



## **Minutes of the Ordinary Council Meeting**

**held at the Council Chambers  
2 Pulteney Street, Taree**

**22 August 2018**

A handwritten signature in dark ink, appearing to read "Panuccio", is written over a light grey rectangular background.

Adrian Panuccio  
**General Manager**

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Minutes of the Ordinary Meeting of the MidCoast Council held at the Council Chambers,  
2 Pulteney Street, Taree on 22 August 2018 commencing at 2.00pm.

## **PRESENT**

Present: 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 K Hutchinson, Cr P Epov

## **IN ATTENDANCE**

General Manager - Adrian Panuccio  
Director Community Spaces & Services, Acting Director Planning & Natural Systems  
- Paul De Szell  
Director Corporate & Business Systems - Steve Embry  
Acting Director Engineering & Infrastructure Services - Rhett Pattison  
Director Water Services - Brendan Guiney  
Minute Taker - Corporate Support Officer - Lynette Hickey

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The following document is the Minutes of the Ordinary meeting held on 22 August 2018.

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

Please refer to the Minutes of the next available Ordinary meeting.

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2BOB Radio recorded the proceedings of the meeting for later broadcast.

The Mayor 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."

## **NBN and Prime TV Recording**

### **223/18 RESOLUTION**

(Moved Cr J McWilliams/Seconded Cr D Keegan)

That NBN News and Prime TV News be approved to record today's Council meeting

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

### **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.

### **SPECIAL ACTIVITY IF REQUIRED**

Nil.

### **APOLOGIES OR APPLICATIONS FOR LEAVE OF ABSENCE**

An apology was tendered by Cr Brad Christensen

### **224/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr L Roberts)

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

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

### **CONFIRMATION OF MINUTES OF MEETING 25 JULY 2018**

### **RECOMMENDATION**

That the Minutes of the Ordinary meeting of 25 July 2018, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

### **225/18 RESOLUTION**

(Moved Cr J McWilliams/Seconded Cr L Roberts)

That the above recommendation be adopted.

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

**DECLARATION OF PECUNIARY OR CONFLICTS OF INTEREST (NATURE OF INTEREST TO BE DISCLOSED)**

Councillor/Staff Member	Item and Subject	Nature of Interest
Cr K Hutchinson	Item 3 - DA 2013-2294-02 - Modification of Approved Free-Range Layer Farm	Pecuniary interest, the nature of the interest being my family are free range egg farmers. Although not a current business relationship, there could be in the future. Cr Hutchinson elected to leave the meeting and take no part in discussions or voting.
Cr K Bell	Item 18 - Water Services Infrastructure Project Status Reports	Pecuniary interest, the nature of the interest being my business is providing service for one of the projects contained in the report. We were contracted prior to MidCoast Water Services & Council merging. Cr Bell elected to leave the meeting and take no part in discussions or voting.

**MAYORAL MINUTE(S)**

Nil.

**PETITIONS**

**Council has received two petitions:**

**Petition 1 - Parking of Heavy Vehicles in Leo Street, Tuncurry.**

Petition 1 contains 34 signatories and requests Council prohibits parking of heavy vehicles in Leo Street, Tuncurry.

**226/18 RESOLUTION**

(Moved Cr P Epov/Seconded Cr K Hutchinson)

That the petition be received and referred to the appropriate Council Officers for response.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

**Petition 2 - Abandon the Destination Name "Barrington Coast"**

Petition 2 contains 431 signatories and requests Council abandon the destination name "Barrington Coast" and consult with residents and ratepayers of the MidCoast Council area on any future proposals for destination names to the geographic area covered by MidCoast Council.

## **227/18 RESOLUTION**

(Moved Cr T Fowler/Seconded Cr J McWilliams)

That the petition be received and referred to the appropriate Council Officers for response.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

## **NOTICE OF PUBLIC SPEAKERS SPEAKING TO ITEMS ON THE AGENDA**

## **228/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr P Epov)

That members of the public who have received approval to address Council, be allowed to do so.

