

PRESENT

Members:

Mayor Peta Pinson
Deputy Mayor Adam Roberts
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)
Acting Director Business and Performance (Ashley Grummitt)
Director Community, Planning and Environment (Melissa Watkins)
Acting Director Community Infrastructure (Glenn Lacey)
Director Community Utilities (Jeffery Sharp)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Acting Governance Officer (Bree Scaysbrook)

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

Ms Caroline Dennis from the Lifeway 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 21 April 2022 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 28 April 2022 be confirmed.

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

06 DISCLOSURES OF INTEREST

Councillor Maltman declared a Non-Pecuniary, Less Than Significant Interest in Item 14.06 - Lake Cathie Natural Resource Management Monthly Update, the reason being that Councillor Maltman is a non-financial life member of the community organisation Revive Lake Cathie Inc.

Councillor Sheppard declared a Non-Pecuniary, Less Than Significant Interest in Item 11.14 - Quarterly Budget Review Statement - March 2022, the reason being that Councillor Sheppard has a friend who owns a company listed in Council's report.

Councillor Sheppard declared a Non-Pecuniary, Less Than Significant Interest in Item 12.01 - Port Macquarie-Hastings Tree Management Policies and Procedures, the reason being that Councillor Sheppard has a friend who supplies tree services to Council, noting this is not regarded as a close friendship.

7.01 MAYORAL MINUTE - CLIMATE CHANGE RESPONSE POLICY

MOTION

MOVED: Pinson

That Council:

1. Note the State Member for Port Macquarie's assertion (as noted in the NSW State Parliament Hansard dated Thursday, 12 May 2022, attached to this Mayoral Minute) that in part, suggests that 'the Port Macquarie Hastings community is well past debating whether Climate Change exists; and that the community is well past who is responsible' [for Climate Change].
2. Note there is no directive through Legislation that explicitly specifies what impacts a Council must mitigate in regard to Climate Change.
3. Note there is no legislative requirement for Council to have a Climate Change Response Policy.
4. Note there is no NSW State Government funding specifically for the resourcing of a Climate Change Response Policy.
5. Include in July/August of 2022, through the upcoming Micromex Community Satisfaction Survey, the specific question "Which of the following statements do you agree with? (Please indicate (a), (b) or (c)):
 - (a) I support Port Macquarie-Hastings Council taking the approach to allocating ratepayer money into fixing pot holes, road maintenance, stormwater infrastructure and maintenance, sewer infrastructure and maintenance and water security assets or;
 - (b) I support Port Macquarie-Hastings Council taking the approach to allocating ratepayer money to Climate Change initiatives; or
 - (c) I support Port Macquarie-Hastings Council taking the approach to allocating ratepayer money to fixing pot holes, road maintenance, stormwater infrastructure and maintenance, sewer infrastructure and maintenance and water security assets, as well as Climate Change initiatives.
5. Defer the decision on the rescission of Council's Climate Change Response Policy until after the Micromex Community Satisfaction Survey response is reported to Council.
6. Request the Chief Executive Officer provide a report to the September 2022 Council Meeting on the Micromex Community Satisfaction Survey results in conjunction with a report on the Rescission or otherwise of the Climate Change Response Policy.

AMENDMENT

MOVED: Sheppard/Intemann

That Council:

1. Note the State Member for Port Macquarie's assertion (as noted in the NSW State Parliament Hansard dated Thursday, 12 May 2022, attached to this Mayoral Minute) that in part, recognises that 'the Port Macquarie Hastings

-
- community is well past debating whether Climate Change exists; and that the community is well past who is responsible’.
2. Note there is no directive through Legislation that explicitly specifies what impacts a Council must mitigate in regard to Climate Change.
 3. Note there is no legislative requirement for Council to have a Climate Change Response Policy.
 4. Note
 - i. the position of the Australian Local Government Association of addressing climate change at all levels of government
 - ii. The position of Local Government NSW on addressing climate change at all levels of government
 - iii. The business leadership on climate change forwarded as a primary concern of business at the recent Australian Governance Summit, hosted by the Australian Institute of Company Directors.
 - iv. The leadership of the NSW Government on addressing climate change through the Net Zero Strategy: Stage 1 2020-2030, as noted in the attached speech.
 5. Note that a Climate Response Policy bolsters local government advocacy of funding from both state and federal government climate change funding opportunities, by demonstrating alignment with the funding objectives, including the delivery of road, water and sewer infrastructure that considers the impacts of climate change.
 6. Note that in a Mayoral Minute of the March 2022 Ordinary Council Meeting, Councillors unanimously resolved to endorse the funding priority areas set out by the ALGA (<https://alga.com.au/app/uploads/ALGA-Pre-Budget-Submission-2022-23.pdf>), which included :
 - (a) Priority 11: a Targeted Disaster Mitigation Program of \$800million, because “Australia has been profoundly impacted by natural disasters in the past few years, and the impacts of climate change will result in more frequent and more severe disasters in the future “ (p.16)
 - (b) Priority 12: A Local Government Climate Response Partnership Fund of \$200 million because “Addressing the causes and impacts of climate change requires a collaborative effort across all three tiers of government, business and our communities.” (p. 17).
 7. Note the Micromex survey as a potential community feedback tool to be considered alongside existing feedback on community interest in climate change resilience, and request the CEO provide appropriate wording for Micromex questions to be put to the community, for inclusion in the 2022-2023 survey, such that data is gathered which:
 - i. Surveys community interest in whether council should consider climate related factors when planning delivery of core business such as roads, water and sewer infrastructure, and;
 - ii. Surveys community interest in whether council should take climate science and future impacts of climate change into account when making decisions for our community.
 8. Request the Chief Executive Officer provide a report the September 2022 Ordinary Council Meeting, that:
 - i. details the submissions made during the recent public exhibition of the proposal to rescind the Climate Change Response Policy
 - ii. Micromex Community Satisfaction Survey results
 - iii. Details of the previous feedback from community engagement from
 - Three year CSP engagement process
-

-
- The community engagement report on the original public exhibition response to the draft Climate Change Response Plan (2021)
 - Other sources that evidence local attitudes toward climate change and climate action in the local context.
9. Noting that the current Climate Change Response Policy remains active until amended or rescinded by council, defer the decision on the rescission of Council's Climate Change Response Policy until after the report indicated in clause 8 is delivered to Council.

