



Minutes of the Ordinary Council Meeting

**held at the Council Chambers
89 King St Gloucester**

23 October 2019

A handwritten signature in black ink, appearing to read "Panuccio". The signature is written in a cursive style with a large, looping initial 'P'.

**Adrian Panuccio
General Manager**

TABLE OF CONTENTS

<u>IN ATTENDANCE</u>	1
<u>ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS</u>	1
<u>PRAYER</u>	1
<u>SPECIAL ACTIVITY</u>	2
<u>CONFIRMATION OF MINUTES</u>	2
<u>DISCLOSURES OF INTERESTS</u>	3
<u>NOTICES OF RESCISSION</u>	3
RESCISSION MOTION FOR WHICH DUE NOTICE HAS BEEN GIVEN	3
<u>CONSIDERATION OF OFFICERS' REPORTS:</u>	4
<u>GENERAL MANAGER</u>	4
1 OUTSTANDING MATTERS REPORT	4
2 KOLODONG ESTATE PLANNING PROPOSAL, DRAFT DEVELOPMENT CONTROL PLAN AMENDMENT AND PLANNING AGREEMENT	5
5 S82 APPLICATION CRYSTAL WATERS ESTATE SOUTH STREET TUNCURRY	7
3 ADVICE RECEIVED FROM THE OFFICE OF LOCAL GOVERNMENT	7
<u>DIRECTOR LIVEABLE COMMUNITIES</u>	8
4 CLIMATE CHANGE POLICY & ACTION PLAN UPDATE	8
6 USE OF PUBLIC WHARF INFRASTRUCTURE	8
7 DRAFT MANNING HEALTH - TAREE CBD PRECINCT PLAN - PUBLIC EXHIBITION FOR CONSULTATION	9
8 URBAN LAND MONITOR 2018 - 2036 PUBLIC EXHIBITION FOR COMMUNITY CONSULTATION	10
9 EVENT SPONSORSHIP ASSESSMENT PANEL	10
10 SUSPENSION OF ALCOHOL FREE ZONE - MARINE DRIVE TEA GARDENS	11
11 ECONOMIC DEVELOPMENT WORKING GROUP MEETING NOTES	12
12 BARRINGTON COAST DESTINATION MANAGEMENT REFERENCE GROUP MEETING NOTES	12
13 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY SEPTEMBER 2019... ..	13
<u>DIRECTOR INFRASTRUCTURE & ENGINEERING</u>	13
15 WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT - SEPTEMBER 2019	13
<u>DIRECTOR LIVEABLE COMMUNITIES</u>	14
14 ARTS MID NORTH COAST MEMBERSHIP	14
<u>DIRECTOR INFRASTRUCTURE & ENGINEERING</u>	14
16 MONTHLY PROJECT STATUS REPORTS - SEPTEMBER 2019	14
17 WATER AND WASTEWATER TREATMENT PLANTS ANNUAL OPERATIONAL COST COMPARISON 2018-19	15
18 WATER USAGE & WATER RESOURCES AND THE OUTLOOK FOR 2019/20	15
19 TENDER FOR CONSTRUCTION OF DIAMONDS AND KUNDLE CREEK BRIDGES	16
20 BARRINGTON BRIDGE NAMING	16
21 PROPOSED CLOSURE OF COUNCIL PUBLIC ROAD, WENHAM COX ROAD, STRATFORD - APPLICANT: STRATFORD COAL PTY LTD	18
22 CEDAR PARTY CREEK BRIDGE RENEWAL - DESIGN OPTIONS	18
<u>DIRECTOR CORPORATE SERVICES</u>	20
23 DELEGATION OF EXPENDITURE OVER \$500,000	20
24 TABLING OF DISCLOSURE OF INTERESTS RETURN REGISTER 2019	20
25 2018-2019 FINANCIAL STATEMENTS FOR MIDCOAST COUNCIL	21
26 INVESTMENTS REPORT - SEPTEMBER 2019	21

Minutes of the Ordinary Meeting of the MidCoast Council held at the Council Chambers, 89 King St Gloucester on 23 October 2019 commencing at 2:36pm.

