



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 28 NOVEMBER 2024

Council has adopted the following Vision and Mission Statements to describe its philosophy and to provide a focus for the program areas detailed in its Delivery Program.

Our Vision

Nambucca Valley ~ Living at its best.

Our Mission Statement

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

Our Values in Delivery

- *Professionalism:*
Show drive and motivation, innovation, risk awareness, an awareness of strengths and weaknesses and a commitment to learning.
- *Accountability:*
Take responsibility for own actions, act in line with legislation and policy and be open and honest.
- *Community Focus:*
Commit to delivering customer and community focused services in line with strategic objectives.
- *Team work:*
Be a respectful, inclusive and reliable team member, collaborate with others and value diversity.
- *Safety:*
Strive towards a safety focused workplace culture to ensure the wellbeing of staff, their families and the community.
- *Value for Money:*
Achieve results through efficient use of resources and a commitment to quality outcomes.
- *Leadership (Managers):*
Engage and motivate staff, develop capability and potential in others and champion positive change.

Council Meetings: Overview and Proceedings

Council meetings are held on the **last Thursday** of each month AND on the Thursday two weeks before the Thursday meeting. Both meetings commence at **5.30 pm**. Meetings are held in the Council Chamber at Council's Administration Centre—44 Princess Street, Macksville (unless otherwise advertised).

How can a Member of the Public Speak at a Council Meeting?

1 Addressing Council with regard to an item on the meeting agenda:

Members of the public are welcome to attend meetings and address the Council. Registration to speak may be made by application on Council's website <https://nambucca.nsw.gov.au/addresscouncil> before 11.00 am on a meeting day. The relevant agenda item will be brought forward at 5.30 pm in agenda order, and dealt with following preliminary business items on the agenda. Public addresses are limited to five (5) minutes per person with a limit of two people speaking for and two speaking against an item.

2 Public forum address regarding matters not on the meeting agenda:

Nambucca Valley Council believes that the opportunity for any person to address the Council in relation to any matter which concerns them is an important demonstration of local democracy and our values. Accordingly Council allows members of the public to address it on matters not listed in the agenda provided the request is received before publication of the agenda (registration to speak may be made by application on Council's website <https://nambucca.nsw.gov.au/addresscouncil> before 11.00 am on a meeting day) and the subject of the address is disclosed and recorded on the agenda.

In relation to regulatory or enforcement matters it needs to be understood that the Council has certain legal obligations which will generally prevent the Council from providing an immediate response to any concerns or grievances which may be raised in the public forum. In particular the Council has to provide procedural fairness and consider all relevant information.

Generally this cannot be done with matters which have come direct to Council via the public forum. So the fact that the Council may not immediately agree to the representations and seek a report instead should not be taken to indicate disagreement or disinterest.

Where the subject matter concerns an on-going complaint which has been the subject of previous investigation by Council staff and/or external bodies such as the NSW Ombudsman, the General Manager in consultation with the Mayor will decide on whether or not the person will be allowed to speak in the public forum.

Speakers should address issues and refrain from making personal attacks or derogatory remarks. You must treat others with respect at all times.

Council Meeting Audio Recordings

Council audio records all Council Meetings and the recordings are posted on the website once the Minutes are released. Please note that the audio files could be quite large and may take a while to download.

Meeting Agenda

These are available Council's website: www.nambucca.nsw.gov.au

For Councillors

If you would like to submit a Notice of Motion or Question with Notice for an upcoming Council meeting, please use the link [Councillor Notice of Motion/Questions with Notice](#)



4.00PM – WORKSHOP – NEW COUNCILLOR BRIEFING ON NAMBUCCA VALLEY’S DEMOGRAPHICS

NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING - 28 NOVEMBER 2024

Acknowledgement of Country *(Mayor)*

I would like to acknowledge the Gumbaynggirr people who are the Traditional Custodians of this Land. I would also like to pay respect to the elders both past and present and extend that respect to any Aboriginal People present.

Council Meeting Audio Recordings *(Mayor)*

This meeting is being webcast and those in attendance should refrain from making any defamatory statements.

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	<i>It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.</i>	
13.2	Supply and Installation of Steel Piles - T292425NAM	
	<i>It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.</i>	
	a	Questions raised by Councillors at 8 above
	i	MOTION TO CLOSE THE MEETING
	ii	PUBLIC VERBAL REPRESENTATIONS REGARDING PROPOSAL TO CLOSE
	iii	CONSIDERATION OF PUBLIC REPRESENTATIONS
	iv	DEAL WITH MOTION TO CLOSE THE MEETING
14	MEETING CLOSED TO THE PUBLIC	
15	REVERT TO OPEN MEETING FOR DECISIONS IN RELATION TO ITEMS DISCUSSED IN CLOSED MEETING.	

Statement of ethical obligations:

The Mayor and Councillors are reminded of their Oath/Affirmation of office made under Section 233A of the *Local Government Act 1993* and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

NAMBUCCA VALLEY COUNCIL



DISCLOSURE OF INTEREST AT MEETINGS

Name of Meeting: _____
Meeting Date: _____
Item/Report Number: _____
Item/Report Title: _____

I _____ declare the following interest:
(name)

Pecuniary – must leave chamber, take no part in discussion and voting.

Non Pecuniary – Significant Conflict – Recommended that Councillor/Member leaves chamber, takes no part in discussion or voting.

Non-Pecuniary – Less Significant Conflict – Councillor/Member may choose to remain in Chamber and participate in discussion and voting.

For the reason that _____

Signed _____ Date _____

Council's Email Address – council@nambucca.nsw.gov.au

(Instructions and definitions are provided on the next page).

Definitions

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Councillor or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451)*.

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or visa-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST

- 1 This form must be completed using block letters or typed.
- 2 If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.25 of the Code of Conduct – Councillors and 4.37 of the Code of Conduct - Council for the Nambucca Valley Council (the Codes of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Codes of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Codes of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

“Relative” is defined by clause 4.4 of the Codes of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests byin the matter of
 which is to be considered at a meeting of the

 to be held on the.....day of 20

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature:

Date:

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

The following document is the minutes of the Ordinary Council meeting held **14 NOVEMBER 2024**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 28 November 2024 and therefore subject to change. Please refer to the minutes of 28 November 2024 for confirmation.

PRESENT

Cr Gary Lee (Mayor)
Cr Martin Ballangarry OAM
Cr David Jones
Cr Ljubov Simson
Cr Troy Vance

Cr James Angel
Cr Susan Jenvey
Cr Tamara McWilliam
Cr Jane Smith

ALSO PRESENT

David Moloney (Acting General Manager)
Kristian Enevoldson (Acting Director Corporate Services)
Rochelle McMurray (Minute Secretary)

Daniel Walsh (Manager Development Environment)
Evan Webb (Chief Financial Officer)

APOLOGIES

Apologies

Bede Spannagle (General Manager)

Matthew Sykes (Director Corporate Services)

ACKNOWLEDGMENT OF COUNTRY

I would like to acknowledge the Gumbaynggirr people who are the Traditional Custodians of this Land. I would also like to pay respect to the elders both past and present and extend that respect to any Aboriginal People present.

COUNCIL MEETING AUDIO RECORDINGS

This meeting is being webcast and those in attendance should refrain from making any defamatory statements

Councillors and Public Speakers are also being video recorded for internal training purposes.

PRAYER

Pastor Tim Turner from the Seventh Day Adventist Church Nambucca Heads, offered a prayer on behalf of the Nambucca Minister's Association.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

DISCLOSURE OF INTEREST

Councillor James Angel declared a non-pecuniary - less significant conflict of interest in Item 9.3 – Licence Part Road Reserve Adjacent to 72 Siding Road Newee Creek under the Local Government Act as Mr Gaddes procures truck tyres from Cr Angel's business. Cr Angel will remain in the meeting for this item.

Councillor Martin Ballangarry declared a non-pecuniary - less significant conflict of interest in Item 11.1 - Amendment to the Nambucca Local Environmental Plan 2010 – Horticulture under the Local Government Act as Cr Ballangarry as an Aboriginal elder, I have co-signed a joint submission. Cr Ballangarry will remain in the meeting for this item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 31 OCTOBER 2024

361/24 **RESOLVED:** (Jones/Angel)

That the minutes of the Ordinary Council Meeting of 31 October 2024 be confirmed.

DELEGATIONS

362/24 **RESOLVED:** (Jones/Smith)

That Council bring forward Delegations on the Agenda.

DELEGATIONS

RECOMMENDATION:

That the following delegations be heard:

Item 5.1 Notice of Motion - Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River

i Mr Gary Nichols - Marine Rescue Nambucca Heads – for recommendation

Item 5.2 Notice of Motion - Request that Staff Investigate a Professional Style Noticeboard for Community Information for Nambucca Heads Town Centre

ii Ms Karin Matejka – community member – for recommendation

Item 11.1 Amendment to the Nambucca Local Environmental Plan 2010 – Horticulture

iii Ms Rachel MacKenzie - Berries Australia – against recommendation

iv Mr Greg Desmond - NSW Farmers Nambucca Valley Branch – against recommendation

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

DELEGATIONS

- i Mr Gary Nichols, Marine Rescue Nambucca Heads addressed Council with notes placed on 60161/2024 SF3424.*

363/24 **RESOLVED:** (Simson/Jenvey)

That Item 5.1 be brought forward.

NOTICE OF MOTION - CR LEE

ITEM 5.1 SF3422 141124 Notice of Motion - Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River

364/24 **RESOLVED:** (Lee/Angel)

That Council writes to the NSW Minister for Transport The Hon Jo Haylen and Member for Oxley Michael Kemp MP to:

- 1 Fund a feasibility study whether a Southern Sea Wall will stop sand build up and create access to Nambucca River
 - 2 Fund a feasibility study into navigational dredging the Nambucca River, to allow access to Maritime Rescue
 - 3 Staff report on NSW coastal dredging strategy and the maritime infrastructure plan to see if Nambucca Valley Council is eligible as a key investment location or a priority regional location
 - 4 Staff report on the feasibility for a marine rescue service with ocean access at other possible beaches like Shelley Beach or Scotts Head
 - 5 Staff report on costs of monitoring of marine sediments in the Nambucca River Mouth with high resolution aerial photography be part of the Nambucca River, Creeks, Estuaries and Coastline Management Committee remit
 - 6 Staff report on what action mid coast council take when the Manning River closes from sand shoaling at Old Bar.
-

DELEGATIONS Continued

- ii Ms Karin Matejka, addressed Council with notes placed on 60085/2024 SF3424.*

365/24 **RESOLVED:** (Simson/Angel)

An extension of time be given to the speaker.

366/24 **RESOLVED:** (Jones/Angel)

That Item 5.2 be brought forward.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

NOTICE OF MOTION - CR JENVEY

ITEM 5.2 SF3422 141124 Notice of Motion - Request that Staff Investigate a Professional Style Noticeboard for Community Information for Nambucca Heads Town Centre

367/24 **RESOLVED:** (Jenvey/Jones)

That staff report on the feasibility of establishing a professional style noticeboard for community information in Bowra and Ridge Street CBD areas of Nambucca Heads.

DELEGATIONS Continued:

Item 11.1 - Amendment to the Nambucca Local Environmental Plan 2010 – Horticulture

iii Ms Rachel Mackenzie, Berries Australia addressed Council with notes placed on 58603/2024 SF3424.

iv Mr Greg Desmond, NSW Farmers Association Nambucca Valley Branch addressed Council with notes placed on 59899/2024 SF3424.

368/24 **RESOLVED:** (Simson/Jones)

That Item 11.1 be brought forward.

ITEM 11.1 SF3508 141124 Amendment to the Nambucca Local Environmental Plan 2010 - Horticulture

MOTION: (Lee/Angel)

That Council:

- 1 Defer this item and ask staff to conduct an additional workshop for all Councillors to consider all submissions in detail and site inspections
- 2 Provide all Councillors the opportunity to seek advice or clarification where necessary from EPA and DPI and other necessary stakeholders.

Upon being put to the meeting, the motion was declared lost.

For the Motion: Councillors Angel, Lee, McWilliam and Vance
Total (4)

Against the Motion: Councillors Ballangarry, Jenvey, Jones, Simson and Smith
Total (5)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

FORESHADOWED MOTION: (Jenvey/Smith)

That Council:

- 1 Make the local environmental plan as outlined within the planning proposal contained within attachment 3 in accordance with section 3.36(2) of the *Environmental Planning and Assessment Act 1979*.
- 2 Request a formal meeting with the Department of Primary Industry to discuss points raised in their submission, funding opportunities for proactive testing.
- 3 Contact the EPA to request information of any planned proactive controls, including ongoing testing of the river and watercourses.
- 4 Contact Local Land Services and request a project update on water catchment systems and any supporting funding opportunities.
- 5 Establish a 'Nambucca Valley Farming' Fact Sheet to promote a greater understanding of existing government and regulatory bodies, and the roles they play in managing agriculture in the Nambucca Valley. Not only will this notify farmers of how they can be assisted on establishing or growing their business, but it will also improve the community understanding around existing controls and how they are enforced.
- 6 Contact the Australian Pesticides and Veterinary Medicines Authority (APVMA) for information on how they will continue to monitor and enforce any buffer zones prescribed on the approved chemicals, specifically in the Nambucca Valley.

Upon being put to the meeting, the motion was declared carried.

For the Motion:	Councillors Ballangarry, Jenvey, Jones, Simson and Smith Total (5)
Against the Motion:	Councillors Angel, Lee, McWilliam and Vance Total (4)

369/24 **RESOLVED:** (Simson/Jenvey)

That Council:

- 1 **Make the local environmental plan as outlined within the planning proposal contained within attachment 3 in accordance with section 3.36(2) of the *Environmental Planning and Assessment Act 1979*.**
 - 2 **Request a formal meeting with the Department of Primary Industry to discuss points raised in their submission, funding opportunities for proactive testing.**
 - 3 **Contact the EPA to request information of any planned proactive controls, including ongoing testing of the river and watercourses.**
 - 4 **Contact Local Land Services and request a project update on water catchment systems and any supporting funding opportunities.**
 - 5 **Establish a 'Nambucca Valley Farming' Fact Sheet to promote a greater understanding of existing government and regulatory bodies, and the roles they play in managing agriculture in the Nambucca Valley. Not only will this notify farmers of how they can be assisted on establishing or growing their business, but it will also improve the community understanding around existing controls and how they are enforced.**
 - 6 **Contact the Australian Pesticides and Veterinary Medicines Authority (APVMA) for information on how they will continue to monitor and enforce any buffer zones prescribed on the approved chemicals, specifically in the Nambucca Valley.**
-

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

There were no questions for Closed Meeting where due notice has been received.

GENERAL MANAGER REPORTS

ITEM 9.1 SF1535 141124 Licence of part Lot 3/DP1289987 to Bowraville Recreation Club
Co-Op Ltd

370/24 **RESOLVED:** (Angel/Jones)

That Council:

- 1 Notes nil submissions were received during the public exhibition period
- 2 Proceeds with a new licence the Bowraville Recreation Club Co-Op Ltd for part lot 3/DP1289987 for the permitted use of operating a golf course.

ITEM 9.2 SF1092 141124 Draft Plan of Management - Bowraville Racecourse Reserve
540002 - Public Exhibition

371/24 **RESOLVED:** (Angel/Simson)

That Council places the Draft Plan of Management for Bowraville Racecourse Reserve 540002 on public exhibition for 42 days with all submissions to be reported back to Council.

ITEM 9.3 SF938 141124 Licence Part Road Reserve Adjacent to 72 Siding Road Newee
Creek

372/24 **RESOLVED:** (Vance/Jenvey)

That Council places the Draft Part Road Reserve Adjacent to 72 Siding Road Licence Agreement with Kevin Gaddes on public exhibition.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

DIRECTOR CORPORATE SERVICES REPORTS

ITEM 10.1 SF3492 141124 Minutes of the Audit, Risk and Improvement Committee Meeting held 16 October 2024

373/24 **RESOLVED:** (Angel/Jenvey)

That Council notes the Minutes from the Audit, Risk and Improvement Committee Meeting held 16 October 2024.

ITEM 10.2 SF3409 141124 Disability Inclusion Action Plan update to 30 June 2024

374/24 **RESOLVED:** (Simson/Ballangarry)

That Council notes the Year 2 Progress Report of the Disability Inclusion Action Plan 2022-2026 to be submitted to the Department of Communities and Justice.

ITEM 10.3 SF963 141124 Nominations to Council Section 355 Committees of Management

375/24 **RESOLVED:** (McWilliam/Vance)

That Council:

- 1 Approves the new nominations to the following Section 355 Committees of Management as per the table in the body of the report.**
 - 2 Provides the successful nominees with a copy of the Terms of Reference, Code of Conduct for Delegates, Section 355 Committee Guidelines and Volunteer Safety Handbook.**
-

MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

Item 11.1 was dealt with under delegations.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2024

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7.24PM.

Confirmed and signed by the Mayor on **28 NOVEMBER 2024**.

**Cr Gary Lee
MAYOR
(CHAIRPERSON)**

GENERAL MANAGER'S REPORT**ITEM 9.1 SF959 281124 OUTSTANDING ACTIONS AND REPORTS**

AUTHOR/ENQUIRIES: Bede Spannagle, General Manager; Matthew Sykes, Director Corporate Services; David Moloney, Director Engineering Services; Daniel Walsh, Manager Development and Environment; Joanne Hudson, Manager Human Resources; Evan Webb, Chief Financial Officer

SUMMARY:

The following table is a report on all outstanding resolutions and questions from Councillors (except development consents, development control plans & local environmental plans). Matters noted or received, together with resolutions adopting rates, fees and charges are not listed. Where matters have been actioned, they are indicated with strikethrough and then removed from the report to the following meeting. Please note that the status is updated one week before the Council meeting.

RECOMMENDATION:

That Council notes the list of outstanding actions and reports.

