



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 23 JANUARY 2025

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/addressscouncil> 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/addressscouncil> 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 - 23 JANUARY 2025

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.

The Mayor and Councillors are being video recorded for internal training purposes.

AGENDA

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12.2 Minutes of the National Celebration Day Advisory Committee Meeting 9 January 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) (a) of the Local Government Act, 1993, on the grounds that the report contains personnel matters concerning particular individuals.

12.3 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.

12.4 General Manager's Annual 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.

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

13 MEETING CLOSED TO THE PUBLIC

14 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).

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

The following document is the minutes of the Ordinary Council meeting held **19 DECEMBER 2024**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday **23 January 2025** and therefore subject to change. Please refer to the minutes of **23 January 2025** for confirmation.

PRESENT

Cr Gary Lee (Mayor)
Cr Susan Jenvey
Cr Tamara McWilliam
Cr Jane Smith

Cr James Angel
Cr David Jones
Cr Ljubov Simson

ALSO PRESENT

Bede Spannagle (General Manager)
David Moloney (Director Engineering Services)
Kellie Byrne (Acting Chief Financial Officer)

Matthew Sykes (Director Corporate Services)
Daniel Walsh (Manager Development Environment)
Rochelle McMurray (Minute Secretary)

APOLOGIES

Apologies (leave granted)

Cr Troy Vance

Evan Webb (Chief Financial Officer)

Apologies

Cr Martin Ballangarry OAM

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

Minister Peter Allen from the Nambucca Baptist Church offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Councillor Susan Jenvey declared a non-pecuniary - less significant conflict of interest in Part 2 of Item 11.1 – Referral of Planning Proposal to Minister of Planning under the Local Government Act as Cr Jenvey explains rezoning will maintain my northerly view. Cr Jenvey chose to remain in the Chamber and participate in discussion and voting.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 28 NOVEMBER 2024

402/24 **RESOLVED:** (Simson/McWilliam)

That the minutes of the Ordinary Council Meeting of 28 November 2024 be confirmed.

NOTICE OF MOTION - CR JENVEY

ITEM 5.1 SF3422 191224 Notice of Motion - Request for Signage for Thompson Street Carpark and Extensions to Ranger Patrols - South Valla Beach

403/24 **RESOLVED:** (Jenvey/Smith)

That Council:

- 1 Erects a stand-alone No Dogs On the Beach Sign for the Thompson St Carpark, South Valla. This is the same sign as the one at Shelley Beach, Nambucca Heads.
 - 2 Requests National Parks and Wildlife Service put on a Share The Shore program to disseminate and educate the community on the plight of the regions incredible shore birds and reiterate information on places to walk your dog on leash and off-leash.
-

NOTICE OF MOTION - CR JENVEY

ITEM 5.2 SF3422 191224 Notice of Motion - Valla Urban Growth Area Cultural Heritage

404/24 **RESOLVED:** (Jenvey/Jones)

That Council:

- 1 Consults with the Nambucca Heads Indigenous Community as part of all future development applications for the subdivision of land within the Valla Urban Growth Area (VUGA).
 - 2 Prepares an interpretation plan as recommended in the Aboriginal & European Cultural Heritage Assessment, prepared by Mary Dallas Consulting Archaeologists, dated August 2010 prior to the registration of any lots or approval of road names within VUGA.
-

DELEGATIONS

405/24 **RESOLVED:** (Jones/Jenvey)

That Item 12.1 be brought forward.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

Item 12.1 - Desktop Feasibility Assessment of a Safe Bike/Pedestrian Connection Between Scotts Head and Macksville

That the following delegation be heard:

i Mr Raymond Fowke – against recommendation.

DELEGATION

i Mr Raymond Fowke addressed Council with notes placed on 67373/2024 SF 3424.

ITEM 12.1 SF102 191224 Desktop Feasibility Assessment of a Safe Bike/Pedestrian Connection Between Scotts Head and Macksville

406/24 **RESOLVED:** (Jones/Jenvey)

That Council defer and report back on two different options with the intent to minimise the cost of the project.

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

GENERAL MANAGER REPORTS

ITEM 9.1 SF959 191224 Outstanding Actions and Reports

407/24 **RESOLVED:** (Angel/Simson)

That Council notes the list of outstanding actions and reports.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

ITEM 9.2 SF2524 191224 Investigation of lease of part Lot 2 DP866932 part of Crown Reserve 85113 (Nelson Street Carpark)

408/24 **RESOLVED:** (Jenvey/Angel)

That Council notes the contents of this report regarding part Lot 2 DP866932, being part of Crown Reserve 85113.

GENERAL MANAGER REPORTS - LATE

ITEM 9.3 SF3145 191224 Minutes of the National Celebration Day Advisory Committee meetings - 21 November 2024 and 16 December 2024

409/24 **RESOLVED:** (McWilliam/Angel)

That Council:

- 1 Notes the minutes of the National Celebration Day Advisory Committee 21 November 2024 meeting and 16 December 2024 meeting.
 - 2 Per Item 4.2 from the minutes of the National Celebration Day Advisory Committee 21 November 2024 meeting, approves:
 - a) The National Celebration Day Awards Ceremony being held on 25 January 2025 commencing at 4PM at the Nambucca Heads RSL Club.
 - b) That the 2025 Awards ceremony program has included an additional one-page advert with a QR code to be created by staff for 2026 nominations.
 - c) The Citizenship conferees be presented with their new citizen gift and information bag at the Citizenship Ceremony and are invited to participate in the cutting of the cake at the end of the Awards Ceremony.
 - d) A suitable vocalist to lead the singing of the National Anthem be invited to the event by representatives of the Committee.
 - e) Council staff place a link for National Celebration Day on the front page of the website, social media, Antenno and forwards the link to the Valley Hub.
 - f) The amended National Celebration Day Advisory Committee Terms of Reference be adopted per the changes listed in the minutes.
 - g) That the Section 355 Committees are advised that a 2025 Community Australia Day event is not being held and encourages the Committee's to hold an event if they can, and to advise Council to assist with advertising.
 - h) An expression of interest to be advertised in March 2025 for the 2026 Community Australia Day event possible location.
 - i) That the name of the National Celebration Day committee is reviewed in February 2025 to encourage more participation.
 - 3 Per Item 4.3 from the minutes of the National Celebration Day Advisory Committee 16 December 2024 meeting, approves:
 - a) That Nambucca District Band is invited to play at the Awards Ceremony.
 - b) That Bede Spannagle be invited to be the Master of Ceremonies for the Awards Ceremony.
 - c) That the event is advertised in the Nambucca Valley News of The Area newspaper and on Council's social media and Antenno.
 - 4 Notes item 4.4 - *Nominations for National Celebration Day Awards* of the 16 December 2024 agenda is to be considered in closed meeting as award recipients are only to be publicly announced on the day of the awards.
-

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

DIRECTOR CORPORATE SERVICES REPORTS

ITEM 10.1 SF136 191224 Code of Conduct Complaints 2023/24

410/24 **RESOLVED:** (Angel/Smith)

That Council notes the information concerning the return on Code of Conduct complaints, being one complaint lodged but unfinalised for the year ended 31 August 2024.

ITEM 10.2 SF963 191224 Nominations to Council Section 355 Committees of Management

411/24 **RESOLVED:** (Smith/McWilliam)

That Council:

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

MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM 11.1 SF3507 191224 Referral of Planning Proposal to Minister of Planning

412/24 **RESOLVED:** (Simson/Jones)

That Council:

- 1 Confirms its intention for planning proposals PP-2024-970 and PP-2024-1344 to amend the Nambucca Local Environmental Plan 2010 to be referred to the Minister for Planning to be made in accordance with section 3.36(2) of the *Environmental Planning and Assessment Act 1979* when Council is not the local plan-making authority.**
- 2 Permit the Kookaburra Lane planning proposal (PP-2024-970) to be amended to include the rezoning as requested by the NSW Biodiversity Conservation and Science Group.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, McWilliam, Simson and Smith
	Total (7)
Against the Motion:	Nil
	Total (0)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

ITEM 11.2 SF1148 191224 Council's Rangers' Report and Penalties Issued for October 2024

413/24 **RESOLVED:** (Jones/Smith)

That Council notes the Rangers' impounding statistics and penalties issued for October 2024.

