
PRESENT

Members:

Mayor Adam Roberts
Deputy Mayor Lauren Edwards
Councillor Mark Hornshaw
Councillor Lisa Intemann
Councillor Chris Kirkman
Councillor Nik Lipovac
Councillor Danielle Maltman
Councillor Rachel Sheppard
Councillor Hamish Tubman

Other Attendees:

Chief Executive Officer (Dr Clare Allen)
Director Business and Performance (Keith Hentschke)
Director Community, Planning and Environment (Melissa Watkins)
Director Community Infrastructure (Robert Fish)
Group Manager Governance (Michael Ferguson)
Governance Officer (Tania Ellis)

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: Lipovac/Edwards

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

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

03 LOCAL GOVERNMENT PRAYER

Reverend Daniel Berris from St Thomas Church, Port Macquarie delivered the Local Government Prayer.

04 APOLOGIES

Nil.

05 CONFIRMATION OF MINUTES

RESOLVED: Maltman/Intemann

That the Minutes of the Ordinary Council Meeting held on 17 October 2024 be confirmed.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

06 DISCLOSURES OF INTEREST

Councillor Tubman declared a Non-Pecuniary, Less Than Significant Interest in Item 13.01 Rescission Motion Camden Head Lookout Master Plan, the reason being that an associate of Councillor Tubman, Sue Baker, ran on in a group ticket for the 2024 Local Government election together with Councillor Tubman and she is a member of a Hastings Landcare Group, that have made submissions with regard to this item. Ms Baker also made a minor financial contribution to the election campaign of Councillor Tubman in the 2024 Local Government election. Councillor Tubman has known this person for the past 3 months, however they are not regarded as close associates and we do not meet or speak on a regular basis. Councillor Tubman intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence his decision making in the matter.

Councillor Maltman declared a Non-Pecuniary - Less than Significant interest in Item 13.08 Lake Cathie Natural Resource Management Monthly Update Report. The reason being that Councillor Maltman is a non-financial life member and former President of the community organisation Revive Lake Cathie Incorporated. Councillor Maltman intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence her decision making in the matter.

Councillor Sheppard declared a Non-Pecuniary, Significant interest in Item 14.04 Code of Conduct Matter. The reason being is that in August 2024 the respondent in this matter made a reportable political donation to a campaign from which she benefited. Councillor Sheppard intends to leave the meeting and take no part in consideration of this item.

07 MAYORAL MINUTES

Nil.

08 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Lipovac/Intemann

That Council determine that the attachments to Item Numbers 10.10, 10.11 and 10.22 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

09 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Maltman/Kirkman

That Items 10.01, 10.02, 10.03, 10.10, 10.13, 10.17, 10.18, 10.20, 10.22, 11.06, 13.04, 13.05 and 13.06 be considered as a block resolution.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

RESOLVED: Sheppard/Lipovac

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

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

**10.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 3 TO 30
OCTOBER 2024**

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the Mayoral Discretionary Fund allocations for the period 3 to 30 October 2024 inclusive.

10.02 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Sheppard/Lipovac

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

10.03 OATH OR AFFIRMATION OF OFFICE

BLOCK RESOLVED: Sheppard/Lipovac

That Council note that the Mayor and all Councillors undertook their Oath, or Affirmation, of Office before Council's Chief Executive Officer on Thursday 17 October 2024.

10.10 LEGAL FEES

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the information in the Legal Fees report.

10.13 INVESTMENTS AND LOANS - OCTOBER 2024

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the Investment and Loans Report for October 2024.

**10.17 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM
PERFORMANCE - QUARTERLY REPORT**

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the Development Activity and Assessment System Performance report for the first quarter of 2024-2025.

10.18 ELECTRICITY CONTRACT - SMALL SITES (<100,000KWH)

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

- 1. In accordance with section 55(3)(i) of the Local Government Act 1993, not invite tenders for the supply of electricity to Council's sites and facilities due to extenuating circumstances for the reasons that a satisfactory outcome would not be achieved by openly advertising the invitation of tenders.**
 - 2. Extend the current Contract with retailer Shell Energy to 2032 under the NSW Whole of Government Contract 3062.**
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**10.20 POLICY REVIEW - DRAFT POLICY FRAMEWORK - FOLLOWING
PUBLIC EXHIBITION**

BLOCK RESOLVED: Sheppard/Lipovac

That Council adopt the draft Policy Framework and draft Policy Framework Procedure.

10.22 PROPERTY INVESTMENT PORTFOLIO - ANNUAL REPORT

BLOCK RESOLVED: Sheppard/Lipovac

That Council note the update provided to Council on the Property Investment Portfolio for financial year to 30 June 2024.

