



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 15 AUGUST 2024

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

Our Vision

Nambucca Valley ~ Living at its best.

Our Mission Statement

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

Our Values in Delivery

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

Council Meetings: Overview and Proceedings

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

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

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

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

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

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

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

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

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

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

Council Meeting Audio Recordings

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

Meeting Agenda

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

For Councillors

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



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING - 15 AUGUST 2024

Acknowledgement of Country *(Mayor)*

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

Council Meeting Audio Recordings *(Mayor)*

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

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13.1 Matters Regarding Realised or Potential Losses

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.

a Questions raised by Councillors at 8 above

- i MOTION TO CLOSE THE MEETING
- ii PUBLIC VERBAL REPRESENTATIONS REGARDING PROPOSAL TO CLOSE
- iii CONSIDERATION OF PUBLIC REPRESENTATIONS
- iv DEAL WITH MOTION TO CLOSE THE MEETING

14 MEETING CLOSED TO THE PUBLIC

15 REVERT TO OPEN MEETING FOR DECISIONS IN RELATION TO ITEMS DISCUSSED IN CLOSED MEETING.

Statement of ethical obligations:

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

NAMBUCCA VALLEY COUNCIL



DISCLOSURE OF INTEREST AT MEETINGS

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

I _____ declare the following interest:
(name)

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

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

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

For the reason that _____

Signed _____ Date _____

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

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

Definitions

(Local Government Act and Code of Conduct)

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

(Local Government Act, 1993 section 442 and 443)

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

The 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 byin the matter of
 which is to be considered at a meeting of the

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

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

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

Councillor's signature:

Date:

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

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

The following document is the minutes of the Ordinary Council meeting held **25 JULY 2024**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 15 August 2024 and therefore subject to change. Please refer to the minutes of 15 August 2024 for confirmation.

PRESENT

Cr Rhonda Hoban OAM (Mayor)
Cr Ricky Buchanan
Cr David Jones

Cr Martin Ballangarry OAM
Cr Susan Jenvey
Cr John Wilson (Deputy Mayor)

ALSO PRESENT

Bede Spannagle (General Manager)
Keith Williams (Manager Technical Services)
Evan Webb (Chief Financial Officer)
Rochelle McMurray (Minute Secretary)

Matthew Sykes (Director Corporate Services)
Daniel Walsh (Manager Development Environment)
Andrea Baillie (Property Officer)

APOLOGIES

Apologies (leave granted)

David Moloney (Director Engineering Services)

Apologies

Cr James Angel

Cr Troy Vance

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

Reverend Leslie Fotakis from the Anglican Church offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Mr Keith Williams declared a non-pecuniary - less significant conflict of interest in Item 5.1 Daniel Williams - Young Athlete Representing Australia under the Local Government Act as Daniel Williams is Mr Keith Williams son.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 11 JULY 2024

227/24 **RESOLVED:** (Buchanan/Wilson)

That the minutes of the Ordinary Council Meeting of 11 July 2024 be confirmed.

NOTICE OF MOTION - CR HOBAN OAM

ITEM 5.1 SF3407 250724 Daniel Williams - Young Athlete Representing Australia

228/24 **RESOLVED:** (Hoban/Jenvey)

That Council

- 1 **Notes the advice from Athletics New South Wales that local resident Daniel Williams has been selected to represent Australia in the 1500m at the 2024 World Athletics Under 20s Championships in Lima Peru next month.**
- 2 **Congratulates Daniel on his selection and wish him every success in his chosen event.**

NOTICE OF MOTION - CR HOBAN OAM

ITEM 5.2 SF46 250724 Remembrance Wall at Scotts Head

229/24 **RESOLVED:** (Hoban/Buchanan)

That Council receives a report on the necessary steps to revisit the 2018 proposal, plans and recommendation to create a remembrance wall at a suitable location in Scotts Head.

PUBLIC FORUM

RECOMMENDATION

That the following Public Forum be heard:

- i Mr Peter Rundle - T-Intersection Giinagay Way and Link Roads*
- ii Mr Raymond Fowke on behalf of Scotts Head Community Group Inc -Submission of a 978 signature community petition to Council*

PUBLIC FORUM

- i Mr Peter Rundle addressed Council with notes placed on 36153/2024 SF3424.*
- ii Mr Raymond Fowke addressed Council with notes placed on 37538/2024 SF3424.*

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

DELEGATIONS

230/24 **RESOLVED:** (Jones/Buchanan)

That Item 12.3 be brought forward.

That the following delegations be heard:

Item 12.3- Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands

iii Mr Raymond Fowke on behalf of Scotts Head Community Group Inc

DELEGATIONS

Item 12.3- Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands

iii Mr Raymond Fowke addressed Council with notes placed on 37992/2024 SF3424.

ITEM 12.3 SF382 250724 Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands

231/24 **RESOLVED:** (Jenvey/Buchanan)

That Council

- 1 Endorses the preparation of a master plan for the core visitor precinct at Scotts Head, and surrounding community lands in consultation with Reflections Holidays, National Parks and Wildlife Service, Nambucca Valley Council and the community.**
- 2 Endorses opportunities for funding (in full or part) a master plan under the Nambucca Valley Coastal Management Program and in partnership with Reflections Holiday Parks.**
- 3 Notes the master plan will directly inform future work needed to update the Scotts Reserve and Adin Street Reserve statutory management plans.**

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.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

GENERAL MANAGER REPORTS

ITEM 9.1 SF959 250724 Outstanding Actions and Reports

232/24 **RESOLVED:** (Wilson/Jones)

That Council notes the list of outstanding actions and reports.

ITEM 9.2 SF3415 250724 Request to Support the Rotary Club of Nambucca Valley with Corporate Membership

233/24 **RESOLVED:** (Buchanan/M Ballangarry)

That Council joins the Nambucca Valley Rotary Club as a corporate member.

ITEM 9.3 SF262 250724 Transport for NSW Response to Council's questions regarding the Macksville Bridge Rehabilitation Project

234/24 **RESOLVED:** (Wilson/Jenvey)

That Council notes the report from Transport for NSW regarding Council feedback.

ITEM 9.4 SF1865 250724 Lease to NSW Crown Holiday Parks - part Scotts Head Reserve

235/24 **RESOLVED:** (Hoban/Wilson)

That Council executes the lease of part Adin Street Reserve, Scotts Head being Folio Identifier 2/1202794 to NSW Crown Holiday Parks Land Manager under the seal of Council and signed by the Mayor and General Manager.

GENERAL MANAGER REPORTS - LATE

ITEM 9.5 LF7302 250724 Execution of document under Council seal

236/24 **RESOLVED:** (M Ballangarry/Buchanan)

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.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

DIRECTOR CORPORATE SERVICES REPORTS

ITEM 10.1 SF3358 250724 Investment Report for June 2024

237/24 **RESOLVED:** (Jenvey/Wilson)

That Council

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

ITEM 10.2 SF3504 250724 Requests for Section 356 Donations - Nambucca Macksville Evening VIEW Club (Venue hire fees) and Nambucca Christmas Festival

238/24 **RESOLVED:** (Jones/Wilson)

That Council

- 1 Approves Section 356 donation to Nambucca Macksville Evening VIEW Club for \$161.00**
 - 2 Approves Section 356 donation to Nambucca Christmas Festival Committee for \$500.00.**
-

ITEM 10.3 SF3504 250724 Donation Request - Request for rates relief for Nambucca Valley Youth Services Centre Inc

239/24 **RESOLVED:** (Jenvey/M Ballangarry)

That Council approves a donation of the requested \$1,301.54 for rates relief to the Nambucca Valley Youth Services Centre Inc.

ITEM 10.4 SF251 250724 Schedule of Council Meetings - 15 August 2024 to 14 November 2024

240/24 **RESOLVED:** (Wilson/Buchanan)

That Council notes the schedule of meeting dates for 15 August 2024 to 14 November 2024.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM 11.1 SF3410 250724 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

241/24 **RESOLVED:** (Jones/Buchanan)

That Council notes the information on undetermined development applications greater than 12 months, or where submissions have been received to 12 July 2024, and development applications determined from 3 July to 12 July 2024 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.

ITEM 11.2 SF3424 250724 Response to Questions relating to the Horticulture Planning Proposal

242/24 **RESOLVED:** (Jones/Wilson)

That Council notes the information contained within the report.

ITEM 11.3 SF2278 250724 Minutes of the Clean Energy Committee Meeting - 4 June 2024

243/24 **RESOLVED:** (Jenvey/Buchanan)

That Council

- 1 Notes the minutes of the Clean Energy Committee meeting held on 4 June 2024.
 - 2 Include net zero targets for itself and the community in the community strategic plan.
 - 3 Include investigation of opportunities for the circular economy in the community strategic plan.
-

DIRECTOR ENGINEERING SERVICES REPORTS

ITEM 12.1 SF721 250724 V Wall Access to Beach - Wellington Drive Nambucca Heads

244/24 **RESOLVED:** (Jenvey/Jones)

That Council notes the information contained in this report.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

ITEM 12.2 PRF32 250724 Camphor Laurel Removal at Hennessey Tape Oval

245/24 **RESOLVED:** (Wilson/Buchanan)

That Council

- 1 Supports the removal of the camphor laurel trees at Hennessey Tape Oval, Bowraville to enable native trees in the understory to revegetate.
- 2 Allocates any funds from the sale of the camphor logs into the weeds maintenance budget.

Item 12.3 was dealt with under delegations.

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

246/24 **RESOLVED:** (Buchanan/M Ballangarry)

- 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:

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420 250724 Matters Regarding Realised or Potential Losses

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.

For Confidential Business Paper in Closed Meeting

ITEM 13.2 SF3500 250724 General Manager's Half-Yearly Performance Review

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) (a) of the Local Government Act, 1993, on the grounds that the report contains personnel matters concerning particular individuals.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 250724 Transfer of Land Required for Road Realignment Rodeo Drive,
Bowraville

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) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

For Confidential Business Paper in Closed Meeting

ITEM 13.4 SF931 250724 Supply of Ready Mix Concrete For Period 1 January 2024 to 31
December 2025

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.

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 6.38 PM.

RESUME IN OPEN MEETING

247/24 **RESOLVED:** (Buchanan/M Ballangarry)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 6.46 PM.

FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420 250724 Matters Regarding Realised or Potential Losses

248/24 **RESOLVED:** (Buchanan/Jones)

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

For Confidential Business Paper in Closed Meeting

ITEM 13.2 SF3500 250724 General Manager's Half-Yearly Performance Review

249/24 **RESOLVED:** (Hoban/Jones)

That Council defer Item 13.2.

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 250724 Transfer of Land Required for Road Realignment Rodeo Drive,
Bowraville

250/24 **RESOLVED:** (Jones/Wilson)

That Council

- 1 **Agrees to transfer folio identifier 3/1282241 to Jillian Elizabeth Dorrian upon Mrs Dorrian's execution of the Deed of Release by Executor and Sole Beneficiary.**
- 2 **Executes the transfer of land document and the Deed of Release by Executor and Sole Beneficiary document pursuant to section 377 (1) (h) of the *Local Government Act 1993* under Council seal, signed by the Mayor and General Manager.**

For Confidential Business Paper in Closed Meeting

ITEM 13.4 SF931 250724 Supply of Ready Mix Concrete For Period 1 January 2024 to 31
December 2025

251/24 **RESOLVED:** (Buchanan/Jenvey)

That Council

- 1 **Awards Tender (T352324MNC) for the supply of "ready mix concrete" as Panel Source Tender for the period of 1 January 2024 to 31 December 2025.**
- 2 **Delegates to the General Manager, to sign a 12 month extension to (T352324MNC) based on satisfactory supplier performance, which will take this contract through to 31 December 2026.**
- 3 **Updates the Contract Register.**

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

For the Motion: Councillors Buchanan, Hoban, Jenvey, Jones, M Ballangarry and Wilson
Total (6)
Against the Motion: Nil
Total (0)

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JULY 2024

CLOSURE

There being no further business the Mayor then closed the meeting the time being 6.49 PM.

Confirmed and signed by the Mayor on **15 AUGUST 2024**.

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

NOTICE OF MOTION

ITEM 5.1 SF3422 150824 TFNSW ASSESSMENT OF LINK ROAD GIINAGAY WAY

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

Council received a Public Forum request at the ordinary Council meeting of 25 July 2024 regarding improvements in safety and traffic flows at the intersection of Link Road and Giinagay Way Nambucca Heads.

This intersection forms part of the State Government road network and is managed and funded by Transport for New South Wales (TfNSW). It is therefore recommended that Council advocate on behalf of residents to TfNSW for improvements to the safety and efficiency of the intersection.

RECOMMENDATION:**That Council:**

- 1 Requests that Transport for New South Wales (TfNSW) conduct an assessment of options at Link Road – Giinagay Way intersection to:**
 - a Improve traffic flow efficiency and safety outcomes by ensuring that preference is given to the major traffic movement**
 - b Options such as roundabouts and change in the priority of traffic movement be considered**
- 2 Include a copy of the presentation made in the Public Forum at the Council meeting of 25 July 2024.**

OPTIONS:

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

CONSULTATION:

This Notice of Motion links to Council's Community Strategic Plan.

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

There are no direct or indirect impacts on current and future budgets relating to receipt of a report.

