



# NAMBUCCA VALLEY COUNCIL

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## ORDINARY COUNCIL MEETING AGENDA ITEMS 19 MARCH 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 monthly on the **third Wednesday** of each month commencing 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?**

Public Forums are held each month at 5.30pm on the Tuesday (same week) prior to the council meeting, except where Council meetings are held off-site.

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

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

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

Nambucca Valley Council believes that the opportunity for any person to address the Council in relation to any matter which concerns them is an important demonstration of local democracy and our values. Accordingly Council allows members of the public to address it on matters not listed in the agenda provided the request is received before publication of the agenda (registration to speak may be made by application on Council's website <https://nambucca.nsw.gov.au/addresscouncil> before 11.00 am on Monday prior) 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 - 19 MARCH 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.

## AGENDA

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12 GENERAL MANAGER'S SUMMARY OF ITEMS TO BE DISCUSSED IN CLOSED MEETING

12.1 Matters Regarding Realised or Potential Losses

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

12.2 T2025-002 - Provision of Road Patching and Spray Sealing Services

*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.*

12.3 T021-2024 REGPRO402425 Road Safety Barrier Systems

*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.*

12.4 T2025/013 - Macksville Memorial Aquatic & Fitness Centre - Roof Replacement

*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.*

a Questions raised by Councillors at 8 above

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

13 MEETING CLOSED TO THE PUBLIC

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

Statement of ethical obligations:

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

# NAMBUCCA VALLEY COUNCIL



## DISCLOSURE OF INTEREST AT MEETINGS

Name of Meeting: \_\_\_\_\_  
Meeting Date: \_\_\_\_\_  
Item/Report Number: \_\_\_\_\_  
Item/Report Title: \_\_\_\_\_

I \_\_\_\_\_ declare the following interest:  
(name)

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

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

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

For the reason that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Council's Email Address – [council@nambucca.nsw.gov.au](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 27 FEBRUARY 2025

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

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### PRESENT

Cr Gary Lee (Mayor)

Cr Martin Ballangarry OAM

Cr David Jones

Cr Ljubov Simson

Cr Troy Vance

Cr James Angel

Cr Susan Jenvey

Cr Tamara McWilliam

Cr Jane Smith

### ALSO PRESENT

Bede Spannagle (General Manager)

David Moloney (Director Engineering Services)

Suzanne Sullivan (Minute Secretary)

Matthew Sykes (Director Corporate Services)

Daniel Walsh (Manager Development Environment)

### APOLOGIES

#### Apologies

Evan Webb (Chief Financial Officer)

### ACKNOWLEDGMENT OF COUNTRY

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

### COUNCIL MEETING AUDIO RECORDINGS

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

### PRAYER

Pastor Marshall Hodgekiss from the Action Church offered a prayer on behalf of the Nambucca Minister's Association.

### DISCLOSURE OF INTEREST

Mayor Lee declared a pecuniary interest in Item 11.2 *Allowance for Deputy Mayor acting as Mayor from 17 July 2025 to 15 September 2025* under the Local Government Act as the matter deals with funding of reduction or distribution of his allowance whilst on leave from area to Deputy Mayor. Mayor Lee left the meeting for this item.

Councillor Angel declared a pecuniary interest in Item 11.2 *Allowance for Deputy Mayor acting as Mayor from 17 July 2025 to 15 September 2025* under the Local Government Act as the matter deals with his role as Deputy Mayor. Councillor Angel left the meeting for this item.

Councillor Angel declared a non-pecuniary - less significant conflict of interest in Item 12.3 *Proposed Amendment to the Nambucca Local Environmental Plan 2010 - Additional Permitted use at 19 Hamerton Court Tewinga* under the Local Government Act as Cr Angel lives in Tewinga.

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

### CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

**SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 13 FEBRUARY 2025**

41/25 **RESOLVED:** (McWilliam/Simson)

That the minutes of the Ordinary Council Meeting of 13 February 2025 be confirmed.

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### NOTICE OF MOTION - CR JENVEY

ITEM 5.1 SF3422 270225 Notice of Motion - Fixing Erosion at V-Wall Precinct

42/25 **RESOLVED:** (Jenvey/Simson)

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.

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### DELEGATIONS

That the following delegations be heard:

Item 10.2 - Proposed Frequency and Timing of Future Council Meetings

*i Mr Grant Salmon – against the recommendation*

Item 12.3 - Proposed Amendment to the Nambucca Local Environmental Plan 2010 - Additional Permitted use at 19 Hamerton Court Tewinga

*ii Mrs Lisa Hall on behalf of Planning Portal Professionals – for the recommendation*

*iii Mrs Nikki Laird – for the recommendation*

Item 13.1 - Splash Waterpad Alternate Location Options - Local Roads and Community Infrastructure (LRCI) Phase 4 Funding

*iv Ms Holly Quin – for the recommendation*

### DELEGATIONS continued

Item 10.2 - Proposed Frequency and Timing of Future Council Meetings

*i Mr Grant Salmon addressed Council with speaking notes placed on SF3424 11820/2025*



## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

43/25 **RESOLVED:** (Smith/Angel)

That Item 10.2 be brought forward.

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ITEM 10.2 SF251 270225 Proposed Frequency and Timing of Future Council Meetings

44/25 **RESOLVED:** (Smith/Angel)

That Council:

- 1 Meets once per month at 5:30pm on the third Wednesday of each month.
- 2 Hosts a public forum the day prior to a Council Meeting at 5:30pm.
- 3 Holds a briefing session (if required), at 4.30pm on the day prior to the Council meeting.
- 4 Amends the Code of Meeting Practice to reflect the changes adopted.
- 5 Provide a report to review the Code of Meeting Practice to be presented at the next Council meeting.

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 Ballangarry, Jenvey, Jones and Simson  
Total (4)

### DELEGATIONS continued

Item 12.3 - Proposed Amendment to the Nambucca Local Environmental Plan 2010 - Additional Permitted use at 19 Hamerton Court Tewinga

ii Mrs Lisa Hall addressed Council with speaking notes placed on SF3424 11338/2025

iii Mrs Nikki Laird addressed Council with speaking notes placed on SF3424 11352/2025

45/25 **RESOLVED:** (Simson/Jenvey)

That Item 12.3 be brought forward.

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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

46/25 **RESOLVED:** (Jones/Jenvey)

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*.

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

For the Motion: Councillors Angel, Ballangarry, Jenvey, Jones, Lee, McWilliam, Simson, Smith and Vance  
Total (9)

Against the Motion: Nil

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

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Total (0)

### DELEGATIONS continued

#### Item 13.1 - Splash Waterpad Alternate Location Options - Local Roads and Community Infrastructure (LRCI) Phase 4 Funding

*iv Ms Holly Quin addressed Council with notes placed on SF3424 11760/2025*

47/25 **RESOLVED:** (Smith/McWilliam)

**That an extension of time be granted to the speaker.**

48/25 **RESOLVED:** (Jones/Angel)

**That Item 13.1 be brought forward.**

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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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MOTION: (Jones/Angel)

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.

AMENDMENT: (Jones/Angel)

That Council:

- 1 Endorses locating the splash pad at Bellwood Park on the grassed area between the playground and the river
- 2 Allocate the \$29,500 for the 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
- 3 Allocate the \$50,000 to complete the footpaths and seating works in a modern nature based theme
- 4 Pursue funding options for a Bowraville Splashpad.

49/25 **RESOLVED:** (Jones/Angel)

**That Council:**

- 1 **Endorses locating the splash pad at Bellwood Park on the grassed area between the playground and the river**
- 2 **Allocate the \$29,500 for the 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**
- 3 **Allocate the \$50,000 to complete the footpaths and seating works in a modern nature based**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

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theme

- 4 Pursue funding options for a Bowraville Splashpad.

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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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### MAYORAL MINUTES

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ITEM 9.1 SF3592 270225 Mayoral Minute - Mobile Black Spot Program Meeting Update

50/25 **RESOLVED:** (Lee)

**That Council:**

- 1 Notes the Mayoral Minute
- 2 Supports funding applications for mobile coverage in the Nambucca Valley.

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### GENERAL MANAGER REPORTS

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ITEM 10.1 SF959 270225 Outstanding Actions and Reports

51/25 **RESOLVED:** (Angel/McWilliam)

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

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Item 10.2 dealt with under delegations.

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ITEM 10.3 SF3145 270225 Minutes of the National Celebration Day Advisory Committee Meeting - 6 February 2025

52/25 **RESOLVED:** (Smith/McWilliam)

**That Council:**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

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- 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”.

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### DIRECTOR CORPORATE SERVICES REPORTS

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ITEM 11.1 SF3492 270225 Minutes of the Audit, Risk and Improvement Committee Meeting held 15 January 2025

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53/25 **RESOLVED:** (Angel/McWilliam)

**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.
- 

Mayor Gary Lee and Councillor James Angel left the meeting before the commencement of this item, the time being 7:20 PM

Councillor Jenvey was nominated to chair the meeting for Item 11.2.

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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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MOTION: (Jones/Simson)

That Council do nothing.

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

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

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54/25 **RESOLVED:** (Jones/Simson)

**That Council do nothing.**

Mayor Gary Lee and Councillor James Angel returned to the meeting at the completion of this item. The time being 7:30 PM

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ITEM 11.3 SF1620 270225 Delivery Program and Operational Plan Progress - July 2024 to December 2024

55/25 **RESOLVED:** (Simson/Smith)

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

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ITEM 11.4 SF3528 270225 Investment Report for January 2025

56/25 **RESOLVED:** (Jones/McWilliam)

**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.**
- 

ITEM 11.5 SF3517 270225 December 2024 Quarterly Budget Review

57/25 **RESOLVED:** (Vance/McWilliam)

**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.**
- 

ITEM 11.6 SF3421 270225 Community Information Noticeboard in Nambucca Heads

58/25 **RESOLVED:** (Jenvey/Jones)

**That Council:**

- 1 Notes the attached 'Installation of Community Noticeboard in Nambucca Heads' report.**

## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

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- 2 Approves the wall-mounted noticeboard in the courtyard next to the Nambucca Heads Library.
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ITEM 11.7 SF963 270225 Nominations to Council Section 355 Committees of Management

59/25 **RESOLVED:** (Jones/Jenvey)

**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.
- 

## MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

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ITEM 12.1 SF3338 270225 Waste Management Post 2027

60/25 **RESOLVED:** (Simson/Jenvey)

**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.**

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ITEM 12.2 SF453 270225 Quarterly Waste Management Report - October to December  
2024

61/25 **RESOLVED:** (Angel/Jenvey)

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

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Item 12.3 dealt with under delegations.

