



Minutes of Ordinary Meeting

held at Yalawanyi Ganya, 2 Biripi Way, Taree South

Wednesday, 27 November 2024 at 2:00 PM

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

1. Opening meeting
2. Acknowledgement of Traditional Custodians
3. Acknowledgement of Commitment
4. Special Activity
5. Apologies or Applications for leave of absence
6. Confirmation of Minutes
7. Disclosures of Interest
8. Mayoral Minute(s)
9. Notices of Rescission
10. Notices of Motions
11. Questions with Notice
12. Reports to Council
13. Matters of urgent business
14. Confidential matters
15. Close of meeting

A handwritten signature in black ink, appearing to read "A Panuccio".

Adrian Panuccio

General Manager

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MINUTES

Minutes of the Ordinary Meeting of the MidCoast Council held at the Yalawanyi Ganya Council Chambers, 2 Biripi Way, Taree South on 27 November 2024 commencing at 2:00pm.

COUNCILLORS PRESENT

Cr Phillip Beazley
Cr Mick Graham
Cr Peter Howard
Cr Jeremy Miller
Cr Thomas O'Keefe
Cr Claire Pontin
Cr Dheera Smith
Cr Alan Tickle
Cr Nicole Turnbull
Cr Digby Wilson

STAFF PRESENT

General Manager – Adrian Panuccio
Director Corporate Services – Steve Embry
Director Liveable Communities – Paul De Szell
Director Infrastructure & Engineering Services – Rob Scott
Minute Taker – Executive Assistant Corporate Services – Korryn Knight
Minute Taker – Governance Officer - Elected Representatives – Emma Hickson
Staff –Governance Coordinator – Kathy Duggan
Staff – Manager Engagement Communication & Education - Marcelle Boyling

The following document is the Minutes of the Ordinary meeting held on 27 November 2024.

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.

WELCOME

Welcome everyone. I'm Claire Pontin, the Mayor of MidCoast Council.

Members of the public are able to attend the meeting in person or view the meeting through a weblink on Council's website.

The meeting is being recorded and a copy of this recording will be placed on Council's website as soon as practicable after the meeting.

The meeting must not be recorded, distributed or circulated by others without the prior written consent of the council in accordance with the council's code of meeting practice.

ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Mayor read aloud the following statement:

I acknowledge the traditional custodians of the land on which we meet today, the Gathang-speaking people and pay my respects to all Aboriginal and Torres Strait Islander people who now reside in the MidCoast Council area. I extend my respect to elders past and present, and to all future cultural-knowledge holders.

ACKNOWLEDGEMENT OF COMMITMENT

We, the Councillors of MidCoast Council, will undertake the duties of the office of Councillor in the best interests of the MidCoast community and will faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act 1993 to the best of our abilities and judgment.

MEDIA COVERAGE

NBN News have requested to record visual footage at today's Council Meeting.

413/2024 RESOLUTION

(Moved Cr C Pontin/Seconded Cr P Howard)

That NBN News be granted permission to record visual footage at today's Council Meeting.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

SPECIAL ACTIVITY

Aubrey Perez, Associate Director – Financial Audit from the NSW Audit Office made a presentation in relation to Item 18.8 – Financial Statements and Auditors Report for 2023-2024.

APOLOGIES OR APPLICATIONS FOR LEAVE OF ABSENCE

Council has received an application from Cr Mal McKenzie for a leave of absence from today's meeting.

414/2024 RESOLUTION

(Moved Cr C Pontin /Seconded Cr A Tickle)

That a leave of absence be granted for Cr Mal McKenzie.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

CONFIRMATION OF MINUTES

415/2024 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D Wilson)

That the Minutes of the Ordinary Meeting of 30 October 2024, copies of which were distributed to Councillors, be taken as read and confirmed as a true record of proceedings.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

OPEN FORUM

Council had one (1) speaker at this morning’s Open Forum.

- Mark Harris who addressed Council about Genetic contamination of Covid 19 vaccinations.

PUBLIC FORUM

Council had six (6) speakers at this morning’s Public Forum:

- Kylie Power on behalf of The Heart Centre Taree spoke in support of Item 17.4 Minutes of Local Traffic Committee.
- John Kennedy spoke against Item 16.2 Modification Shop Top Housing Wharf Street, Tuncurry.
- Rhonda Compton who spoke against Item 16.2 Modification Shop Top Housing Wharf Street, Tuncurry.
- Simon Carroll who spoke in support of Item 16.2 Modification Shop Top Housing Wharf Street, Tuncurry.
- Jason Baillie who spoke against Item 16.3 Multi Dwelling Housing – 2 Bunyan Avenue, Old Bar (DA2023/0074).
- Tom Cooper on behalf of Beam Mobility spoke in support of Item 17.3 – Forster and Tuncurry Hire E-Scooter Trial – Twelve Month Report.

PETITIONS

Nil.

