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**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)  
Lyndal Harper (Acting Communications Manager)  
Sue Pollard (Statutory Reporting Officer)  
Linda Kocis (Executive Assistant to the Administrator)  
Bronwyn Lyon (Governance Support Officer)  
Gordon Cameron (Waste & Environmental Services Engineer)  
Jessica Jackson (Communications Officer - Media)

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The meeting opened at 5.30pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

The Administrator opened the Meeting with an Acknowledgement of Country and welcomed all in attendance in the Chamber and on the Internet.

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**02 LOCAL GOVERNMENT PRAYER**

Pastor Carl Moses delivered the Local Government Prayer.

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**03 APOLOGIES**

There were no apologies.

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**04 CONFIRMATION OF MINUTES**

*RESOLVED: Administrator/Porter*

1. That the Minutes of the Ordinary Council Meeting held on 15 February 2012 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 29 February 2012 be confirmed.

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**05 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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**08.14 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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*RESOLVED: Administrator/Porter*

That Council determine that the attachments to Item Numbers 08.06, 08.10, 08.11 and 08.13 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

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**07.01 ADMINISTRATOR MONTHLY DUTIES**

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*RESOLVED: Administrator/Porter*

That the Administrator's Duties for the period 15 February to 28 March 2012 inclusive be noted.

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**06 PUBLIC FORUM**

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The Administrator advised of applications to address Council in the Public Forum from:  
Geoff Williams regarding fluoridation.

Leon Pittard regarding fluoridation.

David Blackshaw regarding Council's Responsibility to the Community.

Caree Alexander regarding Community Safety Issues for Parents and Babies.

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**06.01 PUBLIC FORUM - FLUORIDATION**

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Geoff Williams addressed Council in relation to fluoridation of the water supply.

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**06.02 PUBLIC FORUM - FLUORIDATION**

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Leon Pittard addressed Council in relation to the fluoridation of the water supply.

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**06.03 PUBLIC FORUM – COUNCIL’S RESPONSIBILITY TO THE COMMUNITY**

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David Blackshaw addressed Council in relation to Council’s responsibility to the community with regard to the fluoridation of the water supply.

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**06.04 PUBLIC FORUM – COMMUNITY SAFETY ISSUES FOR PARENTS AND BABIES**

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Caree Alexander addressed Council in relation to the community safety for parents and babies with regard to the fluoridation of the water supply.

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**08.06 TENDER T-12-02 SUPPLY & INSTALLATION OF PHOTOVOLTAIC SYSTEM – PORT MACQUARIE LIBRARY**

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The Administrator advised of a request to address Council from:

Peter Newman (O)

Mr Newman addressed Council speaking in opposition to the recommendation.

*RESOLVED: Administrator/Porter*

That Council:

1. Accept the tender of \$224,602.73 (GST exclusive) received from Apollo Energy for the Supply & Installation of Photovoltaic System – Port Macquarie Library subject to satisfactory compliance with Essential Energy guidelines.
  2. Affix the seal of Council to the necessary documents.
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**11.03 RA 2006/003 - APPLICATION TO REZONE LAND AT LAKESIDE WOODS, LAKE CATHIE FROM RU1 PRIMARY PRODUCTION TO PART E2 ENVIRONMENTAL CONSERVATION AND PART E4 ENVIRONMENTAL LIVING**

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The Administrator advised of a request to address Council from:

Tony Thorne (S)  
Steve Newman (S)  
Wendy Jansson (O)  
Peter Bereicua (O)

Mrs Jansson addressed Council speaking in opposition to the recommendation.

Mr Newman addressed Council speaking in support of the recommendation.

Mr Bereicua addressed Council speaking in opposition to the recommendation.

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Mr Thorne addressed Council speaking in support of the recommendation.

