

PRESENT

Members:

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

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Director Business and Performance (Rebecca Olsen)
Acting Director Community, Planning and Environment (Duncan Coulton)
Director Community Infrastructure (Dan Bylsma)
Director Community Utilities (Jeffery Sharp)
Group Manager Governance (Michael Ferguson)
Executive Assistant to the Mayor (Linda Kocis)

The meeting opened at 10:00am.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 REMOTE ATTENDANCE AT MEETING

Nil.

03 LOCAL GOVERNMENT PRAYER

Pastor Will Jamieson from the Wauchope Baptist Church delivered the Local Government Prayer.

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Slade

1. That the Minutes of the Ordinary Council Meeting held on 16 February 2022 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 7 March 2022 be confirmed.

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

06 DISCLOSURES OF INTEREST

Mayor Peta Pinson declared a Pecuniary Interest in Item 11.20 - Notice of Motion - Tendering Local Preference Policy, the reason being that Mayor Pinson's husband has a local company who is a local contractor (Stabilcorp).

07.01 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION'S "DON'T LEAVE LOCAL COMMUNITIES BEHIND" CAMPAIGN

RESOLVED: Pinson

That Council:

1. Note that Port Macquarie-Hastings Council has received \$9,589,061 in Federal grant funding within the last financial year, which has contributed to the delivery of projects such as The Hatch Road Upgrade, Port Macquarie Airport Security Upgrade, the Bicentennial Walkway Project, numerous sporting facility upgrades and kerb and gutter installation.
2. Support the National funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs.
3. Support and participate in the ALGA's advocacy for their endorsed National funding priorities by writing to the local Federal Members of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - a) express support for ALGA's funding priorities;

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- b) identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
- c) seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

CARRIED: 9/0

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

AGAINST: Nil

07.02 RECOGNITION OF THE LATE WILLIAM POOLE

RESOLVED: Pinson

That Council recognise the significant contribution to the local community of the late William Poole.

CARRIED: 9/0

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

AGAINST: Nil

At this juncture, Council conducted one minute of silence to recognise the significant contribution to the local community of the late William Poole.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Roberts/Intemann

That Council determine that the attachments to Item Number 14.07 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

09 PUBLIC FORUM – MATTERS NOT ON THE AGENDA

The Mayor advised of requests to speak in the Public Forum - Matters Not On The Agenda from:

1. Mr Dave Reneke - Building an Observatory in Rotary Park.
2. Ms Lisa Baker - High Street Intersection Upgrade - Mill Estate Entrance, Wauchope.
3. Mr Bob McGowan - Annual cross country fun run, climate change - fires and floods, hot showers at Ellenborough Reserve camping ground.

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4. Mr Steven Gates - Ratepayer Agreed Service Levels for Council Services.
 5. Mr Stephen Healy - Requirement for Effect Wauchope Evacuation Centre.
 6. Bob Walker - Condition of Pipeclay Road

RESOLVED: Maltman/Sheppard

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

CARRIED: 9/0

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

AGAINST: Nil

09.01 BUILDING AN OBSERVATORY IN ROTARY PARK

Mr David Reneke addressed Council in relation to the proposed building of a new observatory in Rotary Park suggesting it should be located in a more appropriate location in Port Macquarie. Mr Reneke answered questions from Councillors.

09.02 HIGH STREET INTERSECTION UPGRADE - MILL ESTATE ENTRANCE, WAUCHOPE

Ms Lisa Baker addressed Council raising concerns to a proposed High Street intersection upgrade - Mill Estate Entrance, Wauchope and effects to local businesses in the vicinity. Ms Baker answered questions from Councillors.

09.03 ANNUAL CROSS COUNTRY FUN RUN, CLIMATE CHANGE - FIRES AND FLOODS

Mr Bob McGowan addressed Council in relation to his proposal for an annual cross country fun run on his property. Mr McGowan also raised climate change in relation to recent fires and floods (flooding on Wallis Road/O'Neills Creek bridge).

09.04 RATEPAYER AGREED SERVICE LEVELS FOR COUNCIL SERVICES

Mr Steven Gates addressed Council in relation to ratepayer agreed service levels for Council services and answered questions from Councillors.

09.05 REQUIREMENT FOR EFFECTIVE WAUCHOPE EVACUATION CENTRE

Mr Stephen Healy addressed Council in relation to a requirement for an effective Wauchope Evacuation Centre, suggesting that the Wauchope Showground Hall, and answered questions from Councillors.

09.06 CONDITION OF PIPECLAY ROAD

Mr Bob Walker addressed Council in relation to the condition of Pipeclay Road and requested if Council could consider funding in the 2022-2023 Operational Plan for the sealing of part of Pipeclay Road.

10 PUBLIC FORUM – MATTERS ON THE AGENDA

The Mayor advised of requests to speak in the Public Forum - Matters On The Agenda, as follows:

Item 14.05 Koala Recovery Strategy Review - Mr Les Mitchell in support of the recommendation.

Item 14.09 Notice of Motion - Road Network - Mr Gordon Burch in support of the recommendation.

Item 14.09 Notice of Motion - Road Network - Mr Steven Gates in opposition of the recommendation.

RESOLVED: Roberts/Sheppard

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

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

Item 14.05 Koala Recovery Strategy Review - Mr Les Mitchell in support of the recommendation and answered questions from Councillors.

Item 14.09 Notice of Motion - Road Network - Mr Gordon Burch addressed Council in support of the recommendation.

Item 14.09 Notice of Motion - Road Network - Mr Steven Gates addressed Council in opposition of the recommendation and answered questions from Councillors.

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Maltman

That Standing Orders be suspended to allow Items 14.05, 14.09, 11.01, 11.03, 11.04, 11.07, 11.09, 11.10, 11.12, 11.14, 11.15, 11.17, 11.19, 11.20, 12.01, 12.02, 12.03, 12.04, 14.01, 14.02, 14.03, 14.04, 14.06, 14.08 and 14.10 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

14.05 KOALA RECOVERY STRATEGY REVIEW

MOTION

MOVED: Griffiths/Roberts

That Council:

1. Request the Chief Executive Officer to provide a Councillor Workshop in the development of a Draft Koala Recovery Strategy.
2. Receive a report prior to the June 2022 Council Meeting on the Draft Koala Recovery Strategy.

