



Minutes of the Ordinary Council Meeting

**held at the Council Chambers
89 King Street, Gloucester**

28 March 2018

A handwritten signature in black ink, appearing to read "Steve Embry", is written over a horizontal line. The signature is stylized and extends downwards and to the right.

Steve Embry
Acting General Manager

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Minutes of the Ordinary Meeting of the MidCoast Council held at the Council Chambers, 89 King Street, Gloucester on 28 March 2018 commencing at 2.00pm.

PRESENT

Present: Mayor 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

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

The following document is the Minutes of the Ordinary meeting held on 28 March 2018.

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

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

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."

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.

DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST

Councillor/Staff Member	Item and Subject	Nature of Interest
Steve Embry - Acting General Manager	Item 6 - Request for Road Closure - Old Bowman Farm Road, Gloucester	Non-Pecuniary Interest (Less than Significant) the nature of the interest being the property owners daughter is a personal friend. Mr Embry left the meeting and took no part in discussions or voting.
Cr K Bell	Item 14 - Water Services Infrastructure Project Status Reports	Pecuniary interest, the nature of the interest being my company provides business service for one of the projects identified in the report. Our business contract commenced when MidCoast Waster was a separate entity from MidCoast Council. Cr Bell left the meeting and took no part in discussions or voting.

APOLOGIES

Nil.

ADOPTION OF MINUTES OF MEETING

RECOMMENDATION

That the Minutes of the Ordinary meeting of 20 December 2017, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

47/18 RESOLUTION

(Moved Cr L Roberts/Second 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: Nil

ADOPTION OF MINUTES OF MEETING

RECOMMENDATION

That the Minutes of the Ordinary meeting of 28 February 2018, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

48/18 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: Nil

MATTER ARISING FROM THE MINUTES

Nil

ADDRESS FROM THE PUBLIC GALLERY

49/18 RESOLUTION

(Moved Cr L Roberts/Seconded Cr K Hutchinson)

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

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: Nil.

Gloucester Tops Road

John Anthony Paskins addressed Council in regard to the above item.

Item 6 - Request for Road Closure - Old Bowman Farm Rd Gloucester

Steve Embry declared a pecuniary interest in this item and left the meeting.

John Kitchener addressed Council in regard to the above item.

John Hannaford addressed Council in regard to the above item.

John Watts addressed Council in regard to the above item.

50/18 RESOLUTION

(Moved Cr D Keegan/Seconded Cr K Hutchinson)

That Items 6 and 11 be moved forward on the Agenda for consideration by Council

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

AGAINST: Nil

6 REQUEST FOR ROAD CLOSURE - OLD BOWMAN FARM RD GLOUCESTER

Report Author Ron Hartley, Director Engineering and Infrastructure

Mr Steve Embry remained absent for the duration of the item due to his non pecuniary interest.

RECOMMENDATION

That no further action be taken with regard to the closure of Old Bowman Farm Road, Gloucester.

(Moved Cr K Hutchinson/Seconded Cr T Fowler)

That the matter be deferred.

FOR VOTE: Cr D West, Cr L Roberts, Cr D Keegan, Cr J McWilliams, Cr T Fowler, Cr K Hutchinson, Cr P Epov

AGAINST: Cr K Smith, Cr B Christensen, Cr C Pontin, Cr K Bell

The motion was put to the vote and declared carried.

A motion was moved by Cr L Roberts/Seconded by Cr K Hutchinson that this matter be reported back to the June 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: Nil

The motion was put to the vote and declared carried.

51/18 RESOLUTION

(Moved Cr L Roberts/Seconded Cr K Hutchinson)

That the matter be deferred so that it can be reported to the June 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: Nil

Mr Steve Embry returned to the Meeting.

PRESENTATION:

Item 11 - Financial Statements & Auditors Reports - 1 July 2016 to 30 June 2017 - MidCoast Water

Mr James Sugumar from the NSW Audit Office gave a presentation on the Financial Statements & Auditors Reports - 1 July 2016 to 30 June 2017 - MidCoast Water.

CONSIDERATION OF OFFICERS' REPORTS

11 FINANCIAL STATEMENTS & AUDITORS REPORTS - 1 JULY 2016 TO 30 JUNE 2017 - MIDCOAST WATER

Report Author Phil Brennan, Manager Finance

RECOMMENDATION

That Council receive and note the audited Financial Statements for MidCoast Water for the financial period 1 July 2016 to 30 June 2017.

52/18 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: Nil

DIRECTOR PLANNING & NATURAL SYSTEMS

1 S82 APPLICATION - MANUFACTURED HOME ESTATE - FOREST LANE, 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 119 Forest Lane, Old Bar be determined in the following manner:

1. 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 concurrence with the Director General Department of Planning
 2. Should concurrence be obtained from the Director General, an approval to operate be issued subject to any conditions recommended by the Director General Department of Planning, and subject to the special conditions found in Annexure A.
-

53/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr J McWilliams)

That the above recommendation be adopted.