11.06 COMMUNITY GRANTS PROGRAM 2024-2025 - FUNDING ROUND 1

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

1. **Allocate \$101,350 in funding under Round 1 of the 2024-2025 Community Grants Program to the following organisations:**

Endeavour Mental Health	Creating a Safe Haven	\$2,400
Self Seen Inc.	Front Line Listeners	\$3,000
Liberty DV Services	Pathways to Healing	\$10,000
Arts MNC	Creative Sparks	\$10,000
Lions Club PMQ/TP	Rise & Shine Breakfast Club	\$5,000
Birpai LALC	Camden Haven Cultural Camps	\$10,000
PMQ Historical Society	Hastings Art Trail	\$13,769
EACH Headspace	Cage the Night	\$15,000
PMQ Players	One Act Play Festival	\$5,000
Charles Sturt University	Queer Screen Short Film Festival	\$5,000
Hastings Valley Fine Art Assoc	Hastings Valley Open Art Prize	\$1,000
The Y NSW	Australia Day Splashfests	\$8,950
Douglas Vale Conservation	Seniors Day in the Vineyard	\$2,000
Pappinbarra Progress Assoc	Christmas in Lorne	\$2,000
Byabarra Sports & Tennis Club	Christmas in Byabarra	\$2,000
Beechwood P&C	Christmas in Beechwood	\$2,000
Bunyah LALC	Christmas for Bunyah	\$2,000
Wauchope Bonny SLS Club	Christmas at Bonny Hills	\$2,000
Pappinbarra Progress Assoc	Christmas in Pappinbarra	\$2,000
Friends of Mrs Yorks Garden	A Decade of Bloom	\$2,000
	TOTAL	\$101,350

2. **Note that \$6,755 in community micro grants has been allocated to the following organisations:**

Heritage Christian School	Seen & Heard 2.0	\$2,000
MNC Indian Assoc.	Diwali Festival of Lights	\$2,000
Hastings College Robotics	Hastings Heroes Robotics Team	\$2,000
PMQ Community Garden Inc.	Lost Plot Spring Fair	\$ 755
	TOTAL	\$6,755

**13.04 DA2023-504 - PRIMITIVE CAMPING AT COMBOYNE SHOWGROUND -
SHOWGROUND ROAD COMBOYNE - REQUEST TO WAIVE
DEVELOPMENT CONTRIBUTIONS AND WATER DEVELOPER
SERVICING CHARGES**

BLOCK RESOLVED: Sheppard/Lipovac

That Council waive the development contributions and water developer servicing charges, totalling \$64,898.90, associated with the eight additional primitive campground sites within the existing Comboyne Showground.

13.05 LOCAL STRATEGIC PLANNING STATEMENT - ANNUAL UPDATE

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

- 1. Note the progress of actions identified in Council's Local Strategic Planning Statement - Shaping our Future 2040.**
 - 2. Note that the LSPS is to be reviewed to ensure alignment with Council's Community Strategic Plan (Imagine 2050) and the North Coast Regional Plan 2041.**
 - 3. Note that the review will also seek to assign actions which support the implementation of the planning priorities and principles identified in the LSPS, to the appropriate Council strategy(s) and supporting action plan(s).**
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**13.06 UPDATE REPORT DRAFT DEVELOPMENT SERVICING PLAN (DSP),
2024 - PUBLIC EXHIBITION**

BLOCK RESOLVED: Sheppard/Lipovac

That Council:

- 1. Note the Draft Development Servicing Plan is currently on public exhibition, commenced on 14 October and concluding on 22 November 2024.**
 - 2. Note that a report will be presented to the February 2025 Ordinary Council Meeting following the public exhibition period.**
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10.04 NOTICE OF MOTION - COUNCILLOR ATTENDANCE AT MEETINGS

RESOLVED: Lipovac/Sheppard

That Council, during the end of each 12-month period (October to September) of this 4-year term, request the Chief Executive Officer to provide a report at the October Meeting on the number of Ordinary, Extraordinary Meetings, Pre-Council Briefings and the number of Public Forums each Councillor has attended.

CARRIED: 8/1
FOR: Edwards, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Hornshaw

10.05 NOTICE OF MOTION - CODE OF CONDUCT PROVISIONS FOR RETURNS OF INTEREST

RESOLVED: Sheppard/Tubman

That Council amend the Code of Conduct by including additional supplementary provisions as detailed below:

- 4.23A** If a Councillor or Designated Person does not lodge a Return of Interest, the Chief Executive Officer or delegate will bring this to the attention of the Councillor or Designated Person and will request they lodge the Return. Should the Councillor or Designated Person fail to lodge a Return after reasonable requests, this will be documented in the associated report in which the Return is presented to Council, by identifying the party who has not lodged a required Return of Interest, and their position in the organisation.
- 4.23B** In the case that a Councillor or Designated Person submits a Return of Interests that, in the opinion of the Chief Executive Officer or delegate, is visibly incomplete, contains unclear responses, is illegible or is otherwise visibly non-compliant with the requirements of completing the return, the Chief Executive Officer, or delegate, will bring all areas of visible noncompliance to the attention of the Councillor or Designated Person and will request the Councillor or Designated Person to lodge a corrected return.
- 4.23C** If, following application of clause 4.23B, a Councillor or Designated Person insists on lodging a Return of Interests that, in the opinion of the Chief Executive Officer or delegate, is visibly incomplete, contains unclear responses, is illegible or is otherwise visibly non-compliant with the requirements of completing the return, this is documented in the associated report in which the Return is presented to Council, by identifying the noncompliant Return of Interest and specifying the ways in which it is considered noncompliant.