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

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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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62/25 **RESOLVED:** (McWilliam/Angel)

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

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ITEM 12.5 SF1148 270225 Council's Rangers' Report and Penalties Issued for January 2025

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63/25 **RESOLVED:** (Smith/McWilliam)

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

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## DIRECTOR ENGINEERING SERVICES REPORTS

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Item 13.1 dealt with under delegations.

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ITEM 13.2 SF3424 270225 Response to Matters Raised - Public Forum 11 July 2024

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64/25 **RESOLVED:** (Jenvey/McWilliam)

**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.**

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

65/25 **RESOLVED:** (Jones/Ballangarry)

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

*Reason reports are in Closed Meeting:*

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## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

### MAYORAL MINUTES

*For Confidential Business Paper in Closed Meeting*

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ITEM 14.1 SF3420 270225 Mayoral Minute - Macksville Pre-school Update

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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.*

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*For Confidential Business Paper in Closed Meeting*

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ITEM 14.2 SF3420 270225 T016/2024 Supply and Delivery of One 13T Excavator

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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) (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.*

## CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 7:50PM.

## RESUME IN OPEN MEETING

66/25 **RESOLVED:** (Jones/McWilliam)

**That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 8:12PM.**

## FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

### MAYORAL MINUTES

*For Confidential Business Paper in Closed Meeting*

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ITEM 14.1 SF3420 270225 Mayoral Minute - Macksville Pre-school Update

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67/25 **RESOLVED:** (Jenvey/McWilliam)

**That Council:**

- 1 Endorses the letter of support sent to the Pre-School on 12 February 2025.**
- 2 Requests Crown Lands appoint Council as the Crown Land Manager for the Pre-School site in Park St, Macksville.**
- 3 Offer the Pre-School governance support in the form of a Board Director to assist the Pre-School Board.**
- 4 Subject to an acceptance of point 3 above, nominate the General Manager or their**



## Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2025

representative as Council's representative as a Director on the Macksville Pre-School Board.

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*For Confidential Business Paper in Closed Meeting*

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ITEM 14.2 SF3420 270225 T016/2024 Supply and Delivery of One 13T Excavator

68/25 **RESOLVED:** (McWilliam/Jones)

**That Council:**

- 1 Awards Tender T016/2024, supply and delivery of one 13T Excavator to Westrac Pty Ltd for the contract sum of \$312,890 ex GST.**
- 2 Updates the Contract Register.**

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

For the Motion:	Councillors Angel, Ballangarry, Jenvey, Jones, Lee, McWilliam, Simson, Smith and Vance
	Total (9)
Against the Motion:	Nil
	Total (0)

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## CLOSURE

There being no further business the Mayor then closed the meeting the time being 8:14PM.

Confirmed and signed by the Mayor on **13 MARCH 2025**.

**Cr Gary Lee**  
**MAYOR**  
**(CHAIRPERSON)**

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**NOTICE OF MOTION**

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**ITEM 5.1    SF3422        190325        NOTICE OF MOTION - TREE PRESERVATION ORDERS -  
SIGNIFICANT TREES**

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**AUTHOR/ENQUIRIES:** David Jones, Councillor

**SUMMARY:**

Mature trees can contribute significantly to an area's character. They have exceptional value visually, culturally, economically and intrinsically. The obvious aspects of aesthetics, oxygen production and pollution reduction supported by the subtler functions such as traffic calming, privacy, reduced energy consumption, recreation, habitat and shade. They maintain the visual, social and environmental amenity of the area.

**RECOMMENDATION:**

**That Council:**

- 1    Receive a report on the ability for tree permits to be required for the removal of trees from non-rural areas of the Nambucca Valley under Part 2.3 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The report is to include:**
  - **A draft clause for an amendment to the Nambucca Development Control Plan 2010 which identifies vegetation which would require a tree permit.**
  - **Budget implications associated with requiring tree permits.**
  - **An estimated timeframe for implementing tree permit requirements.**

**OPTIONS:**

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

**BACKGROUND:**

Many Councils and communities now recognise the value and importance of significant vegetation to the Cultural values, sense of place, economic value, public values and environmental importance of vegetation.

**ATTACHMENTS:**

There are no attachments for this report.

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**NOTICE OF MOTION**

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**ITEM 5.2    SF3422        190325    NOTICE OF MOTION - TIMINGS OF GRANT STATUS  
                 REPORT**

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**AUTHOR/ENQUIRIES:** James Angel, Councillor

**SUMMARY:**

Council resolved to receive a grant status report biannually on the 28th of November 2024. It has become evident that this is now required more regularly as there are various grants that are coming up to expire that could impact the community.

**RECOMMENDATION:**

**That Council provides the grant status report to Council meetings on a quarterly basis.**

**OPTIONS:**

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

**ATTACHMENTS:**

There are no attachments for this report.

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**NOTICE OF MOTION**

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**ITEM 5.3 SF3422 190325 NOTICE OF MOTION - EXPLORE ALL FUNDING OPTIONS FOR NAMBUCCA VALLEY WATER QUALITY MONITORING PROGRAM**

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**AUTHOR/ENQUIRIES:** Jane Smith, Councillor

**SUMMARY:**

Explore all funding options for Nambucca Valley Water Quality Monitoring Program.

**RECOMMENDATION:**

**That Council:**

- 1 Explore alternate funding and partnership options for the Nambucca Valley Water Quality Monitoring Program.**
  - a Report on all available and upcoming grant opportunities to fund the Nambucca Valley Water Quality Monitoring Program**
  - b Lobby the NSW Environmental Protection Agency to work to implement, partner or fund the Nambucca Valley Water Quality Monitoring Program**
- 2 Writes to the State Member for Oxley Mr Michael Kemp MP and the Federal Member for Cowper Mr Pat Conaghan MP requesting the assistance in the advocacy and funding for Nambucca Valley Water Quality Monitoring Program.**
- 3 Write to the Minister for Water and the Environment requesting assurances that greater resources be allocated to State agencies responsible for monitoring legislative compliance within the Nambucca Valley.**
- 4 If there are no or partial funds available by the end of the financial year, a bid for the total or remaining cost for the first 12 months of testing be prepared for the upcoming 25/26 budget review.**

**OPTIONS:**

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

**GENERAL MANAGER COMMENTS:**

The first three recommendations from Cr Smith's Notice of Motion are acceptable, however the fourth motion had both budgetary and strategic implications for Council.

Whilst our draft Community Strategic Plan identifies river health as a priority, it is not Council's role to fund a water quality monitoring program such as this. If Council were to adopt motion 4, the budgetary implications are a total funding commitment of \$333,900 over three years, because the EPA will be unlikely to continue the program after year one if Council has already committed to it.

This budget amount would significantly reduce other Council environmental initiatives, such as solar energy, supporting the transition the EV's, and sustainability actions as we move toward net zero.

Council's role in this matter is to advocate for the State Government to undertake the water monitoring program, or provide the funding to do so, as articulated in motion 1b.

For Council to voluntarily take on the State Government's responsibility negates the cost-shifting argument. River water quality monitoring is the responsibility of State Government departments and for Council to take on this role sets a dangerous precedent.

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**ITEM 5.3 NOTICE OF MOTION - EXPLORE ALL FUNDING OPTIONS FOR NAMBUCCA VALLEY WATER QUALITY MONITORING PROGRAM**

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**DISCUSSION:**

Nambucca Valley Council submitted grant submitted to Department of Climate Change, Energy, the Environment & Water's Coast and Estuaries Funding Stream and were unsuccessful. The grant was for Nambucca Valley Water quality monitoring program of major estuarine tributaries - Total Project Budget with Council commitment \$333,900.

**The program aimed to:**

Provide the community, in an accessible location on Council's website, a comprehensive set of scientific data on the levels of chemicals currently entering the estuaries of the Nambucca Valley and a set of data on background levels in sediments which may show historic events. This will be achieved by undertaking water and sediment testing to answer the following questions:

- What are the current levels of agricultural chemicals in the surface waters of the Nambucca River estuary and its major tributaries?
- What are the levels (if any) of agricultural chemicals in sediments of the Nambucca estuary?
- What chemicals (if detected) are caused from historical or current land use practices?
- What are the potential source points of historical and current agricultural chemical contamination?
- What impact could the current levels of agricultural chemicals in the surface waters and sediments have on agriculture, aquaculture, stock and domestic rights and river/estuary health as a whole?

**Implementation outline:**

The location of works is spread throughout the Nambucca Valley tributaries to the estuary. Many major tributaries are around the townships of Macksville, Bowraville, Valla Beach and Eungai Creek.

Draft testing locations are:

- Nambucca River at the junction of the Nambucca and South Creek Lat -30.639542S Long 152.855E
- South Creek at the Junction of South Creek and the Nambucca River Lat -30.640583S Long 152.854831E
- Upper Deep Creek at Tapes Bridge Newee creek Rd Lat -30.607573S Long 152.910361E
- Deep Creek at Deep Creek Bridge on Deep Creek Rd Lat -30.59758S Long 152.982702E
- Oyster Creek at Giinagay Way Lat -30.583704S Long 153.002359E
- Newee Creek at Newee Creek Bridge Giinagay Way Lat - 30.704121S Long 152.935056E
- Black Butt Creek at Wilson Rd Stockpile, Wilson Rd Lat -30.686785S Long 152.907015E
- Welshes Creek at Welshes Creek Pioneer Park Lat -30.714581S Long 152.846151E
- Snakey Creek at Snakey Creek Bridge, Upper Warrell Creek Rd Lat -30.736484S Long 152.901851E
- Eungai Creek at Eungai Creek Bridge, Eungai Creek Rd, Eungai Creek Lat -30.833922S Long 152.894532E
- Control site - Allomera Creek, Allomera Creek Rd Lat -30.813601S Long 152.815889E

The eleven (11) sites have been selected for the best representation of different land uses in the catchment areas and public accessibility at all of the sites.