*RESOLVED: Administrator/Porter*

1. Forward the Draft LEP to the Department of Planning and Infrastructure for finalisation pursuant to Section 59 of the Environmental Planning and Assessment Act 1979, amended with a minimum lot size of 2,000 sqm for the portion of land between Lakeside Way and Osprey Close.
2. Delegate authority to the General Manager to renegotiate, enter into and execute the Lakeside Woods Planning Agreement relating to land off Lakeside Way, Lake Cathie, being Lot 128 DP1078884, subject to the amendment of the Agreement to reflect Council's decision relating to minimum lot sizes, prior to forwarding the Planning Proposal as amended to the Department of Planning & Infrastructure.

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**11.04 RECOMMENDED ITEM TO COUNCIL FROM THE HASTINGS LGA  
FLOODPLAIN SUB-COMMITTEE 29/02/12  
SETTLEMENT POINT - NORTH SHORE BRIDGE APPROVAL**

The Administrator advised of a request to address Council from:

Dallas Laundry (O)

Mr Laundry addressed Council speaking in opposition to the recommendation.

*RESOLVED: Administrator/Porter*

That the consent for Development Application 1989/10 for Filling of Wetlands be surrendered for the works not undertaken to date.

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**11.05 RECOMMENDED ITEM TO COUNCIL FROM THE HASTINGS LGA  
FLOODPLAIN SUB-COMMITTEE 29/02/12  
HASTINGS RIVER FLOODPLAIN RISK MANAGEMENT STUDY**

The Administrator advised of a request to address Council from:

David Felsch (O)  
Hartmut Kiehn (O)

Mr Kiehn addressed Council speaking in opposition to the recommendation.

Mr Felsch addressed Council speaking in opposition to the recommendation.

*RESOLVED: Administrator/Porter*

That Council:

1. Adopt the Final Draft Hastings River Floodplain Risk Management Study.
  2. Proceed with the preparation of a Floodplain Management Plan and Flood Development Control Plan on the basis of the outcomes from the Hastings River Floodplain Risk Management Study.
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## **12.06 SITE SPECIFIC GROUPED AMENDMENT**

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The Administrator advised of a request to address Council from:

John Cassegrain (S) was withdrawn and that Mr Cassegrain requested John Ross to speak on his behalf.

Mr Ross addressed Council speaking in support of the recommendation.

*RESOLVED: Administrator/Porter*

That Council:

1. Prepare a draft Planning Proposal in relation to Lot 2 DP1036844 Oxley Highway, Wauchope, consistent with Section 55 of the Environmental Planning and Assessment Act, 1979 and forward the draft Planning Proposal to the Department of Planning and Infrastructure for a Gateway Determination consistent with Section 56 of the Environmental Planning and Assessment Act, 1979.
  2. Prepare a draft Planning Proposal in relation to Lot 1 DP222740, Lot 229 DP754434 and Lot 1 DP 318920 Fernbank Creek Road, consistent with Section 55 of the Environmental Planning and Assessment Act, 1979 and forward the draft Planning Proposal to the Department of Planning and Infrastructure for a Gateway Determination consistent with Section 56 of the Environmental Planning and Assessment Act, 1979.
  3. Defer considerations relating to Lot 15 DP1115953 Kingfisher Road and Part Lot 341 DP1135094 the Ruins Way, pending submission of further detailed environmental investigations.
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## **12.08 WAUCHOPE ALL ABILITIES PLAYGROUND - COMMUNITY ENGAGEMENT**

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The Administrator advised of a request to address Council from:

Peter Bowers (O)  
Jeannette Rainbow (O)  
Sharon Griffiths (S)

Mr Bowers addressed Council speaking in opposition to the recommendation.

Mrs Griffiths addressed Council speaking in support of the recommendation.

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Mrs Rainbow addressed Council speaking in opposition to the recommendation.

*RESOLVED: Administrator/Porter*

1. That Council note the submissions received during the public exhibition period.
2. That a second option for the location of the All Abilities Playground be behind the mound in the area bounded by Avondale Street, the existing pathway and the pre-school.
3. That the original option and option 2 be publicly advertised for community comment and that the results be reported to Council at an Extra-Ordinary Council meeting in early May.
4. That Council staff hold two open days in Bain Park during the exhibition period to explain both options to interested community members.

