



# NAMBUCCA VALLEY COUNCIL

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## ORDINARY COUNCIL MEETING AGENDA ITEMS 27 FEBRUARY 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](http://www.nambucca.nsw.gov.au)

## **For Councillors**

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



# NAMBUCCA VALLEY COUNCIL

## ORDINARY COUNCIL MEETING - 27 FEBRUARY 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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- 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.*
- 14.2 T016/2024 Supply and Delivery of One 13T Excavator
- It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 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
- 15 MEETING CLOSED TO THE PUBLIC
- 16 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](mailto:council@nambucca.nsw.gov.au)

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

## Definitions

(Local Government Act and Code of Conduct)

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

*(Local Government Act, 1993 section 442 and 443)*

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

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

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

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

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

## NAMBUCCA VALLEY COUNCIL

# Ordinary Council Meeting

## MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

The following document is the minutes of the Ordinary Council meeting held **13 FEBRUARY 2025**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday **27 FEBRUARY 2025** and therefore subject to change. Please refer to the minutes of **27 FEBRUARY 2025** for confirmation.

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### PRESENT

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

Cr James Angel  
Cr David Jones  
Cr Ljubov Simson  
Cr Troy Vance

### ALSO PRESENT

Bede Spannagle (General Manager)  
David Moloney (Director Engineering Services)  
Evan Webb (Chief Financial Officer)

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

### APOLOGIES

#### Apologies (leave granted)

Cr Martin Ballangarry OAM

20/25 **RESOLVED:** (Lee/ Angel)

**That Councillor Martin Ballangarry be granted leave of absence in accordance with Section 234(1)(d) of the *Local Government Act 1993* for tonight meeting 13 February 2025.**

### 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

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

### PRAYER

Pastor Sydney Coetzee from the Nambucca Christian Life Church offered a prayer on behalf of the Nambucca Minister's Association.

### DISCLOSURE OF INTEREST

Nil

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

### CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

**SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 23 JANUARY 2025**

21/25 **RESOLVED:** (McWilliam/Simson)

That the minutes of the Ordinary Council Meeting of 23 January 2025 be confirmed.

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### NOTICE OF MOTION - CR SMITH

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ITEM 5.1 SF251 130225 Notice of Motion - Bring Forward Review of Council Meeting Dates

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MOTION: (Smith/Angel)

That Council:

- 1 Resolves to bring forward the review on Council meeting dates to the next council meeting.
- 2 includes an assessment on the following suggestions:
  - a The council meeting is held once per month on the fourth Wednesday of the month at 2pm.
  - b Hold a briefing session the day prior to the council meeting at 4pm
  - c Hold a public forum for members of the public at 5pm on the day prior to council meeting.
  - d Live streams a video recording of the council meeting.

AMENDMENT: (Jenvey/Jones)

That Council defer the motion until the draft code of meeting practice is released.

The amendment was lost and reverted to the original motion.

22/25 **RESOLVED:** (Smith/Angel)

That Council:

- 1 **Resolves to bring forward the review on Council meeting dates to the next council meeting.**
  - 2 **includes an assessment on the following suggestions:**
    - a **The council meeting is held once per month on the fourth Wednesday of the month at 2pm.**
    - b **Hold a briefing session the day prior to the council meeting at 4pm**
    - c **Hold a public forum for members of the public at 5pm on the day prior to council meeting.**
    - d **Live streams a video recording of the council meeting.**
-



## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

### NOTICE OF MOTION - CR LEE

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ITEM 5.2 SF3422 130225 Notice of Motion - Cr Gary Lee request for leave 17 July to 15 September 2025

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23/25 **RESOLVED:** (Lee/Vance)

**That Councillor Gary Lee be granted leave of absence in accordance with Section 234(1)(d) of the Local Government Act 1993 for the period of 17 July 2025 to 15 September 2025 inclusive.**

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### PUBLIC FORUM

That the following Public Forum be heard:

*i Mr James Ford - Pollution in Beer Creek*

### PUBLIC FORUM

*i Mr James Ford addressed Council with notes placed on 8407/2025 SF 3424.*

24/25 **RESOLVED:** (Jenvey/Simson)

**That Council call for a report on the pollution events at Beer Creek and the effects on the oyster industry.**

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### ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

### QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

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### GENERAL MANAGER REPORTS

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ITEM 9.1 SF959 130225 Outstanding Actions and Reports

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25/25 **RESOLVED:** (McWilliam/Angel)

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

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

### DIRECTOR CORPORATE SERVICES REPORTS

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ITEM 10.1 SF1031 130225 Revised Payment of Expenses and Provisions of Facilities to Councillors Policy

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MOTION: (Smith/Angel)

- 1 That Council approves the revised draft Payment of Expenses and Provisions of Facilities to Councillors Policy G 06 to be placed on public exhibition for 28 days.
- 2 That the Director Corporate Services arranges individually with Councillors meetings to finalise a professional development plan over the course of their elected term.

AMENDMENT: (Smith/Angel)

That Council:

- 1 Approves the revised draft payment of Expenses and Provisions of Facilities to Councillors Policy G 06 to be placed on public exhibition for 28 days with the following amendments:
  - A Reimbursements to be lodged within 2 months
  - B Retain existing expense allowances for Professional Development & Conferences but allow for the use within the whole term rather than per annum
  - C Remove (induction training included in expense allowance)
  - D Remove (ICT allowance removed)
- 2 That the Director Corporate Services arranges individually with Councillor's meetings to finalise a professional development plan over the course of their elected term.

The amendment was carried and became the motion.

26/25 **RESOLVED:** (Smith/Angel)

That Council:

- 1 **Approves the revised draft payment of Expenses and Provisions of Facilities to Councillors Policy G 06 to be placed on public exhibition for 28 days with the following amendments:**
    - A Reimbursements to be lodged within 2 months**
    - B Retain existing expense allowances for Professional Development & Conferences but allow for the use within the whole term rather than per annum**
    - C Remove (induction training included in expense allowance)**
    - D Remove (ICT allowance removed)**
  - 2 **That the Director Corporate Services arranges individually with Councillor's meetings to finalise a professional development plan over the course of their elected term.**
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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

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ITEM 10.2 SF42 130225 Submission to draft amendments to the Model Code of Meeting Practice

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27/25 **RESOLVED:** (Angel/Jenvey)

**That Council endorses the attached submission to the Office of Local Government in relation to the draft amendments to the Model Code of Meeting Practice.**

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ITEM 10.3 SF265 130225 Revised Policy and Procedures Framework Policy

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28/25 **RESOLVED:** (Smith/McWilliam)

**That Council adopts the revised Policy and Procedures Framework Policy.**

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ITEM 10.4 SF963 130225 Nominations to Council Section 355 Committees of Management

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29/25 **RESOLVED:** (Angel/McWilliam)

**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 Approves of the Talarm Hall Committee of Management as a 2 member committee – report to be provided to Council of update or recommendations for Talarm Hall management by July 2025.**
- 3 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.**

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ITEM 10.5 SF1031 130225 Adoption of revised Community Engagement Strategy

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30/25 **RESOLVED:** (Smith/McWilliam)

**That Council adopts the revised Community Engagement Strategy.**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

### MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

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ITEM 11.1 PRF17 130225 Faringdon Fields Draft Plan of Management

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31/25 **RESOLVED:** (Jenvey/Smith)

**That Council adopts the plan of management contained within attachment 1 for the Faringdon Fields, Nambucca Heads - Lot 76 DP 832082 in accordance with section 40 of the *Local Government Act 1993*.**

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ITEM 11.2 DA2024/288 130225 Building Alterations to Fix Waterproofing Issues - Uniting Pacifica Aged Care Facility - 11 Short Street, Nambucca Heads

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32/25 **RESOLVED:** (Vance/Smith)

**That Council approves development application DA2024/288 subject to the conditions listed in attachment 1.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, McWilliam, Simson, Smith and Vance Total (8)
Against the Motion:	Nil Total (0)

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ITEM 11.3 DA2001/096 130225 Valla Quarry - Application to Modify Consent Conditions

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MOTION: (Jenvey/Jones)

That Council approves the application to modify DA2001/096 by changing conditions A. and D. as follows:

- A. The period during which the modification to permit the use of one (1) mobile crushing plant instead of the fixed crushing plant (and the related deletion of condition 21) is limited to 2 years from the date the mobile crusher is operational to enable the validation of the predicted noise impacts to the satisfaction of the NSW Environment Protection Authority (EPA) and Nambucca Valley Council (the Council). If the predicted noise impacts cannot be validated to the satisfaction of the EPA and the Council within this time period, then the use of a mobile crushing plant at the quarry must cease. The Council is to be notified of the date that the mobile crusher becomes operational.
- D. Independent noise monitoring is to be conducted every two (2) months for the first six (6) months when the mobile crusher is used and is to be reported back to the Council.

AMENDMENT: (Jenvey/Jones)

That Council defer the recommendation for the following reasons;

- 1 So the community can lodge submissions
- 2 That staff report on how Council will ensure the noise nuisance monitoring is accurate and independent.

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

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

For the Motion: Councillors Jenvey, Jones and Simson  
Total (3)  
Against the Motion: Councillors Angel, Lee, McWilliam, Smith and Vance  
Total (5)

33/25 **RESOLVED:** (Jenvey/Jones)

**That Council approves the application to modify DA2001/096 by changing conditions A. and D. as follows:**

- A. The period during which the modification to permit the use of one (1) mobile crushing plant instead of the fixed crushing plant (and the related deletion of condition 21) is limited to 2 years from the date the mobile crusher is operational to enable the validation of the predicted noise impacts to the satisfaction of the NSW Environment Protection Authority (EPA) and Nambucca Valley Council (the Council). If the predicted noise impacts cannot be validated to the satisfaction of the EPA and the Council within this time period, then the use of a mobile crushing plant at the quarry must cease. The Council is to be notified of the date that the mobile crusher becomes operational.**
- D. Independent noise monitoring is to be conducted every two (2) months for the first six (6) months when the mobile crusher is used and is to be reported back to the Council.**

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

For the Motion: Councillors Angel, Lee, McWilliam, Smith and Vance  
Total (5)  
Against the Motion: Councillors Jenvey, Jones and Simson  
Total (3)

Cr Jenvey asked for it to be recorded that the community hasn't been able to lodge submissions

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ITEM 11.4 SF1148 130225 Council's Rangers' Report and Penalties Issued for December 2024

34/25 **RESOLVED:** (Smith/Angel)

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

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## DIRECTOR ENGINEERING SERVICES REPORTS

ITEM 12.1 SF90 130225 Minutes of the Nambucca Valley Traffic Committee Meeting 4 February 2025

35/25 **RESOLVED:** (Angel/McWilliam)

**That Council:**

- 1 a) Relocate 2 x 15 minute restricted parking bays from in front of the Post Office to 30m further**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

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south, outside 29A High Street Bowraville, subject to successful consultation with impacted business and the local chamber of commerce;

- b) Return the previous 15-minute parking bays to the existing 2-hour parking zone;
- 2 a) Installs Line marking and regulatory signage that gives priority of traffic flow to Sullivans Road over Sharwill Drive, at its intersection in Valla' and
- b) Installs advanced advisory and direction signage to assist with delineation.
- 3 a) Endorses the Bowraville Aboriginal Local Land Council Application for the Temporary Road Closure of High Street, Bowraville, from Young Street to Belmore Street between 9.30 am to 10.30am on Monday 24 February 2025, subject to the following being received by Council at least 10 days prior to the event:
- Current Certificate of Currency for Public Liability Insurance Traffic Management Plan confirming Accredited Traffic Controllers will be on site.
  - Confirmation a clear access of 2.5 metres being provided for access by emergency service vehicles.
  - Police advice of the road closures.
  - Confirmation of consultation with local business's regarding the closure, together with correspondence from the Bowraville Chamber of Commerce they have no objection to the road closure.
- b) Approves signs and devices necessary to affect the road closure.
- c) Advertise the road closure at least 7 days prior to the event.

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

36/25 **RESOLVED:** (Jones/McWilliam)

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

*Reason reports are in Closed Meeting:*

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## DIRECTOR ENGINEERING SERVICES REPORTS

*For Confidential Business Paper in Closed Meeting*

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ITEM 13.1 Q016/2024 130225 Q016/2024 Supply and Purchase of One 20 Tonne Road Maintenance Truck

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*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

*For Confidential Business Paper in Closed Meeting*

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ITEM 13.2 SF3190 130225 Boundary Realignment 190 Albert Drive Warrell Creek  
subdivision

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*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

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*For Confidential Business Paper in Closed Meeting*

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ITEM 13.3 SF3420 130225 Matters Regarding Realised or Potential Losses

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*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

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## CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 7:18 PM.

## RESUME IN OPEN MEETING

37/25 **RESOLVED:** (McWilliam/Vance)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed **IN OPEN MEETING** at 7:56PM.

## FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

## DIRECTOR ENGINEERING SERVICES REPORTS

*For Confidential Business Paper in Closed Meeting*

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ITEM 13.1 Q016/2024 130225 Q016/2024 Supply and Purchase of One 20 Tonne Road  
Maintenance Truck

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38/25 **RESOLVED:** (Angel/Simson)

**That Council:**

- 1 **Awards Tender Q016/2024 – Supply and deliver of a 20 Tonne Road Maintenance truck to Ausroad Manufacturing Pty Ltd for the contract sum of \$673,690 (ex GST)**
- 2 **Updates the Contract Register**
- 3 **Disposes of the existing Plant Item 5118 (Jetpatcher) at the highest value to Council (by**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025

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**Auction or Trade In) be delegated to the General Manager.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, McWilliam, Simson, Smith and Vance Total (8)
Against the Motion:	Nil Total (0)

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*For Confidential Business Paper in Closed Meeting*

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ITEM 13.2 SF3190 130225 Boundary Realignment 190 Albert Drive Warrell Creek  
subdivision

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39/25 **RESOLVED:** (McWilliam/Smith)

**That Council:**

- 1 Approves the acquisition and disposal of land in accordance with the attached Agreement with the sale of net 166.4 m2 being part lot 18/DP884316 to the owner of 190 Albert Drive, Warrell Creek.**
- 2 Approves execution of relevant transfer documentation under the seal of Council to be signed by the Mayor and General Manager.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, McWilliam, Simson, Smith and Vance Total (8)
Against the Motion:	Nil Total (0)

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*For Confidential Business Paper in Closed Meeting*

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ITEM 13.3 SF3420 130225 Matters Regarding Realised or Potential Losses

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40/25 **RESOLVED:** (Vance/Smith)

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

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**NAMBUCCA VALLEY COUNCIL**

## **Ordinary Council Meeting**

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 FEBRUARY 2025**

### **CLOSURE**

There being no further business the Mayor then closed the meeting the time being 7:59 PM.

Confirmed and signed by the Mayor on **27 FEBRUARY 2025**.

**Cr Gary Lee  
MAYOR  
(CHAIRPERSON)**

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**NOTICE OF MOTION**

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**ITEM 5.1    SF3422        270225        NOTICE OF MOTION - FIXING EROSION AT V-WALL  
                  PRECINCT**

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

**SUMMARY:**

Wave action coming over from the beach at the V-Wall has eroded the landscape next to the path at the southern end of the V-Wall. The wave erosion has exposed scree and rubble, making it difficult to walk on or to utilise this space to sit on. The space at V-wall beaches is a premium for the many families who want to enjoy the river here. There is a drop off from the exposed landscape to the pathway that could present safety issues to members of the public. The V-wall is the premier tourist spot in Nambucca and the erosion needs attention. The hope of this motion is that a longer-term solution other than fill is sort to fix the erosion problem.

