

PRESENT

Members:

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

Other Attendees:

General Manager (Craig Swift-McNair)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Dan Bylsma)
Director Strategy and Growth (Jeffery Sharp)
Governance Project Officer (Darryl Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 WELCOME TO COUNTRY

The Mayor opened the Meeting and invited Uncle Bill O'Brien OAM of the Bunyah Local Aboriginal Land Council, to deliver the Welcome to Country.

Uncle Bill delivered the Welcome to Country.

02 LOCAL GOVERNMENT PRAYER

Reverend Nathan Killick from the Camden Haven Anglican Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Dixon/Alley

That the Minutes of the Ordinary Council Meeting held on 18 September 2019 be confirmed.

CARRIED: 8/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Dixon declared a Pecuniary Interest in Item 13.08 - Classification Of Land Containing Sewer Infrastructure, the reason being that Councillor Dixon has a family link to Tribec Pty who are the developers of Glenview Park and Yippin Creek.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 15.04 - Design of Rainbow Beach Sporting Fields and Construction of School to School Shared Pathway, the reason being that Councillor Levido that Councillor Levido is the principle of Levido Law and Property. The Firm acts for one of the tenders, the subject of the report.

06 MAYORAL MINUTES

Nil.

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

The General Manager advised that there are no confidential attachments to reports for the Ordinary Council Meeting.

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. Mr Stuart Bate, Camden Haven Chamber of Commerce, regarding Community Spirit - Importance of Positive Council Engagement.
2. Mr Jason Koenig, Camden Haven Schools to Schools Shared Pathway, regarding Shared Pathways.
3. Mr Peter Matthison, Mid Coast Honey, regarding Why Addressing Climate Change is So Urgent.
4. Mrs Janette Jones regarding Refugee Welcome Zone.
5. Mr Peter Nash regarding Operational Budget for Welfare of Volunteer Fire Fighters.

RESOLVED: Dixon/Griffiths

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

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

08.01 COMMUNITY SPIRIT - IMPORTANCE OF POSITIVE COUNCIL ENGAGEMENT

Mr Stuart Bate, Camden Haven Chamber of Commerce, addressed Council in regard to Community Spirit - Importance of Positive Council Engagement.

08.02 SHARED PATHWAYS

Mr Jason Koenig, Camden Haven Schools to Schools Shared Pathway, addressed Council in regard to Shared Pathways, along with the Principal of St Joseph's, David Hughes.

08.03 WHY ADDRESSING CLIMATE CHANGE IS SO URGENT

Mr Peter Matthison, Mid Coast Honey, addressed Council in regard to Why Addressing Climate Change is So Urgent and answered questions from Councillors.

08.04 REFUGEE WELCOME ZONE

Mrs Janette Jones addressed Council in regard to Refugee Welcome Zone and answered questions from Councillors.

08.05 OPERATIONAL BUDGET FOR WELFARE OF VOLUNTEER FIRE FIGHTERS

Mr Peter Nash addressed Council in regard to Operational Budget for Welfare of Volunteer Fire Fighters 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 10.04 - Mr Blair Maxwell in support of the recommendation.

Item 10.04 - Ms Penny Small, Beach to Beach Pathway Committee, in support of the recommendation.

Item 10.08 - Ms Kate Aston, Revive Lake Cathie Inc., in support of the recommendation.

Item 11.03 - Mr Roger Barlow, Bonny Hills Progress Association, in support of the recommendation.

Item 13.01 - Ms Rachel Sheppard (in Jake Wadsworth's absence) in support of the recommendation.

Item 13.09 - Ms Kate Aston, Revive Lake Cathie Inc., in support of the recommendation.

Item 13.09 - Dr Deborah Geronimi in support of the recommendation.

RESOLVED: Griffiths/Dixon

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

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Alley/Turner

That Standing Orders be suspended to allow Items 10.08, 10.04, 11.03, 13.01, 3.09 to be brought forward and considered next.

