
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 (remote access)
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 Officer (Tania Ellis)

The meeting opened at 10:01am.

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

RESOLVED: Intemann/Griffiths

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

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

03 LOCAL GOVERNMENT PRAYER

Rev Scott Donnellan from the Presbyterian Church delivered the Local Government Prayer.

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Maltman/Slade

That the Minutes of the Ordinary Council Meeting held on 19 May 2022 be confirmed with the following amendment:

- voting on the amendment for item 11.03 2022-2023 Councillor and Mayoral Fees be corrected to reflect Councillor Sheppard voting in favour of the amendment.

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 13.01 - Request For Fee Waiver - Willing and Able Foundation, the reason being that one of the managers at Willing and Able is a person with whom Councillor Sheppard ran on in a group ticket for the Local Government election. Councillor Sheppard has known this person for the past twelve months and shared several meals during the campaign, but not since.

Councillor Edwards declared a Pecuniary, Significant Interest in Item 12.03 Policy Review - Management Of Public Spaces Policy - Post Public Exhibition the reason being that Councillor Edwards holds a mobile vendors licence which is addressed within this policy.

07 MAYORAL MINUTES

Nil.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Roberts/Griffiths

That Council determine that the attachments to Item Numbers 12.04 and 12.05 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. Steven Gates - Unsealed roads gravel resheeting material- use of 75mm select and ARRB specification
2. Steven Gates - Unsealed Roads- Crown Roads, "Private Roads or Driveways"; Roads Not Maintained by Council

RESOLVED: Roberts/Griffiths

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 UNSEALED ROADS - CROWN ROADS, "PRIVATE ROADS OR DRIVEWAYS"; ROADS NOT MAINTAINED BY COUNCIL

Mr Steven Gates addressed Council in relation to Unsealed Roads - Crown Roads, "Private Roads or Driveways"; Roads Not Maintained by Council and answered questions from Councillors.

09.02 UNSEALED ROADS GRAVEL RESHEETING MATERIAL - USE OF 75MM SELECT AND ARRB SPECIFICATION

Mr Steven Gates addressed Council in relation to Unsealed roads gravel resheeting material - use of 75mm select and ARRB specification and answered questions from Councillors.

10 PUBLIC FORUM – MATTERS ON THE AGENDA

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

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Slade

That Standing Orders be suspended to allow Items 11.01, 11.03, 11.10, 11.11, 11.12, 11.15, 12.02, 12.03, 12.05, 13.01, 14.01, 14.04 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

11.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Roberts/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 2022 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

RESOLVED: Pinson/Maltman

That Council:

1. Grant approval for Mayor Peta Pinson, Councillor Lauren Edwards, Councillor Danielle Maltman and Councillor Rachel Sheppard to attend the 2022 Local Government NSW Annual Conference to be held in the Hunter Valley from 23 to 25 October 2022.
2. Determine that Mayor Peta Pinson, Councillor Lauren Edwards, Councillor Danielle Maltman and Councillor Rachel Sheppard be Council's voting delegates at the Conference.
3. Note that the Chief Executive Officer will also attend the Conference.

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

11.10 POLICY REVIEW - ASSET CAPITALISATION AND DISPOSAL (EXCLUDING LAND) POLICY

RESOLVED: Roberts/Maltman

That Council:

1. Note the separate Asset Capitalisation and Disposal Policies have been reviewed and combined into one new policy.
2. Note that the draft Asset Capitalisation and Disposal (Excluding Land) Policy will be placed on public exhibition, for a period of not less than 28 days.
3. Place on public exhibition, for a period of not less than 28 days, the intent to rescind the current Council adopted Asset Disposal Policy noting it is proposed to combine it with the updated Asset Capitalisation Policy.
4. Note the Policy excludes the disposal of Council owned land, which will be covered in a separate policy.

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5. Note that the implementation of the draft Asset Capitalisation and Disposal (Excluding Land) Policy is operational in nature and will be approved by management.
 6. Request the Chief Executive Officer present a report to Council with the outcome of the public exhibition period with regard to proposed rescinding of the Asset Disposal Policy for the consideration of Council.