AMENDMENT

MOVED: Intemann/Sheppard

That Council:

1. Note the Koala Recovery Strategy Review outcomes.
2. Endorse the development of an updated Draft Koala Recovery Action Plan to be presented to the June 2022 Ordinary Meeting of Council.
3. Request the Chief Executive Officer to provide a Workshop to Councillors prior to the June 2022 Ordinary Meeting of Council.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 6/3

FOR: Edwards, Intemann, Lipovac, Pinson, Sheppard and Slade

AGAINST: Griffiths, Maltman and Roberts

THE AMENDMENT BECAME THE MOTION

RESOLVED: Intemann/Sheppard

That Council:

1. Note the Koala Recovery Strategy Review outcomes.
2. Endorse the development of an updated Draft Koala Recovery Action Plan to be presented to the June 2022 Ordinary Meeting of Council.
3. Request the Chief Executive Officer to provide a Workshop to Councillors prior to the June 2022 Ordinary Meeting of Council.

CARRIED: 9/0

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

AGAINST: Nil

14.09 NOTICE OF MOTION - ROAD NETWORK

Councillor Edwards left the meeting, the time being 12:02pm.

Councillor Edwards returned to the meeting, the time being 12:05pm.

Councillor Slade left the meeting, the time being 12:14pm.

Councillor Slade returned to the meeting, the time being 12:15pm.

MOTION

MOVED: Roberts/Pinson

That Council:

1. Note the priority need to proactively plan for, resource and deliver roads of strategic importance across the Local Government Area.
2. Investigate options for a North-South Road and Footpath link between the Innes Peninsula Link Road and Hastings River Drive, that does not significantly impact existing dwellings or businesses.
3. Investigate and fast-track planning for road priority options to assist with traffic management, flood mitigation, existing road upgrades and new route options, covering but not limited to Wrights Road, Highfields Circuit, Koala Street, College Rise, Thrumster Street, Fernbank Creek Road, Lake Road, Boundary Street and the Education Precinct surrounding CSU and St Columba Anglican College.
4. Through the Mayor and or Chief Executive Officer where appropriate, proactively collaborate in partnership with the State and Federal Government through the Elected Members and Ministers where appropriate, on the planning and delivery support for solutions to alleviate or reduce traffic congestion, flood mitigation, delivery of better economic outcomes and to work towards fast-tracking road options for priority delivery, in conjunction with and to support already planned works where possible.

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5. Continue to proactively seek funding support for Lorne Road upgrade from the State and Federal Governments.
 6. Give consideration through the 2022-2023 Operational Plan preparation to allocate \$5,000,000 towards progressing the upgrade project to seal the unsealed section of Lorne Road.
 7. Continue to work in partnership with the NSW State Government in advocating for fast-tracked responses and practical delivery of the Wrights Road to Lake Road upgrade, Houston Mitchell Drive overpass and King Creek Road intersection upgrade.
 8. Consider as part of the 2022-2023 Operational Plan a significant increase in funding for road maintenance, resealing, rural road grading/resheeting and stabilisation and upgrades, including emergency funding to support timely response to maintaining roads following storm events.
 9. Note that Council considers road network planning, corridor preservation, associated footpath and cycle ways funding and roads delivery a highest-level priority for budget allocations in this term of Council.

AMENDMENT

MOVED: Sheppard/Edwards

That consideration of this item be deferred until after the Councillor Road Network Workshop on 21 March 2022 to the April 2022 Ordinary Council Meeting.

THE AMENDMENT WAS PUT AND LOST

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

AMENDMENT

MOVED: Edwards/Sheppard

That Council:

1. Note the priority need to proactively plan for, resource and deliver roads of strategic importance across the Local Government Area.
2. Investigate options for a North-South Road and Footpath link between the Innes Peninsula Link Road and Hastings River Drive, that does not significantly impact existing dwellings or businesses.
3. Investigate and fast-track planning for road priority options to assist with traffic management, flood mitigation, existing road upgrades and new route options, covering but not limited to Wrights Road, Highfields Circuit, Koala Street, College Rise, Thrumster Street, Fernbank Creek Road, Lake Road, Boundary Street and the Education Precinct surrounding CSU and St Columba Anglican College.
4. Through the Mayor and or Chief Executive Officer where appropriate, proactively collaborate in partnership with the State and Federal Government through the Elected Members and Ministers where appropriate, on the planning and delivery support for solutions to alleviate or reduce traffic congestion, flood mitigation, delivery of better economic outcomes and to work towards fast-tracking road options for priority delivery, in conjunction with and to support already planned works where possible.

5. Continue to proactively seek funding support for Lorne Road upgrade from the State and Federal Governments.
6. Give consideration through the 2022-2023 Operational Plan preparation to allocate \$5,000,000 towards progressing the upgrade project to seal the unsealed section of Lorne Road.
7. Continue to work in partnership with the NSW State Government in advocating for fast-tracked responses and practical delivery of the Wrights Road to Lake Road upgrade, Houston Mitchell Drive overpass and King Creek Road intersection upgrade.
8. Consider as part of the 2022-2023 Operational Plan a significant increase in funding for road maintenance, resealing, rural road grading/resheeting and stabilisation and upgrades, including emergency funding to support timely response to maintaining roads following storm events.
9. Note that Council considers road network planning, wildlife and green space corridor preservation, associated footpath and cycle ways funding and roads delivery a highest-level priority for budget allocations in this term of Council.

