



Minutes of the Strategic Committee Meeting

**held at the Council Chambers
4 Breese Parade, Forster**

14 MARCH 2018

A handwritten signature in black ink, appearing to read "Steve Embry", is written over a horizontal line. Below the signature is a large, stylized, triangular flourish.

Steve Embry
Acting General Manager

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Minutes of the Strategic Committee Meeting of the MidCoast Council held at the Council Chambers, 4 Breese Parade, Forster on 14 March 2018 commencing at 10.01am.

PRESENT

Present: Cr D West (Mayor), Cr K Bell, Cr B Christensen, Cr P Epov, Cr T Fowler, Cr C Pontin, Cr J McWilliams, Cr L Roberts, Cr K Smith (arrived 10.05am), Cr D Keegan (arrived 10.10am).

IN ATTENDANCE

Acting General Manager - Steve Embry
Director Corporate & Community Services - Paul De Szell
Director Engineering & Infrastructure - Ron Hartley
Director Planning & Natural Systems - Lisa Schiff
Director Water Services - Brendan Guiney
Minute Taker - Corporate Support Officer - Lyn Hickey

The following document is the Minutes of the Strategic Committee meeting held on 14 March 2018.

These Minutes are subject to confirmation as to their accuracy at the next available meeting and therefore subject to change.

Please refer to the Minutes of the next available meeting for confirmation.

ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Mayor recognised the traditional custodians of the lands contained in the MidCoast Council area, being the Gathang speaking people, and paid respect to their heritage and their elders - past and present.

DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST

Nil.

APOLOGIES

25/18 RESOLUTION

(Moved Cr C Pontin/Seconded Cr K Bell)

That the apology from Cr K Hutchinson be accepted and that leave be granted.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin

ABSENT. DID NOT VOTE: Cr K Hutchinson, Cr K Smith & Cr D Keegan

ADOPTION OF MINUTES OF MEETING

26/18 RESOLUTION

(Moved Cr J McWilliams/Seconded Cr K Bell)

That the Minutes of the Strategic Committee Meeting of 14 February 2018, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin

ABSENT. DID NOT VOTE: Cr K Hutchinson, Cr K Smith & Cr D Keegan

At 10.05am Cr K Smith arrived at the meeting.

The Mayor read aloud the following statement:

"Persons in the gallery are advised that under the Local Government Act, 1993 a person may not record the proceedings of a meeting of a Council or Committee WITHOUT the authority of the Council or Committee. Record includes tape, video camera and any electronic device capable of recording a speech.

"Local media outlets may be recording the proceedings of the meeting with permission for later broadcast.

"Members of the public addressing Council should refrain from divulging personal information about themselves or other individuals or making defamatory statements.

"It would also be appreciated if mobile phones could be switched off so as to not disrupt the meeting. Thank you."

PRESENTATIONS

Gloucester Saleyards Review

Cr D Keegan arrived at 10.10am

Commercial Services Coordinator, Allison Anthony and Seamus Hoban, GHD gave a briefing on the Gloucester Saleyards Review.

Draft Donations Policy

Manager Community Services, Melissa Garton and Coordinator Community Strengthening, Lyndie Hepple gave a briefing on the Draft Donations Policy.

Councillor Professional Development Program

Acting General Manager, Steve Embry and Manager Governance, Rob Griffiths gave a briefing on the Councillor Professional Development Program

*Council adjourned at 11.45am
Council reconvened at 12noon.*

PRESENTATIONS

Community Strategic Plan - Update

Director Community Spaces & Services, Paul De Szell & Sarah Wilkinson, Community Engagement Officer gave a briefing on the Community Strategic Plan - Update.

Free Waste Disposal Services

Manager Waste, Health & Regulatory Services, John Cavanagh gave a briefing on the Free Waste Disposal Services.

Council adjourned for lunch at 1.33pm.

Council reconvened at 2.04pm.

MATTERS ARISING FROM MINUTES 14 FEBRUARY 2018

(Moved by Cr D Keegan/Seconded Cr L Roberts)

That in accordance with Section 372 of the Local Government Act 1993, *Rescinding or Altering Resolutions*, item one of Resolution 24/18 of the Strategic Committee Meeting held 14 February 2018 be amended to reflect Council's intention as stated below:

1. That Council resolve to request that the State Government appoint a Principal Investigation Officer/Authority to exercise investigation and enforcement powers under all appropriate legislation for ALL unresolved alleged offences on land owned by Companies or legal entities with the Directors Phillip Dong Fang Lee and/or Xiaobei Shi and any related entities.