4.23D With respect to clauses 4.23B and 4.23C, the analysis with respect to the measure of completeness will be based on examination of whether individuals have completed all parts of the Returns of Interests form. This does not examine whether the information provided in the forms is in fact accurate. It is further noted that the responsibility of correctly completing the return is held by the Councillor or Designated Person, and not the Chief Executive Officer or their delegate.

CARRIED: 8/1
FOR: Edwards, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Hornshaw

10.06 QUESTION WITH NOTICE - STATE OR FEDERAL ACTIVE TRANSPORT GRANT FUNDING OPPORTUNITIES.

RESOLVED: Edwards/Sheppard

That the response provided to Councillor Edwards Question on Notice regarding State Or Federal Active Transport Grant Funding Opportunities be noted.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

10.07 COUNCIL MEETING DATES FOR 2025

MOTION

MOVED: Lipovac/Sheppard

That Council:

1. Set the Ordinary Council Meeting dates for the 2025 as the third Thursday of each month (with the exception of an earlier meeting in December due to the proximity of Christmas) being:
 - 20 February
 - 20 March (Wauchope)
 - 17 April
 - 15 May
 - 19 June
 - 17 July
 - 21 August
 - 18 September
 - 16 October (Camden Haven)
 - 20 November

-
- 11 December
2. Set the Ordinary Council meetings to commence at 2:00pm on the dates as listed in 1 above.
 3. Conduct a public forum the Monday evening prior to each Ordinary Council Meeting commencing at 5.00pm, with the exception of the March 2025 and October 2025 public forums where they will be held at 1pm immediately preceding the commencement of the Ordinary Council meeting.

AMENDMENT

MOVED Intemann/Hornshaw

That Council:

1. Set the Ordinary Council Meeting dates for the 2025 as the third Thursday of each month (with the exception of an earlier meeting in December due to the proximity of Christmas) being:
 - 20 February
 - 20 March (Wauchope)
 - 17 April
 - 15 May
 - 19 June
 - 17 July
 - 21 August
 - 18 September
 - 16 October (Camden Haven)
 - 20 November
 - 11 December
2. Set the Ordinary Council meetings to commence at 2:00pm on the dates as listed in 1 above.
3. Conduct a public forum the Monday evening prior to each Ordinary Council Meeting commencing at 5.00pm, with the exception of the March 2025 and October 2025 public forums where they will be held at 1.00pm immediately preceding the commencement of the Ordinary Council meeting.
4. Request the Chief Executive Officer be requested to consult with Councillors and staff in early 2025 regarding the possibility of engaging in community outreach rather than conduct council meetings off-site.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

THE AMENDMENT ON BEING PUT WAS CARRIED

THE AMENDMENT BECAME THE MOTION

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Intemann/Hornshaw

That Council:

1. **Set the Ordinary Council Meeting dates for the 2025 as the third Thursday of each month (with the exception of an earlier meeting in December due to the proximity of Christmas) being:**
 - 20 February
 - 20 March (Wauchope)
 - 17 April
 - 15 May
 - 19 June
 - 17 July
 - 21 August
 - 18 September
 - 16 October (Camden Haven)
 - 20 November
 - 11 December
2. **Set the Ordinary Council meetings to commence at 2:00pm on the dates as listed in 1 above.**
3. **Conduct a public forum the Monday evening prior to each Ordinary Council Meeting commencing at 5pm, with the exception of the March 2025 and October 2025 public forums where they will be held at 1pm immediately preceding the commencement of the Ordinary Council meeting.**
4. **Request the Chief Executive Officer be requested to consult with Councillors and staff in early 2025 regarding the possibility of engaging in community outreach rather than conduct council meetings off-site.**

CARRIED: 9/0

*FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman*

AGAINST: Nil

10.08 DISCLOSURE OF INTEREST RETURN - DESIGNATED PERSONS

RESOLVED: Intemann/Sheppard

That Council note the Disclosure of Interest return for the following positions.

