

PRESENT

Members:

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

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Dan Bylsma)
Director Strategy and Growth (Jeffery Sharp)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Governance Support Officer (Bronwyn Lyon)

This meeting was held remotely and electronically through Microsoft Teams 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 REMOTE ATTENDANCE AT MEETING

Due to the current COVID-19 health emergency all Councillors attend by remote means.

03 LOCAL GOVERNMENT PRAYER

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

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Griffiths/Alley

That the Minutes of the Ordinary Council Meeting held on 6 September 2021 be confirmed.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

06 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

07.01 INFRASTRUCTURE CONTRIBUTIONS REFORMS

RESOLVED: Pinson

That Council:

1. Request the Chief Executive Officer to write to the Premier of NSW, the Hon. Gladys Berejiklian MP, calling for the NSW Government to:
 - (a) withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
 - (b) undertake further consultation with the NSW Local Government sector on any proposed reforms to the infrastructure contributions system.
 - (c) de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth, from the infrastructure contributions reforms.
2. Request the Chief Executive Officer write to the Local Member for Port Macquarie, the Hon. Leslie Williams MP; the Local Member for Oxley, the Hon.

Melinda Pavey MP; the Treasurer, the Hon. Dominic Perrottet MP; Minister for Planning and Public Spaces, the Hon. Rob Stokes MP and the Minister for Local Government, the Hon. Shelley Hancock MP seeking their support for the withdrawal of the Bill.

3. Request the Chief Executive Officer write to the Shadow Treasurer, the Hon. Daniel Mookhey MLC; Shadow Minister for Planning and Public Spaces, Mr Paul Scully MP; Shadow Minister for Local Government, Mr Greg Warren MP; The Greens, Mr David Shoebridge MLC; Shooters, Fishers and Farmers Party, the Hon. Robert Borsak MLC; Pauline Hanson's One Nation, the Hon. Mark Latham MLC; Animal Justice Party, the Hon. Emma Hurst MLC; Christian Democratic Party (Fred Nile Group), the Hon. Fred Nile MLC; Independent Mr Justin Field; Portfolio Committee Chair The Greens, Ms Cate Faehmann; Portfolio Committee Deputy Chair Animal Justice Party, the Hon. Mark Pearson MLC; and the Portfolio Committee members being Liberal Party, the Hon. Catherine Cusack MLC and the Hon. Shayne Mallard MLC; The Nationals, the Hon. Ben Franklin MLC; Australian Labor Party, the Hon. Rose Jackson MLC and the Hon. Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.
4. Request the Chief Executive Officer to alert the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages through its digital and social media channels and its networks.
5. Affirms its support to Local Government NSW and requests Local Government NSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.
6. Note the Council submission to the NSW Parliament as attached to the report and thanks and commends the Chief Executive Officer on the high quality of the submission and the supporting analysis.

CARRIED: 6/0

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

AGAINST: Nil

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

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

SUSPENSION OF STANDING ORDERS

RESOLVED: Intemann/Alley

That Standing Orders be suspended to allow Items 09.05, 09.07, 09.09, 09.10, 09.12, 09.14, 09.18, 10.01, 10.02, 12.01, 12.02, 12.03, 12.04, 12.05, 12.06 not in the block to be brought forward and considered next.

CARRIED: 6/0

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

AGAINST: Nil

09.05 RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT COMMITTEE - AUDIT, RISK & IMPROVEMENT COMMITTEE ANNUAL REPORT 2020-2021

RESOLVED: Hawkins/Intemann

That Council adopt the Audit, Risk & Improvement Committee Annual Report 2020-2021.

CARRIED: 6/0

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

AGAINST: Nil

09.07 PROFESSIONAL DEVELOPMENT UNDERTAKEN BY THE MAYOR

RESOLVED: Pinson/Alley

That Council:

1. Note the cost of the professional development undertaken by the Mayor since her election as popularly elected Mayor in 2017.
2. Note the statutory requirements of the Councillor induction and professional development guidelines (the Guidelines) under Section 23A of the Local Government Act 1993 (the Act).
3. Request the Chief Executive Officer bring a report to the November 2021 Council meeting on the professional development funded by Council undertaken by all current serving members of the elected body during the current term.
4. Request the Chief Executive Officer bring an annual report to Council, commencing October 2022, of the professional development undertaken by all members of the elected body of Council, including the costs.

