



Minutes of Ordinary Meeting

held at Yalawanyi Ganya, 2 Biripi Way, Taree South

Wednesday, 25 May 2022 at 2:00 PM

The order of the business will be as detailed below (subject to variation by Council):

1. Opening meeting
2. Acknowledgment of Traditional Custodians
3. Prayer
4. Special Activity
5. Apologies or Applications for leave of absence
6. Confirmation of Minutes
7. Disclosures of Interest
8. Mayoral Minute(s)
9. Notices of Rescission
10. Notices of Motions
11. Questions with Notice
12. Reports to Council
13. Matters of urgent business
14. Confidential matters
15. Close of meeting

A handwritten signature in cursive script, appearing to read "Panuccio".

Adrian Panuccio

General Manager

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MINUTES

Minutes of the Ordinary Meeting of the MidCoast Council held at the Yalawanyi Ganya Council Chambers, 2 Biripi Way, Taree South on 25 May 2022 commencing at 1:58pm.

COUNCILLORS PRESENT

Mayor Claire Pontin

Deputy Mayor Alan Tickle

Cr Kathryn Bell

Cr Troy Fowler

Cr Peter Howard

Cr Jeremy Miller

Cr Dheera Smith

Cr David West

Absent from Meeting – Cr Peter Epov, Cr Katheryn Smith, Cr Paul Sandilands

STAFF PRESENT

General Manager – Adrian Panuccio

Director Corporate Services – Steve Embry

Director Liveable Communities – Paul De Szell

Director Infrastructure & Engineering Services – Rob Scott

Minute Takers - Corporate Support Officers – Kristy Burns & Korryn Knight

Staff – Coordinator Governance – Kathy Duggan

Staff – Manager Engagement, Communication & Education - Marcelle Boyling

Staff – Senior Technical Delivery Officer – Peter Cottam

The following document is the Minutes of the Ordinary meeting held on 25 May 2022.

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.

WELCOME

Welcome everyone. I'm Claire Pontin, the Mayor of MidCoast Council.

Council will be observing current requirements relating to Social Distancing and Hygiene.

Members of the public are be able to attend the meeting in person or listen to the meeting through a weblink on Council's website.

The meeting is being recorded and a copy of this recording will be placed on Council's website as soon as practicable after the meeting.

The meeting must not be recorded, distributed or circulated by others without the prior written consent of the council in accordance with the council's code of meeting practice.

ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Mayor read aloud the following statement:

I acknowledge the traditional custodians of the land on which we meet today, the Gathang-speaking people and pay my respects to all Aboriginal and Torres Strait Islander people who now reside in the MidCoast Council area. I extend my respect to elders past and present, and to all future cultural-knowledge holders.

PRAYER

The Mayor read the Local Government prayer.

SPECIAL ACTIVITY

Presentation to OAM recipient, Ms Felicity Jane Carter for her service to the community of the Great Lakes Region.

ATTENDANCE VIA AUDIO LINK

Cr A Tickle has requested to take part in today's meeting via audio visual link in accordance with Resolution 124/2021.

178/2022 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D West)

That Cr A Tickle be granted permission to take part in today's meeting via audio visual link.

FOR VOTE - Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands, Cr A Tickle

APOLOGIES OR APPLICATIONS FOR LEAVE OF ABSENCE

Council has received an application from Cr P Epov and Cr K Smith for a leave of absence from today's meeting.

179/2022 RESOLUTION

(Moved Cr C Pontin/Seconded Cr T Fowler)

That a leave of absence be granted for Cr P Epov and Cr K Smith.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

CONFIRMATION OF MINUTES

180/2022 RESOLUTION

(Moved Cr C Pontin/Seconded Cr J Miller)

That the Minutes of the 11th of May Ordinary Meeting, copies of which were distributed to Councillors, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

PETITIONS

Two petitions were tabled with Council as follows:

1. A petition regarding road access to Pacific Palms Tennis Club; and
2. A petition regarding a noise complaint on Chelmsbrook Drive, Idlewood Crescent & Red Oak Road, Rainbow Flat.

