



# NAMBUCCA VALLEY COUNCIL

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## SOUTH ARM HALL

### ORDINARY COUNCIL MEETING

#### AGENDA ITEMS

11 JULY 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](http://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](#)



# NAMBUCCA VALLEY COUNCIL

## ORDINARY COUNCIL MEETING - 11 JULY 2024

### VENUE: SOUTH ARM HALL – 5PM

#### 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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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](mailto: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 Council 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 by .....in the matter of  
 ..... which is to be considered at a meeting of the  
 .....  
 to be held on the.....day of ..... 20

<b>Pecuniary interest</b>	
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.
<b>Matter giving rise to pecuniary interest<sup>1</sup></b>	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) <sup>2</sup> [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 27 JUNE 2024

The following document is the minutes of the Ordinary Council meeting held **27 JUNE 2024**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 11 JULY 2024 and therefore subject to change. Please refer to the minutes of 11 July 2024 for confirmation.

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### PRESENT

Cr Rhonda Hoban OAM (Mayor)  
Cr Martin Ballangarry OAM  
Cr Susan Jenvey  
Cr Troy Vance

Cr James Angel  
Cr Ricky Buchanan  
Cr David Jones  
Cr John Wilson (Deputy Mayor)

### ALSO PRESENT

Bede Spannagle (General Manager)  
Evan Webb (Acting Director Corporate Services)  
Rochelle McMurray (Minute Secretary)

David Moloney (Director Engineering Services)  
Daniel Walsh (Manager Development Environment)

### APOLOGIES

#### Apologies (leave granted)

Matthew Sykes (Director Corporate Services)

#### Apologies

Nil

#### Absent

Nil

### 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

### PRAYER

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

### DISCLOSURE OF INTEREST

Nil

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

### CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

**SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 13 JUNE 2024**

196/24 **RESOLVED:** (Jones/Ballangarry)

That the minutes of the Ordinary Council Meeting of 13 June 2024 be confirmed.

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#### PUBLIC FORUM

##### RECOMMENDATION

That the following delegations be heard:

*i Ms Liane Gourlay – Petition - Off leash dog park*

#### PUBLIC FORUM

*i Ms Liane Gourlay addressed Council with notes placed on 32231/2024 SF 3424.*

197/24 **RESOLVED:** (Jenvey/Jones)

That Council receive a report into a fenced off leash dog park and potential locations within the Valley.

#### DELEGATIONS

##### RECOMMENDATION

That the following delegations be heard:

*ii Ms Carole Anderson – on behalf of the Valla Beach Community Association Committee of Management*

*iii Ms Melissa Hilson – for the recommendation.*

#### DELEGATIONS

*ii Ms Carole Anderson – addressed Council with notes placed on 31962/2024 SF 3424.*

*iii Ms Melissa Hilson – addressed Council with notes placed on 32521/2024 SF 3424.*

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### 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.

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

### ASKING OF QUESTIONS WITH NOTICE

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ITEM 7.1 SF2897 270624 Question with Notice - Rule 72 Valla Beach Road Intersection

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MOTION: (Hoban/Buchanan)

That Council:

- 1 Write to Transport for NSW (TfNSW) seeking clarification on the appropriateness of their interpretation of the *Transport Operations (Road Use Management – Road Rules) Regulation 2009* through the application of Regulation 72 at the intersection of Giinagay Way and Valla Beach Road; and
- 2 Write the Local State Member, Mr. Michael Kemp MP and request that he make representations to the appropriate Minister or State Government Agency regarding the residents safety concerns at the intersection of Giinagay Way and Valla Beach Road;

AMENDMENT (Angel/Vance)

That Council:

- 1 Write to Transport for NSW (TfNSW) seeking clarification on the appropriateness of their interpretation of the *Transport Operations (Road Use Management – Road Rules) Regulation 2009* through the application of Regulation 72 at the intersection of Giinagay Way and Valla Beach Road; and
- 2 Write to the Minister for Regional Roads and copy the Local State Member, Mr. Michael Kemp MP requesting action regarding the residents safety concerns at the intersection of Giinagay Way and Valla Beach Road; and the inconsistent application of Rule 72.
- 3 If favourable advice is not received within one month, seek legal opinion on the application of Rule 72 to T – intersections.

198/24 **RESOLVED:** (Angel/Vance)

That Council:

- 1 **Write to Transport for NSW (TfNSW) seeking clarification on the appropriateness of their interpretation of the *Transport Operations (Road Use Management – Road Rules) Regulation 2009* through the application of Regulation 72 at the intersection of Giinagay Way and Valla Beach Road; and**
- 2 **Write to the Minister for Regional Roads and copy the Local State Member, Mr. Michael Kemp MP requesting action regarding the residents safety concerns at the intersection of Giinagay Way and Valla Beach Road; and the inconsistent application of Rule 72.**
- 3 **If favourable advice is not received within one month, seek legal opinion on the application of Rule 72 to T – intersections.**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

### GENERAL MANAGER REPORTS

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ITEM 9.1 SF959 270624 Outstanding Actions and Reports

199/24 **RESOLVED:** (Jones/Buchanan)

**That Council note the list of outstanding actions and reports.**

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### DIRECTOR CORPORATE SERVICES REPORTS

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ITEM 10.1 SF3503 270624 2025/26 to 2034/35 Community Strategic Plan Community Engagement

200/24 **RESOLVED:** (Wilson/Jenvey)

**That Council note the plan by staff to engage consultants to undertake community engagement for the review of the Community Strategic Plan.**

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ITEM 10.2 SF270 270624 Remuneration Tribunal Determination

201/24 **RESOLVED:** (Jones/Angel)

**That Council adopt the maximum amount for the Regional Rural Council category for the Mayoral Fee for the 2024/25 financial year of \$49,200 and the Councillor Fee for the 2024/25 financial year of \$22,540 as recommended by the Local Government Remuneration Tribunal.**

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ITEM 10.3 SF3358 270624 Investment Report for May 2024

202/24 **RESOLVED:** (Angel/Wilson)

**That Council**

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

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

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ITEM 10.4 SF3334 270624 2023/2024 Section 356 Donation Request for Approval

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203/24 **RESOLVED:** (Jenvey/Jones)

**That Council approve a \$500 donation to Animal Rescue Support Incorporated.**

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ITEM 10.5 SF3409 270624 Minutes of the Nambucca Valley Council Access Committee meeting held 4 June 2024

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204/24 **RESOLVED:** (Buchanan/Wilson)

**That Council:**

- 1 Notes the Minutes of the Nambucca Valley Council Access Committee meeting held 4 June 2024.**
  - 2 Develop a business survey to garner feedback from business operators in the Valley on the challenges or concerns relating to employing people with disabilities.**
- 

ITEM 10.6 SF251 270624 Schedule of Council Meetings - 11 July 2024 to 14 November 2024

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205/24 **RESOLVED:** (Angel/Buchanan)

**That Council notes the schedule of meeting dates for 11 July 2024 to 14 November 2024.**

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## MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

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ITEM 11.1 SF2284 270624 Submission to NSW EPA - Waste Levy Review and Food Organics and Garden Organics (FOGO) Mandate

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206/24 **RESOLVED:** (Jenvey/Ballangarry)

**That Council makes a submission to NSW Environmental Protection Authority (EPA) regarding the waste levy review and proposed Food Organics and Garden Organics (FOGO) mandate as outlined within attachment 3.**

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

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ITEM 11.2 SF3410 270624 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

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207/24 **RESOLVED:** (Wilson/Angel)

**That Council notes the information on undetermined development applications greater than 12 months, or where submissions have been received to 19 June 2024, and development applications determined from 5 June to 19 June 2024 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.**

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ITEM 11.3 SF3490 270624 Minutes of the Nambucca Valley Catchments and Coastline Management Committee Meeting - 16 May 2024

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208/24 **RESOLVED:** (Vance/Buchanan)

**That Council notes the Minutes of the Nambucca Valley Catchments and Coastline Management Committee meeting held Thursday 16 May 2024.**

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## COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

209/24 **RESOLVED:** (Angel/Vance)

- 1 That Council consider any written representations from the public as to why the Meeting should not be Closed to the public.
- 2 That Council move into Closed Meeting to discuss the matters for the reason(s) listed below.

*Reason reports are in Closed Meeting:*

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## GENERAL MANAGER REPORTS

*For Confidential Business Paper in Closed Meeting*

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ITEM 12.1 SF3420 270624 Matters Regarding Realised or Potential Losses

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*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.*

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

*For Confidential Business Paper in Closed Meeting*

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ITEM 12.2 Q008/2024 270624 Request for Quotation - Q008/2024 Supply and Delivery of one 11T GVM Dual Cab Tipper Truck

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*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.*

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### CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 7:00 PM.

