



Minutes of the Ordinary Council Meeting

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

18 April 2018

A handwritten signature in black ink, appearing to read "Steve Embry", is written over a horizontal line. Below the signature is a large, stylized, handwritten flourish that tapers to a point on the right side.

Steve Embry
Acting 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 18 April commencing at 2.01pm.

PRESENT

Present: Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

IN ATTENDANCE

Acting General Manager - Steve Embry
Director Planning & Natural Systems - Lisa Schiff
Director Community Spaces & Services - Paul De Szell
Director Water Services - Brendan Guiney
Minute Taker - Corporate Support Officer - Lyn Hickey

The following document is the Minutes of the Ordinary meeting held on 18 April 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.

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."

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
Ms Lisa Schiff	Item 1 - Modification of Development Consent DA-521-2017 (Modification A)	Non-Pecuniary Interest (Less than Significant), the nature of the interest being Gavin Maberly-Smith is my neighbour. We do not and have never had social contact outside of normal Council business at Council offices. Ms Schiff elected to remain in the Chambers and participate in discussions.
Ms Lisa Schiff	Item 2 - Modification of Development Consent DA-521-2017 (Modification B)	Non-Pecuniary Interest (Less than Significant), the nature of the interest being Gavin Maberly-Smith is my neighbour. We do not and have never had social contact outside of normal Council business at Council offices. Ms Schiff elected to remain in the Chambers and participate in discussions
Ms Lisa Schiff	Item 3 - Modification of Development Consent 247/2016/DA	Non-Pecuniary Interest (Less than Significant), the nature of the interest being Gavin Maberly-Smith is my neighbour. We do not and have never had social contact outside of normal Council business at Council offices. Ms Schiff elected to remain in the Chambers and participate in discussions.
Cr K Bell	Item 11 - Water Services Infrastructure Project Status Reports - March 2018	Pecuniary interest, the nature of the interest being my company is providing business services for one of the projects identified in this report. For information, our business contract commenced when MidCoast Water was an entity separate from MidCoast Council. Cr Bell left the meeting and took no part in discussions or voting.

APOLOGIES

72/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr C Pontin)

That apologies from Cr Troy Fowler, Cr Len Roberts and Cr Jan McWilliams be accepted and leave be granted.

FOR VOTE -FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson & Cr P Epov.

AGAINST VOTE: Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

ADOPTION OF MINUTES OF MEETING

RECOMMENDATION

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

73/18 RESOLUTION

(Moved Cr K Bell/Seconded Cr P Epov)

That the above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson & Cr P Epov.

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

MATTER ARISING FROM THE MINUTES

Resolution No 54/18:

- 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.*

74/18 RESOLUTION

(Moved Cr C Pontin/Seconded Cr K Bell)

That Cr K Hutchinson be the alternate Delegate of the Mining and Energy Related Councils.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson & Cr P Epov.

AGAINST VOTE: Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

ADDRESS FROM THE PUBLIC GALLERY

75/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Hutchinson)

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

Forest Downs Estate Taree Area - Condition of Roads - Colin Steber

Item 1 - Modification of Development Consent DA-521-2017 (Modification A) - Gavin Maberly-Smith

Item 2 - Modification of Development Consent DA 521-2017 (Modification B) - Gavin Maberly-Smith

Item 3 - Modification of Development Consent 247/2016/DA - Cushla Drake (on behalf of her husband, Robert Drake (Applicant)

Item 8 - Local Community Planning - Caro-Anne Badcock & Brian Parry

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson; Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

LATE NOTICE OF MOTION - PLAQUE ON BENCH IN MEMORIAL PARK TUNCURRY

Report Author Cr Jan McWilliams

Cr McWilliams has given notice of her intention to move the motion as follows:

That a memorial plaque be allowed to be placed on a bench that is already situated in Memorial Park in Tuncurry on behalf of the Wright Family.

76/18 RESOLUTION

(Moved Cr D West/Seconded Cr K Hutchinson)

That a memorial Plaque be allowed to be placed on an existing park bench situated in Memorial Park in Tuncurry on behalf of the Wright Family .

FOR VOTE - Cr D West, Cr K Smith, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Cr B Christensen, Cr D Keegan, Cr C Pontin

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

ADDRESS FROM THE PUBLIC GALLERY

Forest Downs Estate Taree Area - Condition of Roads

Colin Steber addressed Council in regard to the above item, requesting that Council address the poor condition of the road.

Item 1 - Modification Of Development Consent DA-521-2017 (Modification A)

Gavin Maberly-Smith addressed Council in regard to the above item, in support of the modification request.

Item 2 - Modification Of Development Consent DA 521-2017 (Modification B)

Gavin Maberly-Smith addressed Council in regard to the above item, in support of the modification request.

