

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 (Jeffery Sharp)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Dan Bylsma)
Acting Director Strategy and Growth (Liesa Davies)
Group Manager Governance (Michael Ferguson)
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: Dixon/Griffiths

1. That the Minutes of the Ordinary Council Meeting held on 23 September 2020 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 30 September 2020 be confirmed.

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

05 DISCLOSURES OF INTEREST

Councillor Turner declared a Non-Pecuniary, Less Than Significant Interest in Item 15.03 - EOI-20-04 Town Centre Master Plan Sub-Committee - New Membership, the reason being that Councillor Turner is a director of Hort Property Pty Ltd which owns a property in the Port Macquarie CBD within the boundaries of the Port Macquarie Town Centre Masterplan area.

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in Item 11.02 - 2020-2021 Round 1 Community Grant Program for Endorsement, the reason being that Councillor Alley's wife is a member of a community group recommended in the report to receive funding through this program noting that she is not a member of the group's Executive, nor was she involved in any of the grant funding applications.

06.01 2020 MINISTERS' AWARDS FOR WOMEN IN LOCAL GOVERNMENT

RESOLVED: Pinson

That the information in the Mayoral Minute titled 2020 Ministers' Awards for Women in Local Government, be noted.

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

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Intemann/Dixon

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

CARRIED: 7/0

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

AGAINST: Nil

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.

Councillor Alley left the meeting due to technical difficulties, the time being 5:38pm.

SUSPENSION OF STANDING ORDERS

RESOLVED: Griffiths/Dixon

That Standing Orders be suspended to allow items 10.06, 11.01, 11.02, 11.03, 11.05, 11.06, 12.01, 12.02, 13.01, 13.03, 13.04, 13.05, 13.06, 13.07, 13.08 not in the block to be brought forward and considered next.

CARRIED: 6/0

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

AGAINST: Nil

10.06 DRAFT UNREASONABLE CUSTOMER CONDUCT POLICY

RESOLVED: Griffiths/Intemann

That Council:

1. Place on public exhibition as soon as practicable for a period of not less than 28 days, the draft Unreasonable Customer Conduct Policy and actively seek community feedback.
2. Note that a further report be considered by Council, detailing the submissions received from the public during the exhibition period and presenting a final draft for adoption.
3. Include action at Clause 4.2 if weapons are used, to be added to the draft Policy prior to exhibition.

CARRIED: 6/0

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

AGAINST: Nil

11.01 BEECHWOOD ROAD STAGES 5 & 6 PROJECT UPDATE

RESOLVED: Intemann/Griffiths

That Council:

1. Adopt a 6-8 month road closure as the preferred construction methodology for the future elevated upgrade of Beechwood Road between Waugh Street and Glenview Drive to ensure flood free access over Yippin Creek, to inform the finalised concept design for Beechwood Road Stage 6.
2. Note that the construction work is mostly unfunded and may not proceed for several years and that community engagement will take place before commencement of the works.

CARRIED: 6/0

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

AGAINST: Nil

Councillor Alley returned to the meeting, the time being 5:48pm.

11.02 2020-2021 ROUND 1 COMMUNITY GRANT PROGRAM FOR ENDORSEMENT

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

RESOLVED: Griffiths/Intemann

That Council pursuant to Section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2020-2021 Round 1 for the total amount of \$89,545 according to the following:

Organisation Name	Project	Funding
Community Builders:		
Lake Cathie Tennis Club	Hit Up Wall	\$5,000
Camden Haven Pony Club	Fencing Dressage Arena	\$5,000
Hastings Valley Miniature Railway Society Incorporation	Yippin Creek Track Duplication	\$4,791
Port Macquarie Surf Lifesaving Club	Modified Nippers Boards	\$2,275
	<u>Sub-total</u>	\$17,066
Community Celebrations:		
Camden Haven Chamber	Christmas Celebrations	\$5,000
Wauchope Chamber	Christmas Celebrations	\$5,000
	<u>Sub-total</u>	\$10,000
Cultural:		
Port Macquarie Community Gardens	Mosaic Seats & ground mandala	\$1,020
Port Macquarie Historical Society	Birpai Publishing project	\$5,000
Port Macquarie Rugby Union Club	Indigenous mural/art installation	\$4,109
	<u>Sub-total</u>	\$10,129
Environmental:		
Port Macquarie Landcare Group	Enable Volunteering	\$5,000
Friends of Kooloonbung Creek	Bush regeneration & littler removal	\$5,000
	<u>Sub-total</u>	\$10,000
Band Grants:		
Port Macquarie Hastings Municipal Band	Operational Cost	\$10,000
Camden Haven Community Band	Community Performances	\$6,920
Hastings Koalas Orchestra	Community Performances	\$5,000
Hastings District Highland Pipe Band	Community Performances	\$7,480
	<u>Sub-total</u>	\$29,400

