

PRESENT

Members:

Neil Porter (Administrator)
Tony Hayward (General Manager)
Jeffery Sharp (Director of Infrastructure Services)
Craig Swift-McNair (Director of Corporate & Business Services)
Matt Rogers (Director of Development & Environment Services)
Lesley Atkinson (Director of Community & Cultural Development)
Stewart Todd (Group Manager Governance & Executive Services)

John Peasley (Manager IT Services)
Tracey Fairhurst (Communications)
Linda Kocis (Executive Assistant to the Administrator/Minute Clerk)

The Meeting opened at 5.30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Administrator opened the Meeting with an Acknowledgement of Country and welcomed all in attendance at the Laurieton School of Arts building.

02 LOCAL GOVERNMENT PRAYER

Reverend Malcolm Hausler from the Uniting Church delivered the Local Government Prayer.

03 APOLOGIES

There were no apologies

04 CONFIRMATION OF MINUTES

RESOLVED: Administrator/Porter

That the Minutes of the Ordinary Council Meeting held on 25 July 2012 be confirmed.

05 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

06 PUBLIC FORUM

The Administrator advised of applications to address Council in the Public Forum from:

- Garry Carpenter – Community & Council Engagement
 - Gary McKeown – Illegal Dumping of Soil
 - Darrell Green – Access Road & Flooding of Royans Road, North Haven
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06.01 COMMUNITY & COUNCIL ENGAGEMENT

Mr Garry Carpenter, President of the Camden Haven Chamber of Commerce addressed the Public Forum on the importance of engaging on community issues and taking ownership of issues; the future process of liaison between the Chamber and the newly elected Council and the importance of making informed decisions when voting for new Councillors.

06.02 ILLEGAL DUMPING OF SOIL

Mr Gary McKeown, local resident, addressed the Public Forum on the illegal dumping of soil in the Reserve on Ocean Drive, opposite Kew Road and in Henry Kendall Reserve.

06.03 ACCESS ROAD & FLOODING OF ROYANS ROAD, NORTH HAVEN

Mr Darrell Green withdrew his request to speak in the Public Forum and requested a meeting with the General Manager, in the first instance, to discuss his issue.

The Administrator advised Mr Green to introduce himself to the General Manager at the conclusion of the Council Meeting to arrange a formal meeting time.

**12 .03 YALUMA DRIVE RESERVE MATERIAL PUBLIC BENEFIT APPLICATION
(PIN 33379)**

The Administrator advised of two (2) requests to address Council on this item from Mr Leo Koppers (opposing the recommendation) and Ms Rhonda Wilkie (opposing the recommendation).

Mr Koppers addressed Council in opposition to the recommendation.

Ms Wilkie addressed Council in opposition to the recommendation.

RESOLVED: Administrator/Porter

That consideration of this item be deferred to the Ordinary Council Meeting to be held on 5 September 2012 and the affected residents be advised of this and provided with a copy of the Replacement Report released on 15 August 2012.

07.01 ADMINISTRATOR DUTIES

RESOLVED: Administrator/Porter

That the Administrator's Duties for the period 26 July to 15 August 2012 inclusive be noted.

08.03 RECOMMENDED ITEMS FROM THE PMH SPORTING FUND SUB-COMMITTEE MEETING HELD 2 AUGUST 2012

RESOLVED: Administrator/Porter

That Council grant:

1. Sam Bull \$500.00 (ex GST) to compete as part of the NSW State Team to compete at the School Sport Australian Swimming Championships to be held at Homebush, Sydney from 29 July to 3 August 2012 inclusive.
 2. Kane Pollard \$300.00 (ex GST) to compete as part of the Northern NSW Football Squad to compete in Singapore from 20 September to 28 September 2012 inclusive.
 3. Mid North Coast Special Olympic Team \$500.00 (ex GST) to assist with expenses they will incur competing at the Trans Tasman Tournament to be held in Cairns, Queensland from 8 October to 12 October 2012 inclusive.
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08.04 MONTHLY REVIEW OF FINANCIAL POSITION - JULY 2012

RESOLVED: Administrator/Porter

That Council adopt the adjustments included in the 'Financial Implications' section of the report for July 2012.

08.06 REDUCTION IN FINANCIAL ASSISTANCE GRANTS

RESOLVED: Administrator/Porter

That Council:

1. Note the negative adjustment in relation to the 2011/12 financial assistance grant (FAG).
 2. Note the budgetary shortfall in relation to 2012/13.
 3. Take steps to fund this shortfall in 2012/13 via the budget review process.
 4. Incorporate the associated shortfall in revenue in future budgets and long term financial plans.
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08.07 REVISED INVESTMENT POLICY

RESOLVED: Administrator/Porter

That Council adopt the Revised Investment Policy as detailed in this report, noting that no submissions were received in relation the draft Revised Investment Policy during the 28 day exhibition period which concluded on 3 August 2012.

08.08 PROJECT MANAGEMENT AND GATEWAY POLICY

RESOLVED: Administrator/Porter

That Council:

1. Endorse the draft "Project Management and Gateway Policy" to be placed on public exhibition for a period of 28 days.
 2. Upon receipt and consideration of any submissions received during the exhibition period, consider the "Project Management and Gateway Policy" for adoption at a future meeting of Council.
 3. Upon adoption of the "Project Management and Gateway Policy", rescind the current Gateway Policy, which the new "Project Management and Gateway Policy" replaces.
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09.01 COMMUNITY HALLS USAGE 2012

RESOLVED: Administrator/Porter

That the information in the Community Halls Usage 2012 report be noted.

