
PRESENT

Members:

Councillor Peta Pinson (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
Councillor Sharon Griffiths
Councillor Peter Alley
Councillor Geoff Hawkins
Councillor Lee Dixon

Other Attendees:

Acting General Manager (Jeffery Sharp)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Dan Bylsma)
Acting Director Strategy and Growth (Liesa Davies)
Group Manager Governance (Michael Ferguson)
Governance and Legal Officer (Kirsty Callander)
Governance Support Officer (Bronwyn Lyon)

This meeting was held remotely and electronically through Skype
and is live streamed on Council's YouTube channel.
The meeting opened at 5:34pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Due to the current COVID-19 health emergency, the Local Government Prayer was not delivered as part of this meeting.

03 APOLOGIES

Nil.

The Acting General Manager advised that Councillor Dixon is having technical issues and is yet to join the meeting.

The Mayor advised that Councillor Hawkins, although granted leave of absence for this meeting previously, is in attendance as his circumstances had changed.

04 CONFIRMATION OF MINUTES

RESOLVED: Griffiths/Alley

That the Minutes of the Ordinary Council Meeting held on 15 July 2020 be confirmed.

CARRIED: 6/0

FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Turner declared a Non-Pecuniary, Less Than Significant Interest in Item 15.01 - EOI-20-04 Town Centre Master Plan Sub-Committee - New Membership, the reason being that Councillor Turner is a Director of Hort Property Pty Ltd which owns a property in the Port Macquarie CBD which is within the boundaries of the TCMP.

06 MAYORAL MINUTES

Nil.

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Hawkins/Griffiths

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

CARRIED: 6/0

FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

08 PUBLIC FORUM – MATTERS NOT ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters Not On The Agenda were not held as part of this meeting.

09 PUBLIC FORUM – MATTERS ON THE AGENDA

Due to the current COVID-19 health emergency, Public Forum - Matters On The Agenda were not held as part of this meeting.

Council invited the public to submit comments in relation to matters on the agenda in writing which were provided to Councillors prior to the meeting for the consideration of the Councillors.

SUSPENSION OF STANDING ORDERS

RESOLVED: Alley/Griffiths

That standing orders be suspended to allow items 10.04, 10.05, 10.07, 10.09, 10.10, 10.13, 10.15, 10.16, 10.17, 11.01, 11.03, 12.02, 13.01, 13.02, 13.04, 13.05 not in the block to be brought forward and considered next.

CARRIED: 6/0
FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

Councillor Dixon joined the meeting, the time being 5:42pm.

10.04 COVID-19 RECOVERY AND STIMULUS PROJECTS

MOTION

MOVED: Pinson/Intemann

That Council:

1. Adopt the projects in Table 1 within the body of the report for submission for funding under the \$1.8m Federal Government's Local Roads and Community Infrastructure Program.
 2. Adopt the projects in Table 2 within the body of the report to be funded by Council's \$1.49m COVID-19 Relief Reserve Fund.
 3. Note the Recovery projects already underway and that will use existing Council resources.
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4. Adjust Table 2 of Council COVID Relief Reserve Funding by reducing Additional Investment in tourism PR and Marketing to \$140,000. Add in another line item being \$10,000 for Communication to Community use of Funding.
5. Add the project and budget adjustments in 1 and 2 above as an addendum to the 2020-2021 Operational Plan and communicate this to our community, so as to allow immediate project commencement.
6. Note projects identified as priorities by the COVID-19 Recovery Working Group that are not included in points 1-3 above, will continue to be a focus for future funding opportunities.
7. Note the General Manager will table a report at the February 2021 Council Meeting by way of updating Councillors on progress in the delivery of the funded projects.
8. Agree that monitoring of COVID-19 recovery project delivery be conducted by relevant Council Steering Groups or Committees.
9. Thank members of the COVID-19 Recovery Working Group for their significant efforts in identifying and progressing projects and initiatives which will support our community and economic recovery.
10. Discontinue the COVID-19 Recovery Working Group following its next meeting that will be held to discuss Council's consideration of these matters.

