



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 18 JUNE 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) the day 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 the Monday prior. 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 the 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

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 - 18 JUNE 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.

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- 13.1 Project Management and Associated Services for Natural Disaster Recovery
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.
- 13.2 T2025-004 - Caretaker Services, Gumma Reserve Primitive Campground
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.
- 13.3 T2025-022 Landslip Remediation of Meadow Crescent
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.
- 13.4 Matters Regarding Realised or Potential Losses
It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- a Questions raised by Councillors at 8 above
- i MOTION TO CLOSE THE MEETING
 - ii PUBLIC VERBAL REPRESENTATIONS REGARDING PROPOSAL TO CLOSE
 - iii CONSIDERATION OF PUBLIC REPRESENTATIONS
 - iv DEAL WITH MOTION TO CLOSE THE MEETING
- 14 MEETING CLOSED TO THE PUBLIC
- 15 REVERT TO OPEN MEETING FOR DECISIONS IN RELATION TO ITEMS DISCUSSED IN CLOSED MEETING.

Statement of ethical obligations:

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

NAMBUCCA VALLEY COUNCIL



DISCLOSURE OF INTEREST AT MEETINGS

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

I _____ declare the following interest:
(name)

☐

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

☐

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

☐

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

For the reason that _____

Signed _____ Date _____

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

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

Definitions

(Local Government Act and Code of Conduct)

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

(Local Government Act, 1993 section 442 and 443)

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

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

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

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

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

The following document is the minutes of the Ordinary Council meeting held **28 MAY 2025**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Wednesday **18 JUNE 2025** and therefore subject to change. Please refer to the minutes of **18 JUNE 2025** for confirmation.

PRESENT

Cr Gary Lee (Mayor)
Cr Martin Ballangarry OAM
Cr Tamara McWilliam
Cr Jane Smith

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

ALSO PRESENT

Bede Spannagle (General Manager)
David Moloney (Director Engineering Services)

Evan Webb (Chief Financial Officer)

Matthew Sykes (Director Corporate Services)
Michael Coulter (Acting Manager Development Environment)
Suzanne Sullivan (Minute Secretary)

APOLOGIES

Apologies (leave granted)
Cr Susan Jenvey

Apologies
Daniel Walsh (Manager Development Environment)

ACKNOWLEDGMENT OF COUNTRY

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

COUNCIL MEETING AUDIO RECORDINGS

This meeting is being webcast and those in attendance should refrain from making any defamatory statements. The Mayor and Councillors are being video recorded.

PRAYER

Reverend Peter Shayler-Webb from the Macksville Anglican Church offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Nil.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 16 APRIL 2025

122/25 **RESOLVED:** (Simson/McWilliam)

That the minutes of the Ordinary Council Meeting of 16 April 2025 be confirmed.

DELEGATIONS & PUBLIC FORUM HELD TUESDAY 20 MAY 2025

RECOMMENDATION

That the following public forum be heard:

i Mr Peter Lewis on behalf of Coronation Park Committee of Management – Speaking about Coronation Park

ii Ms Raewyn Macky on behalf of Nambucca Environment Network Inc. – Speaking about the berry industry and the status of the LEP Amendment

PUBLIC FORUM

i Mr Peter Lewis addressed Council with speaking notes placed on 27298/2025 SF3424

ii Ms Raewyn Macky addressed Council with speaking notes placed on 27297/2025 SF3424

123/25 **RESOLVED:** (Jones/Lee)

That an extension of time be granted.

DELEGATIONS

That the following delegations be heard:

Item 10.7 – Memorandum of Understanding 2025 to 2027 and Nomination of Councillor representative to board of Arts Mid North Coast Inc.

iii Ms Olivia Parker on behalf of Arts Mid North Coast – presentation of annual report

Item 10.2 - Proposal for inclusion of Nambucca Valley Council in the Mid North Coast Joint Organisation

iv Mayor Steve Allan, Mayor Adam Roberts, Mayor Kinnie Ring and Elizabeth Fairweather on behalf of Mid North Coast Joint Organisation

DELEGATIONS

Item 10.7 – Memorandum of Understanding 2025 to 2027 and Nomination of Councillor representative to board of Arts Mid North Coast Inc.

iii Ms Olivia Parker addressed Council with speaking notes placed on 27178/2025 SF3424.

Item 10.2 - Proposal for inclusion of Nambucca Valley Council in the Mid North Coast Joint Organisation

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

iv Mayor Steve Allan, Mayor Adam Roberts, Mayor Kinnie Ring and Elizabeth Fairweather addressed Council with speaking notes placed on 27036/2025 SF3424.

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

GENERAL MANAGER REPORTS

ITEM 9.1	SF959	210525	Outstanding Actions and Reports
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124/25	RESOLVED:	(Simson/McWilliam)
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That Council notes the list of outstanding actions and reports.

DIRECTOR CORPORATE SERVICES REPORTS

ITEM 10.1	SF3492	210525	Minutes of the Audit, Risk and Improvement Committee Meeting held 9 April 2025
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125/25	RESOLVED:	(McWilliam/Smith)
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That Council notes the Minutes from the Audit, Risk and Improvement Committee Meeting held 9 April 2025.

Councillor Angel entered the meeting, the time being 5:41PM.

ITEM 10.2	SF2248	210525	Proposal for inclusion of Nambucca Valley Council in the Mid North Coast Joint Organisation
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126/25	RESOLVED:	(Angel/McWilliam)
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That Council note the presentation from the Mid North Coast Joint Organisation at the public forum on 20 May 2025.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

ITEM 10.3 SF1620 210525 2025/26 Budget, 2025/26 Statement of Revenue Policy and Fees & Charges, 2025 to 2029 Delivery Program and 2025/26 Operational Plan, and 2025 to 2035 Long Term Financial Plan

127/25 **RESOLVED:** (Jones/Smith)

That Council:

- 1 **Endorse the following Draft IP&R documents for public exhibition period of 28 days:**
 - a) **Delivery Program 2025-2029 and Operational Plan 2025/26**
 - b) **2025/26 Annual Budget**
 - c) **2025/26 Revenue Policy, including 2025/26 Schedule of Fees & Charges**
 - d) **2025-2035 Long Term Financial Plan**
- 2 **Note that in accordance with the IP&R guidelines, community feedback will be collated and reviewed, with proposed updates to the documents made, and will come to Council in June for consideration for final adoption**

ITEM 10.4 SF3528 210525 Investment Report for April 2025

128/25 **RESOLVED:** (Jones/McWilliam)

That Council:

- 1 **Notes the Chief Financial Officer's report on Investments for April 2025.**
- 2 **Adopts the certification of the Responsible Accounting Officer for April 2025.**

ITEM 10.5 SF3517 210525 March 2025 Quarterly Budget Review

129/25 **RESOLVED:** (McWilliam/Smith)

That Council:

- 1 **Notes the budget review for the quarter ended 31 March 2025.**
 - 2 **Approves the recommended variations in the budget for the 2024/25 financial year.**
-

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

ITEM 10.6 SF3504 210525 Request for Section 356 Donation - Bowraville Junior Rugby League Club

130/25 **RESOLVED:** (Angel/Jones)

That Council approves a Section 356 donation to Bowraville Junior Rugby League Club for \$500 for the cost of hire of a Handybin skip bin for the Hennessey Tape playing fields, including drop off and pick up of the bin, up to 30 June 2025.

ITEM 10.7 SF775 210525 Memorandum of Understanding 2025 to 2027 and Nomination of Councillor representative to board of Arts Mid North Coast Inc.

131/25 **RESOLVED:** (Angel/Smith)

That Council:

- 1 Approve the Memorandum of Understanding 2025 – 2027 with Arts Mid North Coast Inc.**
- 2 Elect Councillor Jones as the Councillor representative for the Arts Mid North Coast Inc. Board.**

ITEM 10.8 SF963 210525 Nominations to Council Section 355 Committees of Management

132/25 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 Approves the new nominations to the following Section 355 Committees of Management as per the table in the Discussion section of the report.**
- 2 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.**

ITEM 10.9 SF3409 210525 Minutes of the Disability Access and Inclusion Committee 29 April 2025 Meeting

133/25 **RESOLVED:** (McWilliam/Simson)

That Council notes the minutes of the Disability Access and Inclusion Committee meeting held 29 April 2025.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM 11.1 SF3495 210525 Fenced Off Leash Dog Parks

MOTION: (Smith/Jones)

That Council approves the following locations as off-leash dog areas and adds them to the Companion Animals Policy:

- 1 A fenced dog park at McMorine Park, Nambucca Heads
- 2 A fenced dog park at Dawkins Lake Island, Macksville
- 3 An unfenced area at Dudley Street, Macksville

AMENDMENT: (Smith/Angel)

That Council defer the item 11.1.

The amendment was declared carried and became the motion.

134/25 **RESOLVED:** (Smith/Angel)

That Council defer the item 11.1.

ITEM 11.2 SF97 210525 Review of Alcohol Free Zones

135/25 **RESOLVED:** (Jones/McWilliam)

That Council establish Alcohol Free Zones for a period of 4 years in Nambucca Heads and Bowraville in accordance with Section 644B of the Local Government Act (1993) in the areas outlined in the report.

ITEM 11.3 SF3410 210525 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

136/25 **RESOLVED:** (Angel/McWilliam)

That Council notes the information on undetermined development applications greater than 12 months, or where submissions have been received to 9 May 2025, and development applications determined from 7 March – 9 May 2025 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

ITEM 11.4 SF1538 210525 Classification of Operational Land - Lot 101 DP 1313077
Swordfish Drive Valla Beach

137/25 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 Exhibit the classification of Lot 101 DP 1313077 – Swordfish Drive, Valla Beach as operational land in accordance with Section 34 of the Local Government Act 1993.**
 - 2 Classify Lot 101 DP 1313077 – Swordfish Drive, Valla Beach as operational land should no submissions be received.**
-

ITEM 11.5 DA2016/102 210525 Modification of Development Consent to Delete Condition
Requiring Payment of Developer Contributions

138/25 **RESOLVED:** (McWilliam/Angel)

That Council deletes Condition 16 of development consent DA2016/102 as per Council's Section 7.12 Development Contributions Plan 2019.

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

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

ITEM 11.6 SF3410 210525 March 2025 - Approved Construction Certificates, Approved
Complying Developments, Development Applications Received and Complying
Developments Received

139/25 **RESOLVED:** (Vance/McWilliam)

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

ITEM 11.7 SF1148 210525 Council's Rangers' Report and Penalties Issued for March 2025

140/25 **RESOLVED:** (Angel/Simson)

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

141/25 **RESOLVED:** (Jones/McWilliam)

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

Reason reports are in Closed Meeting:

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 12.1 SF3420 210525 Matters Regarding Realised or Potential Losses

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

For Confidential Business Paper in Closed Meeting

ITEM 12.2 SF3420 210525 Loan Facility Request

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

For Confidential Business Paper in Closed Meeting

ITEM 12.3 SF3420 210525 T2025-016 - Landslip Remediation at North Arm Road Design and Construct

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

For Confidential Business Paper in Closed Meeting

ITEM 12.4 SF3420 210525 REGPRO0412425 - Provision of Traffic Control

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.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

For Confidential Business Paper in Closed Meeting

ITEM 12.5	SF3420	210525	T2025-013 - Macksville Memorial Aquatic & Fitness Centre - Roof Replacement
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It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

For Confidential Business Paper in Closed Meeting

ITEM 12.6	SF3420	210525	T2025-010 - Provision of Electrical & Data Cabling Services - Panel Contract
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It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

For Confidential Business Paper in Closed Meeting

ITEM 12.7	SF3420	210525	RFT 2002359A Construction of Valla Urban Growth Area Stage 1 - Water and Sewer Pipelines
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It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 6:51PM.

RESUME IN OPEN MEETING

142/25 **RESOLVED:** (Angel/McWilliam)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 7:35PM.

FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

Michael Coulter left the meeting before the commencement of this item, the time being 6:51PM.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

ITEM 12.1 SF3420 210525 Matters Regarding Realised or Potential Losses

143/25 **RESOLVED:** (McWilliam/Angel)

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

For Confidential Business Paper in Closed Meeting

ITEM 12.2 SF3420 210525 Loan Facility Request

144/25 **RESOLVED:** (McWilliam/Jones)

That Council:

- 1 Approve an interest free loan to Macksville Preschool Childcare Centre up to the amount of \$50,000 for a maximum period of up to 3 years.**
- 2 Approve that the loan can be drawn down in instalment amounts at the discretion of the Macksville Preschool Childcare Centre Treasurer & President.**
- 3 Approve for the loan facility not having instalments. The total amount will fall due at the expiration of the 3-year period, from the date of Council's resolution.**

Councillor Martin Ballangarry left the meeting after the commencement of this item, the time being 7:15 PM.

Councillor Martin Ballangarry returned to the meeting at the completion of this item, the time being 7:16 PM.

For Confidential Business Paper in Closed Meeting

ITEM 12.3 SF3420 210525 T2025-016 - Landslip Remediation at North Arm Road Design and Construct

145/25 **RESOLVED:** (Jones/Vance)

That Council:

- 1 Awards T2025-016 - Landslip Remediation at North Arm Road CH27.3km Design & Construct to Pan Civil Pty Ltd for the contract sum of \$828,860.00 excluding GST.**
- 2 Authorises the General Manager to approve contract variations regarding the additional scope to the landslip site subject to it being within the funding limits.**
- 3 Updates the Contract Register.**

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

For the Motion: Councillors Angel, Ballangarry, Jones, Lee, McWilliam, Simson, Smith and Vance

Total (8)

Against the Motion:

Nil

Total (0)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

For Confidential Business Paper in Closed Meeting

ITEM 12.4 SF3420 210525 REGPRO0412425 - Provision of Traffic Control

146/25 **RESOLVED:** (Jones/Angel)

That Council:

- 1 In accordance with the Local Government (General) Regulation 2021 – Part 7 Tendering, Council accepts the tender from the following suppliers for Tender REGPRO0412425 on a Schedule of Rates based contract.
 - DOB Enterprises
 - Retro Traffic
 - Lack Group Traffic
 - Altus Traffic
 - Men and Women at Work
 - Coffs Coast Traffic Solutions
 - Fortade Group
- 2 Authorises the General Manager to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Update the Contracts Register.

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

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

For Confidential Business Paper in Closed Meeting

ITEM 12.5 SF3420 210525 T2025-013 - Macksville Memorial Aquatic & Fitness Centre - Roof Replacement

147/25 **RESOLVED:** (Angel/Simson)

That Council notes T2025-013 Macksville Memorial Aquatic & Fitness Centre was awarded to Murphy's Remedial Builders Pty Ltd for the amount of \$240,218.00 excluding GST.

For Confidential Business Paper in Closed Meeting

ITEM 12.6 SF3420 210525 T2025-010 - Provision of Electrical & Data Cabling Services - Panel Contract

148/25 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 Authorise the following nine (9) suppliers for T2025-010 Provision of Electrical & Data Cabling Services Panel Contract:

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MAY 2025

- Smada Electrical
- DWT Industries
- Stowe Australia
- Jamie's Electrical
- Concept Engineering
- GKR Electrical
- Reg Latter Electrical
- Gosling Electrical
- Qantic Electrical

2 Updates the contracts register.

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

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

For Confidential Business Paper in Closed Meeting

ITEM 12.7 SF3420 210525 RFT 2002359A Construction of Valla Urban Growth Area Stage 1
- Water and Sewer Pipelines

149/25 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 Awards the contract RFT-2003881 Construction of Valla Urban Growth Area Sewer and Water Pipelines to Ledonne Constructions P/L, for the Recommended Tender Amount of \$7,042,878.36 (excludes GST).
- 2 Updates the Contracts Register.

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

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

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7:42PM.

Confirmed and signed by the Mayor on **18 JUNE 2025**

Cr Gary Lee
MAYOR
(CHAIRPERSON)

NOTICE OF MOTION

ITEM 5.1 SF3422 180625 NOTICE OF MOTION - CORONATION PARK DRAINAGE

AUTHOR/ENQUIRIES: Jane Smith, Councillor

SUMMARY:

Explore options to resolve drainage issues at Coronation Park, Nambucca Heads.

RECOMMENDATION:

That Council provides a report for drainage solutions for Coronation Park.

OPTIONS:

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

DISCUSSION:

Council heard from the Coronation Park Management Committee at the Public Forum (20th May 2025) about the lack of drainage that has led to games and training sessions being cancelled or relocated, which not only affects players but also reduces visitation to the Nambucca Valley.

With the destruction of the Leagues Club, it is crucial to maximise the use of Coronation Park to support local sporting clubs and provide a gathering place for the community as the facility rebuilds.