10. DISCLOSURES OF INTERESTS

Staff Member	Item and Subject	Nature of Interest
Cr Phillip Beazley	Item 16.13 - Matters Currently Before the Land and Environment Court	Non-Pecuniary Interest (Less Than Significant) the nature of the interest being Cr Phillip Beazley and Mr Gazecki were on the same ticket at the 2024 Council Election. Cr Phillip Beazley elected to leave the meeting and take no part in discussions or voting.
Cr Mick Graham	Item 16.13 - Matters Currently Before the Land and Environment Court	Non-Pecuniary Interest (Less Than Significant) the nature of the interest being Cr Mick Graham and Mr Gazecki were on the same ticket at the 2024 Council Election. Cr Mick Graham elected to remain in the Chambers and participate in discussions and voting.
Mayor C Pontin	Item 18.5 – Proposed Acquisition of Land for Public Road – 323 Blackhead Road Hallidays Point	Pecuniary interest, the nature of the interest being Mayor Pontin’s husband works for Zenith Surveyors, who are mentioned in the report and who are providing surveying services. Mayor Pontin left the meeting and took no part in discussions or voting.

11. MAYORAL MINUTE

Nil.

12. NOTICE OF MOTIONS

12.1. NOTICE OF MOTION 1 – CR PETER HOWARD

REPORT INFORMATION

Author	Cr Peter Howard
Date of Meeting	27 November 2024

SUMMARY

Councillor Peter Howard has given notice of his intention to move the motion as detailed below.

NOTICE OF MOTION

That the Mayor write to Transport for NSW seeking additional on-water boating compliance patrol measures in the Great Lakes region this summer season.

416/2024 RESOLUTION

(Moved Cr P Howard/Seconded Cr A Tickle)

That the Mayor write to Transport for NSW seeking additional on-water boating compliance patrol measures in the Great Lakes region this summer season.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

12.2. NOTICE OF MOTION 2 – CR ALAN TICKLE

REPORT INFORMATION

Author	Cr Alan Tickle
Date of Meeting	27 November 2024

SUMMARY

Councillor Alan Tickle has given notice of his intention to move the motion as detailed below.

NOTICE OF MOTION

That Council:

1. Establish a policy position where the funding allocated to the annual operational plan to the transport and infrastructure directorate asset renewal program shall be an increase on the previous year's amount that is commensurate with the increase in Federal Assistance Grants (inclusive of the roads component) and that those funds be prioritised for asset renewals.
2. That the funding allocation from general rates to the transport and infrastructure directorate, be increased annually, commensurate with any increase in rates revenue.
3. That prioritised capital works for example road or bridge re-construction, be generally funded from tied grants.
4. That as part of the Roads Strategy, a report be provided with annual status updates, identifying the overall road inventory in the different condition levels,
5. projecting current intervention timelines and the likely escalation of costs for implementing optimal renewals strategies such as a re-sealing, heavy patching & rehabilitation programs.
6. That status reports be provided to Council no less than annually, reflecting the impact on the Long Term Financial Plan of escalation of renewal backlog that also allows for indexation
7. Community engagement to improve the community's understanding of the strategy such that current road pavement requiring reconstruction will be reliant on tied grants and not prioritised ahead of the maintenance program from Federal Assistance Grants (FAGS) or general revenue allocations.

(Moved Cr A Tickle/Seconded Cr J Miller)

1. Establishes a policy position, where the funding allocated to the annual operational plan to the transport and infrastructure directorate shall be an increase on the previous year's amount that as a minimum, is commensurate with the increase in Federal Assistance Grants (inclusive of the roads component) and that those funds be prioritised for asset renewals and maintenance.
2. Ensure funding allocation from general rates to the transport and infrastructure directorate, shall as a minimum, be increased annually commensurate with any increase in rates revenue.
3. Prioritised capital works, for example road or bridge re-construction, be generally funded from tied grants.
4. The position outlined in points 1 to 3 be considered in the annual budget development process.
5. As part of the Roads Strategy, a report be provided with annual status updates, identifying the overall road inventory in the different condition levels, projecting current intervention

timelines and the likely escalation of costs for implementing optimal renewals strategies, such as a re-sealing, heavy patching & rehabilitation programs.

6. Provide status reports no less than annually, reflecting the impact to the Long Term Financial Plan, of any escalation of renewal backlog after factoring in indexation.
7. Implement community engagement, to improve the community's understanding of the Roads Strategy which prioritises maintenance and renewals with reconstruction generally funded by tied grants.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

417/2024 RESOLUTION

(Moved Cr A Tickle/Seconded Cr J Miller)

1. Establishes a policy position, where the funding allocated to the annual operational plan to the transport and infrastructure directorate shall be an increase on the previous year's amount that as a minimum, is commensurate with the increase in Federal Assistance Grants (inclusive of the roads component) and that those funds be prioritised for asset renewals and maintenance.
2. Ensure funding allocation from general rates to the transport and infrastructure directorate, shall as a minimum, be increased annually commensurate with any increase in rates revenue.
3. Prioritised capital works, for example road or bridge re-construction, be generally funded from tied grants.
4. The position outlined in points 1 to 3 be considered in the annual budget development process.
5. As part of the Roads Strategy, a report be provided with annual status updates, identifying the overall road inventory in the different condition levels, projecting current intervention timelines and the likely escalation of costs for implementing optimal renewals strategies, such as a re-sealing, heavy patching & rehabilitation programs.
6. Provide status reports no less than annually, reflecting the impact to the Long Term Financial Plan, of any escalation of renewal backlog after factoring in indexation.
7. Implement community engagement, to improve the community's understanding of the Roads Strategy which prioritises maintenance and renewals with reconstruction generally funded by tied grants.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

Note: Councillor Tickle identified an error in the background information when introducing the Notice of Motion. The background information to the Motion should state *"In terms of renewing transport assets, it costs approximately ten times more to re-construct a road compared to the cost of a re-seal"*.

