

PRESENT

Members:

Councillor Peter Besseling (Mayor)
Councillor Rob Turner
Councillor Adam Roberts
Councillor Lisa Intemann
Councillor Justin Levido
Councillor Geoff Hawkins
Councillor Trevor Sargeant
Councillor Michael Cusato
Councillor Sharon Griffiths

Other Attendees:

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)
Bronwyn Lyon (Governance Support Officer)
Sue Pollard (Statutory Reporting Officer)
Linda Kocis (Executive Assistant to the Mayor)

The meeting opened at 5.30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 APOLOGIES

There were no apologies.

03 DISCLOSURES OF INTEREST

Councillor Levido declared a pecuniary and non-pecuniary significant interest in Item 08.02 - Public exhibition of area-based development provisions for Rainbow Beach (Area 14): Submissions Report. The reason being:

1. Councillor Levido is a partner in the Port Macquarie Law Firm, Donovan Oates Hannaford Lawyers.
The Firm currently:
 - i) acts for one of the Landowners within Area 14;
 - ii) has acted in the past for another Landowner in Area 14; and
 - iii) acts for a related entity of another Landowner in Area 14.The Firm has a reasonable likelihood or expectation of appreciable financial gain or loss in the matter the subject of this Report before Council.
2. The aforesaid clients also have a reasonable likelihood or expectation of appreciable financial gain or loss in the matter the subject of this Report before Council.

04 ENSURING GOOD GOVERNANCE

Nil

05 LOOKING AFTER OUR PEOPLE

Nil

06 HELPING OUR COMMUNITY PROSPER

Nil

REQUESTS TO SPEAK ON AN AGENDA ITEM

The Mayor advised of requests to speak on an agenda item for Item 07.01 from Paul Flemming (S).

RESOLVED: Roberts/Turner

That the above request to speak be permitted.

CARRIED: 9/0
FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant, Turner and Roberts
AGAINST: Nil

07.01 LAKE CATHIE COASTAL ZONE MANAGEMENT PLAN

Paul Flemming addressed Council in support of the recommendation.

RESOLVED: Intemann/Sargeant

That Council note the progress of coastal management planning for Lake Cathie.

CARRIED: 9/0
FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant, Turner and Roberts
AGAINST: Nil

08.01 WATER RESTRICTION TRIGGER LEVELS AND UPDATE ON CURRENT WATER SUPPLY

MOTION

MOVED: Roberts/Levido

That Council:

1. Adopt trigger levels for water restrictions for the Port Macquarie-Hastings LGA as follows:

Restriction Level	Trigger Point
Level 1 Mandatory Water Conservation Measures	Combined total storage in Cowarra & Port Macquarie Dams above 80% capacity
Level 2 Not used by Port Macquarie-Hastings Council	
Level 3	Combined total storage in Cowarra & Port Macquarie Dams below 80% capacity & river flows causing nil or sporadic pumping from Hastings River
Level 4	Combined total storage in Cowarra & Port Macquarie Dams below 70% capacity & river flows causing nil or sporadic pumping from Hastings River
Level 5	Combined total storage in Cowarra & Port Macquarie Dams below 60% capacity & river flows causing nil or sporadic pumping from Hastings River
Level 6	Combined total storage in Cowarra & Port Macquarie Dams below 50% capacity & river flows causing nil or sporadic pumping from Hastings River

2. Delegate to the General Manager the power to implement (lift or ease) water restrictions in line with the adopted trigger levels within levels 1 to 6 as identified, for any measures outside these levels, a Council resolution is required.
3. Implement Level 4 Water Restrictions from Monday, 11 February 2013 for the Port Macquarie-Hastings LGA as discussed in this report.
4. Be provided with a monthly update on water storage levels and water management practices during periods of water restrictions.
5. Undertake a media campaign to inform the community of the reasons for the changed water restrictions.

AMENDMENT:

MOVED: Sargeant/Griffiths

That Council:

1. Adopt trigger levels for water restrictions for the Port Macquarie-Hastings LGA

as follows:

Restriction Level	Trigger Point
Level 1 Mandatory Water Conservation Measures	Combined total storage in Cowarra & Port Macquarie Dams above 80% capacity
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3. Implement Level 4 Water Restrictions from Monday, 11 February 2013 for the Port Macquarie-Hastings LGA as discussed in this report.
4. Be provided with a monthly update on water storage levels and water management practices during periods of water restrictions.
5. Undertake a media campaign to inform the community of the reasons for the changed water restrictions.
6. That any additional water restrictions that are undertaken in the near future are accompanied by a well thought out media strategy, less about technicality and more about plain English.

CARRIED: 9/0

FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant, Turner and Roberts*

AGAINST: Nil

THE AMENDMENT BECAME THE MOTION:

RESOLVED: *Sargeant/Griffiths*

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5. Undertake a media campaign to inform the community of the reasons for the changed water restrictions.
6. That any additional water restrictions that are undertaken in the near future are accompanied by a well thought out media strategy, less about technicality and more about plain English.

CARRIED: 9/0

FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant, Turner and Roberts*

AGAINST: Nil

REQUESTS TO SPEAK ON AN AGENDA ITEM

The Mayor advised that the requests to speak on an agenda item for Item 08.02 from David Rogers / Paul Thompson (O) have been withdrawn.

**08.02 PUBLIC EXHIBITION OF AREA-BASED DEVELOPMENT PROVISIONS
FOR RAINBOW BEACH (AREA 14): SUBMISSIONS REPORT**

Councillor Levido left the meeting and was out of sight during the Council's consideration of this item, the time being 05:58pm.

The Director of Development and Environmental Services tabled Replacement Attachment No. 10 for this item.

MOTION

MOVED: Sargeant/

1. Adopt the Rainbow Beach (Area 14) Development Control Plan, as shown in this report, as an addition to the area specific provisions in Port Macquarie-Hastings Development Control Plan 2011.
2. Review the Area 14 Koala Plan of Management dated October 2012 as shown in this report in conjunction with precinct provisions for the remainder of Area 14.
3. That the current contributions plan relating to the area be further reviewed to improve information about the roads corridor, the staging of the intersections, to ensure all landowners are paying an appropriate development contribution.

LAPSED FOR WANT OF A SECONDER

RESOLVED: Sargeant/Turner

That Council:

1. Adopt the Rainbow Beach (Area 14) Development Control Plan, as shown in this report, as an addition to the area specific provisions in Port Macquarie-Hastings Development Control Plan 2011.
2. Adopt the Area 14 Koala Plan of Management dated October 2012, as shown in this report.
3. Forward a copy of the approved plans to the Director General of the Department of Planning and Infrastructure within 28 days with a request that the Director General approve the Koala Plan of Management.
4. Publish a public notice of this decision within 28 days.
5. Review the Area 14 Koala Plan of Management dated October 2012 as shown in this report in conjunction with precinct provisions for the remainder of Area 14, that the KPOM be reported to Council with the DCP precinct provisions.
6. That the current contributions plan relating to the area be further reviewed to improve information about the roads corridor, the staging of the intersections, to ensure all landowners are paying an appropriate development contribution.

CARRIED: 8/0

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Sargeant, Turner and
Roberts*

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 06:26pm.

The meeting closed at 6.28pm.

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Peter Besseling
Mayor