	FILE NUMBER	COUNCIL MEETING DATE	ACTION BY
OCTOBER 2022			
1	SF3168	13/10/22	MDE
RESOLUTION: Notice of Motion - Future Waste Operations Post 2027 - Discussion with Councils			
That in consultation and possible partnership with Bellingen Shire Council, Nambucca Valley Council seek a meeting or meetings with nearby Councils (Port Macquarie-Hastings, Kempsey, Bellingen, and Coffs Harbour) to discuss potential options for waste arrangements post early 2027 when the current Coffs Coast Waste contracts are due to expire.			
STATUS:			
19/10/22 Meeting organised with Coffs Harbour and Bellingen Councils on 18 November 2022.			
02/11/22 Meeting organised with Coffs Harbour and Bellingen Councils on 18 November 2022 and seek agreement to meet with Port Macquarie-Hastings, Kempsey.			
15/11/22 Meeting with General Manager of Bellingen Shire and agreed to organise further meetings with General Managers of Bellingen, Kempsey, Port Macquarie Hastings Councils.			
Regional Waste Strategy Reference Group meeting has been deferred until Wednesday 30 November 2022.			
01/02/23 Meeting being arranged with Bellingen, Kempsey and Port Macquarie Hastings Councils.			
16/02/23 Virtual meeting arranged for 22 March 2023.			
20/03/23 Outcomes of discussions with surrounding Councils will be reported back to Council as part of a future options report once all options have been investigated.			
22/03/23 Meeting to be held 22 March 2023 with Bellingen, Kempsey, Nambucca Valley and Port Macquarie Councils.			
30/03/23 Item to remain open at the request of Cr Jenvey.			
05/04/23 Refer to separate report. Note that a future report will be referred to Council once all options for Councils future waste strategy has been finalised.			
13/04/23 Resolution 133/23 that Council not enter into an agreement to accept any residue waste from City of Coffs Harbour Council.			
14/04/23 Correspondence sent to GM City of Coffs Harbour Council (CoCH) advising NVC not in a position to offer access to our landfill at this point in time.			
19/04/23 Meeting to be arranged by EPA.			
03/05/23 The EPA proposed joint procurement facilitation service and the regional group will email EPA to seek their application process to move forward with investigations into the establishment of a regional entity.			
17/05/23-7/06/23 Waiting for response from EPA.			
21/06/23-4/07/23 Meeting held with Clarence Valley Council and Bellingen Shire Council on 09/06/23. Discussions to continue.			
19/07/23 Discussions are continuing with Bellingen, Port Macquarie, Kempsey, and Clarence. Coffs have previously advised that they are not wanting to discuss green or yellow processing. A feasibility study regarding processing green and yellow bin waste at Clarence's facilities is currently being undertaken.			
09/08/23 No further update.			
23/08/23 Refer to separate report with update.			
06/09/23-17/04/24 No further update.			
17/04/24 Meeting scheduled with PMHC for 29 April 2024.			
09/05/24 Met with PMHC and sharing information to progress the discussion.			
22/05/24-03/07/24 No further update.			
17/07/24 Exchanging information with PMHC to further progress discussions.			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

07/08/24 GM met with KSC & PMHC GMs and obtained in-principal agreement to progress toward an agreement.
 21/08/24 Draft MOU with PMHC expected to be received in the coming weeks which will be reported to Council.
 03/09/24 Joint application for grant funding to further investigate potential waste management and collection options being submitted. Draft MOU not yet received.
 08/10/24-19/11/24 No further update.

MAY 2023			
2	SF2524	25/05/23	GM

RESOLUTION: Lease of Lots 1 and 2 in DP 866932 Reserve 85113 - Nambucca Heads RSL Club Ltd Carpark
 Council as Crown Land Manager execute the 21-year lease to Nambucca Heads RSL Club Limited over Lots 1 and 2 in DP 866932 Reserve 85113 under Council seal.

STATUS:
 31/05/23 Followed up with NHRSL Club who will revert with decision on acceptance of lease by 2/6/23.
 07/06/23 Meeting with RSL representatives to be held 07/06/23.
 20/06/23 Councillors updated at meeting 15/06/23 - NHRSL Club advised of Council's position. No response to hand at this stage.
 04/07/23 NHRSL Club has responded requesting a further meeting with Nambucca Valley Council.
 19/07/23 A meeting took place on 11 July 2023 with the RSL to organise a meeting between the RSL Board and Council.
 09/08/23 Lease not yet executed. Awaiting completion of Council's stormwater remediation project to be commenced imminently.
 23/08/23 The General Manager met with the RSL on 18 August 2023 and the lease will be discussed at their Board Meeting 30 August 2023. The stormwater is 50% completed.
 06/09/23 NHRSLCL have advised they will suspend signing the lease due to new issue presented during the stormwater rectification project – being a sinkhole and large cavity requiring remediation. Council's Project Manager is liaising with RSL's Stakeholder Liaison from C2Hills Consultancy and seeking involvement from NSW Public Works.
 20/09/23 Manager Projects is waiting on formal response from NSW Public Works confirming their contribution to works required.
 04/10/23 Manager Projects has advised that NSW Public Works have undertaken their first review of Council's submission for funding. PWA have said that they will cover:
 - The full length of stormwater pipe replacement except for the first 12m
 - The asphalt concreting of the 2.4m (excavator width) on the full 60m long trench
 - The concrete carpark for 3 car parking bays out of 7.
 This is pending the final review by PWA which could be in 2 weeks.
 17/10/23 The Club have advised they do not wish to proceed with execution of the new licence until the current carpark works being done by Council are completed, or at least have progressed significantly.
 Council has had verbal commitment from NSW PWA (Public Works) to provide partial, but significant funding to the rectification works, however an executed funding deed has not yet been received. Once written confirmation has been received, Council will proceed to engage the contractors to undertake the identified works – including the sink hole cavities presented once the stormwater project commenced. This step will enable focus back to progressing the execution of the new licence agreement.
 02/11/23 Meeting on-site with NHRSL CEO and Project Manager; AMED & Manager Projects to walk through issues identified with sink holes, cavities and current rectification works. Need has been identified that there is a much larger problem in the sub-surface which needs full investigation prior to any re-surfacing. Engineers to undertake proper and full investigation, project to rectify to be scoped; responsibilities of works to be clearly delineated; funding for project to be sought. Report to be brought back to Council on status once fully understood.
 22/11/23 DoPE Crown Lands have advised they are completing independent Native Title Advice to be supplied to Council, however require 2 additional purposes to be added to the reserve purposes being Access, and Tourist Services. These will need to be gazetted and will provide approval for the existence of access to the boardwalk and boat ramp, and for the kiosk and café. The progressing of the new lease will be subject to the outcome of the exploration works with the stormwater rectification project works, then confirming our negotiated position with the RSL Club.
 05/12/23-05/02/24 No further action. Awaiting completion of works at premises (estimated to be completed by the end of this financial year given the funding parameters set by TfNSW who have funded a large portion of the required works), and native title advice from DoPE Crown Lands.
 20/02/24 Dept Crown Lands have advised they have reviewed and will no longer require Council to add the 2 previously identified purposes to the Reserve, and accordingly will no longer be undertaking a Native Title Assessment. Council may continue with the leasing process which remains subject to completion of the civil works being done to remediate the stormwater infrastructure.
 04/03/24 Stormwater works project to recommence late April 2024, to be completed by 30 June 2024.
 12/03/24 Project Engineer advised Surveyors will stake boundaries end of March. This will assist with discussion and planning moving forward.
 02/04/2024 No further update.
 12/04/24 Meeting with Project Engineer & Property Officer and RSL Club representatives to be arranged in coming days to update plan for physical stormwater works being completed by Council seeking the Club's intent to contribute to remainder of resurfacing works required.
 16/04/24 Meeting with RSL scheduled for 23/4/24.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

08/05/24 Meeting held with RSL representatives 01/05/24. Project Engineer provided budget for works to complete sub surface drainage and resurface works. Club asked for co-contribution of \$169,000 maximum (together with TfNSW funding) to complete full resurface works. This would be best opportunity for cost efficiency, and leave only the landscaping to complete works. Club Representatives agreed in principal, with further information to be supplied for review by Board. Should board agree to co-contribute, Agreement to be drafted and signed by both parties which will include commitment to enter into new lease.

22/05/24 Draft Deed of Agreement drafted and forwarded to RSL Club for review and response.

04/06/24 Deed of agreement signed by NVC & NH RSL. Amendments to draft lease now required to allow for these works.

18/06/24 No further update.

02/07/24 RSL Club invoiced for their co-contribution to works as per Deed of Agreement; works commenced 2 July 2024.

17/07/24 Current works progressing with an expected completion date at the end of July.

07/08/24 Pavement completed, line marking still to be done.

21/08/24-20/08/24 No further update.

03/09/24 Linemarking contractor engaged to undertake work, awaiting surveying resources to be available to spot the car park.

08/10/24-22/10/24 No further update.

19/11/24 Met with contractor on 14/11/24 to discuss their remediation plan. Lease discussions to recommence once the remediation works are attended to.

JUNE 2023			
3	SF3303	29/06/23	DCS

RESOLUTION: Provision of a Council Website Link to the Federal Government Voice Website

As part of our support for the Voice to Parliament Nambucca Valley Council will convene a meeting of its Aboriginal Advisory Committee and extend its stakeholder engagement if necessary to produce a Reconciliation Plan to be linked to Council's Community Strategic Plan.

Council policies such as initiatives of Aboriginal place naming to be part of the Reconciliation Plan between Nambucca Valley Council and its Gumbaynggirr community representatives. This Reconciliation Plan is to include Council's support for NAIDOC Week and Reconciliation Week, as well as agreement to showcase First Nation's performances, art and culture in Council facilities.

STATUS:

06/07/23 Placed on website.

19/07/23 Awaiting replacement of the Manager Community Development position to undertake the actions of:

- Convene a meeting of Council's Aboriginal Advisory Committee and extend Council's stakeholder engagement if necessary to produce a Reconciliation Plan to be linked to Council's Community Strategic Plan.
- Council policies such as initiatives of Aboriginal place naming to be part of the Reconciliation Plan between Nambucca Valley Council and its Gumbaynggirr community representatives. This Reconciliation Plan is to include Council's support for NAIDOC Week and Reconciliation Week, as well as agreement to showcase First Nation's performances, art and culture in Council facilities.

09/08/23 Report to this Council meeting on staff structure related to Community Development.

22/08/23 Community Development Officer position to be recruited.

06/09/23 Applications for Community Development Officer position close 24.09.23.

18/09/23 No further update.

04/10/23-18/10/23 Interviews for Community Development Officer position to be held 20/10/23.

08/11/23-22/11/23 Community Development Officer to commence 4 December 2023.

06/12/2023 Community Development Officer (CDO) commenced 4 December 2023.

03/01/2024 CDO has:

- researched into why previous committee meetings ceased in 2012 (interest waned to a point where the lack of a quorum resulted in meetings being abandoned),
- attended a meeting of the Local Government Aboriginal Network, and
- scheduled a meeting with Council's three indigenous councillors on the 18th January 2024.

01/02/2024 CDO is currently working through a consultation phase to engage with key aboriginal stakeholders (to date it has included meeting with two aboriginal councillors and a meeting with Jaanymili Bawrungga Association. The CDO has also reached out to Unkya Aboriginal Land Council to seek a meeting) regarding re-establishing the Aboriginal Advisory Committee and creating a Reconciliation Action Plan (RAP). RAP's of other organisations are being reviewed to determine the appropriate format/content. Over coming weeks the CDO is seeking meetings with: Nambucca Aboriginal Land Council, Bowraville Land Council, Muurrbay Language and Cultural Cooperative, Miimi Aboriginal Corporation and Ngurrala Aboriginal Corporation. The CDO has also recently had consultation with the key stakeholders involved in the development of the new Gumbaynggirr Keeping Place.

CDO is also liaising with local community stakeholders to gain an understanding of what the issues and challenges are for our indigenous community.

20/02/24 No further update.

05/03/24 A letter has been drafted to organise the reconvening of a meeting of Council's Aboriginal Advisory Committee and to extend its stakeholder engagement if necessary to produce a Reconciliation Action Plan to be linked to Council's Community Strategic Plan. The CDO has also been writing a grant application to fund activities through NAIDOC week (7-

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

14/7/2024).

15/03/24 A letter has been sent to Council's Aboriginal Stakeholder database inviting representatives to a meeting scheduled for 28 March 2024. The CDO has also engaged in mentoring to improve his understanding and skills in facilitating meetings with aboriginal communities. The CDO will also attend the screening of a Cultural Burns Journey 2024 in Macksville on the 27 March 2024.

28/03/24 A meeting was scheduled for aboriginal stakeholders to discuss the re- establishment of the Aboriginal Advisory Committee and the potential development of a Reconciliation Action Plan.

Following the original invitation which was sent by mail on the 4 March a reminder email was sent on the 21 of March. Council did not receive any response to these invitations. The stakeholders invited were:

Nambucca Aboriginal Land Council, Bowraville Aboriginal Land Council, Unkya Aboriginal Land Council, Jaanymili Bawrrungga Association, Muurrbay Aboriginal Language and Cultural Cooperative, Ngurrala Aboriginal Corporation and Miimi Aboriginal Corporation. The apparent lack of interest in the meeting was discussed with Cr M Ballangarry on the 27 March and a list of invitees was forwarded to him. He advised that he will discuss the opportunity with these groups.

04/04/24-16/07/24 No further update.

07/08/24 Council has been working to integrate local indigenous designs and culture in both its corporate branding and tourism marketing. Included in the tourism marketing, dual naming of our five main villages is being highlighted on tourism banners which aims to integrate Gumbaynggirr language more broadly across Council's communications. The indigenous designs will also be used to develop souvenir product. This will assist in promoting indigenous culture and provide royalties back to the artist. These gradual steps, plus more face to face interaction and support of local indigenous organisations, will strengthen Council's standing with the Gumbaynggirr community. This work will assist in seeking endorsement from indigenous stakeholders on the development of a Reconciliation Action Plan.

21/08/24-03/09/24 No further update.

08/10/24 New Community Development Officer re-engaging LALCs and Aboriginal Organisations for interest in memberships of Aboriginal Advisory Committee and progressing further projects for Aboriginal community.

21/10/24 CDO has met with a number of local Aboriginal organisations and discussed council's desire for Aboriginal Advisory Group and reconciliation. Feedback from community and leaders is the need for healing and trust. CDO investigating ways council can make steps towards that trust to enable the formation of a meaningful Aboriginal Advisory Committee, including considering it being a community-based group with a more culturally appropriate and sensitive structure. Attempts to engage with LALCs have not yet resulted in a meeting. CDO also attended Reconciliation Australia information session regarding developing a RAP. CDO recommends council pursue a Reflect Level RAP (which starts with engaging staff and leaders in understanding the importance of reconciliation and includes developing relationships with Aboriginal stakeholders, and scoping where Council can best have impact in our sphere of influence - minimum 12 month process) and the need for the Aboriginal Advisory Group to be part of driving Council's RAP goals.

19/11/24 Councillor workshop was undertaken on 14/11/24 with a recommendation to liaise with Cr Ballangarry and continue to try and engage the Aboriginal community.

AUGUST 2023			
4	LF5363	31/08/23	DES

RESOLUTION: Public Forum – Report on the Causeway to Stuarts Island Nambucca Heads
 Council to receive a report addressing the matter raised by and on behalf of the Save the River Group and the Nambucca Heads Island Golf Club in relation to the causeway to Stuarts Island Nambucca Heads. (45604/2023 & 46082/2023)

STATUS:

06/09/23 Submission received and report to be prepared accordingly.

20/09/23 No further update.

04/10/23 Options investigation commenced.

18/10/23 No further update. Investigations will take time to develop.

06/11/23-22/11/23 No further update.

05/12/23-07/02/24 Draft report to go to the Nambucca Rivers, Creeks, Estuaries and Coastline Committee—15 February 2024.

20/02/24-15/04/24 Item deferred to 15 May Nambucca Valley Catchments and Coastline Committee meeting.

08/05/24 No further update.

21/05/24 Nambucca Valley Catchments and Coastline Management Committee meeting item deferred pending outcome from GM and DES site meeting with Golf Club President scheduled for 21/05/24. Developing a plan of action for delivery in November 2024.

04/06/24-21/08/24 No further update.

03/09/24 Meeting scheduled for GM/DES/MEDT on 18/09/24.

08/10/24 Mayor and GM met with the Nambucca Heads Island Golf Club and Michael Kemp MP on the issues with the causeway.

22/10/24 Options report being developed.

19/11/24 Report to 28 November meeting.

DECEMBER 2023			
5	SF3190	14/12/23	GM

RESOLUTION: Subdivision - Lots 9 & 10 DP884342 Warrell Creek
 4 Approves the registration of the subdivision plan for Lots 9 and 10 DP 884342, Warrell Creek as submitted.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

2 Approves the preparation of the newly created proposed Lot 2 DP 657578 to market for sale, noting any negotiated sale to be brought back to Council for formal approval.			
STATUS:			
10/01/24-05/02/24 Registration of subdivision underway as per Council resolution.			
20/02/24-08/10/24 No change, registration process underway at NSW Land Registry Service.			
22/10/24 Subdivision now registered. Newly created lot to be prepared for sale.			
19/11/24 GIS to be updated then EOI to go to local Agents to attend to sale process on behalf of Council.			
JANUARY 2024			
6	PRF53	18/01/24	DES
RESOLUTION: River Street Toilet Block Relocation			
1 Adopt an alternate building footprint directly adjacent to the existing structure on the North Eastern side, as per Attachment B and;			
2 Engage an architect to progress the design of the proposed new amenities and report back to Council.			
STATUS:			
06/02/24-06/03/24 Planned layouts still being determined. Once complete, the architect will be engaged.			
20/03/24-03/04/24 Layout for the toilet block is still under development. Adopting learnings from the V-Wall Amenities upgrade documentation development with regards to compliance with the Disability Discrimination Act and specifically AS1428.1-2009 Design for Access and mobility. Upon finalisation of the layout plans Architectural advice will then be sought regarding preliminary designs which align with the Macksville Foreshore Draft Concept Master Plan.			
15/04/24-21/05/24 No further action. Action commences post V-Wall Amenities Tender.			
04/06/24 Detailed survey pending.			
18/06/24 No further update.			
02/07/24 Survey Brief under development.			
16/07/24 Survey Brief issued. Site survey being determined.			
07/08/24-22/10/24 No further update.			
05/11/24 Detailed survey capture completed. Briefings for consultant packages in planning.			
19/11/24 No further update.			
APRIL 2024			
7	SF3422	11/04/24	DES
RESOLUTION: Request to name side road and correct rural addressing			
1 Consult affected residents to name the side road that runs off Kosokai Road and seek their view on a preference of Wanbro, Dunggir and Mistake in that order or any other name they might suggest.			
2 Consult all affected residents on both the side road and Kosokai Road regarding correcting the rural road numbering to aid accurate location for visiting traffic and in particular emergency services.			
3 Subject to approval, install road naming signage and replace the rural road number signs for the affected owners.			
STATUS:			
17/04/24 No update.			
08/05/24 Site plan developed for consultation with community.			
21/05/24 Community consultation completed and "Wanbro" sent to the Geographical Names Board of NSW (GNB) for approval.			
04/06/24 "Wanbro" sent to Muurrbay Aboriginal Language Centre at the request of the GNB for the name to be endorsed by the local Aboriginal community.			
18/06/24 Pending response from Muurrbay Aboriginal Language Centre.			
01/07/24 Pending response from Muurrbay Language & Culture Coop and Bowraville LALC.			
17/07/24 No further update.			
07/08/24 Email circulated seeking feedback by 02/09/24 from: Miimi Aboriginal Corporation, Jaanymili Bawrrungga, Nambucca Valley Local AECG, Unkya LALC, Nambucca LALC, Bowraville LALC, Nyambaga Bindarray Elders and Muurrbay Language Centre.			
21/08/24 An email being sent to remind the organisations of the 2 September closing date.			
03/09/24 Submission period is now closed.			
08/10/24 No submissions received. Resubmitted to NSW Geographical Names Board for consideration.			
22/10/24 Approval received from the NSW GNB to proceed with renaming and currently undergoing the statutory advertising period and closes on the 8 November 2024.			
19/11/24 Procurement of street signage underway.			
8	SF2384	11/04/24	MDE
RESOLUTION: Horticulture within the Nambucca Valley			
3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.			
STATUS:			
17/04/24-09/05/24 Planning proposal to be drafted and sent to the Minister.			
22/05/24 Planning proposal drafted and sent to the Minister for gateway determination.			
05/06/24 Minister returned the planning proposal as further justification for the proposed amendment is required. Planning			