13. QUESTIONS WITH NOTICE

13.1. QUESTIONS WITH NOTICE – CR DHEERA SMITH

REPORT INFORMATION

Author	Cr Dheera Smith
Date of Meeting	27 November 2024

Responses were provided as contained in the Business Paper.

14. CONSIDERATION OF OFFICERS' REPORTS

15. GENERAL MANAGER

15.1. MATTERS OUTSTANDING

REPORT INFORMATION

Report Author	Adrian Panuccio, General Manager
Date of Meeting	27 November 2024

RECOMMENDATION

That the information in Attachment 1 - Resolution Register - 27 November 2024 be noted.

418/2024 RESOLUTION

(Moved Cr A Tickle/Seconded Cr D Wilson)

That the information in Attachment 1 - Resolution Register - 27 November 2024 be noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16. DIRECTOR LIVEABLE COMMUNITIES

16.1. SEWAGE RETICULATION MAIN - TEA GARDENS (DA2024/0054)

REPORT INFORMATION

Report Author	Craig Wilkinson - Senior Development Planner
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Development Application DA2024/0054 for the construction of a sewage reticulation main in Tea Gardens be approved subject to the conditions contained in Attachment 1.

419/2024 RESOLUTION

(Moved Cr T O’Keefe /Seconded Cr D Smith)

That Development Application DA2024/0054 for the construction of a sewage reticulation main in Tea Gardens be approved subject to the conditions contained in Attachment 1.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

**16.2. MODIFICATION - SHOP TOP HOUSING DEVELOPMENT - 1 WHARF STREET, TUNCURRY
(MOD2023/0313)**

REPORT INFORMATION

Report Author	Craig Wilkinson -Senior Development Planner
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the modification (MOD2023/0313) to an existing approved mixed-use development at 1 Wharf Street, Tuncurry be approved subject to the modified conditions outlined in Attachment 1.

Moved Cr A Tickle /Seconded Cr M Graham

That the modification (MOD2023/0313) to an existing approved mixed-use development at 1 Wharf Street, Tuncurry be approved subject to the modified conditions outlined in Attachment 1 and subject to the following additional condition:

21(a) Dilapidation Report

Before any site work commences, and prior to the issue of any Construction Certificate, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land. The dilapidation report as a minimum shall document and photograph the current condition of the buildings on the land to the north, at 5 Wharf Street, Tuncurry (SP38299), infrastructure and roads in the road reserve(s) adjoining the eastern, western and southern boundaries of the site and otherwise be to the satisfaction of the principal certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than twenty one (21) days before any site / building work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where council is not the principal certifier) at the same time.

Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr T O’Keefe

ABSENT, DID NOT VOTE – Cr M McKenzie

420/2024 RESOLUTION

(Moved Cr A Tickle /Seconded Cr M Graham)

That the modification (MOD2023/0313) to an existing approved mixed-use development at 1 Wharf Street, Tuncurry be approved subject to the modified conditions outlined in Attachment 1 and subject to the following additional condition:

21(a) Dilapidation Report

Before any site work commences, and prior to the issue of any Construction Certificate, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land. The dilapidation report as a minimum shall document and photograph the current condition of the buildings on the land to the north, at 5 Wharf Street, Tuncurry (SP38299), infrastructure and roads in the road reserve(s) adjoining the eastern, western and southern boundaries of the site and otherwise be to the satisfaction of the principal certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than twenty one (21) days before any site / building work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where council is not the principal certifier) at the same time.

Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr T O'Keefe

ABSENT, DID NOT VOTE – Cr M McKenzie

16.3. MULTI-DWELLING HOUSING - 2 BUNYAN AVENUE, OLD BAR (DA2023/0074)

REPORT INFORMATION

Report Author	Heather Fardy - Development Planner
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Development Application DA2023/0075 for the construction of three dwellings as multi dwelling housing on Lot 13 DP1243711, 2 Bunyan Avenue, Old Bar be approved subject to the conditions contained in Attachment 1.

421/2024 RESOLUTION

(Moved Cr J Miller/Seconded Cr D Smith)

That Development Application DA2023/0075 for the construction of three dwellings as multi dwelling housing on Lot 13 DP1243711, 2 Bunyan Avenue, Old Bar be approved subject to the conditions contained in Attachment 1.

FOR VOTE – Cr M Graham, Cr J Miller, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr P Beazley, Cr P Howard, Cr T O’Keefe

ABSENT, DID NOT VOTE – Cr M McKenzie

16.4. DUAL OCCUPANCY, SHED & SWIMMING POOL - 155 TARBUCK PARK ROAD, TARBUCK BAY (DA2024/0646)

REPORT INFORMATION

Report Author	Chad Vowles - Assessment Planner
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Development Application DA2024/0646 for the erection of a dwelling, shed and swimming pool to create a dual occupancy at 155 Tarbuck Park Road, Tarbuck Bay be approved subject to the conditions contained in Attachment 1.

422/2024 RESOLUTION

(Moved Cr P Howard/Seconded Cr N Turnbull)

That Development Application DA2024/0646 for the erection of a dwelling, shed and swimming pool to create a dual occupancy at 155 Tarbuck Park Road, Tarbuck Bay be approved subject to the conditions contained in Attachment 1.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.5. DETACHED DUAL OCCUPANCY - 106 CAREY ROAD, WINGHAM (DA2024/0704)

REPORT INFORMATION

Report Author	Chad Vowles - Assessment Planner
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Development Application DA2024/0646 for a detached dwelling creating a dual occupancy at 106 Carey Road, Wingham be approved subject to the conditions contained in Attachment 1.