ATTACHMENTS:

- 1  40162/2024 - Speaking Notes - Pete Rundle - Council Meeting 25 July 2024

NOTICE OF MOTION

ITEM 5.2 SF3422 150824 STRATEGIES AND PLANS FOR AFFORDABLE HOUSING

AUTHOR/ENQUIRIES: Susan Jenvey, Councillor

SUMMARY:

There is a housing crisis that continues to grip our nation. It affects renters, mortgage holders, essential workers, different cohorts of people with needs, and younger people and families. A place to call home is not a luxury, or a nice to have, but a fundamental need.

This motion seeks for Council to be an active participant in this space. To calculate, when it knows its cost, a minimum percentage of allocated land for an inclusionary zoning of affordable housing within its housing development at Valla Urban Growth Area.

That Council also disseminates and promotes an up-to-date Affordable Housing Fact Sheet for greater understanding of the availability and need for different types of multi-dwellings on residential land and land sharing options.

That Council advocate to government for community (public) housing regional targets and finally that it explores innovative alternative models for affordable housing such as Community Land Trusts and investigates partnerships to run a community consultation to see if the Nambucca community is interested in further developing this type of housing.

This motion seeks to address what can be done at a local level to promote alternative types of affordable housing, beyond just increasing supply of new development in the For-Profit Housing sector.

Once, if you grew up in the Nambucca Valley and stayed in the area to work, you were able to buy a home. Now prices have risen and with the income and jobs available in Nambucca Valley it is difficult for young people to buy a house in the for-profit housing market.

This motion commends Nambucca Valley Council, and the state and federal governments on their housing initiatives, and the opportunities that will arise from the supply of more housing in a constrained market, but it seeks for Council to develop a more inclusionary supply of housing with Not- For-Profit values and provisions. It seeks for council to develop a plan for affordable housing with options that don't stress the financial capabilities of families.

RECOMMENDATION:

That Council:

- 1 Establish an Affordable Housing Fact Sheet to disseminate and promote greater understanding of the availability and the need for different types of multi dwellings on residential land and land sharing options. To educate this community so they are happier to accept changes to the character of an area to create more opportunities for secure housing.**
- 2 Calculate, when it knows its costs, a minimum percentage of allocated land for an inclusionary zoning of affordable housing within its own housing development at Valla Urban Growth Area.**
- 3 Explores innovative alternative models for affordable housing such as Community Land Trusts within its own land holdings and investigates a partnership to run a community consultation to see if the Nambucca community is interested in further developing this type of housing.**
- 4 Advocate for Community Housing Regional Targets from the Housing Australia Future Fund which looks at acute housing needs.**

ITEM 5.2 STRATEGIES AND PLANS FOR AFFORDABLE HOUSING

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative options

BACKGROUND:

RENTING: With over 2 million renters in NSW, which is more people renting than ever before, who are facing rising rents and with data showing that regional dwelling values and rent prices hit record marks in 2024, there is need for all levels of government to help address this issue.

In April 2024 Anglicare Australia released its annual Rental Affordability Snapshot surveying 45,115 rental listings across Australia. The survey found only 0.6% were affordable for a person earning a full-time minimum wage. 0.2% were affordable for a person on the Age Pension. 0.1% were affordable for a person on Disability Support. Only 3 rentals or 0% of all share houses were affordable for a person on Job Seeker Allowance and no rentals were affordable for a person on Youth Allowance.

According to Anglicare, "Governments cannot leave housing to the private sector".

MORTGAGE HOLDERS: Statistical data also suggests that 31.4% of mortgage holders are at risk of mortgage stress with household spending facing broad pressure from interest rates and cost of living expenses.

HOMELESSNESS: is also an issue that affects different cohorts of people like those dealing with mental health, or women and children facing domestic violence or even older women without accumulated capital. Homelessness is very visible in Coffs Harbour where there is the provision of government and NFP services, but it does not mean that rough sleeping, couch surfing, and living in vans and cars is not happening in the Nambucca Valley.

GOVERNMENTS: Our governments are acting on the need for Affordable Housing.

The Federal Government has a Homes for Australia policy which is a \$32 billion new homes initiative to deliver 1.2 million new, well-located homes over the next 5 years. It is seeking to offer more help for home buyers, more help for renters, and more help for the homeless.

As a part of this the Albanese government wants to work with councils, states and territories. At a recent address to Australian Local Government Association Prime Minister Albanese said that "Local government was a logical partner in the national priority to provide infrastructure that supported quality of life, connected new developments to major community hubs and delivered more shared public facilities".

Under a second stream from the Homes for Australia Plan there is \$450 million in a Housing Support Program to provide funding for enabling infrastructure that supports housing such as roads and utility connections and community amenities like paths, footpaths, and public spaces. It is hoped that Nambucca Valley Council will benefit from the provision of this ambitious housing reform agenda for its own development at Valla Urban Growth Area.

The NSW State Government recently announced as part of its budget, \$5.2 billion in spending on Building Homes for NSW. This includes the largest ever investment by a NSW government in public housing in the state's history. The government, after doing its own land audit, is planning on building thousands of homes across the state to confront the housing crisis and plans to rebuild the public housing system after a decade of neglect.

LOCAL Government

The motion calls on the council to establish and keep updated any changes to planning provisions, in a Fact Sheet on the different types of affordable housing. Housing such as: Tiny Houses, Self-Contained Caravans, Granny flats, Modular Housing, rent to buy schemes and the land sharing options for Multiple Occupancies. It asks that Council promote the use of these different types of affordable housing, help participants understand what permissions are required, and to educate our community so they are happier to accept changes to the character of the area to create opportunities for my secure housing.

As Council is hoping to benefit from the public funding available to develop its own housing and employment land at Valla Urban Growth Area. It calls for council to further investigate and calculate, when they are known, what its costs will be for the residential component for its development at Valla Urban

ITEM 5.2 STRATEGIES AND PLANS FOR AFFORDABLE HOUSING

Growth Area and to calculate what minimum percentage can be incorporated as an affordable housing component into the design. To work out in a cost analysis what amount of Affordable Housing is viable on that land to help provide opportunities for those in our community who are struggling with the high cost of housing.

A Community Land Trust (CLT) is a form of shared ownership of a property, where the land component of a residential property is owned by a community based, not-for-profit legal entity and the actual building is owned, or long term leased by an individual. CLTs remove land costs from the cost of housing and can make housing more affordable when land values outpace income gains for lower income workers. They offer householder's control over the dwelling, security of tenure, and transfer of occupancy rights, and the potential for some asset wealth building.

There is a national body for Community Land Trusts, but this is most progressed locally in Bellingen through the Housing Matters Action Group which looks at grass roots community development response to the local housing crisis. There are local and broader national Non-Government Organisations who are active participants in the Community Land Trusts space.

Public Housing Wait Lists: The social housing waitlist in NSW is the longest in the country with 57,904 families and individuals waiting for help as of March 2024. During that month an additional 300 families and individuals joined the wait list. Using Local Government to advocate for more regional social housing targets would be beneficial.

CONSULTATION:

Manager Development and Environment

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

Staff time will need to be allocated to enact the recommendation which is not budgeted. Partnering to run a community consultation for a Community Land Trust will have a small cost. When further costs of development at VUGA are known there will be costs involved in dedicating a percentage of land to Affordable Housing in future budgets.

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

ITEM 9.1 SF3422 150824 GM RESPONSE TO NOTICE OF MOTION ITEM 5.2 STRATEGIES AND PLANS FOR AFFORDABLE HOUSING

AUTHOR/ENQUIRIES: Bede Spannagle, General Manager

SUMMARY:

Councillor Jenvey’s Notice of Motion, Item 5.2 Strategies and Plans for Affordable Housing, contains a number of recommendations that have strategic and financial implications which need to be taken into consideration by Council.

RECOMMENDATION:

That Council notes the General Manager’s advice on Notice of Motion Item 5.2 Strategies and Plans for Affordable Housing.

OPTIONS:

- 1 Adopt recommendations 1 and 4 and not adopt recommendations 2 and 3
- 2 Not adopt any recommendations
- 3 Adopt recommendations 1 and 4 and defer the consideration of recommendation 2 and 3 until Council resources allow
- 4 Adopt all recommendations.

DISCUSSION:

Recommendations 1 and 4 are able to be delivered by Council staff under existing resourcing levels.

Recommendation 2 has cost implications for Council that can’t be readily assessed at this stage of the project. Clearly this recommendation would require Council foregoing potential revenue for land sales. As the project is still in the planning phase and funding has not been secured for the residential subdivision area of the Valla Urban Growth Area (VUGA) it would be inappropriate at this stage to commit a future Council to this financial impost.

Recommendation 3 will require staff resources of a level that is currently not available and Council will not be able to deliver this item in the foreseeable future.

Council could defer both recommendations 2 and 3 until a point in time when staff resources are available and the VUGA project has matured to the point where this information will be known.

CONSULTATION:

Office of Local Government
Code of Meeting Practice Policy number G5

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Reputational damage – community expectation that Council is able to deliver	M	M	Advice to Council	L
Financial damage	M	M	Advice to Council	L

ITEM 9.1 GM RESPONSE TO NOTICE OF MOTION ITEM 5.2 STRATEGIES AND PLANS FOR AFFORDABLE HOUSING

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Unfunded in current budget and cost estimate is unknown.

Impacts on 10 Year Long Term Financial Plan

A commitment to provide a percentage of land from the VUGA project has an unknown financial cost to Council's long term financial plan.

Service level changes and resourcing/staff implications

Council doesn't have the staff resources to undertake recommendations 2 and 3 this financial year.

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT**ITEM 9.2 SF959 150824 OUTSTANDING ACTIONS AND REPORTS**

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

SUMMARY:

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

RECOMMENDATION:

That Council notes the list of outstanding actions and reports.

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

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

07/08/24 GM met with KSC & PMHC GMs and obtained in-principal agreement to progress toward an agreement.			
MAY 2023			
2	SF2524	25/05/23	GM
<p>RESOLUTION: Lease of Lots 1 and 2 in DP 866932 Reserve 85113 - Nambucca Heads RSL Club Ltd Carpark Council as Crown Land Manager execute the 21-year lease to Nambucca Heads RSL Club Limited over Lots 1 and 2 in DP 866932 Reserve 85113 under Council seal.</p> <p>STATUS: 31/05/23 Followed up with NHRSL Club who will revert with decision on acceptance of lease by 2/6/23. 07/06/23 Meeting with RSL representatives to be held 07/06/23. 20/06/23 Councillors updated at meeting 15/06/23 - NHRSL Club advised of Council's position. No response to hand at this stage. 04/07/23 NHRSL Club has responded requesting a further meeting with Nambucca Valley Council. 19/07/23 A meeting took place on 11 July 2023 with the RSL to organise a meeting between the RSL Board and Council. 09/08/23 Lease not yet executed. Awaiting completion of Council's stormwater remediation project to be commenced imminently. 23/08/23 The General Manager met with the RSL on 18 August 2023 and the lease will be discussed at their Board Meeting 30 August 2023. The stormwater is 50% completed. 06/09/23 NHRSLCL have advised they will suspend signing the lease due to new issue presented during the stormwater rectification project – being a sinkhole and large cavity requiring remediation. Council's Project Manager is liaising with RSL's Stakeholder Liaison from C2Hills Consultancy and seeking involvement from NSW Public Works. 20/09/23 Manager Projects is waiting on formal response from NSW Public Works confirming their contribution to works required. 04/10/23 Manager Projects has advised that NSW Public Works have undertaken their first review of Council's submission for funding. PWA have said that they will cover: - The full length of stormwater pipe replacement except for the first 12m - The asphalt concreting of the 2.4m (excavator width) on the full 60m long trench - The concrete carpark for 3 car parking bays out of 7. This is pending the final review by PWA which could be in 2 weeks. 17/10/23 The Club have advised they do not wish to proceed with execution of the new licence until the current carpark works being done by Council are completed, or at least have progressed significantly. Council has had verbal commitment from NSW PWA (Public Works) to provide partial, but significant funding to the rectification works, however an executed funding deed has not yet been received. Once written confirmation has been received, Council will proceed to engage the contractors to undertake the identified works – including the sink hole cavities presented once the stormwater project commenced. This step will enable focus back to progressing the execution of the new licence agreement. 02/11/23 Meeting on-site with NHRSL CEO and Project Manager; AMED & Manager Projects to walk through issues identified with sink holes, cavities and current rectification works. Need has been identified that there is a much larger problem in the sub-surface which needs full investigation prior to any re-surfacing. Engineers to undertake proper and full investigation, project to rectify to be scoped; responsibilities of works to be clearly delineated; funding for project to be sought. Report to be brought back to Council on status once fully understood. 22/11/23 DoPE Crown Lands have advised they are completing independent Native Title Advice to be supplied to Council, however require 2 additional purposes to be added to the reserve purposes being Access, and Tourist Services. These will need to be gazetted and will provide approval for the existence of access to the boardwalk and boat ramp, and for the kiosk and café. The progressing of the new lease will be subject to the outcome of the exploration works with the stormwater rectification project works, then confirming our negotiated position with the RSL Club. 05/12/23-05/02/24 No further action. Awaiting completion of works at premises (estimated to be completed by the end of this financial year given the funding parameters set by TfNSW who have funded a large portion of the required works), and native title advice from DoPE Crown Lands. 20/02/24 Dept Crown Lands have advised they have reviewed and will no longer require Council to add the 2 previously identified purposes to the Reserve, and accordingly will no longer be undertaking a Native Title Assessment. Council may continue with the leasing process which remains subject to completion of the civil works being done to remediate the stormwater infrastructure. 04/03/24 Stormwater works project to recommence late April 2024, to be completed by 30 June 2024. 12/03/24 Project Engineer advised Surveyors will stake boundaries end of March. This will assist with discussion and planning moving forward. 02/04/2024 No further update. 12/04/24 Meeting with Project Engineer & Property Officer and RSL Club representatives to be arranged in coming days to update plan for physical stormwater works being completed by Council seeking the Club's intent to contribute to remainder of resurfacing works required. 16/04/24 Meeting with RSL scheduled for 23/4/24. 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</p>			

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

review by Board. Should board agree to co-contribute, Agreement to be drafted and signed by both parties which will include commitment to enter into new lease.
 22/05/24 Draft Deed of Agreement drafted and forwarded to RSL Club for review and response.
 04/06/24 Deed of agreement signed by NVC & NH RSL. Amendments to draft lease now required to allow for these works.
 18/06/24 No further update.
 02/07/24 RSL Club invoiced for their co-contribution to works as per Deed of Agreement; works commenced 2 July 2024.
 17/07/24 Current works progressing with an expected completion date at the end of July.
 07/08/24 Pavement completed, line marking still to be done.