### RESUME IN OPEN MEETING

210/24 **RESOLVED:** (Buchanan/Vance)

**That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 7:22 PM.**

### FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

### GENERAL MANAGER REPORTS

*For Confidential Business Paper in Closed Meeting*

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ITEM 12.1 SF3420 270624 Matters Regarding Realised or Potential Losses

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211/24 **RESOLVED:** (Jenvey/Angel)

**That Council notes the information concerning incidents where there is a realised or potential loss of funds and/or reputation.**

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*For Confidential Business Paper in Closed Meeting*

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ITEM 12.2 Q008/2024 270624 Request for Quotation - Q008/2024 Supply and Delivery of one 11T GVM Dual Cab Tipper Truck

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212/24 **RESOLVED:** (Angel/Vance)

**That Council accepts the quotation by MCTRUCKS Pty Ltd via Request for Quotation (Q008/2024) for the supply of one (1) 11 tonne GVM dual cab tipper truck in the amount of \$210,813.00 excluding GST.**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

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

For the Motion: Councillors Angel, Ballangarry, Buchanan, Hoban, Jenvey, Jones, Vance and  
Wilson.

Total (8)

Against the Motion: Nil

Total (0)

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## CLOSURE

There being no further business the Mayor then closed the meeting the time being 7:25 PM.

Confirmed and signed by the Mayor on **11 JULY 2024**.

**Cr Rhonda Hoban OAM**  
**MAYOR**  
**(CHAIRPERSON)**



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**NOTICE OF MOTION**

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**ITEM 5.1 SF3422 110724 NOTICE OF MOTION - REQUEST FOR LEAVE - CR RHONDA HOBAN OAM 12 JULY 2024 TO 24 JULY 2024**

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**AUTHOR/ENQUIRIES:** Rhonda Hoban OAM, Councillor

**SUMMARY:**

Cr Rhonda Hoban OAM has requested leave for the period 12 July 2024 to 24 July 2024 inclusive.

**RECOMMENDATION:**

**That Cr Rhonda Hoban OAM be granted leave of absence in accordance with Section 234(1)(d) of the *Local Government Act 1993* for the period of 12 July 2024 to 24 July 2024 inclusive.**

**FINANCIAL IMPLICATIONS:**

**Direct and indirect impact on current and future budgets**

There are no direct or indirect impacts on current and future budgets.

**ATTACHMENTS:**

There are no attachments for this report.

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**QUESTION WITH NOTICE**

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**ITEM 7.1    SF2897        110724        QUESTION WITH NOTICE - MODEL CODE OF MEETING  
PRACTICE - CR SUSAN JENVEY**

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**AUTHOR/ENQUIRIES:** Susan Jenvey, Councillor

**SUMMARY:**

The Model Code of Meeting Practice provides a uniform set of meeting rules for Councils across the State of NSW to help ensure more accessible, orderly, effective, and efficient meetings. The code applies to all meetings of councils.

To help with councillor's understanding could staff please advise if the Model Code of Meeting Practice was followed correctly on the 27 June 2024 Ordinary Business Meeting of Council regarding the Question with Notice - Rule 72 Valla Beach Road Intersection.

If the Code of Meeting Practice was not correctly followed does this affect the status of the recommendation?

**ATTACHMENTS:**

There are no attachments for this report.

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**QUESTION WITH NOTICE**

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**ITEM 7.2 SF2897 110724 GENERAL MANAGER'S RESPONSE TO QUESTION WITH NOTICE - MODEL CODE OF MEETING PRACTICE**

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**AUTHOR/ENQUIRIES:** Bede Spannagle, General Manager

**SUMMARY:**

Councillor Susan Jenvey submitted a Question with Notice to this Ordinary Council meeting 11 July 2024 regarding whether the Code of Meeting Practice was followed in the previous Ordinary Council meeting held 27 June 2024.

Under Nambucca Valley Council's Model Code of Meeting Practice:

*3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.*

*3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.*

*3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.*

**RECOMMENDATION:**

**That Council notes the General Manager's response.**

**BACKGROUND:**

Leaving Clause 3.15 of the Model Code of Meeting Practice aside in this matter, Clause 3.16 states the General Manager or their nominee may respond to a Question with Notice by way of a report included in the business papers for the relevant meeting of the Council, or verbally at the meeting.

In the Council meeting of 27 June 2024 the Question with Notice – Rule 72 Valla Beach Road intersection was raised and the response from the Director Engineering Services was included within the report. This is the method by which Council has traditionally provided a response to Questions with Notice from Councillors.

**DISCUSSION:**

Given Clause 3.16 allows for various ways the General Manager or their nominee can respond to a Question with Notice, it is deemed the Question with Notice – Rule 72 Valla Beach Road intersection was dealt with in an appropriate way, and therefore does not affect the validity of Council's resolution.

To provide clarity for Councillors, future Questions with Notice will be responded to by the General Manager or their nominee in a separate report to Council, as with this report.

**CONSULTATION:**

Business Services Coordinator  
LGNSW General Managers Network

**ATTACHMENTS:**

There are no attachments for this report.

**GENERAL MANAGER'S REPORT****ITEM 9.1 SF959 110724 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, Acting Director Corporate Services

**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 note the list of outstanding actions and reports.**

	FILE NUMBER	COUNCIL MEETING DATE	ACTION BY
<b>OCTOBER 2022</b>			
1	SF3168	13/10/22	MDE
<b>RESOLUTION: Notice of Motion - Future Waste Operations Post 2027 - Discussion with Councils</b>			
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.			
<b>STATUS:</b>			
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.			
22/05/24-2/07/24 No further update.			

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

MAY 2023			
2	SF2524	25/05/23	GM
<p><b>RESOLUTION: Lease of Lots 1 and 2 in DP 866932 Reserve 85113 - Nambucca Heads RSL Club Ltd Carpark</b>                      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.</p>			
<p><b>STATUS:</b>                      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 &amp; 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 &amp; 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.                      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</p>			

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

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.

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 Jaanyмили Bawrrungga 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, Muurbay 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 (7-14/7/2024).  
 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, Jaanyмили Bawrrungga Association, Muurbay 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.

## ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

04/04/24-02/07/24 No further update.			
JULY 2023			
4	SF396	27/07/23	MDE
<p><b>RESOLUTION: Housekeeping amendment to Nambucca Local Environmental Plan 2010</b>  <del>1 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination.</del>  <del>2 Following community consultation, Council staff report the planning proposal back to Council for consideration of submissions received and a final decision as to whether Council will proceed to make the amended plan.</del></p>			
<p><b>STATUS:</b>  <del>09/08/23 Refer to separate report. Once a decision is made on these matters the planning proposal will be finalised and sent to the Minister for Gateway Determination.</del>  <del>23/08/23 Planning proposal being finalised for submission to the Minister for Gateway Determination.</del>  <del>06/09/23-21/02/24 Amendments requested by the Minister prior to Gateway determination being finalised for resubmission.</del>  <del>06/03/24 Amended planning proposal resubmitted and accepted for assessment.</del>  <del>20/03/24-03/04/24 Waiting for gateway determination.</del>  <del>17/04/24-09/05/24 Gateway determination received. To be placed on exhibition.</del>  <del>22/05/24-19/06/24 On exhibition until 24 June 2024.</del>  <del>02/07/24 Refer to separate report.</del></p>			
AUGUST 2023			
5	LF5363	31/08/23	DES
<p><b>RESOLUTION: Public Forum - Report on the Causeway to Stuarts Island Nambucca Heads</b>  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 &amp; 46082/2023)</p>			
<p><b>STATUS:</b>  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.  04/06/24-02/07/24 No further update.</p>			
DECEMBER 2023			
6	SF3190	14/12/23	GM
<p><b>RESOLUTION: Subdivision - Lots 9 &amp; 10 DP884342 Warrell Creek</b>  1 Approves the registration of the subdivision plan for Lots 9 and 10 DP 884342, Warrell Creek as submitted.  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.</p>			
<p><b>STATUS:</b>  10/01/24-05/02/24 Registration of subdivision underway as per Council resolution.  20/02/24-20/03/24 No change, registration process underway at NSW Land Registry Service.  02/04/24-01/07/24 No further update.</p>			
JANUARY 2024			
7	PRF53	18/01/24	DES
<p><b>RESOLUTION: River Street Toilet Block Relocation</b>  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.</p>			
<p><b>STATUS:</b>  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.</p>			