(Moved Cr M Graham/Seconded Cr N Turnbull)

That Development Application DA2024/0704 for a detached dwelling creating a dual occupancy at 106 Carey Road, Wingham be approved subject to the conditions contained in Attachment 1.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

423/2024 RESOLUTION

(Moved Cr M Graham/Seconded Cr N Turnbull)

That Development Application DA2024/0704 for a detached dwelling creating a dual occupancy at 106 Carey Road, Wingham be approved subject to the conditions contained in Attachment 1.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.6. HOUSING BARRIERS REVIEW IMPLEMENTATION PLAN - UPDATE

REPORT INFORMATION

Report Author	Paul De Szell - Director Liveable Communities
Date of Meeting	27 November 2024

RECOMMENDATION

That Council note the content of the report.

424/2024 RESOLUTION

(Moved Cr N Turnbull/Seconded Cr A Tickle)

That Council note the content of the report.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.7. MIDCOAST ECONOMIC OUTLOOK AND INDUSTRY ANALYSIS REPORT

REPORT INFORMATION

Report Author	Tanya Lipus - Manager Economic and Destination Development
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That Council notes the:

1. MidCoast Economic Outlook and Industry Analysis Report and
2. MidCoast Economy at a Glance infographic.

425/2024 RESOLUTION

(Moved Cr D Smith/Seconded Cr T O’Keefe)

That Council notes the:

1. MidCoast Economic Outlook and Industry Analysis Report and
2. MidCoast Economy at a Glance infographic.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.8. MIDCOAST COUNCIL - POWER PURCHASE AGREEMENT CONTRACT

REPORT INFORMATION

Report Author	Zac Aliberti - Senior Sustainability & Climate Change Officer
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the Council note the signing of the electricity contract with Iberdrola for the period of 2025 – 2030 for Street Lighting and 2026 – 2030 for Large Sites.

426/2024 RESOLUTION

(Moved Cr A Tickle/Seconded Cr J Miller)

That the Council note the signing of the electricity contract with Iberdrola for the period of 2025 – 2030 for Street Lighting and 2026 – 2030 for Large Sites.

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie

16.9. CAPITAL PROJECTS STATUS REPORT - PUBLIC SPACES

REPORT INFORMATION

Report Author	Amanda Hatton – Manager Strategy and Projects
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell – Director Liveable Communities

RECOMMENDATION

That the Public Spaces Monthly Project Status Report be noted.

427/2024 RESOLUTION

(Moved Cr T O’Keefe/Seconded Cr N Turnbull)

That the Public Spaces Monthly Project Status Report be noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.10. MONTHLY PROJECTS STATUS REPORT - NATURAL SYSTEMS

REPORT INFORMATION

Report Author	Gerard Tuckerman - Manager Natural Systems
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the Natural Systems Monthly Project Status Report be noted.

428/2024 RESOLUTION

(Moved Cr N Turnbull /Seconded Cr T O’Keefe)

That the Natural Systems Monthly Project Status Report be noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.11. MONTHLY CAPITAL WORKS PROJECT STATUS REPORT - WASTE SERVICES

REPORT INFORMATION

Report Author	Lewis McDonald - Project Manager Waste Services
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the Waste Services Monthly Project Status Report be noted.

429/2024 RESOLUTION

(Moved Cr A Tickle /Seconded Cr N Turnbull)

That the Waste Services Monthly Project Status Report be noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

16.12. DEVELOPMENT DETERMINATIONS - OCTOBER 2024

REPORT INFORMATION

Report Author	Michelle Jobson - Executive Assistant Liveable Communities
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the report be noted.

430/2024 RESOLUTION

(Moved Cr P Howard/Seconded Cr A Tickle)

That the report be noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

Having previously declared a non pecuniary interest, Cr P Beazley left the meeting at 3.16pm.

16.13. MATTERS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT

REPORT INFORMATION

Report Author	Michelle Jobson - Executive Assistant Liveable Communities
Date of Meeting	27 November 2024
Authorising Director	Paul De Szell - Director Liveable Communities

RECOMMENDATION

That the report be noted.

431/2024 RESOLUTION

(Moved Cr T O'Keefe/Seconded Cr N Turnbull)

That the report be noted.

FOR VOTE – Cr M Graham, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr P Beazley

Cr P Beazley returned to the meeting at 3.17pm

17. DIRECTOR OF INFRASTRUCTURE & ENGINEERING SERVICES

17.1. MONTHLY CAPITAL WORKS PROJECT STATUS REPORT

REPORT INFORMATION

Report Author	John Daoud, Manager Project and Engineering - Transport Mitch Stace, Manager Water Project Delivery - Water/Sewer
Date of Meeting	27 November 2024
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

That the Monthly Project Status Report be received, and gateway reports endorsed.

432/2024 RESOLUTION

(Moved Cr D Wilson/Seconded Cr N Turnbull)

That the Monthly Project Status Report be received, and gateway reports endorsed.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

17.2. WATER & SYSTEMS MONTHLY PERFORMANCE REPORT

REPORT INFORMATION

Report Author	Marnie Coates, Executive Manager Water & Systems
Date of Meeting	27 November 2024
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

That the Water and Systems Monthly Performance Report for October 2024 be received and compliance with the guidelines and license conditions be noted.