**RECOMMENDATION:**

**That Council reports on the erosion problem on the southern side of the V-Wall where the fill has exposed rocks and scree, including any longer-term solutions for the erosion, and any budgetary, and risk implications for repairing the landscape.**

**OPTIONS:**

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

**BACKGROUND:**

V-wall precinct erosion on both the river side and the beach side. It is a highly exposed site that is a much loved and well utilised part of the river and our premier tourist destination. The last repair to the erosion has only lasted a couple of years. This recommendation seeks to ask if there are any longer-term solutions to the problem and what the budget implications of any repair job would be.



**CONSULTATION:**

Director Engineering Services

**ATTACHMENTS:**

There are no attachments for this report.

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**MAYORAL MINUTE**

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**ITEM 9.1    SF3592        270225        MAYORAL MINUTE - MOBILE BLACK SPOT PROGRAM  
                 MEETING UPDATE**

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**AUTHOR/ENQUIRIES:** Gary Lee, Mayor

**SUMMARY:**

A public meeting was held 18 February 2025, to identify mobile coverage deficiencies in the Nambucca Valley.

**RECOMMENDATION:**

**That Council:**

- 1 notes the Mayoral Minute**
- 2 supports funding applications for mobile coverage in the Nambucca Valley.**

**BACKGROUND**

The Federal Government are funding \$55 million for round 8 of the mobile blackspot programme, with applications from telecommunications providers closing on 30 April.

A successful public meeting was held on 18 February 2025 to identify mobile black spot coverage deficiencies in the Nambucca Valley. 49 members of the community attended, including Emergency Services and 89 different sites were identified that were either black spots or had connectivity issues.

The information gathered will be collated and a proposed funding application will be put to council for support.

**ATTACHMENTS:**

There are no attachments for this report.

**GENERAL MANAGER'S REPORT****ITEM 10.1 SF959 270225 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
<b>MAY 2023</b>			
1	SF2524	25/05/23	GM
<p><b>RESOLUTION: Lease of Lots 1 and 2 in DP 866932 Reserve 85113 - Nambucca Heads RSL Club Ltd Carpark</b> Council as Crown Land Manager execute the 21-year lease to Nambucca Heads RSL Club Limited over Lots 1 and 2 in DP 866932 Reserve 85113 under Council seal.</p> <p><b>STATUS:</b> 31/05/23 Followed up with NHRSL Club who will revert with decision on acceptance of lease by 2/6/23. 07/06/23 Meeting with RSL representatives to be held 07/06/23. 20/06/23 Councillors updated at meeting 15/06/23 - NHRSL Club advised of Council's position. No response to hand at this stage. 04/07/23 NHRSL Club has responded requesting a further meeting with Nambucca Valley Council. 19/07/23 A meeting took place on 11 July 2023 with the RSL to organise a meeting between the RSL Board and Council. 09/08/23 Lease not yet executed. Awaiting completion of Council's stormwater remediation project to be commenced imminently. 23/08/23 The General Manager met with the RSL on 18 August 2023 and the lease will be discussed at their Board Meeting 30 August 2023. The stormwater is 50% completed. 06/09/23 NHRSLCL have advised they will suspend signing the lease due to new issue presented during the stormwater rectification project – being a sinkhole and large cavity requiring remediation. Council's Project Manager is liaising with RSL's Stakeholder Liaison from C2Hills Consultancy and seeking involvement from NSW Public Works. 20/09/23 Manager Projects is waiting on formal response from NSW Public Works confirming their contribution to works required. 04/10/23 Manager Projects has advised that NSW Public Works have undertaken their first review of Council's submission for funding. PWA have said that they will cover: - The full length of stormwater pipe replacement except for the first 12m - The asphalt concreting of the 2.4m (excavator width) on the full 60m long trench - The concrete carpark for 3 car parking bays out of 7. This is pending the final review by PWA which could be in 2 weeks. 17/10/23 The Club have advised they do not wish to proceed with execution of the new licence until the current carpark works being done by Council are completed, or at least have progressed significantly. Council has had verbal commitment from NSW PWA (Public Works) to provide partial, but significant funding to the rectification works, however an executed funding deed has not yet been received. Once written confirmation has been received, Council will proceed to engage the contractors to undertake the identified works – including the sink hole cavities presented once the stormwater project commenced. This step will enable focus back to progressing the execution of the new licence agreement. 02/11/23 Meeting on-site with NHRSL CEO and Project Manager; AMED &amp; Manager Projects to walk through issues identified with sink holes, cavities and current rectification works. Need has been identified that there is a much larger problem in the sub-surface which needs full investigation prior to any re-surfacing. Engineers to undertake proper and full investigation, project to rectify to be scoped; responsibilities of works to be clearly delineated; funding for project to be sought. Report to be brought back to Council on status once fully understood. 22/11/23 DoPE Crown Lands have advised they are completing independent Native Title Advice to be supplied to</p>			

**ITEM 10.1 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.

02/04/24 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.

11/12/24-19/02/25 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 10.1 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 Ngurrala Aboriginal Corporation. The CDO has also recently had consultation with the key stakeholders involved in the development of the new Gumbaynggirr Keeping Place.

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

20/02/24 No further update.

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

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

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

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

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

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

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

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

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

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

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

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 10.1 OUTSTANDING ACTIONS AND REPORTS**

<p>Group expressed, including format (formal vs yarning circle) and participants. CDO meeting scheduled with Cr McWilliams and Unkya LALC CEO 20/01/25.                  05/02/25-19/02/25 Invitation to meet and form Aboriginal Advisory Committee sent out through Koori Network and other distribution lists. First meeting to be held at Council Chambers on Thursday 27 February 2025.</p>			
DECEMBER 2023			
3	SF3190	14/12/23	GM
<p><b>RESOLUTION: Subdivision - Lots 9 &amp; 10 DP884342 Warrell Creek</b>                  1 <del>Approves the registration of the subdivision plan for Lots 9 and 10 DP 884342, Warrell Creek as submitted.</del>                  2 Approves the preparation of the newly created proposed Lot 2 DP 657578 to market for sale, noting any negotiated sale to be brought back to Council for formal approval.</p>			
<p><b>STATUS:</b>                  10/01/24-05/02/24 Registration of subdivision underway as per Council resolution.                  20/02/24-08/10/24 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.                  05/02/25 Panel to review and appoint Real Estate sales EOI.                  19/02/25 Property Officer has resigned, currently on hold.</p>			
JANUARY 2024			
4	PRF53	18/01/24	DES
<p><b>RESOLUTION: River Street Toilet Block Relocation</b>                  1 Adopt an alternate building footprint directly adjacent to the existing structure on the North Eastern side, as per Attachment B and;                  2 Engage an architect to progress the design of the proposed new amenities and report back to Council.</p>			
<p><b>STATUS:</b>                  06/02/24-06/03/24 Planned layouts still being determined. Once complete, the architect will be engaged.                  20/03/24-03/04/24 Layout for the toilet block is still under development. Adopting learnings from the V-Wall Amenities upgrade documentation development with regards to compliance with the Disability Discrimination Act and specifically AS1428.1-2009 Design for Access and mobility. Upon finalisation of the layout plans Architectural advice will then be sought regarding preliminary designs which align with the Macksville Foreshore Draft Concept Master Plan.                  15/04/24-21/05/24 No further action. Action commences post V-Wall Amenities Tender.                  04/06/24 Detailed survey pending.                  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.                  19/11/24-05/02/25 No further update.                  18/02/25 EOI for prefabricated amenity blocks in progress.</p>			
APRIL 2024			
5	SF3477	11/04/24	MDE
<p><b>RESOLUTION: Valla Urban Growth Area Amendment</b>                  1 <del>Council forward the planning proposal with 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.</del>                  2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination.                  3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>			
<p><b>STATUS:</b>                  17/04/24 Awaiting final maps for planning proposal before forwarding to Minister.                  09/05/24 Final maps received and will be sent to Minister.                  22/05/24 Planning proposal drafted and sent to the Minister for gateway determination.                  05/06/24-19/06/24 No further update.                  02/07/24 Request for further information received from Minister with option to withdraw until information obtained.                  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.</p>			

**ITEM 10.1 OUTSTANDING ACTIONS AND REPORTS**

<p>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.                  05/02/25-19/02/25 No further update.</p>			
JULY 2024			
6	SF382	25/07/24	DES
<p><b>RESOLUTION: Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands.</b>                  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><b>STATUS:</b>                  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.                  05/02/25 Council met with Reflections representatives to discuss Master Plan process and Reflections involvement. A budget bid has been put in for the 2025/26 budget.                  18/02/25 No further update.</p>			
AUGUST 2024			
7	SF3114	29/08/24	DES
<p><b>RESOLUTION: Review of the Bowraville Theatre Project</b>                  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><b>STATUS:</b>                  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.                  05/02/25 CC1 has been issued. Contractors to be appointed for access and electrical work. Lift contractor engaged, with materials ordered and being delivered.                  18/02/25 Disabled access contractor has been engaged.</p>			
SEPTEMBER 2024			
8	SF3422	12/09/2024	DES
<p><b>RESOLUTION: Notice of Motion – Council Motor Vehicle Leaseback Policy</b>                  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</p>			



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current leaseback arrangements with the option of providing pool vehicles offset with an additional salary component for affected staff.			
<b>STATUS:</b> 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. 05/02/25-19/02/25 A review of the policy is underway.			
<b>OCTOBER 2024</b>			
<b>9</b>	SF3424	31/10/2024	DES
<b>RESOLUTION: Response to Matters Raised – Public Forum 11 July 2024</b> 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. <del>3 Receive a report outlining a list of projects and priorities for each Council hall.</del>			
<b>STATUS:</b> 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. 05/02/25-19/02/25 Report to Council 27 February.			
<b>NOVEMBER 2024</b>			
<b>10</b>	SF3422	14/11/2024	GM
<b>RESOLUTION: Notice of Motion – Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River</b> <del>That Council writes to the NSW Minister for Transport The Hon Jo Haylen and Member for Oxley Michael Kemp MP to:</del> 1 <del>Fund a feasibility study whether a Southern Sea Wall will stop sand build up and create access to Nambucca River</del> 2 <del>Fund a feasibility study into navigational dredging the Nambucca River, to allow access to Maritime Rescue</del> 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.			
<b>STATUS:</b> 13/01/25 Letter sent. 05/02/25 No further update. 19/02/25 Environmental Project Officer to investigate Item 3-6.			
<b>11</b>	SF3422	14/11/2024	DCS
<b>RESOLUTION: Notice of Motion – Request that Staff Investigate a Professional Style Noticeboard for Community Information for Nambucca Heads Town Centre</b> <del>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.</del>			
<b>STATUS:</b> <del>19/11/24-11/12/24 No further update. 08/01/25 CDO has begun investigating. 05/02/25 Report anticipated to be presented 27 February 2025 Council meeting. 18/02/25 Report in 27 February 2025 Council meeting</del>			
<b>12</b>	SF3508	14/11/2024	MDE
<b>RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 - Horticulture</b> 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.			
<b>STATUS:</b> 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			

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<p>requirements. A determination is expected before the end of January.                      05/02/25 The Minister has decided not to make the requested amendment to the LEP due to insufficient evidence base to support the amendment and inadequate consideration given to submissions received. A meeting will be arranged with the Department of Planning and Department of Primary Industries to discuss reasons for refusal, with a view to resubmit the planning proposal.                      19/02/25 Difficulties in arranging meeting with Department of Planning as they are not willing to meet with Councillors to discuss reasons for decision.</p>			
<b>13</b>	RF24	28/11/2024	<b>DES</b>
<p><b>RESOLUTION: Assessment of Options for Stuart Island Causeway Nambucca Heads</b>                      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.</p>			
<p><b>STATUS:</b>                      11/12/24-15/01/25 No further update.                      05/02/25 Seeking quotes for hydrological assessments for the options from the resolution.                      19/02/25 No further update.</p>			
<b>14</b>	SF3495	28/11/2024	<b>MDE</b>
<p><b>RESOLUTION: Fenced Off Leash Dog Park</b>                      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.                      3 Staff report back on the feasibility of Dawkins Lake Island, Macksville and Dudley Street, Macksville as potential locations.</p>			
<p><b>STATUS:</b>                      11/12/24 Noted. Matter to be reported back to Council in the new year.                      15/01/24-19/02/25 No further update.</p>			
<b>15</b>	SF1092	28/11/2024	<b>DES</b>
<p><del><b>RESOLUTION: Gordon Park Splash Waterpad Project – Local Roads and Community Infrastructure (LRCI) Phase 4 Funding</b></del>                      That Council:                      1 <del>Notes the report for information.</del>                      2 <del>Report on the feasibility of a future similar project at Bowraville.</del>                      3 <del>Review possible locations including Bellwood, Nambucca Heads and a location in Gordon Park, Nambucca Heads, closer to the playground.</del></p>			
<p><del><b>STATUS:</b>                      11/12/24 Project on hold until location report presented to Council.                      15/01/25 No further update.                      05/02/25 Report anticipated for 27 February 2025 Council meeting.                      19/02/25 Report to this meeting.</del></p>			
<b>DECEMBER 2024</b>			
<b>16</b>	SF3422	19/12/2024	<b>MDE</b>
<p><b>RESOLUTION: Notice of Motion - Request for Signage for Thompson Street Carpark and Extensions to Ranger Patrols - South Valla Beach</b>                      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.</p>			
<p><b>STATUS:</b>                      15/01/25 Sign to be ordered and request made to National Parks.                      05/02/25 Signs have arrived and will be programmed for installation.                      19/02/25 Signs have been installed.</p>			
<b>17</b>	SF3422	19/12/2024	<b>GM</b>
<p><del><b>RESOLUTION: Notice of Motion – Valla Urban Growth Area Cultural Heritage</b></del>                      That Council:                      1 <del>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).</del>                      2 <del>Prepares an interpretation plan as recommended in the Aboriginal &amp; 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.</del></p>			

**ITEM 10.1 OUTSTANDING ACTIONS AND REPORTS**

<b>STATUS:</b> 15/01/25 Consultation is undertaken as part of the DA process. 05/02/25-19/02/25 Interpretation plan will be developed as part of first stage of subdivision.			
<b>18</b>	SF102	19/12/2024	DES
<b>RESOLUTION: Desktop Feasibility Assessment of a Safe Bike/Pedestrian Connection Between Scotts Head and Macksville</b> That Council defer and report back on two different options with the intent to minimise the cost of the project.			
<b>STATUS:</b> 15/01/25 Meeting with Scotts Head Community Group (SHCG) representatives scheduled for 17/01/2025. 05/02/25 Council met with representatives from the SHCG on 22/01/25 to discuss their options. 19/02/25 No further update.			
<b>FEBRUARY 2025</b>			
<b>19</b>	SF251	13/02/2025	GM
<b>RESOLUTION: Notice of Motion – Bring Forward Review of Council Meeting Dates</b> That Council: 1 Resolves to bring forward the review on Council meeting dates to the next council meeting. 2 includes an assessment on the following suggestions: a The council meeting is held once per month on the fourth Wednesday of the month at 2pm. b Hold a briefing session the day prior to the council meeting at 4pm c Hold a public forum for members of the public at 5pm on the day prior to council meeting. d Live streams a video recording of the council meeting.			
<b>STATUS:</b> 19/02/25 Report to this meeting.			
<b>20</b>	SF3424	13/02/2025	MDE
<b>RESOLUTION: Response to Matters Raised – Public Forum 13 February 2025</b> That Council call for a report on the pollution events at Beer Creek and the effects on the oyster industry.			
<b>STATUS:</b> 19/02/25 Report to be prepared for 13 March meeting.			

**ATTACHMENTS:**

There are no attachments for this report.