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<p>proposal to be amended to add further justification and resubmitted. 19/06/24 Amended planning proposal resubmitted to the Minister for gateway determination. 02/07/24 Awaiting response from Minister on the planning proposal. Letters from Ministers attached in regards to funding of regulatory bodies. 17/07/24 The Minister has determined that the matter should proceed and has issued a gateway determination. The planning proposal specifies that draft DCP controls will be placed on public exhibition at the same time as the planning proposal. Draft DCP controls will be reported to Council in August for consideration and once supported both the planning proposal and draft DCP controls will be publicly exhibited at the same time. 07/08/24 Refer to separate report regarding draft DCP controls. 21/08/24-03/09/24 The planning proposal is on public exhibition until 25 September 2024. 08/10/24 Exhibition extended to 2 October 2024. To be reported to Council meeting on 31 October 2024. 22/10/24 To be reported to 14 November meeting. 19/11/24 Considered by Council at meeting on 14 November 2024.</p>			
9	SF3477	11/04/24	MDE
<p>RESOLUTION: Valla Urban Growth Area Amendment 1 Council forward the planning proposal within attachment 2 to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which amends the Nambucca Local Environmental Plan 2010 by altering the zoning of the Valla Urban Growth Area to be consistent with the Valla Urban Growth Area Development Control Plan. 2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination. 3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>			
<p>STATUS: 17/04/24 Awaiting final maps for planning proposal before forwarding to Minister. 09/05/24 Final maps received and will be sent to Minister. 22/05/24 Planning proposal drafted and sent to the Minister for gateway determination. 05/06/24-19/06/24 No further update. 02/07/24 Request for further information received from Minister with option to withdraw until information obtained. 17/07/24 Planning proposal being amended. 07/08/24 No further update. 21/08/24-03/09/24 Planning proposal still to be amended and will be resubmitted once complete as the previous one was refused. 08/10/24 Planning proposal amended and re-submitted to Minister for gateway determination. 22/10/24 Planning proposal returned to Council. Staff to meet with Department of Planning staff to try to resolve the issues raised. 19/11/24 Staff have met with the Department of Planning. Amended planning proposal to be resubmitted.</p>			
MAY 2024			
10	SF983	16/05/24	MDE
<p>RESOLUTION: Plan of Management for the Faringdon Fields That Council 4 Exhibits the draft Plan of Management in accordance with section 38 of the Local Government Act 1993.</p>			
<p>STATUS: 21/05/24-5/06/24 No further update. 19/06/24-02/07/24 Draft Plan of Management sent to Aboriginal stakeholders and Gaagal Wanggaan Board of Management for comment by 15 July 2024. After this date the draft Plan of Management will be placed on public exhibition. 17/07/24 The draft Plan of Management will now be publicly exhibited and reported back to Council at the end of the exhibition period. 07/08/24-03/09/24 The draft Plan of Management is on public exhibition until 16 September 2024. 08/10/24 To be reported to 31 October Council meeting. 22/10/24 Public Hearing to be conducted before reporting back to Council. 19/11/24 Public hearing being arranged.</p>			
JULY 2024			
11	SF382	25/07/24	DES
<p>RESOLUTION: Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands. That Council: 1 Endorses the preparation of a master plan for the core visitor precinct at Scotts Head, and surrounding community lands in consultation with Reflections Holidays, National Parks and Wildlife Service, Nambucca Valley Council and the community. 2 Endorses opportunities for funding (in full or part) a master plan under the Nambucca Valley Coastal Management Program and in partnership with Reflections Holiday Parks. 3 Notes the master plan will directly inform future work needed to update the Scotts Reserve and Adin Street Reserve</p>			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

statutory management plans.			
STATUS:			
07/08/24 Consultation meeting to be scheduled with Reflections Holiday Parks, NPWS and Scotts Head community representatives/stakeholders.			
21/08/24-08/10/24 No further update. Remembrance wall to be included in the discussions around the new Master Plan.			
22/10/24 No further update.			
19/11/24 Budget bid to be raised for the development of the Master Plan.			
AUGUST 2024			
12	SF3114	29/08/24	DES
RESOLUTION: Review of the Bowraville Theatre Project			
That Council:			
1 Works with the Bowraville Arts Council to explore options to move the project forward including designs and approvals on the existing proposal or a reduced project scope and a financial analysis of the options.			
2 Create a project group including Councillors and Arts Community representation to report back to Council.			
3 Lobby State and Federal governments for additional funding to support the construction of the Bowraville Theatre Project.			
STATUS:			
03/09/24 No further update.			
08/10/24 Proposal submitted to funding body to de-scope the current project and deliver on some key facility upgrades. For example, disability access upgrades and some electrical upgrades. It will take 6-8 weeks for the assessment to be undertaken by the funding body and communicated back to Council.			
22/10/24 Contract Project Manager engaged to progress project to construction stage ready for if the scope change to the funding body is approved.			
05/11/24 Preparation of Scope of Works, Cost Estimate, Schedule and Grant Application for CC2 in the process of been generated as part of the activities for CC1. Boundary survey booked. Boundary locations / corners to be marked out prior to any construction works commencing. RFQ to drafted and reviewed for wheelchair lift and Access ramp.			
19/11/24 CC has been lodged for disability access and awaiting assessment.			
13	SF3424	15/08/2024	CFO
RESOLUTION: Public Forum – Nambucca Youthie			
That Council receive a report on options for assisting the Youthie in obtaining grant funding to sustain the current service and working with them or partnering with them.			
STATUS:			
19/11/24 No further update.			
SEPTEMBER 2024			
14	SF3422	12/09/2024	DES
RESOLUTION: Notice of Motion – Council Motor Vehicle Leaseback Policy			
That Council:			
1 Refers future reviews of the Motor Vehicle Leaseback Policy to the Audit Risk and Improvement Committee for consideration prior to adoption.			
2 When priorities permit and in consultation with staff ARIC compare the financial and administrative efficiency of the current leaseback arrangements with the option of providing pool vehicles offset with an additional salary component for affected staff.			
STATUS:			
08/10/24 We have reached out to a couple of Councils that provide allowances for vehicles to understand their policy and process in determining providing allowances for leaseback vehicles.			
22/10/24 No further update.			
19/11/24 Policies and process received from two councils.			
15	SF226	12/09/2024	MDE
RESOLUTION: Fenced Off Leash Dog Park			
That Council exhibits the potential locations for fenced off leash dog parks as listed in this report for a period of 21 days and that any submissions received will be reported back to Council for consideration.			
STATUS:			
08/10/24 Exhibition period closes 21 October 2024.			
22/10/24 To be reported to Council in November.			
19/11/24 Refer to separate report.			
OCTOBER 2024			
16	SF45	17/10/2024	GM
RESOLUTION: 2024 LGNSW Annual Conference Voting Delegates			
That Council:			
1 Nominates the four Councillors to attend the 2024 LGNSW Annual Conference, Mayor Lee, Cr Angel, Cr Smith and Cr Ballangarry.			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

<p>2 Determines its three Councillor voting delegates for the 2024 LGNSW Annual Conference to be Mayor Lee, Cr Angel and Cr Ballangarry. RESOLUTION: 2024 LGNSW Annual Conference Voting Delegates – 31/10/2024 That Council change the third voting delegate from Councillor Ballangarry to Councillor Smith for the 2024 Local Government NSW (LGNSW) Annual Conference.</p>			
<p>STATUS: 23/10/24 Conference details updated. Refer to report to Council 31 October 2024 reallocation of voting delegate.</p>			
17	SF3424	31/10/2024	DES
<p>RESOLUTION: Response to Matters Raised – Public Forum 11 July 2024 That Council: 1 Notes the report in response to the matters raised by public forum speakers at the Ordinary Meeting of Council on 11 July 2024. 2 Prioritise a wet room in future budgets for South Arm Hall. 3 Receive a report outlining a list of projects and priorities for each Council hall.</p>			
<p>STATUS: 19/11/24 No further update.</p>			
18	SF1438	31/10/2024	DCS
<p>RESOLUTION: State of Our Valley Report – Progress Report on Implementing the 2022/23 to 2031/32 Community Strategic Plan That Council: 1 Notes the State of Our Valley Report on the achievements or otherwise of the actions within the Nambucca Valley Council 2022/23 to 2031/32 Community Strategic Plan. 2 Adopt the State of the Valley report with minor amendment; –Addition of ‘Council promoting the work of local artists and offers professional development and access to grants programs’ on page 32 for achievements in relation to continued involvement with Arts Mid North Coast (LW1).</p>			
<p>STATUS: 19/11/24 State of the Valley report added to NVC website on page: https://www.nambucca.nsw.gov.au/Council/Compliance-Forms-Policies-Reporting/Integrated-Planning-Reporting</p>			
19	DA2022/377	31/10/2024	MDE
<p>RESOLUTION: Community Facility (Gumbaynggirr Keeping Place) – Modification to Development Consent and Subdivision Certificate for Two Lot Subdivision That Council: 1 Approves the application to modify the consent for DA2022/377 in accordance with the determination shown in attachment 1 and the plans shown in attachment 2. 2 Notes the Subdivision Certificate for DA2022/377 will be issued upon compliance with the consent conditions, including a Notice of Compliance from Essential Energy. Further, the applicant be advised that if the subdivision proceeds in advance of the Occupation Certificate they will need to ensure any required easements are identified in advance of the construction. 3 Notes that the Land Council entity be responsible for all costs associated with the transfer of the land including but not limited to infrastructure, survey, legal, stamp duty and plan registration. 4 Enter a deed of agreement prior to the commencement of construction between the parties wherein the Council agrees to the transfer of ownership of the land for one dollar upon the issue of an Occupation Certificate and where the Land Council entity agrees to accept the transfer of ownership. 5 Include a condition of transfer of the land in the deed that in the event the Land Council entity is wound up or seeks to transfer the land for any reason, Council have first right of refusal to resume ownership of the land for one dollar.</p>			
<p>STATUS: 19/11/24 Development consent issued. Transfer matters will be addressed as part of any transfer of the land.</p>			
NOVEMBER 2024			
20	SF3422	14/11/2024	GM
<p>RESOLUTION: Notice of Motion – Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River That Council writes to the NSW Minister for Transport The Hon Jo Haylen and Member for Oxley Michael Kemp MP to: 1 Fund a feasibility study whether a Southern Sea Wall will stop sand build up and create access to Nambucca River 2 Fund a feasibility study into navigational dredging the Nambucca River, to allow access to Maritime Rescue 3 Staff report on NSW coastal dredging strategy and the maritime infrastructure plan to see if Nambucca Valley Council is eligible as a key investment location or a priority regional location 4 Staff report on the feasibility for a marine rescue service with ocean access at other possible beaches like Shelley Beach or Scotts Head 5 Staff report on costs of monitoring of marine sediments in the Nambucca River Mouth with high resolution aerial photography be part of the Nambucca River, Creeks, Estuaries and Coastline Management Committee remit 6 Staff report on what action mid coast council take when the Manning River closes from sand shoaling at Old Bar.</p>			
<p>STATUS: 19/11/24 No further update.</p>			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

21	SF3422	14/11/2024	GM
<p>RESOLUTION: Notice of Motion – Request that Staff Investigate a Professional Style Noticeboard for Community Information for Nambucca Heads Town Centre That staff report on the feasibility of establishing a professional style noticeboard for community information in Bowra and Ridge Street CBD areas of Nambucca Heads.</p>			
<p>STATUS: 19/11/24 No further update.</p>			
22	SF3508	14/11/2024	MDE
<p>RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 - Horticulture 1 Make the local environmental plan as outlined within the planning proposal contained within attachment 3 in accordance with section 3.36(2) of the Environmental Planning and Assessment Act 1979. 2 Request a formal meeting with the Department of Primary Industry to discuss points raised in their submission, funding opportunities for proactive testing. 3 Contact the EPA to request information of any planned proactive controls, including ongoing testing of the river and watercourses. 4 Contact Local Land Services and request a project update on water catchment systems and any supporting funding opportunities. 5 Establish a 'Nambucca Valley Farming' Fact Sheet to promote a greater understanding of existing government and regulatory bodies, and the roles they play in managing agriculture in the Nambucca Valley. Not only will this notify farmers of how they can be assisted on establishing or growing their business, but it will also improve the community understanding around existing controls and how they are enforced. 6 Contact the Australian Pesticides and Veterinary Medicines Authority (APVMA) for information on how they will continue to monitor and enforce any buffer zones prescribed on the approved chemicals, specifically in the Nambucca Valley.</p>			
<p>STATUS: 19/11/24 The planning proposal has been sent to the Planning Minister for final determination.</p>			
23	SF1535	14/11/2024	GM
<p>RESOLUTION: Licence of part Lot 3/DP1289987 to Bowraville Recreation Club Co-Op Ltd That Council: 1 Notes nil submissions were received during the public exhibition period 2 Proceeds with a new licence the Bowraville Recreation Club Co-Op Ltd for part lot 3/DP1289987 for the permitted use of operating a golf course.</p>			
<p>STATUS: 20/11/24 Licence forwarded to Club to execute and return to Council.</p>			
24	SF1092	14/11/2024	GM
<p>RESOLUTION: Draft Plan of Management – Bowraville Racecourse Reserve 540002 – Public Exhibition That Council places the Draft Plan of Management for Bowraville Racecourse Reserve 540002 on public exhibition for 42 days with all submissions to be reported back to Council.</p>			
<p>STATUS: 20/11/24 Arranged for Notice in News of the Area Friday 22 November. Document to be on Council's website and available at Administration building from 22/11/24-3/1/25 with submissions to be received up to 10/01/25. Report to be brought back to Council on closure of exhibition period.</p>			
25	SF938	14/11/2024	GM
<p>RESOLUTION: Licence Part Road Reserve Adjacent to 72 Siding Road Newee Creek That Council places the Draft Part Road Reserve Adjacent to 72 Siding Road Licence Agreement with Kevin Gaddes on public exhibition.</p>			
<p>STATUS: 20/11/24 Arranged for Notice in News of the Area Friday 22 November. Document to be on Council's website and available at Administration building from 22/11/24-22/12/24. Report to be brought back to Council on closure of exhibition period.</p>			

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

ITEM 9.2 SF2888 281124 VALLA URBAN GROWTH AREA VUGA - PROJECT UPDATE

AUTHOR/ENQUIRIES: Andrea Baillie, Property Officer

SUMMARY:

Council owns a 54ha landholding known as Valla Urban Growth Area (VUGA) directly north of Nambucca Heads Service Centre at 80 Red Ash Road, Valla. Over the past decade, Council has rezoned VUGA and prepared a Development Control Plan to guide development.

Council has identified 2 Staged projects to activate VUGA lands:

- Stage 1 – Activation of 7.74 hectares of Industrial land at Red Ash road frontage.
- Stage 2 – Lead-In enabling infrastructure to open the Residential land precinct.

A redesign of the water and sewerage infrastructure for the entire landholding has meant Stage 1 has been separated into two components – firstly, the delivery of civil works within the boundary which can be delivered by existing grant funding secured; and secondly, provision of water and sewerage infrastructure to the entire precinct.

The cost of the second component of Stage 1 has not been funded, and the project is now at a critical decision point for Council. This report seeks to inform Council of the project, and resolution to proceed to fund the Water & Sewerage component of the project from current water and sewer reserve funds.

RECOMMENDATION:

That Council:

- 1 Allocates \$5 million from the Water Fund Reserve to fund the construction of the water enabling infrastructure for the entire Valla Urban Growth Area**
- 2 Allocates \$12 million from the Sewerage Fund Reserve to fund the construction of the sewerage enabling infrastructure for the entire Valla Urban Growth Area.**

OPTIONS:

- 1 Adopt the proposed recommendations – fund the water and sewerage component works now from the water and sewer reserve funds, to be repaid from future headworks charges, being section 64 contributions.
- 2 Amend the recommendations, and resolve to borrow required funds. This will incur the additional cost of loan interest.
- 3 Alternative option – sell the land as-is to an alternate developer.

BACKGROUND:

Both the Nambucca Valley and broader Mid North Coast areas have sustained steady population and economic growth for many years. The region's demand outlook remains very strong, however prospects for ongoing prosperity are hampered by a lack of supply of suitable residential and employment lands.

Heavy environmental constraints limit the region's supply opportunities. Recent subdivision proposals across the region include very few 100+ residential lot concepts.

Nambucca Valley Council owns a 54ha landholding within a broader Precinct known as Valla Urban Growth Area (VUGA). Valla represents the Mid North Coast's standout opportunity for a new 'greenfield' Precinct. The VUGA Precinct's total area of more than 160ha makes it the Mid North Coast's prominent new 'greenfield' Precinct, with a range of residential, employment and community use options. Review of both dwelling supply increases and development applications over the past decade demonstrates there are no evident alternatives to VUGA on a comparable scale.

ITEM 9.2 VALLA URBAN GROWTH AREA VUGA - PROJECT UPDATE

Over the past decade, Council prepared a Development Control Plan to guide development, following strategic assessment and community consultation processes spanning back to the 1990's.

One of the key remaining factors for activation of this precinct is servicing, incorporating installation of lead-in enabling infrastructure. Acknowledging associated costs would be prohibitive relative to Council's financial capacity, rate base and population alone, Council has developed a Precinct funding strategy that draws on local, state, and Commonwealth funding.

Local and regional strategic planning, community consultation and engagement processes, coupled with extensive studies over 25 years, have also provided the VUGA Precinct with a very strong base of community support.

DISCUSSION:

Funding totalling \$11.8 million was secured in 2019 from local, state and Commonwealth sources to deliver 7.74 ha of industrial land at the front of the estate, known as Stage 1.