PROCEDURAL MOTION:

RESOLVED: Roberts

That the amendment be put.

CARRIED: 7/2

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

AGAINST: Intemann and Lipovac

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/Lipovac

That the matter be deferred following a Councillor workshop on this subject.

PROCEDURAL MOTION:

RESOLVED: Roberts

That the amendment be put.

CARRIED: 5/4

FOR: Griffiths, Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Intemann, Lipovac and Sheppard

THE AMENDMENT WAS PUT AND LOST

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

AMENDMENT

Moved: Intemann/Edwards

That Council:

1. Note the State Member for Port Macquarie's assertion (as noted in the NSW State Parliament Hansard dated Thursday, 12 May 2022, attached to this Mayoral Minute) that in part, suggests that 'the Port Macquarie Hastings

-
- community is well past debating whether Climate Change exists; and that the community is well past who is responsible' [for Climate Change].
2. Note there is no directive through Legislation that explicitly specifies what impacts a Council must mitigate in regard to Climate Change.
 3. Note there is no legislative requirement for Council to have a Climate Change Response Policy.
 4. Note there is no NSW State Government funding specifically for the resourcing of a Climate Change Response Policy.
 5. Include in July/August of 2022, through the upcoming Micromex Community Satisfaction Survey, the specific question "Yes or No, do you support Council including Climate Change response activities into its Business Plan and core responsibilities."
 6. Defer the decision on the rescission of Council's Climate Change Response Policy until after the Micromex Community Satisfaction Survey response is reported to Council.
 7. Request the Chief Executive Officer provide a report to the September 2022 Council Meeting on the Micromex Community Satisfaction Survey results in conjunction with a report on the Rescission or otherwise of the Climate Change Response Policy.

PROCEDURAL MOTION:

Moved: Sheppard / Intemann

A Motion of Dissent was moved on the chairperson's ruling regarding urgency of this Mayoral Minute.

LOST: 3/6

FOR: Edwards, Intemann and Sheppard

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

PROCEDURAL MOTION:

RESOLVED: Roberts

That the amendment be put.

CARRIED: 5/4

FOR: Griffiths, Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Intemann, Lipovac and Sheppard

THE AMENDMENT WAS PUT AND LOST

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

THE MOTION ON BEING PUT TO THE MEETING WAS CARRIED

RESOLVED: Pinson

That Council:

1. Note the State Member for Port Macquarie's assertion (as noted in the NSW State Parliament Hansard dated Thursday, 12 May 2022, attached to this Mayoral Minute) that in part, suggests that 'the Port Macquarie Hastings community is well past debating whether Climate Change exists; and that the community is well past who is responsible' [for Climate Change].
2. Note there is no directive through Legislation that explicitly specifies what impacts a Council must mitigate in regard to Climate Change.
3. Note there is no legislative requirement for Council to have a Climate Change Response Policy.
4. Note there is no NSW State Government funding specifically for the resourcing of a Climate Change Response Policy.
5. Include in July/August of 2022, through the upcoming Micromex Community Satisfaction Survey, the specific question "Which of the following statements do you agree with? (Please indicate (a), (b) or (c)):
 - (a) I support Port Macquarie-Hastings Council taking the approach to allocating ratepayer money into fixing pot holes, road maintenance, stormwater infrastructure and maintenance, sewer infrastructure and maintenance and water security assets or;
 - (b) I support Port Macquarie-Hastings Council taking the approach to allocating ratepayer money to Climate Change initiatives; or
 - (c) I support Port Macquarie-Hastings Council taking the approach to allocating ratepayer money to fixing pot holes, road maintenance, stormwater infrastructure and maintenance, sewer infrastructure and maintenance and water security assets, as well as Climate Change initiatives.
5. Defer the decision on the rescission of Council's Climate Change Response Policy until after the Micromex Community Satisfaction Survey response is reported to Council.
6. Request the Chief Executive Officer provide a report to the September 2022 Council Meeting on the Micromex Community Satisfaction Survey results in conjunction with a report on the Rescission or otherwise of the Climate Change Response Policy.

CARRIED: 5/4

FOR: Intemann, Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Griffiths, Lipovac and Sheppard

**7.02 MAYORAL MINUTE - LOCAL ROADS COMMUNITY
INFRASTRUCTURE PROGRAM FUNDING ROUND 2 -
NORTH SHORE**

MOVED: Pinson

That Council:

1. Request an extension of the LRCI (Local Roads Community Infrastructure Program) Funding Round 2 in the amount of \$960,000 to be carried forward to the 2022-2023 and 2023-2024 Operational Plan years in order to support Council in delivery of road rehabilitation works on the North Shore (Option 1A Shoreline Drive).
2. Should the LRCI funding Round 2 be declined for extension, request the Chief Executive Officer to proceed with points 3 and 4.
3. Request the Chief Executive Officer to proceed with detailed design and costings for the road rehabilitation works on the North Shore and include those costs in the 2022-2023 Operational budget.
4. Request the Chief Executive Officer actively seek grant funding to support the costs of works for road rehabilitation on the North Shore.

