

PRESENT

Members:

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

Other Attendees:

General Manager (Tony Hayward)
Director of Infrastructure & Asset Management (Jeffery Sharp)
Director of Commercial Services & Industry Engagement (Craig Swift-McNair)
Director of Development & Environment (Matt Rogers)
Group Manager Governance & Executive Services (Stewart Todd)
Communications Officer (Stuart Carless)
Executive Assistant to the Mayor / Minute Clerk (Linda Kocis)

The Meeting opened at 5.38 pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Reverend Scott Donnellan from the Presbyterian Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Intemann/Levido

1. That the Minutes of the Ordinary Council Meeting held on 18 September 2013 be confirmed.
2. That the Minutes of the Extra-Ordinary Council Meeting held on 25 September 2013 be confirmed.

CARRIED: 9/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 11.01 - DA 2013/0349 - 105 Matthew Flinders Drive, Port Macquarie, the reason being he is a partner in the Port Macquarie Law Firm, Donovan Oates Hannaford Lawyers. The firm currently acts for a landowner whose property adjoins the subject property and has caused an objection to be lodged with respect to the proposed development.

Councillor Roberts declared a Non-Pecuniary, Significant Interest in Item 11.01 - DA 2013/0349 - 105 Matthew Flinders Drive, Port Macquarie, the reason being the neighbour of the DA site in question ran in the Group C (Team Roberts) election campaign and may be potentially impacted by the outcome of this item.

Councillor Cusato declared a Non-Pecuniary, Less than Significant Interest in Item 11.01 - DA 2013/0349 - 105 Matthew Flinders Drive, Port Macquarie, the reason being the direct neighbour of the subject property was a candidate running for Council with him on Group C (Team Roberts).

Councillor Griffiths declared a Non-Pecuniary, Less than Significant Interest in Item 12.05 - Wauchope Traffic Management Strategy, the reason being she is a director and business owner in Wauchope.

Councillor Griffiths declared a Non-Pecuniary, Less than Significant Interest in Item 12.08 - Tender T-13-26 Port Macquarie Airport - New Carpark for Rental Cars & Staff, the reason being she owns a business and some of tenderers are customers of her business.

Councillor Intemann declared a Non-Pecuniary, Less than Significant Interest in Item 12.05 - Wauchope Traffic Management Strategy, the reason being she is a resident of Wauchope and the Director of a Wauchope business.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 6 September to 4 October 2013 be noted.

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

SUSPENSION OF STANDING ORDERS

RESOLVED: Roberts/Intemann

That Standing Orders be suspended to allow Item 08.01 to be brought forward and considered next.

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

08.01 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Roberts/Intemann

That Council determine that the attachments to Item numbers. 09.03 and 12.08 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

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

07 PUBLIC FORUM

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

1. Ms Jenny Daniels regarding Big 4 Caravan Park, Bonny Hills.

RESOLVED: Roberts/Intemann

That the above requests to speak in the Public Forum be acceded to.

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

07.01 BIG 4 CARAVAN PARK, BONNY HILLS

Ms Jenny Daniels addressed Council in regard to noise from the swimming pool at the Big 4 Caravan Park, Bonny Hills and answered questions from Councillors.

REQUESTS TO SPEAK ON AN AGENDA ITEM

The Mayor advised of requests to speak on an agenda item, as follows:

- Item 10.01 - Mr Alistair Owen in support of the recommendation.
- Item 11.01 - Mr Tony Thorne in support of the recommendation.
- Item 11.01 - Mr Todd Scott in opposition to the recommendation.
- Item 11.01 - Mr Rob Snow in support of the recommendation.
- Item 11.01 - Mr William Amy in opposition of the recommendation.
- Item 12.04 - Mrs Kaye Newberry in support of the recommendation.
- Item 12.05 - Mrs Jennifer Mackay in opposition to the recommendation.

RESOLVED: Roberts/Intemann

That the requests to speak on an agenda item be acceded to.

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

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Intemann

That Standing Orders be suspended to allow Items 11.01, 12.04 & 12.05 to be brought forward and considered next in the above order.

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

Councillor Levido and Councillor Roberts left the Meeting, the time being 5.59 pm.