CARRIED: 6/0

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

AGAINST: Nil

09.09 POLICY REVIEW - PUBLIC INTEREST DISCLOSURE INTERNAL REPORTING POLICY

RESOLVED: Intemann/Griffiths

That Council adopt the draft Public Interest Disclosure Internal Reporting Policy.

CARRIED: 6/0

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

AGAINST: Nil

09.10 POLICY REVIEW - COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY

RESOLVED: Pinson/Griffiths

That Council:

1. Place on public exhibition for a minimum of twenty-eight (28) days, the draft Councillor Induction and Professional Development Policy.
2. Note that a further report will be considered at the November 2021 Ordinary meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 6/0

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

AGAINST: Nil

09.12 NOTICE OF MOTION - FINANCIAL STATEMENTS

RESOLVED: Hawkins/Intemann

That Council:

1. Note that the 2020-2021 Financial Statements are due to be presented to the Ordinary Council Meeting scheduled for 3 November 2021.
 2. Request the Chief Executive Officer to circulate the draft Financial Statements to the Audit Risk and Improvement Committee (ARIC) out-of-session as soon as they are available to enable any relevant ARIC feedback to be tabled at the November 2021 Council Meeting.
 3. With regard to the requested feedback in 2 above, request ARIC to provide feedback in plain English and non-technical commentary on (amongst any other matters deemed relevant):
 - a) The level of reserves held by Council in consideration of recent development activity and Council's status as a Water Authority; and
 - b) The potential risks to Council of a negative impact on forecasted rates revenue.
 4. Request the Chief Executive Officer to convene an extraordinary meeting of the Audit Risk and Improvement Committee prior to the November 2021 Ordinary Council Meeting to address this matter.
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CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

09.14 INVESTMENTS - JULY 2021

RESOLVED: Hawkins/Intemann

That Council note the Investment Report for the month of July 2021.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

09.18 RELIEF MEASURES FOR THE IMPACTS OF COVID-19

RESOLVED: Turner/Intemann

That Council:

1. Note the recent NSW Public Health Orders (2021) in response to the latest COVID-19 outbreak.
2. Waive, refund or defer the payment of fees and charges as detailed below in relation to community members and local businesses impacted by the COVID-19 virus and NSW Public Health Orders (2021). These fees and charges include:

	Fee / Charge	Timeline of waiver / deferral	Conditions of waiver / deferral
a)	Interest on rates and charges	Up to 6 months commencing 01/07/21	For applicants who enter into payment arrangements on outstanding accounts as per recommendation 2 below.
b)	Direct debit dishonour fees	Up to 6 months commencing 01/07/21	Assessed on a case by case basis on application.
c)	Rent / licence fees for Council owned cafes and commercial facilities	Up to 6 months commencing 01/07/21	Assessed on a case by case basis, where a government directive to restrict or cease operations has resulted in a period of inactivity or reduced activity, or where a Government directive has resulted in significantly reduced trade. Any reduction applied will be proportionate to the turnover reduction of the tenant.
d)	Interest on outstanding rental fees	Up to 6 months commencing 01/07/21	For applicants where rent / licence fees are deferred in accordance with c) above.

e)	Fees for outdoor dining, outdoor trading and footpath displays	Up to 31 December 2021	N/A
f)	Glasshouse venue hire and associated fees, including provisions for tickets to patrons	Up to 6 months commencing 01/07/21	Venue hire and associated fees waived, and deposits refunded or transferred, where events (scheduled to take place 1 July - 31 December 2021) have been cancelled as a result of a government directive to restrict or cease operations. Tickets to patrons credited, transferred or refunded where the event has been cancelled or rescheduled by the event organiser / promoter.
g)	Fees for mobile food vending vehicles	Up to 6 months commencing 01/07/21	Annual approval fee
h)	Fees for food shop inspections	Up to 6 months commencing 01/07/21	Fees for routine inspections only, with reinspection fees still to apply.
i)	Fees for public health inspections	Up to 6 months commencing 01/07/21	Fees for routine inspections only, with reinspection fees still to apply.
j)	Ferry fees for delivery of food and other items to the North Shore	Up to 31 December 2021	N/A
k)	Licence fees / application fees for activities on Council managed land	Up to 6 months commencing 01/07/21	Assessed on a case by case basis, where a government directive to restrict or cease operations has resulted in a period of inactivity or reduced activity.
l)	Fees for applications for activities on public / community land under the Local Government Act (Section 68) and applications under the Roads Act 1993 (Section 138)	Up to 6 months for 'regular' local events from the date of recommencement, (e.g. markets) or waiver of fees for next event for irregular or new events	Assessed on a case by case basis, where a government directive to restrict or cease operations has resulted in a period of inactivity or reduced activity. Excludes driveway / footpath works.
m)	Bin reinstatement fee for businesses (Waste Management)	On resumption of normal operations	Waived on resumption of normal operations, where businesses have requested a suspension of bin services due to COVID-19.