Peter Lewis, from the Coronation Park Committee of Management, informed us that the Challenge Cup—an event hosting approximately 1,500 to 1,800 people—was cancelled. This tournament serves as a major fundraiser for the Strikers and typically attracts overnight visitors, contributing to the local tourism economy and business revenue.

Due to sewerage and drainage issues, the Nambucca Strikers have only been able to use the field for one match weekend this season.

Mr. Lewis also noted that the most affected sport was Mini Roos (children aged 4–11), whose soccer games have been cancelled and aren't rescheduled.

Mr. Lewis further highlighted that other fields in the valley have remained in use thanks to completed drainage works, in contrast to Coronation Park.

The Coronation Park Plan of Management was developed on 5 September 1996 and updated on 7 February 2008. However, it contains no reference to drainage management. The plan was due for review in 2018 but this was not completed.

FINANCIAL IMPLICATIONS:

Nil

ATTACHMENTS:

There are no attachments for this report.

NOTICE OF MOTION

ITEM 5.2	SF3422 BEAM	180625	NOTICE OF MOTION - BOWRAVILLE CEMETERY LAWN
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AUTHOR/ENQUIRIES: Jane Smith, Councillor

SUMMARY:

That Council explore options to resolve the issues raised regarding the installation of concrete at Bowraville Cemetery, including any additional improvement works that may be required.

RECOMMENDATION:

That Council:

- 1 Remove the installed concrete and undertake repair works.**
- 2 Engage in community consultation with Gumbaynggirr representatives, including with the Aboriginal Advisory Committee, to ensure long-term, appropriate, and ongoing access to Aboriginal plots.**
- 3 Provide a report to Council outlining consultation that has taken place and proposed solutions.**

OPTIONS:

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

GENERAL MANAGER COMMENTS:

Recommendation 2 is agreed to and is currently underway.
Recommendation 3 is acceptable and a report will come back to Council following a final decision of the outcome.
Recommendation 1 has financial implications which should be taken into consideration by Council. The Notice of Motion has not identified the source of funding for the removal of the head beam. It is contradictory to works previously resolved by Council to implement in the 2024/25 operational plan.

GM Recommendation: Defer the decision to remove the concrete head beam until appropriate consultation has been undertaken and a report is brought back to Council.

DISCUSSION:

A concrete structure was installed at Bowraville Cemetery and brought to the attention of the Jaanyimili Bawrungga Aboriginal Corporation, who then notified Council and Councillors in early May of the concerns raised.

This concrete appears as if it is going to be used as headstones or some form of a memorial, with this in mind the community will be required to step over it or walk a distance around.

The direct path taken from the entrance gate to the plots is now cut off by this structure.

The council Cemetery Policy's principles include:

- To provide places for quiet and safe remembrance of the dead.
- To provide sites within cemeteries for the lawful disposal of human remains.
- To provide equitable access to burial sites to all members of the community.

ITEM 5.2 NOTICE OF MOTION - BOWRAVILLE CEMETERY LAWN BEAM

- To provide conditions in cemeteries which have regard to minimising any risk to health or safety of persons working in or entering cemeteries.
- To consider conservation and heritage issues when making decisions relating to cemeteries, including planning for the future use of cemeteries.
- To provide a cost effective and sustainable cemetery service within the Nambucca Valley.

The Installation of this concrete doesn't consider the conservation and heritage issues, but also creates an access issue specifically affecting the aboriginal community, limiting equitable access.

Understandably there will be a financial implication and ask the council team to identify a budget allocation for disposable.

CONSULTATION:**SUSTAINABILITY ASSESSMENT:****Environment****Social****Economic****Risk Analysis**

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

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 

30443/2025 - Bowraville Cemetery Lawn Beam - Photos

GENERAL MANAGER'S REPORT**ITEM 9.1 SF959 180625 OUTSTANDING ACTIONS AND REPORTS**

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

SUMMARY:

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

RECOMMENDATION:

That Council notes the list of outstanding actions and reports.

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

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

08/04/25 Linemarking has been completed. The defects liability period has started.

09/05/25 Wheel stops to be installed.

10/06/25 Awaiting delivery of wheel stops and resources to become available from teams working on emergency works associated with the recent flooding event.

DECEMBER 2023

2	SF3190	14/12/23	DCS
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RESOLUTION: Subdivision - Lots 9 & 10 DP884342 Warrell Creek

~~1 Approves the registration of the subdivision plan for Lots 9 and 10 DP 884342, Warrell Creek as submitted.~~

2 Approves the preparation of the newly created proposed Lot 2 DP 657578 to market for sale, noting any negotiated sale to be brought back to Council for formal approval.

STATUS:

10/01/24-05/02/24 Registration of subdivision underway as per Council resolution.

20/02/24-08/10/24 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 formed to review and appoint Real Estate sales EOI.

19/02/25-08/04/25 Property Officer has resigned, currently on hold.

09/05/25 Property and Governance Officer appointed. Real estate agents to be followed up for contracts to sell. Sale pending approval of Land Disposal Policy.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

10/06/25 EOI closing 19 June 2025.			
APRIL 2024			
3	SF3477	11/04/24	MDE
RESOLUTION: Valla Urban Growth Area Amendment 1 Council forward the planning proposal within attachment 2 to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which amends the Nambucca Local Environmental Plan 2010 by altering the zoning of the Valla Urban Growth Area to be consistent with the Valla Urban Growth Area Development Control Plan. 2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination. 3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.			
STATUS: 17/04/24 Awaiting final maps for planning proposal before forwarding to Minister. 09/05/24 Final maps received and will be sent to Minister. 22/05/24 Planning proposal drafted and sent to the Minister for gateway determination. 05/06/24-19/06/24 No further update. 02/07/24 Request for further information received from Minister with option to withdraw until information obtained. 17/07/24 Planning proposal being amended. 07/08/24 No further update. 21/08/24-03/09/24 Planning proposal still to be amended and will be resubmitted once complete as the previous one was refused. 08/10/24 Planning proposal amended and re-submitted to Minister for gateway determination. 22/10/24 Planning proposal returned to Council. Staff to meet with Department of Planning staff to try to resolve the issues raised. 19/11/24 Staff have met with the Department of Planning. Amended planning proposal to be resubmitted. 11/12/24 Amended planning proposal being reviewed by Department of Planning staff. 15/01/25 Amended planning proposal deemed satisfactory and re-submitted to the Department of Planning for gateway determination. 05/02/25-07/03/25 No further update. 08/04/25 Gateway determination received. Amendments are required to be made with regards to flooding and acoustic investigations prior to public exhibition. Quotes are being sought from consultants to undertake this work. 09/05/25-10/06/25 Consultants undertaking necessary work.			
JULY 2024			
4	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. 08/04/25 GM and DES met with the CEO of Reflections on 26/03/25 to discuss the Master Plan, their involvement and potential contributions. 09/05/25-10/06/25 No further update.			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

AUGUST 2024			
5	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. 08/04/25 Construction of disabled access ramps for the Historical Theatre ongoing. Wheel Chair Lift installation complete and operational. Installation of fence and CCTV being progressed. Electrical upgrades and upfront engineering scoping for CC2 ongoing. 09/05/25 Works ongoing. Inspection by funding body on 4 June 2025. 10/06/25 Inspection on the 4 June was cancelled, Electrical works and lighting upgrades works being substantially complete. Access ramp 80% installed and restricted access to the underneath building complete.			
SEPTEMBER 2024			
6	SF3422	12/09/2024	DES
RESOLUTION: Notice of Motion – Council Motor Vehicle Leaseback Policy That Council: 1 Refers future reviews of the Motor Vehicle Leaseback Policy to the Audit Risk and Improvement Committee for consideration prior to adoption. 2 When priorities permit and in consultation with staff ARIC compare the financial and administrative efficiency of the current leaseback arrangements with the option of providing pool vehicles offset with an additional salary component for affected staff.			
STATUS: 08/10/24 We have reached out to a couple of Councils that provide allowances for vehicles to understand their policy and process in determining providing allowances for leaseback vehicles. 22/10/24 No further update. 19/11/24 Policies and process received from two councils. 11/12/24-15/01/25 No further update. 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. 08/04/25 No further update. 09/05/25 Still being reviewed. 10/06/25 No further update.			
NOVEMBER 2024			
7	SF3422	14/11/2024	DES
RESOLUTION: Notice of Motion – Feasibility Study and Funding to Construct a Sea Wall at the Southern Side of the Nambucca River That Council writes to the NSW Minister for Transport The Hon Jo Haylen and Member for Oxley Michael Kemp MP to: 1 Fund a feasibility study whether a Southern Sea Wall will stop sand build up and create access to Nambucca River 2 Fund a feasibility study into navigational dredging the Nambucca River, to allow access to Maritime Rescue 3 Staff report on NSW coastal dredging strategy and the maritime infrastructure plan to see if Nambucca Valley Council is eligible as a key investment location or a priority regional location			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

<p>4 Staff report on the feasibility for a marine rescue service with ocean access at other possible beaches like Shelley Beach or Scotts Head</p> <p>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</p> <p>6 Staff report on what action mid coast council take when the Manning River closes from sand shoaling at Old Bar.</p>			
<p>STATUS:</p> <p>13/01/25 Letter sent.</p> <p>05/02/25 No further update.</p> <p>19/02/25 Environmental Project Officer to investigate Items 3-6.</p> <p>07/03/25 No further update.</p> <p>27/03/25 Mayor met with relevant minister and raised the dredging matter</p> <p>09/05/25 Report being developed.</p> <p>10/06/25 No further update.</p>			
8	SF3508	14/11/2024	MDE
<p>RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 - Horticulture</p> <p>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>STATUS:</p> <p>19/11/24 The planning proposal has been sent to the Planning Minister for final determination.</p> <p>11/12/24 Written requests made of relevant authorities and awaiting responses. Fact sheet still to be prepared.</p> <p>15/01/25 Awaiting determination from Minister if LEP amendment to require consent for horticulture in rural zones will be made prior to preparing the fact sheet. The determination is needed to inform the fact sheet of regulatory requirements. A determination is expected before the end of January.</p> <p>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.</p> <p>19/02/25 Difficulties in arranging meeting with Department of Planning as they are not willing to meet with Councillors to discuss reasons for decision.</p> <p>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> <p>08/04/25 Council received the letter from the Department which didn't provide adequate clarification of what is expected in an amended planning proposal. Staff met with the Department on 4/4/25 to gain further insight as to what is expected. Unfortunately, this was not forthcoming. A report will be presented to the May 2025 Council meeting with options.</p> <p>09/05/25 Following the Council workshop, staff will prepare an amended planning proposal in consultation with relevant state agencies and industry stakeholders. Once the draft planning proposal has been prepared it will be reported to Council for consideration.</p> <p>10/06/25 No further update.</p>			
FEBRUARY 2025			
9	SF251	27/02/2025	GM
<p>RESOLUTION: Proposed Frequency and Timing of Future Council Meetings</p> <p>That Council:</p> <p>4 Amends the Code of Meeting Practice to reflect the changes adopted.</p> <p>5 Provide a report to review the Code of Meeting Practice to be presented at the next Council meeting.</p>			
<p>STATUS:</p> <p>11/03/25-08/04/25 Defer the review of the Code of Meeting Practice until OLG provides the revised Model Code of Meeting Practice.</p> <p>09/05/25 Mayor and GM sought advice from LGNSW and advised on current process and when new Code of Meeting Practice will be released.</p> <p>10/06/25 No further update.</p>			
MARCH 2025			
10	SF3422	19/03/2025	MDE
<p>RESOLUTION: Notice of Motion – Tree Preservation Orders – Significant Trees</p> <p>That Council:</p> <p>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:</p> <ul style="list-style-type: none"> • A draft clause for an amendment to the Nambucca Development Control Plan 2010 which identifies vegetation which 			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

<p>would require a tree permit.</p> <ul style="list-style-type: none"> • Budget implications associated with requiring tree permits. • An estimated timeframe for implementing tree permit requirements. 			
<p>STATUS: 08/04/25 Report to be presented to June meeting. 09/05/25 No further update. 10/06/25 Report to be presented to July meeting.</p>			
11	SF3422	19/03/2025	GM / MDE
<p>RESOLUTION: Notice of Motion - Explore All Funding Options for Nambucca Valley Water Quality Monitoring Program 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.</p>			
<p>STATUS: 08/04/25 Resolutions not yet actioned. 09/05/25 The EPA have advised Council that they have obtained funding to undertake a 12 month water quality monitoring program. Once sample sites have been finalised the program will commence. 10/06/25 No further update. It is considered appropriate to await finalisation of sampling program extent with EPA before undertaking further actions. This is expected within the coming weeks.</p>			
12	SF3422	19/03/2025	GM / DES
<p>RESOLUTION: Notice of Motion - Improvements for Nambucca Heads CBD 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.</p>			
<p>STATUS: 08/04/25 Started preparing a report on the current state of the Nambucca CBD. \$100k proposed in the 2025/26 Budget for the Nambucca Main Street CBD Master Plan. 09/05/25 A report is being prepared for June 2025 meeting. 10/06/25 Item 2 – report is in June agenda. Item 3 – letter sent 11/06/25.</p>			
APRIL 2025			
13	SF3422	16/04/2025	MDE
<p>RESOLUTION: Notice of Motion – Communication with the Environmental Protection Authority That Council request the Environment Protection Authority (EPA) provide an outreach and compliance report to Council that is to be presented to Councillors on a quarterly basis.</p>			
<p>STATUS: 09/05/25 Not actioned yet. 10/06/25 Request to the EPA has been made. No response to date.</p>			
14	SF265	16/04/2025	DCS
<p>RESOLUTION: Land Disposal Policy and Review of Land Acquisition Policy That Council: 1 Defer the motion 2 Report back on the feasibility of combining the policies 3 Conduct a Councillor workshop</p>			
<p>STATUS: 09/05/25 Councillor workshop to be held in June 2025. 10/06/25 Councillor workshop to be held 17 June 2025. Information from workshop to be included in policy to be</p>			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

presented to 16 July 2025 Council meeting.			
MAY 2025			
15	SF1620	28/05/2025	DCS
RESOLUTION: 2025/26 Budget, 2025/26 Statement of Revenue Policy and Fees & Charges, 2025 to 2029 Delivery Program and 2025/26 Operational Plan, and 2025 to 2035 Long Term Financial Plan That Council: 1- Endorse the following Draft IP&R documents for public exhibition period of 28 days: a) Delivery Program 2025-2029 and Operational Plan 2025/26 b) 2025/26 Annual Budget c) 2025/26 Revenue Policy, including 2025/26 Schedule of Fees & Charges d) 2025-2035 Long Term Financial Plan 2- Note that in accordance with the IP&R guidelines, community feedback will be collated and reviewed, with proposed updates to the documents made, and will come to Council in June for consideration for final adoption			
STATUS: 10/06/25 – documents on public exhibition until 4.00pm on Wednesday 25 June 2025. An extraordinary Council meeting will need to be called for the 25 June 2025 Council meeting.			

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.1 SF963 180625 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. The nomination for Missabotti Community Hall is shown in the table below in the discussion section for Council's consideration. It is recommended that the following nomination 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 nomination to the Missabotti Community Hall Section 355 Committee 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:

- 1 Per recommendation.
- 2 Council does not approve the new nomination.

DISCUSSION:

Some Committees are struggling with engagement of volunteers and proper understanding of processes and practices as such the Community Development Officer will be spending more time supporting Committees to attract new members, understand processes and procedures, and succession planning.

More Committees are also approaching Council for support in tasks such as mowing, as their limited volunteer numbers and ageing of volunteers makes this work more difficult to resource and higher risk. The Community Development Officer is investigating solutions.

Committee	Nominee	Reason for nominating
Missabotti Community Hall	Diana Trilsbach	Vacancy: Deputy Chairperson

CONSULTATION:

Director Corporate Services

SUSTAINABILITY ASSESSMENT:

Environment

Nil

Social

Provision of venues and recreational facilities to support community connection, health, and wellbeing. Providing meaningful volunteer opportunities.

Economic

Nil

ITEM 10.1 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT**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 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
Lack of volunteers	M	H	Promote the positive aspects of volunteering. Recognise need for succession planning for Committees.	L

Delivery Program Action

LW10 - Work with S355 Committees

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

Section 355 Committees are volunteers overseeing the management of Council facilities, reducing cost to Council. Dwindling volunteer numbers could result in Council having to dissolve a Section 355 Committee of Management and explore options for operating the community facility such as lease arrangements or directly managing the facility which would have impact on current and/or future budgets.

Working funds – justification for urgency and cumulative impact

Per 'Direct and indirect impact on current and future budgets' section.


Impacts on 10 Year Long Term Financial Plan

Per 'Direct and indirect impact on current and future budgets' section.