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**08.07 REVISED 2011-2015 DELIVERY PROGRAM, 2012/2013 OPERATIONAL PLAN, 2012/2013 BUDGET, 2012-2013 FEES AND CHARGES AND REVISED LONG TERM FINANCIAL PLAN**

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*RESOLVED: Administrator/Porter*

That Council:

1. Adopt the following draft documents to go on public exhibition for a period of twenty-eight (28) days from 30 March 2012.
  - Revised 2011-2015 Delivery Program
  - Draft 2012/13 Operational Plan
  - Draft 2012/13 Budget (included in the draft Operational Plan)
  - Draft 2012/13 Fees and Charges
  - Draft revised 10 year Long Term Financial Plan
2. Place the Draft Hardship Policy on public exhibition for a period of twenty-eight (28) days from the 30 March 2012.
3. Invite submissions from the public in relation to the documents on exhibition. All submissions received will be considered prior to final adoption.

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**11.06 RECOMMENDED ITEM FROM HASTINGS LGA COAST & ESTUARIES SUB-COMMITTEE MEETING HELD ON 09/03/12  
LAKE CATHIE COASTLINE MANAGEMENT STUDY - STAGE 2**

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*RESOLVED: Administrator/Porter*

That Council:

1. Place the Draft Lake Cathie Coastline Management Study - Stage 2 (2012) on public exhibition for ten (10) weeks.
2. Place the Draft Lake Cathie Emergency Action Plan (2012) on public exhibition concurrently with the Draft Lake Cathie Coastline Management Study - Stage 2 report.
3. Hold an information session during the exhibition period.

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**12.02 BONNY HILLS RESERVES MASTERPLAN**

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*RESOLVED: Administrator/Porter*

That the Bonny Hills Reserves Masterplan be publicly advertised for a further twenty-eight (28) days with any submissions to be brought back to Council.

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**12.03 PAUL SHELDON OVAL NAMING PROPOSAL**

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*RESOLVED: Administrator/Porter*

That this item be deferred to the next Ordinary Council Meeting.

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**09.01 PORT MACQUARIE CENOTAPH**

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*RESOLVED: Administrator/Porter*

That Council:

1. Note the information included within the Dilapidation survey and structural report for Port Macquarie Cenotaph.
2. Undertake removal of branches from the Norfolk Island Pines adjacent to Port Macquarie Cenotaph.
3. Work with Port Macquarie RSL Sub-branch on a design and funding for improved surrounds of Port Macquarie Cenotaph.

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**09.04 COMMUNITY HALLS USE 2011 AND COMMUNITY HALLS SECTION 355  
MANAGEMENT COMMITTEE MEMBERSHIP 2011**

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*RESOLVED: Administrator/Porter*

That Council:

1. Note the information in the Community Halls Use 2011 report.
2. Endorse the Community Halls Section 355 Management Committee Membership 2011 report.
3. Thank the outgoing committee members for their service to the community.

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**09.05 ASSISTANCE PROVIDED TO CULTURAL GROUPS**

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*RESOLVED: Administrator/Porter*

That this item be deferred to the next Ordinary Council Meeting.

**THE FOLLOWING ITEMS WERE ADOPTED IN THE BLOCK:**

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**08.01 MARCH 2012 STATUS OF OUTSTANDING REPORTS TO COUNCIL**

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*RESOLVED: Administrator/Porter*

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

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**08.02 DISCLOSURE OF INTEREST RETURN**

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*RESOLVED: Administrator/Porter*

That the Disclosure of Interest return for the Director Corporate and Business Services (Craig Swift-McNair) be noted.



