



MIDCOAST
council

Minutes of the Ordinary Council Meeting

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

25 September 2019

Adrian Panuccio
General Manager

TABLE OF CONTENTS

<u>IN ATTENDANCE</u>	<u>1</u>
<u>ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS</u>	<u>2</u>
<u>PRAYER.....</u>	<u>2</u>
<u>DIRECTOR CORPORATE SERVICES</u>	<u>2</u>
19 ELECTION OF MAYOR	2
20 ELECTION OF DEPUTY MAYOR.....	3
<u>SPECIAL ACTIVITY</u>	<u>5</u>
<u>CONFIRMATION OF MINUTES OF ORDINARY MEETING 28 AUGUST 2019</u>	<u>5</u>
<u>MAYORAL MINUTE</u>	<u>6</u>
<u>NOTICES OF MOTIONS.....</u>	<u>7</u>
NOTICE OF MOTION 1.....	7
NOTICE OF MOTION 2.....	8
<u>DIRECTOR LIVEABLE COMMUNITIES.....</u>	<u>8</u>
2 HALLIDAYS POINT SKATE PARK	8
3 BULAHDELAH HIGHWAY SERVICE CENTRE PLANNING PROPOSAL	10
5 WOOTTON COMMUNITY STRATEGIC PLAN REVISION.....	11
6 COMMUNITY PARTICIPATION PLAN	12
<u>GENERAL MANAGER</u>	<u>13</u>
1 MATTERS OUTSTANDING	13
<u>DIRECTOR LIVEABLE COMMUNITIES.....</u>	<u>13</u>
4 S82 APPLICATION CRYSTAL WATERS ESTATE SOUTH STREET TUNCURRY	13
7 SPONSORSHIP OF ANNUAL CAROLS BY CANDLELIGHT EVENTS.....	15
8 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY AUGUST 2019	15
9 LIST OF MATTERS CURRENTLY BEFORE THE COURT	16
10 DRAFT INFRASTRUCTURE ZONE REVIEW.....	17
11 DRAFT RECREATION ZONE REVIEW.....	17
12 DRAFT MIDCOAST HOUSING STRATEGY.....	18
13 LARGE LOT RESIDENTIAL SUPPLY AND DEMAND ANALYSIS	19
14 EXPENDITURE OF FUNDS - SUPERSEDED GREATER TAREE SECTION 94 DEVELOPMENT CONTRIBUTION PLANS	20
<u>DIRECTOR INFRASTRUCTURE & ENGINEERING</u>	<u>22</u>
15 TENDER FOR THE SUPPLY AND DELIVERY OF QUARRY PRODUCTS	22
16 WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT - AUGUST 2019.....	23
17 MONTHLY PROJECT STATUS REPORTS - AUGUST 2019.....	24
<u>DIRECTOR CORPORATE SERVICES</u>	<u>24</u>
18 CONDUCT OF THE 2020 LOCAL GOVERNMENT ELECTIONS.....	24
21 INVESTMENTS REPORT - AUGUST 2019.....	25
22 2018-2019 FINANCIAL STATEMENTS FOR MIDCOAST COUNCIL	25
23 APPROVAL OF EXPENDITURE - 2018/2019 BUDGET ITEMS RE-VOTED INTO 2019/2020 BUDGET .	26
<u>MATTERS OF URGENT BUSINESS</u>	<u>26</u>

Minutes of the Ordinary Meeting of the MidCoast Council held at the Council Chambers, 4 Breese Parade, Forster on 25 September, 2019 commencing at 3.07pm.

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

IN ATTENDANCE

General Manager - Adrian Panuccio
Director Liveable Communities - Paul De Szell
Director Corporate Services - Steve Embry
Director Infrastructure & Engineering Services - Robert Scott
Minute Taker - Corporate Support Officer – Korryn Knight

The following document is the Minutes of the Ordinary meeting held on 25 September 2019.

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 Ordinary meeting.

The Mayor, Cr David West, read aloud the following statement:

"The proceedings of this meeting will be recorded by Council to assist in ensuring the accuracy of the minutes of the meeting.

"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."

Prime7 News, NBN News Recording

304/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr T Fowler)

That Prime7 News and NBN News be approved to record today's Council meeting.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

Cr K Bell left the meeting at 3.08pm

ABC News Reporting

305/19 RESOLUTION

(Moved Cr D West/Seconded Cr T Fowler)

That ABC News be permitted to take still photographs during the Council meeting for reporting purposes.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE – Cr K Bell

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.

PRAYER

The Mayor read the Local Government prayer.

306/19 RESOLUTION

(Moved Cr D West/Seconded Cr L Roberts)

That the order of business be altered to bring Item 19 – Election of Mayor and Item 20 – Election of Deputy Mayor, to be considered by Council as the first and second items of business.

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

AGAINST VOTE

ABSENT. DID NOT VOTE - Cr K Bell

Cr K Bell returned to the meeting at 3.10pm

DIRECTOR CORPORATE SERVICES

19 ELECTION OF MAYOR

Report Author **Adrian Panuccio, General Manager**

File No. / ECM Index **Councillors – Election of Mayor and Deputy Mayor**

Date of Meeting **25 September 2019**

Authorising Director **Steve Embry, Director Corporate Services**

RECOMMENDATION

1. That nominations for the position of Mayor be accepted.
 2. That in the event of there being more than one nominee, Council determine by resolution, the method by which the election be conducted being: preferential ballot, ordinary ballot or open voting.
-

3. That the Returning Officer (General Manager) conduct the election for the position of Mayor.
4. That the Mayor elected by the Councillors holds office from 25 September 2019 until the September 2020 Local Government Elections.