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, Muurrbay Language and Cultural Cooperative, Miimi Aboriginal Corporation and Ngurrala Aboriginal Corporation. The CDO has also recently had consultation with the key stakeholders involved in the development of the new Gumbaynggirr Keeping Place.
 CDO is also liaising with local community stakeholders to gain an understanding of what the issues and challenges are for our indigenous community.
 20/02/24 No further update.
 05/03/24 A letter has been drafted to organise the reconvening of a meeting of Council's Aboriginal Advisory Committee and to extend its stakeholder engagement if necessary to produce a Reconciliation Action Plan to be linked to Council's Community Strategic Plan. The CDO has also been writing a grant application to fund activities through NAIDOC week (7-14/7/2024).
 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

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

Bawrungga Association, Muurrbay Aboriginal Language and Cultural Cooperative, Ngurrala Aboriginal Corporation and Miimi Aboriginal Corporation. The apparent lack of interest in the meeting was discussed with Cr M Ballangarry on the 27 March and a list of invitees was forwarded to him. He advised that he will discuss the opportunity with these groups. 04/04/24-16/07/24 No further update. 07/08/24 Council has been working to integrate local indigenous designs and culture in both its corporate branding and tourism marketing. Included in the tourism marketing, dual naming of our five main villages is being highlighted on tourism banners which aims to integrate Gumbaynggirr language more broadly across Council's communications. The indigenous designs will also be used to develop souvenir product. This will assist in promoting indigenous culture and provide royalties back to the artist. These gradual steps, plus more face to face interaction and support of local indigenous organisations, will strengthen Council's standing with the Gumbaynggirr community. This work will assist in seeking endorsement from indigenous stakeholders on the development of a Reconciliation Action Plan.			
AUGUST 2023			
4	LF5363	31/08/23	DES
RESOLUTION: Public Forum - Report on the Causeway to Stuarts Island Nambucca Heads Council to receive a report addressing the matter raised by and on behalf of the Save the River Group and the Nambucca Heads Island Golf Club in relation to the causeway to Stuarts Island Nambucca Heads. (45604/2023 & 46082/2023)			
STATUS: 06/09/23 Submission received and report to be prepared accordingly. 20/09/23 No further update. 04/10/23 Options investigation commenced. 18/10/23 No further update. Investigations will take time to develop. 06/11/23-22/11/23 No further update. 05/12/23-07/02/24 Draft report to go to the Nambucca Rivers, Creeks, Estuaries and Coastline Committee – 15 February 2024. 20/02/24-15/04/24 Item deferred to 15 May Nambucca Valley Catchments and Coastline Committee meeting. 08/05/24 No further update. 21/05/24 Nambucca Valley Catchments and Coastline Management Committee meeting item deferred pending outcome from GM and DES site meeting with Golf Club President scheduled for 21/05/24. Developing a plan of action for delivery in November 2024. 04/06/24-07/08/24 No further update.			
DECEMBER 2023			
5	SF3190	14/12/23	GM
RESOLUTION: Subdivision - Lots 9 & 10 DP884342 Warrell Creek 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.			
STATUS: 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. 02/04/24-17/07/24 No further update. 07/08/24 Formal submission currently being assessed.			
JANUARY 2024			
6	PRF53	18/01/24	DES
RESOLUTION: River Street Toilet Block Relocation 1 Adopt an alternate building footprint directly adjacent to the existing structure on the North Eastern side, as per Attachment B and; 2 Engage an architect to progress the design of the proposed new amenities and report back to Council.			
STATUS: 06/02/24-06/03/24 Planned layouts still being determined. Once complete, the architect will be engaged. 20/03/24-03/04/24 Layout for the toilet block is still under development. Adopting learnings from the V-Wall Amenities upgrade documentation development with regards to compliance with the Disability Discrimination Act and specifically AS1428.1-2009 Design for Access and mobility. Upon finalisation of the layout plans Architectural advice will then be sought regarding preliminary designs which align with the Macksville Foreshore Draft Concept Master Plan. 15/04/24-21/05/24 No further action. Action commences post V-Wall Amenities Tender. 04/06/24 Detailed survey pending. 18/06/24 No further update. 02/07/24 Survey Brief under development. 16/07/24 Survey Brief issued. Site survey being determined. 07/08/24 No further update.			

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

FEBRUARY 2024			
7	SF3424	15/02/24	GM
<p>RESOLUTION: Public Forum - Nambucca Valley Community Resilience and MNCJO Simulation table. 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.</p> <p>STATUS: 21/02/24-01/07/24 No further update. 17/07/24 Grant application being prepared for sim table sessions under the Supporting Spontaneous Volunteers Grant Program. 07/08/24 No further update.</p>			
MARCH 2024			
8	SF2911	28/03/24	DCS
<p>RESOLUTION: Termination of Licence Agreement to operate Nambucca Heads Visitor Information Centre and tourism marketing 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.</p> <p>STATUS: 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. 15/07/24 At the Council meeting on 11 July 2024 220/24 RESOLVED: (Jenvey/Jones) That Council do not consider the EOI's for the Visitor Information Centre until the tourism reports are finalised. EOI closes on 19 July 2024. 07/08/24 A report is being presented to the 15 August 2024 Council meeting. This report includes as an attachment for Council to consider, the Tourism Report which was previously presented to the Councillor Workshop on the 30 May 2024.</p>			
APRIL 2024			
9	SF3422	11/04/24	DES
<p>RESOLUTION: Request to name side road and correct rural addressing 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.</p> <p>STATUS: 17/04/24 No update. 08/05/24 Site plan developed for consultation with community. 21/05/24 Community consultation completed and "Wanbro" sent to the Geographical Names Board of NSW (GNB) for approval. 04/06/24 "Wanbro" sent to Muurrbay Aboriginal Language Centre at the request of the GNB for the name to be endorsed by the local Aboriginal community. 18/06/24 Pending response from Muurrbay Aboriginal Language Centre. 01/07/24 Pending response from Muurrbay Language & Culture Coop and Bowraville LALC. 17/07/24 No further update. 07/08/24 Email circulated seeking feedback by 02/09/24 from: Miimi Aboriginal Corporation, Jaanyмили Bawrrungga, Nambucca Valley Local AECG, Unkya LALC, Nambucca LALC, Bowraville LALC, Nyambaga Bindarray Elders and Muurrbay Language Centre.</p>			
10	SF2381	11/04/24	MDE
<p>RESOLUTION: Horticulture within the Nambucca Valley 2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination. 3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p> <p>STATUS: 17/04/24-09/05/24 Planning proposal to be drafted and sent to the Minister. 22/05/24 Planning proposal drafted and sent to the Minister for gateway determination. 05/06/24 Minister returned the planning proposal as further justification for the proposed amendment is required. Planning</p>			

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

<p>proposal to be amended to add further justification and resubmitted. 19/06/24 Amended planning proposal resubmitted to the Minister for gateway determination. 02/07/24 Awaiting response from Minister on the planning proposal. Letters from Ministers attached in regards to funding of regulatory bodies. 17/07/24 The Minister has determined that the matter should proceed and has issued a gateway determination. The planning proposal specifies that draft DCP controls will be placed on public exhibition at the same time as the planning proposal. Draft DCP controls will be reported to Council in August for consideration and once supported both the planning proposal and draft DCP controls will be publicly exhibited at the same time. 07/08/24 Refer to separate report regarding draft DCP controls.</p>			
11	SF3477	11/04/24	MDE
<p>RESOLUTION: Valla Urban Growth Area Amendment 1 Council forward the planning proposal within attachment 2 to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which amends the Nambucca Local Environmental Plan 2010 by altering the zoning of the Valla Urban Growth Area to be consistent with the Valla Urban Growth Area Development Control Plan. 2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination. 3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>			
<p>STATUS: 17/04/24 Awaiting final maps for planning proposal before forwarding to Minister. 09/05/24 Final maps received and will be sent to Minister. 22/05/24 Planning proposal drafted and sent to the Minister for gateway determination. 05/06/24-19/06/24 No further update. 02/07/24 Request for further information received from Minister with option to withdraw until information obtained. 17/07/24 Planning proposal being amended. 07/08/24 No further update.</p>			
12	SF731	24/04/24	DCS
<p>RESOLUTION: Community Improvement Districts - Draft Bill – Consultation 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>STATUS: 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. 04/06/24-07/08/24 No further update.</p>			
MAY 2024			
13	SF983	16/05/24	MDE
<p>RESOLUTION: Plan of Management for the Faringdon Fields That Council 4 Exhibits the draft Plan of Management in accordance with section 38 of the Local Government Act 1993.</p>			
<p>STATUS: 21/05/24-5/06/24 No further update. 19/06/24-02/07/24 Draft Plan of Management sent to Aboriginal stakeholders and Gaagal Wanggaan Board of Management for comment by 15 July 2024. After this date the draft Plan of Management will be placed on public exhibition. 17/07/24 The draft Plan of Management will now be publicly exhibited and reported back to Council at the end of the exhibition period. 07/08/24 The draft Plan of Management is on public exhibition until 16 September 2024.</p>			
14	SF3327	30/05/24	DCS
<p>RESOLUTION: 2023/2024 Service Reviews 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.</p>			
<p>STATUS: 04/06/24-07/08/24 No further update. To be reported to 29 August 2024 Council meeting.</p>			

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

15	SF3327	30/05/24	GM
<p>RESOLUTION: Albert Drive Warrell Creek - Proposed 9 Lot Subdivision of - Lots 9, 17 and 18 DP884316 and Boundary Adjustment to Lot 1 DP374127 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.</p>			
<p>STATUS: 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. 17/07/24 Letter has been sent to resident. 07/08/24 Signed agreement received. Awaiting DA assessment and both items to be reported to Council together.</p>			
JUNE 2024			
16	SF3328	13/06/24	CFO/DES
<p>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 That Council 1 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. 2 Adopts the 2024/2025 Schedule of Fees and Charges adjusted for: <ul style="list-style-type: none"> • 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. • 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). </p>			
<p>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.</p>			
<p>STATUS: 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. 17/07/24-07/08/24 Report delayed to 29 August 2024 Council meeting.</p>			
17	SF3424	27/06/24	MDE
<p>RESOLUTION: Public Forum - Fenced Off Leash Dog Park That Council receive a report into a fenced off leash dog park and potential locations within the Valley.</p>			
<p>STATUS: 02/07/24 No action taken. 17/07/24 It is intended to provide a report to Council in August. 07/08/24 No further update.</p>			
18	SF3409	27/06/24	DCS
<p>RESOLUTION: Minutes of the Nambucca Valley Council Access Committee meeting held 4 June 2024 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.</p>			
<p>STATUS: 02/07/24 To be included in the scope of the Community Strategic Plan. 15/07/24 Community Strategic Plan currently being developed with Locale. Further information will be reported to Council at the August Council meeting. 07/08/24 The Access Committee resolved at their last meeting to host a stakeholder forum from the disability sector – scheduled for 27 August 2024. It is hoped that the forum will provide valuable insights for the Access Committee on the current challenges across the Valley for people with disabilities. Invitations will be issued on Friday 9 August 2024. Stakeholders from the disability sector will be surveyed more extensively to garner feedback on the challenges or concerns relating to employing people with disabilities which will add valuable insight into the development Community Strategic Plan.</p>			

