



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 24 APRIL 2024

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

Our Vision

Nambucca Valley ~ Living at its best.

Our Mission Statement

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

Our Values in Delivery

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

Council Meetings: Overview and Proceedings

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

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

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

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

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

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

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

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

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

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

Council Meeting Audio Recordings

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

Meeting Agenda

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



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING - 24 APRIL 2024

Acknowledgement of Country (Mayor)

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

Council Meeting Audio Recordings (Mayor)

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

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13.1 Matters Regarding Realised or Potential Losses

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

13.2 General Manager Performance Agreement

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (a) of the Local Government Act, 1993, on the grounds that the report contains personnel matters concerning particular individuals.

a Questions raised by Councillors at 8 above

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

14 MEETING CLOSED TO THE PUBLIC

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

Statement of ethical obligations:

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

NAMBUCCA VALLEY COUNCIL



DISCLOSURE OF INTEREST AT MEETINGS

Name of Meeting:

Meeting Date:

Item/Report Number:

Item/Report Title:

I _____ declare the following interest:
(name)

☐

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

☐

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

☐

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

For the reason that

Signed

Date

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

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

Definitions

(Local Government Act and Code of Conduct)

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

(Local Government Act, 1993 section 442 and 443)

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

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

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

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

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

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST

- 1 This form must be completed using block letters or typed.
- 2 If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.25 of the Code of Conduct – Councillors and 4.37 of the Code of Conduct - Council for the Nambucca Valley Council (the Codes of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Codes of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Codes of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Codes of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests byin the matter of which is to be considered at a meeting of the
to be held on the.....day of 20

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

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

Councillor's signature:

Date:

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

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 APRIL 2024

The following document is the minutes of the Ordinary Council meeting held **11 APRIL 2024**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 24 April 2024 and therefore subject to change. Please refer to the minutes of 24 April 2024 for confirmation.

PRESENT

Cr Rhonda Hoban OAM (Mayor)
Cr Martin Ballangarry OAM
Cr David Jones

Cr James Angel
Cr Susan Jenvey
Cr Troy Vance

ALSO PRESENT

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

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

APOLOGIES

Nil

ABSENT

Cr John Wilson (Deputy Mayor)

Cr Ricky Buchanan

ACKNOWLEDGMENT OF COUNTRY

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

COUNCIL MEETING AUDIO RECORDINGS

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

PRAYER

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

DISCLOSURE OF INTEREST

Mayor Rhonda Hoban OAM declared a pecuniary interest in *Item 11.2 Horticulture within the Nambucca Valley* under the Local Government Act as the report is a direct result of concerns raised in relation to land use conflicts and the blueberry industry. Mayor Rhonda Hoban lives next door to a blueberry farm. Mayor Rhonda Hoban left the meeting for this item.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 APRIL 2024

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

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

107/24 **RESOLVED:** (M Ballangarry/Angel)

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

NOTICE OF MOTION - CR HOBAN OAM

ITEM 5.1	SF3422 OAM	110424	Request for Leave 29 April to 13 May 2024 - CR Rhonda Hoban
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108/24 **RESOLVED:** (Hoban/Vance)

That Cr Rhonda Hoban OAM be granted leave of absence in accordance with Section 234(d) of the *Local Government Act 1993* for the period of 29 April 2024 to 13 May 2024 inclusive.

NOTICE OF MOTION - CR HOBAN OAM

ITEM 5.2	SF3422 Kosekai Road	110424	Request to Name Side Road and Correct Rural Addressing -
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109/24 **RESOLVED:** (Hoban/Jenvey)

THAT Council:

- 1 Consult affected residents to name the side road that runs off Kosekai Road and seek their view on a preference of Wanbro, Dunggir and Mistake in that order or any other name they might suggest.**
 - 2 Consult all affected residents on both the side road and Kosekai Road regarding correcting the rural road numbering to aid accurate location for visiting traffic and in particular emergency services.**
 - 3 Subject to approval, install road naming signage and replace the rural road number signs for the affected owners.**
-

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 APRIL 2024

PUBLIC FORUM

RECOMMENDATION

That the following Public Forum be heard:

- i Anthony Crimmins - Scotts Head Community Group*
- ii Janet Granek - Scotts Head Community Group*
- iii John Schmidt - Scotts Head Community Group*
- iv Gary Nichols - Marine Rescue Nambucca Heads*
- v Moira Ryan - condition of Scotts Head Road*
- vi David Booth - Parking and Headland Ideas*

PUBLIC FORUM

- i Anthony Crimmins - Scotts Head Community Group, addressed Council with notes placed on 17544/2024 SF3424*
- ii Janet Granek - Scotts Head Community Group, addressed Council with notes placed on 17545/2024 SF3424*
- iii John Schmidt - Scotts Head Community Group, addressed Council with notes placed on 17335/2024 SF3424*
- iv Gary Nichols - Marine Rescue Nambucca Heads, addressed Council with notes placed on 16937/2024 SF3424*
- v Moira Ryan - condition of Scotts Head Road, addressed Council with notes placed on 17391/2024 SF3424*
- vi David Booth - Parking and Headland Ideas, addressed Council with notes placed on 17577/2024 SF3424*

Councillor Rhonda Hoban left the meeting before the commencement of this item, the time being 6:41 PM

Councillor's Jones and Angel were nominated by the Council to chair Item 11.2 - Horticulture within the Nambucca Valley, a vote was initiated.

Council elected Councillor Jones to Chair Item 11.2 - Horticulture within the Nambucca Valley.

DELEGATIONS

110/24 **RESOLVED:** (Angel/Jenvey)

THAT Council bring Item 11.2 - Horticulture within the Nambucca Valley forward.

That the following Delegations be heard:

Item 11.2 - Horticulture within the Nambucca Valley

- vii James Kellaway from OzGroup – against the recommendation*

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 APRIL 2024

viii Kate Tarrant - Secretary Nambucca Environment Network, neither for nor against recommendation

iv Raewyn Macky – Nambucca Environment Network, for the recommendation

Item 11.2 - Horticulture within the Nambucca Valley

vii James Kellaway from OzGroup addressed Council with notes placed on 17733/2024 SF3424.

viii Kate Tarrant - Secretary Nambucca Environment Network, addressed Council with notes placed on 17381/2024 SF3424.

111/24 **RESOLVED:** (Jones/Angel)

An extension of time be granted to the speaker.

iv Raewyn Macky – Nambucca Environment Network, for the recommendation addressed Council with notes placed on 17669/2024 SF3424.

112/24 **RESOLVED:** (Jones/Angel)

An extension of time be granted to the speaker.

ITEM 11.2	SF2381	110424	Horticulture within the Nambucca Valley
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113/24 **RESOLVED:** (Jenvey/Angel)

THAT:

- 1 Council forward a planning proposal to the Minister for Planning for gateway determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*, which includes the following amendments to the Nambucca Local Environmental Plan 2010:
 - a) The relocation of 'horticulture' from 'permitted without consent' in the land use table for the RU1 Primary Production and RU2 Rural Landscape zones to 'permitted with consent'.
 - b) The inclusion of the RU1 Primary Production and RU2 Rural Landscape zones in Schedule 2 so that the specified forms of 'horticulture' become exempt development in the same manner that they currently are in the R5 Large Lot Residential zone and add the prohibition of structures to support the exempt horticultural activity.
- 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.

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

For the Motion: Councillors Angel, Jenvey, Jones, M Ballangarry and Vance
Total (5)

Against the Motion: Nil
Total (0)

114/24 **RESOLVED:** (Angel/Vance)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 APRIL 2024

Engage a formal meeting with The Hon. Mr Michael Kemp MP and any relevant Minister to pursue the opportunity for further funding for EPA, DPI, NRAR and any other regulatory body.

Councillor Rhonda Hoban returned to the meeting at the completion of this item, the time being 7:23 PM

GENERAL MANAGER REPORTS

ITEM 9.1 SF959 110424 Outstanding Actions and Reports

115/24 **RESOLVED:** (Jones/M Ballangarry)

THAT the list of outstanding actions and reports be noted and received for information by Council.

DIRECTOR CORPORATE SERVICES REPORTS

ITEM 10.1 SF695 110424 Lease to Nambucca River Jockey Club Ltd - Bowraville Racecourse

116/24 **RESOLVED:** (Angel/Vance)

THAT Council:

- 1 Agrees to proceed with the offer of a new 21 year lease over Crown Land R540002 being Lot 75 DP 755549 known as the Bowraville Racecourse to the Nambucca River Jockey Club Ltd, being subject to a 28 day public exhibition period.
- 2 Authorises the draft lease to the Nambucca River Jockey Club Ltd of Crown Land R540002 being Lot 75 DP 755549 known as the Bowraville Racecourse to be placed on public exhibition for not less than 28 days as per Section 38 of the *Local Government Act 1993*.
- 3 Acknowledges a report will be brought back to Council addressing any submissions received during the public exhibition period requesting resolution to formalise the new lease.

MANAGER DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM 11.1 SF3410 110424 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

117/24 **RESOLVED:** (Angel/M Ballangarry)

THAT Council note the information on undetermined development applications greater than 12 months, or where submissions have been received to 3 April 2024, and development applications determined from 21 March to 3 April 2024 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.

Item 11.2 was dealt with under delegations.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 APRIL 2024

ITEM 11.3 SF3477 110424 Valla Urban Growth Area Amendment

118/24 **RESOLVED:** (Jenvey/Jones)

THAT:

- 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.

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

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

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7:33 PM.

Confirmed and signed by the Mayor on **24 APRIL 2024**.

Cr Rhonda Hoban OAM
MAYOR
(CHAIRPERSON)

GENERAL MANAGER'S REPORT**ITEM 9.1 SF959 240424 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

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 note the list of outstanding actions and reports.

	FILE NO	COUNCIL MEETING	SUMMARY OF MATTER	ACTION BY	STATUS
MARCH 2022					
1	SF2143	31/03/22 13/10/22	That an Asbestos Management Register for all Council buildings be prepared once a funding source is obtained.	DES	<p>19/07/22 – Manager of Assets has advised that there are registers/management plans for all sites containing asbestos. These will be available through QR codes at each site.</p> <p>06/09/22 – Further investigation into feasibility of required actions to be undertaken.</p> <p>17/10/22 – Timeframe for establishment of register to be determined and copies of plans to be sent to each Committee.</p> <p>14/11/22 – No further update.</p> <p>05/12/22 – Management Plans to be sent out by the end of December, register anticipated to be finalised by the end of the financial year.</p> <p>01/02/23 – Plans to be sent out as soon as possible.</p> <p>13/02/23 – Plans are being sent out. Registers anticipated to be finalised this financial year.</p> <p>08/03/23 – Included in draft budget to fund remaining works.</p> <p>20/03/23 to 20/09/23 - No further update.</p> <p>04/10/23 – Budget allocation is for an audit of the registers via a contractor yet to be engaged.</p> <p>18/10/23 – No further update.</p> <p>06/11/23 to 22/11/23 - No further update.</p> <p>05/12/2023 – Works currently in progress.</p> <p>10/01/24 – A/MAF arranging a consultant to progress works.</p> <p>8/2/24 to 20/03/24 – Request for Quote (RFQ) now being prepared by LGP.</p> <p>27/3/24 – We hold good information related to buildings but insufficient information in the Water & Sewer space. A brief to a suitable consultant has been commenced</p>

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

					but not completed due to conflicting priorities with limited resources. 15/4/24 – no further progress.
MAY 2022					
2	DA202 2/115	26/5/22	<p>2 Once the proposed lots are registered, Council gives public notice of a proposed resolution to reclassify Lot 2 from operational land back to community land in accordance with section 34 of the Local Government Act 1993.</p> <p>3 A report on any submissions to Council's public notice of a proposed resolution to reclassify proposed Lot 2 from operational land back to community land be presented to Council after the exhibition period.</p>	MDE	<p>08/06/22 – Waiting on registration of the Lots.</p> <p>05/07/22 – As part of the registration of the plan of subdivision, it was intended to dedicate Coronation Street as public road. Currently it is partly located within Crown land and Council land. The Crown have advised Council that this can't occur unless Council compulsory acquires the section of Crown land. In addition to this, the Bowra Hub development intend to locate their power lines within the Crown land to supply the Hub. The Crown have advised that this cannot occur until a licence is obtained for the placement of the electricity line within Crown land.</p> <p>Council is in the process of obtaining a licence for the placement of the electricity line within the Crown Land and the compulsory acquisition of the section of Crown land. This will be reported to Council separately.</p> <p>To finalise the plan of subdivision, it will be registered without Coronation Street as a public road. A right of carriageway will be created benefiting the Hub development across Council land.</p> <p>19/07/22 – Awaiting concurrence from NSW LALC to enable licence application to be lodged.</p> <p>17/08/22 – Still awaiting concurrence. NSW LALC have advised concurrence is not a certain outcome and will be presented to a board meeting.</p> <p>06/09/22 – Plan in the process of being registered.</p> <p>04/10/22 – No further update.</p> <p>19/10/22 – Plan having final amendments made before being sent for pre-examination.</p> <p>02/11/22 – Final amendments still being made.</p> <p>16/11/22 – Lodged on 14 November 2022 for pre-examination.</p> <p>05/12/22 – Subdivision Certificate issued and documents to be executed prior to registration.</p> <p>01/02/23 – Delays due to resignation of Registered Surveyor.</p> <p>13/02/23 – Surveyors are doing final markings on site prior to lodgement of plans of registration.</p> <p>08/03/23 – No further update.</p> <p>22/03/23 – Plan/s88B in process of being signed by Essential Energy. Once done it can be sent for registration.</p> <p>05/04/23 - No further update.</p> <p>19/04/23 – 9/8/23 – Waiting for Essential Energy.</p>