**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

18/06/24 No further update. 02/07/24 Survey Brief under development.			
FEBRUARY 2024			
8	SF3424	15/02/24	GM
<b>RESOLUTION: Public Forum - Nambucca Valley Community Resilience and MNCJO Simulation table.</b> That subject to staff resources and workloads Council receive a report on the cost and benefits of accessing the Mid North Coast Joint Organisation's Simtable for our community and how this might be achieved.			
<b>STATUS:</b> 21/02/24-01/07/24 No further update.			
MARCH 2024			
9	SF2911	28/03/24	DCS
<b>RESOLUTION: Termination of Licence Agreement to operate Nambucca Heads Visitor Information Centre and tourism marketing</b> Termination of Licence Agreement to operate Nambucca Heads Visitor Information Centre and tourism marketing. 3 Council receive a further report exploring options 2 and 3 and the proposal from the Valley Hub.			
<b>STATUS:</b> 03/04/24 No further update. 15/04/24 Report will be available for the 16 May Council meeting. 08/05/24 Council workshop to be held 30 May 2024 and report to 13 June 2024 Council meeting. 17/05/24 Tourism workshop held on 14 May 2024 at which visitor information services was discussed and feedback received from attendees. 04/06/24 Report to be presented to the 27 June 2024 meeting due to staff workloads. 18/06/24 Report to be included in 11 July 2024 business paper. 02/07/24 EOI issued for VIC operation, report to August 2024 Council meeting.			
APRIL 2024			
10	SF3422	11/04/24	DES
<b>RESOLUTION: Request to name side road and correct rural addressing</b> 1 Consult affected residents to name the side road that runs off Kosekai 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 Kosekai 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.			
<b>STATUS:</b> 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.			
11	SF2381	11/04/24	MDE
<b>RESOLUTION: Horticulture within the Nambucca Valley</b> 1 Council forward a planning proposal to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which includes the following amendments to the Nambucca Local Environmental Plan 2010: <ol style="list-style-type: none"> <li>The relocation of 'horticulture' from 'permitted without consent' in the land use table for the RU1 Primary Production and RU2 Rural Landscape zones to 'permitted with consent'.</li> <li>The inclusion of the RU1 Primary Production and RU2 Rural Landscape zones in Schedule 2 so that the specified forms of 'horticulture' become exempt development in the same manner that they currently are in the R5 Large Lot Residential zone and add the prohibition of structures to support the exempt horticultural activity.</li> </ol> 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.			
<del>Engage a formal meeting with The Hon. Mr Michael Kemp MP and any relevant Minister to pursue the opportunity for further funding for EPA, DPI, NRAR and any other regulatory body.</del>			
<b>STATUS:</b> 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.			



**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

<p>05/06/24 Minister returned the planning proposal as further justification for the proposed amendment is required. Planning 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.</p>			
12	SF3477	11/04/24	MDE
<p><b>RESOLUTION: Valla Urban Growth Area Amendment</b>                  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><b>STATUS:</b>                  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.</p>			
13	SF3421	24/04/24	DES
<p><b>RESOLUTION: V-Wall Access to Beach – Wellington Drive Nambucca Heads</b>                  That Council receive a report on the background of the removal of the steps and the work that has been done to date and matters raised in the public forum presentation and petition.                  Correspond with Ms Myra Davidson when the report is ready to be presented back.</p>			
<p><b>STATUS:</b>                  06/05/24-21/05/24 Report being developed for the meeting on 27 June 2024.                  04/06/24 Report to 27 June 2024 Council meeting.                  18/06/24 Report moved to 11 July 2024 Council meeting pending letter from Nambucca Heads SLSC regarding the stairs to be included.                  02/07/24 Report to be scheduled to Council pending response by Nambucca Heads SLSC.</p>			
14	SF731	24/04/24	DCS
<p><b>RESOLUTION: Community Improvement Districts - Draft Bill – Consultation</b>                  That Council                  1 Make a submission to Transport for New South Wales for the draft Bill and Guide on Community Improvement Districts.                  2 Support the Local Government New South Wales submission to the draft Bill and Guide on Community Improvement Districts.                  3 Receive a report from the Director Corporate Services as to the appropriateness of putting Bowraville forward as a CID.</p>			
<p><b>STATUS:</b>                  08/05/24 Submission lodged.                  21/05/24 TfNSW met with DCS in regards to the content of the submission to the draft Bill. TfNSW has recommended Council putting Bowraville forward as a CID in future rounds of the CID pilot programs.                  04/06/24-02/07/24 No further update.</p>			
<b>MAY 2024</b>			
15	SF983	16/05/24	MDE
<p><b>RESOLUTION: Plan of Management for the Faringdon Fields</b>                  That Council                  1 Prepares a draft Plan of Management for the Faringdon Fields – Lot 76 DP 832082 in accordance with section 36 of the Local Government Act 1993 which categorises the land as an area of cultural significance and facilitates the revegetation of the land.                  2 Contact members of Council Aboriginal stakeholders database, Gaagal Wanggaan Board of Management and extend the invitation to consult with Council on the Plan of Management through a nominated representative.                  3 In developing a draft Plan of Management consideration be given to the Len Roberts report commissioned by the Federal Government.                  4 Exhibits the draft Plan of Management in accordance with section 38 of the Local Government Act 1993.</p>			
<p><b>STATUS:</b>                  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.</p>			



**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

16	SF3327	30/05/24	DCS
<b>RESOLUTION: 2023/2024 Service Reviews</b>			
That Council notes			
1 The 2023/24 Service Review reports for Animal Control, Public Toilets, and Biosecurity.			
2 A further report will be presented to the 30 August 2024 Council meeting that provides management's responses to the recommendations made in the Centium Service Review reports on Animal Control, Public Toilets and Biosecurity.			
<b>STATUS:</b>			
04/06/24-02/07/24 No further update.			
17	SF3327	30/05/24	GM
<b>RESOLUTION: Albert Drive Warrell Creek - Proposed 9 Lot Subdivision of -Lots 9, 17 and 18 DP884316 and Boundary Adjustment to Lot 1 DP374127</b>			
That Council			
2 Approves Council staff proceeding with negotiations with the owners of Lot 1/DP374127 (190 Albert Drive, Warrell Creek) for the proposed boundary adjustment, with any agreement to be subject to the formal approval of Council.			
<b>STATUS:</b>			
04/06/24 No further update.			
18/06/24 Valuation sought to determine sale price for boundary adjustment; property owners advised of resolution and progress. Any agreement reached will be brought back to Council.			
01/07/24 No further update.			
<b>JUNE 2024</b>			
18	SF3424	13/06/24	MDE
<b>RESOLUTION: Public Forum – Development Application process and impacts</b>			
That Council;			
1 Call for a report in relation to the gateway determination for the LEP amendment to horticulture.			
2 Report on;			
<ul style="list-style-type: none"> <li>• the possibility on ministerial approval for interim moratorium on any form of development.</li> <li>• if successful, will the LEP amendment allow Council to require a DA for horticulture/intensive horticulture.</li> <li>• will that allow the capture of height, structure, distance buffers and footprint ratio of land.</li> <li>• City of Coffs Harbour Council experience in implementing DA's.</li> <li>• potential circumstances on what would trigger a Land and Environment court proceedings.</li> </ul>			
regarding the requirement of a DA for horticulture.			
• the need for a rural land use strategy to inform the LEP.			
<b>STATUS:</b>			
18/06/24-01/07/24 To be reported to 25 July 2024 meeting.			
19	SF3328	13/06/24	CFO/DES
<b>RESOLUTION: 2024/25 Annual Budget, 2024/25 -2033/34 Long Term Financial Plan, 2024/25 Revenue Policy and the 2024/25 Schedule of Fees and Charges</b>			
That Council			
1 <del>Adopts the 2024/25 Annual Budget, 2024/25 -2033/34 Long Term Financial Plan and 2024/25 Revenue Policy including budget submission items 2 (adjusted to \$10,000), 8, 9, 10, 11 and 12 making the budget a forecasted deficit of \$138,000.</del>			
2 <del>Adopts the 2024/2025 Schedule of Fees and Charges adjusted for:</del>			
<ul style="list-style-type: none"> <li><del>• an increase in the fees and charges for the Mary Boulton Pioneer Cottage and Museum, morning tea fees from \$10.50 to \$15.00 per person.</del></li> <li><del>• an increase in the EPA Waste and Environment Levy from the estimated \$96.26 per tonne to the announced \$97.90 per tonne, which thereby increases Waste Facility fees and charges (Mixed Waste Materials, Concrete and Bricks, Asbestos and Clean Fill) and Waste Charges (Annual Charge for Individual Additional Bins – Domestic and Commercial).</del></li> </ul>			
3 That Council receive a brief report on whether investigations, design and construction of drainage improvements on Taylors Arm Road adjacent to the Taylors Arm Reserve can be funded under the existing budget allocations for Survey & Design Investigation and/or from the Regional and Local Roads Repair (RLRRP) and Regional Road Emergency Road Repair Fund (RERRF) funding allocated to Council.			
<b>STATUS:</b>			
18/06/24 CFO comment Fees and charges have been adopted 13 June 2024 and committees notified.			
02/07/24 Report to 25 July 2024 Council meeting.			
20	SF3424	27/06/24	MDE
<b>RESOLUTION: Public Forum -Fenced Off Leash Dog Park</b>			
That Council receive a report into a fenced off leash dog park and potential locations within the Valley.			
<b>STATUS:</b>			
02/07/24 No action taken.			

