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**PRESENT**

**Members:**

Mayor Peta Pinson (Mayor)  
Councillor Adam Roberts (Deputy Mayor)  
Councillor Lauren Edwards  
Councillor Sharon Griffiths (by remote)  
Councillor Lisa Intemann  
Councillor Nik Lipovac  
Councillor Danielle Maltman  
Councillor Rachel Sheppard  
Councillor Josh Slade

**Other Attendees:**

Chief Executive Officer (Dr Clare Allen)  
Acting Director Business and Performance (Ashley Grummitt)  
Director Community, Planning and Environment (Melissa Watkins)  
Director Community Infrastructure (Dan Bylsma)  
Director Community Utilities (Jeffery Sharp)  
Group Manager Governance (Michael Ferguson)  
Governance and Legal Officer (Kirsty Callander)  
Governance Support Officer (Bronwyn Lyon)

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The meeting opened at 5:37pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Mayor opened the Meeting with an Acknowledgement of Country and welcomed all in attendance in the Chamber and viewing on line.

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**02 REMOTE ATTENDANCE AT MEETING**

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*RESOLVED: Maltman/Slade*

That Council accede to the request of Councillor Griffiths to attend the meeting by remote means.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,*  
*Sheppard and Slade*  
*AGAINST: Nil*

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**03 LOCAL GOVERNMENT PRAYER**

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Pastor Greg Campion, President of the Port Macquarie Ministers' Association, delivered the Local Government Prayer.

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**04 APOLOGIES**

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Nil.

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**05 CONFIRMATION OF MINUTES**

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*RESOLVED: Intemann/Griffiths*

1. That the Minutes of the Ordinary Council Meeting held on 3 November 2021 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 13 January 2022 be confirmed.
3. That the Minutes of the Extraordinary Council Meeting held on 25 January 2022 be confirmed.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

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**06 DISCLOSURES OF INTEREST**

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Councillor Maltman declared a Non-Pecuniary, Less Than Significant Interest in Item 12.02 - Notice of Motion - Lake Cathie Management, the reason being that Councillor Maltman is a non-financial life member of the community organisation Revive Lake Cathie Inc.

Councillor Maltman declared a Non-Pecuniary, Less Than Significant Interest in Item 12.06 - Draft Lake Cathie Entrance Management Strategy, the reason being that Councillor Maltman is a non-financial life member of the community organisation Revive Lake Cathie Inc.

Councillor Maltman declared a Non-Pecuniary, Less Than Significant Interest in Item 12.11 - T-21-26 Hydrodynamic Modelling Update - Lake Innes/Lake Cathie, the reason being that Councillor Maltman is a non-financial life member of the community organisation Revive Lake Cathie Inc.

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Councillor Sheppard declared a Non-Pecuniary, Less Than Significant Interest in Item 09.17 - Quarterly Budget Review Statement - December 2021, the reason being that Councillor Sheppard has a friend who is the owner of one of the companies listed in the Quarterly Budget Review Statement.

Councillor Sheppard declared a Non-Pecuniary, Less Than Significant Interest in Item 10.03 - T-21-15 Stage 1 Construction of Rainbow Beach Sporting Fields, the reason being that Councillor Sheppard lives in close proximity to the location where the complex is to be built.

Councillor Griffiths declared a Non-Pecuniary, Less Than Significant Interest in Item 09.14 - Request to Attend Australian Governance Summit 2022 - March 2022 - Councillor Sharon Griffiths, the reason being that Councillor Griffiths will be attending the Australian Governance Summit as part of professional development.

Mayor Pinson declared a Pecuniary Interest in Item 09.23 - Sale of Surplus Land - 178 Nancy Bird Walton Drive, Kew, the reason being that Mayor Pinson's husband has an interest in the land being offered for sale by Council.

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#### **07.01 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PANEL**

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*RESOLVED: Pinson/Griffiths*

That Council:

1. Determine that the composition of the Chief Executive Officer's Performance Review Panel for the period ending 1 February 2022 to consist of the Mayor, Deputy Mayor, Councillor Nik Lipovac, nominated by Council, and one (1) Councillor nominated by the Chief Executive Officer.
2. Note that Councillor Sharon Griffiths is the Chief Executive Officer's nominated Councillor on the Chief Executive Officer's Performance Review Panel for the subject period.
3. Delegate to the Chief Executive Officer's Performance Review Panel the entire process of performance management, including discussions about performance, reporting and performance reviews for the period ending 1 February 2022.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,  
Sheppard and Slade*

*AGAINST: Nil*

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## **07.02 LAKE CATHIE**

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### **MOTION**

*MOVED: Pinson*

That Council:

1. Note the ongoing and growing community angst at Lake Cathie Lagoon not being mechanically opened by Council for recreation and flooding purposes.
2. Note Item 12.02 Lake Cathie Management, Item 12.06 Lake Cathie Management Strategy and Item 12.11 T-21-26 Hydrodynamic Modelling Update – Lake Innes/Lake Cathie, further to this Mayoral Minute.
3. Request the Chief Executive Officer to make the necessary arrangements for the Mayor and Deputy Mayor to meet with the Minister for Lands and Water, The Hon Kevin Anderson MP and the Minister for Environment and Heritage, The Hon James Griffin MP as soon as practicable, to discuss the merits of permanently opening the entrance to the Lake Cathie estuarine system.
4. Request the Chief Executive Officer to prepare detailed briefing papers on Lake Cathie/Lake Innes for presentation to both Minister Anderson and Minister Griffin for their consideration of a permanent opening to the Lake Cathie estuarine system.
5. Note the submissions made by representatives of the Department of Primary Industries, Crown Lands, National Parks & Wildlife Services, NSW Fisheries, PMHC staff and also Professor Scott Johnson at the briefing provided to Councillors on 3 February 2022 asking Councillors to consider retaining as much water in the lake as possible to:
  - a) Prevent further damage caused to the lake system by Acid Sulphate Soils and or another potential Iron Floc outbreak;
  - b) Prevent fish kills;
  - c) Consider the needs of recreational and commercial fishers.
6. Note the decision of the Chief Executive Officer to undertake a dry scrape of the berm to 1.6m as the immediate course of action for flood mitigation to relieve issues relating to or potentially relating to infrastructure inundation as required in the short term.
7. Note the overwhelming positive benefits for the Lake Cathie/Lake Innes estuarine systems should the Lake Cathie lagoon interface to be permanently opened to the Ocean.
8. Subsequent to the meeting with both Ministers, request the Chief Executive Officer to bring a report to Council on a potential pathway or otherwise in regard to permanently opening the lake entrance to the Lake Cathie estuarine system.
9. Accept the invitation of Port Macquarie State MP Leslie Williams to facilitate meeting of Council and Councillors with any ministers relevant to the long-term best management of Lake Cathie/Lake Innes Estuarine System

## **AMENDMENT**

*MOVED: Sheppard/Intemann*

That Council:

1. Accept the invitation of Port Macquarie State MP Leslie Williams to facilitate meeting of Council and Councillors with any ministers relevant to the long-term best management of Lake Cathie/Lake Innes Estuarine System.
2. Undertake immediate communications activities with our community regarding the current issues regarding the health and management of the Lake Cathie/Lake Innes Estuarine System under the direction of the Chief Executive Officer.