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

					<p>23/8/23 – Amendments to plans being done to satisfy Essential Energy requirements.</p> <p>06/09/23 – 18/10/23 – Amendments being finalised.</p> <p>07/11/23 – Amended plans sent to Essential Energy for signing.</p> <p>22/11/23 – 6/12/23 - No further update.</p> <p>10/01/24 – 20/03/24 - All documents have been signed for registration. Once registered the public notice will be made and reported back to Council.</p> <p>3/04/24 – plans registered, reclassification to go on exhibition.</p> <p>17/4/24 – Exhibition period closes on 20 May 2024. The matter will then be reported to Council for a decision.</p>
3	SF3168	13/10/22	That in consultation and possible partnership with Bellingen Shire Council, Nambucca Valley Council seek a meeting or meetings with nearby Councils (Port Macquarie-Hastings, Kempsey, Bellingen, and Coffs Harbour) to discuss potential options for waste arrangements post early 2027 when the current Coffs Coast Waste contracts are due to expire.	MDE	<p>19/10/22 – Meeting organised with Coffs Harbour and Bellingen Councils on 18 November 2022.</p> <p>02/11/22 – Meeting organised with Coffs Harbour and Bellingen Councils on 18 November 2022 and seek agreement to meet with Port Macquarie-Hastings, Kempsey.</p> <p>15/11/22 – Meeting with General Manager of Bellingen Shire and agreed to organise further meetings with General Managers of Bellingen, Kempsey, Port Macquarie Hastings Councils.</p> <p>Regional Waste Strategy Reference Group meeting has been deferred until Wednesday 30 November 2022.</p> <p>01/02/23 – Meeting being arranged with Bellingen, Kempsey and Port Macquarie Hastings Councils.</p> <p>16/02/23 – Virtual meeting arranged for 22 March 2023.</p> <p>20/3/23 – Outcomes of discussions with surrounding Councils will be reported back to Council as part of a future options report once all options have been investigated.</p> <p>22/03/23 – Meeting to be held 22 March 2023 with Bellingen, Kempsey, Nambucca Valley and Port Macquarie Councils.</p> <p>30/03/23 – Item to remain open at the request of Cr Jenvey.</p> <p>05/04/23 – Refer to separate report. Note that a future report will be referred to Council once all options for Councils future waste strategy has been finalised.</p> <p>13/04/23 – Resolution 133/23 that Council not enter into an agreement to accept any residue waste from City of Coffs Harbour Council.</p> <p>14/04/23 – Correspondence sent to GM City of Coffs Harbour Council (CoCH) advising NVC not in a position to offer access to our landfill at this point in time.</p> <p>19/04/23 – Meeting to be arranged by EPA.</p> <p>03/05/23 - The EPA proposed joint procurement facilitation service and the regional group will email EPA to seek their</p>

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					<p>application process to move forward with investigations into the establishment of a regional entity.</p> <p>17/05/23 to 07/06/23 Waiting for response from EPA.</p> <p>21/06/23 to 04/07/23 – Meeting held with Clarence Valley Council and Bellingen Shire Council on 09/06/23. Discussions to continue.</p> <p>19/07/23 – Discussions are continuing with Bellingen, Port Macquarie, Kempsey, and Clarence. Coffs have previously advised that they are not wanting to discuss green or yellow processing. A feasibility study regarding processing green and yellow bin waste at Clarence's facilities is currently being undertaken.</p> <p>09/08/23 – No further update.</p> <p>23/8/23 – Refer to separate report with update.</p> <p>06/09/23 to 17/04/24 – No further update.</p> <p>17/04/24 – meeting scheduled with PMHC for 29 April 2024.</p>
4	SF1092	13/10/22	<p>1 Request approval from the Minister Administering the Crown Lands Management Act 2016 to approve the draft Plan of Management for Wellington Park Nambucca Heads Reserve 81262 Part Lot 7016 DP 1056524</p> <p>2 Upon approval from the Minister Administering the Crown Lands Management Act 2016, amend the draft Plan of Management if required by the Minister and place it on public exhibition as per Section 38 of the Local Government Act, 1993.</p>	DCS	<p>19/10/22 – PoM lodged with the Minister for approval.</p> <p>01/11/22 – No further update.</p> <p>15/11/22 – No further update.</p> <p>08/12/22 – No further update.</p> <p>11/01/23 – No response to date.</p> <p>01/02/23 – No further update.</p> <p>09/02/23 – Crown Lands has advised there is a considerable backlog at this point in time.</p> <p>Council requires the PoM to be completed for the renewal of the existing licence by Dec 2024.</p> <p>08/03/23 - No further update.</p> <p>22/03/23 – No further update.</p> <p>05/04/23 - Matter has been referred to DoPE Crown Lands for further information, and the Crown are yet to respond.</p> <p>19/04/23 to 03/05/23 - DoPE Crown Lands have yet to provide a detailed response.</p> <p>16/05/23 - Followed up with LANDSAS who are facilitating the processing of the report on Council's behalf. Expecting a progress update by the end of the month.</p> <p>07/06/23 – LANDSAS yet to provide the response.</p> <p>20/06/23 – Dept Crown Lands confirmed PoM held for review.</p> <p>04/07/23 – LANDSAS has been asked to make minor clarification amendments on the encroachment area in the plan and resubmit to Crown Lands (CL).</p>

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					<p>19/07/23 to 06/09/23 – No further update.</p> <p>20/09/23 – Dept CL have requested further amendments to the PoM. Landsas have challenged the request citing they are inconsistent with the CLM Act 2016.</p> <p>Amendments include: removal of Caravan Park encroachment licence to be managed by the Crown and removal of various authorisations. Meeting with CL scheduled for 29/09/23 to discuss further.</p> <p>04/10/23 – A/MED on leave therefore meeting with CL to be scheduled for a later date.</p> <p>17/10/23 – Meeting (Teams) held between Dept Crown Lands representatives, Landsas and Council's AMED on 14 October 2023 to clarify comments made by Dept CL on PoM under review. Dept CL have now provided explanation for their position, and Landsas will amend and progress PoM as a result. Once approved by the Minister, this will be brought back to Council accordingly.</p> <p>02/11/23 – LANDSAS have addressed issues raised by DoPE Crown Lands and now resubmitted to the Minister for review. Currently with DoPE.</p> <p>22/11/23 – 05/02/24 - No further update, awaiting a response from DoPE.</p> <p>20/02/24 –Email sent to LANDSAS seeking progress update.</p> <p>04/03/24 - No further update.</p> <p>12/03/24 – 20/03/24 – LANDSAS have addressed latest concerns raised by Department of Planning Housing and Infrastructure (DoPHI)/Crown Lands and have resubmitted for ministerial review.</p> <p>02/04/24 – PoM has been received, and will be placed on public exhibition 05/04/24.</p> <p>12/04/24 – PoM now on public exhibition for 42 days until 17 May 2024.</p>
MAY 2023					
5	SF2524	25/05/23	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.	DCS	<p>31/05/23 - Followed up with NHRSL Club who will revert with decision on acceptance of lease by 2/6/23.</p> <p>07/06/23 - meeting with RSL representatives to be held 07/06/23.</p> <p>20/06/23 – Councillors updated at meeting 15/06/23 - NHRSL Club advised of Council's position. No response to hand at this stage.</p> <p>04/07/23 – NHRSL Club has responded requesting a further meeting with</p>

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					<p>Nambucca Valley Council.</p> <p>19/07/23 – A meeting took place on 11 July 2023 with the RSL to organise a meeting between the RSL Board and Council.</p> <p>09/08/23 - Lease not yet executed. Awaiting completion of Council's stormwater remediation project to be commenced imminently.</p> <p>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.</p> <p>The stormwater is 50% completed.</p> <p>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.</p> <p>20/09/23 – Manager Projects is waiting on formal response from NSW Public Works confirming their contribution to works required.</p> <p>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:</p> <ul style="list-style-type: none"> - 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. <p>This is pending the final review by PWA which could be in 2 weeks.</p> <p>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.</p> <p>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</p>
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				<p>the new licence agreement.</p> <p>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.</p> <p>22/11/23 - DoPE Crown Lands have advised they are completing independent Native Title Advice to be supplied to Council, however require 2 additional purposes to be added to the reserve purposes being Access, and Tourist Services. These will need to be gazetted and will provide approval for the existence of access to the boardwalk and boat ramp, and for the kiosk and café.</p> <p>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.</p> <p>05/12/23 to 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.</p> <p>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.</p> <p>04/03/24 – Stormwater works project to recommence late April 2024, to be completed by 30 June 2024.</p> <p>12/03/24 - Project Engineer advised Surveyors will stake boundaries end of March. This will assist with discussion and planning moving forward.</p> <p>02/04/2024 – No further update.</p>
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					<p>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.</p> <p>16/4/24 – meeting with RSL scheduled for 23/4/24.</p>
JUNE 2023					
6	SF3303	29/06/23	<p>As part of our support for the Voice to Parliament Nambucca Valley Council will convene a meeting of its Aboriginal Advisory Committee and extend its stakeholder engagement if necessary to produce a Reconciliation Plan to be linked to Council's Community Strategic Plan.</p> <p>Council policies such as initiatives of Aboriginal place naming to be part of the Reconciliation Plan between Nambucca Valley Council and its Gumbaynggirr community representatives. This Reconciliation Plan is to include Council's support for NAIDOC Week and Reconciliation Week, as well as agreement to showcase First Nation's performances, art and culture in Council facilities.</p>	DCS	<p>06/07/23 – Placed on website 19/07/23 – awaiting replacement of the Manager Community Development position to undertake the actions of:</p> <ul style="list-style-type: none"> • convene a meeting of Council's Aboriginal Advisory Committee and extend Council's stakeholder engagement if necessary to produce a Reconciliation Plan to be linked to Council's Community Strategic Plan. • Council policies such as initiatives of Aboriginal place naming to be part of the Reconciliation Plan between Nambucca Valley Council and its Gumbaynggirr community representatives. This Reconciliation Plan is to include Council's support for NAIDOC Week and Reconciliation Week, as well as agreement to showcase First Nation's performances, art and culture in Council facilities. <p>09/08/23 report to this Council meeting on staff structure related to Community Development.</p> <p>22/08/23 - Community Development Officer position to be recruited.</p> <p>06/09/23 - Applications for Community Development Officer position close 24.09.23</p> <p>18/09/23 – no further update</p> <p>04/10/23 to 18/10/23 – Interviews for Community Development Officer position to be held 20/10/23.</p> <p>08/11/23 to 22/11/23 Community Development Officer to commence 4 December 2023.</p> <p>06/12/2023 - Community Development Officer (CDO) commenced 4 December 2023.</p> <p>03/01/2024 – CDO has:</p> <ul style="list-style-type: none"> • researched into why previous committee meetings ceased in 2012 (interest waned to a point where the lack of a quorum

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					<p>resulted in meetings being abandoned),</p> <ul style="list-style-type: none"> • attended a meeting of the Local Government Aboriginal Network, and • scheduled a meeting with Council's three indigenous councillors on the 18th January 2024. <p>01/02/2024 – CDO is currently working through a consultation phase to engage with key aboriginal stakeholders (to date it has included meeting with two aboriginal councillors and a meeting with Jaanyмили Bawrrungga Association. The CDO has also reached out to Unkya Aboriginal Land Council to seek a meeting) regarding re-establishing the Aboriginal Advisory Committee and creating a Reconciliation Action Plan (RAP). RAP's of other organisations are being reviewed to determine the appropriate format/content. Over coming weeks the CDO is seeking meetings with: Nambucca Aboriginal Land Council, Bowraville Land Council, Muurbay Language and Cultural Cooperative, Miimi Aboriginal Corporation and Ngurrala Aboriginal Corporation. The CDO has also recently had consultation with the key stakeholders involved in the development of the new Gumbaynggirr Keeping Place. CDO is also liaising with local community stakeholders to gain an understanding of what the issues and challenges are for our indigenous community.</p> <p>20/02/24 – no further update.</p> <p>05/03/24 – A letter has been drafted to organise the reconvening of a meeting of Council's Aboriginal Advisory Committee and to extend its stakeholder engagement if necessary to produce a Reconciliation Action Plan to be linked to Council's Community Strategic Plan. The CDO has also been writing a grant application to fund activities through NAIDOC week (7-14/7/2024).</p> <p>15/03/24 – A letter has been sent to Council's Aboriginal Stakeholder database inviting representatives to a meeting scheduled for 28 March 2024. The CDO has also engaged in mentoring to improve his understanding and skills in facilitating meetings with aboriginal communities. The CDO will also attend the screening of a Cultural Burns Journey 2024 in Macksville on the 27 March 2024.</p> <p>28/03/24 - A meeting was scheduled for aboriginal stakeholders to discuss the re-establishment of the Aboriginal Advisory Committee and the potential development</p>
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					<p>of a Reconciliation Action Plan. Following the original invitation which was sent by mail on the 4 March, a reminder email was sent on the 21 of March. Council did not receive any response to these invitations. The stakeholders invited were: Nambucca Aboriginal Land Council, Bowraville Aboriginal Land Council, Unkya Aboriginal Land Council, Jaanyмили Bawrrungga Association, Muurrbay Aboriginal Language and Cultural Cooperative, Ngurrula Aboriginal Corporation and Miimi Aboriginal Corporation. The apparent lack of interest in the meeting was discussed with Cr M Ballangarry on the 27 March and a list of invitees was forwarded to him. He advised that he will discuss the opportunity with these groups.</p> <p>04/04/24 to 16/4/24 – No further update.</p>
JULY 2023					
7	SF396	27/07/23	<p>Housekeeping amendment to Nambucca Local Environmental Plan 2010</p> <p>1 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination.</p> <p>2 Following community consultation, Council staff report the planning proposal back to Council for consideration of submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>	MDE	<p>09/08/23 – Refer to separate report. Once a decision is made on these matters the planning proposal will be finalised and sent to the Minister for Gateway Determination.</p> <p>23/08/23 – Planning proposal being finalised for submission to the Minister for Gateway Determination.</p> <p>06/09/23 to 21/2/24– Amendments requested by the Minister prior to Gateway determination being finalised for resubmission.</p> <p>6/3/24 – Amended planning proposal resubmitted and accepted for assessment.</p> <p>20/3/24 – 3/4/24 – Waiting for gateway determination.</p> <p>17/4/24 – Gateway determination received. To be placed on exhibition.</p>
AUGUST 2023					
8	LF5363	31/08/23	<p>Council to receive a report addressing the matter raised by and on behalf of the Save the River Group and the Nambucca Heads Island Golf Club in relation to the causeway to Stuarts Island Nambucca Heads. (45604/2023 & 46082/2023)</p>	DES	<p>06/09/23 - Submission received and report to be prepared accordingly.</p> <p>20/09/23 – No further update.</p> <p>04/10/23 – Options investigation commenced.</p> <p>18/10/23 – No further update. Investigations will take time to develop.</p> <p>06/11/23 to 22/11/23 – No further update.</p> <p>5/12/23 to 07/02/24 – Draft report to go to the Nambucca Rivers, Creeks, Estuaries and Coastline Committee – 15 February 2024.</p> <p>20/02/24 – 15/04/24 – Item deferred to 15 May Nambucca Valley Catchments and</p>