CARRIED: 6/2

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

AGAINST: Griffiths and Pinson

10.08 BORROWING FOR PROJECTS

Ms Kate Aston, Revive Lake Cathie Inc., addressed Council in support of the recommendation.

Mr Blair Maxwell addressed Council in support of the recommendation.

MOTION

MOVED: Levido/Intemann

That Council:

1. Note the importance of the following projects and prioritise them for planning and design:
 - a) Upgrade of Boundary Street, Port Macquarie from its intersection with Hastings River Drive to the Port Macquarie Airport entry based on current investigations and planning in an amount of \$15,000,000.00 for the complete project.
 - b) Carry out upgrade works to Brill Road, Rollands Plains based on prior discussions and investigations with the local community in an amount of \$6,000,000.00 for the complete project.
 - c) Carry out further works with respect to the "Schools to Schools" project from Kendall Public School, Kendall to Laurieton Public School, Laurieton, with reference to the existing Strategic Alignment Study and the high priority sections identified in consultation with the School to School local committee.
 - d) Carry out further works with respect to the "Beach 2 Beach" project from North Haven to Dunbogan, with reference to the proposed Strategic Alignment Study and in consultation with the Beach 2 Beach local committee.
 - e) Carry out investigations and planning with respect to undertaking tidal improvements to that part of the Lake Innes and Lake Cathie Estuarine System from the Ocean Drive bridge in a westerly direction.
 2. Add to the 2019-2020 Operational Plan the components of planning and design for the projects listed above so as to substantially progress each, using internal and/or contracted resources so as to not prevent completion of other existing projects in the 2019-2020 operational plan.
 3. Request the General Manager to add the remaining planning and design work for the projects listed above, plus substantial further work on each project, to
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- the draft 2020-2021 Operational Plan.
4. Request the General Manager to fund the nominated planning and design work specified in point 2, above, with loan borrowings raised immediately to the amount of \$2,400,000.00.
 5. Request the General Manager to consider (in the current 2019-2020 operational plan, the draft 2020-2021 operational plan and in the review of the long term financial plan) the appropriate mitigation factors to offset the cashflow requirements (and operating performance impacts) of repaying the interest and principal associated with the above borrowings.
 6. Request the General Manager to consider additional borrowings up to \$25,000,000.00 in total to fund the balance of the projects listed 1a) and 1b) above and progressing the projects listed 1c), 1d) and 1e) above (in the draft 2020-2021 operational plan and in the review of the long term financial plan), together with the appropriate mitigation factors to offset the cash flow requirements (and operating performance impacts) of repaying the interest and principal associated with the additional borrowings.

AMENDMENT

MOVED: Pinson/Griffiths

That Item 10.08 be deferred and given consideration by the entire elected body due to the significance of the borrowing of \$25,000,000.00 and further discussions on how to consult with our community can be undertaken.

THE AMENDMENT WAS PUT AND WAS LOST

MOVED: Pinson/Griffiths

That Item 10.08 be deferred and given consideration by the entire elected body due to the significance of the borrowing of \$25,000,000.00 and further discussions on how to consult with our community can be undertaken.

LOST: 2/6

FOR: Griffiths and Pinson

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

AMENDMENT

MOVED: Pinson/Griffiths

That Council:

1. Request the General Manager to investigate the sourcing of \$2.4M to fund the nominated planning and design work for the projects specified below from the unrestricted reserves fund:
 - a) Upgrade of Boundary Street, Port Macquarie from its intersection with Hastings River Drive to the Port Macquarie Airport entry based on current investigations and planning in an amount of \$15,000,000.00 for the complete project.
 - b) Carry out upgrade works to Brill Brill Road, Rollands Plains based on prior discussions and investigations with the local community in an amount of \$6,000,000.00 for the complete project.
 - c) Carry out further works with respect to the "Schools to Schools" project

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- from Kendall Public School, Kendall to Laurieton Public School, Laurieton, with reference to the existing Strategic Alignment Study and the high priority sections identified in consultation with the School to School local committee.
- d) Carry out further works with respect to the “Beach 2 Beach” project from North Haven to Dunbogan, with reference to the proposed Strategic Alignment Study and in consultation with the Beach 2 Beach local committee.
 - e) Carry out investigations and planning with respect to undertaking tidal improvements to that part of the Lake Innes and Lake Cathie Estuarine System from the Ocean Drive bridge in a westerly direction.
2. Request the General Manager bring a report back to Council at the December 2019 Council Meeting for further consideration.

