

Outstanding

Division: Assets and Operations

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Grady, John Macfarlane, Ian	Staff Reports - D: Infrastructure Waste and Water	Evans Park Kalaru Playground - Grant Funding and Masterplan
<p>RESOLVED on the motion of Crs Nadin and Dodds</p> <p>That:</p> <ol style="list-style-type: none">1. Council support the development of a new playground at Kalaru and through applying an asset management approach play equipment in Tathra be rationalised.2. Council endorse the proposed playground site to enable the Evans Park Committee to progress with their project.3. Council continue to work through other elements to finalise a masterplan for Evans Park Kalaru. <p>IN FAVOUR: Crs Fitzpatrick, Bain, Nadin, Griff, Seckold and Dodds</p> <p>AGAINST: Nil</p> <p>ABSENT: Cr Allen</p> <p><i>1 Feb 2021 - 10:41 AM - Jacqueline Grant</i></p> <p>Action reassigned to Grady, John by: Grant, Jacqueline for the reason: For your action as per email.</p> <p><i>15 Oct 2021 - 11:59 AM - John Grady</i></p> <p>Playground and shade structure CPP completed. BVSC funded and installed fence. Work to finalise site masterplan to be progressed.</p> <p><i>6 May 2022 - 4:04 PM - John Grady</i></p> <p>Workloads have delayed work to progress planning. Will progress once resources become available.</p> <p><i>7 Nov 2022 - 1:46 PM - Jacqueline Grant</i></p> <p>Still delayed due to resourcing constraints.</p> <p><i>1 May 2023 - 2:21 PM - John Grady</i></p> <p>As above deferred due to workloads and prioritisation of other projects. Priority sites for site master planning work to be considered through BVSC Recreation Strategy Project.</p>			

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Meeting	Officer/Director	Section	Subject
Council 21/09/2022	Grady, John Macfarlane, Ian	Staff Reports – Assets and Operations	RFT 2122-072 Barclay Street Sportsground and Recreational Precinct Construction Works
<p>RESOLVED on the motion of Crs Nadin and Robin</p> <ol style="list-style-type: none">1. That Council accepts the recommendations outlined in this attachment.2. That Council decline to accept the submitted tender under Clause 178 of the <i>Local Government (General) Regulation 2005</i> and enter into negotiations with the preferred tenderer, John Michelin & Son Pty Ltd and other known suitably qualified contractors to find sufficient savings to achieve budget, with a view to entering into a contract for construction works.3. That should the negotiations not result in a sufficiently reduced cost to meet the available budget, staff undertake further review of the project scope, to find savings to achieve the project within budget while delivering core project objectives.4. That authority is delegated to the Chief Executive Officer to execute all necessary documentation in relation to RFT 2122-072 Barclay Street Sportsground and Recreational Precinct construction works.5. That the preferred tenderer is advised of this decision. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p> <p>ABSENT: Cr Seckold</p> <p>7 Nov 2022 - 1:59 PM - Jacqueline Grant</p> <p>Ongoing.</p> <p>23 Nov 2022 - 1:43 PM - Georgina McIntyre</p> <p>For action</p> <p>7 Feb 2023 - 3:57 PM - John Grady</p> <p>Contact has been made with the preferred tenderer to provide alternate scope options and costings.</p>			

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1 May 2023 - 3:11 PM - John Grady

Negotiations are ongoing with the preferred contractor regarding the carpark works. Project has been held up due to AHIP process and related works. Project update provided to Cllrs by email CM9 D23/21799

Meeting	Officer/Director	Section	Subject
Council 19/10/2022	Edwards, Nikki Macfarlane, Ian	Staff Reports – Assets and Operations	Occupation of Old Pambula Courthouse
RESOLVED on the motion of Crs Nadin and Fitzpatrick			
1. That Council receive and note the report			
2. That Council workshop the future Community use of the Old Pambula Courthouse, including possible large-scale repairs and potential funding models			
3. That council write to the Minister for Crown Lands and Minister for Regional NSW asking for urgent funding support for repairs and renewal to the old Pambula Courthouse			
4. That a further report be brought back to Council once the cost of repairs has been determined			
5. Council endorse calling for tenders for the necessary roof repairs noting the outcome would be reported to Council prior to any contract being entered into			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright		
<u>AGAINST:</u>	Nil		
<u>ABSENT:</u>	Cr Robin		
<i>25 Jan 2023 - 4:13 PM - Georgina McIntyre</i>			
For action			
<i>2 Feb 2023 - 11:46 AM - Nikki Edwards</i>			
Council has received CRIF funding (A220927/F635890) for - Roof upgrade to the Old Pambula Courthouse and associated structural repairs a \$230,000 (GST Inclusive).			
Council was also successful in funding for the development of a conservation management plan for the Old Pambula Courthouse \$5,500 (GST inclusive) (A220987/F635764)			

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11 May 2023 - 8:31 AM - Georgina McIntyre
 Nikki to provide update on return from long service leave 17.5.23

Meeting	Officer/Director	Section	Subject
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Council 15/02/2023	Grady, John Macfarlane, Ian	Staff Reports – Assets and Operations	Tathra wharf and headland final precinct plan
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RESOLVED on the motion of Crs Nadin and Seckold

1. That Council note the consultation feedback in the Listening Report (**Attachment 1**).
2. That Council adopt the Tathra Wharf and Headland Precinct Plan (**Attachment 2**).
3. That Council adopt the Option 1 of the Walkway between Upper and Lower Tathra Options Study (**Attachment 3**) as the preferred option noting this project is not feasible to construct, operate and maintain within Council’s current financial capacity.
4. That the plans be used to apply for grants for components that do not require significant ongoing expenditure