## **THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 4/5*

*FOR: Edwards, Intemann, Lipovac and Sheppard*  
*AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade*

## **THE MOTION WAS PUT AND CARRIED**

*RESOLVED: Pinson*

That Council:

1. Note the ongoing and growing community angst at Lake Cathie Lagoon not being mechanically opened by Council for recreation and flooding purposes.
  2. Note Item 12.02 Lake Cathie Management, Item 12.06 Lake Cathie Management Strategy and Item 12.11 T-21-26 Hydrodynamic Modelling Update – Lake Innes/Lake Cathie, further to this Mayoral Minute.
  3. Request the Chief Executive Officer to make the necessary arrangements for the Mayor and Deputy Mayor to meet with the Minister for Lands and Water, The Hon Kevin Anderson MP and the Minister for Environment and Heritage, The Hon James Griffin MP as soon as practicable, to discuss the merits of permanently opening the entrance to the Lake Cathie estuarine system.
  4. Request the Chief Executive Officer to prepare detailed briefing papers on Lake Cathie/Lake Innes for presentation to both Minister Anderson and Minister Griffin for their consideration of a permanent opening to the Lake Cathie estuarine system.
  5. Note the submissions made by representatives of the Department of Primary Industries, Crown Lands, National Parks & Wildlife Services, NSW Fisheries, PMHC staff and also Professor Scott Johnson at the briefing provided to Councillors on 3 February 2022 asking Councillors to consider retaining as much water in the lake as possible to:
    - a) Prevent further damage caused to the lake system by Acid Sulphate Soils and or another potential Iron Floc outbreak;
    - b) Prevent fish kills;
    - c) Consider the needs of recreational and commercial fishers.
  6. Note the decision of the Chief Executive Officer to undertake a dry scrape of the berm to 1.6m as the immediate course of action for flood mitigation to relieve issues relating to or potentially relating to infrastructure inundation as required in the short term.
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7. Note the overwhelming positive benefits for the Lake Cathie/Lake Innes estuarine systems should the Lake Cathie lagoon interface to be permanently opened to the Ocean.
  8. Subsequent to the meeting with both Ministers, request the Chief Executive Officer to bring a report to Council on a potential pathway or otherwise in regard to permanently opening the lake entrance to the Lake Cathie estuarine system.
  9. Accept the invitation of Port Macquarie State MP Leslie Williams to facilitate meeting of Council and Councillors with any ministers relevant to the long-term best management of Lake Cathie/Lake Innes Estuarine System
- CARRIED: 6/3*
- FOR: Griffiths, Intemann, Maltman, Pinson, Roberts and Slade*
- AGAINST: Edwards, Lipovac and Sheppard*

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**08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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*RESOLVED: Roberts/Maltman*

That Council determine that the attachments to Item Numbers 09.11 and 09.17 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

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**SUSPENSION OF STANDING ORDERS**

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*RESOLVED: Intemann/Roberts*

That Standing Orders be suspended to allow Items 09.02, 09.03, 09.04, 09.07, 09.08, 09.09, 09.10, 09.14, 09.15, 09.17, 09.23, 10.01, 10.03, 12.01, 12.02, 12.03, 12.06, 12.07 and 12.11 not in the block be brought forward and considered next.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

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## 09.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

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*RESOLVED: Sheppard/Lipovac*

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

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,*  
*Sheppard and Slade*  
*AGAINST: Nil*

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## 09.03 STATUS OF COUNCIL POLICIES

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*RESOLVED: Sheppard/Slade*

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

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,*  
*Sheppard and Slade*  
*AGAINST: Nil*

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## 09.04 COUNCIL MEETINGS DATES FOR 2022

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*RESOLVED: Pinson/Roberts*

That Council:

1. Set the Ordinary Council Meeting dates for the remainder of 2022 as the third Thursday of each month (with the exception of an earlier meeting in December due to the proximity of Christmas) being:
  - 17 March (Taking the Council to the Community - Wauchope)
  - 21 April
  - 19 May
  - 16 June
  - 21 July
  - 18 August
  - 15 September
  - 20 October (Taking the Council to the Community - Laurieton)
  - 17 November
  - 8 December
2. Set the Ordinary Council Meetings to commence at 10:00am on the dates as listed in 1 above.
3. Make the necessary amendments to Council's Code of Meeting Practice to reinstate Public Forum Matters on the Agenda and Matters Not on the Agenda, as part of the Ordinary Council Meeting.

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4. Remove Clause 4.1B from Council's Code of Meeting Practice that states "the maximum time for public forum will be 60 minutes with an option to extend public forum by 30 minutes following consensus by all Councillors present".

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

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#### **09.07 DISCLOSURE OF INTEREST RETURN**

*RESOLVED: Sheppard/Roberts*

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

1. Water and Sewer Investigations Engineer.
2. Coast Estuary and Flood Coordinator.
3. Strategic Environmental Projects Coordinator.
4. Shelter Team Leader.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

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#### **09.08 NOTICE OF MOTION - COUNCIL COMMITTEES, WORKING PARTIES, GROUPS**

##### **MOTION**

*MOVED: Pinson/Roberts*

That Council:

1. Discontinue the following Council Committees/Working Parties/Groups with community and Councillor representatives pending a future review of Council's Committee structure:
  - Airport Advisory Group
  - Coast, Estuary and Floodplain Advisory Sub-Committee
  - Community Inclusion Committee
  - Cultural Steering Group
  - Economic Development Steering Group
  - Hastings Bushfire Management Committee
  - Port Macquarie Transport Network Community Consultative Committee
  - Sustainability Advisory Sub-Committee
  - Town Centre Master Plan Sub-Committee.
2. Form the following Council Committees and amend their relevant Charters to reflect the membership changes below pending a future review of Council's Committee structure:



- 
- Audit, Risk and Improvement Committee (Appoint Cr Sharon Griffiths as Councillor representative)
  - Marrungbalbu Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Development Assessment Panel
  - Mayor's Sporting Fund Sub-committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Development Committee (Traffic) (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Traffic Committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Sister City Working Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
3. Continue Council's membership on the Arts Mid North Coast Board, with a Council staff member as Council's representative, appointed by the Chief Executive Officer.
  4. Maintain existing hall and facility management committees at the discretion of the Chief Executive Officer.
  5. Continue to provide support to community Working Groups and Consultative Committees at the discretion of the Chief Executive Officer.
  6. Formally thank all outgoing Committee members for their invaluable contribution to Council's Committees and Working Groups.
  7. Determine to rescind the Councillor Portfolio Protocol.
  8. Not re-establish the Councillor Portfolio system.
  9. Amend the charters for the following Program Level Steering Groups to remove the requirement for a Councillor representative being consistent with the removal of the Councillor Portfolio Protocol as in Points 7 and 8 above:
    - Transport and Stormwater Program Steering Group
    - Water and Sewer Program Steering Group
    - Recreation, Buildings and other Assets Program Steering Group.

## **AMENDMENT**

*MOVED: Lipovac/Sheppard*

That Council:

1. Request the Chief Executive Officer to conduct a Review over the next 3 months (March to May) which includes community consultation, and provide a report to the June 2022 Council Meeting into the desirability and effectiveness of Council Committees/Working Parties/Groups with Community and Councillor Representatives to determine their future viability:
  - Airport Advisory Group
  - Coast, Estuary and Floodplain Advisory Sub-Committee
  - Community Inclusion Committee
  - Cultural Steering Group
  - Economic Development Steering Group
  - Hastings Bushfire Management Committee
  - Port Macquarie Transport Network Community Consultative Committee
  - Sustainability Advisory Sub-Committee
  - Town Centre Master Plan Sub-Committee

2. Note that these Groups and Committees would continue to operate as per usual through until the end of this financial year with the relevant staff member as Chair, and all Councillors invited to attend.
3. Form the following Council Committees and amend their relevant Charters to reflect the membership changes below pending a future review of Council's Committee structure:
  - Audit, Risk and Improvement Committee (Appoint Cr Sharon Griffiths and Cr Rachel Sheppard as Councillor representatives)
  - Marrungbalbu Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Development Assessment Panel
  - Mayor's Sporting Fund Sub-committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Development Committee (Traffic) (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
  - Local Traffic Committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Sister City Working Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
4. Continue Council's membership on the Arts Mid North Coast Board, with a Council staff member as Council's representative, appointed by the Chief Executive Officer.
5. Maintain existing hall and facility management committees at the discretion of the Chief Executive Officer.
6. Continue to provide support to further community Working Groups and Consultative Committees at the discretion of the Chief Executive Officer.

**THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 4/5*

*FOR: Edwards, Intemann, Lipovac and Sheppard*

*AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade*

**AMENDMENT**

*MOVED: Intemann/Sheppard*

That Council:

1. Request the Chief Executive Officer to conduct a Review over the next 3 months (March to May) which includes community consultation, and provide a report to the June 2022 Council Meeting into the desirability and effectiveness of Council Committees/Working Parties/Groups with Community and Councillor Representatives to determine their future viability:
  - Airport Advisory Group
  - Coast, Estuary and Floodplain Advisory Sub-Committee
  - Community Inclusion Committee
  - Cultural Steering Group
  - Economic Development Steering Group
  - Hastings Bushfire Management Committee
  - Port Macquarie Transport Network Community Consultative Committee

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- Sustainability Advisory Sub-Committee
  - Town Centre Master Plan Sub-Committee
  2. Note that these Groups and Committees would continue to operate as per usual through until the end of this financial year with the relevant staff member as Chair, and all Councillors invited to attend.
  3. Form the following Council Committees and amend their relevant Charters to reflect the membership changes below pending a future review of Council's Committee structure:
    - Audit, Risk and Improvement Committee (Appoint Cr Sharon Griffiths and Cr Rachel Sheppard as Councillor representatives)
    - Marrungbalbu Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
    - Development Assessment Panel
    - Mayor's Sporting Fund Sub-committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
    - Local Development Committee (Traffic) (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
    - Local Traffic Committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
    - Sister City Working Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
  4. Continue Council's membership on the Arts Mid North Coast Board, with a Council staff member as Council's representative, appointed by the Chief Executive Officer.
  5. Maintain existing hall and facility management committees at the discretion of the Chief Executive Officer.
  6. Continue to provide support to further community Working Groups and Consultative Committees at the discretion of the Chief Executive Officer.
  7. Determine to rescind the Councillor Portfolio Protocol.
  8. Not re-establish the Councillor Portfolio system.
  9. Amend the charters for the following Program Level Steering Groups to remove the requirement for a Councillor representative being consistent with the removal of the Councillor Portfolio Protocol as in Points 7 and 8 above:
    - Transport and Stormwater Program Steering Group
    - Water and Sewer Program Steering Group
    - Recreation, Buildings and other Assets Program Steering Group.

**THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 4/5*

*FOR: Edwards, Intemann, Lipovac and Sheppard*  
*AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade*

**AMENDMENT**

*MOVED: Sheppard/Intemann*

That Council:

1. Request the Chief Executive Officer undertake a review, which includes Community Consultation, into the effectiveness of the following Council

Committees/Working Parties/Groups with community and Councillor representatives to determine their future viability:

- Airport Advisory Group
  - Coast, Estuary and Floodplain Advisory Sub-Committee
  - Community Inclusion Committee
  - Cultural Steering Group
  - Economic Development Steering Group
  - Hastings Bushfire Management Committee
  - Port Macquarie Transport Network Community Consultative Committee
  - Sustainability Advisory Sub-Committee
  - Town Centre Master Plan Sub-Committee
2. Request the Chief Executive Officer to provide a report to the June 2022 Ordinary meeting of Council on the finding of the review.
  3. Continue operating the following Groups and Committees as per existing arrangements for one further meeting:
    - Cultural Steering Group
    - Economic Development Steering Group
    - Sustainability Advisory Sub-Committee
    - Town Centre Master Plan Sub-Committee
  4. Discontinue operating the following groups, express formal thanks to all outgoing committee members for their service, and invite outgoing committee members to participate in the review identified in point 1:
    - Airport Advisory Group
    - Coast, Estuary and Floodplain Advisory Sub-Committee
    - Community Inclusion Committee
    - Hastings Bushfire Management Committee
    - Port Macquarie Transport Network Community Consultative Committee
  5. Form the following Council Committees and amend their relevant Charters to reflect the membership changes below pending a future review of Council's Committee structure:
    - Audit, Risk and Improvement Committee (Appoint Cr Sharon Griffiths and Cr Rachel Sheppard as Councillor representatives)
    - Marrungbalbu Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
    - Development Assessment Panel
    - Mayor's Sporting Fund Sub-committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
    - Local Development Committee (Traffic) (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
    - Local Traffic Committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
    - Sister City Working Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).
  6. Continue Council's membership on the Arts Mid North Coast Board, with a Council staff member as Council's representative, appointed by the Chief Executive Officer.
  7. Maintain existing hall and facility management committees at the discretion of the Chief Executive Officer.
  8. Continue to provide support to future community Working Groups and Consultative Committees at the discretion of the Chief Executive Officer.
  9. Determine to rescind the Councillor Portfolio Protocol.
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10. Not re-establish the Councillor Portfolio system.
11. Amend the charters for the following Program Level Steering Groups to remove the requirement for a Councillor representative being consistent with the removal of the Councillor Portfolio Protocol as in Points 8 and 9 above:
  - Transport and Stormwater Program Steering Group
  - Water and Sewer Program Steering Group
  - Recreation, Buildings and other Assets Program Steering Group.

**THE AMENDMENT WAS PUT AND WAS LOST**

LOST: 4/5

FOR: *Edwards, Intemann, Lipovac and Sheppard*

AGAINST: *Griffiths, Maltman, Pinson, Roberts and Slade*

**AMENDMENT**

*MOVED: Intemann/Sheppard*

That Council:

1. Discontinue the following Council Committees/Working Parties/Groups with community and Councillor representatives pending a future review of Council's Committee structure:
  - Airport Advisory Group
  - Coast, Estuary and Floodplain Advisory Sub-Committee
  - Community Inclusion Committee
  - Cultural Steering Group
  - Economic Development Steering Group
  - Hastings Bushfire Management Committee
  - Port Macquarie Transport Network Community Consultative Committee
  - Sustainability Advisory Sub-Committee
2. Form the following Council Committees and amend their relevant Charters to reflect the membership changes below pending a future review of Council's Committee structure:
  - Audit, Risk and Improvement Committee (Appoint Cr Sharon Griffiths as Councillor representative)
  - Marrungbalbu Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Development Assessment Panel
  - Mayor's Sporting Fund Sub-committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Development Committee (Traffic) (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Traffic Committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Sister City Working Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Town Centre Master Plan Sub-Committee
3. Continue Council's membership on the Arts Mid North Coast Board, with a Council staff member as Council's representative, appointed by the Chief Executive Officer.
4. Maintain existing hall and facility management committees at the discretion of the Chief Executive Officer.

5. Continue to provide support to community Working Groups and Consultative Committees at the discretion of the Chief Executive Officer.
6. Formally thank all outgoing Committee members for their invaluable contribution to Council's Committees and Working Groups.
7. Determine to rescind the Councillor Portfolio Protocol.
8. Not re-establish the Councillor Portfolio system.
9. Amend the charters for the following Program Level Steering Groups to remove the requirement for a Councillor representative being consistent with the removal of the Councillor Portfolio Protocol as in Points 7 and 8 above:
  - Transport and Stormwater Program Steering Group
  - Water and Sewer Program Steering Group
  - Recreation, Buildings and other Assets Program Steering Group.

**THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 4/5*

*FOR: Edwards, Intemann, Lipovac and Sheppard*

*AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade*

**THE MOTION WAS PUT AND CARRIED**

*RESOLVED: Pinson/Roberts*

That Council:

1. Discontinue the following Council Committees/Working Parties/Groups with community and Councillor representatives pending a future review of Council's Committee structure:
  - Airport Advisory Group
  - Coast, Estuary and Floodplain Advisory Sub-Committee
  - Community Inclusion Committee
  - Cultural Steering Group
  - Economic Development Steering Group
  - Hastings Bushfire Management Committee
  - Port Macquarie Transport Network Community Consultative Committee
  - Sustainability Advisory Sub-Committee
  - Town Centre Master Plan Sub-Committee.
2. Form the following Council Committees and amend their relevant Charters to reflect the membership changes below pending a future review of Council's Committee structure:
  - Audit, Risk and Improvement Committee (Appoint Cr Sharon Griffiths as Councillor representative)
  - Marrungbalbu Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Development Assessment Panel
  - Mayor's Sporting Fund Sub-committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Development Committee (Traffic) (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Local Traffic Committee (Chaired by the Mayor, Deputy Mayor in the Mayor's absence)
  - Sister City Working Group (Chaired by the Mayor, Deputy Mayor in the Mayor's absence).

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3. Continue Council's membership on the Arts Mid North Coast Board, with a Council staff member as Council's representative, appointed by the Chief Executive Officer.
  4. Maintain existing hall and facility management committees at the discretion of the Chief Executive Officer.
  5. Continue to provide support to community Working Groups and Consultative Committees at the discretion of the Chief Executive Officer.
  6. Formally thank all outgoing Committee members for their invaluable contribution to Council's Committees and Working Groups.
  7. Determine to rescind the Councillor Portfolio Protocol.
  8. Not re-establish the Councillor Portfolio system.
  9. Amend the charters for the following Program Level Steering Groups to remove the requirement for a Councillor representative being consistent with the removal of the Councillor Portfolio Protocol as in Points 7 and 8 above:
    - Transport and Stormwater Program Steering Group
    - Water and Sewer Program Steering Group
    - Recreation, Buildings and other Assets Program Steering Group.