The General Manager, as Returning Officer, advised that two nominations had been received for the position of Mayor as follows:

- Cr D West
- Cr K Bell

307/19 RESOLUTION

Moved Cr T Fowler/ Seconded Cr K Bell

1. That nominations for the position of Mayor be accepted.
2. That the election is conducted by a show of hands (open voting).
3. That the Returning Officer (General Manager) conduct the election for the position of Mayor.
4. That the Mayor elected by the Councillors holds office from 25 September 2019 until the September 2020 Local Government Elections.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

The votes were recorded as follows:

That Councillor David West be elected as Mayor

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr L Roberts, Cr C Pontin, Cr T Fowler, Cr K Hutchinson,

That Councillor Kathryn Bell be elected at Mayor

FOR VOTE - Cr K Bell, Cr J McWilliams, Cr P Epov, Cr D Keegan

Upon conclusion of open voting, it was declared that Councillor David West was elected as Mayor until the September 2020 Local Government Elections.

20 ELECTION OF DEPUTY MAYOR

Report Author	Adrian Panuccio, General Manager
File No. / ECM Index	Councillors – Election of Mayor and Deputy Mayor
Date of Meeting	25 September 2019
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

1. That the term of office for the Deputy Mayor will be 25 September 2019 to the September 2020 Local Government Elections.
2. That nominations for the position of Deputy Mayor be accepted.

3. That in the event of there being more than one nominee, Council determine by resolution, the method by which the election is conducted being: preferential ballot, ordinary ballot or open voting.
4. That the Returning Officer (General Manager) conduct the election for the position of Deputy Mayor in accordance with the Mayoral Election Procedures.
5. That when acting in the role of Mayor for a period of seven (7) consecutive days or more, the Deputy Mayor be paid a fee being a pro-rata amount equivalent to the Mayoral fee. The Deputy Mayor fee will be deducted from the Mayoral fee.

The General Manager, as Returning Officer, advised that two nominations had been received for the position of Deputy Mayor as follows:

- Cr K Bell
- Cr C Pontin

308/19 RESOLUTION

Moved Cr T Fowler/ Seconded Cr P Epov

1. That the term of office for the Deputy Mayor will be 25 September 2019 to the September 2020 Local Government Elections.
2. That nominations for the position of Deputy Mayor be accepted.
3. That the election is conducted by a show of hands (open voting)
4. That the Returning Officer (General Manager) conduct the election for the position of Deputy Mayor in accordance with the Mayoral Election Procedures.
5. That when acting in the role of Mayor for a period of seven (7) consecutive days or more, the Deputy Mayor be paid a fee being a pro-rata amount equivalent to the Mayoral fee. The Deputy Mayor fee will be deducted from the Mayoral fee.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

The votes were recorded as follows:

That Councillor Kathryn Bell be elected as Deputy Mayor

FOR VOTE - Cr K Bell, Cr J McWilliams, Cr P Epov

That Councillor Claire Pontin be elected at Deputy Mayor

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr L Roberts, Cr C Pontin, Cr T Fowler, Cr K Hutchinson, Cr D Keegan

Upon conclusion of open voting, it was declared that Councillor Claire Pontin was elected as Deputy Mayor until the September 2020 Local Government Elections.

309/19 RESOLUTION

(Moved Cr D West/Seconded Cr P Epov)

That photographs be permitted to be taken during the AM presentation.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE

SPECIAL ACTIVITY

Presentation to Di Morrissey, recipient of the Member of the Order of Australia (AM) as part of the Queens Birthday Honours list.

310/19 RESOLUTION

(Moved Cr J McWilliams/Seconded Cr K Hutchinson)

That Council adjourns for a short break in proceedings.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

Council reconvened at 3.47pm.

311/19 RESOLUTION

(Moved Cr T Fowler/Seconded Cr C Pontin)

That Cr K Hutchinson be granted leave for the remainder of the 25th September Ordinary Council Meeting.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

CONFIRMATION OF MINUTES OF ORDINARY MEETING 28 AUGUST 2019

RECOMMENDATION

That the Minutes of the Ordinary meeting of 11 September 2019, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

312/19 RESOLUTION

(Moved Cr K Smith/Seconded Cr J McWilliams)

That the above recommendation be adopted.

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

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr K Hutchinson

DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST

Councillor/Staff Member	Item and Subject	Nature of Interest
Paul De Szell - Director Liveable Spaces	3 – Bulahdelah Highway Service Centre Planning Proposal	Non Pecuniary interest (Less than significant), the nature of the interest being Paul De Szell has known Gavin Maberly Smith of Coastplan in a professional capacity for over twenty years. Paul De Szell elected to remain in the Chambers and participate in discussions.
Cr Len Roberts	3 – Bulahdelah Highway Service Centre Planning Proposal	Pecuniary interest, the nature of the interest being Cr Len Roberts lives adjacent to a highway service centre at Tea Gardens, which could be affected by this proposal, and as such could cause a revaluation of Cr Roberts' property and could be considered an appreciable gain or loss.. Cr Roberts left the meeting and took no part in discussions or voting.
Cr Kathryn Bell	17 - Monthly Project Status Report - August 2019	Pecuniary interest, the nature of the interest being my company is providing services to one of the projects identified in the report. We were contracted prior to the merge of MidCoast Water and MidCoast Council. Cr Bell left the meeting and took no part in discussions or voting..
Steve Embry, Director Corporate Services	Matters of Urgent Business - Cr C Pontin - Sinfonia Event Fees	Non Pecuniary interest (Less than significant), the nature of the interest being Steve Embry's partner's son is a member of Sinfonia. Steve Embry elected to leave the Chambers and take no part in discussions.