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

AGAINST: Nil

ABSENT: Cr Porter

9 May 2023 - 3:12 PM - Georgina McIntyre
 Action reassigned to Grady, John by: McIntyre, Georgina for the reason: John this plan sits with your team

Meeting	Officer/Director	Section	Subject
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Council 22/03/2023	Grady, John Macfarlane, Ian	Staff Reports – Assets and Operations	Australian Government - Investing in Our Communities Program
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RESOLVED on the motion of Crs Nadin and Wright

1. Council gives in-principle support to apply for \$500,000 as part of the Australian Government’s ‘Investing in Our Communities’ Program under the following conditions:
 - a. It be noted Council will not contribute any funds toward the project;
 - b. Prior to preparing an application, staff provide a report to Council on the process of the how the project would likely take place – including any staged implementation - and the ongoing financial impacts associated with the skatepark;
 - c. That any grant application be prepared in close consultation with Sapphire Skate Association Inc;
 - d. That Council will not expend any funds in the preparation of the grant application, noting, however, there will be considerable staff time required (based on the funding guidelines);
 - e. It be noted there is considerable work, time and resources required prior to having a ‘shovel ready’ skatepark project in Merimbula, including, but potentially not limited to, design, engineering and environmental assessments that must be included within any grant funding.
2. The council gives in-principle support to Ford Park as the location for the new skate park, with specific dimensions, designs, and location at Ford Park yet to be confirmed in a council report.
3. That Council commit to working with Sapphire Skate Association Inc to seek further external funding to complete the Merimbula Skatepark upgrade.

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

AGAINST: Nil

ABSENT: Cr Robin

24 Mar 2023 - 8:58 AM - Georgina McIntyre

For action

1 May 2023 - 3:18 PM - John Grady

Additional council report as per the council resolution is being drafted.

Meeting	Officer/Director	Section	Subject
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Outstanding	Division: Assets and Operations	Date From:
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Council 19/04/2023	Louie, Gary Macfarlane, Ian	Staff Reports – Assets and Operations	Exhibition of Draft Merimbula Transport Study
RESOLVED on the motion of Crs Nadin and Porter			
1. That Council resolve to publicly exhibit the draft Merimbula Transport Study (attachments 1 and 2) for not less than 42 days.			
2. Council officers prepare a further report to Council following conclusion of the exhibition period noting Councillors will conduct a workshop on the transport strategy during the public exhibition period.			
<u>IN FAVOUR:</u>	Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright		
<u>AGAINST:</u>	Nil		
<u>ABSENT:</u>	Cr Allen		
<i>25 Apr 2023 - 10:02 PM - Georgina McIntyre</i>			
Action reassigned to Louie, Gary by: McIntyre, Georgina for the reason: For your action			
<i>2 May 2023 - 1:48 PM - Gary Louie</i>			
Items 1 and 2 still in progress			
<i>11 May 2023 - 2:27 PM - Georgina McIntyre</i>			
Councillor workshop completed, public exhibition being finalised by Sophie Thompson.			
<i>3 Aug 2023 - 1:03 PM - Gary Louie</i>			
Submissions from public exhibition still being evaluated, approximately 50% complete			

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Macfarlane, Ian Macfarlane, Ian	Mayoral Minutes	Fix Brown Mountain
RESOLVED on the motion of Cr Fitzpatrick			

Outstanding	Division: Assets and Operations	Date From:
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That Council call on the NSW Government to:

1. 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.
2. Share all existing strategies, plans, feasibility assessments and designs that may exist for the Snowy Mountains Highway over Brown Mountain
3. Council request Transport for NSW to provide a schedule of remediation works
4. Council request Transport for NSW confirm to the community that during remediation there will be no closure of Brown Mountain

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

AGAINST: Nil

ABSENT: Crs Griff and Robin

11 Jul 2023 - 3:00 PM - Anthony McMahon

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

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Louie, Gary Macfarlane, Ian	Staff Reports – Assets and Operations	Bega and Brogo Rivers Flood Warning System Scoping and Feasibility Study

Outstanding

Division: Assets and Operations

Date From:

Committee: Council

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Printed:

RESOLVED on the motion of Crs Seckold and Nadin

1. Council receives and notes the Bega and Brogo Rivers Flood Warning System Scoping and Feasibility Study and its attachments.
2. Council endorses the staging and delivery priorities of the scoping and feasibility study for the Bega and Brogo Rivers catchment areas and notes any implementation only be undertaken as part of an overall catchment wide strategy as outlined in the adopted 2018 Bega and Brogo Rivers Floodplain Risk Management Plan.
3. Council note there is not currently provision for whole of life cost allocations to account for any new assets in the currently adopted long term financial plan but relevant grant programs are available to assist future implementation.

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

AGAINST: Nil

ABSENT: Crs Griff and Robin

15 Jun 2023 - 8:45 AM - Georgina McIntyre

Action reassigned to Louie, Gary by: McIntyre, Georgina for the reason:

3 Aug 2023 - 1:01 PM - Gary Louie

Final report materials received from consultant, arranging publication on Council's website

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Grady, John Macfarlane, Ian	Staff Reports – Assets and Operations	Sportsground Facility Management Plans

Outstanding	Division: Assets and Operations	Date From:
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RESOLVED on the motion of Crs Seckold and Nadin

1. That Council receive and note the information in the report.
2. That Council endorse the Facility Management Plans for: Dickinson Oval, Wolumla Recreation Ground, Berrambool Sports Complex, Pambula Sporting Complex, George Brown Oval, Barclay Street Sports Complex, Bega Sporting Complex, John Gordon Recreation Reserve, Colombo Park Bemboka and Lawrence Park.