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**GENERAL MANAGER'S REPORT**

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**ITEM 10.2 SF251 270225 PROPOSED FREQUENCY AND TIMING OF FUTURE COUNCIL MEETINGS**

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

**SUMMARY:**

The newly elected Council has the option of changing the frequency and timing of future council meetings. It is unlikely that any solution proposed will be perfect for all involved, and the best compromise position has been recommended. However, all options are open to Council with any combination able to be accommodated.

**RECOMMENDATION:**

**That Council:**

- 1 Meets once per month at 4.00pm on the fourth Wednesday of the month.**
- 2 Holds a forum for public submissions regarding items on the agenda immediately prior to the commencement of the Council meeting.**
- 3 Holds a briefing session (if required), at 4.00pm on the day prior to the Council meeting.**
- 4 Amends the Code of Meeting Practice to reflect the changes adopted.**
- 5 Amends the Code of Meeting Practice to reflect the practice of Council resolving an extension of time for speakers in the public forum.**

**OPTIONS:**

- 1 Retain existing meeting time and frequency
- 2 Proposed recommendation
- 3 Alternative option – any combination of day, time and frequency.

**BACKGROUND:**

The newly elected Council resolved at its meeting 17 October 2024, to defer consideration of the review into the frequency and timing of the Council meetings for a period of 6 months.

At the Council meeting of 13 February 2025, Council resolved to bring forward that (deferred) review to the Council meeting of the 27 February 2025. The resolution also included an assessment on the following;

- The Council meeting is held once per month on the fourth Wednesday of the month at 2pm.
- A briefing session (if required), be held on the day prior at 4pm
- The public forum held at 5pm on the day prior to the Council meeting
- Live streams a video recording of the Council meeting.

Council meetings are currently held twice per month on the last Thursday and the Thursday two weeks prior, except January and December when only one meeting is held. Meeting time is 5.30pm and generally run for 2-2.5 hours. Dinner for Councillors and staff is provided after the meeting.

**DISCUSSION:**

**Meeting frequency**

The Local Government Act requires Council to meet a minimum of 10 times per year on a monthly basis. The current schedule of two meeting per month requires additional staff resources to prepare twice the reports and agendas. The short turn-around between meetings requires business administration staff to prepare the next agenda within 3 days after the first meeting of the month, and report writers often only

**ITEM 10.2 PROPOSED FREQUENCY AND TIMING OF FUTURE COUNCIL MEETINGS**

have effectively 2 or 3 days to properly research and write a report to meet the deadline for the next agenda to be published, particularly when Council call for a report.

Whilst there will be a monetary saving with one meeting per month, it is not possible to do a meaningful cost/benefit analysis, as some of the purported benefits, such as better public engagement are unquantifiable, and can be offset by other ways of encouraging public participation.

Less duplication of reports will also provide some efficiencies with staff not having to work on routine council reports every fortnight. A considerable number of current reports are for Councillors information only and do not require a resolution. These reports could be distributed separately or form part of an open briefing session, separate to the Council meeting agenda.

**Meeting time**

Councils across the state have their meetings at various times and often during the day depending on Councillor’s needs. A Council meeting on a Wednesday or Thursday best accommodates the agenda preparation timeline, public holidays and staff availability. Councillors would receive the agenda papers prior to the weekend for preparation for the meeting.

A monthly meeting would usually require between 2 and 4 hours to deal with the volume of reports brought to the meeting. A 5:30pm start time may be problematic if the meeting then runs to 9:30 or 10pm. There are a number of ways this can be mitigated, such as dealing with items by exception by way of a single unanimous resolution as per Part 13 of the Model Code of Meeting Practice, an earlier start time for the meeting, or holding the public forum separate to the meeting. As Council’s resolution does not cover the dealing with items by exception, it is not considered an option at this stage.

There are pros and cons with having either day or evening meetings.

	Pros	Cons
Day time meetings	<ul style="list-style-type: none"> <li>• More accessible time for the elderly, particularly in winter.</li> <li>• Access to the admin building during opening hours.</li> <li>• Better staff availability.</li> <li>• No overtime costs.</li> </ul>	<ul style="list-style-type: none"> <li>• May conflict with Councillors existing priorities.</li> <li>• Less accessible for people with daytime jobs.</li> </ul>
Night time meetings	Provides better access for people who work during the day.	<ul style="list-style-type: none"> <li>• Staff availability and cost of overtime.</li> <li>• May conflict with Councillors existing priorities.</li> <li>• Risk to staff travelling home at night, particularly in winter.</li> <li>• Less accessible for people with night time jobs.</li> </ul>

A number of Councillors expressed a concern about the time being accessible to members of the public who work. There is no perfect time to accommodate all, however a compromise position might be to commence the meeting at 4.00pm.

As an example, for a 4.00pm Wednesday Council meeting, a typical agenda schedule would look like the following:

Notices of Motion required by:	10.00am Tuesday 18 March 2025
Questions with Notice required by:	10.00am Tuesday 18 March 2025
Agenda emailed:	5.00pm Thursday 20 March 2025
Public Delegation Requests and Speaking notes by:	5.00pm Tuesday 25 March 2025
<b>Council Meeting Date:</b>	4.00pm Wednesday 26 March 2025

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**ITEM 10.2 PROPOSED FREQUENCY AND TIMING OF FUTURE COUNCIL MEETINGS**

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**Public Forum**

The public forum is an important component of Council's decision making process and it's important that members of the public have the opportunity to make a verbal submission to items being considered by Council.

There are three options for Council to consider;

- 1) Hold the public forum separate to the meeting day, as proposed by Council's resolution, (the day prior). This puts the focus on the public submissions, and allows Councillors more time for questions, and clarification from staff if necessary.
- 2) Hold the public forum immediately prior to the Council meeting (say an hour before). This option also allows the focus on the public submissions. Whilst this option doesn't allow Councillors the additional time to ruminate, it still allows Councillors to clarify anything with staff prior to the formal Council meeting. Also, it means the Council is not required to convene twice in the same week.
- 3) Continue to hold the public forum within the Council meeting proper.

The Code of Meeting Practice would still apply to the public forum should it be separate to the Council meeting. Of the 29 Councils researched, a clear majority (17-12) separate the public forum from the meeting, with most holding the forum immediately prior to the Council meeting.

Times allowed for presentations ranged from 2 minutes to 7 minutes, with 5 minutes a popular limit amount Councils, and there is always the option of an extension should Council see fit.

Also, of note, only one Council out of 29 holds a separate public forum for presentations on items not on the agenda.

**Housekeeping**

Of note, Council's Code of Meeting Practice currently does not allow for a Councillor to move an extension of time, however this has been an established practice of this Council. This practice could be incorporated as part of the amendments to the Code if Council resolves that way.

**Livestreaming Council meetings**

There is a budget bid for the 2025/26 budget for the implementation of a new livestreaming system. Should this bid be approved, livestreaming will commence in the 2025/26 financial year.

**CONSULTATION:**

Executive Leadership Team.

Business Services Coordinator

29 other Councils, mostly OLG Group 11 – Large Rural.

**SUSTAINABILITY ASSESSMENT:** N/A**FINANCIAL IMPLICATIONS:****Direct and indirect impact on current and future budgets**

Day time meetings could save approximately \$14,000 on staff overtime and meal costs.

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

Not applicable.

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

Not applicable.

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

There are a number of staff who travel significant distances after council meetings, which places them at risk driving at night, particularly in winter.

**ATTACHMENTS:**

- 1  9204/2025 - Council Meeting Details - Other Councils

**ITEM 10.2 PROPOSED FREQUENCY AND TIMING OF FUTURE COUNCIL MEETINGS**

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**GENERAL MANAGER'S REPORT**

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**ITEM 10.3 SF3145 270225 MINUTES OF THE NATIONAL CELEBRATION DAY  
ADVISORY COMMITTEE MEETING - 6 FEBRUARY 2025**

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**AUTHOR/ENQUIRIES:** Kelly Pacey, Executive Assistant; Suzanne Sullivan, Senior Business Services Officer

**SUMMARY:**

The National Celebration Day Advisory Committee held a meeting on Thursday 6 February 2025. The minutes of this meeting are attached for Council's information. There are also items for Council's approval from the meeting as listed in the recommendation.

**RECOMMENDATION:**

**That Council:**

- 1 Notes the minutes of the National Celebration Day Advisory Committee meeting held on 6 February 2025.**
- 2 Approves the following changes as recommended by the Committee:**
  - **The Terms of Reference be updated:**
    - a) **to enable nominees to be advised by Council of the award category they are receiving.**
    - b) **to change the closing date of nominations from second Friday in December to the second Friday in November, to allow the Committee to meet at the end of November, determining recipients and to present the minutes to the December Council meeting.**
    - c) **the following statement to be added to the nomination form "Citations received could be edited by the Committee".**
  - **An Expression of Interest for the location of the 2026 Australia Day Community Event be advertised in April 2025.**
  - **That the committee name changes to "Nambucca Valley Community Awards Advisory Committee".**

**OPTIONS:**

- 1 Proposed recommendation
- 2 Alternative option – amend the items listed for Council approval.

**BACKGROUND:**

The National Celebration Day Committee was created to acknowledge the achievement of outstanding individuals, young and old who have made a valuable contribution to the Nambucca Valley community through an annual awards program. Such awards will help inspire and encourage accomplishment in community service and volunteering, sport, education, arts and culture and be truly inclusive.

The National Celebration Day (NCD) Committee was a Section 355 committee but as resolved by Council at its 17 October 2024 Council meeting (see Council Resolution 319/24) is now an advisory committee which requires Council's endorsement of the meeting minutes and Council approval of requests from the Committee for the use of Council resources as this ensures that resources are used appropriately and in line with council policies and regulations.

**DISCUSSION:**

The National Celebration Day Advisory Committee held a meeting on Thursday 6 February 2025 and the minutes from the meeting are attached.



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**ITEM 10.3 MINUTES OF THE NATIONAL CELEBRATION DAY ADVISORY COMMITTEE MEETING -  
6 FEBRUARY 2025**

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The Committee had changes to the Terms of Reference as listed in the recommendation. These changes are shown in red in the attached Terms of Reference document.



**CONSULTATION:**

General Manager  
Director Corporate Services.

**SUSTAINABILITY ASSESSMENT:** Nil**Risk Analysis:** Nil**Delivery Program Action**

LW13 - Volunteers in the community are recognised and encouraged

**FINANCIAL IMPLICATIONS:** Nil**ATTACHMENTS:**

- 1  6806/2025 - Minutes - National Celebration Day Advisory Committee - 6 February 2025
- 2  65354/2024 - Terms of Reference - Nambucca Valley Community Awards Advisory Committee

**DIRECTOR CORPORATE SERVICES REPORT**

**ITEM 11.1 SF3492 270225 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 15 JANUARY 2025**

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

**SUMMARY:**

The Minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting held 15 January 2025 are shown below for Council’s endorsement. Discussion around the items presented to ARIC have been included in the minutes attached.

From the 15 January 2025 ARIC meeting the Audit, Risk and Improvement Committee Key Performance Indicators for the 2024/25 financial year, the amended Terms of Reference for the Nambucca Valley Council Audit, Risk and Improvement Committee (adding Councillor McWilliam as the Council representative on the Committee), the Internal Audit Key Performance Indicators for the 2024/25 financial year, and the Head of Internal Audit Key Performance Indicators for the 2024/25 financial year, require Council approval.

**RECOMMENDATION:**

That Council:

- 1 **Notes the Minutes from the Audit, Risk and Improvement Committee Meeting held 15 January 2025.**
- 2 **Per Item 7.3 of the Audit, Risk and Improvement Committee Meeting held 15 January 2025 Council approves the Audit, Risk and Improvement Committee Key Performance Indicators for the 2024/25 financial year.**
- 3 **Per Item 7.4 of the Audit, Risk and Improvement Committee Meeting held 15 January 2025 Council approves the amended Terms of Reference for the Nambucca Valley Council Audit, Risk and Improvement Committee.**
- 4 **Per Item 7.7 of the Audit, Risk and Improvement Committee Meeting held 15 January 2025 approves the Internal Audit Key Performance Indicators for the 2024/25 financial year.**
- 5 **Per Item 7.7 of the Audit, Risk and Improvement Committee Meeting held 15 January 2025 approves the Head of Internal Audit Key Performance Indicators for the 2024/25 financial year.**

**OPTIONS:**

- 1 Per the recommendation.
- 2 Alternate – not adopt and/or change:
  - a The Audit, Risk and Improvement Committee Key Performance Indicators for the 2024/25 financial year.
  - b The amended Terms of Reference for the Nambucca Valley Council Audit, Risk and Improvement Committee.
  - c Internal Audit Key Performance Indicators for the 2024/25 financial year.
  - d Head of Internal Audit Key Performance Indicators for the 2024/25 financial year.

**DISCUSSION:**

The ARIC endorsed Audit, Risk and Improvement Committee Key Performance Indicators for the 2024/25 financial year are:

Key Area	KPI	Measurement
<b>ARIC Arrangements – Composition</b>	Experience and Capability of the Committee	<b>Goal:</b> Committee members (as a group) hold the experience and capability to undertake the responsibilities in schedule 1 of the ARIC Charter.
<b>ARIC Arrangements – Meeting</b>	Meetings Held v Meetings	<b>Goal:</b>

**ITEM 11.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 15 JANUARY 2025**

Attendance	Attended	1. = Minimum 4 meetings 2. = Member attendance at meetings = 80%
<b>ARIC Arrangements – Staggered Appointments</b>	Appointments Staggered to ensure continuity of the Committee	<b>Goal:</b> 1 new appointment in any one year.
<b>ARIC Arrangements – Closed Camera Session</b>	In camera closed session held with internal auditor	<b>Goal:</b> At least 1 per annum
<b>ARIC Arrangements – Closed Camera Session</b>	In camera closed session held with external auditor	<b>Goal:</b> At least 1 per annum
<b>Annual Workplan</b>	Review progress of annual workplan at each quarterly meeting.  Review the ARIC Annual Workplan on an annual basis	<b>Goal:</b> 1. Progress of Annual Workplan reviewed at each quarterly meeting. 2. Annual workplan reviewed April each year.
<b>Strategic Workplan</b>	Review the ARIC Strategic Workplan on an annual basis.  Strategic Workplan endorsed at the start of each Council Term by the new Council.	<b>Goal:</b> Strategic workplan reviewed April each year.  Council endorsement at the beginning of each Council Term.
<b>Reporting – Quarterly</b>	ARIC Meeting Agenda	<b>Goal:</b> Chairperson receives agenda 2 weeks prior to meeting and approves them within one week.
<b>Reporting – Quarterly</b>	Quarterly Reporting to Council	<b>Goal:</b> Minutes are approved by the Chairperson within one week of the meeting and then are reported to the next Council meeting.
<b>Reporting – Annual</b>	Annual Reporting to Council	<b>Goal:</b> Annual Report to Council November each year.
<b>Reporting – End of Council Term</b>	End of Term ARIC Report	<b>Goal:</b> End of Term ARIC Report to Council at the last meeting before the election.
<b>Performance – Schedule 1 Responsibilities ARIC Charter</b>	Committee meets its responsibilities under Schedule 1 of the Charter over the course of the Council Term (Self-assessment (see attached) to be completed on an annual basis).	<b>Goal:</b> Self-Assessment Survey – Completed by Members with a target Average Response Overall score of 4 or greater.