1. **Elected Member - Councillor**
2. **Business and Performance - Health, Safety and Wellbeing Manager**
3. **Community Utilities - Waste Transfer Station Team Leader**

CARRIED: 9/0

*FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts,
Sheppard and Tubman*

AGAINST: Nil

The Chairperson tabled the disclosures of interest return of the Designated Persons listed above.

**10.09 AUDIT RISK AND IMPROVEMENT COMMITTEE FOUR- YEAR
WORKPLAN AND FOUR-YEAR STRATEGIC INTERNAL AUDIT PLAN**

RESOLVED: Sheppard/Edwards

That Council:

- 1. Note the draft Port Macquarie- Hastings Council Audit Risk and Improvement Committee Strategic Workplan and the draft Four-year Strategic Audit Plan for the period 1 July 2024 to 30 June 2028.**
- 2. Defer consideration of adoption of the draft plans in clause 1, until after Council has received the End of Term Audit Risk and Improvement Committee Presentation to Council and received the report of the end of term Independent Assessment, no later than February 2025.**
- 3. Note that ARIC and Internal Audit work will continue per the draft plans until such time as plans are formally adopted by council.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 10.10 Legal Fees, has been addressed previously within the meeting.

**10.11 2024-2025 QUARTERLY BUDGET REVIEW STATEMENT AND
OPERATIONAL PLAN STATUS REPORT AS AT 30 SEPTEMBER 2024**

RESOLVED: Sheppard/Edwards

That Council:

- 1. Note the Quarterly Budget Review Statements as at 30 September 2024.**
- 2. Note the 2024-2025 Operational Plan First Quarter Status Report as at 30 September 2024.**
- 3. Authorise the deferral of the following Actions/Projects, with the Status of Council approved Action Deferred / Not Progressing**
 - WAS 09 Water Network Planning - Trunk Mains Upgrade- Chalmers St (O'Briens)**
 - WAS 11 Water Network Planning - Trunk Mains Upgrade - Sancrox Residential Area**
 - WAS 12 Water Network Planning - Trunk Mains Upgrade- Yarramundi Rd Trunk Mains**
 - WAS 13 Water Network Planning - Trunk Mains - Yippin Creek Northern Trunk Mains**
 - WAS 21 Water Network Planning - Transit Hill Reservoir instrumentation, pipework and valves renewal**

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- **WAS 33 Reservoirs - Trunk Main from Bonny Hills to Kew (Area 15) reservoir**
 - **WAW 09 Wastewater Network - Reticulation Mains and Rising Mains - Camden Haven Sewer Pump Station (SPS) #11 - Rising main renewal works**
 - **WAW 10 Wastewater Network - Reticulation Mains and Rising Mains - Camden Haven Sewer Pump Station (SPS) #15 - Rising main renewal works**
 - **WAW 21 Wastewater Network - Reticulation Mains and Rising Mains - Camden Haven Sewer Pump Station (SPS) #23 Catchment Relining**
 - **WAW 22 Wastewater Network - Reticulation Mains and Rising Mains - Port Macquarie Sewer Pump Station #71 Catchment Investigations**
 - **WAW 28 Sewer Pumping Stations (SPS) - Port Macquarie Sewer Pump Station (SPS) #05 - Pump Station Upgrade**
 - **WAW 29 Sewer Pumping Stations (SPS) - Port Macquarie Sewer Pump Station (SPS) #06 - Pump Station Upgrade**
 - **WAW 31 Sewer Pumping Stations (SPS) - Wauchope Sewer Pump Station (SPS) #01 - Pump Station Upgrade**
4. **Note the tabled additional information in relation to the project deferrals detailed in clause 3.**
 5. **Request the Chief Executive Officer provide a Councillor briefing by the end of February 2025 in relation to the deferrals appearing in clause 3, that details the proposed new timeline for delivery of each project, impacts of deferring each project in relation to strategic growth considerations, and details options explored or to be explored to progress the deferred projects in the upcoming delivery program.**
 6. **Note that whilst there are no errors in the T-Corp ratio calculations, there is a lack of clarity on the criteria supporting the classification, which will be addressed in future Quarterly Budget Review Statement reporting.**

CARRIED: 9/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman

AGAINST: Nil

The Chairperson tabled additional documentation circulated to Councillor's 2024-2025 Quarterly Budget Review Statement And Operational Plan Status Report as at 30 September 2024 as listed above.

Deputy Mayor Edwards left the meeting, the time being 10.44am.

Deputy Mayor Edwards returned to the meeting, the time being 10.44am.

10.12 MONTHLY BUDGET REVIEW - OCTOBER 2024

RESOLVED: Sheppard/Intemann

That Council:

- 1. Adopt the adjustments in the October 2024 Adjustments section of the Monthly Budget Review – October 2024 report and associated attachment.**
- 2. Amend the 2024-2025 Operational Plan to include all budget adjustments approved in this report.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 10.13 Investments and Loans - October 2024, has been addressed previously within the meeting.

