
PRESENT

Members:

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

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Acting Director Business and Performance (Ashley Grummitt)
Director Community, Planning and Environment (Melissa Watkins)
Director Community Infrastructure (Robert Fish)
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

RESOLVED: Roberts/Slade

That Council accede to the requests of Councillor Sharon Griffiths and Councillor Lauren Edwards to attend the meeting by remote means.

CARRIED: 8/0

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

AGAINST: Nil

03 LOCAL GOVERNMENT PRAYER

Pastor Hartley Taylor from the C3 Church Port Macquarie delivered the Local Government Prayer.

04 APOLOGIES

RESOLVED: Roberts/Sheppard

That the apology received from Councillor Danielle Maltman be accepted.

CARRIED: 7/0
FOR: Edwards, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

Councillor Griffiths left the meeting due to technical difficulties, the time being 10:06am.

05 CONFIRMATION OF MINUTES

RESOLVED: LIPOVAC/SHEPPARD

1. That the Minutes of the Ordinary Council Meeting held on 16 June 2022 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 23 June 2022 be confirmed.
3. That the Minutes of the Extraordinary Council Meeting held on 29 June 2022 be confirmed.

CARRIED: 7/0
FOR: Edwards, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

06 DISCLOSURES OF INTEREST

Councillor Adam Roberts declared a Non-Pecuniary - Significant Interest in Item 13.02 - Petition - Mill Estate Subdivision, Wauchope - Detrimental Affect on Businesses of the Proposed Removal of Parking Spaces in High Street, Wauchope for the reason that a close family member is associated with a building company who may be a competitor at times with the building company noted in the report.

Councillor Adam Roberts declared a Non-Pecuniary - Significant Interest in Item 13.03 - Petition - Mill Estate Subdivision, Wauchope - Bond for Stages 3 and 4 for the reason that a close family member is associated with a building company who may be a competitor at times with the building company noted in the report.

07 MAYORAL MINUTES

Nil.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Roberts/Sheppard

That Council determine that the attachments to Item 14.05 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

CARRIED: 7/0
FOR: Edwards, Intemann, Lipovac, 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 - Roads Register S163 Roads Act
2. Jamie Harrison - Engagement of a Swimming Coach at the PMQ Swimming Pool
3. Ben Cudmore - Memorial Seat for the Late James Moir at Shelley Beach
4. Fred Martin - Viewing Platform at Bonny Hills
5. Steven Gates - Update on Community News and Previous Council Meetings

RESOLVED: Slade/Roberts

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

CARRIED: 7/0
FOR: Edwards, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

09.01 ROADS REGISTER - SECTION 163 OF ROADS ACT

Mr Steven Gates address Council on the Roads Register under Section 163 of the Roads Act and answered questions from Councillors.

09.02 ENGAGEMENT OF A SWIMMING COACH AT THE PORT MACQUARIE SWIMMING POOL

Mr Jamie Harrison, on behalf of the Port Macquarie Swimming Club and Port Macquarie Surf Life Saving Club, addressed Council on the lack of the engagement of a Gold Level swimming coach at the Port Macquarie swimming pool by The YMCA.

Councillor Griffiths returned to the meeting, the time being 10:35am.

09.03 JAMES MOIR MEMORIAL BENCH SEAT - SHELLEY BEACH

Mr Ben Cudmore, on behalf of the Moir family, addressed Council on the wish of the family and friends of the late James Moir for a Memorial Bench seat in his memory at Shelley Beach or Wayne Richards Park if Shelley Beach not an option. Mr Cudmore answered questions from Councillors.

09.04 VIEWING PLATFORM AT BONNY HILLS

Mr Fred Martin addressed Council on his wish for a non-viewing platform at Bonny Hills and requested some pruning of trees in the area etc to improve the scenic view. Mr Martin answered questions from Councillors.

09.05 UPDATE ON COMMUNITY NEWS AND PREVIOUS MEETINGS

Mr Steven Gates addressed Council on roads issues within the Local Government Area and provided an update on previous Council Meeting presentations and other actions.