DISCLOSURES OF INTERESTS

| Councillor/Staff Member | Item and Subject | Nature of Interest |
|---|---|---|
| Paul De Szell – Director Liveable Communities | Item 14.3 – Kolodong Precinct Development Control Plan and Planning Agreement | Non Pecuniary Interest (Less than Significant) - The nature of the interest being that his Wife is employed as the Canteen Manager at Taree Christian College (where his children also attend) which is subject to the draft DCP. Mr De Szell elected to remain in the Chambers and participate in the meeting as required by his role. |

MAYORAL MINUTE

MidCoast Roads Strategic Plan

The state of roads within the MidCoast local government area has been declining for many decades.

The inability to sustainably fund services and infrastructure was a key element of the decision to form MidCoast Council by merging the former Gloucester, Great Lakes and Greater Taree City Councils

In 2016, it was identified that the three former Council entities that now comprise MidCoast Council had a combined roads infrastructure backlog of \$180m and that this backlog was growing by \$5m per year.

Following amalgamation, two separate programs were formed to invest in improving the condition of our roads network, resulting in additional total expenditure of \$31m through 2017-2022 and \$100m through 2017-2024. The latter program was funded by a Special Rate Variation increase of 5% (including the rate peg) each year for 4 years from 2017-2022.

Under the terms of the Grants for the \$100m program, this money was directed primarily towards regional roads renewals and virtually none was spent on our local roads network.

As a result of the poor state of the inherited road network, subsequent limited roads funding, and three years of above average flooding rains, the local roads network is now in need of considerable and very expensive remedial work.

There is no fast fix for this situation. What took decades to do, may take decades to undo.

The requested report will provide a basis for discussions with our communities about what constitutes acceptable road conditions and options for progressing this work.

In conjunction with this report, I am continuing to lobby both State and Federal Governments (and Opposition Governments) for increased funding for local government roads assets.

By supporting this body of work, the elected Council will be publicly acknowledging that much work needs to be done to address inadequate past decisions in relation to roads funding, and that this work needs to start now.

Motion

That Council notes the Mayor has called on staff to:

1. Prepare a Transport Asset Strategic Plan that:
 - a. Describes the current condition of MidCoast transport assets, including roads,
 - b. Explains the funding since merger to reduce the infrastructure backlog,
 - c. Identifies the current transport assets (including roads) infrastructure backlog,
 - d. Projects the changes in asset conditions over time based on the current and projected levels of transport assets funding,
 - e. Breaks these amounts into operational and capital costs for each of the various categories of roads, separated by funding source,
 - f. Proposes options for reverting the roads to a satisfactory standard,
 - g. Proposes appropriate ongoing road maintenance and renewal budgets to ensure, Council's roads assets do not continue to deteriorate faster than they are renewed, and
 - h. Identifies possible funding options and timelines for this work.
2. Provide this Report to a Council meeting in December 2022 with an interim report on progress in September 2022, noting the extensive work that will be required to prepare the report,
3. Amend the current budget and expenditure reporting format and timing to enable Council to:
 - a. approve clearly defined annual budgets for transport assets (including roads), broken down into maintenance, renewal and new capital projects,
 - b. enable quarterly monitoring of expenditure against those budgets, and
 - c. provide annual reports of the progress in reducing the transport assets backlog.
4. Commence this budgeting and reporting schedule by December 2022.

181/2022 RESOLUTION

(Moved Cr C Pontin)

That Council notes the Mayor has called on staff to:

1. Prepare a Transport Asset Strategic Plan that:
 - a. Describes the current condition of MidCoast transport assets, including roads,
 - b. Explains the funding since merger to reduce the infrastructure backlog,
 - c. Identifies the current transport assets (including roads) infrastructure backlog,
 - d. Projects the changes in asset conditions over time based on the current and projected levels of transport assets funding,

- e. Breaks these amounts into operational and capital costs for each of the various categories of roads, separated by funding source,
 - f. Proposes options for reverting the roads to a satisfactory standard,
 - g. Proposes appropriate ongoing road maintenance and renewal budgets to ensure, Council's roads assets do not continue to deteriorate faster than they are renewed, and
 - h. Identifies possible funding options and timelines for this work.
2. Provide this Report to a Council meeting in December 2022 with an interim report on progress in September 2022, noting the extensive work that will be required to prepare the report,
 3. Amend the current budget and expenditure reporting format and timing to enable Council to:
 - a. approve clearly defined annual budgets for transport assets (including roads), broken down into maintenance, renewal and new capital projects,
 - b. enable quarterly monitoring of expenditure against those budgets, and
 - c. provide annual reports of the progress in reducing the transport assets backlog.
 4. Commence this budgeting and reporting schedule by December 2022.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard
 AGAINST VOTE - Nil
 ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

