

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)
Sue Pollard (Statutory Reporting Officer)
Bronwyn Lyon (Governance Support Officer)
Tracey Fairhurst (Communications Co-ordinator)
Jessica Jackson (Communications Officer – Media)
Ian Chetcuti (Senior Ranger)
Peter Collins (Ranger)

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 in the Chamber and on the Internet.

02 LOCAL GOVERNMENT PRAYER

Pastor Carl Moses delivered the Local Government Prayer.

03 APOLOGIES

There were no apologies.

04 CONFIRMATION OF MINUTES

RESOLVED: Administrator/Porter

1. That the Minutes of the Ordinary Council Meeting held on 18 April 2012 be confirmed.
 2. That the Minutes of the Extra-Ordinary Council Meeting held on 16 May 2012 be confirmed.
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05 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

08.01 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Administrator/Porter

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

08.04 COMMUNITY POLL ON WATER FLUORIDATION

The Administrator advised of requests to address Council from:

Lisa Intemann (O)
Ian Ferguson (O)
Stewart Dowrick (S)
Adam Roberts (O)
Caree Alexander (O)
Wendell Evans (S)

Lisa Intemann addressed Council in opposition to the recommendation.

Ian Ferguson addressed Council in opposition to the recommendation.

Stewart Dowrick, CEO of the Mid North Coast Local Health District, addressed Council in support of the recommendation.

Adam Roberts addressed Council in opposition to the recommendation.

Caree Alexander, Fluoride Action Network, addressed Council in opposition to the recommendation.

Association Professor Wendell Evans, University of Sydney, addressed Council in support of the recommendation.

RESOLVED: Administrator/Porter

That Council delay the holding of a poll on Fluoridation of the Port Macquarie-Hastings Water Supply for determination by the incoming newly elected Council.

06 PUBLIC FORUM

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

1. Wendy Williams regarding Housewife of the Hastings (Complications with Avoiding Fluoride).
2. Don Wetherspoon regarding the Regular Cleaning of Town Beach.
3. Malcolm McDonald regarding Coastal Erosion (Management Study Stage 2).

06.01

Wendy Williams withdrew her request to address Council.

06.02

Don Wetherspoon addressed Council in regard to the Regular Cleaning of Town Beach.

06.03

Malcolm McDonald addressed Council in regard to Coastal Erosion (Management Study Stage 2).

11.02 JOHN OXLEY DRIVE PRECINCT - DRAFT STRUCTURE PLAN - REVIEW OF SUBMISSIONS (PP2011-0007)(PIN 48392)

The Administrator advised of requests to address Council from:

Katrina Cameron (O)
Ian McKinnon (O)
Graham Linn (O)
Tony Thorne (S)

Katrina Cameron, John Oxley Precinct Action Group, addressed Council in opposition to the recommendation.

Ian McKinnon addressed Council in opposition to the recommendation.

Tony Thorne addressed Council in support to the recommendation.

Graham Linn, Port Home Zone, addressed Council in opposition to the recommendation.

The Administrator noted the submission received from Sovereign Hills Project Pty Ltd and Hopkins Consultants tabled by the Director of Development & Environmental Services.

The Administrator noted the management response to the submission received from Sovereign Hills Project Pty Ltd and Hopkins Consultants tabled by the Director of Development & Environmental Services.

RESOLVED: Administrator/Porter

That Council:

1. Defer this item to allow consideration of impacts of a bulky goods operation on the Sienna Grange residents.
 2. During that period update the traffic count report and undertake further consultation with residents in relation to the road widening process.
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07.01 ADMINISTRATOR MONTHLY DUTIES

RESOLVED: Administrator/Porter

That the Administrator's Duties for the period 19 April to 23 May 2012 inclusive be noted.

07.02 KEW VISITOR INFORMATION CENTRE

RESOLVED: Administrator/Porter

1. That the Kew Visitor Information Centre be withdrawn from the For Sale market.
 2. That Council enter into negotiations with the Camden Haven Chamber of Commerce to ascertain if they are interested in operating the Kew Visitor Information Centre.
 3. That the future of the Kew Visitor Information Centre be further reviewed by Council by June 2014.
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08.05 GOVERNANCE POLICY FRAMEWORK

RESOLVED: Administrator/Porter

That Council:

1. Adopt for the purposes of exhibition the draft Governance Policy Framework, comprising:
 - a) Councillor Induction Policy
 - b) Councillor Education and Training Policy
 - c) Good Governance Policy
 - d) Lobbying Policy
 - e) Provision of Information and interaction between Councillors and Council Staff Policy
 - f) Precinct Councillor Policy
 - g) Media Relations Policy
 - h) Mayoral Discretionary Fund Policy
 - i) Payment of Expenses and Provision of Facilities to Councillors Policy
 2. Place on exhibition the draft Governance Policy Framework from 25 May 2012 until 29 June 2012. During the exhibition period Council calls for and will accept submissions from the public on the draft Governance Policy Framework.
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08.06 MONTHLY REVIEW OF FINANCIAL POSITION - APRIL 2012

RESOLVED: Administrator/Porter

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

08.07 INVESTMENTS - MARCH 2012

RESOLVED: Administrator/Porter

That Council receive and note the investment report for March 2012.