10 PUBLIC FORUM – MATTERS ON THE AGENDA

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

Mr Stuart Watson - Item 11.05 - Investment Report (Supporting)
Ms Casey Dwyer - Item 13.03 - Petition - Mill Hill Estate Subdivision Wauchope -
Bond for Stages 3 and 4

RESOLVED: Slade/Lipovac

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

CARRIED: 8/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

Mr Stuart Watson, on behalf of Climate Change Australia - Hastings Branch, addressed Council on Item 11.05 - Investment Report, speaking on results of investments to-date. Mr Watson answered questions from Councillors.

Deputy Mayor Roberts declared a non-pecuniary, significant interest in Item 13.03 and left the meeting, the time being 11:13am.

Ms Casey Dwyer addressed Council in Item 13.03 - Petition - Mill Hill Estate Subdivision, Wauchope - Bond for Stages 3 and 4 requesting Council consider accepting the bond by the developer and answered questions from Councillors.

SUSPENSION OF STANDING ORDERS

RESOLVED: Sheppard/Lipovac

That Standing Orders be suspended to allow Items 13.02, 13.03, 11.01, 11.03, 11.04, 11.05, 11.07, 11.08, 12.01, 12.02, 12.04, 12.05, 13.01, 14.01, 14.02, 14.04 and 14.05 not in the block to be brought forward and considered next.

CARRIED: 7/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Sheppard and Slade
AGAINST: Nil

13.02 PETITION - MILL ESTATE SUBDIVISION, WAUCHOPE - DETRIMENTAL AFFECT ON BUSINESSES OF THE PROPOSED REMOVAL OF PARKING SPACES IN HIGH STREET, WAUCHOPE

RESOLVED: Slade/Lipovac

That Council:

1. Note the petition received by local business owners and residents regarding the Mill Estate Subdivision, Wauchope and the detrimental affect on businesses of the proposed removal of parking spaces in High Street, Wauchope.
2. Respond to the organiser of the petition with the outcome of Council's consideration in the matter.

CARRIED: 7/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Sheppard and Slade
AGAINST: Nil

13.03 PETITION - MILL ESTATE SUBDIVISION, WAUCHOPE - BOND FOR STAGES 3 AND 4

Casey Dwyer addressed Council earlier in the Meeting on this item.

MOTION

MOVED: Slade/Pinson

That Council:

1. Note the petition received by local business owners and residents regarding the Mills Estate Subdivision, Wauchope and the request to Council to accept the bond of 130% from BDM to allow Stages 3 and 4 to be registered.
2. Request that the Chief Executive Officer write to Transport for NSW to provide their position on Council accepting the 130% bond, which would allow the landowners to start the building process.
3. Write to the owner of the petition advising them of the outcome.

AMENDMENT

MOVED: Griffiths/Intemann

That Council:

1. Note the petition received by local business owners and residents regarding the Mill Estate Subdivision, Wauchope and the request to Council to accept the bond of 130% from BDM to allow Stages 3 and 4 to be registered.
2. Write to the owner of the petition advising them that Council will continue to expedite the process with Transport for NSW and the applicant.

PROCEDURAL MOTION:

MOVED: Pinson/Slade

That the Amendment be put.

LOST: 2/5
FOR: Pinson and Slade
AGAINST: Edwards, Griffiths, Intemann, Lipovac and Sheppard

Debate on the matter continued.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 5/2
FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard
AGAINST: Pinson and Slade

THE AMENDMENT THEN BECAME THE MOTION AND WAS PUT AND CARRIED

RESOLVED: Griffiths/Intemann

That Council:

1. Note the petition received by local business owners and residents regarding the Mill Estate Subdivision, Wauchope and the request to Council to accept the bond of 130% from BDM to allow Stages 3 and 4 to be registered.
2. Write to the owner of the petition advising them that Council will continue to expedite the process with Transport for NSW and the applicant.