ITEM 11.3 SF3410 191224 2024 November - Approved Construction Certificates, Approved Complying Developments, Development Applications Received and Complying Developments Received

414/24 **RESOLVED:** (Angel/McWilliam)

That Council notes the Approved Construction Certificates, Approved Complying Developments, Development Applications Received and Complying Developments Received for November 2024.

DIRECTOR ENGINEERING SERVICES REPORTS

Item 12.1 was dealt with under Delegation

ITEM 12.2 SF2278 191224 Minutes of the Clean Energy Committee Meeting -19 November 2024

415/24 **RESOLVED:** (Simson/Jenvey)

That Council notes the Minutes of the Clean Energy Committee meeting held on 19 November 2024.

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

416/24 **RESOLVED:** (McWilliam/Simson)

- 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:

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420 191224 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 SF3420 191224 Water Leak Application - Water Account 11188785

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) (b) of the Local Government Act, 1993, on the grounds that the report contains a discussion in relation to the personal hardship of a resident or ratepayer.

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 191224 T007/2024 - Refurbishment of the V-Wall Amenity Block
Nambucca Heads

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.

For Confidential Business Paper in Closed Meeting

ITEM 13.4 SF3420 191224 RFT-2001729 Sewer Rehabilitation and Maintenance Program

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.

For Confidential Business Paper in Closed Meeting

ITEM 13.5 SF3112 191224 Agreement for Transfer of Land for the Purpose of Road
Realignment

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 (There are multiple property owners affected for these works, and this agreement has been negotiated in good faith specifically with this particular landowner and may differ from other such agreements.).

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

For Confidential Business Paper in Closed Meeting

ITEM 13.6 SF3145 191224 Confirmation of the Minutes - National Celebration Day Advisory Committee -16 December 2024

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.

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 6:38 PM.

RESUME IN OPEN MEETING

417/24 **RESOLVED:** (Smith/ Jones)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 7:08 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 191224 Matters Regarding Realised or Potential Losses

418/24 **RESOLVED:** (Angel/Jenvey)

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

For Confidential Business Paper in Closed Meeting

ITEM 13.2 SF3420 191224 Water Leak Application - Water Account 11188785

419/24 **RESOLVED:** (Jenvey/Smith)

That Council resolves to write off water usage charges of \$9,745.96 for account number 11188785.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 191224 T007/2024 - Refurbishment of the V-Wall Amenity Block
Nambucca Heads

420/24 **RESOLVED:** (Smith/McWilliam)

That Council:

- 1 Awards Tender T007/2024 - Nambucca Heads, Refurbishment of the V-Wall Amenity Block to Van Mal Group Construction Pty Ltd for the contract sum of \$384,050.69 inclusive of GST.**
- 2 Updates the Contract Register.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, McWilliam, Simson, Smith Total (7)
Against the Motion:	Nil Total (0)

For Confidential Business Paper in Closed Meeting

ITEM 13.4 SF3420 191224 RFT-2001729 Sewer Rehabilitation and Maintenance Program

421/24 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 Accepts all tenders for RFT-2001729 Sewer Rehabilitation and Maintenance Program**
- 2 Delegates to the General Manager the authority to sign a 2 year extension to (RFT-2001729) based on satisfactory supplier performance**
- 3 Updates the Contract Register.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, McWilliam, Simson, Smith Total (7)
Against the Motion:	Nil Total (0)

For Confidential Business Paper in Closed Meeting

ITEM 13.5 SF3112 191224 Agreement for Transfer of Land for the Purpose of Road
Realignment

422/24 **RESOLVED:** (Simson/McWilliam)

That Council approves the agreement made with the property owners for the acquisition and disposal of portions of land at 562-600 Scotts Head Road, Way Way identified on the survey plan annexed to that agreement.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2024

For Confidential Business Paper in Closed Meeting

ITEM 13.6 SF3145 191224 Confirmation of the Minutes - National Celebration Day Advisory
Committee -16 December 2024

423/24 **RESOLVED:** (Angel/Smith)

That Council approves the selected award recipients for the 2025 National Celebration Day Award categories within Item 4.4 of the 16 December 2024 National Celebration Day Advisory Committee minutes.

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7:12 PM.

Confirmed and signed by the Mayor on **23 JANUARY 2025**.

Cr Gary Lee
MAYOR
(CHAIRPERSON)

GENERAL MANAGER**ITEM 9.1 SF959 230125 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; Kellie Byrne, Management Accountant

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
MAY 2023			
1	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</p>			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

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 review by Board. Should board agree to co-contribute, Agreement to be drafted and signed by both parties which will include commitment to enter into new lease.

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

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

18/06/24 No further update.

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

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

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

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

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

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

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

11/12/24-15/01/25 The contractor has a management plan in place for the peak summer period with a review in early February.

JUNE 2023			
2	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.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

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 Ngurralla Aboriginal Corporation. The CDO has also recently had consultation with the key stakeholders involved in the development of the new Gumbaynggirr Keeping Place.

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

20/02/24 No further update.

05/03/24 A letter has been drafted to organise the reconvening of a meeting of Council's Aboriginal Advisory Committee and to extend its stakeholder engagement if necessary to produce a Reconciliation Action Plan to be linked to Council's Community Strategic Plan. The CDO has also been writing a grant application to fund activities through NAIDOC week (7-14/7/2024).

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

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

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

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

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

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

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

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

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

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

11/12/24 On 28/11/24 CDO met with Uncle Bud who has a list of Elders and community leaders that he will go around and have a yarn about forming the Aboriginal Advisory Committee. The plan is to arrange a meeting at Gumma Reserve in January 2025 where attendees can talk about what they want the Committee to focus on and its structure/function. Uncle Bud will help pin down a date and what matters to each prospective member.

08/01/25 CDO met with Mayor and some Aboriginal community members in December, different views on Advisory

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

Group expressed, including format (formal vs yarning circle) and participants. CDO meeting scheduled with Cr McWilliams and Unkya LALC CEO 20/01/25.			
DECEMBER 2023			
3	SF3190	14/12/23	GM
<p>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.</p>			
<p>STATUS: 10/01/24-05/02/24 Registration of subdivision underway as per Council resolution. 20/02/24-08/10/24 No change, registration process underway at NSW Land Registry Service. 22/10/24 Subdivision now registered. Newly created lot to be prepared for sale. 19/11/24 GIS to be updated then EOI to go to local Agents to attend to sale process on behalf of Council. 11/12/24-15/01/25 No further update.</p>			
JANUARY 2024			
4	PRF53	18/01/24	DES
<p>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.</p>			
<p>STATUS: 06/02/24-06/03/24 Planned layouts still being determined. Once complete, the architect will be engaged. 20/03/24-03/04/24 Layout for the toilet block is still under development. Adopting learnings from the V-Wall Amenities upgrade documentation development with regards to compliance with the Disability Discrimination Act and specifically AS1428.1-2009 Design for Access and mobility. Upon finalisation of the layout plans Architectural advice will then be sought regarding preliminary designs which align with the Macksville Foreshore Draft Concept Master Plan. 15/04/24-21/05/24 No further action. Action commences post V-Wall Amenities Tender. 04/06/24 Detailed survey pending. 18/06/24 No further update. 02/07/24 Survey Brief under development. 16/07/24 Survey Brief issued. Site survey being determined. 07/08/24-22/10/24 No further update. 05/11/24 Detailed survey capture completed. Briefings for consultant packages in planning. 19/11/24-15/01/25 No further update.</p>			
APRIL 2024			
5	SF3477	11/04/24	MDE
<p>RESOLUTION: Valla Urban Growth Area Amendment 1 Council forward the planning proposal within attachment 2 to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which amends the Nambucca Local Environmental Plan 2010 by altering the zoning of the Valla Urban Growth Area to be consistent with the Valla Urban Growth Area Development Control Plan. 2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination. 3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>			
<p>STATUS: 17/04/24 Awaiting final maps for planning proposal before forwarding to Minister. 09/05/24 Final maps received and will be sent to Minister. 22/05/24 Planning proposal drafted and sent to the Minister for gateway determination. 05/06/24-19/06/24 No further update. 02/07/24 Request for further information received from Minister with option to withdraw until information obtained. 17/07/24 Planning proposal being amended. 07/08/24 No further update. 21/08/24-03/09/24 Planning proposal still to be amended and will be resubmitted once complete as the previous one was refused. 08/10/24 Planning proposal amended and re-submitted to Minister for gateway determination. 22/10/24 Planning proposal returned to Council. Staff to meet with Department of Planning staff to try to resolve the issues raised. 19/11/24 Staff have met with the Department of Planning. Amended planning proposal to be resubmitted. 11/12/24 Amended planning proposal being reviewed by Department of Planning staff. 15/01/25 Amended planning proposal deemed satisfactory and re-submitted to the Department of Planning for gateway determination.</p>			