11.01 DA 2013/0349 - ALTERATIONS AND ADDITIONS TO 3 STOREY DWELLING-HOUSE INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 3 DP 236279, 105 MATTHEW FLINDERS DRIVE, PORT MACQUARIE (PIN 13336)

Mr Rob Snow, King & Campbell Pty Ltd, on behalf of applicants, Mr B & Mrs B Kemmett, addressed Council in support of the recommendation and answered questions from Councillors.

Mr Todd Scott, solicitor on behalf of Glenn Scott & Rebecca Davis, addressed Council in opposition to the recommendation and answered questions from Councillors.

Mr Tony Thorne, King & Campbell Pty Ltd on behalf of the applicants, Mr B and Mrs B Kemmett, addressed Council in support of the recommendation and answered questions from Councillors.

Mr William Amy, on behalf of affected neighbour, Mrs Margaret Norman, addressed Council in opposition to the recommendation and answered questions from Councillors.

RESOLVED: Sargeant/Hawkins

That the application be deferred so as to provide an opportunity for the plans to be amended to enable the existing building height to be maintained.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Levido and Councillor Roberts returned to the meeting, the time being 06:46pm.

12.04 MCINHERNEY PARK - WESTERN MAN-MADE BEACH (PIN 22006)

Mrs Kaye Newberry, on behalf of residents of River Park Road, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Levido/Cusato

1. That Council:
 - a) Retain the motorised vessel exclusions zones at the western man-made beach at McInherney Park, Port Macquarie; and
 - b) Ensure that the Port Macquarie-Hastings Recreation Plan currently being prepared deals with the western man-made beach at McInherney Park, Port Macquarie as part of its brief.
 2. That the General Manager cause a report to be made to Council regarding the use of the western man-made beach at McInherney Park, Port Macquarie within 1 month of the adoption by Council of the Port Macquarie-Hastings
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Recreation Plan.

CARRIED: 9/0

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

AGAINST: Nil

12.05 WAUCHOPE TRAFFIC MANAGEMENT STRATEGY

Mrs Jennifer Mackay, on behalf of the Wauchope Business Association, addressed Council in opposition to the recommendation and answered questions from Councillors.

RESOLVED: Griffiths/Intemann

That Council:

1. Note the contents of the report including the comments and response from the workshop as part of the document.
2. Place on exhibition the Wauchope Traffic Management Strategy report inviting community comment, noting the exhibition will include a community and stakeholder information session.
3. Following exhibition, receive a further report detailing the feedback from the exhibition and recommendations to progress actions for the Wauchope Traffic Management Strategy.

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Hawkins

That Standing Orders be suspended to allow Item 10.01 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

10.01 DEFERRAL OF PAYMENT OF DEVELOPMENT CONTRIBUTIONS

Mr Alistair Owen, on behalf of Black Duck Brewery, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Sargeant/Griffiths

That Council:

1. Commence a 12 month trial to allow the deferral of payment of development contributions for building development or other development not involving subdivision of land subject to:
 - a) The deferral period being for a maximum of 2 years from the release of the construction or complying development certificate for building works or from the date of occupation/use commencing where no building works are proposed.
 - b) An application made in writing to defer the payment of contributions.
 - c) Contributions being secured by an irrevocable, non- time limited Bank Guarantee for the amount of the contributions plus a 12 month interest amount calculated at the average rate of Council's investments performance over the past 12 months plus 1%.
 - d) Contributions to be calculated at the current rate applicable at the time of payment, including contributions paid by instalment during the approved deferral period.
2. That a report on the progress of expanded deferral provisions be provided in 12 months.

CARRIED: 9/0

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

AGAINST: Nil

08.02 STATUS OF OUTSTANDING REPORTS TO COUNCIL - OCTOBER 2013

RESOLVED: *Intemann/Griffiths*

That the information in the October 2013 Status of Outstanding Reports to Council be noted.

CARRIED: 9/0

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

AGAINST: Nil

08.03 DISCLOSURES REGISTER - ANNUAL RETURNS 2012/2013

RESOLVED: *Levido/Sargeant*

That Council:

1. Note the information in the Disclosure Register for 2012/2013.
2. Determine that the following positions become Designated Persons pursuant to the provisions of section 441 of the Local Government Act 1993:
 - a) Group Manager Water and Sewer
 - b) Group Manager Infrastructure Delivery
 - c) Group Manager Transport and Stormwater Network
 - d) Group Manager Asset Services
 - e) Water and Sewer Planning Manager.