*CARRIED: 5/4*

*FOR: Griffiths, Maltman, Pinson, Roberts and Slade*

*AGAINST: Edwards, Intemann, Lipovac and Sheppard*

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#### **09.09 NOTICE OF MOTION - RATE FREEZE**

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Councillor Maltman left the meeting, the time being 8:22pm.

Councillor Maltman returned to the meeting, the time being 8:24pm.

#### **MOTION**

*MOVED: Roberts/Pinson*

That Council:

1. Request the Chief Executive Officer prepare as part of the Integrated Planning and Reporting process, a draft Operational Plan for the 2022-2023 financial year that freezes Ordinary and Special Rates at the 2021-2022 level.
2. Request the Chief Executive Officer prepare a draft Long Term Financial Plan to accompany (1) above as part of the Integrated Planning & Reporting process for the 2022-2023 financial year, that freezes Ordinary and Special Rates at the 2021-2022 levels for the period 1 July 2022 to 30 June 2025 inclusive and that the report to Council addresses how the financial impact of the rate freeze might be mitigated.

## **AMENDMENT**

*MOVED: Intemann/Sheppard*

That Council:

1. Note that a freeze on Ordinary and Special Rates for the 2022-2023 financial year would result in a loss of income to Council of approximately \$11 million over ten years.
2. Note that a freeze on Ordinary and Special Rates for the 2022-2023, 2023-2024, and 2024-2025 financial years would result in a loss of income to Council of at least \$33 million over ten years.
3. Note that any period of rate freeze will have a perpetual cumulative negative effect year-on-year on Council's operating budget.
4. Note the advice of the Audit, Risk and Improvement Committee, as reported to the November 2021 Ordinary Council Meeting, that: "*The Committee, noting the current financial position of Council as at 30 June 2021 and general increases in costs being experienced throughout NSW Local Government, have come to the conclusion that any reduction in forecast rates revenue may result in the necessity to reduce services in order to maintain the ongoing financial sustainability of the Council.*"
5. Note that Council's expenses for operation and service provision increase annually due to forces outside Council's control, such as legislated wage rates, and the rapidly escalating cost of materials.
6. Note that Council is currently not meeting the ratios for Infrastructure and Asset Management, and action is being taken to correct that problem with savings and efficiencies, and that a freeze on rates will put Council further behind in these areas.
7. Note that applying a rate freeze is likely to negatively impact on the willingness of other levels of government to approve grant funds to Council.
8. To better inform Councillors of the potential impact of a rate freeze, request the Chief Executive Officer to:
  - a) Prepare as part of the Integrated Planning and Reporting process, a draft Operational Plan for the 2022-2023 financial year that freezes Ordinary and Special Rates at the 2021-2022 level.
  - b) Prepare a draft Long Term Financial Plan to accompany (a) above as part of the Integrated Planning & Reporting process for the 2022-2023 financial year, that freezes Ordinary and Special Rates at the 2021-2022 levels for the period 1 July 2022 to 30 June 2025 inclusive and that the report to Council addresses how the financial impact of the rate freeze might be mitigated.

## **THE AMENDMENT WAS PUT AND WAS LOT**

*LOST: 3/6*

*FOR: Edwards, Intemann and Sheppard*

*AGAINST: Griffiths, Lipovac, Maltman, Pinson, Roberts and Slade*



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**THE MOTION WAS PUT AND CARRIED**

*RESOLVED: Roberts/Pinson*

That Council:

1. Request the Chief Executive Officer prepare as part of the Integrated Planning and Reporting process, a draft Operational Plan for the 2022-2023 financial year that freezes Ordinary and Special Rates at the 2021-2022 level.
2. Request the Chief Executive Officer prepare a draft Long Term Financial Plan to accompany (1) above as part of the Integrated Planning & Reporting process for the 2022-2023 financial year, that freezes Ordinary and Special Rates at the 2021-2022 levels for the period 1 July 2022 to 30 June 2025 inclusive and that the report to Council addresses how the financial impact of the rate freeze might be mitigated.

*CARRIED: 7/2*

*FOR: Griffiths, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Edwards and Intemann*

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**09.10 NOTICE OF MOTION - PORT MACQUARIE-HASTINGS BLUEPRINT**

*RESOLVED: Roberts/Pinson*

That Council:

1. Immediately establish a Project Working Group to develop an Action Plan for the development of a draft Blueprint for Port Macquarie-Hastings for consideration by Council at its April 2022 Ordinary Meeting effective immediately following the February 2022 Ordinary Meeting to include consideration of the key strategic priorities for the Local Government Area, with a focus on but not limited to the following:
  - Roads, traffic management and delivery
  - Affordable housing and housing affordability
  - Land use planning
  - Infrastructure (water, sewer and stormwater) planning and delivery
  - Amenity
  - Vegetation management
  - Sporting facilities
  - Connectivity (physical and digital)
  - Emergency and risk management
  - Industry, tourism and economic development opportunities
2. Appoint the Mayor and Deputy Mayor to Co-Chair the Project Working Group with the administrative support of the Chief Executive Officer and Council Staff as determined by the Chief Executive Officer.
3. Receive and consider the Project Action Plan from the Project Working Group, including estimated costings and timeframes to develop a draft Blueprint for Port Macquarie-Hastings for consideration by Council at its April 2022 Ordinary Meeting.

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*CARRIED: 8/1*

*FOR: Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Edwards*

Councillor Roberts tabled his Blueprint speaking notes.

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**09.14 REQUEST TO ATTEND AUSTRALIAN GOVERNANCE SUMMIT 2022 - MARCH 2022 - COUNCILLOR SHARON GRIFFITHS**

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

*RESOLVED: Griffiths/Roberts*

That Council approve the attendance of Councillor Sharon Griffiths at the Australian Governance Summit 2022 to be held virtually from 2 to 3 March 2022.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

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**09.15 REQUEST TO ATTEND NSW COASTAL CONFERENCE - MAY 2022 - COUNCILLOR DANIELLE MALTMAN**

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*RESOLVED: Pinson/Griffiths*

That Council approve the attendance of Mayor Peta Pinson and Councillor Danielle Maltman at the NSW Coastal Conference to be held from 31 May to 2 June 2022.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

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**09.17 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2021**

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

*RESOLVED: Griffiths/Lipovac*

That Council note the Quarterly Budget Review Statement for the December 2021 Quarter.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

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**ADJOURN MEETING**

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*RESOLVED: Sheppard/Pinson*

That the Ordinary Council Meeting adjourn for 5 minutes.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

The Ordinary Council Meeting adjourned at 9:38pm.

The Ordinary Council Meeting resumed at 9:50pm.

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## **09.23 SALE OF SURPLUS LAND - 178 NANCY BIRD WALTON DRIVE, KEW**

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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 9:51pm.

The Deputy Mayor assumed the Chair.

### **MOTION**

*MOVED: Roberts/Griffiths*

That Council:

1. Note the resolutions of Council made at the Ordinary Council meeting held on 19 May 2021 - Confidential Item 14.01 Sale of Surplus Land - 178 Nancy Bird Walton Drive Kew.
2. Note the subsequent tender process undertaken for the sale of surplus land at 178 Nancy Bird Walton Drive, Kew as outlined in this report.
3. Decline to accept any of the offers received for the sale of surplus land at 178 Nancy Bird Walton Drive, Kew noting that the contract for sale is subject to and conditional upon Council obtaining development consent for the required plan of subdivision and its subsequent registration by the Registrar General.
4. Proceed with the detailed planning investigations necessary to submit a development application for the required plan of subdivision and its subsequent registration by the Registrar General.
5. Subject to obtaining development consent and registration of the plan of subdivision, offer the surplus land at 178 Nancy Bird Walton Drive, Kew for sale by way of open tender utilising a registered real estate agent.
6. Request the Chief Executive Officer to negotiate with potential purchasers to secure an advantageous financial outcome to Council, not less than the amount determined by Council's consultant valuer post development consent and within two months prior to offering the land for sale.
7. Allocate the sale proceeds to Council's Waste Reserve should a successful sale be completed.
8. Note that a further report will be presented to Council detailing the outcomes of the disposal process.
9. Maintain the confidentiality of the documents and considerations in respect of Sale of Surplus Land - 178 Nancy Bird Walton Drive, Kew.