In the first year of the project water sample collection and lab testing would occur six times at each site and sediment coring would be conducted at three sites within the estuary (still to be formally selected). After collecting and analysing data from the first year of testing, a report will be compiled summarising the results, and a revision of the testing sites will be undertaken to focus efforts in areas where agricultural chemicals have been detected.

In the second year of the project, water sample collection and lab testing would occur six times at each of the revised sites. A second-year report will be compiled from the data collected to identify any potential hotspots or seasonal trends. Another revision of the 11 sites, seasonal timing of testing, and possible environmental influences will be undertaken to evaluate where and when testing should occur in the third year.

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**ITEM 5.3 NOTICE OF MOTION - EXPLORE ALL FUNDING OPTIONS FOR NAMBUCCA VALLEY WATER QUALITY MONITORING PROGRAM**

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In the third year of the project, testing would occur six times at each of the revised sites. A final report will be compiled giving a detailed analysis of the three years of data and try to answer the original five questions that the water testing program set out to address. The report will be made publicly available on the Nambucca Valley Council website. The information will hopefully eliminate speculation about the levels of agricultural chemical contaminants in the Nambucca River estuary and offer valuable guidance for land use management throughout the entire Nambucca Valley catchment.

Nambucca Valley Council and NSW Environmental Protection Agency (EPA) undertook one round of water quality testing, like what is proposed in the Nambucca Valley Water Quality Monitoring Program, on the 4th of March 2024. The results showed that 3 pesticides were detected Atrazine, Metolachlor & Imidacloprid, the levels of these pesticides were below national water quality limits. It is important to note here that at the time of testing Imidacloprid there was no Australian National Water Quality Management Strategy (NWQMS) water quality guideline for Imidacloprid. This water quality testing led to the inspection of seven farms, three were found to be compliant, but one operator was issued a Clean Up Notice. Investigations into three other farms were concluding at the time the EPA issues the statement.

On 14th of November for Council to 'Contact the NSW EPA to request information of any proactive controls, including ongoing testing of the river watercourse'. The NSW EPA has responded with no planned proactive testing.

The Nambucca Valley River is the Nambucca's highest valued commodity and whether the belief is that the water way is contaminated or not is a point of contention on major issues including but not limited to;

**Nambucca River Oyster Industry:**

The oyster farmers within the Nambucca River have raised concern of the quality of water and the impact to the growth and death rate of their harvest. The impact on the Oysters isn't related to the food safety or quality of the product, as this is extensively tested by the food authority. The impact is the survival and growth rate, and this cannot be tested by the oyster itself being tested.

The damage to the oyster industry has been described as death by 1000 cuts, the pesticides and detergent levels detected in the water, although safe for human consumption, is believed by the industry to not be safe for the survival and growth of aquatic life.

With the Nambucca Valley Water Quality Monitoring Program this will be usable data to assess this and ascertain if the high loss rate of oysters is due to water contamination or not.

**Intensive Horticulture:**

One of the most politicised topics in the Nambucca Valley is the growth industry of intensive horticulture. There are varying beliefs around potential pollution and impacts of modern intensive farming practices as there is case-based evidence of pesticide contamination in surrounding shires.

To date there has only been one independent systemised testing program delivered by the EPA and Nambucca Valley Council. This testing did find low level pesticides in the water.

The ongoing testing will assist the EPA in identifying any bad farming practices and provide necessary fines or training to farmers where required.

If the testing returns clean results it assists with community management and reassure the community that intensive horticulture practices aren't impacting the health of the river.

Recently the Council resolved a change to the Nambucca Valley Local Environment Plan to require horticulture to submit a development application, the application to state planning was rejected.

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**ITEM 5.3 NOTICE OF MOTION - EXPLORE ALL FUNDING OPTIONS FOR NAMBUCCA VALLEY WATER QUALITY MONITORING PROGRAM**

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**Sewerage Contamination:**

Faecal matter has been detected in the Nambucca River by the testing conducted by the Nambucca Valley River Watch testing program. This testing has raised more questions as it is unsure whether this is human faecal detection or animal as there is a large flying bat population located close to the river.

The benefits of this testing program will also ensure safe swimming in our popular river and allow early detection of any sewerage system issues.

**Tourism and Food Quality Reputation:**

The Nambucca Valley offers outdoor eco-tourism as its base product. Visitors enjoy the river and beaches as their main experience while staying. There have been numerous articles relating to the quality of Nambucca River and safety to swim.

The Reputation for the Oyster and Fishing Industries is also heavily affected by the continual speculation on the water quality. This in turn affects the Hospitality and Retail industries in Nambucca Valley that promote locally sourced products.

This Council has undertaken a large amount of staff time and investment into managing water testing, complaint management, inspections, assessments, and applications for changes to Local Environment Plans.

Testing is something that all members and associations that attend the Nambucca River, Creeks, Estuaries & Coastline Management committee agree is necessary.

**ATTACHMENTS:**

There are no attachments for this report.

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**NOTICE OF MOTION**

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**ITEM 5.4    SF3422        190325        NOTICE OF MOTION - IMPROVEMENTS FOR NAMBUCCA HEADS CBD**

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**AUTHOR/ENQUIRIES:** James Angel, Councillor

**SUMMARY:**

Improvements for Nambucca Heads CBD.

**RECOMMENDATION:**

**That Council:**

- 1        Notes the receipt of the petition.**
- 2        Provides a report on the current state of the Nambucca CBD including:**
  - a        Current cleaning schedule for the roads and footpaths.**
  - b        Maintenance schedule for the gardens and small green areas.**
  - c        List of upcoming programmed works within the CBD precinct in the next 12 months.**
  - d        List of available an upcoming grant for master plans, beautification, infrastructure, or place making.**
  - e        Extend one side for of Bowra St to a 2hr Parking Limit.**
- 3        Writes a letter to the Member for Oxley Michael Kemp requesting his assistance to request an increase the presence of NSW police foot patrols in the Nambucca CBD and district.**
- 4        Prepares a bid for the 2025/26 Budget to produce the Nambucca Main Street CBD Master Plan.**
- 5        Establishes a Community Reference Group (CRG) for the Nambucca CBD project to ensure community consultation from the beginning of the project.**

**OPTIONS:**

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

**BACKGROUND:**

Kay Harkness, Director of Intouch Boutique, and small business owner for 39 years on the main street of Nambucca has submitted a petition of 414 signatures with the following letter:

“Petition to Improve the Nambucca Heads CBD

To: Nambucca Shire Council

We, the undersigned residents and business owners of Nambucca Heads, New South Wales 2448, call upon the Nambucca Shire Council to address several urgent issues and make essential improvements to our Central Business District (CBD).

We also call upon the NSW police force to undertake the below (5):

Our Concerns:

- 1.        Cleanliness:** The current state of cleanliness on our roads and footpaths is unsatisfactory. Regular maintenance and cleaning are necessary to ensure a welcoming environment for both residents and visitors.
- 2.        Green Spaces:** There is a lack of gardens and small green spaces in the CBD. Establishing and maintaining these areas will enhance the aesthetic appeal of the street and create a more welcoming environment for the community.



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**ITEM 5.4 NOTICE OF MOTION - IMPROVEMENTS FOR NAMBUCCA HEADS CBD**

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3. Lighting: Improvements to the ambience of our street lighting is necessary for the aesthetics of the street, improvements will enhance the appeal and atmosphere of the CBD.
4. Signage: Enforcing guidelines for business signage, including those on empty buildings, will create a more organized and attractive streetscape.
5. Parking: To provide a large number of 2-hr parking spaces on Bowra Street to enable shoppers to browse multiple businesses and increase café patronage. Provide additional 4hr all day parking areas as parking limits are enforced in shorter term areas.
6. Police Visibility: Increased foot patrols by the police are needed to deter anti-social behaviour and enhance the sense of security in our town.

**Our Requests:**

1. Implement a regular cleaning schedule for the roads and footpaths in the CBD.
2. Establish and maintain gardens and small green spaces within the CBD.
3. Improve the appearance of the ambient lighting in the street by including decorative lighting in the trees, using Macksville River bank as an example.
4. Enforce existing signage guidelines for businesses and empty buildings to improve the visual appeal of the main street.
5. Adjust parking time frames in sections of Bowra Street and surrounds to meet changed demand.
6. Support our request to the NSW Police force to increase the presence of police foot patrols to discourage anti-social behaviour and promote a safer community.
7. Supply a proposed plan for improvements to the CBD with a timeline of implementation of said plan.

**Why These Changes Are Important:**

The main street and CBD of Nambucca Heads are vital for local commerce and community life. Neglecting these areas impacts not only the appearance of our town but also the success of local businesses and the overall safety and well-being of residents and visitors. These improvements will make our town more attractive, vibrant, and secure, benefiting everyone in the community.

We urge the Nambucca Shire Council to take immediate action on these issues. By signing this petition, we demonstrate our collective support for these necessary improvements and our commitment to the betterment of Nambucca Heads.”

The Nambucca CBD has been identified as a key area of concern In the Community Strategic Plan feedback report and will be a key focus in the strategy.

While we wait for the big picture to be pulled together there are some smaller changes that need to occur that will make a big impact to business and the community.

The petition acknowledges the need for long term planning and a management plan, but it is also asking for solutions to be established asap.

There are currently approximately 15 empty shops with street frontage within the CBD precinct, and the building owners are not maintaining their façades or sidewalks.

Large trees and some greeneries have been established but look bare and unmaintained, there is a need for some additional small shrubbery, mulching and touch up paint. We already have a wonderful start with the CBD of Macksville and the Macksville community feeling very proud of how it is now presented (Understanding the Grant funded side to Macksville)

The business owners and customers of Nambucca Heads, that use the main street, are asking council to focus on some small changes to get the ball rolling while a larger plan is established.

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**ITEM 5.4 NOTICE OF MOTION - IMPROVEMENTS FOR NAMBUCCA HEADS CBD**

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**FINANCIAL IMPLICATIONS:**


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

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

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

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

**ATTACHMENTS:**

1  12593/2025 - Petition to Improve the Nambucca Heads CBD

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**NOTICE OF MOTION**

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**ITEM 5.5    SF3422            190325        NOTICE OF MOTION - CR SUSAN JENVEY REQUEST FOR  
LEAVE 7 MAY TO 13 JUNE 2025**

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

**SUMMARY:**

Cr Susan Jenvey has requested leave for the period 7 May to 13 June 2025 inclusive.