MAYORAL MINUTE

I was privileged to attend both the Taree and Forster Global Climate Strike events last Friday.

Both events were well attended and it was encouraging to see how many members of our local community are passionate about this issue.

At the conclusion of the Taree event, a delegation of students – the Taree 'School Strike for Climate' group presented a 'Wishing Tree', which I was proud to be able to accept on behalf of Council.

This Wishing Tree is a native tree decorated with notes from all the children indicated what they would like to see happen on the subject of climate change.

This tree will be planted at our new administration centre at Biripi Way as a symbol of Council's commitment to the future, our commitment to developing a Climate Change Policy and Action Plan, and our commitment to actively reducing our carbon footprint. Planting the tree at this site will also symbolise the unifying nature of the new administration centre as we move forward in delivering services to the MidCoast community.

I therefore recommend:

That an event be organised to facilitate the planting of the Wishing Tree, gifted to MidCoast Council by the Taree 'School Strike for Climate', at Council's Biripi Way administration centre site.

313/19 RESOLUTION

Moved Cr D West

That an event be organised to facilitate the planting of the Wishing Tree, gifted to MidCoast Council by the Taree 'School Strike for Climate', at Council's Biripi Way administration centre site.

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

NOTICES OF MOTIONS

NOTICE OF MOTION 1

Councillor **Cr Kathryn Bell**

File No. / ECM Index **Notices of Motion**

Date of Meeting **25 September 2019**

314/19 RESOLUTION

(Moved Cr K Bell/Seconded Cr D Keegan)

That in relation to the Bight Cemetery external independent investigation, a report come to Council as soon as practicable to include (but not limited to)

1. The terms of reference
2. Details of the investigator
3. External independent investigation report and findings - with regard to section 10A(2)(a) of the Local Government Act.
4. A timeline of the investigation and when it is likely to be concluded

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

A Rescission Motion has been lodged by Councillors K Hutchinson, C Pontin, and L Roberts in respect to Notice of Motion 1.

NOTICE OF MOTION 2

Councillor Cr Peter Epov

File No. / ECM Index Notices of Motion

Date of Meeting 25 September 2019

Cr T Fowler left the meeting at 4.26pm

Cr T Fowler returned to the meeting at 4.29pm

Moved Cr C Pontin

That the motion be put

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

315/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr D Keegan)

That the General Manager prepare a Report to the Council Meeting of 23 October 2019, regarding any recent advice which may have been received from the Office of Local Government (OLG) pertaining to the interpretation and application of Council's Code of Meeting Practice including but not limited to Clauses 3.11, 3.13 (Notices of Motion) and Clause 3.16 (Questions on Notice).

FOR VOTE - Cr D West, Cr K Smith, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr T Fowler, Cr P Epov

AGAINST VOTE - Cr B Christensen, Cr L Roberts Cr J McWilliams

ABSENT. DID NOT VOTE - Cr K Hutchinson

316/19 RESOLUTION

(Moved Cr K Bell/Seconded Cr P Epov)

That Items 2, 3, 5 and 6 are moved forward in the agenda.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

DIRECTOR LIVEABLE COMMUNITIES

2 HALLIDAYS POINT SKATE PARK

Report Author Paul De Szell - Director Liveable Communities

File No. / ECM Index S545/27 Parks & Reserves - General

Date of Meeting 25 September 2019

Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Council:

1. Recognises that neither of the available sites (Wylie Breckenridge Park and Diamond Park) are devoid of potential constraints for the establishment of a Skate Park.
2. Identifies Wylie Breckenridge Park as its preferred location for the establishment of a Skate Park in the Hallidays Point area.
3. Conducts its own targeted engagement program in relation to Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area and that a further report be brought back to Council detailing the results of this program.
4. Work with the organisers of the Black Head Bazaar to mitigate any potential impacts surrounding the Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area.

Moved Cr C Pontin/Seconded Cr D Keegan

1. Recognises that neither of the available sites (Wylie Breckenridge Park and Diamond Park) are devoid of potential constraints for the establishment of a Skate Park.
2. Identifies Wylie Breckenridge Park as its preferred location for the establishment of a Skate Park in the Hallidays Point area.
3. As a matter of urgency, Council develops a number of design options together with indicative costs
4. Work with the organisers of the Black Head Bazaar to mitigate any potential impacts surrounding the Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area.
5. Conduct a short targeted consultation to satisfy Council's Community Engagement Policy and report back to Council as soon as possible.

An amendment was moved Cr T Fowler/Seconded Cr L Roberts

That Council:

1. Identifies Wylie Breckenridge Park as its preferred location for the establishment of a Skate Park in the Hallidays Point area.
2. Conducts its own targeted engagement program in relation to Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area and that a further report be brought back to Council detailing the results of this program.
3. Work with the organisers of the Black Head Bazaar to mitigate any potential impacts surrounding the Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area.