Item 8 - Local Community Planning

Caro-Anne Badcock addressed Council in regard to the above item.

Brian Parry addressed Council in regard to the above item.

Item 3 - Modification Of Development Consent 247/2016/DA

Cushla Drake (on behalf of her husband, Robert Drake - Applicant) addressed Council in regard to the above item, in support of the modification request.

CONSIDERATION OF OFFICERS' REPORTS

DIRECTOR PLANNING & NATURAL SYSTEMS

1 MODIFICATION OF DEVELOPMENT CONSENT DA-521-2017 (MODIFICATION A)

Report Author **Robyn Shelley, Senior Development Assessment Planner**

RECOMMENDATION

It is recommended that:

1. The applicants request to modify Condition No. 8 by reducing the amount of developer contributions levied under Section 7.11 (previously Section 94) plans, Great Lakes Wide and Forster District, is **refused** on the basis that the reasons provided by the applicant relating to demographics and trip generation are irrelevant in the calculation of the levy within the plan, it would set an undesirable and dangerous precedent for the area in affecting future levies, it will affect the future delivery of the plan and would not be in the public interest.
2. The applicants request to modify Condition No. 8 by correcting a minor miscalculation to the non-commercial aspect of the development is **supported**. Condition No. 8 of development consent DA-521/2017 is to be amended to read as follows:

Condition No. 8.

A total monetary contribution of \$2,742,479.45 is to be paid to Council, pursuant to Section 7.11 of the Environmental Planning and Assessment Act 1979, the relevant contribution to each stage is to be payable prior to the issue of a Construction Certificate in respect of the relevant stage of the proposed development:

Stage 1 - \$717,533.97

Stage 2 - \$837,973.77

Stage 3 - \$419,512.50

Stage 4 - \$767,459.21

The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

Reason: In the public interest and pursuant to Section 7.11 of the EP&A Act 1979.

77/18 RESOLUTION

(Moved C K Bell/Seconded Cr K Smith)

That Council deal with each recommendation separately:

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson & Cr P Epov.

AGAINST VOTE: Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Recommendation 1

The applicants request to modify Condition No. 8 by reducing the amount of developer contributions levied under Section 7.11 (previously Section 94) plans, Great Lakes Wide and Forster District, is **refused** on the basis that the reasons provided by the applicant relating to demographics and trip generation are irrelevant in the calculation of the levy within the plan, it would set an undesirable and dangerous precedent for the area in affecting future levies, it will affect the future delivery of the plan and would not be in the public interest.

78/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr C Pontin)

That Recommendation No 1 as above be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson & Cr P Epov.

AGAINST VOTE: Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Recommendation 2

The applicants request to modify Condition No. 8 by correcting a minor miscalculation to the non-commercial aspect of the development is **supported**. Condition No. 8 of development consent DA-521/2017 is to be amended to read as follows:

Condition No. 8.

A total monetary contribution of \$2,742,479.45 is to be paid to Council, pursuant to Section 7.11 of the Environmental Planning and Assessment Act 1979, the relevant contribution to each stage is to be payable prior to the issue of a Construction Certificate in respect of the relevant stage of the proposed development:

Stage 1 - \$717,533.97

Stage 2 - \$837,973.77

Stage 3 - \$419,512.50

Stage 4 - \$767,459.21

The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

Reason: In the public interest and pursuant to Section 7.11 of the EP&A Act 1979.

79/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr C Pontin)

That Recommendation No 2 as above be adopted

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Recommendation 3

Condition No. 92 of development consent DA-521/2017 is amended to read as follows:

Condition No. 92.

Prior to the issue of a Subdivision Certificate for Stage 1A, a letter from MidCoast Water is to be provided to Council confirming that appropriate infrastructure has been made suitably available to that part of the development to facilitate future servicing.

For all remaining stages (including stage 1B), a Certificate of Compliance from MidCoast Water is to be obtained prior to the issue of each Subdivision Certificate and provided to Council, stating that satisfactory arrangements have been made and all payments finalised for the provision of MidCoast Water services to the development.

Reason: To ensure suitable water and sewage disposal is provided to the development.

80/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr K Smith)

That Recommendation No 3 as above be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell,
Cr K Hutchinson

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Recommendation 4

Condition No. 93 of development consent DA-521/2017 is amended to read as follows:

Condition No. 93

Prior to the issue of a Subdivision Certificate for Stage 1A, a letter from Essential Energy shall be provided to Council confirming that appropriate infrastructure has been made suitably available to that part of the development to facilitate future servicing.

For all remaining stages (including stage 1B), a Notification of Arrangement from Essential Energy is to be obtained and provided to Council prior to the issue of each Strata Subdivision Certificate (confirming satisfactory arrangements have been made for the provision of power).

