

Division: Assets and Operations

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

Meeting	Officer/Director	Section	Subject
Council 22/03/2023	Watson, Sam Macfarlane, Ian	New Item	EOI 2223-043 Merimbula Airport General Aviation Precinct land leases
<p>RESOLVED on the motion of Crs Nadin and Porter</p> <ol style="list-style-type: none">1. That Council receive and note this report and Confidential Report attached.2. That Council notes the Expression of Interest process for the Merimbula Airport General Aviation Precinct land leases has now closed.3. Council progress negotiations with submissions numbered 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19 and 20 that submitted an EOI response based on providing the best financial return to Council and their willingness to enter into a head of agreement for lease which may include Council owning buildings specifically on lots 1-9 and 15-20.4. Council negotiates with both submission number 1 and 8 who are both seeking to develop fuel facilities in the GA Precinct with the view to enter into a lease with only one fuel provider in addition to the existing BP lease site, based on providing the best financial return to council.5. Notify submission number 18 - that council will not be progressing with an extension of tenure for their current sub-lease site or offering space within the GA Precinct as their proposed use is not compatible with the adopted Master Plan and do not progress their EOI further.6. Notify submission number 5 - that council will not be progressing with an extension of tenure for their current lease site as requested as this site conflicts with the adopted Master Plan which aims for further development of the RPT infrastructure, including terminal expansion, RPT apron and future carparking.7. Council continues to negotiate with submission number 5 - with a view to relocating this business into the GA Precinct.8. A further report be provided pending the outcomes of negotiations <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright</p> <p>AGAINST: Nil</p> <p>ABSENT: Cr Robin</p> <p>26 Mar 2023 9:26pm Payne, Rebecca - Reallocation</p> <p>Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, can you please manage this action? Thanks Bec</p>			

Division: Assets and Operations

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18 Apr 2023 5:47pm Marshall, Rickee

Letters issued to all applicants regarding outcome of Merimbula Airport GA EOI Council resolution, review Merimbula airport lease with a view to issue draft leases to successful tenderers

29 Sep 2023 2:08pm Marshall, Rickee

Development consent for the subdivision for lease purposes to create the 21-lease site has now been granted and Council has adopted the amendment to the Bega Valley DCP relating to the GA Precinct. Council officers negotiating with 2 fuel providers for lease site 11 or 12 based on the best financial return to Council. Tenderers to provide their best and final commercial terms by 4 October 2023.

01 Nov 2023 4:54pm Marshall, Rickee - Reallocation

Action reassigned to Watson, Sam by Marshall, Rickee - Hi Sam, for your action.

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Macfarlane, Ian Macfarlane, Ian	Mayoral Minutes	Fix Brown Mountain
<p>RESOLVED on the motion of Cr Fitzpatrick That Council call on the NSW Government to:</p> <ol style="list-style-type: none">Undertake a route vulnerability and opportunities assessment on the Snowy Mountains Highway over Brown Mountain to identify potential alternate alignments and constraints that need to be overcome.Share all existing strategies, plans, feasibility assessments and designs that may exist for the Snowy Mountains Highway over Brown MountainCouncil request Transport for NSW to provide a schedule of remediation worksCouncil request Transport for NSW confirm to the community that during remediation there will be no closure of Brown Mountain <p><u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Seckold, Allen, Porter, O'Neil and Wright</p> <p><u>AGAINST:</u> Nil</p> <p><u>ABSENT:</u> Crs Griff and Robin</p>			

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11 Jul 2023 3:00pm McMahon, Anthony - Completion

Action completed by: Grant, Jacqueline, Mac for your action. Thanks.

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Louie, Gary Macfarlane, Ian	Staff Reports – Assets and Operations	Request for Quote (RFQ) - VPR325907 Construction of retaining wall, Palestine Road, Eden
<p>RESOLVED on the motion of Crs Allen and Seckold</p> <p>1. That Council accepts the recommendation in the attached confidential attachment.</p> <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p> <p>RESOLVED on the motion of Crs Allen and Seckold</p> <p>2. That Council accepts the submission from John Michelin and Sons Pty Ltd for Request for Quotation (RFQ) VPR325907 Construction of a Retaining Wall, Palestine Road in the amount of \$478,583.25 including GST subject to variations, provisional sums and prime cost items.</p> <p>3. That authority is delegated to the Chief Executive Officer to execute all relevant documentation and make adjustment to the 2023-24 Operational Plan and budget accordingly.</p> <p>4. That all those who provided a quote be advised of Council's decision.</p> <p>5. That Council authorise Council's Chief Executive Officer to seek legal advice regarding cost recovery as per Option 2 using relevant legislative powers conferred upon Council as both a Roads Authority and Local Government Authority under the NSW Local Government Act 1993 and NSW Roads Act 1993.</p> <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p>			
<p>31 Jul 2023 8:58am McIntyre, Georgina - Reallocation</p> <p>Action reassigned to Louie, Gary by: McIntyre, Georgina for the reason:</p>			

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03 Aug 2023 1:00pm Louie, Gary

Development of contract documents for execution in progress. Development of technical brief for legal advice in progress

05 Sep 2023 2:30pm Louie, Gary

Letter of acceptance and contractors issued to successful tenderer awaiting return

20 Oct 2023 10:14am Louie, Gary

Contract executed and project commenced. Services relocated and excavation for wall footings in progress

01 Nov 2023 11:36am McIntyre, Georgina

Still waiting to confirm cost before seeking further legal advice on cost recovery options

01 Feb 2024 11:49am Louie, Gary

The project is still in progress and not yet completed and the final cost has not yet been ascertained. Legal advice to be sought thereafter.

Meeting	Officer/Director	Section	Subject
Council 15/11/2023	Louie, Gary Macfarlane, Ian	Staff Reports – Assets and Operations	Adoption of Draft Merimbula Transport Study

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Committee: Council

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RESOLVED on the motion of Crs Fitzpatrick and Nadin

1. That Council resolve to adopt the Merimbula Transport Study as exhibited (Attachments 1 and 2 to this report) with a change in preference for the one-way traffic loop in the Merimbula CBD from Option 2 to Option 1.
2. That Council do not pursue paid parking or smart parking sensors
3. That deletion of the proposed additional one way configuration in Fish Pen
4. That Council leave traffic in Merimbula drive as two way
5. That Alice street remain two way or one way south bound
6. That council refine the study plans as needed from time to time
7. That following endorsement, the final Merimbula Transport Study Context and Recommendations Reports are published on Council's website, and that those who made a submission during exhibition of documents are advised of Council's decision on this matter

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

07 Dec 2023 11:21am McIntyre, Georgina - Reallocation

Action reassigned to Louie, Gary by McIntyre, Georgina - For your action

07 Dec 2023 11:52am Louie, Gary

Context and Recommendations report now revised according to Council resolution. Require publishing to Council's website

01 Feb 2024 11:47am Louie, Gary

The revised context and recommendations report have now been revised according to Council's resolution and have been received from the consultant. The publishing of the documents is currently being arranged with Council's Media team. Proponents who made a submission to the public exhibition will be notified thereafter

Meeting	Officer/Director	Section	Subject
Council 15/11/2023	Grady, John	Staff Reports – Assets and Operations	Request for Tender 2223 032 Construction of Bega Sports Complex

Division: Assets and Operations

Committee: Council

Officer:

Date From:

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Macfarlane, Ian

RESOLVED on the motion of Crs Nadin and Porter

1. That council note all tenders are above the currently adopted budgeted.
2. That Council continues to pursue additional external funding options to reduce the amount of Council funding required to deliver the project.
3. That Council decline to accept the submitted tenders under Clause 178 of the Local Government (General) Regulation 2005 and enter into negotiations with the top three tenderers to find sufficient savings to ensure the project can be delivered, with a view to entering into a contract for construction works.
4. That a further report be brought back to council following negotiations
5. That all tenderers are advised of this decision.

IN FAVOUR: Crs Nadin, Griff, Porter, Robin and Wright

AGAINST: Crs Fitzpatrick, Seckold, Allen and O'Neil

03 Jan 2024 4:30pm McIntyre, Georgina - Reallocation

Action reassigned to Grady, John by McIntyre, Georgina

Meeting	Officer/Director	Section	Subject
Council 13/12/2023	Grady, John Macfarlane, Ian	Staff Reports – Assets and Operations	Construction of Bega Sports Complex - Funding and RFT 2223 032

Division: Assets and Operations

Committee: Council

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RESOLVED on the motion of Crs Allen and Fitzpatrick

1. That Council accepts the recommendations outlined in the attached Confidential Memo RFT 2223 032 Construction of Bega Sports Complex – Tender Negotiations.
2. That Council resolves to fund up to 50% of the total project cost through redistribution of Council Long Term Financial Plan (LTFP) funding across the Parks, Aquatics and Recreation asset categories.
3. That Council continues to pursue additional external funding options to reduce the amount of Council funding required to deliver the project.
4. That the next LTFP budget review reflects changes to the BVSC funding contributions required for the project.
5. That, conditional on resolving item 2 above, Council decline to accept the submitted tenders under Clause 178 of the Local Government (General) Regulation 2021 and further progress negotiations with the preferred tenderer to finalise inclusions and cost within the revised budget with a view to entering into a contract for construction works.
6. That variations and amendments to a contract be managed under the existing Council financial delegations.
8. That any project budget amendments be included in future quarterly budget reports.
9. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to RFT 2223-032 Construction of Bega Sports Complex to enter into a contract.
10. That all tenderers are advised of this decision.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

03 Jan 2024 4:32pm McIntyre, Georgina - Reallocation

Action reassigned to Grady, John by McIntyre, Georgina

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Macfarlane, Ian	Staff Reports – Assets and Operations	Request for Tender RFT 2324-022 - Watergums Creek: Flood Debris Clearing
	Macfarlane, Ian		

Division: Assets and Operations

Committee: Council

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RESOLVED on the motion of Crs Nadin and Porter

1. That Council accepts the recommendations outlined in the confidential attachment.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

RESOLVED on the motion of Crs Nadin and Porter

2. That Council accepts the tender from John Michelin & Son Pty Ltd in relation to the contract for the works as described in RFT 2324-032, in the sum of \$278,652.00 (including GST), subject to variations and provisional sums

3. Variations and amendments be managed under the existing Council financial delegations.

4. That authority be delegated to the Chief Executive Officer to execute all necessary documentation in relation to RFT 2324-022.

5. That all tenderers be advised of Council's decision.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Macfarlane, Ian Macfarlane, Ian	Staff Reports – Assets and Operations	Sportsground Site Committee Nominations

Division: Assets and Operations

Committee: Council

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RESOLVED on the motion of Crs Nadin and Porter

That Council appoint the following volunteers to the various sportsground site committees for the term of the current Council:

Candelo John Gordon Recreation Reserve	Alice Moffitt	Candelo Markets/ Community
Dickinson Oval/Park Bermagui	Amy Holdsworth	Netball Club
	Kirsty Sunderland	Netball Club
Ford Park Multi Courts Merimbula	Lara Bownds	Netball Club
Bemboka Colombo Park	Matt O'Reilly	Soccer Club
Barclay Street Sporting Complex	Michelle Bond	Tennis Club
Bega Sporting Complex	Imogen Champagne	Australian Rules Football Club (RH)
Berrambool Sporting Complex	Jodie Burkinshaw	Cricket Club

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and

Wright

AGAINST: Nil

ABSENT: Cr Robin

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Macfarlane, Ian Macfarlane, Ian	Staff Reports – Assets and Operations	Reporting of minutes- Section 355 General Sportsground Advisory Committee meeting 28 August 2023

Division: Assets and Operations

Committee: Council

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RESOLVED on the motion of Crs Nadin and Porter

That Council receive and note the report and the attached minutes of the Section 355 General Sportsground Advisory Committee meeting held on 28 August 2023.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Macfarlane, Ian Macfarlane, Ian	Staff Reports – Assets and Operations	Bega Valley Local Traffic Committee 5 December 2023

Division: Assets and Operations

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RESOLVED on the motion of Crs Nadin and Porter

That Council adopt the recommendations of the Bega Valley LTC meeting held on 5 December 2023 as outlined below:

ANZAC Day March and Service – Bega, Bemboka and Tathra- Thursday 25th April 2024

1. That the proposed traffic arrangements for the Bega RSL Sub-Branch ANZAC Day March and Service in Bemboka be approved and deemed a Class 1 Special Event.
2. That the proposed traffic arrangements for the Bega RSL Sub-Branch ANZAC Day Dawn Service, March and Service in Bega, ANZAC Day Dawn Service and March and Service in Tathra be approved and deemed a Class 2 Special Event.
3. That sections of Council roads at Gipps Street and Carp Street in Bega, Loftus Street in Bemboka, Bega Street and the Bega Street service road in Tathra be temporarily closed on Thursday, 25 April 2024 for the Bega RSL Sub-Branch ANZAC Day proceedings, as per the Traffic Guidance Schemes.
4. That the temporary closure of the Snowy Mountains Highway, Bemboka is solely for Transport for NSW determination.
5. That the event is subject to approval of current site-specific Traffic Guidance Scheme (TGS)
6. That the above event organises their own accredited Traffic Control Staff to implement and manage the relevant TGS.
7. That (if applicable) the event organiser arranges the pick-up and drop off on any signage used through Council.
8. That after the event, organisers are to clean up any rubbish or waste left behind

Pambula Boat Ramp – Replacement of Signage

That, the following conditions are to be met for Council approval.