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					Coastline Committee meeting.
SEPTEMBER 2023					
9	SF2278	28/09/23	Electric Vehicle (EV) Charging Stations That Council: 2 Consider all alternate locations including Nambucca Heads as a focus point (Main Street, Anzac Park near the garden centre, Bellwood Park and V-Wall). 3 Investigate grant funding opportunities for paid EV Chargers	MDE	04/10/23 – No further update. 18/10/23 to 6/2/24 – Staff are investigating suggested sites. 6/2/24 – Possible grant funding through “Community Energy Upgrades Fund Round 1” \$100m of funding over 2 funding rounds ran over 3 years from 2024/25, must be completed by March 2027. Council must contribute to 50% of the costs of the total project. Council staff to make submissions. 21/2/24-6/03/24 – No further update. 20/3/24-17/04/24 – To be reported to a May meeting.
10	SF3190	28/09/23	Warrell Creek land Lots 9, 17 and 18 DP 884316: 2 Issue letters to relevant parties advising that Council will not be proceeding with the subdivision as originally planned and will not be proceeding to contract for the sale of land 3 Survey the land boundaries with Lot 1 DP 374127 and Lot 6 DP 748478 to identify if there are any encroachments from these lots. 4 Report the findings of the encroachment survey to Council with options for the potential subdivision of the land.	DCS	04/10/23 – No further update 18/10/23 - AGM and AMED to prepare and hand deliver letters to current landowners advising Council will not be progressing to contract for sale of earlier proposed lots, and staff are currently attending to further survey of the land to inform subdivision options to be presented to Council as per resolution. 02/11/23 – AMED phoned affected landowners to advise situation and delivered letters in confirmation of Council not proceeding to contract of sale. Review of the subdivision plan by internal stakeholders completed and 3 options are being sketched to bring through the Land Development Committee, then brought to Council for direction on which option to proceed with. 22/11/23 – report on northern Lot subdivision to 30 November Council Meeting. 05/12/2023 – Subdivision options presented to Land Development Committee 30 November and Committee chose Option 1. Staff to proceed to draft subdivision in accordance with chosen option and bring back to Council for resolution to proceed further. Report on northern lots deferred from Council meeting of 30 November and will be brought to Council meeting of 14 December accordingly. 10/01/24 – Investigation progressing on southern lots 01/02/24 – Investigation continuing, requested information on OSSM.

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					<p>05/02/24 - Meeting with OSSM consultant scheduled early February to define lot size/shape possibilities</p> <p>20/02/24 – Final report expected from Consultant by end of February, then report can be prepared for subsequent Council meeting.</p> <p>04/03/24 – 20/03/24 Final OSSM report not yet received. Issues around existing property encroachments being reviewed. Solutions being sought.</p> <p>02/04/2024 to 16/04/24 – No further update.</p>
OCTOBER 2023					
11	SF3303	26/10/23	<p>Request for funding for funding allocation - Design of Shared Pathway - Hyland Park to Mann Street</p> <p>THAT:</p> <p>1 If staff can identify sufficient available funds in reserves or the adopted 2023/2024 budget Council allocate those funds at the September 2023 Quarterly Budget Review to engage an external consultancy to prepare a design for a shared pathway from Hyland Park to Mann Street, Nambucca Heads.</p> <p>2 When a new round of Transport for NSW's Get NSW Active program opens or any other suitable grant funding opportunity arises Council apply for funding for an external consultancy to prepare a design for a shared pathway between Hyland Park and Mann Street, Nambucca Heads.</p> <p>3 If sufficient funding cannot be identified in reserves or the current budget and no new grant funding opportunity has opened or if a grant funding application remains undetermined or has been unsuccessful Council consider a funding allocation in the 2024/2025 budget to engage external consultants to design a shared pathway between Hyland Park and Mann Street, Nambucca Heads.</p>	CFO	<p>06/11/23 – No reserve funds or unallocated funds available in the budget. Council will be applying for grant funds through the "Get NSW Active" program that opened on 31/10/23 for the design of the cycleway.</p> <p>22/11/23 – Council receiving ongoing letters of support and quotations received for survey design. Application to be lodged in December 2023.</p> <p>5/12/23 – Application will be made prior to 12 December 2023 through NSW Get Active program.</p> <p>10/01/24 – Grant application made and budget bid to be added to 24/25 budget process.</p> <p>21/02/24-20/03/24 – No further update.</p> <p>20/03/24 – included in draft budget, waiting on adoption by Council.</p>

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			4 The design encompass multi modal trip for cycle friendly infrastructure.	DES	22/11/23 - Will be part of design if grant application is successful. 5/01/24 to 15/04/24 - no change.
DECEMBER 2023					
12	SF3190	14/12/23	<p>1 Approves the registration of the subdivision plan for Lots 9 and 10 DP 884342, Warrell Creek as submitted.</p> <p>2 Approves the preparation of the newly created proposed Lot 2 DP 657578 to market for sale, noting any negotiated sale to be brought back to Council for formal approval.</p>	DCS	<p>10/01/24 to 05/02/24 registration of subdivision underway as per Council resolution.</p> <p>20/02/24 to 20/03/24 – No change, registration process underway at NSW Land Registry Service.</p> <p>02/04/24-17/04/24 – No further update.</p>
JANUARY 2024					
13	PRF53	18/01/24	<p>River Street Toilet Block Relocation</p> <p>1 Adopt an alternate building footprint directly adjacent to the existing structure on the North Eastern side, as per Attachment B and;</p> <p>2 Engage an architect to progress the design of the proposed new amenities and report back to Council.</p>	DES	<p>6/2/24 to 06/03/24 - Planned layouts still being determined. Once complete, the architect will be engaged.</p> <p>20/03/24 – 3/04/24 Layout for the toilet block is still under development. Adopting learnings from the V-Wall Amenities upgrade documentation development with regards to compliance with the Disability Discrimination Act and specifically AS1428.1-2009 - Design for Access and mobility. Upon finalisation of the layout plans Architectural advice will then be sought regarding preliminary designs which align with the Macksville Foreshore Draft Concept Master Plan.</p> <p>15/04/24 – No further action.</p>
44	T006/2023	18/01/24	<p>Nambucca Valley Sporting Fields Subsoil Drainage Program</p> <p>1 Seek additional funds from future grants to complete the works to the small field of the EJ Biffin Playing Fields</p>	DES	<p>6/2/24 – Funding has been identified with LRCI phase 4 grant with some grant administration to be completed.</p> <p>21/02/24 to 3/04/24 – No change LRCI projects have not been finalised.</p> <p>15/04/24 – \$250K allocated in LRCI-4.</p>
FEBRUARY 2024					
15	SF3424	15/02/24	That subject to staff resources and workloads Council receive a report on the cost and benefits of accessing the Mid North Coast Joint Organisation's Simtable for our Community and how this might be achieved.	GM	21/02/24 to 17/04/24 – No further update.
MARCH 2024					
16	SF843	14/03/24	<p>Minutes of the Vehicular Access to Beaches Committee Meeting - 9 February 2024</p> <p>THAT Council:</p> <p>1 Note the minutes of the Vehicular Access to Beaches Committee meeting held on 9</p>	DES	

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			<p>February 2024:</p> <p>2 Approve the purchase of 4 motion-sensing cameras for the purpose of monitoring 4WD access on the beaches.</p> <p>3 Approve the installation of "keep clear" lettering immediately prior to the Swimming Creek bridge to enable emergency vehicle access.</p> <p>4 Alter the pedestrian access "access by design" to Swimming Creek by adding bollards and directional signage into the picnic area.</p> <p>5 Staff attend to the pruning of vegetation at Swimming Creek to improve visibility for both pedestrians and 4WD vehicles.</p> <p>6 Approve NPWS to install a "no dogs" sign on the western side of the end of Forsters Beach, Scotts Head.</p>		<p>03/04/24 cameras to be purchased. Anticipate being purchased and operational for April 2024 school holiday period.</p> <p>17/4/24 Cameras purchased.</p> <p>03/4/24 Contractor contacted and will provide a quotation (KW)</p> <p>17/04/24 completed.</p> <p>17/04/24 To be included in upcoming funded project.</p> <p>17/04/24 – to be followed up with staff.</p> <p>28/3/24 Sign has been installed.</p>
17	SF2911	28/03/24	<p>Termination of Licence Agreement to operate Nambucca Heads Visitor Information Centre and tourism marketing.</p> <p>3 Council receive a further report exploring options 2 and 3 and the proposal from the Valley Hub.</p>	CDO	<p>3/04/24 – no further update.</p> <p>15/04/24 – Report will be available for the 16 May Council meeting</p>
18	PRF73	28/03/24	<p>Nominations for Gaagal Wanggaan National Park Board of Management</p> <p>1 THAT Council seek two nominations from Councillors for each position of Member and Deputy on the Gaagal Wanggaan National Park Board of Management.</p> <p>2 THAT Council staff seek advice and notify all Councillors of the details of meeting times and frequency and any interested Councillor put forward their name prior to the next Council meeting for Council endorsement.</p>	GM	<p>3/04/24 – email sent to councillors requesting nominations and advising councillors of time and frequency of meetings.</p> <p>17/04/24 – no nominations received from Councillors, Council will need to nominate a representative – see report.</p>
19	SF1031	28/03/24	<p>Draft Land Acquisition Policy:</p> <p>When staffing resources permit, Council review the Policy and Procedures Framework Policy.</p>	DCS	<p>3/04/24 – To be placed on exhibition for 28 days by 12/04/24</p> <p>12/04/24 – draft policy on exhibition with written submissions being received up until 4pm on 10 May 2024.</p>

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APRIL 2024					
20	SF3422	11/04/24	<p>Request to Name side road and correct rural addressing</p> <p>1 Consult affected residents to name the side road that runs off Kosekai Road and seek their view on a preference of Wanbro, Dunggir and Mistake in that order or any other name they might suggest.</p> <p>2 Consult all affected residents on both the side road and Kosekai Road regarding correcting the rural road numbering to aid accurate location for visiting traffic and in particular emergency services.</p> <p>3 Subject to approval, install road naming signage and replace the rural road number signs for the affected owners.</p>	DES	17/04/24 – no update.
21	SF2381	11/04/24	<p>Horticulture within the Nambucca Valley</p> <p>Council forward a planning proposal to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which includes the following amendments to the Nambucca Local Environmental Plan 2010:</p> <p>a) The relocation of 'horticulture' from 'permitted without consent' in the land use table for the RU1 Primary Production and RU2 Rural Landscape zones to 'permitted with consent'.</p> <p>b) The inclusion of the RU1 Primary Production and RU2 Rural Landscape zones in Schedule 2 so that the specified forms of 'horticulture' become exempt development in the same manner that they currently are in the R5 Large Lot Residential zone and add the prohibition of structures to support the exempt horticultural activity.</p> <p>2 If the Minister determines that the matter should</p>	MDE	17/04/24 – Planning proposal to be drafted and sent to the Minister.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

			<p>proceed, Council staff undertake community consultation in accordance with the gateway determination.</p> <p>3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p> <p>Engage a formal meeting with The Hon. Mr Michael Kemp MP and any relevant Minister to pursue the opportunity for further funding for EPA, DPI, NRAR and any other regulatory body.</p>		
22	SF695	11/04/24	<p>Lease to Nambucca River Jockey Club</p> <p>1 Agrees to proceed with the offer of a new 21 year lease over Crown Land R540002 being Lot 75 DP 755549 known as the Bowraville Racecourse to the Nambucca River Jockey Club Ltd, being subject to a 28 day public exhibition period.</p> <p>2 Authorises the draft lease to the Nambucca River Jockey Club Ltd of Crown Land R540002 being Lot 75 DP 755549 known as the Bowraville Racecourse to be placed on public exhibition for not less than 28 days as per Section 38 of the Local Government Act 1993.</p> <p>3 Acknowledges a report will be brought back to Council addressing any submissions received during the public exhibition period requesting resolution to formalise the new lease.</p>	DCS	16/4/24 – will be placed on public exhibition 19 April 2024 for 28 days finishing 17 May 2024.
23	SF3477	11/04/24	<p>Valla Urban Growth Area Amendment</p> <p>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</p>	MDE	17/04/24 – Awaiting final maps for planning proposal before forwarding to Minister.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

			<p>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.</p> <p>2 If the Minister determines that the matter should proceed, Council staff undertake community consultation in accordance with the gateway determination.</p> <p>3 Following community consultation, Council staff report the planning proposal back to Council for consideration of any submissions received and a final decision as to whether Council will proceed to make the amended plan.</p>		
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ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER

**ITEM 9.2 PRF73 240424 COUNCIL NOMINATIONS FOR GAAGAL WANGGAAN
 NATIONAL PARK BOARD OF MANAGEMENT**

AUTHOR/ENQUIRIES: Bede Spannagle, General Manager

SUMMARY:

Nambucca Valley Council has received correspondence from NSW National Parks and Wildlife Service seeking two Council nominations each for a Member and a Deputy (alternate delegate if the Member is unavailable) to the Gaagal Wanggaan (South Beach) National Park Board of Management. (see attachment)

The four nominations will then be submitted to the relevant Minister who will select the Member and their Deputy.