VOTE 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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

## **229/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr J McWilliams)

That the order of the Agenda be changed to allow Item 19 - Rescission Motion - Destination Name - MidCoast Destination Brand Strategy to be considered as the first item of business and also Item 20 - Question with Notice of Which Due Notice has Been Given.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

## **Item 19 - Rescission Motion - Destination Name - MidCoast Destination Brand Strategy**

- Paul Murrell - speaking in support of the Rescission Motion

## **230/18 RESOLUTION**

(Moved Cr P Epov/Seconded Cr J McWilliams)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- John Fletcher - speaking in support of the Rescission Motion

### **231/18 RESOLUTION**

(Moved Cr P Epov/Seconded Cr T Fowler)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Paul Broadhurst - speaking in support of the Rescission Motion

### **232/18 RESOLUTION**

(Moved Cr P Epov/Seconded Cr K Smith)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Anne Reynolds - speaking in support of the Rescission Motion

### **233/18 RESOLUTION**

(Moved Cr T Fowler/Seconded Cr L Roberts)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Jan Ross - speaking in support of the Rescission Motion

### **234/18 RESOLUTION**

(Moved Cr P Epov/Seconded Cr K Smith)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Jim Morwitch - speaking in support of the Rescission Motion

### **235/18 RESOLUTION**

(Moved Cr T Fowler/Seconded Cr L Roberts)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Bruce Parsons - speaking in support of the Rescission Motion

### **236/18 RESOLUTION**

(Moved Cr P Epov/Seconded Cr T Fowler)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Christine Stanton - speaking in support of the Rescission Motion

### **237/18 RESOLUTION**

(Moved Cr T Fowler/Seconded Cr P Epov)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

- Wendy Hughes - speaking against the Rescission Motion

### **238/18 RESOLUTION**

(Moved Cr T Fowler/Seconded Cr L Roberts)

That the speaker be given an extension of time for another two minutes.

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 K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

## **NOTICES OF MOTION - RESCISSION**

### **19 RESCISSION MOTION OF WHICH DUE NOTICE HAS BEEN GIVEN**

**Report Author            Rob Griffiths, Manager Governance**

#### **Notice of Rescission by Councillors McWilliams, Bell and Epov**

(Moved Cr P Epov/Seconded Cr K Bell)

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

FOR VOTE - Cr D West, Cr K Smith, 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 - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

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

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

AGAINST VOTE - Cr D West, Cr L Roberts, Cr D Keegan, Cr C Pontin, Cr T Fowler,  
Cr K Hutchinson

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

The Rescission Motion was lost.

### **239/18 RESOLUTION**

That the Resolution passed at the MidCoast Council Meeting of 25 July 2018 under the Staff Report 12 "Destination Name - MidCoast Destination Brand Strategy":

*That "Barrington Coast" be endorsed as the "Destination Name" for the geographic area covered by MidCoast Council.*

be rescinded.

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

AGAINST VOTE - Cr D West, Cr L Roberts, Cr D Keegan, Cr C Pontin, Cr T Fowler,  
Cr K Hutchinson

ABSENT. DID NOT VOTE - Cr B Christensen

PRESENT. DID NOT VOTE - Nil

The Rescission Motion was lost.

At 3.23pm Council adjourned the meeting.

At 3.37pm Council reconvened

## **240/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr C Pontin)

That Councillor D Keegan be excused from the meeting and that leave be granted.

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

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan

PRESENT. DID NOT VOTE - Nil

*Councillor D Keegan left the meeting at 3.38pm.*

### **QUESTIONS WITH NOTICE**

#### **20 QUESTION WITH NOTICE - COUNCIL'S DESTINATION BRAND PROJECT**

**Report Author                      Councillor K Bell**

##### **QUESTION:**

In relation to Council's Destination Brand Project:

- a. What are the total costs associated with the project?
- b. What is the breakup of the costs spent to date?
- c. What are the estimated, potential additional costs?

Director Community Spaces and Services advised the following in relation to Council's Destination Brand Naming Project:

- a. What are the total costs associated with the project?
  - Total Project Cost - \$98,840
  - It should be noted that the above costs are split between Destination Marketing Store \$65k (approximately) (consultants who presented to Council) and Heath and Hoff \$33k (approximately) (local design company) as it was a joint request for quotation.
- b. What is the breakup of the costs spent to date?
  - To date \$73,000 has been spent out of the total project cost of \$98,840.
- c. What are the estimated, potential additional costs?

The remaining \$25,840 will be required to be spent following Council's previous decision from the Rescission motion.

## **241/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr C Pontin)

That the order of the Agenda be changed to allow Item 12 - 2 Biripi Way, Taree, Office Relocation Investigations Update report to be considered next.