10. NOTICE OF MOTION 1 – COUNCILLOR TROY FOWLER

| | |
|------------------------|-------------------------------|
| Author | Councillor Troy Fowler |
| Date of Meeting | 25 May 2022 |

NOTICE OF MOTION

That from July 2022, all Ordinary Council Meetings for 2022-2023 start at 5:30pm.

That Public and Open Forums to start immediately before the Ordinary Council Meetings.

Cr T Fowler withdrew his Motion.

182/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr P Howard)

That Item 16.3 – Loan Borrowings – 2021/2022 – MidCoast Council be brought forward on the agenda to be considered by Council, in accordance with clause 8.2 of Council's adopted Code of Meeting Practice.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard
 AGAINST VOTE - Nil
 ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16.3. LOAN BORROWINGS – 2021 – 2022 – MIDCOAST COUNCIL

| | |
|-----------------------------|---|
| Report Author | Phil Brennan, Manager Finance |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Corporate Services Director |

RECOMMENDATION

1. That this initial information be noted and following the tabling of actual offers that Council accept the most advantageous offer.
2. That the Common Seal of Council be affixed to the necessary loan documentation if required and that the General Manager be authorised to sign all loan documents.

Moved Cr P Howard/Seconded Cr D Smith

1. That Council accept the 10-year fixed rate offer received from the Commonwealth Bank of Australia for the General Fund borrowings of \$8.625 million (subject to any change in the rate).
2. That Council accept the 10-year fixed rate offer received from the National Australia Bank for the General Fund renewal borrowings of \$2,074,000 subject to the conversion of the loan product from a Business Market Loan to a Corporate Market Loan as recommended and subject to any change in the rate.
3. That the Common Seal of Council be affixed to the necessary loan documentation if required and that the General Manager be authorised to sign all loan documents.

183/2022 RESOLUTION

(Moved Cr P Howard/Seconded Cr D Smith)

1. That Council accept the 10-year fixed rate offer received from the Commonwealth Bank of Australia for the General Fund borrowings of \$8.625 million (subject to any change in the rate).
2. That Council accept the 10-year fixed rate offer received from the National Australia Bank for the General Fund renewal borrowings of \$2,074,000 subject to the conversion of the loan product from a Business Market Loan to a Corporate Market Loan as recommended and subject to any change in the rate.
3. That the Common Seal of Council be affixed to the necessary loan documentation if required and that the General Manager be authorised to sign all loan documents.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

11. QUESTIONS WITH NOTICE – COUNCILLOR P EPOV

Responses were provided as contained in the Business Paper.

12. CONSIDERATION OF OFFICERS' REPORTS:

13. GENERAL MANAGER:

13.1. MATTERS OUTSTANDING

| | |
|------------------------|---|
| Report Author | Adrian Panuccio, General Manager |
| Date of Meeting | 25 May 2022 |

RECOMMENDATION

That the report and Attachment 1 be noted.

184/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr K Bell)

That the report and Attachment 1 be noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14. DIRECTOR LIVEABLE COMMUNITIES

14.1. THE BIGHT CEMETERY – UPDATE 10

| | |
|------------------------|---|
| Report Author | Paul De Szell, Director Liveable Communities |
| Date of Meeting | 25 May 2022 |

RECOMMENDATION

That Council note the information provided in the report.

Moved Cr K Bell/Seconded Cr T Fowler

That Council note the information provided in the report and recognise that the May "Audit" will include all works undertaken to date.

185/2022 RESOLUTION

(Moved Cr K Bell/Seconded Cr T Fowler)

That Council note the information provided in the report and recognise that the May "Audit" will include all works undertaken to date.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.2. RURAL STRATEGY SUBMISSIONS – REZONING REQUESTS, VILLAGES AND URBAN RELEASE AREAS

| | |
|-----------------------------|--|
| Report Author | Alex Macvean - Senior Land Use Planner |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That Council endorse proposed amendments to the Draft Rural Strategy as documented within this report.