AMENDMENT

MOVED: Griffiths

2. Table 2 priority undertake projects

- Renew maps Comboyne plateau \$10 000
- Wauchope Rotary youth hall exterior paint \$25 000
- Kendall bridge rehabilitation \$40 000
- Port Macquarie Luniere night time installation \$55 000
- Stuart's Park building beautification \$20 000 Reduce expenditure to
- Cultural & industry networking \$5 000
- creative Arts & Trail development \$5 000
- Programme to encourage use of vacant commercial space \$5 000

LAPSED FOR WANT OF A SECONDER

THE MOTION WAS PUT

RESOLVED: Pinson/Intemann

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2. Adopt the projects in Table 2 within the body of the report to be funded by Council's \$1.49m COVID-19 Relief Reserve Fund.
3. Note the Recovery projects already underway and that will use existing Council resources.
4. Adjust Table 2 of Council COVID Relief Reserve Funding by reducing Additional Investment in tourism PR and Marketing to \$140,000. Add in

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- another line item being \$10,000 for Communication to Community use of Funding.
5. Add the project and budget adjustments in 1 and 2 above as an addendum to the 2020-2021 Operational Plan and communicate this to our community, so as to allow immediate project commencement.
 6. Note projects identified as priorities by the COVID-19 Recovery Working Group that are not included in points 1-3 above, will continue to be a focus for future funding opportunities.
 7. Note the General Manager will table a report at the February 2021 Council Meeting by way of updating Councillors on progress in the delivery of the funded projects.
 8. Agree that monitoring of COVID-19 recovery project delivery be conducted by relevant Council Steering Groups or Committees.
 9. Thank members of the COVID-19 Recovery Working Group for their significant efforts in identifying and progressing projects and initiatives which will support our community and economic recovery.
 10. Discontinue the COVID-19 Recovery Working Group following its next meeting that will be held to discuss Council's consideration of these matters.

CARRIED: 6/1

FOR: Alley, Dixon, Hawkins, Intemann, Pinson and Turner

AGAINST: Griffiths

10.05 STATUS OF COUNCIL POLICIES

RESOLVED: Griffiths/Hawkins

That Council:

1. Note the increase in outstanding policy reviews over 2019-2020.
2. Receive a briefing on the current risk for policies outside the review timeframes and any recommended changes to the review process.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

10.07 2019-2020 CARRY-OVER PROJECTS

RESOLVED: Hawkins/Griffiths

That Council:

1. Adopt the 2019-2020 carry-over projects outlined in this report for inclusion in the 2020-2021 budget.
2. Amend the 2020-2021 one-year Operational Plan to include all projects approved to be carried over as individual action items.
3. Request that the General Manager provides a detailed briefing to Councillors before the November 2020 Council Meeting outlining actions taken in preparing the 2020-2021 Operational Plan and other initiatives that could be considered in order to reduce the scale of carry-over works and how this relates specifically

to multi-year projects.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

10.09 INVESTMENTS - JULY 2020

MOTION

MOVED: Griffiths/Pinson

That Council:

1. Note the Investment Report for the month of July 2020.
2. Receive a briefing from the General Manager on movement in investment balances of greater than \$3m in any month.

AMENDMENT

MOVED: Intemann/Alley

That Council:

1. Note the Investment Report for the month of July 2020.
2. Receive a briefing from the General Manager on the factors that can affect the investment balances month to month and options for public reporting in the investment report.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 4/3

FOR: Alley, Hawkins, Intemann and Turner

AGAINST: Dixon, Griffiths and Pinson

THE AMENDMENT BECOMES THE MOTION AND WAS PUT:

RESOLVED: Intemann/Alley

That Council:

1. Note the Investment Report for the month of July 2020.
2. Receive a briefing from the General Manager on the factors that can affect the investment balances month to month and options for public reporting in the investment report.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

10.10 INVESTMENT POLICY REVIEW - POST EXHIBITION

Councillor Alley tabled a recent investment report from the City of Ryde Council for information.

MOTION

MOVED: Griffiths/Pinson

Adopt the amended investment policy with due diligence to mitigate any investment which may directly or indirectly create a financial or social impact on the Port Macquarie-Hastings local government area.

AMENDMENT

MOVED: Intemann/Alley

That Council:

1. Adopt the amended Investment Policy, which adds Clause 2.11 entitled "Investments in Financial Institutions which Support the Fossil Fuel Industry" and states that "Subject to consideration of the Risk Management Guidelines in this policy, preference is to be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if: the investment is compliant with Council's Investment Policy, and the investment rate of interest is equivalent to or more favourable to Council relative to other similar investments that may be on offer to Council at the time of the investment".
2. Requests the General Manager to identify on future monthly investment reports:
 - a) Deposits that are held with financial institutions that publicly state that they do not invest in or finance the fossil fuel industry.
 - b) The total value of these investments.
 - c) Their proportion to the total of all investments.