Australia Day:		
Marine Rescue Port Macquarie	Australia Day Markets	\$3,000
Hastings valley Mountain Bike Riders	Jolly Nose Ride day	\$1,800
	<u>Sub-total</u>	\$4,800
Bicentenary:		
Dance Mid North Coast	MNC Festival of Dance	\$5,000
Friends of Mrs York's Garden Inc	Bicentenary Celebrations	\$3,150
	<u>Sub-total</u>	\$8,150
		<i>CARRIED: 7/0</i>
		<i>FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner</i>
		<i>AGAINST: Nil</i>

11.03 FORMATION OF A COMMUNITY INCLUSION COMMITTEE

RESOLVED: Alley/Intemann

That Council:

1. Create a Community Inclusion Committee.
2. Adopt the Community Inclusion Committee Charter with the amendment in 7.0 of replacing the words "may include" to "will include".
3. Appoint Councillor Alley as Chair of the Community Inclusion Committee.
4. Appoint Councillor Turner as Deputy Chair of the Community Inclusion Committee.
5. Call for expressions of interest from the community to be members of the Community Inclusion Committee for a four year term.
6. Request the General Manager table a future report:
 - a) Seeking Council endorsement of the membership of the Community Inclusion Committee.
 - b) Outlining the transition arrangements for the members of the current Access Committee to a working group of the Community Inclusion Committee.

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

11.05 ROLLANDS PLAINS AND KEW, KENDALL, HERONS CREEK AND LORNE COMMUNITY PLANS

RESOLVED: Turner/Griffiths

That Council:

1. Endorse the Community Plans for:
 - a) Kew, Kendall, Herons Creek and Lorne.
 - b) Rollands Plains.
2. Note the extensive engagement which has taken place with these communities and their Community-Council Action Teams to finalise the Plans.
3. Note the goals and actions identified for each of the communities as outlined in the Community Plans, for consideration in future Operational Plans.

CARRIED: 7/0

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

AGAINST: Nil

11.06 CULTURAL PLAN IMPLEMENTATION - PROGRESS REPORT

RESOLVED: Turner/Hawkins

That Council note the progress made on the implementation of the 2018-2021 Cultural Plan.

CARRIED: 7/0

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

AGAINST: Nil

12.01 PORT MACQUARIE AIRPORT - PILOT TRAINING AND AIRCRAFT NOISE - COMMUNITY ENGAGEMENT

RESOLVED: Hawkins/Intemann

That Council:

1. Note the submissions received and information provided in this Pilot Training and Aircraft Noise Community Engagement report.
2. Thank those people who made a submission on the Pilot Training and Aircraft Noise Have Your Say community engagement process.
3. In consideration of the submissions received and the information provided in this Pilot Training and Aircraft Noise Community Engagement report, request the General Manager investigate the establishment of a formal "fly neighbourly agreement" to include practical measures to minimise aircraft noise in the vicinity of Port Macquarie Airport.
4. Request the General Manager table a further report to a future meeting of Council on the outcome of the investigations at Resolution 3 above.

CARRIED: 6/1

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

AGAINST: Griffiths

12.02 DRAFT SMART COMMUNITY ROADMAP - POST EXHIBITION REPORT

RESOLVED: Intemann/Turner

That Council:

1. Note the submissions received following the exhibition of the draft Smart Community Roadmap.
2. Adopt the Smart Community Roadmap as attached to this report.
3. Write to thank those people who made a submission during the development of the Smart Community Roadmap, and advise them of the outcome.

CARRIED: 7/0

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

AGAINST: Nil

**13.01 NOTICE OF MOTION - CLIMATE EMERGENCY DECLARATION
CONSIDERATIONS**

Mayor Pinson left the meeting due to technical difficulties, the time being 6:26pm.