10.14 PORT MACQUARIE-HASTINGS COUNCIL ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

RESOLVED: Edwards/Intemann

That Council adopt the Port Macquarie-Hastings Council Annual Financial Statements, incorporating the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2024.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

10.15 2023-2024 PORT MACQUARIE-HASTINGS COUNCIL ANNUAL REPORT

RESOLVED: Edwards/Tubman

That Council:

- 1. Adopt the 2023-2024 Port Macquarie-Hastings Council Annual Report.**
- 2. Authorise minor corrections or typographical errors to be corrected prior to the finalised document being published on Council's website and the Office of Local Government be notified no later than 30 November 2024.**
- 3. That a copy of the 2023-2024 Port Macquarie-Hastings Council Annual Report be printed and made available for reading at the Port Macquarie, Wauchope, and Laurieton Libraries.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

10.16 2021-2024 STATE OF OUR REGION REPORT - PORT MACQUARIE HASTINGS COUNCIL

RESOLVED: Edwards/Maltman

That Council:

- 1. Note the 2021-2024 State of our Region Report.**
- 2. Authorise minor corrections or typographical errors to be corrected prior to the finalised document being published on Council's website and the Office of Local Government be notified no later than 30 November 2024.**
- 3. That a copy of the 2021-2024 State of our Region Report be printed and made available for reading at the Port Macquarie, Wauchope, and Laurieton Libraries.**

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Item 10.17 Development Activity and Assessment System Performance - Quarterly Report, has been addressed previously within the meeting.

Item 10.18 Electricity Contract - Small Sites (<100,000kWH), has been addressed previously within the meeting.

10.19 SUPPLY OF ELECTRICITY - REGIONAL COUNCILS NSW POWER PURCHASE AGREEMENT

RESOLVED: Edwards/Sheppard

That Council note that:

1. **At its February 2024 meeting, Council resolved:**
 - a) **In accordance with section 55(3)(i) of the Local Government Act 1993, not to invite tenders for the supply of electricity to Council's large sites and streetlights due to extenuating circumstances, for the reasons that a satisfactory outcome would not be achieved by openly advertising the invitation of tenders.**
 - b) **To support pursuing a Power Purchase Agreement for Council's electricity contract for large sites and streetlights through the Hunter Joint Organisation tender process with the upfront cost of \$22,385.**
 - c) **That subject to a successful tendering process by the Hunter Joint Organisation, the Chief Executive Officer shall negotiate and enter into a contract for the supply of electricity to Council's large sites and streetlights under existing delegation and present a further report to a future meeting of Council on completion of the process for Council's information.**
2. **A successful extended tendering process has concluded for the Chief Executive Officer to enter into a six-year contract, under existing delegation, with Iberdrola Australia commencing 1 January 2025 for the supply of electricity to Council's large sites and streetlights.**

CARRIED: 8/1

FOR: Edwards, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman

AGAINST: Hornshaw

Item 10.20 Policy Review - Draft Policy Framework - Following Public Exhibition, has been addressed previously within the meeting.

10.21 STRATEGY REVIEW - DRAFT PROCUREMENT STRATEGY - FOLLOWING PUBLIC EXHIBITION

RESOLVED: Sheppard/Lipovac

That Council:

1. **Note the Local Content evaluation criteria within the Draft Procurement Strategy is intended to replace the current offset methodology within the Tendering Local Preference Policy and more effectively maximise the participation of local business in Council contracts and projects.**
2. **Re-exhibit the Draft Procurement Strategy and place the proposed rescission of the Tendering Local Preference Policy on public exhibition for a period of 28 days, with public submissions to be**

considered and presented to the Ordinary Council meeting in February 2025.

3. **Design a communication plan to ensure a broad consultation process on the Draft Procurement Strategy, encouraging diverse input from regional businesses and suppliers by direct outreach to known business working groups within our region as well as all vendors currently registered in Council's Procure to Pay system.**
4. **Reinsert Page 9 of the Draft Procurement Strategy as presented to the August 2024 Ordinary Council Meeting, for inclusion in the re-exhibition, with the removal of paragraph three.**
5. **Note a future report will be presented to the Ordinary Council meeting every 12 months commencing from October 2025, that details Council's commitment to supporting local business through its tendering and purchasing process during the previous financial year.**

CARRIED: 5/4

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman, Maltman and Roberts

Item 10.22 Property Investment Portfolio - Annual Report, has been addressed previously within the meeting.

RESOLVED: Sheppard/Lipovac

That the meeting adjourn for 5 minutes.