THE AMENDMENT WAS PUT AND CARRIED

CARRIED: 5/2
FOR: Alley, Dixon, Hawkins, Intemann and Turner
AGAINST: Griffiths and Pinson

THE AMENDMENT BECOMES THE MOTION AND WAS PUT

RESOLVED: Intemann/Alley

That Council:

1. Adopt the amended Investment Policy, which adds Clause 2.11 entitled "Investments in Financial Institutions which Support the Fossil Fuel Industry" and states that "Subject to consideration of the Risk Management Guidelines in this policy, preference is to be given to financial institutions that publicly state
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that they do not invest in or finance the fossil fuel industry if: the investment is compliant with Council's Investment Policy, and the investment rate of interest is equivalent to or more favourable to Council relative to other similar investments that may be on offer to Council at the time of the investment".

2. Requests the General Manager to identify on future monthly investment reports:
- a) Deposits that are held with financial institutions that publicly state that they do not invest in or finance the fossil fuel industry.
 - b) The total value of these investments.
 - c) Their proportion to the total of all investments.

CARRIED: 5/2

FOR: Alley, Dixon, Hawkins, Intemann and Turner

AGAINST: Griffiths and Pinson

10.13 OPPORTUNITIES FOR LOCAL FIRMS TO DO BUSINESS WITH COUNCIL

RESOLVED: Turner/Hawkins

That Council note the information provided relating to the Tendering Local Preference Policy.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

10.15 MAJOR PROJECTS GOVERNANCE - PROGRAM STEERING GROUPS

RESOLVED: Griffiths/Intemann

That Council:

1. Note the proposed improvements to the major projects governance processes as detailed in this report.
2. Note the initiation of the following three Program Level Steering groups:
 - a) Transport and Stormwater Program Steering Group.
 - b) Water and Sewer Program Steering Group.
 - c) Recreation, Buildings and other Assets Program Steering Group.
3. Endorse the transition of the Villages Sewerage Scheme Steering Group and the Port Macquarie Aquatic Facility Steering Group into the Water and Sewer Program Steering Group and Recreation, Building and other Assets Program Steering Group respectively.
4. Note and endorse the transition of the major project reporting currently within the Regional Transport Infrastructure Steering Group into the Transport and Stormwater Program Steering Group.
5. Request the General Manager report back to the September 2020 Council Meeting with the new, updated and revised Steering Group membership and charters resultant from the points 2, 3 and 4 above.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

10.16 COMMUNITY SATISFACTION SURVEY 2020

RESOLVED: Griffiths/Dixon

That Council:

1. Note the results of Council's 2020 Community Satisfaction Survey.
2. Use the survey outcomes to strategise on the development of our planning and resource allocation.
3. Note that this survey is one of a number of measures we use to understand community sentiment and inform our measure of customer experience.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

10.17 GRANT APPLICATIONS BIENNIAL REPORT

RESOLVED: Pinson/Intemann

That Council:

1. Note the Grant Applications Biennial Report, providing an update on grants that Council has applied for or obtained in the 2019 -2020 financial year.
2. Thank the Federal Member for Cowper (Patrick Conaghan MP); the Federal Member for Lyne (Dr David Gillespie MP); the Member for Port Macquarie (Hon Leslie Williams MP) and the Member for Oxley (Hon Melinda Pavey MP) for their support and advocacy for the Port Macquarie-Hastings region during the 2019-2020 financial year.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

11.01 COMMUNITY GRANT PROGRAM

MOTION

MOVED: Intemann/Turner

That Council:

1. Agree the General Community Grant program be redefined into the following streams:
 - a) Community Builders Grants
 - b) Community Celebrations Grants
 - c) Environmental Grants
 - d) Cultural Grants
 - e) Youth Grants and
 - f) Micro Grants
 2. Agree a maximum of \$5,000 be made available for each grant application within-streams 1a-e above.
 3. Agree a maximum of \$1000 be made available for each micro grant with a total of \$10,000 made available for this stream per year.
 4. Note the amendments include a simpler, more transparent approach to the Community Grant program that will encourage a wide range of eligible sporting, cultural and other groups to apply and receive support.
 5. Note the proposed inclusion of extra-ordinary Bicentenary Grants as part of Round 1 of the 2020-2021 General Community Grants.
 6. Note community band funding is to be retained as per current practice for 2020-2021 and undertake discussions with local bands with respect to future funding.
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AMENDMENT

MOVED: Intemann/Dixon

That Council:

1. Agree the General Community Grant program be redefined into the following streams:
 - a) Community Builders Grants
 - b) Community Celebrations Grants
 - c) Environmental Grants
 - d) Cultural Grants
 - e) Youth Grants
 - f) Micro Grants
2. Reallocate funding currently only available to community bands into the General Community Grant program.
3. Note that Community bands are eligible to apply for funding through the General Community Grant program and encourage them to do so.
4. Agree a maximum of \$5,000 be made available for each grant application within streams 1a-e above.
5. Agree a maximum of \$1,000 be made available for each micro grant with a total of \$10,000 made available for this stream per year.
6. Note the amendments include a simpler, more transparent approach to the Community Grant program that will encourage a wide range of eligible sporting, cultural and other groups to apply and receive support.
7. Note the proposed inclusion of extra-ordinary Bicentenary Grants as part of Round 1 of the 2020-2021 General Community Grants.