CARRIED: 5/2
FOR: Edwards, Griffiths, Intemann, Lipovac and Sheppard
AGAINST: Pinson and Slade

Deputy Mayor Roberts returned to the meeting, the time being 12:20pm.

11.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

MOTION

MOVED: Pinson/Roberts

That Council:

1. Request the Chief Executive Officer to extend the report for Outcome of Micromex Community Satisfaction Survey from September 2022 to October 2022.
2. Request the Chief Executive Officer to extend the report for Policy Review – Climate Change Response Policy – post public exhibition from September 2022 to October 2022.

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3. Note the information contained in the Status of Reports from Council Resolutions report.
 4. Request the Chief Executive Officer to provide a briefing that includes State and Federal Government priorities in regards to climate change.
 5. Request the Chief Executive Officer to provide an update on progress on the Joint Integrated Transport Network Plan to the August 2022 Council Meeting.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Sheppard left the meeting, the time being 12:55pm.

11.03 NOTICE OF MOTION - ON STREET CARPARKING LOSS IN RELATION TO BAIN PARK MASTERPLAN

RESOLVED: Griffiths/Slade

That Council request the Chief Executive Officer provide a report outlining advice on potential on-street carparking loss resulting from the implementation of the Bain Park Masterplan to the August 2022 Ordinary Council meeting.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Sheppard returned to the meeting, the time being 12:57pm.

11.04 NOTICE OF MOTION - QUEEN'S BIRTHDAY AWARDS

RESOLVED: Lipovac/Intemann

That Council acknowledge the following 2022 Queen's Birthday Honours Recipients from the Port Macquarie-Hastings LGA:

- Greg Davies - Emergency Services Medal - Marine Rescue Port Macquarie Unit Commander.
- Corey Tutt - Order of Australia Medal - for Service to Indigenous STEM Education (Science, Technology, Engineering, Mathematics).
- Susan Baker - Order of Australia Medal - for Service to Conservation and the Environment.

CARRIED: 8/0

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

AGAINST: Nil

11.05 INVESTMENTS - JUNE 2022

Mr Stuart Watson addressed Council earlier in the meeting on this item.

RESOLVED: Roberts/Slade

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

CARRIED: 8/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

11.07 POLICY REVIEW - VOLUNTEER POLICY - POST EXHIBITION

MOTION

MOVED: Intemann/Roberts

That Council adopt the Volunteer Policy.

AMENDMENT

MOVED: Pinson/Roberts

That consideration of this item be deferred pending a further Workshop with the Chief Executive Officer, relevant Directors and Councillors and a report be brought back to a future Council Meeting to be determined by the Chief Executive Officer.

THE MOTION WAS WITHDRAWN

THE AMENDMENT THEN BECAME THE MOTION AND WAS PUT AND CARRIED

RESOLVED: Pinson/Roberts

That consideration of this item be deferred pending a further Workshop with the Chief Executive Officer, relevant Directors and Councillors and a report be brought back to a future Council Meeting to be determined by the Chief Executive Officer.

CARRIED: 8/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

**11.08 DRAFT CODE OF CONDUCT AND PROCEDURES FOR THE
ADMINISTRATION OF THE MODEL CODE OF CONDUCT**

RESOLVED: Intemann/Roberts

That Council:

1. Pursuant to Section 440 of the Local Government Act 1993, adopt the draft Code of Conduct.
2. Pursuant to Section 440AA of the Local Government Act 1993, adopt the Procedures for the Administration of the Model Code of Conduct.

CARRIED: 8/0

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

AGAINST: Nil

**12.01 NOTICE OF MOTION - HOMELESSNESS IN THE LOCAL GOVERNMENT
AREA**

MOTION

MOVED: Lipovac/Slade

That Council request the Chief Executive Officer report to the November 2022 Ordinary Council meeting that provides data on the issue of homelessness in our Local Government Area and possible solutions that Council may be able to facilitate.

