

## **Appendix 9**

Extracts from agenda and minutes of the  
Port Macquarie Has  
24 March 2010

## Ordinary Council Meeting

Meeting Date: 24/03/2010 - Ordinary Council Meeting

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Item 00

Subject NOTICE OF ORDINARY COUNCIL MEETING - 24/03/10

Director

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### RECOMMENDATION

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PORT MACQUARIE  
HASTINGS

**Notice is given that the next Ordinary Council Meeting  
will be held on  
Wednesday, 24 March 2010 at 5.30pm  
in the Council Chambers, Port Macquarie**

**A**

Andrew Roach, General Manager

***Note:** Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from this Paper before the meeting not be such as to presume the outcome of consideration of the matters therein.*

# Ordinary Council Meeting

Meeting Date: 24/03/2010 - Ordinary Council Meeting












Item **000**

Subject **INDEX - ORDINARY COUNCIL MEETING - 24/03/10**

Director

## RECOMMENDATION

To link through to reports click on the  next to the **red** item number.

				<b>24/03/2010 - Ordinary Council Meeting</b>
				ITEM NO: 00 SUBJECT:NOTICE OF ORDINARY COUNCIL MEETING - 24/03/10
			<b>00</b>	
				ITEM NO: 000 SUBJECT:INDEX - ORDINARY COUNCIL MEETING - 24/03/10
			<b>000</b>	
				ITEM NO: 01 SUBJECT:ACKNOWLEDGEMENT OF COUNTRY
			<b>01</b>	Acknowledgement of Country.
				ITEM NO: 02 SUBJECT:LOCAL GOVERNMENT PRAYER
			<b>02</b>	That Pastor Mark Van Der Veer from the Honour Church, be invited to deliver the Local Government Prayer.
				ITEM NO: 03 SUBJECT:CONFIRMATION OF MINUTES
			<b>03</b>	That the Minutes of the Ordinary Council Meeting held on 17 February 2010 be confirmed.
				ITEM NO: 04 SUBJECT:DISCLOSURES OF INTEREST
			<b>04</b>	That the disclosures of interest be presented.
				ITEM NO: 05 SUBJECT:CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING C.750.20.80
			<b>05</b>	That Council determine that the Attachment to Item No. 23 be considered as confidential, in accordance with Section 11(3) of the Local Government Act, for the reason listed in the report.
				ITEM NO: 06 SUBJECT:PUBLIC FORUM
			<b>06</b>	Public Forum
				ITEM NO: 07 SUBJECT:ADMINISTRATOR'S MINUTES
			<b>07</b>	That the Administrator's Minutes be received.
				<b>24/03/2010 - Social</b>
				ITEM NO: 08 SUBJECT:STATE HERITAGE REGISTER NOMINATION - 30-42 CLARENCE STREET AND DRAIN IN HAY STREET, PORT MACQUARIE
			<b>08</b>	That Council support the proposed listing of the "Archaeological Remains of Overseers' Cottages" at 30 - 42 Clarence Street, Port Macquarie, on the State Heritage Register.
				ITEM NO: 09 SUBJECT:LOCAL INFRASTRUCTURE LOAN AGREEMENTS FOR TWO 10 YEAR INTEREST FREE LOANS
			<b>09</b>	That Council approve two Loan Agreements and affix the Common Seal of Port Macquarie Hastings Council.

## Social

Meeting Date: 24/03/2010 - Social

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### Item 09

**Subject LOCAL INFRASTRUCTURE LOAN AGREEMENTS FOR TWO  
10 YEAR INTEREST FREE LOANS  
Director JEFFERY SHARP (INFRA)**

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*Council successfully gained 2 interest free loan offers from Planning NSW's Local Infrastructure Fund Program. Council has been offered a \$7,959,000 10 year interest free loan for the construction of water supply pipelines to service Urban Release Area 14, Lake Cathie-Bonny Hills and a \$1,350,000 10 year interest free loan for the Major Innes road upgrade project.*

### RECOMMENDATION

**That Council approve two Loan Agreements and affix the Common Seal of Port Macquarie Hastings Council.**

### Discussion

The purpose of the Interest Free Loans is to fast track local infrastructure projects, support jobs and help build communities across the state. These two projects were chosen as they will enable two known urban growth precincts to develop in a timely manner.

### Alignment With Strategic Direction

Both projects were already within the existing Council's capital works program. This funding will enable urban development to progress in line with Council's urban growth strategy.