CARRIED: 6/3

FOR: Edwards, Hornshaw, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Kirkman, Maltman and Roberts

The Ordinary Council Meeting adjourned at 11.07am

The Ordinary Council Meeting resumed at 11.13am

10.23 REVIEW OF DISCONTINUED COMMITTEES WORKING GROUP

RESOLVED: Sheppard/Edwards

That Council:

1. **Acknowledge the Draft Scope for the Review of Port Macquarie Hastings Disbanded Committees as tabled.**
2. **Commence a desktop review of the committees discontinued in February 2022, including the charters, most recent agendas and minutes, under business as usual allocations.**
3. **Determine that the Working Group continue for the purposes of finalising a scope of review.**
4. **Request that the Chief Executive Officer provide a further report to Council in December 2024 regarding the activities of Working Group,**

the proposed scope of the review and funding as identified in the October 2024 resolution (Item 10.08).

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

The Chairperson tabled the "Review of Port Macquarie-Hastings Council Disbanded Committees - Project Scope.

11.01 NOTICE OF MOTION - SPORTING VENUE SPONSORSHIP PROGRAM

RESOLVED: Lipovac/Maltman

That Council request the Chief Executive Officer provide a report to the April 2025 Ordinary Council meeting regarding the options available to Council for consideration of the establishment of a Sporting Venue Sponsorship Program.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

11.02 QUESTION WITH NOTICE - PORT MACQUARIE OCEAN POOL COMMITTEE

RESOLVED: Lipovac/Tubman

That the response provided to Councillor Lipovac Question on Notice regarding Port Macquarie Ocean Pool Committee be noted.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

**11.03 PROPOSED FUTURE USE OF THE CURRENTLY VACANT BUILDING -
143 GORDON STREET, PORT MACQUARIE**

RESOLVED: Edwards/Lipovac

That Council:

- 1. Defer consideration of item 11.03 Proposed Future Use of the Currently Vacant Building - 143 Gordon Street, Port Macquarie to the December 2024 Ordinary Council meeting.**
- 2. Requests the Chief Executive Officer to pause all activities in respect of leasing of 143 Gordon Street, Port Macquarie pending the outcome of Council's consideration at the December 2024 Ordinary Council meeting.**

CARRIED: 8/1

*FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and
Tubman*

AGAINST: Maltman

**11.04 DETERMINATION FOR THE USE OF THE VACANT LAND AT OXLEY
OVAL**

MOTION

MOVED: Lipovac/Intemann

That Council:

- 1. Defer consideration of the determination for the use of the vacant land at Oxley Oval until the February 2025 Ordinary Council meeting.**
- 2. Request the Chief Executive Officer to provide a briefing to Councillors on this matter on Thursday 6 February 2025.**

AMENDMENT

MOVED: Intemann/Tubman

That Council:

- 1. Defer consideration of the determination for the use of the vacant land at Oxley Oval until the February 2025 Ordinary Council meeting.**
- 2. Request the Chief Executive Officer to provide a briefing to Councillors on this matter on Thursday 6 February 2025 or thereabouts before the February 2025 Ordinary Council Meeting.**

CARRIED: 5/4

FOR: Intemann, Kirkman, Roberts, Sheppard and Tubman

AGAINST: Edwards, Hornshaw, Lipovac and Maltman

THE AMENDMENT ON BEING PUT WAS CARRIED

THE AMENDMENT BECAME THE MOTION

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED: Intemann/Tubman

That Council:

- 1. Defer consideration of the determination for the use of the vacant land at Oxley Oval until the February 2025 Ordinary Council meeting.**
- 2. Request the Chief Executive Officer to provide a briefing to Councillors on this matter on Thursday 6 February 2025 or thereabouts before the February 2025 Ordinary Council Meeting.**

CARRIED: 8/1

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Roberts, Sheppard and Tubman

AGAINST: Maltman

11.05 RECOMMENDED ITEMS FROM THE OCTOBER 2024 MEETING OF THE PORT MACQUARIE-HASTINGS SPORTING FUND

RESOLVED: Lipovac/Sheppard

That Council endorse the Port Macquarie-Hastings Sporting Fund Sub-Committee recommendations as follows:

- 1. Payment of \$250 to Pippa Lawler to attend Pacifika Youth Rugby Cup in Sydney on 29 November 2024.**
- 2. Payment of \$500 to Ella Broderick to attend U16 Australian Country Junior Basketball Cup in Albury on 14 January 2025.**

CARRIED: 9/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman

AGAINST: Nil

Item 11.06 Community Grants Program 2024-2025 - Funding Round 1, has been addressed previously within the meeting.

13.01 RESCISSION MOTION - CAMDEN HEAD LOOKOUT MASTER PLAN

Councillor Tubman declared a Non-Pecuniary, Less Than Significant Interest in Item 13.01 Rescission Motion Camden Head Lookout Master Plan, the reason being that an associate of Councillor Tubman, Sue Baker, ran on in a group ticket for the 2024 Local Government election together with Councillor Tubman and she

is a member of a Landcare Group, that have made submissions with regard to this item. Ms Baker also made a minor financial contribution to the election campaign of Councillor Tubman in the 2024 Local Government election. Councillor Tubman has known this person for the past 3 months, however they are not regarded as close associates and do not meet or speak on a regular basis. Councillor Tubman intends to remain in the meeting, participate and vote in the matter as this perceived conflict will not influence his decision making in the matter.