FOR VOTE - Cr D West, Cr L Roberts, Cr C Pontin, Cr K Bell, Cr T Fowler, Cr K Hutchinson

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

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan

PRESENT. DID NOT VOTE - Nil

### **NOTICE OF PUBLIC SPEAKERS SPEAKING TO ITEMS ON THE AGENDA (Cont'd)**

#### **Item 12 - 2 Biripi Way, Taree, Office Relocation Investigations Update**

- Katrina Strick - speaking in support of the recommendation

### **DIRECTOR CORPORATE & BUSINESS SYSTEMS**

#### **12 2 BIRIPI WAY, TAREE, OFFICE RELOCATION INVESTIGATIONS UPDATE**

Report Author                      Steve Embry, Director Corporate and Business Systems

## **242/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr C Pontin)

That Councillors P Epov, J McWilliams, K Bell be excused from the meeting and that leave be granted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

*Councillors P Epov, J McWilliams and K Bell left the meeting at 3.51pm.*

### **RECOMMENDATION**

That Council:

1. Note the contents of this report regarding the status of the Initiation Phase of the project.
2. Note that at this stage in the investigations, the Project is feasible having regard to the investigations undertaken to date on Council's behalf.
3. Approve the preparation of a financing strategy to be presented to Council at a subsequent Council meeting for consideration and approval before proceeding further to the next stage of the Project.

## **243/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr C Pontin)

That the above recommendation be adopted

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

AGAINST VOTE - Cr K Smith

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

### **NOTICE OF PUBLIC SPEAKERS SPEAKING TO ITEMS ON THE AGENDA (Cont'd)**

#### **3 DA 2013-2294-02 - MODIFICATION OF APPROVED FREE-RANGE LAYER FARM Report Author Lisa Proctor, Consultant Town Planner**

*Cr Karen Hutchinson having declared a pecuniary interest left the chamber.*

*As Council no longer has a quorum, this matter will be deferred to 12 September 2018 Strategic Meeting. The below speakers were given the option to address now or come back to 12 September meeting. The speakers were advised by the Chairperson as there is no quorum, this matter cannot be finalised today but they still chose to address:*

- Warren Wilson - speaking against the recommendation
- Leanne Wilson - speaking against the recommendation
- David Ireland - speaking in support of the recommendation

*Cr Karen Hutchinson returned to the meeting.*

### **REPORTS TO COUNCIL:**

#### **GENERAL MANAGER**

##### **1 MATTERS OUTSTANDING**

Report Author Adrian Panuccio, General Manager

#### **RECOMMENDATION**

That the report and Annexure A be noted.

## **244/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr K Hutchinson)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr P Epov,  
Cr D Keegan

PRESENT. DID NOT VOTE - Nil

## **2 GENERAL MANAGER - PERFORMANCE MANAGEMENT**

**Report Author**                      **Adrian Panuccio, General Manager**

### **RECOMMENDATION**

1. That Council establish the General Manager's Performance Review Panel (the Panel) and nominate three (3) Councillors, with two of those Councillors being the Mayor and Deputy Mayor, to participate on the Panel.
2. That Council ask the General Manager to nominate one (1) Councillor to participate on the Panel.
3. That Council delegate the whole process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.
4. That Council engages Local Government Management Solutions (LGMS) to provide necessary training to the Panel; assist the Panel in establishing the General Manager's Performance Agreement; and facilitate the first performance review.
5. That Council's Manager of Human Resources be appointed as secretariat to the Panel.

### **245/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr T Fowler)

1. That Council establish the General Manager's Performance Review Panel (the Panel) and nominate three (3) Councillors, with those Councillors being the Mayor, Deputy Mayor and Councillor K Hutchinson to participate on the Panel.
2. That Council ask the General Manager to nominate one (1) Councillor to participate on the Panel.
3. That Council delegate the whole process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.
4. That Council engages Local Government Management Solutions (LGMS) to provide necessary training to the Panel; assist the Panel in establishing the General Manager's Performance Agreement; and facilitate the first performance review.
5. That Council's Manager of Human Resources be appointed as secretariat to the Panel.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr K Bell, Cr J McWilliams, Cr P Epov,  
Cr D Keegan

PRESENT. DID NOT VOTE - Nil

## **ACTING DIRECTOR PLANNING & NATURAL SYSTEMS**

### **4 ALTERATIONS & ADDITIONS - 13 BARROMEY WAY, NORTH ARM COVE**

**Report Author**                **David Underwood - District Building Surveyor**

#### **RECOMMENDATION**

It is recommended that Development Application 383/2018 for substantial alterations and additions to a dwelling house on Lot 567, DP 9938, No. 13 Barromey Way, North Arm Cove be approved in accordance with the conditions of consent contained in Annexure A.