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

11.11 RESCISSION MOTION - COMMUNITY STRATEGIC PLAN IMAGINE2050

MOVED: Edwards/Lipovac

That the undermentioned motion adopted at the Extraordinary Council meeting held on 28 April 2022:

That Council:

1. Thank community members who provided feedback on the draft Community Strategic Plan Imagine2050 during the public exhibition period in 2021.
2. Note that feedback received from the community during the public exhibition period showed strong support for the direction of Imagine2050.
3. Note the amendments to the exhibited draft Community Strategic Plan Imagine2050 as a result of community feedback during the public exhibition period.
4. Note the amendments to the exhibited draft Community Strategic Plan Imagine2050 as a result of changes to the Integrated Planning and Reporting (IP&R) Guidelines by the Office of Local Government (OLG).
5. Note that it is a Local Government statutory requirement for NSW Councils to develop the Integrated Planning and Reporting (IPR) suite of documents (including the Community Strategic Plan), and for them to be endorsed by Council, by 30 June in the year following a Council election.
6. Adopt Council's Community Strategic Plan Imagine2050.
7. Request the CEO replace reference to 'Climate Change' with 'Sustainable Resource Management'.

be rescinded.

PROCEDURAL MOTION

RESOLVED: Roberts

That the motion be put.

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

The Motion was put and was lost.

LOST: 4/5

FOR: Edwards, Intemann, Lipovac and Sheppard

AGAINST: Griffiths, Maltman, Pinson, Roberts and Slade

11.12 COMMUNITY INCLUSION PLAN - POST PUBLIC EXHIBITION

RESOLVED: Roberts/Griffiths

That Council:

1. Adopt the Community Inclusion Plan 2022 - 2025.
2. Acknowledge the residents who took time to submit their feedback in relation to the draft Community Inclusion Plan and advise them of the outcome of Council's determination.
3. Note that a clear annual Community Inclusion Action Plan will be developed with specific tasks and clear measures which address each of the actions outlined, and reported on to council quarterly.

CARRIED: 9/0

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

AGAINST: Nil

11.15 PORT MACQUARIE TOWN CENTRE MASTER PLAN (TCMP) BUSINESS RATE REVIEW

RESOLVED: Roberts/Maltman

That Council:

1. Note the Report
2. Not include the TCMP levy in the Draft 2022-2023 Operational Plan and consider future direction following review completion.

PROCEDURAL MOTION

RESOLVED: Roberts

That the motion be put.

LOST: 4/5

FOR: Maltman, Pinson, Roberts and Slade

AGAINST: Edwards, Griffiths, Intemann, Lipovac and Sheppard

PROCEDURAL MOTION

RESOLVED: Roberts

That the motion be put.

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

The motion on being put was carried.

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

12.02 NOTICE OF MOTION - SAFETY AUDIT AT THE INTERSECTION OF OWEN STREET AND MARITIME LANE.

RESOLVED: Griffiths/Roberts

That Council request the CEO undertake a safety audit at the intersection of Owen Street and Maritime Lane.

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

12.03 POLICY REVIEW - MANAGEMENT OF PUBLIC SPACES POLICY - POST PUBLIC EXHIBITION

Councillor Edwards declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration.

RESOLVED: Intemann/Griffiths

That Council:

1. Adopt the Management of Public Spaces Policy.
2. Rescind the following existing policies:
 - a. A-Frame Sign Policy 2013
 - b. Activities in Public Places Policy 2013
 - c. Alcohol Use on Public Reserves and Beaches Policy 2018
 - d. Commercial Activities on Council-managed Land Policy 2017
 - e. Mobile Food Vending Vehicles and Temporary Food Stalls in a Public Place Policy 2018
 - f. Mooring Agreement for Lady Nelson Wharf Policy 2010
 - g. Outdoor Dining Policy 2018
 - h. Parks and Reserves Use Policy 2010
 - i. Port Macquarie Entertainment Precinct Event Use Policy 2018
3. Include in the policy that applicants contact Council Staff regarding details of the requirements of applications and provide specific staff contact.
4. A report be brought to Council within 6 months outlining the success or otherwise this method of dealing with these issues, relative to the stated goals.