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 - Kristy Burns

The following document is the Minutes of the Ordinary meeting held on 23 October 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."

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.

Prime7 News

346/19 RESOLUTION

(Moved Cr D West/Seconded Cr L Roberts)

That Prime7 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

SPECIAL ACTIVITY

Presentation to Ms Wendy Hughes, recipient of the Medal of the Order of Australia (OAM) as part of the Queen's Birthday Honours list.

347/19 RESOLUTION

(Moved Cr D West/Seconded Cr T Fowler)

That photographs be permitted to be taken during this 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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

CONFIRMATION OF MINUTES

348/19RESOLUTION

(Moved Cr D West/Seconded Cr L Roberts)

That the Minutes of the Ordinary Meeting of 25 September 2019, 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 K Smith, Cr B Christensen, Cr L Roberts, Cr D Keegan, Cr C Pontin, Cr J McWilliams, Cr T Fowler, Cr K Hutchinson

AGAINST VOTE - Cr K Bell, Cr P Epov

ABSENT. DID NOT VOTE - Nil

DISCLOSURES OF INTERESTS

Councillor/Staff Member	Item and Subject	Nature of Interest
Cr Kathryn Bell	Item 16 - Monthly Project Status Reports - September 2019	Pecuniary interest the nature of the interest being my company is providing a business service for one of the projects identified in the report. Our business contract commenced when MidCoast Water was an entity separate to MidCoast Council. Cr Bell left the meeting and took no part in discussions.
Paul De Szell	Rescission Motion	Pecuniary interest, the nature of the interest being the matter related to an investigation that I am one of the subjects of which could impact on my employment. Mr De Szell left the meeting and took no part in discussions.
Paul De Szell	Item 2 - Kolodong Estate Planning Proposal	Pecuniary interest, the nature of the interest being his Wife is an employee of Taree Christian college which is within the area proposed to be rezoned. I also know the owners of a large parcel of land that is proposed to be rezoned. Mr De Szell left the meeting and took no part in discussions.

NOTICES OF RESCISSION

Mr Paul De Szell, having declared a pecuniary interest, left the meeting at 2:51pm

RESCISSION MOTION FOR WHICH DUE NOTICE HAS BEEN GIVEN

Report Author Rob Griffiths, Manager Governance
File No. / ECM Index Council Meetings/Rescission Motions
Date of Meeting 23 October 2019
Authorising Director Adrian Panuccio, General Manager

Notice of Rescission by Councillors Hutchinson, Pontin and Roberts

That Resolution 314/19 passed at the MidCoast Council Ordinary Meeting of 25 September 2019 as shown below:

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*

be rescinded.

Cr Hutchinson moved a procedural motion that the motion be put.

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

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Nil

The procedural motion was carried and the Mayor then put the Rescission Motion to the Meeting.

Moved Cr L Roberts/Seconded Cr C Pontin

That resolution 314/19 passed at the MidCoast Council Ordinary Meeting on 25 September 2019 as shown, be rescinded.

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

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

ABSENT. DID NOT VOTE - Nil

349/19 RESOLUTION

(Moved Cr L Roberts/Seconded Cr C Pontin)

That resolution 314/19 passed at the MidCoast Council Ordinary Meeting on 25 September 2019 as shown, be rescinded.

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

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

ABSENT. DID NOT VOTE - Nil

CONSIDERATION OF OFFICERS' REPORTS:

GENERAL MANAGER

1 OUTSTANDING MATTERS REPORT

Report Author Adrian Panuccio, General Manager

File No. / ECM Index Governance/Council Meetings

Date of Meeting 23 October 2019

Authorising Director Adrian Panuccio, General Manager

RECOMMENDATION

That the report and Attachment A be noted.