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

2 ASSOCIATION OF MINING AND ENERGY RELATED COUNCILS

Report Author Lisa Schiff, Director Planning & Natural Systems

RECOMMENDATION

1. Council endorse the Manex decision to join the Association of Mining and Energy Related Councils.
2. Council nominate 1 Councillor Delegate to the Association of Mining and Energy Related Councils.
3. Council endorse the Director Planning and Natural Systems as a staff representative.

54/18 RESOLUTION

(Moved Cr B Christensen/Seconded Cr L Roberts)

1. Council endorse the Manex decision to join the Association of Mining and Energy Related Councils.
2. Council nominate Cr K Smith as the Delegate to the Association of Mining and Energy Related Councils.
3. Council endorse the Director Planning and Natural Systems as a staff representative.

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: Nil

3 CONSENTS ISSUED UNDER DELEGATED AUTHORITY FEBRUARY 2018

Report Author Lisa Schiff, Director - Planning & Natural Systems

RECOMMENDATION

It is recommended that the information be noted.

55/18 RESOLUTION

(Moved Cr D Keegan/Seconded Cr K Smith)

That the above recommendation be adopted.

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

4 DEVELOPMENT APPLICATION MATTERS BEFORE LAND & ENVIRONMENT COURT - FEB 2018

Index: Land and Environment Court Appeals - Development Applications

RECOMMENDATION:

It is recommended that the information be noted.

56/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr K Smith)

That the above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr 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: Nil

5 MINUTES FOR WALLIS & SMITHS COAST & ESTUARY COMMITTEE 29 NOVEMBER 2017

Report Author Prudence Tucker, Water Quality & Estuary Management Program

RECOMMENDATION

It is recommended that the Minutes of the Wallis & Smiths Lake Coast & Estuary Management Committee meeting held 29 November 2017 be noted.

57/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr J McWilliams)

That the above recommendation be adopted with the inclusion that Cr C Pontin be appointed as delegate to the Wallis and Smiths Coast & Estuary Committee.

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: Nil

DIRECTOR ENGINEERING & INFRASTRUCTURE

7 CAPITAL WORKS REPORT - MARCH 2018

Report Author Stuart Small, Team Leader Project Delivery

RECOMMENDATION

That Council note the information in this report.

58/18 RESOLUTION

(Moved Cr K Hutchinson/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: Nil

8 MINUTES OF LOCAL TRAFFIC COMMITTEE MEETING HELD ON 7 FEBRUARY 2018

Report Author Richard Wheatley, Senior Transport Engineer

RECOMMENDATION

It is recommended that the Minutes of the Local Traffic Committee meeting held on 7 February 2018 be noted and that Council endorse the recommendations made at the meeting.

59/18 RESOLUTION

(Moved Cr D Keegan/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: Nil

DIRECTOR COMMUNITY SPACES & SERVICES

9 PALM GROVE PARK FORSTER

Report Author Kerrie Simmons - Recreation Coordinator

RECOMMENDATION

That Council:

1. Approves decommissioning and replacement of the existing play equipment in Palm Grove Park, Forster.
2. Provides \$40,000 in funding from the Forster Section 94 Contributions Plan to put towards the purchase and installation of new playground equipment.

60/18 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: Nil

DIRECTOR CORPORATE & BUSINESS SYSTEMS

10 LEASE - TAREE AIRPORT HANGARS - LEASE TERM

Report Author **Melissa Scott-Young, Property Officer**

RECOMMENDATION

That Council approve the granting of future Taree Aviation Park Hangar Leases on the following terms:

1. A lease term of five years with an option of a further five years plus a second option of another five years (fifteen 15 years in total)
2. Initial rental at the commencement of each five year period to be at market valuation
3. Annual rent reviews during each lease term to movement in the Consumer Price Index
4. All other conditions to be consistent with Council's standard lease template.

61/18 RESOLUTION

(Moved Cr D Keegan/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: Nil

12 INVESTMENTS REPORT - FEBRUARY 2018

Report Author **Phil Brennan, Manager Finance**

RECOMMENDATION

That the report be received and noted.

62/18 RESOLUTION

(Moved Cr J McWilliams/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: Nil

DIRECTOR WATER SERVICES

13 WATER SERVICES EXECUTIVE MONTHLY PERFORMANCE REPORT - FEBRUARY 2018

Report Author **Darryl Hancock, Executive Manager Corporate Services**

RECOMMENDATION

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

63/18 RESOLUTION

(Moved Cr K Bell/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: Nil

14 WATER SERVICES INFRASTRUCTURE PROJECT STATUS REPORTS

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

Cr K Bell declared a pecuniary interest and left the meeting.