ITEM 9.2 OUTSTANDING ACTIONS AND REPORTS

JULY 2024			
19	SF3409	11/07/24	DES
<p>RESOLUTION: Public Forum That Council receive a report containing staff comments or responses to each of the matters raised by public forum speakers at the 11 July 2024 ordinary meeting at South Arm Hall. i Mr Brett Etchells – on behalf of South Arm Hall Committee – Welcome ii Ms Ilse Noble - on behalf of South Arm Hall Committee - Proposal of modernising the hall and toilets iii Ms Anama Tesser – Condition of South Arm Road iv Mr Robert McKay – Access road to Bowraville Recreation Club v Ms Joy van Son - On behalf of the Roads Actions Group – Road maintenance in the Shire, Antenno and communication vi Ms Joy van Son - Removal of timber next to South Arm Hall</p>			
<p>STATUS: 15/07/24-07/08/24 Circulated to relevant responsible officers in preparation of report to Council in September.</p>			
20	SF3409	11/07/24	MDE
<p>RESOLUTION: Planning Proposal - 44 Kookaburra Road, Bowraville 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.</p>			
<p>STATUS: 15/07/24 No further update. 07/08/24 Planning proposal forwarded to Minister and awaiting determination.</p>			
21	SF46	25/07/24	MDE
<p>RESOLUTION: Notice of Motion – Remembrance Wall at Scotts Head That Council receives a report on the necessary steps to revisit the 2018 proposal, plans and recommendation to create a remembrance wall at a suitable location in Scotts Head.</p>			
<p>STATUS: 07/08/24 No further update.</p>			
22	SF382	25/07/24	DES
<p>RESOLUTION: Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands. That Council 1 Endorses the preparation of a master plan for the core visitor precinct at Scotts Head, and surrounding community lands in consultation with Reflections Holidays, National Parks and Wildlife Service, Nambucca Valley Council and the community. 2 Endorses opportunities for funding (in full or part) a master plan under the Nambucca Valley Coastal Management Program and in partnership with Reflections Holiday Parks. 3 Notes the master plan will directly inform future work needed to update the Scotts Reserve and Adin Street Reserve statutory management plans.</p>			
<p>STATUS: 07/08/24 Consultation meeting to be scheduled with Reflections Holiday Parks, NPWS and Scotts Head community representatives/stakeholders.</p>			
23	SF3415	25/07/24	GM
<p>RESOLUTION: Request to Support the Rotary Club of Nambucca Valley with Corporate Membership That Council joins the Nambucca Valley Rotary Club as a corporate member.</p>			
<p>STATUS: 07/08/24 GM sent an email to all staff on 1/08/24 requesting interested staff to email by COB 7 August 2024.</p>			
24	SF2278	25/07/24	MDE/DCS
<p>RESOLUTION: Minutes of the Clean Energy Committee Meeting - 4 June 2024 That Council 1 Notes the minutes of the Clean Energy Committee meeting held on 4 June 2024. 2 Include net zero targets for itself and the community in the community strategic plan. 3 Include investigation of opportunities for the circular economy in the community strategic plan.</p>			
<p>07/08/24 No further update.</p>			

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

**ITEM 9.3 SF266 150824 STAFF WELLBEING - R U OK? DAY - THURSDAY 5
 SEPTEMBER 2024**

AUTHOR/ENQUIRIES: Bede Spannagle, General Manager

SUMMARY:

The official R U OK? Day is on Thursday 12 September, however as a Council meeting is scheduled for that day, it is proposed to hold the staff event on Thursday 5 September 2024 commencing at 1pm

RECOMMENDATION:

That Council notes that the R U OK? Day staff wellbeing event will be held on Thursday 5 September 2024 and all Councillors are invited to attend.

OPTIONS:

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

BACKGROUND:

R U OK? is a national suicide prevention charity that encourages people to stay connected and have conversations that can help others through difficult times.

R U OK? contributes to suicide prevention efforts by encouraging people to invest more time in their personal relationships and building the capacity of informal support networks – friends, family and colleagues - to be alert to those around them, have a conversation if they identify signs of distress or difficulty and connect someone to appropriate support, long before they're in crisis.

Importantly for our staff, it is a mechanism to encourage conversations about mental health and wellbeing with your work colleagues and knowing you have that support in your workplace.

DISCUSSION:

Nambucca Valley Council will be holding an R U OK? Day event on Thursday 5 September as a staff health and wellbeing initiative. The event will commence at 1.00pm at the Macksville Country Club, where staff will participate in barefoot bowls and a BBQ will be held.

The administration building will close from 1.00pm to allow all staff to attend the event. The waste facility will remain open with a separate event to take place at the facility.

Staff would like to invite all Councillors to attend the event and participate in the bowls if they wish. A number of positive comments were received last year regarding Councillors attending and the feeling that staff felt valued.

CONSULTATION:

Manager Human Resources
MANEX

SUSTAINABILITY ASSESSMENT:

Environment

N/A

ITEM 9.3 STAFF WELLBEING - R U OK? DAY - THURSDAY 5 SEPTEMBER 2024

Social

Provides an opportunity to discuss mental health and wellbeing in a relaxed environment. The bowling activity encourages teamwork with other employees you wouldn't normally work with.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Office closure creating negative public sentiment	M	L	Well advertised and communicated	L

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

The R U OK day is budgeted for in the Human Resource budget for 2024/25.

Impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

Negative impact on services, as the Administration Centre and Depot will be closed from 1pm. This is offset by the health and wellbeing of our staff.

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

ITEM 9.4 SF1535 150824 LICENCE FOR BOWRAVILLE RECREATION CLUB CO-OP LTD FOR PART LOT 3/DP1289987

AUTHOR/ENQUIRIES: Andrea Baillie, Property Officer

SUMMARY:

Council has licensed community classified land containing a golf course at Bowraville, to the Bowraville Recreation Club Co-Op Ltd. With the recent settlement of the transfer of a newly created lot within the land, the licensed area has changed, requiring the current licence to be terminated and a new licence entered into.

This report seeks resolution to proceed with a new licence reflecting the new area, to the Bowraville Recreation Club Co-Op Ltd.

RECOMMENDATION:

That Council:

- 1 Enters into a 5 year licence agreement to the Bowraville Recreation Club Co-Op Ltd for part lot 3/DP1289987 for the permitted use of operating a golf course**
- 2 Places the draft licence agreement to the Bowraville Recreation Club Co-Op Ltd for part lot 3/DP1289987 on public exhibition for 28 days.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative options – Council may decide to go out to the community for other entities to licence and operate the golf course.

DISCUSSION:

Nambucca Valley Council has previously licensed the community land known as the Bowraville Golf Course to the Bowraville Recreation Club Co-Op Ltd (the Club) for many years. The more recent subdivision of the land to enable construction of the new Bowraville Sporting Hub, and subsequent transfer of the land has resulted in a change of golf course and licence area forcing a termination of the current licence.

A new licence agreement has been offered to, and the proposal accepted by the Club, reflecting the new reduced area available for the golf course.

The Club owns the two separate lots of land adjoining the golf course, and has managed the use, operation and ongoing maintenance of the course successfully for many years. The Club is considered the best proponent to continue to manage the golf course providing golf to the broader community.

The Club now seeks to become the central sporting hub for the Bowraville community, and continued management and operation of the golf course supports this goal.

The draft agreement offers the licence fee at the market subsidised minimum rate of \$587 pa + GST as per Council's adopted fees and charges, in recognition of the limited commercial potential offered. This fee is reflective of the statutory minimum fee as set by NSW Dept of Crown Lands for rental of open space reserves.

ITEM 9.4 LICENCE FOR BOWRAVILLE RECREATION CLUB CO-OP LTD FOR PART LOT 3/DP1289987

CONSULTATION:

Bowraville Recreation Club Co-Op Ltd

SUSTAINABILITY ASSESSMENT:**Environment**

Adopting the recommendations will have no environmental impact.

Social

Adopting the recommendations maintains the status quo within the community and will have no additional social impact, however the public exhibition period allows for community consultation and input.

Economic

Adopting the recommendations will have no economic impact.

Risk Analysis

Risk in this instance is presented if there is no management of the golf course, resulting in the loss of provision of golf to the broader community.

Continuing to licence the community land to an on-site, experienced entity who operates, manages and maintains the course mitigates that risk.

Delivery Program Action

CC2 - Use information from the community in decision making

LW6 - Maintain Sporting Facilities

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

Nil impact.

Working funds – justification for urgency and cumulative impact

No additional working funds required.

Impacts on 10 Year Long Term Financial Plan

Nil impact.

Service level changes and resourcing/staff implications

Business as usual with nil impact.

ATTACHMENTS:

- 1 39538/2024 - Draft Licence Agreement - Bowraville Recreation Club Co-Op Ltd - Bowraville Golf Course

GENERAL MANAGER'S REPORT

ITEM 9.5 LF4381 150824 COUNCIL TO BECOME CROWN LAND MANAGER OF RESERVE 90906, VALLA BEACH RESERVE

AUTHOR/ENQUIRIES: Andrea Baillie, Property Officer

SUMMARY:

Crown reserve 90906 at Valla Beach is currently devolved to Council and as such, Council has restricted capacity to manage it.

This report seeks resolution to write to Department of Crown Lands requesting appointment as Crown Land Manager of the reserve enabling a broader capacity to manage the land including issuing tenures as appropriate.

RECOMMENDATION:

That Council writes to Department Planning, Housing and Infrastructure – Crown lands requesting appointment as Crown Land Manager of Crown Reserve 90906, Valla Beach Reserve.

OPTIONS:

- 1 Do nothing/business as usual meaning the Reserve will remain devolved to Council.
- 2 Proposed recommendation providing a broader capacity to manage and authorise future uses of the Reserve.

DISCUSSION:

The Reserve is devolved to Council, and must be managed under s.48 of the *Local Government Act 1993*, differently to reserves where it is the appointed Crown Land Manager. Council has 19 devolved Crown reserves which are made up of mostly cemeteries and some insignificant parcels of land unlikely to have any real activity on them.

Councils are required to manage devolved reserves consistent with the reserve purpose and can undertake only minor improvements, restoration work, maintenance, or works for public safety. They are unable to grant any tenures over this land.

If a Council wants to develop or deal in the devolved land, they should seek to be appointed as the Crown Land Manager under the *Crown Land Management Act 2016*. This entails writing to the Department of Crown Lands and supplying a Council resolution, requesting such appointment. The Department will then process the request and attend to formal gazettal notification.

Crown Reserve 90906 comprises of the whole of lot 7001 DP 1113132 and is locally known as the Valla Beach Reserve, being gazetted 23/09/1977 for the purpose of Public Recreation.

It contains the entry to the footbridge over Deep Creek, an amenities block, a newly constructed stage, the Don Macrae Shelter, and informal roadways and pathways. It is used for regular markets hosted by the local Valla Beach Community Association.

This Reserve already has significant activity and it is likely Council will have further future public works projects to undertake, and interest for leasing or licensing. As Crown Land Manager, Council will have the capacity to prepare a Plan of Management for adoption authorising such future uses, and the ability to undertake those activities.

CONSULTATION:

NSW Department Planning, Housing and Infrastructure – Crown lands
General Manager

ITEM 9.5 COUNCIL TO BECOME CROWN LAND MANAGER OF RESERVE 90906, VALLA BEACH RESERVE

SUSTAINABILITY ASSESSMENT:**Environment**

Adopting the recommendation will have no environmental impact.

Social

Adopting the recommendation will have no social impact. Should the request be successful, creation of the required Plan of Management will require community consultation in authorisation of future uses of the reserve.

Economic

Adopting the recommendation will have no economic impact.

Risk Analysis

As Reserve 90906 attracts growing activation, Council as devolved manager is faced with a larger responsibility to manage the activity and provide further public utilities. The role of Devolved Manager is limiting, exposing Council to potential reputational risk within the community should it not be able to meet the community's expectations, and to costs where licenses from Department of Crown Lands are required.

Seeking to become Crown Land Manager will mitigate exposure to these risks by providing Council a closer 'hands on' management of the reserve, negating the need for application to the Department for future licenses.

Delivery Program Action

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

LW9 - Operate and Maintain Open Spaces

PP9 - Manage Crown Land Plans of Management

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

The additional responsibility for Council as Crown Land Manager is to prepare and adopt a Plan of Management for the Reserve, as it must for all other Crown Reserves where it is Crown Land Manager.

ATTACHMENTS:

- 1  39784/2024 - Aerial view - Valla Beach Reserve 90906 devolved to Council
- 2  39783/2024 - Fact Sheet - Devolved Crown Reserves managed by Council

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.1 SF3492 150824 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 10 JULY 2024

AUTHOR/ENQUIRIES: Matthew Sykes, Director Corporate Services

SUMMARY:

The Minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting held 10 July 2024 are shown below for Council's endorsement. Discussion around the items presented to ARIC have been included in the minutes **attached**.

From the 10 July 2024 ARIC meeting the proposed changes (additions in **red font** and deletions ~~struck through~~) to the Investment Policy CS 08 require approval.

Regarding the revised ARIC four-year (4) Workplan for the period 2024 to 2027 per page 87 of the 'Guidelines for Risk Management and Internal Audit for Local Government in NSW issued under section 23A of the *Local Government Act 1993*' – see <https://www.olg.nsw.gov.au/wp-content/uploads/2023/12/Guidelines-for-Risk-Management-and-Internal-Audit-updated-November-2023.pdf> :

The committee may, in consultation with the governing body, vary the strategic work plan at any time to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the strategic work plan. Any decision to vary the strategic work plan must be made by the committee.