350/19 RESOLUTION

(Moved Cr J McWilliams/Seconded Cr K Bell)

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 K Hutchinson, Cr P Epov
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE – Nil

2 KOLODONG ESTATE PLANNING PROPOSAL, DRAFT DEVELOPMENT CONTROL PLAN AMENDMENT AND PLANNING AGREEMENT

Report Author Andrew FitzGibbon, Strategic Planner
File No. / ECM Index S1436
Date of Meeting 23 October 2019
Authorising Manager Adrian Panuccio, General Manager

Having declared a pecuniary interest, Mr De Szell remained out of the meeting.

RECOMMENDATION

1. That the Kolodong Estate Planning Proposal and draft Greater Taree Development Control Plan DCP Amendment as shown in Attachment A and Annexure B to this report be adopted.
2. That Council seek the making of the amendment to Greater Taree Local Environmental Plan 2010 to implement the Kolodong Planning Proposal following registration of the proposed Planning Agreement.
3. That the proposed Planning Agreement as shown in Attachment B to this report between MidCoast Council, Wayne Peter Green, Nancy Jean Green and Benwaydan Pty Ltd be exhibited for a period of 28 days in accordance with the requirements of the *NSW Environmental Planning and Assessment Act 1979*.
4. That should no objections be received during the exhibition period of the proposed Planning Agreement, that the Planning Agreement be adopted as exhibited and registered on the properties affected.
5. That the General Manager be delegated the function of authorising the Planning Agreement.
6. That should objections be received during the exhibition period of the proposed Planning Agreement, or changes are proposed to the document (other than editorial), that this matter be reported to Council for its consideration.

351/19 RESOLUTION

(Moved Cr L Roberts/Seconded Cr K Hutchinson)

1. That the Kolodong Estate Planning Proposal and draft Greater Taree Development Control Plan DCP Amendment as shown in Attachment A and Annexure B to this report be adopted with the following amendment to Annexure B;

Point 6 in the "Performance Criteria" section of Draft Greater Taree Development Control Plan 2010 Amendment - Environment Buffers, be deleted and replaced with the following:

- 6 a) *Any development application for development on Lots 53 and 54 DP 1042462 and Lot 61 DP 1252146 shall include sufficient setback that ensures no adverse impacts from nearby industrial uses; and*
- b) *Any development on Lots 53 and 54 DP 1042462 and Lot 61 DP 1252146 must not adversely impact the operations of any adjoining industrial uses by causing those currently compliant industrial uses to not comply (without significant amendment to their operations) with any statutory approvals, licences, conditions or the like that are in force for those industrial uses.*

These impacts are required to be demonstrated through certified air pollution, odour and noise reports.

2. That Council seek the making of the amendment to Greater Taree Local Environmental Plan 2010 to implement the Kolodong Planning Proposal following registration of the proposed Planning Agreement.
3. That the proposed Planning Agreement as shown in Attachment B to this report between MidCoast Council, Wayne Peter Green, Nancy Jean Green and Benwaydan Pty Ltd be exhibited for a period of 28 days in accordance with the requirements of the *NSW Environmental Planning and Assessment Act 1979*.
4. That should no objections be received during the exhibition period of the proposed Planning Agreement, that the Planning Agreement be adopted as exhibited and registered on the properties affected.
5. That the General Manager be delegated the function of authorising the Planning Agreement.
6. That should objections be received during the exhibition period of the proposed Planning Agreement, or changes are proposed to the document (other than editorial), that this matter be reported to Council for its consideration.

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

352/19 RESOLUTION

(Moved Cr K Bell/Seconded Cr D Keegan)

That Item 5 on the agenda S82 Application Crystal Waters Estate South Street Tuncurry, be brought forward.

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

Mr Paul De Szell returned to the meeting at 3.30pm

5 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 23 October 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 subject to the special conditions found in Annexure A and any conditions recommended by the Director General.

353/19 RESOLUTION

(Moved Cr T Fowler/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 C Pontin, Cr J McWilliams, Cr T Fowler, Cr K Hutchinson, Cr P Epov
AGAINST VOTE - Cr D Keegan, Cr K Bell
ABSENT. DID NOT VOTE - Nil

3 ADVICE RECEIVED FROM THE OFFICE OF LOCAL GOVERNMENT

Report Author Adrian Panuccio, General Manager
File No. / ECM Index Code of Meeting Practice
Date of Meeting 23 October 2019

RECOMMENDATION

That Council note the advice received from the Office of Local Government.