Service level changes and resourcing/staff implications

More involvement of the Community Development Officer will be required to support some Section 355 Committees to correct practices and ensure sustainability.

ATTACHMENTS:

- 1 28615/2025 - Membership nomination form for appointment to Missabotti Hall Committee - Diana
 Trilsbach - Redacted

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.2 SF3586 180625 MINUTES DUGUULA BINDARRAY-GARRI NAMBUCCA VALLEY COUNCIL ABORIGINAL ADVISORY COMMITTEE

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Officer

SUMMARY:

Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee met on 8 April 2025, 8 May 2025 and 10 June 2025.

RECOMMENDATION:

That Council notes the minutes of the 8 April 2025, 8 May 2025, and 10 June 2025 Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee meetings.

OPTIONS:

Nil – for information.

BACKGROUND:

Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee met in April, May, and June 2025 largely discussing the matters of the Valla Urban Growth Area (VUGA) development and a RAP for Council.

The committee will look at rescheduling meeting dates to align better with reporting to monthly Council meetings to avoid multiple meetings minutes being presented to Council in the one report.

DISCUSSION:

The committee asked further questions, requested reports, and have provided further advice on the VUGA development. The Manager Development Environment attended the May 2025 committee meeting to further clarify questions raised by the committee in the April 2025 committee meeting about VUGA and to listen to advice from the committee regarding the cultural significance of the area. Information continues to be shared to build understanding on this matter.

The committee reviewed examples for a RAP and an Aboriginal Action Plan (AAP) over the two meetings, giving time to take back to community and to consider. The committee members have raised diverse viewpoints, from agreeing Council needs a RAP to some community members feeling negative towards the term 'reconciliation' and rejecting the idea of a RAP. The committee was advised Nambucca Valley Council would need to start at the "Reflect" level of a RAP. A Reflect level RAP would help Council prepare to engage in reconciliation meaningfully and committing to a Reflect level RAP starts with engaging staff and leaders in understanding the importance of reconciliation, includes developing relationships with Aboriginal stakeholders, and scoping where Council can best have impact in our sphere of influence. Per Reconciliation Australia a Reflect level RAP is implemented over 12 to 18 months. A RAP is a process of Council taking actions to improve our cultural and historical understanding and relationships with Aboriginal Community. It is a stepped process through Reconciliation Australia, with mandatory actions in each stage to progress.

The committee discussed the importance of the reconciliation steps in terms of building a foundational understanding in Council as to what role Council plays in improving outcomes for Aboriginal community and why we do it. This was viewed as beneficial as it would help build an understanding within Council that would remain even if management or Councillors change. The draft Delivery Program 2025-2029/Operational Plan 2025-2026 has the following actions regarding a RAP:

- Action Item 1.1.2 - Develop Reconciliation Action Plan
- Action Item 1.1.3 - Implement the Reconciliation Action Plan actions.

The committee then discussed the opportunities an AAP provided, in being broadly consultative and impactful on community, not just Council. An AAP is a set of actions community have identified as

ITEM 10.2 MINUTES DUGUULA BINDARRAY-GARRI NAMBUCCA VALLEY COUNCIL ABORIGINAL ADVISORY COMMITTEE

improving outcomes for Aboriginal community. Not all actions are within the responsibility of Council to deliver but can be shared with other organisations or other levels of government.

Examples of the different plans include [Kempsey Shire Council's Reflect RAP](#) and [Midcoast Council's Aboriginal Action Plan](#).

It was recommended that the ideal plan would be a mixture of both a RAP and AAP which would involve consulting with the Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee and community on an AAP that includes similar steps for Council to that which would be included in a RAP, thereby facilitating whole of community to take action towards improving outcomes for Aboriginal community whilst looking inwards and improving Council's understanding, recognition and respect of Aboriginal community and culture.

In the May 2025 meeting the Committee voted for an AAP, however, in the June 2025 meeting the issue was raised again for review from Council management. The Committee did not have a quorum, and so the recommendation of RAP or AAP will be reviewed again at the next Advisory Committee meeting in July.

Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee members generously offered to be a part of the Working Group for either the RAP or the AAP.

CONSULTATION:

Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee.

SUSTAINABILITY ASSESSMENT:

Environment

By involving Aboriginal voices in planning, Council can create more inclusive and effective environmental policies.

Social

RAPs and AAPs foster trust and collaboration between councils and Aboriginal communities by acknowledging past injustices and committing to ongoing dialogue and partnership. AAPs also help build mutual respect and understanding, which can reduce social tensions and promote harmony.

Economic

By involving Aboriginal communities in planning and decision-making, AAPs ensure that economic development aligns with local needs and values.

Risk Analysis

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

Delivery Program Action

CC2 - Use information from the community in decision making

LW21 - Promote an understanding and respect for the Valley's Indigenous Culture and Heritage

**ITEM 10.2 MINUTES DUGUULA BINDARRAY-GARRI NAMBUCCA VALLEY COUNCIL
ABORIGINAL ADVISORY COMMITTEE**

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

A RAP is included in the draft 2025/26 budget for \$2,850, which could be utilised for a community consultation and formation of an AAP instead.

Working funds – justification for urgency and cumulative impact

As above.





Impacts on 10 Year Long Term Financial Plan

Each Council term the plan will be reviewed.

Service level changes and resourcing/staff implications.

Nil

ATTACHMENTS:

- 1**  29835/2025 - Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee 8 April 2025 meeting minutes
- 2**  29851/2025 - Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee 8 May 2025 meeting minutes
- 3**  31067/2025 - Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee 10 June 2025 meeting minutes
- 4**  31010/2025 - Comparison of Reconciliation Action Plan (RAP) vs Aboriginal Action Plan (AAP)

DIRECTOR CORPORATE SERVICES REPORT**ITEM 10.3 SF3638 180625 DONATIONS PROGRAM (SECTION 356) 2025/2026 - APPLICATIONS FOR APPROVAL FOR WASTE SERVICES (CHARITABLE ORGANISATIONS)****AUTHOR/ENQUIRIES:** Teresa Boorer, Grants and Contributions Officer**SUMMARY:**

Council's Donations Program 2025/2026 accepted applications from 14 April 2025 to 9 May 2025 from charitable organisations seeking to dispose of excess waste at the Nambucca Waste Management Facility.

A total of four (4) waste waiver applications were received within this timeframe.

RECOMMENDATION:

That Council approves applications for a waste waiver to a total maximum tonnage of 47 tonnes to align with the 2025/2026 budget allocation of \$11,075 for the following charitable organisations:

- 1 Anglican Parish of the Nambucca Valley (2 x Op Shops).
- 2 Macksville/Bowraville Uniting Church Op Shop.
- 3 Nambucca Heads Men's Shed Inc.
- 4 Nambucca Valley Christian Life Centre Care Inc.

OPTIONS:

- 1 Recommendation
- 2 Do nothing/business as usual
- 3 That Council can choose to reject the above recommendation, and approve or not approve individual applications for waste waivers

DISCUSSION:**Waste Waiver Applications (Charitable Organisations):**

Organisation	Estimated tonnage
Anglican Parish of the Nambucca Valley (2 x Op Shops)	30.0
Macksville/Bowraville Uniting Church Op Shop	2.5
Nambucca Heads Men's Shed Inc.	3.5
Nambucca Valley Christian Life Centre – Care Inc.	11
Total	47.0

All the applicants from the charitable organisations, have previously applied.

The total tonnage requested for waste disposal for charity organisations is 47 tonnes, a decrease of 3 tonnes on the applications from the 2024/2025 year. The amount allowable for reimbursement based on the 2025/2026 proposed budget is \$11,075.

ITEM 10.3 DONATIONS PROGRAM (SECTION 356) 2025/2026 - APPLICATIONS FOR APPROVAL FOR WASTE SERVICES (CHARITABLE ORGANISATIONS)

For further information, a list from Council's Authority Waste Donations Register identifies the tonnage of deposited waste by approved charitable organisations from July 2024 up to 31 May 2025:

Charitable Organisation	Source – Authority Register	Total Tonnes (to date) 24/25	Destination
Anglican Op Shops (2), Nambucca Valley Parish	161.2024.1	16.32	Nambucca Landfill
Care "n" Ware – Nambucca Valley Christian Life Centre	161.2024.2	3.34	Nambucca Landfill
Nambucca Valley Phoenix	161.2024.3	0	Nambucca Landfill
Macksville/Bowraville Uniting Church Op Shop	161.2024.4	0	Nambucca Landfill
Nambucca Heads Men's Shed	161.2024.5	0.16	Nambucca Landfill
	Total	19.82	

CONSULTATION:

Director Corporate Services
Chief Financial Officer
Director Engineering Services
Manager Development and Environment
Waste Services Coordinator

SUSTAINABILITY ASSESSMENT:

Environment

Potential reduction in the illegal dumping of waste materials.

Social

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

Economic

There are positive economic impacts for the charitable organisations.

Risk Analysis

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

Delivery Program Action

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

ITEM 10.3 DONATIONS PROGRAM (SECTION 356) 2025/2026 - APPLICATIONS FOR APPROVAL FOR WASTE SERVICES (CHARITABLE ORGANISATIONS)

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

As a comparison, **28.26** tonnes of waste, from charity organisations, was deposited at Council's waste depot in the 2023/2024 year. To date, for 2024/2025, there has only been **19.82** tonnes deposited in the waste facility, up to 31 May 2025. The general ledger account number for Waste Donations is 3420.406.622 which has 2024/2025 actual expenditure of **\$3,969.75** as of 5 June 2025 and an expense budget of \$10,800.

The estimation of tonnage from charitable organisations is generally an over-estimation, for example, in 2024/2025, Nambucca Valley Care 'n Wear Op Shop were approved for 11.0 tonnes but to date have only deposited 3.34 tonnes of waste, and Nambucca Valley Phoenix Ltd were also approved for 3.0 tonnes, but have not deposited any waste at Council's facility to date, nor applied for any reimbursement. The expenditure in 2024/2025 to date is also a continuing reflection of removal of 'deposit bins' and installation of fencing at some charitable organisation's centres.

The 2025/2026 draft budget for waste donations is \$11,075.

Working funds – justification for urgency and cumulative impact

Nil as these costs are funded out of the Other Waste Management Reserve.

Impacts on 10 Year Long Term Financial Plan

No expected impacts on 10 Year Long Term Financial Plan.

Service level changes and resourcing/staff implications

No change or implications.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.4 SF3638 180625 DONATIONS PROGRAM (SECTION 356) 2025/2026 - APPLICATIONS FOR APPROVAL FOR WASTE SERVICES FOR ONE-OFF AND SPECIAL EVENTS

AUTHOR/ENQUIRIES: Teresa Boorer, Grants and Contributions Officer

SUMMARY:

Council's Donations Program 2025/2026 accepted applications from 14 April 2025 to 9 May 2025 from organisations seeking to have access to additional waste services for scheduled and special one-off events.

A total of ten (10) waste waiver applications were received within this timeframe.

RECOMMENDATION:

That Council approves applications for provision of services, for one-off events/regular events being:

- **Macksville Music Muster – 16 – 23 February 2026 (over one week) – held at Macksville Showground.**
- **Macksville Park and Sports Management Committee – NSW Touch Football Primary School Gala Day – 2 September 2025.**
- **Lions Club of Nambucca Heads – Nambucca Plaza Markets (first Sunday of each month).**
- **Lions Club of Nambucca Heads – Garden waste from Lions Park and BBQ clean-ups, and proposed Christmas Festival.**
- **Nambucca Heads Christmas Festival Committee - Nambucca Christmas Party - 5 December 2025 – to be confirmed.**
- **Nambucca Strikers Football Club – Challenge Cup dates 20-22 March 2026.**
- **Valla Beach Community Association – Bi-monthly markets on first Saturday of every second month on Valla Reserve.**
- **Valla Beach Community Association – Christmas Carols at Valla Reserve on Friday, 12 December 2025.**
- **Salvation Army - Annual Carols by Candlelight in Macksville Park – Sunday, 14 December 2025.**
- **EJ Biffin Playing Fields Committee – additional waste services for school athletic carnivals, Little Athletics carnivals, and Australian Rules games throughout 2025/2026.**

OPTIONS:

- 1 Recommendation
- 2 Do nothing/business as usual
- 3 That Council can choose to reject the above recommendations and approve or not approve individual applications for additional waste services.

ITEM 10.4 DONATIONS PROGRAM (SECTION 356) 2025/2026 - APPLICATIONS FOR APPROVAL FOR WASTE SERVICES FOR ONE-OFF AND SPECIAL EVENTS

DISCUSSION:

Waste Waiver Applications – One-off/Regular events:

Organisation	Estimated tonnage
Macksville Music Muster – 16 – 23 February 2026 (over one week) – held at Macksville Showground	2.0
Macksville Park and Sports Management Committee – NSW Touch Football Primary School Gala Day – 2 September 2025	2.0
Lions Club of Nambucca Heads – Nambucca Plaza Markets (first Sunday of each month), Christmas Party, garden waste from Lions Park and BBQ clean-up.	4.0
Nambucca Christmas Festival Committee – Christmas Festival in Coronation Park, Friday, 5 December 2025 (Date TBC)	1.0
Nambucca Strikers Football Club – Challenge Cup – 20-22 March 2026	1.0
Valla Beach Community Association – Bi-monthly markets on first Saturday of every second month on Valla Reserve – 2/08/2025, 4/10/2025, 6/12/2025, 7/02/2026, 4/04/2026 and 6/06/2026	1.5
Valla Beach Community Association – Christmas Carols in Valla Reserve on Friday, 12/12/2025	0.5
Salvation Army - Carols by Candlelight in Macksville Park – Sunday, 14 December 2025	1.0
E J Biffin Playing Fields Committee of Management – carnivals and events throughout 2025/2026	1.0
Total	14.0

Most applicants for the one-off/regular events have previously applied. There are two (2) new applicants being the Macksville Music Muster and the Macksville Park and Sports Management Committee.

CONSULTATION:

Director Corporate Services
 Chief Financial Officer
 Director Engineering Services
 Manager Infrastructure Services
 Green Space Coordinator

SUSTAINABILITY ASSESSMENT:

Environment

Potential reduction in the illegal dumping of waste materials.

Social

There are positive social benefits associated with the donation of additional waste services and waste waivers to various community groups throughout the Nambucca Valley.

Economic

There are positive economic impacts for the charitable organisations.

Risk Analysis

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

ITEM 10.4 DONATIONS PROGRAM (SECTION 356) 2025/2026 - APPLICATIONS FOR APPROVAL FOR WASTE SERVICES FOR ONE-OFF AND SPECIAL EVENTS

Delivery Program Action

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

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

There is an allowance within the 2025/2026 budget to be managed by the Green Space Co-ordinator for additional waste services, as approved.

Working funds – justification for urgency and cumulative impact

Nil as these costs are funded out of the Other Waste Management Reserve.

Impacts on 10 Year Long Term Financial Plan

No expected impacts on 10 Year Long Term Financial Plan.

Service level changes and resourcing/staff implications

No change or implications.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT**ITEM 10.5 SF690 180625 MAKING OF RATES AND CHARGES 2025/2026****AUTHOR/ENQUIRIES:** William Tory, Rates Officer**SUMMARY:**

The Independent Pricing and Regulatory Tribunal (IPART) confirmed a rate peg increase of 4.6% for Nambucca Valley Council under Section 506 of the *Local Government Act 1993* for the 2025/2026 financial year.

Council is now required to make the rates and charges in accordance with Section 535 of the *Local Government Act 1993*.

RECOMMENDATION:

That Council:

- 1 In accordance with Section 494 of the NSW *Local Government Act 1993* (the Act) make an Ad Valorem rate subject to a Minimum Amount, pursuant to Section 548 of the Act, as set out hereunder for the below stipulated categories of all rateable land in the Nambucca Valley Local Government Area for the 2025/2026 financial year:

Category	Ad Valorem Rate	Minimum Amount
Farmland	\$0.0032280	\$639.00
Residential Town	\$0.0031183	\$900.00
Residential Non-Urban	\$0.0032317	\$900.00
Residential Village/Estate	\$0.0032628	\$900.00
Business Ordinary	\$0.0061586	\$900.00
Business CBD	\$0.0095819	\$900.00
Business Industrial Estate	\$0.0055922	\$900.00

- 2 In accordance with Section 496 of the NSW *Local Government Act 1993* make the following annual charges for Domestic Waste Management Services for the 2025/2026 financial year:

Type of Service	Charge per Annum
Full Domestic Waste Service	\$669.00
Vacant Waste Management	\$164.00
Domestic Waste no BGP	\$641.00

- 3 In accordance with Section 501 of the NSW *Local Government Act 1993* make the following annual charges for Commercial Waste Management Services for the 2025/2026 financial year:

Type of Service	Charge per Annum
Full Commercial Waste Service	\$641.00
Vacant Waste Management	\$164.00
Commercial Waste with BGP	\$669.00

- 4 In accordance with Section 501 of the NSW *Local Government Act 1993* makes an annual charge for Waste Management Services for the 2025/2026 financial year of \$182.00 for all properties that are not on the waste collection route, and for properties categorised under Business or Farmland that have elected not to receive a domestic/commercial waste service, such a charge to have a short title of "Tip Provision".