AMENDMENT

Moved: Sheppard/Griffiths

That Council defer consideration of this item for a formal report to be presented to Council highlighting the costs involved and the opportunity cost of completing the works to completion of works on other roads of community interest for example, but not limited to, The Tip Road Dunbogan, Hibbard Road.

THE AMENDMENT WAS WITHDRAWN

AMENDMENT

Moved: Griffiths/Lipovac

That Council:

1. Request an extension of the LRCI (Local Roads Community Infrastructure Program) Funding Round 2 in the amount of \$960,000 to be carried forward to the 2022-2023 and 2023-2024 Operational Plan years in order to support Council in delivery of road rehabilitation works on the North Shore (Option 1A Shoreline Drive).
2. Should the LRCI funding Round 2 be declined for extension, request the Chief Executive Officer to proceed with points 3 and 4.
3. Consider detailed design and costings for the road rehabilitation works on the North Shore and include those costs in the 2022-2023 Operational budget.
4. Request the Chief Executive Officer actively seek grant funding to support the costs of works for road rehabilitation on the North Shore.

THE AMENDMENT WAS PUT AND LOST

LOST: 3/6
FOR: *Edwards, Griffiths and Lipovac*
AGAINST: *Intemann, Maltman, Pinson, Roberts, Sheppard and Slade*

THE MOTION WAS PUT AND CARRIED

RESOLVED: *Pinson*

That Council:

1. Request an extension of the LRCI (Local Roads Community Infrastructure Program) Funding Round 2 in the amount of \$960,000 to be carried forward to the 2022-2023 and 2023-2024 Operational Plan years in order to support Council in delivery of road rehabilitation works on the North Shore (Option 1A Shoreline Drive).
2. Should the LRCI funding Round 2 be declined for extension, request the Chief Executive Officer to proceed with points 3 and 4.
3. Request the Chief Executive Officer to proceed with detailed design and costings for the road rehabilitation works on the North Shore and include those costs in the 2022-2023 Operational budget.
4. Request the Chief Executive Officer actively seek grant funding to support the costs of works for road rehabilitation on the North Shore.

CARRIED: 7/2
FOR: *Edwards, Intemann, Lipovac, Maltman, Pinson, Roberts and Slade*
AGAINST: *Griffiths and Sheppard*

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: *Intemann/Roberts*

That Council determine that the attachments to Item Numbers 11.12, 11.14 and 11.19 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*

Councillor Sheppard left the meeting, the time being 12:11pm.

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. Steven Gates - Footpaths and Council reserve inspection, repair and management
 2. Steven Gates - IP&R Resourcing Plans including Asset Management Policy and Plans, Operational Plan and LTFP.

RESOLVED: Slade/Lipovac

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

CARRIED: 8/0

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

Councillor Sheppard returned to the meeting, the time being 12:14pm.

09.01 FOOTPATHS AND COUNCIL RESERVE INSPECTION, REPAIR AND MANAGEMENT

Mr Steven Gates addressed Council in relation to Footpaths and Council reserve inspection, repair and management and answered questions from Councillors.

09.02 IP&R RESOURCING PLANS INCLUDING ASSET MANAGEMENT POLICY AND PLANS, OPERATIONAL PLAN AND LTFP

Mr Steven Gates addressed Council in relation to IP&R Resourcing Plans including Asset Management Policy and Plans, Operational Plan and LTFP and answered questions from Councillors.

Councillor Slade left the meeting, the time being 12:34pm.

Councillor Edwards left the meeting, the time being 12:36pm.

Councillor Maltman left the meeting, the time being 12:36pm.

Councillor Slade returned to the meeting, the time being 12:37pm.

Councillor Edwards returned to the meeting, the time being 12:38pm.

10 PUBLIC FORUM – MATTERS ON THE AGENDA

There were no requests to speak in the Public Forum - Matters On The Agenda.

Councillor Maltman returned to the meeting, the time being 12:40pm.

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts /Lipovac

That Standing Orders be suspended to allow Items 11.01, 11.03, 11.04, 11.05, 11.07, 11.08, 11.11, 11.12, 11.14, 11.17, 11.18, 11.21, 12.01, 13.01, 14.01, 14.02, 14.03 and 14.06 not in the block to be brought forward and considered next.

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

PROCEDURAL MOTION

RESOLVED: Roberts/Edwards

That the Council meeting be adjourned.

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

The meeting adjourned at 12.41pm

The meeting resumed at 1.14pm

SUSPENSION OF STANDING ORDERS

RESOLVED: Maltman/Roberts

That Standing Orders be suspended to allow Item 14.06 to be brought forward and dealt next.

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

14.06 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE

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 note the progress of natural resource management projects/initiatives within the Lake Cathie / Lake Innes / Cathie Creek waterway and the progression of the Coastal Management Program.

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

11.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

MOTION

MOVED: Roberts/Griffiths

That Council

1. Note the information contained in the Status of Reports from Council Resolutions report with the following amendments:
 - i. Removal of the item "Draft Economic Development Strategy Post Exhibition" following Council's resolution of April 2022
 - ii. Amend the item "Draft Joint Integrated Transport Network Plan" to return to Council in July 2022 due to input required from TfNSW
 - iii. Amend the item "Policy Review - Climate Change Response Policy - post public exhibition" to return to Council in June 2022 following an extended public exhibition period
 - iv. Amend the item "Port Macquarie Works Depot" to return to Council in June 2022 as the item is not yet finalised.
 - v. Note that the item "Prioritisation of Sporting Infrastructure Projects" has been deferred until July 2022 to enable a Councillor workshop to be undertaken
 - vi. Amend the item "Policy Review - Customer Complaint Policy - post public exhibition" to be presented to Council in June 2022
 - vii. Amend the item "Policy Review - Cemeteries Policy - post public exhibition" to be presented to Council in June 2022
 - viii. Addition of the following items noting no expected date has been determined at this stage:
 - Procurement process - Port Macquarie Hastings Blueprint - Determine outcome
 - Illaroo Road Stormwater Issues
 - General Fund Operating Result Improvement Plan Report

-
2. That Council note a staff member vacated a relevant position which may have contributed to the errors made on this particular report.
 3. That Council note the errors highlighted above will be rectified before the report to next meeting.