WITHDRAWN

THE MOTION WAS PUT AND CARRIED

RESOLVED: Intemann/Turner

That Council:

1. Agree the General Community Grant program be redefined into the following streams:
 - a) Community Builders Grants
 - b) Community Celebrations Grants
 - c) Environmental Grants
 - d) Cultural Grants
 - e) Youth Grants and
 - f) Micro Grants
2. Agree a maximum of \$5,000 be made available for each grant application within-streams 1a-e above.
3. Agree a maximum of \$1000 be made available for each micro grant with a total of \$10,000 made available for this stream per year.
4. Note the amendments include a simpler, more transparent approach to the Community Grant program that will encourage a wide range of eligible sporting, cultural and other groups to apply and receive support.
5. Note the proposed inclusion of extra-ordinary Bicentenary Grants as part of

Round 1 of the 2020-2021 General Community Grants.

6. Note community band funding is to be retained as per current practice for 2020-2021 and undertake discussions with local bands with respect to future funding.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

11.03 T-20-28 MANAGEMENT OF THE COUNCIL COMPANION ANIMAL IMPOUND FACILITY

RESOLVED: Intemann/Alley

That Council:

1. Note that no responses were received for Request for Tender T-20-28 process for the Management of the Port Macquarie Companion Animal Impound Facility.
2. Pursuant to clause 178(3)(f) of the Local Government (General) Regulation 2005, Port Macquarie-Hastings Council will carry out the requirements of the proposed contract from 1 November 2020.
3. Note the high level of re-homing of animals at the Pound to date and Council's commitment to continue that service.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

12.02 DRAFT SMART COMMUNITY ROADMAP

RESOLVED: Turner/Griffiths

That Council:

1. Place on public exhibition the draft Smart Community Roadmap commencing from 17 August 2020 to 13 September 2020.
2. Note that a further report is planned to be tabled at the 21 October 2020 meeting of Council, detailing the submissions received from the public during the exhibition period and presenting a final draft for endorsement.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

13.01 MARIA RIVER ROAD PROJECT UPDATE

RESOLVED: Pinson/Griffiths

That Council:

1. Note the status of the Maria River Road Upgrade project as detailed within this report including the recently announced \$17 Million NSW Government Grant.
2. Note the proposed lead in delivering the overall Project Management of the Maria River Road Upgrade project across both the Port Macquarie-Hastings and Kempsey Shire Council segments of the project will be Port Macquarie-Hastings Council.
3. Enter into a Memorandum of Understanding between Kempsey Shire Council and Port Macquarie-Hastings Council for delivery and governance of the Maria River Road Upgrade project.
4. Include in the 2020-2021 Operational Plan, the commencement of designs and delivery of the Maria River Road Upgrade as a multiyear project with anticipated construction phase commencing in the 2021-2022 Financial Year.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

13.02 BEACH TO BEACH ALIGNMENT

RESOLVED: Intemann/Alley

That Council:

1. Note option D10A as the currently preferred alignment for the section of the Beach to Beach Pathway along Camden Head Road between Seaview Avenue and Charles Hamey Lookout Road based on the Concept Options Report and preliminary investigations undertaken by consultants Kellogg Brown and Root (KBR).
2. Note option D11D as the currently preferred alignment for the section of the Beach to Beach Pathway along Pilot Beach Road based on the Concept Options Report and preliminary investigations undertaken by KBR.
3. Note the next steps for the project will include an Environmental Impact Statement (EIS), Development Application (DA) and progression of the pathway design.
4. Note the interest and need for early and continued engagement with the following community groups and agencies in the ongoing development and delivery of this project:
 - a) Beach to Beach Committee
 - b) Camden Haven Chamber of Commerce
 - c) Bunyah Local Aboriginal Land Council
 - d) Friends of Kattang
 - e) Dunbogan Bushcare / Camden Haven Landcare
 - f) Camden Head Environment Network
 - g) All relevant agencies including National Parks and Wildlife Services (NPWS) and Office of Environment and Heritage (OEH)

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- h) Relevant oyster growers
 - i) Camden Head Pilot Station lessees, Camden Haven Community College
 - j) Hastings Birdwatchers
5. Request the General Manager ensure that this project's development continues with a specific view to maximising environmental values and opportunities for visitor and user experiences, whilst also ensuring appropriate community safety and public amenity.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