- 5 In accordance with Section 501 of the NSW *Local Government Act 1993* (the Act) make the following annual water access charges for the 2025/2026 financial year for all rateable land to which the service is provided or available, per Section 552(1) of the Act:

Type of Service	Charge per Annum
Water Access – Nambucca Heads	\$193.00

ITEM 10.5 MAKING OF RATES AND CHARGES 2025/2026

Water Access – Macksville	\$193.00
Water Access – Bowraville	\$193.00
Water Access – Scotts Head	\$193.00
Water Access – Valla Beach	\$193.00
Water Access – Hyland Park	\$193.00
Water Access - Rural	\$193.00
32mm	\$494.00
40mm	\$770.00
50mm	\$1,203.00
80mm	\$3,080.00
100mm	\$4,812.00

- 6 In accordance with Section 502 of the NSW *Local Government Act 1993* make a consumption charge per kilolitre of \$4.08 to apply to all water consumption billed during the 2025/26 financial year, such charge to have a short title of “Water Charge”.

- 7 In accordance with Section 501 of the NSW *Local Government Act 1993* (the Act) make the following annual sewer access charges for the 2025/2026 financial year for all rateable land to which the service is provided or available, per Section 552(3) of the Act:

Access Charge	Charge per Annum
Unconnected Sewer	\$328.00
Residential Sewer	\$867.00
Sewer Access – Residential – Pressured	\$833.00
Sewer Access – 20mm or 25mm	\$328.00
Sewer Access – 32mm	\$840.00
Sewer Access – 40mm	\$1,312.00
Sewer Access – 50mm	\$2,050.00
Sewer Access – 80mm	\$5,248.00
Sewer Access – 100m	\$8,200.00

- 8 In accordance with Section 502 of the NSW *Local Government Act 1993* make a consumption charge per kilolitre of \$4.80 to apply to the estimated volume discharged from all commercial properties, using the actual water consumption multiplied by a Sewer Discharge Factor, such charge to have a short total of “Sewer Usage Charge”.

- 9 In accordance with Section 501 of the NSW *Local Government Act 1993* make the following annual trade waste charges for the 2025/2026 financial year for all commercial properties to which the service is required under legislation:

Type of Service	Charge per Annum
Trade Waste Fee – Cat 1	\$120.00
Trade Waste Fee – Cat 2	\$180.00
Trade Waste Fee – Cat 3	\$300.00

- 10 In accordance with Section 502 of the NSW *Local Government Act 1993* make the following consumption charges per kilolitre to apply to the estimated volume discharged from applicable commercial properties, using the actual water consumption multiplied by a Trade Waste Discharge Factor:

Usage Charge	Charge per kilolitre (KI)
Trade Waste Usage – Cat 1 Non-Conforming	\$2.25
Trade Waste Usage – Cat 2	\$2.25
Trade Waste Usage – Cat 2 Non-Conforming	\$18.00

- 11 In accordance with Section 501 of the NSW *Local Government Act 1993* make the following annual Onsite Sewer Management charges for the 2025/2026 financial year:

ITEM 10.5 MAKING OF RATES AND CHARGES 2025/2026

Type of Service	Charge per Annum
On-site Sewer Charge – Zone 1	\$198.74
On-site Sewer Charge – Zone 5	\$67.99
On-site Sewer Charge – Zone 10	\$36.61

- 12 In accordance with Section 496A and 510A of the NSW *Local Government Act 1993* make the following annual stormwater management charges for the 2025/2026 financial year, on all properties located within the township boundaries. Business properties are charged for each 350 square metres, or part thereof, of the area of the property up to 1,400 square meters. Individual business strata units are charged the greater of \$5.00 or an amount based on their unit entitlement proportion, within the strata scheme, of the maximum annual charge that would apply to the land if it were a parcel of land subject to Stormwater Business charges:

Type of Service	Charge per Annum
Stormwater Charge – Nambucca Heads	\$25.00
Stormwater Charge – Macksville	\$25.00
Stormwater Charge – Bowraville	\$25.00
Stormwater Charge – Scotts Head	\$25.00
Stormwater Charge – Valla Beach	\$25.00
Stormwater Charge – Hyland Park	\$25.00
Stormwater Residential Strata – Nambucca Heads	\$12.50
Stormwater Residential Strata – Macksville	\$12.50
Stormwater Residential Strata – Scotts Head	\$12.50
Stormwater Residential Strata – Valla Beach	\$12.50
Stormwater Residential Strata – Hyland Park	\$12.50
Stormwater Business – Nambucca Heads	\$25.00 minimum
Stormwater Business – Macksville	\$25.00 minimum
Stormwater Business – Bowraville	\$25.00 minimum
Stormwater Business – Scotts Head	\$25.00 minimum
Stormwater Business – Valla Beach	\$25.00 minimum
Stormwater Business Strata – Nambucca Heads	\$5.00 minimum
Stormwater Business Strata – Macksville	\$5.00 minimum
Stormwater Business Strata – Scotts Head	\$5.00 minimum

- 13 In accordance with Section 566 of the NSW *Local Government Act 1993* set the interest rate on overdue rates and charges at 10.5% from 1 July 2025 to 30 June 2026.

OPTIONS:

- 1 Proposed recommendation.
- 2 Alternative option - Council may resolve to adopt the Rates and Charges without applying the 4.6% rate peg increase or to adopt the Rates and Charges with a percentage increase between 0% and 4.6%.

DISCUSSION:

IPART has approved a rate peg increase in general rate income of 4.6% for Nambucca Valley Council.

Council's minimum rate for Residential and Business categories has been increased by \$39.00 to \$900.00.

Council's minimum rate for the Farmland category has been increased by \$22.00 to \$639.00 (as determined by IPART, *Local Government (General) Regulation 2021* Clause 126).

ITEM 10.5 MAKING OF RATES AND CHARGES 2025/2026

Rates levied for the 2025/2026 year will be based on land values, with a base date of 1 July 2022, as determined by the Valuer General.

An Office of Local Government Circular (No. 25-06) issued 10 April 2025 determined that the maximum rate of interest payable on overdue rates and charges for 2025/2026 will be 10.50% pa.

CONSULTATION:

Mayor and Councillors
General Manager
Director Corporate Services
Chief Financial Officer
Manager Water and Sewerage
Waste Services Coordinator

SUSTAINABILITY ASSESSMENT: N/A**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
If the rates and charges are not adopted by the statutory dates, they may become invalid and cause a substantial loss of income	L	L	Put forth the adoption report to the June Council meeting.	Low

Delivery Program Action

CC4 - Maintain an effective governance regime

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

The estimated yields for rates, annual charges and usage charges have been included in Council's 2025/2026 budget.

Working funds – justification for urgency and cumulative impact

Nil.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE SERVICES REPORT

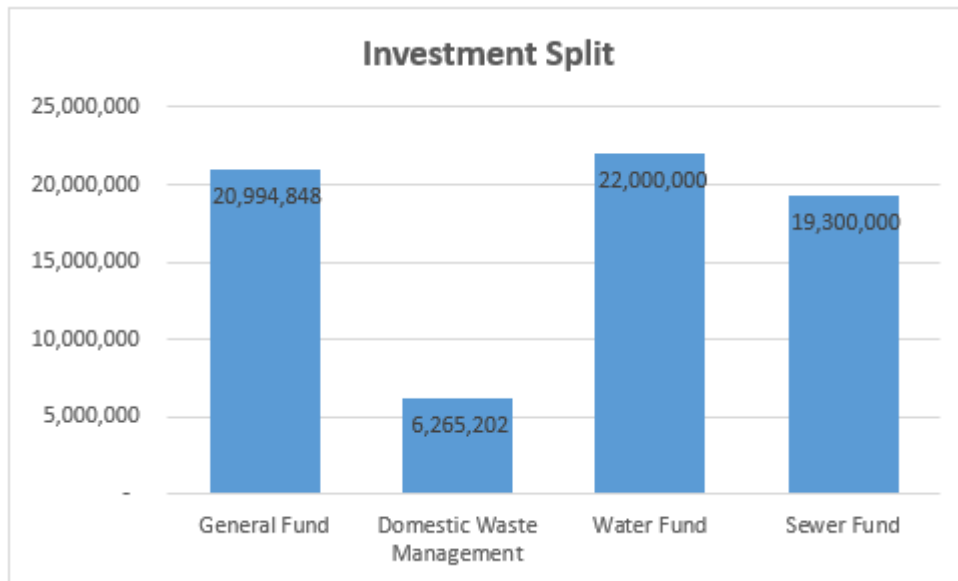
ITEM 10.6 SF3528 180625 INVESTMENT REPORT FOR MAY 2025

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

The purpose of this report is to provide a statement of Council's investments held for the period May 2025.

Council's investments as at 31 May 2025 of \$68,560,050 are split up as below:



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

RECOMMENDATION:

That Council:

- 1 Notes the Chief Financial Officer's report on Investments for May 2025.**
- 2 Adopts the certification of the Responsible Accounting Officer for May 2025.**

OPTIONS:

This report is for information only.

DISCUSSION:

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

ITEM 10.6 INVESTMENT REPORT FOR MAY 2025

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

	Last Month	Current Month
TCorp	\$3,158,043	\$3,253,086
Floating Rate Notes	\$1,004,595	\$1,006,965
Fixed Bonds	\$4,499,446	\$3,999,999
Term Deposits	\$59,300,000	\$60,300,000
Total	\$67,962,084	\$68,560,050

Portfolio Performance

Council's total portfolio performance returned +0.53% in May, outperforming the benchmark AusBond Bank Bill index of +0.34%. On an annualised basis, the portfolio returned +6.37p.a., outperforming the benchmark of +4.12%p.a. The Reserve bank of Australia reduced the official cash rate by 0.25 basis points to 3.85%.

Council's term deposits portfolio yielded 4.85% p.a. for the month of May. Council now only holds 3 term deposits that are below the benchmark which is an outstanding result for Council.

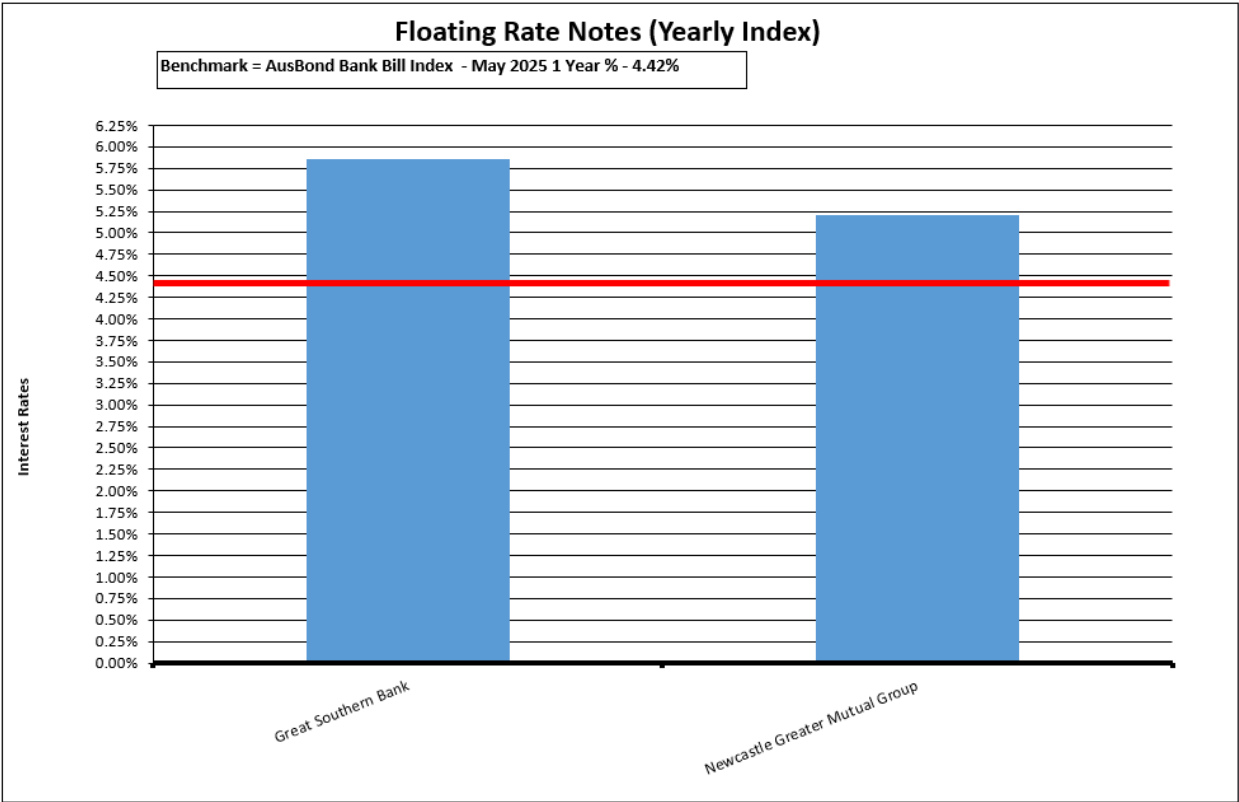
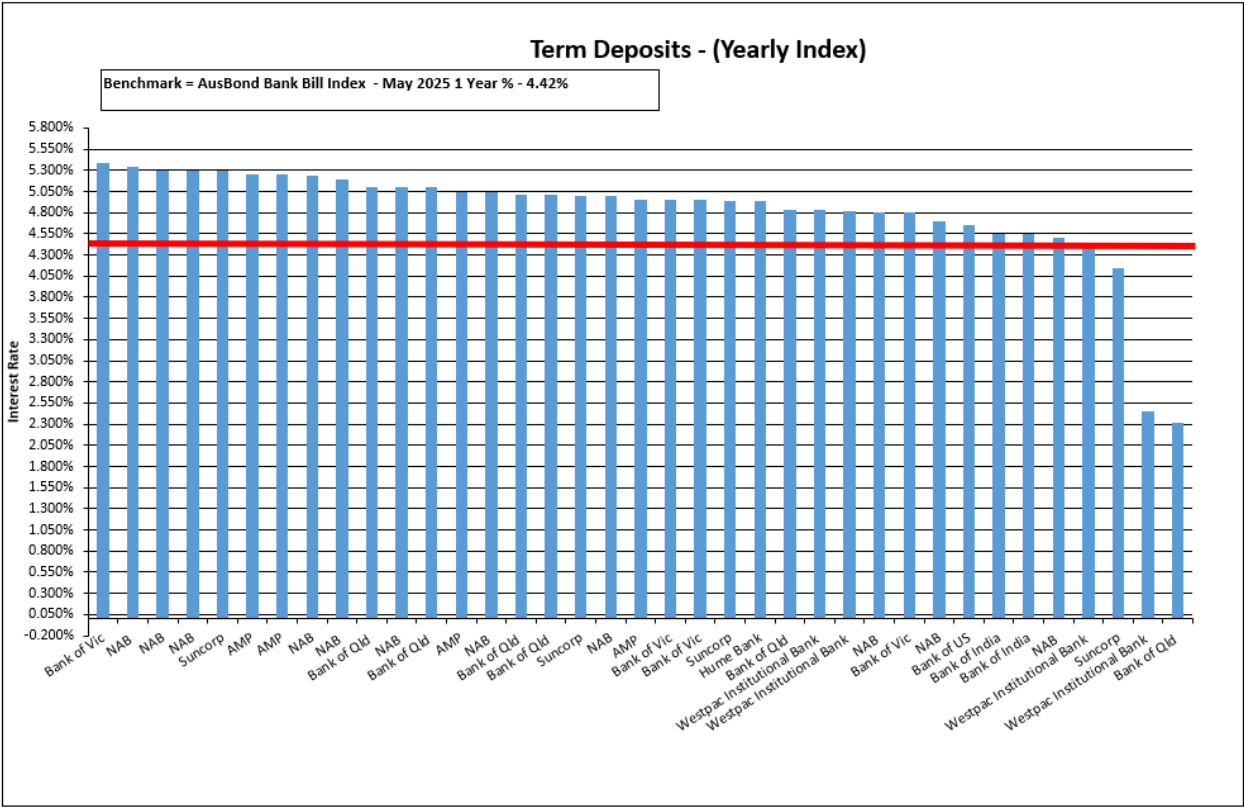
Council's Floating Rate Notes (FRN) portfolio is reported at current valuation being the "Capital Value", which can be different to the "Face Value" being the initial purchase value. FRN's are market driven and can change from month to month depending on market fluctuations. Council's FRN portfolio yielded 5.97% p.a. for the month of May.