The Deputy Mayor assumed the Chair.

The meeting adjourned at 6.27pm.

The meeting resumed at 6:30pm.

Mayor Pinson returned to the meeting, the time being 6:30pm.

The Mayor resumed the Chair.

Mayor Pinson left the meeting due to technical difficulties, the time being 6:49pm.

The Deputy Mayor assumed the Chair.

Mayor Pinson returned to the meeting, the time being 7:01pm.

The Mayor resumed the Chair.

Mayor Pinson left the meeting due to technical difficulties, the time being 7:17pm.

The Deputy Mayor assumed the Chair.

Mayor Pinson returned to the meeting, the time being 7:20pm.

The Mayor resumed the Chair.

MOTION

MOVED: Alley/Intemann

In recognition of the urgent need for action on climate change:

1. That Council notes:
 - a) The NSW Government has committed to an aspirational objective of achieving net zero emissions by 2050.
 - b) Australia is a signatory to The Paris Agreement (within the United Nations Framework Convention on Climate Change).
 - c) The NSW Bushfire Inquiry report (dated 31 July 2020), stated “The season showed us what damage megafires can do, and how dangerous they can be for communities and firefighters. And it is clear that we should expect fire seasons like 2019-2020, or potentially worse, to happen again” and “Climate change as a result of increased greenhouse gas emissions clearly played a role in the conditions that led up to the fires and in the unrelenting conditions that supported the fires to spread”.
 - d) The Jardine Lloyd Thompson Local Government Key Risk Report for 2019, identifies “natural catastrophe / climate change” amongst the top four risks for Local Government.
 - e) The information in the Climate Change Information report 13.06 of Port Macquarie-Hastings Ordinary Council Meeting of 18 March 2020, that outlines the risks of temperature increases, rising sea levels, extreme rainfall and drought events and increased risks of bushfire that will affect our local community.
 - f) The Australian Medical Association declared in September 2019 that climate change is a health emergency and will cause:
 - i. higher mortality and morbidity from heat stress.
 - ii. injury and mortality from increasingly severe weather events.
 - iii. increases in the transmission of vector-borne diseases.
 - iv. food insecurity resulting from declines in agricultural outputs.
 - v. a higher incidence of mental ill-health.
 - g) Over 1,780 jurisdictions in 31 countries have declared a Climate Emergency.
 2. That it be noted:
 - a) Council has adopted a Long Term Energy Strategy to aim to source 100% of its electricity from renewable sources by 2027.
 - b) Council has adopted floodplain management plans that recognize a 900mm Sea Level Rise by 2100 and 10% increases in rainfall severity events.
 - c) Council’s Operational Plan for 2020-2021 includes action for the employment of a sustainability officer and development of a Sustainability and Climate Change Strategy.
 3. That Council request the General Manager provide a briefing to Councillors before the end of 2020 and a report to the March 2021 meeting to enable Council to more fully consider actions required following a Declaration of a Climate Emergency.
-

AMENDMENT

MOVED: Pinson/Griffiths

In recognition of the urgent need for action on climate change:

1. That Council notes:
 - a) The NSW Government has committed to an aspirational objective of achieving net zero emissions by 2050.
 - b) Australia is a signatory to The Paris Agreement (within the United Nations Framework Convention on Climate Change).
 - c) The NSW Bushfire Inquiry report (dated 31 July 2020), stated “The season showed us what damage megafires can do, and how dangerous they can be for communities and firefighters. And it is clear that we should expect fire seasons like 2019-2020, or potentially worse, to happen again” and “Climate change as a result of increased greenhouse gas emissions clearly played a role in the conditions that led up to the fires and in the unrelenting conditions that supported the fires to spread”.
 - d) The Jardine Lloyd Thompson Local Government Key Risk Report for 2019, identifies “natural catastrophe / climate change” amongst the top four risks for Local Government.
 - e) The information in the Climate Change Information report 13.06 of Port Macquarie Hastings Ordinary Council Meeting of 18 March 2020, that outlines the risks of temperature increases, rising sea levels, extreme rainfall and drought events and increased risks of bushfire that will affect our local community.
 - f) The Australian Medical Association declared in September 2019 that climate change is a health emergency and will cause:
 - i. higher mortality and morbidity from heat stress.
 - ii. injury and mortality from increasingly severe weather events.
 - iii. increases in the transmission of vector-borne diseases.
 - iv. food insecurity resulting from declines in agricultural outputs.
 - v. a higher incidence of mental ill-health.
 - g) Over 1,780 jurisdictions in 31 countries have declared a Climate Emergency.
2. That it be noted:
 - a) Council has adopted a Long Term Energy Strategy to aim to source 100% of electricity from renewable sources when technology become cost effective to install and operate.
 - b) Council has adopted floodplain management plans that recognize a 900mm Sea Level Rise by 2100 and 10% increases in rainfall severity events.
 - c) Council’s Operational Plan for 2020-2021 includes action for the employment of a sustainability officer and development of a Sustainability and Climate Change Strategy.
3. That Council request the General Manager present a Charter to the November 2020 Council Meeting to support the implementation and establishment of a technical based Sustainability Sub-Committee to assist Council in the development and implementation of Council’s sustainability and Climate Change Strategy.