354/19 RESOLUTION

(Moved Cr L Roberts/Seconded Cr K Hutchinson)

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 K Hutchinson, Cr P Epov
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil

DIRECTOR LIVEABLE COMMUNITIES

4 CLIMATE CHANGE POLICY & ACTION PLAN UPDATE

Report Author Gerard Tuckerman - Manager Natural Systems
File No. / ECM Index Environmental Management - Climate Change
Date of Meeting 23 October 2019
Authorising Director Paul DeSzell - Director Liveable Communities

RECOMMENDATION

That the information be noted.

355/19 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D Keegan)

That Council:

1. Notes progress in developing a risk based Climate Change Policy and Action Plan.
2. Recognises that we are in a state of climate crisis that requires urgent action by all levels of government, including by local governments, and declares a climate emergency.
3. Engages with the community in the development of this climate action work; and
4. Calls on the state and federal governments to declare a climate emergency and in a bipartisan manner, make clear, effective and unambiguous steps to avert a climate crisis in NSW and Australia.

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

6 USE OF PUBLIC WHARF INFRASTRUCTURE

Report Author Daniel Aldridge - Manager Community Spaces, Recreation & Trades
File No. / ECM Index Wharves, Boat Ramps, Jetties General
Date of Meeting 23 October 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Council:

1. Does not provide landowners consent for Development Applications and does not approve License applications submitted by commercial operators for the use of Council managed public wharves.
2. Observes the existing licence for Marine Drive (East of Maxwell St) Tea Gardens until it expires on 31 December 2019.

356/19 RESOLUTION

(Moved Cr L Roberts/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 J McWilliams, Cr T Fowler, Cr K Hutchinson, Cr P Epov
AGAINST VOTE - Cr K Bell
ABSENT. DID NOT VOTE – Nil

7 DRAFT MANNING HEALTH - TAREE CBD PRECINCT PLAN - PUBLIC EXHIBITION FOR CONSULTATION

Report Author Richard Pamplin - Acting Manager Strategic Planning
File No. / ECM Index S1657/10
Date of Meeting 23 October 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That:

1. Council endorse the public exhibition of the Draft Manning Health & Taree CBD Precinct Plan as shown in Attachment A to this report.
2. At the end of the community engagement process, the community feedback will be workshopped with Council and a final version of the Manning Health / Taree CBD Precinct Plan be presented to Council for adoption.

357/19 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 K Hutchinson, Cr P Epov
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil

8 URBAN LAND MONITOR 2018 - 2036 PUBLIC EXHIBITION FOR COMMUNITY CONSULTATION

Report Author Alexandra Macvean - Senior Strategic Planner
File No. / ECM Index SP-STUD-14
Date of Meeting 23 October 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That:

1. Council endorse the public exhibition of the Urban Land Monitor in Attachment A of this report.
2. At the end of this community engagement process the community feedback be reported to Council.

358/19 RESOLUTION

(Moved Cr D Keegan/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

9 EVENT SPONSORSHIP ASSESSMENT PANEL

Report Author Robyn Brennan - Economic Development Coordinator
File No. / ECM Index Event Sponsorship
Date of Meeting 23 October 2019
Authorising Director Paul De Szell - Director of Liveable Communities

RECOMMENDATION

It is recommended that:

1. An Event Sponsorship Assessment Panel be formed.
 2. The Panel be comprised of at least two (2) and a maximum of four (4) of the chairs of the following relevant Council Committees:
 - Economic Development Working Group
 - Barrington Coast Destination Management Reference Group
 - MidCoast Cultural Plan 2036 Reference Group
 - Sport and Recreation Reference Group
-

359/19 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr D Keegan)

1. An Event Sponsorship Assessment Panel be formed.
2. The Panel be comprised of the following Councillors:

Cr K Hutchinson
Cr K Smith
Cr T Fowler

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

360/19 RESOLUTION

(Moved Cr K Bell/Seconded Cr L Roberts)

That Council adopt the recommendation for items 10, 11, 12, 13 and 15 and amend the order of business in accordance with Clause 13 of Council's Code of Meeting Practice.