186/2022 RESOLUTION

(Moved Cr D West/Seconded Cr J Miller)

That Council endorse proposed amendments to the Draft Rural Strategy as documented within this report.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.3.KOLODONG PRECINCT DEVELOPMENT CONTROL PLAN AND PLANNING AGREEMENT

| | |
|-----------------------------|--|
| Report Author | Richard Pamplin - Principal Land Use Planner |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

1. That Council note the submissions received during the exhibition of the Draft Kolodong Precinct Development Control Plan as shown in Attachment 5.
2. That Council adopt Draft Part L13 of the Greater Taree Development Control Plan 2010 for the Kolodong Precinct, which has been amended following the exhibition period as shown in Attachment 2.
3. That Draft Part L13 of the Greater Taree Development Control Plan 2010 for the Kolodong Precinct becomes effective upon notification on Council's website.
4. That the draft Kolodong Estate Planning Agreement and Explanatory Note as shown in Attachment 4 be placed on public exhibition for 28 working days.
5. That should no objections be received during the exhibition period of the draft Kolodong Estate Planning Agreement, that it be adopted as exhibited and registered on the properties affected.

6. That the General Manager be delegated the function of authorising the Planning Agreement.
7. That should objections be received during the exhibition period of the draft Planning Agreement, or changes are proposed to the document (other than editorial), that this matter be reported back to Council for its consideration.

187/2022 RESOLUTION

(Moved Cr P Howard/Seconded Cr T Fowler)

1. That Council note the submissions received during the exhibition of the Draft Kolodong Precinct Development Control Plan as shown in Attachment 5.
2. That Council adopt Draft Part L13 of the Greater Taree Development Control Plan 2010 for the Kolodong Precinct, which has been amended following the exhibition period as shown in Attachment 2.
3. That Draft Part L13 of the Greater Taree Development Control Plan 2010 for the Kolodong Precinct becomes effective upon notification on Council's website.
4. That the draft Kolodong Estate Planning Agreement and Explanatory Note as shown in Attachment 4 be placed on public exhibition for 28 working days.
5. That should no objections be received during the exhibition period of the draft Kolodong Estate Planning Agreement, that it be adopted as exhibited and registered on the properties affected.
6. That the General Manager be delegated the function of authorising the Planning Agreement.
7. That should objections be received during the exhibition period of the draft Planning Agreement, or changes are proposed to the document (other than editorial), that this matter be reported back to Council for its consideration.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr T Fowler, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.4 TEA GARDENS HIGHWAY SERVICE CENTRE PLANNING PROPOSAL

| | |
|-----------------------------|--|
| Report Author | Aaron Kelly - Land Use Planner |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

Cr T Fowler left the meeting at 2:21pm

RECOMMENDATION

1. That Council accept the conclusions of the HillPDA Economic Impact Assessment for the Tea Gardens Highway Service Centre as outlined in Attachment 1, in that economic impacts both on Bulahdelah and Tea Gardens are acceptable and can be appropriately managed.

2. That Council request the proponent undertake the following further studies prior to further considering the Planning Proposal for seeking a Gateway Determination:
 - A Strategic Bush Fire Study
 - An Aboriginal Cultural Heritage Report
 - A Water and Sewer Servicing Strategy.
3. That a revised Planning Proposal be reported back to Council inclusive of the above studies.
4. That Council note the letter of offer from the proponent to enter into a Planning Agreement as detailed in Attachment 2.

Moved Cr J Miller /Seconded Cr D Smith

That Council not progress the Planning proposal and not seek a Gateway Determination from the NSW Department of Planning and Environment for the follow reasons:

1. The Planning Proposal is inconsistent with Ministerial Direction 7.3 Commercial and Retail Development along the Pacific Highway, North Coast (March 2022). Specifically, the subject site is not included in the listed localities for where the establishment of highway service centre is permitted and has not demonstrated that this inconsistency is only of “minor significance”.
2. The applicant has been requested to undertake negotiations with Transport for NSW in relation to accessing a future Highway Service Centre from the Station Creek Rest area. Without this matter being resolved and the proposal being supported by Transport for NSW, Council is not in a position to support the planning proposal.
3. No evidence has been provided to indicate that a Highway Service Centre on the site can be serviced by water or reticulated sewerage.
4. There are significant biodiversity issues identified in the Biodiversity Assessment Report that cannot be overcome by management through mechanisms such as a Planning Agreement.