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### 08.03 WAYNE RICHARDS SPORTING TALENT GRANT 2012

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*RESOLVED: Administrator/Porter*

That Council award:

1. Miss Madi Roberts \$2,500.00 (ex GST), as the recipient of the Wayne Richards Sporting Talent Grant for 2012.
2. Mr Luke Travers \$500.00 (ex GST), as one of two runners up in the Wayne Richards Sporting Talent Grant for 2012.
3. Mr Billy Sewell \$500.00 (ex GST), as one of two runners up in the Wayne Richards Sporting Talent Grant for 2012.

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### 08.04 RECOMMENDED ITEMS TO COUNCIL FROM THE PMH SPORTING FUND SUB-COMMITTEE MEETING HELD 1 MARCH 2012

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*RESOLVED: Administrator/Porter*

That Council grant:

1. Mr Michael Bishop \$250.00 (ex GST) to assist with expenses he will incur competing in the Vikings Futsal Team to tour China from 9 November – 23 November 2012.
2. Mr Jeremy Robinson \$250.00 (ex GST) to assist with expenses he will incur competing in the Vikings Futsal Team to tour China from 16 April – 30 April 2012.

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### 08.05 PORT MACQUARIE-HASTINGS SPORTING FUND ACTIVITIES 2010/2011

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*RESOLVED: Administrator/Porter*

That the information in the Port Macquarie-Hastings Sporting Fund Activities 2010/2011 Report be noted.

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### 08.08 INVESTMENTS - JANUARY 2012

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*RESOLVED: Administrator/Porter*

That the investment report for January 2012 be received and noted.

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**08.09 MONTHLY REVIEW OF FINANCIAL POSITION - FEBRUARY 2012**

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*RESOLVED: Administrator/Porter*

That the adjustments in the "Financial Implications" section of the report for February 2012 be adopted.

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**08.10 TENDER T91112MNC (T-12-04) TRAFFIC CONTROL SERVICES**

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*RESOLVED: Administrator/Porter*

That Council:

1. Appoint the below list of tenderers to a panel of suppliers for the provision of Traffic Control Services for the period 1 April 2012 to 31 March 2014 with an option for a further twelve (12) months.
    - Newada Pty Ltd (t/as Men at Work Traffic Services)
    - Site Group Pty Ltd
    - Mid Coast Traffic Services
  2. Affix the seal of Council to the necessary documents.
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**08.11 TENDER FOR ONE (1) ROAD MAINTENANCE PATCHING MACHINE AND ONE (1) CAB/CHASSIS TRUCK**

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*RESOLVED: Administrator/Porter*

That Council:

1. Accept the tender from Ausroads System Pty Ltd for the supply, fitting and delivery of one (1) Jetmaster Road Maintenance Unit for \$211,214.00 Ex. GST.
  2. Accept the tender from Mid Coast Trucks for the supply and delivery of one (1) Isuzu FVZ 1400 Cab/Chassis Truck for \$134,900.00 Ex. GST.
  3. Affix the seal of Council to the necessary document.
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**08.12 INVESTMENTS - FEBRUARY 2012**

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*RESOLVED: Administrator/Porter*

That the investment report for February 2012 be received and noted.

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**08.13 TENDER T-12-03 PROVISION AND INSTALLATION OF SYNTHETIC TURF AND SHOCK PAD, PORT MACQUARIE HOCKEY FACILITY**

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*RESOLVED: Administrator/Porter*

That Council:

1. Accept the tender of \$338,600.00 (GST Exclusive) received from Sports Technology International Pty Ltd for the Provision & Installation of Synthetic Turf and Shock Pad – Port Macquarie Hockey Facility.
2. Affix the seal of Council to the necessary documents.

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**09.02 ENDORSEMENT OF CRIME PREVENTION STRATEGY 2010-2015**

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*RESOLVED: Administrator/Porter*

That Council:

1. Adopt the Crime Prevention Strategy 2010 – 2015.
2. Provide information on Council's decision to those who made submissions.

