

PRESENT

Members:

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

Other Attendees:

Acting General Manager & Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Dan Bylsma)
Acting Director Strategy and Growth (Duncan Coulton)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Governance Support Officer (Bronwyn Lyon)

This meeting was held remotely and electronically through Skype
and is live streamed on Council's YouTube channel.
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 on line.

02 LOCAL GOVERNMENT PRAYER

Due to the current COVID-19 health emergency, the Local Government Prayer was not delivered as part of this meeting.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Alley/Dixon

That the Minutes of the Ordinary Council Meeting held on 17 June 2020 be confirmed with the following amendment:

Item 10.07 Making of Rates and Charges for 2020-2021, Adoption of the Fees and Charges and Revenue Policy for 2020-2021:

Councillor Alley left the meeting due to technical difficulties, the time being 6:59pm.

Councillor Alley returned to the meeting, the time being 7:00pm.

THE AMENDMENT WAS PUT AND LOST

The General Manager advised that Councillor Alley, via text message, indicated he was voting against the amendment.

Councillor Alley verbally confirmed his vote against the amendment as his technical difficulties were overcome.

CARRIED: 7/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Intemann declared a Non-Pecuniary, Less Than Significant Interest in Item 11.03 - Draft Bain Park Master Plan - Community Engagement, the reason being that Councillor Intemann is an ordinary member of the Wauchope Community Arts Council and has acted as returning Officer for its recent Annual General Meetings.

Mayor Pinson declared a Pecuniary Interest in Item 13.02 - Recommended Item from Coast, Estuary and Floodplain Advisory Sub-Committee - North Brother Local Catchments Flood Study - Draft Options Assessment Report, the reason being that Mayor Pinson has a family member with property in one of the flooding hotspots identified by the flood study.

06.01 NEWPORT AND BALLINA CANAL DREDGING

MOVED: Pinson

That Council:

1. Note there have been numerous complaints received from residents due to the dredging and beach replenishment being suspended in the Newport and Ballina canals due to lack of funds.
2. Note the dredging and beach replenishment of all other canals within the Settlement Shores Estate canal system have been undertaken and are nearing completion.
3. Note the Council correspondence sent to residents in preparation for dredging.
4. Note contractor correspondence sent to residents in preparation for dredging.
5. Note that dredging and beach replenishment was last undertaken in the canals of Newport and Ballina in 2006.
6. Request the General Manager seek a quotation and resource funds through the Strategic Reserves Fund for the purposes of completing the canal dredging and beach replenishment of Newport and Ballina canals.
7. Request the General Manager advise residents of the intended dredging and beach replenishment program for Newport and Ballina canals.

LOST: 3/4

FOR: Dixon, Griffiths and Pinson

AGAINST: Alley, Hawkins, Intemann and Turner

FORESHADOWED MOTION

RESOLVED: Intemann/Turner

That Council:

1. Note that the current dredging program is still to be completed.
2. Request the Acting General Manager conduct a briefing with Councillors and then report to the September 2020 Ordinary Council Meeting regarding the history of the Settlement Shores dredging program and the issues raised in the recent resident correspondence.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

There are no confidential attachments to reports for the Ordinary Council Meeting.

08 PUBLIC FORUM – MATTERS NOT ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters Not On The Agenda were not held as part of this meeting.

09 PUBLIC FORUM – MATTERS ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters On The Agenda were not held as part of this meeting.

Council invited the public to submit comments in relation to matters on the agenda in writing which were provided to Councillors prior to the meeting for the consideration of the Councillors.