RECOMMENDATION:

1 That Council notes the following recommendations from the Audit, Risk and Improvement Committee Meeting held 10 July 2024:

a That the Committee confirm the Minutes of the Meeting held 10 April 2024.

b Interim Audit Management Letter 2024.

i) The report on the Interim Audit Management Letter dated 25 June 2024 be received.

ii) A report be submitted to Audit, Risk and Improvement Committee Meeting indicating the progress made by management in addressing each of the issues detailed in the Interim Audit Management Letter.

c Progress update on Internal Audit findings.

That the Audit Risk and Improvement Committee defer this report to the next meeting where the executive team can provide a priority list of action items including timeframes with an estimated completion date. Noting items on the list may be redundant, rationale behind that decision to be provided.

d Progress update on findings from External Audits.

That the Audit Risk and Improvement Committee note the updates to the prior 3 years matters.

e 2024 Penetration Testing Results.

That the Audit Risk and Improvement Committee note the External Network Risk Summary from 2024 Penetration Testing and the related action taken by Council staff to address the issues identified from the testing.

f The Audit Risk and Improvement Committee Workplan for the CFO 2024 to 2027.

ITEM 10.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 10 JULY 2024

That the Audit, Risk and Improvement Committee adopt the new amended workplan for the CFO.

g Audit, Risk and Improvement Outstanding Actions and Reports.

That the list of Audit, Risk and Improvement outstanding actions and reports be noted and received for information by the Committee.

h Matters for information of the Audit Risk and Improvement.

That the Audit Risk and Improvement Committee notes the ICAC Investigation into the awarding of Transport for NSW and Inner West Council contracts (Operation Hector) and the seven corruption prevention recommendations made by the Commission.

i Project Management Framework.

That the Audit, Risk and Improvement Committee note the Project Management Framework.

j Changes to the Investment Policy.

That the Audit, Risk and Improvement Committee endorse the following changes prior to recommending to Council for adoption:

i) Council change the current Investment Policy to include the following 2 statements where, preference is to be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if:

- the investment is compliant with Council's Investment Policy; and*
- the investment rate of interest is equivalent to or more favourable to Council relative to other similar investments that may be on offer to Council at the time of the investment.*

ii) That Council amend point 8.8 in the current Investment Policy to read 'All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis. Removing the words, "including fair value movements."

k Nambucca Valley Council's - Software Systems.

That the Audit Risk and Improvement Committee notes the main software systems used operationally by Nambucca Valley Council.

l CONFIDENTIAL - Matters Regarding Realised or Potential Losses.

That the Audit Risk and Improvement Committee notes the information concerning incidents where there is a realised or potential loss of funds and/or reputation.

2 That Council approves the revised Investment Policy CS 08 as attached per the Committee's recommendation.

OPTIONS:

Nil as for information.

DISCUSSION:

As per the summary.

ITEM 10.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 10 JULY 2024

CONSULTATION:

ARIC members.

SUSTAINABILITY ASSESSMENT:

Not Applicable.

Risk Analysis

Implementation of the internal and external audit recommendations as identified within the report will substantially reduce Council's risk profile.

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Items listed in external and internal audit findings.	Moderate	High	ARIC to monitor appropriate action taken in agreed timeframes to address the risks.	Moderate

Delivery Program Action

CC4 - Maintain an effective governance regime

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

The cost of internal and external audits has been budgeted for in 2024/25.

Working funds – justification for urgency and cumulative impact

As above.



Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

No change from current levels.

ATTACHMENTS:

- 1  34765/2024 - Minutes from 10 July 2024 Audit Risk and Improvement Committee meeting.
- 2  40493/2022 - Revised Investment Policy

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.2 SF42 150824 OLG COMPLAINT STATISTICS

AUTHOR/ENQUIRIES: Matthew Sykes, Director Corporate Services

SUMMARY:

Council has received correspondence from the Office of Local Government (OLG) regarding the number of complaints it has received from the community about NSW local councils for the 2021/22 and 2022/23 financial years.

The number of complaints about Nambucca Valley Council and its neighbours are shown in the Discussion section.

RECOMMENDATION:

That Council notes the Office of Local Government report on 2021/22 and 2022/23 Complaint Statistics.

OPTIONS:

The report is for information only.

DISCUSSION:

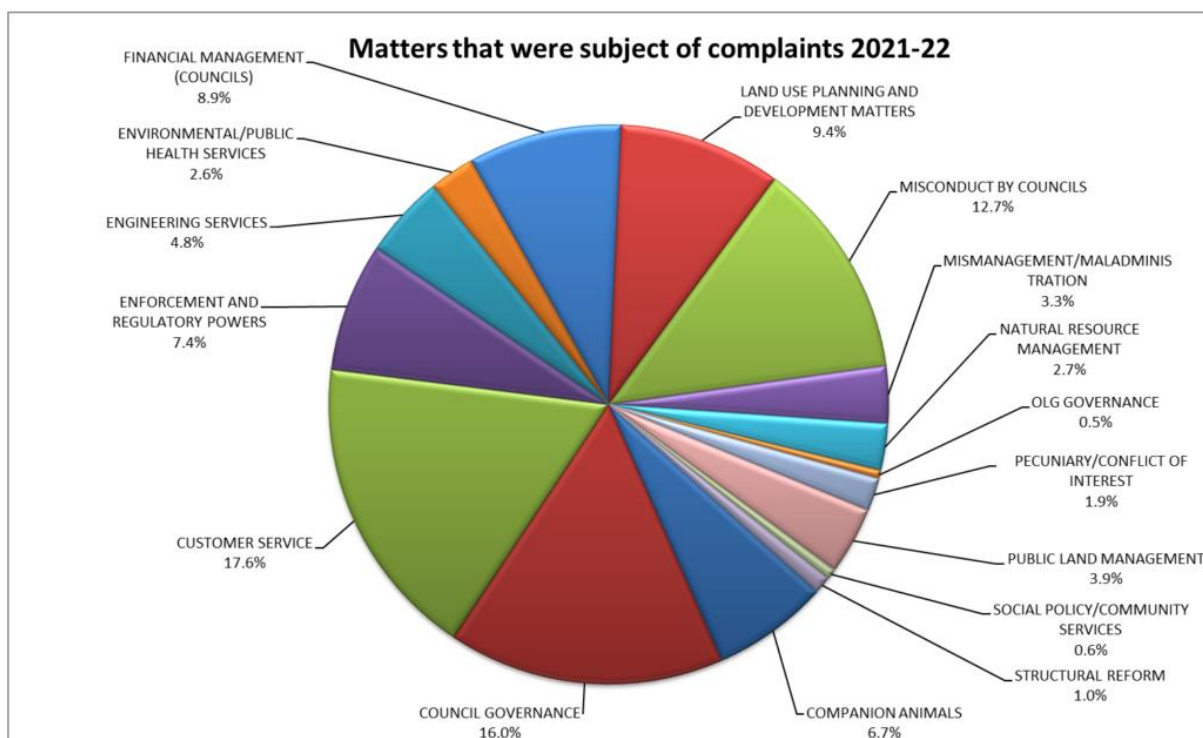
The complaints statistics for the years 2021/22 and 2022/23 were made available on the OLG’s website on 25 July 2024. The website locations for each financial year’s statistics are:

[Complaint Statistics – 2021-22 - Office of Local Government NSW](#)

[Complaint Statistics – 2022-23 - Office of Local Government NSW](#)

The OLG received 1,396 complaints in 2021/22, compared to 1,543 in 2020/21. These complaints were spread over 126 councils.

Per the OLG website the 2021/22 complaints by type are as below:



ITEM 10.2 OLG COMPLAINT STATISTICS

Number of 2021/22 complaints for Nambucca Valley and surrounding councils are:

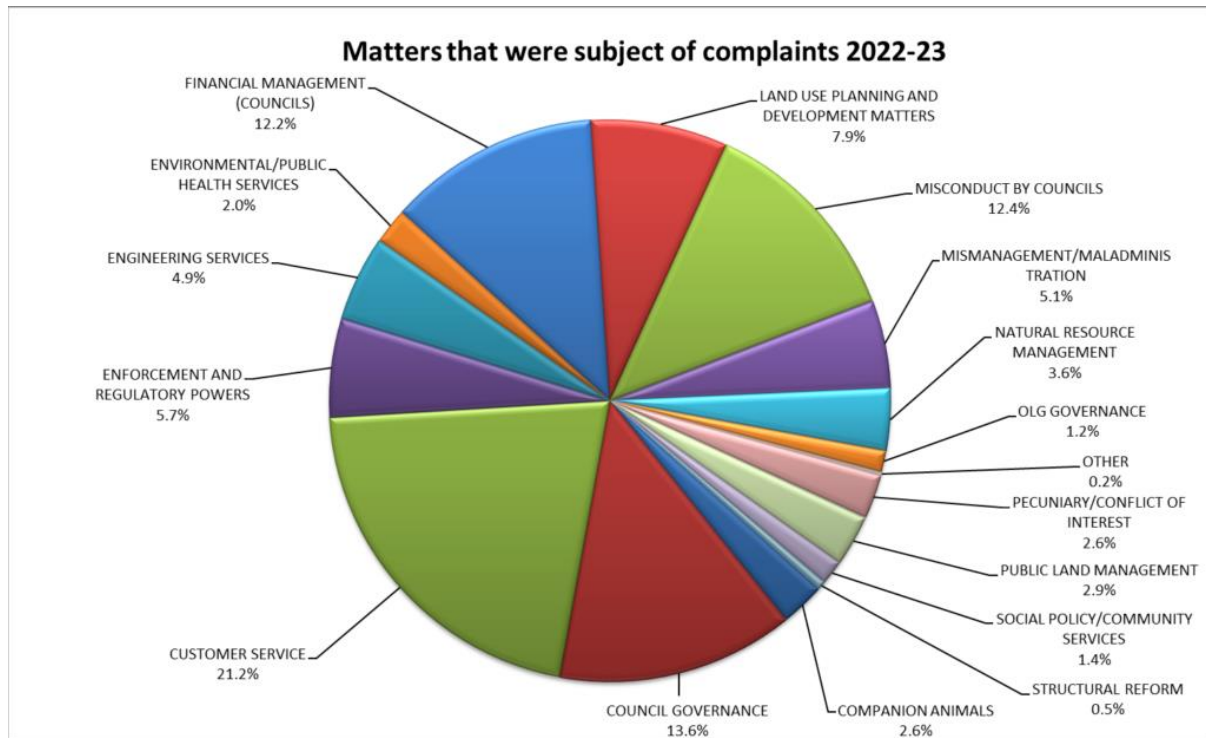
COUNCIL	Number of 2021/22 Complaints
Nambucca Valley	4
Bellingen Shire	3
City of Coffs Harbour	21
Clarence Valley	20
Kempsey Shire	9
Port Macquarie Hastings	13
Mid-Coast	43

Under the key words by category on the OLG website excel spread sheet Nambucca Valley Council 2021/22 complaints were associated with:

- Council Governance
- Customer Service
- Enforcement and Regulatory Powers
- Engineering Services
- Financial Management, and
- Public Land Management.

The OLG received 1,143 complaints in 2022/23, compared to 1,396 in 2021/22. These complaints were spread over 117 councils.

Per the OLG website the 2022/23 complaints by type are as below:



ITEM 10.2 OLG COMPLAINT STATISTICS

Number of 2022/23 complaints for Nambucca Valley and surrounding councils are:

COUNCIL	Number of 2022/23 Complaints
Nambucca Valley	5
Bellingen Shire	3
City of Coffs Harbour	5
Clarence Valley	9
Kempsey Shire	9
Port Macquarie Hastings	13
Mid-Coast	18

Under the key words by category on the OLG website excel spreadsheet Nambucca Valley Council 2022/23 complaints were associated with:

- Customer Service
- Financial Management
- Land Use Planning and Development Matters
- Misconduct by Councils, and
- Public Land Management.

CONSULTATION:

Nil.

SUSTAINABILITY ASSESSMENT:

Nil impact.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Reputational risk if valid complaints are not addressed efficiently and effectively.	M	H	Maintaining an effective complaints management process.	Moderate.

Delivery Program Action

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

FINANCIAL IMPLICATIONS:

Nil impact.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.3 SF296 150824 THE FUTURE OF NAMBUCCA HEADS VISITOR INFORMATION CENTRE AND TOURISM MARKETING

AUTHOR/ENQUIRIES: Michael Grieve, Manager Economic Development and Tourism

SUMMARY:

At the 28 March 2024 Council meeting Item 10.4 'Termination of Licence Agreement to operate Nambucca Heads Visitor Information Centre and tourism marketing' was presented to Council. The report advised Council the Nambucca Valley Tourism Association (NVTa) had chosen to terminate their licence agreement to manage the Nambucca Visitor Information Centre (VIC) and provide tourism marketing.

The Council resolution to that report was that Council receive a further report exploring:

- option 2 from 28 March 2024 Council report which was the Expression of Interest (EOI) process for a licence agreement
- option 3 of the 28 March 2024 Council report which was to sell the VIC building, decentralise the visitor information service by adding visitor information kiosks at strategic points across the Local Government Area (LGA), and
- the proposal from the Valley Hub.

At the 11 July 2024 Council meeting for Item 9.1 'Outstanding Actions and Reports' the Council resolution was that Council do not consider the EOI's for the VIC until the tourism reports are finalised.

This report addresses the Council resolutions from both of the abovementioned Council meetings.