The aim of the Board is to put strategies in place to protect and conserve the values of the park including preserving biodiversity, managing weeds, pest animals and other threats, conserving Aboriginal culture and managing fire.

RECOMMENDATION:

That Council nominate a Councillor for each position of Member and Deputy on the Gaagal Wanggaan National Park Board of Management.

OPTIONS:

Council has the option of whether or not to put forward the requested nominations.

BACKGROUND:

Council is currently represented on the Gaagal Wanggaan (South Beach) National Parks Board of Management by the late Councillor Trevor Ballangarry as the Board Member and Councillor John Wilson as the Deputy Member.

A previous report has been to Council requesting nominations and the General Manager further emailed Councillors with the detailed requirements of the board position and a request for nominations on 4 April 2024.

DISCUSSION:

Council provides 2 nominations for Member and 2 nominations for Deputy, all nominees need to provide a current resume. NPWS assesses the nominees and makes a recommendation to the Minister for the appointment of a Member and Deputy. The Minister decides on the appointments and recommends the appointments to Cabinet.

There is no nomination form as such - what they need from Council is:

- A letter confirming the 2 nominations for Member and the 2 nominations for Deputy;
- A personal details contact form for each nominee;
- A resume for each nominee.

NPWS prepares an appointment pack and briefing note that goes to the Minister to appoint the nominees at the Minister's discretion."

ITEM 9.2 COUNCIL NOMINATIONS FOR GAAGAL WANGGAAN NATIONAL PARK BOARD OF MANAGEMENT

CONSULTATION:

N/A

SUSTAINABILITY ASSESSMENT:

Environment

There are no implications for the environment.

Social

The Board of Management provides the opportunity for improved social and economic outcomes for Aboriginal people through the operations of the Gaagal Wanggaan National Park.

Economic

The Board of Management provides the opportunity for improved social and economic outcomes for Aboriginal people through the operations of the National Park.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
No nominations	L	L	Encourage representation	L

Delivery Program Action

CE12 - Support community organisations undertaking natural resource management

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Nil

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

N/A

ATTACHMENTS:

- 1 68716/2023 - NPWS - Request for nominations for Gaagal Wanggaan National Park Board of Management - due 17 May 2024

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.1 SF731 240424 COMMUNITY IMPROVEMENT DISTRICTS - DRAFT BILL - CONSULTATION

AUTHOR/ENQUIRIES: Matthew Sykes, Director Corporate Services

SUMMARY:

A community improvement district (CID) is a place-based partnership between local government and community, led by local business, to support and grow local economies, town centres and main streets. CIDs deliver services to local businesses that supplement those provided by councils or government agencies.

The NSW Government has now developed draft legislation to establish CIDs in NSW. This responds to early policy analysis, as well as the government's recently announced vibrancy reforms to encourage a vibrant and safe 24-hour economy in NSW.

Local Government New South Wales (LGNSW) is preparing a submission in response to Transport for NSW's (TfNSW) 'Have-your-say consultation on draft Bill and Guide on Community Improvement Districts (CIDs)' (**see attached** 'A Guide to the Draft Community Improvement Districts Bill - December 2023').

The consultation period in relation to the draft bill closes on Friday 10 May 2024.

RECOMMENDATION:

THAT Council;

- 1 Make a submission to Transport for New South Wales for the draft Bill and Guide on Community Improvement Districts.**
- 2 Support the Local Government New South Wales submission to the draft Bill and Guide on Community Improvement Districts.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option – vary the content of Council's submission to the LGNSW submission.

BACKGROUND:

In September 2022, TfNSW released a White Paper on CIDs (formerly named Business Improvement Districts) to outline the potential of improvement district policy in NSW and reforms required to streamline their establishment. TfNSW argued the case for change, started the process of engagement with the community and stakeholders, and sought public feedback around how improvement districts could be established.

In February 2023, TfNSW released a Policy Paper on 'Next Steps for Business Improvement Districts'. The Policy Paper addressed community and stakeholder feedback on improvement districts prompted by the White Paper, identified a key set of principles, or policy objectives, for future improvement district policy and introduced the CID Pilot Program (**see attached** re CID Pilot Program Guidelines).

The CID Pilot Program (a \$2.75 million grant program led by the NSW Government to deliver trial CIDs across NSW that test the viability of diverse governance models and strengthen local place economy) is now underway, with stage 2 of the application process recently closing. The Pilot Program will build an evidence base, through insights, evaluation and testing of a range of models, to inform the development of CID policy. In addition to public feedback on the draft Bill, initial learnings from the CID Pilot Program may help shape the final CID legislation.

ITEM 10.1 COMMUNITY IMPROVEMENT DISTRICTS - DRAFT BILL - CONSULTATION

Successful applicants for the CID Pilot Program are due to be announced in 2024. The NSW Government intends to have CID legislation in place before the CID Pilot Program concludes to enable successful applicants to use the legislation to establish a CID.

The NSW Government encourages feedback on the draft Bill from all stakeholders with an interest in CIDs or how CIDs may interact with our community. For more information on how stakeholders can have their say on CIDs they can visit the Community Improvement Districts webpage at www.transport.nsw.gov.au/communityimprovementdistricts

DISCUSSION:

A CID entity is a person who provides or undertakes services, activities or projects in a CID in accordance with an approved CID proposal. Section 9(a) of the draft Bill provides for the regulations to specify the classes of persons who may be recognised as CID entities. This may include:

- an incorporated association within NSW with core functions in place management, economic development, town improvement, tourism or similar (e.g., chamber of commerce or business association).
- a company limited by guarantee within NSW with core functions in place management, economic development, town improvement, tourism or similar (e.g., high street/main street association or centre management company).

The following functions are proposed for CID entities in the draft Bill:

- to prepare CID proposals to submit to the CID Regulatory Authority (section 10);
- to receive funds from the CID Regulatory Authority Fund* to deliver the services, projects or activities the subject of an approved CID proposal (section 21); and
- to enter into contracts or other formal arrangements with the CID Regulatory Authority to deliver approved CID proposals (to ensure the CID entity is accountable to the Authority to deliver on the actions set out in the proposal) (section 7(g)).

* The CID Regulatory Authority Fund is proposed to be managed by the CID Regulatory Authority. All levies, fees, charges, and other money received by the CID Regulatory Authority would be payable into the CID Regulatory Authority Fund.

The CID Regulatory Authority is proposed to be established within the NSW Government to manage the regulation of CIDs.

The draft Bill provides that regulations may also be made dealing with the following matters relating to CID entities (section 9(b)–(f)):

- governance, operational and reporting requirements for CID entities to comply with;
- any consultation that CID entities must undertake in relation to CID proposals and/or when delivering on services, activities or projects outlined in the CID proposal;
- requirements for CID entities to provide ways to gain constituent and community feedback;
- what happens when a CID entity becomes insolvent, goes into liquidation or dissolves; and
- what happens if a CID entity fails to deliver an approved CID proposal.

The types of services, activities or projects could be proposed in a CID proposal include:

- Events, marketing, and promotions to activate and revitalise place.
- Safety and security services, cleaning services and environmental and amenity improvements.
- Data analysis and market research.
- Activities and projects to improve access, mobility, and connectivity in a CID.

Section 10(4) of the draft Bill requires a CID entity to consult with relevant local councils, relevant Local Aboriginal Land Councils, and specified NSW Government land management agencies (as applicable) before submitting a CID proposal. The regulations may prescribe additional persons or bodies that must be consulted. Local council(s) should be engaged early and ongoing as the CID proposal develops. An

ITEM 10.1 COMMUNITY IMPROVEMENT DISTRICTS - DRAFT BILL - CONSULTATION

example of a benefit of early and ongoing engagement with local council is to understand Council's upcoming and future strategic plans (i.e. Community Strategic Plan, Masterplan's etc.) for the area and ensure that improvements proposed by the CID are supplementary to these works.

LGNSW have stated in a LGNSW Economic Development Network post on 4 April 2024 that:

In general, LGNSW understands that councils are broadly supportive of CIDs (previously referred to as BIDs - business improvement districts), with the following precautions to be noted:

- *CIDs should not be established without council approval (in addition to support secured from businesses and property owners).*
- *Council support must be voluntary.*
- *The CID levy may encroach on council rates and impact the capacity of and/or willingness of owners of property subject to the CID, to pay rates.*
- *Concern about the creation of new and additional regulatory and taxing bodies within a local government area, plus the creation of a CID Authority at the State level.*
- *Concern about the potential for local CIDs to be hijacked as a political vehicle by motivated individuals*
- *Potential conflicts between CID Committees and councils and disputes between Committee members.*
- *Concern that a large proportion of the funds raised by the CID levy will be absorbed by administration fees and project officer salaries.*
- *CIDs exclude residential property but town centres often have shop-top residential above commercial uses – Councils don't want to see CID levies passed on to residents who are rated separately.*

LGNSW wants to ensure their submission aligns with feedback from councils.

CONSULTATION:

LGNSW

SUSTAINABILITY ASSESSMENT:

Environment

Nil

Social

Potential for local CIDs to be hijacked as a political vehicle by motivated individuals.

Economic

New and additional regulatory and taxing bodies will have negative financial and operational impacts on local businesses, and the cost of these bodies to the business may not be able to be passed on to customers due to current high cost of living expenses.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Financial – impact the capacity of and/or willingness of owners of property subject to the CID, to pay rates	TBD - Dependant the amount of the levy	Cash flow impact TBD	Prepare a submission to TfNSW outlining this potential impact	Further investigation required if levy is approved.

ITEM 10.1 COMMUNITY IMPROVEMENT DISTRICTS - DRAFT BILL - CONSULTATION

Delivery Program Action

PP2 - Liaise with local business and State and Federal Government agencies to promote economic and regional development

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

The CID levy may encroach on council rates and impact the capacity of and/or willingness of owners of property subject to the CID, to pay rates. At this stage impact on budget cannot be determined.

Working funds – justification for urgency and cumulative impact

As above.



Impacts on 10 Year Long Term Financial Plan

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

Service level changes and resourcing/staff implications

Additional workload to Council if Council approval of CID's required.

ATTACHMENTS:

- 1  17425/2024 - TfNSW Guide to Community Improvement Districts Bill
- 2  17619/2024 - Community-Improvement-District-Pilot-Program-Guidelines

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.2 SF84 240424 REFORMING THE EMERGENCY SERVICES FUNDING SYSTEM - CONSULTATION PAPER

AUTHOR/ENQUIRIES: Matthew Sykes, Director Corporate Services

SUMMARY:

The NSW Government has committed to reform the funding of emergency services to resource the state government's fight against the increasing instances of natural disasters, and to more fairly spread the costs among property owners.

Along those lines on 16 November 2023, the NSW Government announced the three key objectives of the reform process for the State's emergency services funding:

1. Reduce insurance costs for households by spreading the levy across all property owners.
2. Protect pensioners and vulnerable members of the community.
3. Ensure a revenue-neutral model that sustainably funds our emergency services agencies.

The **attached** Emergency Services Funding Reform – Consultation Paper published on 10 April 2024, is according to the NSW Government the beginning of public consultations to inform the design, scope, features and transition arrangements of a reformed Emergency Services Levy (ESL).

The NSW Government is seeking submissions to the consultation paper with submissions open until 22 May 2024.

Recommended feedback on all of the questions raised in the consultation paper is provided in the discussion section of this report.

RECOMMENDATION:

That Council;

- 1 **Makes a submission to the Emergency Services Funding Reform – Consultation Paper.**
- 2 **Provide any feedback for inclusion in the Council submission to the Director Corporate Services by 15 May 2024.**

OPTIONS:

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

BACKGROUND:

On 16 November 2023, the NSW Government announced its commitment to reform the State's emergency services funding with three key objectives:

1. Reduce insurance costs for households by spreading the levy across all property owners.
2. Protect pensioners and vulnerable members of the community.
3. Ensure a revenue-neutral model that sustainably funds our emergency services agencies.

The current ESL on insurance funds services that benefit everyone but are only paid by some as not all property owners take out insurance or underinsure.