All other items contained in the resolution being items 2-5 remain unchanged.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan

ABSENT. DID NOT VOTE: Cr K Hutchinson

27/18 RESOLUTION

(Moved Cr D Keegan/Seconded Cr L Roberts)

1. That Council resolve to request that the State Government appoint a Principal Investigation Officer/Authority to exercise investigation and enforcement powers under all appropriate legislation for ALL unresolved alleged offences on land owned by Companies or legal entities with the Directors Phillip Dong Fang Lee and/or Xiaobei Shi and any related entities.
2. That Council encourage and support the State Government to pursue the highest statutory penalties in the Land and Environment Court in order to encourage the Common Directors to achieve compliance in the future, and also to demonstrate to the wider community that Council and the State will enforce land use planning and environmental legislation.
3. That the Director Planning and Natural Systems make urgent arrangements to discuss this matter with the Cluster Secretary of the Department of Environment and Planning in an effort to instigate resolutions 1 and 2.
4. That Council continue to actively engage with the Department of Premier and Cabinet and the agencies in relation to this matter.

5. That Council recognises the significant work and cooperation between Department of Premier and Cabinet, Council and the various government agencies, to address the alleged unauthorised development on land owned by companies with the Common Directors Phillip Dong Fang Lee and Xiaobei Shi.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan
ABSENT. DID NOT VOTE: Cr K Hutchinson

PRESENTATIONS

Consolidated LEP

Manager Strategic Planning, Roger Busby gave a briefing on the Consolidated LEP.

Strategic Parks/Sporting Project Funding Discussion

Director Community Spaces & Services, Paul De Szell gave a briefing on the Strategic Parks/Sporting Project Funding Discussion.

CONSIDERATION OF OFFICERS' REPORTS:

DIRECTOR PLANNING & NATURAL SYSTEMS

1. FREE WASTE DISPOSAL SERVICE

Report Author **John Cavanagh, Manager - Waste, Health & Regulatory Services**

RECOMMENDATION

That Council:

1. Change the interim voucher system to a free 'drop off' day at all landfills and transfer stations within MidCoast Council area.
2. The service be provided until the waste strategy is adopted or until the end of the current waste collection contract in 2021.
3. The service be provided for domestic use only.
4. As a general guide a standard 6 x 4 trailer load is the acceptable quantity with a maximum load of 250kg (valued at \$42.50).
5. All recyclable, processable and reusable materials must be separated by the resident at the waste facility.

28/18 RESOLUTION

(Moved Cr L Roberts/Seconded Cr D Keegan)

That the Committee move into Committee of the Whole.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan,

AGAINST VOTE: Cr T Fowler, Cr B Christensen and Cr K Smith

ABSENT DID NOT VOTE: Cr K Hutchinson

29/18 RESOLUTION

(Moved Cr K Bell/Seconded Cr L Roberts)

That the Committee move out of Committee of the Whole.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan

AGAINST VOTE: Nil.

ABSENT DID NOT VOTE: Cr K Hutchinson

(Moved Cr L Roberts/Seconded Cr D Keegan)

That an urgent report be brought back to Council which provides options and costings for a call up system and a bulky waste collection system with the report to be based on the following:-

- The service be provided until the waste strategy is adopted or until the end of the current waste collection contract in 2021.
- The service be provided for domestic use only.
- The system to be implemented this year

An amendment was moved by Cr B Christensen/Seconded Cr K Smith

All options for bulk waste collection be reported on including a split pick up system and a further report come back to Council.

The amendment was put to the vote and declared lost.

VOTE FOR: Cr K Smith, Cr B Christensen,

VOTE AGAINST: Cr D West, Cr P Epov, Cr L Roberts, Cr T Fowler, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan.

ABSENT DID NOT VOTE: Cr K Hutchinson

The motion was put to the vote and declared carried.

VOTE FOR: Cr D West, Cr P Epov, Cr L Roberts, Cr T Fowler, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan.

VOTE AGAINST: Cr K Smith, Cr B Christensen,

ABSENT DID NOT VOTE: Cr K Hutchinson

30/18 RESOLUTION

(Moved Cr L Roberts/Seconded Cr D Keegan)

That an urgent report be brought back to Council which provides options and costings for a call up system and a bulky waste collection system with the report to be based on the following:-

- The service be provided until the waste strategy is adopted or until the end of the current waste collection contract in 2021.
- The service be provided for domestic use only.
- The system to be implemented this year

VOTE FOR: Cr D West, Cr P Epov, Cr L Roberts, Cr T Fowler, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan.