**RECOMMENDATION:**

**That Cr Susan Jenvey be granted leave of absence in accordance with Section 234(1) (d) of the *Local Government Act 1993* for the period of 07 May 2025 to 13 June 2025 inclusive.**

**FINANCIAL IMPLICATIONS:**

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

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

**ATTACHMENTS:**

There are no attachments for this report.

**GENERAL MANAGER'S REPORT****ITEM 9.1 SF959 190325 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 9.1 OUTSTANDING ACTIONS AND REPORTS**

Council, however require 2 additional purposes to be added to the reserve purposes being Access, and Tourist Services. These will need to be gazetted and will provide approval for the existence of access to the boardwalk and boat ramp, and for the kiosk and café. The progressing of the new lease will be subject to the outcome of the exploration works with the stormwater rectification project works, then confirming our negotiated position with the RSL Club.

05/12/23-05/02/24 No further action. Awaiting completion of works at premises (estimated to be completed by the end of this financial year given the funding parameters set by TfNSW who have funded a large portion of the required works), and native title advice from DoPE Crown Lands.

20/02/24 Dept Crown Lands have advised they have reviewed and will no longer require Council to add the 2 previously identified purposes to the Reserve, and accordingly will no longer be undertaking a Native Title Assessment. Council may continue with the leasing process which remains subject to completion of the civil works being done to remediate the stormwater infrastructure.

04/03/24 Stormwater works project to recommence late April 2024, to be completed by 30 June 2024.

12/03/24 Project Engineer advised Surveyors will stake boundaries end of March. This will assist with discussion and planning moving forward.

02/04/24 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 Line marking 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.

07/03/25 Surface repairs were scheduled for week commencing 10 March, these works have been postponed due to severe weather conditions

**JUNE 2023**

<b>2</b>	SF3303	29/06/23	<b>DCS</b>
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**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.

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

22/08/23 Community Development Officer position to be recruited.

06/09/23 Applications for Community Development Officer position close 24.09.23.

18/09/23 No further update.

04/10/23-18/10/23 Interviews for Community Development Officer position to be held 20/10/23.

08/11/23-22/11/23 Community Development Officer to commence 4 December 2023.

06/12/2023 Community Development Officer (CDO) commenced 4 December 2023.

03/01/2024 CDO has:

- researched into why previous committee meetings ceased in 2012 (interest waned to a point where the lack of a quorum resulted in meetings being abandoned),
- attended a meeting of the Local Government Aboriginal Network, and
- scheduled a meeting with Council's three indigenous councillors on the 18th January 2024.

01/02/2024 CDO is currently working through a consultation phase to engage with key aboriginal stakeholders (to date it has included meeting with two aboriginal councillors and a meeting with Jaanyмили Bawrrungga Association. The CDO has also reached out to Unkya Aboriginal Land Council to seek a meeting) regarding re-establishing the Aboriginal Advisory Committee and creating a Reconciliation Action Plan (RAP). RAP's of other organisations are being reviewed to determine the appropriate format/content. Over coming weeks the CDO is seeking meetings with: Nambucca Aboriginal Land Council, Bowraville Land Council, Muurrbay Language and Cultural Cooperative, Miimi Aboriginal Corporation and Ngurrala Aboriginal Corporation. The CDO has also recently had consultation with the key stakeholders involved in the development of the new Gumbaynggirr Keeping Place.

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

20/02/24 No further update.

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

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

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

Following the original invitation which was sent by mail on the 4 March a reminder email was sent on the 21 of March.

Council did not receive any response to these invitations. The stakeholders invited were:

Nambucca Aboriginal Land Council, Bowraville Aboriginal Land Council, Unkya Aboriginal Land Council, Jaanyмили 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

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

<p>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 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.                  05/03/25 Meeting to establish Committee was successful. Report to Council for 19 March 2025 meeting along with recommendation to endorse the Committee as a Council Advisory Committee (name and Terms of Reference will be updated in a subsequent meeting enabling Committee to determine those terms and name themselves).</p>			
DECEMBER 2023			
3	SF3190	14/12/23	GM
<p><b>RESOLUTION: Subdivision - Lots 9 &amp; 10 DP884342 Warrell Creek</b>                  1 Approves the registration of the subdivision plan for Lots 9 and 10 DP 884342, Warrell Creek as submitted.                  2 Approves the preparation of the newly created proposed Lot 2 DP 657578 to market for sale, noting any negotiated sale to be brought back to Council for formal approval.</p>			
<p><b>STATUS:</b>                  10/01/24-05/02/24 Registration of subdivision underway as per Council resolution.                  20/02/24-08/10/24 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.                  19/02/25-11/03/25 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.                  11/03/25 No further update.</p>			
APRIL 2024			
5	SF3477	11/04/24	MDE
<p><b>RESOLUTION: Valla Urban Growth Area Amendment</b>                  1 Council forward the planning proposal within attachment 2 to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which amends the Nambucca Local Environmental Plan 2010 by altering the zoning of the Valla Urban Growth Area to be consistent with the Valla Urban Growth Area Development Control Plan.                  2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination.                  3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>			
<p><b>STATUS:</b>                  17/04/24 Awaiting final maps for planning proposal before forwarding to Minister.                  09/05/24 Final maps received and will be sent to Minister.                  22/05/24 Planning proposal drafted and sent to the Minister for gateway determination.                  05/06/24-19/06/24 No further update.                  02/07/24 Request for further information received from Minister with option to withdraw until information obtained.                  17/07/24 Planning proposal being amended.</p>			

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

07/08/24 No further update.  
 21/08/24-03/09/24 Planning proposal still to be amended and will be resubmitted once complete as the previous one was refused.  
 08/10/24 Planning proposal amended and re-submitted to Minister for gateway determination.  
 22/10/24 Planning proposal returned to Council. Staff to meet with Department of Planning staff to try to resolve the issues raised.  
 19/11/24 Staff have met with the Department of Planning. Amended planning proposal to be resubmitted.  
 11/12/24 Amended planning proposal being reviewed by Department of Planning staff.  
 15/01/25 Amended planning proposal deemed satisfactory and re-submitted to the Department of Planning for gateway determination.  
 05/02/25-07/03/25 No further update.

JULY 2024			
6	SF382	25/07/24	DES

**RESOLUTION: Endorsement of a new Master Plan for Crown Reserve 65963 and Surrounding Community Lands.**

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

**STATUS:**  
 07/08/24 Consultation meeting to be scheduled with Reflections Holiday Parks, NPWS and Scotts Head community representatives/stakeholders.  
 21/08/24-08/10/24 No further update. Remembrance wall to be included in the discussions around the new Master Plan.  
 22/10/24 No further update.  
 19/11/24 Budget bid to be raised for the development of the Master Plan.  
 11/12/24 Meeting held on 03/12/24 with Crown Lands, Reflections and Scotts Head Community Group representatives regarding the proposed Master Plan and discussed co-contributions.  
 15/01/25 Emails sent to Crown Lands and Reflections seeking a contribution to the Master Plan.  
 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.  
 18/02/25-07/03/25 No further update.

AUGUST 2024			
7	SF3114	29/08/24	DES

**RESOLUTION: Review of the Bowraville Theatre Project**

That Council:  
 1 Works with the Bowraville Arts Council to explore options to move the project forward including designs and approvals on the existing proposal or a reduced project scope and a financial analysis of the options.  
 2 Create a project group including Councillors and Arts Community representation to report back to Council.  
 3 Lobby State and Federal governments for additional funding to support the construction of the Bowraville Theatre Project.

**STATUS:**  
 03/09/24 No further update.  
 08/10/24 Proposal submitted to funding body to de-scope the current project and deliver on some key facility upgrades. For example, disability access upgrades and some electrical upgrades. It will take 6-8 weeks for the assessment to be undertaken by the funding body and communicated back to Council.  
 22/10/24 Contract Project Manager engaged to progress project to construction stage ready for if the scope change to the funding body is approved.  
 05/11/24 Preparation of Scope of Works, Cost Estimate, Schedule and Grant Application for CC2 in the process of been generated as part of the activities for CC1. Boundary survey booked. Boundary locations / corners to be marked out prior to any construction works commencing. RFQ to drafted and reviewed for wheelchair lift and Access ramp.  
 19/11/24 CC has been lodged for disability access and awaiting assessment.  
 11/12/24 Issue of CC pending with works all quoted for disability access and stage access.  
 15/01/25 Purchase order for lift has been processed and deposit paid. Lift is compliant with CC guidelines. Waiting on structural drawings from consultant for issue of CC1.  
 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.  
 07/03/25 Installation of lift has been delayed one week until week commencing 17 March 2025 due to bad weather.



**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

SEPTEMBER 2024			
<b>8</b>	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 current leaseback arrangements with the option of providing pool vehicles offset with an additional salary component for affected staff.</p>			
<p><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.                      07/03/25 Report to be presented to Executive Leadership Team 26 March 2025.</p>			
OCTOBER 2024			
<b>9</b>	SF3424	31/10/2024	DES
<p><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.                      3 Receive a report outlining a list of projects and priorities for each Council hall.</p>			
<p><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.                      07/03/25 South Arm Hall – no budget bid for next year for wet room as this was considered a low priority in the halls report. Council have raised this with the RFS for funding under their building program.</p>			
NOVEMBER 2024			
<b>10</b>	SF3422	14/11/2024	GM
<p><b>RESOLUTION: Notice of Motion – Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River</b>                      That Council writes to the NSW Minister for Transport The Hon Jo Haylen and Member for Oxley Michael Kemp MP to:                      1 Fund a feasibility study whether a Southern Sea Wall will stop sand build up and create access to Nambucca River                      2 Fund a feasibility study into navigational dredging the Nambucca River, to allow access to Maritime Rescue                      3 Staff report on NSW coastal dredging strategy and the maritime infrastructure plan to see if Nambucca Valley Council is eligible as a key investment location or a priority regional location                      4 Staff report on the feasibility for a marine rescue service with ocean access at other possible beaches like Shelley Beach or Scotts Head                      5 Staff report on costs of monitoring of marine sediments in the Nambucca River Mouth with high resolution aerial photography be part of the Nambucca River, Creeks, Estuaries and Coastline Management Committee remit                      6 Staff report on what action mid coast council take when the Manning River closes from sand shoaling at Old Bar.</p>			
<p><b>STATUS:</b>                      13/01/25 Letter sent.                      05/02/25 No further update.                      19/02/25 Environmental Project Officer to investigate Items 3-6.                      07/03/25 No further update.</p>			
<b>11</b>	SF3508	14/11/2024	MDE
<p><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.</p>			
<p><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</p>			