The existing ESL increases insurance premiums in NSW by about 18 per cent for residential property and about 34 per cent for commercial property.

The ESL funding requirements for emergency services increases with climate change and the growing instances of natural disasters, making insurance more unaffordable.

ITEM 10.2 REFORMING THE EMERGENCY SERVICES FUNDING SYSTEM - CONSULTATION PAPER

Rising insurance premiums increase the cost of living for households and leads to underinsurance or an increasing number of households left at risk.

With natural disasters becoming more frequent, intense and unpredictable, the need for emergency prevention and response is growing. Finding a sustainable, broad and fair system is vital to ensuring the best emergency services to protect everyone.

DISCUSSION:

Previously a property-based Fire and Emergency Services Levy (similar to those that operate successfully in other states) was proposed to commence 1 July 2017, and the proposal progressed to the point of Councils receiving some funding to implement the change, and then the government of the day stopped the change from being implemented.

The NSW Government has commenced another process for Emergency Services Funding Reform which includes the production of a consultation paper. The NSW Government would like feedback on any or all of the following questions raised in this consultation paper:

1. Do you agree with the design principles of cost recovery, equity, efficiency, simplicity and sustainability for the replacement levy?

Council Response:

Yes. Getting rid of the current ESL that applies to all insurance policies meaning even those who do not insure, will be making a positive contribution to the important Emergency Services functions provided in our communities via this levy. However, if Councils will still have to pay their current 11.7% Emergency Services contribution plus the new ESL on all Council owned property this will create an additional financial burden on Council potentially impacting service provision.

2. Which of the four revenue base models – capital improved values, unimproved land values, gross rental values and a fixed charges model – should be used to design the replacement levy?

Council Response:

Capital improved values (CIV's) should be used as the protection provided by the emergency services to the community is to cover capital values and not only land values. By capturing capital improved values for ESL purposes these could also then be used for local government rating purposes also.

3. Which of the current revenue sources for emergency services agencies should be replaced?

All sources as it makes sense to have a cost recovery model being charged and recovered from one source instead of four sources for efficiency reasons.

Council Response:

4. Should different levy rates be applied to:

- different property types, such as residential, commercial or farmland, or
- properties in different locations?

Council Response:

For the sake of simplicity per question 1 having one levy based on CIV's is the most efficient

5. What protections are necessary for pensioners and other vulnerable cohorts?

A rebate similar to the local government rates pensioner rebate could be made available to offset some of the costs for pensioners. Additionally, deferments could be built into a policy/procedure for pensioners and hardship, which could have the final step being deferment until sold.

ITEM 10.2 REFORMING THE EMERGENCY SERVICES FUNDING SYSTEM - CONSULTATION PAPER

Council Response:

6. How should a levy collected each year reflect changing funding needs for emergency services?

Based on a cost recovery system the levy should be amended each financial year to the budgeted emergency services requirements. Alternatively, depending on the systems infrastructure available a quarterly levy could be run to better meet the ever changing services demands.

Council Response:

7. Should revenue from a replacement levy be collected by local governments or by the State Government through Revenue NSW?

Council Response:

If local government is to collect the levy then councils should be able to fully recover costs associated with the collection function (all reasonable start-up and ongoing costs).

The ESL should also be shown separately from Council rates, clearly itemised and identified as an NSW Government levy.

So as not to impact Council liquidity, Council rates should have priority over the ESL in debt recovery and Councils should not have to bear the risk of non-payment (liability remaining with the property owner).

There is equity in everyone contributing to the ESL but Council does not want to see local Government being faced with yet another administrative burden and "cost shift".

8. What arrangements should be put in place to ensure that the removal of the current Emergency Services Levy is passed on in lower insurance premiums? How long should the transition take? What other transitional arrangements should be considered for the reform?

Council Response:

Monitoring of pre and post ESL insurance premiums should be tracked for several years and compared to market trends (CPI). The new ESL should commence at the start of a financial year with 1 July 2025 being the earliest commencement date (provided sufficient notification to impacted parties is possible) so as to allow sufficient opportunity for system and process changes to be made and for financial impacts to be budgeted.

CONSULTATION:

Rates Officer
Chief Financial Officer

SUSTAINABILITY ASSESSMENT:**Environment**

Nil

Social

Nil

Economic

Nil

ITEM 10.2 REFORMING THE EMERGENCY SERVICES FUNDING SYSTEM - CONSULTATION PAPER

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Financial risk if councils are still expected to contribute 11.7% of the emergency services funding.	M	M	Make a submission to the State Governments consultation paper.	M

Delivery Program Action

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

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

No financial impact of the submission.

Working funds – justification for urgency and cumulative impact

As above.

Impacts on 10 Year Long Term Financial Plan

As above.

Service level changes and resourcing/staff implications

If the revenue from a replacement levy is to be collected by local governments it will increase staff workloads.

ATTACHMENTS:

1  17816/2024 - Emergency Services Funding Reform - Consultation Paper

DIRECTOR CORPORATE SERVICES REPORT

ITEM 10.3 SF3328 240424 DRAFT 2024/25 ANNUAL BUDGET, DRAFT 2024/25 - 2033/34 LONG TERM FINANCIAL PLAN, DRAFT 2024/25 REVENUE POLICY AND THE DRAFT 2024/25 SCHEDULE OF FEES & CHARGES

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

In order to meet the 28-day public exhibition period and allow time for consideration of any submissions the Draft 2024/25 Annual Budget, Draft 2024/25-2033/34 Long Term Financial Plan, Draft 2024/25 Revenue Policy and the Draft 2024/25 Schedule of Fees & Charges are recommended for adoption by Council and to be placed on public exhibition, subject to any further changes by Council.

Councillors and staff can still recommend further changes during the 28-day exhibition period and submit these to the 13 June 2024 Council Meeting in the form of a submission.

RECOMMENDATION:

That Council;

- 1 Adopts the Draft 2024/25 Annual Budget, Draft 2024/25-2033/34 Long Term Financial Plan, Draft 2024/25 Revenue Policy and the Draft 2024/25 Schedule of Fees & Charges.**
- 2 Place the documents on public exhibition for 28 days.**

OPTIONS:

- 1 Proposed recommendation
- 2 Amend the plans

DISCUSSION:

The Draft Budget for 2024/25 financial year shows strong evidence of the Council's sound fiscal management while delivering the resources and infrastructure needed to meet the demands of a growing coastal and rural area of the Nambucca Valley.

Council's sound fiscal management has resulted in:

- A reduction in the cash operating deficit of \$260k in 2023/24 to an operating cash surplus of \$29k in 2024/25.
- Improvement in the Consolidated Funds Operating result before capital from a deficit of \$611k 2023/24 to a surplus of \$970k in 2024/25. With surpluses forecasted in the future years.
- Forecasted Cash and Investment holdings ensures Council has sufficient cash to meet operational and capital requirements.
- No new loan borrowings in 2024/25, the first time in over 15 years.
- Improvements in interest revenue returns.
- \$10.4m worth of Capital Works funded in the budget.
- Council's Consolidated Funds meet the Office of Local Government (OLG) benchmarks for the Operating Performance Ratio, Own Source Operating Revenue Ratio and Debt Service Cover Ratio.

ITEM 10.3 DRAFT 2024/25 ANNUAL BUDGET, DRAFT 2024/25 - 2033/34 LONG TERM FINANCIAL PLAN, DRAFT 2024/25 REVENUE POLICY AND THE DRAFT 2024/25 SCHEDULE OF FEES & CHARGES

Operating Result

The Draft Operating Result proposes a consolidated funds operating surplus (before capital) of \$970k for the 2024/25 financial year.

The distribution across the funds is as follows with the table also showing the draft operating result over the subsequent 9 years.

Year	General	Water	Sewer	Consolidated
2024/25	\$268,022	\$60,690	\$602,086	\$970,798
2025/26	\$124,007	\$536,199	\$957,234	\$1,658,440
2026/27	\$316,880	\$590,164	\$866,721	\$1,815,790
2027/28	\$578,255	\$820,223	\$1,072,106	\$2,513,659
2028/29	\$634,677	\$1,079,060	\$1,343,595	\$3,101,484
2029/30	\$1,097,365	\$1,344,127	\$1,762,628	\$4,249,376
2030/31	\$1,367,590	\$1,486,100	\$1,815,796	\$4,715,874
2031/32	\$1,581,958	\$1,751,526	\$1,932,086	\$5,313,117
2032/33	\$1,748,284	\$2,026,086	\$2,145,561	\$5,968,667
2033/34	\$2,023,348	\$2,683,018	\$2,611,090	\$7,367,411

Capital Budget

Council is intending to deliver a Capital works program for the 2024/25 financial year of \$10.4m as per the table below: -

Fund	2024/2025 Budget
General	\$7.3m
Water	\$1.1m
Sewer	\$2.1m

Rating

IPART have set the Rate Peg at 4.5% for the 2024/25 financial year. The overall impact on the budget will be an increase of \$615k.

The average Typical Residential assessment will increase by \$1.54 per week or \$80 per annum.

Please note that the above total does not include water and sewer charges which are billed separately.

Proposed increases in rates, water and sewer fees and charges are shown below and are based on long term financial models that ensure the future capital needs and operating costs can continue to be met.

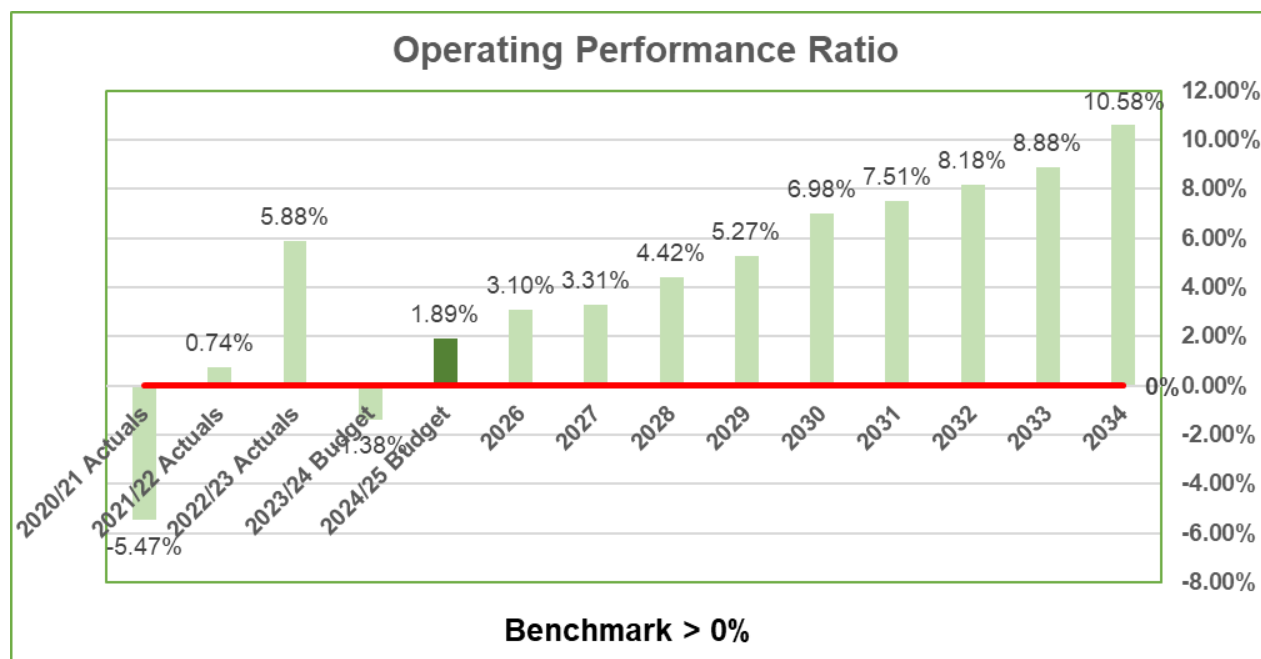
	2024/25	2025/26	2026 onwards
Rates	4.5%	3%	3%
Water	10%	10%	5%
Sewer	10%	10%	5%

ITEM 10.3 DRAFT 2024/25 ANNUAL BUDGET, DRAFT 2024/25 - 2033/34 LONG TERM FINANCIAL PLAN, DRAFT 2024/25 REVENUE POLICY AND THE DRAFT 2024/25 SCHEDULE OF FEES & CHARGES

Financial Ratios

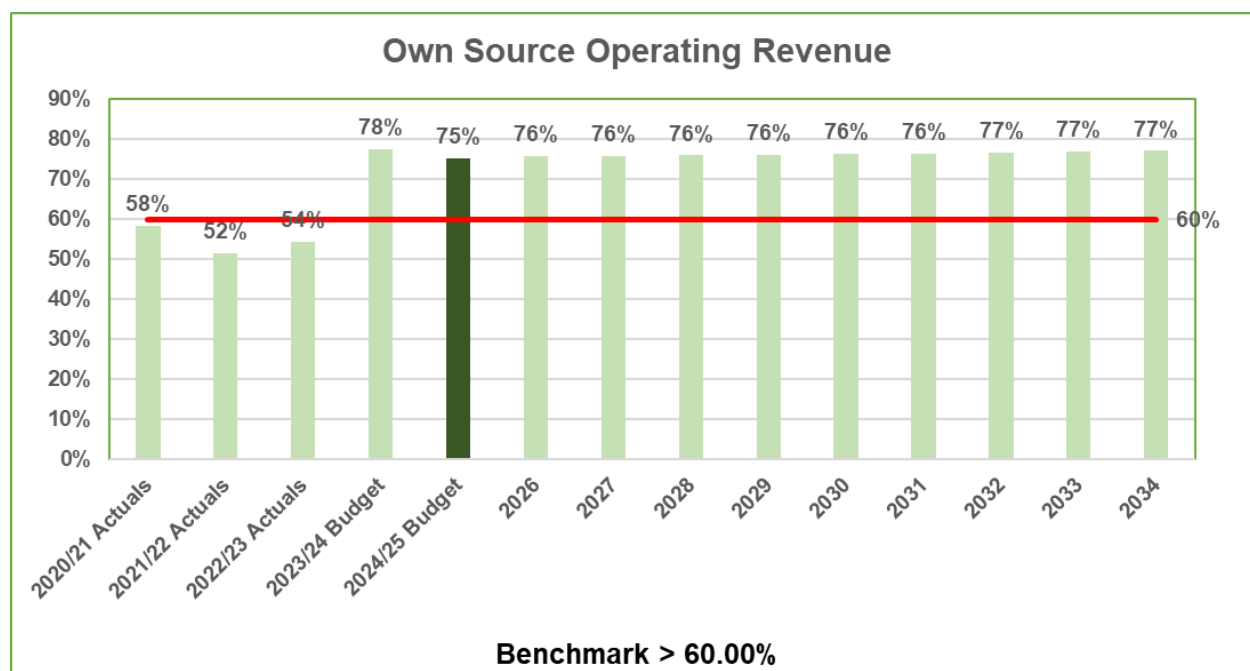
Operating Performance Ratio

The operating performance ratio measures how well council contains its expenditure within its operating revenue. The benchmark set by the OLG is greater than zero per cent. Council meets this benchmark for 2024/2025 budget.