n)	Fees for A-Frame signs	Up to 6 months commencing 01/07/21	N/A
o)	Waive hiring fees for community halls	Up to 6 months commencing 01/07/21	N/A
p)	Waive rental fees for community facilities	Up to 6 months commencing 01/07/21	N/A
q)	Credit card surcharge fees	Up to 4 months commencing 16/09/21	N/A
r)	Fees for Sporting Clubs, including facility hire and lighting fees	Up to 6 months commencing 01/07/21	Assessed on a case by case basis on application.

3. Delegate authority to the Chief Executive Officer to enter into a formal agreement with an eligible applicant to repay outstanding rates and charges by periodical payments on a payment arrangement, where the applicant is suffering financial hardship due to the impacts of COVID-19. Note that application for such payment arrangements will be subject to the criteria and documentation requirements as per the current Council adopted Rates and Charges Hardship Assistance policy.
4. Note that a future report be presented to the November 2021 Ordinary Council Meeting to review the above.

CARRIED: 6/0

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

AGAINST: Nil

10.01 NOTICE OF MOTION - RECOGNITION OF SERVICE TO THE MAYOR'S SPORTING FUND

RESOLVED: Pinson/Intemann

That Council:

1. Recognise the service and contribution of Maureen Moore to the Mayor's Sporting Fund Committee from November 2006 to August 2021.
2. Request that the Mayor provide a formal letter of thanks to Maureen Moore for her service and contribution to the Mayor's Sporting Fund Committee.

CARRIED: 6/0

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

AGAINST: Nil

10.02 NOTICE OF MOTION - INCREASE IN GRAFFITI IN THE LOCAL AREA

RESOLVED: Pinson/Griffiths

That the Chief Executive Officer be requested to write to Superintendent District Commander, Shane Cribb, regarding the increase in graffiti in our local area and requesting a meeting with staff and Police representatives to discuss possible solutions.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

12.01 RAWDON ISLAND BRIDGE UPDATE

RESOLVED: Intemann/Griffiths

That Council:

1. Note the information provided in this report.
2. Waive the payment of the "Weighbridge Ticket" fee at the Cairncross Waste Management Facility for a period of up to 6 months commencing 16 September 2021 for residents and local business operators of Rawdon Island and Little Rawdon Island requiring a weighbridge ticket to certify a vehicle weight less than the signposted weight limit imposed on the Rawdon Island Bridge, currently 5 tonne gross vehicle mass.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

12.02 NOTICE OF MOTION - WASTEWATER TREATMENT PROCESSES

RESOLVED: Pinson/Griffiths

That Council:

1. Note the community interest in Council's wastewater treatment processes, specifically in the Bonny Hills area.
2. Request the Chief Executive Officer provide a report to the November 2021 Council meeting regarding Council's management of recycled water.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

12.03 NOTICE OF MOTION - ARTWORK AT ROCKS FERRY RESERVE

MOTION

MOVED: Griffiths/Pinson

That Council:

1. Note the recent installation of Zoetrope, one of the sculptures that makes up the Wauchope Bicentenary Riverside Sculpture Trail, on the river bank in Wauchope.
2. Note the sentiment to the Zoetrope artwork.
3. Request the Chief Executive Officer to undertake further engagement on the issue of the location of the Zoetrope sculpture installation in conjunction with the community engagement on the reinstatement/restoration and long term plans for Rocks Ferry Reserve.