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

<b>21</b>	SF2897	27/06/24	<b>DES</b>
<p><b>RESOLUTION: Question with Notice - Rule 72 Valla Beach Road Intersection</b>                  That Council:                  1 <del>Write to Transport for NSW (TfNSW) seeking clarification on the appropriateness of their interpretation of the Transport Operations (Road Use Management - Road Rules) Regulation 2009 through the application of Regulation 72 at the intersection of Giinagay Way and Valla Beach Road; and</del>                  2 <del>Write to the Minister for Regional Roads and copy the Local State Member, Mr. Michael Kemp MP requesting action regarding the residents safety concerns at the intersection of Giinagay Way and Valla Beach Road; and the inconsistent application of Rule 72.</del>                  3 <del>If favourable advice is not received within one month, seek legal opinion on the application of Rule 72 to T – intersections.</del></p>			
<p><b>STATUS:</b>                  01/07/24 Letters to Minister submitted via Minister’s Portal on 02/07/24 and copies emailed to Michael Kemp MP and the Mayor 03/07/24. Letter to Transport for NSW circulated via email 03/07/2024.</p>			
<b>22</b>	SF3409	27/06/24	<b>DCS</b>
<p><b>RESOLUTION: Minutes of the Nambucca Valley Council Access Committee meeting held 4 June 2024</b>                  That Council:                  1 <del>Notes the Minutes of the Nambucca Valley Council Access Committee meeting held 4 June 2024.</del>                  2 <del>Develop a business survey to garner feedback from business operators in the Valley on the challenges or concerns relating to employing people with disabilities.</del></p>			
<p><b>STATUS:</b>                  02/07/24 to be included in the scope of the Community Strategic Plan.</p>			
<b>23</b>	SF2284	27/06/24	<b>MDE</b>
<p><b>RESOLUTION: <del>Submission to NSW EPA – Waste Levy Review and Food Organics and Garden Organics (FOGO) Mandate</del></b>                  That Council <del>makes a submission to NSW Environmental Protection Authority (EPA) regarding the waste levy review and proposed Food Organics and Garden Organics (FOGO) mandate as outlined within attachment 3.</del></p>			
<p><b>STATUS:</b>                  02/07/24 <del>Submission lodged.</del></p>			

**ATTACHMENTS:**

- 1  15406/2024 - Letter from Water Minister
- 2  15407/2024 - Letter from Environment Minister

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 10.1 SF3379 110724 HOUSEKEEPING AMENDMENTS TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010**

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**AUTHOR/ENQUIRIES:** Daniel Walsh, Manager Development and Environment

**Summary:**

This report outlines the results of the public exhibition of the proposed housekeeping amendments to the Nambucca Local Environmental Plan 2010. The amendments will rectify current anomalies with regards to the zoning of various pieces of land, remove the need for a development application to close a public road, and increase the ability to erect dual occupancies within residential zones.

**NOTE: This matter requires a “Planning Decision” meaning a decision made in the exercise of a function of the council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan. Under Section 375A of the Local Government Act 1993 it requires the General Manager to record the names of each Councillor supporting and opposing the decision.**

**RECOMMENDATION:**

**That Council exercises its local plan-making authority functions and amends the Nambucca Local Environmental Plan 2010 as outlined within the planning proposal contained within attachment 1.**

**OPTIONS:**

- Not proceed with proposed amendments to the LEP.
- Amend the planning proposal. This would require Council to seek a new Gateway Determination from the Minister.

**DISCUSSION:**

At the Council meetings on 27 July 2023 and 17 August 2023 Council resolved to make the following amendments to the Nambucca Local Environmental Plan 2010 (LEP):

- a The rezoning of Lot 481 DP 700681 - 2 South Arm Road, Bowraville from RE2 Private Recreation to RU5 Village, including the associated amendments to the floor space ratio, lot size and height of building maps.
- b Permit subdivisions required for the closure of public roads to be undertaken as exempt development (not requiring development consent).
- c Deletes clause 7.2 so that a lot is not excluded from being able to contain a dual occupancy based on its lot size.
- d The rezoning of Lot 1 DP 71614025 – 25 Egan Street, North Macksville from RU1 Primary Production to R1 General Residential, including the associated amendments to the floor space ratio, lot size and height of building maps.
- e The rezoning of Lot 7 DP 1177524 - Tilly Willy Street, Macksville from RU1 Primary Production to IN2 Light Industrial, including the associated amendments to the lot size and height of building maps.
- f The rezoning of Lot 3 DP 246173 and Lots 8, 9, 10, 13, 18, 19 & 20 DP 1007431 – Giinagay Way, Warrell Creek from SP2 Infrastructure to RU1 Primary Production, including the associated amendment to the lot size map.

Council received a Gateway Determination on 8 April 2024 which is contained within **attachment 2**.

**ITEM 10.1 HOUSEKEEPING AMENDMENTS TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010**

The planning proposal was publicly exhibited from 25 May 2024 to 24 June 2024 in accordance with the Gateway Determination. No submissions were received during the exhibition.

The planning proposal was referred to all public authorities listed in the Gateway Determination. Only Transport for NSW responded who raised no objections to the proposed amendments to the LEP. A copy of the response from Transport for NSW is contained within **attachment 3**.

All provisions of the Gateway Determination have been complied with and it is recommended that Council proceed with making the amendments to the LEP.

**CONSULTATION:**

Community Consultation  
 TfNSW  
 NSW Rural Fire Service  
 Bowraville Local Aboriginal Land Council  
 Nambucca Local Aboriginal Land Council  
 Unkya Local Aboriginal Land Council

**SUSTAINABILITY ASSESSMENT:**

**Environment**

The proposed amendments will not result in any significant environmental impacts.

**Social**

The proposed amendments will rectify irregularities in the current LEP will facilitate positive social outcomes.

**Economic**

The proposed amendments will not result in any negative economic impacts.

**Risk Analysis**

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

**Delivery Program Action**

PP1 - Foster development opportunities

**FINANCIAL IMPLICATIONS:**

**Direct and indirect impact on current and future budgets**

Nil.

**Working funds – justification for urgency and cumulative impact**

N/A

**Impacts on 10 Year Long Term Financial Plan**

N/A

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**ITEM 10.1 HOUSEKEEPING AMENDMENTS TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010**

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**Service level changes and resourcing/staff implications**

Manageable workload for Development & Environment staff to progress the planning proposal.

**ATTACHMENTS:**

- 1  23337/2024 - Planning Proposal
- 2  33105/2024 - Gateway Determination
- 3  29452/2024 - TfNSW Response

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 10.2 SF3507 110724 PLANNING PROPOSAL - 44 KOOKABURRA ROAD,  
BOWRAVILLE**

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**AUTHOR/ENQUIRIES:** Daniel Walsh, Manager Development and Environment

**Summary:**

A planning proposal seeking an amendment to the Nambucca Local Environmental Plan 2010 (LEP) has been received which proposes a reduction in the minimum lot size of Lot 2 DP 609465 – 44 Kookaburra Lane, Bowraville from 40ha to 18ha. The intent of the amendment is to facilitate the subdivision of the land into two lots. A concept of the future subdivision is contained within the planning proposal.

The proposed amendment is supported as the lot already contains two dwellings and is located within the release area in Councils Rural Residential Land Release Strategy.