188/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr D Smith)

That Council not progress the Planning proposal and not seek a Gateway Determination from the NSW Department of Planning and Environment for the follow reasons:

1. The Planning Proposal is inconsistent with Ministerial Direction 7.3 Commercial and Retail Development along the Pacific Highway, North Coast (March 2022). Specifically, the subject site is not included in the listed localities for where the establishment of highway service centre is permitted and has not demonstrated that this inconsistency is only of “minor significance”.
2. The applicant has been requested to undertake negotiations with Transport for NSW in relation to accessing a future Highway Service Centre from the Station Creek Rest area. Without this matter being resolved and the proposal being supported by Transport for NSW, Council is not in a position to support the planning proposal.

3. No evidence has been provided to indicate that a Highway Service Centre on the site can be serviced by water or reticulated sewerage.
4. There are significant biodiversity issues identified in the Biodiversity Assessment Report that cannot be overcome by management through mechanisms such as a Planning Agreement.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard
 AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands, Cr T Fowler

14.5 WASTE COLLECTION AND PROCESSING TENDER

| | |
|-----------------------------|--|
| Report Author | David Rees - Waste Manager |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That Council:

1. Advertise the Waste Collection and Processing Tender 3-4 months prior to the proposed tender release date to ensure visibility across the industry and promote a competitive tender process.
2. Tender for like for like services to mitigate service cost increases on residents.
3. Tender two (2) different Bulky Waste Service Options with the ability to opt in or out of the preferred service.
4. Include an option for road monitoring hardware/software to monitor road defects in the tender.
5. Present the Tuncurry Material Recycling Facility as the preferred option for yellow bin recycling and processing.
6. Encourage tenderers to offer alternate options for recycling and materials recovery if it provides a more efficient and cost-effective service for the MidCoast Community.
7. Endorse the following domestic waste services for the MidCoast community:
 - Standard base level service 3 bin option of 140L red bin, 240L green bin and 240L yellow bin.
 - Standard rural 2 bin service of 140L red bin and 240L yellow bin.
 - Weekly 240L commercial option for red bin and yellow bin.
 - 240L red bin option.
 - 360L yellow bin option.
 - 360L, 660L, 1100L, 1500L and 3000L Bulk Bins for MUDS and commercial services.
 - Alternate Collection Options to accommodate future changes for a FOGO service.
 - The following Bulky Waste Options be included in the Collections and Processing tender -

- a. One or more booked bulky waste kerbside collection, or
- b. Current yearly bulky waste collection process.
- c. Bulky Waste Voucher modelled by the Waste Services team.

189/2022 RESOLUTION

(Moved Cr D West/Seconded Cr P Howard)

That Council:

1. Advertise the Waste Collection and Processing Tender 3-4 months prior to the proposed tender release date to ensure visibility across the industry and promote a competitive tender process.
2. Tender for like for like services to mitigate service cost increases on residents.
3. Tender two (2) different Bulky Waste Service Options with the ability to opt in or out of the preferred service.
4. Include an option for road monitoring hardware/software to monitor road defects in the tender.
5. Present the Tuncurry Material Recycling Facility as the preferred option for yellow bin recycling and processing.
6. Encourage tenderers to offer alternate options for recycling and materials recovery if it provides a more efficient and cost-effective service for the MidCoast Community.
7. Endorse the following domestic waste services for the MidCoast community:
 - Standard base level service 3 bin option of 140L red bin, 240L green bin and 240L yellow bin.
 - Standard rural 2 bin service of 140L red bin and 240L yellow bin.
 - Weekly 240L commercial option for red bin and yellow bin.
 - 240L red bin option.
 - 360L yellow bin option.
 - 360L, 660L, 1100L, 1500L and 3000L Bulk Bins for MUDS and commercial services.
 - Alternate Collection Options to accommodate future changes for a FOGO service.
 - The following Bulky Waste Options be included in the Collections and Processing tender -
 - a. One or more booked bulky waste kerbside collection, or
 - b. Current yearly bulky waste collection process.
 - c. Bulky Waste Voucher modelled by the Waste Services team.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard
AGAINST VOTE - Nil
ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith Cr P Sandilands, Cr T Fowler

