

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)
Lyndal Harper (Acting Communications Manager)
Nicole Marzan (Digital Communications Officer)
Linda Kocis (Minute Clerk / EA to Administrator)

Other Attendees:

Liam Bulley (Group Manager Recreations & Buildings)

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

Major Brett Gallagher from the Salvation Army 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 23 May 2012 be confirmed.

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 Nos. 08.11, 08.12, 08.13 and 08.14 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

06 PUBLIC FORUM

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

06.01 - Mr Paul Flemming – Removal of Chepana Street Properties from Coastal Erosion Risk

06.02 - Mr David Tooby – Lake Cathie Coastal Management Study.

06.01 REMOVAL OF CHEPANA STREET PROPERTIES FROM COASTAL EROSION RISK

Mr Paul Flemming, on behalf of Chepana Street residents, addressed the Public Forum in relation to Chepana Street properties, requesting they be removed from coastal erosion risk.

06.02 LAKE CATHIE COASTLINE MANAGEMENT STUDY

Mr David Tooby, King & Campbell Pty Ltd, addressed the Public Forum in relation to Illaroo Road and the accuracy and validity of the Lake Cathie Coastline Management Study.

08.16 KOOLOONBUNG CREEK NATURE PARK PLAN OF MANAGEMENT 2012

Mr Colin Booth addressed the Meeting in opposition to the recommendation.

Ms Gai Wood addressed the Meeting in opposition to the recommendation.

RESOLVED: Administrator/Porter

That Council:

1. Adopt the amended Kooloonbung Creek Nature Park Plan of Management 2012.
 2. Commit \$50,000 from the 2012-2013 Environmental Levy Reserve to assist in the cost of the removal of vegetation to provide a buffer to the Flying Fox Colony.
 3. Continue to look at the option of relocating the flying foxes from Kooloonbung Creek and a further report be brought back to Council by June 2013.
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07.01 ADMINISTRATOR MONTHLY DUTIES

RESOLVED: Administrator/Porter

That the Administrator's Duties for the period 24 May to 27 June 2012 inclusive be noted.

07.02 REALLOCATION OF FUNDS TO KING CREEK ROAD

RESOLVED: Administrator/Porter

That the Director of Infrastructure Services investigate and report back to the July 2012 Council Meeting on the feasibility of reallocating funding in the 2012/13 budget for Sarahs Crescent to King Creek Road to enable Council to continue the upgrade of both roads.

08.03 2012/2013 COUNCILLOR AND MAYORAL FEES

RESOLVED: Administrator/Porter

That in relation to Councillor remuneration for the 2012/13 financial year, Council:

1. Pursuant to the provisions of Section 248(2) of the Local Government Act 1993, set the annual fee payable to a Councillor for the financial year commencing 1 July 2012 to be \$17,060.00.
 2. Pursuant to the provisions of Section 249(3) of the Local Government Act 1993, set the annual fee payable to the Mayor for the financial year commencing 1 July 2012 to be \$37,230.00 (this amount is in addition to the fee payable to a Councillor).
 3. Request that an additional amount of \$3,808.00 be added to Councillor and Mayoral Fees in the 2012/2013 budget.
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08.04 ADVERTISING - NEWSPAPER POLICY

RESOLVED: Administrator/Porter

That Council:

1. Note the information contained in the Advertising – Newspaper Policy report.
 2. Be presented with a further report proposing amendments to the Advertising – Newspaper Policy.
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08.10 INVESTMENT POLICY REVIEW

RESOLVED: Administrator/Porter

That Council publicly exhibit the draft revised Investment Policy for a period of 28 days and a further report be brought back to Council after the exhibition period.

08.12 TENDER T-12-11 HERONS CREEK SEWERAGE SCHEME

RESOLVED: Administrator/Porter

That Council:

1. Accept the tender for \$124,000 (excluding GST) from Young & Sons Excavation for separable portion 1 (Sewerage Reticulation & Pits) for the Construction of Herons Creek Sewerage Scheme.
 2. Accept the tender for \$187,275 (excluding GST) from Kazac Civil for separable portion 2 (Sewerage Pumping Station) for the Construction of Herons Creek Sewerage Scheme.
 3. Affix the seal of Council to the necessary documents.
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08.15 INVESTMENTS - MAY 2012

RESOLVED: Administrator/Porter

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

09.01 SOCIAL STRATEGY

RESOLVED: Administrator/Porter

That Council publicly exhibit the draft Social Strategy 2012-2015 for a period of 28 days and a further report be brought back to Council after the exhibition period.