The performance review – Schedule 1 Responsibilities ARIC Charter will be conducted on a self-assessment basis by individual ARIC members with appropriate input sought from the General Manager, the internal and external auditors, the Head of Internal Audit (Director Corporate Services), management and any other relevant stakeholders. The individual ARIC members self-assessment will use the following scoring for each KPI area: 1=Poor 2=Unsatisfactory 3=Satisfactory 4=Very Satisfactory 5=Outstanding. Once the individual assessments have been collected an average response overall will be calculated

The amended Terms of Reference for the Nambucca Valley Council Audit, Risk and Improvement Committee are attached and have been changed to remove John Wilson as the Councillor representative

**ITEM 11.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 15 JANUARY 2025**

and have added Councillor McWilliam as the Council representative on the Committee (per Item 9.7 to the 17 October 2024 Council meeting ‘Council Advisory Committees’ resolution 318/24 (Smith/Vance)). The amended Terms of Reference are required to be signed and date by the Mayor with the Council Resolution number noted.

The ARIC endorsed Internal Audit Key Performance Indicators for the 2024/25 financial year are:

- Audit Completed vs Planned Audits.
- Percentage of audit recommendations that were accepted.
- Percentage of the audit plan aligned to strategic risks.
- Number of audits completed by agreed due date.
- Cost of audits completed against budget allocated (%)

The ARIC endorsed the following Head of Internal Audit Key Performance Indicators for the 2024/25 financial year which align with the Internal Audit Charter ‘Responsibilities of the head of the internal audit function’:

- contract management of the external provider
- ensuring the external provider completes internal audits in line with the ARIC’s annual work plan and four-year strategic work plan,
- audit reports by the external provider are included in the next ARIC meeting,
- acting as a liaison between the external provider and the ARIC to a satisfactory standard,
- monitoring the Council’s implementation of corrective actions that arise from the findings of audits and reporting progress to the ARIC, and
- assisting the ARIC to ensure the Council’s internal audit activities comply with the Guidelines for risk management and internal audit for local government in NSW.

Scoring of the Head of Internal Audit’s performance by individual ARIC members will be undertaken using the same method as the ARIC self-assessment.

**CONSULTATION:**

ARIC members.  
OLG

**SUSTAINABILITY ASSESSMENT:**

Not Applicable.

**Risk Analysis**

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

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

**Delivery Program Action**

CC4 - Maintain an effective governance regime

**FINANCIAL IMPLICATIONS:**

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

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

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**ITEM 11.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 15 JANUARY 2025**

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

As above.

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

Nil.

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

No change from current levels.

**ATTACHMENTS:**

**1** 1580/2025 - Minutes of the Audit, Risk and Improvement Committee meeting held 15 January 2025



**2** 9002/2025 - Amended Terms of Reference for Nambucca Valley Council Audit, Risk and Improvement Committee



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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 11.2 SF270 270225 ALLOWANCE FOR DEPUTY MAYOR ACTING AS MAYOR  
FROM 17 JULY 2025 TO 15 SEPTEMBER 2025**

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

**SUMMARY:**

At the 13 February 2025 Council meeting in relation to Item 5.2 Notice of Motion – Councillor Gary Lee request for leave 17 July to 15 September 2025, the following was resolved:

23/25 RESOLVED:(Lee/Vance)

*That Councillor Gary Lee be granted leave of absence in accordance with Section 234(1)(d) of the Local Government Act 1993 for the period of 17 July 2025 to 15 September 2025 inclusive.*

In accordance with Section 249 of the *Local Government Act 1993* a Council may pay the Deputy Mayor a fee determined by the Council for such time as the Deputy Mayor acts in the Office of Mayor.

**RECOMMENDATION:**

**That Council:**

- 1 Approve to pay the Deputy Mayor Councillor James Angel an amount of \$8,222.47 additional allowance whilst he acts in the Office of Mayor from 17 July 2025 to 15 September 2025.**
- 2 Notes that the amount approved to be paid as additional allowance whilst the Deputy Mayor acts in the Office of Mayor is deducted from Mayor Gary Lee's Mayoral allowance in 2024/25 in accordance with Section 249 (5) of the *Local Government Act 1993*.**

**OPTIONS:**

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option – a lesser amount may be chosen.

**DISCUSSION:**

The 'Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW' (see <https://www.olg.nsw.gov.au/wp-content/uploads/Guidelines-for-the-payment-of-expenses-and-the-provision-of-facilities-for-Mayors-and-Councillors-in-NSW-2009.pdf> ) page 9 states:

*In relation to annual fees, it should be noted that councils may only pay a deputy mayor part of the mayor's annual fee where a deputy mayor demonstrably acts in the role of the mayor. Such payment must only be done at the **direction of the council** and any amount paid to the deputy mayor must be deducted from the mayor's annual fee (section 249 of the *Local Government Act*).*

Section 249 (5) of the *Local Government Act 1993* states:

*A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.*

Councillor James Angel was elected as Deputy Mayor on 17 October 2024.

At the 13 February 2025 Council meeting in relation to a report from the Mayor, Item 5.2 Notice of Motion – Councillor Gary Lee request for leave 17 July to 15 September 2025, the following was resolved:

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**ITEM 11.2 ALLOWANCE FOR DEPUTY MAYOR ACTING AS MAYOR FROM 17 JULY 2025 TO 15 SEPTEMBER 2025**

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23/25 RESOLVED:(Lee/Vance)

*That Councillor Gary Lee be granted leave of absence in accordance with Section 234(1)(d) of the Local Government Act 1993 for the period of 17 July 2025 to 15 September 2025 inclusive.*

Therefore, Councillor Angel will be acting Mayor from 17 July 2025 to 15 September 2025, a period of 61 days.

If Councillor Angel is to be paid an apportioned amount of the annual Mayoral Allowance approved at the 27 June 2024 Council Meeting of \$49,200 for the 61 days he is acting Mayor he will be entitled an amount of \$8,222.47 as additional allowance (\$49,200 divided by 365 multiplied by 61). This amount will be deducted from Mayor Lee's Mayoral Allowance for the 2024/25 financial year.

**CONSULTATION:**

Nil

**SUSTAINABILITY ASSESSMENT:**

Nil

**Delivery Program Action**

CC4 - Maintain an effective governance regime

**FINANCIAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

There are no attachments for this report.

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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 11.3 SF1620 270225 DELIVERY PROGRAM AND OPERATIONAL PLAN  
PROGRESS - JULY 2024 TO DECEMBER 2024**

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**AUTHOR/ENQUIRIES:** Kristian Enevoldson, Manager Risk and Governance

**SUMMARY:**

Sections 404 and 405 of the *Local Government Act 1993* require Council to adopt a Delivery Program and Operational Plan. This report comments on the status of the 2022-23 to 2025-26 Delivery Program and Operational Plan as at 31 December 2024 and the extent to which the performance targets have been achieved.

**RECOMMENDATION:**

**That Council notes the status of the Delivery Program and Operational Plan as at 31 December 2024.**

**OPTIONS:**

For information only.

**DISCUSSION:**

Section 4.9 of the Integrated Planning & Reporting Guidelines September 2021 states that the General Manager must ensure that regular progress reports are provided to the Council reporting as to its progress with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months. The Delivery Program is developed around the four key themes of the Community Strategic Plan:

- Caring for our Community
- Caring for our Environment
- Living Well
- Promoting Prosperity

Responsible managers have made comments on the status of each target as at 31 December 2024 as detailed in the attached report.

**CONSULTATION:**

Managers

**SUSTAINABILITY ASSESSMENT:** As outlined in the attached report.

**FINANCIAL IMPLICATIONS:** N/A

**ATTACHMENTS:**

1  397/2025 - Delivery Plan Progress at 31 December 2024



**DIRECTOR CORPORATE SERVICES REPORT**

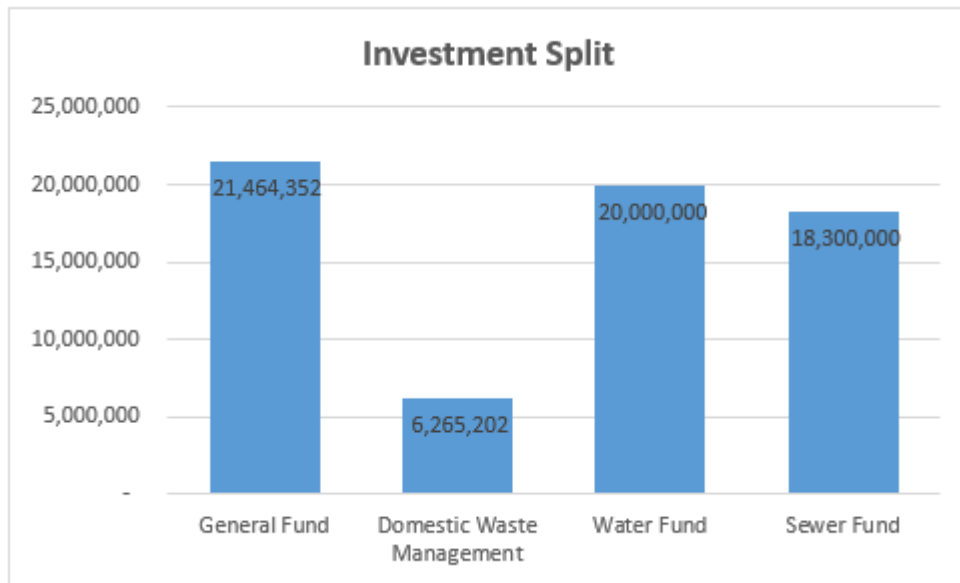
**ITEM 11.4 SF3528 270225 INVESTMENT REPORT FOR JANUARY 2025**

**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 January 2025.

Council’s investments as at 31 January 2025 of \$66,029,554 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 January 2025.**
- 2 Adopts the certification of the Responsible Accounting Officer for January 2025.**

**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 11.4 INVESTMENT REPORT FOR JANUARY 2025**

For the period January 2025, the investments held by Council is shown below:

	Last Month	Current Month
TCorp	\$3,157,592	\$3,224,382
Floating Rate Notes	\$1,007,321	\$1,007,181
Fixed Bonds	\$4,497,318	\$4,497,991
Term Deposits	\$53,800,000	\$57,300,000
<b>Total</b>	<b>\$62,462,231</b>	<b>\$66,029,554</b>

**Portfolio Performance**

Council's total portfolio performance returned +0.49% in January, outperforming the benchmark AusBond Bank Bill index of +0.38%. On an annualised basis, the portfolio returned +5.98%p.a., outperforming the benchmark of +4.59%p.a. and the official cash rate of 4.35%.

Last month's commentary mentioned that 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. During January, excess funds allowed Council to invest a further \$3.5 million in term deposits making the overall portfolio compliant with the investment policy.

Council's term deposits portfolio yielded 4.96% p.a. at the end of January. Council now only holds 2 term deposits that are below the benchmark which is an outstanding result for Council.

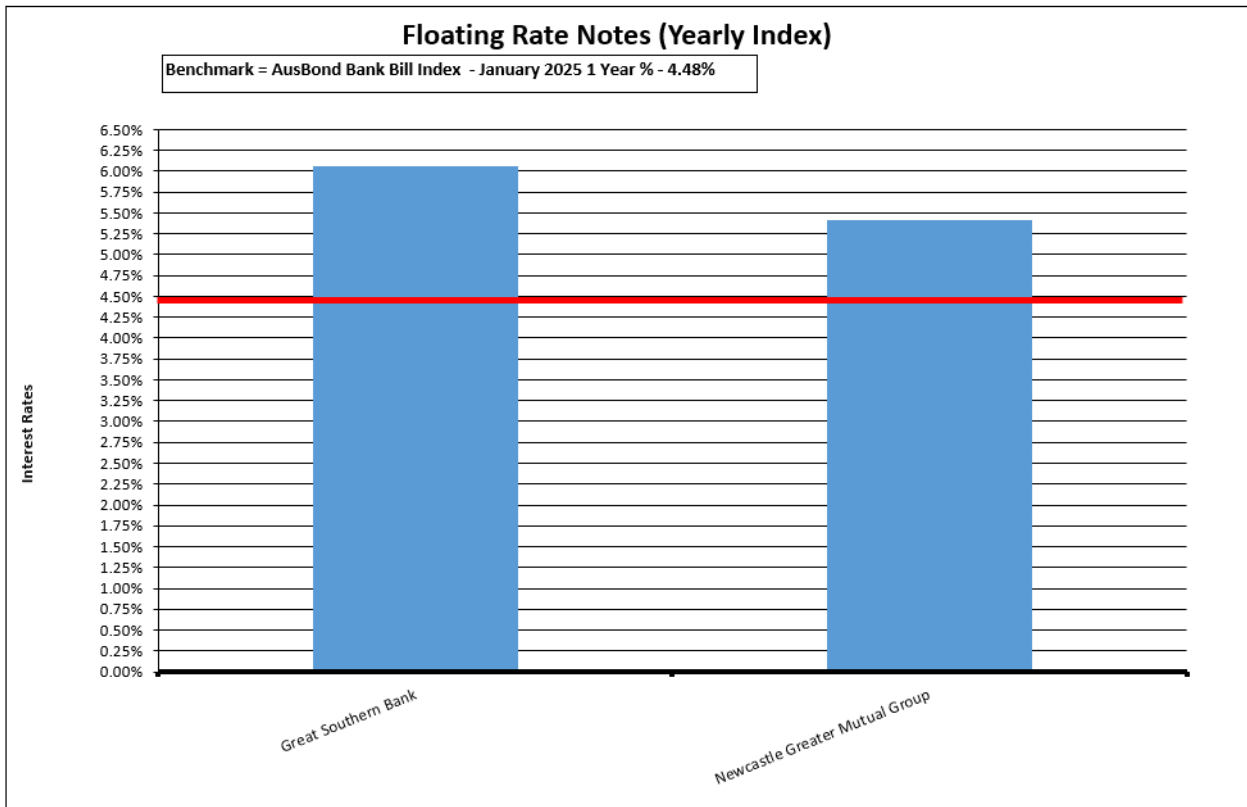
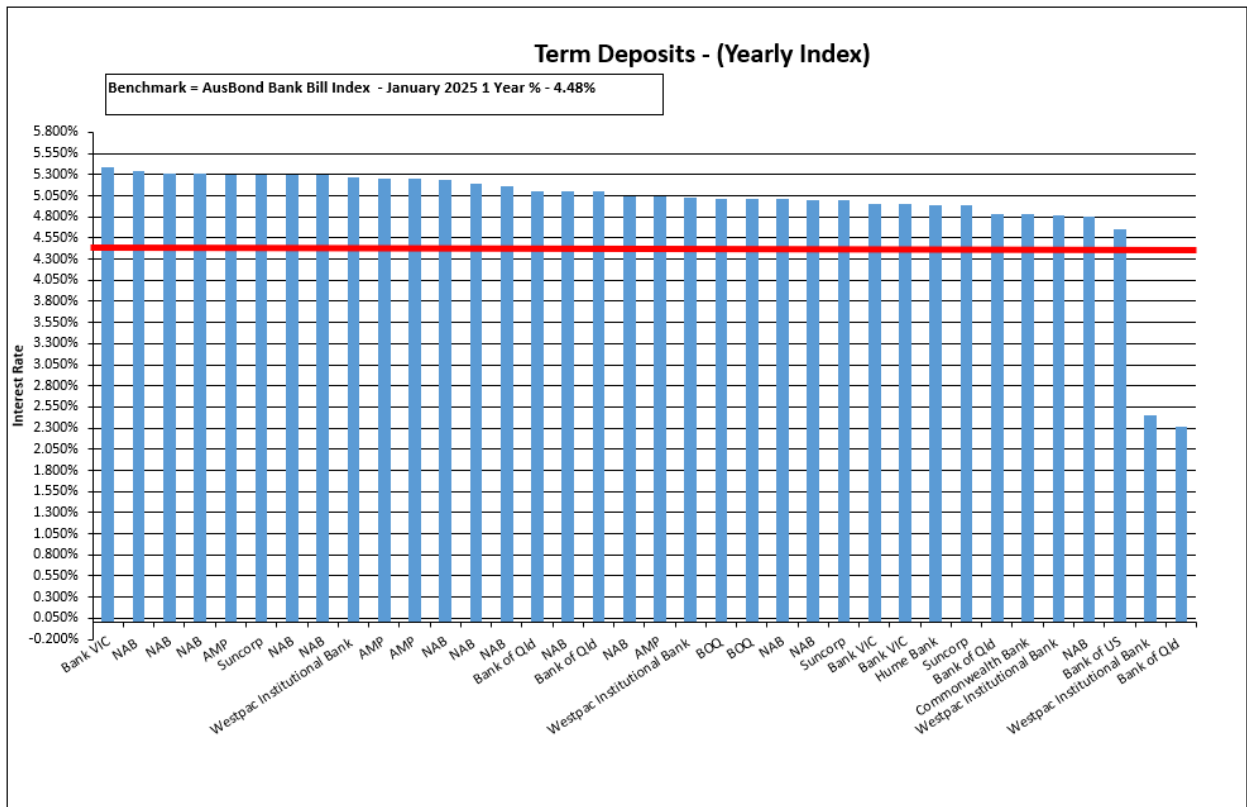
Council's Floating Rate Notes (FRN) portfolio are reported at current valuation being the "Capital Value", which can be different to the "Face Value" being the initial purchase value. FRN's are market driven and can change from month to month depending on market fluctuations. Council's FRN portfolio yielded 6.27% p.a. at the end of January.