433/2024 RESOLUTION

(Moved Cr N Turnbull/Seconded Cr P Howard)

That the Water and Systems Monthly Performance Report for October 2024 be received and compliance with the guidelines and license conditions be noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

17.3. FORSTER AND TUNCURRY HIRE E-SCOOTER TRIAL - TWELVE MONTH REPORT

REPORT INFORMATION

Report Author	Richard Wheatley, Team Leader Transport
Date of Meeting	27 November 2024
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

The Forster Tuncurry Hire E-scooter Trial be extended to 30 June 2025 or until the regulatory provisions on e-scooters from the NSW Government become known.

Moved Cr A Tickle/Seconded Cr D Smith

That:

- 1) The Forster Tuncurry Hire E-scooter Trial be extended to 30 June 2025 or until the regulatory provisions on e-scooters from the NSW Government become known.
- 2) Council appoint Cr Peter Howard to replace (former Councillor) Katheryn Stinson on the Stakeholder Committee.

FOR VOTE – Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr P Beazley

ABSENT, DID NOT VOTE – Cr M McKenzie

434/2024 RESOLUTION

(Moved Cr A Tickle/Seconded Cr D Smith)

- 1) The Forster Tuncurry Hire E-scooter Trial be extended to 30 June 2025 or until the regulatory provisions on e-scooters from the NSW Government become known.
- 2) That Council appoint Cr Peter Howard to replace (former Councillor) Katheryn Stinson on the Stakeholder Committee.

FOR VOTE – Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr P Beazley

ABSENT, DID NOT VOTE – Cr M McKenzie

17.4. MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD 17 OCTOBER 2024

MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD 17 OCTOBER 2024

Report Author	Lahiru Abhayarathne, Traffic Engineer
Date of Meeting	27 November 2024
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

RECOMMENDATION

It is recommended that the Minutes of the Local Traffic Committee meeting held on 17 October 2024 be noted and that the recommendations are adopted.

435/2024 RESOLUTION

(Moved Cr J Miller/Seconded Cr N Turnbull)

It is recommended that the Minutes of the Local Traffic Committee meeting held on 17 October 2024 be noted and that the recommendations are adopted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

18. DIRECTOR OF CORPORATE SERVICES

18.1. COUNCIL MEETING SCHEDULE - 2025

REPORT INFORMATION

Report Author	Rob Griffiths, Manager Governance
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That the Ordinary Council Meeting Schedule for 2025 contained in this report be adopted.

(Moved Cr N Turnbull/Seconded Cr D Wilson)

That the Ordinary Council Meeting Schedule for 2025 contained in this report be adopted with the minor edit that the Wednesday 3rd September Meeting commences at 2pm.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

436/2024 RESOLUTION

(Moved Cr N Turnbull/Seconded Cr D Wilson)

That the Ordinary Council Meeting Schedule for 2025 contained in this report be adopted with the minor edit that the Wednesday 3rd September Meeting commences at 2pm.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

18.2. BUSINESS TRANSFORMATION PROGRAM PROGRESS UPDATE

REPORT INFORMATION

Report Author	Chelsea Salomons, Program Manager Business Transformation
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That Council Note the Business Transformation Program Progress update.

437/2024 RESOLUTION

(Moved Cr D Wilson/Seconded Cr N Turnbull)

That Council Note the Business Transformation Program Progress update.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

18.3. APPOINTMENT OF REPRESENTATIVES TO COMMITTEES & ESTABLISHMENT OF GENERAL MANAGER'S PERFORMANCE REVIEW PANEL

REPORT INFORMATION

Report Author	Donna Hudson, Governance Liaison & Projects Coordinator & Adrian Pryke, Coordinator Human Resources
Date of Meeting	27 November 2024
Authorised By	Adrian Panuccio, General Manager

RECOMMENDATION

It is recommended that:

1. That three Councillors are appointed to the **Donations / Funding Assessment Panel**
2. That the Mayor and one Councillor are appointed to the **Aboriginal Reference Group**, with Mayor Pontin the nominated Chair
3. That two Councillors are appointed to the **Arts & Creative Industries Reference Group**, inclusive of a nominated Chair
4. That two Councillors are appointed to the **Floodplain Management Advisory Group**, inclusive of a nominated Chair
5. That two Councillors are appointed to the **Koala Reference Group**, inclusive of a nominated Chair
6. That two Councillors are appointed to the **Old Bar – Manning Point Coastal Management Program Reference Group**, inclusive of a nominated Chair
7. That two Councillors are appointed to the **Southern Estuaries Coastal Management Program Reference Group**, inclusive of a nominated Chair
8. That the Mayor and three Councillors are appointed to the **Policy Working Group**, inclusive of a nominated Chair
9. That one Councillor is appointed as the representative to **NSW Public Libraries**
10. That the Mayor, Deputy Mayor, and one Councillor are appointed to the **General Manager's Performance Review Panel**, and that
 - i. Council ask the General Manager (should he wish to) to nominate one (1) Councillor to participate on the Panel.
 - ii. That Council delegate the process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.
 - iii. That Council engages Local Government Management Solutions (LGMS) to assist the Panel in the performance review process.
 - iv. That Council's Manager Organisational Strategy and People be appointed as secretariat to the Panel.