AMENDMENT

MOVED: Sheppard / Intemann

That Council note the information contained in the Status of Reports from Council Resolutions report with the following amendments:

- i. Removal of the item "Draft Economic Development Strategy Post Exhibition" following Council's resolution of April 2022
- ii. Amend the item "Draft Joint Integrated Transport Network Plan" to return to Council in July 2022 due to input required from TfNSW
- iii. Amend the item "Policy Review - Climate Change Response Policy - post public exhibition" to return to Council in June 2022 following an extended public exhibition period
- iv. Amend the item "Port Macquarie Works Depot" to return to Council in June 2022 as the item is not yet finalised.
- v. Note that the item "Prioritisation of Sporting Infrastructure Projects" has been deferred until July 2022 to enable a Councillor workshop to be undertaken
- vi. Amend the item "Policy Review - Customer Complaint Policy - post public exhibition" to be presented to Council in June 2022
- vii. Amend the item "Policy Review - Cemeteries Policy - post public exhibition" to be presented to Council in June 2022
- viii. Addition of the following items noting no expected date has been determined at this stage:
 - Procurement process - Port Macquarie Hastings Blueprint - Determine outcome
 - Illaroo Road Stormwater Issues
 - General Fund Operating Result Improvement Plan Report

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

THE AMENDMENT WAS PUT AND LOST.

THE MOTION ON BEING PUT WAS CARRIED.

RESOLVED: Roberts/Griffiths

That Council

1. Note the information contained in the Status of Reports from Council Resolutions report with the following amendments:
 - i. Removal of the item "Draft Economic Development Strategy Post Exhibition" following Council's resolution of April 2022
 - ii. Amend the item "Draft Joint Integrated Transport Network Plan" to return to Council in July 2022 due to input required from TfNSW

- iii. Amend the item “Policy Review - Climate Change Response Policy - post public exhibition” to return to Council in June 2022 following an extended public exhibition period
 - iv. Amend the item “Port Macquarie Works Depot” to return to Council in June 2022 as the item is not yet finalised.
 - v. Note that the item “Prioritisation of Sporting Infrastructure Projects” has been deferred until July 2022 to enable a Councillor workshop to be undertaken
 - vi. Amend the item “Policy Review - Customer Complaint Policy - post public exhibition” to be presented to Council in June 2022
 - vii. Amend the item “Policy Review - Cemeteries Policy - post public exhibition” to be presented to Council in June 2022
 - viii. Addition of the following items noting no expected date has been determined at this stage:
 - Procurement process - Port Macquarie Hastings Blueprint - Determine outcome
 - Illaroo Road Stormwater Issues
 - General Fund Operating Result Improvement Plan Report
2. That Council note a staff member vacated a relevant position which may have contributed to the errors made on this particular report.
 3. That Council note the errors highlighted above will be rectified before the report to next meeting.

CARRIED: 9/0

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

AGAINST: Nil

11.03 2022-2023 COUNCILLOR AND MAYORAL FEES

MOVED: Roberts/Maltman

That, in relation to Councillor remuneration for the 2022-2023 financial year, Council:

1. Pursuant to the provisions of section 248(2) of the Local Government Act 1993, Council set the annual fee payable to a Councillor for the financial year commencing 1 July 2022 to be \$25,310.
2. Pursuant to the provisions of section 249(3) of the Local Government Act 1993, Council set the annual fee payable to the Mayor for the financial year commencing 1 July 2022 to be \$87,820 (this amount includes the fee payable to a Councillor).
3. Make superannuation contribution payments for Councillors, in addition to the annual fees, with the amount of the payment to be the amount the Council would have been required to contribute under the Commonwealth Superannuation Guarantee (Administration) Act 1992 as superannuation if the Councillors were employees of the Council.
4. Note that individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments.

AMENDMENT

Moved: Lipovac/Intemann

That, in relation to Councillor remuneration for the 2022-2023 financial year, Council:

1. Pursuant to the provisions of section 248(2) of the Local Government Act 1993, Council set the annual fee payable to a Councillor for the financial year commencing 1 July 2022 to be \$24,810, noting this represents no increase from the 2021-2022 fee.
2. Pursuant to the provisions of section 249(3) of the Local Government Act 1993, Council set the annual fee payable to the Mayor for the financial year commencing 1 July 2022 to be \$86,090, noting this represents no increase from the 2021-2022 fee (this amount includes the fee payable to a Councillor).
3. Make superannuation contribution payments for Councillors, in addition to the annual fees, with the amount of the payment to be the amount the Council would have been required to contribute under the Commonwealth Superannuation Guarantee (Administration) Act 1992 as superannuation if the Councillors were employees of the Council.
4. Note that individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments.

PROCEDURAL MOTION

RESOLVED: Pinson

That the amendment be put.

CARRIED: 7/2

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

AGAINST: Intemann and Lipovac

THE AMENDMENT ON BEING PUT WAS LOST

LOST: 3/6

FOR: Intemann, Lipovac and Sheppard

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

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Roberts/Maltman

That, in relation to Councillor remuneration for the 2022-2023 financial year, Council:

1. Pursuant to the provisions of section 248(2) of the Local Government Act 1993, Council set the annual fee payable to a Councillor for the financial year commencing 1 July 2022 to be \$25,310.
2. Pursuant to the provisions of section 249(3) of the Local Government Act 1993, Council set the annual fee payable to the Mayor for the financial year

commencing 1 July 2022 to be \$87,820 (this amount includes the fee payable to a Councillor).