CARRIED: 7/1

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

AGAINST: Sheppard

12.05 T-22-23 PORT MACQUARIE HASTINGS BLUEPRINT

RESOLVED: Robert/Griffiths

MOTION

That Council:

1. In accordance with section 178(1)(b) and 178(3)(e) of the Local Government (General) Regulation 2021, decline to accept any of the proposals submitted for T-22-23 Port Macquarie Hastings Blueprint 2022 and enters into negotiations with University of Newcastle or any other person whether or not they submitted a proposal for Port Macquarie Hastings Blueprint 2022, with a view to entering into a contract in relation to the subject matter of the Request for Proposal.
2. 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

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- evaluation Panel considers that respondents have the demonstrated experience, capacity and capability to meet the requirements of the Request for Proposal and inviting fresh tenders likely will not achieve a superior outcome and will unduly delay the project.
3. Request the Chief Executive Officer present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.
 4. Maintain the confidentiality of the documents and consideration in Attachment 1 and Attachment 2 of the report with respect of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.

AMENDMENT:

MOVED: Intemann/Edwards

That Council:

1. In accordance with section 178(1)(b) and 178(3)(e) of the Local Government (General) Regulation 2021, decline to accept any of the proposals submitted for T-22-23 Port Macquarie-Hastings Blueprint 2022.
2. Pursuant to Section 178(3)(a), of the Local Government (General) Regulation postpone the proposal for the contract.
3. Pursuant to Section 178(3)(f), of the Local Government (General) Regulation 2021, request the Chief Executive Officer to present a further report to the July 2022 Ordinary Council Meeting outlining resourcing implication and opportunities for the Blueprint to be undertaken in-house, and a summary of priorities.
4. Request that Councillors be provided a workshop on this matter with Councillors and relevant staff.
5. Maintain the confidentiality of the documents and consideration in Attachment 1 and Attachment 2 of the report with respect of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.

PROCEDURAL MOTION

RESOLVED: Slade

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

MOTION

That Council:

1. In accordance with section 178(1)(b) and 178(3)(e) of the Local Government (General) Regulation 2021, decline to accept any of the proposals submitted for T-22-23 Port Macquarie Hastings Blueprint 2022 and enters into negotiations with University of Newcastle or any other person whether or not they submitted a proposal for Port Macquarie Hastings Blueprint 2022, with a view to entering into a contract in relation to the subject matter of the Request for Proposal.
2. 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 evaluation Panel considers that respondents have the demonstrated experience, capacity and capability to meet the requirements of the Request for Proposal and inviting fresh tenders likely will not achieve a superior outcome and will unduly delay the project.
3. Request the Chief Executive Officer present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.
4. Maintain the confidentiality of the documents and consideration in Attachment 1 and Attachment 2 of the report with respect of Request for Proposal T-22-23 Port Macquarie Hastings Blueprint 2022.

The motion on being put to the meeting was carried.

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

13.01 REQUEST FOR FEE WAIVER - WILLING AND ABLE FOUNDATION

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/Slade

That Council review and consider Willing and Able Foundation's request to waive the total fee's payable for quotation no 35177.

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

14.01 KOALA RECOVERY ACTION PLAN UPDATE

RESOLVED: Roberts/Griffiths

That Council note the report on the Koala Recovery Action Plan and endorse deferral of the Koala Recovery Action Plan Workshop until further information regarding the Private Native Forestry Code and mapping can be included.

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

14.04 WATER SECURITY PLAN UPDATE

MOTION:

MOVED: Sheppard/Intemann

That Council:

1. Note that based on secure yield modelling the Hastings water supply scheme has reached the point at which dry year demand for water is projected to be greater than predicted water supply ongoing into the future.
2. Note the planning work for the draft Port Macquarie Hastings Water Security Plan is now complete.
3. Urgently develop a communications and engagement strategy, in preparation to publicly exhibit the revised draft Water Security Plan with the intent that the public feedback obtained be incorporated into the Blueprint if adopted.
4. Note the construction of a bulk water treatment plant is a critical water security project, with planning and design work currently underway, and it will provide water security out to 2052 even with a growing population and adverse changing climate conditions.
5. Note drought response planning needs to be undertaken now before the next drought to ensure actions are ready to be enacted to prevent an emergency situation.
6. Commence investigations and feasibility studies into rainfall independent water sources to inform the drought response actions.