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MAY 2024			
6	SF983	16/05/24	MDE
<p>RESOLUTION: Plan of Management for the Faringdon Fields That Council 4 Exhibits the draft Plan of Management in accordance with section 38 of the Local Government Act 1993.</p> <p>STATUS: 21/05/24-5/06/24 No further update. 19/06/24-02/07/24 Draft Plan of Management sent to Aboriginal stakeholders and Gaagal Wanggaan Board of Management for comment by 15 July 2024. After this date the draft Plan of Management will be placed on public exhibition. 17/07/24 The draft Plan of Management will now be publicly exhibited and reported back to Council at the end of the exhibition period. 07/08/24-03/09/24 The draft Plan of Management is on public exhibition until 16 September 2024. 08/10/24 To be reported to 31 October Council meeting. 22/10/24 Public Hearing to be conducted before reporting back to Council. 19/11/24 Public hearing being arranged. 11/12/24 Public hearing to be held at 4.00pm on 16 January 2025 in the Council Chambers. 15/01/25 No further update.</p>			
JULY 2024			
7	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. 21/08/24-08/10/24 No further update. Remembrance wall to be included in the discussions around the new Master Plan. 22/10/24 No further update. 19/11/24 Budget bid to be raised for the development of the Master Plan. 11/12/24 Meeting held on 03/12/24 with Crown Lands, Reflections and Scotts Head Community Group representatives regarding the proposed Master Plan and discussed co-contributions. 15/01/25 Emails sent to Crown Lands and Reflections seeking a contribution to the Master Plan.</p>			
AUGUST 2024			
8	SF3114	29/08/24	DES
<p>RESOLUTION: Review of the Bowraville Theatre Project That Council: 1 Works with the Bowraville Arts Council to explore options to move the project forward including designs and approvals on the existing proposal or a reduced project scope and a financial analysis of the options. 2 Create a project group including Councillors and Arts Community representation to report back to Council. 3 Lobby State and Federal governments for additional funding to support the construction of the Bowraville Theatre Project.</p> <p>STATUS: 03/09/24 No further update. 08/10/24 Proposal submitted to funding body to de-scope the current project and deliver on some key facility upgrades. For example, disability access upgrades and some electrical upgrades. It will take 6-8 weeks for the assessment to be undertaken by the funding body and communicated back to Council. 22/10/24 Contract Project Manager engaged to progress project to construction stage ready for if the scope change to the funding body is approved. 05/11/24 Preparation of Scope of Works, Cost Estimate, Schedule and Grant Application for CC2 in the process of been generated as part of the activities for CC1. Boundary survey booked. Boundary locations / corners to be marked out prior to any construction works commencing. RFQ to drafted and reviewed for wheelchair lift and Access ramp. 19/11/24 CC has been lodged for disability access and awaiting assessment. 11/12/24 Issue of CC pending with works all quoted for disability access and stage access. 15/01/25 Purchase order for lift has been processed and deposit paid. Lift is compliant with CC guidelines. Waiting on structural drawings from consultant for issue of CC1.</p>			

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9	SF3424	15/08/2024	DCS
RESOLUTION: Public Forum – Nambucca Youthie That Council receive a report on options for assisting the Youthie in obtaining grant funding to sustain the current service and working with them or partnering with them.			
STATUS: 19/11/24 No further update. 11/12/24 The CDO has provided the Youthie with a link to NORTEC (employment and training firm) for some business planning advice. The Youthie may be able to seek funding from groups like the Siddle Family Foundation (who has funded them before). A report on options for assisting the Youthie in obtaining grant funding to sustain the current service and working with them or partnering with them will be presented to the January 2025 Council meeting. 14/01/25 Report on options for assisting the Nambucca Youthie in obtaining grant funding to sustain the current service and working with them or partnering with them included in this business paper.			
SEPTEMBER 2024			
10	SF3422	12/09/2024	DES
RESOLUTION: Notice of Motion – Council Motor Vehicle Leaseback Policy That Council: 1 Refers future reviews of the Motor Vehicle Leaseback Policy to the Audit Risk and Improvement Committee for consideration prior to adoption. 2 When priorities permit and in consultation with staff ARIC compare the financial and administrative efficiency of the current leaseback arrangements with the option of providing pool vehicles offset with an additional salary component for affected staff.			
STATUS: 08/10/24 We have reached out to a couple of Councils that provide allowances for vehicles to understand their policy and process in determining providing allowances for leaseback vehicles. 22/10/24 No further update. 19/11/24 Policies and process received from two councils. 11/12/24-15/01/25 No further update.			
OCTOBER 2024			
11	SF3424	31/10/2024	DES
RESOLUTION: Response to Matters Raised – Public Forum 11 July 2024 That Council: 1 Notes the report in response to the matters raised by public forum speakers at the Ordinary Meeting of Council on 11 July 2024. 2 Prioritise a wet room in future budgets for South Arm Hall. 3 Receive a report outlining a list of projects and priorities for each Council hall.			
STATUS: 19/11/24 No further update. 11/12/24 Information being gathered into the report for project priorities for each Council hall. 15/01/25 Development of report progressing.			
NOVEMBER 2024			
12	SF3422	14/11/2024	GM
RESOLUTION: Notice of Motion – Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River That Council writes to the NSW Minister for Transport The Hon Jo Haylen and Member for Oxley Michael Kemp MP to: 1 Fund a feasibility study whether a Southern Sea Wall will stop sand build up and create access to Nambucca River 2 Fund a feasibility study into navigational dredging the Nambucca River, to allow access to Maritime Rescue 3 Staff report on NSW coastal dredging strategy and the maritime infrastructure plan to see if Nambucca Valley Council is eligible as a key investment location or a priority regional location 4 Staff report on the feasibility for a marine rescue service with ocean access at other possible beaches like Shelley Beach or Scotts Head 5 Staff report on costs of monitoring of marine sediments in the Nambucca River Mouth with high resolution aerial photography be part of the Nambucca River, Creeks, Estuaries and Coastline Management Committee remit 6 Staff report on what action mid coast council take when the Manning River closes from sand shoaling at Old Bar.			
STATUS: 13/01/25 Letter sent.			
13	SF3422	14/11/2024	DCS
RESOLUTION: Notice of Motion – Request that Staff Investigate a Professional Style Noticeboard for Community Information for Nambucca Heads Town Centre That staff report on the feasibility of establishing a professional style noticeboard for community information in Bowra and Ridge Street CBD areas of Nambucca Heads.			