Council invests in NSW TCorp Long Term Growth fund which invests in domestic and international shares. Council will continue to monitor the TCorp Long Term Growth fund which fluctuates from month to month, however returned a positive return for the month of May of +3.01%. Funds held with TCorp are looked at with a long-term view.

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

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

ITEM 10.6 INVESTMENT REPORT FOR MAY 2025



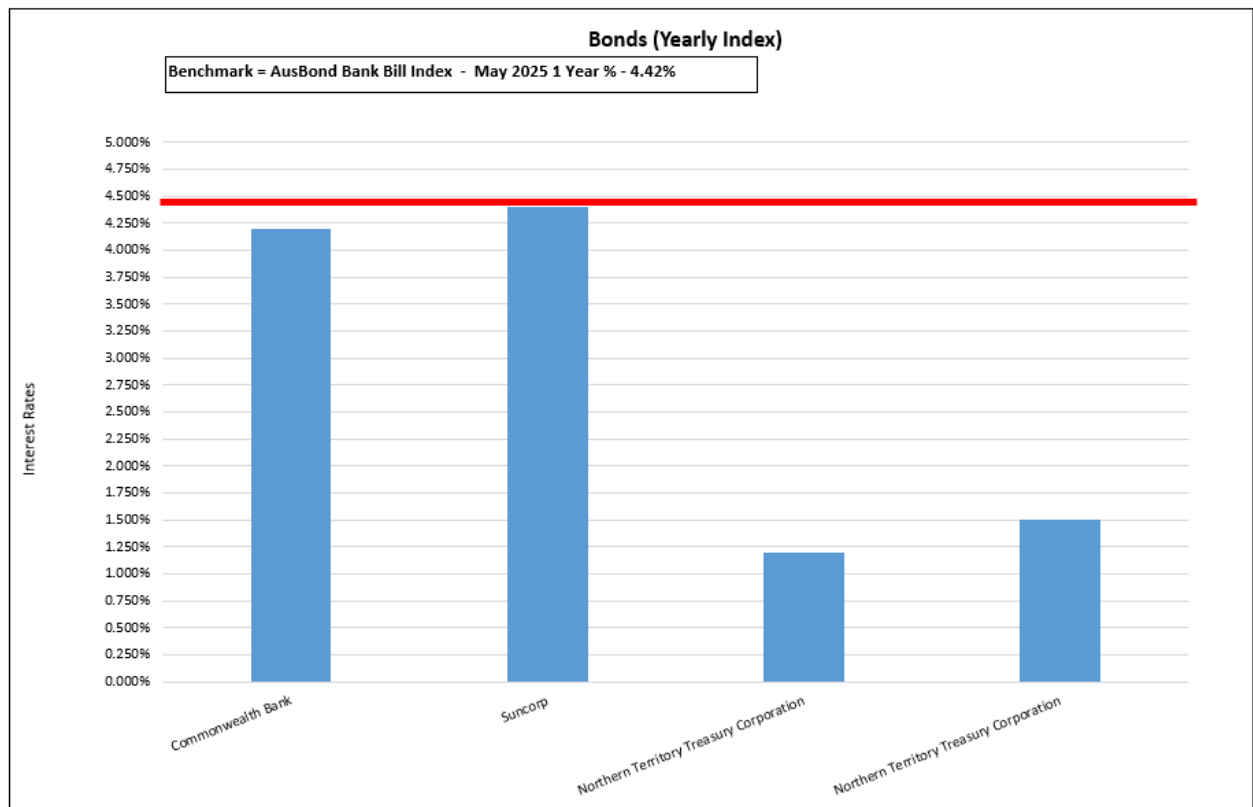
ITEM 10.6 INVESTMENT REPORT FOR MAY 2025**Council's Investment Policy**

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

Table 1: Maturity – Term Limits**Maturity Compliance** as at 31/05/2025

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	27,999,999.00	40.84	3.00	100.00	40,560,051.31
✓	91 - 365 days	24,000,000.00	35.01	0.00	100.00	44,560,050.31
✓	1 - 2 years	13,306,965.00	19.41	0.00	70.00	34,685,070.22
✓	2 - 5 years	-	0.00	0.00	50.00	34,280,025.16
✓	5 - 10 years	3,253,086.31	4.75	0.00	25.00	13,886,926.27
TOTALS		68,560,050.31	100.00			

ITEM 10.6 INVESTMENT REPORT FOR MAY 2025**Table 2: Credit Rating Limits****Credit Quality Compliance** as at 31/05/2025**Long Term Investments**

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AA	33,299,999.00	48.57	100.00	35,260,051.31
✓	A	8,500,000.00	12.40	60.00	32,636,030.19
✓	BBB	23,506,965.00	34.29	45.00	7,345,057.64
✓	Unrated	3,253,086.31	4.75	5.00	174,916.20
TOTALS		68,560,050.31	100.00		

Certification by Responsible Accounting Officer

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

CONSULTATION:

Arlo Advisory

SUSTAINABILITY ASSESSMENT:

Nil

Risk

Quote from *Arlo Advisory May 2025 report page 2:*

Financial markets rallied in May in the 'risk-on' environment with tariff negotiations seemingly heading in the right direction. Shares provided strong returns, whilst bond yields rose (valuations fell), with the market softening their expectations of a severe (US and global) recession, whilst marginally parring back the timing and the number of additional rate cuts to be delivered by central banks.

In the deposit market, over May, at the very short-end of the curve (less than 6 months), the average deposit rates offered by the domestic major banks fell by around 20bp compared to where they were the previous month (April), after the RBA delivered another rate cut. At the longer-end of the curve (1-5 years), the average rates have fell by ~7bp compared to where they were in April, with the market factoring up to another three rate cuts over the next 12 months.

With additional rate cuts and a global economic downturn priced in over 2025, investors should consider diversifying and taking an 'insurance policy' against a potentially lower rate environment by investing across 1-5 year fixed deposits and locking in rates above 4% p.a. (small allocation only).

Delivery Program Action

CC5 - Identify and implement initiatives to improve financial sustainability

ITEM 10.6 INVESTMENT REPORT FOR MAY 2025

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

Interest accrued for the month of May was \$254,783 totalling \$2,760,732 this financial year. Council's forecasted budgeted interest revenue for 2024/2025 is \$3,182,100. As Council's investments continue to outperform the benchmark, Council would expect to meet the budgeted forecast.

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



Working funds – justification for urgency and cumulative impact

As above

Service level changes and resourcing/staff implications.

There are no changes or implications stemming from this report.

ATTACHMENTS:

- 1  30055/2025 - Investment Report May 2025
- 2  30056/2025 - Arlo Investment Review May 2025

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.7 SF270 180625 REMUNERATION TRIBUNAL DETERMINATION

AUTHOR/ENQUIRIES: Matthew Sykes, Director Corporate Services

SUMMARY:

The Local Government Remuneration Tribunal (Tribunal) has handed down its 2025 Annual Report and Determination under sections 239 and 241 of the *Local Government Act 1993* (Local Government Act). The report determines the categories of councils and the maximum and minimum amounts of fees to be paid to mayors and councillors. The Tribunal's decisions take effect from 1 July 2025.

The Nambucca Valley Council is included in the Regional Rural Category by the Local Government Remuneration Tribunal. Fees payable to the Mayor and Councillors are determined by the Remuneration Tribunal and are based on the Category of Council. The Tribunal awarded a maximum fee increase to all categories of 3%. The remuneration range for Regional Rural Councils is \$10,530 to \$23,220 for Councillors and \$22,420 to \$50,680 for Mayors. A Council cannot fix a fee higher than the maximum amount determined by the Tribunal. Per section 248(4) of the Local Government Act if a Council does not fix a fee, the Council must pay the minimum fee determined by the Tribunal.

RECOMMENDATION:

That Council adopt the maximum amount for the Regional Rural Council category for the Mayoral Fee for the 2025/26 financial year of \$50,680 and the Councillor Fee for the 2025/26 financial year of \$23,220 per Councillor as recommended by the Local Government Remuneration Tribunal.

OPTIONS:

- 1 Proposed recommendation
- 2 Approve an amount less than \$50,680 but equal to or greater than \$49,200 (2024/25 amount) for the Mayoral Fee for 2025/26, and an amount less than \$23,220 but equal to or greater than \$22,540 (2024/25 amount) for the individual Councillor Fee for 2025/26.
- 3 Council does not fix a fee and the minimum amount becomes payable.

DISCUSSION:

The Tribunal is required to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the Local Government Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.

The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every 3 years under section 239 of the Local Government Act 1993 (the Act). The Tribunal last undertook a significant review of the categories as part of its 2023 determination and will next review these categories in 2026.

The Tribunal also determined a 3% per annum increase in the minimum and maximum fees applicable to each category.

CONSULTATION:

Nil

ITEM 10.7 REMUNERATION TRIBUNAL DETERMINATION

SUSTAINABILITY ASSESSMENT:

N/A

Risk Analysis:

N/A

Delivery Program Action

CC4 - Maintain an effective governance regime

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

In the 2025/26 budget \$51,254 for the Mayoral Fee has been allocated and \$212,220 for the Councillor Fees for all 9 Councillors has been allocated. If the maximum amount of the Regional Rural category for 2025/26 is approved for payment the Mayoral Fee would be \$50,680 and the Councillor Fees for all 9 Councillors would be \$208,980, both within the 2025/26 budget amounts.

Working funds – justification for urgency and cumulative impact

Nil



Impacts on 10 Year Long Term Financial Plan

As per 'Direct and indirect impact on current and future budgets' section with indexation applied in the future years in the 2026/27 LTFP.

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

-  1 27831/2025 - OLG Circular 25-10 2025-26 Determination of the Local Government Remuneration Tribunal
-  2 27832/2025 - LGRT-2025-Annual-Determination

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.1 SF3410 180625 APRIL 2025 - APPROVED CONSTRUCTION CERTIFICATES, APPROVED COMPLYING DEVELOPMENTS, DEVELOPMENT APPLICATIONS RECEIVED AND COMPLYING DEVELOPMENTS RECEIVED

AUTHOR/ENQUIRIES: Melanie Ellis, Senior Business Services Officer

SUMMARY:

The attached reports are for the information of Councillors with regard to approved Construction Certificates, approved Complying Development Certificates, Development Applications received and Complying Development Applications received for the month of April 2025 as at 30 May 2025.

RECOMMENDATION:

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

ATTACHMENTS:

- 1** 28894/2025 - 2025 April - Development Applications and Complying Development Applications Received
- 2** 29178/2025 - 2025 April - Approved Construction Certificates and Complying Development Applications

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**ITEM 11.2 SF1148 180625 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR APRIL 2025****AUTHOR/ENQUIRIES:** Melanie Ellis, Senior Business Services Officer**SUMMARY:**

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

RECOMMENDATION:

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

APRIL 2025	Cats	Dogs
COUNCIL'S SEIZURE ACTIVITY		
Seized (doesn't include those animals dumped or surrendered)	0	6
Returned to Owner	0	0
Transferred to - Council's Facility from Seizure Activities	0	0
ANIMALS IN AND ARRIVING AT COUNCIL'S FACILITY		
Animals In Council's Facility - (Start of Month)	0	3
Abandoned or Stray	14	1
Surrendered	0	3
Animals transferred from Seizure Activities	0	6
Total Incoming Animals	14	13
ANIMALS LEAVING COUNCIL'S FACILITY		
Released to Owners	0	0
Sold	0	1
Released to Organisations for Rehoming	11	1
Died at Council's Facility (other than euthanised)	0	0
Stolen from Council's Facility	0	0
Escaped from Council's Facility	0	0
Other	0	0
EUTHANISED		
Restricted Dogs	0	0
Dangerous Dogs	0	5
Owner's Request	0	0
Due to Illness, Disease or Injury	0	0
Feral/infant animal	0	0
Unsuitable for rehoming	0	0
Unable to be rehomed	0	0
Total Euthanised	0	5
TOTAL IN COUNCIL'S FACILITY - (END OF MONTH)	3	6

ATTACHMENTS:

1  28193/2025 - Ranger Report to Council - Penalties - April 2025

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT**ITEM 11.3 SF453 180625 WASTE MANAGEMENT QUARTERLY REPORT - JANUARY TO MARCH 2025****AUTHOR/ENQUIRIES:** Simon Chapman, Waste Services Coordinator**SUMMARY:**

This report provides a quarterly status update of waste management within the Nambucca Valley.

RECOMMENDATION:

That Council notes the information provided in the quarterly report for the period 1 January-31 March 2025.

OPTIONS:

For information only.

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

Kerbside collections for the last quarter being 1 January – 31 March 2025 across the Coffs Coast region indicated the hotline received a total of approx 5475 calls during the period for the whole regional area.

Nambucca Valley had a total of 9081 properties receiving a waste collection service, 23 new services were implemented.

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

Waste Stream	Source	Tonnes	Destination
Co-mingled recycling	Kerbside	393.88	CCWS Recycling Facility
Greenwaste organics	Kerbside	863.00	CCWS Biomass Facility
Mixed waste	Kerbside (NVC)	908.84	Nambucca Landfill
Mixed waste	Kerbside (BSC)	356.44	Nambucca Landfill
Bulky goods	Kerbside	11.70	Nambucca Landfill
Co-mingled recycling	Transfer station	36.36	CCWS Recycling Facility
Greenwaste organics	Transfer station	88.96	CCWS Biomass Facility
Mixed waste	Transfer station (BSC)	141.00	Nambucca Landfill
Batteries	Transfer station	6.22	Matthews Metal Management
Scrap metal	Transfer station	209.46	Matthews Metal Management
Motor oil (litres)	Transfer station	3100	BMC Oil
Chemical containers (farm drums)	Transfer station	552	Drum Muster
E-waste	Transfer station	6.90	Matthews Metal Management
Concrete & masonry	Landfill	211.56	Reprocessing at Nambucca Landfill
Asbestos	Landfill	2.62	Nambucca Landfill
Biosolids (grit)	Landfill	13.58	Nambucca Landfill
Building demolition	Landfill	985.00	Nambucca Landfill
Clean fill	Landfill	243.56	Nambucca Landfill (daily cover)
Commercial building waste	Landfill	216.68	Nambucca Landfill
Charity groups	Landfill	7.00	Nambucca Landfill
Dead animals (small)	Landfill	0.00	Nambucca Landfill

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JANUARY TO MARCH 2025

The table below reflects the successful charities that applied under Councils Donations Policy and the disposal tonnages from each organisation for the last quarter.

Charitable Organisation	Source	Tonnes	Destination
Anglican Op Shop Nambucca	Self Hauled	0.00	Nambucca Landfill
Anglican Parish Macksville	Self Hauled	0.00	Nambucca Landfill
Anglican Parish Macksville/Nambucca	Self Hauled	6.08	Nambucca Landfill
Care “n” Ware	Self Hauled	0.92	Nambucca Landfill
Live Better (Nambucca Valley Phoenix)	Self Hauled	0.00	Nambucca Landfill
Nambucca Heads Men’s Shed	Self Hauled	0.16	Nambucca Landfill
Salvation Army	Self Hauled	0.00	Nambucca Landfill
Macksville / Bowraville Op Shop	Self Hauled	0.00	Nambucca Landfill
Nambucca Valley Community Church	Self Hauled	0.00	Nambucca Landfill
	Total	7.00	

CCWS Materials Recovery Facility

The table below indicates the approximate Coffs Coast regional recycling tonnages processed through the Materials Recovery Facility (MRF) during the quarter at Coffs Coast Resource Recovery Park.

Approximate Tonnes Processed	3,631.59
------------------------------	----------

CCWS Educational Activities

The tables below reflect the Coffs Coast Waste Services educational activities carried out during the last quarter:

Education

Month	School or Group	No's Attending
January 2025	Nil	Nil
February 2025	N/A	N/A
March 2025	N/A	N/A

NSW Waste Avoidance and Resource Recovery Strategy

The NSW Waste Avoidance and Resource Recovery Strategy (WARR) was developed by State Government to provide direction for local councils to reduce waste generated, optimise the recovery of usable resources from waste and manage the disposal of residual waste in an environmentally responsible way in the following waste streams:

Municipal Solid Waste (MSW) – the solid component of the waste stream arising from household waste placed at the kerbside for Council collection and waste collected by Council from municipal parks and gardens, street sweepings, Council engineering works and public Council bins.

Commercial and Industrial Waste (C&I) – Inert, solid or industrial generated by business and industries (shopping centres, restaurants, office warehousing, manufacturing, repair workshops retail outlets, hotels and clubs) along with institutions (schools, hospitals, universities, nursing homes and government offices).