**NOTE: This matter requires a “Planning Decision” meaning a decision made in the exercise of a function of the council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan. Under Section 375A of the Local Government Act 1993 it requires the General Manager to record the names of each Councillor supporting and opposing the decision.**

**RECOMMENDATION:**

That

- 1 Council forward the attached planning proposal to amend the Nambucca Local Environmental Plan 2010 to the Minister for Planning for gateway determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- 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.

**OPTIONS:**

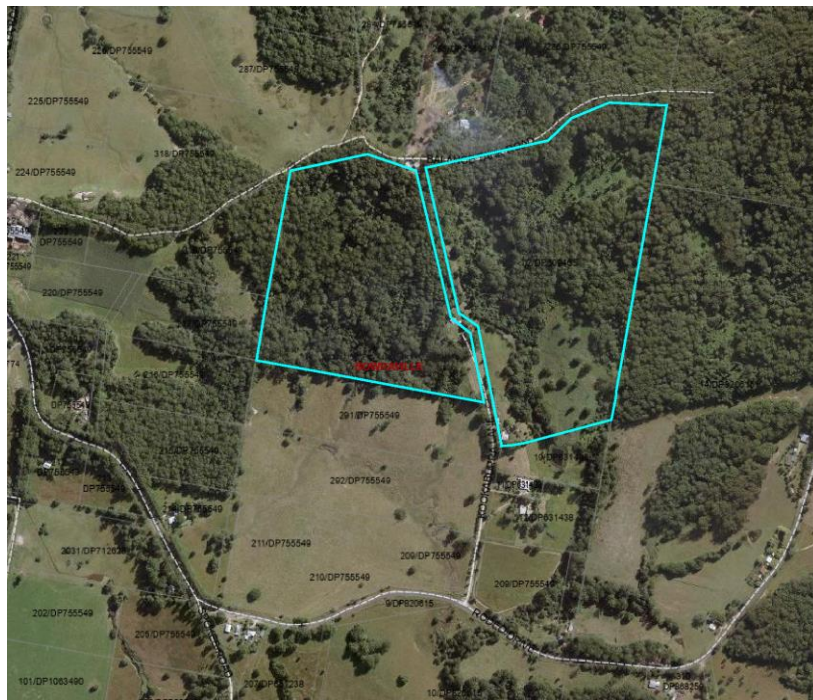
- 1 Do nothing.
- 2 Proposed recommendation with or without amendments.

**DISCUSSION:**

A draft planning proposal seeking an amendment to the Nambucca Local Environmental Plan 2010 (LEP) has been received which proposes a reduction in the minimum lot size of Lot 2 DP 609465 – 44 Kookaburra Lane, Bowraville (the land) from 40ha to 18ha. A copy of the planning proposal and appendices are attached to this report.

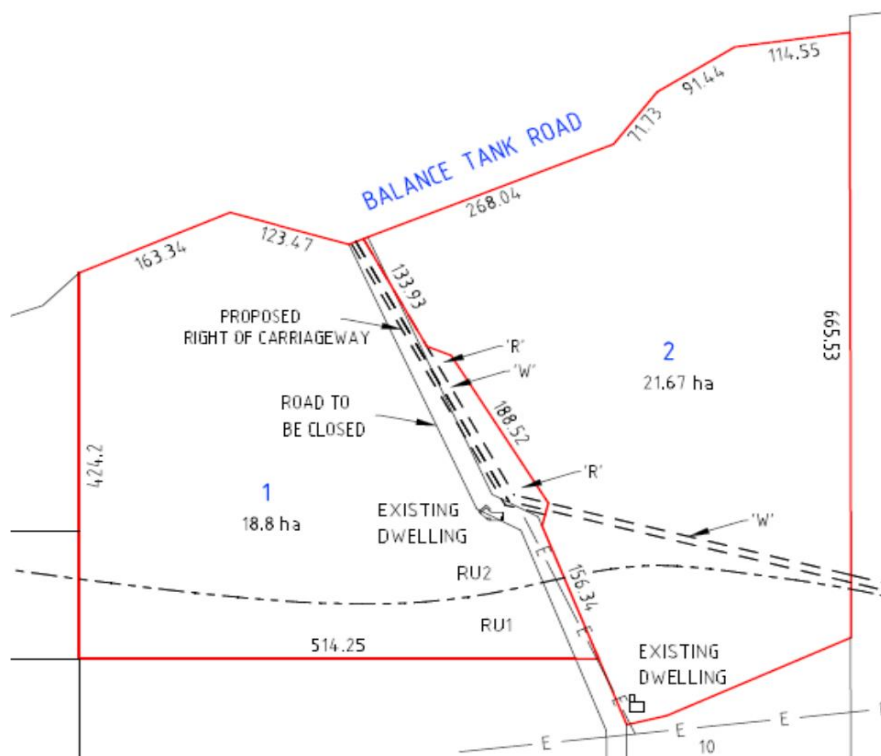
An aerial photo of the land can be seen below.

**ITEM 10.2 PLANNING PROPOSAL - 44 KOOKABURRA ROAD, BOWRAVILLE**



As can be seen in the photo above, the land is divided by a Crown road reserve. There are two existing dwellings on the land, one on the eastern side of the road and one on the western side of the road. The occupants of both dwellings own the land as tenants in common.

The intent of the planning proposal is to facilitate a subdivision of the land into two lots so that both owners can own their own lot individually. A concept plan of the proposed subdivision is contained within the planning proposal and is reproduced below.





**ITEM 10.2 PLANNING PROPOSAL - 44 KOOKABURRA ROAD, BOWRAVILLE**

As can be seen above the proposed subdivision generally follows the alignment of the Crown road. The proposed reduction in the minimum lot size from 40ha to 18ha will mean that only a two lot subdivision of the land will be permissible.

The proposed reduction in the minimum lot size and the resultant two lot subdivision of the land is considered reasonable for the reasons outlined in the attached planning proposal, most notably:

- The area of the land on which the dwellings are located are mapped within Councils Rural Residential Release Strategy as outlined on page 19 of the planning proposal. With the remainder of the land mapped as constrained. The proposal reflects the intent of the strategy by permitting the development/separation of the identified residential area without intensifying potential development in the constrained part of the land.
- It will facilitate the independent ownership of each part of the land, reflective of the current dwelling location and separate land management arrangements.
- It will not result in an intensification of development which would require increased provision of infrastructure.

As such, it is recommended that Council supports the proposal and seek gateway determination.

**CONSULTATION:**

Nil.

**SUSTAINABILITY ASSESSMENT:**

**Environment**

The proposal will not result in any significant environmental impacts.

**Social**

The proposal will not result in any significant social impacts.

**Economic**

The proposal will not result in any significant economic impacts.

**Risk Analysis**

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

**Delivery Program Action**

PP1 - Foster development opportunities

**FINANCIAL IMPLICATIONS:**

**Direct and indirect impact on current and future budgets**

Nil.

**Working funds – justification for urgency and cumulative impact**

N/A

**Impacts on 10 Year Long Term Financial Plan**

Nil.

**Service level changes and resourcing/staff implications**











Nil.

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**ITEM 10.2 PLANNING PROPOSAL - 44 KOOKABURRA ROAD, BOWRAVILLE**

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**ATTACHMENTS:**

- 1  33192/2024 - Planning Proposal
- 2  33193/2024 - Appendix A - Current Lot Size Map
- 3  33194/2024 - Appendix A - Proposed Lot Size Map
- 4  33195/2024 - Appendix B - SEPP Checklist
- 5  33196/2024 - Appendix C - Ministerial Directions Assessment
- 6  33197/2024 - Appendix D - Plan of Proposed Subdivision - Aerial Photo
- 7  33198/2024 - Appendix D - Plan of Proposed Subdivision
- 8  33199/2024 - Appendix E - Bushfire Assessment
- 9  33200/2024 - Appendix F - AHIMS Search
- 10  33201/2024 - Appendix G - Title Searches and Deposited Plans

**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

**ITEM 10.3 SF3410 110724 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 3 July 2024, and development applications determined from 20 June to 3 July 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
2023/281	23 October 2023	Dwelling, Pool & Change of use from three dwellings to tourist accommodation	Lot 101 DP 755550, 62 Lumsdens Lane, North Macksville
Two submissions have been received. Public exhibition period closed.			
<b>STATUS:</b> The RFS refused general terms of approval. The applicant has made amendments to the DA to address the RFS concerns. Awaiting the response from the RFS regarding the amended application.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/028	7 February 2024	Secondary Dwelling	Lot 458 DP 755550 - 36 Riverside Drive, Nambucca Heads
One submission has been received. Public exhibition period closed.			
<b>STATUS:</b> Exhibition finished. Awaiting additional information from the applicant relating to privacy, view sharing and visual impacts of the development.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS

**ITEM 10.3 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**

<b>2024/048</b>	<b>6 March 2024</b>	<b>Alterations &amp; additions to existing dwelling</b>	<b>52 Waratah Street, Scotts Head – Lot 15 Sec A DP 17707</b>
Two submissions received. Public exhibition period closed.			
<b>STATUS:</b> Awaiting view impact assessment from applicant.			
<b>DA NUMBER</b>	<b>DATE OF RECEIPT</b>	<b>PROPOSAL</b>	<b>ADDRESS</b>
<b>2012/069</b>	<b>18 April 2024</b>	<b>Extend operating hours at precast facility</b>	<b>2 Centra Park Street, Macksville – Lot 16 DP 1140719</b>
Fifteen submissions received. Public exhibition period closed on 10 June 2024.			
<b>STATUS:</b> Awaiting submission of updated noise impact assessment which adequately addresses the requirements of the NSW Noise Policy for Industry.			
<b>DA NUMBER</b>	<b>DATE OF RECEIPT</b>	<b>PROPOSAL</b>	<b>ADDRESS</b>
<b>2018/115</b>	<b>30 April 2024</b>	<b>Modification to subdivision</b>	<b>80 Red Ash Road, Valla – Lot 2 DP 1173066</b>
One submission received. Public exhibition period closed.			
<b>STATUS:</b> Awaiting response from the RFS and assessment by external assessing officer.			
<b>DA NUMBER</b>	<b>DATE OF RECEIPT</b>	<b>PROPOSAL</b>	<b>ADDRESS</b>
<b>2024/090</b>	<b>31 May 2024</b>	<b>20 Townhouses</b>	<b>12 &amp; 14 Creek Street, Nambucca Heads - Lots 12 &amp; 13 Sec 3 DP 758749</b>
Three submissions received. Exhibition period advertised to end on 5 July 2024. To be extended once additional information received.			
<b>STATUS:</b> Awaiting response from the RFS and Essential Energy. The applicant has been requested to provide a view impact assessment and shadow diagrams. Once received the proposal will be renotified to surrounding owners.			
<b>DA NUMBER</b>	<b>DATE OF RECEIPT</b>	<b>PROPOSAL</b>	<b>ADDRESS</b>
<b>2023/291</b>	<b>3 June 2024</b>	<b>Modify hours of operation and driveway construction for approved depot</b>	<b>45 Warrell Waters Road, Gumma - Lot 157 DP 755539</b>
Five submissions received. Exhibition period ends 4 July 2024.			
<b>STATUS:</b> Application is being assessed by staff.			

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

No development applications were determined between 20 June to 3 July 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.

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**ITEM 10.3 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**

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**Economic**

To be undertaken in assessment of individual development applications.

**Risk Analysis**

None identified.

**FINANCIAL IMPLICATIONS:**

**Direct and indirect impact on current budgets**

Nil.

**Working funds – justification for urgency and cumulative impact**

Nil.

**Impacts on 10 Year Long Term Financial Plan**

Nil.

**Service level changes and resourcing/staff implications**

Nil.

**ATTACHMENTS:**

There are no attachments for this report.

**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

**ITEM 10.4 SF1148 110724 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

**AUTHOR/ENQUIRIES:** Rochelle McMurray, Business Services Coordinator

**SUMMARY:**

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

**RECOMMENDATION:**

That Council

- 1 **Receives the Rangers' Impounding Statistics for the month of May 2024.**
- 2 **Notes the penalties issued for the month of May 2024.**

<b>MAY 2024</b>	<b>Cats</b>	<b>Dogs</b>
<b>COUNCIL'S SEIZURE ACTIVITY</b>		
Seized (doesn't include those animals dumped or surrendered)	0	1
Returned to Owner	0	0
Transferred to - Council's Facility from Seizure Activities	0	0
<b>ANIMALS IN AND ARRIVING AT COUNCIL'S FACILITY</b>		
Animals In Council's Facility - (Start of Month)	3	6
Abandoned or Stray	5	9
Surrendered	0	0
Animals transferred from Seizure Activities	0	0
Total Incoming Animals	8	16
<b>ANIMALS LEAVING COUNCIL'S FACILITY</b>		
Released to Owners	0	5
Sold	2	4
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
<b>EUTHANISED</b>		
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	3	10
<b>TOTAL IN COUNCIL'S FACILITY - (END OF MONTH)</b>	<b>5</b>	<b>6</b>

<b>Cattle</b>	<b>Breakdown</b>	<b>Total</b>
Seized	0	0
Returned to Owner	0	0
Impounded	0	0
<b>Total Seized</b>	<b>0</b>	<b>0</b>

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024****PENALTIES ISSUED BY COUNCIL'S RANGER AND COUNCIL OFFICERS –MAY 2024***(All now issued electronically)*

<b>MAY 2024</b>		<b>PARKING</b>			
<b>OFFENCE CODE</b>	<b>PN NUMBER</b>	<b>OFFENCE</b>	<b>DATE ISSUED</b>	<b>PENALTY \$</b>	<b>SUBURB</b>
92353	3169001761	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001770	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001780	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001799	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001808	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001817	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001826	Park vehicle for longer than maximum period allowed	2-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001853	Park vehicle for longer than maximum period allowed	3-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001862	Park vehicle for longer than maximum period allowed	3-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001871	Park vehicle for longer than maximum period allowed	3-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001880	Park vehicle for longer than maximum period allowed	3-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001890	Park vehicle for longer than maximum period allowed	3-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3169001909	Park vehicle for longer than maximum period allowed	3-May-24	\$92.00	Bowra Street, Nambucca Heads
93877	3169001918	Not position front/rear of vehicle correctly - 90 degree angle parking	3-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169001927	Not position front/rear of vehicle correctly - 90 degree angle parking	3-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169001936	Not position front/rear of vehicle correctly - 90 degree angle parking	3-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169001945	Not position front/rear of vehicle correctly - 90	3-May-24	\$92.00	Fletcher Street, Nambucca

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

		degree angle parking			Heads
83595	3169001954	Disobey no stopping sign	3-May-24	\$302.00	Cooper Street, Macksville
83517	3169001963	Stop in disabled parking area without current permit displayed	3-May-24	\$644.00	Ridge Street, Nambucca Heads
8646	3169001972	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	3-May-24	\$110.00	Stuart Island Road, Nambucca Heads
93877	3169001981	Not position front/rear of vehicle correctly - 90 degree angle parking	6-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169001990	Not position front/rear of vehicle correctly - 90 degree angle parking	6-May-24	\$92.00	Fletcher Street, Nambucca Heads
83517	3169002000	Stop in disabled parking area without current permit displayed	6-May-24	\$644.00	Fletcher Street, Nambucca Heads
93877	3169002019	Not position front/rear of vehicle correctly - 90 degree angle parking	6-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169002028	Not position front/rear of vehicle correctly - 90 degree angle parking	6-May-24	\$92.00	Fletcher Street, Nambucca Heads
8646	3168989973	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	8-May-24	\$110.00	Ferry Street, Macksville
93877	3168989982	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168989991	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990000	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990010	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990029	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990038	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990047	Not position front/rear of vehicle correctly - 90 degree angle parking	8-May-24	\$92.00	Fletcher Street, Nambucca Heads
8646	3168990166	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	10-May-24	\$110.00	Ferry Street, Macksville
8646	3168990175	Fail to comply with terms of notice erected by council (driving/parking/use of	10-May-24	\$110.00	Ferry Street, Macksville