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

AGAINST VOTE - Cr K Smith, Cr B Christensen

ABSENT. DID NOT VOTE - Cr K Hutchinson

The amendment was carried and became the motion and was carried.

317/19 RESOLUTION

(Moved Cr T Fowler/Seconded Cr L Roberts)

That Council:

1. Identifies Wylie Breckenridge Park as its preferred location for the establishment of a Skate Park in the Hallidays Point area.
2. Conducts its own targeted engagement program in relation to Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area and that a further report be brought back to Council detailing the results of this program.
3. Work with the organisers of the Black Head Bazaar to mitigate any potential impacts surrounding the Wylie Breckenridge Park being the preferred location for the establishment of a Skate Park in the Hallidays Point area.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

3 BULAHDELAH HIGHWAY SERVICE CENTRE PLANNING PROPOSAL

Report Author	Richard Pamplin - Acting Manager Strategic Planning
File No. / ECM Index	S1693/06, SP-PP-30
Date of Meeting	25 September 2019
Authorising Director	Paul De Szell - Director Liveable Communities

Cr L Roberts, having declared a pecuniary interest, left the meeting at 5.06pm

RECOMMENDATION

1. That the proponent be advised that Council supports their application to the NSW Department of Planning, Industry and Environment for a Gateway Determination Review for the Bulahdelah Highway Service Centre Planning Proposal.
2. That the NSW Department of Planning, Industry and Environment be advised that Council supports the proponent's application for a Gateway Determination Review for the Bulahdelah Highway Service Centre Planning Proposal.
3. That Council requests the NSW Department of Planning, Industry and Environment for a positive review to permit the Planning Proposal to proceed.

Moved Cr T Fowler Seconded Cr J McWilliams

1. That the proponent be advised that Council strongly supports their application to the NSW Department of Planning, Industry and Environment for a Gateway Determination Review for the Bulahdelah Highway Service Centre Planning Proposal.

2. That the NSW Department of Planning, Industry and Environment be advised that Council strongly supports the proponent's application for a Gateway Determination Review for the Bulahdelah Highway Service Centre Planning Proposal.
3. That Council requests the NSW Department of Planning, Industry and Environment for a positive review to permit the Planning Proposal to proceed.

318/19 RESOLUTION

(Moved Cr T Fowler/Seconded Cr J McWilliams)

1. That the proponent be advised that Council strongly supports their application to the NSW Department of Planning, Industry and Environment for a Gateway Determination Review for the Bulahdelah Highway Service Centre Planning Proposal.
2. That the NSW Department of Planning, Industry and Environment be advised that Council strongly supports the proponent's application for a Gateway Determination Review for the Bulahdelah Highway Service Centre Planning Proposal.
3. That Council requests the NSW Department of Planning, Industry and Environment for a positive review to permit the Planning Proposal to proceed.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson, Cr L Roberts

Cr L Roberts returned to the meeting at 5.11pm

5 WOOTTON COMMUNITY STRATEGIC PLAN REVISION

Report Author	Marcelle Boyling - Communications & Engagement Coordinator
File No. / ECM Index	Community Wootton
Date of Meeting	25 September 2019
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Council:

1. Thank the Wootton Community for the revision of their Local Community Plan.
2. Note the Wootton Community Strategic Plan 2016-2021 (revised 2019).
3. Distribute the plan to internal stakeholders, as per the MidCoast Local Community Planning Framework, to support future planning for the delivery of services to the Wootton community.
4. Provides feedback to the Wootton community on how the plan has been incorporated into Delivery Program and Operational Plans.

Cr T Fowler left the meeting at 5.16pm

Cr D Keegan left the meeting at 5.17pm

Cr T Fowler returned to the meeting at 5.18pm

Cr D Keegan returned to the meeting at 5.19pm

319/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr D Keegan)

1. Thank the Wootton Community for the revision of their Local Community Plan.
2. Note the Wootton Community Strategic Plan 2016-2021 (revised 2019).
3. Distribute the plan to internal stakeholders, as per the MidCoast Local Community Planning Framework, to support future planning for the delivery of services to the Wootton community.
4. Provides feedback to the Wootton community on how the plan has been incorporated into Delivery Program and Operational Plans.
5. That Council offers the services of its staff to assist the community in the resolution of its planning matters

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

6 COMMUNITY PARTICIPATION PLAN

Report Author **Marcelle Boyling - Communications & Engagement Coordinator**

File No. / ECM Index **Community Participation Panel**

Date of Meeting **25 September 2019**

Authorising Director **Paul De Szell - Director Liveable Communities**

RECOMMENDATION

1. That the draft Community Participation Plan provided in Attachment B be placed on exhibition for community feedback for a period of 28 days.
2. That a report on the feedback provided by the community on the Community Participation Plan be provided to Council prior to the adoption of the plan.

320/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr T Fowler)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

GENERAL MANAGER

1 MATTERS OUTSTANDING

Report Author Adrian Panuccio, General Manager
File No. / ECM Index Governance/Council Meetings
Date of Meeting 25 September 2019
Authorising Director Adrian Panuccio, General Manager

RECOMMENDATION

That the report and Attachment A be noted.