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STATUS: 19/11/24-11/12/24 No further update. 8/1/2025 CDO has begun investigating.			
14	SF3508	14/11/2024	MDE
RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 - Horticulture 5 Establish a 'Nambucca Valley Farming' Fact Sheet to promote a greater understanding of existing government and regulatory bodies, and the roles they play in managing agriculture in the Nambucca Valley. Not only will this notify farmers of how they can be assisted on establishing or growing their business, but it will also improve the community understanding around existing controls and how they are enforced.			
STATUS: 19/11/24 The planning proposal has been sent to the Planning Minister for final determination. 11/12/24 Written requests made of relevant authorities and awaiting responses. Fact sheet still to be prepared. 15/01/25 Awaiting determination from Minister if LEP amendment to require consent for horticulture in rural zones will be made prior to preparing the fact sheet. The determination is needed to inform the fact sheet of regulatory requirements. A determination is expected before the end of January.			
15	SF1092	14/11/2024	GM
RESOLUTION: Draft Plan of Management – Bowraville Racecourse Reserve 540002 – Public Exhibition That Council places the Draft Plan of Management for Bowraville Racecourse Reserve 540002 on public exhibition for 42 days with all submissions to be reported back to Council.			
STATUS: 20/11/24 Arranged for Notice in News of the Area Friday 22 November. Document to be on Council's website and available at Administration building from 22/11/24-3/1/25 with submissions to be received up to 10/01/25. Report to be brought back to Council on closure of exhibition period. 11/12/24 On exhibition. 10/01/25 Report to January Council meeting.			
16	SF938	14/11/2024	GM
RESOLUTION: Licence Part Road Reserve Adjacent to 72 Siding Road Newee Creek That Council places the Draft Part Road Reserve Adjacent to 72 Siding Road Licence Agreement with Kevin Gaddes on public exhibition.			
STATUS: 20/11/24 Arranged for Notice in News of the Area Friday 22 November. Document to be on Council's website and available at Administration building from 22/11/24-22/12/24. Report to be brought back to Council on closure of exhibition period. 11/12/24 On exhibition. 15/01/25 No submissions received and Council resolved to proceed with the Licence. Licence now executed and finalised. Matter complete.			
17	RF24	28/11/2024	DES
RESOLUTION: Assessment of Options for Stuart Island Causeway Nambucca Heads That Council: 1 Notes the report into the options and the opinion of probable costs for Stuart Island Causeway 2 Undertakes further investigations into options 1, 4, 5 and 6 from the body of the report 3 Include option 2 with an estimate being included in the 2025/2026 budget process.			
STATUS: 11/12/24 -15/01/25 No further update.			
18	SF3420	28/11/2024	DCS
RESOLUTION: Supply of Electricity for Contestable Metered Sites and Street Lighting That Council: 1 Authorises the General Manager to enter into contracts for the supply of electricity to Contestable Large Sites and Street Lighting at the conclusion of the reverse auction. 2 Authorises the General Manager to enter into a contract for the supply of electricity to Small Sites at the conclusion of the tender. 3 Receives a confidential report outlining the results of the reverse auction and tender process.			
STATUS: 11/12/24 General Manager has signed off all 3 contracts (Small, Large & Street Lighting). A confidential report will go to the January 2025 Council meeting outlining the results of the process. 14/01/25 Confidential report outlining the results of the tender process included in this business paper.			
19	SF3495	28/11/2024	MDE
RESOLUTION: Fenced Off Leash Dog Park That Council: 2 Proceed with the preparation of a Review of Environmental Factors (REF), design and costing analysis and funding options for McMorrine Park, Nambucca Heads for further consideration by Council.			

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3 Staff report back on the feasibility of Dawkins Lake Island, Macksville and Dudley Street, Macksville as potential locations.			
STATUS: 11/12/24 Noted. Matter to be reported back to Council in the new year. 15/01/24 No further update.			
20	SF1092	28/11/2024	DES
RESOLUTION: Gordon Park Splash Waterpad Project – Local Roads and Community Infrastructure (LRCI) Phase 4 Funding That Council: 1 Notes the report for information. 2 Report on the feasibility of a future similar project at Bowraville. 3 Review possible locations including Bellwood, Nambucca Heads and a location in Gordon Park, Nambucca Heads, closer to the playground.			
STATUS: 11/12/24 Project on hold until location report presented to Council. 15/01/25 No further update.			
DECEMBER 2024			
21	SF3422	19/12/2024	MDE
RESOLUTION: Notice of Motion - Request for Signage for Thompson Street Carpark and Extensions to Ranger Patrols - South Valla Beach That Council: 1 Erects a stand-alone No Dogs On the Beach Sign for the Thompson St Carpark, South Valla. This is the same sign as the one at Shelley Beach, Nambucca Heads. 2 Requests National Parks and Wildlife Service put on a Share The Shore program to disseminate and educate the community on the plight of the regions incredible shore birds and reiterate information on places to walk your dog on leash and off-leash.			
STATUS: 15/01/25 Sign to be ordered and request made to National Parks.			
22	SF3422	19/12/2024	GM
RESOLUTION: Notice of Motion - Valla Urban Growth Area Cultural Heritage That Council: 1 Consults with the Nambucca Heads Indigenous Community as part of all future development applications for the subdivision of land within the Valla Urban Growth Area (VUGA). 2 Prepares an interpretation plan as recommended in the Aboriginal & European Cultural Heritage Assessment, prepared by Mary Dallas Consulting Archaeologists, dated August 2010 prior to the registration of any lots or approval of road names within VUGA.			
STATUS: 15/01/25 Consultation is undertaken as part of the DA process.			
23	SF102	19/12/2024	DES
RESOLUTION: Desktop Feasibility Assessment of a Safe Bike/Pedestrian Connection Between Scotts Head and Macksville That Council defer and report back on two different options with the intent to minimise the cost of the project.			
STATUS: 15/01/25 Meeting with Scotts Head Community Group representatives scheduled for 17/01/2025.			

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

ITEM 9.2 SF1092 230125 ADOPTION OF PLAN OF MANAGEMENT - BOWRAVILLE RACECOURSE RESERVE R540002

AUTHOR/ENQUIRIES: Andrea Baillie, Property Officer

SUMMARY:

At its meeting of 14 November 2024, Council resolved (371/24) to place the draft Plan of Management (PoM) for Bowraville Racecourse Reserve R540002 on public exhibition pursuant to Section 38 of the *Local Government Act, 1993*.

The PoM was placed on public exhibition accordingly. The public exhibition period ran for 42 days and was completed 10 January 2025.

There were no submissions received in this time and this report now seeks approval to formally adopt the draft PoM accordingly.

RECOMMENDATION:

That Council adopts the draft Plan of Management for Bowraville Racecourse Reserve R540002.

OPTIONS:

- 1 Per the recommendation.
- 2 Amend the draft PoM. Any amendments will require the updated document to be sent back to the Department of Planning Housing and Infrastructure, Crown Lands for Minister's consent. Once consent is provided, the document will then need to go back to Council and out again on public exhibition.
- 3 Reject the recommendation. This action would prevent Council meeting its statutory obligations under the *Crown Land Management Act 2016* and the *Local Government Act 1993* at this time.

DISCUSSION:

Council as the Crown Land Manager of various identified Crown Reserves within our Local Government Area is required under the *Crown Land Management Act 2016* to prepare plans of management (PoMs) for each of those reserves, and proceed to have those PoMs adopted.

In the case of the Bowraville Racecourse Reserve R540002, the reservation was gazetted 13 May 1887 for the purpose of Public Recreation. The additional purposes of Racecourse and Recreation Facilities were gazetted 18 October 2024.

Department of Planning Housing and Infrastructure, Crown Lands have determined it is appropriate to complete a 'Site Specific' PoM for this reserve which has been prepared in accordance with the Minister's direction, and has received Minister's approval to proceed through the adoption process.

As required under the *Crown Land Management Act 2016*, and by Council Resolution 371/24, the PoM was placed on public exhibition for 42 days providing the general public the opportunity to review and make submissions. No submissions were received during this period.

Council may now proceed to formal adoption of the PoM accordingly.

CONSULTATION:

Through the public exhibition process, the general public have been given the opportunity to review the draft PoM and provide considered responses.

Department of Planning, Housing and Infrastructure – Crown Lands – Minister's Advice

ITEM 9.2 ADOPTION OF PLAN OF MANAGEMENT - BOWRAVILLE RACECOURSE RESERVE R540002

SUSTAINABILITY ASSESSMENT:

Environment

Once adopted, the PoM authorises strategies and permissible actions within the reserve.

Social

There are no uses or management actions authorised in the draft PoM that represent any form of reduced community access to the reserves.

The general public have been consulted during this process providing opportunity for concerns or objections to be raised.