The project had commenced and was in the design phase when the COVID-19 Pandemic interrupted progress. Delay in delivery of the project coupled with product and construction price escalation has meant the funding secured in 2019 would not be sufficient to deliver Stage 1 – 7.74 ha of industrial land. Council staff have been looking at ways to fund the project, and in February 2024 seized the opportunity and applied for Commonwealth funding via the Regional Precincts and Partnership Program – Precinct Delivery (rPPP).

This rPPP application if successful, would enable completion of the infrastructure works and delivery of Stage 2, which is identified as opening the Residential zoned lands in the VUGA Precinct. Council were advised the successful applicants were to be announced by October 2024, however no announcement has been made to date. Therefore, we cannot rely upon this funding source to meet costs of the water and sewerage enabling infrastructure.

Under the guidance of Council's VUGA Project Control Group (PCG), the project has continued to progress and Development Assessment for the re-designed subdivision of the 7.74 ha of industrial land has been undertaken by Bellingin Shire Council, and Development Consent is now held.

Council's recently reviewed the precinct plans and has produced a redesign of the delivery of water and sewerage to the precinct engaging efficiencies in construction and provision of the services. The redesign will mean bringing forward future works completing sewerage infrastructure to service Council's entire land-holding, and most of the water infrastructure requirements.

The design provides for water and sewerage enabling infrastructure for the entire VUGA, taking water and sewerage from the boundary. The new water and sewerage design will save approximately \$4 million in costs from the previous two step design.

The new and extensive scope of the water and sewerage design, also means bringing the construction and delivery costs forward. The VUGA team have now separated Stage 1 of the project into 2 components. The civil works within the boundary being the first component, and delivery of the water and sewerage infrastructure to the boundary being the second component.

From the \$11.8 million secured in 2019 to deliver Stage 1, \$2.1 million has been spent to-date, leaving \$9.7 million for construction. The tender for the first component - the civil works has been prepared with a cost estimate of \$9.3 million. Based on the estimate, Council has sufficient funds to deliver the civil works component with minimal contingency. The full cost of the civil works will not be known until the tender process is complete.

The cost of the second component, the water and sewerage construction is estimated at \$17 million. This component has not been funded. Without provision of water and sewerage to the property, Council cannot meet the funding requirements of delivery of the 7.74 ha of industrial land.

ITEM 9.2 VALLA URBAN GROWTH AREA VUGA - PROJECT UPDATE

The project is now at a critical decision point, requiring provision of funding of the water and sewerage component of Stage 1.

Funds are held within the Water and Sewerage Fund Reserves to cover the cost of delivery of this component. It is proposed that the cost of the water infrastructure being \$5 million is taken from the Water Fund Reserve (balance at 30/06/24 \$21.5 million), and cost of the sewerage infrastructure being \$12 million is taken from the Sewer Fund Reserve (balance at 30/06/24 \$17.5 million).

The funds used from these reserves will be repaid as the land is developed through headworks charges, being section 64 contributions (refer *Local Government Act 1993*); which is estimated to be \$50 million.

Council will continue to source external funding opportunities as they arise to reduce Council's contribution where possible. This includes a current opportunity to apply for \$5 million through the Regional Trust Fund recently opened by the NSW Department of Primary Industries and Regional Development.

Previously Council committed to contributing \$2.8 million for the stage 2 development which would no longer be required.

CONSULTATION:

Senior Council Staff – VUGA team
 VUGA Project Control Group
 NSW Public Works Authority – Project Management
 Jed Civil Consulting Pty Ltd – Design

SUSTAINABILITY ASSESSMENT:

Environment

The DA has been assessed and environmental impact considered for the delivery of 7.74 ha of industrial land. The redesign of Water and Sewerage to the precinct will see the installation of significant pipework and associated infrastructure. The assessment process will consider environmental impact at this time.

Social

Council has been consulting with the community throughout the planning process dating back to the 1990's. The community is aware and in support of the proposed development.

Economic

Development of the VUGA lands will provide enormous positive impact on the Economic outlook for the Nambucca Valley. An independent cost-benefit analysis undertaken and delivered to Council in 2023 summarised the net financial benefit as \$467 million. This included consideration of labour surpluses; producer surpluses; consumer surpluses and Government surpluses, and allowed for capital costs, operation costs and the opportunity costs of land. The Benefit Cost Ratio (BCR) stated was 14.6.

A BCR of 14.6 represents an exceptionally high rate of social return on investment and is consistent with the long-lived and worsening need of Nambucca and the Mid North Coast for new sources of land supply.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Financial outlay without receiving a return	L	H	Marketing strategy for sale of lots	L
Private land owners don't develop the remainder of VUGA causing over	L	M	Partnership with future developer	L

ITEM 9.2 VALLA URBAN GROWTH AREA VUGA - PROJECT UPDATE

capitalisation of water and sewer assets				
Council does not approve the recommendations, \$9m of funding is at risk	L	H	Report to Council	L
Reputation with government funding bodies and community may be damaged	M	H	Report to Council and progression of the VUGA project.	L

Delivery Program Action

CC3 - Keep the community informed of the decisions, key issues and actions of Council

CE1 - Provide diverse, sustainable, adaptable and affordable housing options through effective land use planning

PP1 - Foster development opportunities

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Reduction of \$800k in interest allocations from the water and sewer funds.

Working funds – justification for urgency and cumulative impact

Potential impact on reduced operating surplus for water and sewer funds over the median term.



Impacts on 10 Year Long Term Financial Plan

No major impacts as normal capital works and maintenance programs will continue as normal.

Service level changes and resourcing/staff implications

Adopting the resolutions will have no immediate impact on service levels or resourcing. However, as the development is underway, additional resources may be required.

ATTACHMENTS:

- 1  44294/2023 - Valla Growth Area Cost Benefit Analysis - Final Report
- 2  61463/2024 - VUGA - Council's landholding

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.1 SF134 281124 ANNUAL REPORT 2023/24

AUTHOR/ENQUIRIES: Matthew Sykes, Director Corporate Services**SUMMARY:**

In accordance with Section 428 of the *Local Government Act 1993*, Council is required to prepare an Annual Report within 5 months of the end of each financial year – The report is **attached**.

The annual report must address the Council's actual performance against its original projected performance of its principal activities as well as other information detailed in the Integrated Planning and Reporting Guidelines. It covers the period 1 July 2023 to 30 June 2024.

A copy of the progress on the implementation of Council's Disability Inclusion Action Plan will be forwarded to the Minister for Families and Communities and for Disability Services.

RECOMMENDATION:**That Council:**

- Note the completion of the 2023/24 Annual Report and that it be placed on Council's website and advice of the URL link be forwarded to the Minister for Local Government as required.**
- Forward a copy of Council's Disability Inclusion Action Plan and its achievements to the Minister for Families and Communities and for Disability Services.**

OPTIONS:

There are no options as Council must place the Annual Report on its website and advise the Minister by 30 November 2024.

DISCUSSION:

As per the summary.

CONSULTATION:

All responsible officers within Nambucca Valley Council.

SUSTAINABILITY ASSESSMENT:

Nil for the report.

Delivery Program Action

CC4 - Maintain an effective governance regime

FINANCIAL IMPLICATIONS:

Nil for the report.

ATTACHMENTS:

-  61431/2024 - Annual Report 2023-24

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.2 SF3360 281124 PRESENTATION OF THE 2023/2024 ANNUAL FINANCIAL STATEMENTS

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

Pursuant to Section 418 and Section 419 of the *Local Government Act 1993*, Council is required to present the audited Annual Financial Statements and Auditor's Reports to the public.

Mr Richard Watkinson, Partner, Audit & Assurance from HLB Mann Judd Advisory and Accounting (Council's external auditor) will attend via Teams to speak to Council's Annual Financial Statements for 2023/24 and to answer any questions.

RECOMMENDATION:

That Council notes the audited Annual Financial Statements for the period ended 30 June 2024.

OPTIONS:

This report is for the Council's information and to satisfy requirements stipulated by the *Local Government Act 1993*. There are no other options.

DISCUSSION:

As soon as practicable after receiving the auditor's report, Council must resolve a date to present its audited financial reports and auditors report to the public (Section 418 (1) (a) & (b)). The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the auditor's reports are given to the council (Section 418 (2)). This responsibility has been delegated to the General Manager and due notice was provided as part of the notification for this meeting of Council.

The Public Notice included:

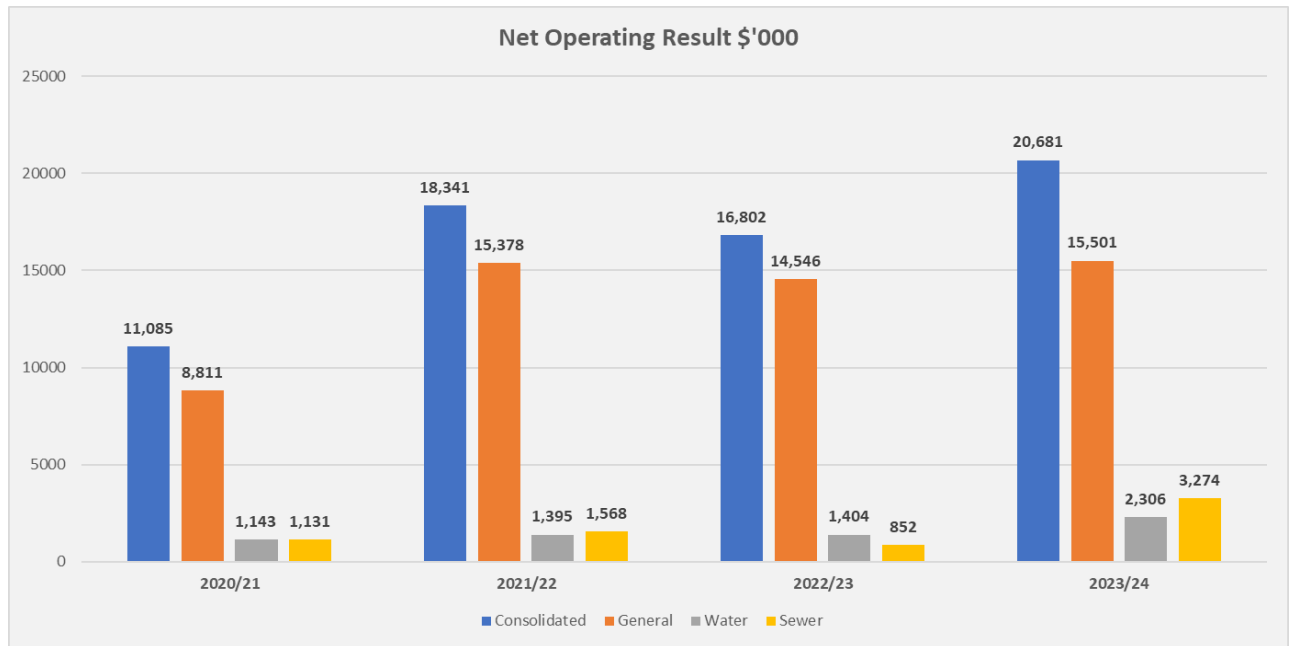
- (i) a summary of the financial reports in the approved format; and
- (ii) a statement that any person can make a submission in accordance with Section 420.

Copies of Council's audited Annual Financial Statements have been made available at Council's main office, Council's libraries, and Councils' website. Any submissions on the audited financial statements must be in writing and be lodged with the Council within 7 days after the date on which the statements are presented to the public (28 November 2024).

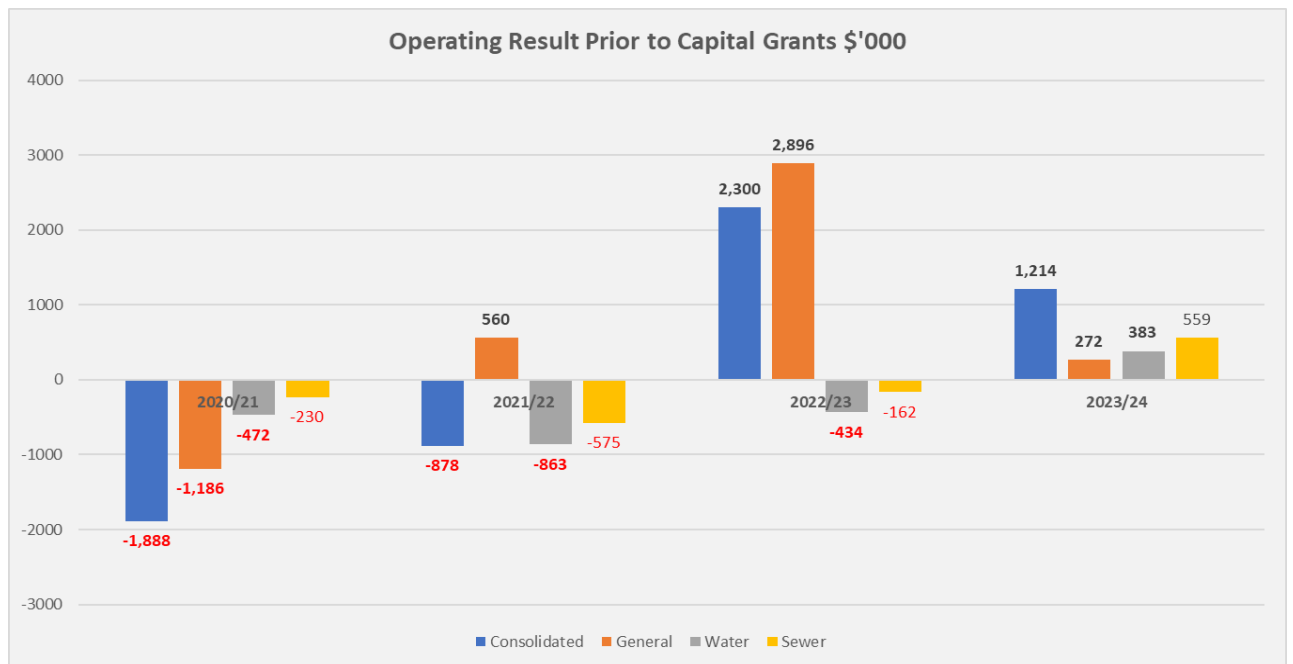
OPERATING RESULT

Council's consolidated Net Operating result for the year was a surplus of \$20,681,000 compared to a surplus of \$16,802,000 for the previous year. The table below is the Net Operating result for the past 4 years and split by Fund.

ITEM 10.2 PRESENTATION OF THE 2023/2024 ANNUAL FINANCIAL STATEMENTS



Council's Operating result before capital grants and contributions income is a surplus of \$1,214,000 compared to a surplus of \$2,300,000 for the previous year. The table below is the Operating Result before Capital income for the past 4 years and split by fund.



TOTAL EQUITY

Council's Total Equity increased to \$665,914,000 from the previous year of \$616,363,000. The Statement of Financial Position lists the items that make up this equity and the Statement of Changes in Equity shows the increase from 2022/23 to 2023/24.

ITEM 10.2 PRESENTATION OF THE 2023/2024 ANNUAL FINANCIAL STATEMENTS

STATEMENT OF PERFORMANCE MEASUREMENT INDICATORS

Note G5 of the Annual Financial Statements displays Local Government Industry Key Financial Indicators. The table below is some of the key performance indicators and results for the past 3 years. The red colour indicates that council did not meet the OLG benchmark.

	OLG Benchmark	2023/24	2022/23	2021/22
Operating Performance Ratio – Consolidated	>0.00%	5.80%	5.88%	0.74%
Operating Performance Ratio – General Fund	>0.00%	5.55%	9.36%	5.44%
Operating Performance Ratio – Water Fund	>0.00%	5.07%	-7.28%	-16.41%
Operating Performance Ratio – Sewer Fund	>0.00%	7.80%	-2.64%	-10.53%
Own Source Operating Revenue Ratio	>60%	55.97%	54.33%	51.55%
Debt Service Cover Ratio	>2x	4.09x	3.66x	3.07x
Cash Expense Cover Ratio	>3mths	20.83mths	17.80mths	19.13mths

INFRASTRUCTURE ASSET PERFORMANCE INDICATORS

The ‘Report on Infrastructure Assets’ included in the Special Schedules of the Annual Financial Statements displays Local Government Industry Key Financial Indicators for Asset Management.

	OLG Benchmark	2023/24	2022/23	2021/22
Buildings & Infrastructure Renewals Ratio – Consolidated	>=100%	59.47%	50.85%	55.31%
Buildings & Infrastructure Renewals Ratio – General Fund	>=100%	81.03%	63.31%	79.60%
Buildings & Infrastructure Renewals Ratio – Water Fund	>=100%	30.00%	33.81%	4.58%
Buildings & Infrastructure Renewals Ratio – Sewer Fund	>=100%	9.21%	23.62%	12.91%

The 2023/24 Annual Financial Statements were lodged with the Office of Local Government on the 30 October 2024 within the statutory deadline being 31 October 2024.

CONSULTATION:

NVC Finance Team
 NVC Assets Team
 HLB Mann Judd Advisory & Accounting
 Audit Office of New South Wales

SUSTAINABILITY ASSESSMENT:

Not Applicable

Delivery Program Action

CC4 - Maintain an effective governance regime

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets


A comparison of original budget to actuals for 2023/24 is disclosed in Note B-5 ‘Performance against budget’ of the 2023/24 Annual Financial Statements.

ITEM 10.2 PRESENTATION OF THE 2023/2024 ANNUAL FINANCIAL STATEMENTS

Service level changes and resourcing/staff implications

The completion of the 2023/24 Annual Financial Statements required substantial out of office hours work to be undertaken by the CFO, Financial Accountant and the Senior Finance Officer, as it was an extraordinarily demanding year due to large body of capital works and associated asset accounting, grant funding and associated accounting, and major improvements to working papers to ensure a clean audit.

ATTACHMENTS:

1  57070/2024 - Audited - Annual Financial Statements 2023-24

DIRECTOR CORPORATE SERVICES REPORT

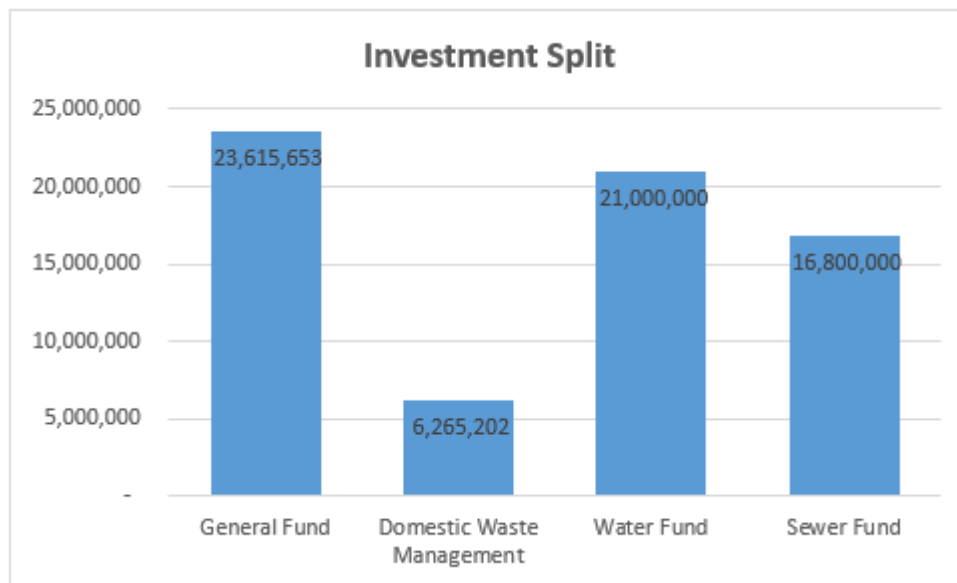
ITEM 10.3 SF3528 281124 INVESTMENT REPORT FOR OCTOBER 2024

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

The purpose of this report is to provide a statement of Council’s investments held for the period October 2024.