3. Make superannuation contribution payments for Councillors, in addition to the annual fees, with the amount of the payment to be the amount the Council would have been required to contribute under the Commonwealth Superannuation Guarantee (Administration) Act 1992 as superannuation if the Councillors were employees of the Council.
4. Note that individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments.

CARRIED: 7/2

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

AGAINST: Lipovac and Sheppard

11.04 AUSTRALIAN GOVERNANCE SUMMIT 2022 - COUNCILLOR REPORT

RESOLVED: Intemann/Roberts

That Council note the report of Councillor Griffiths attendance at the Australian Governance Summit 2022.

CARRIED: 9/0

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

AGAINST: Nil

11.05 POLICY REVIEW - COUNCILLOR AND STAFF INTERACTION POLICY - FOLLOWING EXHIBITION

RESOLVED: Intemann/Edwards

That Council adopt the Councillor and Staff Interaction Policy, noting Clause 3.7 of the Policy be amended to require an acknowledgement as soon as practicable and a response within 15 days or explanation as to when the answer may be provided.

CARRIED: 9/0

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

AGAINST: Nil

11.07 POLICY REVIEW - SOCIAL IMPACT ASSESSMENT POLICY

MOVED: Pinson/Roberts

That Council:

1. Adopt the Social Impact Assessment Policy
2. Proceed to develop a Social Impact Assessment Guideline to assist applicants, Council and members of the community to understand when a Social Impact Assessment is and is not required and the process to undertake a Social Impact Assessment.

AMENDMENT

MOVED: Edwards/Sheppard

That Council:

1. Defer the adoption the Draft Social Impact Assessment Policy
2. Proceed to develop a Social Impact Assessment Policy and Procedure and report both to a future Council meeting.

THE AMENDMENT PUT WAS LOST

LOST: 2/7

FOR: Edwards and Sheppard

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

AMENDMENT

MOVED: Intemann/Griffiths

That Council:

1. Adopt the Social Impact Assessment Policy
2. Proceed to develop a Social Impact Assessment Guideline to assist applicants, Council and members of the community to understand when a Social Impact Assessment is and is not required and the process to undertake a Social Impact Assessment.
3. Provide the Guidelines to Councillors on completion.
4. Request the Chief Executive Officer to provide an opportunity following completion of point 3 above, to discuss a final format for the Social Impact Assessment Policy, Procedure and Guideline.

THE AMENDMENT WAS PUT AND LOST

LOST: 1/8

FOR: Intemann

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

THE MOTION ON BEING PUT TO THE MEETING WAS CARRIED

RESOLVED: Pinson/Roberts

That Council:

1. Adopt the Social Impact Assessment Policy
2. Proceed to develop a Social Impact Assessment Guideline to assist applicants, Council and members of the community to understand when a Social Impact Assessment is and is not required and the process to undertake a Social Impact Assessment.

CARRIED: 6/3

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

AGAINST: Edwards, Intemann and Sheppard

11.08 POLICY REVIEW - GRAFFITI VANDALISM MANAGEMENT POLICY & GRAFFITI AND VANDALISM REWARD SCHEME POLICY

RESOLVED: Slade/Maltman

That Council;

1. Amend the Draft Graffiti Vandalism Management Policy and the Graffiti and Vandalism Reward Scheme Policy to reflect a simplistic two tiered scheme of \$2,000 Reward for up to \$20,000 damage amount and \$5,000 Reward for over \$20,000 damage amount.
2. Request the Chief Executive Officer to develop a resourcing strategy for the implementation of the Graffiti Vandalism Management Policy and the Graffiti and Vandalism Reward Scheme Policy including the general management of graffiti throughout the Local Government Area.
3. Adopt both the Graffiti Vandalism Management Policy and the Graffiti and Vandalism Reward Scheme Policy (including the amendments)
4. Formally thank those who made submissions and advise them of Council's decision on this matter.

CARRIED: 6/3

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

AGAINST: Edwards, Griffiths and Sheppard

11.11 POLICY REVIEW - ASSET MANAGEMENT POLICY - POST PUBLIC EXHIBITION

RESOLVED: Sheppard/Griffiths

That Council adopt the amended Asset Management Policy.

CARRIED: 9/0

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

AGAINST: Nil

11.12 LEGAL FEES

RESOLVED: Sheppard/Griffiths

That Council note the information in the Legal Fees report.

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

Councillor Maltman left the meeting, the time being 3:02pm.

Councillor Maltman returned to the meeting, the time being 3:05pm.

11.14 QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2022

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

RESOLVED: Sheppard/Griffiths

That Council

1. Note the Quarterly Budget Review Statement for the March 2022 Quarter.
2. Note the importance of the TCORP ratios as indicators of Council's long term financial sustainability.
3. Request the Chief Executive Officer include the following in future quarterly budget reports to Council;
 - a. A list of those ratios not meeting benchmarks, including those Quarterly Budget Review Statement ratios deemed 'close to' meeting benchmarks;
 - b. The reasons for these ratios not meeting benchmarks, and;
 - c. A high level summary of the intended actions to bring the ratios to meet benchmarks.