13.04 OCEAN DRIVE DUPLICATION PROJECT UPDATE

MOTION

MOVED: Pinson/Griffiths

That Council:

1. Recognise the importance of the Ocean Drive Duplication Project, particularly given the current economic situation caused by COVID-19.
2. Note that although this project was initiated by a State Government grant in 2011 it is a key project in supporting growth across the Port Macquarie-Hastings region.
3. Recognise the productive discussion with the Federal Member for Cowper, Pat Conaghan MP regarding the project and the offer to host a meeting with the Minister for Transport, Infrastructure and Regional Development, The Hon Michael McCormack MP, regarding potential funding opportunities for this important project.
4. Commence the detailed construction planning, including the development of construction tender documentation in preparation of resolving the funding gap risk with the Federal Government.
5. Request Transport for NSW re-establish the Joint Steering Group with Council as a priority to oversee the construction planning and subsequently manage this joint project.
6. Request the General Manager provide Councillors with a detailed briefing regarding potential internal funding solutions and associated impacts on the current works program.

AMENDMENT

MOVED: Turner/Intemann

That Council:

1. Recognise the importance of the Ocean Drive Duplication Project, particularly given the current economic situation caused by COVID-19.
2. Note that although this project was initiated by a State Government grant in 2011 it is a key project in supporting growth across the Port Macquarie-Hastings region.
3. Recognise the productive discussion with the Federal Member for Cowper, Pat Conaghan MP regarding the project and the offer to host a meeting with the Minister for Transport, Infrastructure and Regional Development, The Hon

Michael McCormack MP, regarding potential funding opportunities for this important project.

4. Request Transport for NSW re-establish the Joint Steering Group with Council as a priority to commence the detailed construction planning, including the development of construction tender documentation in preparation of resolving the funding gap between the State Government and the Federal Government.
5. In the event that the funding gap is resolved request the Joint Steering Group to oversee the construction planning and subsequently management of this joint project.
6. Request the General Manager provide Councillors with a detailed briefing regarding potential internal funding solutions and associated impacts on the current works program.

LOST: 2/5

FOR: Intemann and Turner

AGAINST: Alley, Dixon, Griffiths, Hawkins and Pinson

THE AMENDMENT WAS PUT AND LOST

THE MOTION WAS PUT AND CARRIED

RESOLVED: Pinson/Griffiths

That Council:

1. Recognise the importance of the Ocean Drive Duplication Project, particularly given the current economic situation caused by COVID-19.
2. Note that although this project was initiated by a State Government grant in 2011 it is a key project in supporting growth across the Port Macquarie-Hastings region.
3. Recognise the productive discussion with the Federal Member for Cowper, Pat Conaghan MP regarding the project and the offer to host a meeting with the Minister for Transport, Infrastructure and Regional Development, The Hon Michael McCormack MP, regarding potential funding opportunities for this important project.
4. Commence the detailed construction planning, including the development of construction tender documentation in preparation of resolving the funding gap risk with the Federal Government.
5. Request Transport for NSW re-establish the Joint Steering Group with Council as a priority to oversee the construction planning and subsequently manage this joint project.
6. Request the General Manager provide Councillors with a detailed briefing regarding potential internal funding solutions and associated impacts on the current works program.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

**13.05 UPDATE ON COUNCIL'S DRAFT COASTAL KOALA PLAN OF
MANAGEMENT**

RESOLVED: Intemann/Alley

That Council:

1. Note the information provided in the report regarding the hierarchy of legislation which has a direct impact on the draft Coastal Koala Plan of Management.
2. Note the information provided in the report regarding the new State Environmental Planning Policy (Koala Habitat Protection) 2019 and its implications for Council's draft Coastal Koala Plan of Management.
3. Note the information provided in the "Management of Koala Populations in Options Paper" (Attachment 1).
4. Not proceed to finalisation of the draft Coastal Koala Plan of Management in its current form.
5. Request the General Manager to commence a review of the adopted Koala Recovery Strategy.
6. Request the General Manager to write to the NSW Member for Port Macquarie, the Hon Leslie Williams, requesting that she write to the NSW Minister for Energy and Environment, the Hon. Matthew Kean MP in support of the findings of the recent Parliamentary Inquiry (30 June 2020) into Koala populations and habitat in New South Wales and in particular the key finding (Finding No. 2) which stated: *"That, given the scale of loss to koala populations across New South Wales as a result of the 2019-2020 bushfires and without urgent government intervention to protect habitat and address all other threats, the Koala will become extinct in New South Wales before 2050"*.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