AMENDMENT

RESOLVED: Intemann/Turner

That Council:

1. Note the recent installation of 'Zoetrope', one of the sculptures in the Wauchope Bicentenary Riverside Sculpture Trail on the Rocks Ferry Road river bank in Wauchope.
2. Note that interpretive signage for the sculptures is in production and will be installed in the near future.
3. Note that initial consultation with the community regarding the Sculpture Trail proposed a 'Yarning Circle' sculpture on the site where 'Zoetrope' is now installed, but that the 'Yarning Circle' was deemed unsuitable for that location.
4. Request the Chief Executive Officer to:
 - a) Contact residents who were originally consulted regarding the Sculpture Trail, to advise of the reason for installing 'Zoetrope' instead of the 'Yarning Circle', and also provide a copy of the interpretive words that are to be associated with the artwork.
 - b) Ensure that the information for residents is also made available during future in-person engagement events on the reinstatement/restoration and long terms plans for Rocks Ferry Reserve.
 - c) Also advise the media of the history of the Sculpture Trail and 'Zoetrope' in particular, and provide visuals of the detail of the sculpture.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 4/2
FOR: Alley, Hawkins, Intemann and Turner
AGAINST: Griffiths and Pinson

THE AMENDMENT THEN BECAME THE MOTION AND WAS PUT AND CARRIED

CARRIED: 4/2
FOR: Alley, Hawkins, Intemann and Turner
AGAINST: Griffiths and Pinson

12.04 NOTICE OF MOTION - QUESTION WITH NOTICE - ROCKS FERRY RESERVE

RESOLVED: Griffiths/Intemann

That the information provided regarding the timeline and process for the reconstruction/restoration of Rocks Ferry Reserve be noted.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

12.05 LAND ACQUISITION - 54 OCEAN DRIVE, KEW

RESOLVED: Alley/Griffiths

That Council:

1. Pay compensation in the amount of \$5,000 (GST Exclusive) to the owners of Lot 3 Deposited Plan 605737, M P Fiene and D M Fearn, for the acquisition of that part of Lot 3 Deposited Plan 605737 more particularly described as Lot 301 in plan of acquisition Deposited Plan 1244167.
2. Pursuant to Section 59 of the Land Acquisition (Just Terms Compensation) Act 1991, pay the land owners property conveyancing costs.
3. Pursuant to Section 10 of the Roads Act 1993, dedicate Lot 301 Deposited Plan 1244167 as public road.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

**12.06 PP2011 - 9.3 PLANNING PROPOSAL ASSESSMENT REPORT -
BLACKWOOD STREET EXTENSION, PORT MACQUARIE (VILRO PTY
LTD)**

**APPLICANT: LOVE PROJECT MANAGEMENT PTY LTD
OWNER: VILRO PTY LTD
PROPERTY: LOT 499 DP1258597, (OFF BLACKWOOD STREET, PORT
MACQUARIE).**

RESOLVED: Intemann/Hawkins

That Council:

1. Note the long standing Planning Proposal P2011 - 9.3 for Lot 499, DP1258597, Blackwood St, Port Macquarie under the NSW Government's Public Spaces Legacy Program (PSLP) was not completed by 30 June 2021 as required under the funding program.
2. Note there have been extended negotiations between Council staff and the Proponent to achieve a supportable development outcome on Lot 499 DP1258597 since June 2019.
3. Prepare a Planning Proposal pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979 for a map only amendment to the Port Macquarie-Hastings Local Environmental Plan 2011 for part Lot 499 DP1258597, Blackwood Street, Port Macquarie which rezones the subject land from RU1 Primary Production to part R1 General Residential and part E2 Environmental Conservation in accordance with Figure 2 of the report, and applies the following associated development standards to the land:
 - a) Minimum Lot Size of 450sqm for land to be zoned R1 General Residential,
 - b) A maximum Height of Buildings of 8.5m for land to be zoned R1 General Residential,
 - c) A maximum Floor Space Ratio of 0.65:1 for land to be zoned R1 General Residential,
4. Forward the Planning Proposal described in point 3 above to the NSW Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979, and request that the Gateway Determination authorise the Minister to be the local plan-making authority.
5. Delegate authority to the Director Development and Environment to make any minor amendments to the Planning Proposal as a result of the issue of the Gateway Determination, prior to public exhibition of the Planning Proposal, if Council is authorised as the local plan-making authority.

CARRIED: 6/0

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

AGAINST: Nil

13 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Alley/Hawkins

That Items 09.01, 09.02, 09.03, 09.04, 09.06, 09.08, 09.11, 09.13, 09.15, 09.16, 09.17, 10.03, 11.01 be considered as a block resolution.

