
PRESENT**Members:**

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

Other Attendees:

Acting General Manager (Craig Swift-McNair)
Director of Infrastructure & Asset Management (Jeffery Sharp)
Acting Director of Commercial Services & Industry Engagement (Monika Bretmaisser)
Director of Development & Environment (Matt Rogers)
Director of Community & Organisational Development (Lesley Atkinson)
Group Manager Governance & Executive Services (Stewart Todd)
Acting Communications Co-ordinator (Stuart Carless)
Governance Support Officer (Bronwyn Lyon)

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 LOCAL GOVERNMENT PRAYER

Pastor Joseph Maticic from the Seventh-day Adventist Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

Council is in receipt of requests for leave of absence from Councillor Cusato and Councillor Turner.

04 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Intemann

That the Minutes of the Ordinary Council Meeting held on 16 April 2014 be confirmed.

CARRIED: 7/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Roberts declared a Pecuniary Interest in Item 11.02 - Tastings on Hastings, the reason being that Councillor Roberts' food business Yankee Deli is likely to be a stall holder at the event should it go ahead.

Councillor Roberts declared a Non-Pecuniary, Significant Interest in Item 13.09 - Section 94 Local Roads Contributions Plan - Areas 13 Thrumster, Area 14 Lake Cathie/Bonny Hills and Area 15 Camden Haven, the reason being that Councillor Roberts' family trust is a shareholder in a local building company who is likely to build a significant number of houses in Areas 13, 14 and 15 and although said building company is not a developer of land, one could reasonably argue that he would have at least a non-pecuniary interest if a downturn in custom occurs as a result of any resolution of Council on this matter.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.04 - DA2013 - 0300 - Retail Premises (Kmart and Specialty Shops), Signage, Carpark and Associated Infrastructure Works (Landscaping, Pedestrian Network, Road Works and Traffic Signals) Including Clause 4.6 Variation to Clause 4.3 and 4.4 of the Port Macquarie-Hastings Local Environmental Plan 2011 (PIN61923), the reason being that Councillor Levido is a partner in Donovan Oates Hannaford Lawyers who acts for two clients in the Settlement City Precinct whose properties immediately adjoin the property the subject of this development application.

Councillor Besseling declared a Pecuniary Interest in Item 13.10 - Liveable Neighbourhoods - Town Fringe: Submissions Report, the reason being that Councillor Besseling's relative has a property interest in the area.

13.09 SECTION 94 LOCAL ROADS CONTRIBUTIONS PLAN - AREAS 13 THURMSTER, AREA 14 LAKE CATHIE/BONNY HILLS AND AREA 15 CAMDEN HAVEN

Councillor Roberts declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 07:57pm.

RESOLVED: Griffiths/Levido

That Council:

1. Approve the Section 94 Local Roads Contributions Plan Areas 13, 14 & 15 and make consequential amendments to the Port Macquarie Hastings Council Section 94 Major Roads Contributions Plan 2006.
2. Provide public notice of its decision to approve the Section 94 Local Roads Contributions Plan Areas 13, 14 and 15 and amend the Port Macquarie Hastings Council Section 94 Major Roads Contributions Plan 2006.
3. Write to those parties that made a submission regarding the draft contributions plan and advise of Council's decision.

CARRIED: 6/0

FOR: Besseling, Griffiths, Hawkins, Intemann, Levido and Sargeant

AGAINST: Nil

Councillor Roberts returned to the meeting, the time being 08:07pm.

13.10 LIVEABLE NEIGHBOURHOODS - TOWN FRINGE: SUBMISSIONS REPORT

Councillor Besseling declared a Pecuniary Interest in this matter, vacated the Chair and left the room and was out of sight during the Council's consideration, the time being 08:07pm.

The Deputy Mayor assumed the Chair.

RESOLVED: Intemann/Hawkins

That Council:

1. Note the matters raised in submissions as summarised in this report and attached and thank all those who made a submission in writing for their contribution.
2. 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 changing the Land Use Zoning Map, the Height of Buildings Map and the Floor Space Ratio Map as they relate to the identified Town Fringe areas of Port Macquarie.

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3. Forward the draft planning proposal to NSW Planning and Infrastructure for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 56 - 58 of the Act.
 4. Request that the Director General of the Department of Planning and Environment 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.
 5. Prepare a draft amendment to the Port Macquarie-Hastings Development Control Plan 2013 to incorporate the changes described in this report and publicly exhibit the draft for a minimum of 28 days in accordance with clause 18 of the Environmental Planning and Assessment Regulation 2000.
 6. Be briefed on any proposed LEP amendments prior to forwarding to NSW Planning and Environment.

CARRIED: 6/0

FOR: Griffiths, Hawkins, Intemann, Levido, Roberts and Sargeant

AGAINST: Nil

The Deputy Mayor vacated Chair.

Mayor Besseling returned to the meeting, the time being 08:10pm.

The Mayor assumed Chair.

Councillor Hawkins left the meeting, the time being 8.10pm.

13.11 NEW DEVELOPMENT SERVICING PLANS FOR WATER SUPPLY AND SEWERAGE

RESOLVED: Levido/Roberts

That Council exhibit the draft Development Servicing Plans for Water Supply and Sewerage for 30 working days (six weeks) and that a report on the outcome of the public exhibition be presented back to Council.

CARRIED: 6/0

FOR: Besseling, Griffiths, Intemann, Levido, Roberts and Sargeant

AGAINST: Nil