AMENDMENT

MOVED: Griffiths/Sheppard

That Council note the request and consider homelessness through the Housing Strategy, the Urban Growth Management Strategy and the Blueprint.

THE AMENDMENT WAS PUT AND LOST

LOST: 1/7

FOR: Griffiths

AGAINST: Edwards, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade

THE MOTION WAS PUT AND CARRIED

RESOLVED: Lipovac/Slade

That Council request the Chief Executive Officer report to the November 2022 Ordinary Council meeting that provides data on the issue of homelessness in our Local Government Area and possible solutions that Council may be able to facilitate.

CARRIED: 7/1
FOR: Edwards, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Griffiths

ADJOURNMENT OF MEETING

RESOLVED: Pinson/Roberts

That the meeting be adjourned.

CARRIED: 7/1
FOR: Edwards, Griffiths, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Intemann

The meeting adjourned at 1.45pm.

The meeting recommenced at 2.08pm.

12.02 BONNY HILLS RESERVES MASTER PLAN - POST EXHIBITION

RESOLVED: Intemann/Sheppard

That Council:

1. Note the information in the Public Exhibition Report - Bonny Hills Reserves Master Plan.
2. Note the responses to feedback themes and associated updates to the Draft Bonny Hills Reserves Master Plan.
3. Thank community members for their feedback.
4. Thank the Bonny Hills Community Council Action Team (CCAT) for their work in analysing community responses and for their feedback.
5. Adopt the updated Bonny Hills Reserves Master Plan.

CARRIED: 8/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

12.04 GRAFFITI MANAGEMENT UPDATE

RESOLVED: Sheppard/Roberts

That Council:

1. Note the progress report on actions that have been taken in relation to Graffiti management in the community.
 2. Request that the PMQ Youth Network be advised of the occurrence of the bi-monthly roundtables, and that interested parties are welcome to attend.
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3. Request that a formal invitation be extended to Port Macquarie Headspace and Land Care to have representatives attend the future roundtable discussions.

CARRIED: 8/0

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

AGAINST: Nil

12.05 PRIORITISATION OF SPORTING INFRASTRUCTURE PROJECTS

MOTION

MOVED: Roberts/Pinson

That Council:

1. Note the information contained within this report.
2. Defer prioritisation of the identified major sporting infrastructure projects until after confirmation is received from major funding partners, the Commonwealth Government and the State Government, as to what contributions will be available to help deliver each project.
3. Through the Chief Executive Officer and the Mayor, engage with the Federal Members, Dr David Gillespie MP and Pat Conaghan MP; State Members Leslie Williams MP and Melinda Pavey MP, to determine what funding either is available or will be likely be available in the current or upcoming budgets, to contribute to the projects identified in this report.
4. Through the Chief Executive Officer, provide a report to Council on the outcome of discussions with the Federal and State Members prior to a specific order of prioritisation.

AMENDMENT

MOVED: Sheppard/Intemann

That Council:

1. Note the information contained within this report.
2. Endorse the Port Macquarie Aquatic Facility as a major strategic infrastructure project and as such, pursue progression of this project as a stand-alone item and as an urgent priority to seek external funding for the project noting the risk of failure of the existing facility.
3. Prioritise the delivery of the Thrumster Sporting Fields, Port Macquarie Aquatic Centre, Rainbow Beach Sports Fields Stage 2, Hastings Regional Sporting Fields and the design development of the next stage of Wayne Richards Sporting Fields in this respective order to meet capacity and growth demands within the LGA, acknowledging the multiple electorates in our area.
4. Investigate and seek funding from external revenue sources to support the collected \$7.11 contributions where applicable in funding the sporting infrastructure projects noting the above prioritisation order.
5. Continue to investigate and seek funding from external revenue sources to implement facility improvements at the Port Macquarie Regional Stadium to ensure it remains a premier sporting venue within the LGA.

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6. Reflect the above prioritisation of sporting infrastructure projects in the Recreation Action Plan review to be finalised by December 2022.