14.6 COMMUNITY DONATIONS

| | |
|-----------------------------|--|
| Report Author | Lyndie Hepple - Coordinator Community Development |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That donations totalling \$29,427 be allocated to the 15 organisations recommended by the Donations Assessment Panel, as detailed in this report.

190/2022 RESOLUTION

(Moved Cr D West/Seconded Cr P Howard)

That donations totalling \$29,427 be allocated to the 15 organisations recommended by the Donations Assessment Panel, as detailed in this report.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr T Fowler, Cr P Sandilands

Cr T Fowler returned to the meeting at 2:29pm

14.7 EVENTS AND FESTIVALS SPONSORSHIP – ROUND ONE 2022

| | |
|-----------------------------|---|
| Report Author | Deb Tuckerman - Manager Growth, Economic Development & Tourism |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That:

1. Council allocate event sponsorship under Round One of the Events and Festivals Sponsorship Program totalling \$75,100 as shown in Attachment 1 to this report.
2. Council carry-over any unexpended event sponsorship funds from 2021/22 to 2022/23 to support the recovery of local events post COVID.
3. Council review the way it provides support for future NAIDOC events.

191/2022 RESOLUTION

(Moved Cr D West/Seconded Cr A Tickle)

That:

1. Council allocate event sponsorship under Round One of the Events and Festivals Sponsorship Program totalling \$75,100 as shown in Attachment 1 to this report.
2. Council carry-over any unexpended event sponsorship funds from 2021/22 to 2022/23 to support the recovery of local events post COVID.
3. Council review the way it provides support for future NAIDOC events.
4. Council publish Confidential Attachment 1 to Item 14.7 on Council's website with appropriate redactions as necessary.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.8 CHILD SAFE ACTION PLAN

| | |
|-----------------------------|--|
| Report Author | Lyndie Hepple - Coordinator Community Development |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That the Child Safe Action Plan 2022-2026 provided in Attachment 1 be endorsed.

Moved Cr J Miller/Seconded Cr T Fowler

1. That the Child Safe Action Plan 2022-2026 be deferred to a meeting no later than December 2022
2. That the plan be reviewed to ensure that it can be realistically delivered.

192/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr T Fowler)

1. That the Child Safe Action Plan 2022-2026 be deferred to a meeting no later than December 2022
2. That the plan be reviewed to ensure that it can be realistically delivered.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.9 STATEWIDE ANNUAL STATISTICS – LIBRARY SERVICES

| | |
|-----------------------------|---|
| Report Author | Chris Jones - Manager Libraries & Community Services |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That the information provided in the report be noted.

193/2022 RESOLUTION

(Moved Cr D Smith/Seconded Cr K Bell)

That the information provided in the report be noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.10 COMMUNITY SPACES – MONTHLY CAPITAL WORKS PROJECT STATUS REPORT

| | |
|-----------------------------|--|
| Report Author | Peter Kennewell - Project Manager, Community Spaces |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That the Community Spaces Monthly Project Status Report be noted.

194/2022 RESOLUTION

(Moved Cr D West/Seconded Cr A Tickle)

That the Community Spaces Monthly Project Status Report be noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.11 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY – APRIL 2022

| | |
|------------------------|--|
| Report Author | Paul De Szell - Director Liveable Communities |
| Date of Meeting | 25 May 2022 |

RECOMMENDATION

That the report be noted.

195/2022 RESOLUTION

(Moved Cr P Howard/Seconded Cr J Miller)

That the report be noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

14.12 MATTERS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT

| | |
|-----------------------------|---|
| Report Author | Michelle Jobson – Executive Assistant Liveable Communities |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Paul De Szell - Director Liveable Communities |

RECOMMENDATION

That the report be noted.