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

AGAINST: Nil

31 Jul 2023 - 8:56 AM - Georgina McIntyre

Action reassigned to Grady, John by: McIntyre, Georgina for the reason:

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

Outstanding

Division: Assets and Operations

Date From:

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Action Sheets Report

Printed:

RESOLVED on the motion of Crs Allen and Seckold

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

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

AGAINST: Nil

RESOLVED on the motion of Crs Allen and Seckold

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.

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.

4. That all those who provided a quote be advised of Council's decision.

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.

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

AGAINST: Nil

31 Jul 2023 - 8:58 AM - Georgina McIntyre

Action reassigned to Louie, Gary by: McIntyre, Georgina for the reason:

3 Aug 2023 - 1:00 PM - Gary Louie

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

Outstanding	Division: Business and Governance	Date From:
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Meeting	Officer/Director	Section	Subject
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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
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RESOLVED on the motion of Crs Nadin and Seckold

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 - 11:46 AM - Rickee Marshall

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 - 4:34 PM - Rickee Marshall

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.

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10 Jun 2020 - 11:30 PM - Rickee Marshall

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 - 1:24 PM - Rickee Marshall

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

5 May 2021 - 12:25 PM - Rickee Marshall

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

7 Dec 2021 - 5:09 PM - Rickee Marshall

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

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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 *National Parks and Wildlife Act 1974* (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 *National Parks and Wildlife Act 1974* (NSW).
4. That Council receive a report regarding additional land from Ben Boyd National Park to become part of the sporting complex area.

IN FAVOUR: Crs Fitzpatrick, Bain, Nadin, McBain, Seckold, Tapscott and Allen

AGAINST: Nil

ABSENT: Crs Dodds and Griff

20 Mar 2020 - 3:12 PM - Jacqueline Grant

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

9 Apr 2020 - 9:41 PM - Rickee Marshall

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 - 11:37 PM - Rickee Marshall

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.

5 May 2021 - 4:31 PM - Rickee Marshall

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 - 5:32 PM - Rickee Marshall

Followed up NPWS 4 July 2022 regarding matter.

Outstanding

Division: Business and Governance

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6 Oct 2022 - 7:36 AM - Rickee Marshall

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

18 Apr 2023 - 5:48 PM - Rickee Marshall

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

Meeting	Officer/Director	Section	Subject
Council 17/02/2021	Marshall, Rickee Bolton, Iliada	Staff Reports - D: Infrastructure Waste and Water	EOI 2021-62 - Occupation of office space within Bermagui Community Centre

Outstanding

Division: Business and Governance

Date From:

Committee: Council

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RESOLVED on the motion of Crs Seckold and Allen

1. That Council receive and note this report and Confidential Report attached.
2. That Council note the Expression of Interest process for the occupation of office space within Bermagui Community Centre has now closed.
3. That Council approve a further five-year licence to Bermagui Historical Society for their continued occupation of space within the Bermagui Community Centre for the market rental fee of \$6,875 (plus GST), less a rebate achieved of 67%.
4. That Council approve a further five-year licence to Four Winds for their continued occupation of space within the Bermagui Community Centre for the market rental fee of \$14,350 per annum (plus GST), less a rebate achieved of 56%.
5. That Council approve a further five-year licence to Southern NSW Local Health District for their continued occupation of space within the Bermagui Community Centre for the market rental fee of \$7,198.98 (plus GST).
6. That Council authorise the General Manager and Mayor to execute the above-mentioned licence agreements.
7. That Council make an application to NSW Department of Industry – Lands and Water for an investigation to be undertaken to create a reserve over Lot 2 DP 1102635 and for Council to be appointed as the Crown Land Manager of the reserve.

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

AGAINST: Nil

22 Feb 2021 - 10:19 AM - Jacqueline Grant

Action reassigned to Marshall, Rickee by: Grant, Jacqueline for the reason:

5 May 2021 - 3:54 PM - Rickee Marshall

Licence agreements for Bermagui Historical Society, Four Winds and Southern NSW Health drafted and sent to Crown Lands for consent prior to issue.

5 May 2021 - 3:55 PM - Rickee Marshall

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Native title advice received stating investigations have not found any prior act likely to have extinguished native title over Lot 2 in DP 1102635. The advice states that Council has 2 options:

1. maintaining the existing lease from the State of New South Wales over Lot 2 DP 1102635, until a determination of the South Coast Peoples Native Title Application is determined by the Federal Court of Australia or until the current Lease option period expires on 1 May 2038: or
2. being appointed as Crown land manager under the Crown Land Management Act 2016, conditional upon a native title certificate under Section 8.4 being issued by the Minister, concurrent with the appointment.

Council officers will seek to have a Native Title certificate issued and report back to Council if a certificate is not an option.

21 Jul 2021 - 11:53 AM - Rickee Marshall

Four Winds and Bermagui Historical Society licences received, to be executed by CEO and Mayor. Have been chasing Southern NSW Health but no luck so far.

8 Oct 2021 - 1:36 PM - Rickee Marshall

Continuing to chase Southern NSW Health for their signed licence agreement.