321/19 RESOLUTION

(Moved Cr K Bell/Seconded Cr D Keegan)

That the above recommendation be adopted.

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

DIRECTOR LIVEABLE COMMUNITIES

4 S82 APPLICATION CRYSTAL WATERS ESTATE SOUTH STREET TUNCURRY

Report Author Chad Vowles - Building Services Coordinator
File No. / ECM Index Property Key 18698
Date of Meeting 25 September 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

It is recommended that the application seeking multiple variations to the Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Moveable dwellings) Regulation 2005, under the provisions of Section 82 of the Local Government Act 1993 (LGA), for the 'Crystal Waters Estate' located at Lot 21, DP 263622, 133 South Street, Tuncurry be determined in the following manner:

1. That Council supports the objection to clauses 113-120 of the Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Moveable dwellings) Regulation 2005 and seeks the concurrence of the Director General of the Department of Planning, Industry and Environment.
 2. Should concurrence be obtained from the Director General, approval to operate the caravan park under Section 68 of the Local Government Act 1993 be amended subject to the special conditions found in Annexure A and any conditions recommended by the Director General.
-

(Moved Cr K Smith/Seconded Cr T Fowler)

That the above recommendation be adopted.

FOR VOTE - Cr K Smith, Cr B Christensen, Cr T Fowler

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

ABSENT. DID NOT VOTE - Cr K Hutchinson

The motion was lost.

Cr T Fowler left the meeting at 5.31pm

Cr T Fowler left the meeting at 5.32pm

Cr K Smith left the meeting at 5.32pm

Cr K Smith returned to the meeting at 5.36pm

Cr K Smith left the meeting at 5.37pm

Cr K Smith returned to the meeting at 5.39pm

Motion moved by Cr K Bell/Seconded Cr D Keegan

That Council rejects the objection to clauses 113-120 of the Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2005 because the original consent was for a caravan park.

FOR VOTE - Cr D Keegan, Cr K Bell, Cr J McWilliams, Cr P Epov,

AGAINST VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr L Roberts, Cr T Fowler Cr C Pontin

ABSENT. DID NOT VOTE - Cr K Hutchinson

The motion was lost.

Motion moved by Cr L Roberts/Seconded Cr C Pontin

That the matter be deferred to the next Council meeting.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr L Roberts, Cr D Keegan, Cr C Pontin

AGAINST VOTE - Cr K Bell, Cr J McWilliams, Cr T Fowler, Cr P Epov

ABSENT. DID NOT VOTE - Cr K Hutchinson

322/19 RESOLUTION

Moved Cr L Roberts/Seconded Cr C Pontin

That the matter be deferred to the next Council meeting.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr L Roberts, Cr D Keegan, Cr C Pontin

AGAINST VOTE - Cr K Bell, Cr J McWilliams, Cr T Fowler, Cr P Epov

ABSENT. DID NOT VOTE - Cr K Hutchinson

323/19 RESOLUTION

Moved Cr K Bell/Seconded Cr C Pontin

That Items 7, 8, and 9 are considered by Council by exception.

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

324/19 RESOLUTION

Moved Cr P Epov/Seconded Cr J McWilliams

That Items 7, 8 and 9 are adopted as per the recommendation.

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

7 SPONSORSHIP OF ANNUAL CAROLS BY CANDLELIGHT EVENTS

Report Author	Robyn Brennan - Economic Development Coordinator
File No. / ECM Index	Event Sponsorship
Date of Meeting	25 September 2019
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That a total contribution of \$6,500.00 be allocated annually to supporting the nine (9) existing Carols by Candlelight events held across the MidCoast.

325/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr J McWilliams)

That the above recommendation be adopted.

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

8 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY AUGUST 2019

Report Author	Paul De Szell - Director Liveable Communities
File No. / ECM Index	Development Consents Issued Under Delegated Authority
Date of Meeting	25 September 2018
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

It is recommended that the information be noted.

326/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr J McWilliams)

That the above recommendation be adopted.

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

9 LIST OF MATTERS CURRENTLY BEFORE THE COURT

Report Author Paul De Szell - Director Liveable Communities
File No. / ECM Index Land & Environment Court Appeals
Date of Meeting 25 September 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

It is recommended that the information be noted.

327/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr J McWilliams)

That the above recommendation be adopted.

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

328/19 RESOLUTION

Moved Cr Epov/Seconded Cr K Smith

That items 10, 11, 12 and 13 are considered by exception, with the following amendment to point two (2) of each recommendation:

'At the end of the community engagement process, the community feedback be reported to Council and a final version of the (Report Title) be presented to Council for adoption'

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

329/19 RESOLUTION

Moved Cr Epov/Seconded Cr K Smith

That items 10, 11, 12 and 13 are adopted as per the amended recommendation.

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

10 DRAFT INFRASTRUCTURE ZONE REVIEW

Report Author Rebecca Underwood - Strategic Planner
File No. / ECM Index SP-STUD-13
Date of Meeting 25 September 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That:

1. Council endorse the public exhibition of the Draft Infrastructure Zone Review in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council and a final version of the Infrastructure Zone Review be presented for adoption.

Moved Cr P Epov/Seconded Cr K Smith

1. Council endorse the public exhibition of the Draft Infrastructure Zone Review in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the Infrastructure Zone Review be presented to Council.