THE AMENDMENT WAS PUT AND LOST

LOST: 2/5

FOR: *Griffiths and Pinson*

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

AN ALTERNATE MOTION WAS MOVED AND PUT

RESOLVED: *Alley/Intemann*

In recognition of the urgent need for action on climate change:

1. That Council notes:
 - a) The NSW Government has committed to an aspirational objective of achieving net zero emissions by 2050.
 - b) Australia is a signatory to The Paris Agreement (within the United Nations Framework Convention on Climate Change).
 - c) The NSW Bushfire Inquiry report (dated 31 July 2020), stated “The season showed us what damage megafires can do, and how dangerous they can be for communities and firefighters. And it is clear that we should expect fire seasons like 2019-2020, or potentially worse, to happen again” and “Climate change as a result of increased greenhouse gas emissions clearly played a role in the conditions that led up to the fires and in the unrelenting conditions that supported the fires to spread”.
 - d) The Jardine Lloyd Thompson Local Government Key Risk Report for 2019, identifies “natural catastrophe / climate change” amongst the top four risks for Local Government.
 - e) The information in the Climate Change Information report 13.06 of Port Macquarie-Hastings Ordinary Council Meeting of 18 March 2020, that outlines the risks of temperature increases, rising sea levels, extreme rainfall and drought events and increased risks of bushfire that will affect our local community.
 - f) The Australian Medical Association declared in September 2019 that climate change is a health emergency and will cause:
 - i. higher mortality and morbidity from heat stress.
 - ii. injury and mortality from increasingly severe weather events.
 - iii. increases in the transmission of vector-borne diseases.
 - iv. food insecurity resulting from declines in agricultural outputs.
 - v. a higher incidence of mental ill-health.
 - g) Over 1,780 jurisdictions in 31 countries have declared a Climate Emergency.
2. That it be noted:
 - a) Council has adopted a Long Term Energy Strategy to aim to source 100% of its electricity from renewable sources by 2027.
 - b) Council has adopted floodplain management plans that recognize a 900mm Sea Level Rise by 2100 and 10% increases in rainfall severity events.
 - c) Council’s Operational Plan for 2020-2021 includes action for the employment of a sustainability officer and development of a Sustainability and Climate Change Strategy.
3. That Council request the General Manager present a Charter to the November 2020 Council Meeting to support the implementation and establishment of a technical based Sustainability Sub-Committee to assist Council in the

development and implementation of Council's sustainability and Climate Change Strategy.

4. That Council request the General Manager provide a briefing to Councillors before the end of 2020 and a report to the March 2021 meeting to enable Council to more fully consider actions required following a Declaration of a Climate Emergency.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

13.03 KOALA RECOVERY STRATEGY ANNUAL REPORT

RESOLVED: Intemann/Alley

That Council:

1. Note the information presented in the Koala Recovery Strategy annual update report.
2. Resolve to postpone major actions identified in the Koala Recovery Strategy pending the outcome of a review and update of the Koala Recovery Strategy due to be completed 2021-2022, with the exception of the following:
 - a) Continue to deliver educational actions that align with the purpose and aim of the adopted Koala Recovery Strategy and that are achievable in the short term whilst the review and update are being completed.
 - b) Investigate a feasibility study into engineering solutions to address koala road strike at identified locations to be included in the draft Operation Plan for 2021-2022.
 - c) Continue to participate in the NSW OEH/Joint Organisation Koala Partnership to improve koala habitat protection measures in the region.
3. Request the General Manager to keep Councillors advised of the situation regarding proposed changes at the state level that affect Koala protection, and opportunities for Council to lobby for clearer protection measures.