### Consultation

The Loan Agreement documents have been reviewed by Finance and signed by the General Manager.

### Planning and Policy Impact

Both projects align with Council's Urban Growth Strategy.

### Financial & Economic Implications

Both the loan amounts and repayment schedules have been included in the Draft 2010/11 Corporate Plans.

### Options

The works are required to enable urban development. The works could be constructed using Section 64 and Section 94 funds as they become available or alternately developers could enter into Voluntary Planning Agreements with Council to provide funds to construct the works and then gain Section 64 and Section 94 contribution offsets.



## **Ordinary Council Meeting**

*Meeting Date: 24/03/2010 - Ordinary Council Meeting*

### **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24/03/10.**

#### **PRESENT:**

Garry Payne AM (Administrator)  
Andrew Roach (General Manager)  
Jeffery Sharp (Director of Infrastructure Services)  
Tony Leahy (Director of Corporate & Business Services)  
Matt Rogers (Director of Development & Environment Services)  
Lesley Atkinson (Director of Community & Cultural Development)  
Neil Porter (Manager Governance & Executive Services)  
Terry Sara (Communications Manager)  
Bronwyn Lyon (Governance Support Officer)  
Stuart Brook (Projects Engineer)  
Jaclyn Fisher (Community Development Manager)

#### **01 ACKNOWLEDGEMENT OF COUNTRY**

The Administrator opened the Meeting at 5.30 pm with an Acknowledgement of Country and welcomed all in attendance in the Chamber and on the Internet.

#### **02 LOCAL GOVERNMENT PRAYER**

Pastor Carl Moses from the Coastside Church delivered the Local Government Prayer.

#### **03 CONFIRMATION OF MINUTES**

##### **ADOPTED:**

That the Minutes of the Ordinary Council Meeting held on 17 February 2010 be confirmed.

#### **04 DISCLOSURES OF INTEREST**

There were no disclosures of interest presented.

#### **05 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

##### **ADOPTED:**

That Council determine that the Attachments to Item Nos. 07.2, 12 and 22 be considered as confidential, in accordance with Section 11(3) of the Local Government Act, for the reason listed in the report.

#### **06 PUBLIC FORUM**

The Administrator advised that there were no applications to address Council in the Public Forum.

## **18 INTERNAL AUDIT COMMITTEE**

### **ADOPTED:**

1. That the Charter for the Internal Audit Committee be amended so that the number of independent members is increased to five (5).
2. That the following applicants be appointed to Council's Internal Audit Committee:

Geoffrey Hawkins  
Graham Marchant  
Gary Mottau  
Steve O'Rourke  
Peri Sirovica

## **19 AMENDMENT TO ATTENDANCE AT CONFERENCES, SEMINARS & WORKSHOPS POLICY**

### **ADOPTED:**

1. That the Attendance at Conferences, Seminars and Workshops Policy be amended to include the Travelling Allowances adopted by the NSW Public Service and as determined by the Australian Taxation Office on an annual basis.
2. That only actual expenses, supported by receipts, up to the maximum daily allowance will be paid or reimbursed to claimants.

### **THE FOLLOWING ITEMS WERE ADOPTED IN A BLOCK RESOLUTION:**

## **09 LOCAL INFRASTRUCTURE LOAN AGREEMENTS FOR TWO 10 YEAR INTEREST FREE LOANS**

### **ADOPTED:**

That Council approve two Loan Agreements and affix the Common Seal of Port Macquarie Hastings Council.

## **10 GENERAL WORKS SECTION – “BACK TO BASICS” PROGRESS AND RESULTS**

### **ADOPTED:**

That the progress to date be acknowledged through Council's confirmation of the strategic objectives/goals for the General Works Section as detailed within the report.

## **Appendix 10**

Extracts from agenda and minutes of the  
Port Macquarie  
26 May 2010

## Ordinary Council Meeting

Meeting Date: 26/05/2010 - Ordinary Council Meeting

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Item 00

Subject NOTICE OF ORDINARY COUNCIL MEETING - 26/05/10

Director

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### RECOMMENDATION

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PORT MACQUARIE  
HASTINGS

**Notice is given that the next Ordinary Council Meeting  
will be held on  
Wednesday, 26 May 2010 at 5.30pm  
in the Council Chambers, Port Macquarie**









**A**

Andrew Roach, General Manager

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PORT MACQUARIE-HASTINGS COUNCIL