10.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Griffiths/Intemann

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

CARRIED: 7/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

10.02 2020-2021 COUNCILLOR AND MAYORAL FEES

RESOLVED: Turner/Intemann

That in relation to Councillor remuneration for the 2020-2021 financial year, Council:

1. Note that Port Macquarie-Hastings Council has been reclassified as a Regional Centre under the revised categories of the Local Government Remuneration Tribunal.
 2. Pursuant to the provisions of section 248(2) of the Local Government Act 1993, set the annual fee payable to a Councillor (including the Mayor) for the financial year commencing 1 July 2020 to be \$24,320.
 3. Note that the role of a Councillor is defined in Section 232 of the NSW Local Government Act and is as follows:
 - (a) to be an active and contributing member of the governing body,
 - (b) to make considered and well informed decisions as a member of the governing body,
 - (c) to participate in the development of the integrated planning and reporting framework,
 - (d) to represent the collective interests of residents, ratepayers and the local community,
 - (e) to facilitate communication between the local community and the governing body,
 - (f) to uphold and represent accurately the policies and decisions of the governing body,
 - (g) to make all reasonable efforts to acquire and maintain the skills
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- necessary to perform the role of a councillor.
4. Pursuant to the provisions of section 249(3) of the Local Government Act 1993, Council set the additional annual fee payable to the Mayor for the financial year commencing 1 July 2020 to be \$60,080, in addition to the fee to the Mayor as Councillor (bringing the total combined fee payable to the Mayor to be \$84,400).
 5. Note that the role of the Mayor is defined in Section 226 of the NSW Local Government Act and is as follows:
 - (a) to be the leader of the council and a leader in the local community,
 - (b) to advance community cohesion and promote civic awareness,
 - (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
 - (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
 - (e) to preside at meetings of the council,
 - (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
 - (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
 - (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
 - (i) to promote partnerships between the council and key stakeholders,
 - (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
 - (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
 - (l) to carry out the civic and ceremonial functions of the mayoral office,
 - (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
 - (n) in consultation with the councillors, to lead performance appraisals of the general manager,
 - (o) to exercise any other functions of the council that the council determines.
 6. In the interests of optimising transparency within the community, request the General Manager include in all future reports to Council, which deal with Councillor and Mayor remuneration, the requirements of those roles as specified within the Local Government Act.

CARRIED: 7/0

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

AGAINST: Nil

10.03 REGIONAL TOURISM BUSHFIRE RECOVERY GRANTS PROGRAM - APPLICATIONS UPDATE

RESOLVED: Turner/Griffiths

That Council:

1. Note the successful application for \$25,000 for Artwalk 2020 event delivery under Stream 1 of the Regional Tourism Bushfire Recovery Grants Program;
2. Note feedback from Austrade regarding the requirement to scale back projects submitted under Stream 2 of the Regional Tourism Bushfire Recovery Grants Program; and
3. Note the re-submission of a scaled back Lumiere Bicentenary Project Stream 2 funding application on 30 June, including the allocation of \$65,000 of COVID-Recovery Transport and Community Infrastructure funding, should the application be successful.

CARRIED: 7/0

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

AGAINST: Nil

11.01 PETITION - EDMUND BARTON STATUE

RESOLVED: Intemann/Alley

That Council:

1. Note receipt of the petition titled "Remove Edmund Barton from Town Green, Port Macquarie", and the evident community opinion on all sides of this matter.
2. Acknowledge that the Birpai people are the traditional custodians of this land.
3. Recognise that while Edmund Barton's role as Member of Parliament representing Hastings and Macleay and in forging the Federation of Australian states is acknowledged, it is also incumbent on Council to consider and respect Aboriginal history and identity in our decision making.
4. Request the Acting General Manager to commence discussions with the Local Aboriginal Land Councils, local Aboriginal persons and traditional owner groups to establish appropriate processes for ongoing consultation on issues and decisions relating to local Aboriginal heritage and culture, and to brief Councillors following those initial discussions.
5. Request the Acting General Manager to brief Councillors on the relationship between the Public Art Policy and the existing and proposed artworks for the Town Green and Bicentenary projects.

CARRIED: 7/0

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

AGAINST: Nil

11.02 2021 BICENTENARY PLANNING UPDATE

RESOLVED: Turner/Hawkins

That Council:

1. Note the planning underway to mark the 2021 Bicentenary of European settlement in Port Macquarie;
2. Note the focus on ensuring an appropriate and inclusive range of activities that focus on our past, present and future community;
3. Considered the Flagstaff Hill Redevelopment project in the drafting of Council's 2021-22 budget as a key heritage project, whilst continuing to pursue suitable grant opportunities to plan and deliver the project.