7 Dec 2021 - 4:30 PM - Rickee Marshall

Both Four Winds and Bermagui Historical Society licence agreements are signed and currently with Crown Lands for approval. Still unable to get a response from Southern NSW Health, this licence remains unsigned.

15 Dec 2021 - 12:11 PM - Georgina McIntyre

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

11 Feb 2022 - 10:07 AM - Casey Cole

Update from Crown Lands, Bermagui Historical Society Sub-Licence has been approved. Further supporting documentation has been requested for Four Winds, provided by email. Southern NSW Health District remain unlicensed since February 2021, Crown requested copies of correspondence in relation to this, which has been provided

24 Feb 2022 - 9:49 AM - Casey Cole

Internal email liaison re urgency to have Southern NSW Health's sub-licence agreement signed and returned to Council otherwise Council risk head lease breach. Anthony McMahon to contact Meegan Connors (GM of Coastal Network within Southern NSW Health) to chase

24 Feb 2022 - 5:08 PM - Casey Cole

Contact made with Southern NSW Health and draft Sub-Licence Agreement provided for review. Contact also made with Crown Lands to provide update

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17 Mar 2022 - 1:32 PM - Casey Cole

17.03.2022 Chased up Southern NSW Health to sign sub-licence documents

22 Mar 2022 - 10:04 AM - Georgina McIntyre

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

29 Jul 2022 - 4:29 PM - Rickee Marshall

Chased up Southern NSW Health to sign sub-licence documents.

2 Nov 2022 - 2:43 PM - Rickee Marshall

Continuing to follow up Southern NSW LHD - last email 24 October 2022

5 Dec 2022 - 3:51 PM - Rickee Marshall

Continuing to follow up Southern NSW LHD - last email 5 December 2022

30 Jan 2023 - 12:59 PM - Rickee Marshall

Continuing to follow up Southern NSW LHD - last email 30 January 2023

19 Apr 2023 - 5:14 PM - Rickee Marshall

Continuing to follow up Southern NSW LHD - email sent 19 April 2023

21 Jun 2023 - 4:46 PM - Rickee Marshall

Continuing to follow up Southern NSW LHD - follow up email sent 20/06/2023 to Sarah Galton regarding amended conditions

7 Aug 2023 - 5:39 PM - Rickee Marshall

27.07.23 – Amendments finalised with Southern NSW local Health District for review and execution.

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 - 3:18 PM - Georgina McIntyre

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

8 Oct 2021 - 1:58 PM - Rickee Marshall

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 - 5:18 PM - Rickee Marshall

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

7 Dec 2021 - 5:06 PM - Rickee Marshall

Lease documentation with lessee for execution.

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10 Dec 2021 - 4:52 PM - Rickee Marshall

8/12/2021 - Saleyard Advisory members notified in writing.

10/12/2021 - Media Release issued regarding Saleyard Advisory Group.

15 Dec 2021 - 11:46 AM - Rickee Marshall

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.

9 May 2022 - 4:33 PM - Rickee Marshall

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 - 1:48 PM - Rickee Marshall

29/06/2022 Lease lodged at NSW LRS.

2 Nov 2022 - 2:50 PM - Rickee Marshall

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

30 Jan 2023 - 12:59 PM - Rickee Marshall

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

18 Apr 2023 - 5:51 PM - Rickee Marshall

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

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 9:32 AM - Georgina McIntyre

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

6 Dec 2021 - 12:01 PM - Rickee Marshall

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 - 3:01 PM - Rickee Marshall

Clark Rideaux reviewing documents from EE and responding to Council.

15 Dec 2021 - 12:12 PM - Georgina McIntyre

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

4 Feb 2022 - 4:15 PM - Casey Cole

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

4 Feb 2022 - 4:17 PM - Casey Cole

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

4 Feb 2022 - 4:17 PM - Casey Cole

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 - 10:06 AM - Casey Cole

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

24 Feb 2022 - 5:07 PM - Casey Cole

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

7 Mar 2022 - 1:06 PM - Casey Cole

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

17 Mar 2022 - 1:34 PM - Casey Cole

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

22 Mar 2022 - 10:06 AM - Georgina McIntyre

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

9 May 2022 - 4:49 PM - Rickee Marshall

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.

Meeting	Officer/Director	Section	Subject
Council 9/02/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Assets and Operations	Creation of a positive covenant for APZ purposes over Council owned land at Arthur Kaine Drive, Merimbula

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Fitzpatrick and O'Neil

1. That Council receive and note the report.
2. That Council approve the creation of a positive covenant over Lot 120 DP 847899 at Arthur Kaine Drive, Merimbula in accordance with the *Conveyancing Act 1919* to the benefit of the adjoining landowner of Lot 121 DP 847899 as outlined in the report of 9 February 2022.
3. That all costs associated with the creation of the positive covenant be met by the landowner of Lot 121 DP847899 including but not limited to legal costs, survey costs and registration fees.
4. That the positive covenant be provided on the condition that compensation be paid to council based on a market value that considers the associated combined benefit to the adjoining property owner.
5. That the Chief Executive Officer and Mayor be authorised to execute the necessary documentation to affect the above course of action.

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

AGAINST: Nil

11 Feb 2022 - 2:06 PM - Georgina McIntyre

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

9 May 2022 - 5:01 PM - Rickee Marshall

Draft easement terms reviewed 09/05/2022 and sent to legal representatives.

Valuation report obtained for easement - \$5K and sent to legal representatives 09/05/2022 for inclusion in Deed.