Council’s investments as at 31 October 2024 of \$67,680,855 are split up as below:



The following investment report is in accordance with the *Local Government Act 1993* (as amended), the *Local Government (General) Regulation 2021* and Council’s Investment Policy and Strategy.

RECOMMENDATION:

That Council:

- 1 Notes the Chief Financial Officer’s report on Investments for the period October 2024.**
- 2 Adopts the certification of the Responsible Accounting Officer for the period of October 2024.**

OPTIONS:

This report is for information only.

DISCUSSION:

Section 212(1) of the *Local Government (General) Regulation 2021* requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under Section 625 of the *Local Government Act 1993*.

ITEM 10.3 INVESTMENT REPORT FOR OCTOBER 2024

For the period October 2024, the investments held by Council is shown below:

TCorp	\$3,071,731
Floating Rate Notes	\$2,314,347
Fixed Bonds	\$4,494,777
Term Deposits	\$57,800,000
Total	\$67,680,855

Portfolio Performance

Council's total portfolio performance returned +0.38% in October, outperforming the benchmark AusBond Bank Bill index of +0.37%. On an annualised basis, the portfolio returned +4.55%p.a., outperforming the benchmark of +4.50%p.a. and the official cash rate of 4.35%.

Council's term deposits portfolio yielded 4.99% p.a. at the end of October. Council now only holds 2 term deposits that are below the benchmark which is an outstanding result for council.

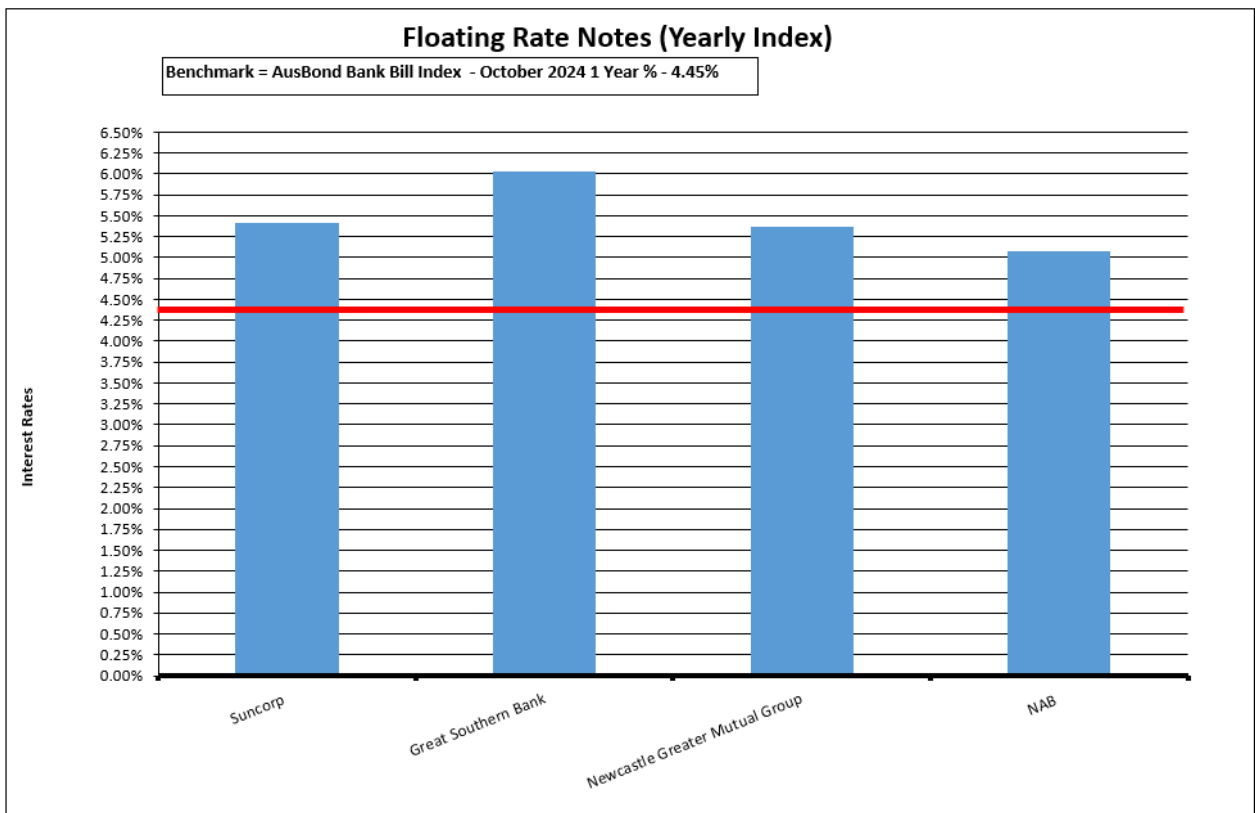
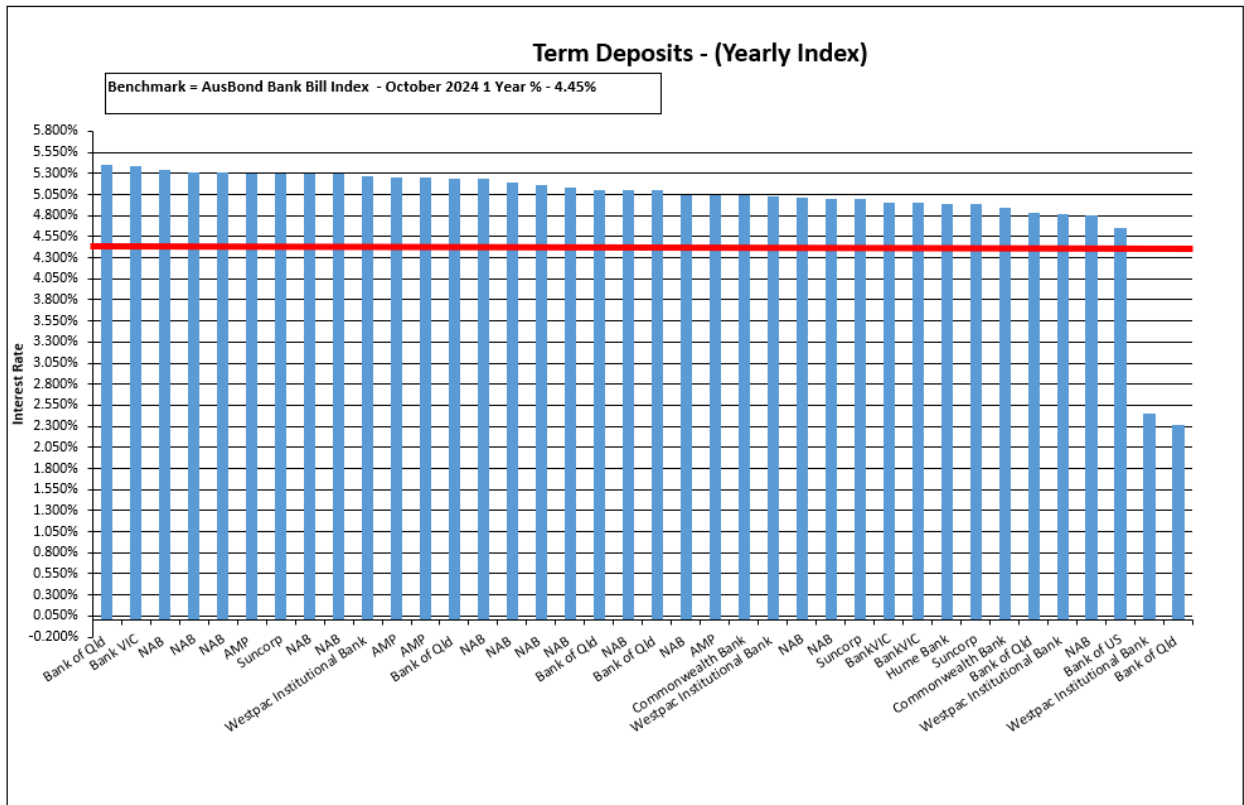
Council's Floating Rate Notes (FRN) portfolio are reported at current valuation being the "Capital Value", which can be different to the "Face Value" being the initial purchase value. FRN's are market driven and can change from month to month depending on market fluctuations. Council is still holding some sub-optimal FRN investments and consideration will be taken to sell these in the coming months dependent on the market. Arlo Advisory recommend selling the FRN's to close off the books in this asset class which will result in small capital gains except for the Newcastle FRN.

Council invests in NSW TCorp Long Term Growth fund which invests in domestic and international shares. Council will continue to monitor the TCorp Long Term Growth fund which fluctuates from month to month, however returned a negative return for the month -0.41%. Funds held with TCorp are looked at with a long term view.

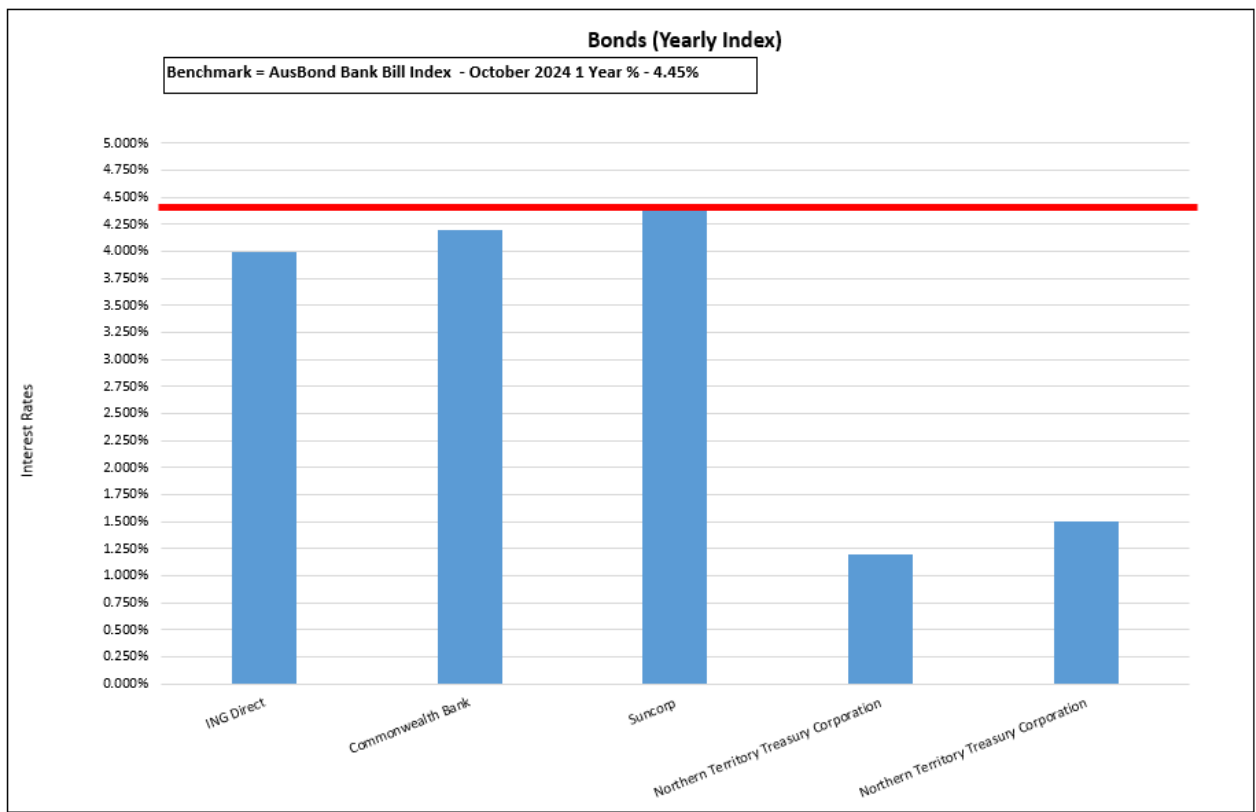
Council has invested in Senior Fixed Bonds. Council holds 2 sub-optimal Senior Fixed Bonds returning 1.2% p.a. and 1.5% p.a., however the advice provided by Arlo Advisory is to hold to maturity as the penalty rates would be high. The bonds have a maturity of December 2025 and December 2026.

Retiring investments are being monitored closely and being reinvested to optimise their returns in line with Council's Investment Policy. The following charts indicate Council's performance against the 1 year Actual AusBond Bank Bill Index.

ITEM 10.3 INVESTMENT REPORT FOR OCTOBER 2024



ITEM 10.3 INVESTMENT REPORT FOR OCTOBER 2024



Council’s Investment Policy

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council’s Policy.

Table 1: Maturity – Term Limits

Maturity Compliance as at 31/10/2024

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	10,300,000.00	15.22	3.00	100.00	57,380,855.24
✓	91 - 365 days	30,494,776.50	45.06	0.00	100.00	37,186,078.74
✓	1 - 2 years	19,503,838.50	28.82	0.00	70.00	27,872,760.17
✓	2 - 5 years	4,310,508.50	6.37	0.00	50.00	29,529,919.12
✓	5 - 10 years	3,071,731.74	4.54	0.00	25.00	13,848,482.07
TOTALS		67,680,855.24	100.00			

ITEM 10.3 INVESTMENT REPORT FOR OCTOBER 2024

Table 2: Credit Rating Limits

Credit Quality Compliance as at 31/10/2024

Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AAA	497,713.50	0.73	100.00	67,183,141.74
✓	AA	38,103,069.50	56.30	100.00	29,577,785.74
✓	A	7,000,000.00	10.34	60.00	33,608,513.15
✓	BBB	19,008,340.50	28.09	45.00	11,448,044.36
✓	Unrated	3,071,731.74	4.54	18.00	9,110,822.20
TOTALS		67,680,855.24	100.00		

Certification by Responsible Accounting Officer

I, Evan Webb, hereby certify that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2021* and Council’s Investment Policy.

CONSULTATION:

Arlo Advisory

SUSTAINABILITY ASSESSMENT:

Nil

Risk

Quote from *Arlo Advisory October 2024 report page 2:*

In October, financial markets experienced some risk aversion, partly due to ongoing Middle East tensions, the impending US election and China’s economic woes. A combination of central bank rhetoric, a tight labour market and CPI prints have pushed out expectations of rate cuts both in the US and Australia.

In the deposit market, over October, at the very short-end of the curve, the average deposit rates offered by the major banks have remained relatively flat compared to where they were the previous month (September). The biggest moves have been seen at the long-end of the curve. The average rates offered for 9-12 month terms rose by around 10-15bp, whilst for 2-5 years, they have risen around 30-35bp to where they were in September. The market has lowered their expectations, not only with regards to the timing of the first rate cut, but also how many cuts are pencilled over 2025 (down to two).

Source: *Arlo Advisory.*

Delivery Program Action

CC5 - Identify and implement initiatives to improve financial sustainability

ITEM 10.3 INVESTMENT REPORT FOR OCTOBER 2024

FINANCIAL IMPLICATIONS:**Direct and indirect impact on current and future budgets**

Interest accrued for the month of October was \$264,425, totalling \$1,052,167 this financial year. Council's forecasted budgeted interest revenue for 2024/2025 is \$3,182,100. As council's investments continue to outperform the benchmark, council would expect to meet the budgeted forecast.

Any major impacts on the budget will be adjusted if necessary at each quarterly budget review.



Working funds – justification for urgency and cumulative impact

As above.

Service level changes and resourcing/staff implications

There are no changes or implications stemming from this report.

ATTACHMENTS:

- 1  58571/2024 - Investment Report October 2024
- 2  58572/2024 - Arlo Advisory Investment Review October 2024

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.4 SF3517 281124 SEPTEMBER 2024 QUARTERLY BUDGET REVIEW

AUTHOR/ENQUIRIES: Kellie Byrne, Management Accountant

SUMMARY:

This report has been prepared to comply with Section 203 of the *Local Government (General) Regulation 2021* and to inform Council and the community of Council's estimated financial position for the 2024/2025 financial year, reviewed as at 30 September 2024.

A review of the 2024/25 budget has been carried out for the quarter ended 30 September 2024 and this has resulted in a revised cash deficit projection of \$148,950 with material variations shown in attached report.

RECOMMENDATION:

That Council:

- 1 Notes the budget review for the quarter ended 30 September 2024.**
- 2 Approves the recommended variations in the budget for the 2024/25 financial year.**

OPTIONS:

- 1 Per the recommendation.
- 2 Adopt some of the variances requested.
- 3 Reject all variances requested.

DISCUSSION:

In accordance with Section 203 of the *Local Government (General) Regulation 2021*:

- (1) Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the Council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
 - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.

Budget Summary

Council's original budget adopted for 2024/25 provided an estimated operating revenue of \$55,393,000, estimated operating expenditure being \$50,361,000 and a net operating surplus before capital grants and contributions of \$935,000. The proposed budget variations for the quarter ending September 2024 review have resulted in an operating revenue of \$75,862,000, with operating expenditure being \$53,482,000, now showing a net operating deficit before capital grants and contributions of \$766,000.

From a cash point of view the original budget forecasted a net deficit of \$138,000 and with the additions of the September 2024 Quarterly Budget Review has resulted in increasing the cash deficit by \$10,950 to \$148,950.

ITEM 10.4 SEPTEMBER 2024 QUARTERLY BUDGET REVIEW

Office of Local Government Budget Review Guidelines:

The Office of Local Government on 10 December 2010 issued the new Quarterly Budget Review Statement via Circular 10-32, with the reporting requirements to apply from 1 July 2011. This report includes a Quarterly Budget Review Statement (refer Attachment 1) prepared by Council in accordance with the guidelines.

The Quarterly Budget Review Statement Guidelines set a minimum standard of disclosure, with these standards being included in the Local Government Code of Accounting Practice and Financial Reporting as mandatory requirements for Councils to address.