- Accessible Parking - Chevron area: Surround the Chevron area by Klemmfix Barrier with flexible bollard at each corner (see example attached Figure 1). Abiding to the Accessible Parking – Australian Standards AS2890.6
- It was agreed that 15-minute timed parking signage be installed on the short-term parking spaces.
- It was agreed that a 20km/h sign be installed near the Fishing Club with a repeater sign at the carpark.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

Division: Assets and Operations

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Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Macfarlane, Ian Macfarlane, Ian	Staff Reports – Assets and Operations	Request for Tender (RFT) 2324-025 Transport Assets Valuation and Condition Assessment
<p>RESOLVED on the motion of Crs O'Neil and Wright</p> <p>1. That Council accepts the recommendations outlined in the confidential memorandum.</p> <p><u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright</p> <p><u>AGAINST:</u> Nil</p> <p><u>ABSENT:</u> Cr Robin</p> <p>RESOLVED on the motion of Crs Wright and Griff</p> <p>2. That Council decline to accept any tenders under Clause 178 if the Local Government (General) Regulation 2021 and negotiate with the top two ranked tenderers with a view of entering into a contract, subject to variations and provisional sums with a preferred tenderer following completion of negotiations.</p> <p>3. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to tender RFT 2324-025.</p> <p>4. That all tenderers be advised of Council's decision.</p> <p><u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright</p> <p><u>AGAINST:</u> Nil</p> <p><u>ABSENT:</u> Cr Robin</p>			

Meeting	Officer/Director	Section	Subject
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Council 31/01/2024

Macfarlane, Ian

Staff Reports – Assets and Operations

Procurement for remediation activities at Central Waste Facility

Macfarlane, Ian

RESOLVED on the motion of Crs Nadin and Griff

1. That Council endorse the proposal to procure the services of NSW Soil Conservation Service directly, to undertake gully remediation activities at the Central Waste Facility at Wolumla.
2. That Council note that authority is delegated to the Chief Executive Officer to execute all necessary documentation including authorising expenditure and awarding contracts.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Macfarlane, Ian	Staff Reports – Assets and Operations	Cuttagee Bridge - Grant Funding Agreement
	Macfarlane, Ian		

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RESOLVED on the motion of Crs Fitzpatrick and Allen

1. Resolve to accept the offer of \$15 million and deliver on the scope and objectives of the Agreement with amendment of the following scope in Milestone 1 :
That Council only progress designs for a two lane concrete bridge with pathway
2. Delegate the Chief Executive Officer to negotiate any minor agreement variations if requested by TfNSW that may include retaining any of the five options in the draft agreement

IN FAVOUR: Crs Fitzpatrick, Nadin, Seckold, Allen and Porter

AGAINST: Crs Griff, O'Neil and Wright

ABSENT: Cr Robin

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Meeting	Officer/Director	Section	Subject
Council 13/03/2019	Marshall, Rickee Bolton, Iliada	Staff Reports - D: Infrastructure Waste and Water	Land Divestment Options - Lot 145 DP 623646 Clark Lane, Bega
RESOLVED on the motion of Crs Nadin and Seckold			
<ol style="list-style-type: none">1. That Council receive and note the report and attached Vacant Land Review Sheet including detail on individual land parcels this report relates to.2. That Council appoint a registered Valuer by competitive quotation process to provide Bega Valley Shire Council with a formal market valuation for Lot 145 DP 623646 at Clark Lane, Bega.3. That Council appoint a suitably qualified Real Estate Agent by competitive quotation process to represent Bega Valley Shire Council's interests in divesting of Lot 145 DP 623646 at Clark Lane, Bega by public auction, private treaty or expression of interest.4. That Council delegate authority to the General Manager to enter into a suitable Agency Agreement with the successful Real Estate Agent upon completion of the competitive quotation process for the marketing, sale negotiation and transactional settlement of the above mentioned land parcel.5. That all offers be brought back to Councillors for final Resolution.			
IN FAVOUR:	Crs Fitzpatrick, Bain, Nadin, Griff, McBain, Seckold, Tapscott and Allen		
AGAINST:	Cr Dodds		
15 May 2019 11:46am Marshall, Rickee			
A competitive quotation process through Vendor panel to appoint a registered valuer has been completed by Council officers with quotations from the following firms being received: , Walsh & Monaghan Pty Limited - \$7,645; , Opteon Property Group - 5,500; , IPN South Coast - \$4,950. , Based on these quotations Council officers have appointed the services of IPN South Coast to prepare the required valuation reports.			
18 Feb 2020 4:34pm Marshall, Rickee			
Letter sent to adjoining land owners on 10 Feb 2020 seeking their interest in a direct negotiation for the purchase or lease of the site before proceeding to engage a qualified Real Estate Agent.			
10 Jun 2020 11:30pm Marshall, Rickee			

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Letter received from the owners of Coles advising they wish to negotiate with Council for the purchase or lease of the site. Investigations underway with Planning in relation to access.

28 Oct 2020 1:24pm Marshall, Rickee

RFQ process to engage valuer to prepare second valuation to take into consideration easement for access to Target site.

05 May 2021 12:25pm Marshall, Rickee

Matter on hold waiting for laneway dedication issue to be rectified.

07 Dec 2021 5:09pm Marshall, Rickee

Letter sent to Coles landowner regarding matter

Meeting	Officer/Director	Section	Subject
Council 18/03/2020	Marshall, Rickee Bolton, Iliada	Staff Reports - D: Infrastructure Waste and Water	Sapphire Aquatic Centre access
RESOLVED on the motion of Crs Bain and Fitzpatrick			
1. That Council receive and note the report.			
2. That Council make an application to NSW National Parks and Wildlife Service to pursue revocation of the road from the park under Section 188C of the <i>National Parks and Wildlife Act 1974</i> (NSW).			
3. That Council authorise the General Manager to execute all necessary documentation relating to the revocation of the road from the park under Section 188C of the <i>National Parks and Wildlife Act 1974</i> (NSW).			
4. That Council receive a report regarding additional land from Ben Boyd National Park to become part of the sporting complex area.			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Bain, Nadin, McBain, Seckold, Tapscott and Allen		
<u>AGAINST:</u>	Nil		
<u>ABSENT:</u>	Crs Dodds and Griff		
20 Mar 2020 3:12pm Grant, Jacqueline - Reallocation			

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Action reassigned to Marshall, Rickee by: Grant, Jacqueline for the reason: For your action.

09 Apr 2020 9:41pm Marshall, Rickee

9/04/2020 email sent to National Parks regarding process to make an application for revocation of the road from the park.

10 Jun 2020 11:37pm Marshall, Rickee

Email received from NP on 15 May 2020 to advise the next step is for Council to provided a surveyed map of the proposal area. Once received NP will included as part of the Revocation assessment package to be assessed in the Revocations Bill for approval and possible tabling in Parliament in 2021. CS&J have been requested to prepare a quote for the survey works.

05 May 2021 4:31pm Marshall, Rickee

CS&J prepared a sketch plan which was sent to NP on 30 June 2020 for inclusion in the assessment package. No response received from NP. 5 May 202 follow up email sent to NP on the matter.

11 Jul 2022 5:32pm Marshall, Rickee

Followed up NPWS 4 July 2022 regarding matter.

06 Oct 2022 7:36am Marshall, Rickee

6/10/2022 - Revocation application submitted to NPWS. Followed up CS&J for updated sketch plan.

18 Apr 2023 5:48pm Marshall, Rickee

Follow up email sent to NPWS on 28/03/2023

Meeting	Officer/Director	Section	Subject
Council 14/09/2021	Marshall, Rickee Bolton, Iliada	Staff Reports - D: Infrastructure Waste and Water	Operation and management of the Bega Saleyards

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RESOLVED on the motion of Crs Fitzpatrick and Allen

1. That Council approve a further five-year lease with an option for a further five-years to Sapphire Horizons Pty Limited for their continued occupation and management of Bega Saleyards for an annual rental of \$16,300 plus GST per annum increased annually by CPI.
2. That Council authorise the Chief Executive Officer and Mayor to execute the necessary lease documentation to provide further tenure.
3. That council form a saleyards stakeholder group to meet quarterly including the Lessee, the stock agents selling at the yards, a staff member, a representative from the local industry utilising the saleyards and Councillor Allen
4. That Council delegate Councillor Allen and the Acting Chief Executive Officer to determine the local industry representative following an expression of interest process.
5. That any extension of the initial 5 year lease be subject to a review of performance during the initial 5 year period with the decision to be brought back to Council.
6. That a condition of the lease be that at the end of the lease term Council has the right to purchase any equipment not owned by Council at the saleyards at market value.

IN FAVOUR: Crs Fitzpatrick, Bain, Nadin, Griff, Seckold, Dodds and Allen

AGAINST: Nil

30 Sep 2021 3:18pm McIntyre, Georgina - Reallocation

Action reassigned to Marshall, Rickee by: McIntyre, Georgina for the reason:

08 Oct 2021 1:58pm Marshall, Rickee

Lease drafted and almost ready for issue to lessee. DA for subdivision for lease purposes on exhibition until 13/10 2021. Once Subdivision certificate has been issued lease plan can be registered at LRS.

29 Oct 2021 5:18pm Marshall, Rickee

EOI for Saleyard Advisory Committee Group drafted and sent to Communications for advertising from Monday, 1 Nov - Sunday, 28 Nov 2021.

07 Dec 2021 5:06pm Marshall, Rickee

Lease documentation with lessee for execution.

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10 Dec 2021 4:52pm Marshall, Rickee

8/12/2021 - Saleyard Advisory members notified in writing. , 10/12/2021 - Media Release issued regarding Saleyard Advisory Group.

15 Dec 2021 11:46am Marshall, Rickee

14/12/2021 - Fully executed lease returned to Council. Once Mayor is appointed on 12 Jan 2021 lease can be counter signed and returned to legal representatives for registration at LRS. Will need the Subdivision certificate issued to register lease plan at LRS. DA currently still under assessment and being sent to Eurobodalla for peer review. Stage 1 - subdivision for lease purposes due for consent conditions Feb 2022.

09 May 2022 4:33pm Marshall, Rickee

Lease fully executed awaiting registration at LRS. As soon as the subdivision certificate is issued the lease and plan can be registered at LRS. DA currently still under assessment and being sent to Eurobodalla for peer review. Stage 1 - subdivision for lease purposes due for consent conditions Feb 2022. Property officers have followed up planning for an update.

25 Jul 2022 1:48pm Marshall, Rickee

29/06/2022 Lease lodged at NSW LRS.

02 Nov 2022 2:50pm Marshall, Rickee

2/11/2022 - Lease plan now registered at NSW LRS. Lease still to be registered.

30 Jan 2023 12:59pm Marshall, Rickee

Lease still with NSW LRS for registration, continuing to follow up

18 Apr 2023 5:51pm Marshall, Rickee

14/04/2023 further requisition from LRS. LRS are liaising with Michael Collins from CS&J regarding the plan.

01 Nov 2023 3:53pm Marshall, Rickee

1/11/2023 - CS&J have amended plan and are in the process of relodging at NSW LRS

Meeting	Officer/Director	Section	Subject
Council 24/11/2021	Marshall, Rickee	Staff Reports - D: Infrastructure Waste and Water	Disposal of Easement to Essential Energy to support Merimbula Airport works
	Bolton, Iliada		

Division: Business and Governance

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RESOLVED on the motion of Crs Allen and Seckold

1. That Council grant a formal easement for an overhead electrical service over Council owned operational land being Lot 2 DP 549112, Arthur Kaine Drive, Merimbula to the benefit of Essential Energy.
2. That the Transfer Granting Easement note the requirement for Essential Energy, to maintain and repair in perpetuity the overhead electrical service.
3. That all costs associated with creation and grant of the easement including Council's legal costs, survey work, plan preparation and registration fees be borne by Council.
4. That the Chief Executive Officer and/or Mayor be authorised to execute the necessary documentation to effect creation of the easement.

IN FAVOUR: Crs Fitzpatrick, Bain, Nadin, Griff, Seckold and Allen

AGAINST: Nil

ABSENT: Cr Dodds

29 Nov 2021 9:32am McIntyre, Georgina - Reallocation

Action reassigned to Marshall, Rickee by: McIntyre, Georgina for the reason:

06 Dec 2021 12:01pm Marshall, Rickee

Email sent to Clark Rideaux with instructions to prepare Deed for execution by EE Conveyancing Team. , Quote received from Jack Atkinson (Registered Surveyor) for the preparation for the plan (excluding 88B instrument and LRS lodgement). Once survey has been received can progress with registration at LRS.

10 Dec 2021 3:01pm Marshall, Rickee

Clark Rideaux reviewing documents from EE and responding to Council.

15 Dec 2021 12:12pm McIntyre, Georgina - Reallocation

Action reassigned to Cole, Casey by: McIntyre, Georgina for the reason:

04 Feb 2022 4:15pm Cole, Casey

11.01.2022 Arranged CEO authorised delegate execution of Customer Deed and provided scanned copies to Jenny Symons as requested by her, to forward to Essential Energy

04 Feb 2022 4:17pm Cole, Casey

Division: Business and Governance

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14/01/2022 Instructed Clark Rideaux to proceed with preparation of bank guarantee and caveat as requested by Jenny Symons

04 Feb 2022 4:17pm Cole, Casey

Email received via Jenny Symons from Essential Energy conveyancer Melinda White advising documents have been signed as a Director of a Company. Phone call from Jenny Symons to advise she had rearranged CEO execution a second time as original copies of the Deed were requested by EE. Documents to now be executed for the third time as originally completed as an authorised delegate.

11 Feb 2022 10:06am Cole, Casey

09/02/2022 Customer Deed and Client Authorisation documents provided to Georgina to arrange CEO resigning

24 Feb 2022 5:07pm Cole, Casey

CBA confirmed Bank Guarantee expected to be finalised by early March and provided to BVSC for CEO execution

07 Mar 2022 1:06pm Cole, Casey

04/03/2022 - Finance confirmed bank guarantee has been express posted to Essential Energy at Port Macquarie

17 Mar 2022 1:34pm Cole, Casey

17.03.2022 instructions received from Clark Rideaux to amend easement dimensions on plan. Jenny Symons arranging

22 Mar 2022 10:06am McIntyre, Georgina - Reallocation

Action reassigned to Marshall, Rickee by: McIntyre, Georgina for the reason: Casey Cole moving to new team

09 May 2022 4:49pm Marshall, Rickee

Deed with Council and Essential Energy executed, bank guarantee provided and caveat registered. Council proceeding with construction, once complete easement plan can be registered and caveat, bank guarantee withdrawn. Certificate of title to be updated from the name of the Council of Imlay to Bega Valley Shire Council. Relevant documentation to progress name change sent to legal representatives 09/05/2022.

29 Sep 2023 1:55pm Marshall, Rickee

07/09/2023 - Plans have been resubmitted. Once construction complete, Council to notify legal representatives to arrange return of Bank Guarantee held by EE and withdraw caveat registered on title.

Meeting	Officer/Director	Section	Subject
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Division: Business and Governance

Committee: Council

Officer:

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Council 15/06/2022

Marshall, Rickee

Staff Reports – Assets and Operations

Road Closure - 99 Quarry Road, Greendale

Bolton, Iliada

RESOLVED on the motion of Crs Allen and O'Neil

1. That Council approve, in principle, the closure of the unconstructed Council public road corridor within Lot 2 DP 538065 at Greendale.
2. That Council commence assessment of the road closure application under Division 3 of the *Roads Act 1993* (NSW) and that the proposal be publicly advertised for a period of 28 days.
3. That if any objections are received, a further report be prepared for Council's consideration.
4. That if no objections are received Council, by notice published in the Government Gazette, formally close the public road reserve concerned.
5. That the Chief Executive Officer and Mayor be authorised to execute the necessary documentation to affect the road closure.
6. That all costs associated with the road closure process be borne by the applicant.

IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Nadin

17 Jun 2022 9:35am McIntyre, Georgina - Reallocation

Action reassigned to Marshall, Rickee by: McIntyre, Georgina for the reason:

11 Jul 2022 5:38pm Marshall, Rickee

17 June 2022 applicants legal representatives advised to engage a surveyor to prepare the plan and arrange a valuation to determine the compensation payable. Once we have this information, Council will prepare a Deed which will be required to be signed by the applicant.