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

<p>be made prior to preparing the fact sheet. The determination is needed to inform the fact sheet of regulatory requirements. A determination is expected before the end of January.                  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.                  05/03/25 The Department of Planning have advised they will not be meeting with Councillors to discuss their reasons for refusal or explain what they expect to see in an amended planning proposal. They have advised that before meeting with Council staff they will provide clarification on their reasons and what they expect in an amended planning proposal in writing. Council is currently waiting for this written document.</p>			
<b>12</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.                  07/03/25 Hydrological Study in Draft Budget for 2025/26.</p>			
<b>13</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.                  15/01/24-07/03/25 No further update.</p>			
<b>DECEMBER 2024</b>			
<b>14</b>	SF102	19/12/2024	<b>DES</b>
<p><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.</p>			
<p><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.                  07/03/25 Additional report being prepared for Executive Leadership Team 26 March 2025 and 16 April 2025 Council Meeting.</p>			
<b>FEBRUARY 2025</b>			
<b>15</b>	SF3424	13/02/2025	<b>MDE</b>
<p><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.</p>			
<p><b>STATUS:</b>                  19/02/25 Report to be prepared for 13 March meeting.                  05/03/25 Refer to separate report.</p>			
<b>16</b>	SF3422	27/02/2025	<b>DES</b>
<p><b>RESOLUTION: Notice of Motion – Fixing Erosion at V-Wall Precinct</b>                  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.</p>			
<p><b>STATUS:</b>                  11/03/25 Additional damage during TC Alfred will also be addressed.</p>			

**ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS**

<b>17</b>	SF251	27/02/2025	GM
<p><b>RESOLUTION: Proposed Frequency and Timing of Future Council Meetings</b>                  That Council:                  4 Amends the Code of Meeting Practice to reflect the changes adopted.                  5 Provide a report to review the Code of Meeting Practice to be presented at the next Council meeting.</p>			
<p><b>STATUS:</b>                  11/03/25 Defer the review of the Code of Meeting Practice until OLG provides the revised Model Code of Meeting Practice.</p>			
<b>18</b>	SF3599	27/02/2025	MDE
<p><b>RESOLUTION: Proposed Amendment to the Nambucca Local Environmental Plan 2010 - Additional Permitted use at 19 Hamerton Court Towinga</b>                  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.</p>			
<p><b>STATUS:</b>                  05/03/25 Planning proposal submitted to the Minister for Planning for gateway determination.</p>			
<b>19</b>	SF1092	27/02/2025	DES
<p><b>RESOLUTION: <del>Splash Waterpad Alternate Location Options - Local Roads and Community Infrastructure (LRCI) Phase 4 Funding</del></b>                  That Council:                  1 Endorses locating the splash pad at Bellwood Park on the grassed area between the playground and the river                  2 Allocate the \$29,500 for the 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                  3 Allocate the \$50,000 to complete the footpaths and seating works in a modern nature based theme                  4 Pursue funding options for a Bowraville Splashpad.</p>			
<p><b>STATUS:</b>                  05/03/25 - Bowraville splash pad to be considered in upcoming draft 2025/26 budget.</p>			
<b>20</b>	SF3420	27/02/2025	GM
<p><b>RESOLUTION: <del>Mayoral Minute - Macksville Pre-school Update</del></b>                  That Council:                  1 Endorses the letter of support sent to the Pre-School on 12 February 2025.                  2 Requests Crown Lands appoint Council as the Crown Land Manager for the Pre-School site in Park St, Macksville.                  3 Offer the Pre-School governance support in the form of a Board Director to assist the Pre-School Board.                  4 Subject to an acceptance of point 3 above, nominate the General Manager or their representative as Council's representative as a Director on the Macksville Pre-School Board.</p>			
<p><b>STATUS:</b>                  05/03/25 Request sent to Crown Lands. On 04/03/25 General Manager and Councillor McWilliam attended the Macksville Pre-school pre-AGM audit report presentation. Offer for the GM has been sent and accepted, the General Manager is now the president of the committee.</p>			

**ATTACHMENTS:**

There are no attachments for this report.

**DIRECTOR CORPORATE SERVICES REPORT**

**ITEM 10.1 SF42 190325 OLG COMPLAINT STATISTICS**

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

**SUMMARY:**

Council has received correspondence from the Office of Local Government (OLG) regarding the number of complaints it has received from the community about NSW local councils for the 2023/24 financial year.

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

**RECOMMENDATION:**

**That Council notes the Office of Local Government report on 2023/24 Complaint Statistics.**

**OPTIONS:**

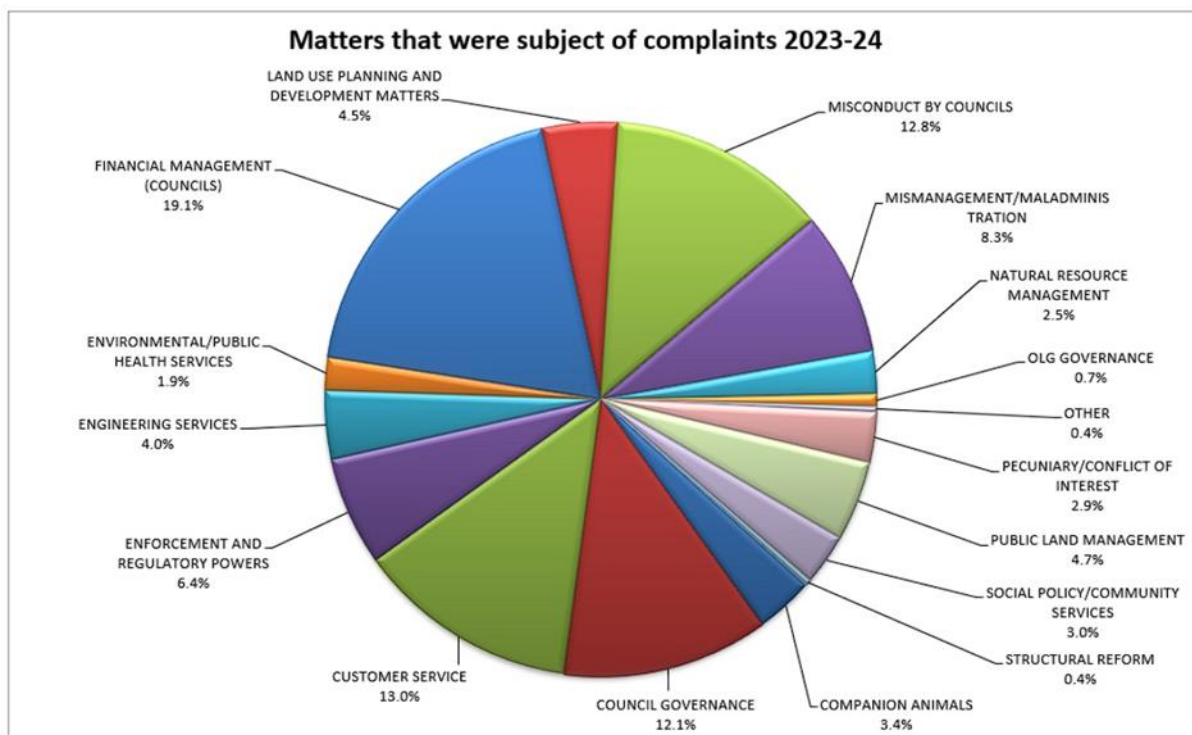
The report is for information only.

**DISCUSSION:**

The complaints statistics for the 2023/24 financial year were made available on the OLG’s website on 18 February 2025. The website locations for the statistics is <https://www.olg.nsw.gov.au/public/council-complaint-statistics/>

The OLG received 1,242 complaints in 2023/24, compared to 1,143 in 2022/23. These complaints were spread over 112 councils.

Per the OLG website the 2023/24 complaints by type are as below:



**ITEM 10.1 OLG COMPLAINT STATISTICS**

Number of 2023/24 complaints for Nambucca Valley and surrounding councils are:

<b>COUNCIL</b>	<b>Number of 2023/24 Complaints</b>
Nambucca Valley	4
Bellingen Shire	3
City of Coffs Harbour	11
Clarence Valley	12
Kempsey Shire	16
Port Macquarie Hastings	6
Mid-Coast	18

Under the key words by category on the OLG website excel spreadsheet Nambucca Valley Council 2023/24 complaints were associated with:

- Companion Animals
- Customer Service
- Enforcement and Regulatory Powers
- Land Use Planning and Development Matters

**CONSULTATION:**

Nil

**SUSTAINABILITY ASSESSMENT:**

Nil impact

**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>
Reputational risk if valid complaints are not addressed efficiently and effectively.	M	H	Maintaining an effective complaints management process.	Moderate.

**Delivery Program Action**

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

**FINANCIAL IMPLICATIONS:**

Nil impact.

**ATTACHMENTS:**

There are no attachments for this report.

**DIRECTOR CORPORATE SERVICES REPORT**

**ITEM 10.2 SF1031 190325 REVISED CCTV POLICY**

**AUTHOR/ENQUIRIES:** Darren Moulds, Manager ICT

**SUMMARY:**

A revised version (additions in red font, deletions struck through) of the CCTV Policy CS 29 has been developed (attached) and requires approval by Council to be placed on public exhibition.

**RECOMMENDATION:**

**That Council approves the attached revised CCTV Policy Number CS 29 to be placed on public exhibition for 28 days and if no submissions are received that the policy is adopted.**

**OPTIONS:**

- 1 Proposed recommendation.
- 2 Request amendments to the revised policy.

**DISCUSSION:**

A report on the revised CCTV Policy CS 29 was presented to the 3 December 2024 MANEX (Nambucca Valley Council Managers Forum) and it was resolved that MANEX endorsed the revised CCTV Policy No. CS 29 to be referred to the next Council meeting for approval to be placed on public exhibition.