			Drive, Port Macquarie) be classified as operational land. 3. That Lot 35 Deposited Plan 1084479 (Inv
			<b>ITEM NO: 10 SUBJECT:NAMING OF A GEOGRAPHIC FEATURE - INNES PENINSULA</b>
		<b>10</b>	That Council support the application received for the naming of the geographic feature, Innes Peninsula.
			<b>26/05/2010 - Governance</b>
			<b>ITEM NO: 11 SUBJECT:STATUS OF OUTSTANDING REPORTS TO COUNCIL</b>
		<b>11</b>	That the report be received and noted.
			<b>ITEM NO: 12 SUBJECT:QUARTERLY REVIEW OF THE 2009/2010 CORPORATE PLAN AS AT 31 MARCH 2010 Tony Leahy</b>
		<b>12</b>	That the report be received and noted.
			<b>ITEM NO: 13 SUBJECT:MONTHLY REVIEW OF FINANCIAL POSITION - APRIL 2010</b>
		<b>13</b>	That the adjustments in the "Financial Implications" section of the report be adopted.
			<b>ITEM NO: 14 SUBJECT:INVESTMENTS - APRIL 2010</b>
		<b>14</b>	That the report be received and noted.
			<b>26/05/2010 - Environment</b>
			<b>ITEM NO: 15 SUBJECT:REVIEW OF COUNCIL'S DOGS ON BEACHES POLICY</b>
		<b>15</b>	That Council amend its "Dogs on Beaches" Policy in accordance with the following: (a) That Wash House Beach change from a Permitted/Timed/Unleashed Area, to Permitted/Un-timed/Leashed in the area north of the Kattang Nature Reserve. (b) That the smal
			<b>ITEM NO: 16 SUBJECT:REMOVAL OF THE MORATORIUM ON NEW RESIDENTIAL DEVELOPMENT IN LAKE CATHIE/BONNY HILLS</b>
		<b>16</b>	1. That Council remove the moratorium on new residential development in Lake Cathie/Bonny Hills. 2. That Council rescind the policy titled "Lake Cathie/Bonny Hills Moratorium on New Residential Development."
			<b>ITEM NO: 17 PROPERTY: DA 2010/0021 - LOT 3 DP 1114325 &amp; LOT 211 DP 754405, 302-304 OCEAN DRIVE, LAURIETON SUBJECT: FIVE (5) LOT RESIDENTIAL SUBDIVISION &amp; RESIDUE RURAL LOT DA 2010/21 APPLICANT AND DEVELOPER: PRO. POSITION</b>
		<b>17</b>	That DA 2010/21 for a five (5) lot residential subdivision and residue rural lot, including a SEPP 1 objection to Clause 15 of the Hastings Local Environmental Plan 2001 at Lot 3 DP 1114325 & lot 211 DP 754405, 302-304 Ocean Drive, Laurieton, be dete

## Environment

Meeting Date: 26/05/2010 - Environment

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### Item 16

**Subject REMOVAL OF THE MORATORIUM ON NEW RESIDENTIAL DEVELOPMENT IN LAKE CATHIE/BONNY HILLS**  
**Director JEFFERY SHARP (INFRA)**

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*A report to consider the removal of the moratorium on new residential development in Lake Cathie/Bonny Hills.*

### RECOMMENDATION

- 1. That Council remove the moratorium on new residential development in Lake Cathie/Bonny Hills.**
- 2. That Council rescind the policy titled "Lake Cathie/Bonny Hills Moratorium on New Residential Development."**

### Discussion

At its meeting of 8 September 2003 Council adopted the following policy:-

*"Lake Cathie/Bonny Hills Moratorium on New Residential Development*

#### *Objective*

*Pending a decision on additional sewerage treatment and disposal/reuse facilities for Lake Cathie and Bonny Hills, Council must ensure that the existing plant is not over committed by development which generates additional sewerage load.*

#### *Policy*

*On land within the urban areas of Lake Cathie or Bonny Hills or for development in the immediate area which may reasonably seek to connect to Council's sewerage system:-*

- 1. Council will approve single dwellings on land which has existing approvals for residential subdivision*
- 2. Council will not approve additional dwellings on a single lot*
- 3. Council will not approve medium density housing*
- 4. Council will not approve any subdivision which creates a dwelling entitlement*
- 5. Council will not support any rezoning of land which creates the potential for additional residential subdivision and/or dwellings*
- 6. Council will consider rezonings and development applications for "no-population generating" development such as retail, home business, industry, schools etc subject to the availability of capacity at the treatment plant and in disposal"*

In the intervening period Council has been able to make available "sewer credits" for minor developments such as dual occupancies due to increases in effluent disposal capacity as a result of improved technology.