Own Source Operating Revenue

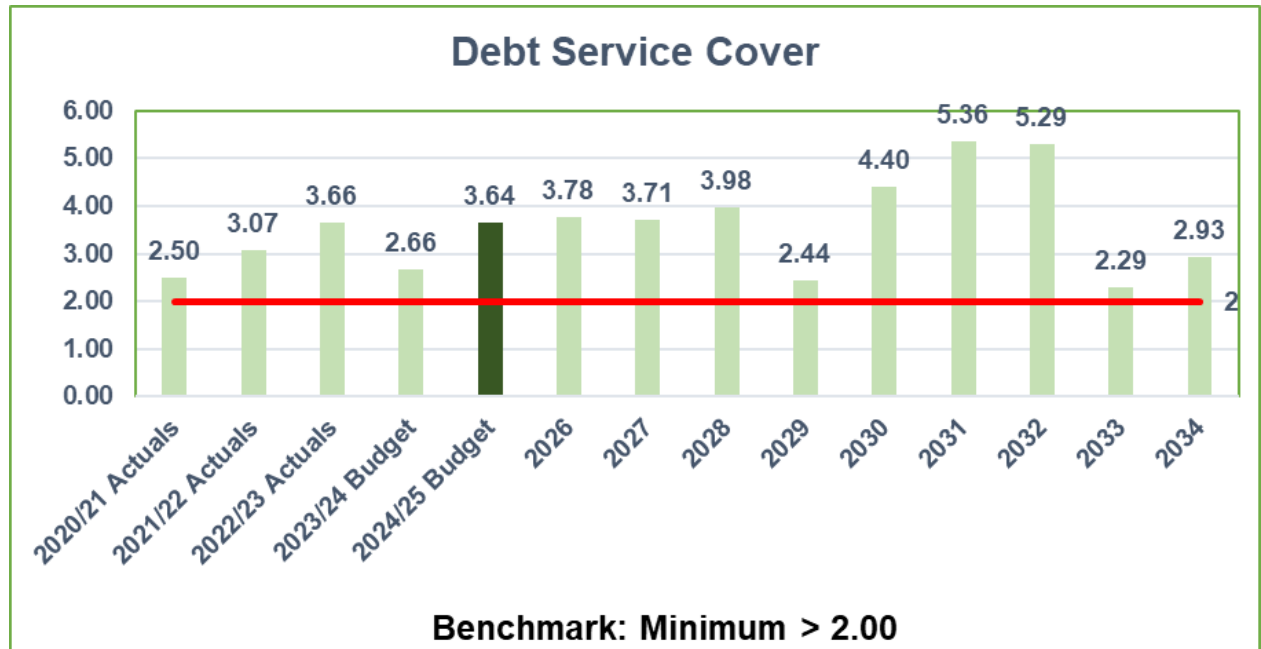
The own source revenue ratio measures council's fiscal flexibility and the degree to which it relies on external funding sources such as operating grants and contributions. The benchmark set by the OLG is greater than 60 per cent. Council meets this benchmark for 2024/2025.



ITEM 10.3 DRAFT 2024/25 ANNUAL BUDGET, DRAFT 2024/25 - 2033/34 LONG TERM FINANCIAL PLAN, DRAFT 2024/25 REVENUE POLICY AND THE DRAFT 2024/25 SCHEDULE OF FEES & CHARGES

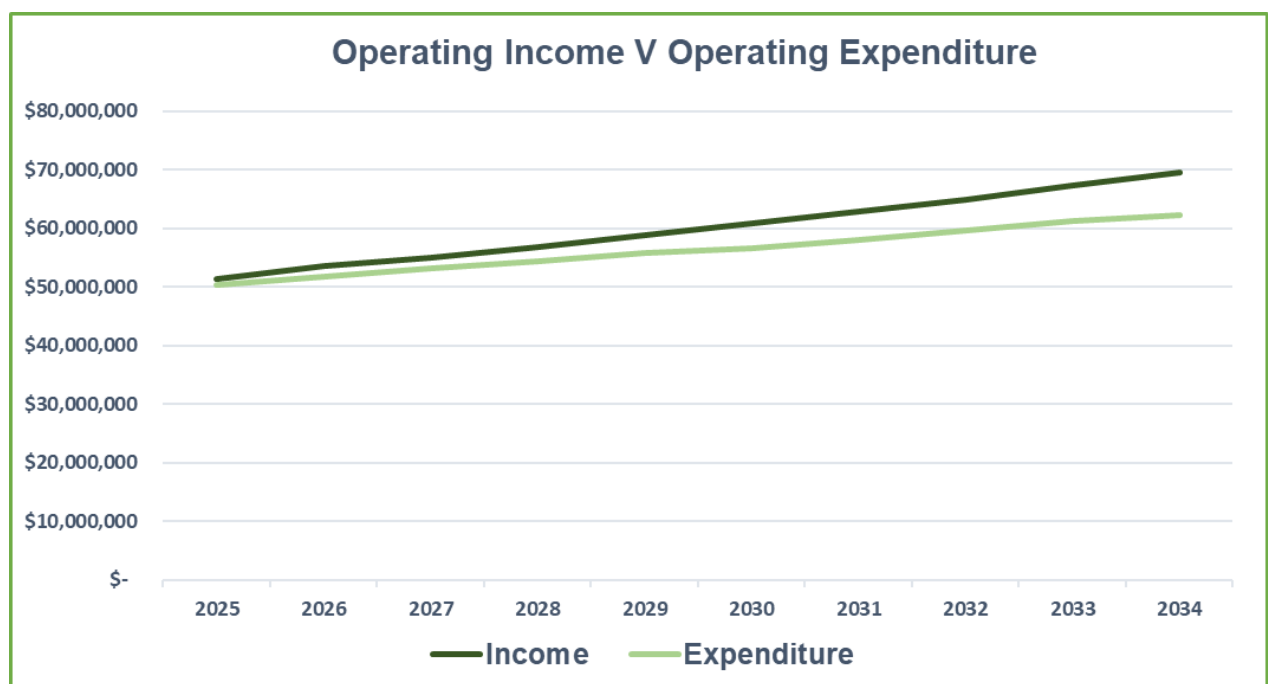
Debt Service Cover Ratio

The purpose of this ratio is to measure the availability of operating cash to service debt including interest and principal repayments. Council meets this benchmark for the 2024/2025 year.



Long Term Operating Result

Over the 10-year long term financial plan, Council can maintain its Operating Income to its Operating Expenditure, showing that council will be financially sustainable long term.



ITEM 10.3 DRAFT 2024/25 ANNUAL BUDGET, DRAFT 2024/25 - 2033/34 LONG TERM FINANCIAL PLAN, DRAFT 2024/25 REVENUE POLICY AND THE DRAFT 2024/25 SCHEDULE OF FEES & CHARGES

2024/25 2033/34 Long Term Financial Plan

The Long Term Financial Plan (LTFP) provides the financial plans and forecasts for the next 10 years. The LTFP is based on a set of assumptions which is used to forecast Council's long term financial position. The LTFP is attached to this report.

2024/25 Statement of Revenue Policy

The objective of the Revenue Policy is to meet statutory requirements, to establish the total revenue required to fund Council's activities and to identify the revenue sources available to Council. The Statement of Revenue Policy is attached to this report.

2024/25 Fees and Charges

The Fees and Charges are a statutory reporting requirement to establish each individual fee and charge that Council charges. The Schedule of Fees and Charges is attached to this report.

CONSULTATION:

Councillors
General Manager
Director Corporate Services
Director Engineering Services
Management Accountant
Financial Accountant
Various other Staff

SUSTAINABILITY ASSESSMENT:

Environment

The implication for the environment is set out in the budget.

Social

The social implications are set out in the budget.

Economic

The implications for the local economy are set out in the budget.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
There are many risks pertaining to budgeting including accurate cost estimates, revenue estimates and aligning capital works projects with asset management plans.	M	M	In the current uncertain economic climate Council will continue to monitor conditions and adjust the budget accordingly. These will be subject to future reports to Council.	Completed

ITEM 10.3 DRAFT 2024/25 ANNUAL BUDGET, DRAFT 2024/25 - 2033/34 LONG TERM FINANCIAL PLAN, DRAFT 2024/25 REVENUE POLICY AND THE DRAFT 2024/25 SCHEDULE OF FEES & CHARGES

Delivery Program Action

CC5 - Identify and implement initiatives to improve financial sustainability

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

The draft 2023/24 Budget is currently disclosing a \$29K cash surplus and an Operating surplus prior to capital grants of \$970k. Future budget impacts are as indicated in the draft Long-Term Financial Plan.

Working funds – justification for urgency and cumulative impact

As above.





Impacts on 10 Year Long Term Financial Plan

As indicated in the 10 Year Long Term Financial Plan.

Service level changes and resourcing/staff implications

As indicated in the draft budget documents.

ATTACHMENTS:

- 1  18765/2024 - Draft 2024/25-Budget
- 2  18768/2024 - Draft 2024/25-2033/24 LTFP
- 3  16890/2024 - Draft 2024/25-Statement of Revenue Policy
- 4  18718/2024 - Draft 2024/25-Fees and Charges

DIRECTOR CORPORATE SERVICES REPORT

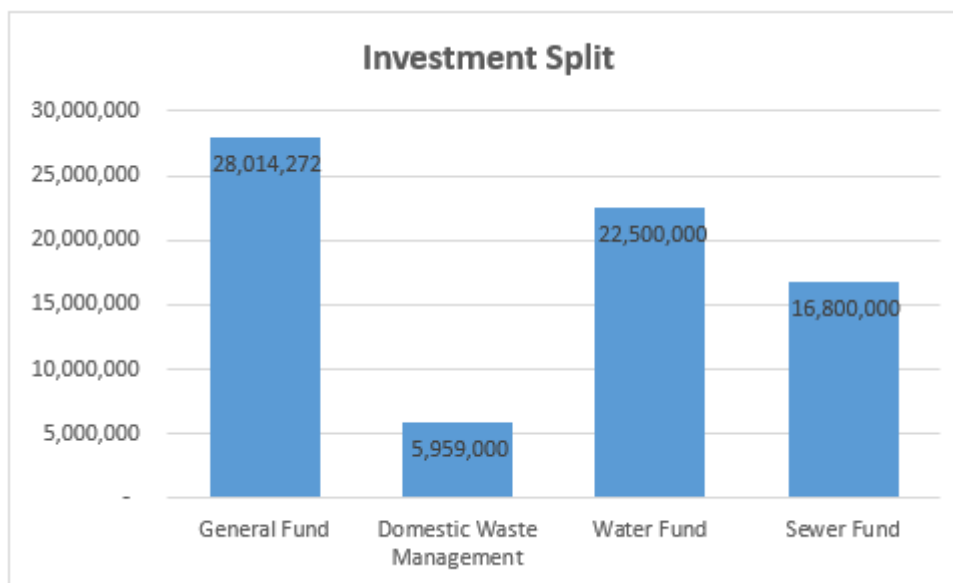
ITEM 10.4 SF3358 240424 INVESTMENT REPORT FOR MARCH 2024

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

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

Council's investments as at 31 March 2024 of \$73,273,272 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 Note the Chief Financial Officer's report on Investments for the period March 2024.**
- 2 Adopt the certification of the Responsible Accounting Officer for the period of March 2024.**

OPTIONS:

This report is for information only.

DISCUSSION:

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

ITEM 10.4 INVESTMENT REPORT FOR MARCH 2024

For the period March 2024, the investments held by Council in each fund is shown below:

Cash/On Call Accounts	\$4,595
TCorp	\$3,466,629
Floating Rate Notes	\$4,810,714
Fixed Bonds	\$4,491,334
Term Deposits	\$60,500,000
Total	\$73,273,272

Portfolio Performance

Council's total portfolio performance returned +0.44% in March, outperforming the benchmark AusBond Bank Bill index of +0.37%. On an annualised basis, the portfolio returned +5.25%p.a., outperforming the benchmark of +4.41%p.a. and the Official cash rate of 4.35%.