CARRIED: 9/0

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

AGAINST: Nil

08.04 REPORT ON ATTENDANCE AT THE 'IN THE ROOM' CONFERENCE

RESOLVED: Roberts/Hawkins

That Council note the conference report provided by Councillor Roberts on his attendance at the 'In the Room' Conference 2013.

CARRIED: 9/0

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

AGAINST: Nil

08.05 QUARTERLY BUDGET REVIEW STATEMENT AND MONTHLY BUDGET REVIEW - SEPTEMBER 2013

RESOLVED: Hawkins/Roberts

That Council:

1. Note the Quarterly Budget Review Statement for the September Quarter.
2. Adopt the adjustments in the "Financial Implications" section of the report for September 2013.
3. Request the General Manager to report back to the November 2013 Council Meeting how best Council can implement and report phased monthly budgets for all areas of Council to be implemented in the 2014/15 financial year.
4. Request the General Manager to prepare a report for the November 2013 Council Meeting as to the advantages and/or disadvantages of establishing an appropriate accounting methodology which effectively places all "significant" budgetary gains into a special purpose "transition or holding account" before putting forward recommendations to Council as to how budget gains should be best utilised and how this would impact practically on Council's operations as a service provider.

CARRIED: 9/0

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

AGAINST: Nil

08.06 INVESTMENTS - SEPTEMBER 2013

RESOLVED: Intemann/Hawkins

That Council receive and note the Investment Report for the month of September 2013.

CARRIED: 9/0

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

AGAINST: Nil

08.07 GLASSHOUSE FINANCIAL QUARTERLY REPORTING

RESOLVED: Roberts/Cusato

That Council note the information provided in the report.

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

08.08 A PROPOSAL TO ALTER THE BOUNDARIES OF THE LOCALITIES OF LAKE CATHIE AND BONNY HILLS

RESOLVED: Intemann/Levido

That Council make application to the Geographical Names Board to alter the boundaries of Lake Cathie and Bonny Hills as depicted by the red and white dashed line in the plan "Proposed Boundary - Lake Cathie and Bonny Hills" attached to the report.

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

08.09 SUPPLEMENTARY REPORT ON THE 2012-2013 OPERATIONAL PLAN

RESOLVED: Turner/Griffiths

That Council note the supplementary report on the delivery of the 2012-2013 Operational Plan.

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

08.10 2013 - 2014 OPERATIONAL PLAN MODIFICATIONS

RESOLVED: Sargeant/Cusato

That Council adopt changes to the 2013-2014 Operational Plan actions as detailed in this report.

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

AGAINST: Nil

08.11 RESCIND CORRESPONDENCE-RESPONSE/ACKNOWLEDGEMENT POLICY

RESOLVED: *Intemann/Levido*

That Council rescind the Policy titled "Correspondence - Response/Acknowledgement" as superceded by the Customer Service Policy and Customer Experience Charter.

CARRIED: 9/0

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

AGAINST: Nil

08.12 RECOMMENDED ITEM FROM THE AUSTRALIA DAY SUB-COMMITTEE MEMBERS APPOINTMENT

RESOLVED: *Intemann/Turner*

That:

1. The Expressions of Interest for Membership to the Australia Day Sub-Committee received from the Rotary Club of Laurieton be accepted.
2. Council advise the Rotary Club of Laurieton in writing of the group's appointment to the Australia Day Sub-Committee.

CARRIED: 9/0

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

AGAINST: Nil

09.01 NOTICE OF MOTION - GLASSHOUSE SUB-COMMITTEE

RESOLVED: *Roberts/Intemann*

That Council:

1. Establish a Sub-Committee of Council titled the Glasshouse Sub-Committee.
2. Endorse the Glasshouse Sub-Committee Charter as attached to this Notice of Motion, with the community members increased up to five (5) members.
3. Call for public Expressions of Interest from independent, community members for membership of the Glasshouse Sub-Committee, in line with the Glasshouse Sub-Committee Charter.
4. Request the General Manager to report back to the December 2013 Council Meeting with the results and evaluation of the public Expression of Interest for consideration by Council.