CARRIED: 7/0

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

AGAINST: Nil

13.04 UPDATE ON PUBLIC TREE MANAGEMENT IN URBAN AREAS

RESOLVED: Griffiths/Intemann

That Council:

1. Note the information contained within the Update on Public Tree Management in Urban Areas report.
2. Consider funding for further tree works to reduce re-inspections in the 2021-2022 budget allocation.

CARRIED: 7/0

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

AGAINST: Nil

13.05 KENWOOD DRIVE BRIDGE LAKE CATHIE - REVIEW OF 2011 HYDRODYNAMIC REPORT FINDINGS - STATUS UPDATE

RESOLVED: Pinson/Griffiths

That Council:

1. Note the information provided in this report.
2. Note that a review of the Lake Cathie/Lake Innes Estuary Hydrodynamic Model is warranted and should be undertaken as part of Stage 2 of the Coastal Management Program.
3. Consider funding opportunities to undertake the review of the Lake Cathie/Lake Innes Estuary Hydrodynamic Model with the development of the Draft 2021-2022 Operational Plan and budget.
4. Note that a review of the findings of the 2011 Lake Cathie/Lake Innes Estuary Hydrodynamic Model Development and Investigation Report cannot be undertaken until the Model has been reviewed and tested.
5. Request the General Manager to develop a project plan and indicative costings for the replacement or augmentation of the Kenwood Drive Bridge for consideration by Council in the development of the Draft 2021-2022 Operational Plan and future draft Delivery Program and Operational Plans.
6. In considering funding opportunities referenced in Item 3 above, also investigate any grant funding opportunities that are available once the CMP Scoping Study has been completed, with the inclusion of reference to the Hydrodynamic Model Review as a priority task.

CARRIED: 7/0

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

AGAINST: Nil

13.06 PLANNING PROPOSAL - 8 HIGHFIELDS CIRCUIT, 3 & 5 KULAI PLACE AND 9 & 11 KINGFISHER ROAD PORT MACQUARIE

RESOLVED: Turner/Griffiths

That Council:

1. Note the lodgement of the planning proposal application referred to as 'PP2020 - 3.1: Proposed mixed use health and education precinct - Number 8 Highfields Circuit, Numbers 3-5 Kulai Place and Numbers 9-11 Kingfisher Road, Port Macquarie'.
2. Undertake Council initiated health and education precinct strategic planning investigations prior to any subsequent referral of the above planning proposal to the NSW Government seeking Gateway Determination in accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979.

CARRIED: 7/0

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

AGAINST: Nil

13.07 LONG TERM ENERGY STRATEGY - SIX MONTHLY UPDATE

RESOLVED: Alley/Turner

That Council:

1. Note Council's participation in the Department of Planning, Industry and Environment's Sustainability Advantage Program.
2. Note the update on the Long Term Energy Strategy implementation as provided in this report.

CARRIED: 7/0

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

AGAINST: Nil

13.08 DA2020 - 433.1 ALTERATIONS AND ADDITIONS TO DWELLING, PART CHANGE OF USE TO SECONDARY DWELLING AND CONSTRUCTION OF SWIMMING POOL INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 392 DP 236950, NO. 1 VENDUL CRESCENT, PORT MACQUARIE APPLICANT: D J & J WEATHERLEY OWNER: D J & J WEATHERLEY

RESOLVED: Griffiths/Alley

That DA2020 - 433.1 for alterations and additions to dwelling, part change of use to secondary dwelling and construction of swimming pool including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 392, DP 236950, No. 1 Vendul Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions.

CARRIED: 7/0

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

AGAINST: Nil

14 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Alley/Dixon

That Items 10.01, 10.02, 10.03, 10.04, 10.05, 10.07, 10.08, 11.04, 13.02 be considered as a block resolution.

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

RESOLVED: Alley/Turner

That all recommendations listed in the block resolution be adopted by Council.

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

10.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Alley/Turner

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

10.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 10 SEPTEMBER TO 7 OCTOBER 2020

BLOCK RESOLVED: Alley/Turner

That Council note the Mayoral Discretionary Fund allocations for the period 10 September to 7 October 2020 inclusive.