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 2.12%. Funds held with TCorp are looked at with a long term view.

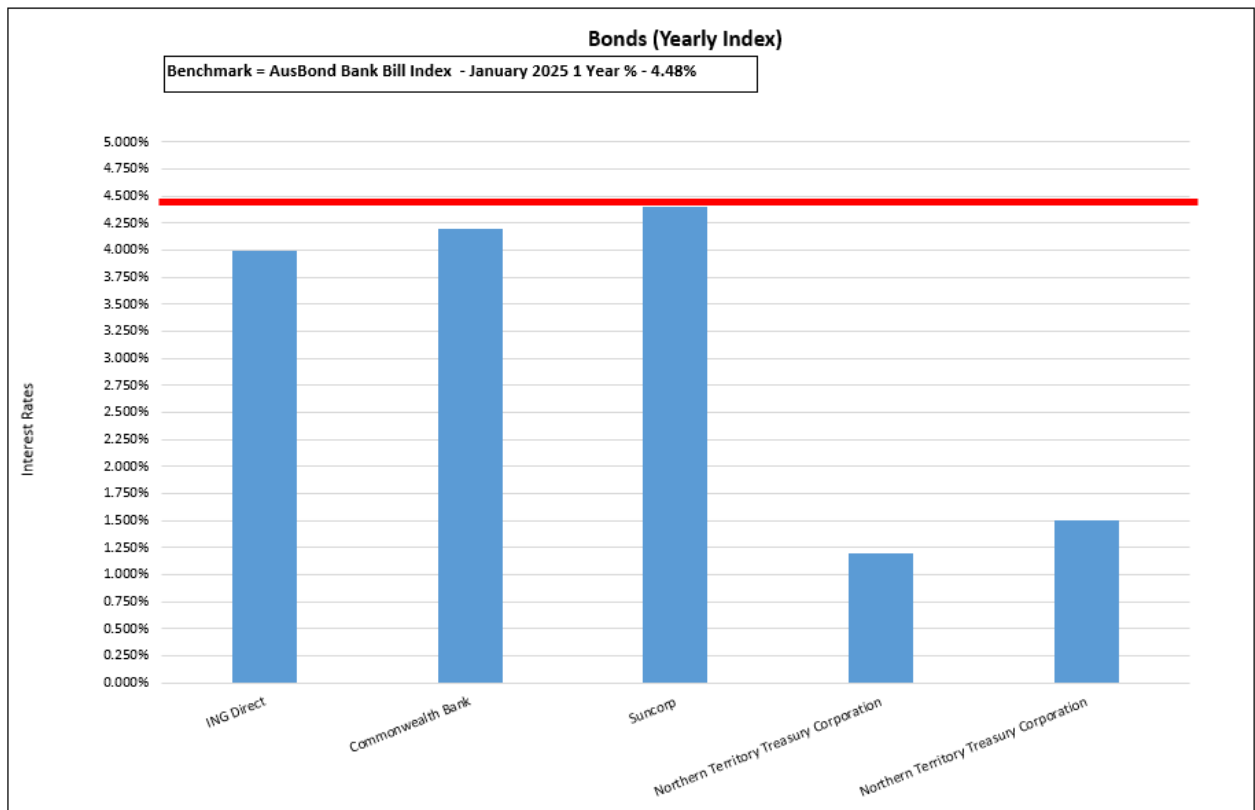
Council has invested in Senior Fixed Bonds. Council holds 2 sub-optimal Senior Fixed Bonds returning 1.2% p.a. and 1.5% p.a., however the advice provided by Arlo Advisory is to hold to maturity as the penalty rates would be high. The bonds have a maturity of December 2025 and December 2026.

Maturing 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 11.4 INVESTMENT REPORT FOR JANUARY 2025



**ITEM 11.4 INVESTMENT REPORT FOR JANUARY 2025**



**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 31/01/2025

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	6,000,000.00	9.09	3.00	100.00	60,029,554.20
✓	91 - 365 days	36,497,991.50	55.27	0.00	100.00	29,531,562.70
✓	1 - 2 years	18,300,000.00	27.71	0.00	70.00	27,920,687.94
✓	2 - 5 years	2,007,181.00	3.04	0.00	50.00	31,007,596.10
✓	5 - 10 years	3,224,381.70	4.88	0.00	25.00	13,283,006.85
<b>TOTALS</b>		<b>66,029,554.20</b>	<b>100.00</b>			

**ITEM 11.4 INVESTMENT REPORT FOR JANUARY 2025**

**Table 2: Credit Rating Limits**

**Credit Quality Compliance** as at 31/01/2025

**Long Term Investments**

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AAA	498,879,50	0,76	100,00	65,530,674,70
✓	AA	34,799,112,00	52,70	100,00	31,230,442,20
✓	A	8,500,000,00	12,87	60,00	31,117,732,52
✓	BBB	19,007,181,00	28,79	45,00	10,706,118,39
✓	Unrated	3,224,381,70	4,88	5,00	77,096,01
<b>TOTALS</b>		<b>66,029,554,20</b>	<b>100,00</b>		

**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 January 2025 report page 2:*

Risk markets rebounded strongly in January as financial markets again focused on expectations of additional rate cuts being priced over 2025 amid signs that inflation was continuing to ease.

In the deposit market, over January, at the very short-end of the curve (less than 6 months), the average deposit rates offered by the major banks fell up to 16bp compared to where they were last month (December). The major banks were quick to adjust their short-term rates in response to the lower than expected inflation print, with most bringing forward their rate cut expectations to potentially as early as February, if not March. In contrast, the average rates being offered for 1-5 year terms remained relatively flat compared to where they were in December, a reflection that the expectations for the number of rate cuts has remained unchanged.

With rate cuts and a global economic downturn priced in over 2025, investors should consider diversifying and taking an ‘insurance policy’ against a potentially lower rate environment by investing across 1-5 year fixed deposits and locking in rates above 4½% p.a. (small allocation only).

**Delivery Program Action**

CC5 - Identify and implement initiatives to improve financial sustainability

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**ITEM 11.4 INVESTMENT REPORT FOR JANUARY 2025**

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

Interest accrued for the month of January was \$248,428 totalling \$1,772,093 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  8009/2025 - Investment Report January 2025
- 2  8008/2025 - Arlo Advisory Investment Review January 2025

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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 11.5 SF3517 270225 DECEMBER 2024 QUARTERLY BUDGET REVIEW**

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**AUTHOR/ENQUIRIES:** Kellie Byrne, Management Accountant

**SUMMARY:**

This report has been prepared to comply with Section 203 of the *Local Government (General) Regulation 2021* and to inform Council and the community of Council's estimated financial position for the 2024/2025 financial year, reviewed as at 31 December 2024.

A review of the 2024/25 budget has been carried out for the quarter ended 31 December 2024 and this has resulted in a revised cash surplus projection of \$690,360 with material variations shown in attached report.

**RECOMMENDATION:**

**That Council:**

- 1 Notes the budget review for the quarter ended 31 December 2024.**
- 2 Approves the recommended variations in the budget for the 2024/25 financial year.**

**OPTIONS:**

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

**DISCUSSION:**

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

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

**Budget Summary**

Council's original budget adopted for 2024/25 provided an estimated surplus prior to capital grants of \$935,000. The September review resulted in a small operating deficit before capital grants and contributions of \$766,000. The proposed budget variations for the quarter ending December 2024 review have resulted in an operating revenue of \$76,648,000, with operating expenditure being \$54,725,000, now showing a net operating deficit before capital grants and contributions of \$1,223,000, and operating surplus of \$21,923,000.

From a cash point of view the original budget forecasted a net deficit of \$138,000, variations from the September 2024 Quarterly Budget Review saw a further \$10,950 deficit and a surplus result of \$690,360 for the December 2024 Quarterly budget review has resulted in a surplus of \$541,410.

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**ITEM 11.5 DECEMBER 2024 QUARTERLY BUDGET REVIEW**

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**Office of Local Government Budget Review Guidelines:**

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

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

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

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

The QBR for the period 01/07/2024 to 31/12/2024 is included as an attachment and below is an explanation on each statement.

**Income and Expenditure Budget Review Statement by Type**

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

**Capital Budget Review Statement**

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

**Cash and Investments Budget Review Statement**

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



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**ITEM 11.5 DECEMBER 2024 QUARTERLY BUDGET REVIEW**

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**Key Performance Indicators (KPIs)**

The KPIs within this report are:

- **Own source operating revenue** – This ratio indicates the degree of reliance on external funding sources such as operating grants and contributions.
- **Debt Service cover ratio** – This ratio measures the availability of operating cash to service debt, including interest, principal and financial lease payments.
- **Rates and Annual Charges Outstanding Ratio** – This assesses the impact of uncollected rates and annual charges on Councils liquidity and the adequacy of recovery efforts. In the first quarter of the financial year, it should be noted that the ratio is high due to the timing in rates instalment cycle. Currently 50% of the collectible rates have fallen due and 57% have been paid, which indicate we are currently on track.

**Contracts and Other Expenses**

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

**CONSULTATION:**

Budget Managers

**SUSTAINABILITY ASSESSMENT:** Nil


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

As per the Report

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

None as a result of this report.

**ATTACHMENTS:**

1  9255/2025 - QBR NVC Dec 2024

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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 11.6 SF3421 270225 COMMUNITY INFORMATION NOTICEBOARD IN NAMBUCCA HEADS**

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

At the 14 November 2024 Council meeting in relation to Item 5.2 'Notice of Motion - Request that Staff Investigate a Professional Style Noticeboard for Community Information for Nambucca Heads Town Centre' it was resolved:

*1/24 RESOLVED: (Jenvey/Jones)*

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

Along those lines this report considers possible locations and costing of a noticeboard for community information in Nambucca Heads.

**RECOMMENDATION:****That Council:**

- 1 Notes the attached 'Installation of Community Noticeboard in Nambucca Heads' report.**
- 2 Approves the wall-mounted noticeboard in the courtyard next to the Nambucca Heads Library.**

**OPTIONS:**

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option – approve the freestanding professional-style noticeboard in Bowra Street, Nambucca Heads at either location 1 (Centre pedestrian crossing, outside pharmacy) or location 2 (Top pedestrian crossing and seating area).

**DISCUSSION:**

Two options for a professional style noticeboard for community information in Nambucca Heads have been provided in the attached report. The first option being a freestanding professional-style noticeboard in Bowra Street. The second option being a wall-mounted noticeboard at the rear of the courtyard wall next to the Nambucca Heads Library.

A noticeboard located at the Nambucca Heads Library can be accommodated within existing budgets, whereas a free-standing noticeboard on Bowra Street will require further community and business consultation and allocation of a budget (for consideration as either part of the March 2025 Quarterly Budget Review to a Council meeting in May 2025 or as part of the draft 2025/26 Budget) due to higher expense.

The limitations on the Bowra Street options include:

- Concerns around road safety i.e. obstructing view of vehicles and pedestrians.
- Accessibility of pathways and potential for signage to obstruct pathways.
- Increased risk of vandalism.
- Available space and visual impacts on public art.
- Variable foot traffic around the area.
- Maintenance of notices – the success of a noticeboard hinges on its relevance (being up-to-date).
- A lack of Council-owned buildings in the area also eliminates the ability to install more affordable wall-mounted noticeboard (like that in Urunga provided in the Notice of Motion).

**ITEM 11.6 COMMUNITY INFORMATION NOTICEBOARD IN NAMBUCCA HEADS**

If Council is seeking to progress this project, preference would be for the noticeboard installed at the Nambucca Heads Library, for the following reasons:

- The area is already a community hub location, with visitors to the Library, Halls, and Gallery accessing the area.
- Library staff and volunteers present and willing to maintain a board.
- It is a sheltered location protected from weather effects.
- Can be affixed to a wall - lower cost to install.
- Council-owned building with security arrangements in place.

Limitations of a community noticeboard at the courtyard next to Nambucca Heads Library are as follows:

- The courtyard area is closed when Library is closed (this could, however, also reduce risk of vandalism). The Library is opened from Monday to Friday - 9.30 am to 5.00 pm and Saturday - 9.30 am to 12.00 pm.
- Limited walls available due to display cases means most suitable location is back wall of courtyard at Library's second entrance.

**CONSULTATION:**

Manager Technical Services

Manager Development & Environment

Library staff

Nambucca Community and Arts Centre Section 355 Committee

**SUSTAINABILITY ASSESSMENT:****Environment**

Nil

**Social**

Facilitate community information sharing.

**Economic**

Nil

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
<b>Misinformation:</b> Incorrect or outdated information can be posted, leading to confusion or harm.	H	L	A regular staff presence at Nambucca Heads library will ensure notices are up to date.	L
<b>Vandalism:</b> Physical noticeboards can be defaced or damaged, making it difficult to maintain a clean and professional appearance.	H	M	A regular staff presence at Nambucca Heads library will reduce vandalism.	L
<b>Overlooked Information:</b> Important notices might be missed if the board is cluttered or not regularly updated.	H	L	A regular staff presence at Nambucca Heads library will ensure notices are up to date.	L

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**ITEM 11.6 COMMUNITY INFORMATION NOTICEBOARD IN NAMBUCCA HEADS**

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**Delivery Program Action**

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

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

A free-standing noticeboard on Bowra Street could range from \$9,300 to \$31,000 dependent upon materials, size, and design.

A wall-mounted noticeboard in the courtyard of the Nambucca Heads Library could range from \$550 to \$1,400 and could be accommodated within the Library Sundry expenses budget W2068.

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

As above.


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

Nil.

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

Staff resources to maintain relevance of materials at noticeboard, potential repairs and vandalism.

**ATTACHMENTS:**

1  9315/2025 - Installation of Community Noticeboard in Nambucca Heads

**DIRECTOR CORPORATE SERVICES REPORT**

**ITEM 11.7 SF963 270225 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:**

Council has the option of approving some or none of the nominations.