THE AMENDMENT WAS PUT AND LOST

LOST: 1/8

FOR: Edwards

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

THE MOTION WAS PUT AND CARRIED

RESOLVED: Roberts/Pinson

That Council:

1. Note the priority need to proactively plan for, resource and deliver roads of strategic importance across the Local Government Area.
2. Investigate options for a North-South Road and Footpath link between the Innes Peninsula Link Road and Hastings River Drive, that does not significantly impact existing dwellings or businesses.
3. Investigate and fast-track planning for road priority options to assist with traffic management, flood mitigation, existing road upgrades and new route options, covering but not limited to Wrights Road, Highfields Circuit, Koala Street, College Rise, Thrumster Street, Fernbank Creek Road, Lake Road, Boundary Street and the Education Precinct surrounding CSU and St Columba Anglican College.
4. Through the Mayor and or Chief Executive Officer where appropriate, proactively collaborate in partnership with the State and Federal Government through the Elected Members and Ministers where appropriate, on the planning and delivery support for solutions to alleviate or reduce traffic congestion, flood mitigation, delivery of better economic outcomes and to work towards fast-tracking road options for priority delivery, in conjunction with and to support already planned works where possible.
5. Continue to proactively seek funding support for Lorne Road upgrade from the State and Federal Governments.
6. Give consideration through the 2022-2023 Operational Plan preparation to allocate \$5,000,000 towards progressing the upgrade project to seal the unsealed section of Lorne Road.

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7. Continue to work in partnership with the NSW State Government in advocating for fast-tracked responses and practical delivery of the Wrights Road to Lake Road upgrade, Houston Mitchell Drive overpass and King Creek Road intersection upgrade.
 8. Consider as part of the 2022-2023 Operational Plan a significant increase in funding for road maintenance, resealing, rural road grading/resheeting and stabilisation and upgrades, including emergency funding to support timely response to maintaining roads following storm events.
 9. Note that Council considers road network planning, corridor preservation, associated footpath and cycle ways funding and roads delivery a highest-level priority for budget allocations in this term of Council.

CARRIED: 7/2

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

AGAINST: Edwards and Sheppard

11.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Sheppard/Griffiths

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

11.03 POLICY REVIEW - COUNCILLOR AND STAFF INTERACTION POLICY

RESOLVED: Intemann/Griffiths

That Council:

1. Place on public exhibition for a minimum of 28 days, the draft Councillor and Staff Interaction Policy.
2. Note that a further report will be tabled at the May 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

11.04 POLICY REVIEW - CUSTOMER COMPLAINT POLICY

RESOLVED: Intemann/Griffiths

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Customer Complaint Policy.
2. Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

11.07 POLICY REVIEW - BUSHFIRE RISK MITIGATION ON PUBLIC LAND

RESOLVED: Griffiths/Sheppard

That Council:

1. Place on public exhibition for a period of not less than 28 days, the draft Bushfire Risk Mitigation on Public Land Policy.
2. Note that a further report will be tabled at the May 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

11.09 POLICY REVIEW - CLIMATE CHANGE RESPONSE POLICY

RESOLVED: Roberts/Griffiths

That Council publicly exhibit for 28 days the proposal to rescind the Climate Change Response Policy with a further report to be considered by Council at the May 2022 Ordinary Council Meeting following the public exhibition period.

CARRIED: 5/4

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

11.10 POLICY REVIEW - COMMUNITY ENGAGEMENT POLICY

RESOLVED: Griffiths/Roberts

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Community Engagement Policy.
2. Note that a further report will be tabled at the June 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

11.12 POLICY REVIEW - SOCIAL IMPACT ASSESSMENT POLICY

MOTION

MOVED: Intemann/Sheppard

That Council:

1. Resolve not to exhibit the draft Social Impact Assessment Policy at this time.
2. Prepare a procedure to accompany the Social Impact Assessment Policy.
3. Report to Council with both documents for public exhibition.

COUNCILLOR INTEMANN WITHDREW HER MOTION

MOTION

MOVED: Intemann/Roberts

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Social Impact Assessment Policy.
2. Note that a further report will be tabled at the May 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.
3. That a table of changes be made available with the draft Social Impact Assessment Policy.

AMENDMENT

MOVED: Griffiths/Roberts

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Social Impact Assessment Policy.

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2. Note that a further report will be tabled at the May 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

THE AMENDMENT WAS WITHDRAWN

THE MOTION WAS PUT AND CARRIED

RESOLVED: Intemann/Roberts

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Social Impact Assessment Policy.
2. Note that a further report will be tabled at the May 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.
3. That a table of changes be made available with the draft Social Impact Assessment Policy.

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Griffiths

That Standing Orders be suspended to allow Item 14.04 to be brought forward and dealt next.

CARRIED: 9/0

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

AGAINST: Nil

**14.04 PP2014 - 10.1 - PLANNING PROPOSAL ASSESSMENT REPORT - 11
AND 33 MUMFORD STREET, PORT MACQUARIE**

RESOLVED: Roberts/Griffiths

That Council:

1. Note concurrent planning reforms to introduce a new approach to rezoning applications in NSW.
2. Note extended negotiations between Council staff and the Proponent and landowners to achieve a supportable development outcome on Lot 2 DP601094 and Lot 4 DP825704, 11 and 33 Mumford Street Port Macquarie since 2017.

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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 2 DP0601094 and part Lot 4 DP0825704, 11 and 33 Mumford Street, Port Macquarie which rezones the subject land from part R1 General Residential and part C2 Environmental Conservation to part B5 Business Development and part C2 Environmental Conservation and apply the following associated development standards to the land:
 - a) Minimum Lot Size of 1000m² for the B5 Business Development zone, and
 - b) Maximum Height of Buildings of 11.5m for the B5 Business Development zone.
 4. Advise the proponent that a political disclosure in the format required under legislation, is required to be submitted prior to preparation and forwarding of a Planning Proposal to the NSW Government Gateway, if progressed.
 5. Upon receipt of the political disclosure, forward the Planning Proposal to the NSW Department of Planning, Infrastructure and Environment for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979, and request that the Gateway Determination authorise Council to be the local plan-making authority.
 6. Delegate authority to the Director Community, Planning and Environment to make any required minor or administrative amendments to the Planning Proposal as a result of the issue of the Gateway Determination, prior to public exhibition, should the Planning Proposal proceed through to public exhibition.
 7. Receive a further report following the public exhibition period on any submissions received.