10.03 DISCLOSURES REGISTER - ANNUAL RETURNS 2019-2020

BLOCK RESOLVED: Alley/Turner

That Council:

1. Note the information in the Disclosure Register for 2019-2020.
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) Development Assessment Co-ordinator.
 - b) Water and Sewer Strategic Planning Engineer.
 - c) Water and Sewer Engineering Planning Manager.
 - d) Building Certification Co-ordinator.
 - e) Administration Officer.
 - f) Parks Management Officer.
 - g) Recreation and Facilities Manager.
 - h) Project Officer.
 - i) Landscape Architect.
 - j) Facilities Co-ordinator.
 - k) Senior Landscape Architect.
 - l) Natural Resources Manager.
 - m) Bushfire Management Officer.
 - n) Biosecurity Officer Weeds.
 - o) Team Leader Invasive Weeds.
 - p) Development Assessment Administration Co-ordinator.
 - q) Contributions Development Officer.
3. Note the following position title changes:
 - a) Land Use Planner (previously Strategic Planner).
 - b) Compliance Co-ordinator (previously Development Compliance Coordinator).
 - c) Group Manager Community (previously Group Manager Community Engagement).
 - d) Group Manager People, Safety and Performance (previously Group Manager Organisational Performance).
 - e) Development Assessment Building Surveyor (previously Building Surveyor).
 - f) Water & Sewer Process Planning Engineer (previously Water & Sewer Process Manager)
4. Note the following obsolete position is removed from the Disclosure Register:
 - a) Road Safety Co-ordinator.
5. Determine that members of the Coast, Estuary and Floodplain Advisory Sub-Committee be designated persons.
6. Note that a further report will be presented to the November 2020 Ordinary Council Meeting tabling the outstanding Annual Disclosure Return as detailed in this report.

10.04 MONTHLY BUDGET REVIEW - SEPTEMBER 2020

BLOCK RESOLVED: Alley/Turner

That Council:

1. Adopt the adjustments in the “September 2020 Adjustments” section of the Monthly Budget Review – September 2020 report.
2. Amend the 2020-2021 Operational Plan to include all budget adjustments approved in this report.

10.05 INVESTMENTS - SEPTEMBER 2020

BLOCK RESOLVED: Alley/Turner

That Council note the Investment Report for the month of September 2020.

Item 10.06 Draft Unreasonable Customer Conduct Policy, has been addressed previously within the meeting.

10.07 CUSTOMER EXPERIENCE POLICY FRAMEWORK

BLOCK RESOLVED: Alley/Turner

That Council:

1. Place on public exhibition as soon as practicable for a period of not less than 28 days, the draft Customer Experience Policy and actively seek community feedback.
2. Place on public exhibition as soon as practicable for a period of not less than 28 days, the draft Customer Complaints Policy and actively seek community feedback.
3. Note that a further report be considered by Council, detailing the submissions received from the public during the exhibition period and presenting a final draft policies for adoption.

10.08 DEVELOPMENT ASSESSMENT PANEL CHARTER REVIEW - POST EXHIBITION

BLOCK RESOLVED: Alley/Turner

That Council:

1. Adopt the revised DAP Charter in Attachment 3 of this report and that it commences being implemented upon establishment of a suitable pool of independent members.
2. Request the General Manager to undertake an expression of interest process to gain a suitable pool of independent members to sit on Council's Development Assessment Panel (DAP), having regard for the criteria contained in the Draft DAP Charter in Attachment 3 of this report.
3. Thank the people who made submissions to this review and advise them of the outcome.

Item 11.01 Beechwood Road Stages 5 & 6 Project Update, has been addressed previously within the meeting.

Item 11.02 2020-2021 Round 1 Community Grant Program for Endorsement, has been addressed previously within the meeting.

Item 11.03 Formation of a Community Inclusion Committee, has been addressed previously within the meeting.

11.04 DISABILITY INCLUSION ACTION PLAN ANNUAL PROGRESS REPORT

BLOCK RESOLVED: Alley/Turner

That Council note the Disability Inclusion Action Plan 2019-2020 Annual Progress report.

Item 11.05 Rollands Plains and Kew, Kendall, Herons Creek and Lorne Community Plans, has been addressed previously within the meeting.