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

10 SUSPENSION OF ALCOHOL FREE ZONE - MARINE DRIVE TEA GARDENS

Report Author Robyn Brennan - Economic Development Coordinator

File No. / ECM Index Alcohol Free Zones

Date of Meeting 23 October 2019

Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Council grant approval for the suspension of the alcohol free zone in Marine Drive Tea Gardens from 83 to 91 Marine Drive Tea Gardens as indicated on the map in Attachment A between 3pm and 8:30pm on Saturday 26 October 2019.

361/19 RESOLUTION

(Moved Cr K Bell/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

11 ECONOMIC DEVELOPMENT WORKING GROUP MEETING NOTES

Report Author Robyn Brennan - Economic Development Coordinator
File No. / ECM Index Committees/Working Groups
Date of Meeting 23 October 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the Economic Development Working Group meeting notes provided in Annexure A be noted.

362/19 RESOLUTION

(Moved Cr K Bell/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 K Hutchinson, Cr P Epov
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil

12 BARRINGTON COAST DESTINATION MANAGEMENT REFERENCE GROUP MEETING NOTES

Report Author Deb Tuckerman - Manager Growth, Economic Development & Tourism
File No. / ECM Index Committees/Working Groups
Date of Meeting 23 October 2019
Authorising Director Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the Barrington Coast Destination Management Reference Group meeting notes provided in Annexure A be noted.

363/19 RESOLUTION

(Moved Cr K Bell/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 K Hutchinson, Cr P Epov
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil

13 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY SEPTEMBER 2019

Report Author Paul De Szell, Director Liveable Communities
File No. / ECM Index Development Consents Issued Under Delegated Authority
Date of Meeting 23 October 2019
Authorising Director Paul De Szell, Director Liveable Communities

RECOMMENDATION

It is recommended that the information be noted.

364/19 RESOLUTION

(Moved Cr K Bell/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

DIRECTOR INFRASTRUCTURE & ENGINEERING

15 WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT - SEPTEMBER 2019

Report Author Robert Scott, Director Infrastructure & Engineering Services
File No. / ECM Index A682133
Date of Meeting 23 October 2019
Authorising Director Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

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

365/19 RESOLUTION

(Moved Cr K Bell/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

DIRECTOR LIVEABLE COMMUNITIES

14 ARTS MID NORTH COAST MEMBERSHIP

Report Author Deb Tuckerman, Manager Growth, Economic Development & Tourism
File No. / ECM Index S665
Date of Meeting 23 October 2019
Authorising Director Paul De Szell, Director Liveable Communities

RECOMMENDATION

That Council:

1. Honour the commitment to pay its membership to Arts Mid North Coast for 2019/20;
2. Discontinues its membership of Arts Mid North Coast after 2019/20 unless the new MOU addresses all current concerns and demonstrates value for money for the MidCoast Community;
3. In the event that it discontinues its membership of Arts Mid North Coast, Council reallocates its membership fees to other projects or programs which support the creative arts sector in line with the MidCoast Cultural Plan 2036.

366/19 RESOLUTION

(Moved Cr C Pontin/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 K Hutchinson, Cr P Epov
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil

DIRECTOR INFRASTRUCTURE & ENGINEERING

16 MONTHLY PROJECT STATUS REPORTS - SEPTEMBER 2019

Report Author Lorna Barber, Project Officer
Stuart Small, Team Leader Project Delivery
File No. / ECM Index
Date of Meeting 23 October 2019
Authorising Director Robert Scott, Director Infrastructure & Engineering Services

Cr K Bell, having declared a pecuniary interest, left the meeting at 4:18pm

RECOMMENDATION

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

367/19 RESOLUTION

(Moved Cr L Roberts/Seconded Cr K Hutchinson)

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 J McWilliams, Cr T Fowler, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE – Cr K Bell

Cr K Bell returned to the meeting at 4:23pm

17 WATER AND WASTEWATER TREATMENT PLANTS ANNUAL OPERATIONAL COST COMPARISON 2018-19

Report Author	Chenxi Zeng, Coordinator of process and source
File No. / ECM Index	A682434
Date of Meeting	23 October 2019
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

That the report on the water and wastewater plants annual operational cost comparisons be noted by Council.