Economic

Adopting the resolution will have no further economic impact.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
No adopted PoM to guide activity in the Reserve	H	M	Adopt specific PoM	L
Do not proceed to adoption of PoM post community consultation	M	M	Proceed to adopt PoM post public exhibition	L

Delivery Program Action

CC2 - Use information from the community in decision making
 LW9 - Operate and Maintain Open Spaces
 PP9 - Manage Crown Land Plans of Management

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Working funds – justification for urgency and cumulative impact

Nil


Impacts on 10 Year Long Term Financial Plan

Adopting the recommendation presents no known impacts on the 10 year Long Term Financial Plan.

Service level changes and resourcing/staff implications

Adopting the recommendation will have no implications on service levels.

ATTACHMENTS:

- 1  56435/2024 - DRAFT Plan of Management - BOWRAVILLE RACECOURSE Reserve R540002

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.1 SF355 230125 TABLING OF INITIAL DISCLOSURE OF INTEREST RETURNS FOR NEW COUNCILLORS

AUTHOR/ENQUIRIES: Kristian Enevoldson, Manager Risk and Governance

SUMMARY:

The *Local Government Act 1993* ('the Act') and Clause 4.21 of the Model Code of Conduct requires that Councillors and other designated persons submit returns disclosing their pecuniary interests and other matters by 30th September annually. This report covers newly elected Councillors that weren't part of the previous Council and represents their first Disclosure of Interest Return. Other Councillors (both previous and current) lodged their 2023/24 Returns in September 2024, prior to the declaration of the new Council.

RECOMMENDATION:

That Council notes the tabling of the Disclosure of Interest Returns of the Councillors listed in this report

OPTIONS:

For information only.

DISCUSSION:

Section 440AAB of the *Local Government Act 1993* requires that Disclosure of Interest Returns are to be submitted to the General Manager and tabled at a council meeting, and that a register of returns be maintained. These Returns must be placed on Council's website, with Council having the option to redact private information such as home addresses and signatures for the protection of designated persons. The Code of Conduct for Councillors states:

Disclosure of interests in written returns

- 4.9 *A councillor must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's interests as specified in schedule 1 to this code within 3 months after:*
- (a) becoming a councillor, and*
 - (b) 30 June of each year, and*
 - (c) the councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*
- 4.10 *A person need not make and lodge a return under clause 4.9 paragraphs (a) and (b) if:*
- (a) they made and lodged a return under that clause in the preceding 3 months, or*
 - (b) they have ceased to be a councillor in the preceding 3 months.*
- 4.11 *A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.*
- 4.12 *The general manager must keep a register of returns required to be made and lodged with the general manager.*
- 4.13 *Returns required to be lodged with the general manager under clause 4.9(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.*
- 4.14 *Returns required to be lodged with the general manager under clause 4.9(c) must be tabled at the next council meeting after the return is lodged.*
- 4.14 *Information contained in returns made and lodged under clause 4.9 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the*

ITEM 10.1 TABLING OF INITIAL DISCLOSURE OF INTEREST RETURNS FOR NEW COUNCILLORS

Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Disclosure of Interests Returns have been received from:

- Mayor Gary Lee
- Cr Jane Smith
- Cr Ljubov Simpson
- Cr Tamara McWilliam

The above returns are tabled at this meeting.

CONSULTATION:

Nil

SUSTAINABILITY ASSESSMENT:

Nil

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Returns disclosing interests are not received.	Low	Low	Follow Councilors designated persons. up &	Low

Delivery Program Action

CC4 - Maintain an effective governance regime

FINANCIAL IMPLICATIONS:

Nil

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT

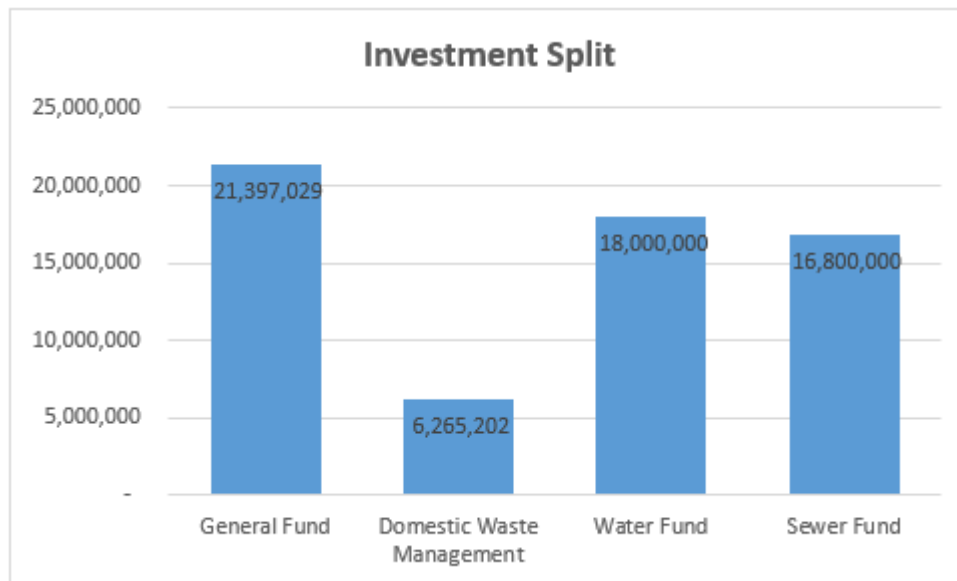
ITEM 10.2 SF3528 230125 INVESTMENT REPORT FOR DECEMBER 2024

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

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

Council's investments as at 31 December 2024 of \$62,462,231 are split up as below:



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

RECOMMENDATION:

That Council:

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

OPTIONS:

This report is for information only.

DISCUSSION:

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

ITEM 10.2 INVESTMENT REPORT FOR DECEMBER 2024

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

TCorp	\$3,157,592
Floating Rate Notes	\$1,007,321
Fixed Bonds	\$4,497,318
Term Deposits	\$53,800,000
Total	\$62,462,231

Portfolio Performance

Council's total portfolio performance returned +0.39% in December, outperforming the benchmark AusBond Bank Bill index of +0.38%. On an annualised basis, the portfolio returned +4.74%p.a., outperforming the benchmark of +4.53%p.a. and the official cash rate of 4.35%.

During December, council redeemed \$2 million of term deposits to allow for extra cashflow outflows during the busy Christmas period. This had an effect on Council's Credit Quality and Counterparty policy compliance, with NSW TCorp Managed fund falling short by \$34,480. At the time of writing this report, Councils' investments have been replenished making the overall portfolio compliant with the investment policy.

Council's term deposits portfolio yielded 4.97% p.a. at the end of December. Council now only holds 2 term deposits that are below the benchmark which is an outstanding result for council.