25 Jul 2022 - 2:08 PM - Rickee Marshall

30/06/2022 - On further review, the best approach for registration of the easement is via deposited plan and s88B Instrument. Seeing as the surveyor has already prepared a full plan.

Legal representatives found difficulty with using a 'transfer granting easement' as Council's lot needed to be burdened with an easement for access that benefits the applicants lot which we didn't want to do.

The applicants lot also needs to be burdened with a positive covenant to maintain the APZ located within the site of the easement for the right of access area, on Councils land.

Draft Deed with applicants solicitor to arrange execution.

2 Nov 2022 - 2:55 PM - Rickee Marshall

Outstanding	Division: Business and Governance	Date From:
	Committee: Council	Date To:
	Officer:	
Action Sheets Report		Printed:

30/09/2022 - Deed sent to other side for execution.
5 Dec 2022 - 3:56 PM - Rickee Marshall
 5 December 2022 - Received Deed for execution by Council's CEO
10 Jan 2023 - 12:21 PM - Rickee Marshall
 Deed executed by Council CEO and returned to legal representatives 20/12/2022
18 Apr 2023 - 5:49 PM - Rickee Marshall
 \$5,000 compensation received and payment of our legal fees from Shc Mu3 Pty Ltd. Plan and s88B now sent so that they can attend to registration.
21 Jun 2023 - 4:47 PM - Rickee Marshall
 22.05.2023 – confirmation that compensation has been paid by landowner
 20.06.2023 – email sent to legal representative seeking confirmation whether documents have been lodged with LRS by landowner
 21.06.2023 – Clark Rideaux advised they are awaiting response to emails and will call again to follow up

Meeting	Officer/Director	Section	Subject
Council 15/06/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Assets and Operations	Road Closure - 99 Quarry Road, Greendale

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 9:35 AM - Georgina McIntyre

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

11 Jul 2022 - 5:38 PM - Rickee Marshall

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 - 11:32 AM - Rickee Marshall

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

5 Dec 2022 - 3:59 PM - Rickee Marshall

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

18 Apr 2023 - 5:53 PM - Rickee Marshall

Finalised Deed of Agreement and further correspondence with applicant

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

1 May 2023 - 5:09 PM - Rickee Marshall

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

21 Jun 2023 - 4:48 PM - Rickee Marshall

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		
<i>15 Jul 2022 - 4:13 PM - Georgina McIntyre</i>			
Action reassigned to Marshall, Rickee by: McIntyre, Georgina for the reason:			
<i>20 Jul 2022 - 4:35 PM - Rickee Marshall</i>			
Email sent to TTHCL to send through amended Deed of Agreement for Council execution.			

Outstanding	Division: Business and Governance	Date From:
	Committee: Council	Date To:
	Officer:	
Action Sheets Report		Printed:

5 Aug 2022 - 4:38 PM - Rickee Marshall
 Letter drafted seeking written assurance that the NSW Government will fund the remainder of works to complete the Twyford Hall Theatre project.

5 Aug 2022 - 4:38 PM - Rickee Marshall
 Amended Deed received from TTHCL. Will hold for Council execution once response from NSW State Government

2 Nov 2022 - 2:24 PM - Rickee Marshall
 Letter from CEO to TTHCL regarding repayment of funding sent 26/10/2022

7 Feb 2023 - 4:06 PM - Rebecca Payne
 BVSC invoice to TTHCL raised for repayment of funding.

27 Mar 2023 - 5:44 PM - Rickee Marshall
 Following up email sent to Greg Brackenreg regarding payment of the invoice for the loan repayment

18 Apr 2023 - 5:36 PM - Rickee Marshall
 17/04/2023 - Follow up sent to TTHCL regarding reimbursement for loan

Meeting	Officer/Director	Section	Subject
Council 20/07/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Assets and Operations	Lease to RBA Holdings Pty Ltd at Tura Beach reservoir site
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.			
<u>IN FAVOUR:</u> Crs Fitzpatrick, Griff, Seckold, Porter, O'Neil, Robin and Wright			
<u>AGAINST:</u> Crs Nadin and Allen			
RESOLVED on the motion of Crs Robin and O'Neil			

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 2:58 PM - Rebecca Payne

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

26 Jul 2022 - 6:26 PM - Rickee Marshall

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

9 Aug 2022 - 1:27 PM - Rickee Marshall

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

14 Sep 2022 - 11:04 AM - Rickee Marshall

Legal representatives prepare new lease agreement for RBA execution

27 Oct 2022 - 1:42 PM - Rickee Marshall

Lease issued to RBA 27/10/2022

16 Dec 2022 - 10:32 AM - Rickee Marshall

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

27 Mar 2023 - 5:40 PM - Rickee Marshall

Further lease negotiations with RBAH 24/03/2023

21 Jun 2023 - 4:48 PM - Rickee Marshall

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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><i>26 Sep 2022 - 2:28 PM - Rebecca Payne</i> Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, Can you please manage this action. Thank you Bec</p> <p><i>2 Nov 2022 - 3:00 PM - Rickee Marshall</i> 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><i>16 Dec 2022 - 1:58 PM - Rickee Marshall</i> 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><i>18 Apr 2023 - 5:38 PM - Rickee Marshall</i> Follow up email sent 17/04/2023 to surveyor regarding plans to progress matter</p> <p><i>21 Jun 2023 - 4:49 PM - Rickee Marshall</i> 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</p> <p><i>7 Aug 2023 - 5:40 PM - Rickee Marshall</i></p>			

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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.