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

11.17 PAYMENT OF WATER FUND AND SEWER FUND DIVIDEND FOR THE YEAR 2020-2021

RESOLVED: Sheppard / Roberts

That Council:

1. Note the achievement of substantial compliance with each of the best practice guidelines (NSW Best Practice Management Guidelines for Water Supply and Sewerage, August 2007) of:
 - (a) Strategic Business Planning

-
- (b) Pricing
 - (c) Water Conservation
 - (d) Drought Management
 - (e) Performance Reporting
 - (f) Integrated Water Cycle Management.
2. Authorise the application to the NSW Government for approval to pay a dividend of \$942,057 to the General Fund from the surplus in Water Supply operations for the 2020-2021 financial year.
 3. Authorise the payment of \$104,673 for tax equivalents to the General Fund from the Water Supply operations for the 2020-2021 financial year.
 4. Authorise the application to the NSW Government for approval to pay a dividend of \$894,699 to the General Fund from the surplus in the Sewerage Fund for the 2020-2021 financial year.
 5. Authorise the payment of \$99,411 for tax equivalents to the General Fund from the Sewerage Fund for the 2020-2021 financial year.
 6. Determine that if successful in its application, the dividend be allocated to partially fund the repair works being undertaken on the Rawdon Island Bridge.

CARRIED: 9/0

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

AGAINST: Nil

Councillor Sheppard left the meeting, the time being 03:10pm.

11.18 CONTRACTS AWARDED UNDER DELEGATION BY THE CHIEF EXECUTIVE OFFICER

RESOLVED: Griffiths/Roberts

That Council note the information provided in the Contracts Register.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Sheppard returned to the meeting, the time being 03:11pm.

11.21 COMMUNITY ENGAGEMENT POLICY

RESOLVED: Griffiths/Roberts

That Council adopt the Community Engagement Policy.

CARRIED: 8/1

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

AGAINST: Edwards

12.01 PORT MACQUARIE-HASTINGS TREE MANAGEMENT POLICIES AND PROCEDURES

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/Roberts

That Council:

1. Note a proposed additional budget of \$100,000 has been included the draft 2022-2023 Operational Plan for management of trees.
2. Note the backlog of 842 tree requests with 53% of those jobs rated in the very high to high risk band.
3. Note information on tree approval requirements has been updated on Council's website.
4. A future report will be presented to Council following the review of the tree function outlining the budget required to fast-track the backlog of work and deliver process improvements identified in the review.
5. Include in report to Council, point 4, consideration of options to reduce risk and provide provisions for residents to prune trees without approval from Council.

CARRIED: 7/2

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

AGAINST: Edwards and Sheppard

13.01 PORT MACQUARIE AIRPORT - PILOT TRAINING AND AIRCRAFT NOISE - DRAFT FLY NEIGHBOURLY AGREEMENT

RESOLVED: Pinson/Lipovac

That Council:

1. Note the information provided in this Port Macquarie Airport - Pilot Training and Aircraft Noise - Draft Fly Neighbourly Agreement report.
2. Thank local aircraft operators and statutory authorities for their contribution to the Draft Fly Neighbourly Agreement.
3. Endorse the Draft Fly Neighbourly Agreement for implementation on a 12-month trial basis commencing 1 June 2022.
4. Request the Chief Executive Officer present a further report to the December 2022 Ordinary Council Meeting on the outcomes of the implementation of the Fly Neighbourly Agreement; this being the 6 month mark of the 12 month trial and a further report in June 2023 at the conclusion of the trial for further consideration.

CARRIED: 8/1

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

AGAINST: Griffiths

Councillor Edwards left the meeting, the time being 3:49pm.
Councillor Edwards returned to the meeting, the time being 3:53pm.

**14.01 PETITION - SAFETY CONCERNS WITH FOOTPATH ON THE WESTERN
END OF GARDEN CRESCENT, PORT MACQUARIE**

RESOLVED: Pinson/Roberts

That Council:

1. Note the petition received by residents of Garden Village raising safety concerns with the footpath on the western end of Garden Crescent, Port Macquarie.
2. Receive from the Chief Executive Officer costings and potential funding for the footpath works as noted in point 1 as part of consideration of the Draft Operational Plan for 2022-2023.
3. Formally thank the residents for raising this safety issue and advise them of Council's decision on this matter.

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

**14.02 DA2021 - 999.1 DWELLING AND SWIMMING POOL INCLUDING A
CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDING) OF
THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN
2011, LOT 3 DP 238250, NO 5 ORR STREET PORT MACQUARIE**

RESOLVED: Roberts/Maltman

That DA 2021-999 for a Dwelling and Swimming Pool Including a Clause 4.6 Objection to Clause 4.3 (Height of Building) of the Port Macquarie Hastings Local Environmental Plan 2011 at Lot 3, DP 238250, No. 5 Orr Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

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

14.03 DEVELOPMENTS, PUBLIC PLACE & EVENTS WASTE MINIMISATION AND MANAGEMENT POLICY - OUTCOMES OF ENGAGEMENT

RESOLVED: Edwards/Roberts

That Council:

1. Note the engagement work undertaken to date with the local development and construction industry and the feedback received.
2. Note that engagement activities with the local development and construction industry in relation to the Developments, Public Place & Events Waste Minimisation Policy will cease until the new Waste Strategy is developed and adopted.
3. Note that the implementation of additional systems such as pricing mechanisms, Waste Management Plans and increased compliance of Construction and Demolition waste sorting will also be delayed until the new Waste Strategy is developed.

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

15 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Griffiths

That Items 11.02, 11.06, 11.09, 11.10, 11.13, 11.15, 11.16, 11.19, 11.20, 14.04 and 14.05 be considered as a block resolution.

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

RESOLVED: Roberts/Griffiths

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

Item 11.01 Status of Reports from Council Resolutions, has been addressed previously within the meeting.