26 Aug 2022 11:32am Marshall, Rickee

Valuation received for \$9,450, applicants legal representatives engaging surveyor to prepare plan.

05 Dec 2022 3:59pm Marshall, Rickee

Formal plan received from legal representatives. Applicants now progressing subdivision application before matter can progress further to gazettal.

Division: Business and Governance

Committee: Council

Officer:

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Printed:

18 Apr 2023 5:53pm Marshall, Rickee

Finalised Deed of Agreement and further correspondence with applicant

01 May 2023 5:09pm Marshall, Rickee

Applicant applying for subdivision certificate so they can lodge the road closing plan at NSW LRS.

21 Jun 2023 4:48pm Marshall, Rickee

14.06.2023 – email sent to legal representative acting for the applicant advising the State Environmental Planning Policy (Infrastructure) 2007 has been repealed and the relevant section is 2.109 of the State Environmental Planning Policy (Transport and Infrastructure) 2021. Section 2.109 provides an exemption if development is ‘for the purpose of a road or road infrastructure facility’ but as the subdivision of a road for the purpose of transferring the land to a private landowner for use for a private purpose is not development for the purpose of a road it has been determined that development approval is required. Applicant to arrange to submit development application for approval

Meeting	Officer/Director	Section	Subject
Council 29/06/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Assets and Operations	Twyford Hall loan repayment
RESOLVED on the motion of Crs Fitzpatrick and Seckold			
1. That Council receive and note the report and attachments.			
2. That Council advise Twyford Hall Incorporated it is willing to grant a twelve month extension to commencement of the loan repayment on the condition that the NSW Government confirm in writing it will fund the remainder of works and Council will not be further financially disadvantaged.			
3. That the Chief Executive Officer and Mayor be delegated authority to finalise and execute the amendment to the Deed of Agreement.			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Robin		
<u>AGAINST:</u>	Nil		
<u>ABSENT:</u>	Cr Wright		
15 Jul 2022 4:13pm McIntyre, Georgina - Reallocation			
Action reassigned to Marshall, Rickee by: McIntyre, Georgina for the reason:			

Division: Business and Governance

Committee: Council

Officer:

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20 Jul 2022 4:35pm Marshall, Rickee

Email sent to TTHCL to send through amended Deed of Agreement for Council execution.

05 Aug 2022 4:38pm Marshall, Rickee

Letter drafted seeking written assurance that the NSW Government will fund the remainder of works to complete the Twyford Hall Theatre project.

05 Aug 2022 4:38pm Marshall, Rickee

Amended Deed received from TTHCL. Will hold for Council execution once response from NSW State Government

02 Nov 2022 2:24pm Marshall, Rickee

Letter from CEO to TTHCL regarding repayment of funding sent 26/10/2022

07 Feb 2023 4:06pm Payne, Rebecca

BVSC invoice to TTHCL raised for repayment of funding.

27 Mar 2023 5:44pm Marshall, Rickee

Following up email sent to Greg Brackenreg regarding payment of the invoice for the loan repayment

18 Apr 2023 5:36pm Marshall, Rickee

17/04/2023 - Follow up sent to TTHCL regarding reimbursement for loan

Meeting	Officer/Director	Section	Subject
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Council 20/07/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Assets and Operations	Lease to RBA Holdings Pty Ltd at Tura Beach reservoir site
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RESOLVED on the motion of Crs Robin and O'Neil

Approve tenure of nine (9) years in the form of 3 x 3-year leases to RBA for their continued occupation of part Lot 2 DP 826717 at Tura Beach reservoir site for an annual market rental of \$12,870 including GST per annum and advise RBA that Council no longer supports a rental rebate.

IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Crs Nadin and Allen

Division: Business and Governance

Committee: Council

Officer:

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RESOLVED on the motion of Crs Robin and O'Neil

Approve tenure of nine (9) years in the form of 3 x 3-year leases to RBA for their continued occupation of part Lot 2 DP 826717 at Tura Beach reservoir site for an annual market rental of \$12,870 including GST per annum and advise RBA that Council no longer supports a rental rebate.

IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Crs Nadin and Allen

25 Jul 2022 2:58pm Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, for your action please

26 Jul 2022 6:26pm Marshall, Rickee

22/07/2022 RBA notified of outcome of Council meeting.

09 Aug 2022 1:27pm Marshall, Rickee

1/08/2022 RBA confirmed they wish to proceed with the tenure arrangement. Legal representatives requested to prepare amended lease agreement.

14 Sep 2022 11:04am Marshall, Rickee

Legal representatives prepare new lease agreement for RBA execution

27 Oct 2022 1:42pm Marshall, Rickee

Lease issued to RBA 27/10/2022

16 Dec 2022 10:32am Marshall, Rickee

Lease under negotiation with legal representatives. RBA disputing additional broadcaster fees.

27 Mar 2023 5:40pm Marshall, Rickee

Further lease negotiations with RBAH 24/03/2023

21 Jun 2023 4:48pm Marshall, Rickee

22.05.2023 – colocation invoice issued for NSWTA and NSW Police, 26.05.2023 – email from RBA solicitor advising RBAH are still working through the implications of the proposed \$2,500 (ex GST) charges for NSWTA and NSW Police's use of the tower (and any other 'Additional Commercial Broadcaster'), 20.06.2023 – follow up sent to Clark Rideaux, 21.06.2023 – Clark Rideaux advised still waiting on response from RBA and will continue to follow up

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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29 Sep 2023 2:00pm Marshall, Rickee

29/09/2023 - Legal representatives continuing to chase up RBA regarding execution of the lease.

Meeting	Officer/Director	Section	Subject
Council 21/09/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Proposed easement - 55 O'Connells Point Road, Wallaga Lake
<p>RESOLVED on the motion of Crs Nadin and O'Neil That council delegate the Chief Executive Officer to negotiate the most appropriate outcome for the land referred to in this report noting this may include a combination of land acquisition, disposal and creation of easements</p> <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p>			
<p>26 Sep 2022 2:28pm Payne, Rebecca - Reallocation Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, Can you please manage this action. Thank you Bec</p>			
<p>02 Nov 2022 3:00pm Marshall, Rickee Commercial agreement reached with landowner as follows:, Sale of Council Lot 68 DP 27538 to landowner for a value of \$29,682.25 with Council bearing responsibility for legal costs and survey work. Noting Council will require the creation of an easement over both Lot 68 DP 27538 and Lot 64 DP 27538.</p>			
<p>16 Dec 2022 1:58pm Marshall, Rickee Correspondence with legal representatives regarding preparation of the Deed of Agreement and TGE. Email to Jack Atkinson Survey who prepared survey for landowner to seek direction of plan type for issue of Lot 64.</p>			
<p>18 Apr 2023 5:38pm Marshall, Rickee Follow up email sent 17/04/2023 to surveyor regarding plans to progress matter</p>			
<p>21 Jun 2023 4:49pm Marshall, Rickee</p>			

Division: Business and Governance

Committee: Council

Officer:

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05.06.2023 – email sent to Jack Atkinson to confirm whether easements can be included in the plan of first title creation, 19.06.2023 – Follow up sent to Jack Atkinson to confirm whether easements can be included in the plan of first title creation

07 Aug 2023 5:40pm Marshall, Rickee

20.07.2023 – Jack Atkinson surveying confirmed that the easement can be included in the plans of first title creation. Surveyor is revisiting the site in order to complete the plans.

29 Sep 2023 2:00pm Marshall, Rickee

21/09/2023 - Updated plans received from surveying and forwarded to legal representatives to prepare deed of agreement for transfer of land and creation of easements.

01 Nov 2023 3:57pm Marshall, Rickee

1/11/2023 - Deed of Agreement drafted for issue to landowner

Meeting	Officer/Director	Section	Subject
Council 21/09/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Tura Beach Country Club rental rebate
RESOLVED on the motion of Crs Allen and Fitzpatrick			
1. That Council receive and note the report.			
2. That Council, as Crown Land Manager of Reserve R95834, approve a further twenty-year lease to the Tura Beach Country Club Limited, for their continued occupation of the Tura Beach golf course land, for a commencing market rental of \$23,670 (plus GST) per annum less a rental rebate of 27% which equates to a starting rental of \$17,279.10 (plus GST) per annum.			
3. That Tura Beach Country Club Limited be responsible for all costs, expenses and disbursements incurred by Council in relation to the preparation, negotiation, execution and registration of the lease.			
4. That Council authorise the Chief Executive Officer and Mayor to execute all necessary documentation to provide further tenure of twenty years.			
IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright			
AGAINST: Cr Nadin			
26 Sep 2022 2:17pm Payne, Rebecca - Reallocation			

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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Printed:

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, Can you please manage this action. Thanks Bec

10 Oct 2022 10:08pm Marshall, Rickee

Tura Beach Country Club returned executed lease 07/10/2022

13 Oct 2022 9:35am Marshall, Rickee

Lease with CEO and Mayor for counter signing.

27 Oct 2022 1:41pm Marshall, Rickee

Lease with legal representatives for lodgement at NSW Land Registry Services

02 Nov 2022 3:02pm Marshall, Rickee

Lease lodged at NSW LRS

01 May 2023 5:10pm Marshall, Rickee

NSW LRS will not accept form of lease. Solicitor is liaising with Crown Lands and LRS regarding the lease format.

21 Jun 2023 4:50pm Marshall, Rickee

25.05.2023 – email from Clark Rideaux advising issues with the requisition which have been sent to Crown Lands for further assistance. CR will need to make further enquiries with LRS to see what they require and suggested caveat over one of the Crown titles may need to be removed, 21.06.2023 – email sent to Clark Rideaux requesting update

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Bega Showground Community Centre

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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RESOLVED on the motion of Crs Allen and Fitzpatrick

1. That Council approve a five (5) year lease to Bega Showground Land Managers for occupation of part Lot 2 Sec 49 DP 758076 at Upper Street, Bega for an annual rental fee as determined by a registered Valuer, noting a rebate may be applied once assessed against Council's Rental Assessment and Rebate Procedure.
2. That Council approve, in principle, option one (1) in the attached boundary options paper for a boundary adjustment to benefit NSW Crown Lands for a portion of Lot 2 Sec 49 DP 758076 at Upper Street, Bega to rectify the building encroachments on Council land.
3. That Bega Showground Land Managers be advised they will need to submit a planning proposal to amend the Bega Valley Local Environmental Plan 2013 to reclassify part Lot 2 Sec 49 DP 758076, from 'community land' to 'operational land'.
4. That Bega Showground Land Managers be responsible for all costs associated with the reclassification process, including the payment of compensation to Council for the portion of Lot 2 Sec 49 DP 758076 acquired for consolidation with the Crown Land they manage.
5. That authority be delegated to the Chief Executive Officer to negotiate a suitably sized portion of Lot 2 Sec 49 DP 758076 for the required boundary adjustment with consideration of the future development needs of Council for the pool and associated infrastructure.
6. That authority be delegated to the Chief Executive Officer and Mayor to execute on behalf of Council any documentation to formalise the above course of action.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

21 Nov 2022 2:32pm Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, for your action please. Thanks Bec

30 Jan 2023 1:23pm Marshall, Rickee

18/01/2023 - Draft plan received from CS&J. Land managers have received draft legal advice which proposes a method for transfer of the land without needing to re-classify as follows: , The sale of the Council land satisfies the exemption in section 45(4) of the LG Act, allowing Bega Valley Shire Council to sell the Council land to the Crown without undergoing the reclassification process prescribed by the LG Act. For completeness, Council may enter into a contract for sale of the land without tendering for the sale (s55(3) LG Act). , The draft advice also captures the proposed avenue for assessment of the DA/Crown Certificate and suggests conditions to be implemented prior to occupation certificate being granted.

18 Apr 2023 5:39pm Marshall, Rickee

Land owners consent letter issued for DA lodgement

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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21 Jun 2023 4:50pm Marshall, Rickee

31.05.2023 – David Ledsam advised he was awaiting land owners consent (LOC) from Crown Lands before he submits the boundary adjustment DA, 21.06.2023 – follow up sent to David to see whether he had received LOC from Crown

15 Aug 2023 4:27pm Marshall, Rickee

14.08.2023 - David Ledsam provided copy of land owners consent from Crown Lands and requested Council now prepare a contract of sale for the portion of land. David submitting DA for boundary adjustment. Council officers working with legal representatives to prepare contract of sale.

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Road alignment rectification - Mount Darragh Road

Division: Business and Governance

Committee: Council

Officer:

Date From:

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RESOLVED on the motion of Crs Robin and Nadin

1. That Council note Crown Lands do not support the acquisition of the following land parcels for nil compensation and no further action be taken regarding the acquisition of these land parcels:
 - Lots 47, 48, 49, 51, 53, 54, 55, 56 and 57 DP 1114462 held by the State of NSW and dedicated as State Forest
 - Lots 1, 10, 11, 12, 13, 14, 15, 16 and 17 DP 1109104 held by the State of NSW
 - Lots 8, 18, 19, 20, 21, 22, 23, 25, 26 and 46 DP 1109104 held by the State of NSW and dedicated as State Forest.
2. That Council enter into a formal Deed of Agreement with the proprietor of Cobandrah Pty Ltd for the acquisition of part Lots 14, 15 and 16 DP 32269 and Lot 14 DP 750242 on Mount Darragh Road, for the purpose of a public road pursuant to section 177 of the *Roads Act 1993* (NSW) for a compensation amount to be determined by a registered Valuer.
3. That it be noted Council intends to dedicate the land, as referred to in recommendation 2 above, in the NSW Government Gazette as a public road under Section 10 of the *Roads Act 1993* (NSW) upon acquisition.
4. That the Chief Executive Officer and Mayor be delegated authority to execute the necessary documents as required.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

21 Nov 2022 12:32pm Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, for your action please. Thanks Bec

13 Dec 2022 6:58am Marshall, Rickee

12/12/2022 - CS&J requested to provide quotation for survey of land. , Clark Rideaux advised to close legal matter for acquisition of Crown and State Forest land.