CARRIED: 6/0

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

AGAINST: Nil

RESOLVED: Alley/Turner

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

CARRIED: 6/0

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

AGAINST: Nil

09.01 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.

09.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 22 JULY TO 1 SEPTEMBER 2021

BLOCK RESOLVED: Alley/Turner

That Council note that there have been no Mayoral Discretionary Fund allocations for the period 22 July to 1 September 2021 inclusive.

09.03 DISCLOSURE OF INTEREST RETURN

BLOCK RESOLVED: Alley/Turner

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

1. Building Surveyor
2. Environmental Health Officer
3. Environmental Health Project Officer

09.04 RECOMMENDED ITEM FROM AUDIT, RISK & IMPROVEMENT COMMITTEE - LEGISLATIVE COMPLIANCE 2020-2021

BLOCK RESOLVED: Alley/Turner

The Council note the information contained in the Recommended Item from Audit, Risk & Improvement Committee - Legislative Compliance 2020-2021 report.

Item 09.05 Recommended Item from Audit, Risk & Improvement Committee - Audit, Risk & Improvement Committee Annual Report 2020-2021, has been addressed previously within the meeting.

09.06 2021 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

BLOCK RESOLVED: Alley/Turner

That Council:

1. Grant approval for Deputy Mayor Lisa Intemann and Councillors Peter Alley, Sharon Griffiths and Rob Turner to attend the 2021 Local Government NSW Annual Conference to be held online on 29 November 2021.
2. Determine that Deputy Mayor Lisa Intemann and Councillors Peter Alley, Sharon Griffiths and Rob Turner be Council's voting delegates on motions at the Conference.
3. Determine attendees and voting delegates for the Special Conference to be held between 28 February 2022 and 2 March 2022 following the 4 December 2021 Local Government election.
4. Note that the Chief Executive Officer will also attend the Conference.

Item 09.07 Professional Development Undertaken by the Mayor, has been addressed previously within the meeting.

09.08 SENIOR STAFF ROLES

BLOCK RESOLVED: Alley/Turner

That Council, in accordance with Section 332 of the NSW Local Government Act, determine the following Senior Staff positions within Council, reporting directly to the Chief Executive Officer:

- Four (4) Directors.
- One (1) Executive Manager.

Item 09.09 Policy Review - Public Interest Disclosure Internal Reporting Policy, has been addressed previously within the meeting.

Item 09.10 Policy Review - Councillor Induction and Professional Development Policy, has been addressed previously within the meeting.

09.11 POLICY REVIEW - DRAFT SPONSORSHIP POLICY

BLOCK RESOLVED: Alley/Turner

That Council:

1. Note the review of the Sponsorship Policy as outlined in this Policy Review - Draft Sponsorship Policy report;
2. Place the draft Sponsorship Policy on public exhibition for a period of 28 days commencing Friday 17 September 2021;
3. Request the Chief Executive Office table a report to the November 2021 Ordinary Council meeting, detailing the submissions received during the exhibition period.

Item 09.12 Notice of Motion - Financial Statements, has been addressed previously within the meeting.

09.13 MONTHLY BUDGET REVIEW - AUGUST 2021

BLOCK RESOLVED: Alley/Turner

That Council:

1. Adopt the adjustments in the "August 2021 Adjustments" section of the Monthly Budget Review – August 2021 report and associated attachment.
2. Amend the 2021-2022 Operational Plan to include all budget adjustments approved in this report.

Item 09.14 Investments - July 2021, has been addressed previously within the meeting.

09.15 INVESTMENTS - AUGUST 2021

BLOCK RESOLVED: Alley/Turner

That Council note the Investment Report for the month of August 2021.

09.16 FINANCIAL ASSISTANCE GRANTS

BLOCK RESOLVED: Alley/Turner

That Council note the 2021/22 Grant calculations provided by the NSW Local Government Grants Commission for Port Macquarie-Hastings Council in relation to the Financial Assistance Grant calculations.

09.17 AMENDMENTS TO 2021-2022 FEES AND CHARGES

BLOCK RESOLVED: Alley/Turner

That Council:

1. Adopt the amended Fees and Charges 2021-2022.
2. Request the Chief Executive Officer to communicate the changes to the Fees and Charges 2021-2022 to the community.

Item 09.18 Relief Measures for the Impacts of COVID-19, has been addressed previously within the meeting.