14 ITEMS TO BE DEALT WITH BY EXCEPTION

RESOLVED: Alley/Dixon

That Items 10.01, 10.02, 10.03, 10.06, 10.08, 10.11, 10.12, 10.14, 10.18, 10.19, 11.02, 12.01, 12.03, 12.04, 12.05, 13.03, 13.06, 13.07, 13.08, 13.09 be considered as a block resolution.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

RESOLVED: Alley/Dixon

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

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

10.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

BLOCK RESOLVED: Alley/Dixon

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

10.02 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 1 TO 29 JULY 2020

BLOCK RESOLVED: Alley/Dixon

That Council note the Mayoral Discretionary Fund allocations for the period 1 to 29 July 2020 inclusive.

10.03 2020 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Grant approval for Mayor Peta Pinson and Councillor Peter Alley to attend the 2020 Local Government NSW Annual Conference to be held at the Crowne Plaza Hunter Valley from 22 to 24 November 2020.
2. Determine that Mayor Peta Pinson and Councillor Peter Alley be Council's voting delegates on motions at the Conference.
3. Note that the General Manager will also attend the Conference.

Item 10.04 COVID-19 Recovery and Stimulus Projects, has been addressed previously within the meeting.

Item 10.05 Status of Council Policies, has been addressed previously within the meeting.

10.06 MONTHLY BUDGET REVIEW - JULY 2020

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Adopt the adjustments in the "July 2020 Adjustments" section of the Monthly Budget Review – July 2020 report.
2. Amend the 2020-2021 Operational Plan to include all budget adjustments approved in this report.

Item 10.07 2019-2020 Carry-over Projects, has been addressed previously within the meeting.

10.08 2019-2020 FINANCIAL STATEMENTS AUDIT

BLOCK RESOLVED: Alley/Dixon

1. That Council refer to audit the draft Financial Statements as at 30 June 2020.
2. That the Statement by Councillors and Management be signed by the Responsible Accounting Officer, the Acting General Manager, the Mayor and one Councillor as required by the Local Government Act 1993.

Item 10.09 Investments - July 2020, has been addressed previously within the meeting.

Item 10.10 Investment Policy Review - Post Exhibition, has been addressed previously within the meeting.

10.11 LEGAL FEES

BLOCK RESOLVED: Alley/Dixon

That Council note the information in the Legal Fees report.

10.12 GLASSHOUSE BIENNIAL REPORT AND UPDATE ON GLASSHOUSE PLAN 2020 - 2022 ACTIONS

BLOCK RESOLVED: Alley/Dixon

That Council note the information provided in the Glasshouse Biennial Report and Update on Glasshouse Plan 2020 - 2022 Actions report.

Item 10.13 Opportunities For Local Firms To Do Business With Council, has been addressed previously within the meeting.

10.14 DIGITAL TECHNOLOGY PROJECT STATUS

BLOCK RESOLVED: Alley/Dixon

That Council note the information provided in the Digital Technology Project Status report and the progress made to date.

Item 10.15 Major Projects Governance - Program Steering Groups, has been addressed previously within the meeting.

Item 10.16 Community Satisfaction Survey 2020, has been addressed previously within the meeting.

Item 10.17 Grant Applications Biannual Report, has been addressed previously within the meeting.

10.18 BUSHFIRE DISASTER RECOVERY FUNDING

BLOCK RESOLVED: Alley/Dixon

That Council note:

1. The Bushfire Disaster Recovery Funding Report, providing an update on monitoring and delivery of Council and community projects funded under the NSW and Commonwealth Government bushfire recovery funds; and
2. A further update report will be provided at the February 2021 Ordinary Council meeting.

10.19 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the Development Activity and Assessment System Performance report for the last quarter of 2019-2020.
2. Note the determinations made by staff under Clause 4.6 of the Port Macquarie-Hastings Local Environmental Plan 2011 for the quarter.

Item 11.01 Community Grant Program, has been addressed previously within the meeting.

11.02 RECREATION ACTION PLAN - ANNUAL UPDATE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note progress achieved to date in implementing the Recreation Action Plan 2019-2025.
2. Endorse the updated Recreation Action Plan 2020-2025 for implementation.
3. Request the General Manager to promote the adoption of the updated Recreation Action Plan 2020-2025 on Council's website.

Item 11.03 T-20-28 Management of the Council Companion Animal Impound Facility, has been addressed previously within the meeting.