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**09.03 DEVELOPMENT OF A HEADSPACE CENTRE IN PORT MACQUARIE**

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*RESOLVED: Administrator/Porter*

That Council note that a letter of support has been provided to Rural and Metropolitan Health (Port Macquarie) Pty Ltd in their application to operate a Headspace facility in Port Macquarie.

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**11.01 DA 2011/639 - STAGED CONSOLIDATION OF 8 LOTS AND RESUBDIVISION INTO 4 RURAL LOTS INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.1 & 4.2A OF PMH LEP 2011**

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*RESOLVED: Administrator/Porter*

That the approval of DA 2011/639 for a Staged consolidation of 8 lots and resubdivision into 4 rural lots including clause 4.6 variation to clause 4.1 & 4.2A of PMH LEP 2011 at Lot: 105 DP: 754406, Lot: 82 DP: 754406, Lot: 84 DP: 754406, Lot: 41 DP: 665465, Lot: 52 DP: 754406, Lot: 53 DP: 754406, Lot: 40 DP: 754406, Lot: 39 DP: 754406, Bellangry Road, 1657-1658 Bellangry Road, Cowal Creek Road Bellangry, be noted.

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**11.02 JOHN OXLEY DRIVE PRECINCT - DRAFT STRUCTURE PLAN**

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*RESOLVED: Administrator/Porter*

That Council publicly exhibit the draft John Oxley Drive Precinct Structure Plan for a period of twenty-eight (28) days.

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**11.07 LINDFIELD PARK ROAD PLANNING AGREEMENTS**

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*RESOLVED: Administrator/Porter*

That Council delegate authority to the General Manager to consider any submissions made in relation to the Lindfield Park Road Planning Agreements and to enter into and execute the Lindfield Park Road Agreements relating to land off Lindfield Park Road, Port Macquarie being Lot 2 DP 244442 and Lot 35 DP 1157283 provided that no significant issues have arisen as a result of the exhibition of the Planning Agreements.

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**12.01 TACKING POINT LIGHTHOUSE RESERVE DRAFT MASTERPLAN**

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*RESOLVED: Administrator/Porter*

That Council adopt the Tacking Point Lighthouse Reserve Masterplan and priority list of projects as presented.

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**12.04 LOANS TO INCORPORATED SPORTING BODIES AND INCORPORATED COMMUNITY GROUPS POLICY**

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*RESOLVED: Administrator/Porter*

That Council:

1. Endorse the draft Loans to Incorporated Sporting Bodies and Incorporated Community Groups Policy.
  2. Place the draft Loans to Incorporated Sporting Bodies and Incorporated Community Groups Policy on public exhibition for twenty-eight (28) days.
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**12.05 LORD STREET PARKING PLANNING AGREEMENT**

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*RESOLVED: Administrator/Porter*

That Council delegate authority to the General Manager to consider any submissions made in relation to the Lord Street Parking Planning Agreement and to enter into and execute the Lord Street Parking Planning Agreement relating to land at 63-65 Lord Street, Port Macquarie being Lot 13 DP 624504 and Lot 1 DP 780770 provided that no significant issues have arisen as a result of the exhibition of the Planning Agreement.

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**12.07 PLANNING PROPOSAL 2007/0011 - TO REZONE LOT 69 DP1103700 OCEAN DRIVE KEW AND LOT 100 DP1107348 TATHRA ROAD, KEW FROM ZONE RU1 PRIMARY PRODUCTION TO PART ZONE IN2 LIGHT INDUSTRIAL AND PART ZONE R1 GENERAL RESIDENTIAL**

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*RESOLVED: Administrator/Porter*

That Council forward the Draft LEP relating to Lot 69 DP1103700 Ocean Drive, Kew and Lot 100 DP1107348 Tathra Road, Kew to the Department of Planning and Infrastructure for finalisation pursuant to Section 59 of the Environmental Planning and Assessment Act, 1979 with a request that the Minister make the Plan.

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The meeting closed at 7.54pm.