Item 11.06 Cultural Plan Implementation - Progress Report, has been addressed previously within the meeting.

Item 12.01 Port Macquarie Airport - Pilot Training and Aircraft Noise - Community Engagement, has been addressed previously within the meeting.

Item 12.02 Draft Smart Community Roadmap - Post Exhibition Report, has been addressed previously within the meeting.

Item 13.01 Notice of Motion - Climate Emergency Declaration Considerations, has been addressed previously within the meeting.

13.02 MARIA RIVER ROAD UPGRADE - PROCUREMENT OF DESIGN AND ENVIRONMENTAL APPROVALS

BLOCK RESOLVED: Alley/Turner

That Council:

1. Note that pursuant to section 55(3)(a) of the Local Government Act 1993, Council will not invite open tenders and utilise the procurement strategy to seek quotes from consultants under Local Government Procurement Professional Services panel LGP1208-3 for the Design and Environmental Approvals for the Maria River Road Upgrade.
2. Note the General Manager will exercise the delegation to accept a quote pursuant to the Request for Quotation process undertaken for the Design and Environmental Approvals for the Maria River Road Upgrade under the Local Government Procurement Professional Services panel LGP1208-3.
3. Note that a further report will be considered by Council (for information only) detailing the outcomes of the Request for Quotation for the Design and Environmental Approvals for the Maria River Road Upgrade.

Item 13.03 Koala Recovery Strategy Annual Report, has been addressed previously within the meeting.

Item 13.04 Update on Public Tree Management in Urban Areas, has been addressed previously within the meeting.

Item 13.05 Kenwood Drive Bridge Lake Cathie - Review of 2011 Hydrodynamic Report Findings - Status Update, has been addressed previously within the meeting.

Item 13.06 Planning Proposal - 8 Highfields Circuit, 3 & 5 Kulai Place and 9 & 11 Kingfisher Road Port Macquarie, has been addressed previously within the meeting.

Item 13.07 Long Term Energy Strategy - Six Monthly Update, has been addressed previously within the meeting.

Item 13.08 DA2020 - 433.1 Alterations and Additions to Dwelling, Part Change of Use to Secondary Dwelling and Construction of Swimming Pool Including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental PI, has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Hawkins/Turner

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 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 Content Management System for Council's Website
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, prejudice the commercial position of the person who supplied it.
 - Item 15.02 T-20-22 Concept Design and Approvals for the Port Macquarie Aquatic Facility
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, prejudice the commercial position of the person who supplied it.
 - Item 15.03 EOI-20-04 Town Centre Master Plan Sub-Committee - New Membership
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 15.04 T-20-14 Port Macquarie Airport Security Screening Equipment
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, prejudice the commercial position of the person who supplied it.
 - Item 15.05 T-20-17 Design & Environmental Approvals - Thrumster Sporting Fields
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, prejudice the commercial position of the person who supplied it.
 - Item 15.06 T-20-26 Bonny Hills Recycled Water System Upgrade
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,

-
- prejudice the commercial position of the person who supplied it.:
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 CONTENT MANAGEMENT SYSTEM FOR COUNCIL'S WEBSITE

RESOLVED: Hawkins/Intemann

That Council:

1. Note the upgrades required for the Content Management System for Council's websites and intranet.
2. Pursuant to Section 55(3)(i) of the Local Government Act 1993, resolve to not invite tenders for the Content Management System for Council's website due to the unavailability of reliable and competitive tenders as described in this report and therefore the fact that a satisfactory result would not be achieved by inviting tenders.
3. Accept the quotation from OpenCities Pty Ltd, ABN 81 099 495 388, to support and host the new Content Management System for Council's websites for a further period of three (3) years, commencing on the 20 February 2020 for the lump sum of \$342,000 (ex GST).
4. Note that the quotation from OpenCities Pty Ltd includes the necessary upgrade to the OpenCities platform.
5. Affix the seal of Council to the necessary document.
6. Maintain the confidentiality of the documents and consideration in respect to the procurement to support and host the new Content Management System for Council's websites.