Construction and Demolition (C&D) – materials in the waste stream which arise from construction, refurbishment, demolition and excavation activities.

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JANUARY TO MARCH 2025

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

Waste Stream	NSW Target	Landfilled Tonnes	Diverted Tonnes	Diversion %
Municipal (MSW)	80% recovery by 2030	1,425.40	1479.46	51
Commercial Industrial (C&I)	80% recovery by 2030	364.68	125.32	25
Construction Demolition (C&D)	80% recovery by 2030	987.62	455.12	31.5

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

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

Community Recycling Facility (CRC)

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

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

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

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

Total kilograms of household problem waste collected during the last quarter was 3,254.00 kg's

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

Container Deposit Scheme (CDS)

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

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

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JANUARY TO MARCH 2025

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

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

Biannual reports indicating tonnages collected are made available by the Network Operator for the following periods 1 January – 30 June and 1 July to 31 December. This information will be reported accordingly when available.

Coffs Coast Waste Services Mobile Phone App

Coffs Coast Waste Services has introduced a Mobile App which replaces the old "Mybin" app. The app is 'personalised' for residents of CCWS LGA's (Nambucca Valley, Bellingen Shire and City of Coffs Harbour Councils).

The digital app allows for greater interaction by the user. The CCWS App is now live and free to download on either the App Store or Google Play. Once you've downloaded the app, all you need to do is enter your street address to access the information.

The key functionality of the mobile app includes,

Functions	Description
Collection Calendars	Information on what bin to place out for collection and which night for your address
Bin Night Reminders	You can easily set reminders for when to put out your yellow, red and green bins for collection
Bulky Household Collections	Information on dates and acceptable and unacceptable items
A to Z of Waste	Access waste and recycling information. For example, if you type in aluminum foil (dirty) it tells you it should go in the red bin while beer cans or bottles go in the yellow
Recycling Near Me	Find nearby disposal locations
Push Notification Alerts	Receive notifications of special events, news and alerts to your mobile
Bin Information	Information on frequency of bin collections and tips

Solar Panel Recycling (Trial)

Midwaste has partnered with Sircel Recycling to provide a trial of the collection and recycling of solar panel waste that is being disposed of at Councils waste facilities throughout the region. The Midwaste region comprises five (5) Councils located on the Mid North Coast of New South Wales working collectively to strategically manage waste on a regional scale, being Port Macquarie, Kempsey, Nambucca, Bellingen and Coffs Harbour.

The proposal is provided on a trial basis as a pilot for solar panel recycling for a period of 3-6 months, commencing in mid-2025. As well as the panels, the other components of a solar system such as Inverter, junction boxes, cabling and the solar panel support structure attached to the solar panels will also be accepted at no additional cost for the trial period.

The disposal location is available at the Nambucca Heads Transfer Station where local residents from within the Nambucca LGA can take up to a maximum of 20 household panels in any one time and place them into designated cages.

The collection of the solar panel cages and the other components will take place once approx 20 cages of solar waste are full across the region. This will assist in the collection & haulage efficiencies to Sircel's facility in Sydney. These costs will be covered by Midwaste in the interim for 3-6 months trial period.

ITEM 11.3 WASTE MANAGEMENT QUARTERLY REPORT - JANUARY TO MARCH 2025**CONSULTATION:**

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

SUSTAINABILITY ASSESSMENT:**Environment**

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

Social

Potential increased costs.

Economic

Potential increases in the domestic waste management charge and landfill gate fees.

Risk Analysis

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

Delivery Program Action

CE9 - Implement waste minimisation strategies

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

No identifiable increases for the current budget at this point.

Working funds – justification for urgency and cumulative impact

No additional income required at this point.

Impacts on 10 Year Long Term Financial Plan

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

Service level changes and resourcing/staff implications

No identifiable changes or implications at this point.

ATTACHMENTS:

There are no attachments for this report.

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

ITEM 11.4 DA2025/038 180625 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

AUTHOR/ENQUIRIES: Michael Coulter, Senior Town Planner

Summary:

A planning proposal to allow a two (2) lot subdivision of 44 Kookaburra Lane, Bowraville has been completed and is now law. This report concerns a development application and road closure application which will bring into effect the purpose of the planning proposal.

The development application and road closure application are legally separate processes but are also related as the development application cannot be determined until Council, as owner of the road to be closed, agrees to the transfer of its land to be incorporated in the subdivision.

In relation to the transfer of its land, the Council will need to reach agreement with the property owners as to the compensation to be paid by them for the land. It is recommended that Council obtain a valuation of its land to be used as the basis of negotiating a compensation agreement. The valuation and recommended compensation would be the subject of a future report to Council.

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

RECOMMENDATION:

That Council:

- 1 Closes the unmade section of Kookaburra Road as shown in Figure 1 within this report in accordance with section 38D of the Roads Act 1993.
- 2 The unmade section of Kookaburra Road (as shown in Figure 1) be categorised as Operational land in accordance with section 31 of the Local Government Act 1993.
- 3 Approves DA2025/038 being a two (2) lot subdivision shown in Attachment 1, in accordance with section 4.16 of the Environmental Planning & Assessment Act 1979, subject to the recommended conditions of consent contained within Attachment 2 of this report.
- 4 Obtains, at the applicant’s expense, a valuation for the section of closed road with this valuation to be reported to a future Council meeting for the purpose of determining the compensation for the transfer of the land. Owners consent for a subdivision certificate for the development must not be provided until Council has agreed to the transfer of the closed road.

OPTIONS:

- 1 The Council can resolve not to close the unmade section of Kookaburra Road. If this occurs the area of the proposed western lot (lot 1) will fall below the minimum area requirement of 18 hectares requiring another planning proposal and/or modified development application.
- 2 Council can resolve to close the unmade section of Kookaburra Road and approve the development application, but later not transfer the land. For example, if agreement is not reached as to the appropriate compensation referred to in item 4 of the recommendation.
- 3 Council can resolve to close the unmade section of Kookaburra Road and sell the land by auction rather than be direct dealing with the adjoining owners. This is not recommended as the land has

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

no inherent value to other parties, and its transfer to a third party would likely be for the purposes of speculative gain or unauthorised land uses or a combination of both.

BACKGROUND:

A Planning Proposal was reported to Council's meeting on 11 July 2024 for an amendment to the Nambucca Local Environmental Plan 2010 (LEP).

The proposal sought an amendment to the LEP to reduce the minimum lot size from 40 hectares to 18 hectares, essentially to allow the two dwellings belonging to the tenants-in-common to be separated generally along the alignment of an existing, but unconstructed Council road. Council supported the planning proposal, principally because the land was mapped within Council's Rural Residential Release Strategy and the proposal reflected the intent of the strategy.

The planning proposal was subsequently publicly exhibited with no public submissions being received.

At Council's meeting on 31 October 2024 it was resolved to proceed with the planning proposal and make the local environmental plan.

Both the planning proposal and the report to Council's meeting on 31 October 2024 included reference to an intention to close and purchase an unconstructed Council road which runs between the two proposed lots. This is also shown in the proposed plan of subdivision.

At Council's meeting on 19 December 2024 it was resolved to amend the planning proposal to include a C2 Environmental Conservation zoning sought by the NSW Biodiversity Conservation and Science Group.

The Planning Proposal for the 18 hectare minimum lot size requirement and C2 Environmental Conservation zoning became law on 4 April 2025.

DISCUSSION:

A development application for the subdivision, incorporating a road closure application, was lodged with Council on 7 April 2025. The proposed subdivision including the proposed road closure was advertised for public comment from 11 April until 29 May 2025 with no submissions being received.

The subdivision is to create lots with areas of 18.8 ha and 21.67 ha. The proposed lots are shown in the plan of the proposed road closure in Figure 1. The development application for the subdivision which reflects the road closure plan is shown in **Attachment 1**.

The subdivision is integrated development and the NSW Rural Fire Service has provided a Bush Fire Safety Authority. Their general terms of approval have been incorporated in recommended consent conditions in **Attachment 2**.

There is a water supply easement burdening the land which is shown on the proposed plan of subdivision. There are overhead power lines across part of the site. A right of carriageway is proposed to be created to provide access from the existing dwelling on Lot 2 to Balance Tank Road.

Sufficient information is available to satisfy Council that the proposed development will not be contrary to the matters for consideration outlined in the Biodiversity Conservation Act 2016 or Fisheries Management Act 1994. As such, it is not considered that the proposal will have any significant effects on threatened species, populations, communities or their habitats. On the contrary the recent zoning of much of the site as C2 Environmental Conservation is likely to have a positive outcome for biodiversity by restricting the permissible land uses. As an example, forestry has become a prohibited land use across most of the site.

The biodiversity outcome can be seen by comparing the aerial photograph in Figure 2 with the C2 Environmental Conservation zoning which now applies to much of the site shown in Figure 3.

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

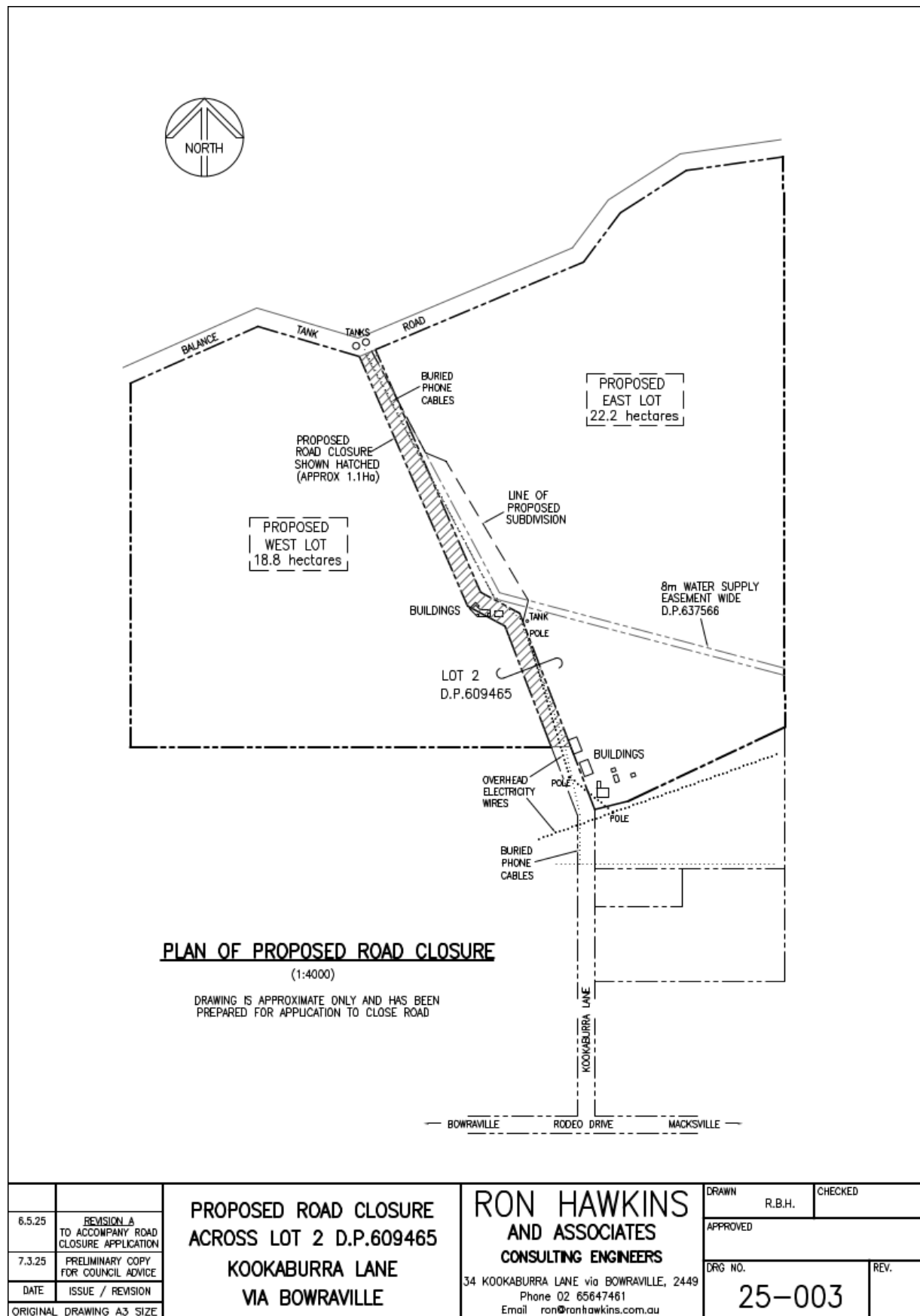


Figure 1 – plan of proposed road closure with the road to be closed shown hatched

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Figure 2 – aerial view of site showing the unmade road and the timbered versus cleared areas



Photo 1 – Existing dwelling on proposed Lot 2

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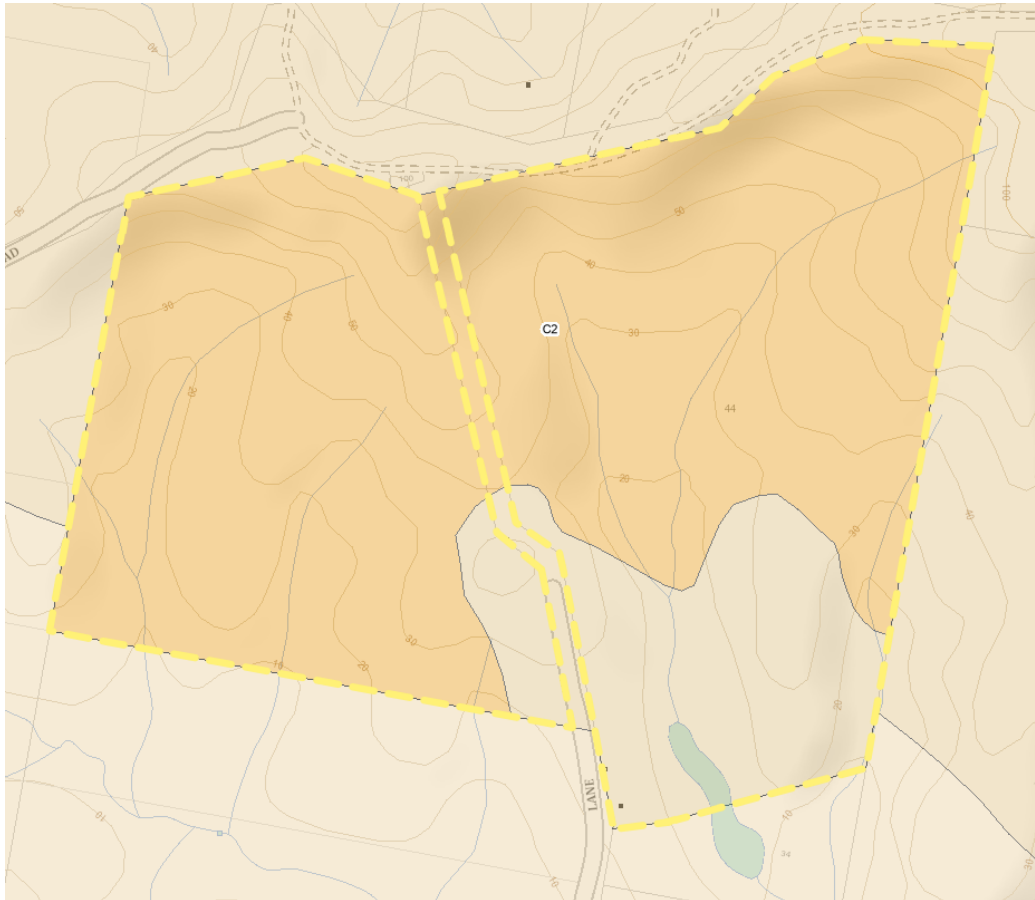


Figure 3 – Planning Portal extract showing majority of land now zoned C2 Environmental Conservation



Photo 2 – Existing dwelling on proposed Lot 1

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

(a)(i) The provisions of any environmental planning instrument (EPI)

NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010

The proposed development is assessed against the relevant clauses of the **Nambucca Local Environmental Plan 2010** in the following table:

Clause	Complies	Comments
2.3 – Zone objectives and Land Use Table	Yes	<p>The objectives of the RU2 Rural Landscape zone include maintaining the rural landscape character of the land. The application is consistent with this objective.</p> <p>The objectives of the C2 Environment Conservation zone are to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values and to prevent development that could destroy, damage or otherwise have an adverse effect on those values. The permissible uses in the zone include dual occupancies, dwelling houses, and residential accommodation. Prohibited uses include attached dwellings, detached dual occupancies, and secondary dwellings. The application is consistent with these objectives.</p> <p>The proposed subdivision is now a permissible use of the land with development consent.</p>
2.5 – Additional permitted uses for particular land	n/a	
2.6 – Subdivision – consent requirements	Yes	The application is seeking consent to subdivision.
2.7 – Demolition requires development consent	n/a	
2.8 – Temporary use of land	n/a	
2.9 – Canal estate development prohibited	n/a	
4.1 – Minimum subdivision lot size	Yes	As discussed, a planning proposal has been finalised which stipulates a minimum area requirement for subdivision of 18 hectares. Both lots have areas in excess of 18 hectares.
4.1AA – Minimum subdivision lot size for community title schemes	n/a	
4.1B – Minimum subdivision lot size for certain split zones	n/a	
4.1C – Boundary changes between lots in certain rural, residential and environment protection zones	n/a	
4.2 – Rural subdivision	n/a	
4.2A – Erection of dwelling houses and dual occupancies on land in certain rural and environmental	Yes	The lot size map provides for a minimum area requirement of 18 hectares.