THE AMENDMENT WAS PUT AND WAS LOST

LOST: 4/5

FOR: Edwards, Griffiths, Intemann and Sheppard

AGAINST: Lipovac, Pinson, Roberts, Slade and Pinson Casting Vote

THE MOTION WAS PUT AND CARRIED

RESOLVED: Roberts/Pinson

That Council:

1. Note the information contained within this report.
2. Endorse the PMQ Aquatic Facility as a major strategic infrastructure project and as such, pursue progression of this project as a stand-alone item and as an urgent priority to see external funding for the project noting the risk of failure of the existing facility.
3. Defer prioritisation of the remaining identified major sporting infrastructure projects until after confirmation is received from major funding partners, the Commonwealth Government and the State Government, as to what contributions will be available to help deliver each project.
4. Through the Chief Executive Officer and the Mayor, engage with the Federal Members, Dr David Gillespie MP and Pat Conaghan MP; State Members Leslie Williams MP and Melinda Pavey MP, to determine what funding either is available or will be likely be available in the current or upcoming budgets, to contribute to the projects identified in this report.
5. Through the Chief Executive Officer, provide a report to Council on the outcome of discussions with the Federal and State Members prior to a specific order of prioritisation.

CARRIED: 5/3

FOR: Intemann, Lipovac, Pinson, Roberts and Slade

AGAINST: Edwards, Griffiths and Sheppard

13.01 ARTWALK EVENT WRAP UP REPORT

RESOLVED: Pinson/Intemann

That Council:

1. Note the success of the ArtWalk 2022 event.
2. Commend all staff involved with the planning, logistics and for their attendance at the event.
3. Note that a report will be presented to Council in August 2022 outlining options for the future delivery of the event.

CARRIED: 8/0

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

AGAINST: Nil

14.01 URBAN GROWTH MANAGEMENT STRATEGY UPDATE

MOTION

MOVED: Roberts/Pinson

That Council:

1. Note the progress of actions from Council's Urban Growth Management Strategy as detailed within this report.
2. Endorse the information and associated timeframes contained within this report, in relation to the proposed continued progression of actions as detailed within Council's Urban Growth Management Strategy.

AMENDMENT

MOVED: Sheppard/Edwards

That Council:

1. Defer consideration of this item pending receipt of a Councillor briefing on the Urban Growth Management Strategy.
2. Determine that the matter be considered further at the August 2022 Council meeting following receipt of the Councillor briefing referred to in 1 above.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 5/3

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

THE AMENDMENT THEN BECAME THE MOTION AND WAS PUT AND CARRIED

RESOLVED: Sheppard/Edwards

That Council:

1. Defer consideration of this item pending receipt of a Councillor Briefing on the Urban Growth Management Strategy.
2. Determine that the matter be considered further at the August 2022 Council Meeting following receipt of the Councillor Briefing referred to in 1 above.

CARRIED: 7/1

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

14.02 PLANNING AMENDMENT TO PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - SECONDARY DWELLINGS IN RURAL ZONES UNDER CLAUSE 5.5 OF THE STANDARD INSTRUMENT - PRINCIPAL LOCAL ENVIRONMENTAL PLAN 2006.

RESOLVED: Intemann/Roberts

That Council:

1. Adopt the State Government Standard Instrument - Principal Local Environmental Plan 2006 (SI LEP)) optional 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone' for inclusion in the Port-Macquarie-Hastings Local Environmental Plan 2011.
2. Notify the Department of Planning and Environment of its decision to adopt Optional 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone', including:
 - a. Permitting secondary dwellings with development consent in the following land use zones:
 - i. RU1 Primary Production,
 - ii. RU2 Rural Landscape, and
 - iii. RU5 Village;
 - b. Setting the following development controls for Clause 5.5:
 - i. the greater of -
 - a) 60 square metres total floor area the total for the secondary dwelling, or
 - b) 33% of the total floor area of the principal dwelling, excluding any area used for parking, and
 - ii. the distance between the secondary dwelling and the principal dwelling must not exceed -
 - a) 100 metres.
3. Request the Minister for Planning and Minister for Homes, the Hon. Anthony Roberts MP to prepare a draft Local Environmental Plan under Section 3.22 of the Environmental Planning and Assessment Act, 1979 to expedite an amendment to the Port Macquarie-Hastings Local Environmental Plan 2011 to insert optional 'Clause 5.5 Controls relating to secondary dwellings on land in a rural zone' from the Standard Instrument - Principal Local Environmental Plan 2006.