196/2022 RESOLUTION

(Moved Cr P Howard/Seconded Cr D West)

That the report be noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

15. DIRECTOR OF INFRASTRUCTURE & ENGINEERING SERVICES

15.1. MONTHLY CAPITAL WORKS PROJECT STATUS REPORT

| | |
|-----------------------------|--|
| Report Author | Lorna Barber, Project Officer – Water Project Delivery Greg Blaze, Coordinator Project Delivery - Transport |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Robert Scott, Director Infrastructure & Engineering Services |

RECOMMENDATION

That the Monthly Project Status Report be received, and the recommended milestones/budgets be endorsed for the following projects:

- a) SCADA/Electrical Equipment and Instrument Renewal Program
- b) Smart Meter Installation Program

197/2022 RESOLUTION

(Moved Cr D West/Seconded Cr T Fowler)

That the Monthly Project Status Report be received, and the recommended milestones/budgets be endorsed for the following projects:

- a) SCADA/Electrical Equipment and Instrument Renewal Program
- b) Smart Meter Installation Program

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

15.2. WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT

| | |
|------------------------|---|
| Report Author | Robert Scott, Director Infrastructure & Engineering Services |
| Date of Meeting | 25 May 2022 |

RECOMMENDATION

That the Water and Wastewater Monthly Performance Report for April 2022 be received and noted.

198/2022 RESOLUTION

(Moved Cr D West/Seconded Cr A Tickle)

That the Water and Wastewater Monthly Performance Report for April 2022 be received and noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

15.3. UNDERGROUNDING POWER IN URBAN PRECINCTS

| | |
|-----------------------------|---|
| Report Author | Peter Gesling, A/Manager Projects and Engineering |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Robert Scott, Director Infrastructure and Engineering Services |

RECOMMENDATION

It is recommended that;

1. The requirements of resolution MIN No. 306 of the 13 December 2005 Ordinary Meeting of the former Great Lakes Council for *Undergrounding of Power in Urban Precincts* no longer apply.
2. The conditions of consent for proposed developments consider the requirements to underground power on a case by case basis dependant on the scale and type of development
3. Undergrounding power is considered as part of any Council led CBD beautification project.

199/2022 RESOLUTION

(Moved Cr K Bell/Seconded Cr T Fowler)

It is recommended that;

1. The requirements of resolution MIN No. 306 of the 13 December 2005 Ordinary Meeting of the former Great Lakes Council for *Undergrounding of Power in Urban Precincts* no longer apply.
2. The conditions of consent for proposed developments consider the requirements to underground power on a case by case basis dependant on the scale and type of development
3. Undergrounding power is considered as part of any Council led CBD beautification project.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

15.4. WATER USAGE, WATER RESOURCES AND THE OUTLOOK AHEAD

| | |
|-----------------------------|---|
| Report Author | Chenxi Zeng, Manager Water Management & Treatment |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Robert Scott, Director Infrastructure and Engineering Services |

RECOMMENDATION

That the report on water usage, water resources and the outlook for May to August 2022 be received and noted.

200/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr D West)

That the report on water usage, water resources and the outlook for May to August 2022 be received and noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16. DIRECTOR OF CORPORATE SERVICES

16.1. CASH INVESTMENTS REPORT – APRIL 2022

| | |
|-----------------------------|---|
| Report Author | Phil Brennan, Manager Finance |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Director Corporate Services |

RECOMMENDATION

That the report be received and noted.

201/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr D West)

That the report be received and noted.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16.2. QUARTERLY BUDGET REVIEW STATEMENT – MARCH 2022

| | |
|-----------------------------|---|
| Report Author | Phil Brennan, Manager Finance |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Director Corporate Services |

RECOMMENDATION

That the Quarterly Budget Review Statement for the period to 31 March 2022 be noted and the budget variations proposed, including transfers to and from reserves be approved.

202/2022 RESOLUTION

(Moved Cr P Howard/Seconded Cr D West)

That the Quarterly Budget Review Statement for the period to 31 March 2022 be noted and the budget variations proposed, including transfers to and from reserves be approved.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16.4. REPAYMENT OF COMMONWEALTH BANK LOAN

| | |
|-----------------------------|---|
| Report Author | Phil Brennan, Manager Finance |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Corporate Services Director |

RECOMMENDATION

That Council make a lump sum payment of \$5,621,000 to the Commonwealth Bank of Australia in respect of Loan 457 from proceeds of property sales as set out in the report in accordance with the Biripi Way Financing Strategy.