**09.02 PMHC COUNCIL GLASSHOUSE COMMUNITY SUPPORT PROGRAM
2012/13 - ASSESSMENT OF APPLICANTS RECEIVED**

RESOLVED: Administrator/Porter

That Council allocate funding through the PMHC Glasshouse Community Grants Program 2012/13 to the following groups for the specified amounts:

Hastings Choristers Incorporated	\$2,735.50
NSW Police	\$2,643.20
Hastings Youth Theatre	\$3,651.00
Big Band Blast	\$ 987.20
Rotary Sunrise	\$1,413.00
TAFE Creative Industries	\$1,500.00
GRANT TOTAL	\$12,929.70

**12.03 ACQUISITION OF LAND 35 LORD STREET, PORT MACQUARIE (PIN
12788)**

RESOLVED: Administrator/Porter

That Council note the advice from the NSW Land and Housing Corporation that Council's offer to purchase their property situated at 35 Lord Street, Port Macquarie has been accepted for a tender price of \$1.1 million (excluding GST).

THE FOLLOWING ITEMS WERE ADOPTED IN THE BLOCK:

08.02 JUNE 2012 STATUS OF OUTSTANDING REPORTS TO COUNCIL

RESOLVED: Administrator/Porter

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

08.05 RECOMMENDED ITEMS FROM THE PMH SPORTING FUND SUB-COMMITTEE MEETING HELD 10 MAY 2012 AND 7 JUNE 2012

RESOLVED: Administrator/Porter

That Council grant:

1. Angus Thurgate \$150.00 (ex GST) as an encouragement award in recognition of his sporting achievements to-date.
 2. Eleanor Wright \$300.00 (ex GST) to compete as part of the under 18 State Youth AFL Girl's team to compete at the National AFL Carnival being held in Adelaide from 14 May to 20 May 2012.
 3. Georgia Williams \$250.00 (ex GST) to assist with expenses incurred competing as part of the Vikings Futsal Tour of New Zealand from 27 April to 9 May 2012 inclusive.
 4. Zoe Blair \$250.00 (ex GST) to compete as part of the Mid Northern NSW Futsal Team to complete at the National School Titles in Townsville and Cairns in October 2012.
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08.06 RECOMMENDED ITEMS FROM PORT MACQUARIE-HANDA SISTER CITY SUB-COMMITTEE 2012 05 24 – ITEM 11 – GENERAL BUSINESS

RESOLVED: Administrator/Porter

1. That the incoming Mayor of Port Macquarie-Hastings Council, the General Manager and the current Chairman of the Port Macquarie-Handa Sister City Sub-Committee (Mr Bruce Hardy) be extended the invitation to attend the Dashi Festival to be staged in Handa, Japan in October 2012.
 2. That should either the Mayor, General Manager or Chairman be unable to accept the invitation, that the General Manager delegate the invitation to an appropriate staff member.
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08.07 RECOMMENDED ITEM FROM PMH SPORTING FUND SUB-COMMITTEE MEETING HELD 7 JUNE 2012 - ITEM 09 - FUTURE STRATEGY OF THE SPORTING FUND

RESOLVED: Administrator/Porter

That Council:

1. Accept the Expressions of Interest received from Mr Michael Reid and Mr Damon Richards and prepare letters confirming their appointment as members of the PMH Sporting Fund Sub-Committee.
 2. In the confirmation of appointment letter to Mr Damon Richards, outline the Sub-Committee's belief that his inclusion on the Sub-Committee will ensure the legacy of the Fund.
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08.08 NOTICE TO RESIDENTS OF PROPOSED ROAD WORKS POLICY

RESOLVED: Administrator/Porter

That Council rescind the Policy "Notice to Residents of Proposed Road Works".