**DISCUSSION:**

<b>Committee</b>	<b>Nominees</b>	<b>Reason for nominating</b>
Argents Hill Hall	Erica Foley	Media relation: work in media and TV this is my profession/grant writer
	David Foley	Renomination
	Andy McMillan	Long-time support for existing and previous Argents Hill Hall committee
	Alice Magner	New member
	Nadine Slingsby	New member
Nambucca Community & Arts Centre	Hannah Date	I'm interested in performing arts and culture in the community

**CONSULTATION:**

Director Corporate Services.

**SUSTAINABILITY ASSESSMENT:**

Nil.

**Risk Analysis**

<b>Identified</b>	<b>Risk Likelihood (H,M,L)</b>	<b>Impact of risk (H,M,L)</b>	<b>Strategy to manage risk</b>	<b>Risk Assessment</b>
Injury to volunteers	M	H	Volunteers are given a Volunteer Safety Handbook after approval of Council.	M

**ITEM 11.7 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT**

Mismanagement	L	H	Council Code of Meeting Practice and Code of Conduct must be adhered to.	M
Fraud	L	H	Code of Conduct must be adhered to.	M

**Delivery Program Action**

LW10 - Work with S355 Committees



**FINANCIAL IMPLICATIONS:**

Nil

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

Nil

**ATTACHMENTS:**

- 1**  8179/2025 - Additional nominations for Argent's Hill Hall Committee of Management 2025 - Redacted
- 2**  9337/2025 - Nambucca Community & Arts Centre Committee of Management Nomination - Hannah Date - Redacted

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 12.1 SF3338 270225 WASTE MANAGEMENT POST 2027**

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

**SUMMARY:**

Nambucca Valley Council's (NVC) three major waste contracts for collection, organic processing and dry recyclables processing all expire in March 2027. Port Macquarie Hastings Council (PMHC), Kempsey Shire Council, and Bellingen Shire Council have all demonstrated their support on collaborating with NVC on joint waste processing contracts with a signed letter of intent.

A Memorandum of Understanding (MoU) has been drafted which commits all green and yellow bin waste from the participating Councils to be sent to the organics and recycling processing facility at Cairncross in Port Macquarie. If Council endorses the proposed regional collaboration approach and MoU, and it is signed by all parties, contractually-binding supply agreements will be developed with PMHC.

Combining all participating Councils dry recyclables and organics waste tonnages for processing at the Cairncross facility under a central contract increases the economies of scale and will likely result in a lower per tonne processing cost, ultimately benefiting the community. Grant funding is available for developing waste contracts that involve regional collaboration and a signed MoU would support such an application.

**RECOMMENDATION:**

**That Council endorses the signing of the MoU for Regional Waste Processing (Organics and Recyclables) between Nambucca Valley Council, Port Macquarie-Hastings Council, Kempsey Shire Council and Bellingen Shire Council.**

**OPTIONS:**

- 1 Resolve in line with the recommendation as proposed.
- 2 Not endorse the MoU for regional waste collaboration.
- 3 Propose amendments to the MoU and/or seek further information.

**BACKGROUND:**

Currently NVC and Bellingen Shire Council (BSC) have joint waste collection contracts with the City of Coffs Harbour (CoC), which includes sending kerbside recyclables and organics to CoC's facilities for processing.

These three major waste contracts all expire in March 2027 and are listed below:

- Waste Collection Services (referred to as Collections Contract)
- Organics Processing Services (referred to Organics Contract)
- Processing of Dry Recyclables (referred to as Recycling Contract)

On 13 October 2022 NVC made the following resolution:

*1/22 (Hoban/Vance)*

*That in consultation and possible partnership with Bellingen Shire Council, Nambucca Valley Council seek a meeting or meetings with nearby Councils (Port Macquarie-Hastings, Kempsey, Bellingen, and Coffs Harbour) to discuss potential options for waste arrangements post early 2027 when the current Coffs Coast Waste contracts are due to expire.*

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**ITEM 12.1 WASTE MANAGEMENT POST 2027**

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**DISCUSSION:**

Following the above 13 October 2022 resolution NVC staff have met with staff from each of the above-mentioned Councils, as well as staff from Clarence Valley Council (CVC). A summary of these discussions are as follows:

- NVC and BSC had a number of meetings with CVC staff who were open to explore the possibilities of BSC and NVC delivering organics and recyclables to their Grafton processing facilities. However, their current facilities do not have enough capacity to process all of the anticipated organics material.
- NVC and BSC sought to actively participate in the Coffs Coast Regional Waste Strategy Reference Group. This reference group was made up of representatives of NVC, BSC and CoC and was established as part of the joint collection and processing contract arrangements currently entered into by all three Councils. A key priority for this group was to explore waste processing options beyond the expiry of the current contracts in March 2027.

Unfortunately, CoC formally resolved to disband this group as they believe the synergies of the three Councils did not align. Their reasons for this were that NVC and BSC were seeking regional collaboration on waste management in order to achieve economies of scale; whereas CoC are only focused on local waste challenges and not looking to collaborate on a regional basis.

- NVC, PMHC, BSC and KSC have had a number of meetings to explore combining organics and recyclable wastes for processing at the existing processing facility at Cairncross in Port Macquarie. Through this collaboration it has been established that there is sufficient processing capacity for the volumes of waste generated by the four Councils at the existing processing facilities and there is an understanding of all staff involved that combining waste processing through a regional approach will deliver the greatest cost efficiencies for each of the participating Councils.

As part of the collaboration with PMHC, BSC and KSC and to support further discussions, it was determined that an MOU would be an appropriate mechanism to investigate waste and resource recovery. A copy of the draft MoU is contained within attachment 1.

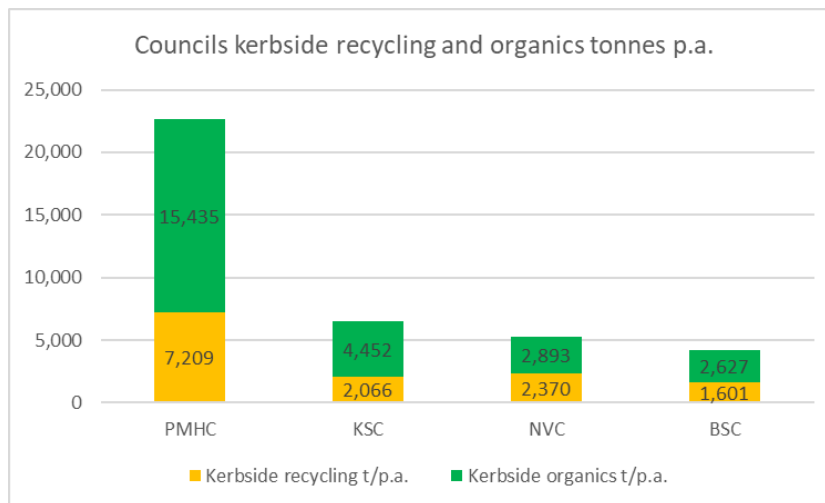
In addition to this the letter of intent contained within attachment 2 was signed by the General Managers / Chief Executive Officers of PMHC, KSC, NVC and BSC on 5 September 2024 outlining each council's support of progressing a regional approach for processing organics and recycling at the Cairncross WMF. This letter was sent to the NSW Environment Protection Authority (EPA) to highlight the intention of all councils working together and pre-empting seeking grant funding to support this approach.

**Waste quantities**

The below graph shows the annual tonnage of domestic kerbside recycling and organics from each Council. The PMHC organics processing facility has capacity for approximately 35,000 tonnes per annum (t/p.a) and is licensed to process up to 50,000 t/p.a. The recycling processing facility has approximately 15,000 t/p.a. and is licensed to process up to 30,000 t/p.a.



**ITEM 12.1 WASTE MANAGEMENT POST 2027**



MoU details

While the attached MoU it is not a contractually-binding document, it does establish a more formalised commitment from all participating councils. Staff from each of the participating Councils have reviewed the draft MoU.

If the MoU is endorsed by each Council, PMHC would commence work on developing supply agreements with each Council that will be contractually binding. These agreements are required to ensure the agreed quantities of material for processing are received at the facilities, as this will be a contractual requirement of PMHC and the respective processing contractors, whose prices will be based on the stated quantities. There would likely be a contractual penalty should the quantities continually fall below the agreed amount. The contractually binding supply agreements between PMHC and the other councils could ensure any such penalties are covered by the other councils to maintain equity between all parties. This is no different to NVC existing contractual arrangements.

The supply agreements would also set out the required overhead payments on top of the direct contract payment each council would pay to PMHC to cover the respective share of any capital improvements to the facilities funded by PMHC and the on-going operational costs for the management of the contracts and facilities. Again, this is no different to NVC existing contractual arrangements.

It is noted that the acceptance of general waste for landfilling (red bin) and joint collection contracts are outside the scope of the MoU. NVC will continue landfilling at the Nambucca Waste Management Facility and will investigate collection contract options once the destination for all waste streams is resolved.

Funding opportunities

The EPA released the Waste and Sustainable Materials Strategy 2041 - Stage 1: 2021 - 2027 in June 2021 which sets the direction of the state for the next 6 years. This strategy identifies the need to help local governments jointly procure waste services at scale to underpin investment in new infrastructure.

The EPA have established a joint procurement facilitation service to assist local councils in undertaking joint procurement for waste services. It includes market data and analytics, funding support, panel of experts and a library of training and guidance materials. Funding has already been obtained for Stream 1 of this program in late 2024 and further funding will be sought in Stream 2 for the development of these waste contracts. A signed MoU would support this grant application in showing the commitment for regional collaboration.

Strategic benefits of collaboration

By consolidating local council waste volumes and approaching the market with scale will increase competition in the waste services sector and put downward pressure on costs for councils

**ITEM 12.1 WASTE MANAGEMENT POST 2027**

and households. It can also promote innovation in waste service delivery by providing opportunities to trial and scale up new ideas and provide a forum to test standardisation of services where appropriate.

Existing regional collaboration

PMHC, KSC, NVC, BSC and CoC are all members of the MidWaste Regional Waste Forum so there are long-standing relationships already established in delivering waste initiatives. PMHC, KSC and BSC are also members of the Mid North Coast Joint Organisation.

**CONSULTATION:**

As outlined above in report.

**SUSTAINABILITY ASSESSMENT:**

A regional approach to waste management provides greater opportunity to minimise waste going to landfill while also reducing processing costs and increasing potential for circular economy initiatives.

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
No waste processing facilities	L	H	Regional collaboration as outlined in report	M

**Delivery Program Action**

CE8 - Provide kerbside collection of separated domestic mixed waste materials

CE9 - Implement waste minimisation strategies

**FINANCIAL IMPLICATIONS:**

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

The recommendation will result in the lowest impact on future budgets. There will be no impact on the existing budget.

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

N/A.


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

The recommendation will result in the lowest impact on 10 year long term financial plan.

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

Nil.

**ATTACHMENTS:**

- 1  9184/2025 - MoU
- 2  9181/2025 - Letter of Intent - Regional Waste Collaboration

**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT****ITEM 12.2 SF453 270225 QUARTERLY WASTE MANAGEMENT REPORT - OCTOBER TO DECEMBER 2024****AUTHOR/ENQUIRIES:** Simon Chapman, Waste Services Coordinator**SUMMARY:**

This is a quarterly report on the status of Councils waste management activities.

**RECOMMENDATION:**

That Council notes the information provided in the quarterly report for the period 1 October to 31 December 2024.

**OPTIONS:**

For information only.

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

Kerbside collections for the last quarter being 1 October – 31 December 2024 across the Coffs Coast region indicated the hotline received a total of approx. 5255 calls during the period for the whole regional area.

Nambucca Valley had a total of 9043 properties receiving a waste collection service, 37 new services were implemented.

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

<b>Waste Stream</b>	<b>Source</b>	<b>Tonnes</b>	<b>Destination</b>
Co-mingled recycling	Kerbside	397.80	CCWS Recycling Facility
Greenwaste organics	Kerbside	814.28	CCWS Biomass Facility
Mixed waste	Kerbside (NVC)	897.84	Nambucca Landfill
Mixed waste	Kerbside (BSC)	335.90	Nambucca Landfill
Bulky goods	Kerbside	20.88	Nambucca Landfill
Co-mingled recycling	Transfer station	49.68	CCWS Recycling Facility
Greenwaste organics	Transfer station	71.92	CCWS Biomass Facility
Mixed waste	Transfer station (BSC)	148.24	Nambucca Landfill
Batteries	Transfer station	5.75	Matthews Metal Management
Scrap metal	Transfer station	353.96	Matthews Metal Management
Motor oil (litres)	Transfer station	3400	BMC Oil
Chemical containers (farm drums)	Transfer station	745	Drum Muster
E-waste	Transfer station	7.86	Matthews Metal Management
Concrete & masonry	Landfill	212.14	Reprocessing at Nambucca Landfill
Asbestos	Landfill	3.44	Nambucca Landfill
Biosolids (grit)	Landfill	21.38	Nambucca Landfill
Building demolition	Landfill	1,126.62	Nambucca Landfill
Clean fill	Landfill	6.70	Nambucca Landfill (daily cover)
Commercial building waste	Landfill	244.52	Nambucca Landfill
Charity groups	Landfill	5.18	Nambucca Landfill
Dead animals (small)	Landfill	0.48	Nambucca Landfill



**ITEM 12.2 QUARTERLY WASTE MANAGEMENT REPORT - OCTOBER TO DECEMBER 2024**

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

Waste Stream	NSW Target	Landfilled Tonnes	Diverted Tonnes	Diversion %
Municipal (MSW)	80% recovery by 2030	1,423.10	1579.65	52.5
Commercial Industrial (C&I)	80% recovery by 2030	398.42	520.02	23
Construction Demolition (C&D)	80% recovery by 2030	1,130.06	218.84	15.5

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

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

**Community Recycling Facility (CRC)**

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

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

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

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

Total kilograms of household problem waste collected during the last quarter was 5,622.00 kg's

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

**Container Deposit Scheme (CDS)**

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

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

**ITEM 12.2 QUARTERLY WASTE MANAGEMENT REPORT - OCTOBER TO DECEMBER 2024**

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

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

The number of containers received through the network operator for the period 1 July – 31 December 2024 were unavailable.

LGA	Aluminium	Glass	PET	HDPE	Liquid Paper	Steel	Other Materials	Other Plastics	Total
Nambucca	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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

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

Any expansion of the Container Deposit Scheme by the NSW EPA may result in Councils incurring contractual variations associated with their kerbside waste collection contracts.

**Consultation:**

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

**SUSTAINABILITY ASSESSMENT**

**Environment:**

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

**Social:**

No adverse social impacts.

**Economic:**

No adverse economic impacts.

**Risk:**

No identifiable risks at this point.

**Risk Analysis:** N/A

**Delivery Program Action**

CE9 - Implement waste minimisation strategies

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**ITEM 12.2 QUARTERLY WASTE MANAGEMENT REPORT - OCTOBER TO DECEMBER 2024**

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

No identifiable increases for the current budget at this point.

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

No additional income required at this point.

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

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

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

No identifiable changes or implications at this point.

**ATTACHMENTS:**

There are no attachments for this report.

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 12.3 SF3599 270225 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

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**AUTHOR/ENQUIRIES:** Charles Watts, Development Assessment Officer

**Summary:**

Council has received a planning proposal from representatives of the owners of Lot 5 DP1077244 – 19 Hamerton Court, Tewinga, which proposes to amend the Nambucca Local Environmental Plan 2010 to add ‘Agritourism’ and ‘Viticulture’ as additional permitted uses on the land.

The Draft Planning Proposal has been included within **Attachment 1**.

The proposed amendment to add additional permitted uses on the land in the form of agritourism and viticulture is supported as these land uses better utilise the land as it cannot be further subdivided for residential purposes, and the proposed uses have a low potential to have conflict with surrounding land uses.