AMENDMENT:

MOVED: Roberts/Edwards

That Council:

1. Note the planning work for the Port Macquarie Hastings Water Security Plan is now complete with the information ready to be incorporated into the Blueprint and presented to the community for feedback.

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2. Note the construction of a bulk water treatment plant is a critical water security project, with planning and design work currently underway, and it will provide water security out to 2052 even with a growing population.
 3. Note drought response planning needs to be undertaken now before the next drought to ensure actions are ready to be enacted to prevent an emergency situation.
 4. Commence investigations and feasibility studies into rainfall independent water sources to inform the drought response actions.

CARRIED: 6/3

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

AGAINST: Edwards, Intemann and Sheppard

The amendment becomes the motion and was carried.

CARRIED: 9/0

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

Sheppard and Slade

AGAINST: Nil

Councillor Intemann left the meeting, the time being 12:22pm.

Councillor Intemann returned to the meeting, the time being 12:24pm.

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

15 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Roberts/Lipovac

That Items 11.02, 11.04, 11.05, 11.06, 11.07, 11.08, 11.09, 11.13, 11.14, 11.16, 12.01, 12.04, 14.02, 14.03, 14.05 and 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/Lipovac

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 - 5 MAY TO 1 JUNE 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council note the Mayoral Discretionary Fund allocations for the period 5 May to 1 June 2022 inclusive.

11.04 REQUEST TO ATTEND AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 2022 - JUNE 2022 - COUNCILLOR LAUREN EDWARDS

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Approve the attendance of Councillor Lauren Edwards at the Australian Local Government Association National General Assembly 2022 to be attended virtually from 19 to 22 June 2022.
2. Authorise Councillor Edwards to be Council's voting delegate at the Australian Local Government Association National General Assembly 2022.

11.05 POLICY REVIEW - CUSTOMER COMPLAINT POLICY - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the draft Customer Complaints Policy

11.06 POLICY REVIEW - CEMETERIES POLICY - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the draft Cemeteries Policy.

11.07 POLICY REVIEW - BUSHFIRE RISK MITIGATION - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the Bushfire Risk Mitigation on Public Land Policy as amended.

11.08 POLICY REVIEW - COMPLIANCE AND ENFORCEMENT POLICY

BLOCK RESOLVED: Roberts/Lipovac

That Council:

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

11.09 POLICY REVIEW - FOOTPATHS AND WALKWAYS IN PUBLIC ROAD RESERVES - POST PUBLIC EXHIBITION

BLOCK RESOLVED: Roberts/Lipovac

That Council adopt the Draft Footpaths and Walkways in Public Road Reserves Policy.

11.13 MONTHLY BUDGET REVIEW - MAY 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council:

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

BLOCK RESOLVED: Roberts/Lipovac

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

11.16 WORKS DEPOTS REVIEW

BLOCK RESOLVED: Roberts/Lipovac

That Council note:

1. The information contained in the report regarding the future of Council Depots.
 2. A future report on the progress of the Depots Review will be presented to the October 2022 Ordinary Council meeting.
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12.01 RECOMMENDED ITEMS FROM MAYOR'S SPORTING FUND COMMITTEE - MAY 2022

BLOCK RESOLVED: Roberts/Lipovac

That Council endorse payment of \$750 from the Mayor's Sporting Fund to Sam Hilton to support his representation at the National Karate Championships.