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

protection zones		
4.2B – Strata subdivisions in certain residential, rural, environmental or waterways zones	n/a	
4.2C – Exceptions to minimum lot sizes for certain rural subdivisions	n/a	
4.2D – Erection of dwellings on land affected by natural disaster or fire	n/a	
4.3 – Height of buildings	n/a	
4.4 – Floor space ratio	n/a	
4.6 – Exceptions to development standards	n/a	
5.2 – Classification and reclassification of public land	n/a	
5.3 – Development near zone boundaries	n/a	
5.4 – Controls relating to miscellaneous permissible uses	n/a	
5.7 – Development below mean high water mark	n/a	
5.8 – Conversion of fire alarms	n/a	
5.10 – Heritage conservation	Yes	The subdivision does not involve any earthwork and will have no impact on heritage conservation.
5.11 – Bushfire hazard reduction	Yes	Provides for the maintenance of an APZ
5.12 – Infrastructure development and use of existing buildings of the Crown	n/a	
5.13 – Eco-tourist facilities	n/a	
5.16 – Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones	Yes	Each lot will contain an existing dwelling which have been in place for around 40 years. There is no record of any land use conflict (with agriculture) and the surrounding land uses are such there is unlikely to be the potential for any future land use conflicts (with agriculture).
5.18 – Intensive livestock agriculture	n/a	
5.19 – Pond-based, tank-based and oyster aquaculture	n/a	
5.20 – Playing and performing music	n/a	
5.21 – Flood planning	n/a	
6.1 – Arrangements for designated State public infrastructure	n/a	
6.2 – Development control plan	n/a	Applies to urban release areas

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

7.1 – Acid sulfate soils	n/a	There are no mapped ASS applying to the land.
7.2 – Minimum lot sizes for dual occupancies	n/a	
7.4 – Public utility infrastructure	Yes	The required public infrastructure is available to the subdivision.
7.5 – Development in the vicinity of identified mineral resource areas	n/a	
7.6 – Earthworks	n/a	No earthworks are required.
7.7 – Floodplain risk management	n/a	
7.8 – Events permitted on public reserves and roads without development consent	n/a	
7.9 – Use of moveable dwellings	n/a	

STATE ENVIRONMENTAL PLANNING POLICIES

The proposed development is assessed against the relevant State Environmental Planning Policies in the following table:

State Environmental Planning Policy	Complies	Comments
SEPP Biodiversity & Conservation	Yes	The proposed subdivision does not involve the clearing of native vegetation. The rezoning of much of the site to C2 Environmental Conservation should improve biodiversity outcomes. For example, forestry activities are now a prohibited use for all of the C2 zoned land.
SEPP (Sustainable Buildings) 2022	n/a	
SEPP Housing	n/a	
SEPP Industry & Employment	n/a	
SEPP Planning Systems	Yes	The Council is the consent authority
SEPP Precincts Regional	n/a	
SEPP Primary Production	Yes	Consistent
SEPP Resilience & Hazards	Yes	Conditions have been imposed in relation to bush fire. The land is not mapped as being potentially contaminated. There is no evidence of any contamination.
SEPP Resources & Energy	n/a	
SEPP Transport & Infrastructure	n/a	

(a)(ii) The provision of any draft environmental planning instrument (EPI)

There are no draft environmental planning instruments relevant to the proposed development.

(a)(iii) The provision of any Development Control Plan

NAMBUCCA DEVELOPMENT CONTROL PLAN 2010

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

The proposed development is assessed against the relevant clauses of the Nambucca Development Control Plan 2010 in the following table:

NAMBUCCA DCP 2010	Complies	Comments
Environmental context (Part A)	Yes	The Statement of Environmental Effects includes a description of the site as well as its context and setting which is agreed.
Site Analysis (Part A)	Yes	As for environmental context.
Subdivision (Part B)	Yes	Both dwellings on the proposed lots 1 and 2 have existing all weather access to Kookaburra Lane. The owners of the proposed lot 2 have undertaken additional work on the laneway at their own expense to improve drainage and to provide a bus turn around. Apparently, a school bus travels up and down Kookaburra Lane everyday notwithstanding there have been no school aged children living in the lane for a number of years. As the number of dwellings on the land is not changing, no additional road work is warranted.
Car Parking & Traffic (Part C)	Yes	
Sediment & erosion control (Part D)	Yes	No earthworks are required.
Signage (Part E)	n/a	
Rural and environmental development (Part F)	Yes	The existing dwellings on the land pre-date the DCP controls. Importantly there is no evidence of land use conflicts (with agriculture) arising out of the location of the dwellings. Given the surrounding lot pattern there is little or no likelihood of land use conflicts (with agriculture) arising in the future.
Industrial developments (Part G)	n/a	
Residential developments (Part H)	n/a	
Bowraville Heritage controls (Part I)	n/a	
South Macksville urban release area (Part J)	n/a	
Coastal Hazards (Part K)	n/a	
Urban design strategies – Nambucca Heads ((Part L)	n/a	
Urban design strategies – Matthew Street, Scotts Head (Part M)	n/a	
Waste Minimisation and Management (Part N)	n/a	
Valla Urban Growth Area (Part O)	n/a	

(a) (iia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.

There are no planning agreements applying to the subject site.

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

(a) (iv) Any Matters prescribed by the Regulation

There are no matters prescribed by the regulation.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Issue	Applicable	N/A	Comments
Context and Setting	Yes		The information provided in the Statement of Environmental Effects and the previous Planning Proposal is agreed.
Access, Transport and Traffic	Yes		There will be no change to traffic volumes and access arrangements.
Public Domain	Yes		There is no identified impact on the public domain.
Utilities	Yes		There is an existing reticulated electricity connection to both dwellings. Any development consent for subdivision should require an Essential Energy Notice of Arrangement to ensure they are satisfied with the on-going arrangements for supply given the closure of the road.
Heritage			In accordance with the Due Diligence Code of Practice, there are no relevant confirmed site records or other associated landscape feature information on AHIMS, no other sources of information of which a person is already aware, and the development will not impact on any landscape features that are likely to indicate the presence of Aboriginal objects.
Other Land Resources	Yes		There are no identified impacts.
Water	Yes		There are no identified impacts
Soils	Yes		There are no identified impacts.
Air and Microclimate	Yes		There will be no change to the air or microclimate.
Flora and Fauna	Yes		As discussed, the biodiversity potential of the site is likely to increase as a consequence of the C2 Environmental Conservation zoning.
Waste	Yes		There is no information in the application in relation to the location of the existing on-site effluent management systems and whether or not they will be contained within the respective allotments. This was discussed with the owners who confirmed that the OSSMs are located in the respective lots.
Energy	Yes		Both lots will have connection to the electricity grid.
Noise and Vibration	Yes		The development will not result in noise or vibration.
Natural Hazards	Yes		The bush fire hazard is addressed elsewhere in the report.
Technological Hazards	Yes		None identified
Safety, Security & Crime Prevention	Yes		No change

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

Social Impact in the Locality	Yes		The development will have a positive social impact in allowing the current tenants in common to plan for their respective futures.
Economic Impact in the Locality	Yes		There will no economic impact.
Site Design and Internal Design	Yes		Satisfactory
Construction	Yes		There is no construction required.
Cumulative Impacts	Yes		The are no identified negative cumulative impacts, noting that the justification for the proposed subdivision has been the subject of a Planning Proposal with input from Council and a number of State agencies

(c) The suitability of the site for the development

Does the proposal fit in the locality?	Yes	X	No	
Are the site attributes conducive to development?	Yes	X	No	

d) Any submissions made in accordance with this Act or the Regulations

The application was notified in accordance with the Nambucca Community Participation Plan (DA) Roads Act 1993 (Road Closure) and Local Government Act 1993 (classification of land), with no submissions received by the advertised close of the submission period on 29 May 2025.

(e) The public interest

Subject to the recommended conditions of consent, it is not considered that the proposal is contrary to the public interest because it will not result in any significant impacts on the natural, social, or economic environments.

Section 7.11 & 7.12- Contributions

Development Contribution Plan	Applicable	N/A	Contribution Amount
7.11 Mines & Extractive		X	
7.12 Contribution Plan*		X	

* Exempt as the estimated cost of the development is less than \$100,000

Section 64 – Construction of Works for Developers (Local Government Act 1993)

Section 64 of the *Local Government Act 1993* enables council to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to Section 306 of the *Water Management Act 2000*.

Development Servicing Plan	Applicable	N/A	Contribution Amount
Water Supply*		X	
Sewerage		X	

* Both lots have a connection to Council's trunk water main. This was likely part of the agreement to provide an easement across the land. Given both lots already have a reticulated water supply they have a credit which exempts them from being liable for Section 64 contributions.

ITEM 11.4 TWO LOT SUBDIVISION AND PART ROAD CLOSURE - 44 KOOKABURRA LANE, BOWRAVILLE

CONSULTATION:

Public consultation.

There has also been consultation with the tenants in common as well as State agencies in relation to the Planning Proposal and the development application.

SUSTAINABILITY ASSESSMENT:

Environment

This is separately discussed in the report.

Social

This is separately discussed in the report.

Economic

This is separately discussed in the report.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Complaint/s related to dealing with Council land, eg the agreed compensation to be paid to Council being less than its value	L – for the reason there are no other parties who could reasonably be interested in purchasing the closed road.	L – it should be noted there will always be differences of opinion as to the value of land.	A qualified and reputable valuer undertakes a valuation of the closed road for the purposes of determining the compensation payable to Council. For the reasons discussed in the report an auction of the land comprising the closed road is inappropriate.	Low




Delivery Program Action

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

FINANCIAL IMPLICATIONS:

Nil

ATTACHMENTS:

- 1  9052/2025 - DA2025/038 - Proposed Subdivision
- 2  29776/2025 - DA2025/038 - Draft Consent Conditions
- 3  9053/2025 - Statement of Environmental Effects

DIRECTOR ENGINEERING SERVICES REPORT

**ITEM 12.1 SF90 180625 EVENT ON COUNCIL LAND APPLICATION WITH
TEMPORARY ROAD CLOSURE - NAIDOC WEEK MARCH MACKSVILLE CBD**

AUTHOR/ENQUIRIES: Jereme Lindsell, Survey Coordinator; Keith Williams, Manager Technical Services

SUMMARY:

Council has received a request for temporary road closure of Wallace Street and Princess Street Macksville to conduct the 2025 NAIDOC Week March.

RECOMMENDATION:

That Council:

- 1 Endorses the Temporary Road Closure application from Unkya Local Aboriginal Land Council for the annual NAIDOC Week March on 7 July 2025 starting from Wallace Street through to Princess Street from Macksville Public School to the Council chambers from 10.00am to 11.45am.**
- 2 Advertises the road closure seven (7) days prior to the event.**
- 3 Approves signs and devices necessary to effect the road closure.**

OPTIONS:

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

DISCUSSION:

Council has received an application for Event on Council Land for the temporary road closure of Wallace Street and Princess Streets Macksville from 10.00am – 11.45am to conduct the **2025 NAIDOC Week March** on Monday 7 July 2025.

Concurrence to the road closure has been sought from members of the Local Traffic Committee extraordinarily prior to the next meeting to ensure Council meets the deadlines necessary to assist Unkya LALC organise the event.
Responses have been received with no issues raised.

Changes to the Traffic Management Plan to the satisfaction of Council staff will be required to reduce impact on the town centre traffic flow and prior to approval being granted.

CONSULTATION:

Unkya LALC
Community Development Officer
Director Engineering Services
Traffic Committee Members

SUSTAINABILITY ASSESSMENT:

Nil

Risk Analysis

Nil

**ITEM 12.1 EVENT ON COUNCIL LAND APPLICATION WITH TEMPORARY ROAD CLOSURE -
NAIDOC WEEK MARCH MACKSVILLE CBD**

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**

Nil

Working funds – justification for urgency and cumulative impact

Nil



Impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

- 1** 30426/2025 - Redacted-Application For Event On Council Land NAIDOC Week March - 7 July 2025

- 2** 30417/2025 - NAIDOC Traffic Management Plan - 7 July 2025


DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.2	SF1031	180625	REVIEW OF URBAN AND RURAL ROAD NAMING POLICY
	ES 23		

AUTHOR/ENQUIRIES: Keith Williams, Manager Technical Services

SUMMARY:

The ES 23 Urban and Rural Road Naming Policy has been reviewed. There are no updates required or amendments suggested.

RECOMMENDATION:

That Council approves the review of ES 23 Urban and Rural Road Naming Policy.

OPTIONS:

- 1 Adopt the recommendation and endorse the Urban and Rural Road Naming Policy
- 2 Propose amendments to the Policy

DISCUSSION:

Council's Policy and Procedures Framework Policy outlines the process for adopting new policies, and review existing policies. This process has been followed.

Additional to policy relevance, the review of the policy has included to:

- Check all references are valid
- Check all Related Legislation is correct and up to date
- Check all Government Departments for correct name
- Check all policies are set up as per the NVC Policy template

CONSULTATION:

- *Roads Act 1993 No 33, Part 10 Other Road management functions, Division 4 Miscellaneous, Clauses 162 Naming of Public Roads*
- *Roads Regulation 2018*
- *AS/NZS 4819:2011 - Rural and urban addressing*
- *AS1742.5:2017 Manual of Uniform Traffic Control Devices - Part 5: Street Name and Community Facility Name Signs*

SUSTAINABILITY ASSESSMENT:

Environment

Adopting the recommendations will have no environmental impact.

Social

Adopting the recommendation will have no social impact.

Economic

Nil

ITEM 12.2 REVIEW OF URBAN AND RURAL ROAD NAMING POLICY ES 23**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Not having a Policy creates confusion with potential for duplicate road names, which would compromise public safety and the ability to able to identify locations for managing emergencies and delivering goods and services	M	H	Adopt policy to guide direction and support decision making	L
Naming a road after an unworthy person	M	M	Definition from the policy suggests roads should only be named after deceased persons of a position of superiority, distinction	L

Delivery Program Action

CC15 - Provide leadership on safety initiatives

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

Additional cost of Larger street Blade to incorporate dual road naming.

Working funds – justification for urgency and cumulative impact

N/A


Impacts on 10 Year Long Term Financial Plan

N/A

Service level changes and resourcing/staff implications

There is a resource implication associated with staff having to obtain the translation from the Muurrbay Language Centre.

ATTACHMENTS:

1  20889/2025 - UNDER REVIEW - ES 23 - POLICY Review- Urban and Rural Road Naming

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.3 SF1031 180625 REVIEW OF ROAD SIGNAGE ON PUBLIC LAND POLICY
ES17

AUTHOR/ENQUIRIES: Keith Williams, Manager Technical Services

SUMMARY:

The ES 17 Road Signage on Public Land Policy has been reviewed.

RECOMMENDATION:

That Council approves the updated ES 17 Road Signage on Public Land Policy.

OPTIONS:

- 1 Adopt the recommendation and endorse the Road Signage on Public Land Policy
- 2 Propose amendments to the Policy

DISCUSSION:

Council's Policy and Procedures Framework Policy outlines the process for adopting new policies, and review existing policies. This process has been followed.

Additional to policy relevance, the review of the policy has included:

- Check all references are valid
- Check all Related Legislation is correct and up to date
- Check all Government Departments for correct name
- Check all policies are set up as per the NVC Policy template

CONSULTATION:

- *AS1742.5 -2017 Manual of Uniform Traffic Control Devices Part 5: Street Name and Community Facility Name Signs*
- Destination NSW – Tourist Sign Posting in NSW
- Guidelines for Tourism, Services and Facilities Signage

SUSTAINABILITY ASSESSMENT:

Environment

Adopting the recommendations will have no environmental impact.

Social

The new policy has no direct social impact.

Economic

The policy clearly sets out Council's requirements for dealing with applications for road signage on public land managed by Council and has an economic benefit for tourist attractions within Council promoting their location and removing the proliferation of signs at key intersections.