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			
<i>26 Sep 2022 - 2:17 PM - Rebecca Payne</i>			
Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, Can you please manage this action. Thanks Bec			
<i>10 Oct 2022 - 10:08 PM - Rickee Marshall</i>			
Tura Beach Country Club returned executed lease 07/10/2022			
<i>13 Oct 2022 - 9:35 AM - Rickee Marshall</i>			
Lease with CEO and Mayor for counter signing.			
<i>27 Oct 2022 - 1:41 PM - Rickee Marshall</i>			
Lease with legal representatives for lodgement at NSW Land Registry Services			

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

2 Nov 2022 - 3:02 PM - Rickee Marshall

Lease lodged at NSW LRS

1 May 2023 - 5:10 PM - Rickee Marshall

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

21 Jun 2023 - 4:50 PM - Rickee Marshall

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 2:32 PM - Rebecca Payne

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

30 Jan 2023 - 1:23 PM - Rickee Marshall

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 - 5:39 PM - Rickee Marshall

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

Land owners consent letter issued for DA lodgement

21 Jun 2023 - 4:50 PM - Rickee Marshall

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

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Road alignment rectification - Mount Darragh Road
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:			
<ul style="list-style-type: none">• 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 <i>Roads Act 1993</i> (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 <i>Roads Act 1993</i> (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 - 12:32 PM - Rebecca Payne			

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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

13 Dec 2022 - 6:58 AM - Rickee Marshall

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 - 1:15 PM - Rickee Marshall

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

18 Apr 2023 - 5:39 PM - Rickee Marshall

Surveyor engaged to prepare plan

21 Jun 2023 - 4:51 PM - Rickee Marshall

16.06.2023 – follow up sent to CSJ regarding preparation of plan

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

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 - 12:35 PM - Rebecca Payne

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

16 Dec 2022 - 10:46 AM - Rickee Marshall

Updated Deeds of Agreement issued to landowners for execution.

1 May 2023 - 5:21 PM - Rickee Marshall

Jerang has signed Deed and returned for counter signing.

Outstanding	Division: Business and Governance	Date From:
	Committee: Council	Date To:
	Officer:	
Action Sheets Report		Printed:

21 Jun 2023 - 4:51 PM - Rickee Marshall
 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
 7 Aug 2023 - 5:41 PM - Rickee Marshall
 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.

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Review of Council Policies - Submission Received on Exhibited Document
RESOLVED on the motion of Crs Nadin and Seckold			
<ol style="list-style-type: none"> That Council adopt policy 6.01 Governance as attached to this report with no changes made to the version endorsed at the council meeting on 17 August 2022. That Council notes the submission received on Policy 6.01 Governance and Director Business and Governance is to refer the submission to the Audit, Risk and Improvement Committee for discussion. Any improvements identified by ARIC to be implemented before the next formal review of Council’s policies is commenced. That the adopted document be published on Council’s website. 			
<u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright			
<u>AGAINST:</u> Nil			
21 Dec 2022 - 1:44 PM - Rebecca Payne			
Action reassigned to Marshall, Rickee by: Payne, Rebecca for the reason: Hi Rickee, sending this action to you to put in the ARIC agenda. Thanks Bec			
21 Dec 2022 - 2:41 PM - Rebecca Payne			
Items 1 and 3 are completed			

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

Bolton, Iliada

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 - 3:56 PM - Rebecca Payne

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

25 Jan 2023 - 4:22 PM - Kaliegh Smerdon

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

7 Mar 2023 - 11:16 AM - Kaliegh Smerdon

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 2:28 PM - Kaliegh Smerdon

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.

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

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 - 9:25 PM - Rebecca Payne

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

27 Mar 2023 - 5:37 PM - Rickee Marshall

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

21 Jun 2023 - 4:53 PM - Rickee Marshall

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

7 Aug 2023 - 5:42 PM - Rickee Marshall

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.

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

Meeting	Officer/Director	Section	Subject
Council 22/03/2023	Marshall, Rickee 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>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil and Wright</p> <p>AGAINST: Nil</p> <p>ABSENT: Cr Robin</p> <p><i>23 Mar 2023 - 3:10 PM - Jacqueline Grant</i></p> <p>Action reassigned to Marshall, Rickee by: Grant, Jacqueline for the reason:</p> <p><i>18 Apr 2023 - 5:46 PM - Rickee Marshall</i></p> <p>18/04/2023 formal correspondence sent to applicant and St Johns Church who made a submission</p> <p><i>21 Jun 2023 - 4:53 PM - Rickee Marshall</i></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 22/03/2023	Marshall, Rickee Bolton, Iliada	New Item	EOI 2223-043 Merimbula Airport General Aviation Precinct land leases
<p>RESOLVED on the motion of Crs Nadin and Porter</p> <p>1. That Council receive and note this report and Confidential Report attached.</p>			

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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

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

AGAINST: Nil

ABSENT: Cr Robin

26 Mar 2023 - 9:26 PM - Rebecca Payne

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

18 Apr 2023 - 5:47 PM - Rickee Marshall

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

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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

1 May 2023 - 11:40 AM - Rebecca Payne

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

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Extension of tenure - Discovery Holiday Parks Pambula Beach

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Robin and Nadin

1. That upon expiry of the existing Discovery Holiday Parks Pty Ltd lease, Council as Crown Land Manager of the Pambula Beach Reserve (R89211), approve a further short-term arrangement for 12 months with the potential for a further 12-month extension if the carpark works have not progressed.
2. That authority be delegated to the Chief Executive Officer (CEO) to execute the short-term extension of tenure.