CARRIED: 7/0

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

AGAINST: Nil

11.03 DRAFT BAIN PARK MASTER PLAN - COMMUNITY ENGAGEMENT

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

RESOLVED: Intemann/Griffiths

That Council:

1. Request the Acting General Manager to undertaken further direct engagement with the following key stakeholders including the Wauchope Lions Club, Rotary Club of Wauchope, Wauchope Community Arts Council, and the Wauchope District Historical Society before finalising the draft Master Plan.
2. Resolve that interested Councillors also be invited to participate in any engagement as mentioned in point 1.
3. Request the Acting General Manager provide a further report to Council including any revisions to the draft Master Plan for further consideration and endorsement by Council before public exhibition of the draft Master Plan.

CARRIED: 7/0

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

AGAINST: Nil

12 Your Business and Industry - Nil.

13.01 NOTICE OF MOTION - REVIEW OF FOOTPAVING OF ROADS POLICY

RESOLVED: Pinson/Alley

That Council request the General Manager to:

1. Commence a review of the Footpaving of Roads Policy.
2. Provide a Councillor briefing on the Footpaving of Roads Policy as part of the review process.
3. Table a further report to Council following the review of the policy.

CARRIED: 7/0

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

AGAINST: Nil

13.02 RECOMMENDED ITEM FROM COAST, ESTUARY AND FLOODPLAIN ADVISORY SUB-COMMITTEE - NORTH BROTHER LOCAL CATCHMENTS FLOOD STUDY - DRAFT OPTIONS ASSESSMENT REPORT

Mayor Pinson declared a Pecuniary Interest in this matter, vacated the Chair and left the room and was out of sight during the Council's consideration, the time being 8:01pm.

The Deputy Mayor assumed the Chair.

RESOLVED: Alley/Griffiths

That Council:

1. Place the North Brother Flood Study - Draft Options Assessment Report on public exhibition for a minimum of 28 days commencing 13 July 2020.
2. Receive a further report detailing the submissions received from the public during the exhibition period at the conclusion of the exhibition period.

CARRIED: 6/0

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

AGAINST: Nil

The Mayor returned to the meeting at 8:07pm.

The Deputy Mayor vacated the Chair and the Mayor assumed the Chair.

14 ITEMS TO BE DEALT WITH BY EXCEPTION

Nil.

CONFIDENTIAL SESSION

RESOLVED: Alley/Hawkins

1. That pursuant to section 10A subsections 2 and 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Confidential Session of Council on the basis that items to be considered are of a confidential nature.
2. That Council move into Closed Session to receive and consider the following items:
 - Item 15.01 2020 Ironman Australia and 70.3
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 Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.

CARRIED: 7/0

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

AGAINST: Nil

15.01 2020 IRONMAN AUSTRALIA AND 70.3

RESOLVED: Turner/Dixon

That Council:

1. Note the current status of planning and amended format for the re-scheduled of IRONMAN Australia and 70.3 on Sunday 13 September 2020.
2. Defer consideration of this matter until the Ordinary Council Meeting on 15 July 2020.
3. Consult with the local emergency services, Port Macquarie Base Hospital / Department of Health, local organising committee, Charles Sturt University regarding availability of student paramedics, and any other local stakeholders.
4. Note the event will not proceed without the further easing of COVID-19 restrictions by the NSW Government, and support from Destination NSW, Port Macquarie-Hastings Council and the local medical team.

CARRIED: 7/0

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

AGAINST: Nil

RESOLVED: Alley/Dixon

That the Council Meeting be re-opened to the public.

CARRIED: 7/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

The outcomes of the Confidential Session of the Ordinary Council were read to the meeting by the Group Manager Governance.

The meeting closed at 8:41pm.

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Peta Pinson
Mayor