**12.04 T-22-12 BAIN PARK MASTER PLAN - DETAILED DESIGN -
IMPLEMENTATION STAGES 1 AND 2**

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, accept the Tender from Moir Landscape Architecture Pty Ltd for the lump sum of \$228,200.00 (exclusive of GST) inclusive of the provision sum for site electrical supply upgrade design for T-22-12 Detailed Design - Bain Park Master Plan - Implementation Stages 1 and 2.
 2. Note that the Chief Executive Officer, under existing delegation to the Chief Executive Officer, will execute the necessary contract documents.
 3. Maintain confidentiality of the documents in Attachment 2 of the report relating to the Request for Tender T-22-12.
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**14.02 UPDATE ON SITE SPECIFIC PLANNING PROPOSAL REQUESTS - BI-
ANNUAL REPORT**

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Note the current status of site specific Planning Proposal requests as described in this report.
 2. Receive a further update report in December 2022 regarding the progress of site specific Planning Proposal requests.
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**14.03 MEMORANDUM OF UNDERSTANDING - PUBLIC DRINKING WATER
SUPPLY - MID NORTH COAST LOCAL HEALTH DISTRICT AND PORT
MACQUARIE-HASTINGS COUNCIL**

BLOCK RESOLVED: Roberts/Lipovac

That Council note the intention of the Chief Executive Office to enter into a new three-year Memorandum of Understanding - Public Drinking Water Supply 2022 - 2025 between the North Coast Local Health District and Port Macquarie-Hastings Council.

14.05 KOOLOONBUNG CREEK FLYING-FOX CAMP MANAGEMENT PLAN UPDATE

BLOCK RESOLVED: Roberts/Lipovac

That Council note the information presented in the Kooloonbung Creek Flying Fox Camp Management Plan update report.

14.07 EXTENSION OF FLOOD WASTE DISPOSAL COSTS WAIVER

BLOCK RESOLVED: Roberts/Lipovac

That Council:

1. Make application to the NSW Environment Protection Authority (EPA) for an extension of the existing Waste Levy Exemption EX000878 until 31 December 2022.
 2. 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 31 December 2022.
 3. 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 31 December 2022.
 4. Continue the application process for determination of eligibility of waivers against acceptance criteria.
 5. Note if a waiver extension is granted, Council will absorb ongoing costs.
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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 Payment of Part of Untaken Sick Leave on Termination

This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).

Item 16.02 Contract for the provision of Environmental Assessments in response to Flood Recovery Works

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

Item 16.03 T-22-11 Vince Inmon Sporting Fields - Grandstand

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

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

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

16.01 PAYMENT OF PART OF UNTAKEN SICK LEAVE ON TERMINATION

RESOLVED: Pinson/Roberts

That Council:

1. Rescind the resolution of Council made at the Ordinary Council Meeting (Port Macquarie Municipal Council) held on 23 June 1980, as amended by the previous resolution of Council made in July 2008, regarding the Payment of Part of Untaken Sick Leave, effective 16 June 2022.
2. Delegate to the Chief Executive Officer all policy and management decisions, and implementation of such regarding the Payment of Part of Untaken Sick Leave on Termination of staff.
3. Maintain the confidentiality of the documents and considerations with regard to this matter.

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

16.02 CONTRACT FOR THE PROVISION OF ENVIRONMENTAL ASSESSMENTS IN RESPONSE TO FLOOD RECOVERY WORKS

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 increased environmental assessments in response to the flood and significant rain events over the past 12 months, resolves not to call open tenders for the environmental assessment of flood recovery works contract.
2. Request the Chief Executive Officer to enter into negotiations to extend the contractual arrangement with Professional Engineering Services Pty Ltd for the environmental assessment of flood recovery works for a further period of up to three months.
3. Subject to the successful negotiations, delegate to the Chief Executive Officer the authority to issue a letter of variation to Professional Engineering Services Pty Ltd for the environmental assessment of flood recovery works for a further three months.

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

16.03 T22-11 VINCE INMON SPORTING FIELDS - GRANDSTAND

RESOLVED: Griffiths/Slade

That Council:

1. In accordance with Section 178(1) of the *Local Government (General) Regulation 2021*, accept the alternative tender from Building Heights Pty Ltd, for the lump sum of \$1,279,616.54 (exclusive of GST) for T-22-11 Vince Inmon Sporting Fields Grandstand.
2. Note the expected total cost of the project and endorse the forecast 2022-2023 project budget as described in the Financial and 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-22-11.

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

RESOLVED: Intemann/Lipovac

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 Council meeting were read to the meeting by the Group Manager Governance.

The meeting closed at 12.52pm

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Peta Pinson
Mayor