30 Jan 2023 1:15pm Marshall, Rickee

CS&J followed up regarding quotation for acquisition plan 30/01/2023

18 Apr 2023 5:39pm Marshall, Rickee

Surveyor engaged to prepare plan

Division: Business and Governance

Committee: Council

Officer:

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21 Jun 2023 4:51pm Marshall, Rickee

16.06.2023 – follow up sent to CSJ regarding preparation of plan

29 Sep 2023 2:03pm Marshall, Rickee

29/09/2023 - Continuing to chase CS&J regarding survey

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Acquisition of easements for Bega Water Treatment Plant and Water and Sewerage Services Operations Depot

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Allen and O'Neil

1. That Council authorise the acquisition of easements over Lot 240 and 241 DP 750190 at 101 and 121 Boundary Road, Bega for \$69,000 for the following:
 - a. A combined right of carriageway, electricity easement and underground sewer easement of variable width.
 - b. An easement for underground sewer 3m wide.
 - c. A right of carriageway and electricity easement 10m wide.
2. That Council authorise the acquisition of an easement over Lot 2 DP 512378 at East Street and Boundary Road, Bega for \$37,500 for underground sewer 3m wide.
3. That the Chief Executive Officer be delegated authority to execute the necessary documentation to affect a licence over Lot 241 DP 750190 for an interim period until the acquisition of easements is finalised for a monthly rental of \$346.67 plus GST as determined in the Walsh and Monaghan valuation report of October 2022.
4. That all costs associated with the creation and grant of the easements including the landowners and Council's legal costs, survey work, plan preparation and registration fees be borne by Council.
5. That Council affixes the Seal of Council to any documents required to be sealed relating to the acquisition of easements and that authority be delegated to the Mayor and Chief Executive Officer to execute those documents.
6. That authority be delegated to the Chief Executive Officer to execute on behalf of Council any documents associated with the acquisition of easements not requiring the affixing of the Seal of Council.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

21 Nov 2022 12:35pm Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, for your action please. Thanks Bec

16 Dec 2022 10:46am Marshall, Rickee

Updated Deeds of Agreement issued to landowners for execution.

01 May 2023 5:21pm Marshall, Rickee

Jerang has signed Deed and returned for counter signing.

Division: Business and Governance

Committee: Council

Officer:

Date From:

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21 Jun 2023 4:51pm Marshall, Rickee

16.05.2023 – email sent to Clark Rideaux with works as executed drawings and follow up whether Scarlett’s and Boundary Investments deeds had been signed and received, 21.06.2023 – follow up email sent to Clark Rideaux regarding Deeds

07 Aug 2023 5:41pm Marshall, Rickee

01.08.2023 –Executed agreements received from Scarlett and Boundary Investments. CEO has executed and documents have been returned to legal representatives for further action.

01 Nov 2023 4:02pm Marshall, Rickee

25/10/2023 - The transfer granting easements are now with the Scarlett’s and Boundary Investment for execution together with the sketch plans.

Meeting	Officer/Director	Section	Subject
Council 18/01/2023	Smerdon, Kaliagh Bolton, Iliada	Staff Reports – Business and Governance	Electric Vehicle Charging Stations

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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Printed:

RESOLVED on the motion of Crs O'Neil and Griff

That Council:

1. Invite operators of public car parks on private land to notify Council of their interest in hosting electric vehicle (EV) ultra-fast chargers (175kW+) and encourage those operators to submit an "EV charging site host expressions of interest" to NSW Office of Energy and Climate (OEC).
2. As part of the EOI referred to in item 1 invite operators of public car parks on private land to notify Council of their interest in hosting other forms of electric vehicle (EV) charging stations to support future planning and inform grant submissions.
3. Identify suitable locations for EV ultra-fast chargers in Council car parks and submit those locations to the OEC.
4. Establish a competitive expression of interest (EOI) process to invite and review proposals from charge point operators to install public EV ultra-fast chargers in identified Council car parks.
5. Review the expressions of interest and negotiate licence or lease agreement/s with selected charge point operators for the installation and operation of EV ultra-fast chargers.
6. Develop a policy based on lessons learnt from the initial EOI process to manage industry requests to use public land for the purpose of EV charging infrastructure into the future.
7. Repeat the EOI process in alignment with OEC funding rounds through to 2025.

IN FAVOUR: Crs Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Fitzpatrick

20 Jan 2023 3:56pm Payne, Rebecca - Reallocation

Action reassigned to Smerdon, Kaliegh by: Payne, Rebecca for the reason: Hi Kaliegh, can you please manage this action. Thanks Bec

25 Jan 2023 4:22pm Smerdon, Kaliegh

Economic Development Officer actioning Council resolutions related to EV chargers. Process will be developed and implemented in Q4, FY23.

07 Mar 2023 11:16am Smerdon, Kaliegh

Division: Business and Governance

Committee: Council

Officer:

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Council established an EOI process and promoted the opportunity through a media release and social media. A follow up media interview with ABC South East was also undertaken.
<https://begavalley.nsw.gov.au/council/feedback-sought-from-landowners-considering-hosting-ev-charging-stations>

26 May 2023 2:28pm Smerdon, Kaliegh

Council has completed the EOI process and also identified suitable locations for EV ultra-fast chargers in Council car parks and submitted those locations to OEC. A competitive expression of interest (EOI) process has been established and advertised (25/05/2023) to invite and review proposals from charge point operators to install public EV ultra-fast chargers in identified Council car parks.

10 Oct 2023 9:46am Smerdon, Kaliegh

A Councillor workshop was held on 4th October to provide Councillors an update on the EOI process and a range of risks and issues that have been identified. Council staff will proceed with the January 2023 Council resolution to move towards negotiating leases/licences. Council staff will commence the second stage of the procurement process in October 2023. A report will be provided to Council prior to any lease/licence being formalised with suitable vendor/s.

Meeting	Officer/Director	Section	Subject
Council 22/03/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Acquisition of easement for Essential Energy infrastructure at Pambula Sporting Complex

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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Printed:

RESOLVED on the motion of Crs Nadin and Allen

1. That Council makes an application to Crown Lands for a licence to construct a new substation over Council managed Crown Land at Pambula Sporting Complex being Lot 449 DP 720916.
2. That Council provide Essential Energy with a bank guarantee in the amount of \$10,000 to enable network connection prior to the acquisition of an easement being finalised.
3. That once the substation is connected to Essential Energy's network and is energised, the Crown Land licence be transferred to Essential Energy.
4. That Council enter into a Customer Deed – Crown Land Acquisition with Essential Energy to acquire a formal easement for a new substation over Council managed Crown Land at Pambula Sporting Complex being Lot 449 DP 720916.
5. That all costs associated with creation and grant of the easement including Council's legal costs, survey work, plan preparation and registration fees be borne by Council.
6. That the Chief Executive Officer and/or Mayor be authorised to execute all necessary documentation in relation to this matter.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

26 Mar 2023 9:25pm Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, can you please manage this action? Thanks Bec

27 Mar 2023 5:37pm Marshall, Rickee

Email instructions sent to Clark Rideaux Solicitors 24/03/2023

21 Jun 2023 4:53pm Marshall, Rickee

14.06.2023 – email sent to Clark Rideaux with final design for easement. Requested whether we can start liaising with Crown to arrange a licence to construct while the Deed is being prepared with Essential Energy for the acquisition

07 Aug 2023 5:42pm Marshall, Rickee

27.07.23 – Legal representatives confirmed that council can commence liaison with Crown for construction certificate to commence the works prior to acquisition of the easement.

Division: Business and Governance

Committee: Council

Officer:

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Action Sheets Report

Printed:

29 Sep 2023 2:05pm Marshall, Ricke

29/09/2023 - Council officers continuing to follow up with Crown Lands as to whether we need a licence to construct or land owners consent.

Meeting	Officer/Director	Section	Subject
Council 22/03/2023	Marshall, Ricke Bolton, Iliada	Rescission/Alteration Motions	Alteration Motion Road Closure – Calle Calle Street, Eden
<p>RESOLVED on the motion of Crs Allen and Nadin</p> <p>The reason that this motion is being put forward is to allow a clear pathway forward on Item 10.1 Road Closure – Calle Calle Street, Eden considered at the 15 February 2023 Council meeting.</p> <p><u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright</p> <p><u>AGAINST:</u> Nil</p> <p><u>ABSENT:</u> Cr Robin</p> <p>23 Mar 2023 3:10pm Grant, Jacqueline - Reallocation</p> <p>Action reassigned to Marshall, Ricke by: Grant, Jacqueline for the reason:</p> <p>18 Apr 2023 5:46pm Marshall, Ricke</p> <p>18/04/2023 formal correspondence sent to applicant and St Johns Church who made a submission</p> <p>21 Jun 2023 4:53pm Marshall, Ricke</p> <p>18.04.2023 – email to applicant’s solicitor with letter advising easement requirements and next steps, 21.06.2023 – email to applicant’s solicitor to follow up on progress of plan preparation</p>			

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Ricke Bolton, Iliada	Staff Reports – Business and Governance	Brogo to Bermagui water trunk main easement

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

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RESOLVED on the motion of Crs Nadin and Robin

1. That Council enter into a formal Deed of Agreement with the landowners of Lot 16 DP 251607 at 24 Upper Brogo Road, Verona for the acquisition of an easement for a water trunk main pipeline for a value of \$7,300 plus GST.
2. If the acquisition of an easement over Lot 16 DP 251607 cannot be negotiated by agreement with the landowner within a reasonable time, Council acquire an easement by compulsory process under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* pursuant to sections 186 and 187 of the *Local Government Act 1993 (NSW)*, and do all things supplemental or incidental to, or consequential for, that purpose.
3. That all costs associated with the creation of the easement including the landowners and Council's legal costs, survey work, plan preparation and registration fees be borne by Council.
4. Council affixes the Seal of Council to any documents required to be sealed relating to the acquisition of an easement and that authority be delegated to the Mayor and Chief Executive Officer to execute those documents.
5. Authority be delegated to the Chief Executive Officer to execute on behalf of Council any documents associated with the acquisition of easements not requiring the affixing of the Seal of Council.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Allen

01 May 2023 11:40am Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, can you please manage this action. Thanks Bec

29 Sep 2023 2:11pm Marshall, Rickee

23/06/2023 - Council officers met with applicants regarding acquisition. Applicants advised they are not willing to progress on the basis we outlined in the report. They said adjoining neighbours are connected to the trunk main and cannot understand why they too cannot connect. W&S Manager followed up applicants regarding their request for a water connection., Applicants advised they would consider reasonable compensation at \$30K plus a water connection, council officers explained we cannot pay compensation without a valuation to justify spending community money so suggested they obtain their own valuation from a registered valuer and we will pay valuation costs. If we cannot reach agreement we will need to progress to compulsory acquisition for this easement. , 14/08/2023 - Followed up applicants regarding acquisition following their phone call with W&S Manager.

29 Sep 2023 2:18pm Marshall, Rickee

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

29/08/2023 - Further follow up email to applicants,

01 Nov 2023 4:03pm Marshall, Rickee

12/10/2023 - W&S advised they spoke with both Melinda and John on this matter and Melinda has requested a meeting., W&S advised they are not prepared to pay more than the land valuation but are open to revisiting a possible water connection. Noting they would be required to pay the same fees and development contributions as everyone else. ,
13/10/2023 - Emailed Melinda to arrange meeting. , 1/11/2023 - Followed up Melinda to arrange meeting.

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Road Closure - Section of unconstructed road off Oliver Street, Bemboka
<p>RESOLVED on the motion of Crs Porter and Robin</p> <ol style="list-style-type: none">1. That Council approves, in principle, the closure of the unconstructed Council public road corridor adjoining Lot 16 Section 13 DP 758087 in Bemboka.2. That Council commences assessment of the road closure application under Division 3 of the <i>Roads Act 1993</i> (NSW) and that the proposal be publicly advertised for a period of 28 days.3. That if any objections are received, a further report be prepared for Council’s consideration.4. That if no objections are received, Council, by notice published in the Government Gazette, formally close the public road reserve concerned.5. That the Chief Executive Officer and Mayor be authorised to execute the necessary documentation to affect the road closure.6. That all costs associated with the road closure process be borne by the applicant. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O’Neil, Robin and Wright</p> <p>AGAINST: Nil</p> <p>ABSENT: Cr Allen</p> <p>01 May 2023 11:41am Payne, Rebecca - Reallocation</p> <p>Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, can you please manage this action. Thanks Bec</p>			

Division: Business and Governance

Committee: Council

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23 May 2023 3:22pm Marshall, Rickee

The road closure proposal has been advertised in accordance with the provisions of the Roads Act 1993 and the advertising period for any objections closes on 12 June 2023.

21 Jun 2023 4:54pm Marshall, Rickee

21.06.2023 – advertising period complete, no objections received. Letter sent to applicant to advise next steps

29 Sep 2023 3:34pm Marshall, Rickee

18/09/2023 - Deed of agreement fully executed.

01 Nov 2023 4:06pm Marshall, Rickee

1/11/2023 - Plans reviewed and applicant refer to lodge through Planning Portal.

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Road transfer Voluntary Planning Agreements

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Griff

1. That council receive and note the report.
2. That point 5 of resolution 144/22 be revoked and replaced to read 'That the Chief Executive Officer (CEO) be delegated authority to negotiate, finalise and execute a Voluntary Planning Agreement in relation to the road transfer application for the sections of Stanley and Curalo Streets, Eden described in Development Application 2003.95'.
3. That point 6 of resolution 144/22 be revoked and replaced to read 'That Council delegate authority to the Chief Executive Officer (CEO) to negotiate, finalise and execute Voluntary Planning Agreements for any future crown road transfer matters where there is a need for the road to be constructed and maintained by the developer or landowner.
4. That Council progresses the public advertisement for Voluntary Planning Agreements between Bega Valley Shire Council and developers/landowners for a period of 28 days in accordance with the *Environmental Planning & Assessment Act 1979* (NSW).

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Allen

01 May 2023 11:42am Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, can you please manage this action. Thanks Bec

21 Jun 2023 4:55pm Marshall, Rickee

Legal representatives preparing template VPA

24 Aug 2023 5:13pm Marshall, Rickee

Reported to ARIC 6/06/2023

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Robyn's Nest Deed of Management and Licence

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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Printed:

RESOLVED on the motion of Crs Nadin and Porter

1. That Council approve an application to Crown Lands for a revocation of the existing Crown licence 363658 and transfer to the owner of Lot: 601 DP: 1277714.
2. That Council request Crown Lands consent to expand the direct Crown licence extent to include the section of Top Lake – Merimbula Reserve (R1003688) which is managed by Bega Valley Shire Council as Crown Land Manager as the asset is built over parcel Lot 7033 DP 1047319 and the Crown waterway.
3. That should Crown Lands refuse Council's application for revocation and transfer of the Crown licence 363658 to the owner of Lot: 601 DP: 1277714, Council approves the assignment of the existing Deed of Management to the new owner of Lot: 601 DP: 1277714 until the Crown licence 363658 expires on 26 May 2025 pending further legal advice.
4. That should Crown Lands refuse the application for revocation and transfer of the Crown licence 363658 to the owner of Lot: 601 DP: 1277714, Council seeks legal advice in relation to the retirement of the Deed of Management following expiry of the licence on 26 May 2025 which would include the need for the owner of Lot: 601 DP: 1277714 to remove the jetty structure and associated infrastructure from the land.
5. That all costs associated with this matter be borne by the landowner.
6. That Council authorise the Chief Executive Officer to execute all necessary documentation to effect the above course of action.