330/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Smith)

1. Council endorse the public exhibition of the Draft Infrastructure Zone Review in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the Infrastructure Zone Review be presented to Council.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

11 DRAFT RECREATION ZONE REVIEW

Report Author Michael Griffith - Strategic Planner
File No. / ECM Index S1801
Date of Meeting 25 September 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That:

1. Council endorse the public exhibition of the Draft Recreation Zone Review in Attachment A to this report.
-

2. At the end of the community engagement process, the community feedback be reported to Council and a final version of the Recreation Zone Review be presented to Council for adoption.

Moved Cr P Epov/Seconded Cr K Smith

1. Council endorse the public exhibition of the Draft Recreation Zone Review in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the Recreation Zone Review be presented to Council.

331/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Smith)

1. Council endorse the public exhibition of the Draft Recreation Zone Review in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the Recreation Zone Review be presented to Council.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

12 DRAFT MIDCOAST HOUSING STRATEGY

Report Author Alexandra Macvean - Senior Strategic Planner

File No. / ECM Index S1656

Date of Meeting 25 September 2019

Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That:

1. Council endorse the public exhibition of the Draft Housing Strategy in Attachment A to this report.
2. At the end of the community engagement process, the community feedback will be reported to Council and a final version of the MidCoast Housing Strategy be presented to Council for adoption.

Moved Cr P Epov/Seconded Cr K Smith

1. Council endorse the public exhibition of the Draft Housing Strategy in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the MidCoast Housing Strategy be presented to Council.

332/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Smith)

1. Council endorse the public exhibition of the Draft Housing Strategy in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the MidCoast Housing Strategy be presented to Council.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

13 LARGE LOT RESIDENTIAL SUPPLY AND DEMAND ANALYSIS

Report Author Alexandra Macvean - Senior Strategic Planner

File No. / ECM Index SP-STUD-14

Date of Meeting 25 September 2019

Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That:

1. Council endorse the public exhibition of the draft Large Lot Residential Supply and Demand Analysis in Attachment A of this report.
2. At the end of this community engagement process the community feedback be reported to Council.

Moved Cr P Epov/Seconded Cr K Smith

1. Council endorse the public exhibition of the draft Large Lot Residential Supply and Demand Analysis in Attachment A to this report.
2. At the end of the community engagement process, the community feedback be reported to Council through a workshop and a final version of the Large Lot Residential Supply and Demand Analysis be presented to Council.

333/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Smith)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

14 EXPENDITURE OF FUNDS - SUPERSEDED GREATER TAREE SECTION 94 DEVELOPMENT CONTRIBUTION PLANS

Report Author Richard Pamplin - Acting Manager Strategic Planning
File No. / ECM Index S300
Date of Meeting 25 September 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

1. That funds (current and future) collected under the repealed Greater Taree Contributions Plan 2001 be allocated as follows:
 - a) Central Library – return to General Revenue;
 - b) Library Bookstock – provided to Council's Libraries Section to spend in accordance with a work/acquisition schedule;
 - c) Aquatic Centre - return to General Revenue;
 - d) Rural Fire Fighting – balance to be provided annually to the NSW Rural Fire Service as Council's 11.7% contribution towards service delivery;
 - e) Surf Life Saving Facilities – balance to be divided equally between the 3 clubs and provided annually following the clubs submitting work/acquisition schedules;
 - f) Regional Open Space – provided to Council's Parks and Recreation Section annually for minor improvements to the Taree Recreation Grounds; and
 - g) Plan preparation/management – 5% provided to Council's Finance Section for financial management and the balance provided to Council's Strategic Planning Section for the management and updating of contributions plans.

 2. That funds (current and future) collected under the repealed locality contribution plans for Taree/Cundletown, Wingham, Hallidays Point, Old Bar and Harrington be allocated as follows:
 - a) Open Space - pooled in each locality for recreation/community purposes;
 - b) Roads - pooled in each locality for recreation/community purposes;
 - c) Rural Fire Fighting – balance to be provided annually to the NSW Rural Fire Service as Council's 11.7% contribution towards service delivery;
 - d) Management – 5% provided to Council's Finance Section for financial management and the balance provided to Council's Strategic Planning Section for the management and updating of contributions plans;
 - e) Community Centre:
 - Hallidays Point and Old Bar - pooled in each locality for recreation/community purposes; and
 - Harrington - allocated in accordance with the 2007 Planning Agreement between the Roche Group and Council;
 - f) S94A Levy - pooled in Old Bar for recreation/community purposes.

 3. That short-medium term location based recreation/community infrastructure plans be prepared prior to the expenditure of funds collected under the repealed contribution plans in accordance with point 2 above.

 4. That consultation with the community occur prior to the recreation/community infrastructure plans being reported back to Council.
-

Moved Cr K Smith/Seconded Cr T Fowler

1. That funds (current and future) collected under the repealed Greater Taree Contributions Plan 2001 be allocated as follows:
 - a) Central Library – refund to General Revenue;
 - b) Library Bookstock – provided to Council’s Libraries Section to spend in accordance with a work/acquisition schedule;
 - c) Aquatic Centre - refund to General Revenue;
 - d) Rural Fire Fighting – balance to be provided annually to the NSW Rural Fire Service as Council’s 11.7% contribution towards service delivery;
 - e) Surf Life Saving Facilities – balance to be divided equally between the 3 clubs and provided annually following the clubs submitting work/acquisition schedules;
 - f) Regional Open Space – provided to Council’s Parks and Recreation Section annually for minor improvements to the Taree Recreation Grounds; and
 - g) Plan preparation/management – 5% provided to Council’s Finance Section for financial management and the balance provided to Council’s Strategic Planning Section for the management and updating of contributions plans.