## **AMENDMENT**

*MOVED: Intemann/Sheppard*

That Council:

1. Note the resolutions of Council made at the Ordinary Council meeting held on 19 May 2021 - Confidential Item 14.01 Sale of Surplus Land – 178 Nancy Bird Walton Drive, Kew.
2. Note the subsequent tender process undertaken for the sale of surplus land at 178 Nancy Bird Walton Drive, Kew as outlined in this report.
3. Accept the highest tendered offer received and enter into a contract for sale with the highest bidder subject to and conditional upon Council as the landowner obtaining development consent for the required plan of subdivision and its subsequent registration by the Registrar General within 12 months.
4. Proceed with the detailed planning investigations necessary to submit a development application for the required plan of subdivision and its subsequent registration by the Registrar General.
5. On completion of the sale, allocate the sale proceeds to Council's Waste Reserve for use towards a significant as-yet-unfunded waste management development project.
6. Receive a report to Council upon conclusion of the sale process, and ensure Councillors are updated on any problems arising in the DA/subdivision process.
7. Maintain the confidentiality of the documents and considerations in respect of Sale of Surplus Land - 178 Nancy Bird Walton Drive, Kew.
8. Ensure that any new sales of Council owned land are not made subject to any land development process.

## **THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 2/6*

*FOR: Edwards and Intemann*

*AGAINST: Griffiths, Lipovac, Maltman, Roberts, Sheppard and Slade*

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**THE MOTION WAS PUT AND CARRIED**

*RESOLVED: Roberts/Griffiths*

That Council:

1. Note the resolutions of Council made at the Ordinary Council meeting held on 19 May 2021 - Confidential Item 14.01 Sale of Surplus Land - 178 Nancy Bird Walton Drive Kew.
2. Note the subsequent tender process undertaken for the sale of surplus land at 178 Nancy Bird Walton Drive, Kew as outlined in this report.
3. Decline to accept any of the offers received for the sale of surplus land at 178 Nancy Bird Walton Drive, Kew noting that the contract for sale is subject to and conditional upon Council obtaining development consent for the required plan of subdivision and its subsequent registration by the Registrar General.
4. Proceed with the detailed planning investigations necessary to submit a development application for the required plan of subdivision and its subsequent registration by the Registrar General.
5. Subject to obtaining development consent and registration of the plan of subdivision, offer the surplus land at 178 Nancy Bird Walton Drive, Kew for sale by way of open tender utilising a registered real estate agent.
6. Request the Chief Executive Officer to negotiate with potential purchasers to secure an advantageous financial outcome to Council, not less than the amount determined by Council's consultant valuer post development consent and within two months prior to offering the land for sale.
7. Allocate the sale proceeds to Council's Waste Reserve should a successful sale be completed.
8. Note that a further report will be presented to Council detailing the outcomes of the disposal process.
9. Maintain the confidentiality of the documents and considerations in respect of Sale of Surplus Land - 178 Nancy Bird Walton Drive, Kew.

*CARRIED: 6/2*

*FOR: Griffiths, Lipovac, Maltman, Roberts, Sheppard and Slade*

*AGAINST: Edwards and Intemann*

Mayor Pinson returned to the meeting and assumed the Chair, the time being 10:05pm.

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**10.01 NOTICE OF MOTION - WAUCHOPE RIVERSIDE SCULPTURAL TRAIL - ZOETROPE**

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**MOTION**

*MOVED: Griffiths/Roberts*

That Council:

1. Request the Chief Executive Officer to provide a report to the March 2022 Ordinary Meeting of Council regarding the removal of the Zoetrope Sculpture.

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2. Note that the existing public art along the Wauchope Riverside Sculptural Trail was the subject of discussion during the recent Rocks Ferry Redevelopment Engagement Process.
  3. Note that a draft Master Plan for Rocks Ferry Reserve addressing the recent flood impacts and the Public Art is being developed and will be the subject of a future briefing of Councillors.

#### **AMENDMENT**

*RESOLVED: Intemann/Lipovac*

1. Request the Chief Executive Officer to provide a report to the March 2022 Ordinary Meeting of Council regarding the possible relocation of the Zoetrope Sculpture, including intended community consultation.
2. Note that the existing public art along the Wauchope Riverside Sculptural Trail was the subject of discussion during the recent Rocks Ferry Redevelopment Engagement Process.
3. Note that a draft Master Plan for Rocks Ferry Reserve addressing the recent flood impacts and the Public Art is being developed and will be the subject of a future briefing of Councillors.

#### **THE AMENDMENT WAS PUT AND CARRIED**

*CARRIED: 8/1*  
*FOR: Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Griffiths*

#### **THE AMENDMENT THEN BECAME THE MOTION AND WAS PUT AND CARRIED**

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

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### **10.03 T-21-15 STAGE 1 CONSTRUCTION OF RAINBOW BEACH SPORTING FIELDS**

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

*RESOLVED: Slade/Roberts*

That Council note the information provided regarding the successful negotiations and tender award to Glascott Landscape and Civil Pty Ltd for the lump sum of \$6,076,727.26 (excluding GST) for T-21-15 Stage 1 Construction of Rainbow Beach Sporting Fields.

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*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,*  
*Sheppard and Slade*  
*AGAINST: Nil*

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## **EXTENSION OF TIME**

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*RESOLVED: Sheppard/Griffiths*

That the Council Meeting be extended beyond 11:00pm.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts,*  
*Sheppard and Slade*  
*AGAINST: Nil*

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## **12.01 NOTICE OF MOTION - CLIMATE CHANGE**

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### **MOTION**

*MOVED: Griffiths/Roberts*

That Council:

1. Rescind the 'Climate Change Emergency Declaration' that was made by Port Macquarie-Hastings Council at the March 2021 Ordinary Council Meeting.
2. Request the Chief Executive Officer to revise the adopted Climate Change Response Policy to reflect Item 1 above.

### **AMENDMENT**

*MOVED: Edwards/Lipovac*

That Council:

1. Note the resolution of Council made in March 2021 Ordinary Council meeting, that:

*That Council:*

1. *Acknowledge the contribution of members of the community to the climate change conversation in particular, the Hastings Climate Emergency Alliance (comprising Climate Change Australia – Hastings, Hastings Parents for the Environment, Coastal Warriors Mid North Coast, No Electricity from Forests, Hastings Extinction Rebellion) and the Port Macquarie Sustainability Network.*
  2. *Acknowledge the evidence-based science for climate change and the serious threat that climate change poses to our current and future way of life and the Earth's ecosystems, including impacts on health, safety, economic security and quality of life.*
  3. *Note that the Australian Medical Association declared in September 2019 that climate change is a health emergency and will cause: a)*
-



- higher mortality and morbidity from heat stress. b) injury and mortality from increasingly severe weather events. c) increases in the transmission of vector-borne diseases. d) food insecurity resulting from declines in agricultural outputs. e) a higher incidence of mental ill-health.*
4. *Note Council's resolution of 21 October 2020, which identified formally recognised risks from climate change, and Council's actions to that date.*
  5. *Acknowledge that a successful response to climate change requires immediate and ongoing cross-sectoral action by government, business and the broader community at all levels.*
  6. *Confirm that Council's response to climate change is an essential element of Council's overall approach and commitment to sustainability, including intergenerational equity, community wellbeing and safety.*
  7. *Acknowledge Council's response to climate change and sustainability needs to be locally focussed and holistic, requiring a structured and coordinated approach across all Council functions.*
  8. *Acknowledge that declaring a climate emergency needs to be supported with strong policy and the supporting commitment and actions to implement it with substance if we are to avoid broad and unprecedented consequences.*
  9. *Request the Chief Executive Officer, as a priority: a) Finalise the Sustainability Framework. b) Work with the Sustainability Sub-Committee to develop and urgently finalise a Climate Change Policy, Climate Change Strategy and Action Plan, including baseline measures and targets. c) Include in these plans a comprehensive community communication and information plan for priority commencement and covering, among other aspects, the costs of unchecked climate change, actions residents can take, and the benefits from action to mitigate the causes and effects of climate change.*
  10. *Recognise and declare that we are now in a Global Climate Emergency, and include in the Port Macquarie-Hastings Climate Change Policy, Strategy and Plan actions to make representations at the Local, State, Federal and even Global level, seeking strong leadership in mitigating the impacts of climate change.*
  11. *Request the Chief Executive Officer write to the Member for Cowper, Patrick Conaghan MP, and the Member for Lyne, David Gillespie MP, urging their support to enact the Climate Change (National Framework for and Mitigation) Bill 2020, on behalf of all residents of the Port Macquarie-Hastings Local Government Area.*
  12. *Receive a report on the progress of Items 9(a) and (b) above to the May 2021 Council Meeting.*
- 
2. Request the Chief Executive Officer undertake to publicise the March 2021 Climate Emergency Declaration throughout March 2022, such that community members widely can access it and realise the opportunity to share their thoughts via an invitation for community submissions regarding their support for or against retaining a Climate Emergency Declaration and receive any submissions up until the end of the month of April 2022.
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**THE AMENDMENT WAS PUT AND WAS LOST**

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

Councillor Maltman left the meeting, the time being 10:58pm.