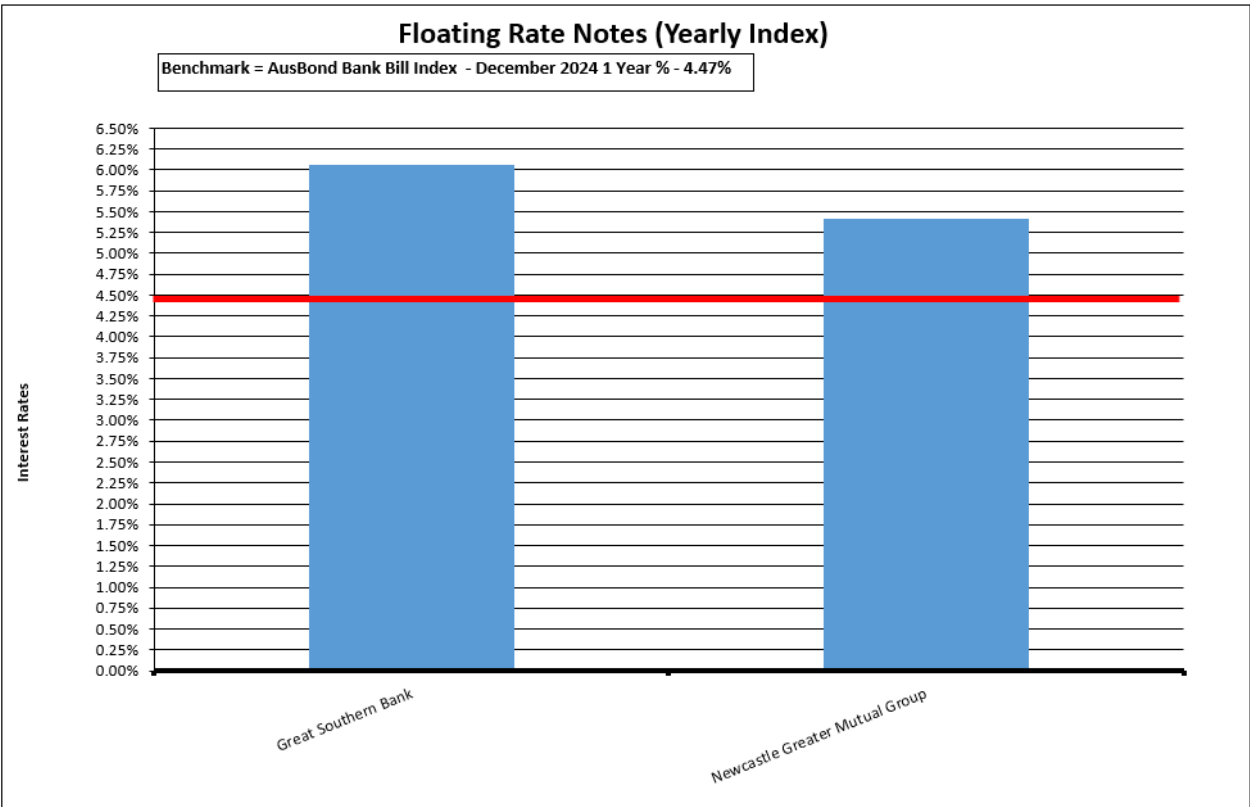
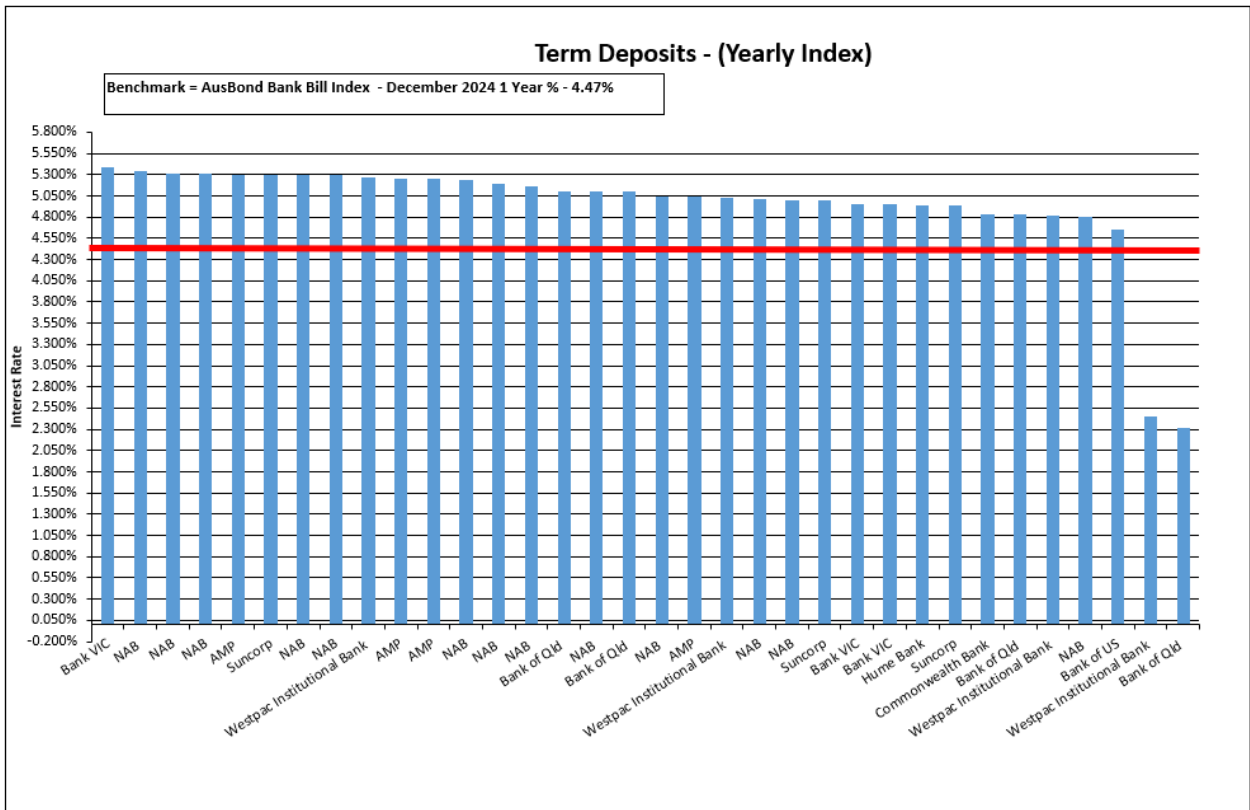
Council's Floating Rate Notes (FRN) portfolio are reported at current valuation being the "Capital Value", which can be different to the "Face Value" being the initial purchase value. FRN's are market driven and can change from month to month depending on market fluctuations. Council is still holding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

Council invests in NSW TCorp Long Term Growth fund which invests in domestic and international shares. Council will continue to monitor the TCorp Long Term Growth fund which fluctuates from month to month, however returned a positive return for the month 0.09%. Funds held with TCorp are looked at with a long term view.

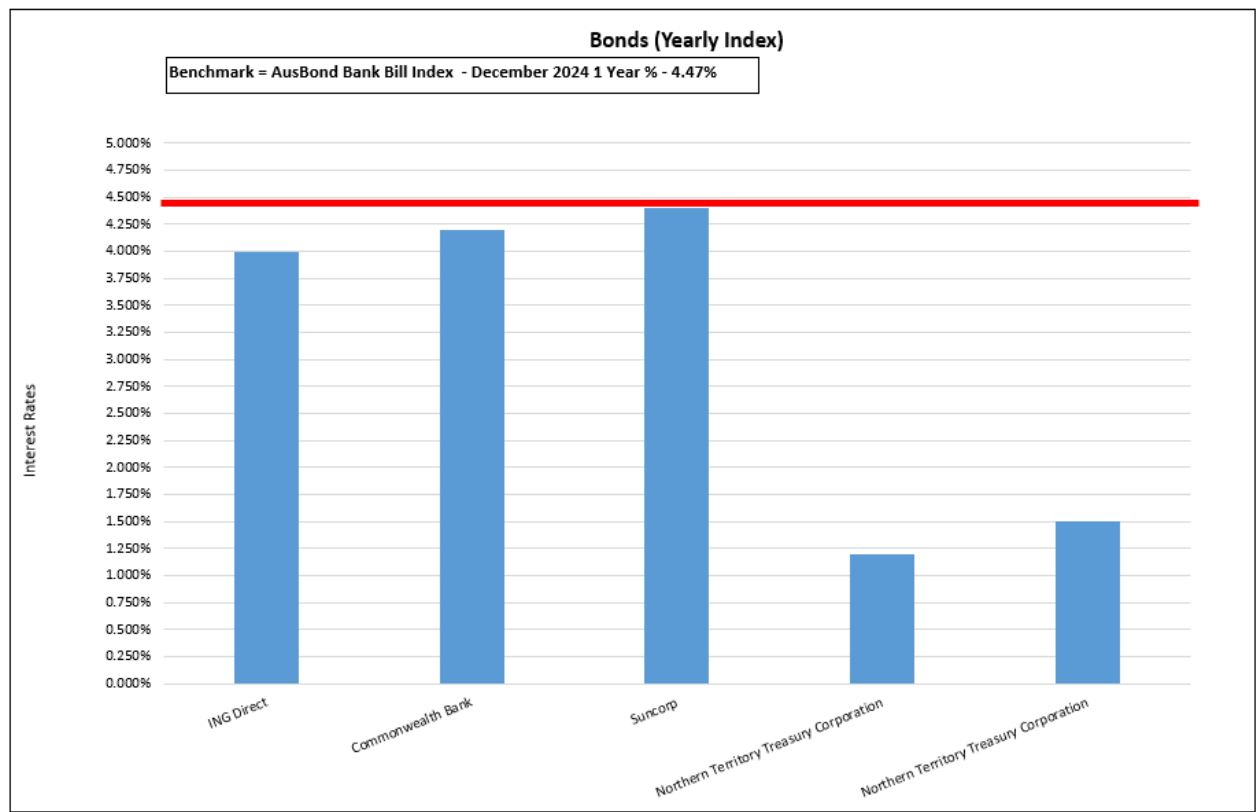
Council has invested in Senior Fixed Bonds. Council holds 2 sub-optimal Senior Fixed Bonds returning 1.2% p.a. and 1.5% p.a., however the advice provided by Arlo Advisory is to hold to maturity as the penalty rates would be high. The bonds have a maturity of December 2025 and December 2026.