11.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 7 APRIL TO 4 MAY 2022

BLOCK RESOLVED: Roberts/Griffiths

That Council note the Mayoral Discretionary Fund allocations for the period 7 April to 4 May 2022 inclusive.

Item 11.03 2022-2023 Councillor and Mayoral Fees, has been addressed previously within the meeting.

Item 11.04 Australian Governance Summit 2022 - Councillor Report, has been addressed previously within the meeting.

Item 11.05 Policy Review - Councillor and Staff Interaction Policy - Following Exhibition, has been addressed previously within the meeting.

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

BLOCK RESOLVED: Roberts/Griffiths

That Council adopt the Providing Funding and Support to the Community Policy.

Item 11.07 Policy Review - Social Impact Assessment Policy, has been addressed previously within the meeting.

Item 11.08 Policy Review - Graffiti Vandalism Management Policy and Graffiti and Vandalism Reward Scheme Policy, has been addressed previously within the meeting.

11.09 POLICY REVIEW - CONTAMINATED LAND

BLOCK RESOLVED: Roberts/Griffiths

That Council adopt the Draft Contaminated Land Policy.

11.10 POLICY REVIEW - ROAD RESERVE MANAGEMENT

BLOCK RESOLVED: Roberts/Griffiths

That Council:

1. Place on public exhibition from 2 June 2022 to 30 June 2022 (28 days), the draft Road Reserve Management Policy.
 2. Note that a further report will be tabled at the 18 August 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.
-

Item 11.11 Policy Review - Asset Management Policy - Post Public Exhibition, has been addressed previously within the meeting.

Item 11.12 Legal Fees, has been addressed previously within the meeting.

11.13 MONTHLY BUDGET REVIEW - APRIL 2022

BLOCK RESOLVED: Roberts/Griffiths

That Council:

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

Item 11.14 Quarterly Budget Review Statement - March 2022, has been addressed previously within the meeting.

11.15 2021-2022 OPERATIONAL PLAN - QUARTERLY PROGRESS REPORT AS AT 31 MARCH 2022

BLOCK RESOLVED: Roberts/Griffiths

That Council note the 2021-2022 Operational Plan Quarterly Progress Report as at 31 March 2022.

11.16 INVESTMENTS - APRIL 2022

BLOCK RESOLVED: Roberts/Griffiths

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

Item 11.17 Payment of Water Fund and Sewer Fund Dividend for the Year 2020-2021, has been addressed previously within the meeting.

Item 11.18 Contracts Awarded under Delegation by the Chief Executive Officer, has been addressed previously within the meeting.

**11.19 T-18-18 PROVISION OF HIRE SERVICES - CONTRACT PLANT,
ANCILLARY EQUIPMENT AND PLANT OPERATORS**

BLOCK RESOLVED: Roberts/Griffiths

That Council:

1. In accordance with Section 55(3)(i) of the Local Government Act 1993, due to the extenuating circumstances, being the prioritisation of staff resources in response to the drought, fire and flood events over the past 24 months, resolves not to call open tenders for the Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators.
2. Request the Chief Executive Officer to enter into negotiations to extend the panel arrangement for T-18-18 for the Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators with the following 55 contractors appointed to the panel arrangement for T-18-18 for a further period of up to nine months to 31 March 2023:
 - AJ & JA Wilson Family Trust
 - AS & S Collins t/as Mortons Creek Haulage
 - Blanch Earthmoving Pty Ltd
 - Booker Backhoe Bobcat & Tipper Hire Pty Ltd
 - Bridle Concrete Resources
 - CJ Hoogland t/as Hoogland Plant Hire
 - CNC Roads
 - Coastal Hire & Sales
 - Coates Hire Operations Pty Ltd
 - Conplant Pty Ltd
 - CSC Industries Pty Ltd t/as Platinum Excavation and Plant Hire
 - Ditchfield Contracting Pty Ltd
 - DJ & D Coombes
 - Eire Constructions Pty Ltd
 - Elf's Excavations
 - Fenech Group Pty Ltd
 - FJ & BJ Lyon Pty Ltd
 - Garry Hooper Haulage Pty Ltd
 - GC & LR Mellor t/as Midcoast Tipper Hire
 - G H Lindsay Earthmoving Pty Ltd
 - Glenn Martin Backhoe Hire
 - HC & K Bennett Pty Ltd
 - Hobbs Rural Services
 - Hollfields Plumbing Excavation
 - Jim Anderson Earthmoving
 - JR & EG Richards Pty Ltd
 - Keegan Civil Pty Ltd
 - Kennards Hire Pty Ltd
 - Lake Cathie Excavations
 - Laurie Mascord Backhoe Hire
 - LinCon Earthmoving Pty Ltd
 - Magnum Haulage & Excavations Pty Ltd
 - Manton Building & Excavations

-
- Marden Alliance Pty Ltd t/as Marden Civil
 - Marschall Bobcat Service
 - Master Hire Pty Ltd
 - Mid Coast Cranes Pty Ltd
 - Mid North Coast Hydro Digging & Service Locating Pty Ltd
 - Mid North Coast Water Tankers Pty Ltd
 - Mitchbrook Management Pty Ltd t/as Mitchbrook Construction
 - ML & LT Swan
 - ONeills Backhoe Services Pty Ltd
 - Port Cranes Pty Ltd
 - Redhead Machinery Pty Ltd
 - Rollers Australia Pty Ltd
 - Schmutter Earthmoving & Demolition Pty Ltd
 - Specialised Pavement Services Pty Ltd
 - Stephen McNeilly Bobcat & Tipper Hire
 - Steve Wallis Transport
 - TFH Hire Services Pty Ltd
 - Tutt Bryant Equipment
 - Tyrrells Earthmoving t/as Next Level Earthworks
 - Winicki Excavations
 - XXXDirtworx Pty Ltd t/as M C Dirtworx; and
 - YI Constructions.
3. Delegate to the Chief Executive Officer the authority to issue a letter of variation with the 55 contractors appointed to the panel arrangement for T-18-18 for a further nine (9) months to 31 March 2023.