#### **246/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr L Roberts)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,

Cr P Epov

PRESENT. DID NOT VOTE - Nil

### **5 OBJECTION TO APPLICATION OF REGULATIONS - MANUFACTURED HOME ESTATE - LEWIS ST, OLD BAR**

**Report Author**                **Malcolm Hunter - Environmental Health Coordinator**

#### **RECOMMENDATION**

It is recommended that the application seeking a variation to the Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Moveable dwellings) Regulation 2005, (the Regulation) under the provisions of Section 82 of the Local Government Act 1993 (LGA), for the manufactured homes estate at Lot 1 DP 594864 Lewis Street, Old Bar be determined in the following manner:

1. That Council support the objection to clause 36 and clause 41 of the Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Moveable dwellings) Regulation 2005 and seek the concurrence of the Departmental Chief Executive.
2. Should concurrence be obtained from the Chief Executive, an approval to operate be issued subject to any conditions recommended by the Departmental Chief Executive, as well as the special conditions contained in Annexure A.

#### **247/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr C Fowler)

That the above recommendation be adopted.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,

Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **6 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY - JULY 2018**

**Report Author**                **Paul De Szell, Acting Director - Planning & Natural Systems**

### **RECOMMENDATION**

It is recommended that the information be noted.

### **248/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr K Smith)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **7 LIST OF MATTERS CURRENTLY BEFORE THE COURT**

**Report Author**                **Paul De Szell - Acting Director Planning & Natural Systems**

### **RECOMMENDATION**

That the information be noted.

### **249/18 RESOLUTION**

(Moved Cr K Smith/Seconded Cr K Hutchinson)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **ACTING DIRECTOR ENGINEERING & INFRASTRUCTURE**

## **8 PROPOSED ELECTRIC VEHICLE RECHARGE STATION - NABIAC**

**Report Author**                **Scott Nicholson, Manager Transport Assets**

### **RECOMMENDATION**

It is recommended that Council support the proposed electric vehicle recharge station in NABIAC Street, NABIAC in principle and delegate authority to the General Manager to continue negotiations with the NRMA and execute an agreement for the installation and operation of the electric vehicle recharge station.

## **250/18 RESOLUTION**

(Moved Cr K Smith/Seconded Cr C Pontin)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **9 CAPITAL WORKS REPORT - AUGUST**

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

### **RECOMMENDATION**

That Council note the information in this report.

## **251/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr K Smith)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **DIRECTOR COMMUNITY SPACES & SERVICES**

## **10 DURALIE COMMUNITY FUND**

**Report Author**                      **Lyndie Hepple, Coordinator, Community Strengthening**

### **RECOMMENDATION**

It is recommended that:

1. Funding of \$86,300 be allocated to the four organisations recommended by the Assessment Panel, in accordance with Duralie Community Fund Guidelines and as detailed in this report; and
2. Given the heritage considerations associated with the St Columbanus Church proposed works:
  - the St Columbanus Church application be approved in principle, pending the outcome of heritage assessments associated with the proposed works as well as receipt of revised quotations for those work;
  - the above-mentioned heritage assessments be undertaken by Council's Heritage Advisor and one other independent consultant, with costs to be funded by the Duralie Community Fund; and
  - revised quotations for proposed works, in line with heritage assessments, be submitted for further Assessment Panel consideration and report to Council.

## **252/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr L Roberts)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

### **11 NAMING OF RESERVE AREA - CHANNEL CLOSE BOHNOCK**

**Report Author - Brock Simpson - Recreation Officer**

#### **RECOMMENDATION**

That Council:

1. Approve in principle, the proposal to name the Boat ramp and car park facility at Channel Close Bohnock, Lot 3, and DP 1231668 as "Boyaze Reserve" and advertise the proposed naming for a period of 28 days.
2. If no submissions are received by the end of this period it is recommended that the naming proposal be adopted.