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

AGAINST: Nil

ABSENT: Cr Allen

1 May 2023 - 11:41 AM - Rebecca Payne

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

23 May 2023 - 3:16 PM - Rickee Marshall

Discovery Holiday Parks lease expires on 22 August 2023 and their current rent review is based on June CPI figures. As the June CPI figures are not released until 26 July 2023 a temporary licence for Discovery Holiday Parks will be drafted but not issued until the CPI figures are released in July.

7 Aug 2023 - 5:43 PM - Rickee Marshall

01.08.2023 rent reviewed by June 2023 CPI release and issued to Discovery Holidays Park for execution.

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Porter and Robin

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 *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, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Allen

1 May 2023 - 11:41 AM - Rebecca Payne

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

23 May 2023 - 3:22 PM - Rickee Marshall

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 - 4:54 PM - Rickee Marshall

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

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

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

1 May 2023 - 11:42 AM - Rebecca Payne

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

21 Jun 2023 - 4:55 PM - Rickee Marshall

Legal representatives preparing template VPA

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

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

1 May 2023 - 11:42 AM - Rebecca Payne

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

26 May 2023 - 1:07 PM - Rickee Marshall

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 4:56 PM - Rickee Marshall

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

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Audit, Risk and Improvement Committee Quarterly Report March 2023

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs O'Neil and Seckold

1. That Council receive and note the Audit, Risk and Improvement Committee (ARIC) March 2023 quarterly report.
2. That Council call for Expressions of Interest (EOI) from suitably qualified and experienced members of the community to be appointed as a volunteer, independent, external member of Bega Valley Shire Council's Audit, Risk and Improvement Committee following the resignation of one of the members.
3. That Council delegate responsibility to the Chief Executive Officer (CEO) to endorse the appointment of a new independent external member to the Audit, Risk and Improvement Committee following a competitive Expressions of Interest process.

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

AGAINST: Nil

ABSENT: Cr Allen

1 May 2023 - 11:43 AM - Rebecca Payne

Action reassigned to Marsh, Kurt by: Payne, Rebecca for the reason:

1 May 2023 - 11:43 AM - Rebecca Payne

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

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Social procurement initiatives

Outstanding	Division: Business and Governance	Date From:
	Committee: Council	Date To:
	Officer:	
Action Sheets Report		Printed:

RESOLVED on the motion of Crs Nadin and O'Neil

1. That Council receive and note the report and actions taken to support local Aboriginal business.
2. That Council continue to work with the NSW Office of Local Government and Local Government Procurement on initiatives to support Indigenous procurement practices.
3. That Council commits to continue working with Local Government Procurement on improving the uptake of Local Government Procurement contracts by more local Indigenous business.

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

AGAINST: Nil

ABSENT: Cr Allen

1 May 2023 - 11:48 AM - Rebecca Payne

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

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;
 - 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;

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 3:00 PM - Jacqueline Grant

Iliada for your action. Thanks.

11 Jul 2023 - 3:01 PM - Jacqueline Grant

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 9:37 AM - Rebecca Payne

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

15 Jun 2023 - 5:38 PM - Rickee Marshall

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

7 Aug 2023 - 5:43 PM - Rickee Marshall

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

Meeting	Officer/Director	Section	Subject
Council 24/05/2023	Bolton, Iliada	Staff Reports – Business and Governance	Review of Procedure 6.06.01 Financial Hardship Assistance

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

Bolton, Iliada

RESOLVED on the motion of Crs O'Neil and Nadin

That Council:

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.

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

AGAINST: Nil

ABSENT: Crs Griff and Robin

9 Jun 2023 - 9:11 AM - Rebecca Payne

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.

26 Jul 2023 - 1:47 PM - Rebecca Payne

No feedback received from the community via email or the have your say page. Procedure adopted and publish on council's website via pulse.

Meeting	Officer/Director	Section	Subject
Council 7/06/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Proposed divestment of Bega Valley Regional Learning Centre
THE ITEM WAS NOT FOUND (BOOKMARK: PDF2_ReportName_8565)			
CHECK THE INTEGRITY OF THE ITEM IN THE MINUTES DOCUMENT			

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

DOCUMENT: \\INFOCOUNCIL7\CHECKOUT_LIVE\JACQUELINE_GRANT\OC_07062023_MIN_951_EXTRA.DOCX

Resolution not found

Meeting	Officer/Director	Section	Subject
Council 28/06/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Expression of Interest (EOI) 2223-087 Tathra Beach Kiosk use and occupation

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Allen and Seckold

1. That Council receive and note this report and the confidential report attached.

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

AGAINST: Crs Nadin and Porter

RESOLVED on the motion of Crs Allen and Seckold

2. That Council note the Expression of Interest process for the use and occupation of the Tathra Beach Kiosk building closed on 29 May 2023.

3. That subject to a Native Title assessment, Council as Crown Land Manager of Tathra Beach Reserve (R79310), approve a 5 x 5-year lease with a further 5-year option to The Publican's Wife Pty Ltd for the occupation of the Tathra Beach Kiosk for an annual rental of \$45,000 plus GST per annum increased annually by CPI with a rent review after each 5-year term.

4. That Council authorise the Chief Executive Officer and Mayor to enter into negotiations in order to execute the necessary lease documentation to provide tenure to the successful applicant.