09.02 ALCOHOL PROHIBITIONS - AUSTRALIA DAY 2013

RESOLVED: Administrator/Porter

That Council extend the existing alcohol restrictions to implement a 36 hour alcohol prohibition on all public reserves and beaches for Australia Day 2013.

11.01 GRANT OFFER FOR THE CONTROL OF INVASIVE RIPARIAN VINE WEEDS

RESOLVED: Administrator/Porter

That Council accept a \$50,000 grant from the Northern Rivers Catchment Authority for the control of invasive vine weeds and the 2012-2013 and 2013-2014 budgets be amended to reflect this grant offer.

12.01 KING CREEK ROAD REHABILITATION UPDATE

RESOLVED: Administrator/Porter

That Council:

1. Endorse the rehabilitation of King Creek Road between the Oxley Highway and the end of the previously upgraded works on King Creek Road, utilising the \$900,000 2012/13 Operational Plan allocation (previously for Sarahs Crescent).
 2. Endorse the expenditure of the remaining budget following the completion of the rehabilitation to undertake further heavy repairs on the remainder of King Creek and/or Sarahs Crescent in accordance with the risk based prioritisation process previously adopted by Council.
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THE FOLLOWING ITEMS WERE ADOPTED IN THE BLOCK:

08.01 AUGUST 2012 STATUS OF OUTSTANDING REPORTS TO COUNCIL

RESOLVED: Administrator/Porter

That the information in the August 2012 Status of Outstanding Reports to Council be noted.

08.02 ORDINARY COUNCIL MEETINGS 2012 - CHANGE OF DATES

RESOLVED: Administrator/Porter

That Council set the Ordinary Council Meeting dates for the remainder of 2012 as follows:

- 10 October
 - 14 November; and
 - 12 December.
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08.05 2011/2012 DRAFT FINANCIAL STATEMENTS

RESOLVED: Administrator/Porter

That Council refer to audit the draft Financial Statements as at 30 June 2012 and that the Statement by Councillors and Management be signed by the Responsible Accounting Officer, the General Manager, the Mayor and one Councillor as required by the Local Government Act, 1993.

08.09 TENDER T-11-14 SUPPLY & DELIVERY OF COLD MIX & RETARDED HOT MIX

RESOLVED: Administrator/Porter

That Council:

1. Note that Fulton Hogan Industries Pty Ltd are not able to fulfil the obligations of this tender for the Supply & Delivery of Cold Mix & Retarded Hot Mix.
 2. Re-tender for the Supply & Delivery of these products.
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12.02 DISPOSAL OF COUNCIL LAND IN ROSEWOOD ROAD, ROSEWOOD (PIN 29536)

RESOLVED: Administrator/Porter

That Council:

1. Accept the offer of \$125,000 (GST exclusive) as compensation for the acquisition by Essential Energy of part Lot 1 DP602961 required for substation purposes.
2. Confirm with Essential Energy that all legal, survey and valuation costs incurred by Council are to be paid by Essential Energy.
3. Affix the Common Seal to:
 - a. The Contract for Sale/Deed of Agreement
 - b. The linen plan of subdivision.
4. Pursuant to Section 377 of the Local Government Act 1993 delegate to the General Manager authority to:
 - a. Sign the Land and Property Information Cancellation or Extinguishment of Easement form.

ADJOURN MEETING

RESOLVED: Administrator/Porter

The Ordinary Council Meeting adjourned at 6.24pm to reconvene on 16 August 2012 at 9.00am in the Council Chambers, PMHC Headquarters, Burrawan Street, Port Macquarie.

RESUME MEETING

RESOLVED: Administrator/Porter

The Ordinary Council Meeting resumed at 9.00am on 16 August 2012 at 9.00am in the Council Chambers, PMHC Headquarters, Burrawan Street, Port Macquarie.

Present:

Neil Porter (Administrator)
Tony Hayward (General Manager)
Jeffery Sharp (Director of Infrastructure Services)
Craig Swift-McNair (Director of Corporate & Business Services)
Matt Rogers (Director of Development & Environment Services)
Lesley Atkinson (Director of Community & Cultural Development)
Stewart Todd (Group Manager Governance & Executive Services)
Linda Kocis (Executive Assistant to the Administrator/Minute Clerk)

Apologies:

There were no apologies.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Administrator/Porter

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 Council in Confidential Committee of the Whole (Closed Session) on the basis that items to be considered are of a confidential nature.
 2. That Council move into Confidential Committee of the Whole (Closed Session) to receive and consider the following items:
Item 13.01 Memorandum of Understanding - Port Macquarie-Hastings Council and Charles Sturt University
This item is considered confidential under Sect 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 the Council in Confidential Committee of the Whole (Closed Session) be made public as soon as practicable after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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ADJOURN MEETING

RESOLVED: Administrator/Porter

The Ordinary Council Meeting adjourned at 9.01am.

RESUME MEETING

RESOLVED: Administrator/Porter

The Ordinary Council Meeting resumed at 9.02am.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Administrator/Porter

That the undermentioned recommendations from Confidential Committee of the Whole (Closed Session) be adopted:

Item 13.01 Memorandum of Understanding - Port Macquarie-Hastings Council and Charles Sturt University

This item is considered confidential under Sect 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.

RECOMMENDATION

That Council:

1. Enter into a non-binding Memorandum of Understanding with Charles Sturt University for the potential development of a university precinct in Port Macquarie.
2. Delegate authority to the General Manager to sign the Memorandum of Understanding that is the subject of this report.

The Meeting closed at 9.03am on 16 August 2012.

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Neil Porter
Administrator