Moved Cr C Pontin/Seconded Cr J Miller

It is recommended that:

1. That Councillors Howard, Turnbull, and Graham are appointed to the **Donations / Funding Assessment Panel**
2. That Mayor Pontin and Councillor Smith are appointed to the **Aboriginal Reference Group**, with Mayor Pontin the nominated Chair

3. That Deputy Mayor Miller and Councillor Beazley are appointed to the **Arts & Creative Industries Reference Group**, with Deputy Mayor Miller the nominated Chair
4. That Councillors Tickle and Wilson are appointed to the **Floodplain Management Advisory Group**, with Councillor Tickle the nominated Chair
5. That Councillors Smith and O’Keefe are appointed to the **Koala Reference Group**, with Councillor Smith the nominated Chair
6. That Deputy Mayor Miller and Councillor Wilson are appointed to the **Old Bar – Manning Point Coastal Management Program Reference Group**, with Deputy Mayor Miller the nominated Chair
7. That Mayor Pontin and Councillor O’Keefe are appointed to the **Southern Estuaries Coastal Management Program Reference Group**, with Mayor Pontin the nominated Chair
8. That the Mayor and Councillors O’Keefe, Wilson, and Turnbull are appointed to the **Policy Working Group**, with Mayor Pontin the nominated Chair
9. That Councillor Beazley is appointed as the representative to **NSW Public Libraries**.
10. That Council establish the **General Manager’s Performance Review Panel** (the Panel) and nominate Mayor Pontin, Deputy Mayor Miller, and Councillor Tickle to participate on the Panel.
 - i. That Council ask the General Manager (should he wish to) to nominate one (1) Councillor to participate on the Panel.
 - ii. That Council delegate the process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.
 - iii. That Council engages Local Government Management Solutions (LGMS) to assist the Panel in the performance review process.
 - iv. That Council’s Manager Organisational Strategy and People be appointed as secretariat to the Panel

Amendment Moved by Cr M Graham/Seconded Cr P Beazley

It is recommended that:

1. That Councillors Howard, Turnbull, and Graham are appointed to the **Donations / Funding Assessment Panel**
2. That Mayor Pontin and Councillor Smith are appointed to the **Aboriginal Reference Group**, with Mayor Pontin the nominated Chair
3. That Deputy Mayor Miller and Councillor Beazley are appointed to the **Arts & Creative Industries Reference Group**, with Deputy Mayor Miller the nominated Chair
4. That Councillors Tickle and Wilson are appointed to the **Floodplain Management Advisory Group**, with Councillor Tickle the nominated Chair
5. That Councillors Smith and O’Keefe are appointed to the **Koala Reference Group**, with Councillor Smith the nominated Chair
6. That Deputy Mayor Miller and Councillor Wilson are appointed to the **Old Bar – Manning Point Coastal Management Program Reference Group**, with Deputy Mayor Miller the nominated Chair
7. That Mayor Pontin and Councillor O’Keefe are appointed to the **Southern Estuaries Coastal Management Program Reference Group**, with Mayor Pontin the nominated Chair
8. That the Mayor and Councillors O’Keefe, Wilson, and Turnbull are appointed to the **Policy Working Group**, with Mayor Pontin the nominated Chair

9. That Councillor Beazley is appointed as the representative to **NSW Public Libraries**.
10. That Council establish the **General Manager's Performance Review Panel** (the Panel) and nominate Mayor Pontin, Deputy Mayor Miller, and Councillor Graham to participate on the Panel.
 - i. That Council ask the General Manager (should he wish to) to nominate one (1) Councillor to participate on the Panel.
 - ii. That Council delegate the process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.
 - iii. That Council engages Local Government Management Solutions (LGMS) to assist the Panel in the performance review process.
 - iv. That Council's Manager Organisational Strategy and People be appointed as secretariat to the Panel

FOR VOTE – Cr P Beazley, Cr M Graham, Cr T O'Keefe

AGAINST VOTE – Cr P Howard, Cr J Miller, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson

ABSENT, DID NOT VOTE – Cr M McKenzie

The amendment was lost.

Council then returned to the motion moved by Cr C Pontin/Seconded Cr J Miller

It is recommended that:

1. That Councillors Howard, Turnbull, and Graham are appointed to the **Donations / Funding Assessment Panel**
2. That Mayor Pontin and Councillor Smith are appointed to the **Aboriginal Reference Group**, with Mayor Pontin the nominated Chair
3. That Deputy Mayor Miller and Councillor Beazley are appointed to the **Arts & Creative Industries Reference Group**, with Deputy Mayor Miller the nominated Chair
4. That Councillors Tickle and Wilson are appointed to the **Floodplain Management Advisory Group**, with Councillor Tickle the nominated Chair
5. That Councillors Smith and O'Keefe are appointed to the **Koala Reference Group**, with Councillor Smith the nominated Chair
6. That Deputy Mayor Miller and Councillor Wilson are appointed to the **Old Bar – Manning Point Coastal Management Program Reference Group**, with Deputy Mayor Miller the nominated Chair
7. That Mayor Pontin and Councillor O'Keefe are appointed to the **Southern Estuaries Coastal Management Program Reference Group**, with Mayor Pontin the nominated Chair
8. That the Mayor and Councillors O'Keefe, Wilson, and Turnbull are appointed to the **Policy Working Group**, with Mayor Pontin the nominated Chair
9. That Councillor Beazley is appointed as the representative to **NSW Public Libraries**.
10. That Council establish the **General Manager's Performance Review Panel** (the Panel) and nominate Mayor Pontin, Deputy Mayor Miller, and Councillor Tickle to participate on the Panel.
 - i. That Council ask the General Manager (should he wish to) to nominate one (1) Councillor to participate on the Panel.
 - ii. That Council delegate the process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.