IN FAVOUR: Crs Fitzpatrick, Nadin, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Cr Griff

ABSENT: Cr Allen

01 May 2023 11:42am Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, can you please manage this action. Thanks Bec

26 May 2023 1:07pm Marshall, Rickee

Division: Business and Governance

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10.05.2023 - Request for revocation and transfer of existing licence 363658 sent to Crown Lands along with request to expand the licence area to include section of R1003688 for access. ,
15.05.2023 - Crown Lands response provided 3 options for consideration:, a) No tenure can issue for domestic waterfront purposes as the structure does not directly adjoin freehold property. Sea Eagle Estate P/L can submit an application for a Licence for commercial purposes of the existing jetty site. The structure will need to remain open to the general public at all times as it does not directly adjoin freehold property. If the Licence application is not successful, Council will need to remove the structure before the existing Licence will be terminated., b) Council could undertake a survey of the structure, create a Lot/DP over the site. The Lot DP could be added to the existing Reserve allowing Council, as Crown Land Manager to issue a Licence to Sea Eagle Estate and capture the associated rental. This option was not available at the time of granting the existing tenure and will still be subject to Native Title referral requirements., c) Council could remove the structure and revoke the current tenure.,
23.05.2023 - Council response suggested we are currently undergoing a process of asset rationalisation and would be looking to progress option a) with Crown consideration to include the section of Council managed Crown reserve (R1003688) for access purposes. Update provided to Bartier Perry Lawyers indicating we are awaiting Crown response. Settlement of Sea Eagle Estate Pty Ltd sale to HTL Holdings PL of Lot 601 DP 1277714 due 2 June 2023.

21 Jun 2023 4:56pm Marshall, Rickee

13.06.2023 – email from Crown Lands confirming the commercial rental for the new licence will be determined by the Valuer General and security will be sufficient to cover the cost of removal of the structure if required (minimum \$10K)., 19.06.2023 – Planning confirmed that a certificate of clearance from a qualified engineer will be required to ascertain the structural soundness of the jetty, 19.06.2023 – email to applicants Lawyers requesting the new landowners arrange for a suitably qualified engineer to provide a certificate of clearance so it can be included with the application for licence transfer to Crown Lands

29 Aug 2023 5:17pm Marshall, Rickee

17.08.2023 – email from legal representatives with completed application for revocation and transfer of existing licence, confirmation that certificate of clearance will be provided. Email sent in response seeking copy of recent ASIC company search to provide with application. , 24.08.2023 – legal representatives followed up with certificate of clearance and recent ASIC company search. Email to Crown Lands with application and supporting documentation for the revocation and transfer of existing licence. Awaiting response.

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Bolton, Iliada	Mayoral Minutes	Damaging increase in Emergency Services Levy costs
	Bolton, Iliada		

RESOLVED on the motion of Cr Fitzpatrick

1. Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):
 - a) Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community;

Division: Business and Governance

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- b) Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's rate increase to provide essential community services and infrastructure has been significantly eroded.
 - c) Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects;
 - d) Calling on the NSW Government to take immediate action to:
 - i. restore the ESL subsidy in 2023/24
 - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost
 - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
2. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.
3. Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.

IN FAVOUR: Crs Fitzpatrick, Nadin, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Crs Griff and Robin

11 Jul 2023 3:00pm Grant, Jacqueline

Iliada for your action. Thanks.

11 Jul 2023 3:01pm Grant, Jacqueline - Reallocation

Action reassigned to Bolton, Iliada by: Grant, Jacqueline for the reason: For your action.

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Disposal of Lot 277 DP 752154 - Decommissioned Dignams Creek fire shed

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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RESOLVED on the motion of Crs O'Neil and Allen

1. That Council appoint a suitably qualified surveyor, by competitive quotation process, to determine the boundaries of Lot 277 DP 752154 at Dignams Creek Road, Dignams Creek.
2. That Council appoint a registered valuer, by competitive quotation process, to provide Bega Valley Shire Council with a formal market valuation for Lot 277 DP 752154 at Dignams Creek Road, Dignams Creek.
3. That Council appoint a suitably qualified Real Estate Agent, by competitive quotation process, to represent Bega Valley Shire Council's interests in divesting Lot 277 DP 752154 at Dignams Creek Road, Dignams Creek by public auction, private treaty, or expression of interest pending the outcome of recommendations 1 and 2.
4. That Council delegate authority to the Chief Executive Officer to determine the suitability of Lot 277 DP 752154 for divestment and enter into a suitable agency agreement with the successful real estate agent upon completion of the competitive quotation process for the marketing, sale negotiation and transactional settlement of Lot 277 DP 752154 at Dignams Creek Road, Dignams Creek.
5. That all offers be brought back to Council for final resolution.

IN FAVOUR: Crs Fitzpatrick, Nadin, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Crs Griff and Robin

26 May 2023 9:37am Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, for your action please. Thanks, Bec

15 Jun 2023 5:38pm Marshall, Rickee

Vendorpanel request for boundary survey posted request for quotation from 3 suppliers closing on 21 June 2023

07 Aug 2023 5:43pm Marshall, Rickee

01.08.2023 – Jack Atkinson Surveying awarded job, staff forwarded completed report for boundary pegging

14 Sep 2023 4:19pm Marshall, Rickee

31/08/2023 - Valuation report received from IPN Valuers

Division: Business and Governance

Committee: Council

Officer:

Date From:

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Action Sheets Report

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Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Bolton, Iliada Bolton, Iliada	Staff Reports – Business and Governance	Review of Procedure 6.06.01 Financial Hardship Assistance
<p>RESOLVED on the motion of Crs O'Neil and Nadin That Council:</p> <ol style="list-style-type: none">1. Endorse attachment 2 of this report 'DRAFT Procedure 6.06.01 Financial hardship assistance' noting the recommended tracked changes and place on public exhibition.2. That if no submissions are made during the public exhibition, attachment 2 of this report, procedure 6.06.01 financial hardship assistance, be adopted.3. If submissions are received, that a further report be provided to council to consider the submissions prior to adoption.4. Renew its call for the state government to fully fund pensioner rate rebates, and commit to writing to the local state member to pursue an immediate increase in NSW Pensioner Rate Concession, noting that the discount has not been increased since 1993. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Seckold, Allen, Porter, O'Neil and Wright</p> <p>AGAINST: Nil</p> <p>ABSENT: Crs Griff and Robin</p> <p>09 Jun 2023 9:11am Payne, Rebecca - Target Date Revision Revised Target Date changed by: Payne, Rebecca From: 7 Jun 2023 To: 28 Jul 2023, Reason: Procedure on public exhibition from 9 June 2023 until 23 July 2023.</p> <p>26 Jul 2023 1:47pm Payne, Rebecca No feedback received from the community via email or the have your say page. Procedure adopted and publish on council's website via pulse.</p> <p>01 Nov 2023 9:11pm Payne, Rebecca Items 1, 2 and 3 complete.</p>			

Meeting	Officer/Director	Section	Subject
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Action Sheets Report	Division: Business and Governance	Date From:
	Committee: Council	Date To:
	Officer:	Printed:

Council 28/06/2023	Marshall, Rickee	Staff Reports – Business and Governance	Proposed road closure - McDonald Road, Wandella
	Bolton, Iliada		

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Fitzpatrick and Porter

1. That Council considers the legal advice received regarding the proposal to close the Council public road within Lot 541 DP 859896 and Lot 45 DP 752164 at McDonald Road, Wandella and revokes resolution 14/23 from Council's Ordinary Meeting of 22 March 2023.
2. That Council approves, in principle, the closure of a revised section of Council public road being McDonald Road, Wandella from the northern driveway of Lot 541 DP 859896 to the closed section of road known as Lot 1 DP 1127598 as shown in the diagram in the report of 28 June 2023.
3. That Council recommences assessment of the road closure application under Division 3 of the *Roads Act 1993* (NSW) and the revised section of Council public road for closure be publicly advertised for a period of 28 days.
4. That if any objections are received, a further report be prepared for Council's consideration.
5. That if no objections are received, Council, by notice published in the Government Gazette, formally close the public road reserve concerned.
6. That Council agrees to waive the road closure application fee of \$2,750, Council legal costs above \$3,500 and agrees to transfer the section of road reserve for no cost to the applicants.
7. That for 28 days, Council publicly exhibits, as required under Section 356 of the *Local Government Act 1993* (NSW), its intent to waive the road closure application fee of \$2,750, Council legal costs above \$3,500 and agrees to transfer the section of road reserve for no cost to the applicants and if any objections are received, a further report be prepared for Council's consideration.
8. That all costs associated with the road closure process be borne by the applicant.
9. That the Chief Executive Officer and Mayor be authorised to execute the necessary documentation to affect the road closure and subsequent sale of land to the applicant for nil compensation noting the offsetting effect on depreciation in this instance.
10. That if the road closure application does not progress the condition in development consent 2021.1190 remains with the full extent of the road being built to Council standards with the engineering plan submitted prior to issue of a construction certificate.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

03 Jul 2023 2:41pm McCoy, India - Reallocation

Action reassigned to Marshall, Rickee by: McCoy, India for the reason: Hi Rickee, for your action please.

Division: Business and Governance

Committee: Council

Officer:

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29 Sep 2023 3:44pm Marshall, Rickee

28/09/2023 - Legal representatives requested to issue Deed of agreement to applicants.

29 Sep 2023 3:45pm Marshall, Rickee

Council officers re-advertised revised section of road and waiver of fees - submission period for both the revised road closure and waiver of fees closed on 7 September 2023 – nil submissions received.

01 Nov 2023 4:07pm Marshall, Rickee

16/10/2023 - Deed issued to landowners.

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Proposed New Road Name - Miriwal Lane, Merimbula
RESOLVED on the motion of Crs Allen and Seckold			
1. That Council receive and note the report.			
2. That Council approve the proposal to name the road at Merimbula Airport, Miriwal Lane.			
3. That Council advertise the proposed road name on its website, inviting submissions to the proposal.			
4. That if no objections are received within the submission period, Council officers proceed with the road naming proposal without subsequent referral to Council.			
<u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright			
<u>AGAINST:</u> Nil			
01 Aug 2023 11:41am McCoy, India - Reallocation			
Action reassigned to Marshall, Rickee by: McCoy, India for the reason: Hi Rickee, for your action. Thanks, Indy			
01 Nov 2023 4:08pm Marshall, Rickee			
4/10/2023 - GNB approved road name Miriwal Lane, Merimbula. Officers progressing gazettal of road name.			

Division: Business and Governance

Committee: Council

Officer:

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Meeting	Officer/Director	Section	Subject
Council 23/08/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Road Closure - National Circularity Centre
<p>RESOLVED on the motion of Crs Porter and Nadin</p> <ol style="list-style-type: none">1. That Council approves, in principle, the closure of the two sections of Council road reserve that adjoin Lot 1 DP 1264640 at Lagoon Street, North Bega.2. That Council commences assessment of the road closure application under Division 3 of the <i>Roads Act 1993</i> (NSW) and that the proposal be publicly advertised for a period of 28 days.3. That if any objections are received, a further report be prepared for Council's consideration.4. That if no objections are received, Council, by notice published in the Government Gazette, formally close the sections of public road reserve concerned.5. That Council progresses a road transfer application for the section of Lagoon Street, Bega shown in the report dated 23 August 2023 as Crown road to enable the road closure application to progress in its entirety if evidence cannot be found deeming it to be Council public road reserve.6. That the Chief Executive Officer and Mayor be authorised to execute the necessary documentation to affect the road closure.7. That all costs associated with the road closure process be borne by the applicant. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter and O'Neil</p> <p>AGAINST: Nil</p> <p>ABSENT: Crs Robin and Wright</p> <p>31 Aug 2023 10:02am Payne, Rebecca - Reallocation</p> <p>Action reassigned to Marshall, Rickee by Payne, Rebecca - Hey Rickee, For your action please. Thanks Bec</p> <p>29 Sep 2023 3:52pm Marshall, Rickee</p> <p>18/09/2023 - Application for road transfer submitted to Crown Lands for the section of Lagoon street.</p>			

Division: Business and Governance

Committee: Council

Officer:

Date From:

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Meeting	Officer/Director	Section	Subject
Council 23/08/2023	Marshall, Rickee Bolton, Iliada	Notices of Motion	Review of "Lands Under Council Jurisdiction Policy 4.10 - Procedure 4.10.6 Road Naming"
<p>RESOLVED on the motion of Crs Porter and Nadin That Council review "Lands Under Council Jurisdiction Policy 4.10 - Procedure 4.10.6 Road Naming" to ensure balanced and appropriate naming of roads in the interest of the Community and to ensure Councillors are consulted in the process prior to expenses being incurred on a specific name.</p> <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter and O'Neil</p> <p>AGAINST: Nil</p> <p>ABSENT: Crs Robin and Wright</p> <p>31 Aug 2023 9:54am Payne, Rebecca - Reallocation Action reassigned to Marshall, Rickee by Payne, Rebecca - Hey Rickee, for you action please. I will send you an email with the procedure and create a CRM for you to manage. Thanks Bec</p>			

Meeting	Officer/Director	Section	Subject
Council 23/08/2023	Lewington, Jason Bolton, Iliada	New Item	9.2 Request for Tender (RFT) 2223-091 Comprehensive Safety Review - 3 Dams

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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Printed:

RESOLVED on the motion of Crs Nadin and Allen

1. That Council accepts the recommendation in the attached confidential memo.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter and O'Neil

AGAINST: Nil

ABSENT: Crs Robin and Wright

RESOLVED on the motion of Crs Nadin and Allen

2. That Council accepts the tender from Public Works in relation to contract for the works described in tender RFT 2223-091, in the amount of \$573,337 (including GST), subject to variations and provisional sums in accordance with the approved budget.

3. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to RFT 2223-091

4. That all tenderers be advised of Council's decision

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter and O'Neil

AGAINST: Nil

ABSENT: Crs Robin and Wright

30 Aug 2023 7:53am McIntyre, Georgina - Reallocation

Action reassigned to Lewington, Jason by McIntyre, Georgina - Acceptance of RFT for your action

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Lewington, Jason Bolton, Iliada	Staff Reports – Assets and Operations	Request For Tender (RFT 2223-105) Upper Brogo Road Restoration Works Disaster Recovery Funding Arrangements

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

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Printed:

RESOLVED on the motion of Crs O'Neil and Griff

1. That Council accepts the recommendations outlined in the confidential memorandum

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

RESOLVED on the motion of Crs O'Neil and Nadin

2. That Council accepts the tender from AW Dummett Pty Ltd in relation to contract for the works as described in tender 2223-105, in the amount of \$112,896 (including GST), subject to variations and provisional sums

3. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to RFT 2223-105

4. That all tenderers be advised of Council's decision

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

22 Sep 2023 10:59am McIntyre, Georgina - Reallocation

Action reassigned to Lewington, Jason by McIntyre, Georgina - For your action

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Lease of land for a Rural Fire Station at Jellat

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Allen and Nadin

1. That Council receive and note the report.
2. That Council delegate authority to the Chief Executive Officer and Mayor to execute the necessary lease documentation to affect a lease over part Lot 1 DP 770241 at Jellat for a period of twenty-five (25) years for the purpose of a rural fire station with the initial rent being \$433.95 per annum including GST adjusted annually by CPI.
3. That NSW Rural Fire Service be responsible for the payment of all costs associated with the extension of tenure and annual rental payments to the landowner.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

05 Oct 2023 11:27am Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by Payne, Rebecca - Hey Rickee, can you please manage this action? Thanks Bec

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Curtis, Janelle Bolton, Iliada	Staff Reports – Business and Governance	Draft policy - Public Interest Disclosures

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Allen

That Council:

1. receive and note draft policy 6.26 Public Interest Disclosure,
2. receive and note draft procedure 6.26.01 Managing public interest disclosures
3. place the draft policy and procedures on public exhibition for a period of 28-days and,
4. That a further report be presented to Council on any submissions received, or if no submissions are received, the exhibited documents be adopted and published on Council's website

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

05 Oct 2023 11:26am Payne, Rebecca - Reallocation

Action reassigned to Curtis, Janelle by Payne, Rebecca - Hi Janelle, can you please manage this action? Thanks Bec

11 Oct 2023 10:53am Curtis, Janelle

Draft Policy and Procedure 6.26 and 6.26.01 active on Have Your Say page for submissions to be received until 5/11/2023

12 Oct 2023 5:16pm Payne, Rebecca - Target Date Revision

Target date changed by Payne, Rebecca from 04 October 2023 to 10 November 2023 - Policy on public exhibition until 5 November.

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Bolton, Iliada	Notices of Motion	Defining a default delegation for decisions of Council
	Bolton, Iliada		

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Porter and Nadin

1. That retroactively and with immediate effect the wording such as “Return to Council” or words with similar intent that don’t specify a delegation in all council meeting minutes shall be taken as meaning returned to the elected body of Councillors at a Council meeting where the resolution is still active.
2. That all contract renewals or extensions require approval of the Elected Councillors at an open Council meeting unless a specific delegation exists.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

22 Jan 2024 10:26am Grant, Jacqueline

Iliada for your action, Rickee's team has been working on this one? Thanks.

22 Jan 2024 10:28am Grant, Jacqueline - Reallocation

Action reassigned to Bolton, Iliada by Grant, Jacqueline

Meeting	Officer/Director	Section	Subject
Council 18/10/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Extension of tenure - Merimbula Big Game and Lakes Anglers Club and Marine Rescue

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Seckold

1. That Council receive and note the report regarding extension of tenure at Spencer Park Reserve (R63203) Merimbula.
2. That Council, as Crown Land Manager of Spencer Park Reserve (R63203) at Merimbula approves a further 20-year licence agreement to Merimbula Big Game and Lakes Angling Club for their continued occupation of a portion of Spencer Park Reserve for their clubhouse building for an annual rental fee of \$3,000 plus GST increased annually by CPI.
3. That Council, as Crown Land Manager of Spencer Park Reserve (R63203) at Merimbula approves a further 20-year sub-licence agreement to Marine Rescue NSW for their continued occupation of space within the Merimbula Big Game and Lakes Angling Club building for an annual rental fee of \$579 plus GST increased annually by CPI.
4. That all costs associated with the establishment of the licence agreements be the responsibility of Merimbula Big Game and Lakes Angling Club and Marine Rescue NSW.
5. That Merimbula Big Game and Lakes Angling Club and Marine Rescue NSW be advised they will need to make an application to Crown Lands for access over the remaining section of the jetty and Reserve R63203 as their licence with Council will be for the footprint of the building only.
6. That the Mayor and Chief Executive Officer be authorised to execute the necessary documentation to formalise the above course of action.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Robin

AGAINST: Nil

ABSENT: Cr Wright

31 Oct 2023 12:57pm Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by Payne, Rebecca - Hey Rickee, for your action please. Thanks Bec

Meeting	Officer/Director	Section	Subject
Council 15/11/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Draft Policy 6.08 Sustainable Procurements and Contracts

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs O'Neil and Wright

1. That Council revoke Policy 6.24 Disposal of Assets noting it has been replaced with Procedure 06.08.08 Disposal of Assets.
2. That Council revoke Policy 6.08 Procurement of Assets and Services.
3. That Council endorses draft Policy 6.08 Sustainable Procurements and Contracts.
4. That Council places the draft policy on public exhibition for a period of no less than 28-days and that submissions be received for 42 days.
5. That a further report be presented to Council on any submissions received, or if no submissions are received, the exhibited Policy be adopted and published on Council's website

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

20 Nov 2023 10:02am Payne, Rebecca - Reallocation

Action reassigned to Marshall, Rickee by Payne, Rebecca - Hey Rickee, for your action please. Thanks Bec

Meeting	Officer/Director	Section	Subject
Council 13/12/2023	James, Tia Bolton, Iliada	Staff Reports – Assets and Operations	Request for Tender (RFT) 2223-102 Tathra Headland Walkway Repair, Crown Land Flood Recovery Program

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Porter

1. That Council accepts the recommendations outlined in the confidential attachment

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

RESOLVED on the motion of Crs Nadin and Porter

2. That Council decline to accept any tenders under Clause 178 if the Local Government (General) Regulation 2021 and enter negotiations with preferred tenderer Bega Valley Constructions Pty Ltd, with a view of entering a contract, subject to variations and provisional sums.
3. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to tender RFT 2223-102
4. That all tenderers be advised of Councils decision

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

03 Jan 2024 4:35pm McIntyre, Georgina - Reallocation

Action reassigned to James, Tia by McIntyre, Georgina - For procurement action

Meeting	Officer/Director	Section	Subject
Council 13/12/2023	Stewart, Gemma Bolton, Iliada	Staff Reports – Business and Governance	Procurement of ESRI Managed Service Offering

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Seckold and O'Neil

1. Council receive and note the operational decision to continue use of the Esri product.
2. Council endorse the direct source and appointment of Esri Australia as implementation partner and provider of hosting, support and maintenance of Councils Enterprise Geographic Information System platform.
3. Council endorse and authorise the Chief Executive Officer to execute all resulting contracts between Bega Valley Shire Council and Esri Australia, for continued services.
4. Council note the proposed solution enables the delivery of CSP (civic leadership), Delivery Program (E5.3) and Operational Plan Actions (E5.3.3). This recommendation also meets Council obligations under the Local Government Act (s55 (3)(i)).

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

21 Dec 2023 10:34pm Payne, Rebecca - Reallocation

Action reassigned to Stewart, Gemma by Payne, Rebecca - Hey Gemma, can you please manage this action? Thanks Bec

07 Feb 2024 11:56am Stewart, Gemma

Contract negotiations with esri underway and nearing close; targetting a signature ready contract by end of February 2024.

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	James, Tia Bolton, Iliada	Staff Reports – Assets and Operations	Request For Tender (RFT) 2324-032 - Tarraganda Community Hall and Wyndham Community Hall - building upgrades

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Porter and O'Neil

1. That Council accepts the recommendations outlined in the confidential attachment

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

RESOLVED on the motion of Crs O'Neil and Griff

2. That Council accepts the tender from Bega Valley Construction Pty Ltd in relation to the contract for the works as described in RFT 2324-032, in the sum of \$223,805.00 (including GST), subject to variations and provisional sums

3. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to RFT 2324-032

4. That all tenderers be advised of Councils decision

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

05 Feb 2024 2:58pm McIntyre, Georgina - Reallocation

Action reassigned to James, Tia by McIntyre, Georgina - For procurement action

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Jordan, Judith Bolton, Iliada	Staff Reports – Business and Governance	Quarterly Budget Review Statement (QBRS) December 2023 Q2

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Porter

1. That Council receive and note the December 2023 Quarterly Budget Review Statement.
2. That the budget recommendations detailed in the attachment to this report be adopted.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

05 Feb 2024 2:55pm Payne, Rebecca - Reallocation

Action reassigned to Jordan, Judith by Payne, Rebecca - Hey Judy, sending this action to you as a FYI for item 2 of the resolution. Thanks, Bec.

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Smerdon, Kaliegh Bolton, Iliada	Staff Reports – Business and Governance	Transport for NSW Maritime- Transfer of financial commitment

Division: Business and Governance

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Seckold

1. That Council: Acknowledge the correspondence from both the Minister for Transport and Minister for Lands and Property.
2. Accept the offer to transfer our financial liability from the Eden Breakwater Wharf Extension project to the Eden Boating Facilities and Public Domain Upgrade Project.
3. Request that Transport NSW Maritime issue new invoices and that payment be made within this financial year from Council reserves.
4. Continue to support Transport NSW Maritime in their efforts to secure funding for the Eden Boating Facilities and Public Domain Upgrade Project.
5. Advise the Minister and Department responsible for the Federal Government Regional Precincts and Partnerships Program (RPPP) of Councils financial contribution to the boating facilities project in support of the recently submitted grant application under the RPPP program.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

05 Feb 2024 2:57pm Payne, Rebecca - Reallocation

Action reassigned to Smerdon, Kaliegh by Payne, Rebecca - Hey Kaliegh, for your action please. Thanks, Bec

06 Feb 2024 3:51pm Smerdon, Kaliegh

Acnowledgement correspondence sent to Minister Kamper and Minister Haylen on 2 February 2024. Council has received an invoice from Transport for NSW and will coordinate payment in the current FY. Council will coordinate with TNSW to advise the Minister and Department responsible for RPPP of the contribution Council is now providing to the project.

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

Meeting	Officer/Director	Section	Subject
Council 20/07/2022	Harrison, Emily Harrison, Emily	Staff Reports – Community, Environment and Planning	Youth Committee and Youth Programs
<p>RESOLVED on the motion of Crs Nadin and Porter</p> <p>That Council:</p> <ol style="list-style-type: none">Note the current work being undertaken by Council to support and engage with young people in the Bega Valley Shire.Resolve to seek funding for the development of a Bega Valley Youth Specific Strategy that aligns with the community strategic plan at the commencement of the 2023 calendar year. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Allen, Porter and Wright</p> <p>AGAINST: Crs Seckold, O'Neil and Robin</p> <p>19 Sep 2022 1:17pm Harrison, Emily</p> <p>Staff are actively seeking funding opportunities for the development of a youth strategy.</p> <p>08 Dec 2022 2:19pm Furniss, Esther - Target Date Revision</p> <p>Revised Target Date changed by: Furniss, Esther From: 3 Aug 2022 To: 01 Jun 2023, Reason: Awaiting funding to deliver these programs</p> <p>13 Apr 2023 9:45am Furniss, Esther</p> <p>In October last year Council's Community Development team applied for a grant under the Office of Regional Youth's 'Youth Investment fund – our region, our voice'. We were unsuccessful in this particular funding round with feedback being that the grant was oversubscribed for. We will continue to apply for grants that are appropriate for this particular project.</p> <p>05 May 2023 12:07pm Furniss, Esther - Target Date Revision</p> <p>Revised Target Date changed by: Furniss, Esther From: 1 Jun 2023 To: 01 Sep 2023</p> <p>22 Sep 2023 12:08pm Furniss, Esther - Target Date Revision</p> <p>Target date changed by Furniss, Esther from 01 September 2023 to 30 November 2023</p>			

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

03 Nov 2023 12:11pm Furniss, Esther

No suitable grants available

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Furniss, Esther Harrison, Emily	New Item	Cr O'Neil - Local Land Council and MOU questions
<p>Cr O'Neil asked can Chief Executive Officer provide an update on the agenda and any decisions from Bega, Eden, Merrimans (BEM) meetings under the Memorandum of Understanding (MOU) with Local and Land Council's.</p> <p>Any discussion on the progress on better and more Aboriginal housing and the native title process that is being looked at? Advise how Local and Land Council's want Council to be involved in the voice referendum next year?</p> <p>Chief Executive Officer, Anthony McMahon advised a BEM meeting was held on Tuesday 15 November 2022 with one of the key topics on the agenda around the MOU. Staff will be bringing back a revised MOU to Council and include a progress report on implementing the action plan that sits under the MOU. The MOU is the place to reflect our commitments to the referendum. In some ways, the initial impression is our Council and Land Council's have already moved forward with clear action and progress, however the report referred to will present more detail</p>			
<p>09 Jan 2023 10:16am Grant, Jacqueline</p> <p>Em for you to bring back to Council.</p>			
<p>09 Jan 2023 10:17am Grant, Jacqueline - Reallocation</p> <p>Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason:</p>			
<p>31 Jan 2023 5:17pm Furniss, Esther</p> <p>BEM MoU to be reported to Council for endorsement on 15 February 2023. The Referendum is on the agenda for the 13 February 2023 BEM meeting. Aboriginal Housing will be discussed through the Affordable Housing Implementation Group.</p>			
<p>07 Mar 2023 11:51am Furniss, Esther</p> <p>Additional feedback received from BEM committee requiring significant updates to the MoU; staff working with BEM on additional updates.</p>			
<p>09 May 2023 9:28am Furniss, Esther</p>			

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Printed:

Action Sheets Report

Staff are finalising updates to draft MoU with Local Aboriginal Land Councils. The final draft MoU will be discussed at the BEM meeting on 16 May 2023. If endorsed by BEM, it will then be provided to Council for endorsement at a subsequent Council meeting.

08 Aug 2023 11:19am Furniss, Esther

The BEM meeting on 16 May 2023 was cancelled at the request of the Land Councils. Council staff have undertaken individual consultations with the Chair and CEO from each Local Aboriginal Land Council on the updates to the MoU and the document will be discussed at the 15 August 2023 BEM meeting. If endorsed by BEM, it will then be provided to Council for endorsement at a subsequent Council meeting.

02 Nov 2023 2:03pm Furniss, Esther

The November BEM meeting will likely be postponed at the request of the LALC as board elections will be occurring in November. Merrimans and Eden LALCs have also recently welcomed new CEOs who have briefed on the updated draft MOU. The MoU will be discussed further at the February 2024 BEM meeting when the new boards and Chairs are in place.

15 Dec 2023 12:18pm Harrison, Emily

November BEM meeting was cancelled at the request of the LALCs as their Board elections were scheduled for November. Next meeting is scheduled for 13 February 2024.

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Planning	Finalisation of planning proposal for increasing housing diversity and adoption of associated design guidelines

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Allen and Seckold

1. That Council support the planning proposal to amend the *Bega Valley Local Environmental Plan 2013* to implement aspects of the *Bega Valley Shire Affordable Housing Strategy* to increase housing diversity as contained in Attachment 1 to this report, and request that the Minister for Planning make the plan.
2. That Council adopt the amendments to the *Bega Valley Development Control Plan 2013* subject to the revisions detailed in Attachment 2 to this report, and that the provisions commence on publication of the amendment to *Bega Valley Local Environmental Plan 2013* in the *NSW Government Gazette*.
3. That the adoption of the amendment to the *Bega Valley Development Control Plan 2013* be notified in accordance with the *Environmental Planning and Assessment Regulation 2021*.
4. That those who made a submission during exhibition of the planning proposal and draft development control plan are advised of Council's decisions on this matter.

IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Cr Nadin

19 Dec 2022 4:18pm Furniss, Esther - Reallocation

Action reassigned to Tull, Keith by: Furniss, Esther for the reason: Hi Keith for you to progress as per the resolution. Please notify the adoption of the amendment to the Development Control Plan and notify those who made a submission of Council's decision.

01 Feb 2023 2:19pm Furniss, Esther

This proposal has been sent to the Minister of Planning for finalisation. The guidelines will come into effect on notification.

05 May 2023 12:02pm Furniss, Esther - Reallocation

Action reassigned to Hancock, Cecily by: Furniss, Esther for the reason: Hi Cecily, reallocating this action to you for completion please.

08 May 2023 4:18pm Furniss, Esther

On 21/4/2023 the Department of Planning and Environment advised that the making of the plan has been delayed whilst the Department seeks independent advice regarding flood aspects of the proposal. DPE also advised that a Strategic Bushfire Report is required to accompany the planning proposal. Staff are in the process of drafting the required report for submission to DPE.

07 Aug 2023 11:22am Hancock, Cecily

Strategic Bushfire Report still being drafted. Also awaiting further advice from DPE regarding flood assessment.

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

19 Oct 2023 11:47am Hancock, Cecily

Additional information provided to DPE regarding flood prone land. Awaiting determination.

30 Jan 2024 1:18pm Hancock, Cecily

Awaiting finalisation from Department of Planning

Meeting	Officer/Director	Section	Subject
Council 15/02/2023	Harrison, Emily Harrison, Emily	Notices of Motion	Children's Services, National Disability Insurance Scheme (NDIS) and Aged Care Services review
RESOLVED on the motion of Crs Nadin and Allen			
That staff prepare a report on the consequences and steps involved should Council withdraw from providing children's services, National Disability Insurance Scheme (NDIS) and Aged Care Services.			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Nadin, Allen, O'Neil, Robin and Wright		
<u>AGAINST:</u>	Crs Griff and Seckold		
<u>ABSENT:</u>	Cr Porter		
06 Mar 2023 3:54pm Grant, Jacqueline - Reallocation			
Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason:			
09 May 2023 10:10am Furniss, Esther			
Consultant to be engaged to undertake service review. Council report planned for August/September 2023, pending availability of consultants.			
08 Aug 2023 2:33pm Furniss, Esther			
Request for Quote processes for both reviews have been undertaken. Staff are now updating/finalising project timelines (due to delays) and budget allocations based on the quotes.			
02 Nov 2023 1:58pm Furniss, Esther			
Consultants were engaged to undertake the service reviews in August 2023 and reviews have commenced. Reviews are well underway with initial findings to be presented to a Council workshop in Nov/Dec 2023.			

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

15 Dec 2023 12:15pm Harrison, Emily

Councillor workshops held on 8 November 2023 (CS Review) and 29 November (FAD Review). Final reports are being prepared and will be provided to Councillors in the first quarter of 2024.

Meeting	Officer/Director	Section	Subject
Council 22/03/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Planning	Support of planning proposal for water infrastructure

RESOLVED on the motion of Crs Nadin and Allen

That Council:

1. Resolve to support the planning proposal to amend *Bega Valley Local Environmental Plan 2013* to rezone 43 Red Gum Road, Yellow Pinch (Part of Lot 882 DP789858) from C3 Environmental Management to SP2 Infrastructure.
2. Authorise Council officers to submit the planning proposal (Attachment 1) and supporting information to the Department of Planning and Environment for Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
3. Authorise Council officers to place the planning proposal on public exhibition following Gateway Determination.
4. Authorise Council officers, subject to the conditions of the Gateway Determination and providing no substantial changes to the planning proposal are required and no objection received during exhibition, to progress the planning proposal to finalisation without a further report to Council.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright

AGAINST: Nil

ABSENT: Cr Robin

13 Apr 2023 10:10am Furniss, Esther - Reallocation

Action reassigned to Hancock, Cecily by: Furniss, Esther for the reason: Hi Cecily, reallocating action to you for finalisation please.

08 May 2023 3:30pm Furniss, Esther

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

Gateway determination issued by DPE. The Planning Proposal is currently being amended to include a Traffic Study. Once received, the planning proposal will go on public exhibition

07 Aug 2023 11:21am Hancock, Cecily

Awaiting Traffic Impact Study from Applicant.

30 Jan 2024 1:19pm Hancock, Cecily

Traffic Impact Study received and approved by Transport for NSW. Public exhibition being arranged for February 2024.

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Harrison, Emily Harrison, Emily	Notices of Motion	Review of parking enforcement
RESOLVED on the motion of Crs Porter and Nadin			
1. That staff provide Councillors with the following Bega Valley Shire data from July 1, 2022:			
a) The overall number of parking infringements issued and broken into category and location/town (e.g., Mobility Zone, Loading Zone, Exceed Time etc.)			
b) The number of fines where a review was requested.			
c) Breakdown of any withdrawn infringements or infringements overturned in court based on categories as referred to in part a above.			
d) Any identifiable trends resulting in infringements being withdrawn or overturned			
e) Any readily available information on the number of complaints received about parking enforcement			
2. That Council review Council's policies and procedures relative to parking enforcement in a Councillor workshop to ensure all policies are best practice and consistent with relevant laws, Council's objectives and expectations of the community including transparency and accountability.			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright		
<u>AGAINST:</u>	Nil		
<u>ABSENT:</u>	Cr Allen		
11 May 2023 10:03am Grant, Jacqueline - Reallocation			

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason:

29 May 2023 12:45pm Furniss, Esther

Council workshop held on 10 May which provided the stats to Councillors. Staff are still working through the policy. updates.

03 Aug 2023 5:34pm Furniss, Esther

Parking enforcement procedure currently under review. Updated procedure will be provided to Councillors for review (planned for October 2023) followed by public exhibition.

02 Nov 2023 3:19pm Furniss, Esther

Staff are finalising the review of the parking enforcement procedure and aim to provide it to Councillors by the end of 2023.

15 Dec 2023 12:14pm Harrison, Emily

Procedure has been reviewed and suggested updates drafted. Councillor workshop scheduled for 24 January 2024 to discuss revised procedure.

07 Feb 2024 4:00pm Furniss, Esther

Councillor workshop held 24 January 2024 and updated draft procedure provided to Councillors for review. Council report seeking approval for public exhibition is planned for February 2024 Council meeting.

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Cleverley, Anne Harrison, Emily	Staff Reports – Community, Environment and Plannin	Tura Marrang Library and Community Centre ground floor redevelopment

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Fitzpatrick and Allen

That Council:

1. Notes this report and the progress made on the redevelopment of Tura Marrang Library and Community Centre
2. Resolves to lodge the development application based on the plan at Attachment 2 to seek approval for the use of the ground floor as leasable commercial and/or community use and library and gallery storage
3. Calls for expressions of interest from organisations and/or businesses who are interested in leasing the spaces if a development consent is provided and prior to the redevelopment commencing, and that this use is based on a financial return to Council
4. Endorse staff to seek grants to allow for construction to occur, if a development consent is provided
5. Notes that the results of the EOI and future funding options for the redevelopment will be reported to Council prior to the redevelopment commencing
6. That staff provide specific information on the merits or otherwise of funding works at Tura Murrang Library in the report that presents the 2023/24 draft budget to council for finalisation

IN FAVOUR: Crs Fitzpatrick, Seckold, Allen and O'Neil

AGAINST: Crs Nadin, Porter and Wright

ABSENT: Crs Griff and Robin

29 May 2023 12:48pm Furniss, Esther - Reallocation

Action reassigned to Cleverley, Anne by: Furniss, Esther for the reason: Hi Anne, reallocating to you for action please.

08 Aug 2023 4:45pm Furniss, Esther

DA has been submitted.

07 Feb 2024 4:26pm Furniss, Esther

A request for a Building Code Assessment (BCA) is now required and is in progress.

Meeting	Officer/Director	Section	Subject
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Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

Council 28/06/2023

Hancock, Cecily

Staff Reports – Community, Environment and Planning

Planning Proposal for Club Sapphire Merimbula

Harrison, Emily

RESOLVED on the motion of Crs Fitzpatrick and Griff

That Council:

1. Submits the planning proposal for Club Sapphire, Merimbula (Attachment 1) to the Department of Planning and Environment for Gateway Determination which involves a height variation from 16m to 26m to facilitate a hotel development.
2. Following Gateway Determination, the Planning Proposal be placed on public exhibition.
3. Consider a further report from staff in relation to feedback received during public exhibition undertaken as part of the Gateway process.

IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Nadin

30 Jun 2023 12:05pm Furniss, Esther - Reallocation

Action reassigned to Hancock, Cecily by: Furniss, Esther for the reason: Hi Cec, reallocating to you for actioning please.

07 Aug 2023 11:08am Hancock, Cecily

Planning Proposal submitted to DPE Gateway on 30 June 2023. Awaiting response.

19 Oct 2023 10:57am Hancock, Cecily

Gateway Determination issued by Department of Planning & Environment on 19 August 2023. Planning Proposal on public exhibition until 5 November 2023.

30 Jan 2024 1:53pm Hancock, Cecily

Staff reviewing submissions.

Meeting	Officer/Director	Section	Subject
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Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

Action Sheets Report

Printed:

Council 26/07/2023

Thomson, Sophie

Staff Reports – Community, Environment and Planning

Finalisation Draft Policy 3.13 Trees and vegetation in urban areas on Council managed public land and Draft Procedure 3.13.01 Nature Strip Planting Guideline

Harrison, Emily

RESOLVED on the motion of Crs Griff and O'Neil

That Council:

1. Adopt Policy 3.13 Trees and vegetation in urban areas on Council managed land, as amended following public exhibition (Attachment 1).
2. Staff investigate relevant local government strategies for enhancing shade in main town centres through increasing tree coverage; to be reported by the end of 2023.
3. Adopt Procedure 3.13.01 Nature Strip Planting Guideline, as amended following public exhibition (Attachment 2).
4. Advise those who made a submission of Council's decision.

IN FAVOUR: Crs Griff, Seckold, O'Neil, Robin and Wright

AGAINST: Crs Fitzpatrick, Nadin, Allen and Porter

03 Aug 2023 3:25pm Furniss, Esther - Reallocation

Action reassigned to Thomson, Sophie by: Furniss, Esther for the reason: Hi Sophie, for your finalisation please.

08 Aug 2023 12:33pm Furniss, Esther

Policy and procedure have been adopted by Council. Staff will investigate relevant local government strategies for enhancing shade in main town centres through increasing tree coverage and will report to Council by the end of 2023.

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Harrison, Emily Harrison, Emily	Notices of Motion	Advocacy for legislative change to support affordable housing development in the Bega Valley Shire

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

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RESOLVED on the motion of Crs Griff and O'Neil

1. That Council prioritises continued advocacy and any other possible actions to address the current legislative barriers to affordable housing in the Bega Valley Shire.
2. That staff investigate the legality and pathways available to make exceptions to the legislation regarding transportable homes in specific crisis situations for a defined and limited period.
3. That Council be provided with a report from staff outlining advocacy efforts made to date, any proposed legislative updates from the State government.
4. That Council seeks from the State government a clear definition of what constitutes a 'moveable dwelling' to include clarification of terms such as 'portable device for human habitation' and 'tiny home' under the current legislation.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

22 Sep 2023 12:05pm Furniss, Esther

Update on advocacy was reported to the 23 August Council meeting

02 Nov 2023 3:18pm Furniss, Esther

This action is ongoing.

07 Nov 2023 1:32pm Furniss, Esther

Letters were sent to the Premier and Minister for Housing on 6 September 2023 which included advocacy for moveable dwelling definitions.

15 Dec 2023 12:07pm Harrison, Emily

A report was provided to the 13 December 2023 Council meeting to address point 2 of the resolution, outlining that based on investigation and legal advice, there is no current legal pathway to approve 'Same Day Granny Flats' or other similar structures under the Local Government Act 1993., Further advocacy to address part 4 of the resolution was included in Council's submission to the NSW Government's review of the Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings legislation on 15 December 2023.

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Hancock, Cecily	Staff Reports – Community, Environment and Planning	Draft Glebe Lagoon Grey Headed Flying Fox Management Plan

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

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Harrison, Emily

RESOLVED on the motion of Crs Griff and Seckold

1. That Council resolves to publicly exhibit the Draft Glebe Lagoon Flying-fox Camp Management Plan (Attachment 1) for a period of not less than 28 days
2. That a further report be presented to Council if there are any substantial changes to the draft Management Plan arising from the public exhibition
3. That if there are no substantial changes arising from public exhibition, the draft Management Plan be considered adopted and published to Council's website

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

22 Sep 2023 12:08pm Furniss, Esther - Reallocation

Action reassigned to Hancock, Cecily by Furniss, Esther - Hi Cec, for allocation to staff for completion please.

19 Oct 2023 11:22am Hancock, Cecily

Public exhibition planned for 3 November until 4 December 2023

30 Jan 2024 1:53pm Hancock, Cecily

Staff reviewing submissions.

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Planning	Draft Flood and Sea Level Rise Policy and proposed amendments to Development Control Plan 2013

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

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RESOLVED on the motion of Crs Seckold and Nadin

1. That Council resolve to publicly exhibit the draft *Flood and Sea Level Rise Policy* (Attachment 1), and the proposed amendment to *Bega Valley Development Control Plan 2013* 'Flood and Sea Level Rise' and 'Coastal Hazards' (Attachment 2) for a period of not less than 28 days.
2. That a further report be presented to Council if there are any substantial changes to the draft policy or the proposed amendment to the *Bega Valley Development Control Plan 2013* arising from the public exhibition.
3. That if there are no substantial changes arise from the public exhibition, the draft policy and the proposed amendment to the *Bega Valley Development Control Plan 2013* be considered adopted and published to Council's website.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

22 Sep 2023 12:08pm Furniss, Esther - Reallocation

Action reassigned to Hancock, Cecily by Furniss, Esther - Hi Cecily for allocation to staff for completion please.

19 Oct 2023 11:26am Hancock, Cecily

Exhibition material being prepared

30 Jan 2024 1:22pm Hancock, Cecily

Exhibition material progressing subject to staff resources.

Meeting	Officer/Director	Section	Subject
Council 20/09/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Planning	Exhibition of Draft Bega and Wolumla Structure Plans

Division: Community Environment and Planning

Committee: Council

Officer:

Date From:

Date To:

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RESOLVED on the motion of Crs O'Neil and Nadin

1. That Council resolve to publicly exhibit the Draft Bega and Wolumla Structure Plans (Attachments 1 and 2) for a period of not less than 28 days.
2. That a further report be presented to Council following the public exhibition detailing the outcomes of the exhibition.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright

AGAINST: Nil

22 Sep 2023 12:07pm Furniss, Esther - Reallocation

Action reassigned to Hancock, Cecily by Furniss, Esther - Hi Cec, for allocation to staff for completion please.