RECOMMENDATION:

That Council:

- 1 Approves the operations of the Visitor Information Centre function being brought back into the operations of Council on the understanding that there will be no impact on the 2024/25 budget.**
- 2 Approves the operations of tourism marketing function being brought back into the operations of Council on the understanding that there will be no impact on the 2024/25 budget.**
- 3 Notes that to implement recommendations 1 and 2, Council will engage a part time Tourism Officer within the allocation of the 2024/25 budget.**

BACKGROUND:

At the 28 March 2024 Council meeting Item 10.4 'Termination of Licence Agreement to operate Nambucca Heads Visitor Information Centre and tourism marketing' was presented to Council. The report advised Council the NVTa had chosen to terminate their licence agreement to manage the VIC and provide tourism marketing.

Recommendation part 3 in that report was that as part of the draft 2024/25 budget process Council consider the permanent arrangement for tourism management and marketing in the LGA and for the operation of the VIC commencing 1 July 2024 being the employment of a Tourism Coordinator for 3 days per week, with the oversight of other tourism functions being undertaken by Council's Community Development Officer, at a cost for 2024/25 equivalent to that which would be paid had the licence with NVTa continued.

Option 2 of that report stated that instead of recommendation part 3 Council undertake an EOI process for a licence agreement to test the external market. Council would seek interest from businesses or individuals to manage the VIC and tourism marketing function. Should Council receive a suitable proposal, it would enter into a new licence agreement.

ITEM 10.3 THE FUTURE OF NAMBUCCA HEADS VISITOR INFORMATION CENTRE AND TOURISM MARKETING

Option 3 of that report stated that instead of recommendation part 3 Council could sell the VIC building, decentralise the visitor information service by adding visitor information kiosks at strategic points across the LGA. For example, Nambucca Heads Library and Council Administration Building in Macksville. At the 28 March 2024 Council meeting a representative from the Valley Hub spoke at the delegations section of the meeting on Item 10.4 regarding the ability of the Valley Hub to advertise and market the Nambucca Valley from a tourism perspective.

The Council resolution (resolution number 87/24 Hoban/Angel) to Item 10.4 was:
THAT Council:

1 *Note the termination of the current licence with Nambucca Valley Tourism Association for tourism marketing in the Nambucca Valley Council Local Government Area and for the operation of the Nambucca Valley Visitor Information Centre effective 2 April 2024.*

2 *Note the interim arrangements for tourism marketing in the Nambucca Valley Council Local Government Area and for the operation of the Nambucca Valley Visitor Information Centre. Those arrangements being retaining the employment of a casual Tourism Volunteer Coordinator for 3 hours per week by Nambucca Valley Council and the oversight of other tourism functions by Nambucca Valley Council's Community Development Officer. Both arrangements have nil impact on the 2023/24 budget as these costs are offset by not paying the 1 April 2024 to 30 June 2024 quarterly contribution to the licensee of \$17,250.*

3 *Council receive a further report exploring options 2 and 3 and the proposal from the Valley Hub.*

At the 11 July 2024 Council meeting for Item 9.1 'Outstanding Actions and Reports' the Council resolution (resolution number 220/24 Jenvey/Jones) was:

That Council do not consider the EOI's for the Visitor Information Centre until the tourism reports are finalised.

DISCUSSION:

This report provides information on three (3) options for the future management of the VIC and tourism marketing function for the Nambucca Valley visitor economy.

OPTION 1 - COUNCIL MANAGING THE OPERATIONS OF THE VIC AND TOURISM MARKETING.

In support of this option and the recommendation, Council prepared a comprehensive Tourism Report which is attached that covered opportunities and challenges relating to tourism. It also outlined why a VIC is fundamental to qualitative management of the local visitor economy. It detailed the advantages and rationale of Council managing both functions as opposed to contracting these functions to an external party. The Tourism Report was presented to a Councillor Workshop for consideration and discussion on 30 May 2024 and highlighted some key points to justify the retention of the VIC and tourism marketing. These include:

- Council is impartial in the way it represents operators in the visitor economy
- reduced operating costs and increased social outcomes through volunteer engagement
- stronger synergy with Council's strategic economic and tourism planning
- increased opportunity for Council to secure funding for the VIC and tourism marketing
- improved industry development and collaboration opportunities with other LGA's
- less Council resources required in managing external licensee(s)
- consistency in tourism branding, marketing and promotion
- greater control over the qualitative delivery of service
- increased opportunity to generate revenue through product development
- Council can apply a dedicated focus on VIC operations unlike most licensees
- improved management of visitor data and visitor input on Council services, and
- closer synergy with the VIC accreditation process and reporting.

ITEM 10.3 THE FUTURE OF NAMBUCCA HEADS VISITOR INFORMATION CENTRE AND TOURISM MARKETING

In addition to the Tourism Report prepared for Council, a second report is attached entitled, 'A National Perspective on Visitor Information Servicing'. This report presents research on the advantages of Councils operating accredited and qualitative information centres. For example, it highlights how VIC's, managed by local government work more successfully and collaboratively within the established tourism structure through communications, research and support from their regional tourism organisation (Destination North Coast (DNC)) and state tourism organisation (Destination NSW). As part of Council's research around the future management of information services and marketing, Council held a Tourism Stakeholder Workshop on 14 May 2024 which was attended by close to 40 operators from across the Valley along with representatives from DNC. The event was used to table the scope of Council's future Economic Development and Tourism Strategic Plan. It presented priorities and strategies in relation to tourism management and marketing which were largely endorsed by those attending. Included in this was visitor services. There was strong endorsement from those industry stakeholders attending to retain the current VIC. A number of stakeholders conveyed very positive feedback on the value the VIC served to local business and for volunteering.

OPTION 2 - THE EOI PROCESS

An EOI was advertised in the News of the Area newspaper and on Council's social media channels from the 28 June 2024 through to 19 July 2024. The advertisement and submission guidelines for the EOI are attached. The submission guidelines requested three options from proponents to express their interest. Option 1 was to manage the VIC only, Option 2 was to manage the VIC and tourism marketing, Option 3 was to manage tourism marketing only. Only one EOI response was received which was for Option 3 from the Valley Hub. This proposal did not represent a strong fit with the requirements of the submission guidelines and consequently did not represent value for money. For example, the submission guidelines requested a detailed marketing plan which was not included in the EOI response. At the very least, a marketing plan includes: identified target markets, a competitor analysis, a situation analysis, and a vision. A marketing plan should detail the key target markets, provide rationale around why they are being targeted and outline the promotional platforms best used to target that audience. This detail should be accompanied by costings dedicated to reach each target market. The EOI response outlined that a nominal budget of \$30,000 would be spent predominantly with marketing through the Valley Hub.

OPTION 3 - SALE OF VIC BUILDING AND DECENTRALISE THE VISITOR INFORMATION SERVICE.

The value of the VIC building has been estimated to be \$274,545 and the value of the land is estimated to be \$121,000 as at 31 December 2022. This could be increased subject to rezoning from public land. The proceeds from sale of these assets could be restricted in a financial reserve to fund infrastructure works in the LGA particularly works that would attract visitors to the LGA. Once sold, it is unlikely that the LGA would ever have another purpose-built VIC. This would disadvantage Nambucca Valley visitor economy in the face of other LGA's building new, state of the art VIC's and the increasing trend of visitors wanting to experience personal connections and qualitative customer service. For example, Mid Coast Council, Lachlan Shire Council and Orange City Council are three councils who have invested in new VIC's in NSW. The Tourism Group who manage VIC's accreditation, state that 90 out of 104 of their accredited VIC's are managed by their local Council. This statistic demonstrates that a very large majority of councils across NSW see the value in retaining VIC's for the benefit of their visitor economy. If Council resolved to sell the building and land, Council could install digital kiosks across the LGA. These could be located in sites like the Nambucca Valley Library and Council's Administration Building in Macksville. An estimate to install around four kiosks would be approximately \$50,000. With annual operating and support costs being around \$20,000 per year.

In conclusion, the recommendation for Council to retain the management of the VIC and tourism marketing function and for these options to be supported by a dedicated part time Tourism Officer and Manager Economic Development and Tourism, presents the best option for the Nambucca Valley visitor economy as this will ensure a focused, impartial and equitable spread of expenditure aimed at identified target markets, using a diverse set of promotional platforms and strategies. There is currently no interest from the external market to operate the VIC and although Council received one submission for the tourism marketing function, this was not deemed to be value for money. In recognising the value that the Valley Hub has in the community, Council could endeavour to support the Valley Hub through a percentage of its

ITEM 10.3 THE FUTURE OF NAMBUCCA HEADS VISITOR INFORMATION CENTRE AND TOURISM MARKETING

annual tourism marketing budget. For example, hosting specific pages of content for the tourism website, direct advertising with the Valley Hub and producing social media content for wider tourism promotion. The annual dedicated percentage of spend could be negotiated with the Valley Hub based on council’s current priorities. The option to sell the VIC building would seem to be at odds with research presented and trends around NSW to not only invest in VIC’s but to use them as a central point to welcome visitors, gather research, and promote product within the visitor economy in an equitable and impartial way.

CONSULTATION:

Councillor Workshop, Tourism Stakeholder Workshop – 40 participants, DNC, The Tourism Group

SUSTAINABILITY ASSESSMENT:

Environment

The Nambucca Valley’s natural environment is the primary drawcard for the visitors to the area. A professionally managed visitor economy has the potential to deliver positive benefits to the natural environment through: increased tourism receipts, creating awareness of vulnerable flora and fauna, attracting funding to develop visitor infrastructure which reduces impacts on the natural environment.

Social

Tourism has the potential to generate both negative and positive impacts on the social dynamic. A well-managed visitor economy, can reduce negative impacts through appropriate planning, investment and operations. Destinations which focus on market segments like sports tourism can ensure positive benefits by improvements to sports infrastructure and through attracting like-minded visitors. Similarly, encouraging development and investment in accessible tourism products and infrastructure not only improves opportunities for visitors but delivers benefits for the community.

Economic

The visitor economy includes sectors like: accommodation and food, retail, arts and recreation, tours, attractions, transport, and support services. Tourism also requires the support of secondary businesses like agriculture, fishing, information media, and telecommunications. Visitors coming to the area are exposed to the destination and this can translate to relocation and investment in the area.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Uncertainty of VIC operations may cause concern to tourism operators and visitors.	M	M	Keep industry and community informed. Maintain VIC operations.	Reputational Risk

Delivery Program Action

LW13 - Volunteers in the community are recognised and encouraged

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

The recommendation for Council to retain the VIC and manage tourism marketing is on the proviso it is within the current budget.

ITEM 10.3 THE FUTURE OF NAMBUCCA HEADS VISITOR INFORMATION CENTRE AND TOURISM MARKETING




Working funds – justification for urgency and impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

By retaining the management of the VIC and tourism marketing function, service levels will improve through a dedicated and more professional approach to marketing and managing the visitor economy. The recruitment, training and retention of volunteers will also improve. Engaging a Tourism Officer can ensure a stronger focus to operations of the VIC and tourism management and marketing across the destination.

ATTACHMENTS:

- 1  39809/2024 - Tourism Report 2024
- 2  39811/2024 - A National Perspective on Visitor Information Services
- 3  39816/2024 - Advertisement - EOI
- 4  39817/2024 - Expression of Interest - Submission Guidelines

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.4 SF3328 150824 2023/24 CARRY FORWARDS AND REVOTES

AUTHOR/ENQUIRIES: Kellie Byrne, Management Accountant; Evan Webb, Chief Financial Officer

SUMMARY:

This report discloses the 2023/24 carry forwards and revotes, providing where applicable their related funding sources.

RECOMMENDATION:

That Council:

- 1 That Council note the 2023/24 carry forward expenditure of \$25,396,031 to be added to the 2024/2025 budget**
- 2 That Council approve all 2023/24 revotes of \$296,000 to be added to the 2024/25 budget.**

OPTIONS:

- 1 Carry forwards - nil – for information only.
- 2 Revotes – approve or reject each requested item.

DISCUSSION:

Under Section 211(3) of the *Local Government (General) Regulation 2021* it is not a requirement to approve carry forwards through a Council resolution as the expenditure has already been authorised through the annual budget development process and quarterly budget review process.

Under Section 211(3) to qualify as a carry forward project the project must have had, activity started and/or been contracted to be carried out/provided by 30 June and have unspent funds available in the budget year concerned. Based on the legislation, any carry forward requests on projects without activity and or had not been contracted to be carried out or provided by 30 June 2024 are presented as revotes.

Carry Forwards

Total proposed expenditure carry forwards for 2023/24 are **\$25,396,031** (\$40,366,150 in 2022/23). This is made up of \$24,318,478 funded by grants, financial reserves and other contributions, and the remaining **\$1,077,553** (\$1,139,100 in 2022/23) is council funded. Of the \$25,396,031 carry forwards balance, \$17,601,481 is attributed to grant funded projects that are works in progress.

Carry forward projects that are \$250,000 or greater for 2023/24 are listed below.