THE AMENDMENT WAS PUT AND WAS LOST

MOVED: Pinson/Griffiths

That Council:

1. Request the General Manager to investigate the sourcing of \$2.4M to fund the nominated planning and design work for the projects specified below from the unrestricted reserves fund:
 - a) Upgrade of Boundary Street, Port Macquarie from its intersection with Hastings River Drive to the Port Macquarie Airport entry based on current investigations and planning in an amount of \$15,000,000.00 for the complete project.
 - b) Carry out upgrade works to Brill Brill Road, Rollands Plains based on prior discussions and investigations with the local community in an amount of \$6,000,000.00 for the complete project.
 - c) Carry out further works with respect to the “Schools to Schools” project from Kendall Public School, Kendall to Laurieton Public School, Laurieton, with reference to the existing Strategic Alignment Study and the high priority sections identified in consultation with the School to School local committee.
 - d) Carry out further works with respect to the “Beach 2 Beach” project from North Haven to Dunbogan, with reference to the proposed Strategic Alignment Study and in consultation with the Beach 2 Beach local committee.
 - e) Carry out investigations and planning with respect to undertaking tidal improvements to that part of the Lake Innes and Lake Cathie Estuarine System from the Ocean Drive bridge in a westerly direction.
2. Request the General Manager bring a report back to Council at the December 2019 Council Meeting for further consideration.

LOST: 3/5

FOR: Dixon, Griffiths and Pinson

AGAINST: Alley, Hawkins, Intemann, Levido and Turner

THE MOTION WAS PUT

RESOLVED: Levido/Intemann

That Council:

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1. Note the importance of the following projects and prioritise them for planning and design:
 - a) Upgrade of Boundary Street, Port Macquarie from its intersection with Hastings River Drive to the Port Macquarie Airport entry based on current investigations and planning in an amount of \$15,000,000.00 for the complete project.
 - b) Carry out upgrade works to Brill Brill Road, Rollands Plains based on prior discussions and investigations with the local community in an amount of \$6,000,000.00 for the complete project.
 - c) Carry out further works with respect to the “Schools to Schools” project from Kendall Public School, Kendall to Laurieton Public School, Laurieton, with reference to the existing Strategic Alignment Study and the high priority sections identified in consultation with the School to School local committee.
 - d) Carry out further works with respect to the “Beach 2 Beach” project from North Haven to Dunbogan, with reference to the proposed Strategic Alignment Study and in consultation with the Beach 2 Beach local committee.
 - e) Carry out investigations and planning with respect to undertaking tidal improvements to that part of the Lake Innes and Lake Cathie Estuarine System from the Ocean Drive bridge in a westerly direction.
 2. Add to the 2019-2020 Operational Plan the components of planning and design for the projects listed above so as to substantially progress each, using internal and/or contracted resources so as to not prevent completion of other existing projects in the 2019-2020 operational plan.
 3. Request the General Manager to add the remaining planning and design work for the projects listed above, plus substantial further work on each project, to the draft 2020-2021 Operational Plan.
 4. Request the General Manager to fund the nominated planning and design work specified in point 2, above, with loan borrowings raised immediately to the amount of \$2,400,000.00.
 5. Request the General Manager to consider (in the current 2019-2020 operational plan, the draft 2020-2021 operational plan and in the review of the long term financial plan) the appropriate mitigation factors to offset the cashflow requirements (and operating performance impacts) of repaying the interest and principal associated with the above borrowings.
 6. Request the General Manager to consider additional borrowings up to \$25,000,000.00 in total to fund the balance of the projects listed 1a) and 1b) above and progressing the projects listed 1c), 1d) and 1e) above (in the draft 2020-2021 operational plan and in the review of the long term financial plan), together with the appropriate mitigation factors to offset the cash flow requirements (and operating performance impacts) of repaying the interest and principal associated with the additional borrowings.