## **253/18 RESOLUTION**

(Moved Cr K Smith/Seconded Cr L Roberts)

In relation to the proposal to name the Boat Ramp, that consultation be held with the community to bring naming suggestions back to Council.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

#### **DIRECTOR CORPORATE & BUSINESS SYSTEMS**

### **13 OPERATIONAL PLAN REVIEW 1 JULY 2017 - 30 JUNE 2018**

**Report Author            Adrian Pryke, Integrated Planning and Reporting Officer**

#### **RECOMMENDATION**

1. That the annual review of the MidCoast Council 2017-18 Operational Plan be noted.
2. That the six-month review of Water Services (formerly MidCoast Water) 2017-2021 Delivery Program be noted.

## **254/18 RESOLUTION**

(Moved Cr C Pontin/Seconded Cr K Hutchinson)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **14 APPROVAL OF EXPENDITURE - 2017/2018 BUDGET ITEMS RE-VOTED INTO 2018/2019 BUDGET**

**Report Author**            **Phil Brennan, Manager Finance**

### **RECOMMENDATION**

That the amounts set out in Attachment A be re-voted into the 2018/2019 budget.

## **255/18 RESOLUTION**

(Moved Cr C Pontin/Seconded Cr K Smith)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **15 INVESTMENTS REPORT - JULY 2018**

**Report Author**            **Phil Brennan, Manager Finance**

### **RECOMMENDATION**

That the report be received and noted.

## **256/18 RESOLUTION**

(Moved Cr C Pontin/Seconded Cr T Fowler)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **16 ATTENDANCE AT CITIES POWER PARTNERSHIP SUMMIT 2018**

**Report Author**                      **Rob Griffiths, Manager Governance**

### **RECOMMENDATION**

1. To approve Cr Pontin to attend the Summit.
2. Determine the number of and names of other Councillors approved to attend the Summit.

### **257/18 RESOLUTION**

(Moved Cr K Smith/Seconded Cr K Hutchinson)

That Council approve Cr Pontin to attend the Summit.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

### **DIRECTOR WATER SERVICES**

## **17 WATER SERVICES EXECUTIVE MONTHLY PERFORMANCE REPORT - JULY 2018**

**Report Author**                      **Brendan Guiney – Director Water Services**

### **RECOMMENDATION**

MidCoast Water Services Executive Monthly Performance Report for July 2018 be received and noted.

### **258/18 RESOLUTION**

(Moved Cr C Pontin/Seconded Cr K Smith)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **18 WATER SERVICES INFRASTRUCTURE PROJECT STATUS REPORTS**

**Report Author**                      **Brendan Guiney, Director Water Services**

### **RECOMMENDATION**

That Council receive and note the Infrastructure Project Status Reports.

## **259/18 RESOLUTION**

(Moved Cr K Hutchinson/Seconded Cr L Roberts)

That the above recommendation be adopted

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **260/18 RESOLUTION**

(Moved Cr C Pontin/Seconded Cr T Fowler)

That Council move into Closed Council (Confidential Section of Ordinary Meeting) (Meeting Closed to the Public) to discuss the items listed in the report (4.35pm).

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

## **261/18 RESOLUTION**

(Moved Cr T Fowler/Seconded Cr K Hutchinson)

That the press and public be removed from the gallery for the duration of Closed Council

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

PRESENT. DID NOT VOTE - Nil

Upon resuming into Open Council at 4.42pm the Chairperson reported that the following resolutions had been passed.

## **CONFIDENTIAL MATTERS**

### **21 CROWDY HEAD RESERVOIR, GEOFFREY STREET, CROWDY HEAD PROPOSED LEASE TO MARINE RESCUE NSW**

**Report Author            Jessica Gralton, Property & Land Acquisition Officer**

## **REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

*(d) commercial information of a confidential nature that would, if disclosed:*

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- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret,*

## **262/18 RESOLUTION**

(Moved Cr L Roberts/Seconded Cr T Fowler)

1. Council enter into a Lease with Marine Rescue NSW for a term of up to twenty (20) years.
2. Council impose conditions consistent with Council's adopted Leasing/Licencing of Council Land & Buildings Policy.

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr B Christensen, Cr D Keegan, Cr K Bell, Cr J McWilliams,  
Cr P Epov

## **MATTERS OF URGENT BUSINESS**

Nil.

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This is the last page of the Minutes of the Ordinary Council meeting of MidCoast Council held on 22 August 2018.

There being no further business, the meeting closed at 4.45pm.

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**CHAIRPERSON**