CARRIED: 8/0

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

AGAINST: Nil

14.04 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE

RESOLVED: Intemann/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: 8/0

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

AGAINST: Nil

14.05 TACKING POINT SURF LIFE SAVING CLUB EXTERNAL SEWER UPGRADE WORKS - ADDITIONAL FUNDING REQUEST

RESOLVED: Roberts/Pinson

That Council:

1. Note the request from the Tacking Point Surf Life Saving Club to consider a further contribution toward the expansion of the Club House in Matthew Flinders Drive, Port Macquarie.
2. Request the Chief Executive Officer confirm with the Tacking Point Surf Life Saving Club that an additional contribution from Council toward external sewer works to the maximum value of \$116,956.38 (incl GST) will be made available.
3. Note the additional allocation will be taken from Recreation and Building allocations as detailed in the report, namely the budget allocation for the Camden Haven Surf Club (\$51,027) and the Building Rectification Works budget allocation (\$65,930) as carryover from the 2021-2022 Capital budget.
4. Include an additional budget line item in the first review of the 2022-2023 Operational Plan to the value of \$117,000 for "Tacking Point Surf Life Saving Club Drainage Works" and it be funded as detailed in this report.
5. To also note the urgency of the Camden Haven Surf Life Saving Club work.
6. Request the Chief Executive Officer to provide a report to the December 2022 Council Meeting detailing the proposed course of delivery for the new Camden Haven Surf Life Saving Club.
7. Request the Chief Executive Officer to liaise with the relevant Local Members of Parliament, seeking their support for adequate funding for the Camden Haven Surf Life Saving Club relocation, and their assistance with the matters of land tenure.

CARRIED: 7/1

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

AGAINST: Griffiths

EXTENSION OF COUNCIL MEETING

RESOLVED: Pinson/Roberts

That the Council Meeting be extended to 5.00 pm.

CARRIED: 8/0

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

AGAINST: Nil

15 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Sheppard/Lipovac

That Items 11.02, 11.06, 11.09, 12.03 and 14.03 be considered as a block resolution.

CARRIED: 8/0

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

AGAINST: Nil

RESOLVED: Sheppard/Lipovac

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

CARRIED: 8/0

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

AGAINST: Nil

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

11.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 2 JUNE TO 6 JULY 2022

BLOCK RESOLVED: Sheppard/Lipovac

That Council note there has been no Mayoral Discretionary Fund allocations for the period 2 June to 6 July 2022 inclusive.

Item 11.03 Notice of Motion - On-Street Carparking Loss in Relation to Bain Park Masterplan, has been addressed previously within the meeting.

Item 11.04 Notice of Motion - Queen's Birthday Awards, has been addressed previously within the meeting.

Item 11.05 Investments - June 2022, has been addressed previously within the meeting.

11.06 POLICY REVIEW - INVESTMENT POLICY

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

1. Place the revised draft Investment Policy on public exhibition for 28 days, from 29 July 2022 until 25 August 2022.
2. Note that a further report will be presented at the September 2022 meeting of Council, detailing the submissions received from the public during the exhibition period.

Item 11.07 Policy Review - Volunteer Policy - Post Exhibition, has been addressed previously within the meeting.

Item 11.08 Draft Code of Conduct & Procedures for the Administration of the Model Code of Conduct, has been addressed previously within the meeting.