368/19 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D Keegan)

1. That the report be noted.
2. That a report be brought to Council providing options to further reduce electricity costs associated with operating our water and wastewater treatment plants. Where this includes further infrastructure developments, the report should include indicative costs associated with this investment for the future and possible sources of funds.

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

18 WATER USAGE & WATER RESOURCES AND THE OUTLOOK FOR 2019/20

Report Author	Graeme Watkins, Manager Water Management & Treatment
File No. / ECM Index	A617785
Date of Meeting	23 October 2019
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

That the report on water usage and water resources and the outlook for 2019/20 be received and noted.

369/19 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D Keegan)

1. That the report be noted.
2. That a report be brought to Council on its water usage and water resources outlook that extends beyond a 12 month timeframe. The report should include at least 5 years of historical trend data, and as far as practicable, and using sound risk management and risk analysis procedures, assess likely longer-term impacts on Council's water resources management systems.

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

19 TENDER FOR CONSTRUCTION OF DIAMONDS AND KUNDLE CREEK BRIDGES

Report Author	Matthew Lee, Senior Project Manager
File No. / ECM Index	Summaries of Tenders; Contract 2019/20-02 – Diamonds and Kundle Creek Bridges
Date of Meeting	23 October 2019
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

1. Award the contract for the reconstruction of Diamonds and Kundle Creek Bridges including road approaches to Waegers Pty Ltd subject to a final check of insurance compliance by Council's insurer and compliance with Council's Conditions of Contract; and
2. Authorise execution of the contract by the General Manager.

370/19 RESOLUTION

(Moved Cr L Roberts/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

20 BARRINGTON BRIDGE NAMING

Report Author	Naomi Reeves, Development Engineering Support Officer
File No. / ECM Index	Naming of Bridges & Cycleways
Date of Meeting	23 October 2019
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

The name for the new bridge over Barrington River be called Barrington Bridge.

(Moved Cr K Smith/Seconded Cr K Hutchinson)

1. The name for the new bridge over Barrington River be called Barrington Bridge.
2. That further consultation be undertaken with the Land Council with regard to the Gathang language for additional signage.

An amendment was moved by Cr L Roberts/Seconded Cr C Pontin

That the new bridge over Barrington River be called Barandan Bridge.

FOR VOTE - Cr L Roberts

AGAINST 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 K Hutchinson, Cr P Epov

ABSENT. DID NOT VOTE - Nil

The amendment was put to the vote and lost.

Council then returned to the original motion moved by Cr K Smith/Seconded Cr K Hutchinson

1. The name for the new bridge over Barrington River be called Barrington Bridge.
2. That further consultation be undertaken with the Land Council with regard to the Gathang language for additional signage.

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 amendment was carried and became the motion and was carried.

371/19 RESOLUTION

(Moved Cr K Smith/Seconded Cr K Hutchinson)

1. The name for the new bridge over Barrington River be called Barrington Bridge.
2. That further consultation be undertaken with the Land Council with regard to the Gathang language for additional signage.

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

**21 PROPOSED CLOSURE OF COUNCIL PUBLIC ROAD, WENHAM COX ROAD,
STRATFORD - APPLICANT: STRATFORD COAL PTY LTD
APPLICANT: STRATFORD COAL PTY LTD**

Report Author Rob Langdon, Senior Surveyor
File No. / ECM Index RD16819/03
Date of Meeting 23 October 2019
Authorising Director Robert Scott, Director Engineering & Infrastructure

RECOMMENDATION

1. That Council approve the closure of Council Public road shaded red in Annexure A, and
2. That the land comprising the closed road be transferred to Stratford Coal Pty Ltd.