CARRIED: 9/0

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

AGAINST: Nil

ADJOURNMENT OF MEETING

RESOLVED: Mayor/Roberts

That the Ordinary Council Meeting be adjourned for 30 minutes for a lunch break.

The Meeting adjourned at 1.37 pm and resumed at 2.05pm.

CARRIED: 9/0

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

AGAINST: Nil

11.14 POLICY RESCISSION - GIFTS AND BENEFITS POLICY - POST PUBLIC EXHIBITION

RESOLVED: Intemann/Roberts

That Council:

1. Rescind the Gifts and Benefits Policy.
2. Thank those who made a submission and advise of Council's resolution in the matter while also responding to their comments.
3. In the replies mentioned in Point 2, include the relevant sections of Council's Code of Conduct that relate to this matter.

CARRIED: 9/0

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

AGAINST: Nil

11.15 POLICY RESCISSION - STAFF AND CONSULTANT ACCESS TO PRIVATE PROPERTY POLICY - POST PUBLIC EXHIBITION

RESOLVED: Intemann/Roberts

That Council:

1. Rescind the Staff and Consultant Access to Private Property Policy.
2. Thank those who made a submission and advise of Council's resolution in the matter while also responding to their comments.
3. Advise Councillors of the regulations governing Council access to private property, and make the relevant information publicly available through Council's website.

CARRIED: 9/0

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

AGAINST: Nil

11.17 MONTHLY BUDGET REVIEW - FEBRUARY 2022

RESOLVED: Sheppard/Griffiths

That Council:

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

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

11.19 DRAFT INFRASTRUCTURE STRATEGY

MOVED: Sheppard/Edwards

That Council:

1. Note that the draft Infrastructure Strategy/Regional Integrated Transport Strategy is complete and is in a state appropriate for public exhibition.
2. Note that an Action Plan for delivery of the Port Macquarie-Hastings Blue Print is due to the April Council Meeting.
3. Note that should Council resolve to pursue the Blue Print in the April Council Meeting, it will be important to ensure that the draft Infrastructure Strategy aligns with the future Port Macquarie-Hastings Blueprint.
4. Place the draft Infrastructure Strategy on public exhibition for not less than 28 days.
5. Request the Chief Executive Officer provide a report to Councillors detailing the submissions received from the public during the exhibition period, to be tabled to the June 2022 Ordinary Council meeting.
6. Request the Chief Executive Officer to arrange a Councillor Workshop to consider how community submissions might be incorporated into the next version of the Infrastructure Strategy/Regional Integrated Transport Strategy, and inform the Blue Print, should Council resolve to pursue the Blue Print.

LOST: 4/5
FOR: Edwards, Intemann, Lipovac and Sheppard
AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

MOTION

RESOLVED: Roberts/Griffiths

That Council:

1. Note the progress of the development of the draft Infrastructure Strategy as outlined at the Councillor Briefing in February 2022.
2. Note the importance of ensuring that the draft Infrastructure Strategy aligns with the future Port Macquarie-Hastings Blueprint should it be adopted.
3. Request the Chief Executive Officer arrange a Councillor Workshop to review the draft Infrastructure Strategy prior to it being finalised for further consideration by Council for public exhibition.

Councillor Sheppard asked that the Draft Infrastructure Strategy be tabled. The Mayor did not accept the tabling of the draft strategy due to an increased risk in making the strategy available outside a formal exhibition period.

CARRIED: 5/4

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

11.20 NOTICE OF MOTION - TENDERING LOCAL PREFERENCE POLICY

Mayor Pinson declared a Pecuniary Interest in this matter, vacated the Chair, left the room and was out of sight during the Council's consideration, the time being 2:48pm.

The Deputy Mayor assumed the Chair.

RESOLVED: Lipovac/Griffiths

That Council:

1. Note the current Tendering Local Preference Policy.
2. Request the Chief Executive Officer provide a briefing to Councillors on Procurement activities that:
 - a) Are currently in place to support local business, and
 - b) Provide opportunities to:
 - i) assist local business further in securing a greater proportion of Council's spend through both tendering and purchasing that is under the tendering threshold;
 - ii) generate Council's awareness of suppliers in our LGA and their offerings.
3. Request that a report be presented at the March 2023 Council Meeting that details Council's commitment to supporting local business through their tendering and purchasing process from the previous 12 months.

CARRIED: 8/0

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

AGAINST: Nil

Mayor Pinson returned to the meeting, the time being 2:56pm.

The Mayor resumed the Chair.

12.01 NOTICE OF MOTION - PRIORITISATION OF SPORTING INFRASTRUCTURE PROJECTS

RESOLVED: Pinson/Maltman

That Council:

1. Request the Chief Executive Officer to facilitate an urgent Councillor Workshop to reconsider priorities for delivery of four significant sporting infrastructure projects that are currently in the planning stages for the community, being:
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- a) Hastings Regional Sporting Complex.
 - b) Rainbow Beach Sports Fields.
 - c) Thrumster Sporting Fields.
 - d) Port Macquarie Aquatic Facility.
2. Receive a further report to the April 2022 Ordinary Council Meeting following the Councillor Workshop to confirm priorities and funding for priority sporting infrastructure projects.

CARRIED: 9/0

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

AGAINST: Nil

12.02 GRAFFITI VANDALISM MANAGEMENT

RESOLVED: Sheppard/Roberts

That Council:

1. Place the draft Graffiti Vandalism Management Policy and Graffiti and Vandalism Reward Scheme Policy on exhibition for a period of not less than 28 days.
2. Note that a further report will be tabled at the May 2022 Ordinary Council Meeting detailing the submissions received from the public during the exhibition period.