11.09 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

1. Revoke all previous delegations of functions to the General Manager.
2. Delegate to the Chief Executive Officer of Port Macquarie-Hastings Council the Functions in accordance with the Instrument of Delegation to the General Manager, attached to this report as Attachment 1.
3. Appoint the Director Community Utilities, Jeffery Sharp, to act as Chief Executive Officer in any instance where an Acting Chief Executive Officer has not otherwise been determined by Council while the Chief Executive Officer is absent from work on leave.
4. Delegate to any person acting as Chief Executive Officer pursuant to this resolution all the functions, delegations, and sub-delegations given to the General Manager by the Council.
5. Pursuant to clause 213 of the Local Government (General) Regulation 2021, delegate to the General Manager the authority to approve the abandonment of debts up to the amount of \$5,000.
6. Note that the role of General Manager applies to the position of Chief Executive Officer and all references to General Manager refer to the position of Chief Executive Officer.

Item 12.01 Notice of Motion - Homelessness in the Local Government Area, has been addressed previously within the meeting.

Item 12.02 Bonny Hills Reserves Master Plan - Post Exhibition, has been addressed previously within the meeting.

12.03 CHANGE OF ROAD TYPE - GIRRAWEE CLOSE TO GIRRAWEE ROAD

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

1. Change the road type from Girrawee Close to Girrawee Road.
2. Place a notification of the road type change on Council's website and in the NSW Government Gazette.
3. Inform all owners and residents of Girrawee Close and Girrawee Road of the Council resolution in this matter.
4. Notify the relevant statutory authorities and local organisations of the change.
5. Note that the road type change will be effective from 1 September 2022.
6. Replace existing street signage.

Item 12.04 Graffiti Management Update, has been addressed previously within the meeting.

Item 12.05 Prioritisation of Sporting Infrastructure Projects, has been addressed previously within the meeting.

Item 13.01 ArtWalk Event Wrap-Up Report, has been addressed previously within the meeting.

Item 13.02 Petition - Mill Estate Subdivision, Wauchope - Detrimental Affect on Businesses of the Proposed Removal of Parking Spaces in High Street, Wauchope, has been addressed previously within the meeting.

Item 13.03 Petition - Mill Estate Subdivision, Wauchope - Bond for Stages 3 and 4, has been addressed previously within the meeting.

Item 14.01 Urban Growth Management Strategy Update, has been addressed previously within the meeting.

Item 14.02 Planning Amendment to PMQ-Hastings LEP 2011 - Secondary Dwellings in Rural Zones under Clause 5.5 of the Standard Instrument - Principal LEP 2006, has been addressed previously within the meeting.

14.03 RAWDON ISLAND BRIDGE

BLOCK RESOLVED: Sheppard/Lipovac

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

Item 14.05 Tacking Point Surf Life Saving Club External Sewer Upgrade Works - Additional Funding Request, has been addressed previously within the meeting.

CONFIDENTIAL SESSION

RESOLVED: Sheppard/Roberts

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 RFQ-21-58 - Rawdon Island Bridge - Site Surveillance Officer
RFQ-21-61 - Rawdon Island Bridge - Contract Administrator
RFQ-21-62 - Rawdon Island Bridge - Project Microbat Specialist

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 T-22-51 Water and Sewer Process Membrane Replacement Program

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-21-27 Supply and Delivery of Water Treatment Chemicals

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial

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- 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: 8/0
FOR: Edwards, Griffiths, Intemann, Lipovac, Pinson, Roberts, Sheppard and Slade
AGAINST: Nil

**16.01 RFQ-21-58 - RAWDON ISLAND BRIDGE - SITE SURVEILLANCE OFFICER;
RFQ-21-61 - RAWDON ISLAND BRIDGE - CONTRACT ADMINISTRATOR;
RFQ-21-62 - RAWDON ISLAND BRIDGE - PROJECT MICROBAT SPECIALIST;**

Councillor Sheppard left the meeting, the time being 04:02pm.