08.09 2011-2015 DELIVERY PROGRAM, 2012-2013 OPERATION PLAN, 2012-2013 BUDGET, 2012-2013 FEES AND CHARGES, LONG TERM FINANCIAL PLAN AND HARDSHIP POLICY

RESOLVED: Administrator/Porter

That Council:

1. Adopt the following documents:
 - 2011-2015 Delivery Program
 - 2012/13 Operational Plan
 - 2012/13 Budget (included in the Operational Plan)
 - 2012/13 Fees and Charges
 - Long Term Financial Plan
 - Hardship Policy
2. Take on new borrowings in 2012/2013 of up to \$23.6m in accordance with the Revenue Policy.
3. Note submissions received during public exhibition period in relation to the documents referred to in recommendation 1.
4. Include an additional fee of \$16 for "Urgent Copies of Building and Development Applications" in the final Fees and Charges document.

08.10 TENDER FOR SUPPLY & DELIVERY OF BULK CATIONIC RAPID SETTING (CRS) BITUMEN EMULSION (T41011MNC)

RESOLVED: Administrator/Porter

That Council:

1. Discontinue the purchase of Bulk Cationic Rapid Setting (CRS) Bitumen Emulsion from Downer EDI.
2. Notify Regional Procurement Initiative (RPI) of Council resolution.
3. Purchase Bitumen Emulsion from Boral Asphalt in the interim.
4. Re-tender for Supply & Delivery of Bulk Cationic Rapid Setting (CRS) Bitumen Emulsion.

**08.11 TENDER T-12-07 PORT MACQUARIE WATER SUPPLY PUMP STATION
REFURBISHMENT**

RESOLVED: Administrator/Porter

That Council:

1. Accept the Tender of \$1,249,234.55 (EXL GST) from Eames Construction Pty Ltd for the Refurbishment of the Port Macquarie Water Supply Pump Station.
 2. Affix the seal of Council to the necessary documents.
 3. Approve the carryover of funds of up to \$243,026 from the 2011-2012 water supply budget to the 2012-2013 water supply budget to address the funding requirements as detailed in this report.
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**08.13 TENDER T-12-06 CONSTRUCTION OF ROADS AND DRAINAGE FOR FLOOD
ACCESS FOR DUNBOGAN (STAGE 1C – TIP GRAVEL ROAD)**

RESOLVED: Administrator/Porter

That Council:

1. Accept the tender for \$1,091,604.25 (excluding GST) from Downer EDI Works Pty Ltd for the Construction of Roads and Drainage for Flood Access for Dunbogan (Stage 1C – Tip Gravel Road)
 2. Affix the seal of Council to the necessary documents.
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**12.01 ROADS AND TRANSPORT ASSETS 2011/2012 WORKS PROGRAM DELIVERY
STATUS**

RESOLVED: Administrator/Porter

That Council acknowledge the status of the progress of the Roads and Transport Assets 2011/12 Works Program.

12.02 ROAD NETWORK RISK MANAGEMENT POLICY

The Director of Infrastructure Services advised that the road hierarchy was in fact of the top 140 roads and not 150 and that the Road Network Risk Management Policy was in fact a Work Practice not a Policy.

RESOLVED: Administrator/Porter

That Council adopt a risk management approach to hazard identification, inspections, assessment and prioritisation of roads/transport assets maintenance based on the Statewide Mutual Best Practise Guidelines as detailed in this report.

THE FOLLOWING ITEMS WERE ADOPTED IN THE BLOCK:

08.02 MAY 2012 STATUS OF OUTSTANDING REPORTS TO COUNCIL

RESOLVED: Administrator/Porter

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

08.03 DISCLOSURE OF INTEREST RETURN

RESOLVED: Administrator/Porter

That the Disclosure of Interest return for the Trainee Ranger be noted.

08.08 INVESTMENTS - APRIL 2012

RESOLVED: Administrator/Porter

That Council receive and note the investment report for April 2012.

08.12 PROPOSAL FOR THE ESTABLISHMENT OF A WEEDS COUNTY COUNCIL

RESOLVED: Administrator/Porter

That Council not support the concept of a Weeds County Council and not support the motion to undertake a cost – benefit analysis in establishing a Weeds County Council.