Council's Term deposit portfolio were yielding 4.20%p.a. for March an increase from February with maturing investments being reinvested above 4.5%.

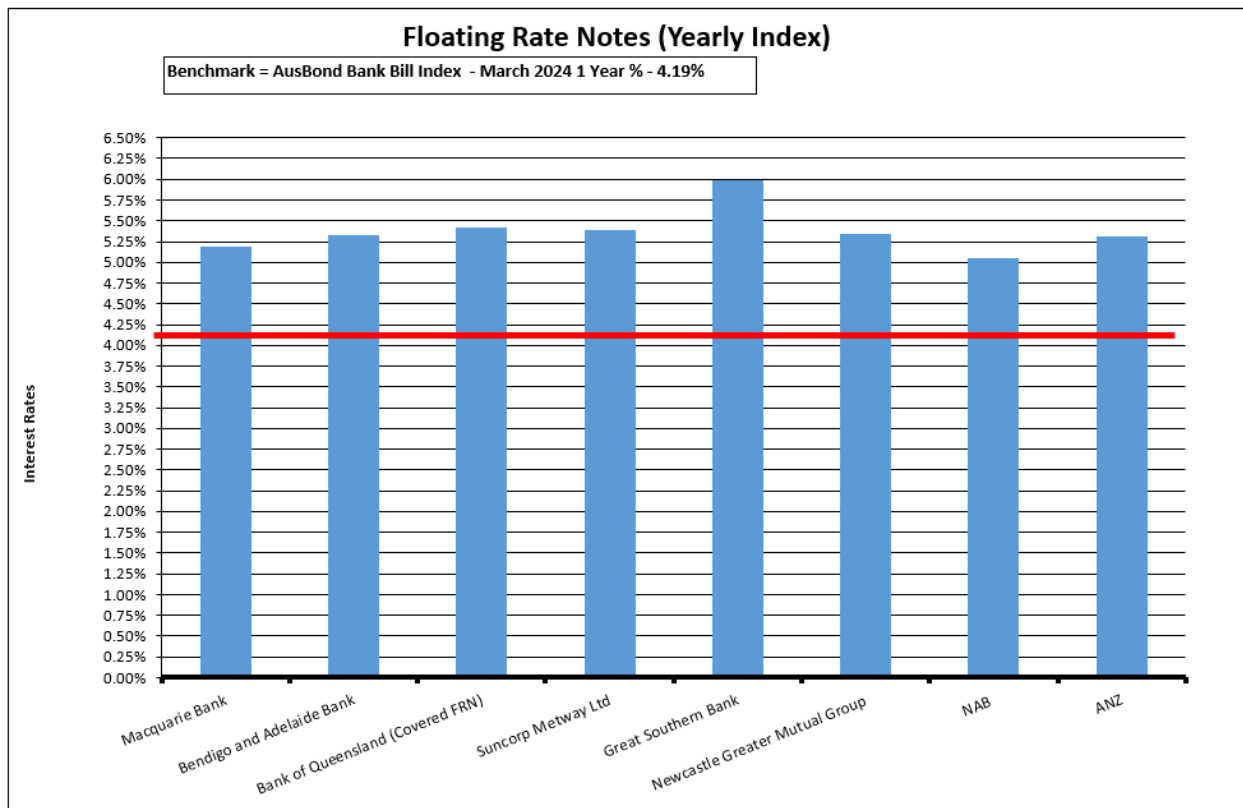
Council's Floating Rate Notes (FRN) portfolio are reported at current valuation being the "Capital Value", which can be different to the "Face Value" being the initial purchase value. FRN's are market driven and can change from month to month depending on market fluctuations. Council is holding some sub-optimal FRN investments and consideration will be taken to sell these in the coming months dependent on the market. ARLO investments recommend selling the Macquarie FRN next month.

Council invests in NSW TCorp Growth fund which invests in domestic and international shares providing modest gains this month. Funds held with TCorp are looked at with a long term view.

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

Retiring investments are being monitored closely and being reinvested to optimise their returns in line with Council's Investment Policy.

The following charts indicate Council's performance against the 1 year Actual AusBond Bank Bill Index.



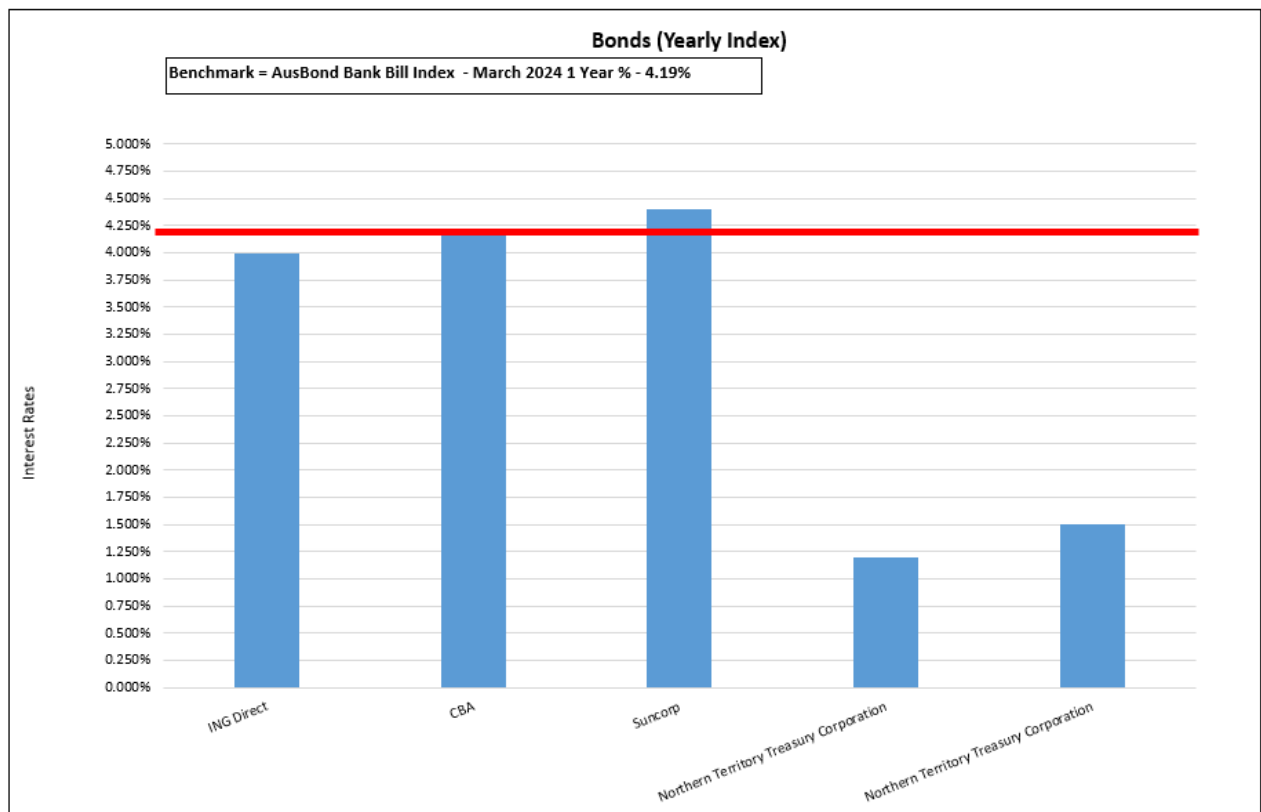
ITEM 10.4 INVESTMENT REPORT FOR MARCH 2024**Council's Investment Policy**

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

Table 1: Maturity – Term Limits**Maturity Compliance** as at 31/03/2024

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	19,204,594.79	26.21	3.00	100.00	54,068,676.83
✓	91 - 365 days	33,303,708.00	45.45	0.00	100.00	39,969,563.62
✓	1 - 2 years	11,993,454.00	16.37	0.00	70.00	39,297,836.14
✓	2 - 5 years	5,304,885.90	7.24	0.00	50.00	31,331,749.91
✓	5 - 10 years	3,466,628.93	4.73	0.00	25.00	14,851,688.97
TOTALS		73,273,271.62	100.00			

ITEM 10.4 INVESTMENT REPORT FOR MARCH 2024**Table 2: Credit Rating Limits****Credit Quality Compliance** as at 31/03/2024**Long Term Investments**

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AAA	998,372.50	1.36	100.00	72,274,899.12
✓	AA	34,800,884.90	47.49	100.00	38,472,386.72
✓	A	13,008,204.79	17.75	60.00	30,955,758.18
✓	BBB	20,999,180.50	28.66	45.00	11,973,791.73
✓	Unrated	3,466,628.93	4.73	18.00	9,722,559.96
TOTALS		73,273,271.62	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:**Environment**

There are no environmental implications.

Social

There are no social implications.

Economic

There are no economic implications.

Risk

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

"Over March, at the very short-end (3-5 months), the average major bank deposit rates were around 2-4bp higher compared to the previous month. In contrast, major bank deposit rates at the long-end fell between 10-20bp across the 2-5 year tenors. The longer-term rates are around 20-30bp lower across the board compared to where they were 6 months ago (September 2023), with rate cut expectations now gathering pace. With a global economic downturn and multiple interest rate cuts being priced starting later this year, investors should consider taking an 'insurance policy' against a potentially lower rate environment by investing across 2-5 year fixed deposits, targeting rates above or close to 4¼-5% p.a. (small allocation only)"

ITEM 10.4 INVESTMENT REPORT FOR MARCH 2024

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

The return on the investment portfolio will vary during the financial year, due to the volatility associated with interest rate fluctuations and the total amount of the investment portfolio. 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  16840/2024 - Investment Report March 2024
- 2  18402/2024 - Arlo Advisory Investment Report March 2024

DIRECTOR CORPORATE SERVICES REPORT

**ITEM 10.5 SF296 240424 NAMBUCCA VALLEY TOURIST ASSOCIATION
PERFORMANCE REPORT OCTOBER 2023 TO DECEMBER 2023**

AUTHOR/ENQUIRIES: Michael Grieve, Community Development Officer

SUMMARY:

The Nambucca Valley Tourist Association Incorporated (NVTa) is currently paid a licence fee by Nambucca Valley Council to market the destination and manage the Nambucca Valley Visitor Information Centre (VIC) which is located at 57 Riverside Drive (corner of Giinagay Way) Nambucca Heads. This agreement commenced September 2020 for a period of 5 years. As advised through a report to Council on 28 March 2024, the NVTa decided to terminate this licence agreement – effective from the 2nd April 2024.

One of the licence conditions is that the NVTa provides a quarterly performance report on activities undertaken and to provide financial statements. A copy of the NVTa Quarterly Report October 2023 to December 2023 is attached. A summary of the activities has been detailed within this report for Council's information.

RECOMMENDATION:

That Council note the Nambucca Valley Tourism Association Quarterly Performance Report for the period October 2023 to December 2023.

OPTIONS:

Nil

DISCUSSION:

The Licence Agreement between Nambucca Valley Council (NVC) and the NVTa requires (under Clause 6.2) a quarterly report containing the following:

6.2.1 *The performance report is to include, inter alia;*

- *Number of visitors to the VIC*
- *Hours of operation of the VIC*
- *A detailed Income and Expenditure statement including \$\$ spent on marketing and promotion*
- *Number of active/paid members of the NVTa*
- *Number of brochures distributed*
- *Steps taken towards VIC accreditation*
- *Number of "hits" on the tourism website maintained by the NVTa*
- *NVTa AGM Reports (annually) including Board membership*
- *The number of businesses/operators listed on Australian Tourism Data Warehouse and Meet in NSW compared to previous years (annually)*
- *Any other matters that the NVTa would like to include to better inform NVC of activities undertaken.*

Achievements and challenges outlined in the October to December 2023 quarter include:

- NVTa membership – the NVTa was having real difficulty attracting membership and support from local tourism operators.
- The NVTa noted that it has been difficult to differentiate themselves in the business community with other players like the business chambers and Valley Hub 'all needing a share of voice, all requiring commitment and involvement'.
- Volunteers have been essential for manning the VIC but it has been very difficult to recruit new volunteers since Covid-19.

ITEM 10.5 NAMBUCCA VALLEY TOURIST ASSOCIATION PERFORMANCE REPORT OCTOBER 2023 TO DECEMBER 2023

- Achieving the required 42 hours of operation in the line with VIC accreditation requirements has been very difficult due to the low number of volunteer hours.
- The VIC was repainted and promotional photos were installed to enhance the exterior appearance. A large painted map of the LGA was also included as part of the repaint.
- Visitor numbers for each month of the quarter were October - 314, November 395, and December 398. Total Visitors for quarter ended 31.12.23 was 1107

CONSULTATION:

Helena Smith NVTa Treasurer

SUSTAINABILITY ASSESSMENT:

Environment

Not applicable

Social

Not applicable

Economic

The activities of the NVTa aim to improve economic outcomes within the Nambucca Valley.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Council funds being used for non-tourism related purposes	Low	Low	A quarterly performance report from the NVTa.	Low
Lack of accreditation to operate a VIC	Medium	Low	The NVTa or an alternative operator be required to apply for VIC accreditation. Alternatively, NVC not operate an accredited VIC and remove branded signage.	Low

Delivery Program Action

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

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Licence fees paid to the NVTa (\$69,000) are included in Council's 2023/24 budget and are paid in quarterly instalments upon receipt of a quarterly performance report from the NVTa.