2. That funds (current and future) collected under the repealed locality contribution plans for Taree/Cundletown, Wingham, Hallidays Point, Old Bar and Harrington be allocated as follows:
 - a) Open Space - pooled in each locality for recreation/community purposes;
 - b) Roads - pooled in each locality for recreation/community purposes;
 - c) Rural Fire Fighting – balance to be provided annually to the NSW Rural Fire Service as Council’s 11.7% contribution towards service delivery;
 - d) Management – 5% provided to Council’s Finance Section for financial management and the balance provided to Council’s Strategic Planning Section for the management and updating of contributions plans;
 - e) Community Centre:
 - Hallidays Point and Old Bar - pooled in each locality for recreation/community purposes; and
 - Harrington - allocated in accordance with the 2007 Planning Agreement between the Roche Group and Council;
 - f) S94A Levy - pooled in Old Bar for recreation/community purposes.

3. That short-medium term location based recreation/community infrastructure plans be prepared prior to the expenditure of funds collected under the repealed contribution plans in accordance with point 2 above.

4. That consultation with the community occur prior to the recreation/community infrastructure plans being reported back to Council.

334/19 RESOLUTION

(Moved Cr K Smith/Seconded Cr T Fowler)

1. That funds (current and future) collected under the repealed Greater Taree Contributions Plan 2001 be allocated as follows:
 - a) Central Library – refund to General Revenue;
 - b) Library Bookstock – provided to Council’s Libraries Section to spend in accordance with a work/acquisition schedule;
 - c) Aquatic Centre - refund to General Revenue;

- d) Rural Fire Fighting – balance to be provided annually to the NSW Rural Fire Service as Council's 11.7% contribution towards service delivery;
 - e) Surf Life Saving Facilities – balance to be divided equally between the 3 clubs and provided annually following the clubs submitting work/acquisition schedules;
 - f) Regional Open Space – provided to Council's Parks and Recreation Section annually for minor improvements to the Taree Recreation Grounds; and
 - g) Plan preparation/management – 5% provided to Council's Finance Section for financial management and the balance provided to Council's Strategic Planning Section for the management and updating of contributions plans.
2. That funds (current and future) collected under the repealed locality contribution plans for Taree/Cundletown, Wingham, Hallidays Point, Old Bar and Harrington be allocated as follows:
- a) Open Space - pooled in each locality for recreation/community purposes;
 - b) Roads - pooled in each locality for recreation/community purposes;
 - c) Rural Fire Fighting – balance to be provided annually to the NSW Rural Fire Service as Council's 11.7% contribution towards service delivery;
 - d) Management – 5% provided to Council's Finance Section for financial management and the balance provided to Council's Strategic Planning Section for the management and updating of contributions plans;
 - e) Community Centre:
 - Hallidays Point and Old Bar - pooled in each locality for recreation/community purposes; and
 - Harrington - allocated in accordance with the 2007 Planning Agreement between the Roche Group and Council;
 - f) S94A Levy - pooled in Old Bar for recreation/community purposes.
3. That short-medium term location based recreation/community infrastructure plans be prepared prior to the expenditure of funds collected under the repealed contribution plans in accordance with point 2 above.
4. That consultation with the community occur prior to the recreation/community infrastructure plans being reported back to Council.

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

DIRECTOR INFRASTRUCTURE & ENGINEERING

15 TENDER FOR THE SUPPLY AND DELIVERY OF QUARRY PRODUCTS

Report Author **Stuart Small, Team Leader Project Delivery**
File No. / ECM Index **Summaries of Tenders; TEN-PD-QUARRY-19A**
Date of Meeting **25 September 2019**
Authorising Director **Robert Scott, Director Infrastructure & Engineering Services**

RECOMMENDATION

1. Award the contract for Supply & Delivery of Quarry Products as a panel contract for the period 1 October 2019 to 30 September 2021 with the following companies to be on the panel subject to a final check of insurance compliance by Council's insurer, all necessary improvements made to any systems required to meet Council's requirements, and compliance with Council's Conditions of Contract:

- Bellbird Quarries Pty Ltd
 - Boral Resources (Country) Pty Ltd
 - Bulahdelah Haulage Pty Ltd
 - Holcim Australia Pty Ltd
 - Karuah East Quarry Pty Limited
 - Martin's Lime Pty Ltd
 - Melinga Quarry Pty Ltd
 - Pacific Blue Metal Pty Ltd
2. Allow provision for two 12 month extensions to 30 September 2023 based on satisfactory performance.
 3. Authorise execution of the contract document by the General Manager.

335/19 RESOLUTION

(Moved Cr D Keegan/Seconded Cr K Smith)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

16 WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT - AUGUST 2019

Report Author Robert Scott, Director Infrastructure & Engineering Services

File No. / ECM Index A680851

Date of Meeting 25 September 2019

Authorising Director Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

That the Water and Wastewater Monthly Performance Report for August 2019 be received and noted.