11.20 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

BLOCK RESOLVED: Roberts/Griffiths

That Council:

1. Note the Development Activity and Assessment System Performance report for the third 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.

Item 11.21 Community Engagement Policy, has been addressed previously within the meeting.

Item 12.01 Port Macquarie-Hastings Tree Management Policies and Procedures, has been addressed previously within the meeting.

Item 13.01 Port Macquarie Airport - Pilot Training and Aircraft Noise - Draft Fly Neighbourly Agreement, has been addressed previously within the meeting.

Item 14.01 Petition - Safety Concerns with Footpath on the Western End of Garden Crescent, Port Macquarie, has been addressed previously within the meeting.

Item 14.02 DA2021 - 999.1 Dwelling and Swimming Pool Including a Clause 4.6 Objection to Clause 4.3 (Height of Building) of the Port Macquarie-Hastings Local Environmental Plan 2011, Lot 3 DP 238250, No 5 Orr Street Port Macquarie, has been addressed previously within the meeting.

Item 14.03 Developments, Public Place and Events Waste Minimisation and Management Policy - outcomes of engagement, has been addressed previously within the meeting.

14.04 DRAFT MR538 AND MR600 CORRIDOR STRATEGY

BLOCK RESOLVED: Roberts/Griffiths

That Council:

1. Note the Draft MR538 and MR600 Corridor Strategy and report.
2. Endorse the release of Draft MR538 and MR600 Corridor Strategy and report for public exhibition.

14.05 RAWDON ISLAND BRIDGE UPDATE

BLOCK RESOLVED: Roberts/Griffiths

That Council:

1. Note the information provided in the Rawdon Island Bridge Update report.
2. Request the Chief Executive Officer provide a report to Council in accordance with milestone events associated with progress on Rawdon Island Bridge.

Item 14.06 Lake Cathie Natural Resource Management Monthly Update, has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Roberts/Maltman

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 Potential Purchase of Land

This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

Item 16.02 Contract Matter

This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 16.03 T-22-14 Port Macquarie Airport Parallel Taxiway Stage 1 Major Civil Contractor Package

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

3. That the resolutions made by Council in Confidential Session be made public as soon as practicable after the conclusion of the Confidential Session and such resolutions be recorded in the Minutes of the Council Meeting.

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

16.01 POTENTIAL PURCHASE OF LAND

MOTION

MOVED: Roberts/Pinson

That Council:

1. Delegate authority to the Chief Executive Officer and the Mayor to enter into negotiations regarding the possible purchase of the subject land.
2. Request the Chief Executive Officer provide a report to the next available Council Meeting on the particulars of the negotiations and any other relevant information relating to the purchase of the land for the further consideration of Council.
3. Maintain the confidentiality of the documents and considerations with regard to this matter.

AMENDMENT

Moved: Sheppard/Lipovac

That Council:

1. Delegate authority to the Chief Executive Officer and the Mayor to enter into discussions regarding the possible future uses of the subject land that is compatible with the relevant safety, zoning and consideration to costs to Council.

-
2. Request the Chief Executive Officer provide a report to the next available Council Meeting on the particulars of the discussions and any other relevant information relating to the future uses of this land for the further consideration of Council.
 3. Maintain the confidentiality of the documents and considerations with regard to this matter.

PROCEDURAL MOTION:

RESOLVED: Roberts

That the amendment be put.

CARRIED: 5/4

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

THE AMENDMENT ON BEING PUT WAS LOST

LOST: 4/5

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

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Roberts/Pinson

That Council:

1. Delegate authority to the Chief Executive Officer and the Mayor to enter into negotiations regarding the possible purchase of the subject land.
2. Request the Chief Executive Officer provide a report to the next available Council Meeting on the particulars of the negotiations and any other relevant information relating to the purchase of the land for the further consideration of Council.
3. Maintain the confidentiality of the documents and considerations with regard to this matter.

CARRIED: 6/3

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

16.02 CONTRACT MATTER

MOVED: Roberts/Maltman

That Council;

1. Reaffirm its support for the final year of the 2019-2023 tripartite hosting Agreement with Destination NSW and IRONMAN Oceania for the IRONMAN Australia and IRONMAN 70.3 events.
2. Note that Council's preferred bike course route is to the North of Port Macquarie.
3. Maintain the confidentiality of the documents and considerations with regard to the matter.

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

16.03 T-22-14 PORT MACQUARIE AIRPORT PARALLEL TAXIWAY STAGE 1 MAJOR CIVIL CONTRACTOR PACKAGE

MOVED: Intemann / Roberts

That Council:

1. In accordance with Section 178(1) of the Local Government (General) Regulation 2021, accept the Tender from Airport Consultancy Group Construction and Building Heights Pty Ltd - Joint Venture for the Lump Sum of \$5,311,406.00 (exclusive of GST) and the tendered Schedule of Rates for T-22-14 Port Macquarie Airport Parallel Taxiway Stage 1 Major Civil Contractor Package.
2. Note the expected total cost of the project and endorse the forecast 2022-2023 project budget as described in the Financial & Economic Implications section of this report.
3. Note that the Chief Executive Officer, under existing delegation to the General Manager, will execute the necessary contract documents.
4. Maintain confidentiality of the documents relating to the Request for Tender T-22-14.

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

RESOLVED: Roberts/Pinson

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

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

The meeting closed at 5:20pm.

.....
Peta Pinson
Mayor