Changes to the policy include:

- Information and Privacy Commission (IPC) ‘Local councils’ use of Closed Circuit TV (CCTV)’ document added to ‘Related Procedures or Documents’ – section 5.0 see [https://www.ipc.nsw.gov.au/sites/default/files/2025-01/Fact\\_Sheet\\_Local\\_Councils\\_use\\_of\\_Closed\\_Circuit\\_TV\\_%28CCTV%29\\_cameras\\_in\\_public\\_places\\_updated\\_November\\_2024.pdf](https://www.ipc.nsw.gov.au/sites/default/files/2025-01/Fact_Sheet_Local_Councils_use_of_Closed_Circuit_TV_%28CCTV%29_cameras_in_public_places_updated_November_2024.pdf)
- Adding to definitions what a surveillance device constitutes - a data surveillance device, a listening device, an optical surveillance device, or a tracking device – section 3.0.

**CONSULTATION:**

Director Corporate Services, MANEX (Managers Forum).

**SUSTAINABILITY ASSESSMENT:**

Nil

**Risk Analysis**


Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Failure to review policies could result in inefficient and/or ineffective practices or fail to comply with laws or regulations	H	M	Review policies on regular schedule	L

**Delivery Program Action**

CC15 - Provide leadership on safety initiatives

**FINANCIAL IMPLICATIONS:** Nil

**ATTACHMENTS:**

- 1  60127/2024 - CS 29 Revised CCTV Policy

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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 10.3 SF3409.24 190325 MINUTES OF THE NAMBUCCA VALLEY COUNCIL ACCESS COMMITTEE MEETING HELD 25 FEBRUARY 2025**

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

**SUMMARY:**

The minutes of the Nambucca Valley Council Access Committee meeting held Tuesday 25 February 2025 are attached for Council's consideration, as well as the updated Terms of Reference which includes a change in name of the Committee to Nambucca Valley Access and Inclusion Committee.

**RECOMMENDATION:**

**That Council:**

- 1 Notes the Minutes of the Access Committee meeting held 25 February 2025.**
- 2 Approves the resolutions of the Access Committee including:**
  - a) Name change to Nambucca Valley Access and Inclusion Committee.**
  - b) The endorsed Terms of Reference.**
  - c) A return to monthly meetings between February and November.**
  - d) Recruitment of new members to the Committee.**

**OPTIONS:**

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternate – approve some of the resolutions of the Committee.

**DISCUSSION:**

The name change is more appropriate for the Committee as it encompasses all disability (not just those disabilities related to access) and the remit to build awareness and inclusivity of people with disability in Council and community.

Consideration of Council resources in returning to monthly meetings:

- Committee meetings require Council resources – Community Development Officer (CDO) creates agenda, minutes, and organises meetings and activities.
- Committee meetings were monthly until 2024, where it was reduced due to lack of engagement/discussion and limited Council resources (i.e. Council staff).
- With the appointment of the new CDO in September 2024, the Access Committee has increased membership and engagement, especially from disability sector organisations who were previously unaware of the Committee. The Committee seeks to be a space for networking and collaboration to share responsibility and be more effective in its purpose and objective as outlined in the revised Terms of Reference.
- The reduction of meetings was not taken to Council. Current approved frequency of meetings is monthly.

Council has an opportunity to update the current Disability Inclusion Action Plan (DIAP) by June 2025 in response to achievements and learnings from the previous DIAP Progress Reports and to align with Council's new Community Strategic Plan.

The Committee is accepting new members by way of invitation and vote (previously acceptance had no formal process) to broaden the representation, knowledge and capacity of the Committee.

The next meeting for the Committee is scheduled for 25 March 2025.

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**ITEM 10.3 MINUTES OF THE NAMBUCCA VALLEY COUNCIL ACCESS COMMITTEE MEETING  
HELD 25 FEBRUARY 2025**


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**CONSULTATION:**

Access Committee members  
Executive Leadership Team

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

No environmental impacts are identified by this report.

**Social**

The social challenges faced by people with disabilities are many, varied and impactful. Improvements implemented via the Disability Inclusion Action Plan can have real and lasting positive social outcomes.

**Economic**

Improving economic participation of people with disability improves our community's overall economic health and wellbeing.

**Risk Analysis**

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

**Delivery Program Action**

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

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

This report has no budgetary implications

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

Nil



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

Nil

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

Staffing implications are effectively unchanged from previous approved resourcing. Undertaking the DIAP progress reports, updates and engagement is expected within the role of the CDO.

**ATTACHMENTS:**

- 1  12528/2025 - Minutes - Access Committee - 25 February 2025
- 2  13353/2025 - Disability Access and Inclusion Committee Terms of Reference 2025



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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 10.4 SF3586 190325 ESTABLISH THE ABORIGINAL ADVISORY COMMITTEE**

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

**SUMMARY:**

Council has been pursuing the establishment of an Aboriginal Advisory Committee to Council. On Thursday the 27 February 2025, a group of Aboriginal community members and organisations met and agreed to form the Committee. Attached is a report on their discussion. Council management are seeking Council approval to formalise the Committee.

**RECOMMENDATION:**

**That Council:**

- 1 Approves the new Aboriginal Advisory Committee as an advisory Committee to Council.**
- 2 Elects a Councillor delegate to the Committee.**

**OPTIONS:**

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

**BACKGROUND:**

Council's direction to form an Aboriginal Advisory Committee stems from resolution 225/23 (Jenvey/Jones) at the 29 June 2023 Council Meeting (Item 5.1 - Provision of a Council Website Link to the Federal Government Voice Website) in which Council expressed support for the Uluru Statement From the Heart and sought further Aboriginal community engagement in Council's own reconciliation progress by convening a meeting of its Aboriginal Advisory Committee and extending its stakeholder engagement if necessary to produce a Reconciliation Plan to be linked to Council's Community Strategic Plan. It was identified that the former Aboriginal Advisory Committee was no longer in place.

**DISCUSSION:**

Community members and organisations have agreed to form a Committee to advise Council on issues that impact Aboriginal community and that support equity and inclusion of Gumbaynggirr people and culture in the Nambucca Valley.

The attached report outlines the proposed representation and structure of the Aboriginal Advisory Committee, and includes considerations for cultural safety over formal Council processes.

A Terms of Reference and name for the Committee will be discussed at the next meeting and presented to Council to approve.

**CONSULTATION:**

Aboriginal Community representatives, including Elders, Aboriginal Corporations, Local Aboriginal Land Councils, Aboriginal services, and community members, and elected Councillors.

**SUSTAINABILITY ASSESSMENT:**

**Environment**

Nil

**Social**

An Aboriginal Advisory Committee will help promote a deeper understanding and respect for Aboriginal culture, history, and perspectives within the Nambucca Valley community.

**ITEM 10.4 ESTABLISH THE ABORIGINAL ADVISORY COMMITTEE**

**Economic**

Nil

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Limited resources, including time, funding, and staff, can hinder the committee's ability to function effectively and achieve its goals.	M	L	Allocation by General Manager of Community Development Officer (CDO) to assist with successful operation of the Committee.	L

**Delivery Program Action**

CC1 - Using a variety of tools, engage with the community in ways that are accessible and transparent  
 LW12 - Promote social equity with equal opportunities for access and participation

**FINANCIAL IMPLICATIONS:**

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

Small budget of \$2,500 for meetings will be required.

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

As above.

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

Ongoing budget allocation of \$2,500 for meetings will be required.

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

Monthly meetings require CDO resourcing to set agenda, host meetings, produce minutes and follow up information and actions.

**ATTACHMENTS:**

1  13347/2025 - Minutes - Aboriginal Advisory Committee 27.2.25

**DIRECTOR CORPORATE SERVICES REPORT****ITEM 10.5 SF963 190325 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>
<b>South Arm Hall</b>	Brett Etchells	Serve local community
	Alba Sky	To support South Arm community through Hall events
	Lori Wilson	Current committee member
	Gail Perry	Community member
	Janet Donnelly	Current committee member
	Robyn Wilson	Support for the South Arm community
	Maureen Courtenay	Renominating
	Kay Mackay	Renominating
	Anama Tesser	Renominating
	Isle Noble	Support community
<b>Valla Public Hall</b>	Wayne Pade	Help committee
	Ron Henderson	Renominating
	Belinda Williams	Support committee and community
	Sarah Pade	Help the committee
	Elizabeth Hunter-Henderson	Help the community
	Kerrie Leonard	Renominating
	Karen Wolstonholm	Support community

**CONSULTATION:**

Director Corporate Services.

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**ITEM 10.5 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT**


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**SUSTAINABILITY ASSESSMENT:**

Nil

**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Injury to volunteers	M	H	Volunteers are given a Volunteer Safety Handbook after approval of Council.	M
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  12960/2025 - South Arm Hall Committee of Management Nominations - redacted
- 2  13338/2025 - Valla Public Hall Support Committee of Management Nominations - Ron Henderson, Elizabeth Hunter-Henderson and Kerrie Leonard - Redacted
- 3  13340/2025 - Valla Public Hall Committee of Management Nomination - Karen Wolstonholme - Redacted
- 4  13341/2025 - Valla Public Hall Committee of Management Nomination - Sarah Pade - Redacted
- 5  13342/2025 - Valla Public Hall Committee of Management Nomination - Belinda Williams and Wayne Pade - Redacted

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**DIRECTOR CORPORATE SERVICES REPORT**

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**ITEM 10.6 SF3504 190325 DONATIONS PROGRAM (SECTION 356) 2024/2025 - APPLICATIONS FOR APPROVAL**

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**AUTHOR/ENQUIRIES:** Teresa Boorer, Grants and Contributions Officer

**SUMMARY:**

Council's Donations Program 2024/2025 accepted applications from 31 January 2025 to 28 February 2025.

Thirty-six (36) community groups and organisations submitted applications for the 2024/2025 Donations Program.

Council's Donations Policy states that each application will be identified, the amount applied for noted, and the purpose for which the funds are being requested listed.

Thirty-five (35) of the thirty-six (36) applications submitted for the Donations Program are eligible and can be considered for funding from the 2024/2025 donations budget.

This year the submitted eligible applications total **\$17,401.45**.

The application from the Nambucca Junior Rugby League Football Club was considered ineligible, as it was for the same purpose as the Nambucca Roosters (Senior Team) Rugby League Club – contribution towards a new PA system. The Club were advised that it was a “double-up” for the same purpose, for the same facility.