It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision/development, which may include the payment of fees and contributions.

Reason: To ensure suitable energy infrastructure is provided to the development.

81/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr K Smith)

That the above Recommendation No 4 be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell,
Cr K Hutchinson

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Recommendation 5

Condition No. 95 of development consent DA-521/2017 is amended to read as follows:

Condition No. 95

Maintain stormwater treatment measures for the life of the development in accordance with the approved Water Sensitive Urban Design (WSUD) Operations and Maintenance Manual, with the exception of the approved bioretention pods within the West and Lake Street road reserves which shall be maintained for a period of 1 year from the date of installation.

Reason: To ensure ongoing compliance with Council's water quality objectives.

82/18 RESOLUTION

(Moved by Cr K Hutchinson/Seconded Cr K Smith)

That the above Recommendation No 5 be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson

AGAINST VOTE - Cr P Epov

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

2 MODIFICATION OF DEVELOPMENT CONSENT DA 521-2017 (MODIFICATION B)

Report Author Robyn Shelley, Senior Development Assessment Planner

RECOMMENDATION

It is recommended that the proposed modification to amend Condition No. 62 be refused and Condition No. 62 be retained in its current form.

(Moved Cr K Hutchinson)

That a Construction Management Plan be prepared for Saturday and Sunday in relation to Condition No 62.

Lapsed for want of a seconder

(Moved Cr K Hutchinson/Seconded Cr B Christensen)

That this matter be deferred and brought back to Council.

An amendment was (Moved by Cr D Keegan/Seconded Cr C Pontin)

That the proposed modification to amend Condition No. 62 be refused and Condition No. 62 be retained in its current form.

FOR VOTE - Cr D Keegan, Cr C Pontin, Cr P Epov

AGAINST VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Bell, Cr K Hutchinson

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT DID NOT VOTE - Nil

The amendment was put to the vote and declared lost.

An amendment was (Moved by Cr K Smith/Seconded Cr C Pontin)

That the matter be deferred to enable a Construction Management Plan to be submitted by the applicant for Council's consideration.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr P Epov

AGAINST VOTE - Cr K Bell, Cr K Hutchinson

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

The amendment was put to the vote and declared carried, became the substantive motion and was carried.

83/18 RESOLUTION

(Moved by Cr Smith/Seconded Cr C Pontin)

That the matter be deferred to enable a Construction Management Plan to be submitted by the applicant for Council's consideration.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin,
Cr K Hutchinson Cr P Epov

AGAINST VOTE - Cr K Bell

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

3 MODIFICATION OF DEVELOPMENT CONSENT 247/2016/DA

Report Author Petula Bowden, Senior Development Planner

RECOMMENDATION

It is recommended that the proposed modification to amend Conditions 20B, 69, and 69A be refused and Conditions 20B, 69, and 69A be retained in their current form for the following reasons:

- The roundabout as constructed to date is inadequate for prolonged use;
- Council may acquire a sub-standard asset with inadequate life expectancy; and
- potential financial implications to Council if completing the works is required.

(Moved Cr D West/Seconded Cr K Smith)

That the above recommendation be adopted.

Cr P Epov left the meeting 4.03pm

84/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr K Smith)

That Council Move into Committee of the Whole

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell,
Cr K Hutchinson

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler; Cr P Epov

PRESENT. DID NOT VOTE - Nil

Cr P Epov returned at 4.06pm

(Moved Cr P Epov/Seconded Cr D Keegan)

That Council move out of Committee of the Whole.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson; Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Cr D West & Cr K Smith withdrew their original motion.

85/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Bell)

That this matter be deferred to the June Council meeting to provide an opportunity for Council to discuss and negotiate the issue with the applicant.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr D Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson; Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

4 CONSENTS ISSUED UNDER DELEGATED AUTHORITY - MARCH 2018

Report Author Lisa Schiff, Director - Planning & Natural Systems

RECOMMENDATION

It is recommended that the information be noted.

86/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr D Keegan)

That the above recommendation be adopted.

Cr K Hutchinson left the meeting 4.20pm

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

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler; Cr K Hutchinson

PRESENT. DID NOT VOTE - Nil

Cr K Hutchinson returned to the meeting 4.20pm

5 DEVELOPMENT APPLICATION MATTERS BEFORE LAND & ENVIRONMENT COURT - MARCH 2018

Author: Bruce Moore - Manager, Development Assessment

RECOMMENDATION:

It is recommended that the information be noted.