12.01 NOTICE OF MOTION - USE OF FOREIGN LABOUR BY LARGE CONSULTANCY FIRMS

BLOCK RESOLVED: Alley/Dixon

That Council request the General Manager provide a briefing to Councillors in September 2020 on:

1. The support Council is providing to local businesses through procurement initiatives adopted by Council:
 - a) During the COVID-19 Pandemic to address the impacts of the pandemic on local business;
 - b) Through promoting the benefits of 'buying locally'; and including
2. Advice regarding Council's ability to adopt a procurement policy and practices, which prefer the use of local and Australian labour over the use of offshore or foreign labour.

Item 12.02 Draft Smart Community Roadmap, has been addressed previously within the meeting.

12.03 RURAL FIRE SERVICE THANK YOU EVENT & COUNCIL'S CHRISTMAS EVENT DELIVERED DIFFERENTLY IN 2020 DUE TO COVID-19

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note plans to redefine the way we deliver Council's community bushfire recovery thank you and Countdown to Christmas events, as a result of the on-going COVID-19 restrictions relating to public gatherings.
2. Determine not to support fireworks for Countdown to Christmas or New Year's Eve 2020, noting also the on-going COVID-19 restrictions relating to public gatherings.

12.04 NSW CROWN LAND MANAGEMENT ACT 2016 - NOMINATION OF COUNCIL'S NATIVE TITLE MANAGER

BLOCK RESOLVED: Alley/Dixon

That Council:

1. In accordance with Section 8.8 of the Crown Land Management Act 2016, confirm the nomination of the Property and Leasing Coordinator as its Native Title Manager.
2. In accordance with Section 8.8 of the Crown Land Management Act 2016, give written notice to the Minister for Water, Property and Housing of the name and contact details of the Council's Native Title Manager.

12.05 LAND ACQUISITION FOR FUTURE PARALLEL TAXIWAY AT PORT MACQUARIE AIRPORT

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Pursuant to Section 186 of the Local Government Act 1993 make application to the Minister for Local Government and Her Excellency, The Governor of New South Wales for the compulsory acquisition of Lot 1 Deposited Plan 1263059 for aviation purposes.
2. Exclude all mines and minerals from the compulsory acquisition of Lot 1 Deposited Plan 1263059.
3. On the acquisition of Lot 1 Deposited Plan 1263059 and pursuant to Section 34 of the Local Government Act 1993 commence the process to classify Lot 1 Deposited Plan 1263059 as 'operational land' by placing on public exhibition for a minimum period of 28 days the proposed resolution: "It is intended to classify Lot 1 Deposited Plan 1263059 (land at Port Macquarie Airport) as operational land".
4. Note a further report will be tabled to a future Council meeting detailing any submissions received during the exhibition period.

Item 13.01 Maria River Road Project Update, has been addressed previously within the meeting.

Item 13.02 Beach to Beach Alignment, has been addressed previously within the meeting.

13.03 WATER SUPPLY SECURITY UPDATE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the information contained in this Water Supply Security Update report.
2. Note that groundwater is not a viable water source to supplement the bulk water supply scheme or as an emergency water source during a drought.
3. Discontinue any further feasibility investigations into seawater desalination, noting that any future investigations into seawater desalination should be based on adopted recommendations from the Integrated Water Cycle Management Strategy.
4. Request the General Manager to bring a report to the December 2020 Council meeting, providing an update on the Integrated Water Cycle Management Strategy, including outcomes of the community engagement.

Item 13.04 Ocean Drive Duplication Project Update, has been addressed previously within the meeting.

Item 13.05 Update on Council's Draft Coastal Koala Plan of Management, has been addressed previously within the meeting.

13.06 FIRE SAFETY INSPECTION REPORT - LAKE CATHIE TAVERN - 1609 OCEAN DRIVE, LAKE CATHIE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the contents of the Fire Safety Inspection Report, dated 9 March 2020, from NSW Fire & Rescue, in respect to an inspection of the premises by NSW Fire & Rescue on 22 June 2019 (Attachment 1).
2. Exercise the powers conferred on Council by the Environmental Planning and Assessment Act, 1979 (The Act), to issue a Fire Safety Order to address outstanding fire safety concerns at the premises, 1609 Ocean Drive, Lake Cathie, (Lot 1, DP 883695), PN 33168.
3. Notify the Commissioner of Fire and Rescue NSW of its determination.