- iii. That Council engages Local Government Management Solutions (LGMS) to assist the Panel in the performance review process.
- iv. That Council's Manager Organisational Strategy and People be appointed as secretariat to the Panel

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie

438/2024 RESOLUTION

(Moved Cr C Pontin/Seconded Cr J Miller)

It is recommended that:

1. That Councillors Howard, Turnbull, and Graham are appointed to the **Donations / Funding Assessment Panel**
2. That Mayor Pontin and Councillor Smith are appointed to the **Aboriginal Reference Group**, with Mayor Pontin the nominated Chair
3. That Deputy Mayor Miller and Councillor Beazley are appointed to the **Arts & Creative Industries Reference Group**, with Deputy Mayor Miller the nominated Chair
4. That Councillors Tickle and Wilson are appointed to the **Floodplain Management Advisory Group**, with Councillor Tickle the nominated Chair
5. That Councillors Smith and O'Keefe are appointed to the **Koala Reference Group**, with Councillor Smith the nominated Chair
6. That Deputy Mayor Miller and Councillor Wilson are appointed to the **Old Bar – Manning Point Coastal Management Program Reference Group**, with Deputy Mayor Miller the nominated Chair
7. That Mayor Pontin and Councillor O'Keefe are appointed to the **Southern Estuaries Coastal Management Program Reference Group**, with Mayor Pontin the nominated Chair
8. That the Mayor and Councillors O'Keefe, Wilson, and Turnbull appointed to the **Policy Working Group**, with Mayor Pontin the nominated Chair
9. That Councillor Beazley is appointed as the representative to **NSW Public Libraries**.
10. That Council establish the **General Manager's Performance Review Panel** (the Panel) and nominate Mayor Pontin, Deputy Mayor Miller, and Councillor Tickle to participate on the Panel.
 - i. That Council ask the General Manager (should he wish to) to nominate one (1) Councillor to participate on the Panel.
 - ii. That Council delegate the process of performance management to the Panel, and the Mayor be delegated to sign the Performance Agreement.
 - iii. That Council engages Local Government Management Solutions (LGMS) to assist the Panel in the performance review process.
 - iv. That Council's Manager Organisational Strategy and People be appointed as secretariat to the Panel

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie

18.4. 2023/2024 MIDCOAST ARIC ANNUAL REPORT

REPORT INFORMATION

Report Author	Donna Hudson, Governance Liaison and Projects Coordinator
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That the 2023/2024 MidCoast ARIC Annual Report be endorsed.

439/2024 RESOLUTION

(Moved Cr J Miller/Seconded Cr P Howard)

That the 2023/2024 MidCoast ARIC Annual Report be endorsed.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr D Smith, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie

Mayor C Pontin, having disclosed a pecuniary interest, left the meeting at 3.58pm. Deputy Mayor Jeremy Miller took the Chair.

Cr D Smith left the meeting at 3.58pm and did not return.

18.5. PROPOSED ACQUISITION OF LAND FOR PUBLIC ROAD, 323 BLACKHEAD ROAD, HALLIDAYS POINT

REPORT INFORMATION

Report Author	John White, Roads Property Officer
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That Council:

1. Proceed with the acquisition of approximately 2,181m² of land identified in the Attachments, being part of existing Lot 4 DP 242332 known as 323 Blackhead Road, Hallidays Point (the relevant area) in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*, by agreement or by compulsory process,
2. Pay compensation to the owner of Lot 2 DP 232332 in accordance with the Compensation Terms set out in the Attachments - **Confidential (Section 10A(2)(c) Local Government Act 1993)**,
3. In the event that acquisition by agreement cannot be negotiated, Council make an application to the Minister and the Governor for approval to acquire the relevant area by compulsory process under section 177(1) of the Roads Act 1993,
4. Once acquired, dedicate the relevant area as public road in accordance with Part 2 of the Roads Act 1993, and
5. Delegate authority to the General Manager to execute all documents associated with the acquisition of the relevant area and dedication thereof as public road.

440/2024 RESOLUTION

(Moved Cr P Howard/Seconded Cr N Turnbull)

That Council:

1. Proceed with the acquisition of approximately 2,181m² of land identified in the Attachments, being part of existing Lot 4 DP 242332 known as 323 Blackhead Road, Hallidays Point (the relevant area) in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*, by agreement or by compulsory process,
2. Pay compensation to the owner of Lot 2 DP 232332 in accordance with the Compensation Terms set out in the Attachments - **Confidential (Section 10A(2)(c) Local Government Act 1993)**,
3. In the event that acquisition by agreement cannot be negotiated, Council make an application to the Minister and the Governor for approval to acquire the relevant area by compulsory process under section 177(1) of the Roads Act 1993,
4. Once acquired, dedicate the relevant area as public road in accordance with Part 2 of the Roads Act 1993, and
5. Delegate authority to the General Manager to execute all documents associated with the acquisition of the relevant area and dedication thereof as public road.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr C Pontin, Cr D Smith

Mayor Claire Pontin returned to the meeting at 4.00pm and resumed the Chair.