Since the introduction of the new planning and reporting framework for NSW Local Government, it is now a requirement for Councils to provide the following minimum 6 key statements when submitting a Quarterly Budget Review Statement (QBR):

- A signed statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBR
- Budget review income and expenses statement in one of the following formats:
 - Consolidated
 - By fund (e.g. General, Water, Sewer)
 - By function, activity, program etc. to align with the management plan/operational plan
- Budget Review Capital Budget
- Budget Review Cash and Investments Position
- Budget Review Key performance indicators
- Budget Review Contracts and Other Expenses

The QBR for the period 01/07/2024 to 30/09/2024 is included as an attachment and below is an explanation on each statement.

Income and Expenditure Budget Review Statement by Type

This statement shows Council's Income and Expenditure by type at a consolidated funds level. The September 2024 budget variations are shown in the column highlighted in blue with note numbers provided on the right-hand side of this column (see page 4 of attachment). These note numbers refer to the recommended material budget variation detail in the QBR (see page 5 of attachment).

Capital Budget Review Statement

This statement identifies in summary Council's capital works program on a consolidated basis and also identifies how the capital works program is funded. The September 2024 budget variations are shown in the column highlighted blue with note numbers on the right-hand side of this column. These note numbers refer to the recommended material budget variation detail in the QBR (see page 7 of attachment).

Cash and Investments Budget Review Statement

This statement reconciles Council's restricted funds (reserves) against available cash and investments. Council has attempted to indicate an actual position as at year end of each reserve to show a total cash position of reserves with any difference between that position and total cash and investments held as available cash and investments. The September 2024 reserve movements are shown in the blue highlighted column with note numbers indicated to the right of this column (see page 8 of attachment). These note numbers refer to the recommended material budget variation detail in the QBR (see page 9 of attachment).

ITEM 10.4 SEPTEMBER 2024 QUARTERLY BUDGET REVIEW

Key Performance Indicators (KPIs)

The KPIs within this report are:

- **Own source operating revenue** – This ratio indicates the degree of reliance on external funding sources such as operating grants and contributions.
- **Debt Service cover ratio** – This ratio measures the availability of operating cash to service debt, including interest, principal and financial lease payments.
- **Rates and Annual Charges Outstanding Ratio** – This assesses the impact of uncollected rates and annual charges on Councils liquidity and the adequacy of recovery efforts. In the first quarter of the financial year, it should be noted that the ratio is high due to the timing in rates instalment cycle. Currently 25% of the collectible rates have fallen due and 35% have been paid, which indicate we are currently on track.

Contracts and Other Expenses

This statement highlights any new contracts Council entered into during the July to September quarter that are greater than \$50,000 excluding employment contracts and contractors engaged under a Council preferred contracts list. The other expenses reported are for the year to date expenditure on consultancies and external legal fees, indicating whether these expense types have been within budget.

CONSULTATION:

Budget Managers

SUSTAINABILITY ASSESSMENT:

NIL


FINANCIAL IMPLICATIONS:**Direct and indirect impact on current and future budgets**

As per the Report

Service level changes and resourcing/staff implications

None as a result of this report.

ATTACHMENTS:

1  60560/2024 - NVC QBR Sept 2024

DIRECTOR CORPORATE SERVICES REPORT**ITEM 10.5 SF3420 281124 SUPPLY OF ELECTRICITY FOR CONTESTABLE METERED SITES AND STREET LIGHTING****AUTHOR/ENQUIRIES:** Georgina Riddington, Contracts and Procurement Officer**Summary:**

Council's contracts to supply power to 117 sites and street lighting are expiring as per below table:

Supply Type	Number of Sites	Contract Expiry
Small site (<100MWh per annum usage)	109	31.01.2025
Large site (>100MWh per annum usage)	8	31.12.2024
Street lighting	Multiple sites	31.12.2024

Regional Procurement on behalf of Council are running this procurement process which involves two tenders:

- Single source tender for the supply of electricity to small sites for a minimum of, but not limited to 12 months.
- Reverse auction tender for the supply of electricity to contestable Large Sites (>100MWh) & Streetlighting for a minimum of, but not limited to 12 months.

RECOMMENDATION:**That Council:**

- 1 Authorises the General Manager to enter into contracts for the supply of electricity to Contestable Large Sites and Street Lighting at the conclusion of the reverse auction.**
- 2 Authorises the General Manager to enter into a contract for the supply of electricity to Small Sites at the conclusion of the tender.**
- 3 Receives a confidential report outlining the results of the reverse auction and tender process.**

OPTIONS:

- 1 Per the recommendation.
- 2 Council does not agree to the recommendation which will risk putting Council on to non-contract rates for electricity until a new process is conducted and/or a contract has been signed.

DISCUSSION:

The energy market is very complex and speciality knowledge is required to source the best value for Council's fit. Regional Procurement, in conjunction with the specialist firm EnergyAction (<https://energyaction.com.au/>) have prepared the necessary requirements for tender to secure continued electricity supply at the most competitive rate. Regional Procurement do not charge a fee to Council to run this process, but will receive a commission payment from the electricity supplier, noting that all suppliers pay the same flat commission payment fee to Regional Procurement. Council could not participate in Local Government Procurement electricity contracts as these contracts had already commenced.

Please note that due to the volatility of the energy market, Council have between 2-3 days to accept the tender, hence the recommendation for Council to approve the General Manager to sign the contract with the preferred entity(s).

ITEM 10.5 SUPPLY OF ELECTRICITY FOR CONTESTABLE METERED SITES AND STREET LIGHTING

The tender process purchases non-renewable power at a locked in price per KWh, renewable power is also available which is purchased as an additional price to the non-renewable power per KWh.

For example:

- Non-renewable power = 12c/KWh
- Renewable power = 4c/KWh (additional)
- Total price = 16c/KWh

The new contracts will be for non-renewable power only, this will allow Council to forecast the power costs for each site based on prior usage and the overall increase to the bottom line to determine budget impacts. If Council chooses to purchase a component of renewable energy, this can be added at any time of the contract in yearly increments, and for site percentage increments; small sites in 25% increments, i.e. 25%, 50% or 75%, where large sites can be any percentage figure.

CONSULTATION:

- Regional Procurement
- Water & Sewerage Engineer
- Manager Development & Environment
- Facilities Coordinator

SUSTAINABILITY ASSESSMENT:

Environment

If Council chooses to purchase a component of renewable energy, this can be added at any time of the contract in yearly increments.

Social

There are no social implications associated with this project.

Economic

There are no economic implications associated with this project for the community.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Failure to get the agreement signed within 3 days could lead to Council paying out of contract rates.	H	M	Council to authorise the General Manager to sign the agreement.	L

Delivery Program Action

CC5 - Identify and implement initiatives to improve financial sustainability

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Tender outcome will inform current and future budgets. Council spends approximately \$850,000 on electricity and street lighting yearly, which is a significant component of the operational budget.

ITEM 10.5 SUPPLY OF ELECTRICITY FOR CONTESTABLE METERED SITES AND STREET LIGHTING

Working funds – justification for urgency and cumulative impact

As per 'Direct and indirect impact on current and future budgets'.



Impacts on 10 Year Long Term Financial Plan

As per 'Direct and indirect impact on current and future budgets'.

Service level changes and resourcing/staff implications

There are no implications related to levels of service.

ATTACHMENTS:

- 1  61407/2024 - RA502425NAM Reverse Auction LOP Electricity Participation Letter Redacted
- 2  61406/2024 - T492425NAM Electricity Small Sites LOP Participation Letter Redacted

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.6 SF1031 281124 REVIEW OF COMMUNITY ENGAGEMENT STRATEGY POLICY

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Officer**SUMMARY:**

Council is required to adopt a Community Engagement Strategy prior to preparing its new 10 Year Community Strategic Plan. The current Community Engagement Strategy Policy No CS 01 has now been separated into 2 separate documents with one document being called the Community Engagement Policy and the other document called the Community Engagement Strategy – this is in line with Integrated Planning and Reporting requirements to provide an accessible, easy to understand, and graphical Community Engagement Strategy. has had minor changes made (deleted items ~~struck through~~ new items in red font).

RECOMMENDATION:**That Council:**

- 1 Adopts the revised Community Engagement Policy No CS 01.**
- 2 Places the draft Community Engagement Strategy on public exhibition for 28 days.**

OPTIONS:

- 1 Per the recommendation.
- 2 Do nothing – business as usual.
- 3 Alternate option – make changes to the proposed updated Community Engagement Strategy.

DISCUSSION:**Integrated Planning and Reporting (IP&R) requirements for Community Engagement Strategy:**

Page 5 IP&R Handbook:

Community engagement requirements now encompass the entire IP&R process, reflecting new requirements for the Community Engagement Strategy (CES) to extend to all aspects of council engagement and not just the Community Strategic Plan (CSP). Additional requirements under the *Environmental Planning and Assessment Act 1979* to prepare a Community Participation Plan (CPP) can be incorporated into a council's wider CES.

Currently, Council's CPP is a separate document.

Page 11 IP&R Handbook regarding the CES states that it is used to support the development of all plans, policies, programs and key activities. It must demonstrate a commitment to genuine and inclusive engagement and be based on social justice principles. The CES must be reviewed within 3 months of the local government elections.

Page 25 IP&R Handbook states:

Engagement activities should be incorporated into one over-arching strategy that is exhibited and endorsed by council. The CES must identify relevant stakeholder groups within the community and outline when, how and why each group will be able to provide input into council's long-term planning and decision making. It must be based on the following social justice principles:

- Equity
- Access
- Participation
- Rights

ITEM 10.6 REVIEW OF COMMUNITY ENGAGEMENT STRATEGY POLICY

Separating Community Engagement Strategy from Community Engagement Policy:

Integrating the CES into the policy document is not compliant with requirements to publish “easy to access and read by the community, written in plain English, follow web accessibility guidelines and use graphic elements where possible so that any community member can understand its purpose and intent” (IP&R Handbook page 31). The CES should be published as a separate document. Post the public exhibition the final CES will be provided to Council in a similar style as the CSP and State of the Valley Report.

The revised policy has additional text in red font and deleted text struck through with most of the ~~struck through~~ text transferred to the CES.

The draft CES attached has additional text to the original Community Engagement Strategy Policy No CS 01 in red font and deleted text to the original Community Engagement Strategy Policy No CS 01 ~~struck through~~. Black font text that has not been struck through is text transferred from the original Community Engagement Strategy Policy No CS 01 to the draft CES.

Community Engagement Toolkit:

The separate CES should also include a Community Engagement Toolkit to assist staff with identifying engagement needs and developing Engagement Plans. The current tools provided require improvement and updating.

A toolkit will be developed and provided to Council for information at a future Council meeting. A toolkit is not a requirement of the CES but would be a best practice action for Council to undertake.

CONSULTATION:

Nil

Delivery Program Action

CC4 - Maintain an effective governance regime

SUSTAINABILITY ASSESSMENT:

Environment

Nil impacts

Social

Council must consult and engage with the community and the various stakeholder groups to ensure any concerns and ideas are reflected in the CSP

Economic

Nil Impacts

Risk

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Reputational risk - failing to engage the community can harm Council's reputation,	M	H	By developing a comprehensive CES through creating a detailed plan that outlines the	M



ITEM 10.6 REVIEW OF COMMUNITY ENGAGEMENT STRATEGY POLICY

<p>making it harder to gain support for future initiatives.</p> <p>Financial risk - poorly informed decisions can lead to cost overruns, wasted resources, and the need for expensive corrections or modifications to projects.</p> <p>Poor Decision-Making - Without community input, decisions may not reflect the needs and priorities of the residents. This can result in policies and projects that are ineffective or even detrimental to the community.</p>			<p>purpose, objectives, and methods of engagement that ensures that all community voices are heard. This strategy should include both traditional and digital tools to reach a broad audience</p>	
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FINANCIAL IMPLICATIONS:

Nil

ATTACHMENTS:

- 1  61134/2024 - Draft Community Engagement Strategy
- 2  61007/2024 - Revised Community Engagement Policy - CS 01 - Policy

DIRECTOR CORPORATE SERVICES REPORT**ITEM 10.7 SF963 281124 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT****AUTHOR/ENQUIRIES:** Jocelyn Box, Community Development Officer**SUMMARY:**

Council has twenty four (24) Section 355 Committees of Management (CoM). The Committees have a long history within Council with many long term and new volunteers who manage a Council facility on behalf of Nambucca Valley Council. Nominations for each Committee are shown in the table below in the discussion section for Council's consideration. It is recommended that the following nominations be endorsed and be provided with the Terms of Reference, Code of Conduct for Delegates, Section 355 Committee Guidelines and Volunteer Safety Handbook.

RECOMMENDATION:**That Council:**

- 1 Approves the new nominations to the following Section 355 Committees of Management as per the table in the body of the report.**
- 2 Provides the successful nominees with a copy of the Terms of Reference, Code of Conduct for Delegates, Section 355 Committee Guidelines and Volunteer Safety Handbook.**

OPTIONS:

There are no other options. Council needs voluntary Committees of Management to manage recreation, cultural and community facilities across the Nambucca Valley.

DISCUSSION:

Committee	Nominees	Reason for nominating
Argents Hill Hall	Sheree Hope Foley	Commitment to her community and bringing people together.
	Faith Bryant	To be a committee member for the next year.
Coronation Park	Mick Birtles	Assist in the proposed Coronation Park upgrade planning and to represent the Nambucca Roosters Rugby League Football Club in this committee.
EJ Biffin Playing Fields	Katherine Holloway	Been in position for several years.
Nambucca District Historical Society & Museum (NDHSM)	Fran Bond	Continuing as Vice President.
	Paul Burns	NDHSM needs a Secretary.
	David Day	Enjoys history.
	Rachel Burns	Continuing as committee member.
Unkya Reserve	Lee Maddox	Enjoys serving the community/
	Roslyn Bannister	Have been on Unkya committee for the past 5 years – renominating.

CONSULTATION:

Director Corporate Services

SUSTAINABILITY ASSESSMENT:

Nil

ITEM 10.7 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk
Injury to volunteers	M	H	Volunteers are given a Volunteer Safety Handbook after approval of Council.
Mismanagement	L	H	Council Code of Meeting Practice and Code of Conduct must be adhered to.
Fraud	L	H	Code of Conduct must be adhered to.






FINANCIAL IMPLICATIONS:

Nil

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

- 1  61061/2024 - Argents Hill Hall CoM Nominations - Redacted
- 2  61059/2024 - Coronation Park CoM Nominations - Redacted
- 3  61058/2024 - EJ Biffin CoM Nominations - Redacted
- 4  61044/2024 - Nambucca District Historical Society and Museum Nominations - Redacted
- 5  61042/2024 - Unkya Reserve CoM Nominations - Redacted

DEVELOPMENT AND ENVIRONMENTS

ITEM 11.1 SF3410 281124 UNDETERMINED DEVELOPMENT APPLICATIONS GREATER THAN 12 MONTHS, WHERE SUBMISSIONS HAVE BEEN RECEIVED, OR WHERE AN APPLICATION TO VARY DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF THE NAMBUCCA LEP 2010 WAS APPROVED UNDER STAFF DELEGATION

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

SUMMARY:

This report contains information in relation to Development Applications which have been undetermined for over 12 months, undetermined Development Applications which have received submissions and Development Application determined where an application to vary a development standard was approved.

In accordance with Minute 848/08 from Council’s meeting of 18 December 2008, should any Councillor wish to “call in” an application a motion is required specifying the reasons why it is to be “called in”. If an application is not called then it will be determined under delegated authority if the delegations permit.

In the interests of transparency, all Development Applications determined under delegation, where an application to vary development standards under Clause 4.6 of the Nambucca Local Environmental Plan 2010 was approved, are reported to Council for information.

RECOMMENDATION:

That Council notes the information on undetermined development applications greater than 12 months, or where submissions have been received to 18 November 2024, and development applications determined from 22 October – 18 November 2024 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.

OPTIONS:

In addition to the above recommendation, Council may choose to “call in” any or all of the development applications referred to in this report, or any other development application not yet determined under delegation by Council staff. Please see information in the summary above regarding how to “call in” a development application.

DISCUSSION:

TABLE 1: UNDETERMINED DEVELOPMENT APPLICATIONS IN EXCESS OF 12 MONTHS OLD

Nil.

TABLE 2: UNDETERMINED DEVELOPMENT APPLICATIONS WITH SUBMISSIONS

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/242	23 October 2024	Dwelling House	6 Gaduying Court, Nambucca Heads – Lot 61 DP 1273813
Two submissions received. Public exhibition period closed.			
STATUS: Assessment being finalised.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2023/266	24 October 2024	Modification to design of approved townhouses	Forest Road, Nambucca Heads – Lot 208 DP 1270916
Three submissions received. Public exhibition period closes on 20 October 2024.			
STATUS: Assessment to be finalised after exhibition period closes.			

TABLE 3: DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATION WHERE AN APPLICATION TO VARY DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF THE NLEP WAS APPROVED

ITEM 11.1 UNDETERMINED DEVELOPMENT APPLICATIONS GREATER THAN 12 MONTHS, WHERE SUBMISSIONS HAVE BEEN RECEIVED, OR WHERE AN APPLICATION TO VARY DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF THE NAMBUCCA LEP 2010 WAS APPROVED UNDER STAFF DELEGATION

No development applications were determined between 22 October – 18 November 2024 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation.

CONSULTATION:

Nil

SUSTAINABILITY ASSESSMENT:**Environment**

To be undertaken in assessment of individual development applications.

Social

To be undertaken in assessment of individual development applications.

Economic

To be undertaken in assessment of individual development applications.

Risk Analysis

None identified.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

There are no attachments for this report.

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.2 SF3495 281124 FENCED OFF LEASH DOG PARK

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

SUMMARY:

Council has publicly exhibited potential locations for fenced off leash dog parks in Macksville and Nambucca Heads. Seven submissions were received during the exhibition period.

This report provides a summary of the matters raised in the submissions received and a recommendation on preferred sites.

RECOMMENDATION:

That Council:

- 1 Selects the McMorrine Park, Nambucca Heads and Dawkins Lake Island, Macksville as the preferred locations for fenced dog parks within the Nambucca Valley.**
- 2 Proceed with the preparation of a Review of Environmental Factors (REF), design and costing analysis and funding options for both locations for further consideration by Council.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Select alternate locations.

BACKGROUND:

A report was presented to the 12 September 2024 Council meeting providing information on potential sites within Nambucca Heads and Macksville for off leash fenced dog parks. The report is contained within **attachment 1**.

After consideration of that report Council made the following resolution:

That Council exhibits the potential locations for fenced off leash dog parks as listed in this report for a period of 21 days and that any submissions received will be reported back to Council for consideration.

DISCUSSION:

The following four sites were placed on public exhibition from 25 September – 21 October 2024:

- McMorrine Park, Nambucca Heads
- EJ Biffin Sporting Fields, Nambucca Heads (clear of the marked sporting fields)
- Dawkins Lake Island, Macksville
- Dudley Street Playing Fields, Macksville (clear of the marked sporting fields)

Seven submissions were received during the exhibition period and are contained within **attachment 2**. A summary of matters raised in the submissions received is provided in the table below.

