Alley/Turner

That Council:

1. Adopt the Hibbard Precinct Flood Study (2019) report (Attachment 1).
2. Acknowledge the submissions made during the exhibition period and advise people who made submissions of the outcome of Council consideration of this matter.
3. Proceed with the Floodplain Risk Management Study (FRMS) phase.

CARRIED: 9/0

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

AGAINST: Nil

14 ITEMS TO BE DEALT WITH BY EXCEPTION

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Alley/Dixon

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 Review of Organisation Structure
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 15.02 T-19-15 Sports Field Lighting Installation
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-19-01 Independent Members of the Economic Development Steering Group
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

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- with whom the Council is conducting (or proposes to conduct) business.
- Item 15.04 T-19-23 Design - John Oxley Drive - Kingfisher Road to The Ruins Way
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-19-46 Kendall Emergency Water Trunk Main
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 15.06 T-19-33 - LGP EL0519 Supply of Electricity
This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.
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 9:40pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 9:47pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Dixon/Alley

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

CARRIED: 9/0

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

AGAINST: Nil

Item 15.01 Review of Organisation Structure

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, in accordance with Section 333 of the NSW Local Government Act, determine the Organisation Structure for Port Macquarie-Hastings Council as detailed in this Review of Council Organisation Structure report.

CARRIED: 9/0

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

AGAINST: Nil

Item 15.02 T-19-15 Sports Field Lighting Installation

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 REES Electrical Pty Ltd for \$602,470 (exclusive of GST) for Sports Field Lighting Installation.
2. Accept schedule of rates from REES Electrical Pty Ltd for Sports Field Lighting Installation.
3. Note the additional price option A from REES Electrical Pty Ltd for the Upgrade of poles from a rigid/static poles to a hinged/see-saw pole.
4. Note the additional price option B from REES Electrical Pty Ltd to install additional light fixtures to achieve a minimum average of 100 Lux.
5. Affix the seal of Council to the necessary documents.
6. Maintain the confidentiality of the documents and consideration in respect of Tender T-19-15.

CARRIED: 9/0

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

AGAINST: Nil

Item 15.03 EOI-19-01 Independent Members of the Economic Development Steering Group

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. Appoint the following people as independent members of the Economic Development Steering Group for a two (2) year term:
 - (a) Mr Stuart Bate;
 - (b) Mr Kellon Beard;
 - (c) Mr Ross Cargill;
 - (d) Mr Paul Dawson;
 - (e) Ms Jane Evans;
 - (f) Mr Peter Halliwell;
 - (g) Ms Kelly King;
 - (h) Ms Michelle Love;
 - (i) Mr Hayden Oriti;
 - (j) Mr Tony Thorne; and
 - (k) Ms Kate Wood-Foye.
2. Commence the appointments by inviting the new members to the next Economic Development Steering Group meeting to be held on 14 August 2019.
3. Formally thank members of the Economic Development Steering Group for their commitment and contribution during the recent two year tenure.
4. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-19-01.

CARRIED: 9/0

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

AGAINST: Nil

Item 15.04 T-19-23 Design - John Oxley Drive - Kingfisher Road to The Ruins Way

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 Hopkins Consultants Pty Limited for \$359,605.00 (exclusive of GST) for John Oxley Drive Upgrade Design - Kingfisher Road to The Ruins Way.
2. Accept schedule of rates from Hopkins Consultants Pty Limited.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and consideration in respect of Tender T-19-23.

CARRIED: 9/0

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

AGAINST: Nil

Item 15.05 T-19-46 Kendall Emergency Water Trunk Main

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. Pursuant to Section 55(3)(c) of the Local Government Act 1993, resolve to not invite tenders for the Kendall Emergency Water Trunk Main Project.
2. Endorse the direct engagement of Coffs Harbour City Council trading as Coastal Works to undertake the emergency works for the Kendall Emergency Water Trunk Main.
3. Maintain the confidentiality of the documents and consideration in respect to T-19-46 Kendall Emergency Water Trunk Main Project.

CARRIED: 9/0

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

AGAINST: Nil

Item 15.06 T-19-33 - LGP EL0519 Supply of Electricity

This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

RECOMMENDATION

That Council:

1. Commit to participating in Local Government Procurement's tender process EL0519 for Electricity Supply by delegating to the General Manager the authority to sign the required Maximum Price Acceptance Declaration and any required documents to participate in LGP EL0519 Supply of Electricity.
2. Acknowledges the Maximum Price that can be accepted by Local Government Procurement.
3. In accordance with section 377(1)(i) of the Local Government Act 1993 (NSW), delegate to the General Manager the authority to accept of tenders as a result of LGP tender process, EL0519.
4. Note that a further report will be tabled providing the rates accepted under LGP EL0519 Supply of Electricity.
5. Maintain the confidentiality of the documents and considerations in respect of T-19-33 LGP EL0519 Supply of Electricity.

CARRIED: 9/0

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

AGAINST: Nil

The meeting closed at 9:47pm.

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Peta Pinson
Mayor