VOTE AGAINST: Cr K Smith, Cr B Christensen,

ABSENT DID NOT VOTE: Cr K Hutchinson

2. CONSOLIDATED LOCAL ENVIRONMENTAL PLAN - MIDCOAST COUNCIL

Report Author Roger Busby, Manager Strategic Planning

RECOMMENDATION

- A. That Council resolve to prepare a planning proposal for MidCoast Council to consolidate *Great Lakes Local Environmental Plan 2014, Greater Taree Local Environmental Plan 2010* and *Gloucester Local Environmental Plan 2010* pursuant to Section 55 of the *Environmental Planning and Assessment Act, 1979*.
- B. That the Department of Planning and Environment be notified of Council's decision and that a planning proposal will be submitted to the department for a Gateway Determination when it has been prepared.
- C. That a series of workshops be held with Council, generally as set out in the report, to enable progressive decisions to be made on the content of the MidCoast Local Environmental Plan.
- D. That Council resolve to prepare a single Development Control Plan for MidCoast Council to supplement and complement the MidCoast Local Environmental Plan.

31/18 RESOLUTION

(Moved Cr D Keegan/Seconded Cr C Pontin)

- A. That Council resolve to prepare a planning proposal to consolidate *Great Lakes Local Environmental Plan 2014, Greater Taree Local Environmental Plan 2010* and *Gloucester Local Environmental Plan 2010*
- B. The Department of Planning and Environment be notified of Council's decision and a Gateway Determination be requested to outline the department's requirements for preparation of a planning proposal.
- C. That a series of workshops be held with Council, generally as set out in the report, to enable progressive decisions to be made on the content of the MidCoast Local Environmental Plan.
- D. That Council resolve to prepare a single Development Control Plan for MidCoast Council to supplement and complement the MidCoast Local Environmental Plan.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan

AGAINST VOTE: Nil

ABSENT DID NOT VOTE: Cr K Hutchinson:

3. AMENDMENTS TO ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

Report Author A. Macvean, Senior Strategic Planner

RECOMMENDATION

Council note the information within the report.

32/18 RESOLUTION

(Moved Cr C Pontin/Seconded Cr P Epov)

That the above recommendation be adopted.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan
AGAINST VOTE: Nil
ABSENT DID NOT VOTE: Cr K Hutchinson:

4. PLANNING PROPOSAL PROCESS AND APPLICATIONS UPDATE

Report Author **Richard Pamplin, Special Projects Coordinator**

RECOMMENDATION

That Council note the information contained in this report.

33/18 RESOLUTION

(Moved Cr Epov/Seconded Cr T Fowler)

That the above recommendation be adopted.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan
AGAINST VOTE: Nil
ABSENT DID NOT VOTE: Cr K Hutchinson:

DIRECTOR ENGINEERING & INFRASTRUCTURE

5. TENDER FOR THE DESIGN AND CONSTRUCTION OF JIMMYS BEACH SAND REPLENISHMENT INFRASTRUCTURE

Report Author **Stuart Small, Team Leader Project Delivery**

RECOMMENDATION

That Council:

1. Award the contract for the design and construction of Sand Replenishment Infrastructure from Winda Woppa Spit to Jimmy's Beach to CCB Envico Pty Ltd subject to:
 - a. Successful negotiations with the preferred tenderer regarding their proposed design amendments and construction schedule,
 - b. a final check of insurance compliance by Council's insurer; and
 - c. finalisation of negotiations with the NSW Office of Environment and Heritage (OEH) regarding variation of existing funding agreement.
2. Authorises Council's seal be affixed to the contract documents.

34/18 RESOLUTION

(Moved Cr L Roberts/Seconded Cr C Pontin)

That the above recommendation be adopted.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr K Smith, Cr T Fowler, Cr J McWilliams,
Cr C Pontin, Cr D Keegan
AGAINST VOTE: Cr B Christensen & Cr K Bell
ABSENT DID NOT VOTE: Cr K Hutchinson:

Cr K Smith left the meeting and did not return.

URGENT BUSINESS

Driver Training Facility

35/18 RESOLUTION

(Moved Cr B Christensen/Seconded Cr K Keegan)

That a report be provided to Council addressing options for the provision of a Driver Training Facility for the MidCoast Council area.

FOR VOTE: Cr D West, Cr P Epov, Cr L Roberts, Cr T Fowler, Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr C Pontin, Cr D Keegan
ABSENT. DID NOT VOTE: Cr K Smith & Cr K Hutchinson

This is the last page of the minutes of the Strategic Committee meeting of MidCoast Council held on 14 March 2018.

There being no further business, the meeting closed at 4.35pm.

Chairperson