Matters Raised in Submission	Staff Comment
The McMorrine Park location is next to a retirement village which has a no pet policy. There is concern that noise from the park will impact the amenity of residents.	It is considered that there is ample room in McMorrine Park to establish a fenced dog park which does not result in significant noise impacts on surrounding residents. The dog park could be

ITEM 11.2 FENCED OFF LEASH DOG PARK

	situated over 50m to the closest dwelling. The expected number of dogs at any one time is expected to be low, with all dogs being monitored by their owners while they are there. It is considered that barking coming from the dog parks will be infrequent.
The off leash area on Stuart Island is close to McMorrine Park. It would be cheaper to establish the park on Stuarts Island.	While close to Stuarts Island, McMorrine Park is adjacent to the existing walkway connecting south Nambucca to the town centre. This walkway is very popular for dog walkers. Having the dog park conveniently located adjacent to the path may provide greater encouragement for people to exercise dogs off leash in the park. The costs for the establishment of a park at both locations would be comparable.
Fencing part or all of McMorrine Park deprives the rest of the community access to the park.	The fenced area at McMorrine Park would only encompass part of the park and would not inhibit the existing access through the park or the majority of the existing on leash areas within the park.
McMorrine Park floods which will result in dog faeces that is not picked up washing into the river.	Dog bags will be provided at each park to make it convenient for owners to pick their dogs droppings up before leaving. There will be no greater risk of water pollution compared to the flood prone Stuart Island or surrounding public walkways and parks where dogs are already permitted.
What will the sizes of the dog parks be?	This is subject to final design and costings. However, the Dawkins Island park would be the whole island.
Support for the proposed fenced off leash dog parks.	Noted.
There are sufficient off leash areas already available in the Valley. There is no need to make more as dog owners are irresponsible.	While it is acknowledged that there are ample off leash areas within the Nambucca Valley, there are no fenced parks or an off leash area in Macksville. The establishment of parks may result in a reduction in interaction between dogs and those who do not like them.
Drainage at the Dudley Street location could be an issue.	Noted. It is recommended that Council pursue the Dawkins Lake Island option.
Consideration should be given to a fenced area for big dogs and one for small dogs.	This can be considered in the design.

Nambucca Sites

It is recommended that the McMorrine Park site be selected in Nambucca Heads due to its location closer to a larger population base within Nambucca Heads, proximity to a popular dog walking path along the foreshore, and its ease of access.

Macksville Sites

It is recommended that the Dawkins Island site be selected as it will require minimal works to establish, is in the centre of town, and has readily available access.

Following selection of sites for the fenced dogs parks the following must occur before they can be established:

- Undertake a Review of Environmental Factors (REF) in accordance with the Environmental Planning & Assessment Act 1979.
- Prepare a design and costing analysis.
- Obtain funding.
- Construct the dog park.

ITEM 11.2 FENCED OFF LEASH DOG PARK

- Amend the Companion Animals Policy.

Prior to engaging any contractors or commencing works, staff will report the above back to Council for consideration.

CONSULTATION:

Public exhibition

SUSTAINABILITY ASSESSMENT:

Environment

The potential environmental impacts will be considered as part of the review of environmental factors to be carried out on each site under Part 5 of the Environmental Planning and Assessment Act 1979.

Social

The parks provide additional options for people to exercise their dogs, while it is considered that potential external impacts will be minor.

Economic

It is not considered the parks will result in any significant economic impacts on the locality.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Nil				

Delivery Program Action

CC18 - Provide open spaces where dogs can be exercised

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

There will be no impact as the recommendation is just for a design/costing analysis and review of environmental factors to be undertaken on the selected sites. Funds will need to be set aside for the construction of the dog parks after a design has been prepared. This will be reported to Council separately.

Working funds – justification for urgency and cumulative impact

N/A



Impacts on 10 Year Long Term Financial Plan

As above.

Service level changes and resourcing/staff implications

The design/costing analysis and review of environmental factors will be done by staff and will not have any significant impact on resources.

ATTACHMENTS:

- 1  45755/2024 - September 2024 Council Report
- 2  60692/2024 - Submissions

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**ITEM 11.3 SF453 281124 WASTE MANAGEMENT QUARTERLY REPORT - JULY TO SEPTEMBER 2024****AUTHOR/ENQUIRIES:** Simon Chapman, Waste Services Coordinator**SUMMARY:**

This report is presented to Council on a quarterly basis for a status update of waste management in the Nambucca Valley.

RECOMMENDATION:

That Council notes the information provided in the quarterly report for the period 1 July-30 September 2024.

OPTIONS:

For information only.

DISCUSSION:**CCWS Kerbside and Transfer Station Waste Collection Services**

Kerbside collections for the last quarter being 1 July – 30 September 2024 across the Coffs Coast region indicated the hotline received a total of approx. 4312 calls during the period for the whole regional area.

Nambucca Valley had a total of 9016 properties receiving a waste collection service, 16 new services were implemented.

The table below reflects Nambucca Valley Council's waste streams and tonnages over the last quarter:

Waste Stream	Source	Tonnes	Destination
Co-mingled recycling	Kerbside	349.44	CCWS Recycling Facility
Greenwaste organics	Kerbside	625.92	CCWS Biomass Facility
Mixed waste	Kerbside (NVC)	896.84	Nambucca Landfill
Mixed waste	Kerbside (BSC)	327.96	Nambucca Landfill
Bulky goods	Kerbside	39.73	Nambucca Landfill
Co-mingled recycling	Transfer station	43.82	CCWS Recycling Facility
Greenwaste organics	Transfer station	65.52	CCWS Biomass Facility
Mixed waste	Transfer station (BSC)	137.26	Nambucca Landfill
Batteries	Transfer station	3.13	Matthews Metal Management
Scrap metal	Transfer station	267.13	Matthews Metal Management
Motor oil (litres)	Transfer station	3300	BMC Oil
Chemical containers (farm drums)	Transfer station	546	Drum Muster
E-waste	Transfer station	4.41	Matthews Metal Management
Concrete & masonry	Landfill	291.68	Reprocessing at Nambucca Landfill
Asbestos	Landfill	6.64	Nambucca Landfill
Biosolids (grit)	Landfill	13.96	Nambucca Landfill
Building demolition	Landfill	972.17	Nambucca Landfill
Clean fill	Landfill	685.88	Nambucca Landfill (daily cover)
Commercial building waste	Landfill	241.98	Nambucca Landfill
Charity groups	Landfill	3.98	Nambucca Landfill

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JULY TO SEPTEMBER 2024

Dead animals (small) Landfill 0.14 Nambucca Landfill

The table below reflects the successful charities that applied under Councils Donations Policy and the disposal tonnages from each organisation for the last quarter.

Charitable Organisation	Source	Tonnes	Destination
Anglican Opp Shop Nambucca	Self Hauled	0.00	Nambucca Landfill
Anglican Parish Macksville	Self Hauled	0.00	Nambucca Landfill
Anglican Parish Macksville/Nambucca	Self Hauled	2.88	Nambucca Landfill
Care "n" Ware	Self Hauled	1.10	Nambucca Landfill
Live Better (Nambucca Valley Phoenix)	Self Hauled	0.00	Nambucca Landfill
Nambucca Heads Men's Shed	Self Hauled	0.00	Nambucca Landfill
Salvation Army	Self Hauled	0.00	Nambucca Landfill
Macksville / Bowraville Opp Shop	Self Hauled	0.00	Nambucca Landfill
Nambucca Valley Community Church	Self Hauled	0.00	Nambucca Landfill
	Total	3.98	

CCWS Materials Recovery Facility

The table below indicates the approximate Coffs Coast regional recycling tonnages processed through the Materials Recovery Facility (MRF) during the quarter at Coffs Coast Resource Recovery Park.

Approximate Tonnes Processed 3138.17

CCWS Educational Activities

The tables below reflect the Coffs Coast Waste Services educational activities carried out during the last quarter:

Education

Month	School or Group	No's Attending
July 2024	Little Hands Preschool	22
	Coffs Campus Hospital	5
	Bishop Druitt College	40
August 2024	Nana Glen Preschool	21
	Community Group	12
	Woolgoolga View Club	20
	Coffs High School (Year 11)	19
September 2024	Valla Preschool	26
	St Francis Xavier Primary School	60
	Orama Public School	25
	Rotary Coffs Harbour	22
	Humanitarian Settlement Group	15

NSW Waste Avoidance and Resource Recovery Strategy

The NSW Waste Avoidance and Resource Recovery Strategy (WARR) was developed by State Government to provide direction for local councils to reduce waste generated, optimise the recovery of usable resources from waste and manage the disposal of residual waste in an environmentally responsible way in the following waste streams:

Municipal Solid Waste (MSW) – the solid component of the waste stream arising from household waste placed at the kerbside for Council collection and waste collected by Council from municipal parks and gardens, street sweepings, Council engineering works and public Council bins.

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JULY TO SEPTEMBER 2024

Commercial and Industrial Waste (C&I) – Inert, solid or industrial waste generated by businesses and industries (shopping centres, restaurants, offices, warehousing, manufacturing, repair workshops, retail outlets, hotels and clubs) along with institutions (schools, hospitals, universities, nursing homes and government offices).

Construction and Demolition (C&D) – waste materials which arise from construction, refurbishment, demolition and excavation activities.

NSW has a target of 80% average recovery rate from all waste streams by 2030. The table below identifies the waste streams and the status of Nambucca’s compliance during the last quarter:

Waste Stream	NSW Target	Landfilled Tonnes	Diverted Tonnes	Diversion %
Municipal (MSW)	80% recovery by 2030	1,352.39	1250.03	48
Commercial Industrial (C&I)	80% recovery by 2030	383.36	109.34	22
Construction Demolition (C&D)	80% recovery by 2030	978.81	977.56	50

Municipal Waste Stream - 40% diversion reduction to the above figure due to EPA revoking mixed waste land application exemption.

Commercial Industrial Waste Stream - 5% diversion reduction to the above figure due to EPA revoking mixed waste land application exemption.

Community Recycling Facility (CRC)

NSW Environmental Trust approved a grant for the construction of a Community Recycling Centre for Nambucca Valley Council under the Improved Systems for Household Problem Wastes – Community Recycling Centre (drop offs) Grants program.

The Environmental Trust’s goal of the program is to assist communities to look after their own neighbourhoods and environments through the establishment of a network of Community Recycling Centres to make it easier for people to recycle and remove problem wastes from their households.

Nambucca Valley Councils CRC facility is located at the Nambucca Waste Management Facility and was commissioned on 1 July 2015. The table below identifies the household problem wastes that are now acceptable at the centre and tonnages received during the last quarter:

Problem Waste Streams	Source	Destination
Acid	CRC drop Off	Cleanaway Recycling Facility
Alkali	CRC drop Off	Cleanaway Recycling Facility
Batteries (nicad)	CRC drop Off	Cleanaway Recycling Facility
Fluorescent Tubes	CRC drop Off	Cleanaway Recycling Facility
Gas Cylinder (propane)	CRC drop Off	Cleanaway Recycling Facility
Gas Cylinder (other)	CRC drop Off	Cleanaway Recycling Facility
Hydrocarbon / Fuel	CRC drop Off	Cleanaway Recycling Facility
Smoke Detector	CRC drop Off	Cleanaway Recycling Facility
Paint (water based)	CRC drop Off	Cleanaway Recycling Facility
Paint (oil based)	CRC drop Off	Cleanaway Recycling Facility
Toxics	CRC drop Off	Cleanaway Recycling Facility

Total kilograms of household problem waste collected during the last quarter was 2,268.00kg.

Cleanaway has been engaged by the NSW EPA as its preferred collection contractor for the collection and processing of household problem wastes presented at the facility.

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JULY TO SEPTEMBER 2024Container Deposit Scheme (CDS)

Exchange for Change is the scheme coordinator of the largest litter reduction programs undertaken in NSW and the ACT: the NSW Return and Earn scheme and the ACT Container Deposit Scheme.

Exchange for Change is responsible for managing both schemes' finances, collecting contributions from beverage suppliers and distributing money to network operators and other scheme participants. Exchange for Change is also responsible for governance and risk management, and educating the community.

Return and Earn and the ACT CDS are based on recognising the responsibility that the beverage industry shares with the community for reducing and dealing with waste generated by beverage product packaging.

Exchange for Change is a joint venture of five of Australia's beverage companies: Asahi Beverages, Carlton & United Breweries, Coca-Cola Amatil, Coopers Brewery and Lion. Together, these companies have more than 40 years of experience in managing container refund programs in Australia.

The table below identifies the number of containers received through the network operator for the period 1 January – 30 June 2024.

LGA	Aluminium	Glass	PET	HDPE	Liquid Paper	Steel	Other Materials	Other Plastics	Total
Nambucca	1,552,269	1,015,491	642,122	29,133	41,131	2,482	10	2	3,282,640

NSW Government announced an expansion of the Container Deposit Scheme subject to a consultation period to include the following items:

- Wine and spirits in glass bottles
- Cordials and juice concentrate
- Larger containers up to 3 litres of beverages already in the scheme, such as flavoured milk, fruit and vegetable juice, cask wine and sachets.
- Plain milk and health tonics would continue to be excluded from the scheme

This expansion has not yet occurred and is subject to final determination.

CONSULTATION:

Midwaste
Handybin Waste Services
Cleanaway
Matthews Metal Management
NSW Exchange for Change

SUSTAINABILITY ASSESSMENT:**Environment**

Green organics and recyclable materials collected from the kerbside are reprocessed through the materials recycling facility and the biomass plant. Kerbside mixed waste and self-hauled wastes are landfilled accordingly.

Social

Potential increased costs.

Economic

Potential increases in the domestic waste management charge and landfill gate fees.

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JULY TO SEPTEMBER 2024

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
N/A	N/A	N/A	N/A	N/A

Delivery Program Action

CE9 - Implement waste minimisation strategies

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

No identifiable increases for the current budget at this point.

Working funds – justification for urgency and cumulative impact

No additional income required at this point.

Impacts on 10 Year Long Term Financial Plan

Additional income may need to be sourced from the annual domestic waste management charge or waste reserves.

Service level changes and resourcing/staff implications

No identifiable changes or implications at this point.

ATTACHMENTS:

There are no attachments for this report.

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.4 SF1148 281124 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR SEPTEMBER 2024

AUTHOR/ENQUIRIES: Melanie Ellis, Acting Senior Business Services Officer

SUMMARY:

The following is the Council's Rangers' reports and attached listing of penalty notices issued for the month of September 2024 by Council Officers.

RECOMMENDATION:


That Council notes the Rangers' Impounding Statistics and the penalties issued for the month of September 2024.

SEPTEMBER 2024	Cats	Dogs
COUNCIL'S SEIZURE ACTIVITY		
Seized (doesn't include those animals dumped or surrendered)	0	0
Returned to Owner	0	0
Transferred to - Council's Facility from Seizure Activities	0	0
ANIMALS IN AND ARRIVING AT COUNCIL'S FACILITY		
Animals In Council's Facility - (Start of Month)	6	5
Abandoned or Stray	4	2
Surrendered	1	0
Animals transferred from Seizure Activities	0	0
Total Incoming Animals	11	7
ANIMALS LEAVING COUNCIL'S FACILITY		
Released to Owners	0	0
Sold	2	5
Released to Organisations for Rehoming	1	1
Died at Council's Facility (other than euthanised)	0	0
Stolen from Council's Facility	0	0
Escaped from Council's Facility	0	0
Other	0	0
EUTHANISED		
Restricted Dogs	0	0
Dangerous Dogs	0	0
Owner's Request	0	0
Due to Illness, Disease or Injury	0	0
Feral/infant animal	0	0
Unsuitable for rehoming	0	0
Unable to be rehomed	0	0
Total Euthanised	0	0
Total Outgoing Animals	0	0
TOTAL IN COUNCIL'S FACILITY - (END OF MONTH)	8	1

ITEM 11.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR SEPTEMBER 2024

Cattle	Breakdown	Total
Seized	0	0
Returned to Owner	0	0
Impounded	0	0
Total Seized	0	0

ATTACHMENTS:

- 1  55336/2024 - Rangers Report - Penalties Issued - September 2024

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

**ITEM 11.5 SF3410 281124 2024 OCTOBER - APPROVED CONSTRUCTION
CERTIFICATES AND COMPLYING DEVELOPMENT APPLICATIONS**

AUTHOR/ENQUIRIES: Melanie Ellis, Business Services Officer


SUMMARY:

The attached report is for the information of Councillors with regard to approved Construction Certificates and Complying Developments for the month of October 2024 as at 15 November 2024.

RECOMMENDATION:

That Council notes the Construction Certificates and Complying Developments approved for October 2024.

ATTACHMENTS:

- 1  60317/2024 - 2024 October - Approved Construction Certificates and Complying Development Applications

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.6 SF3410 281124 2024 OCTOBER - DEVELOPMENT APPLICATIONS AND COMPLYING DEVELOPMENT APPLICATIONS RECEIVED

AUTHOR/ENQUIRIES: Melanie Ellis, Business Services Officer

SUMMARY:

Council at the meeting on 16 January 2014 resolved:

“That Council endorse the method of reporting Construction and Complying Development Certificates as presented to the 16 January 2014 meeting and further that the General Manager investigate the possibility of reporting Development Applications lodged in previous month.”

Attached is a list of Development Applications and Complying Developments received in October 2024 as at 15 November 2024.

RECOMMENDATION:

That Council notes the Development Applications and Complying Developments received in October 2024.

ATTACHMENTS:

- 1 60322/2024 - 2024 October - Development Applications and Complying Development Applications
 Received

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.1 SF1575 281124 ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY

AUTHOR/ENQUIRIES: David Moloney, Director Engineering Services

SUMMARY:

Council policies require regular review to ensure they are up to date and contemporary with the Asset Management Policy being required to be reviewed by Council in its first 12 months.

The Asset Management Policy (AMP) is a key document in guiding Councils management of assets and sets the guidelines for implementing consistent asset management processes throughout the Nambucca Valley Council.

RECOMMENDATION:

That Council adopts the Draft Asset Management Policy (ES 06).

OPTIONS:

- 1 Proposed recommendation
- 2 Alternative option – Keep existing Asset Management Policy

DISCUSSION:

There are three main components to an integrated asset management system. These are:

- 1 Asset Management Policy (AMP) (**This document**)
- 2 Asset Strategy
- 3 Asset Management Plans

These documents need to be updated every four years and presented to the new Council within its first year. The last Asset Management Policy was updated in February 2018 and is due for review.

Council policies require review of the Asset Management Policy within the first 12 months of a new Council. Updating will also ensure that it is contemporary.