13.07 FIRE SAFETY INSPECTION REPORT - HASTINGS HOTEL 12 HIGH STREET WAUCHOPE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Note the contents of the Fire Safety Inspection Report, dated 9 March 2020, from NSW Fire & Rescue, in respect to an inspection of the premises by NSW Fire & Rescue on 22 June 2019 (Attachment 1).
 2. Exercise the powers conferred on Council by the Environmental Planning and Assessment Act, 1979 (The Act), to issue a Fire Safety Order to address outstanding fire safety concerns at the premises, Hastings Hotel, 12 High Street, Wauchope Lot 1 DP 78025.
 3. Notify the Commissioner of Fire and Rescue NSW of its determination.
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13.08 ACQUISITION OF EASEMENT FOR DRAINAGE OF SEWAGE - BAIN STREET, WAUCHOPE

BLOCK RESOLVED: Alley/Dixon

That Council:

1. Pay compensation in the amount of \$5,000 (GST Exclusive) to the owners of Lot 12 DP1180974, D R, P C & C M Suters and others, for the acquisition of an easement for the drainage of sewage 5m wide and variable as depicted (A) in plan of acquisition DP1262476.
 2. Pursuant to Section 59 of the Land Acquisition (Just Terms Compensation) Act 1991 pay the landowners legal costs reasonably incurred arising from the acquisition of the easement.
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13.09 THURMSTER WATERMAIN WORKS IN KIND - THE HERITAGE

BLOCK RESOLVED: Alley/Dixon

That Council approve the request by Lewis Developments Pty Ltd to offset the cost of upsizing the watermain works, as described in the report, to a maximum of \$39,365 or 3.81 Equivalent Tenement, subject to the developer entering into a Works in Kind Agreement.

CONFIDENTIAL SESSION

RESOLVED: Hawkins/Alley

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 15.01 EOI-20-04 Town Centre Master Plan Sub-Committee - New Membership

This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
 - Item 15.02 IRONMAN Australia and 70.3 - Contract Extension

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 15.03 Lake Cathie - Illaroo Road Revetment Wall Cost Benefit Analysis & Funding Model

This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.
 - Item 15.04 T-20-26 Bonny Hills Recycled Water System Upgrade

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: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

15.01 EOI-20-04 TOWN CENTRE MASTER PLAN SUB-COMMITTEE - NEW MEMBERSHIP

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

RESOLVED: Hawkins/Alley

That Council:

1. Defer this matter for further consideration at the September 2020 Council Meeting.
2. Determine that the Group Manager Governance be included as a non-scoring member of the evaluation panel.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

15.02 IRONMAN AUSTRALIA AND 70.3 - CONTRACT EXTENSION

RESOLVED: Turner/Dixon

That Council delegate authority to the General Manager to negotiate a one year extension to the 2019-2021 tripartite hosting agreement with Destination NSW and IRONMAN Oceania for IRONMAN Australia and IRONMAN 70.3 events, based on the financial terms noted in this report.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

15.03 LAKE CATHIE - ILLAROO ROAD REVETMENT WALL COST BENEFIT ANALYSIS & FUNDING MODEL

RESOLVED: Intemann/Hawkins

That Council:

1. Note the information provided in this report.
2. Incorporate the Lake Cathie Coastal Zone Management Plan (CZMP) actions into the new Lake Cathie Bonny Hills Coastal Management Program (CMP).
3. Undertake direct engagement and consultation with impacted properties to explain the Revetment Wall options and cost implications and to assess the capacity and their willingness to pay for a Revetment Wall.
4. Following completion of direct engagement and consultation with impacted properties, receive a further report from the Director, Development and Environment detailing the outcomes of this engagement and future recommended steps in this project including details of the proposed community consultation/engagement for the broader community.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

15.04 T-20-26 BONNY HILLS RECYCLED WATER SYSTEM UPGRADE

RESOLVED: Intemann/Griffiths

That Council:

1. In accordance with the Local Government (General) Regulations 2005 clause 178(1)(b) and 178(3)(e), decline to accept any of the tenders submitted for Request for Tender T-20-26 for the Design and Construct of the Bonny Hills Recycled Water System Upgrade and enter into negotiations with a preferred tenderer that submitted a tender in response to Request for Tender T-20-26, with a view to entering into a contract for the Design and Construction of the Bonny Hills Recycled Water System Upgrade.
2. Pursuant to clause 178(4)(a) and (b) of the Local Government (General) Regulations decline to invite fresh tenders or applications for the reasons that the project is time critical to ensure regulatory compliance and that the Tender Evaluation Panel considers that the preferred tenderer has demonstrated the experience, capacity and capability to meet the requirements of the RFT.
3. Request the Acting General Manager present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Request for Tender T-20-26.
4. Affix the seal of Council to the necessary document.
5. Maintain the confidentiality of the documents and consideration in respect of Request for Tender T-20-26.

CARRIED: 7/0

FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner

AGAINST: Nil

RESOLVED: Hawkins/Alley

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

CARRIED: 7/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner
AGAINST: Nil

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

The meeting closed at 9:59pm.

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Peta Pinson
Mayor