19 Oct 2023 11:23am Hancock, Cecily

Exhibition material being prepared

30 Jan 2024 1:22pm Hancock, Cecily

Exhibition closed with strong response in public submissions. Currently reviewing submissions and incorporating feedback into draft structure plans.

Meeting	Officer/Director	Section	Subject
Council 18/10/2023	Harrison, Emily Harrison, Emily	New Item	Cr Porter - Local Government Minister media on how councils are managing and resourcing planning staff
<p>Cr Porter said in the last week the Minister for Local Government has made comments about how councils are managing and resourcing planning staff.</p> <p>Chief Executive Officer, Mr Anthony McMahon initially took the Question on Notice and advised the issue has captured the attention of the whole LG sector and LGNSW have picked up as an advocacy issue. It hasn't been perceived well and the statements made.</p> <p>We will provide a report to council when we understand what LGNSW are doing and what council may consider doing.</p>			
<p>22 Jan 2024 10:32am Grant, Jacqueline</p> <p>Em one for your response. Thanks.</p>			

Division: Community Environment and Planning

Committee: Council

Officer:

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22 Jan 2024 10:33am Grant, Jacqueline - Reallocation

Action reassigned to Harrison, Emily by Grant, Jacqueline

Meeting	Officer/Director	Section	Subject
Council 13/12/2023	Harrison, Emily Harrison, Emily	Staff Reports – Community, Environment and Planning	Moveable dwellings
<p>RESOLVED on the motion of Crs Griff and Wright That Council:</p> <ol style="list-style-type: none">1. Recognises staff's commitment to addressing the housing crisis, while complying with NSW planning law. Thanks staff for the amount of time invested in trying to resolve this vital issue of crisis, transitional accommodation.2. Notes with appreciation the great efforts of the Social Justice Advocates, in meeting the needs of persons affected by the housing crisis.3. Defers Agenda Item 8.1 and any compliance action against the SJA Uniting church units in Gipps Street for 9 months noting the Department of Plannings currently underway review of the caravan parks, camping grounds, manufactured home estates and moveable dwellings framework4. That council advocate to the NSW Government to fast track their review of the framework referred to in the item 3 above with a maximum of a nine month finalisation timeframe <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p> <p>15 Dec 2023 11:30am Harrison, Emily Council's submission to the NSW Government's review of the Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings legislation has been updated to address point 4 of the resolution - that is, to urge the NSW Government to complete the review in a maximum timeframe of 9 months.</p>			

Meeting	Officer/Director	Section	Subject
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Committee: Council

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Council 13/12/2023

Hancock, Cecily

Staff Reports – Community, Environment and Planning

Planning Proposal for National Circularity Centre, Bega

Harrison, Emily

RESOLVED on the motion of Crs Nadin and Porter

1. That Council resolve to support the revised planning proposal for the National Circularity Centre to amend the *Bega Valley Local Environmental Plan 2013* to permit retail premises, function centre, entertainment facility and community facility uses on certain land at Lagoon Street, Bega (Part of Lot 1 DP 1264640).
2. Authorise Council officers to submit the revised planning proposal (Attachment 1) and supporting information to the Department of Planning and Environment requesting a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979.3*. That following Gateway Determination, the planning proposal be placed on public exhibition.
3. Authorise Council officers, subject to the conditions of the Gateway Determination and providing no substantial changes to the planning proposal are required and no objections are received during exhibition, to progress the planning proposal to finalisation and gazettal without a further report to Council.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Crs Seckold and Allen

15 Dec 2023 11:29am Harrison, Emily - Reallocation

Action reassigned to Hancock, Cecily by Harrison, Emily - Hi Cecily, for action please.

30 Jan 2024 1:25pm Hancock, Cecily

Planning Proposal submitted to Department of Planning, Housing and Infrastructure (DPHI) in December 2023. Awaiting gateway determination.

Meeting	Officer/Director	Section	Subject
Council 13/12/2023	Hancock, Cecily	Staff Reports – Community, Environment and Planning	Request to waive fee for Regional Circularity Centre planning proposal
	Harrison, Emily		

Division: Community Environment and Planning

Committee: Council

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RESOLVED on the motion of Crs Nadin and Griff

1. That Council resolve to waive the fee for the revised planning proposal for the National Circularity Centre, noting this is a resubmission of a previous planning proposal with the addition of a Flood Impact and Risk Assessment to address the concerns of the Department of Planning and Environment rather than a new or significantly updated planning proposal.
2. That Council publicly exhibits its intent to waive the fee, for 28 days, as required under the *Local Government Act 1993*.

IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Crs Seckold and Allen

15 Dec 2023 11:29am Harrison, Emily - Reallocation

Action reassigned to Hancock, Cecily by Harrison, Emily - Hi Cecily, for action please.

30 Jan 2024 1:52pm Hancock, Cecily

Staff arranging public notification.

Meeting	Officer/Director	Section	Subject
Council 13/12/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Planning	Draft Planning Agreement - JFPG004 Pty Ltd footpath construction, Lakewood Drive, Merimbula

Division: Community Environment and Planning

Committee: Council

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RESOLVED on the motion of Crs O'Neil and Robin

1. That Council note the Letter of Offer and Draft Planning Agreement (the Planning Agreement) between Bega Valley Shire Council and JFPG004 Pty Ltd as Trustee for JFPG004 Unit Trust (the Developer), provided as Attachment 1 and 2 to this report, made in connection with the proposed development for the purpose of seniors housing at 83 Lakewood Drive Merimbula.
2. That Council delegate authority to the Chief Executive Officer to:
 - a. consider any submissions made in response to exhibition of the Planning Agreement and make any changes to the Planning Agreement considered appropriate following that review and as agreed with the Developer
 - b. determine whether or not to enter into the Planning Agreement in its current or modified form, provided that any proposed changes are not material, do not reduce the impost on the developer and do not alter the public benefit to be provided under the Agreement
 - c. if the Chief Executive Officer determines to enter into the Planning Agreement, to do all things necessary to give effect to that decision, including signing the agreement.
3. That the Council note that, under the terms of the planning agreement, all costs for preparing, negotiating, executing and registering the Planning Agreement are to be borne by the Developer.

IN FAVOUR: Crs Fitzpatrick, Griff, Seckold, Allen, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Crs Nadin and Porter

15 Dec 2023 11:28am Harrison, Emily - Reallocation

Action reassigned to Hancock, Cecily by Harrison, Emily - Hi Cecily, for action please.

13 Feb 2024 9:03am Furniss, Esther

No submissions to VPA received. Staff continuing to review DA proposal in conjunction with Land and Environment Court proceeding.

Division: Executive

Committee: Council

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Meeting	Officer/Director	Section	Subject
Council 6/10/2021	Grant, Jacqueline McMahon, Anthony	Staff Reports - D: Infrastructure Waste and Water	Possible exchange of land between Council and the Merimbula RSL Club
RESOLVED on the motion of Crs Allen and Seckold			
It is recommended that:			
1. Council endorses the Chief Executive Officer to negotiate with the Merimbula RSL arrangements that would need to be in place to ensure that there is no reduction in public parking availability and no additional car parking liability to Council whilst delivering an appropriate financial return to Council should Council consider selling all or part of Lot 2 DP 1090625 Alice Street in Merimbula in the future.			
2. A further report presenting options to Council be prepared following negotiations.			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Bain, Griff, Seckold, Dodds and Allen		
<u>AGAINST:</u>	Nil		
<u>ABSENT:</u>	Cr Nadin		
30 Nov 2021 2:46pm Grant, Jacqueline			
Letter sent post Council meeting and at the request of the club a meeting to occur early in 2022. D21/119469			
30 Nov 2021 2:49pm Grant, Jacqueline - Reallocation			
Action reassigned to Grant, Jacqueline by: Grant, Jacqueline for the reason:			
09 May 2022 6:51pm Grant, Jacqueline			
Merimbula RSL club are going to re-approach Council when they are ready for further action.			
09 Jan 2023 9:35am Grant, Jacqueline			
Still waiting for Merimbula RSL Club to approach Council			
11 May 2023 9:55am Grant, Jacqueline			
Still waiting for Merimbula RSL Club to approach us.			

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Meeting	Officer/Director	Section	Subject
Council 24/05/2023	McMahon, Anthony McMahon, Anthony	Staff Reports – Business and Governance	Proposal to become a member of the Bega Valley Circularity Co-operative
<p>RESOLVED on the motion of Crs Nadin and Seckold That Council delegate the Chief Executive Officer to negotiate and enter into the most appropriate form of non-binding agreement with the Regional Circularity Co-operative to facilitate Council’s continued involvement with the Bega Valley Circularity Initiative.</p> <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Seckold, Allen, Porter, O'Neil and Wright</p> <p>AGAINST: Nil</p> <p>ABSENT: Crs Griff and Robin</p>			

Meeting	Officer/Director	Section	Subject
Council 18/10/2023	McMahon, Anthony McMahon, Anthony	New Item	Cr Fitzpatrick - Seeking a report from Rural Fire Service and other Emergency Service groups in relation to the recent Cuttagee Fire
<p>Cr Fitzpatrick asked could Councillors and the Community be provided with a report from the Rural Fire Service and other Emergency Service groups in relation to the recent Cuttagee Fire?</p> <p>Could the report cover and loss of Communication Services including mobile service as well as Transport Services and access to and from the fire for all RFS Vehicles and any equipment required to protect homes and services.</p> <p>It has been suggested to me that some vehicles could not proceed because of weight limits on bridges and that in fact a full crew was required to be stationed on one of Councils Timber Bridges to protect that asset to guarantee the safe entry and exit from the fire front of volunteer fire fighters.</p> <p>So a report from Agencies would be beneficial for our community.</p>			

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Chief Executive Officer, Mr Anthony McMahon initially took the Question on Notice and advised there were definitely instances where communications were unavailable for certain reasons and examples of infrastructure not capable of providing the service levels emergency services requested, for example bridges.

There is a community forum on Sunday 22 October in Bermagui which will assist in gathering further intelligence from the community on perceived issues. Police, RFS, telecommunications providers will be in attendance.

After Action reviews are being completed within agencies, including council, that will provide recommendations and improvements.

Meeting	Officer/Director	Section	Subject
Council 15/11/2023	McMahon, Anthony	New Item	Cr Griff - Is recycling and waste at Council up to the standard promoted by the goals of the Bega Circularity Centre?
	McMahon, Anthony		

Cr Griff asked Is recycling and waste at Council up to the standard promoted by the goals of the Bega Circularity Centre?
Council should be a trail blazer yet there is not a FoGo bin in kitchen & plastic abounds in the food delivered. NB there wasn't food recycling at the Circularity on site launch.

Chief Executive Officer, Mr Anthony McMahon took the question on notice.

Meeting	Officer/Director	Section	Subject
Council 15/11/2023	McMahon, Anthony	New Item	Cr Fitzpatrick - Gratten institute report was released on Monday and included the lack of roads funding
	McMahon, Anthony		

Cr Fitzpatrick advised the Gratten institute report was released this Monday and included the lack of roads funding. Can a report be provided with reference to the presentation by the institute at the 2023 LGNSW Conference?

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Chief Executive Officer, Mr Anthony McMahon said the report identified enormous shortfalls in available road and bridge funding. Its recommendations strongly align with the advocacy being done by BVSC.

Staff can provide a report back to Council.

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Grant, Jacqueline McMahon, Anthony	New Item	Cr Allen - Moveable seating
<p>Cr Allen asked can staff advise what the current use arrangements are for council owned moveable seating within the Shire and what would need to be considered in a policy if we were to develop one on hiring out to community groups of the moveable seating?</p> <p>Director Assets and Operations, Mr Ian Macfarlane advised we don't have a current policy or procedure that allows the hire of Council owned equipment.</p> <p>Mr Macfarlane took the hiring out of equipment to community groups of the moveable seating on notice.</p>			

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Grant, Jacqueline McMahon, Anthony	New Item	Cr O'Neil - Strategic land use planning framework
<p>Cr O'Neil asked can staff provide an update on when and how Council's strategic land use planning framework will be reviewed, including the Local Strategic Planning Statement, and an indicative timeframe for the actions identified in the Bega Valley land strategies including the rural residential strategy? Can this update also advise how this work will impact renewal of our urban areas and housing supply growth across the Shire.</p> <p>Chief Executive Officer, Mr Anthony McMahon took the question on notice.</p>			

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Committee: Council

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Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Grant, Jacqueline McMahon, Anthony	New Item	Cr O'Neil - Deeds of agreement
<p>Cr O'Neil asked how do you go about renegotiating a deed of agreement that has been delivered to us and how long does that normally take?</p> <p>Chief Executive Officer, Mr Anthony McMahon advised we find it challenging to get an understanding of what is negotiable and what's not and who the negotiation happens with behind State or Federal Government doors. Occasionally there are times we might prepare a variation request to a deed and it eventually gets to a Minister for sign off. There are other times when we submit a variation into a portal and within 24 hours we have approval, we never know what that mechanism is. Through the experience we have had to date on the Cuttagee bridge deed it appears to have been dealt with fairly quickly at an agency level. We will go back to ask the question after this meeting to ask how long do they think it will take to get a response on what has been resolved by council.</p>			

Meeting	Officer/Director	Section	Subject
Council 31/01/2024	Grant, Jacqueline McMahon, Anthony	New Item	Cr Fitzpatrick - Probable Maximum Flood mapping
<p>Cr Fitzpatrick asked could both Councillors and Community be advised of the use of Probable Maximum Flood mapping and the effects this has on properties in the Bega Valley? When and was it implemented and is it part of Bega Valley Shire's Planning or is it a State Planning Requirement?</p> <p>Director Community, Environment and Planning, Mrs Emily Harrison took the question on notice.</p>			

Meeting	Officer/Director	Section	Subject
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Division: Executive

Committee: Council

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Council 31/01/2024

Grant, Jacqueline New Item

Cr Fitzpatrick - IPART have announced an investigation into financial modelling in NSW

McMahon, Anthony

Cr Fitzpatrick said IPART have announced through the Minister of Local Government an investigation into council financial modelling in NSW and are asking for input. Looking at suggestions in it some are restricted by the Local Government Act. Will we review those drafts and possibly advocate because without change to the Local Government Act a lot of suggestions aren't permitted by Councils or Councillors?

Chief Executive Officer, Mr Anthony McMahon advised we have a timeframe that is sometime in March to provide feedback on the current draft terms of reference before IPART do the review. Staff will develop a response to the draft terms of reference and will send to Councillors through a council meeting or seek support out of session. This is the first stage of what is going to be a long process.