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

**RECOMMENDATION:**

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

**OPTIONS:**

- 1 Proceed with the planning proposal with or without amendments and forward to the Minister for gateway determination in accordance with section 3.34 of the *Environmental Planning & Assessment Act 1979*.
- 2 Not proceed with the planning proposal.

**DISCUSSION:**

A Planning Proposal has been received by Council from Lisa Hall to amend the Nambucca Valley Local Environment Plan 2010 to enable additional permissible uses at 19 Hamerton Court, Tewinga. The additional permitted uses proposed are ‘Agritourism’ and ‘Viticulture’.

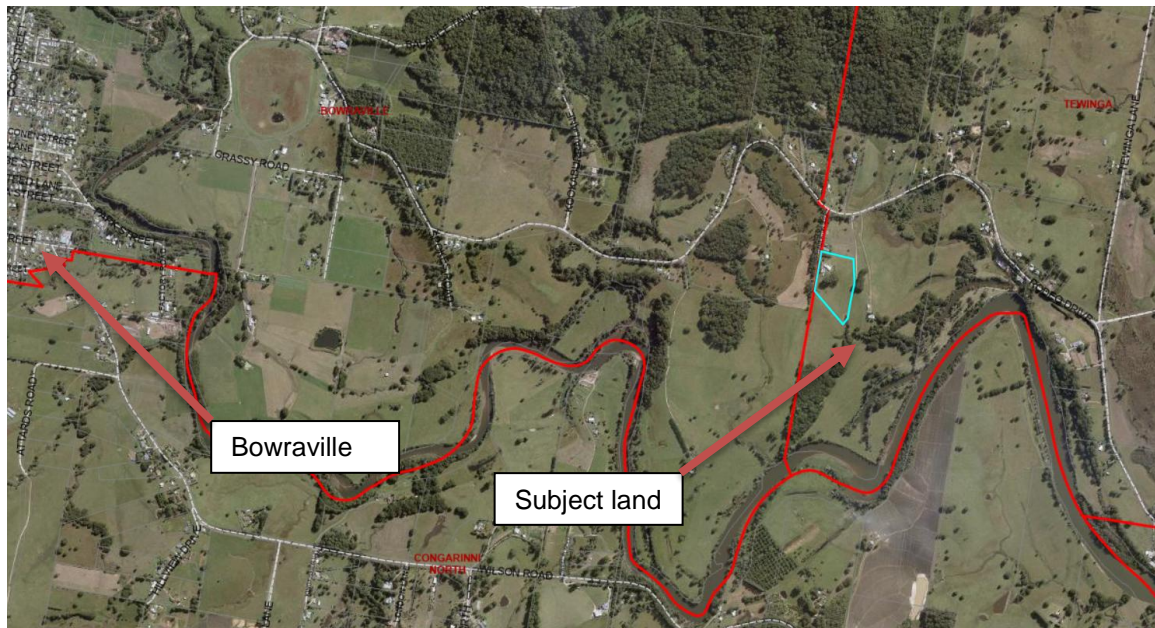
**The subject land and surrounding environment**

The subject lot is located at 19 Hamerton Court, Tewinga – Lot 5 DP 1077244 and is accessed off Rodeo Drive. Immediately north of the subject land exists two lots of land zoned R5 Large Lot Residential within Hamerton Court.

Surrounding the east, south and west of the subject site is land zoned as RU1 Primary Production and RU2 Rural Landscape. This land features three separate lots, all of which contain single dwellings, and are used primarily for grazing purposes.



**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 -  
ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

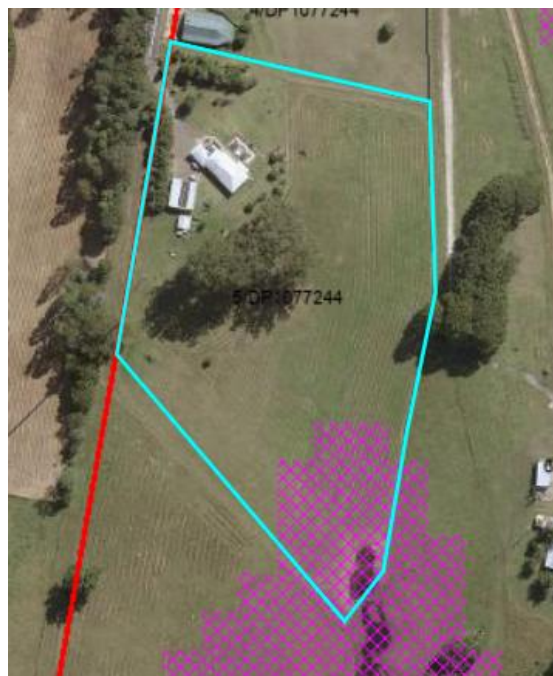


**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

The lot is mapped as bush fire prone, and is considered to have a vegetation classification of grasslands in accordance with Planning for Bush Fire Protection 2019. Although the subject land is mostly clear of trees, there are spots of forest vegetation to the south-east and west of the site.

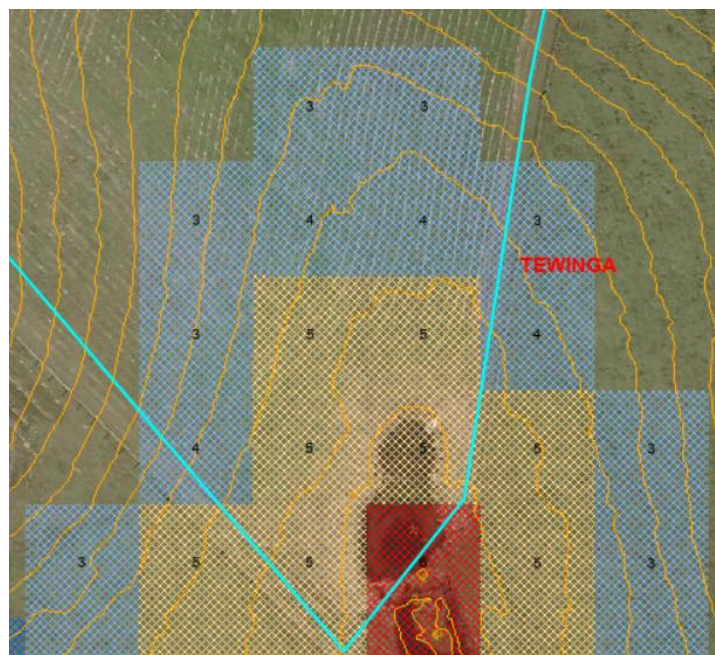
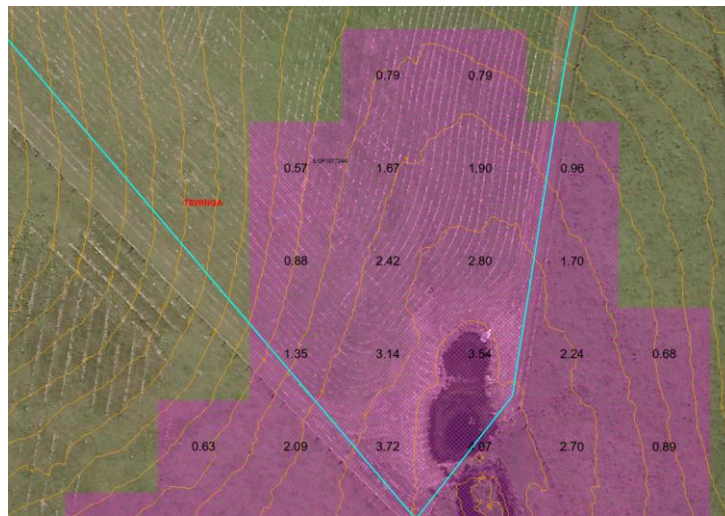


The southern portion of the land is mapped as being flood prone, as can be seen in the following image.



The height of a 1 in 100 year flood in the flood prone portion ranges from 4.07 at its lowest point to 0.79 at its highest, while the velocity ranges from 0.01 to 0.14 metres per second. This gives a hydraulic hazard on the land at 6 at the lowest point, and 3 at the highest point.

**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 -  
ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**



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**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 -  
ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

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There is not known to be any sites of Aboriginal significance on the land or within 200m of the land. The land is not known to be contaminated. The land utilises reticulated water, telecommunications and electricity, as well as utilising on site sewerage management.

### Planning Proposal

The following points are components that each planning proposal must contain, as provided by the applicant and with comment from Council where necessary.

#### 1 Objectives and Intended Outcomes

The intention of the planning proposal, as provided by the applicant, is to facilitate the permissibility of Agritourism and Viticulture with consent at 19 Hamerton Court, Tewinga, being Lot 5 in DP1077244.

The planning proposal permits the additional land uses only on the subject land, rather than a broad change for the R5 Large Lot Residential zone. This allows for land uses which has merit on the subject land without causing potential conflicts on other parcels of land.

A broadscale application of viticulture as permissible with consent within the whole R5 zone would be desirable. This is due to the existing permissibility of horticulture in the zone with development consent; with the current prohibition of viticulture resulting in an inconsistency within the R5 zone land use table given the similarities between the two forms of intensive plant agriculture and the comparable potential impacts.

However, despite the inconsistency in the land use table and comparable impacts to horticulture, it is unlikely the NSW Department of Planning would accept viticulture as a permissible use within the R5 zone without analysis being undertaken on potential impacts on residential development within the zone. It is not considered that such an analysis of the R5 zone is the responsibility of the applicant and Council does not have the capacity at this point in time to prepare any such analysis. As such, in order to facilitate the applicants proposal, the requested additional permitted use on the lot is supported.

#### 2 Explanation of Provisions

The Planning Proposal seeks to include Agritourism and Viticulture as Additional Permitted Uses (APU) in Schedule 1 of the Nambucca Local Environmental Plan 2010. The Additional Permitted Uses are proposed to apply to the subject lot as mapped below.



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**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 -  
ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**


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The following is proposed by the applicant to be added to Schedule 1 of the Nambucca Local Environmental Plan 2010:

**Use of certain land at Hamerton Court**

- (1) This clause applies to land being Lot 5, DP1077244, Hamerton Court, Tewinga
- (2) Development for the purpose of Agritourism and Viticulture is permitted with development consent.

**3 Justification**

*Is the planning proposal a result of an endorsed LSPS, strategic study or report?*

No.

*Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Additional permitted uses would be the best means of achieving the objectives and intended outcomes provided by the applicant. The alternative options would be to rezone part of the land to either RU1 Primary Production or RU2 Rural Landscape where Agritourism and Viticulture are permitted, or to permit Agritourism and Viticulture in the R5 Large Lot Residential zone in the whole of the Local Government Area.

The first alternate option to rezone part of the land to an RU1 Primary Production or RU2 Rural Landscape zoning is unfeasible, as it would create a lot that is under the minimum lot size for the RU1 and RU2 zones, being 40 hectares.

The second alternate option to permit Agritourism and Viticulture with development consent in the R5 Large Lot Residential zone is unfeasible, as there are potential negative effects on all lots with R5 zoning that would require a much more extensive study to assess the potential impacts.

It is due to these reasons that an Additional Permitted Use for Agritourism and Viticulture on the subject land is seen as the optimal solution to achieve the objectives and intended outcomes, as it is more of a targeted approach that benefits the subject land without potentially having negative impacts on the subject land, adjoining lots and R5 Large Lot Residential lots in the LGA.

*Will the planning proposal give effect to the objectives and actions of the applicable regional or district strategy (including any exhibited draft plans or strategies)?*

The planning proposal is considered to be consistent with the North Coast Regional Plan 2041.

*Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?*

The planning proposal is considered to be consistent with the Nambucca LSPS and the Nambucca Community Strategic Plan.

*Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

The planning proposal is not inconsistent with the applicable state and regional strategies.

**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 -  
ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

*Is the planning proposal consistent with applicable SEPPs?*

The planning proposal is consistent with the applicable SEPPs.

*Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?*

The applicable 9.1 Ministerial Directions have been included in the below table:

<b>Direction</b>	<b>Comment</b>
1.1 Implementation of Regional Plans	Planning proposal is consistent with the regional plan as outlined above.
1.3 Approval and Referral Requirements	Consistent.
1.4 Site Specific Provisions	Consistent - the planning proposal contains concept drawings of the proposed development; however, these are conceptual only and do not indicate the final design of the future development on site.
3.1 Conservation Zones	Consistent - the subject land is not in an environmentally sensitive area.
3.2 Heritage Conservation	There is not known to be any sites of Aboriginal Significance on the land or within 200m of the land.
4.1 Flooding	Consistent - the land is identified as being in the 1 in 100 year zone, however the land use is compatible with the flood nature of the land.
4.2 Coastal Management	Consistent.
4.3 Planning for Bushfire Protection	Consistent.
4.5 Acid Sulfate Soils	Consistent.
5.1 Integrating Land Use and Transport	The planning proposal is consistent with the objectives of this direction.
6.1 Residential Zones	The planning proposal is consistent with the directions of this part.

*Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

The subject land does not contain critical habitat or threatened species, populations or ecological communities, or their habitats, and is already utilised for residential purposes.

*Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?*

The planning proposal is not likely to have any significant environmental effects.

*Has the planning proposal adequately addressed any social and economic effects?*

The planning proposal adequately addresses any potential social and economic effects.

*Is there adequate public infrastructure for the planning proposal?*

**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

There is adequate public infrastructure for the planning proposal. Any required infrastructure upgrades for the additional permitted uses will be determined at the development application stage.

*What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?*

No state and federal public authorities or government agencies were required to be consulted at this stage. This will occur following gateway determination.

4 Mapping

The below map, outlining what land is to contain the additional permitted uses, is to be added to the Nambucca LEP 2010 mapping.



5 Community Consultation

Should the planning proposal be approved to be sent for Gateway Determination, it will follow the guidelines as prescribed in the Local Environmental Plan Making Guidelines for standard planning proposals. The public exhibition will be for a period of 20 working days, which includes notification on Council’s website, the Planning Portal, and in writing to adjoining owners, and will include details of the planning proposal and how to make a submission.