Council has a total allocation of \$24,000 for 2024/2025 donations, plus a Carried Forward amount of \$1,416.77 from 2023/2024 (**TOTAL: \$25,416.77**), of which, to date, \$6,408.30 has been allocated (*an extract from Council's Donations Register is attached to this report*).

As per Council's adopted Donations Policy, Council has donated \$100 to each of the Nambucca Valley's thirteen (13) operational schools for annual Presentation Days, will provide a \$200 donation to the annual Legacy appeal, and provided a donation of \$500 to the Talarm Hall Committee of Management to cover out of pocket expenses in maintaining Welsh's Pioneer Park.

**RECOMMENDATION:**

**That Council approves all thirty-five (35) eligible applications for monetary donation requests, received for the Donations Program, totalling \$17,401.45, up to the capped amount of \$500.00 each, or a lesser amount as requested.**

**OPTIONS:**

- 1 Do nothing/business as usual
- 2 Approve recommendation
- 3 Alternative option - that Council reject the above recommendation and decide to approve or not approve individual applications for funding.

**DISCUSSION:**

Donations Program Assessment

Thirty-six (36) applications, were received from community organisations under the Donations Program (Section 356) 2024/2025 program, open from 31 January 2025 to 28 February 2025. The applications are summarised in the following tables:

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**ITEM 10.6 DONATIONS PROGRAM (SECTION 356) 2024/2025 - APPLICATIONS FOR APPROVAL**


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**Section 356 Donation eligible Applications:**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Contributing own funds</b>	<b>Donation Recommended</b>	<b>Use of funds</b>
Valla Beach Residents Social Group ( <i>auspiced by Valla Beach Community Association Committee of Management.</i> )	\$500	No	\$500	Contribution towards food and transport to weekly Sunday lunches for residents of Valla Beach
Nambucca Riverwatch Inc	\$500	No	\$500	Contribution towards purchase of consumables and products for Volunteer kits to continue river monitoring work
We're Here Committee	\$500	Yes - \$3,000	\$500	Contribution towards costs to travel to, and attend Transition Seminars
Unkya Reserve Committee	\$500	Yes - \$1,000	\$500	Contribution towards cost of replacement of sandpit border and stairs at Reserve playground
Macleay Gem & Mineral Club Inc	\$500	Yes - \$600	\$500	Contribution towards purchase of equipment to reopen and operate canteen at Macksville Showground for quarterly car boot sales
WIRES Mid North Coast	\$500	Yes - \$10	\$500	Contribution towards purchase of specific equipment for Wildlife rescue activities in the Nambucca Valley by WIRES volunteers
Wyz Wimmin & Friends Theatre Company	\$500	Yes - \$2,500	\$500	Contribution towards advertising for staging of newest production – "This Is Me" – to be staged at Warrell Creek, Argents Hill and Talarm Halls locally
Rivers Netball Club	\$500	Yes - \$500	\$500	Contribution towards purchase of additional equipment for 17 registered netball teams, including netballs and pumps
Nambucca Valley Rotary	\$500	Yes - \$8,460	\$500	Contribution toward the "Sunshine Wheels" project – purchase of a second e-trike to transport mobility compromised passengers to view scenic places in the Valley
Nambucca Roosters Rugby League Football Club	\$500	Yes - \$1,000	\$500	<b>Contribution towards purchase of new public address system for use at home ground games at Coronation Park</b>

**ITEM 10.6 DONATIONS PROGRAM (SECTION 356) 2024/2025 - APPLICATIONS FOR APPROVAL**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Contributing own funds</b>	<b>Donation Recommended</b>	<b>Use of funds</b>
Scotts Head Tennis Club Inc	\$500	No	\$500	Contribution towards purchase of tennis balls, grips and dampeners for racquets supplied to social users of facilities
Mary Boulton Pioneer Cottage and Museum	\$500	Yes - \$750	\$500	Contribution towards purchase of improved specification computer to handle the file sizes for management of the Museum
Scotts Head Community Group Inc	\$500	Yes - \$500	\$500	Contribution towards cost of printing "The Wave" – Scotts Head monthly newsletter – increase from 100 to 200 each month
Nambucca Heads Tennis Club Inc	\$500	Yes - \$2,950	\$500	Contribution towards stabilising fencing between upper and lower courts at Gordon Park
CWA Nambucca Valley Evening Branch	\$500	Yes - \$50	\$500	Contribution towards equipment to continue to enable this group to assist local women in our community
Taylor's Arm Hall Committee	\$500	Yes - \$2,500	\$500	Contribution towards purchase of defibrillator for Hall
Taylor's Arm Sports Reserve Committee	\$500	Yes - \$500	\$500	Contribution towards consumables for defibrillator
Valla Beach Tennis Club Inc	\$500	Yes - \$100	\$500	Contribution towards purchase of 2 new tennis nets
Nambucca Heads Men's Shed Inc.	\$500	Yes - \$250	\$500	Contribution towards purchase of accessories for the wood lathe and milling machine
Valla Beach Community Association	\$500	Yes - \$900	\$500	Contribution towards servicing costs of existing seven (7) defibrillators in the Valla Beach community
Nambucca District Historical Society	\$500	Yes - \$500	\$500	Contribution towards repairs and adjustments to museum displays, including shelving and maintenance of counters
Radio Nambucca Inc - 2NVR	\$500	Yes – bal. for project	\$500	Contribution towards cost of replacement of external dilapidated sign post painting of premises
Nambucca Valley Craft & Art Inc	\$497	No	\$497	Cost of purchase for a new laptop computer for management of finances and stock, including community contributors

**ITEM 10.6 DONATIONS PROGRAM (SECTION 356) 2024/2025 - APPLICATIONS FOR APPROVAL**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Contributing own funds</b>	<b>Donation Recommended</b>	<b>Use of funds</b>
Macksville Park Sports Committee	\$500	Yes - \$1,500	\$500	Contribution towards purchase of cleaning equipment, and products, for maintenance of facility
Missabotti Community Centre	\$485.45	No	\$485.45	Donation for purchase of set of loading ramps, an extension ladder, dust mop and refill, for Hall use
Valla Public Hall Committee	\$500	No	\$500	Contribution towards servicing of roll-down weather screens on Hall verandah
Warrell Creek Hall Committee	\$500	Yes - \$44.55	\$500	Contribution towards purchase of a new vacuum cleaner to replace broken equipment
Scotts Head Sports Fields Committee	\$500	Yes - \$54	\$500	Contribution towards purchase of a lockable aluminium storage box for sporting equipment
Nambucca River VIEW Club	\$419	No	\$419	Donation for purchase of equipment, including chairs, table and marquee for VIEW Club operations in the Nambucca Valley
Nambucca Valley Cycle Club Inc	\$500	Yes - \$670	\$500	Contribution towards purchase of Club branded sun-safe hats and clothing for volunteers
Logger Heads Malibu Club Inc	\$500	Yes - \$200	\$500	Contribution towards upgrade of PA system for use during events
Bowraville Arts Council Inc	\$500	Yes - \$500	\$500	Contribution towards purchase of a laptop computer to enable more efficiency in showing movies at the Bowraville Theatre
Macksville Soccer Club Inc	\$500	Yes - \$318	\$500	Contribution towards purchase of 2 x portable shade structures for team substitutions boxes next to the fields
Scotts Head Sharks Soccer Club Inc	\$500	Yes - \$75	\$500	Contribution towards line-marking paint to mark out 3 playing fields at Buz Brazel Oval
Midcoast Mower Racing Club Inc	\$500	Yes - \$750	\$500	Contribution towards dust suppression on race days
<b>INELIGIBLE</b>				
Nambucca Heads Junior Rugby League Club Inc	\$500	Yes - \$250	\$0	<b>Contribution towards purchase of new public address system for use at home ground games at Coronation Park</b>
<b>TOTAL</b>	<b>\$17,901.45</b>		<b>\$17,401.45</b>	



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**ITEM 10.6 DONATIONS PROGRAM (SECTION 356) 2024/2025 - APPLICATIONS FOR APPROVAL**

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**RELATED DONATIONS INFORMATION**

As per Council's adopted Donations Policy, Council has donated \$100 to each of the Nambucca Valley's thirteen (13) operational schools for annual Presentation Days, provided a donation of \$500 to the Talarm Hall Committee of Management to cover out of pocket expenses in maintaining Welsh's Pioneer Park, and will provide a \$200 donation to the annual Legacy appeal prior to the end of this Financial Year.

**CONSULTATION:**

Director Corporate Services  
Chief Financial Officer  
Grants and Contributions Officer

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

There are no environmental impacts associated with this report.

**Social**

There are positive social benefits associated with the donation of money to various community groups throughout the Nambucca Valley.

**Economic**

There are positive economic impacts for the volunteer, charitable and sporting organisations which would otherwise be unable to meet the costs of the noted projects.

**Risk Analysis:**

No risks identified

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

A total 2024/2025 budget amount of \$24,000 on GL 03100.0405.0622 has been allocated, plus a Carried Forward amount of \$1,416.77 from 2023/2024 (**TOTAL: \$25,416.77**). The current available balance, prior to consideration of the applications for this program, is \$19,008.47.

If all thirty-five (35) eligible applications for donations are approved by Council the remaining budget balance in the 2024/2025 Donations Program will be **\$1,607.02**.

A current financial extract from the Donation Budget for 2024/2025 is an attachment to this report – as at 28 February 2025.

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

No impact on working funds, and general ledger funds allocated and established for the Donations Program by Council.


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

No impacts on Long Term Financial Plan

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

No change or implications.

**ATTACHMENTS:**

1  11005/2025 - Donations 2024-2025 - Current extract as at 28-02-2025

**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

**ITEM 11.1 SF3410 190325 UNDETERMINED DEVELOPMENT APPLICATIONS GREATER THAN 12 MONTHS, WHERE SUBMISSIONS HAVE BEEN RECEIVED, OR WHERE AN APPLICATION TO VARY DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF THE NAMBUCCA LEP 2010 WAS APPROVED UNDER STAFF DELEGATION**

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

**SUMMARY:**

This report contains information in relation to development applications which have been undetermined for over 12 months, undetermined development applications which have received submissions and development applications determined where an application to vary a development standard was approved.

In accordance with Minute 848/08 from Council's meeting of 18 December 2008, should any Councillor wish to "call in" an application a motion is required specifying the reasons why it is to be "called in". If an application is not called then it will be determined under delegated authority if the delegations permit.