Councillor Maltman returned to the meeting, the time being 11:00pm.

**AMENDMENT**

MOVED: Sheppard/Intemann

That Council:

1. Note the following resolution of Council from the March 2021 Ordinary Council meeting:

**10.09 CLIMATE EMERGENCY DECLARATION CONSIDERATIONS**

RESOLVED: Intemann/Turner

That Council:

2. Acknowledge the contribution of members of the community to the climate change conversation in particular, the Hastings Climate Emergency Alliance (comprising Climate Change Australia – Hastings, Hastings Parents for the Environment, Coastal Warriors Mid North Coast, No Electricity from Forests, Hastings Extinction Rebellion) and the Port Macquarie Sustainability Network.
3. Acknowledge the evidence-based science for climate change and the serious threat that climate change poses to our current and future way of life and the Earth's ecosystems, including impacts on health, safety, economic security and quality of life.
4. Note that the Australian Medical Association declared in September 2019 that climate change is a health emergency and will cause:
  - a) higher mortality and morbidity from heat stress.
  - b) injury and mortality from increasingly severe weather events.
  - c) increases in the transmission of vector-borne diseases.
  - d) food insecurity resulting from declines in agricultural outputs.
  - e) a higher incidence of mental ill-health.
5. Note Council's resolution of 21 October 2020, which identified formally recognised risks from climate change, and Council's actions to that date.
6. Acknowledge that a successful response to climate change requires immediate and ongoing cross-sectoral action by government, business and the broader community at all levels.
7. Confirm that Council's response to climate change is an essential element of Council's overall approach and commitment to sustainability, including inter-generational equity, community wellbeing and safety.
8. Acknowledge Council's response to climate change and sustainability needs to be locally focussed and holistic, requiring a structured and coordinated approach across all Council functions.

9. *Acknowledge that declaring a climate emergency needs to be supported with strong policy and the supporting commitment and actions to implement it with substance if we are to avoid broad and unprecedented consequences.*
10. *Request the Chief Executive Officer, as a priority:*
  - a) *Finalise the Sustainability Framework.*
  - b) *Work with the Sustainability Sub-Committee to develop and urgently finalise a Climate Change Policy, Climate Change Strategy and Action Plan, including baseline measures and targets.*
  - c) *Include in these plans a comprehensive community communication and information plan for priority commencement and covering, among other aspects, the costs of unchecked climate change, actions residents can take, and the benefits from action to mitigate the causes and effects of climate change.*
11. *Recognise and declare that we are now in a Global Climate Emergency, and include in the Port Macquarie-Hastings Climate Change Policy, Strategy and Plan actions to make representations at the Local, State, Federal and even Global level, seeking strong leadership in mitigating the impacts of climate change.*
11. *Request the Chief Executive Officer write to the Member for Cowper, Patrick Conaghan MP, and the Member for Lyne, David Gillespie MP, urging their support to enact the Climate Change (National Framework for and Mitigation) Bill 2020, on behalf of all residents of the Port Macquarie-Hastings Local Government Area.*
12. *Receive a report on the progress of Items 9(a) and (b) above to the May 2021 Council Meeting.*

*CARRIED: 4/2*

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

2. Rescind point 10 of the above March 2021 resolution which states:
  - “10. *Recognise and declare that we are now in a Global Climate Emergency, and include in the Port Macquarie-Hastings Climate Change Policy, Strategy and Plan actions to make representations at the Local, State, Federal and even Global level, seeking strong leadership in mitigating the impacts of climate change.* “
3. Request the Chief Executive Officer to revise the adopted Climate Change Response Policy to reflect Item 2 above.
4. Request the Chief Executive Officer provided a report to Council detailing proposed changes to the Climate Change Response Policy.
5. Note that the revised Climate Change Response Policy, if adopted by Council, would be placed on public exhibition for a period of not less than 28 days.
6. Request the Chief Executive Officer prepare a communications plan to inform the community of Council’s rescission of the Climate Change Emergency Declaration and the public exhibition of the revised Climate Change Response Policy including but not limited to: advertising, media release, Council’s social media channels, notification of State and Federal Members of Parliament, local newspapers, and any other avenues available

to promote local awareness of Council's revised Climate Change Response Policy.

7. Request the Chief Executive Officer report back in April 2022 on the status of actions arising from the resolution noted in point 1.

**THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 3/6*

*FOR: Intemann, Lipovac and Sheppard*

*AGAINST: Edwards, Griffiths, Maltman, Pinson, Roberts and Slade*

**AMENDMENT**

*RESOLVED: Intemann/Sheppard*

That Council:

1. Rescind the 'Climate Change Emergency Declaration' that was made by Port Macquarie-Hastings Council at the March 2021 Ordinary Council Meeting.
2. Request the Chief Executive Officer to revise the adopted Climate Change Response Policy to reflect Item 1 above.
3. Request the Chief Executive Officer to provide a further report to Council outlining the proposed amendments to the policy.
4. Note that the revised Climate Change Response Policy with proposed amendments, will be placed on public exhibition for a period of not less than 28 days.
5. Request the Chief Executive Officer to provide a further report to Council outlining submissions received during the exhibition period.

**THE AMENDMENT WAS PUT AND CARRIED**

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

**THE AMENDMENT THEN BECAME THE MOTION AND WAS PUT AND CARRIED**

*CARRIED: 7/2*

*FOR: Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, and Slade*

*AGAINST: Edwards, Sheppard*

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**12.02 NOTICE OF MOTION - LAKE CATHIE MANAGEMENT**

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

*RESOLVED: Maltman/Pinson*

That Council:

1. Request the Chief Executive Officer to undertake a review of Appendix B - Site Priorities Assessment of the Port Macquarie Hastings Council Dredging Strategy (2007).

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2. Place priority for the dredging of Lake Cathie in the budget for 2022/2023 taking it from a low priority to a high priority.
  3. Request the Chief Executive Officer to request a meeting with relevant staff of Northern Beaches Council to discuss the Narrabeen Lagoon Plan of Management and measures of implementation of a Lake Cathie Lagoon Reserve Trust and any learnings that could be considered by Council for Lake Cathie.
  4. Request the Chief Executive Officer ensure that the following items are addressed as part of the Coastal Management Program Stage 2 studies/work:
    - a) Modification of the current Development Application (DA) consent to open the lagoon to a hazard-based criteria.
    - b) Consideration of future operational budgets, resources to further enhance the lake and its surrounds such as; water quality monitoring to ensure water is safe for recreational usage and marine life consumption whilst also ensuring the lake is visually appealing all year round.
    - c) An assessment of the existing urban runoff into the lake system, its origins and impacts on the estuarine system, marine life, community health and wellbeing.

*CARRIED: 8/1*

*FOR: Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Edwards*

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## **12.03 NOTICE OF MOTION - TOWN CENTRE MASTER PLAN**

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### **MOTION**

*MOVED: Roberts/Griffiths*

That Council:

1. Request the Chief Executive Officer to commence a general review of the business sub-categories under s523(1)(a) of the Local Government Act 1993 and prepare a report on that review for consideration of the Council.
2. Note that subject to the review (referred to in 1), should Council resolve to re-categorise the land within the business category as a result of such review, whereby all land within the Port Macquarie CBD Business Sub-Category has been re-categorised to Business - Defined Urban Centres, request the Chief Executive Officer draft an Operational Plan for the 2022-2023 financial year as part of the Integrated Planning & Reporting process with the removal of the Town Centre Master Plan business rate.
3. Undertake an independent review of the historical Town Centre Master Plan processes, practices, fees, charges, management structures and outcomes achieved by the Town Centre Master Plan.
4. Provide a report to Council on the findings of the independent review and undertake community consultation on a pathway forward for the future development and maintenance of the Port Macquarie CBD.