CARRIED: 6/2

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

AGAINST: Griffiths and Pinson

10.04 NOTICE OF MOTION - FUNDING FOR THE ENVIRONMENTAL IMPACT STATEMENT FOR THE BEACH TO BEACH SHARED PATHWAY

Ms Penny Small, Beach to Beach Pathway Committee, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Pinson/Intemann

That Council:

1. Request the General Manager prioritise the EIS and the detailed design of the Beach to Beach project in preparation to seek external grant funding utilizing expenditure from the loan monies dealt with in Item 10.08 of Council's Meeting of 16 October 2019.
2. Request the General Manager report to the February 2020 Council Meeting on the progress of the EIS and detailed design of the Beach to Beach project.

CARRIED: 7/1

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

AGAINST: Griffiths

11.03 BONNY HILLS COMMUNITY PLAN

Mr Roger Barlow, President, and Kathy Reagan, Vice President, Bonny Hills Progress Association, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Griffiths/Alley

That Council:

1. Endorse the Bonny Hills Community Plan.
2. Note the information contained within the Developing a Community Plan for Bonny Hills Engagement Report.
3. Note the goals and actions identified for the Bonny Hills community as outlined in the Action Plan, for consideration in future Operational Plans.

CARRIED: 8/0

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

AGAINST: Nil

13.01 NOTICE OF MOTION - SUSTAINABILITY INITIATIVES AND PROGRAMS

Ms Rachel Sheppard, in the absence of Jake Wadsworth, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Intemann/Alley

That Council:

1. Request the General Manager provide a report to the December 2019 meeting of Council providing an overview of significant sustainability initiatives and programs that Council has previously and is currently engaged in, including how each might relate to climate change mitigation and/or adaptation.
2. Consider funding a Sustainability Officer in the 2020-2021 Operational Plan.

CARRIED: 8/0

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

AGAINST: Nil

13.09 LAKE INNES/LAKE CATHIE ESTUARY SYSTEM UPDATE REPORT

Ms Kate Aston, Revive Lake Cathie Inc., addressed Council in support of the recommendation and answered questions from Councillors.

Dr Deborah Geronimi addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Alley/Griffiths

That Council:

1. Note the information provided in the Lake Innes/Lake Cathie Estuary System Update Report.
2. Request the General Manager to seek 50% Coastal Management Program funding to undertake the initial background studies as outlined, for input to the Lake Innes/Lake Cathie Coastal Management Program being \$147,500.

CARRIED: 8/0

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

AGAINST: Nil

10.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

The General Manager tabled a motion of no confidence in the Port Macquarie-Hastings Council from a town meeting organised by the Better Orbital Options Association meeting on 8 September 2019.

RESOLVED: Intemann/Dixon

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

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

10.02 RESIGNATION OF COUNCILLOR MIKE CUSATO

RESOLVED: Alley/Dixon

That Council request the General Manager write to the Minister for Local Government The Hon. Shelley Hancock MP, seeking application to dispense with a by-election to replace the casual vacancy left following the recent resignation of Councillor Mike Cusato, in line with Section 294 (2) of the NSW Local Government Act 1993,

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

10.03 MID NORTH COAST JOINT ORGANISATION UPDATE

RESOLVED: Intemann/Alley

That Council:

1. Note the information provided in this Mid North Coast Joint Organisation Update report.
2. Congratulate the General Manager for his progressive work towards regional collaboration through the Mid North Coast Joint Organisation.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

Item - 10.04 Notice of Motion - Funding for the Environmental Impact Statement for the Beach to Beach Shared Pathway - has been moved to another part of the document.