CARRIED: 9/0

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

AGAINST: Nil

12.03 WAUCHOPE RIVERSIDE BICENTENARY SCULPTURAL TRAIL - ZOETROPE

MOTION

MOVED: Pinson/Griffiths

That Council:

1. Note the information provided regarding the Zoetrope sculpture.
2. Request the Chief Executive Officer to schedule a meeting with the Mayor and representatives of the Bunyah Aboriginal Land Council to discuss the relocation of the Zoetrope.
3. Request the Chief Executive Officer to make necessary arrangements to relocate the Zoetrope to a site within Rocks Ferry Reserve, west of the playground and above the 1:20 year flood level, noting additional works would be required, including levelling, retaining works and pathway access.
4. Seek permission from the Zoetrope artist, Steven Gale, to enhance the Zoetrope once moved with solar lighting within to provide the community with a viewing experience of the artwork after dusk and in the evening.

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5. Install a covered picnic table within the footprint of the Riverwalk Sculpture Trail following the relocation of the Zoetrope.
 6. Request the Chief Executive Officer to make provisions to fund the relocation of the Zoetrope and required subsidiary works in the 2022-2023 budget.
 7. Request the Chief Executive Officer write to the Hon Melinda Pavey MP, Member for Oxley, to advise her of the decision of Council.

AMENDMENT

MOVED: Edwards/Intemann

That Council:

1. Note the information provided regarding the Zoetrope sculpture.
2. Request the Chief Executive Officer to schedule a meeting with the Mayor and representatives of the Bunyah Aboriginal Land Council to discuss the possible relocation of the Zoetrope.
3. Request the Chief Executive Officer to investigate arrangements to relocate the Zoetrope to a site within Rocks Ferry Reserve, west of the playground and above the 1:20 year flood level, noting additional works would be required, including levelling, retaining works and pathway access.
4. Seek permission from the Zoetrope artist, Steven Gale, to relocate and enhance the Zoetrope once moved with solar lighting within to provide the community with a viewing experience of the artwork after dusk and in the evening.
5. Install a covered picnic table within the footprint of the Riverwalk Sculpture Trail following the relocation of the Zoetrope.
6. Request the Chief Executive Officer to make provisions to fund the possible relocation of the Zoetrope and required subsidiary works in the 2022-2023 budget.
7. Request the Chief Executive Officer write to the Hon Melinda Pavey MP, Member for Oxley, to advise her of the decision of Council.

AMENDMENT WAS PUT AND LOST

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

AMENDMENT

MOVED: Pinson/Griffiths

That Council:

1. Note the information provided regarding the Zoetrope sculpture.
2. Request the Chief Executive Officer to schedule a meeting with the Mayor and representatives of the Bunyah Aboriginal Land Council to discuss the possible relocation of the Zoetrope.
3. Request the Chief Executive Officer to investigate arrangements to relocate the Zoetrope to a site within Rocks Ferry Reserve, west of the playground and above the 1:20 year flood level, noting additional works would be required, including levelling, retaining works and pathway access.

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4. Seek permission from the Zoetrope artist, Steven Gale, to enhance the Zoetrope once moved with solar lighting within to provide the community with a viewing experience of the artwork after dusk and in the evening.
 5. Install a covered picnic table within the footprint of the Riverwalk Sculpture Trail following the relocation of the Zoetrope.
 6. Request the Chief Executive Officer to make provisions to fund the possible relocation of the Zoetrope and required subsidiary works in the 2022-2023 budget.
 7. Request the Chief Executive Officer write to the Hon Melinda Pavey MP, Member for Oxley, to advise her of the decision of Council.

AMENDMENT WAS PUT AND CARRIED

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

THE AMENDMENT BECAME THE MOTION

RESOLVED: Pinson/Griffiths

That Council:

1. Note the information provided regarding the Zoetrope sculpture.
2. Request the Chief Executive Officer to schedule a meeting with the Mayor and representatives of the Bunyah Aboriginal Land Council to discuss the possible relocation of the Zoetrope.
3. Request the Chief Executive Officer to investigate arrangements to relocate the Zoetrope to a site within Rocks Ferry Reserve, west of the playground and above the 1:20 year flood level, noting additional works would be required, including levelling, retaining works and pathway access.
4. Seek permission from the Zoetrope artist, Steven Gale, to enhance the Zoetrope once moved with solar lighting within to provide the community with a viewing experience of the artwork after dusk and in the evening.
5. Install a covered picnic table within the footprint of the Riverwalk Sculpture Trail following the relocation of the Zoetrope.
6. Request the Chief Executive Officer to make provisions to fund the possible relocation of the Zoetrope and required subsidiary works in the 2022-2023 budget.
7. Request the Chief Executive Officer write to the Hon Melinda Pavey MP, Member for Oxley, to advise her of the decision of Council.

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

12.04 NOTICE OF MOTION - WAUCHOPE SHOWGROUND - WAIVER OF FEES

Councillor Maltman left the meeting, the time being 3:28pm.

Councillor Sheppard left the meeting, the time being 3:30pm.

Councillor Maltman returned to the meeting, the time being 3:31pm.

Councillor Sheppard returned to the meeting, the time being 3:31pm.

RESOLVED: Pinson/Lipovac

That Council:

1. Note the community value of the Port Macquarie-Hastings Showgrounds in Wauchope, Kendall and Comboyne which have been utilised more recently in emergency situations of bushfire and floods.
2. Note the economic activity of the abovementioned Showgrounds outside of these times, that positively contributes to the local economy and the viability of the region.
3. Note the request from Wauchope Show Society for an increase in primitive camping sites and correspondence dated 11 December 2019.
4. Waive any developer contributions applicable under the Environmental Planning and Assessment Act 1979 and the Water Management Act 2000 for the establishment of five additional primitive campsites at the Wauchope Showground to bring the total number of primitive campsites to 21 for the purpose of waiving developer contributions.
5. Note that the Wauchope Showground Society is responsible for obtaining the necessary approvals for the five additional primitive campsites for the contributions waiver to take effect.