In the interests of transparency, all development applications determined under delegation, where an application to vary development standards under Clause 4.6 of the Nambucca Local Environmental Plan 2010 was approved, are reported to Council for information.

**RECOMMENDATION:**

**That Council notes the information on undetermined development applications greater than 12 months, or where submissions have been received to 7 March 2025, and development applications determined from 13 January – 7 March 2025 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.**

**OPTIONS:**

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

**DISCUSSION:**

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

Nil.

**TABLE 2: UNDETERMINED DEVELOPMENT APPLICATIONS WITH SUBMISSIONS**

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2025/005	4 February 2025	Demolition of existing dwelling & construction of new dwelling	8 Gregory Street, Valla Beach – Lot 4 Sec 2 DP 245317
Submission period closed. One submission received.			
<b>STATUS:</b> Amended plans have been requested which minimise the impact on the views from neighbouring properties.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2025/011	15 January 2025	Alterations to existing dwelling	38 Kuta Avenue, Valla Beach – Lot 38 DP 805577
Submission period closed. One submission received.			
<b>STATUS:</b> Assessment being finalised.			

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

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2025/031	10 February 2025	Continued use of existing decks and completion of stairs, balustrades and roof	2 Oleander Drive, Scotts Head – Lot 115 DP 245010
Submission period closed. One submission received.			
<b>STATUS:</b> Assessment being finalised.			

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

No development applications were determined between 13 January 2025 – 7 March 2025 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation.

**CONSULTATION:**

Nil

**SUSTAINABILITY ASSESSMENT:**

**Environment**

To be undertaken in assessment of individual development applications.

**Social**

To be undertaken in assessment of individual development applications.

**Economic**

To be undertaken in assessment of individual development applications.

**Risk Analysis**

None identified.

**FINANCIAL IMPLICATIONS:**

N/A

**ATTACHMENTS:**

There are no attachments for this report.

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 11.2 SF214 190325 BEER CREEK WATER QUALITY**

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

**SUMMARY:**

This report provides information to Council as requested at the meeting on 13 February 2025 regarding water quality in Beer Creek.

**RECOMMENDATION:**

**That Council notes the information in the report.**

**OPTIONS:**

For information only.

**DISCUSSION:**

At the meeting on 13 February 2025 Council made the following resolution:

*1/25 RESOLVED: (Jenvey/Simson)*

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

The resolution followed representations made by Mr James Ford in the public forum where he made the following points, that Mr Ford:

- Is an oyster farmer having problems with poor performance and death rates on his oyster lease adjacent to Beer Creek.
- Has been searching for the problem and believes it to be detergents and pollutants coming from Beer Creek as detergent like bubbles can be seen on the surface of the creek up to its intersection with West Street.
- Has had the oysters tested and hasn't got a detection of any pollutants because they don't feed when pollutants are in the water and they clear their guts regularly. The tests found that the oysters were starving.
- Has reported the issue for the past 6-8 months to Council and has not received updates.
- Council seem to be ok with illegal practices polluting the river.

In response to the matters raised by Mr Ford the following information is provided:

- Mr Ford's complaints about poor performance and death rates in his oyster lease adjacent to Beer Creek predate his complaints to Council regarding the bubbles. Initially Mr Ford made complaints that chemicals from agriculture were causing the issues. Once testing undertaken by Council and the EPA confirmed this wasn't the case, complaints were received that sediment from nearby development sites were causing the problems. Once those sediment concerns were addressed Council received complaints that the bubbles were causing the impacts.
- Since the complaints about the bubbles in Beer Creek were received Council has done multiple sampling rounds, both from within Beer Creek and within the Nambucca River adjacent to Mr Ford's oyster lease. The results of these samples can be found in attachment 1 and were also provided to Mr Ford in November 2024.
- The results found that the levels of detergents detected are low and are not considered to be adversely impacting on water quality in the Nambucca River. In addition to the detergents, the

**ITEM 11.2 BEER CREEK WATER QUALITY**

results found that other forms of pollutants detected were at low levels that are consistent with what can be expected from stormwater outlets from urban areas.

- Mr Ford has advised staff that he does not accept the findings of Council’s sampling program. However, he has not done any water sampling of his own to determine if his claims that pollutants from Beer Creek are impacting his oysters are correct.
- Council has sent an educational letter to all properties in the catchment advising of the issue and measures to mitigate pollution incidents. The extent of the catchment can be seen on the attached map, with all properties upstream of Beer Creek’s intersection with West Street being residential.



- Given the size of the catchment and that the sampling results have found the level of pollutants in Beer Creek are consistent with levels expected from urban areas and are not having an adverse impact on water quality; Council has advised Mr Ford that investigations into upstream residential properties will not be occurring. Such investigations would be costly as they would require physical disturbance to properties and Council would be faced with legal restrictions with regards to lawful access.
- Bubbles in watercourses can be naturally occurring and are not always the result of pollution. There are known sources of Iron Bacteria entering Beer Creek from ground water coming from Sunbird Drive. Iron Bacteria can cause bubbling in watercourses. Council has sent sampling for testing to a laboratory capable of determining if the bubbles are the result of Iron Bacteria. Council is currently awaiting the results of these samples.


**CONSULTATION:** Environmental Health Officer

**SUSTAINABILITY ASSESSMENT:** Addressed in report.

**Risk Analysis:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**ATTACHMENTS:**

- 1  13456/2025 - Sampling Results

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**MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**

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**ITEM 11.3 SF2702 190325 CLASSIFICATION OF LAND AS OPERATIONAL - LOT 1 DP 1310874 LOWER BUCKRA BENDINNI ROAD, BUCKRA BENDINNI AND LOTS 1 AND 2 DP 1290686 RODEO DRIVE, WIRRIMBI**

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

**SUMMARY:**

This report provides a recommendation to classify recently closed road reserves as operational land to enable their transfer as part of previously approved land swap arrangements to facilitate public road upgrades.

**RECOMMENDATION:**

**That Council:**

- 1 Exhibit the classification of Lot 1 DP 1310874 – Lower Buckra Bendinni Road, Buckra Bendinni & Lots 1 & 2 DP 1290686 Rodeo Drive, Werrimbi as operational land in accordance with Section 34 of the Local Government Act 1993.**
- 2 Classify Lot 1 DP 1310874 – Lower Buckra Bendinni Road, Buckra Bendinni & Lots 1 & 2 DP 1290686 Rodeo Drive, Werrimbi as operational land should no submissions be received.**

**OPTIONS:**

Council could opt not to proceed with classifying the lots as operational land. The lots would automatically be classified as community land. Doing this would mean Council would need to financially compensate adjoining owners for the new alignments or undertake a planning proposal at a later date to reclassify the land operational.

**DISCUSSION:**

Council has previously resolved to upgrade Sandy's Crossing Bridge on Lower Buckra Bendinni Road, Buckra Bendinni and undertake road widening along Rodeo Drive, Werrimbi. Both projects resulted in the design incorporating adjoining privately owned land to facilitate the most appropriate alignment.

The following resolutions have been made by Council in relation to the Sandy's Crossing Bridge:

13 April 2023

*1/23 RESOLVED: (Angel/Jones)*

*THAT Council:*

- 1 Rescind Council Resolution 325/22 dated 14 July 2022; and*
- 2 Endorse the location of the bridge replacement for Sandy's Crossing Bridge being immediately upstream of the existing bridge.*

28 March 2024

*2/24 RESOLVED: (Jones/Wilson)*

*THAT Council approve the agreement for land exchange as detailed in the attached document being acquisition of 236.6m<sup>2</sup> from Lot 11 DP 1287883 Lower Buckra Bendinni Road in exchange for 236.7m<sup>2</sup> of dedicated road reserve to be closed and transferred to Lot 1 DP 1263688 Lower Buckra Bendinni Road in full and adequate compensation, pursuant to clause 377 (1) (h) of the Local Government Act 1993.*

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**ITEM 11.3 CLASSIFICATION OF LAND AS OPERATIONAL - LOT 1 DP 1310874 LOWER BUCKRA BENDINNI ROAD, BUCKRA BENDINNI AND LOTS 1 AND 2 DP 1290686 RODEO DRIVE, WIRRIMBI**

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The following resolution was made by Council at the meeting on 25 July 2024 in relation to the Rodeo Drive Road Realignment:

*3/24 RESOLVED: (Jones/Wilson)*

*That Council*

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

Instead of acquiring land from the adjoining owners through purchase, agreement has been reached to undertake a land swap whereby the Council transfers the ownership of the redundant sections of road reserve to the adjoining owner and the adjoining owner transfers the section of their land required for the new road alignment to Council.

As can be seen in the attached plans, the road widening has taken place, with the land accommodating the new alignment transferred from private ownership to public road reserve and the redundant sections of road reserve created as new lots.

The new lots are comparable in area to the land which was dedicated to Council as road reserve. The intent is to make these lots operational to facilitate their transfer to the adjoining owners as provided for in the above-mentioned Council resolutions. The lots must be operational land before they can be transferred.

The new lots were acquired on 10 January 2025 and 14 February 2025 so have not been acquired for longer than 3 months. As such they can be classified as operational land by Council subject to public exhibition.

Section 34 of the *Local Government Act 1993* states:

- (1) A council must give public notice of a proposed resolution to classify or reclassify public land.*
- (2) The public notice must include the terms of the proposed resolution and a description of the public land concerned.*
- (3) The public notice must specify a period of not less than 28 days during which submissions may be made to the council.*

As such, the recommendation is to make the land operational subject public exhibition in accordance with Section 34 of the act.

**CONSULTATION:**  
Survey Coordinator

**SUSTAINABILITY ASSESSMENT:**

Nil

**Risk Analysis**

Nil

**FINANCIAL IMPLICATIONS:**

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**ITEM 11.3 CLASSIFICATION OF LAND AS OPERATIONAL - LOT 1 DP 1310874 LOWER BUCKRA BENDINNI ROAD, BUCKRA BENDINNI AND LOTS 1 AND 2 DP 1290686 RODEO DRIVE, WIRRIMBI**

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

Classification as operational will enable the transfer of the land with no financial cost to Council.



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

Nil

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

Nil

**ATTACHMENTS:**

- 1  13508/2025 - Sandy's Crossing Plan
- 2  13509/2025 - Rodeo Drive Plan