Councillor Sheppard returned to the meeting, the time being 04:04pm.

RESOLVED: Intemann/Roberts

That Council:

1. Note the current forecast for the completion for the Rawdon Island Bridge repair works is November 2022.
2. In accordance with Section 55(3)(i) of the Local Government Act, 1993, due to the extenuating circumstances to allow the ongoing contractual support services for the Rawdon Island Bridge repair works, not call public tenders for the:
 - a) Rawdon Island Bridge - Site Surveillance Officer
 - b) Rawdon Island Bridge - Contract Administrator
 - c) Rawdon Island Bridge Project - Microbat Specialist.
3. Request the Chief Executive Officer to enter into negotiations to vary contracts:
 - a) RFQ-21-58 - Site Surveillance Officer with Local Government Engineering Services Pty Ltd to undertake role of Site Surveillance Officer
 - b) RFQ-21-61 - Contract Administrator with Focus Bridge Engineering (registered as MLEI Bridge Pty Ltd) to act as the Principal Authorised Person for contract T-21-42.03 on behalf of Council, and
 - c) RFQ-21-62 - Project Microbat Specialist with Echo Ecology and Surveying Pty Ltd for implementing a Microbat Management Plan for a further period expiring 30 November 2022 in accordance with the terms and conditions specified in the contracts.
4. Delegate to the Chief Executive Officer the authority to negotiate and sign the contract deed of variations with

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- a) Local Government Engineering Services
 - b) Focus Bridge Engineering (registered as MLEI Bridge Pty Ltd), and
 - c) Echo Ecology and Surveying Pty Ltd,
for a further period expiring 30 November 2023 in accordance with the terms and conditions specified in the contracts.
5. Maintain the confidentiality of the documents and consideration in respect of these contracts.
 6. Enter into borrowings of \$4.6 million to cover the remaining cost of the project.

CARRIED: 8/0

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

AGAINST: Nil

16.02 T-22-51 WATER AND SEWER PROCESS MEMBRANE REPLACEMENT PROGRAM

RESOLVED: Roberts/Lipovac

That Council:

1. In accordance with Section 55(3)(i) of the Local Government Act 1993, will not invite tenders for T-22-51 Water and Sewer Process Membrane Replacement Program due to extenuating circumstances being risk of total failure and loss of Environmental Protection Agency Discharge Licence.
2. Issue a formal Request for Quotation T-22-51 Water and Sewer Process Membrane Replacement Program on a single invitation basis to the contractor recognised by Council.
3. Note that the Chief Executive Officer, under existing delegations to the General Manager, may accept a quotation for T-22-51 Water and Sewer Process Membrane Replacement Program, and present a further report to a future meeting of Council after contract award for Council's information.
4. Maintain the confidentiality of the documents and consideration in respect of T-22-51 Water and Sewer Process Membrane Replacement Program and this report.

CARRIED: 8/0

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

AGAINST: Nil

**16.03 T-21-27 SUPPLY AND DELIVERY OF WATER TREATMENT
CHEMICALS**

RESOLVED: Slade/Lipovac

That Council:

1. In accordance with section 178(1) of the Local Government (General) Regulation 2021, decline to accept any of the tenders submitted for T-21-27 Supply and Delivery of Water Treatment Chemicals and enter into negotiations with the identified preferred suppliers, with a view to entering into a contract in relation to the subject matter of the tender.
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 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.
3. Note the Chief Executive Officer, under existing delegation to the General Manager, may accept tenders for T-21-27 Supply and Delivery of Water Treatment Chemicals following successful negotiations, and present a further report to a future meeting of Council after contract award for Council's information.
4. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-21-27 Supply and Delivery of Water Treatment Chemicals.

CARRIED: 7/1

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

AGAINST: Intemann

RESOLVED: Sheppard/Lipovac

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

CARRIED: 8/0

FOR: Edwards, Griffiths, Intemann, Lipovac, 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 4.13pm.

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Peta Pinson
Mayor