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

14.01 DRAFT JOINT INTEGRATED TRANSPORT NETWORK PLAN

MOTION

MOVED: Roberts/Slade

That Council:

1. Note the information provided in this report.
2. Request a report to the 19 May 2022 Council meeting presenting the Draft Joint Integrated Transport Network Plan for public exhibition.

Councillor Edwards left the meeting, the time being 3:39pm.

Councillor Edwards returned to the meeting, the time being 3:41pm.

AMENDMENT

MOVED: Sheppard/Intemann

That Council:

1. Note the information provided in this report, including a list of road projects in order of prioritisation that has been substantially created during development of the Draft Joint Integrated Transport Network Plan.
2. Note the value of this prioritised list of projects for securing State and Federal funding, in particular noting the current position of the State and Federal election cycles.
3. Note that updates from Transport for NSW are expected in the near future regarding the upcoming delivery of a number of the high priority projects identified in the previous resolution of Council that fall within State responsibility, including but not limited to the Wrights Road intersection, Lake Road/Oxley Highway intersection, Oxley Highway/Pacific Highway slip-lane, King Creek/Oxley Highway Intersection.
4. Request the Draft give consideration to the increasing strategic value of Lorne Road and Lake Road, which fall within Council's responsibility.
5. Note the increasing cost of delivering transport infrastructure, and that delaying delivery of the Draft Joint Integrated Transport Network Plan will result in significantly increased costs of delivering these to our community.
6. Request a report to the April 2022 Council Meeting presenting the Draft Joint Integrated Transport Network Plan for public exhibition, with a view to expediting action to implement the Plan.

AMENDMENT WAS PUT AND 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/Slade

That Council:

1. Note the information provided in this report.
2. Request a report to the 19 May 2022 Council meeting presenting the Draft Joint Integrated Transport Network Plan for public exhibition.

CARRIED: 8/1

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

AGAINST: Sheppard

14.02 NEW EMPLOYMENT LANDS ZONES - TRANSLATION TO PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011

Councillor Intemann left the meeting, the time being 03:47pm.

RESOLVED: Griffiths/Roberts

That Council:

1. Note the proposed employment zones translation of the Port Macquarie-Hastings Local Environmental Plan 2011 Business (B) and Industrial (IN) land use zones to the Standard Instrument (Local Environmental Plans) Order 2006 Employment (E) zones as detailed in this report.
2. Note that the NSW Department of Planning and Environment will lead the public exhibition of proposed amendments to Council's LEP employment zones in April 2022 and this will be done by a self-repealing State Environmental Planning Policy Explanation of Intended Effect.
3. Receive a further report following public exhibition to endorse the final employment zones translation (as approved by the Department) for the Port Macquarie-Hastings Local Environmental Plan 2011.
4. Provide a copy of this report to the NSW Department of Planning and Environment.

CARRIED: 8/0

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

AGAINST: Nil

14.03 AMENDMENT TO PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - STATE GOVERNMENT PLANNING AMENDMENTS FOR AGRITOURISM

Councillor Intemann returned to the meeting, the time being 03:49pm.

RESOLVED: Sheppard/Roberts

That Council:

1. Adopt the Draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 for inclusion in the Port-Macquarie-Hastings Local Environmental Plan 2011, when made.
2. Notify the NSW Department of Planning and Environment of its decision to opt-in to the 'Draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021', including:
 - a) Permitting agritourism with development consent in the following land use zones of the Port Macquarie-Hastings Local Environmental Plan 2011:
 - i) RU1 Primary Production
 - ii) RU2 Rural Landscape
 - iii) RU5 Village

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- iv) SP3 Tourist
 - b) Maintaining the current permissibility of farm stay accommodation without variation in the Port Macquarie-Hastings Local Environmental Plan 2011.
 - c) Clause 5.23 - Farm stay accommodation, when made, to include the following controls:
 - i) A maximum 200m² gross floor area for a building used for farm stay accommodation for the purpose of Clause 5.23(2)(b);
 - ii) A maximum number of 20 guests for the purpose of Clause 5.23(2)(a)(ii);
 - iii) A maximum of 6 moveable dwellings for the purpose of Clause 5.23(2)(d).
 - d) Clause 5.24 - Farm gate premises, when made, to include the following controls:
 - i) A maximum of gross floor area of 200m² for farm gate premises for the purpose of clause 5.24(2)(a);
 - ii) A maximum of 50 persons for the purpose of clause 5.24(2)(b).
3. Note implementation of the Draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 by the NSW Department of Planning and Environment will be through an amending State Environmental Planning Policy later in 2022.

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

14.06 DRAFT PORT MACQUARIE - HASTINGS REGIONAL INTEGRATED TRANSPORT STRATEGY

MOTION

MOVED: Roberts/Griffiths

That Council:

1. Note the progress of the development of the draft Port Macquarie - Hastings Regional Integrated Transport Strategy as outlined at the Councillor Briefing in February 2022.
2. Note the importance of ensuring that the draft Port Macquarie-Hastings Regional Integrated Transport Strategy aligns with the future Port Macquarie - Hastings Blueprint should it be adopted.
3. Request the Chief Executive Officer arrange a Councillor Workshop to review the draft Port Macquarie - Hastings Regional Integrated Transport Strategy prior to it being finalised for further consideration by Council for public exhibition.

AMENDMENT

MOVED: Sheppard/Edwards

That Council:

1. Note that the Regional Integrated Transport Strategy is complete and is in a state appropriate for public exhibition.
2. Note that an Action Plan for delivery of the Port Macquarie-Hastings Blue Print is due to the April 2022 Ordinary Council meeting.
3. Note that should Council resolve to pursue the Blue Print in the April Council meeting, it will be important to ensure that the draft Regional Integrated Transport Strategy aligns with the future Port Macquarie-Hastings Blueprint.
4. Place the draft Regional Integrated Transport Strategy on public exhibition for not less than 28 days.
5. Request the Chief Executive Officer provide a report to Councillors detailing the submissions received from the public during the exhibition period, to be tabled to the June 2022 Ordinary Council meeting.
6. Request the Chief Executive Officer to arrange a Councillor Workshop to consider how community submissions might be incorporated into the final version of the Regional Integrated Transport Strategy, and inform the Blue Print, should Council resolve to pursue the Blue Print.