336/19 RESOLUTION

(Moved Cr P Epov/Seconded Cr T Fowler)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

17 MONTHLY PROJECT STATUS REPORTS - AUGUST 2019

Report Author Lorna Barber, Project Officer
Stuart Small, Team Leader Project Delivery
File No / ECM Index A680643
Date of Meeting 25 September 2019
Authorising Director Robert Scott, Director Infrastructure & Engineering Services

Cr K Bell, having declared a pecuniary interest, left the meeting at 5.57pm

RECOMMENDATION

That the Monthly Project Status Reports for August 2019 be received and noted.

337/19 RESOLUTION

(Moved Cr D Keegan/Seconded Cr P Epov)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

Cr K Bell returned to the meeting at 5.58pm

DIRECTOR CORPORATE SERVICES

18 CONDUCT OF THE 2020 LOCAL GOVERNMENT ELECTIONS

Report Author Adrian Panuccio, General Manager
File No. / ECM Index Councillors – Elections
Date of Meeting 25 September 2019
Authorising Director Steve Embry, Director Corporate Services

RECOMMENDATION

1. That Council resolves pursuant to s.296(2) and (3) of the *Local Government Act 1993* (the **Act**) that an Election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all Elections of the Council.
 2. That Council resolves pursuant to s.296(2) and (3) of the Act that a council poll arrangement be entered into by contract for the NSW Electoral Commissioner to administer all Council polls of the Council.
 3. That Council resolves pursuant to s.296(2) and (3) of the Act that a constitutional referendum arrangement be entered into by contract for the NSW Electoral Commissioner to administer all constitutional referenda of the Council.
-

338/19 RESOLUTION

(Moved Cr L Roberts/Seconded Cr D Keegan)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

21 INVESTMENTS REPORT - AUGUST 2019

Report Author Phil Brennan, Manager Finance

File No. / ECM Index Investments - Monthly Reports

Date of Meeting 25 September 2019

Authorising Director Steve Embry, Director Corporate Services

RECOMMENDATION

That the report be received and noted.

339/19 RESOLUTION

(Moved Cr J McWilliams/Seconded Cr L Roberts)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

22 2018-2019 FINANCIAL STATEMENTS FOR MIDCOAST COUNCIL

Report Author Phil Brennan, Manager Finance

File No. / ECM Index Financial Management – Financial Statements 2018-2019

Date of Meeting 25 September 2019

Authorising Director Steve Embry, Director Corporate Services

RECOMMENDATION

That Council resolve to sign:

- 'Statement by Councillors and Management' in respect of the General Purpose Financial Reports for Mid-Coast Council for the period 1 July 2018 to 30 June 2019.
- 'Statement by Councillors and Management' in respect of the Special Purpose Financial Reports for Mid-Coast Council for the period 1 July 2018 to 30 June 2019.

with the Mayor and Deputy Mayor signing these Statements on Council's behalf.

AMENDED RECOMMENDATION DISTRIBUTED AT THE MEETING

1. That Council note that the Draft Financial Statements when finalised will be referred by the General Manager to the NSW Audit Office for the conduct of the 2018/19 audit.
2. That the Draft Financial Statement be published on Council's website noting that the final Financial Statements will be referred to Council for adoption and placed on public exhibition following the conduct of the audit.

340/19 RESOLUTION

(Moved Cr C Pontin/Seconded Cr L Roberts)

1. That Council note that the Draft Financial Statements when finalised will be referred by the General Manager to the NSW Audit Office for the conduct of the 2018/19 audit.
2. That the Draft Financial Statement be published on Council's website noting that the final Financial Statements will be referred to Council for adoption and placed on public exhibition following the conduct of the audit.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

23 APPROVAL OF EXPENDITURE - 2018/2019 BUDGET ITEMS RE-VOTED INTO 2019/2020 BUDGET

Report Author	Phil Brennan, Manager Finance
File No. / ECM Index	Financial Management General
Date of Meeting	25 September 2019
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That the amounts set out in Attachment A be re-voted into the 2019/2020 budget.

341/19 RESOLUTION

(Moved Cr D Keegan/Seconded Cr T Fowler)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

MATTERS OF URGENT BUSINESS

Steve Embry, having declared a non-pecuniary conflict of interest, left the meeting.

342/19 RESOLUTION

(Moved Cr D West/Seconded Cr T Fowler)

That the matter of a concert/event planned by Sinfonia in November 2019 and the associated fees for said event be considered by Council as urgent business.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

The Mayor declared the matter to be urgent business

343/19 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D Keegan)

That the associated fees pertaining to the matter of a concert/event planned by Sinfonia in November 2019 be waived by Council.

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

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr K Hutchinson

Steve Embry returned to the meeting.

344/19 RESOLUTION

(Moved Cr D West/Seconded Cr T Fowler)

That the matter of Cr L Roberts' attendance at the 2019 Local Aboriginal Network Strategic Planning Conference be considered by Council as urgent business.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

The Mayor declared the matter to be urgent business.

345/19 RESOLUTION

(Moved Cr D West/Seconded Cr T Fowler)

That Cr Len Roberts attend the 2019 Local Aboriginal Network Strategic Planning Conference in Sydney from Wednesday 9th to Friday 11th October 2019.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Hutchinson

This is the last page of the Minutes of the Ordinary Council meeting of MidCoast Council held on 25 September 2019.

There being no further business, the meeting closed at 6.21pm.

CHAIRPERSON
Mayor David West