87/18 RESOLUTION

(Moved Cr D Keegan/Seconded Cr C Pontin)

That the above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

DIRECTOR ENGINEERING & INFRASTRUCTURE

6 CAPITAL WORKS REPORT - APRIL

Report Author Stuart Small, Team Leader Project Delivery

RECOMMENDATION

That Council note the information in this report.

88/18 RESOLUTION

(Moved Cr K Smith/Seconded Cr K Hutchinson)

That the recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

7 PROPOSED ELECTRIC VEHICLE RECHARGE STATION - NABIAC

Report Author Ron Hartley, Director Engineering and Infrastructure

RECOMMENDATION

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

89/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr P Epov)

That the matter be deferred for a new report to come back to Council to consider a new location.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell,
Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

DIRECTOR COMMUNITY SPACES & SERVICES

8 LOCAL COMMUNITY PLANNING

Report Author Sarah Wilkinson, Community Engagement Officer

RECOMMENDATION

That Council:

1. Congratulate the Coolongolook, Wang Wauk and Wallingat Rivers Catchment Communities and the Wootton community on the development of their local community plans.
2. Note the Coolongolook, Wang Wauk and Wallingat Rivers Catchment Communities – Community Plan 2017 – 2021.
3. Note the Wootton Community Plan 2017 - 2021.
4. Considers both plans in the development of Council's Delivery Program and Operational Plan.
5. Provides feedback to the Coolongolook, Wang Wauk and Wallingat Rivers Catchment Communities and the Wootton community on how the plans have been incorporated into the Delivery Program and Operational Plan.

90/18 RESOLUTION

(Moved Cr C Pontin/Seconded Cr P Epov)

1. Communities and the Wootton community on the development of their local community plans.
2. Note the Coolongolook, Wang Wauk and Wallingat Rivers Catchment Communities – Community Plan 2017 – 2021.
3. Note the Wootton Community Plan 2017 - 2021.
4. Considers both plans in the development of Council's Delivery Program and Operational Plan.
5. Provides feedback to the Coolongolook, Wang Wauk and Wallingat Rivers Catchment Communities and the Wootton community on how the plans have been incorporated into the Delivery Program and Operational Plan.
6. That Council actively encourages other communities to consider developing community plans.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

DIRECTOR CORPORATE & BUSINESS SYSTEMS

9 INVESTMENTS REPORT - MARCH 2018

Report Author Phil Brennan, Manager Finance

RECOMMENDATION

That the report be received and noted.

91/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr B Christensen)

That the above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

DIRECTOR WATER SERVICES

10 WATER SERVICES EXECUTIVE MONTHLY PERFORMANCE REPORT - MARCH 2018

Report Author Darryl Hancock, Executive Manager Corporate Services

RECOMMENDATION

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

92/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr K Bell)

The above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

11 WATER SERVICES INFRASTRUCTURE PROJECT STATUS REPORTS - MARCH 2018

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

93/18 RESOLUTION

(Moved Cr D Keegan/Seconded by Cr K Hutchinson)

That the above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Cr K Bell returned to the meeting.

12 WATER USAGE AND WATER RESOURCES AND THE OUTLOOK FOR 2017/18

Report Author Graeme Watkins, Manager Water Management & Treatment

RECOMMENDATION

That the report on water usage and water resources and the outlook for 2017/18 be received and noted.

94/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr K Bell)

That the above recommendation be adopted.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

95/18 RESOLUTION

(Moved Cr K Hutchinson/Seconded Cr D Keegan)

That Council move into Closed Council (Confidential Section of Ordinary Meeting) (Meeting Closed to the Public) to discuss the items listed in the report (4.33pm).

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

96/18 RESOLUTION

(Moved Cr P Epov/Seconded Cr C Pontin)

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 K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

Upon resuming into Open Council at 5.01pm the Chairperson reported that the following resolutions had been passed.

CLOSED COUNCIL

13 FURTHER REPORT - LEASE - 7-9 ELIZABETH ST TAREE TO ROADS & MARITIME SERVICES

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.

97/18 RESOLUTION

(Moved by Cr P Epov/Seconded Cr K Hutchinson)

That Option 2 be adopted by Council as below:

OPTION TWO: GST Inclusive

Three year lease term.

1/3/2018 - 28/2/2019	\$ 8,000/annum	(\$153.84/week)
1/3/2019 - 28/2/2020	\$12,000/annum	(\$230.76/week)
1/3/2020 - 28/2/2021	\$16,000/annum	(\$307.69/week)

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr K Keegan, Cr C Pontin, Cr K Bell, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr L Roberts, Cr J McWilliams, Cr T Fowler

PRESENT. DID NOT VOTE - Nil

This is the last page of the Minutes of the Ordinary Council meeting of MidCoast Council held on 18 April 2018.

There being no further business, the meeting closed at 5.02pm.

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CHAIRPERSON