RESOLVED: Edwards/Lipovac

That the undermentioned motion adopted at the Ordinary Council Meeting held on 18 July 2024

“That Council:

- 1. Note the information contained within the Camden Head Lookout Master Plan Community Engagement Report – July 2024**
- 2. Endorse the Establishment of a ‘Friends of Camden Head Lookout’ volunteer group and proceed to establish the group by November 2024**
- 3. Immediately proceed to undertake ‘preliminary works’ to tidy up the site as noted in this Report.**
- 4. Adopt for the purposes as a starting point, the Individual Stakeholder Proposed Master Plan, to be further developed by the ‘Friends of Camden Head Lookout’ to be presented to Council for adoption, including a detailed scope of medium to long term works, project costings and likely legislated planning assessment pathway(s).**
- 5. Thank submitters and advise them of the outcome of Council’s consideration of this matter.**
- 6. Upon establishment of the ‘Friends of Camden Head Lookout’ group provide a Bi-Monthly Report to Council on the progress of the group development, preliminary works and progress towards the longer term works on the site.”**

be rescinded.

CARRIED: 5/4

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman, Maltman and Roberts

RESOLVED: Edwards/Lipovac

That Council:

- 1. Note the information contained within the Camden Head Lookout Master Plan Community Engagement Report - July 2024**
- 2. Note that preliminary works have commenced at the site to tidy up the site as per Council’s July 2024 resolution on this matter.**
- 3. Adopt the Amended Camden Head Lookout Reserve Master Plan included in Attachment 5 to the report for Item 11.01 Camden Head Lookout Master Plan Engagement Outcomes - Post Exhibition Report of the July 2024 Ordinary Council meeting.**
- 4. Endorse the establishment of a Friends of Camden Head Lookout volunteer group and proceed to establish the group.**

-
5. **Advise submitters of Council's amended resolution regarding this matter.**

CARRIED: 5/4

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman, Maltman and Roberts

The Chairperson tabled the following correspondence:

1. NSW National Parks and Wildlife
2. Department of Planning and Housing Infrastructure

Councillor Maltman left the meeting, the time being 12:13pm.

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

13.02 NOTICE OF MOTION - ENVIRONMENTAL SUSTAINABILITY STRATEGY

RESOLVED: Sheppard/Edwards

That Council:

1. **Endorse the draft Environmental Sustainability Strategy as presented to Council in April 2024 (Item 13.05) for the purposes of public exhibition and place the draft Strategy on public exhibition for a period of not less than 28 days.**
2. **Note that a further report will be presented to Council, following the public exhibition period, detailing the submissions received and any recommended changes to the draft Strategy for consideration by Council, no later than the March 2025 Ordinary Meeting of Council.**

CARRIED: 5/4

FOR: Edwards, Intemann, Lipovac, Sheppard and Tubman

AGAINST: Hornshaw, Kirkman, Maltman and Roberts

13.03 NOTICE OF MOTION - SOUTH-WEST LINK ROAD

MOVED: Lipovac/Intemann

That Council:

1. Note that Integrated Transport Plan includes an action to review traffic modelling in the Local Government area to better inform future transport planning.
2. Receive an information report to the February 2025 Ordinary Meeting that outlines the options previously considered relating to the construction of a South-West Link Road (previously known as the Orbital Road) that connects Ocean Drive and the Oxley Highway in Port Macquarie.

LOST: 2/7

FOR: Hornshaw and Lipovac

AGAINST: Edwards, Intemann, Kirkman, Maltman, Roberts, Sheppard and Tubman

Item 13.04 DA2023-504 - Primitive Camping at Comboyne Showground - Showground Road Comboyne - Request to Waive Development Contributions and Water Developer Servicing Charges, has been addressed previously within the meeting.

Item 13.05 Local Strategic Planning Statement - Annual Update, has been addressed previously within the meeting.

Item 13.06 Update Report Draft Development Servicing Plan (DSP), 2024 - Public Exhibition, has been addressed previously within the meeting.

Deputy Mayor Edwards left the meeting, the time being 12:38pm.

Councillor Kirkman left the meeting, the time being 12:39pm.

Deputy Mayor Edwards returned to the meeting, the time being 12:40pm.

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

13.07 KOALA RECOVERY STRATEGY ANNUAL UPDATE

RESOLVED: Intemann/Lipovac

That Council note the annual update on the delivery of the Port Macquarie Hastings Council Koala Action Plan.