10.05 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 5 SEPTEMBER TO 2 OCTOBER 2019

RESOLVED: Pinson/Griffiths

That Council note the allocations from the Mayoral Discretionary Fund for the period 5 September to 2 October 2019 inclusive.

CARRIED: 8/0

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

AGAINST: Nil

10.06 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR ALLEY

RESOLVED: Hawkins/Pinson

That Council grant leave of absence for Councillor Alley for the period 18 October 2019 to 19 November 2019.

CARRIED: 8/0

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

AGAINST: Nil

10.07 DISCLOSURES REGISTER - ANNUAL RETURNS 2018-2019

RESOLVED: Hawkins/Alley

That Council:

1. Note the information in the Disclosure Register for 2018-2019.
2. Determine that the following positions become a Designated Person pursuant to the provisions of Clause 4.8 of Council's Code of Conduct:
 - a) Senior Project Manager.
 - b) Project Manager.

CARRIED: 8/0

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

AGAINST: Nil

Item - 10.08 Borrowing for Projects - has been moved to another part of the document.

10.09 LOCAL GOVERNMENT ACT AMENDMENTS - PRESCRIBED TENDERING THRESHOLD

Councillor Dixon left the meeting, the time being 8:33pm.

Councillor Dixon returned to the meeting, the time being 8:35pm.

RESOLVED: Intemann/Hawkins

That Council:

1. Note the amendments to the Local Government Act 1993 prescribed tendering threshold.
2. Adopt the amended Purchasing Policy, to reflect the legislative changes and administrative updates.
3. Reclassify the amended Purchasing Procedure and Tendering Procedure as internal procedures.
4. Note the staged approach for reviewing in detail and amending Council's procurement policy, and related procedures and practices.
5. Refer this matter to the Audit Risk and Improvement Committee for information pending a more thorough review of the Procurement Policy.

CARRIED: 8/0

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

AGAINST: Nil

10.10 MONTHLY BUDGET REVIEW - SEPTEMBER 2019

RESOLVED: Hawkins/Griffiths

That Council:

1. Adopt the adjustments in the "September 2019 Adjustments" section of the Monthly Budget Review – September 2019.
2. Amend the 2019-2020 Operational Plan to include all budget adjustments approved in this report.

CARRIED: 8/0

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

AGAINST: Nil

10.11 INVESTMENTS - SEPTEMBER 2019

RESOLVED: Hawkins/Alley

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

CARRIED: 7/1

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

AGAINST: Griffiths

11.01 RESPONSE TO LAKE CATHIE COMMUNITY CONCERNS

RESOLVED: Intemann/Dixon

That Council note the information contained in this Response to Lake Cathie Community Concerns report.

CARRIED: 8/0

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

AGAINST: Nil

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

RESOLVED: Pinson/Alley

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 Madelaine Goodridge receive \$350.00 to assist with the expenses she will have incurred travelling to and competing at the NSW Combined High Schools Track and Field Championships at Sydney Olympic Park from 4 - 6 September inclusive.

CARRIED: 8/0

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

AGAINST: Nil

Item - 11.03 Bonny Hills Community Plan - has been moved to another part of the document.

11.04 RECREATION ACTION PLAN 2017-2025 UPDATE

RESOLVED: Turner/Griffiths

That Council:

1. Note progress achieved to date in implementing the Recreation Action Plan 2017-2025.
2. Endorse the updated Recreation Action Plan 2019-2025 for implementation.
3. Request the General Manager to publically notify the community of the updated Recreation Action Plan 2019-2025.

CARRIED: 8/0

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

AGAINST: Nil

12.01 ADEQUACY OF EXISTING RISK MANAGEMENT CONTROLS ASSOCIATED WITH PARAGLIDING ACTIVITIES

RESOLVED: Intemann/Griffiths

That Council note the information contained within the Adequacy of Existing Risk Management Controls Associated with Paragliding report.