Item 10.01 Notice of Motion - Recognition of Service to the Mayor's Sporting Fund, has been addressed previously within the meeting.

Item 10.02 Notice of Motion - Increase in Graffiti in the Local Area, has been addressed previously within the meeting.

10.03 ANNUAL REPORT OF THE ACTIVITIES FOR THE MAYOR'S SPORTING FUND 2020-2021

BLOCK RESOLVED: Alley/Turner

That Council note the information outlined in the Annual Report of the Activities for the Mayor's Sporting Fund 2020-2021.

**11.01 CLASSIFICATION OF LAND TO BE ACQUIRED BY COUNCIL - FUTURE
PARALLEL TAXIWAY AT PORT MACQUARIE AIRPORT**

BLOCK RESOLVED: Alley/Turner

That Council classify Lot 1 Deposited Plan 1263059 (land at Port Macquarie Airport) as operational land.

Item 12.01 Rawdon Island Bridge Update, has been addressed previously within the meeting.

Item 12.02 Notice of Motion - Wastewater Treatment Processes, has been addressed previously within the meeting.

Item 12.03 Notice of Motion - Artwork at Rocks Ferry Reserve, has been addressed previously within the meeting.

Item 12.04 Notice of Motion - Question With Notice - Rocks Ferry Reserve, has been addressed previously within the meeting.

Item 12.05 Land Acquisition - 54 Ocean Drive, Kew, has been addressed previously within the meeting.

Item 12.06 PP2011 - 9.3 Planning Proposal Assessment Report - Blackwood Street Extension, Port Macquarie (Vilro Pty Ltd)
APPLICANT: Love Project Management Pty Ltd
OWNER: Vilro Pty Ltd
Property: Lot 499 DP1258597, (Off Blackwood Street, Port Macquarie), has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Intemann/Griffiths

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 14.01 T-21-13 Water and Sewer Client Side Engineering Support Services and T-21-14 Water and Sewer Design Services Panel

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

Item 14.02 IRONMAN Australia and 70.3 - Contract Extension

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.

Item 14.03 T-21-33 Rawdon Island Barge Operations

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 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: 6/0

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

AGAINST: Nil

RESOLVED: Alley/Griffiths

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

14.01 T-21-13 WATER AND SEWER CLIENT SIDE ENGINEERING SUPPORT SERVICES AND T-21-14 WATER AND SEWER DESIGN SERVICES PANEL

RESOLVED: Intemann/Pinson

That Council:

1. In accordance with the clause 178(1)(b) and 178(3)(b) of the Local Government (General) Regulations 2005, decline to accept any of the tenders submitted for Request for Tender T-21-13 Water and Sewer Client Side Engineering Support Services and invite fresh tenders based on the same or different details.
2. In accordance with the clause 178(1)(b) and 178(3)(b) of the Local Government (General) Regulations 2005, decline to accept any of the tenders submitted for Request for Tender T-21-14 Water and Sewer Design Services Panel Arrangement and invite fresh tenders based on the same or different details.
3. Maintain the confidentiality of the documents and consideration in respect of Requests for Tender T-21-13 and T-21-14.

CARRIED: 6/0

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

AGAINST: Nil

14.02 IRONMAN AUSTRALIA AND 70.3 - CONTRACT EXTENSION

RESOLVED: Turner/Alley

That Council delegate authority to the Chief Executive Officer to negotiate a one-year extension to the 2019-2022 tripartite hosting agreement with Destination NSW and IRONMAN Oceania for IRONMAN Australia and IRONMAN 70.3 events, based on the financial terms noted in this report.

CARRIED: 6/0

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

AGAINST: Nil

14.03 T-21-33 RAWDON ISLAND BARGE OPERATIONS

RESOLVED: Alley/Griffiths

That Council:

1. Pursuant to section 55(3)(i) of the Local Government Act 1993, resolve not to call tenders as it considers that a satisfactory result would not be achieved by inviting tenders due to extenuating circumstances for the reason that Council has an immediate and critical need requiring the continued barge operations to the Rawdon Island residents.
2. Note that the Chief Executive Officer, under existing delegations to the General Manager, has accepted an offer following negotiations with Polaris Marine Pty Ltd at the schedule of rates detailed in this report.
3. Maintain the confidentiality of the documents and consideration in respect to this contract T-21-33.

CARRIED: 6/0

FOR: Alley, 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