18.6. 2024-2025 MONTHLY BUDGET VARIATION REPORT - OCTOBER 2024

REPORT INFORMATION

Report Author	Phil Brennan, Manager Finance
Date of Meeting	27th November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That the monthly budget variation report covering October 2024 be noted and the budget variations proposed, including transfers to and from reserves be approved.

441/2024 RESOLUTION

(Moved Cr N Turnbull/Seconded Cr A Tickle)

That the monthly budget variation report covering October 2024 be noted and the budget variations proposed, including transfers to and from reserves be approved.

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

18.7. CASH INVESTMENTS REPORT - OCTOBER 2024

REPORT INFORMATION

Report Author	Phil Brennan, Manager Finance
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That the report be received and noted.

442/2024 RESOLUTION

(Moved Cr D Wilson/Seconded Cr N Turnbull)

That the report be received and noted.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

18.8. FINANCIAL STATEMENTS & AUDITORS REPORT FOR 2023-2024

REPORT INFORMATION

Report Author	Phil Brennan, Manager Finance
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That Council receive and note the audited Financial Statements for Mid-Coast Council for the period 1 July 2023 to 30 June 2024.

443/2024 RESOLUTION

(Moved Cr J Miller/Seconded Cr A Tickle)

That Council receive and note the audited Financial Statements for Mid-Coast Council for the period 1 July 2023 to 30 June 2024.

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

18.9. MIDCOAST COUNCIL ANNUAL REPORT 2023-24

REPORT INFORMATION

Report Author	Alison McMurray, Acting Coordinator Culture and Performance
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That the MidCoast Council Annual Report 2023-24 for the period 1 July 2023 to 30 June 2024 be endorsed by Council.

(Moved Cr N Turnbull/Seconded Cr J Miller)

That the MidCoast Council Annual Report 2023-24 for the period 1 July 2023 to 30 June 2024 be endorsed by Council subject to the following amendments relating to pages 65 and 66 of *Attachment 1*:

1. That the 'Working Groups' heading on page 65 be amended to 'Internal Committees and Working Groups'
2. That the 'Asset Advisory Committee' be moved from the 'External Committee' heading on page 66 to under the 'Internal Committees and Working Groups' heading page 65.
3. That 'Cr Fowler' and 'Cr Tickle' be added as Representatives for the "Asset Advisory Committee"

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

444/2024 RESOLUTION

(Moved Cr N Turnbull/Seconded Cr J Miller)

That the MidCoast Council Annual Report 2023-24 for the period 1 July 2023 to 30 June 2024 be endorsed by Council subject to the following amendments relating to pages 65 and 66 of *Attachment 1*:

1. That the 'Working Groups' heading on page 65 be amended to 'Internal Committees and Working Groups'
2. That the 'Asset Advisory Committee' be moved from the 'External Committee' heading on page 66 to under the 'Internal Committees and Working Groups' heading page 65.
3. That 'Cr Fowler' and 'Cr Tickle' be added as Representatives for the "Asset Advisory Committee"

FOR VOTE – Cr P Beazley, Cr P Howard, Cr J Miller, Cr T O'Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Cr M Graham

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

18.10. STATE OF THE MIDCOAST 2022-2024 REPORT

REPORT INFORMATION

Report Author	Alison McMurray, Acting Coordinator Culture and Performance
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

1. That the State of the MidCoast 2022-2024 Report be noted by Council.
2. That the State of the MidCoast 2022-2024 Report be appended to the 2023-24 Annual Report.

445/2024 RESOLUTION

(Moved Cr P Howard/Seconded Cr N Turnbull)

1. That the State of the MidCoast 2022-2024 Report be noted by Council.
2. That the State of the MidCoast 2022-2024 Report be appended to the 2023-24 Annual Report.

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

18.11. SALE OF PROPERTIES

REPORT INFORMATION

Report Author	Hamish Taylor, Coordinator Property Services
Date of Meeting	27 November 2024
Authorising Director	Steve Embry, Director Corporate Services

RECOMMENDATION

That Council:

1. Note the contents of this Report and the Confidential Attachments
2. Resolve to approve the marketing and sale of the Properties
3. Authorise the General Manager to execute sale and purchase contracts, with interested persons, on agreed terms, for a price of not less than the lower of the indicated sale price of the properties (as set out in the Confidential Attachments 1, 2 and 3).

446/2024 RESOLUTION

(Moved Cr A Tickle/Seconded Cr P Howard)

That Council:

1. Note the contents of this Report and the Confidential Attachments
2. Resolve to approve the marketing and sale of the Properties
3. Authorise the General Manager to execute sale and purchase contracts, with interested persons, on agreed terms, for a price of not less than the lower of the indicated sale price of the properties (as set out in the Confidential Attachments 1, 2 and 3).

FOR VOTE – Cr P Beazley, Cr M Graham, Cr P Howard, Cr J Miller, Cr T O’Keefe, Cr C Pontin, Cr A Tickle, Cr N Turnbull, Cr D Wilson.

AGAINST VOTE – Nil

ABSENT, DID NOT VOTE – Cr M McKenzie, Cr D Smith

19. CONFIDENTIAL REPORTS

Nil.

MATTERS OF URGENT BUSINESS

Nil.

MEETING CLOSED

This is the last page of the Minutes of the Ordinary Council meeting of MidCoast Council held on 27 November 2024.

There being no further business, the meeting closed at 4.20pm.

A handwritten signature in black ink, reading "Claire Pontin". The signature is written in a cursive, flowing style.

Mayor Claire Pontin
CHAIRPERSON