General Fund

Project	Carry Forward
Valla Urban Growth Area*	1,000,000
Valla Rural Fire Station Building	716,172
Road Reconstruction – Scotts Head Road	1,456,655
Bowraville Theatre - Dressing Rooms & Disabled Access	666,875
Telecommunications Improvements - Small Cell Solutions	330,430
Newee Creek Rural Fire Building	1,238,981
Roads Rehabilitation – Boat Harbour Road	345,190
Roads Rehabilitation - O'Dells Road/ Wesley Avenue/ Main Street, Donnellyville	281,221
Valla Beach Footbridge Replacement	1,127,874

ITEM 10.4 2023/24 CARRY FORWARDS AND REVOTES

Project	Carry Forward
EJ Biffin Playing Fields - Improve Drainage	316,807
Bridge Capital Works - Tom Ryan's Bridge	410,084
Bridge Capital Works – Mitchell's Bridge	305,577
Bridge Capital Works - Bill Ryan's Bridge	362,254
Bridge Capital Works - Fox's Bridge	259,474
River Street Macksville - Replacement of public toilets, landscaping and amenities improvements	473,538
Heavy Patching - Congarinni North	363,300
Heavy Patching – Macksville	272,500
Heavy Patching and Resurfacing Works – various locations	1,520,000
Replacement of Damaged Roof on Macksville Memorial Aquatic and Fitness Centre	490,400
Nambucca Heads RSL Carpark access to boat ramp	356,000
Nambucca Valley Coastal Zone public access, upgrade and protection	671,378
Sauls Dairy twin cell culvert replacement - Boat Harbour Road	992,611
Retaining works to embankment Riverside Drive - Foreshore Close	400,000
Wirrimbi Road - landslide	262,069
Plant Purchases – 2 x Graders and a Green Space Truck	1,185,813

Sewer Fund

Project	Carry Forward
Valla Urban Growth Area*	500,000
Installation overflow storage tanks and smart monitoring equipment at 2 pump stations in Macksville	851,508

Water Fund

Project	Carry Forward
Valla Urban Growth Area*	500,000
Reservoir Improvements - Bellenger Street	337,897

Revotes

There is a total of \$296,000 in revotes and of that \$136,000 are funded by reserves and the remainder is council funded – reducing General Fund working funds. These projects have been listed below for consideration as a revote in the 2024/25 financial year budget.

Project	Revote
Asbestos registers and management plans – Council funded	75,000
Extension of current Stormwater Line - 33 Upper Warrell Creek Road - South Macksville – Council funded	85,000
Waste Depot – Generator Replacement	20,000
Macksville Pool – Asset Replacement/Repair	15,000
Sewerage – Scotts Head Pumping Station No. 7 – Upgrades	10,000
Sewerage – Macksville Pumping Stations No.2 – Upgrades	13,000
Water Main Works Nambucca – Riverside Drive at Beer Creek	35,000
Water Main replacement Nambucca – Swimming Creek	43,000

ITEM 10.4 2023/24 CARRY FORWARDS AND REVOTES

CONSULTATION:

Budget Managers

SUSTAINABILITY ASSESSMENT:

Not applicable.

FINANCIAL IMPLICATIONS:

As disclosed in the discussion section of this report.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.5 SF3504 150824 REQUEST FOR A SECTION 356 DONATION - ST JIMMY'S CHRISTMAS LUNCH COMMITTEE - 2024 CHRISTMAS DAY LUNCH IN THE BOWRAVILLE COMMUNITY.

AUTHOR/ENQUIRIES: Teresa Boorer, Grants and Contributions Officer

SUMMARY:

Council has received a request for a Section 356 donation to assist with the annual St Jimmy's Christmas Day Lunch, from the St Jimmy's Christmas Lunch Committee, to be held at the Anglican Church Hall in Bowraville in December 2024.

RECOMMENDATION:

That Council approves a Section 356 donation of \$500 to the St Jimmy's Christmas Lunch Committee to host the 2024 Christmas Day Lunch to be held in the Bowraville community.

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option - Council can resolve to donate a lesser amount than the requested capped donation amount of \$500 to assist with the event.

DISCUSSION:

Council has previously donated to the St Jimmy's Christmas Lunch Committee over the past 6 years, to assist the Committee to host this annual event.

The Committee submitted a request – received by Council on 26 July 2024 – requesting support in the form of a donation to again host this event for the community. The Christmas Day Lunch is important to the community and the volunteers hosting the event.

The donation application submitted is attached to this report.

CONSULTATION:

Mayor
Director Corporate Services
Chief Financial Officer

SUSTAINABILITY ASSESSMENT:

Environment

There is no impact on the environment

Social

Council's donation will assist the community in bringing those less fortunate, and without family, together for a Christmas lunch this year.

St Jimmy's Christmas Day Lunch is a well-supported and highly regarded event in the Bowraville community.

ITEM 10.5 REQUEST FOR A SECTION 356 DONATION - ST JIMMY'S CHRISTMAS LUNCH COMMITTEE - 2024 CHRISTMAS DAY LUNCH IN THE BOWRAVILLE COMMUNITY.

Risk Analysis

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

Delivery Program Action

LW12 - Promote social equity with equal opportunities for access and participation

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Council's 2024/2025 general donations budget on account number 3100.405.622 has now had four (4) donation requests approved, however the annual donations to schools and other organisations will be paid out during August/September 2024. The available current balance is now \$22,048.47. If a donation of \$500 is approved to St Jimmy's Christmas Lunch Committee, this will leave an available balance of \$21,548.47 until 30 June 2025.



The Donations Program for the 2024/2025 year will potentially open to general community applications early in 2025.

A copy of an extract from the current budget is attached to this report.

Service level changes and resourcing/staff implications

There is no impact on service level changes or resourcing/staff implications.

ATTACHMENTS:

- 1  38188/2024 - Request for Donation - St Jimmy's Christmas Lunch Bowraville
- 2  39050/2024 - Extract from Donations budget - 2024-2025 year - Council meeting 15-08-2024

DEVELOPMENT AND ENVIRONMENTS

ITEM 11.1 SF3410 150824 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 7 August 2024, and development applications determined from 13 July to 7 August 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 Lumdens Lane, North Macksville
Two submissions have been received. Public exhibition period closed.			
STATUS: The RFS refused General Terms of Approval (GTA). The applicant made amendments to the DA to address the RFS concerns. RFS have issued GTA however they contain an error which provides onerous construction requirements on applicant. RFS have been requested to amend the GTA. Awaiting amended GTA from the RFS.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2012/069	18 April 2024	Extend operating hours at precast facility	2 Centra Park Street, Macksville – Lot 16 DP 1140719
Fifteen submissions received. Public exhibition period closed on 10 June 2024.			
STATUS: Updated noise impact assessment has been received and is being assessed.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS

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

2018/115	30 April 2024	Modification to subdivision	80 Red Ash Road, Valla – Lot 2 DP 1173066
One submission received. Public exhibition period closed.			
STATUS: Ready for determination. Refer to separate report.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/090	31 May 2024	20 Townhouses	12 & 14 Creek Street, Nambucca Heads - Lots 12 & 13 Sec 3 DP 758749
Eleven submissions received. Application re-exhibited until 12 August 2024 as a result of amended proposal.			
STATUS: Awaiting response from the RFS. View impact assessment and shadow diagrams received. Assessment to be finalised at the end of exhibition period.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/122	1 July 2024	10 Lot Subdivision	Albert Drive, Warrell Creek - Lot 18 DP 884316
Three submissions received. Exhibition period closed.			
STATUS: Awaiting RFS referral response. Once received the assessment will be finalised by an external Town Planner.			

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 13 July to 7 August 2024 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation.

CONSULTATION:

Nil

SUSTAINABILITY ASSESSMENT:

Environment

To be undertaken in assessment of individual development applications.

Social

To be undertaken in assessment of individual development applications.

Economic

To be undertaken in assessment of individual development applications.

Risk Analysis

None identified.

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current budgets

Nil.

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

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 11.2 DA2018/115 150824 DETERMINATION OF APPLICATION TO MODIFY INDUSTRIAL SUBDIVISION

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

Summary:

Council owns land in the Valla Urban Growth Area at 80 Red Ash Road, Valla. In 2018 development consent was granted by the Northern Regional Planning Panel to the subdivision of the land into 6 lots to facilitate the release of industrial land fronting Red Ash Road.

In 2023 it was recognised that the development consent had been physically commenced due to the completion of works required by the consent to inform a subdivision works certificate application.

A modification application has been submitted seeking approval to increase the number of proposed lots to 16 and reduce the footprint of the proposed earthworks. Plans of the proposed modified lot layout and supplementary documentation are included within **attachments 2- 7**.

Due to Council owning the land the application has been assessed by Bellingen Shire Council to minimise potential conflicts of interest. The assessment report prepared by Bellingen Shire Council and recommended conditions of consent is contained within **attachment 1**.

One submission was received during the exhibition period and has been included within **attachment 8**.

The application is not required to be determined by the Northern Regional Planning Panel because it is an application to modify the development consent under section 4.55(1A) of the environmental Planning and Assessment Act 1979.

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 as the consent authority, pursuant Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, modify development consent DA2018/115 for a sixteen lot subdivision of Lot 2 DP 1173066 – 80 Red Ash Road, Valla, subject to the schedule of conditions outlined in attachment 1 of this report.

OPTIONS:

- 1 Modify the consent, either as recommended or with amended conditions.
- 2 Refuse consent to the development application.

DISCUSSION:

Council owns land in the Valla Urban Growth Area at 80 Red Ash Road, Valla - Lot 2 DP 1173066. In 2018 development consent was granted by the Northern Regional Planning Panel to the subdivision of the land into 6 lots to facilitate the release of industrial land fronting Red Ash Road.

In 2023 it was recognised that the development consent had been physically commenced due to the completion of works required by the consent to inform a subdivision works certificate application.

ITEM 11.2 DETERMINATION OF APPLICATION TO MODIFY INDUSTRIAL SUBDIVISION

A modification application has been prepared and submitted by Council staff seeking approval to increase the number of proposed lots to 16 and to reduce the footprint of the proposed earthworks. The intent of the amendments is to minimise the scope of works to reduce costs and lot sizes which are attractive in the current market. Plans of the proposed modified lot layout and supplementary documentation are included within **attachments 2- 7**.

Due to Council owning the land the application has been assessed by Bellingen Shire Council to minimise potential conflicts of interest. The modification application assessment report prepared by Bellingen Shire Council and recommended conditions of consent is contained within **attachment 1**.

In accordance with section 275 of the Environmental Planning and Assessment Regulation 2021, the determination of a modification application is a function exercisable by Council on behalf of the Northern Regional Planning Panel. The only exception to this is if the application is a modification under section 4.55(2) of the Environmental Planning and Assessment Act 1979 (the act). The external assessment officer has assessed the proposal under s4.55(1A) of the act. As such, the application is not to be determined by the Northern Regional Planning Panel.

One submission was received during the exhibition period and has been included within **attachment 8**.

CONSULTATION:

Bellingen Shire Council
Community Consultation

SUSTAINABILITY ASSESSMENT:

Environment

Considered in modification assessment report.

Social

Considered in modification assessment report.

Economic

Considered in modification assessment report.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Appeal by third party	L	L	Determine in accordance with legislation	L

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

ITEM 11.2 DETERMINATION OF APPLICATION TO MODIFY INDUSTRIAL SUBDIVISION

Nil.

ATTACHMENTS:

- 1  39672/2024 - Modification Assessment Report and Conditions
- 2  18316/2024 - Description of Proposed Modifications
- 3  33862/2018 - Original Statement of Environmental Effects
- 4  34202/2024 - Supplementary Statement of Environmental Effects
- 5  18314/2024 - Proposed Modification Plans
- 6  39280/2018 - Original Approved Plans
- 7  39371/2018 - Original Development Consent
- 8  40135/2024 - Submission

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.3 SF3508 150824 DRAFT DEVELOPMENT CONTROLS FOR HORTICULTURE

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

Summary:

A planning proposal has been prepared to amend the Nambucca Local Environmental Plan 2010 (LEP) so that development consent is required for horticulture in the rural zones. To enable industry and the wider community obtain an understanding of the expected impact of the proposed LEP amendment, it is intended to exhibit draft development controls for horticulture developments during the exhibition of the planning proposal.

The draft development controls are contained within **attachment 1** and will eventually be incorporated into the Nambucca Development Control Plan 2010 (DCP). At this point in time the draft DCP controls are only for guidance and comment during the exhibition of the planning proposal. Following the conclusion of the planning proposal exhibition period Council can give further consideration to the controls prior to going on formal exhibition as part of an amendment to the DCP.

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 exhibit the draft DCP development controls contained within attachment 1 with the planning proposal relating to horticulture within the rural zones.

OPTIONS:

- 1 Make amendments to the draft DCP controls.
- 2 Proposed recommendation
- 3 Not exhibit draft DCP controls. Note that the planning proposal given gateway determination by the Minister provides for the exhibition of draft DCP controls during the public exhibition of the planning proposal.

DISCUSSION:

A planning proposal has been prepared to amend the Nambucca Local Environmental Plan 2010 (LEP) so that development consent is required for horticulture in the rural zones. To satisfy concerns raised by the Minister and the NSW Department of Primary Industries, the planning proposal includes a commitment that draft development controls to be incorporated into the Nambucca Development Control Plan 2010 (DCP) will be publicly exhibited with the planning proposal. The planning proposal states that the draft development controls will be primarily focused on water pollution, land use conflict buffers, and visual amenity.