09.01 STRATEGIC PLANNING PROGRAM 2012/13

RESOLVED: Administrator/Porter

That Council endorse the strategic planning priorities and program summarised in this report.

09.02 NATIONAL YOUTH WEEK 2012 PROGRAM

RESOLVED: Administrator/Porter

That Council:

1. Note that a successful Youth Week was held during 13-22 April 2012;
 2. Thank, in writing, the YAC members who contributed to the Youth Week program;
 3. Acknowledge the Hastings Youth Workers Network and the Youth Homelessness Matters Day Event Committee who contributed to the Youth Week program;
 4. Acknowledge that a range of Port Macquarie-Hastings businesses participated and supported the Youth Week program.
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11.01 CLASSIFICATION OF PUBLIC LAND AT FERNBANK CREEK (PIN 48329, 48330)

RESOLVED: Administrator/Porter

That Council classify Lots 1 and 2 Deposited Plan 1089078, being land off Fernbank Creek Road, Fernbank Creek as operational land.

11.03 DA 2010/0255 MODIFICATION - LOT 9 DP 21916, 21 DUNWOODIE STREET, KENDALL (PIN 05850)

RESOLVED: Administrator/Porter

That the approved modification to DA 2010/255 including a SEPP 1 objection to Clause 18 of the Hastings Local Environmental Plan 2001 be noted.

11.04 DA 2010/0502 MODIFICATION 1 - LOT 2, DP 244442, 3 LINDFIELD PARK ROAD, PORT MACQUARIE (PIN 12464)

RESOLVED: Administrator/Porter

That the approved modification to DA 2010/0502 including a SEPP 1 objection to Clause

15 of the Hastings Local Environmental Plan 2001 be noted.

11.05 DA 2010/0519 MODIFICATION 1 - LOT 25, DP 1089272, 1 LINDFIELD PARK ROAD, PORT MACQUARIE (PIN 61487)

RESOLVED: Administrator/Porter

That the approved modification to DA 2010/0519 including a SEPP 1 objection to Clause 15 of the Hastings Local Environmental Plan 2001 be noted.

11.06 DA 2008/0582 MODIFICATION 2 - LOT 11, DP 1145773, 435 RAWDON ISLAND ROAD, RAWDON ISLAND (PIN 58643)

RESOLVED: Administrator/Porter

That the approved modification to DA 2008/0582 including a SEPP 1 objection to Clause 15 and Clause 18 of the Hastings Local Environmental Plan 2001 be noted.

12.03 RECOMMENDED ITEM FROM TOWN CENTRE MASTERPLAN SUB-COMMITTEE - HAY STREET FORECOURT

RESOLVED: Administrator/Porter

That Council:

1. Authorise the Town Centre Masterplan Committee to establish a working party to develop proposals to invigorate the Hay Street Forecourt.
 2. Require that Council staff and adjoining property owners be included in the working party.
 3. Require that a terms of reference be developed prior to the initial working party meeting.
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12.04 RELEASE OF DRAINAGE EASEMENT AT 9 ANNE STREET, PORT MACQUARIE (PIN 00597)

RESOLVED: Administrator/Porter

That Council:

1. Agree to the release of the drainage easement 8' wide as it burdens Lot 9 DP23414 (9 Anne Street, Port Macquarie) on the basis that the release be at nil financial cost to Council.
 2. Affix the Common Seal to the Land and Property Information Cancellation or Extinguishment of an Easement Form.
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**12.05 LAND ACQUISITION FOR PUBLIC ROAD PURPOSES - LORNE ROAD, LORNE
(PIN 18015)**

RESOLVED: Administrator/Porter

That Council:

1. Pay compensation in the amount of \$6,000 (GST exclusive) to the owners of Lot 22 Deposited Plan 754432 for the acquisition of that part of Lot 22 Deposited Plan 754432 more particularly described as Lot 3 in Plan of acquisition DP1172194.
 2. Affix the Common Seal to the Contract for Sale / Deed of Acquisition.
 3. Pursuant to Section 377 of the Local Government Act 1993, delegate to the General Manager authority to sign the Land Titles Office Transfer Form.
 4. On acquisition of Lot 3 Deposited Plan 1172194 dedicate it as public road.
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12.06 WORKS IN KIND APPLICATION - LAKE ROAD, PORT MACQUARIE

RESOLVED: Administrator/Porter

That Council:

1. Accept the Works In Kind offer for construction of road works on Lake Road, Port Macquarie, subject to completion of a Works in Kind Agreement, on the basis that the works will provide material public benefit.
 2. Delegate authority to the General Manager to sign the Works in Kind Agreement on behalf of Council.
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The meeting closed at 7.31pm.

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Neil Porter
Administrator