

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting - 25 July 2024

LATE AGENDA

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GENERAL MANAGER'S REPORT

ITEM 9.5 LF7302 250724 EXECUTION OF DOCUMENT UNDER COUNCIL SEAL

AUTHOR/ENQUIRIES: Andrea Baillie, Property Officer

SUMMARY:

Council resolved to proceed with the sale of closed road segment Lot 1 DP1288566. The report to Council did not make specific recommendation to execute the relevant documentation in accordance with section 400 of the *Local Government (General) Regulation 2021* by affixing the Council seal.

This report seeks to attend to that requirement.

RECOMMENDATION:

That Council execute the contract of sale of Lot 1 DP 1288566 pursuant to section 377 (1) (h) of the *Local Government Act 1993* by affixing Council's seal in the presence of the Mayor and General Manager.

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation

DISCUSSION:

The matter concerning the sale of Lot 1 DP1288566 was first presented to Council 14 October 2021, with Council resolving to proceed to agreement with the applicant of the road closure. An agreement was then reached and formally recorded. There was subsequent further scrutiny of the proposal being subject to further reports to Council including Development Consent.

The Resolution made at Council's meeting of 15 February 2024 confirmed proceeding with the agreed arrangement and the matter has progressed as required. No further debate is required on the subject of the matter itself.

It is noted that no reports to Council on this matter specifically sought the resolution to meet the requirements of section 400 of the *Local Government (General) Regulation 2021* to sign the relevant documents by affixing the council Seal.

This report provides the opportunity to ensure proper process is followed before proceeding with the execution of the contract.

CONSULTATION:

Relevant Council Staff
Local Government Act 1993
Local Government (General) Regulation 2021

SUSTAINABILITY ASSESSMENT:

Environment

Nil

Social

Nil

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Economic

Nil

Risk Analysis

Risk in this instance is proceeding without adhering to the relevant legislation. Adopting the recommendation mitigates this risk.

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