CARRIED: 8/0

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

AGAINST: Nil

13.02 QUESTION WITH NOTICE - DUNBOGAN BRIDGE REHABILITATION - UPDATE

RESOLVED: Alley/Dixon

That Council note the Dunbogan Bridge Rehabilitation - Update report.

CARRIED: 8/0

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

AGAINST: Nil

13.03 QUESTION WITH NOTICE - DUNBOGAN FLOOD ACCESS UPGRADE AND BEACH TO BEACH PATHWAY

RESOLVED: Alley/Griffiths

That Council note the Dunbogan Flood Access Upgrade and Beach to Beach Pathway report.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

13.04 UNSEALED ROADS MAINTENANCE PRACTICES - INVESTIGATION UPDATE

RESOLVED: Griffiths/Turner

That Council:

1. Note the report on the Unsealed Roads Policy and current work practices completed by Australian Road Research Board (ARRB).
2. Give consideration to the recommendations from ARRB in respect to funding and resources for unsealed roads during the development of the 2020-2021 Operational Plan.
3. Note the commitment to undertake community stakeholder meetings in the first half of 2020 to present and discuss the outcomes of the ARRB review, including discussions around service levels.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

13.05 PARKING STRATEGY REVIEW

RESOLVED: Turner/Hawkins

That Council note the information contained in the Parking Strategy Review report.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

13.06 DRAFT PLANNING PROPOSAL POLICY

RESOLVED: Intemann/Griffiths

That Council:

1. Endorse the Draft Planning Proposal Policy for placing on public exhibition for 28 days from 23 October to 20 November 2019.
2. Request the General Manager provide a report to the December 2019 Ordinary Council Meeting outlining community feedback provided during the public exhibition period.

CARRIED: 8/0

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

AGAINST: Nil

13.07 DA2018 - 507.1 3 LOT SUBDIVISION INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 41 AND LOT 42 DP 75403 AND LOT 8 DP 114360, NO. 434 AND 440 HERONS CREEK ROAD, HERONS CREEK

RESOLVED: Intemann/Alley

That DA 2018 - 507 for 3 Lot Subdivision including a clause 4.6 variation of clause 4.1 (minimum lot size) of the Port Macquarie Hastings Local Environmental Plan 2011 at Lots 41 & 42 DP 754403 and Lot 8 DP 114360, No. 434 & 440 Herons Creek Rd, Herons Creek, be determined by granting consent subject to the recommended conditions included in Attachment 1.

CARRIED: 8/0

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

AGAINST: Nil

13.08 CLASSIFICATION OF LAND CONTAINING SEWER INFRASTRUCTURE

Councillor Dixon left the meeting, the time being 8:46pm.

RESOLVED: Griffiths/Hawkins

That Council classify Lot 29 Deposited Plan 1192366 (land situated on Glenview Drive, Yippin Creek) as operational land.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Dixon returned to the meeting, the time being 8:47pm.

Item - 13.09 Lake Innes/Lake Cathie Estuary System Update Report - has been moved to another part of the document.

13.10 UPDATE ON PUBLIC TREE MANAGEMENT IN URBAN AREAS

RESOLVED: Intemann/Dixon

That Council:

1. Note the information contained within the Update on Public Tree Management in Urban Areas report.
2. Consider an increased resourcing for tree management in the 2020-2021 operational plan.

CARRIED: 8/0

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

AGAINST: Nil

13.11 KOALA RECOVERY STRATEGY ANNUAL UPDATE REPORT

RESOLVED: Alley/Turner

That Council note the information presented in the Koala Recovery Strategy Annual Update report.

CARRIED: 8/0

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

AGAINST: Nil

14 ITEMS TO BE DEALT WITH BY EXCEPTION

Nil.

Councillor Turner left the meeting, the time being 8:52pm.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Griffiths/Hawkins

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-19-38 Supply and Delivery of Electrical Goods

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

Item 15.02 T-19-40 Provision of Building Maintenance 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 15.03 T-19-41 Provision of Plumbing 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 15.04 Design of Rainbow Beach Sporting Fields & Construction of School to School Shared Pathway

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

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

CARRIED: 7/0

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

AGAINST: Nil

ADJOURN MEETING

the Ordinary Council Meeting adjourned at 8.54pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:56pm.