203/2022 RESOLUTION

(Moved Cr T Fowler/Seconded Cr D West)

That Council make a lump sum payment of \$5,621,000 to the Commonwealth Bank of Australia in respect of Loan 457 from proceeds of property sales as set out in the report in accordance with the Biripi Way Financing Strategy.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16.5. 2021 – 2022 MONTHLY BUDGET VARIATION REPORT – APRIL 2022

| | |
|-----------------------------|---|
| Report Author | Phil Brennan, Manager Finance |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Corporate Services Director |

RECOMMENDATION

That the monthly budget variation report for April 2022 be noted and the budget variations proposed, including transfers to and from reserves be approved.

204/2022 RESOLUTION

(Moved Cr D West/Seconded Cr P Howard)

That the monthly budget variation report for April 2022 be noted and the budget variations proposed, including transfers to and from reserves be approved.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16.6. EXTENSION OF YMCA AQUATIC CENTRE MANAGEMENT CONTRACTS

| | |
|-----------------------------|---|
| Report Author | David Guest - Legal Services Coordinator |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Director Corporate Services |

RECOMMENDATION

That Council:

1. Extends the current management agreements with YMCA for a period of twelve months from 1 July 2022 without running a tender process, noting that this extension is made under the provisions of Section 55(3)(i) of the Local Government Act and supported by the reasons set out in this report.
2. Authorises the General Manager to execute all relevant agreements.

205/2022 RESOLUTION

(Moved Cr D West/Seconded Cr P Howard)

That Council:

1. Extends the current management agreements with YMCA for a period of twelve months from 1 July 2022 without running a tender process, noting that this extension is made under the provisions of Section 55(3)(i) of the Local Government Act and supported by the reasons set out in this report.
2. Authorises the General Manager to execute all relevant agreements.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

16.7. PROPERTY ACQUISITION OF LAND FOR PUBLIC ROAD – WINGHAM ROAD, WINGHAM

| | |
|-----------------------------|---|
| Report Author | John White, Roads Property Officer |
| Date of Meeting | 25 May 2022 |
| Authorising Director | Steve Embry, Director Corporate Services |

RECOMMENDATION

1. That Proposed Lots 3, 4, and 6 of Acquisition Plan A be acquired for the purpose of public road in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and the Roads Act 1993,

2. That Easement for water mains be acquired within Proposed Lot 11 of Acquisition Plan A and registered at NSW Land Registry Services,
3. That compensation be provided to the landowners as detailed in Confidential Attachment 2 (*Section 10A(2)(c) Local Government Act 1993*), and
4. That any documentation be signed as required to complete the acquisitions and easement.

206/2022 RESOLUTION

(Moved Cr P Howard/Seconded Cr T Fowler)

1. That Proposed Lots 3, 4, and 6 of Acquisition Plan A be acquired for the purpose of public road in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and the Roads Act 1993,
2. That Easement for water mains be acquired within Proposed Lot 11 of Acquisition Plan A and registered at NSW Land Registry Services,
3. That compensation be provided to the landowners as detailed in Confidential Attachment 2 (*Section 10A(2)(c) Local Government Act 1993*), and
4. That any documentation be signed as required to complete the acquisitions and easement.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

207/2022 RESOLUTION

(Moved Cr J Miller/Seconded Cr S Howard)

That a leave of absence be granted for Cr P Sandilands.

FOR VOTE - Cr A Tickle, Cr J Miller, Cr C Pontin, Cr D West, Cr D Smith, Cr K Bell, Cr P Howard, Cr T Fowler

AGAINST VOTE - Nil

ABSENT, DID NOT VOTE - Cr P Epov, Cr K Smith, Cr P Sandilands

17. CONFIDENTIAL REPORTS

Nil.

18. MATTERS OF URGENT BUSINESS

Nil.

19. MEETING CLOSED

The Meeting closed at 2:56pm.