**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

		vehicle)			
8646	3168990184	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	10-May-24	\$110.00	Ferry Street, Macksville
93877	3168990193	Not position front/rear of vehicle correctly - 90 degree angle parking	11-May-24	\$92.00	Fletcher Street, Nambucca Heads
82767	3168990202	Not parallel park in direction of travel	11-May-24	\$302.00	Graham Close, Macksville
8646	3168990211	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	11-May-24	\$110.00	Ferry Street, Macksville
8646	3168990220	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	11-May-24	\$110.00	Ferry Street, Macksville
8646	3168990230	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	11-May-24	\$110.00	Ferry Street, Macksville
93877	3168990249	Not position front/rear of vehicle correctly - 90 degree angle parking	11-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990258	Not position front/rear of vehicle correctly - 90 degree angle parking	11-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990267	Not position front/rear of vehicle correctly - 90 degree angle parking	11-May-24	\$92.00	Fletcher Street, Nambucca Heads
8646	3168990276	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	13-May-24	\$110.00	Ferry Street, Macksville
93877	3168990285	Not position front/rear of vehicle correctly - 90 degree angle parking	13-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990294	Not position front/rear of vehicle correctly - 90 degree angle parking	13-May-24	\$92.00	Fletcher Street, Nambucca Heads
83517	3168990303	Stop in disabled parking area without current permit displayed	13-May-24	\$644.00	Winifred Street, Nambucca Heads
92353	3168990312	Park vehicle for longer than maximum period allowed	13-May-24	\$92.00	Winifred Street, Nambucca Heads
82890	3168990321	Stop in loading zone	16-May-24	\$215.00	High Street, Bowraville
8646	3169002037	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	16-May-24	\$110.00	Shelley Beach Road, Nambucca Heads
93877	3169002046	Not position front/rear of vehicle correctly - 90 degree angle parking	16-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169002055	Not position front/rear of	16-May-24	\$92.00	Fletcher Street,

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

		vehicle correctly - 90 degree angle parking			Nambucca Heads
93877	3169002064	Not position front/rear of vehicle correctly - 90 degree angle parking	16-May-24	\$92.00	Fletcher Street, Nambucca Heads
92353	3169002073	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Wallace Street, Macksville
92353	3169002082	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Wallace Street, Macksville
92353	3169002091	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Princess Street, Macksville
92353	3169002100	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Princess Street, Macksville
92353	3169002110	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Princess Street, Macksville
92353	3169002129	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Wallace Street, Macksville
92353	3169002138	Park vehicle for longer than maximum period allowed	16-May-24	\$92.00	Wallace Lane, Macksville
83517	3169002147	Stop in disabled parking area without current permit displayed	16-May-24	\$644.00	Wallace Lane, Macksville
83538	3169002156	Stop in shared zone	16-May-24	\$129.00	Wallace Lane, Macksville
8646	3169002165	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	18-May-24	\$110.00	Ferry Street, Macksville
8646	3169002174	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	18-May-24	\$110.00	Ferry Street, Macksville
8646	3169002183	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	18-May-24	\$110.00	Ferry Street, Macksville
92353	3169002192	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3169002201	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3169002210	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3169002220	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3169002239	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	Ridge Street, Nambucca Heads
93874	3169002248	Not angle park as on parking control sign or road marking	18-May-24	\$92.00	Ridge Street, Nambucca Heads
82685	3169002257	Not parallel park in direction of travel (road related area)	18-May-24	\$129.00	Ridge Street, Nambucca Heads

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

83517	3169002266	Stop in disabled parking area without current permit displayed	18-May-24	\$644.00	Wallace Lane, Macksville
92353	3169002275	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	River Street, Macksville
92353	3169002284	Park vehicle for longer than maximum period allowed	18-May-24	\$92.00	River Street, Macksville
8646	3169002293	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	18-May-24	\$110.00	Shelley Beach Road, Nambucca Heads
8646	3169002302	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	18-May-24	\$110.00	Shelley Beach Road, Nambucca Heads
93877	3168990359	Not position front/rear of vehicle correctly - 90 degree angle parking	22-May-24	\$92.00	Fletcher Street, Nambucca Heads
92353	3168990368	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990377	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990386	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990395	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990404	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990413	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990422	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990431	Park vehicle for longer than maximum period allowed	22-May-24	\$92.00	Bowra Street, Nambucca Heads
93877	3168990440	Not position front/rear of vehicle correctly - 90 degree angle parking	22-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990450	Not position front/rear of vehicle correctly - 90 degree angle parking	22-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990469	Not position front/rear of vehicle correctly - 90 degree angle parking	22-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990478	Not position front/rear of vehicle correctly - 90 degree angle parking	22-May-24	\$92.00	Fletcher Street, Nambucca Heads
8646	3168990487	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	22-May-24	\$110.00	Ferry Street, Macksville

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

83517	3168990496	Stop in disabled parking area without current permit displayed	23-May-24	\$644.00	Bowra Street, Nambucca Heads
92353	3168990505	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990514	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990523	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990532	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990541	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990550	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990560	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
92353	3168990579	Park vehicle for longer than maximum period allowed	23-May-24	\$92.00	Winifred Street, Macksville
8646	3168990588	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	23-May-24	\$110.00	Ferry Street, Macksville
82890	3168990597	Stop in loading zone	23-May-24	\$215.00	High Street, Bowraville
93877	3168990606	Not position front/rear of vehicle correctly - 90 degree angle parking	23-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990615	Not position front/rear of vehicle correctly - 90 degree angle parking	23-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990624	Not position front/rear of vehicle correctly - 90 degree angle parking	23-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990633	Not position front/rear of vehicle correctly - 90 degree angle parking	23-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990642	Not position front/rear of vehicle correctly - 90 degree angle parking	23-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990056	Not position front/rear of vehicle correctly - 90 degree angle parking	25-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990065	Not position front/rear of vehicle correctly - 90 degree angle parking	25-May-24	\$92.00	Fletcher Street, Nambucca Heads
92353	3168990074	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Winifred Street, Nambucca Heads
92353	3168990083	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Winifred Street, Nambucca Heads
92353	3168990092	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Winifred Street, Nambucca Heads
82767	3168990101	Not parallel park in direction of travel	25-May-24	\$302.00	Graham Close, Macksville

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

93877	3168990110	Not position front/rear of vehicle correctly - 90 degree angle parking	25-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990120	Not position front/rear of vehicle correctly - 90 degree angle parking	25-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168990139	Not position front/rear of vehicle correctly - 90 degree angle parking	25-May-24	\$92.00	Fletcher Street, Nambucca Heads
82767	3168990148	Not parallel park in direction of travel	25-May-24	\$302.00	Pelican Crescent, Nambucca Heads
82890	3168990157	Stop in loading zone	25-May-24	\$215.00	Bowra Street, Nambucca Heads
8646	3168990651	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	25-May-24	\$110.00	Ferry Street, Macksville
8646	3168990660	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	25-May-24	\$110.00	Ferry Street, Macksville
8646	3168990670	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	25-May-24	\$110.00	Ferry Street, Macksville
8646	3168990689	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	25-May-24	\$110.00	Thompson Street, Valla Beach
92353	3168990698	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990707	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990716	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990725	Park vehicle for longer than maximum period allowed	25-May-24	\$92.00	Ridge Street, Nambucca Heads
82740	3169002311	Disobey no parking sign	25-May-24	\$129.00	Woods Lane, Nambucca Heads
92353	3168990734	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990743	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990752	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990761	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Ridge Street, Nambucca

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

					Heads
92353	3168990770	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990780	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168990799	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990808	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990817	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990826	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990835	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990844	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990853	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990862	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990871	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990880	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990890	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168990909	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Bowra Street, Nambucca Heads
8646	3168990918	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	27-May-24	\$110.00	Ferry Street, Macksville
8646	3168990927	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	27-May-24	\$110.00	Ferry Street, Macksville
8646	3168990936	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	27-May-24	\$110.00	Ferry Street, Macksville
8646	3168990945	Fail to comply with terms of notice erected by council	27-May-24	\$110.00	Ferry Street, Macksville

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

		(driving/parking/use of vehicle)			
92353	3168990954	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168990963	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168990972	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168990981	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168990990	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168993200	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168993219	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
92353	3168993228	Park vehicle for longer than maximum period allowed	27-May-24	\$92.00	Winifred Street, Macksville
8646	3169002320	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	27-May-24	\$110.00	Bowra Street, Nambucca Heads
93877	3169002330	Not position front/rear of vehicle correctly - 90 degree angle parking	27-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3169002349	Not position front/rear of vehicle correctly - 90 degree angle parking	27-May-24	\$92.00	Fletcher Street, Nambucca Heads
8646	3168993237	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	29-May-24	\$110.00	Ferry Street, Macksville
93877	3168993246	Not position front/rear of vehicle correctly - 90 degree angle parking	29-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168993255	Not position front/rear of vehicle correctly - 90 degree angle parking	29-May-24	\$92.00	Fletcher Street, Nambucca Heads
92353	3168993264	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168993273	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168993282	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168993291	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168993300	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168993310	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca Heads
92353	3168993329	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Ridge Street, Nambucca