The AMP has also been updated to Councils latest policy template.

A review of the current policy has been undertaken and major rewrite to align the AMP with current issues and practices Council is undertaking. This policy sets the strategic frameworks for the management of our assets. The Policy is modelled on the Institute of Public Works Engineering Australasia (IPWEA) NAMS+™ system for which Councils current Asset Management Plans are modelled on. The NAMS+™ system is used internationally in countries such as New Zealand and Canada.

The policy also includes recommendations from a recent audit into Asset/Project Management.

CONSULTATION:

Manager Assets
MANEX

SUSTAINABILITY ASSESSMENT:

Environment

ITEM 12.1 ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY

The AMP acknowledges the use of assets by the community who will need to manage the environmental impacts by activities in the management of its assets.

Social

The AMP acknowledges the use of assets by the community to access social and economic activities and the need to manage our assets within our financial constraints.

Economic

The AMP acknowledges Councils financial constraints in managing its assets and the importance of good asset management of infrastructure is essential to economic development.

The provision of assets such as roads, drainage and lighting facilitates economic development and employment locally. Of particular economic impact are assets such as sports grounds, parks, beaches and open space in the Nambucca Valley. Asset condition, availability of external funds, user and owner costs have local economic implications. Maintaining quality infrastructure facilitates transport and attracts businesses and tourists to the LGA. This policy recognises the contribution these assets make to the economy of the LGA.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Not updating the AMP leading to poor decision making on assets	H	H	Update AMP	M

Delivery Program Action

LW6 - Maintain Sporting Facilities

PP11 - Maintain and construct road network to the level of service agree with the community

PP12 - Maintain and construct bridges to the level of service agreed with the community

PP13 - Maintain and construct footpath and cycle ways to the level of service agreed with the community

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

There are no direct or indirect impacts on our current budgets. It is expected though that the review of the remaining suit of plans could impact on the budget.

The Policy does recognise that any new asset will require additional maintenance and operational costs which will impact on future budget.

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

There are no direct or indirect impacts on our current budgets. It is expected though that the review of the remaining suit of plans could impact on the budget.

ITEM 12.1 ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY

The Policy does recognise that any new asset will require additional maintenance and operational costs which will impact on future budget.

Service level changes and resourcing/staff implications

There are no direct or indirect impacts on our current resourcing. It is expected though that the review of the remaining suit of plans may impact on service levels and resourcing levels.

The Policy does recognise that significant new asset will add additional service levels or resourcing requirements due to additional maintenance and operational requirements which will impact on future budget.

ATTACHMENTS:

1 19820/2024 - DRAFT - ES06 Asset Management Policy



2 42815/2017 - ES 06 - POLICY - Asset Management (Adopted by Council February 2018



Resolution 44/18)

DIRECTOR ENGINEERING SERVICES REPORT

**ITEM 12.2 RF24 281124 ASSESSMENT OF OPTIONS FOR STUART ISLAND
CAUSEWAY NAMBUCCA HEADS**

AUTHOR/ENQUIRIES: David Moloney, Director Engineering Services

SUMMARY:

The Stuart Island Causeway (SIC) provides access to Stuart Island which is used by the Nambucca Heads Golf Club (NHGC), off leash dog lovers and Stuart Island boat launching area. The causeway has two levels with most of the causeway being lower than the middle channel section. Under king tides, the causeway goes under water and blocks access to the causeway for vehicle and pedestrian traffic. This causes anyone on the island to be isolated until the tide level drops.

This report looks at options for the causeway and provides a high-level opinion of probable costs.

RECOMMENDATION:

That Council:

- 1 Notes the report into the options and the opinion of probable costs for Stuart Island Causeway**
- 2 Undertakes further investigations into options 1, 4, 5 and 6 from the body of the report.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option – investigate other options in the report

BACKGROUND:

The Stuart Island Causeway (SIC) provides access to Stuart Island which is used by the Nambucca Heads Golf Club (NHGC), off leash dog lovers and Stuart Island boat launching area. The causeway has two levels with most of the causeway being lower than the middle channel section. Under king tides, the causeway goes under water and blocks access to the causeway for vehicle and pedestrian traffic. This causes anyone on the island to be isolated until the tide level drops.

The NHGC has been in contact with Council over an extended period of time in regards to the impact on their business operations and plans they have for expansion and have requested Council consider upgrading the level of the causeway to provide a surface above the tidal level.

The purpose of this report is to carry out a strategic level, desk top assessment of the options.

The current central opening was constructed in 2012-2013 based on recommendations from the Nambucca River Estuary Management Study (October 2006) and the Nambucca River Estuary Management Plan (April 2008).

In May 2024, movement between the central culverts were observed and safety measures were put in place along with survey monitoring to determine if movement is still happening.

DISCUSSION:

The report assesses seven options to lift the causeway level. These are:

- 1 Do nothing – leave causeway as is
- 2 Remove the causeway and build new access bridge beside the causeway

ITEM 12.2 ASSESSMENT OF OPTIONS FOR STUART ISLAND CAUSEWAY NAMBUCCA HEADS

- 3 Leave the existing causeway and build new access bridge beside the causeway
- 4 Use the existing causeway as a base for placing box culverts on top of the causeway and widen the central opening to four cells
- 5 Use the existing causeway as a base, widening opening to six cell culvert and lift remaining causeway
- 6 Lift the existing Causeway on either side of the central opening
- 7 Remove the causeway and build new access bridge in the existing location

At the strategic level, all variables cannot be well defined and therefore require substantial cost allowances within the Opinion of Probable Cost (OPC) with a strategic contingency between 25-50% and the estimates over time would need to be refined.

Other consideration in the report were:

- Design Standards
- Future Costs
- Life Cycle Cost analysis
- Funding options

Based on the assessment within the report there are four main viable options for Council:

- 1 Option 1 Do Nothing
- 2 Option 4 Place box culverts over the existing causeway
- 3 Option 5 Widen central culverts and lift the remainder of the causeways
- 4 Option 6 Lift the causeway either side of the central opening

Based on the options above and the uncertainty as to condition of the existing causeway it is recommended that Council undertake a condition assessment of the causeway and a hydrologic study on the impact of increasing the main channel flow on the estuary and Bellwood park for swimming.

Once these are known, further refinement of the options can be undertaken and concept design and estimates can be reviewed.

CONSULTATION:

Manager Assets
Manager Technical Services
Manager Infrastructure Services
Manager Disaster Recovery
General Manager
Nambucca Heads Golf Club
Gumbaynggirr Elder – Uncle Bud Marshall
Ricky Buchanan

SUSTAINABILITY ASSESSMENT:**Environment**

Any changes to the SIC will need to have the environmental impacts assessed to the river to ensure the impacts are known and managed.

Social

The SIC is current does impact on access to the island which on the NHGC with the intermittent closing of the causeway due King Tides which is affecting their business operations, customers and future plans for expansion.

ITEM 12.2 ASSESSMENT OF OPTIONS FOR STUART ISLAND CAUSEWAY NAMBUCCA HEADS

Economic

The SIC is current having an economic impact on the NHGC with the intermittent closing of the causeway due King Tides which is affecting their business operations, customers and future plans for expansion.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
SIC is cut off due to king tides leaving patrons stranded	H	L	Assess options to provide high tide access	L
Upgrades impact on the river in the immediate and surrounding areas	H	M	Undertake environmental assessment to determine impacts and mitigation measures	L
OPC are high level and do not reflect the actual cost of delivery	M	H	Undertake further refine of the concepts to provide a more accurate estimate of costs	L
Condition of the existing causeway is worse condition than expected impacting on costs and suitable options	H	M	Undertake condition assessment of the causeway to determine current condition and impact on costs for options	M

Delivery Program Action

CC15 - Provide leadership on safety initiatives

CC6 - Use of effective asset management practices

PP2 - Liaise with local business and State and Federal Government agencies to promote economic and regional development

PP11 - Maintain and construct road network to the level of service agree with the community

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

The construction/alteration of the SIC is not in LTFP and therefore would require a grant to fund the whole of the project in order to go ahead.

Service level changes and resourcing/staff implications

Changes to the causeway will increase the level of service provided by the asset and therefore the maintenance costs will increase

A life Cycle Cost analysis of the options has been undertaken to compare the options construction and maintenance costs over the life of the asset.

ATTACHMENTS:

1  60291/2024 - Council Report - Stuart Island Causeway - Upgrade Options Assessment

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.3 SF1120 281124 GRANTS STATUS REPORT

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer; David Moloney, Director Engineering Services

SUMMARY:

This report provides an overview of the status of Council's grant funded projects and programs.

RECOMMENDATION:

That Council notes the Grants Status report.

OPTIONS:

For information only.

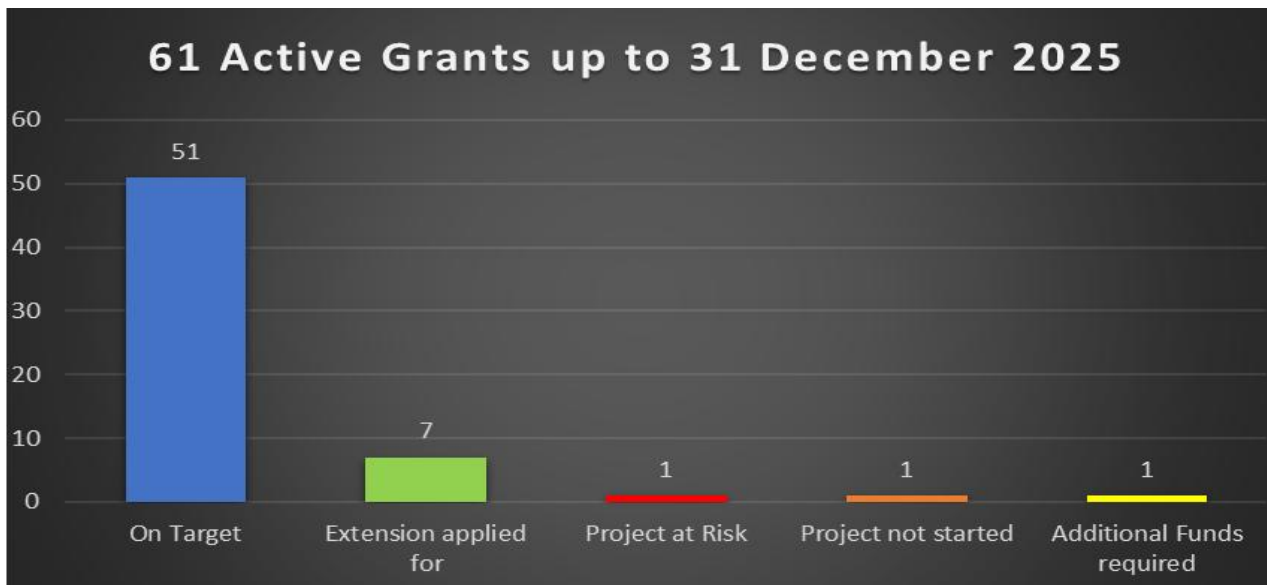
DISCUSSION:**Active Grants**

Council has requested an update on active grants that Council is currently working on to deliver projects throughout the community. The list of active grants (attached) shows Council that there are currently 61 grant funded projects that are active with a completion date up to 31 December 2025.

There is a total of \$26,056,476 in approved grant funding with many projects funded over multiple years. Of the total 61 grant funded projects the graph below shows that:

- 51 projects are on target to be completed by the within the grant timeframes – colour coded blue on the attachment 'Active Grants Report'.
- 7 projects are currently under review for an extension of time, all indications are that these requests will be successful - colour coded green on the attachment 'Active Grants Report'.
- 1 project, North Macksville playing fields, lighting & electrical upgrades has not started, however, design is underway and is expected to be completed within the grant timeframe - colour coded orange on the attachment 'Active Grants Report'.
- 1 project, Gordon Park Splash Park, council has requested additional funds as project will unable to be completed with current allocation of funds - colour coded yellow on the attachment 'Active Grants Report'.
- 1 project, upgrades to the V-Wall Carpark – potential landslip, is at risk, due to shortfall in funding, and is looking highly possible that there are no other funds available for project. Council will continue to look for additional funding sources - colour coded red on the attachment 'Active Grants Report'.

ITEM 12.3 GRANTS STATUS REPORT



It should be noted that there are additional grants that have a completion date out as far as 2027, however many of these projects are still in the planning phase and will be reported to Council at a later period.

Natural Disaster Grants

Natural Disaster grants have been separated out due to the fact that Council has a dedicated Natural Disasters Team managing all of these projects. Council to date has a total of 30 events approved totalling \$90,418,963 in grant funding. These projects have commenced with design and some initial Geotech.

Completed Grants

There is a separate attachment to this report called 'grants completed' which shows Council a list of 98 grant jobs that have been completed in the past 18 months.

CONSULTATION:

Various staff

SUSTAINABILITY ASSESSMENT:

Environment

Many of the grant funded projects support Council's continued environmental and sustainability works.

Social

Grant funded Community Infrastructure projects, including upgrade of amenities, parks and playgrounds, will have a positive social impact, both in the short and long-term.

Economic

Improved transport infrastructure and recreational infrastructure will have positive impacts on local businesses and tourism.

Risk Analysis

The majority of approved applications include Risk Assessments at the time of submission, and then are managed by appointed Project Managers throughout the life of the project.

ITEM 12.3 GRANTS STATUS REPORT

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Financial – re grant funded projects exceeding approved budgets	M	Depends on value and significance of project.	Regular reporting to Executive Leadership Team and Council. Ensuring hold points on grant funded projects are established and communicated.	L
Grant works not completed by scheduled date	M	Potential Loss of grant funding	Regular meetings with staff advising progress of each project.	L

Delivery Program Action

CC5 - Identify and implement initiatives to improve financial sustainability

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

As per the report.




Impacts on 10 Year Long Term Financial Plan

Monitored by internal Project Managers and Finance staff.

Service level changes and resourcing/staff implications

There is ongoing impact on service levels, resourcing and staff due to volume of grant funding, and ongoing natural disaster recovery works.

ATTACHMENTS:

- 1  61000/2024 - Active Grants Report
- 2  59647/2024 - Natural Disasters Report
- 3  60992/2024 - Grants Completed Report

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.4 SF1092 281124 GORDON PARK SPLASH WATERPAD PROJECT - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 FUNDING

AUTHOR/ENQUIRIES: Matthew Leibrandt, Manager Infrastructure Services; Teresa Boorer, Grants and Contributions Officer

SUMMARY:

Council will soon commence construction of a splash pad at Gordon Park, Nambucca Heads. Splash pads are a recreation area, often in a public park, for water play that has little or no standing water. The splash pad will be located to the North of the main carpark and to the south of the tennis club and amenities building.

It is envisaged that recent improvements to Gordon Park as part of the Bushfire Local Economic Recovery Fund (BLERF) grant monies for the Nambucca River Foreshore Improvements program, with the addition of this facility will take pressure off the popular Bellwood Park and V-Wall areas of Nambucca Heads.

The project will be delivered over 3 stages. The first will be to construct a concrete pad and surrounds with in-ground water spouts and specialised flooring. The second will be to install above ground features. The third will be to install the "Whale Tail" prior to the October long weekend school holidays in 2025.

RECOMMENDATION:

That Council notes the report for information.

OPTIONS:

Nil as for information

DISCUSSION:

Council is planning to construct a splash pad at Gordon Park, Nambucca Heads. Splash pads are a recreation area, often in a public park, for water play that has little or no standing water. The splash pad will be located to the North of the main carpark and to the south of the tennis club and amenities building.

It is envisaged that recent improvements to Gordon Park as part of the BLERF Nambucca River Foreshore Improvements program, with the addition of this facility, will take pressure off the popular Bellwood Park and V-Wall areas in terms of parking and people density in peak periods. Overflow parking for Gordon Park is available through the Nelson Street Boat Ramp carpark adjacent to the Nambucca RSL Club approximately 200m away.

The project was designed in-house with the help of a local supplier and aimed at maximising play features and space. The space will later be embellished utilising external funding, (currently investigating options to source the funding), by the installation of a water feature sculptural piece - "Whale Tail" - created by the same local Artistic and Engineering Team that were responsible for the popular V-Wall Pelican Sculpture.

The project will be delivered over 3 stages. The first will be to construct a concrete pad and surrounds with in-ground water spouts and specialised flooring. The second will be to install above ground features. The third will be to install the "Whale Tail" prior to the October long weekend school holidays in 2025.

Council received \$183,865 funding through the Commonwealth Funding program allocation - LRCI Phase 4 and is currently working to source the additional \$81,000 through open, or soon to open, grant programs or savings within the current budget.

Attached is a rendering showing the basic concept and sitemap showing the specific location and orientation.

ITEM 12.4 GORDON PARK SPLASH WATERPAD PROJECT - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 FUNDING

CONSULTATION:

General Manager
 Director Engineering Services
 Chief Financial Officer
 Manager Technical Services
 Green Space Coordinator
 Grants and Contributions Officer

SUSTAINABILITY ASSESSMENT:

Environment

Potable water will be utilised in the low flow water features with water run off captured by stormwater drains and discharged into the Nambucca River. Water usage is controllable utilising an on-demand system only active during certain times. These times can be modified during drought times when water restrictions are in place.

Social

This free play area will be available to all and accessible by the residents and visitors to Nambucca Heads, through Councils road, footpath and boardwalk network.

It will also provide a no cost water play and provide a gathering place for groups and further activate the Gordon Park and complement the existing facilities there.

Economic

Running costs are minimal due to the timed low flow water features and provision of anti-vandal CCTV cameras. The design life of the features are 25 years. The flooring has an expected life of 15 years.

It is expected that in conjunction with the other recent upgrades to Gordon Park, that the Splash Pad will deliver an economic boost to Nambucca Heads.

Improved connectivity to the CBD and improved facilities in the park is expected to help the retail and food businesses operating in Nambucca Heads.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Nil				

Delivery Program Action

LW9 - Operate and Maintain Open Spaces
 PP10 - Support the local tourism industry in partnership with the Nambucca Valley Tourism Association (NVTVA)

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

As this project will create a new asset there will be costs associated with operating and maintain the splashpad.

Working funds – justification for urgency and cumulative impact

ITEM 12.4 GORDON PARK SPLASH WATERPAD PROJECT - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 FUNDING



Impacts on 10 Year Long Term Financial Plan

Additional funds currently required for completion, and for maintenance and running costs for the splash pad are considered immaterial. However, the depreciation of the new facility will be considered in future planning documents.

Service level changes and resourcing/staff implications

The area is already serviced daily by greenspace staff to attend to the garbage bins.

ATTACHMENTS:

- 1  58381/2024 - Gordon Park Waterplay 3D Render Draft
- 2  58382/2024 - Gordon Park Splash Pad - Concept Location Plan