ITEM 10.5 NAMBUCCA VALLEY TOURIST ASSOCIATION PERFORMANCE REPORT OCTOBER 2023 TO DECEMBER 2023

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  17502/2024 - NVTa October to December 2023 Performance Report

DIRECTOR CORPORATE SERVICES REPORT**ITEM 10.6 SF3334 240424 DONATIONS PROGRAM (SECTION 356) 2023/2024 -
ADDITIONAL LATE APPLICATIONS FOR APPROVAL****AUTHOR/ENQUIRIES:** Teresa Boorer, Grants and Contributions Officer**SUMMARY:**

Council's Donations Program 2023/2024 accepted applications from 9 February 2024 to 1 March 2024, however there have now been an additional two (2) applications received outside the program timeframe.

The two (2) community groups and organisations submitted eligible applications that can be considered under the adopted Donations Policy, and there are enough funds remaining in the budget to accommodate the submitted requests.

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

This total of the additional submitted eligible applications total **\$1,000.00**.

Council has a total allocation of \$24,500 for 2023/2024, of which, to date, \$21,583.23 has been allocated (*an extract from Council's Donations Register is attached to this report*).

RECOMMENDATION:

That Council approves;

- 1 The donation to Scotts Head Community Group in the amount of \$500.00.**
- 2 The donation to Nambucca Valley Phoenix in the amount of \$500.00.**

OPTIONS:

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

DISCUSSION:**Donations Program Assessment**

Two (2) additional LATE applications, were received from community organisations outside the Donations Program (Section 356) 2023/2024, however all are eligible applications. The applications are summarised in the following table:

Section 356 Donation eligible Applications:

Organisation	Amount Requested	Contributing own funds	Donation Recommended	Use of funds
Scotts Head Community Group	\$500	Yes - \$250	\$500	Contribution towards cost of publishing "Scotts Head Wave" – local newsletter
Nambucca Valley Phoenix	\$500	Yes - \$500	\$500	Towards cost of promotional materials including banners to publicise events for accessible events.
TOTAL	\$1,000.00		\$1,000.00	

ITEM 10.6 DONATIONS PROGRAM (SECTION 356) 2023/2024 - ADDITIONAL LATE APPLICATIONS FOR APPROVAL**RELATED DONATIONS INFORMATION**

As per Council's adopted Donations Policy, Council has donated \$100 to each of the Nambucca Valley's thirteen (13) operational schools for annual Presentation Days, will provide a \$200 donation to the annual Legacy appeal, and provided a donation of \$500 to the Talarm Hall Committee of Management to cover out of pocket expenses in maintaining Welsh's Pioneer Park, and committed donations to the already approved applications submitted for the 2023/2024 Program.

CONSULTATION:

Mayor
Director Corporate Services
Chief Financial Officer

SUSTAINABILITY ASSESSMENT:**Environment**

There are no environmental impacts associated with this report.

Social

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

Economic

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

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk
No risks identified			

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

A total 2023/2024 budget amount of \$24,500 on GL 03100.0405.0622 has been allocated, and the current available balance, prior to consideration of the late applications for the 2023/2024 Round, is \$2,916.77.

If the two (2) above eligible applications for donations are approved by Council the remaining budget balance in the 2023/2024 Donations Program will be \$1,916.77.

Working funds – justification for urgency and cumulative impact

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

Impacts on 10 Year Long Term Financial Plan

No impacts on Long Term Financial Plan

Service level changes and resourcing/staff implications

No change or implications.

ATTACHMENTS:

1  17559/2024 - Extract from Donations budget - 2023-2024 year - Council meeting 24-04-2024

DIRECTOR CORPORATE SERVICES REPORT**ITEM 10.7 SF251 240424 SCHEDULE OF COUNCIL MEETINGS - 16 MAY 2024 TO 12 SEPTEMBER 2024****AUTHOR/ENQUIRIES:** Rochelle McMurray, Business Services Coordinator**SUMMARY:**

The following is a schedule of dates for public Council and Council Committee meetings to be held 16 May 2024 to 12 September 2024. The meeting dates may change from time to time and this will be recorded in the next available report to Council.

The Council meeting schedule is two meetings per month, that being the last Thursday of the month and the Thursday two (2) weeks prior.

RECOMMENDATION:

That Council note the schedule of meeting dates for 16 May 2024 to 12 September 2024.

MEETING	DATE	VENUE	COMMENCING
2024			
Council Meeting	16 May	Council Chambers	5.30 PM
Council Meeting	30 May	Council Chambers	5.30 PM
Council Meeting	13 June	Council Chambers	5.30 PM
Council Meeting	27 June	Council Chambers	5.30 PM
Refreshments with the public prior to Council Meeting	11 July	South Arm Hall	5.00 PM
Council Meeting			5.30 PM
Council Meeting	25 July	Council Chambers	5.30 PM
Council Meeting	15 August	Council Chambers	5.30 PM
Council Meeting	29 August	Council Chambers	5.30 PM
Council Meeting	12 September	Council Chambers	5.30 PM

ATTACHMENTS:

There are no attachments for this report.

DEVELOPMENT AND ENVIRONMENTS

ITEM 11.1 SF3410 240424 UNDETERMINED DEVELOPMENT APPLICATIONS GREATER THAN 12 MONTHS, WHERE SUBMISSIONS HAVE BEEN RECEIVED, OR WHERE AN APPLICATION TO VARY DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF THE NAMBUCCA LEP 2010 WAS APPROVED UNDER STAFF DELEGATION

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

SUMMARY:

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

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

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

RECOMMENDATION:

That Council note the information on undetermined development applications greater than 12 months, or where submissions have been received to 17 April 2024, and development applications determined from 4 April to 17 April 2024 where an application to vary development standards under Clause 4.6 of the Nambucca LEP 2010 was approved under delegation.

OPTIONS:

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

DISCUSSION:

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

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2023/075	19 March 2023	6 Lot Subdivision	Lot 18 DP 88431645 - Giinagay Way, Warrell Creek
Subdivision of Council land acquired from Transport for NSW.			
STATUS: Awaiting for amended design for assessment to be finalised.			

TABLE 2: UNDETERMINED DEVELOPMENT APPLICATIONS WITH SUBMISSIONS

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2023/291	24 October 2023	Change of Use – Truck Depot	Lot 157 DP 755539, 45 Warrell Waters Road, Gumma
Thirty-two submissions and a petition have been received. Exhibition period closed on 13 November 2023.			
STATUS: Awaiting legal received. Assessment being finalised.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2023/281	23 October 2023	Dwelling, Pool & Change of use from three dwellings to tourist accommodation	Lot 101 DP 755550, 62 Lumsdens Lane, North Macksville
Two submissions have been received			
STATUS: The RFS refused general terms of approval. The applicant will be making amendments to the DA			

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

to address the RFS concerns prior to referral back to RFS.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/028	7 February 2024	Secondary Dwelling	Lot 458 DP 755550 - 36 Riverside Drive, Nambucca Heads
One submission has been received			
STATUS: Exhibition finished. Awaiting additional information from the applicant relating to privacy, view sharing and visual impacts of the development.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2023/213	28 February 2024	Modification to dwelling setbacks and design	42 Jellico Street, Macksville – Lot 12 Sec E DP 8624
One submission received. Public exhibition period closed.			
STATUS: Assessment being finalised.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/048	6 March 2024	Alterations & additions to existing dwelling	52 Waratah Street, Scotts Head – Lot 15 Sec A DP 17707
Two submissions received. Public exhibition period closed.			
STATUS: Assessment being undertaken.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2024/053	8 March 2024	Continued use of existing deck	7 Vernon Street, Scotts Head – Lot 17 Sec G DP 20823
One submission received. Public exhibition period closes 5 April 2024.			
STATUS: Assessment being finalised.			

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

No development applications were determined between 4 April – 17 April 2024 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation.

CONSULTATION:

Nil

SUSTAINABILITY ASSESSMENT:

Environment

To be undertaken in assessment of individual development applications.

Social

To be undertaken in assessment of individual development applications.

Economic

To be undertaken in assessment of individual development applications.

Risk Analysis

None identified.

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

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current 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:

There are no attachments for this report.

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

**ITEM 11.2 SF3410 240424 2024 MARCH - APPROVED CONSTRUCTION CERTIFICATES
AND COMPLYING DEVELOPMENT APPLICATIONS**

AUTHOR/ENQUIRIES: Melanie Ellis, Business Services Officer


SUMMARY:

The **attached** report, produced from Council's computer system, Authority, is for the information of Councillors with regard to approved Construction Certificates and Complying Developments for the month of March 2024 as at 4 April 2024.

RECOMMENDATION:

That Council note the Construction Certificates and Complying Developments approved for March 2024.

ATTACHMENTS:

1  16415/2024 - Construction Certificates & Complying Developments Approved March 2024

MANAGER DEVELOPMENT AND ENVIRONMENT REPORT

**ITEM 11.3 SF3410 240424 2024 MARCH - DEVELOPMENT APPLICATIONS AND
COMPLYING DEVELOPMENT APPLICATIONS RECEIVED**

AUTHOR/ENQUIRIES: Melanie Ellis, Business Services Officer

SUMMARY:

Council at its meeting on 16 January 2014 resolved:


“That Council endorse the method of reporting Construction and Complying Development Certificates as presented to the 16 January 2014 meeting and further that the General Manager investigate the possibility of reporting Development Applications lodged in previous month.”

Attached is a list of Development Applications and Complying Developments received in March 2024 as at 4 April 2024.

RECOMMENDATION:

That Council note the Development Applications and Complying Developments received in March 2024.

ATTACHMENTS:

1  16417/2024 - Development Applications & Complying Developments Received March 2024

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.1 SF3146 240424 PROPOSED SKATEPARK - SCOTTS HEAD

AUTHOR/ENQUIRIES: Ben Fuller, Engineering Assistant; Matthew Leibrandt, Manager Infrastructure Services; Jodie Jeffery, Executive Assistant; David Moloney, Director Engineering Services

SUMMARY:

At the Council Meeting dated 23 February 2023 Council resolved "That Council proceed to a detailed design for a local level skate park on the Village Green based on the information contained in the attached report once a funding source has been obtained".

A local level skate park is estimated to cost between \$250,000 to \$600,000 with a footprint between 300 square metres and 600 square metres.

At the Council meeting dated 11 April 2024 based in Scotts Head, residents requested an update to funding applications.

In the past Council has failed to attract grant funding. This may be attributed to Council not allocating funds to contribute to the project.

It is recommended that Council allocates up to \$50,000 as a co-contribution from the proposed 2024/25 capital works reserve as recommended in the draft 2024/25 budget to be utilised should it be needed to attract grant funding at the discretion of Council's General Manager.

RECOMMENDATION:

That Council, if successful in receiving a grant for the proposed Scotts Head Skate Park project, allocates up to \$50,000 as a co-contribution from the proposed 2024/25 capital works reserve as recommended in the draft 2024/25 budget.

OPTIONS:

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

BACKGROUND:

At the Council Meeting dated 23 February 2023 Council resolved "That Council proceed to a detailed design for a local level skate park on the Village Green based on the information contained in the attached report once a funding source has been obtained".

DISCUSSION:

Previous reports to Council identified a site for a local level skate park. The report also included opinion of probable costs of between \$250,000 to \$600,000 for footprints between 300 square metres and 600 square metres.

At the Council meeting dated 11 April 2024 based in Scotts Head, residents again identified the project as a priority.

In the past Council has failed to secure grant funding for the project. One reason for this may be attributed to Council not allocating funds to contribute to the project and looking for a 100% grant funded project.

In order to increase Council's chances of being successful in obtaining a grant it is recommended that Council allocates up to \$50,000 as a co-contribution from the proposed 2024/25 capital works reserve as

ITEM 12.1 PROPOSED SKATEPARK - SCOTTS HEAD

recommended in the draft 2024/25 budget to be utilised should it be needed to attract grant funding at the discretion of Council's General Manager.

CONSULTATION:

Manager Infrastructure Services
Director Engineering Services
General Manager
Property Officer

SUSTAINABILITY ASSESSMENT:**Environment**

This will be an improvement on the built environment in the Scotts Head Village and only disturb a small amount of grass.

Social

Improved infrastructure providing a place for residents and visitors to enjoy outdoor activity and provide a venue for children and young adults to play

There is a potential for this infrastructure could attract anti-social behaviour.

Economic

This project had the potential to attract additional tourist visitors to the area.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Anti-social behaviour	L		Passive surveillance, daytime use only, proposed to be an alcohol free zone	L
Trip fall injury	M	M	Risky play has been identified as a crucial learning mechanism for children. Industry referred design and construct delivery model will ensure that work is completed to standard and within acceptable tolerances.	M

Delivery Program Action

LW18 - Providing support for young people throughout the Valley
PP10 - Support the local tourism industry in partnership with the Nambucca Valley Tourism Association (NVTa)

ITEM 12.1 PROPOSED SKATEPARK - SCOTTS HEAD

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

\$50,000 from the recommended 2024/25 Capital Works reserve with additional maintenance required once construction is complete and the structure will be depreciated over its assumed 50 year life.

Reserve funds – justification for urgency and cumulative impact

\$50,000 to be used as Council's contribution to a grant funded project.




Impacts on 10 Year Long Term Financial Plan

There will be a slight increase in maintenance costs as part of the installation of any new asset however it is expected the impact on the LTFP to be negligible.

Service level changes and resourcing/staff implications

As per the 10 year LTFP impacts.

ATTACHMENTS:

- 1  4496/2023 - Scotts Head Skatepark Concept Designs and Feasibility Report
- 2  18015/2024 - Scotts Head Skate Park Locations Assessment
- 3  4494/2023 - Scotts Head Skate Park Sizes and Costs Drawing