More importantly Council embarked on a major upgrade of the Lake Cathie/Bonny Hills Sewage Treatment Plant (STP) to cater for the expected ultimate population of the area. Coupled with this Council also undertook the construction of an extensive recycled effluent pipeline as part of the Hastings Effluent Management Strategy (HEMS) to convey treated effluent from the STP



north to Port Macquarie Golf Course and south to Kew/Kendall.

The STP is complete and will be officially opened on 27 May 2010 with the effluent pipeline expected to be complete by the end of 2010.

With the augmented STP now fully operational and the effluent disposal system still having existing capacity to cater for any additional effluent loads generated prior to the completion of the effluent main, it is considered appropriate for the development moratorium to be lifted.

### **Alignment With Strategic Direction**

The removal of the moratorium on new residential development will align with Council's social focus in the facilitation of community growth and through the provision of quality services, strategies and infrastructure for the betterment of the community.

### **Consultation**

Consultation has taken place with those Sections of Council that will possibly be affected by an increase in workload due to the an expected increase in development applications in the area.

### **Planning and Policy Impact**

During the moratorium consultation has also taken place with representatives of the development industry on the provision of sewerage services in the Area 14 Growth Area pending the removal of the moratorium. These investigations are well advanced and the removal of the moratorium will have a positive effect on the development industry.

### **Financial & Economic Implications**

The construction of the STP and recycled effluent pipelines are fully funded and at or near completion. The expected increase in development activity in the area is considered to have positive economic implications.

### **Options**

Council has the option of accepting the recommendation to remove the moratorium or to leave the moratorium in place.

## **Ordinary Council Meeting**

*Meeting Date: 26/05/2010 - Ordinary Council Meeting*

### **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26/05/10.**

#### **PRESENT:**

Garry Payne AM (Administrator)  
Andrew Roach (General Manager)  
Jeffery Sharp (Director of Infrastructure Services)  
Tony Leahy (Director of Corporate & Business Services)  
Matt Rogers (Director of Development & Environment Services)  
Lesley Atkinson (Director of Community & Cultural Development)  
Neil Porter (Manager Governance & Executive Services)  
Terry Sara (Communications Manager)  
Tim Atherton (Manager Development & Environment Compliance)  
Jaclyne Fisher (Manager Community Development)  
Bronwyn Lyon (Governance Support Officer)

#### **01 WELCOME TO COUNTRY**

The Administrator opened the Meeting at 5.30 pm with an Acknowledgement of Country and welcomed all in attendance in the Chamber and on the Internet.

The Administrator also acknowledged that it was National Sorry Day and invited Mr William "Uncle Bill" O'Brien, Birpai Aboriginal Elder, to deliver the "Welcome to Country".

"Uncle Bill" came forward and delivered the "Welcome to Country".

#### **02 LOCAL GOVERNMENT PRAYER**

Pastor Kerry Medway from the Grace Church, delivered the Local Government Prayer.

#### **03 CONFIRMATION OF MINUTES**

##### **ADOPTED:**

That the Minutes of the Ordinary Council Meeting held on 28 April 2010 be confirmed.

#### **04 DISCLOSURES OF INTEREST**

There were no disclosures of interest presented.

#### **05 PUBLIC FORUM**

There were no requests to address Council in the Public Forum.

**16 REMOVAL OF THE MORATORIUM ON NEW RESIDENTIAL DEVELOPMENT IN LAKE CATHIE/BONNY HILLS**

ADOPTED:

1. That Council remove the moratorium on new residential development in Lake Cathie/Bonny Hills.
2. That Council rescind the policy titled "Lake Cathie/Bonny Hills Moratorium on New Residential Development."

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

**09 CLASSIFICATION OF PUBLIC LAND**

ADOPTED:

1. That Lot 1 Deposited Plan 1133462 (part Wauchope Cemetery) be classified as operational land.
2. That Lot 101 Deposited Plan 1147245 (Greenmeadows Drive, Port Macquarie) be classified as operational land.
3. That Lot 35 Deposited Plan 1084479 (Inventive Way, Wauchope) be classified as operational land.

**10 NAMING OF A GEOGRAPHIC FEATURE - INNES PENINSULA**

ADOPTED:

That Council support the application received for the naming of the geographic feature, Innes Peninsula.

**11 STATUS OF OUTSTANDING REPORTS TO COUNCIL**

ADOPTED:

That the report be received and noted.