CARRIED: 8/1

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

AGAINST: *Sargeant*

09.02 RECOMMENDATIONS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING HELD ON THURSDAY 26 SEPTEMBER 2013

RESOLVED: Besseling/Cusato

That Council, pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Mayor's Sporting Fund to:

1. Ms Sharni-Lee Pollard in the amount of \$200.00 (ex GST) to assist with the expenses she will incur travelling and competing at the National Futsal School Championships to be held in Sydney from 29 September to 4 October 2013 inclusive.
2. Mr Bradley Paterson in the amount of \$700.00 (ex GST) to assist with the expenses he will incur travelling and competing at the Australian National Hockey Championships to be held in Melbourne from 26 September to 6 October 2013 inclusive.

CARRIED: 9/0

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

AGAINST: Nil

09.03 TENDER T-13-27 PROVISION OF GROUP TRAINING SERVICES

RESOLVED: Sargeant/Roberts

That Council:

1. Accept the tender from HGT Australia Ltd, T/A Novaskill for the Provision of Group Training Services for the period 17 October 2013 to 16 October 2015 with a further twelve (12) month option available.
2. Affix the seal of Council to the necessary documents.

CARRIED: 9/0

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

AGAINST: Nil

12.01 NEW POSITION - OPERATIONS MANAGER, TRANSPORT AND STORMWATER NETWORK MANAGEMENT

RESOLVED: Cusato/Roberts

That Council approve the employment of a new role of Operations Manager - Transport and Stormwater Network in the organisational structure.

CARRIED: 9/0

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

AGAINST: Nil

12.02 SMALL VILLAGES SEWERAGE SCHEME

RESOLVED: Intemann/Levido

That Council accept the proposal submitted by NSW Public Works for Project Management of the delivery of the small towns village sewerage schemes of North Shore, Comboyne, Long Flat and Telegraph Point and enter into a formal agreement for an upper limit fee of \$901,991 excluding GST.

CARRIED: 9/0

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

AGAINST: Nil

12.03 RECOMMENDED ITEM FROM TOWN CENTRE MASTER PLAN SUB-COMMITTEE - PROPOSED AMENDMENT TO THE TERMS OF REFERENCE

MOTION: Sargeant

That Council:

1. Adopt the revised Terms of Reference for the Town Centre Master Plan Sub-Committee which includes the addition of a representative of the Hastings Access Sub-Committee.
2. Appoint Mr Brian Buckettt as the representative of the Hastings Access Sub-Committee on the Town Centre Master Plan Sub Committee for the current term.

WAS WITHDRAWN.

RESOLVED: Hawkins/Turner

That Council:

1. Adopt the revised Terms of Reference for the Town Centre Master Plan Sub-Committee which includes the addition of a representative of the Hastings Access Sub-Committee.
2. Appoint Mr Brian Buckettt as the representative of the Hastings Access Sub-Committee on the Town Centre Master Plan Sub Committee.

CARRIED: 9/0

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

AGAINST: Nil

12.06 QUESTION ON NOTICE - LOCAL GOVERNMENT AREA TRAFFIC STUDY

RESOLVED: Levido/Cusato

That development of a fresh Local Government Area Traffic Study be given priority for funding as part of Council's determination of the 2014/2015 Operational Plan.

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

12.07 LAND ACQUISITION - CORNER HASTINGS RIVER DRIVE AND BOUNDARY STREET, PORT MACQUARIE (PIN 38881)

RESOLVED: Cusato/Griffiths

That Council:

1. Pay compensation in the amount of \$11,015 (GST Exclusive) for the acquisition of that part of Lot 21 Deposited Plan 874058 more particularly described as Lot 101 in plan of acquisition Deposited Plan 1179346.
2. Pay the legal and valuation fees in the amount of \$3,850 reasonably incurred by the landowner as part of the acquisition process.
3. Pursuant to Section 377 of the Local Government Act 1993 delegate to the General Manager authority to sign:
 - a) Deed of Acquisition/Contract for Sale
 - b) Land and Property Information Transfer Form 4 Pursuant to Section 10 of the Roads Act 1993 on the acquisition of Lot 101 Deposited Plan 1179346 dedicate Lot 101 Deposited Plan 1179346 as public road.