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

ITEM 10.2 INVESTMENT REPORT FOR DECEMBER 2024



ITEM 10.2 INVESTMENT REPORT FOR DECEMBER 2024



Council’s Investment Policy

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

Table 1: Maturity – Term Limits

Maturity Compliance as at 31/12/2024

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	4,500,000.00	7.20	3.00	100.00	57,962,231.06
✓	91 - 365 days	32,997,318.00	52.83	0.00	100.00	29,464,913.06
✓	1 - 2 years	19,800,000.00	31.70	0.00	70.00	23,923,561.74
✓	2 - 5 years	2,007,321.00	3.21	0.00	50.00	29,223,794.53
✓	5 - 10 years	3,157,592.06	5.05	0.00	25.00	12,457,965.70
TOTALS		62,462,231.06	100.00			

ITEM 10.2 INVESTMENT REPORT FOR DECEMBER 2024

Table 2: Credit Rating Limits

Credit Quality Compliance as at 31/12/2024

Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AAA	498,607.50	0.80	100.00	61,963,623.56
✓	AA	34,798,710.50	55.71	100.00	27,663,520.56
✓	A	5,000,000.00	8.01	60.00	32,477,338.64
✓	BBB	19,007,321.00	30.43	45.00	9,100,682.98
✗	Unrated	3,157,592.06	5.05	5.00	-34,480.51
TOTALS		62,462,231.06	100.00		

During December, council redeemed \$2million of term deposits to allow for extra cashflow outflows during the busy Christmas period. This had an effect on council’s overall policy compliance, with NSW TCorp Managed fund falling short by \$34,480. At the time of writing this report, council has reinvested surplus funds making the overall portfolio compliant with the investment policy.

Certification by Responsible Accounting Officer

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

CONSULTATION:

Arlo Advisory

SUSTAINABILITY ASSESSMENT:

Nil

Risk

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

Risk markets were largely negative in December as financial markets assessed high valuations, uncertainties surrounding tax and tariff policies from the administration of US President-elect Trump, and prospects of global central banks becoming more cautious in 2025 due to sticky inflation.

In the deposit market, over December, at the very short-end of the curve (less than 6 months), the average deposit rates offered by the major banks were relatively unchanged compared to where they were the previous month (November). The biggest moves have been seen at the long-end of the curve. The average rates being offered for 1-5 year terms dropped another 10-23bp compared to where they were in November. The market had reacted after the RBA somewhat pivoted and removed their slight tightening bias in their latest Board meeting in early December.

Delivery Program Action

CC5 - Identify and implement initiatives to improve financial sustainability

ITEM 10.2 INVESTMENT REPORT FOR DECEMBER 2024

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

Interest accrued for the month of December was \$235,591 totalling \$1,523,665 this financial year. Council's forecasted budgeted interest revenue for 2024/2025 is \$3,182,100. As council's investments continue to outperform the benchmark, council would expect to meet the budgeted forecast.

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



Working funds – justification for urgency and cumulative impact

As above

Service level changes and resourcing/staff implications

There are no changes or implications stemming from this report.

ATTACHMENTS:

- 1  1079/2025 - Investment Report December 2024
- 2  1080/2025 - Arlo Advisory Investment Review December 2024

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.3 SF3504 230125 REQUEST FOR SPONSORSHIP VIA WORKS IN-KIND FOR PROVISION OF WASTE SERVICES FOR THE MACKSVILLE MUSIC MUSTER

AUTHOR/ENQUIRIES: Teresa Boorer, Grants and Contributions Officer

SUMMARY:

Council has received a request for additional waste services for a special scheduled event in February 2025.

The request is from the Macksville Music Muster Committee for the removal of excess waste from the Showground on Rodeo Drive from the 17 to the 24 of February, 2025 – the week of the Music Muster event.

The costs associated with the removal of waste for this week would be approximately \$3,600.00.

RECOMMENDATION:

That Council approves the sponsorship via works in-kind estimated at \$3,600 for the provision of waste services for the Macksville Music Muster for the week of 17-24 February 2025.

OPTIONS:

- 1 Recommendation
- 2 Do nothing/business as usual
- 3 That Council can choose to reject the above recommendations.

DISCUSSION:

Council received a request from the Macksville Music Muster Committee on 7 January 2025 requesting provision of additional waste services, collection and disposal for the week-long Music Muster event, from 17 to 24 February 2025, to be held at the Showground on Rodeo Drive, North Macksville.

It has been estimated that the cost to Council, excluding GST, for the provision of the requested waste services for the week of the Muster would be \$3,600 made up of:

- Bin supply and delivery by 2 x staff 1 hour plus associated plant: \$300
- Week day litter collection 1 x daily – garbage compactor truck + 1 x staff – 1.5 hours per day during the week: \$240 per day - \$960 for 5 days (pick up bins Tuesday to following Monday when the event terminates)
- Weekend litter collection 2 x daily – garbage compactor truck + 1 x staff – 3 hours per day weekend: \$576 per day - \$1152 for 2 days
- Waste facility charges @ \$292.73 excluding GST per tonne - approximately 2.5 tonne for the week: \$740
- Retrieve and wash out bins post event 2 x staff 1.5 hours labour plus associated plant: \$450

Council staff have advised that staff resources are available to provide the requested services.

Council has traditionally undertaken this waste service work to assist the music muster to get established. However, ongoing support will be reviewed.

CONSULTATION:

General Manager
Director Engineering Services
ELT
Green Space Coordinator

ITEM 10.3 REQUEST FOR SPONSORSHIP VIA WORKS IN-KIND FOR PROVISION OF WASTE SERVICES FOR THE MACKSVILLE MUSIC MUSTER

SUSTAINABILITY ASSESSMENT:

Environment

Potential reduction in the illegal dumping of waste materials.

Social

There are positive social benefits associated with the donation of additional waste services to community groups throughout the Nambucca Valley when hosting special events.

Economic

There are positive economic impacts for the charitable organisations and the broader economy as the event brings a significant number of visitors to Macksville.

Risk Analysis

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

Delivery Program Action

- CC1 - Using a variety of tools, engage with the community in ways that are accessible and transparent
- CE6 - Provide an efficient and effective waste management facility that meets environmental standards
- LW13 - Volunteers in the community are recognised and encouraged
- PP3 - Participate in local and regional marketing events to promote the Valley

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

The community service obligation will add an impact of approximately \$3,600 on the current Other Waste Management budget managed by Council’s Green Spaces Coordinator in 2024/2025.

Working funds – justification for urgency and cumulative impact

There is no proposed change to working funds.

Impacts on 10 Year Long Term Financial Plan

No expected impacts on 10 Year Long Term Financial Plan.

Service level changes and resourcing/staff implications

Increase in work load for Green Space Team during the event.

ATTACHMENTS:

- 1  935/2025 - Sponsors Expression of Interest Application Form 2025 - Music Muster

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.4 SF3421.24 230125 FUNDING OPTIONS FOR NAMBUCCA YOUTHIE

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Officer

SUMMARY:

At the public forum at the 15 August 2024 Council meeting the following Council resolution was made:

1/24 RESOLVED: (Angel/Jones)

That Council receive a report on options for assisting the Youthie in obtaining grant funding to sustain the current service and working with them or partnering with them.