**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

					Heads
92353	3168993338	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168993347	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168993356	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168993365	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Bowra Street, Nambucca Heads
92353	3168993374	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Bowra Street, Nambucca Heads
93877	3168993383	Not position front/rear of vehicle correctly - 90 degree angle parking	30-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168993392	Not position front/rear of vehicle correctly - 90 degree angle parking	30-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168993401	Not position front/rear of vehicle correctly - 90 degree angle parking	30-May-24	\$92.00	Fletcher Street, Nambucca Heads
93877	3168993410	Not position front/rear of vehicle correctly - 90 degree angle parking	30-May-24	\$92.00	Fletcher Street, Nambucca Heads
82740	3168993420	Disobey no parking sign	30-May-24	\$129.00	Woods Lane, Nambucca Heads
92353	3168993439	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Winifred Street, Macksville
92353	3168993448	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Winifred Street, Macksville
92353	3168993457	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Winifred Street, Macksville
92353	3168993466	Park vehicle for longer than maximum period allowed	30-May-24	\$92.00	Winifred Street, Macksville
8646	3168993475	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	30-May-24	\$110.00	Ferry Street, Macksville
8646	3168993484	Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	30-May-24	\$110.00	Ferry Street, Macksville
		<b>TOTAL:</b>		<b>\$22,395.00</b>	

*\*All fines are 'Opt-In' Local Government parking fines*



**ITEM 10.4 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR MAY 2024**

**COMPANION ANIMAL PENALTIES**

MAY 2024		COMPANION ANIMALS		
ISSUED BY:	PN NUMBER	INFRINGEMENT DETAILS	DATE ISSUED	PENALTY \$
Ranger	3169001835	#Code: 81562 Owner of dog which rushes at/attacks/bites/harasses/chases any person/animal	2-May-24	\$1320.00
<i># Salamanda Parade incident</i>				
Ranger	3169001844	*Code: 81562 Owner of dog which rushes at/attacks/bites/harasses/chases any person/animal	2-May-24	\$1320.00
<i>* Strawberry Rd companion animal menacing dog</i>				
Ranger	3168990330	Code: 81562 Owner of dog which rushes at/attacks/bites/harasses/chases any person/animal	17-May-24	\$1320.00
Ranger	3168990340	Code: 81562 Owner of dog which rushes at/attacks/bites/harasses/chases any person/animal	17-May-24	\$1320.00
<i>2 x Nelson St menacing dog incident</i>				
		<b>TOTAL:</b>		<b>\$5280.00</b>

**OTHER PENALTIES**

MAY 2024		OTHER		
ISSUED BY:	PN NUMBER	INFRINGEMENT DETAILS	DATE ISSUED	PENALTY \$
Manager	3168989946	Code: 18119 Operate sewage management system without approval	14-May-24	\$330.00
Manager	3168989928	#Code: 31912 Development not accord consent – any other case – Corporation	25-May-24	\$6,000.00
<i># Inadequate erosion and sediment controls at subdivision in Bellwood.</i>				
Manager	3169009021	*Code: 91905 Development without development consent - class 1a or 10 building - Individual	27-May-24	\$1,500.00
<i>* Installation of dwelling without approval despite being advised of approval requirements.</i>				
Manager	3168989616	#Code: 31915 Development not accord consent - class 1a or 10 building - Corporation	28-May-24	\$3,000.00
<i># Inadequate erosion and sediment controls at building site in Macksville</i>				
		<b>TOTAL:</b>		<b>\$10,830.00</b>

**ATTACHMENTS:**

There are no attachments for this report.

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 10.5 SF3410 110724 2024 JUNE - DEVELOPMENT APPLICATIONS AND  
COMPLYING DEVELOPMENT APPLICATIONS RECEIVED**

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**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 June 2024 as at 2 July 2024.

**RECOMMENDATION:**

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

**ATTACHMENTS:**

1  33494/2024 - Development Applications & Complying Developments Received June 2024

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 10.6 SF3410 110724 2024 JUNE - APPROVED CONSTRUCTION CERTIFICATES  
AND COMPLYING DEVELOPMENT APPLICATIONS**

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**AUTHOR/ENQUIRIES:** Melanie Ellis, Business Services Officer


**SUMMARY:**

The **attached** report, produced from Council's computer system, Authority, is for the information of Councillors with regard to approved Construction Certificates and Complying Developments for the month of June 2024 as at 2 July 2024.

**RECOMMENDATION:**

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

**ATTACHMENTS:**

1  33493/2024 - Construction Certificates & Complying Developments Approved June 2024

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**DIRECTOR ENGINEERING SERVICES REPORT**

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**ITEM 11.1 SF3339 110724 TEMPORARY ROAD CLOSURE APPLICATION -  
VOLKSWAGEN SPECTACULAR NAMBUCCA HEADS - 3 AUGUST 2024**

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**AUTHOR/ENQUIRIES:** Keith Williams, Manager Technical Services

**SUMMARY:**

Council has received a request for a temporary road closures for the Volkswagen Spectacular 2024.

The applicants have requested the closure of Bowra Street and Mann Street, Nambucca Heads from West Street to Ridge Street between 0800 and 1300 hours on 3 August 2024.

**RECOMMENDATION:**

**That Council**

- 1 Approves the temporary road closures of Bowra Street and Mann Street, Nambucca Heads from West Street to Ridge Street between 0800 and 1300 hours on 3 August 2024 for the Volkswagen Spectacular event noting the following documentation being received by Council:**
  - **Certificate of Currency for Public Liability Insurance**
  - **Confirmation of clear path of 2.5 metres being provided for access by emergency service vehicles through the road closure**
  - **Traffic Management Plan confirming Accredited Traffic Controllers will be on site, and**
  - **Police advice on the road closure.**
- 2 Approves signs and devices necessary to affect the road closure.**
- 3 Advertises the road closure more than seven (7) days prior to the event.**

**OPTIONS:**

- 1 Refuse the Application for road closure
- 2 Proposed recommendation

**BACKGROUND:**

Council has received a request for a temporary road closure of Bowra Street and Mann Street, Nambucca Heads from Ridge Street to West Street between between 0800 and 1300 hours on 3 Aug 2024 for the purpose of conducting the Volkswagen Spectacular display.

The biennial event draws large crowds to the Nambucca Central Business District and provides a significant financial boost to local shops.

**DISCUSSION:**

Events held previously extended the road closure to Palmer Street, however being a big impost on the non-event community the road closure has been shortened to West Street intersection with Mann Street.

At its meeting of 15 June 2023 Council resolved to adopt Nambucca Valley Traffic Committee recommendations that:

**ITEM 11.1 TEMPORARY ROAD CLOSURE APPLICATION - VOLKSWAGEN SPECTACULAR NAMBUCCA HEADS - 3 AUGUST 2024**

- 1 The extents of all future road closures within the Nambucca Heads Central Business District will be limited to Bowra Street and Mann Street, from the Ridge Street Intersection to West Street Intersection, and;
- 2 Endorsement will be based on the additional requirement of the applicants to mitigate the risk of both pedestrian and vehicle movement on Mann Street for access to residences by:
  - a The provision of six volunteers in high visibility clothing to guide vehicles (if necessary) to and from their residence(s) to ensure pedestrian safety is maintained,
  - b Advice to the residents impacted by the road closures along Mann Street of the true extent of the road closure on their residence(s), being up to six hours.

A 2.5m wide clear emergency access path will be in place along the entire length of the road closure.

Members of the Local Traffic Committee have been contacted for concurrence or otherwise, no objections have been received.

**CONSULTATION:**

Local Traffic Committee

**SUSTAINABILITY ASSESSMENT:**

**Environment**

There is no impact on the environment

**Social**

Car displays draw large crowds of visitors and locals to the town centre.

**Economic**

The event contributes to the local economy through bring car enthusiasts to the town.

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Impact to bus routes and local traffic	H	L	Implement detours and liaise with bus companies	L
Impact to Emergency vehicle Access	M	H	Maintain 2.5 clear path through closure and advise emergency services	M

**Delivery Program Action**

PP3 - Participate in local and regional marketing events to promote the Valley

**FINANCIAL IMPLICATIONS:**

**Direct and indirect impact on current and future budgets**

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**ITEM 11.1 TEMPORARY ROAD CLOSURE APPLICATION - VOLKSWAGEN SPECTACULAR  
NAMBUCCA HEADS - 3 AUGUST 2024**

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**Working funds – justification for urgency and cumulative impact**

There is no impact on current or future budgets.

**Impacts on 10 Year Long Term Financial Plan**

Nil

**Service level changes and resourcing/staff implications**

Nil

**ATTACHMENTS:**

1 28354/2024 - VW Spectacular Tcp1



2 29740/2024 - Application for temporary road closure of Bowra/Mann St, Nambucca Heads. 3rd Aug  
Volkswagon