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: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

Item 15.01 T-19-38 Supply and Delivery of Electrical Goods

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.

RESOLVED: Intemann/Dixon

That Council:

1. In accordance with the Local Government (General) Regulations 2005 clause 178(1)(b), decline to accept any of the tenders submitted for T-19-38 for the Supply and Delivery of Electrical Goods due to the reason that there were an insufficient number of conforming tenders to form a panel arrangement;
2. In accordance with the Local Government (General) Regulations 2005 clauses 178(3)(e) and 178(4), decline to invite fresh tenders and enter into negotiations with the following companies;
 - Metal Manufactures Ltd; and
 - Rexel Electrical Supplies Pty Ltd;
4. Request the General Manager to present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of T-19-38 and acceptance of the proposed panel arrangement; and
5. Maintain the confidentiality of the documents and considerations in respect of T-19-38.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

Item 15.02 T-19-40 Provision of Building Maintenance 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.

RESOLVED: Griffiths/Hawkins

That Council:

1. Accept tenders from the following contractors to be appointed to a panel arrangement for the Provision of Building Maintenance Services for a two year period commencing 1 November 2019, with two options to extend for a period of one year each, such option(s) to be for the benefit of the Council and may be exercised only by the Council in its sole discretion:
 - a) GT Coastal Constructions;
 - b) Patterson Building Specialist Pty Ltd; and
 - c) Sala Builders Commercial Maintenance.
2. Accept the Schedule of Rates for the Provision of Building Maintenance Services from:
 - a) GT Coastal Constructions;
 - b) Patterson Building Specialist Pty Ltd; and
 - c) Sala Builders Commercial Maintenance.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-19-40.

CARRIED: 8/0

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

AGAINST: Nil

Item 15.03 T-19-41 Provision of Plumbing 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.

RESOLVED: Intemann/Griffiths

That Council:

1. Accept tenders from the following contractors to be appointed to a panel arrangement for the provision of plumbing services for a two year period commencing 1 November 2019, with two options to extend for a period of one year each, such option(s) to be for the benefit of the Council and may be exercised only by the Council in its sole discretion:
 - a) AJ & KC Cutcliffe; and
 - b) Tifes Plumbing Pty Ltd
2. Accept the Schedule of Rates for the provision of plumbing services from:
 - a) AJ & KC Cutcliffe; and;
 - b) Tifes Plumbing Pty Ltd
3. Affix the seal of Council to the necessary documents.

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4. Maintain the confidentiality of the documents and considerations in respect of Tender T-19-41.

CARRIED: 8/0

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

AGAINST: Nil

Item 15.04 Design of Rainbow Beach Sporting Fields & Construction of School to School Shared Pathway

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.

RESOLVED: Intemann/Alley

That Council:

1. Pursuant to Section 55(3)(a) of the Local Government Act 1993, resolve to not invite open tender and endorse the procurement strategy to seek quotes from consultants under Local Government Procurement Professional Services panel LGP1208-3 for the Design of Rainbow Beach Sporting Field.
2. Pursuant to Section 55(3)(c) of the Local Government Act 1993, resolve to not invite tender and endorse the procurement strategy to enter into direct negotiations with Coffs Harbour City Council trading as Coastal Works under our existing Memorandum of Association (MoU) for the Construction of Schools to Schools Shared Pathway and Pedestrian Facilities.
3. Note that a further report will be tabled (for information only) detailing the outcomes of the procurement strategy for each of the projects.
4. Maintain the confidentiality of the considerations as detailed in this report and in respect to Design of Rainbow Beach Sporting Field and Construction of Schools to Schools Shared Pathway and Pedestrian Facilities Projects.

CARRIED: 7/0

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

AGAINST: Nil

The meeting closed at 8:57pm.

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Peta Pinson
Mayor