Council has provided 50% discount (equivalent to \$1,301.54) in 2024/25 on rates charged to Nambucca Youthie, who occupy a building located on Crown Land. Council has no further financial support options to assist Nambucca Youthie within the 2024/25 Council budget.

Council's Community Development Officer has met with the Nambucca Youthie Management Committee, and Council's Community Development Officer and Grants and Contributions Officer have been advising Nambucca Youthie as and when relevant funding opportunities and supporting programs have arisen, offering to assist with grant applications, and providing Letters of Support should they choose to apply. Examples of advice

- Commonwealth Government Emergency Relief program EOI
- Commonwealth Government Youth Empowerment Program Grant

They have also been advised to enrol in a NORTEC Small Business Planning course to establish a business plan as they have no business plan or strategy, which makes it really hard to find or justify any funding.

RECOMMENDATION:

That Council:

- 1 Endorses continuing the current rates decrease of 50% for Nambucca Youthie as a Council Section 356 donation in the 2025/26 budget.**
- 2 Continues providing grant advice and application support, including Letters of Support, to the Nambucca Youthie.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternate recommendation – increased/reduced level of donation provided.

DISCUSSION:

Changes in funding arrangements implemented by NSW Government in 2018 have impacted the provision of funding for youth services that support young people aged 6 and over.

Grant funding arrangements from both State and Federal Governments often do not include expenditure on overheads such as rent or energy and often do not include staffing (see: [ReframeOverhead.org](https://www.reframeoverhead.org))

Sourcing an eligible funding opportunity that will materially support the ongoing sustainability of the Nambucca Youthie is challenging.

Nambucca Youthie was seeking up to \$195,000 financial support annually.

ITEM 10.4 FUNDING OPTIONS FOR NAMBUCCA YOUTHIE

CONSULTATION:

Nambucca Youthie
 Grants and Contributions Officer
 Director Corporate Services

SUSTAINABILITY ASSESSMENT:

Environment

Nil

Social

Impacts on the provision of youth services in the Nambucca Heads area

Economic

Nil

Risk Analysis

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

Delivery Program Action

LW11 - Auspice Grant Funding and provide grant writing support

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Continuing 50% rates reduction into 2025/26 will result in a cost of approximately \$1,301.54

Working funds – justification for urgency and cumulative impact

As above

Impacts on 10 Year Long Term Financial Plan

As above

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

1  39345/2024 - Chris Hewgill Speaking Notes - 15 August 2024 Council Meeting

CORPORATE SERVICES**ITEM 10.5 SF963 230125 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT****AUTHOR/ENQUIRIES:** Jocelyn Box, Community Development Officer**SUMMARY:**

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

RECOMMENDATION:**That Council:**

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

OPTIONS:

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

DISCUSSION:

Committee	Nominees	Reason for nominating
EJ Biffin Playing Fields	Andrew Johnson	To help develop and promote the EJ.Biffin Playing Fields
	Gary Biden	To promote the public spaces in Nambucca Valley
Scotts Head Sports Field	Michael Reardon	Local resident residing adjacent to sports field willing to assist with field management
	Carolyn Blackadder	Local resident willing to assist with sports field management
	Alan Rudner	Supporting maintenance of Scotts Head Oval, support pickle ball playing in Scotts Head particularly on the oval
	George Driussi	Supporter of oval maintenance and emerging pickle ball activities
Utungun Community Hall	Elaine Ward	Assisting Secretary with the. Minutes
	Keith Ward	Previous committee member
	Brian Welsh	Previous committee member
	Gloria Welsh	Previous committee member

CONSULTATION:

Director Corporate Services

ITEM 10.5 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT

SUSTAINABILITY ASSESSMENT:

Nil

Risk Analysis

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

Delivery Program Action

LW10 - Work with S355 Committees





FINANCIAL IMPLICATIONS:

Nil

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

- 1  68015/2024 - EJ Biffin CoM Nomination - Gary Biden - redacted
- 2  68021/2024 - EJ Biffin CoM Nomination - Andrew Johnston - redacted
- 3  68040/2024 - Scotts Head Sports Field CoM Nominations - Redacted
- 4  67865/2024 - Utungun Community Hall Nominations - Redacted

DEVELOPMENT AND ENVIRONMENTS

ITEM 11.1 SF3410 230125 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 applications 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 13 January 2025, and development applications determined from 18 November 2024-13 January 2025 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.

OPTIONS:

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

DISCUSSION:

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

Nil.

TABLE 2: UNDETERMINED DEVELOPMENT APPLICATIONS WITH SUBMISSIONS

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/248	28 October 2024	Retaining Walls	3 Galah Grove, Nambucca Heads – Lot 112 DP 1252556
One submission received. Public exhibition period for amended plans closes on 22 January 2025.			
STATUS: Assessment to be finalised after exhibition period.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/270	28 November 2024	Dual Occupancy & Two Lot Subdivision	10 Edgewater Drive, Nambucca Heads – Lot 5 DP 1057791
One submission received. Public exhibition period closes on 14 January 2025.			
STATUS: Assessment to be finalised after exhibition period closes.			

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

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 18 November 2024-13 January 2025 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation.

CONSULTATION:

Nil

SUSTAINABILITY ASSESSMENT:

Environment

To be undertaken in assessment of individual development applications.

Social

To be undertaken in assessment of individual development applications.

Economic

To be undertaken in assessment of individual development applications.

Risk Analysis

None identified.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

There are no attachments for this report.

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.2 SF1148 230125 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR NOVEMBER 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 November 2024 by Council Officers.

RECOMMENDATION:

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

NOVEMBER 2024	Cats	Dogs
COUNCIL'S SEIZURE ACTIVITY		
Seized (doesn't include those animals dumped or surrendered)	0	0
Returned to Owner	0	0
Transferred to - Council's Facility from Seizure Activities	0	0
ANIMALS IN AND ARRIVING AT COUNCIL'S FACILITY		
Animals In Council's Facility - (Start of Month)	8	3
Abandoned or Stray	3	3
Surrendered	0	3
Animals transferred from Seizure Activities	0	0
Total Incoming Animals	11	9
ANIMALS LEAVING COUNCIL'S FACILITY		
Released to Owners	0	2
Sold	0	4
Released to Organisations for Rehoming	7	2
Died at Council's Facility (other than euthanised)	0	0
Stolen from Council's Facility	0	0
Escaped from Council's Facility	0	0
Other	0	0
EUTHANISED		
Restricted Dogs	0	0
Dangerous Dogs	0	0
Owner's Request	0	0
Due to Illness, Disease or Injury	0	0
Feral/infant animal	0	0
Unsuitable for rehoming	0	0
Unable to be rehomed	0	0
Total Euthanised	0	0
Total Outgoing Animals	0	0
TOTAL IN COUNCIL'S FACILITY - (END OF MONTH)	4	1

ATTACHMENTS:

- 1  65934/2024 - Ranger Report - Penalties Issued - November 2024

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.3 SF3410.24 230125 DECEMBER 2024 - APPROVED CONSTRUCTION CERTIFICATES, APPROVED COMPLYING DEVELOPMENTS, DEVELOPMENT APPLICATIONS RECEIVED AND COMPLYING DEVELOPMENTS RECEIVED

AUTHOR/ENQUIRIES: Melanie Ellis, Business Services Officer



SUMMARY:

The attached reports are for the information of Councillors with regard to approved Construction Certificates, approved Complying Development Certificates, Development Applications received and Complying Development Applications received for the month of December 2024 as at 13 January 2025.

RECOMMENDATION:

That Council notes the Approved Construction Certificates, Approved Complying Development Certificates, Development Applications Received and Complying Development Applications received for December 2024.

ATTACHMENTS:

- 1**  1276/2025 - 2024 December - Development Applications and Complying Development Applications Received
- 2**  1272/2025 - 2024 December - Approved Construction Certificates and Complying Development Applications