6 Project Timeline

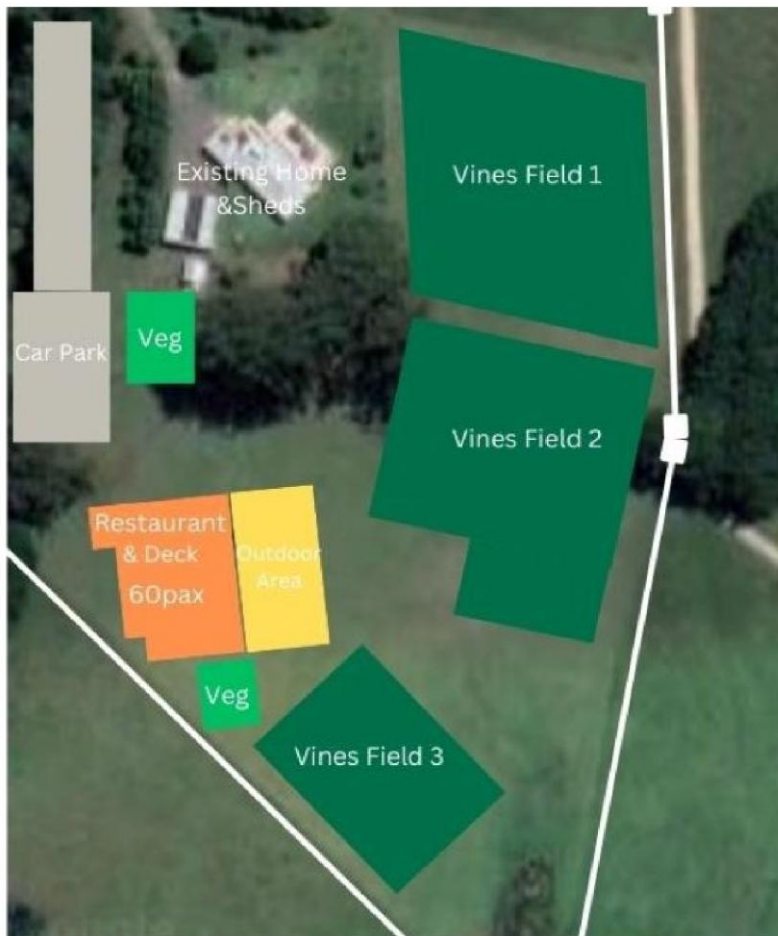
The planning proposal is classified as Standard, and indicative timing will be in line with Local Environmental Plan Making Guidelines as follows:

**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**

Stage	Maximum Benchmark Timeframes (working days)			
	Basic	Standard	Complex	Principal
<b>Stage 1 - Pre-lodgement</b>	30 days	50 days	60 days	20-30 days
<b>Stage 2 - Planning Proposal</b>	80 days	95 days	120 days	40 days
<b>Stage 3 - Gateway determination</b>	25 days	25 days	45 days	45 days
<b>Stage 4 - Post-Gateway</b>	20 days	50 days	70 days	160 days
<b>Stage 5 - Public Exhibition &amp; Assessment</b>	70 days	95 days	115 days	95 days
<b>Stage 6 - Finalisation</b>	25 days	55 days	70 days	80 days
<b>Sub-total (Department target)</b>	140 working days	225 working days	300 working days	380 working days
<b>Total (end to end)</b>	220 days	320 days	420 days	420 days

Staff Comment

The draft planning proposal submitted to Council will allow for Agritourism and Viticulture to be permitted with consent on the subject land. An example of the potential of allowing these land uses on the subject land has been provided by the applicant, as pictured below.





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**ITEM 12.3 PROPOSED AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - ADDITIONAL PERMITTED USE AT 19 HAMERTON COURT TEWINGA**


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The subject lot is zoned as R5 Large Lot Residential. The objectives of this zone are as follows:

The land is currently zoned R5 Large Lot Residential. The objectives of this zone are as follows:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality,
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future,
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities, and
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

The proposed amendment to add additional permitted uses on the land in the form of agritourism and viticulture is consistent with the objectives of the zone as they have a low potential to have conflict with surrounding land uses and retain ability for permitted residential accommodation on the land.

Potential issues that could arise from the additional permitted uses are outlined below.

### **Flooding**

The land is partially prone to flooding, being within the 1 in 100 flood zone per the Nambucca Flood Risk Management Study. The proposed land uses are not incompatible with the flood nature of the land, and any future development on the land will be subject to a development application which will assess the flood risk of the land in relation to the development.

### **Fire**

The land is mapped as bushfire prone. Any future development applications for the proposed land uses will have adequate land for any required bush fire protection measures. Council will consult with the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made.

### **Traffic**

Although the additional land uses have potential to increase traffic in Hamerton Court, the uses will require a development application which will address any potential issues regarding traffic generation.

### **CONSULTATION:**

Manager Development & Environment


**SUSTAINABILITY ASSESSMENT:** Discussed in report.

**Risk Analysis:** Nil

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

**FINANCIAL IMPLICATIONS:** Nil.

### **ATTACHMENTS:**

1  66259/2024 - Planning Proposal

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 12.4 SF3410 270225 JANUARY 2025 - APPROVED CONSTRUCTION CERTIFICATES, APPROVED COMPLYING DEVELOPMENTS, DEVELOPMENT APPLICATIONS RECEIVED AND COMPLYING DEVELOPMENTS RECEIVED**

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**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 January 2025 as at 12 February 2025.

**RECOMMENDATION:**

That Council notes the approved Construction Certificates, approved Complying Development Certificates, Development Applications received and Complying Development Applications received for January 2025.

**ATTACHMENTS:**

- 1  8144/2025 - 2025 January - Approved Construction Certificates and Complying Development Applications
- 2  8145/2025 - 2025 January - Development Applications and Complying Development Applications Received

**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT****ITEM 12.5 SF1148 270225 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR JANUARY 2025****AUTHOR/ENQUIRIES:** Melanie Ellis, Acting Senior Business Services Officer**SUMMARY:**

The following is the Council's Rangers' report and attached listing of penalty notices issued for the month of January 2025 by Council staff.

**RECOMMENDATION:**

That Council notes the Rangers' impounding statistics and penalties issued for January 2025.

<b>JANUARY 2025</b>	<b>Cats</b>	<b>Dogs</b>
<b>COUNCIL'S SEIZURE ACTIVITY</b>		
<i>Seized (doesn't include those animals dumped or surrendered)</i>	0	0
<i>Returned to Owner</i>	0	0
<i>Transferred to - Council's Facility from Seizure Activities</i>	0	0
<b>ANIMALS IN AND ARRIVING AT COUNCIL'S FACILITY</b>		
<i>Animals In Council's Facility - (Start of Month)</i>	2	0
<i>Abandoned or Stray</i>	2	7
<i>Surrendered</i>	0	1
<i>Animals transferred from Seizure Activities</i>	0	1
<i>Total Incoming Animals</i>	4	9
<b>ANIMALS LEAVING COUNCIL'S FACILITY</b>		
<i>Released to Owners</i>	0	2
<i>Sold</i>	1	0
<i>Released to Organisations for Rehoming</i>	1	1
<i>Died at Council's Facility (other than euthanised)</i>	0	0
<i>Stolen from Council's Facility</i>	0	0
<i>Escaped from Council's Facility</i>	0	0
<i>Other</i>	0	0
<b>EUTHANISED</b>		
<i>Restricted Dogs</i>	0	0
<i>Dangerous Dogs</i>	0	0
<i>Owner's Request</i>	0	0
<i>Due to Illness, Disease or Injury</i>	0	0
<i>Feral/infant animal</i>	0	0
<i>Unsuitable for rehoming</i>	0	0
<i>Unable to be rehomed</i>	0	0
<i>Total Euthanised</i>	0	0
<i>Total Outgoing Animals</i>	0	0
<b>TOTAL IN COUNCIL'S FACILITY - (END OF MONTH)</b>	<b>2</b>	<b>6</b>

**ATTACHMENTS:**

1  9146/2025 - Ranger Report to Council - January 2025

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**DIRECTOR ENGINEERING SERVICES REPORT**

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**ITEM 13.1 SF1092 270225 SPLASH WATERPAD ALTERNATE LOCATION OPTIONS - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 FUNDING**

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**AUTHOR/ENQUIRIES:** Matthew Leibrandt, Manager Infrastructure Services; Teresa Boorer, Grants and Contributions Officer; Brett Willer, Structures Coordinator

**SUMMARY:**

On 28 November 2024 Council were advised of a project funded by the Local Roads and Community Infrastructure (LRCI) Phase 4 to provide a splash pad at Gordon Park in Nambucca Heads. Council resolved to receive a report on the feasibility of a future similar project at Bowraville and also a report detailing the review of possible alternate locations for the splash pad within Gordon Park or Bellwood Park.

A report detailing the feasibility of a future similar project will be provided once the project at Nambucca Heads is completed and the project is closed out.

An inspection of various locations within Nambucca Heads including Gordon Park and Bellwood Park revealed that Bellwood Park may be a suitable alternate site due to factors including available space, parking and distance from a 50km/hr local road.

It is envisaged that this location will suffer from flood inundation approximately once or twice a year. This may affect the splash pad equipment and require a flood protocol that includes capping and or removal of features prior to expected flooding and pressure cleaning after flooding. The site would benefit from being built up by approximately 1m. It is estimated that the area can be filled with an additional \$12,000 allocated to the project and the additional plumbing and electrical works required can be completed with an additional \$14,500 allocated to the project and additional drainage works of \$3000.

Additional the project as previously reported to required an additional \$50,000 to complete footpath works and seating around the splash pad.

**RECOMMENDATION:**

**That Council:**

- 1 Endorses locating the splash pad at Bellwood Park on the grassed area between the playground and the river.**
- 2 Allocates \$79,500 for additional plumbing, drainage and electrical works and to provide approximately 1m of fill to lift the surface to reduce impacts from flooding from the March QBR.**

**OPTIONS:**

Construct the splash pad in the original location at Gordon park or another less flood prone location.

**DISCUSSION:**

Council is planning to construct a splash pad at Nambucca Heads funded through LRCI Phase 4. Splash pads are a recreation area, often in a public park, for water play that has little or no standing water.

Following on from the 28 November 2024 Ordinary Council Meeting, a site assessment of Gordon Park and Bellwood Park was undertaken by Councils General Manager, Director Engineering Services and Manager Infrastructure Services and Bellwood Park was found to be a suitable alternate location for the splash pad.

Bellwood Park floods on average once or twice a year and raising the surface of the splashpad area by importing fill will reduce the effect of flooding on the splash pad. If the structure is constructed at the current level a protocol will be required to potentially plug and/or temporarily remove features and pressure clean after flood events. A slight redesign will also be required for the electrical works.

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**ITEM 13.1 SPLASH WATERPAD ALTERNATE LOCATION OPTIONS - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 FUNDING**


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Council received \$183,865 funding through the Commonwealth Funding program allocation - LRCI Phase 4 and is currently working to source the additional funding through other Grant opportunities.

It is envisaged that this location will suffer from flood inundation approximately once or twice a year. This may affect the splash pad equipment and require a flood protocol that includes capping and or removal of features prior to expected flooding and pressure cleaning after flooding. The site would benefit from being built up by approximately 1m. It is estimated that the area can be filled with an additional \$12,000 allocated to the project and the additional plumbing and electrical works required can be completed with an additional \$14,500 allocated to the project and additional drainage works of \$3000.

Additionally, the project as previously reported required an additional \$50,000 to complete footpath works and seating around the splash pad.

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

**CONSULTATION:**

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

**SUSTAINABILITY ASSESSMENT:**

**Environment**

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

**Social**

This free play area will be available to all and accessible by the residents and visitors to Nambucca Heads, through Councils road, footpath and boardwalk network. It will also provide a no cost water play and provide a gathering place for groups and further activate the Gordon Park and complement the existing facilities there.

**Economic**

Running costs are minimal due to the timed low flow water features and provision of anti-vandal CCTV cameras. The design life of the features are 25 years. The flooring has an expected life of 7-10 years. It is expected that in conjunction with the other recent upgrades, that the Splash Pad will deliver an economic boost to Nambucca Heads.

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Flood damage	H	M	Raise pad height	Low

**Delivery Program Action**

LW9 - Operate and Maintain Open Spaces

PP10 - Support the local tourism industry in partnership with the Nambucca Valley Tourism Association (NVTAA)

**FINANCIAL IMPLICATIONS:**

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

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**ITEM 13.1 SPLASH WATERPAD ALTERNATE LOCATION OPTIONS - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 FUNDING**

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




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

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

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

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

**ATTACHMENTS:**

- 1  58381/2024 - Gordon Park Waterplay 3D Render Draft
- 2  58382/2024 - Gordon Park Splash Pad - Concept Location Plan
- 3  9418/2025 - Bellwood Park Alternate Splash Pad Location - Nambucca Heads

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**DIRECTOR ENGINEERING SERVICES REPORT**

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**ITEM 13.2 SF3424 270225 RESPONSE TO MATTERS RAISED - PUBLIC FORUM 11  
JULY 2024**

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**AUTHOR/ENQUIRIES:** Mathias De Souza, Manager Assets

**SUMMARY:**

The report lists the key issues with each of Council's 15 community halls and presents a comparison between current total operational budgets and estimates of minimum required total operational costs. The report also lists potential capital projects to address the key issues along with providing preliminary yearly average associated project costs for delivery (around \$1.37 million). The findings of the report note that current operational funding levels appear sufficient overall however there is a funding gap between the current and estimated capital renewal budget.

**RECOMMENDATION:**

**That Council notes the information provided in response to matters raised by public forum speakers at the Ordinary Meeting of Council on 11 July 2024.**

**OPTIONS:**

For information only.

**BACKGROUND:**

There are currently 15 community halls in the LGA all in varying condition. This purpose of the report is to list maintenance and capital priorities, and highlight potential projects (subject to funding allocation) for each Council Hall as per resolution SF3424.

**DISCUSSION:**

Attachment 1 lists a summary of key issues, current maintenance budgets, estimated minimum required maintenance budgets and estimated required average annual capital budgets to maintain Council's halls. Attachment 2 is a detailed breakdown of cost estimates and priority list.

The key takeaways from the attachments are:

- The total approximate value of the halls is \$13.3 million with the highest value hall being the Nambucca Community Arts Centre.
- The current total average yearly maintenance budget for the halls is \$192,864.00 per year or about 1.5% of the total halls' value which included reactive maintenance.
- The estimated required minimum budget is \$91,376.93 excluding the reactive maintenance. Note this figure does not include an allowance for reactive maintenance which is estimated at around \$109,000 based on the current financial year spend trajectory on hall maintenance. Inclusion of this allowance would require a total annual maintenance budget of around \$200,376.
- An average yearly capital investment of \$1.35 million or about 10% of the total halls' value, would be required to address all the current known issues. Note that capital costs were estimated assuming a delivery over roughly a 5-year period and is subject to budget constraints, meaning that if sufficient budget was not available then the program would need to be stretched out over a longer period (say 10 years), that the required capital cost for the Halls would drop considerably below \$1.35 million per year. It should also be noted that the highest priorities across all halls are currently electrical and fire safety, and building code compliance works.
- Removal of asbestos comprises a considerable cost at some halls, and the financial impact of removing asbestos will be felt when refurbishment works are eventually undertaken.

**ITEM 13.2 RESPONSE TO MATTERS RAISED - PUBLIC FORUM 11 JULY 2024**

- While the average yearly income generated by each hall was not included in this report, it is generally known raised funds are not sufficient to cover all running and maintenance costs. A more comprehensive analysis of the halls' long-term financial sustainability will be carried out in due course, which will also look to assess current service levels. This will help inform Council's future budget allocation decisions in relation to the halls, to ensure best value for money is achieved for the community.

While this report does not include figures around how much Council currently invests in capital projects for the Halls, it is known that most of the capital funding is reliant on available grants at any given time, and also Council's success in securing said grants. This creates some uncertainty when it comes to planning a forward program of works over the next 5 years for the halls, as it is not known whether or not Council will have the means to fund said projects.

In addition, there is no allowance in the capital costs at moment for the Missabotti Hall termite damage repairs as investigations are underway to determine the extent of the damage and an estimate for the repair.

While there have been requests from different Committees of Management for Hall upgrades at this stage, Council is focused on renewing elements of the buildings such as rooves, cladding etc rather than building new assets as per the Asset Management Policy.

**CONSULTATION:**

There have been several meetings over the last few years between the Committees of Management for the Halls and Council, to discuss priority projects and potential options for funding some of these projects through grants or other means.

**SUSTAINABILITY ASSESSMENT:** Not assessed at this time.

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Shortfall of operational budget at some halls	M	M	Re-distribute operational budgets for halls	L
Failure to secure grant funding to deliver capital works	M	M	Review service levels for halls	L

**Delivery Program Action**



- CE5 - Promote sustainable building practices including energy and water efficiency
- LW5 - Maintain public buildings where justified by community use
- LW10 - Work with S355 Committees

**FINANCIAL IMPLICATIONS:**

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

A quarterly budget review request could potentially be submitted to re-distribute some of the operational funds to cover shortfalls at some of the other halls.

**ATTACHMENTS:**

-  9039/2025 - Summary of Priorities & Estimated Costs - Community Halls
-  9046/2025 - Community Halls Report - Response to Matters Raised Public Forum 11 July 2024