CARRIED: 9/0

FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman

AGAINST: Nil

13.08 LAKE CATHIE NATURAL RESOURCE MANAGEMENT MONTHLY UPDATE REPORT

Councillor Maltman declared a Non-Pecuniary - Less than Significant interest in this item. The reason being is that she is a non-financial life member and former President of the community organisation Revive Lake Cathie Incorporated. Councillor Maltman remained in the meeting, participated and voted in the matter as this perceived conflict did not influence her decision making in the matter.

RESOLVED: Maltman/Lipovac

That Council note the progress of natural resource management projects/initiatives within the Lake Cathie, Lake Innes and Cathie Creek Waterways and the progress of the Coastal Management Program.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

CONFIDENTIAL SESSION

RESOLVED: Edwards/Kirkman

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 14.01 Demographic, Land Use and Economic Planning - Annual SaaS Licensing

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 14.02 Seek Recruitment Subscription

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 14.03 Budget and Reporting Application and Support

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.

Item 14.04 Code of Conduct Matter

This item is considered confidential under Section 10A(2)(i) of the Local Government Act 1993, as it contains alleged contraventions of any Code of Conduct requirements applicable under Section 440.:

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.

RESOLVED: Lipovac/Sheppard

That the Council meeting be closed to the public for the consideration of confidential items for the reason as listed in the reports.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

14.01 DEMOGRAPHIC, LAND USE AND ECONOMIC PLANNING - ANNUAL SAAS LICENSING

RESOLVED: Sheppard/Edwards

That Council:

1. Under the extenuating circumstances provision of section 55(3)(i) of the Local Government Act 1993, not invite tenders for the licencing and support agreements for the Demographic, Land Use and Economic Planning - Annual SaaS Licensing with Compelling Economics Pty Ltd due to the unavailability of competitive tenders.
2. Renew the current agreements with Compelling Economics Pty Ltd for licences and support for the Demographic, Land Use and Economic Planning - Annual SaaS Licensing subscription on an annual basis for 5 years, at an annual cost of \$78,500.00 (excluding GST), commencing 1 November 2024 and expiring 31 October 2029.
3. Maintain the confidentiality of the consideration in respect of the Demographic, Land Use and Economic Planning - Annual SaaS Licensing procurement matter outlined in this report.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

14.02 SEEK RECRUITMENT SUBSCRIPTION

RESOLVED: Lipovac/Kirkman

That Council:

1. Under the extenuating circumstances provision of section 55(3)(i) of the Local Government Act 1993, not invite tenders, as a satisfactory outcome would not be achieved for the reason of limited availability for suppliers of recruitment advertisement services.
2. Renew the current subscription with Seek Limited for recruitment advertisement services for one year, at an approximate annual cost of \$55,000 (including GST), commencing 20 November 2024 with the option to undertake annual renewals for a further four years at Council's discretion.
3. Maintain the confidentiality of the consideration in respect of the recruitment advertisement services procurement matter outlined in this report.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

14.03 BUDGET AND REPORTING APPLICATION AND SUPPORT

RESOLVED: Intemann/Edwards

That Council:

1. Under the extenuating circumstances provision of section 55(3)(i) of the Local Government Act 1993, not invite tenders for the licensing of Council's budget and reporting application with Jedox Pty Ltd and the support agreement with Minerva Partners Pty Ltd.
2. Renew the current agreements with Jedox Pty Ltd and Minerva Partners Pty Ltd for licensing and support for Council's budget and reporting application on an annual basis, at an annual cost of \$145,266 (including GST), expiring 31 March 2030, with the option to undertake annual renewals for a further five years at Council's discretion.
3. Maintain the confidentiality of the consideration in respect of the budget and reporting application procurement matter outlined in this report.

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

14.04 CODE OF CONDUCT MATTER

Councillor Sheppard declared a Non-Pecuniary, Significant interest in this item. The reason being is that in August 2024 the respondent in this matter made a reportable political donation to a campaign from which she benefited. Councillor Sheppard took no part in the consideration or voting and was out of site for consideration of this matter.

Councillor Intemann left the meeting during consideration of this matter.

RESOLVED: Roberts/Lipovac

That Council note the information contained in the report and finalise the Code of Conduct complaint with no action taken.

CARRIED: 7/0
FOR: Edwards, Hornshaw, Kirkman, Lipovac, Maltman, Roberts and Tubman
AGAINST: Nil

RESOLVED: Edwards/Sheppard

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

CARRIED: 9/0
FOR: Edwards, Hornshaw, Intemann, Kirkman, Lipovac, Maltman, Roberts, Sheppard and Tubman
AGAINST: Nil

Councillor Sheppard left the meeting, the time being 12.58pm.

Councillor Sheppard returned to the meeting, the time being 1.00pm.

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 1.01pm.

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Adam Roberts
Mayor