RECOMMENDATION

That the Infrastructure Project Status reports be received and noted.

64/18 RESOLUTION

(Moved Cr J McWilliams/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.

ABSENT DID NOT VOTE: Cr K Bell

Cr Bell returned to the meeting.

65/18 RESOLUTION

(Moved Cr D Keegan/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 (3.48pm).

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: Nil

66/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr J McWilliams)

That the public be removed from the gallery for the duration of Closed 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: Nil

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

CLOSED COUNCIL

15 LAND ACQUISITION - BRIMBIN - AS COMMUNITY LAND, NATURAL AREA - BUSHLAND

Report Author Karen Bettink, Catchment Officer, Ecosystem Management

REASON FOR CONFIDENTIALITY

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

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

It is considered that it would be contrary to the public interest for this matter to be discussed in an open meeting. The disclosure of information such as valuation ranges and negotiated prices prior to acceptance may disadvantage Council in ensuring that only a reasonable price is paid for land and that ratepayers are not impacted by Council having to pay a premium.

67/18 RESOLUTION

(Moved Cr T Fowler/Seconded Cr K Hutchinson)

- A. Approves the purchase of lot 15 DP 827689 at 411 Brimbin Road, Brimbin and that the Common Seal be affixed as required to the contract relating to the purchase of the identified property.
- B. Pursuant to Section 31(2) of the Local Government Act 1993, classify the land as Community Land, Natural Area - bushland, Section 36(J).
- C. Rezone the acquired property currently zoned RU1 to E2 during the next suitable LEP amendment.

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: Cr K Bell

16. CONTRACT 2017-18/19 – PULTENEY ST RECONSTRUCTION – ALBERT TO WYNTER STS

Report Author Rhett Pattison, Manager Projects and Engineering, Taree

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and 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:

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

It is considered that it would be contrary to the public interest for this matter to be discussed in an open meeting. The disclosure of information such as contingencies allowed, valuation ranges and negotiated prices prior to acceptance may disadvantage Council in ensuring that that ratepayers are not impacted by Council having to pay a premium.

*(d) commercial information of a confidential nature that would if disclosed:
(i) prejudice the commercial position of the person who supplied it.*

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

68/18 RESOLUTION

(Moved Cr J McWilliams/Seconded Cr D Keegan)

1. That Council award Contract 2017-18/19 – Pulteney Street Reconstruction – Albert Street to Wynter Street to Eire Constructions Pty Ltd, for the tendered lump sum price subject to the execution of all contract documentation.
2. That Council allocates the additional funding of \$550,000 to this project to permit delivery of the full scope of works.
3. That the unsuccessful tenderers be thanked for their participation in the tender process.
4. That constructive feedback is offered to the unsuccessful tenderers to aid them in increasing the standard/competitiveness of future tenders and provide increasing value to MCC.

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: Nil

17. LEASE - WORKSHOP, 7-9 ELIZABETH ST TAREE - ROADS & MARITIME LEASE

Report Author Melissa Scott-Young, Property 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:
- (i) prejudice the commercial position of the person who supplied it

Details, should they be revealed, may result in commercial disadvantage to parties involved in the negotiations. Some information provided to Council by the other party is provided on the basis that council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these negotiations at this point in time.

69/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr L Roberts)

That the matter be deferred for a further report which is to include a review of the incremental rental and options for Council's consideration.

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: Cr J McWilliams, Cr B Christensen & Cr K Bell

18. TRANSFER OF LAND IN PAYMENT OF RATES - COMBOYNE AVE, NORTH ARM COVE

Report Author Lee Howard, Revenue Coordinator

REASON FOR CONFIDENTIALITY

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

- (b) the personal hardship of any resident or ratepayer

70/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr T Fowler)

1. That Council accept the transfer of Lot 2720 Comboyne Avenue, North Arm Cove in payment of outstanding rates and meet transfer costs.
2. That the Common Seal be affixed to transfer documents.
3. That the property be classified as operational land.
4. That a report be prepared for a workshop to be held in relation to the impact on 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: Nil

19. TENDER FOR BANKING SERVICES

Report Author Phil Brennan, Manager Finance

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d(i)) 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:
- (i) prejudice the commercial position of the person who supplied it.

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some of the information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

71/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr T Fowler)

1. Award the contract for the Provision of Banking Services for a 5 year period plus an option for 2 x 12 month extensions commencing April 2018 to the Commonwealth Bank of Australia subject to the provision of suitable and current insurance details and agreement on the contract.
2. Authorises Council's seal be affixed to contract documentation, if required.

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: Nil

This is the last page of the Minutes of the Ordinary Council meeting of MidCoast Council held on 28 March 2018.

There being no further business, the meeting closed at 4.18pm.

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CHAIRPERSON