ITEM 12.3 REVIEW OF ROAD SIGNAGE ON PUBLIC LAND POLICY ES17**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Control of road signage on public land under its control.	H	M	Adoption and enforcement of the policy	L

Delivery Program Action

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

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

There is no impact on the current or future budgets.

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

Where assessment of applications is required.

ATTACHMENTS:

1  12436/2013 - UNDER REVIEW - ES 17 - POLICY - Road Signage on Public Land

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.4 SF3422 180625 CLEANLINESS OF NAMBUCCA HEADS CBD

AUTHOR/ENQUIRIES: Matthew Leibrandt, Manager Infrastructure Services

SUMMARY:

After receipt of a petition, Council resolved that a report be provided on the current state of the Nambucca CBD including; current cleaning schedule for the roads and footpaths.

This report details the maintenance schedule for the gardens and small green areas and lists previous and upcoming programmed works within the CBD precinct in the next 12 months.

RECOMMENDATION:

That Council notes the information contained in this report.

BACKGROUND:

Council resolved on the 19 March 2025;

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.*

This report details actions from the resolution including the maintenance schedule for the gardens and small green areas and lists previous and upcoming programmed works within the CBD precinct in the next 12 months.

DISCUSSION:

Maintenance schedule for the gardens and small green areas

An investigation into the schedules and reactive maintenance and scheduled works has been undertaken and the following works have or will be undertaken.

- Daily bin collection – all bins within the CBD are emptied 365 days of the year
- Litter and detritus is also collected throughout the CBD,
- Respond to request for service in regards to rubbish or offensive materials (lewd graffiti, vandalism, dog faeces, etc.)
- Minimum fortnightly street/ gutter sweeping – Street Sweeper truck attends to the CBD on a minimum of a fortnightly roster,
- Additional sweeping is undertaken on an adhoc basis or seasonally eg for broken glass or large amounts of vegetation debris.

ITEM 12.4 CLEANLINESS OF NAMBUCCA HEADS CBD

Monthly Garden maintenance monthly – weeding and weed spraying

All garden beds in the CBD and at the Nambucca Library are attended to every 4 weeks, with hand weeding, hand rubbish removal and application of herbicide on grasses and weeds in the footpaths performed – when safe to do so .

Trees are pruned as required throughout the year to ensure safe sight distances is maintained eg pedestrians are visible at designated crossings, annual mulching, soil rejuvenation, replacement planting. Annual pressure cleaning prior to the hot rod event.

Reactionary work as required including graffiti removal, sign maintenance, garden bed retaining structure repairs, clean-up of broken glass, dog faeces etc

Picnic settings and street seating is re-stained / painted annually or after instances of graffiti/damage/vandalism.

The garden beds in the Nambucca CBD are all situated on top of asphalt and/or concrete and this substrate is extremely deep in its profile – over 300mm – Tuckeroos within these raised gardens will never reach their full potential as their root systems are growing within a large planter box, with a small hole bored through this hardstand. The raised gardens experience major heat stress throughout the drier summers as there is minimal top soil supporting them and the concrete/asphalt substrate acts as a major source of heat and creates high evapotranspiration, therefore it is difficult to grow many plants within this harsh environment. Many of the plants supplied and suggested for planting 4-5 years ago by an external contractor have since senesced as a result of the harsh conditions, with Gazanias being one ground cover species that has proven to be hardy enough to last through the harsh dry summer seasons, as there is no sub-soil irrigation systems and Council does not have the financial or staffing resources to hand water these gardens.

Pressure cleaning of the hard stand footpaths is performed on a Saturday afternoon and Sunday, to limit the imposition to trade within the CBD whilst cleaning is being performed, and reduce interactions with pedestrians as there are major trip hazards associated with pressure cleaning. Pressure cleaning is performed in August to November, out of high tourist visitation times and tailored around staffing levels and weather conditions being viable to perform these works.

List of upcoming programmed works within the CBD precinct in the next 12 months.

The following improvements that have recently been undertake or will be undertaken soon include:

- Installation of planter boxes, tables and seating – Corner of Bowra Street and Rosedale Street planned for completion before EOFY 24/25
- This financial year the old big belly bins were replaced with new bin surrounds – the crushing and monitoring functions of these bins had been in-operational for some time and they were very difficult to effectively clean and sanitise – they have been replaced with an aluminium / hardwood timber Australian made litter bin surround, with a 120 litre wheelie bin insert that is easier to empty and sanitise.

An allocation has been put into the Draft 2025/2026 budget for an annual water blast spring clean of the town centres of Nambucca Heads, Macksville and Bowraville before Christmas each year.

Extend one side for of Bowra St to a 2hr Parking Limit.

At the 16 April 2025 Council meeting, Council resolved;

That Council changes the:

- 1 1 hour parking zone along Ridge Street, Nambucca Heads, immediately east of the Library, to a 2 hour parking zone for 21 car bays and three motorcycle bays.
- 2 2 x 1-hour parking bays in front of Hibiscus Dry Cleaners in River Street, Macksville to a 15 minute parking zone.

This allows for longer parking adjacent to Bowra Street while still allowing for turnover of vehicles in Bowra St itself.

ITEM 12.4 CLEANLINESS OF NAMBUCCA HEADS CBD

- All day parking
- 4 hour parking

In the precinct itself there is a wide range of parking options in the Nambucca Heads town centre which includes:

A change to 2 hour parking in Bowra St will significantly reduce the turn over of vehicles in Bowra St.

An assessment has been undertaken and proposed to extend the duration of parking in the Nambucca Heads town centre along Bowra St from the current 1-hour limit to a 2-hour limit along one side of the road.

The proposed change aims to address the growing concerns of local businesses, visitors, and residents who have expressed a need for more flexible parking options to support their activities.

Evaluation of the Proposal

This report has evaluated the potential impacts of the proposed extension on traffic flow, business operations, and parking behaviour, and make recommendations based on the findings.

Current parking spaces available are:

Bowra Street from Rosedale Street to Ridge Street

1 x Bus zone
2 x Loading zones
2 x Disabled parking bays
1-hour parking:
80 x car parking bays
2 x motorbike parking bay

Within 250m radius from the central crossing of Nambucca Heads CBD

1 x Bus zone
2 x Loading zones
9 x Disabled parking bays
1-hour parking:
124 x car parking bays
2 x motorbike parking bay
2-hour parking:
71 x car parking bays
3 x motorbike parking bay
4-hour parking:
14 car parking bays
Unlimited timed parking:
120 car parking bays

Impact on Traffic Flow

Increased parking duration leads to more vehicles occupying spaces for longer periods, there may be a reduction in parking turnover and overall space availability, particularly during peak business hours.

Also, extending parking duration could increase the frequency of vehicles circulating in search of available spaces, potentially leading to a less stable traffic flow and environmental impacts.

Impact on Business Operations

Extending parking duration could benefit businesses by providing their customers more time to shop, dine, or engage with services, leading to increased customer satisfaction.

ITEM 12.4 CLEANLINESS OF NAMBUCCA HEADS CBD

For employees working in the CBD, there will be increased likelihood of staff occupying customer parking bays as longer parking durations would reduce the need to park further away from their employment.

If parking demand exceeds the supply, difficulty in finding parking could lead to frustration for potential customers.

At this stage it is recommended to leave the parking as is with the 21 space increase in 2 hour parking in Ridge Street.

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.

A letter has been written and sent to the Member for Oxley Mr Michael Kemp in regards to requesting his assistance to request an increase the presence of NSW police foot patrols in the Nambucca CBD and district.

Prepares a bid for the 2025/26 Budget to produce the Nambucca Main Street CBD Master Plan.

An allocation has been added into the Draft 2025/2026 budget for \$100,000 to progress and where identified apply for a grant to assist in the development of a masterplan.

Establishes a Community Reference Group (CRG) for the Nambucca CBD project to ensure community consultation from the beginning of the project

A CRG is planned to be established once the masterplan funding is secured.

CONSULTATION:

Green Space Coordinator
Manager Technical Services

SUSTAINABILITY ASSESSMENT:

N/A

Risk Analysis:

N/A

Delivery Program Action

CC2 - Use information from the community in decision making
LW9 - Operate and Maintain Open Spaces

FINANCIAL IMPLICATIONS: N/A

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR ENGINEERING SERVICES REPORT

**ITEM 12.5 SF35 180625 DELEGATION OF TENDERS FOR THE REPAIRS TO
ESSENTIAL PUBLIC ASSETS FROM NATURAL DISASTER TENDERS**

AUTHOR/ENQUIRIES: David Moloney, Director Engineering Services

SUMMARY:

Council is currently has claims under several natural disasters that it needs to deliver. These include:

- ARGN 1025 – March 2022
- ARGN 1034 – April 2022
- ARGN 1198 – March 2025 (Tropical Cyclone Alfred)
- ARGN 1212 – May 2025 (most recent flood event)

In order to assist with timely repairs to essential public assets this report looks a delegating calling for tenders and awarding contracts under the DRFA program.

RECOMMENDATION:

That Council:

- 1 Delegates to the General Manager to award, finalise and execute tenders/contracts for the repair to damaged assets as approved under the Disaster Recovery Funding Arrangements (DRFA) program and subject to the project being within approved funding limit until the 30 June 2026.**
- 2 The Contracts Register will be updated for contracts over \$50,000.**
- 3 A report will be presented to Council on the use of this delegation for contracts over \$150,000.**

OPTIONS:

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

BACKGROUND:

Council is currently has claims under several natural disasters that it needs to deliver. These include:

- ARGN 1025 – March 2022
- ARGN 1034 – April 2022
- ARGN 1198 – March 2025 (Tropical Cyclone Alfred)
- ARGN 1212 – May 2025 (most recent flood event)

DISCUSSION:

The Disaster Recovery Funding Arrangements (DRFA) is a way through which the Australian Government provides funding to states and territories to share the financial burden of responding to a disaster.

The DRFA operates in line with the following principles:

Assistance is intended as an emergency helping hand for those in need. It doesn't provide compensation for losses or restore lifestyles to their pre-disaster standard.

Assistance is not intended to replace the need for appropriate self-help strategies, such as having insurance or doing necessary disaster mitigation.

States/territories and local governments should draw on their own resources to provide disaster assistance before seeking support through the DRFA.

Assistance should be used to complement and promote disaster resilience outcomes for affected individuals and communities.

ITEM 12.5 DELEGATION OF TENDERS FOR THE REPAIRS TO ESSENTIAL PUBLIC ASSETS FROM NATURAL DISASTER TENDERS

As much as possible, DRFA assistance should achieve an efficient allocation of resources. The financial exposure of taxpayers should be minimised.

Under the DRFA, four categories of assistance measures can be activated by a state or territory seeking support from the Federal Government.

Category A: assistance to individuals to alleviate personal hardship or distress arising as a direct result of a disaster. Category A assistance is provided to impacted communities and individuals automatically by a state/territory, without requiring prior approval from the Australian Government.

Category B: assistance to a state/territory, and/or local government for the restoration of essential public assets and certain counter-disaster operations. Category B assistance also covers assistance to small businesses, primary producers, not-for-profit organisations and needy individuals through concessional loans, subsidies or grants. Category B assistance is provided automatically by the states and territories without requiring approval from the Government.

Category C: assistance for severely affected communities, regions or sectors includes clean up and recovery grants for small businesses and primary producers and/or the establishment of a Community Recovery Fund. Category C assistance is only made available when the impact of a disaster is severe. It's intended to be in addition to assistance under Categories A and B. It's usually considered once the impacts of the disaster on affected communities have been assessed. Category C assistance must be requested by a state/territory and requires agreement from the Prime Minister.

Category D: exceptional circumstances assistance beyond Categories A, B and C. Category D assistance is generally considered once the impact of the disaster has been assessed and specific recovery gaps identified. It must be requested by a state/territory and requires agreement from the Prime Minister. It's generally cost-shared equally by the Government and the state/territory government.

Council owns and operates a significant amount of essential public assets and qualifies under Category B. Category D is not activated in all disasters however it is expected to be announced for AGRN 1212.

Under Category B there are three types of works to be conducted:

Emergency Works (EW) – temporary work to make assets safe (first 3 months)

Immediate Recovery Works (IRW) – Immediate repairs to assets as agreed with assessor (first 3 months)

Essential Public Asset Repairs (EPAR) – Repairs to damaged assets (2 years from the 1 July after the disaster)

Council currently has \$92M in EPARs from previous disasters and it is expected that the \$10's of Millions additional damage has occurred in the latest event. Council intends to undertake EW, IRW and EPAR works attributed to AGRN 1212. IRW and EPAR works are assessed and funding limits are approved by the State Government appointed assessor.

This work will mostly be in on Gravel Roads and cleaning of culverts. This work is expected to be in the multi-million dollar range and on a short timeframe. It is expected that Council will use a range of open tendering or Prescribed Entity (Regional Procurement, Local Government Procurement) contracts to deliver the works.

Councils Procurement Policy requires any contract over \$150,000 to be reported to Council for award. In order to assist in getting projects up and running quickly it is recommended that Council delegate to the General Manager to the 30 June 2026, the authority to call tenders and award contracts to repair these essential assets in order to speed up the time of repairs and recovery from Natural Disaster.

CONSULTATION:

Manager Disaster Recovery

SUSTAINABILITY ASSESSMENT:

N/A

ITEM 12.5 DELEGATION OF TENDERS FOR THE REPAIRS TO ESSENTIAL PUBLIC ASSETS FROM NATURAL DISASTER TENDERS

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Need to undertake repairs to roads, bridges and other essential assets quickly and safely	M	M	Delegate to the GM the award of tenders for natural disaster works.	L

Delivery Program Action

CC6 - Use of effective asset management practices

PP11 - Maintain and construct road network to the level of service agree with the community

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

Nil.

Working funds – justification for urgency and cumulative impact

Funding will be provided under the DRFA for projects.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.6 SF3415 180625 DELEGATION OF TENDERS FOR THE REPAIRS TO THE MACKSVILLE MEMORIAL AQUATIC AND FITNESS CENTRE

AUTHOR/ENQUIRIES: David Moloney, Director Engineering Services

SUMMARY:

The Macksville Memorial Aquatic and Fitness Centre (MMAFC) was impacted during the recent flooding event. Flood waters inundated the facility causing damage to electrical, mechanical, building and pool assets.

There has been significant public interest in the closure and reopening of the facility.

This report recommends that Council delegate to the General Manager the awarding of tenders to speed up the return of the facility for use by the community.

RECOMMENDATION:

That Council:

- 1 Delegates to the General Manager to award, finalise and execute tenders/contracts for the Macksville Memorial Aquatic and Fitness Centre (MMAFC) to repair recent damage to the facility as agreed with Councils insurer subject to the repairs being within the insurance funding.**
- 2 The Contracts Register will be updated for contracts over \$50,000.**
- 3 A report will be presented to Council on the use of this delegation for contracts over \$150,000.**

OPTIONS:

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

DISCUSSION:

The Macksville Memorial Aquatic and Fitness Centre (MMAFC) was impacted during the recent flooding event. Flood waters inundated the facility causing damage to electrical, mechanical, building and pool assets.

As a consequence to ensure public safety the MMAFC has been closed until Councils Insurance Assessor has visited the centre and provided instructions on the way forward. This initial works include Undertaking:

1. Electrical safety works to get the power back on
2. Provide a report into repairs required for the electrical components
3. Provide a report into the damage and repairs to the mechanical components
4. Provide a report into the damage and repairs to the building structure

These reports will form the basis of the claim. Once approved Council will need to undertake the tendering and award of contracts to enable the repairs to be complete.

Council has received feedback from the community in regards to their concerns over the closure and then need to reopen the facility quickly.

ITEM 12.6 DELEGATION OF TENDERS FOR THE REPAIRS TO THE MACKSVILLE MEMORIAL AQUATIC AND FITNESS CENTRE

Councils Procurement Policy requires any contract over \$150,000 to be reported to Council for award. In order to speed up the tendering process if is recommended that Council delegate to the General Manager (GM) the calling of tenders and award of all contracts required to be entered into to enable MMAFC be opened as quick as possible.

CONSULTATION:

Councils Insurance Assessor

SUSTAINABILITY ASSESSMENT: Nil

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Need to undertake repairs and open the facility quickly and safely	M	M	Delegate to the GM the award of tenders at the MMAFC to speed up the time for engaging contractors and therefore reopening the facility	L

Delivery Program Action

CC8 - Integrate effective risk management practices across the organisation

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Nil.

Working funds – justification for urgency and cumulative impact

Funding will come from Council's insurance claim.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

MMAFC will remain closed until works have been completed and the facility deemed safe

ATTACHMENTS:

There are no attachments for this report.