The intent of the draft development controls is to enable industry and the wider community obtain an understanding of the expected requirements for a horticulture development prior to obtaining development consent should the LEP amendment proceed. The draft development controls are contained within **attachment 1**. The controls relating to land use buffers are a combination of existing buffer distances within the DCP and those within the ‘Living and Working in Rural Areas’ handbook prepared by the NSW Department of Primary Industries in 2007. The ‘Living and Working in Rural Areas’ handbook has been included within **attachment 2** for information.

ITEM 11.3 DRAFT DEVELOPMENT CONTROLS FOR HORTICULTURE

At this point in time the draft controls are only for guidance and public comment during the exhibition of the planning proposal. Following the conclusion of the planning proposal exhibition period Council can give further consideration to the development controls prior to going on formal public exhibition as part of an amendment to the DCP.

The below is a summary of the process for the horticulture LEP and DCP amendments to be made after the consideration of this report:

Step	Expected Date
LEP amendment placed on public exhibition.	September
Council consider submissions made and make decision if the LEP amendment should occur.	October
Refer to Planning Minister to make the amendment to the LEP.	October
Council review the draft DCP controls after exhibition with LEP amendment and place on public exhibition.	October
Planning Minister makes decision on LEP amendment.	November
Council consider submissions to DCP amendment and make decision to adopt amended DCP.	November

CONSULTATION:

Nil.

SUSTAINABILITY ASSESSMENT:

Environment

It is not considered that placing the draft development controls on exhibition will result in any environmental impacts.

Social

It is not considered that placing the draft development controls on exhibition will result in any social impacts.

Economic

It is not considered that placing the draft development controls on exhibition will result in any 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



ITEM 11.3 DRAFT DEVELOPMENT CONTROLS FOR HORTICULTURE

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

- 1  39870/2024 - Draft DCP Controls
- 2  39872/2024 - Living and Working in Rural Areas Handbook

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.4 SF1148 150824 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR JUNE 2024

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

SUMMARY:

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

RECOMMENDATION:

That Council:

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

JUNE 2024	Cats	Dogs
COUNCIL'S SEIZURE ACTIVITY		
<i>Seized (doesn't include those animals dumped or surrendered)</i>	0	0
<i>Returned to Owner</i>	0	0
<i>Transferred to - Council's Facility from Seizure Activities</i>	0	0
ANIMALS IN AND ARRIVING AT COUNCIL'S FACILITY		
<i>Animals In Council's Facility - (Start of Month)</i>	5	6
<i>Abandoned or Stray</i>	3	5
<i>Surrendered</i>	0	0
<i>Animals transferred from Seizure Activities</i>	0	0
<i>Total Incoming Animals</i>	8	11
ANIMALS LEAVING COUNCIL'S FACILITY		
<i>Released to Owners</i>	0	1
<i>Sold</i>	1	2
<i>Released to Organisations for Rehoming</i>	4	2
<i>Died at Council's Facility (other than euthanised)</i>	0	0
<i>Stolen from Council's Facility</i>	0	0
<i>Escaped from Council's Facility</i>	0	0
<i>Other</i>	0	0
EUTHANISED		
<i>Restricted Dogs</i>	0	0
<i>Dangerous Dogs</i>	0	0
<i>Owner's Request</i>	0	0
<i>Due to Illness, Disease or Injury</i>	0	0
<i>Feral/infant animal</i>	0	0
<i>Unsuitable for rehoming</i>	0	0
<i>Unable to be rehomed</i>	0	0
<i>Total Euthanised</i>	0	0
<i>Total Outgoing Animals</i>	5	5
TOTAL IN COUNCIL'S FACILITY - (END OF MONTH)	3	6

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

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

ATTACHMENTS:

- 1  37656/2024 - Ranger Report - Penalties Issued - June 2024

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.1 SF90 150824 MINUTES OF THE NAMBUCCA VALLEY TRAFFIC COMMITTEE MEETING - 6 AUGUST 2024

AUTHOR/ENQUIRIES: Keith Williams, Manager Technical Services

SUMMARY:

The agenda and minutes of the Nambucca Traffic Committee meeting held on 6 August 2024 are **attached** for Council's information and adoption.

All voting members included in their response whether they:

- a) Support the recommendation
- b) Oppose the recommendation
- c) Require additional information or time before they can declare support or otherwise.

RECOMMENDATION:

That Council:

- 1 Endorses the Drag-Ens Hot Rod Club Temporary Road Closure application of Bowra Street and Mann Street, Nambucca Heads, from the Ridge Street Intersection to West Street Intersection between 8.00am to 1.00pm on Saturday 5 October 2024, noting the following being received by Council:**
 - **Certificate of Currency for Public Liability Insurance;**
 - **Traffic Management Plan confirming Accredited Traffic Controllers will be on site; and**
 - **Police approval for the road closures.**
- 2 Approves signs and devices necessary to affect the road closure.**
- 3 Notes, the endorsement is based on the additional requirement of the Drag-Ens Hot Rod club to mitigate the risk of both pedestrian and vehicle movement on Mann Street for access 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, and**
 - 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.**
- 4 Install a 30m bus zone at the eastern end of Adin Street Scotts Head, weekdays only.**
- 5 Replace the 30m bus zone with 1-hour time restricted parking weekends.**

OPTIONS:

- 1 Do nothing/business as usual**
- 2 Seek clarification or refer matters back to the Traffic Committee.**

ITEM 12.1 MINUTES OF THE NAMBUCCA VALLEY TRAFFIC COMMITTEE MEETING - 6 AUGUST 2024

DISCUSSION:

The TfNSW is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. Traffic is controlled by the installation of prescribed traffic control devices, such as regulatory signs, or traffic control facilities, such as medians.

The Local Traffic Committee (LTC) has no decision making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to TfNSW or relevant organisation.

Council is not bound by the advice given by its LTC. However, if Council does wish to act contrary to unanimous advice of the LTC or when the advice is not unanimous, it must notify TfNSW and the NSW Police and wait 14 days before proceeding.

The Nambucca Traffic Committee meets every two months, generally on the first Tuesday of that month.

CONSULTATION:

Local Traffic Committee
Busways.

SUSTAINABILITY ASSESSMENT:**Environment**

No Impact.

Social

Adoption of recommendations 1 to 3 will bring an increased variety of visitors to the valley.
Adoption of recommendation 2 will provide a safer environment for bus passengers and bus drivers.

Economic

Adoption of recommendations 1 to 3 will boost the local economy with an increased variety of visitors to the valley.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Impact to Emergency vehicle Access	M	H	Maintain 2.5 clear path through closure and advise emergency services	L
Vehicular collision with a passenger	L	H	Install bus zone to secure kerbside parking	L

ITEM 12.1 MINUTES OF THE NAMBUCCA VALLEY TRAFFIC COMMITTEE MEETING - 6 AUGUST 2024

Delivery Program Action

CC1 - Using a variety of tools, engage with the community in ways that are accessible and transparent

LW12 - Promote social equity with equal opportunities for access and participation

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

\$400 for bus zone signage.

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

N/A

Service level changes and resourcing/staff implications

3 hours, time to source and install signs and posts.

ATTACHMENTS:

1  39159/2024 - Minutes - Nambucca Valley Traffic Committee - 6 August 2024

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.2 T006/2023 150824 NAMBUCCA SPORTING FIELDS SUBSOIL DRAINAGE PROGRAM EXPENDITURE UPDATE

AUTHOR/ENQUIRIES: Keegan Noble, Environmental Project Officer

SUMMARY:

The Nambucca Valley Sporting fields subsoil drainage program is a state government grant aimed at increasing youth sports groups ability to utilise fields during prolonged wet climate cycles.

The project was originally conceived to undertake the bare minimum works to meet the available budget which was to install drain at the sports fields however with the addition of Local Roads and Community Infrastructure Program money the project was able to be improved and provide a better outcome for the community.

This report requests Council to allocate an additional \$40,000 for this program to see planned works be completed at a high standard.

By committing the extra funding to the program Nambucca Valley Council can do the works once and do the works right.

RECOMMENDATION:

That Council allocates an additional \$40,000 to the Nambucca Valley Sporting Fields Subsoil Drainage Program funded from the Green Space Shed Replacement project.

OPTIONS:

- 1 Do nothing/business as usual
Not allocating extra funds to the project as a contingency will run the risk of the project being over budget without prior explanation to Council of why.
- 2 Proposed recommendation
By allocating the \$40,000 to the project it allows Council to work with the contractor to develop the best possible outcome for the entire program, will give some contingency for the works whilst being transparent in the financial implications.
- 3 Alternative option
None.

BACKGROUND:

The Nambucca Valley sporting fields sub soil drainage installation program encompasses:

- Willis Street Oval
- Allan Gillet Oval
- E.J. Biffin Sporting fields and
- Hennessy Tape Oval (seniors field only)

The project was initially fully funded by the NSW Governments Community Local Infrastructure Recovery Package (CLIRP) funding to the amount of \$613,000.

A sports field drainage design contractor, Living Turf were engaged to create subsoil drainage designs for the 5 fields within budget constraints which were then advertised for tender in T006/2023.

All responding tenders received for the works were over budget.

ITEM 12.2 NAMBUCCA SPORTING FIELDS SUBSOIL DRAINAGE PROGRAM EXPENDITURE UPDATE

A report was tabled at an Ordinary Council Meeting on 18/04/2024 where Council resolved to seek additional funds from future grants to complete the works and authorised the General Manager to execute the contract.

An additional \$250,000 was identified and has been approved from the Local Roads and Community Infrastructure Program Phase 4 (LRCI) to complete the drainage works and reshape the junior AFL field at E.J. Biffin Oval to provide some natural drainage on the field.

This brought the current total budget after expenditures on survey and designs to \$827,311.

The extra LRCI funding allowed the contract to be awarded to the preferred tender from the tender process being, Turf Drain Australia Pty Ltd for the price of \$692,877 to install the designed subsoil drainage infrastructure in all the sporting fields.

This left a total of \$134,434 remaining for the reshaping and rehabilitation of E.J. Biffin Junior AFL Field and any variations to drainage works.

Already a variation from Turf Drain Australia for \$11,500 has been negotiated and accepted to increase the length of drainage lines at Willis street oval to include outer field areas as well due to their use during large Touch Football events which was not identified by Council in the tender process.

Due to the variable levels at the AFL Junior field, a variation has been negotiated to the value of \$97,820 excl GST for the reshaping of the Junior AFL Field by laser grading and spreading of material with specialised equipment and changes to the drainage design to accommodate new field shape and condition. Approximately 350m³ of sand will be mixed with the soil to enable the reshaping at a cost of \$20,000.

A quote to the value of \$8,975 excl GST has been received to create a swale drain and install a 1m x 1m pit plus 30m of piping to connect the swale to existing storm water infrastructure at the north eastern corner of the field.

Transportation of clean fill by Nambucca Valley Council trucks from the Macksville Depot to E.J. Biffin for spreading and grading is estimated at \$5,000.

DISCUSSION:

The junior AFL ground at E.J. Biffin sporting fields has no natural fall, and water pools on the grounds for many weeks after small rainfall events. Reshaping the fields to provide natural fall before the installation of subsoil drainage infrastructure will ensure that the drainage works will be effective, efficient and not become defunct when future field levelling or rehabilitation works are undertaken to address the pooling water.

Installing a swale drain at the north eastern end of the field will amend runoff water from the Nambucca Medical Centre and Fred Brain close from entering the junior AFL Field.

The drainage works as a whole will benefit the community and youth sporting groups in the Nambucca Valley for many years to come. They are designed to reduce the impact of prolonged wet weather on sporting games through decreasing the time fields stay closed due to the grounds being too wet. This will benefit local sporting groups in the valley by increasing the ability to play games and utilise the fields after wet weather events.

In such a large project it is essential to have some contingency funds for variations and expenses and also to give the ability to implement the works to a high standard.

An assessment has been made for an additional \$40,000 to be allocated to the project from work order 4139 Green Space shed replacement. There was a budget of \$75,000 set aside as a contingency if the insurance funds were not enough to cover the replacement. The shed has been replaced and these funds

ITEM 12.2 NAMBUCCA SPORTING FIELDS SUBSOIL DRAINAGE PROGRAM EXPENDITURE UPDATE

are no longer required. This fund has been identified as the best source of funding for the purpose of a contingency. If the funds are not spent they can be reallocated to the source budget.

CONSULTATION:

Chief Financial Officer
Director Engineering Services

SUSTAINABILITY ASSESSMENT:

Social

Fields will be able to remain open longer during wet periods and therefore provide structured and unstructured recreation and sporting events for the residents of the Nambucca Valley and in particular youth participants.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Fields continue being closed on a regular basis	H	M	Contract management	M
Works not completed now, will result in future reshaping works will make the current drainage obsolete	M	H	Undertake works now at minimal costs	L

Delivery Program Action

LW6 - Maintain Sporting Facilities

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

This will not impact the budget as the funds are being reallocated from another source that was budgeted and no longer required.

The additional works should they be postponed and undertaken in the future then the existing works would no longer function and need to be reinstalled.

Working funds – justification for urgency and cumulative impact

The subsoil drainage works have already started in the valley.

Impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

This allocation of funds will provide a greater level of service to the community through increased access to sporting facilities.

ATTACHMENTS:

There are no attachments for this report.