## **AMENDMENT**

*MOVED: Intemann/Sheppard*

That Council request the Chief Executive Officer to:

1. Provide a briefing to Councillors on the business sub-categories under s523(1)(a) of the Local Government Act 1993, with the objective of submitting a report on rating options for consideration to the March 2022 Ordinary Council Meeting.
2. Appoint, via an appropriate Expression of Interest process, a suitably qualified independent expert to prepare an objective assessment of the historical Town Centre Master Plan processes, practices, fees, charges, management structures and outcomes.
3. Ensure that as part of the report by the independent expert, the broad community be consulted, and in particular those persons, businesses and property owners directly impacted by CBD rates as well as the local professional property industry advisors with extensive knowledge of the Town Centre Master Plan, the environment in which it has historically operated and the current operating environment.
4. Ensure that the final report include recommendations on a pathway forward for the future development and maintenance of the Port Macquarie CBD, noting the role (if any) of the Town Centre Master Plan and the financial impacts (if any) on ratepayers should there be changes to the business rates.
5. Provide a briefing to Councillors on the findings of the independent review as soon as available.

## **THE AMENDMENT WAS PUT AND WAS LOST**

*LOST: 4/5*

*FOR: Edwards, Intemann, Lipovac and Sheppard*

*AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade*

## **THE MOTION WAS PUT AND CARRIED**

*RESOLVED: Roberts/Griffiths*

That Council:

1. Request the Chief Executive Officer to commence a general review of the business sub-categories under s523(1)(a) of the Local Government Act 1993 and prepare a report on that review for consideration of the Council.
2. Note that subject to the review (referred to in 1), should Council resolve to re-categorise the land within the business category as a result of such review, whereby all land within the Port Macquarie CBD Business Sub-Category has been re-categorised to Business - Defined Urban Centres, request the Chief Executive Officer draft an Operational Plan for the 2022-2023 financial year as part of the Integrated Planning & Reporting process with the removal of the Town Centre Master Plan business rate.
3. Undertake an independent review of the historical Town Centre Master Plan processes, practices, fees, charges, management structures and outcomes achieved by the Town Centre Master Plan.

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4. Provide a report to Council on the findings of the independent review and undertake community consultation on a pathway forward for the future development and maintenance of the Port Macquarie CBD.

*CARRIED: 6/3*

*FOR: Griffiths, Lipovac, Maltman, Pinson, Roberts and Slade*

*AGAINST: Edwards, Intemann and Sheppard*

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## **12.06 DRAFT LAKE CATHIE ENTRANCE MANAGEMENT STRATEGY**

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

*RESOLVED: Maltman/Pinson*

That Council:

1. Request the Chief Executive Officer undertake a review of the revised draft Lake Cathie Entrance Management Strategy Flow Chart, with the involvement of Councillors and key stakeholders, before bringing an updated approach back to Council by April 2022.
2. Request the Chief Executive Officer to prepare appropriate information material to clearly explain the issues impacting on Lake Cathie, entrance management and the draft Entrance Management Strategy.
3. Request the Chief Executive Officer expedite the progress of delivery of the Coastal Management Program to inform best management practices of Lake Cathie system.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

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## **12.07 RAWDON ISLAND BRIDGE UPDATE**

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Councillor Sheppard left the meeting, the time being 11:59pm.

*RESOLVED: Intemann/Roberts*

That Council:

1. Note the information provided in the Rawdon Island Bridge Update report.
2. Request the Chief Executive Officer report in accordance with milestone events associated with progress on Rawdon Island Bridge.
3. Note that the Chief Executive Officer has communicated with the Hon Leslie Williams MP regarding Council's applications for funding to assist this important bridge and access repair/replacement project.

*CARRIED: 8/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts and Slade*

*AGAINST: Nil*

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### **12.11 T-21-26 HYDRODYNAMIC MODELLING UPDATE - LAKE INNES/LAKE CATHIE**

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Councillor Sheppard returned to the meeting, the time being 12:00am.

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

*RESOLVED: Maltman/Roberts*

That Council:

1. Note the Chief Executive Officer, by existing delegation under section 377 of the Local Government Act 1993, accepted the tender from Haskoning Australia Pty Ltd for the Lump Sum of \$365,954.80 (exclusive of GST) for T-21-26 Hydrodynamic Modelling Update - Lake Innes / Lake Cathie.
2. Note the Chief Executive Officer accepted the offer from Haskoning Australia Pty Limited for Provisional Item: "Installation of two Acoustic Doppler Current Profilers (ADCPs) to continuously measure currents for up to 2 months" for the Lump Sum of \$18,500.00 (exclusive of GST).
3. Note the Chief Executive Officer has executed the contract documents.
4. Note that the option for a permanent Lake Opening is one of the management options to be considered in the updated hydrodynamic modelling project.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

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### **13 ITEMS TO BE DEALT WITH BY EXCEPTION**

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*RESOLVED: Maltman/Intemann*

That Items 09.01, 09.05, 09.06, 09.11, 09.12, 09.13, 09.16, 09.18, 09.19, 09.20, 09.21, 09.22, 09.24, 09.25, 09.26, 09.27, 09.28, 10.02, 11.01, 12.04, 12.05, 12.08, 12.09 and 12.10 be considered as a block resolution.

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

*RESOLVED: Maltman/Intemann*

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

*CARRIED: 9/0*  
*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*



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### **09.01 OATH OR AFFIRMATION OF OFFICE**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note that the Mayor and all Councillors undertook their Oath, or Affirmation, of Office before Council's Chief Executive Officer on Monday 10 January 2022.

Item 09.02 Status of Reports From Council Resolutions, has been addressed previously within the meeting.

Item 09.03 Status of Council Policies, has been addressed previously within the meeting.

Item 09.04 Council Meetings Dates for 2022, has been addressed previously within the meeting.

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### **09.05 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 21 OCTOBER 2021 TO 2 FEBRUARY 2022**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the Mayoral Discretionary Fund allocations for the period 21 October 2021 to 2 February 2022 inclusive.

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### **09.06 ELECTORAL FUNDING OBLIGATIONS OF NEWLY ELECTED MAYORS AND COUNCILLORS**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the information as provided in this report.

Item 09.07 Disclosure of Interest Return, has been addressed previously within the meeting.

Item 09.08 Notice of Motion - Council Committees, Working Parties, Groups, has been addressed previously within the meeting.

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Item 09.09 Notice of Motion - Rate Freeze, has been addressed previously within the meeting.

Item 09.10 Notice of Motion - Port Macquarie-Hastings Blueprint, has been addressed previously within the meeting.

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### **09.11 LEGAL FEES**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the information in the Legal Fees report.

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### **09.12 POLICY REVIEW - MAYORAL DISCRETIONARY FUND POLICY**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Place on public exhibition from for a minimum of 28 days, the draft Mayoral Discretionary Fund Policy.
2. Note that a further report will be tabled at the April 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

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### **09.13 POLICY REVIEW - PRIVACY MANAGEMENT PLAN**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council adopt the draft Privacy Management Plan as attached to this report.

Item 09.14 Request to Attend Australian Governance Summit 2022 - March 2022 - Councillor Sharon Griffiths, has been addressed previously within the meeting.

Item 09.15 Request to Attend NSW Coastal Conference - May 2022 - Councillor Danielle Maltman, has been addressed previously within the meeting.

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**09.16 MONTHLY BUDGET REVIEW - JANUARY 2022**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

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

Item 09.17 Quarterly Budget Review Statement - December 2021, has been addressed previously within the meeting.

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**09.18 2017-2022 DELIVERY PROGRAM AND 2021-2022 OPERATIONAL PLAN  
- SIX MONTHLY PROGRESS REPORT AS AT 31 DECEMBER 2021**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the 2017-2022 Delivery Program and 2021-2022 Operational Plan Quarterly Progress Report as at 31 December 2021.