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

12.08 TENDER T-13-26 PORT MACQUARIE AIRPORT - NEW CAR PARK FOR RENTAL CARS AND STAFF VEHICLES

RESOLVED: Levido/Hawkins

That Council:

1. Accept the lump sum tender of \$394,305.00 (excl. GST) received from Deklax Pty Ltd (Bridle Group) for Option 2 for the construction of a new car park for rental cars and staff vehicles at Port Macquarie Airport.
 2. Affix the seal of Council to the necessary documents.
 3. Adopt a project budget in 2013-14 of \$480,000 (excl. GST) as per the Project
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Plan, to allow for construction supervision fees, contingencies, and the provision of CCTV cameras, with funding from the Airport Reserve.

CARRIED: 9/0

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

AGAINST: Nil

12.09 SUBMISSIONS REVIEW - DCP 2011 REFORMATTING AND HOUSEKEEPING

RESOLVED: Intemann/Sargeant

That Council:

1. Adopt the Port Macquarie Hasting Development Control Plan 2013 Parts 1-3, as described in this report, as an amendment to Port Macquarie-Hastings Development Control Plan 2011 - Parts 1-4.
2. Publish a public notice of this decision and forward a copy of the approved Development Control Plan to the Director General of the Department of Planning and Infrastructure within 28 days.

CARRIED: 9/0

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

AGAINST: Nil

12.10 LEP 2011 - REFINEMENTS (PP2013-8.1, PIN42731)

RESOLVED: Sargeant/Cusato

That Council:

1. Prepare a draft planning proposal as described in this report, pursuant to section 55 of the Environmental Planning and Assessment Act 1979, for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to 27 issues listed.
2. Forward the draft planning proposal to the Department of Planning and Infrastructure for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 56 - 58 of the Act.
3. Request that the Director General of the Department of Planning & Infrastructure issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.

CARRIED: 9/0

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

AGAINST: Nil

12.11 LEP AMENDMENT - ECO-TOURIST FACILITIES (PP2013-11.1)

RESOLVED: Levido/Cusato

That Council:

1. Prepare a draft planning proposal as described in this report, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to:
 - a) Permitting with consent eco-tourist facilities within Zones RU1 Primary Production, RU2 Rural Landscape, R1 General Residential, R5 Large Lot Residential, SP3 Tourist and E4 Environmental Living, and
 - b) Inserting a local clause with the objective of facilitating eco-tourist facilities, as described in this report.
2. Forward the draft planning proposal to the Department of Planning and Infrastructure for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to Sections 56 - 58 of the Act.
3. Request that the Director General of the Department of Planning & Infrastructure issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 59 of the Act in respect of the planning proposal.

CARRIED: 9/0

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

AGAINST: Nil

13 QUESTIONS FOR NEXT MEETING

13.01 KEW WASTE TRANSFER STATION

Question from Councillor Griffiths:

Can the General Manager provide an updated report on the Camden Haven Waste Transfer Station to the November 2013 Council Meeting to address concerns of residents regarding site selection:

1. Detailed costing of each site clarifying rates and volumes including dumping levy.
2. Advise noise, dust, security impact on each site.
3. Frequency of crushing and mulching expected.
4. Area and design of waste transfer station including sketch or photo of existing transfer station.
5. Advise how transfer sites operate.
6. Road entry options for sites, ie. Ocean Drive, left in / left out.
7. How the upgrade of the Dunbogan roadway through flood strategies would alter the cost at this location.

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8. Impact on site 2 Herons Creek Road due to wildlife corridor.
 9. Expected usage taking into consideration the location of sites and future waste transfer stations.
 10. Any other relevant information to inform the community.
 11. Further options for community consultation.

Comments by Councillor Griffiths:

Residents have stated they were not informed of the waste transfer station site selection being presented to Council for adoption, therefore unable to present to Council various questions which they believe may have altered the resolution.

The Meeting closed at 8.22 pm.

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Peter Besseling
Mayor