372/19 RESOLUTION

(Moved Cr D Keegan/Seconded Cr K Smith)

That the matter be deferred for further information to be 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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE – Nil

22 CEDAR PARTY CREEK BRIDGE RENEWAL - DESIGN OPTIONS

Report Author Scott Nicholson, Manager Transport Assets
File No. / ECM Index CW0097
Date of Meeting 23 October 2019
Authorising Director Robert Scott, Director Infrastructure and Engineering

RECOMMENDATION

It is recommended that;

1. Further consultation be undertaken with the Wingham community regarding the options provided within this report for the replacement of Cedar Party Creek Bridge at Wingham.
2. That a further report be presented to Council to confirm the preferred option, allowing planning for the project to progress.

(Moved Cr B Christensen/Seconded Cr T Fowler)

That Council:

1. Adopts the existing alignment options.
 2. Now moves forward applying for grants available for this project.
 3. Contacts state government to inform them of our direction on this project.
-

An amendment was moved Cr P Epov/Seconded Cr K Bell

That Council:

1. Adopts the existing alignment options.
2. Now moves forward applying for grants available for this project.
3. Contacts state government to inform them of our direction on this project.
4. Examines the opportunity to retain the existing bridge as a tourism attraction.

FOR VOTE - Cr K Bell, Cr P Epov

AGAINST 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

ABSENT. DID NOT VOTE - Nil

The amendment was put to the vote and lost.

Council then returned to the motion moved by Cr B Christensen/Seconded Cr T Fowler

That Council:

1. Adopts the existing alignment options.
2. Now moves forward applying for grants available for this project.
3. Contacts state government to inform them of our direction on this project.

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

373/19 RESOLUTION

(Moved Cr B Christensen/Seconded Cr T Fowler)

That Council:

1. Adopts the existing alignment options.
2. Now moves forward applying for grants available for this project.
3. Contacts state government to inform them of our direction on this project.

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

DIRECTOR CORPORATE SERVICES

23 DELEGATION OF EXPENDITURE OVER \$500,000

Report Author Russell Wallace, Procurement Coordinator
File No. / ECM Index Finance/Contracts
Date of Meeting 23 October 2019
Authorising Director Steve Embry – Director Corporate Services

RECOMMENDATION

That the report be noted and future reports pertaining to the exercise of this delegation be reported in conjunction with the Quarterly Budget Review.

374/19 RESOLUTION

(Moved Cr K Hutchinson/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

24 TABLING OF DISCLOSURE OF INTERESTS RETURN REGISTER 2019

Report Author Rob Griffiths, Manager Governance
File No. / ECM Index Councillors/Staff Annual Disclosure of Interest Register
Date of Meeting 23 October 2019
Authorising Director Steve Embry, Director Corporate Services

RECOMMENDATION

That the tabling of the register of Disclosure of Interest Returns for Councillors and Designated Persons be noted.

375/19 RESOLUTION

Moved by Cr K Bell/Seconded Cr L Roberts

That Council:

1. Notes the report.
2. Directs the General Manager to not publish the disclosures on the website.
3. Lobby the Minister for Local Government and relevant authorities objecting to the IPC Guideline 1 that requires Councils to publish disclosure of interest forms on its website.

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

25 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 23 October 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.

376/19 RESOLUTION

(Moved Cr D Keegan/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 J McWilliams, Cr T Fowler, Cr K Hutchinson

AGAINST VOTE - Cr K Bell, Cr P Epov

ABSENT. DID NOT VOTE - Nil

26 INVESTMENTS REPORT - SEPTEMBER 2019

Report Author Phil Brennan, Manager Finance
File No. / ECM Index Investments - Monthly Reports
Date of Meeting 23 October 2019
Authorising Director Steve Embry, Director Corporate Services

RECOMMENDATION

That the report be received and noted.

377/19 RESOLUTION

(Moved Cr C Pontin/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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

This is the last page of the Minutes of the Ordinary Council meeting of MidCoast Council held on 23 October 2019.

There being no further business, the meeting closed at 5:08pm.



CHAIRPERSON
Mayor David West