

DRAFT

MINUTES – 30 JULY 2019



PORT STEPHENS COUNCIL

Minutes of Extraordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on – 30 July 2019, commencing at 5.30pm.

PRESENT: Mayor R Palmer, Councillors J Abbott, G Arnott, C. Doohan, G Dunkley, K. Jordan, J Nell, S Smith, S. Tucker, General Manager, Corporate Services Group Manager, Facilities and Services Group Manager, Development Services Group Manager and Governance Section Manager.

172	Councillor Ken Jordan Councillor Chris Doohan It was resolved that a leave of absence be granted to Cr Paul Le Mottee for Council meetings of 30 July 2019 and 13 August 2019.
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	There were no declaration of interest received.
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SUBJECT

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1. 2 DOWLING STREET, NELSON BAY7

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: 19/200497
EDRMS NO: PSC2015-03808

MOTION TO CLOSE

REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION:

- 1) That pursuant to section 10A(2) (g) of the *Local Government Act 1993*, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely **2 DOWLING STREET, NELSON BAY**.
- 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
 - advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- 3) That the report remain confidential and the minute be released in accordance with Council's resolution.

EXTRAORDINARY COUNCIL MEETING - 30 JULY 2019
MOTION

173	<p>Councillor Ken Jordan Councillor Chris Doohan</p> <p>It was resolved that Council:</p> <ol style="list-style-type: none">1) That pursuant to section 10A(2) (g) of the <i>Local Government Act 1993</i>, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely 2 DOWLING STREET, NELSON BAY.2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:<ul style="list-style-type: none">• advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.3) That the report remain confidential and the minute be released in accordance with Council's resolution.
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COUNCIL REPORTS

CONFIDENTIAL ITEMS

In accordance with Section 10A, of the *Local Government Act 1993*, Council can close part of a meeting to the public to consider matters involving personnel, personal ratepayer hardship, commercial information, nature and location of a place or item of Aboriginal significance on community land, matters affecting the security of council, councillors, staff or council property and matters that could be prejudice to the maintenance of law.

Further information on any item that is listed for consideration as a confidential item can be sought by contacting Council.

EXTRAORDINARY COUNCIL MEETING – 30 JULY 2019 MOTION

174	Councillor Giacomo Arnott Councillor John Nell It was resolved that Council move into confidential session.
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The following Council officers were present for the Confidential Session:

Legal Services Manager
Communications Section Manager
Public Relations and Marketing Coordinator

CONFIDENTIAL

ITEM NO. 1

**FILE NO: 19/198133
EDRMS NO: PSC2015-03808**

2 DOWLING STREET, NELSON BAY

REPORT OF: WAYNE WALLIS - GENERAL MANAGER
GROUP: GENERAL MANAGER'S OFFICE

**EXTRAORDINARY COUNCIL MEETING - 30 JULY 2019
MOTION**

175	Councillor Giacomo Arnott Councillor John Nell It was resolved that Council move into Committee of the Whole.
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**EXTRAORDINARY COUNCIL MEETING - 30 JULY 2019
MOTION**

176	Councillor Ken Jordan Councillor Chris Doohan It was resolved that Council authorise the General Manager to negotiate the settlement of these proceedings and execute a Deed of Settlement and Release on behalf of Council in accordance with the terms set out in this report.
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MINUTES EXTRAORDINARY COUNCIL - 30 JULY 2019

**EXTRAORDINARY COUNCIL MEETING - 30 JULY 2019
MOTION**

177	Councillor Giacomo Arnott Councillor Chris Doohan It was resolved that Council move out of Committee of Whole.
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**EXTRAORDINARY COUNCIL MEETING – 30 JULY 2019
MOTION**

178	Councillor Giacomo Arnott Councillor Chris Doohan It was resolved that Council move out of confidential session.
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There being no further business the meeting closed at 6.32pm.