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**09.19 INVESTMENTS - NOVEMBER 2021**

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*BLOCK RESOLVED: Maltman/Intemann*

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

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**09.20 INVESTMENTS - DECEMBER 2021**

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*BLOCK RESOLVED: Maltman/Intemann*

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

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**09.21 INVESTMENTS - JANUARY 2022**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the Investment Report for the month of January 2022.

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**09.22 GLASSHOUSE BIENNIAL REPORT AND UPDATE ON GLASSHOUSE PLAN 2020 - 2022 ACTIONS**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the information provided in the Glasshouse Biannual Report and Update on Glasshouse Plan 2020 - 2022 Actions report.

Item 09.23 Sale of Surplus Land - 178 Nancy Bird Walton Drive, Kew, has been addressed previously within the meeting.

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**09.24 GRANT APPLICATIONS BIENNIAL REPORT**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the Grant Applications Biannual Report, providing an update on grants that Council has applied for or obtained, for the 2021-2022 financial year to date.

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**09.25 BUSHFIRE DISASTER RECOVERY FUNDING**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Note the Bushfire Disaster Recovery Funding Report which provides an update on the Council and community projects funded by the NSW and Commonwealth Government bushfire recovery funds.
2. Note that, in accordance with established six-monthly reporting, a further update report will be provided at the August 2022 Council meeting.

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**09.26 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Note the Development Activity and Assessment System Performance report for the second quarter of 2021-2022.
2. Note the determinations made by staff under Clause 4.6 of the Port Macquarie-Hastings Local Environmental Plan 2011 for the quarter.

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### **09.27 POLICY REVIEW - CONTROL OF BURNING**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Adopt the revised draft Control of Burning Policy for the purpose of public exhibition.
  2. Publically exhibit the draft Policy for a period of not less than 28 days from 17 February 2022 until 17 March 2022.
  3. Note that a further report will be tabled at the April 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.
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### **09.28 POLICY REVIEW - LIQUID TRADE WASTE POLICY**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Place the draft Liquid Trade Waste Policy on public exhibition from 21 February 2022 until 21 March 2022 (28 days).
2. Note that a further report will be presented at a future meeting of Council, detailing the submissions received from the public during the exhibition period.

Item 10.01 Notice of Motion - Wauchope Riverside Sculptural Trail - Zoetrope, has been addressed previously within the meeting.

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### **10.02 BAIN PARK MASTER PLAN, STAGES 1 AND 2 COMMUNITY ENGAGEMENT**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Endorse the Stakeholders and Community Engagement Methodology to enable the Bain Park Stage 1 project to progress.
2. Endorse the decision-making framework for the Bain Park Project.
3. Note the extent of stakeholder and community engagement undertaken on the Bain Park Master Plan since September 2019.

Item 10.03 T-21-15 Stage 1 Construction of Rainbow Beach Sporting Fields, has been addressed previously within the meeting.

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### **11.01 COVID-19 RECOVERY AND STIMULUS PROJECTS UPDATE**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Note the progress of Council's COVID-19 Recovery and Stimulus Projects, as detailed in the report.
2. Note a further update report will be provided at the August 2022 Council Meeting.

Item 12.01 Notice of Motion - Climate Change, has been addressed previously within the meeting.

Item 12.02 Notice of Motion - Lake Cathie Management, has been addressed previously within the meeting.

Item 12.03 Notice of Motion - Town Centre Master Plan, has been addressed previously within the meeting.

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### **12.04 ACQUISITION OF AN EASEMENT TO DRAIN SEWAGE - GREENMEADOWS DRIVE, PORT MACQUARIE**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Pay total compensation in the amount of \$95,040 (GST exclusive) to the owners of Lot 4 Deposited Plan 1119462 and Lot 100 Deposited Plan 1186142 being, the Trustees of the Roman Catholic Church, Diocese of Lismore for the acquisition of an easement to drain sewage 5 metres wide depicted (A) in plan of acquisition Deposited Plan 1272810.
2. Pursuant to section 59 of the Land Acquisition (Just Terms Compensation) Act 1991 pay the legal/property conveyancing costs reasonably incurred by the landowner arising from the easement acquisition.

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## **12.05 CLASSIFICATION OF LAND TO BE ACQUIRED BY COUNCIL - GILLMAN WAY, THRUMSTER**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council:

1. Pursuant to Section 34 of the Local Government Act 1993 commence the process to classify Lot 1 Deposited Plan 1275372 as 'operational land' by placing on public exhibition for a minimum period of 28 days, the proposed resolution; "It is intended to classify Lot 1 Deposited Plan 1275372, land situated in Gillman Way Thrumster, as operational land.
2. Note that a further report will be tabled at the April 2022 Ordinary Council meeting detailing any submissions received during the exhibition period.

Item 12.06 Draft Lake Cathie Entrance Management Strategy, has been addressed previously within the meeting.

Item 12.07 Rawdon Island Bridge Update, has been addressed previously within the meeting.

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## **12.08 PIPES AND FITTINGS PROCUREMENT EXEMPTION REPORT**

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*BLOCK RESOLVED: Maltman/Intemann*

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 the unavailability of competitive tenderers for the reason of Council's specific specification requirements as outlined in this report.
2. Accept the quote provided by Reece Australia Pty Ltd t/a Viadux for \$257,075.14 (incl. GST) for the supply and delivery of necessary pipes and fittings for the water main renewal project at Granite and Savoy Streets intersection.

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## **12.09 T-21-42.03 RAWDON ISLAND BRIDGE - REPAIR CONTRACTOR**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the information provided regarding the successful negotiations and contract award to Duratec Australia Pty Ltd for the lump sum of \$7,082,014.69 (excluding GST) for T-21-42.03 Rawdon Island Bridge - Repair Contractor.

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**12.10 T-21-35 PAPPINBARRA JUNCTION BRIDGE - BRIDGE AND CIVIL PACKAGE**

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*BLOCK RESOLVED: Maltman/Intemann*

That Council note the information provided regarding the successful negotiations and tender award to Saunders Civilbuild Pty Ltd for the lump sum of \$2,482,993.15 (excluding GST) for T-21-35 Pappinbarra Junction Bridge - Bridge and Civil Package.

Item 12.11 T-21-26 Hydrodynamic Modelling Update - Lake Innes/Lake Cathie, has been addressed previously within the meeting.

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**CONFIDENTIAL SESSION**

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*RESOLVED: Roberts/Maltman*

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 14.01 Contract Extension - Processing of Dry Recyclables at the Cairncross Materials Recovery Facility

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.:

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: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*

*RESOLVED: Roberts/Sheppard*

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

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*  
*AGAINST: Nil*



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**14.01 CONTRACT EXTENSION - PROCESSING OF DRY RECYCLABLES AT THE CAIRNCROSS MATERIALS RECOVERY FACILITY**

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*RESOLVED: Intemann/Maltman*

That Council:

1. Note the intention to align future waste management contracts in 2026 upon the expiry of the Domestic Waste Collection Contract and the Organics Processing Contract.
2. Commence work on the terms of a short term contract to allow alignment of the respective future waste contracts including the Processing of Dry Recycling at the Cairncross Materials Recovery Facility.
3. In accordance with Section 55(3)(i) of the Local Government Act, 1993, due to the extenuating circumstances to allow sufficient time to plan for an interim short term contract to facilitate Council's long term recycling infrastructure and alignment, not to call public tenders for the Processing of Dry Recycling at the Cairncross Materials Recovery Facility at this time.
4. Request the Chief Executive Officer to enter into negotiations to vary contract number S.600.119.05.02 for the Processing of Dry Recycling at the Cairncross Materials Recovery Facility with JR Richards Pty Limited for a further period expiring 26 June 2023 in accordance with the terms and conditions specified in the contract.
5. Delegate to the Chief Executive Officer the authority to negotiate and sign the contract deed of variation with JR Richards Pty Limited expiring 26 June 2023 in accordance with the terms and conditions specified in the contract.
6. Note that a further report will be tabled providing the negotiated rates/fees accepted for the contract variation.
7. Maintain the confidentiality of the documents and consideration in respect of this contract.

*CARRIED: 9/0*

*FOR: Edwards, Griffiths, Intemann, Lipovac, Maltman, Pinson, Roberts, Sheppard and Slade*

*AGAINST: Nil*

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

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The meeting closed at 12:07am.

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Peta Pinson  
Mayor