Councillor Sheppard asked that the Draft Port Macquarie - Hastings Regional Integrated Transport Strategy be tabled.

The Mayor declined the request to table the Draft Strategy.

AMENDMENT WAS PUT AND 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. Note the progress of the development of the draft Port Macquarie - Hastings Regional Integrated Transport Strategy as outlined at the Councillor Briefing in February 2022.
2. Note the importance of ensuring that the draft Port Macquarie-Hastings Regional Integrated Transport Strategy aligns with the future Port Macquarie - Hastings Blueprint should it be adopted.
3. Request the Chief Executive Officer arrange a Councillor Workshop to review the draft Port Macquarie - Hastings Regional Integrated Transport Strategy prior to it being finalised for further consideration by Council for public exhibition.

CARRIED: 9/0

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

14.08 FLOOD WASTE DISPOSAL COSTS WAIVER

RESOLVED: Sheppard/Roberts

That Council:

1. Cease to waive Council tipping fees (not including State Government levies unless waived by the State Government) for Local Government Area residents' and businesses' flood damaged waste, including building materials, furniture, fittings and personal items at Council's waste transfer stations on 31 March 2022.
2. Cease to waive Council fees (not including State Government levies unless waived by the State Government) for bulk kerbside collection of flood damaged waste for Local Government area residents on 31 March 2022.
3. Make application to the NSW Environment Protection Authority (EPA) for an extension of the existing Waste Levy Exemption EX000878 until 30 June 2022.
4. Subject to an extension of the Waste Levy Exemption being approved by the NSW EPA, waive Council tipping fees (not including State Government levies unless waived by the State Government) for Local Government area residents and businesses' flood damaged waste, including building materials, furniture, fittings and personal items at Council's waste transfer stations until 30 June 2022.
5. Waive Council fees (not including State Government levies unless waived by the State Government) for bulk kerbside collection of flood damaged waste for Local Government area residents until 30 June 2022.
6. Note that the waivers granted under recommendations four and five will be subject to an application to Council for determination of eligibility with suitable acceptance criteria to be established.

CARRIED: 9/0

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

AGAINST: Nil

14.10 NOTICE OF MOTION - PORT MACQUARIE-HASTINGS TREE MANAGEMENT POLICIES AND PROCEDURES

RESOLVED: Roberts/Griffiths

That Council:

1. Note the existing Council Tree Management Policies and Procedures and the significant backlog of tree maintenance issues across the Local Government Area.
2. Note the storm activity which has occurred over recent years which has added to the workload pressures on Council in attending to the backlog of tree concerns raised by residents and businesses.
3. Note the NSW State Government's 10/50 Legislation in regards to bushfire risk mitigation, which is currently already available for land owners to utilise

in specific circumstances via the Rural Fire Service NSW website, [NSW RFS - NSW Rural Fire Service](#)

4. Request the Chief Executive Officer to provide a report to the May 2022 Ordinary Council Meeting on the adjustments required to update Council's Tree Management Policies and Procedures to enable residents to undertake tree maintenance or removal on private property without Council approval.
5. Include in the report to the May 2022 Ordinary Council Meeting any procedural and or policy adjustments, funding requirements and or resources required to substantially fast-track clearing of the backlog of tree maintenance and removal works across the Local Government Area.

CARRIED: 8/1

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

AGAINST: Edwards

15 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Maltman

That Items 11.02, 11.05, 11.06, 11.08, 11.11, 11.13, 11.16, 11.18, 13.01, 14.07 be considered as a block resolution.

CARRIED: 9/0

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

AGAINST: Nil

RESOLVED: Roberts/Maltman

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

11.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 3 FEBRUARY TO 2 MARCH 2022

BLOCK RESOLVED: Roberts/Maltman

That Council note the Mayoral Discretionary Fund allocations for the period 3 February to 2 March 2022 inclusive.

Item 11.03 Policy Review - Councillor and Staff Interaction Policy, has been addressed previously within the meeting.

Item 11.04 Policy Review - Customer Complaint Policy, has been addressed previously within the meeting.

11.05 POLICY REVIEW - CEMETERIES POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Place on public exhibition, for period of not less than 28 days, the draft Cemeteries Policy.
2. Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.

11.06 POLICY REVIEW - FOOTPATHS AND WALKWAYS IN PUBLIC ROAD RESERVES

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Place on public exhibition from 24 March 2022 to 21 April 2022 (28 days), the draft Footpaths and Walkways in Public Roads Policy.
2. Note that a further report will be tabled at the 16 June 2022 Ordinary Council meeting, detailing the submissions received from the public during the exhibition period.

Item 11.07 Policy Review - Bushfire Risk Mitigation on Public Land, has been addressed previously within the meeting.

11.08 POLICY REVIEW - ROAD AND RESERVE NAMING AND RENAMING POLICIES

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Note that staff have undertaken a review of the Naming and Renaming of Reserves Policy and the Naming and Renaming of Roads Policy and there are no changes recommended as a consequence of this review.
2. Adopt the Naming and Renaming of Reserves Policy.
3. Adopt the Naming and Renaming of Roads Policy.

Item 11.09 Policy Review - Climate Change Response Policy, has been addressed previously within the meeting.

Item 11.10 Policy Review - Community Engagement Policy, has been addressed previously within the meeting.

11.11 POLICY REVIEW - PROVIDING FUNDING AND SUPPORT TO THE COMMUNITY POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Providing Funding and Support to the Community Policy.
2. Note that a further report will be tabled at the May 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

Item 11.12 Policy Review - Social Impact Assessment Policy, has been addressed previously within the meeting.

11.13 POLICY REVIEW - CONTAMINATED LAND

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Publicly exhibit the draft Contaminated Land Policy for a period of not less than 28 days.
2. Note that a further report will be tabled at the May 2022 Ordinary Council meeting, detailing the submissions received from the public during the exhibition period.