08.09 MONTHLY REVIEW OF FINANCIAL POSITION - MAY 2012

RESOLVED: Administrator/Porter

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

08.11 TENDER T-12-08 SUPPLY & DELIVERY OF TREATED TIMBER

RESOLVED: Administrator/Porter

That Council:

1. Accept the tender from Fastplast Building Supplies for the Supply & Delivery of Treated Timber for an initial period of twenty four (24) months, commencing on 1 July 2012, with a further option of twelve (12) months available.
 2. Affix the seal of Council to the necessary documents.
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08.13 TENDER T-12-01 SUPPLY & DELIVERY OF CIVIL PRODUCTS

RESOLVED: Administrator/Porter

That Council:

1. Accept tenders from the following suppliers to be appointed to a panel of suppliers for the Supply & Delivery of Civil Products for the period 1 July 2012 to 30 June 2014 with a further 12-month option available:
 - Australian Construction Products Pty Ltd (ACP);
 - Geofabrics Australasia Pty Ltd;
 - Holcim (Australia) Pty Ltd T/A Humes;
 - Ingal Civil Products;
 - Maccaferri Australia;
 - Reinforced Concrete Pipes Australia (QLD) Pty Ltd.
2. Affix the seal of Council to the necessary documents.

08.14 TENDER T-12-12 ADVERTISING CONCESSION, PORT MACQUARIE AIRPORT

RESOLVED: Administrator/Porter

That Council:

1. Accept the tender received from Interspace Airport Advertising Australia Pty Ltd for the development, marketing, sales and management of the advertising display concession at Port Macquarie Airport for the period 1 October 2012 to 30 September 2017, with an option for a further five (5) years.
2. Affix the seal of Council to the necessary documents.

12.01 PEMBROOKE ROAD - CHANGE TO PERMANENT SPEED LIMIT

RESOLVED: Administrator/Porter

That the authorisation issued by the Roads & Maritime Services for a reduction of the existing 100kmh speed zone in Pembroke Road to 80kmh be received and noted.

**12.02 BONNY HILLS RESERVES MASTERPLANS - COMMUNITY
ENGAGEMENT FEEDBACK**

RESOLVED: Administrator/Porter

That Council:

1. Acknowledge submissions received from the community during this latest round of community engagement.
 2. Adopt the Bonny Hills Reserves Masterplan and listing of priority projects as presented.
 3. Carry over funding of \$44,810 included within the 2011/12 rolling works programme into the 2012/13 programme to allow for priority works identified within the plan to be delivered.
 4. Work with key stakeholders to better manage organised events that are held at Rainbow Beach Reserve.
 5. Organise a community meeting to discuss concerns about pedestrian safety around Ocean Dive, Bonny Hills.
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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 Acquisition of an Easement to Drain Water Over Lot 5
DP1073371, Ocean Drive, West Haven (PIN 46542)

This item is considered confidential under Sect 10A(2)(g) of the Local Government Act 1993, as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Item 13.02 Request to Write Off Interest Charges

This item is considered confidential under Sect 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

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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 6.34pm.

RESUME MEETING

RESOLVED: Administrator/Porter

The Ordinary Council Meeting resumed at 6.37pm.

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 Acquisition of an Easement to Drain Water Over Lot 5

DP1073371, Ocean Drive, West Haven (PIN 46542)

This item is considered confidential under Sect 10A(2)(g) of the Local Government Act 1993, as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

That Council:

1. Seek to acquire, by negotiation, an easement to drain water generally as shown in the plan attached to this report.
2. Authorise the Director of Corporate & Business Services, based on valuation advice, to negotiate compensation for the acquisition of the easement.
3. Pursuant to Section 377 of the Local Government Act 1993, delegate authority to the General Manager to sign:
 - a. The Acquisition Deed / Contract for Sale
 - b. The Section 88B Instrument
 - c. The Land Titles Office Transfer Granting Easement form.
4. Advise the landowner's legal representative, in writing, of Council's resolutions.

Item 13.02 Request to Write Off Interest Charges

This item is considered confidential under Sect 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

That the interest on the Residential Rate Account, as outlined in this report, be written-off under hardship grounds.

The Meeting closed at 6.37pm.

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Neil Porter
Administrator