

NOTICE OF EXTRAORDINARY MEETING

Notice is hereby given that a meeting of

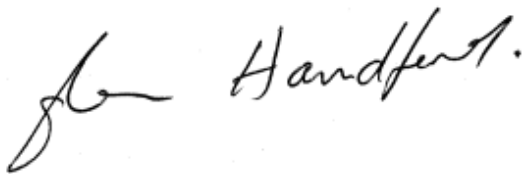
MidCoastCouncil

Will be held at the Forster Administration Centre, 4 Breese Parade, Forster

21 DECEMBER 2016 AT 1.30PM

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

1. Acknowledgement of Country
2. Declaration of Pecuniary or Conflicts of Interest (nature of Interest to be Disclosed)
3. Apologies
4. Confirmation of Minutes
5. Matters Arising from Minutes
6. Address from the Public Gallery
7. Matters for Information
8. Close of Meeting

A handwritten signature in black ink, appearing to read 'Glenn Handford', is written over a faint, circular official stamp.

Glenn Handford
INTERIM GENERAL MANAGER

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CONSIDERATION OF OFFICERS' REPORTS:

INTERIM GENERAL MANAGER

1 LOCAL GOVERNMENT REFORM - MIDCOAST WATER STRUCTURE

Report Author Glenn Handford, Interim General Manager

File No. / ECM Index MCC Council Meetings - Extraordinary

Date of Meeting Extraordinary - 21 December 2016

SUMMARY OF REPORT

At the time of publishing the business paper this matter is still being finalised in consultation with MidCoast Water and with advice from the relevant state agencies. It is intended to submit a Late Report at the meeting.

SUMMARY OF RECOMMENDATION

That Council note the contents of this report.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

RECOMMENDATION

That Council note the contents of this report and acknowledge that a Late Report will be tabled at the Extraordinary meeting on 21 December 2016.

DIRECTOR PLANNING AND NATURAL SYSTEMS

2 APPOINTMENT OF AUTHORISED OFFICER UNDER S114 OF THE FOOD ACT 2003 & S187 OF THE PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Report Author John Cavanagh, Manager Waste Health & Regulatory Services

File No. / ECM Index Land Use & Planning - Delegations

Date of Meeting Extraordinary - 21 December 2016

SUMMARY OF REPORT

Council undertakes various functions under the Food Act 2003 and the Protection of the Environment Operations Act 1997. It is necessary to ensure these functions are undertaken in accordance with the provisions of the Acts to guarantee compliance. Consequently, Council is required to appoint authorised officers to fulfill Council's responsibilities under the relevant Acts.

SUMMARY OF RECOMMENDATION

Council appoint Emily Nicolson as an authorised officer under the Food Act 2003 and under the Protection of the Environment Operations Act 1997.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

BACKGROUND

Council can appoint authorised officers under the Food Act 2003 and the Protection of the Environment Operations Act to undertake duties in relation to the provisions of those Acts. An authority is issued to an authorised officer under the Food Act if the Enforcement Agency (MidCoast Council) considers the person has appropriate qualifications and/or experience to exercise the functions of an authorised officer. Emily Nicolson has been employed with Council for approximately 22 months and during this time has demonstrated the necessary skills and knowledge required to perform these duties. Under the Protection of the Environment Operations Act 1997, Council may appoint any officer or employee of the Council as an authorised officer for the purposes of the Act.

THE PROPOSAL

Appoint Emily Nicolson as an authorised officer under the Food Act 2003 and the Protection of the Environment operations Act 1997.

REPORT

Authorised officers enforce the provisions of the delegated Acts and Regulations as appointed by Council. The Acts and Regulations set out the legal obligations of persons undertaking activities in relation to the relevant legislation. Council's authorised officers undertake regular inspections/audits of premises either in relation to the Food Act and/or under the Protection of the Environment Operations Act and are responsible for ensuring that all obligations and requirements under the relevant acts are met.

Therefore, as Emily Nicolson is Council's Trainee Environmental Health Officer, primarily responsible for the regulation of food premises within the MidCoast Council area, delegation of authority is required for Emily Nicolson to fulfill Council's responsibilities under the Food Act 2003 and the Protection of the Environment Operations Act 1997.

RECOMMENDATION

It is recommended that Emily Nicolson be authorised by Council under s114 of the Food Act 2003 and s187 of the Protection of the Environment Operations Act 1997.

CLOSED COUNCIL

3 CIVIC PRECINCT PROJECT, FORSTER, UPDATE

Report Author Steve Embry, Director Corporate and Business Systems

File No. / ECM Index Civic Precinct Library Forster

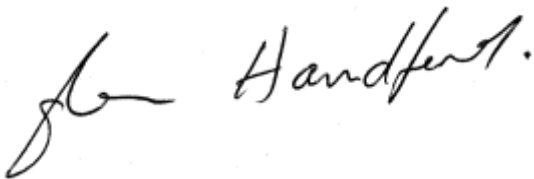
Date of Meeting 21 December 2016

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 including the details of proponents currently participating in the Request for Proposal process may disadvantage Council.

A handwritten signature in black ink, appearing to read 'Glenn Handford'.

Glenn Handford
INTERIM GENERAL MANAGER