Item 11.14 Policy Rescission - Gifts and Benefits Policy - Post Public Exhibition, has been addressed previously within the meeting.

Item 11.15 Policy Rescission - Staff and Consultant Access to Private Property Policy - Post Public Exhibition, has been addressed previously within the meeting.

11.16 POLICY REVIEW - ASSET MANAGEMENT POLICY

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Place on public exhibition, for a period of not less than 28 days, the draft Asset Management Policy

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2. Note that a further report will be tabled at a future meeting of Council, detailing the submissions received from the public during the exhibition period.

Item 11.17 Monthly Budget Review - February 2022, has been addressed previously within the meeting.

11.18 INVESTMENTS - FEBRUARY 2022

BLOCK RESOLVED: Roberts/Maltman

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

Item 11.19 Draft Infrastructure Strategy, has been addressed previously within the meeting.

Item 11.20 Notice of Motion - Tendering Local Preference Policy, has been addressed previously within the meeting.

Item 12.01 Notice of Motion - Prioritisation of Sporting Infrastructure Projects, has been addressed previously within the meeting.

Item 12.02 Graffiti Vandalism Management, has been addressed previously within the meeting.

Item 12.03 Wauchope Riverside Bicentenary Sculptural Trail - Zoetrope, has been addressed previously within the meeting.

Item 12.04 Notice of Motion - Wauchope Showground - Waiver of Fees, has been addressed previously within the meeting.

13.01 ROAD CLOSURE AND SALE OF LAND - PART FORMER RIVERSIDE DRIVE, RIVERSIDE

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Pursuant to Section 38D of the Roads Act 1993 publish a Notice in the NSW Government Gazette to close that part of the former alignment of Riverside Drive situated within Lot 6 Deposited Plan 215928 (11 Riverside Drive).
2. Vest the land in the closed road in Council as operational land.
3. Sell the land in the closed road to the owner of Lot 6 Deposited Plan 215928 at a value to be determined by Council's Consulting Valuer upon publication of the Notice in the NSW Government Gazette.
4. Reaffirm that all costs associated with the road closure and sale are the sole responsibility of the owner of Lot 6 Deposited Plan 215928.

Item 14.01 Draft Joint Integrated Transport Network Plan, has been addressed previously within the meeting.

Item 14.02 New Employment Lands Zones - Translation to Port Macquarie-Hastings Local Environmental Plan 2011, has been addressed previously within the meeting.

Item 14.03 Amendment to Port Macquarie-Hastings Local Environmental Plan 2011 - State Government Planning Amendments for Agritourism, has been addressed previously within the meeting.

Item 14.04 PP2014 - 10.1 - Planning Proposal Assessment Report - 11 and 33 Mumford Street, Port Macquarie, has been addressed previously within the meeting.

Item 14.05 Koala Recovery Strategy Review, has been addressed previously within the meeting.

Item 14.06 Draft Port Macquarie - Hastings Regional Integrated Transport Strategy, has been addressed previously within the meeting.

14.07 MATERIAL PUBLIC BENEFIT - DEVELOPER DELIVERED SEWER WORKS KENDALL

BLOCK RESOLVED: Roberts/Maltman

That Council:

1. Note the sewer works proposed to be undertaken by Allam MHE Developments # 2 Pty Ltd under development Consent DA 2017/736 includes works above what is required to solely service the development therefore are of material public benefit, being the replacement and upgrade of Kew/Kendall Sewerage Pump Station #1 and associated works.
2. Pursuant to section 55(3)(i) of the Local Government Act 1993, resolve not to call tenders for the construction of the upgrade of Kew/Kendall Sewerage Pump Station #1 and associated works as it considers that a satisfactory result would not be achieved by inviting tenders due to extenuating circumstances for the reason of the works being associated with and linked to a development consent as outlined in this report.
3. Note that the Chief Executive Officer, under existing delegations to the General Manager, may enter into a developer works deed following successful negotiations with Allam MHE Developments # 2 Pty Ltd, and present a further report to a future meeting of Council on completion of the works for Council's information.
4. Request the CEO to add a new action to the 2021-2022 Operational Plan - Kew Kendall SPS#1 Upgrade and Works, with a budget allocation for the current year of \$400,000, to be funded from the Sewer Reserve.

Item 14.08 Flood Waste Disposal Costs Waiver, has been addressed previously within the meeting.

Item 14.09 Notice of Motion - Road Network, has been addressed previously within the meeting.

Item 14.10 Notice of Motion - Port Macquarie-Hastings Tree Management Policies and Procedures, has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Roberts/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 16.01 T-21-03 Design & Constuct of Six Sewer Pump Stations
This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.
3. That the resolutions made by Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.

CARRIED: 9/0

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

AGAINST: Nil

16.01 T-21-03 DESIGN & CONSTUCT OF SIX SEWER PUMP STATIONS

Councillor Intemann left the meeting, the time being 04:15pm.

RESOLVED: Slade/Lipovac

That Council:

1. Pursuant to section 178(4)(a) and (b) of the Local Government (General) Regulation 2021 decline to invite fresh tenders for the reasons that: the Tender Evaluation Panel considers that the tenderers have the demonstrated the experience, capacity and capability to meet the requirements of the Request for Tender; inviting fresh tenders likely will not achieve a superior outcome; and, inviting fresh tenders will delay the project beyond the funding deadline.
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2. Note the Chief Executive Officer, under existing delegations to the General Manager, may accept a tender for T-21-03 Design and Construct Six Sewer Pump Stations following successful negotiations, and present a further report to a future meeting of Council after contract award for Council's information.
 3. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-21-03 Design and Construct Six Sewer Pump Stations.

CARRIED: 8/0

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

AGAINST: Nil

MOVED: Roberts/Lipovac

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

CARRIED: 8/0

FOR: Edwards, Griffiths, 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.

The meeting closed at 4.19pm.

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Peta Pinson
Mayor