CARRIED: 7/0

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

AGAINST: Nil

15.02 T-20-22 CONCEPT DESIGN AND APPROVALS FOR THE PORT MACQUARIE AQUATIC FACILITY

RESOLVED: Intemann/Hawkins

That Council:

1. In accordance with the Local Government (General) Regulations 2005 clause 178(1)(b) and 178(3)(e), decline to accept any of the tenders submitted for Request for Tender T-20-22 Concept Design and Approvals for the Port Macquarie Aquatic Facility and enter into negotiations with CO-OP Studio Pty Ltd or any person that submitted a tender in response to Request for Tender T-20-22, with a view to entering into a contract for the Concept Design and Approvals for the Port Macquarie Aquatic Facility.
2. Pursuant to clause 178(4)(a) and (b) of the Local Government (General) Regulations 2005 decline to invite fresh tenders or applications for the reasons that the project is time critical and that the Tender Evaluation Panel considers that the preferred tenderers have demonstrated the experience, capacity and capability to meet the requirements of the Request for Tender.
3. Request the General Manager present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Tender T-20-22.
4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-22.

CARRIED: 7/0

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

AGAINST: Nil

15.03 EOI-20-04 TOWN CENTRE MASTER PLAN SUB-COMMITTEE - NEW MEMBERSHIP

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

RESOLVED: Hawkins/Griffiths

That Council:

1. Appoint the following people as independent members of the Town Centre Master Plan Sub-Committee for a two (2) year term:
 - (a) Jeffrey Gillespie - CBD Commercial Property Owner
 - (b) Adam Spencer - CBD Commercial Property Owner
 - (c) Simon Thresher - CBD Trader
 - (d) Kieran Dell - CBD Trader
 - (e) Janette Hyde - Greater Port Macquarie Tourism Representative
 - (f) Anthony Thorne - Port Macquarie Chamber of Commerce Representative
 - (g) Michelle Love - Community Member
 - (h) Tony McNamara - Community Member
 - (i) John McGuigan - Community Member

-
2. Commence the appointments by inviting the new members to the next Town Centre Master Plan Sub-Committee meeting to be held on 26 November 2020.
 3. Formally thank members of the Town Centre Master Plan Sub-Committee for their commitment and contribution during the recent three-year tenure.
 4. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-20-04.
 5. Include the Director Development and Environment as the alternate to the Director Strategy and Growth as a voting member and amend the Town Centre Master Plan Sub-Committee Charter accordingly.

CARRIED: 7/0

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

AGAINST: Nil

15.04 T-20-14 PORT MACQUARIE AIRPORT SECURITY SCREENING EQUIPMENT

RESOLVED: Griffiths/Hawkins

That Council:

1. Accept the revised Tender from Rapiscan Systems Pty Ltd for the Lump Sum of \$385,757.00 (exclusive of GST) for Port Macquarie Airport Security Screening Equipment.
2. Accept the Schedule of Rates from Rapiscan Systems Pty Ltd and delegate authority to the General Manager to negotiate the detailed terms and enter into the service level agreement for the comprehensive maintenance and repair of Port Macquarie Airport Security Screening Equipment:
 - a) to commence following the successful installation and commissioning of the Port Macquarie Airport Security Screening Equipment; and
 - b) for a three (3) year period, with two (2) options for extension each for a further period of one (1) year, such options are to be for the benefit of Council and may be exercised only by Council at its sole discretion.
4. Affix the seal of Council to the necessary documents.
5. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-14.

CARRIED: 7/0

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

AGAINST: Nil

15.05 T-20-17 DESIGN AND ENVIRONMENTAL APPROVALS - THRUMSTER SPORTING FIELDS

MOVED: Intemann/Dixon

That Council:

1. Accept the Tender from Hopkins Consultants Pty Limited for the Lump Sum of \$346,945 (exclusive of GST) for Request for Tender T-20-17 Design and Environmental Approvals - Thrumster Sporting Fields.
2. Affix the seal of Council to the necessary document.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-17.

CARRIED: 7/0

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

AGAINST: Nil

15.06 T-20-26 BONNY HILLS RECYCLED WATER SYSTEM UPGRADE

RESOLVED: Griffiths/Dixon

That Council:

1. Accept the revised Tender from Pensar Water Pty Ltd for the Lump Sum of \$1,722,309.00 (exclusive of GST) for T-20-26 Bonny Hills Recycled Water System Upgrade.
2. Affix the seal of Council to the necessary document.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-26.

CARRIED: 7/0

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

AGAINST: Nil

RESOLVED: Intemann/Alley

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 8:32pm.

.....
Peta Pinson
Mayor