5. That Council authorise the Chief Executive Officer and Mayor to enter into negotiations with the second highest scoring applicant, should the successful applicant decide not to accept Council's conditions, in relation to lease responsibilities.

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

AGAINST: Crs Nadin and Porter

3 Jul 2023 - 2:45 PM - India McCoy

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

Meeting	Officer/Director	Section	Subject
Council 28/06/2023	Stewart, Gemma Bolton, Iliada	Staff Reports – Business and Governance	Location boundary change for 99 Thompsons Drive, Tathra

Outstanding	Division: Business and Governance	Date From:
	Committee: Council	Date To:
	Officer:	
Action Sheets Report		Printed:

RESOLVED on the motion of Crs Porter and O'Neil
That Council:

- Approves the proposal for the locality boundary amendment and that 99 Thompson Drive be included in the Tathra locality and that this change be submitted to the Geographical Names Board seeking approval for the locality boundary amendment.
- That based on a submission from the owners of Lot: 107 DP: 750236 and Lot: 93 DP: 750236 received subsequent to this report being published these lots also be included in the submission to the Geographical Names Board to be included in the locality of Tathra.

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

3 Jul 2023 - 2:43 PM - India McCoy
Action reassigned to Stewart, Gemma by: McCoy, India for the reason: Hi Gemma, for your teams action please. Thankyou, Indy.

20 Jul 2023 - 12:33 PM - Gemma Stewart
Request was submitted to GNB on July 10 2023; it is expected to be considered at the 15 August meeting. Following adoption / support by GNB, the boundary changes will be applied.

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

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

3 Jul 2023 - 2:41 PM - India McCoy

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

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Meeting	Officer/Director	Section	Subject
Council 28/06/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Bega Saleyards - Project Proposal
<p>RESOLVED on the motion of Crs Nadin and Porter That council advise the requestors that: Council is supportive in principle of the proposed stage 1 cover construction at the Bega Saleyards on the following conditions:</p> <ul style="list-style-type: none">• There is no cost to Council including ongoing operating costs including depreciation to be funded by council with these costs to be recovered through additional user fees• Appropriate agreements can be reached with the current saleyards lessee to facilitate construction and operation of the new asset including recovery of costs to Council to offset annual deprecation.• All necessary approvals are in place prior to anything being constructed• No further additions are to be undertaken at the saleyards without further approval from Council and the lessee. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright AGAINST: Nil ABSTAINED: Cr Allen</p> <p><i>11 Jul 2023 - 3:10 PM - Jacqueline Grant</i> Action reassigned to Marshall, Rickee by: Grant, Jacqueline for the reason:</p>			

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Audit, Risk and Improvement Committee Quarterly Report June 2023

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs O'Neil and Nadin

1. That Council receive and note the Audit, Risk and Improvement Committee (ARIC) June 2023 quarterly report.
2. That Council receive and note the attached letter from the Audit, Risk and Improvement Committee (ARIC) documenting their assurance regarding the Special Rate Variation (SRV) application process undertaken by Council.

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

AGAINST: Nil

1 Aug 2023 - 11:41 AM - India McCoy

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

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.

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

AGAINST: Nil

1 Aug 2023 - 11:41 AM - India McCoy

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

Outstanding

Division: Business and Governance

Date From:

Committee: Council

Date To:

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Action Sheets Report

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Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Marshall, Rickee Bolton, Iliada	Staff Reports – Business and Governance	Assignment of Licence - Bar Beach Kiosk
<p>RESOLVED on the motion of Crs Allen and O'Neil</p> <ol style="list-style-type: none">1. That Council receive and note the report.2. That Council approves assignment of the licence for part of R63203 Lot 7022 DP 1124387 at Bar Beach, Merimbula from Bar Beach Kiosk Pty Ltd to Joshua Haskard.3. That the applicant be responsible for the payment of all costs associated with the assignment of licence process.4. That the Mayor and Chief Executive Officer be authorised to execute the necessary documentation to formalise the above course of action. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p> <p><i>1 Aug 2023 - 11:41 AM - India McCoy</i></p> <p>Action reassigned to Marshall, Rickee by: McCoy, India for the reason: Hi Rickee, for your action. Thanks, Indy</p>			

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Bolton, Iliada Bolton, Iliada	Staff Reports – Business and Governance	Certificate of Investment June 2023

Outstanding

Division: Business and Governance

Date From:

Committee: Council

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RESOLVED on the motion of Crs Nadin and Allen

1. That Council receive and note the report on Council's investment position at 30 June 2023.
2. That Council notes the certification of the Responsible Accounting Officer.

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

AGAINST: Nil

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

Officer:

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Meeting	Officer/Director	Section	Subject
Council 20/07/2022	Harrison, Emily Harrison, Emily	Staff Reports – Community, Environment and Planning	Youth Committee and Youth Programs
RESOLVED on the motion of Crs Nadin and Porter			
That Council:			
1. Note the current work being undertaken by Council to support and engage with young people in the Bega Valley Shire.			
2. 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.			
<u>IN FAVOUR:</u> Crs Fitzpatrick, Nadin, Griff, Allen, Porter and Wright			
<u>AGAINST:</u> Crs Seckold, O'Neil and Robin			
<i>19 Sep 2022 - 1:17 PM - Emily Harrison</i>			
Staff are actively seeking funding opportunities for the development of a youth strategy.			
<i>8 Dec 2022 - 2:19 PM - Esther Furniss</i>			
Revised Target Date changed by: Furniss, Esther From: 3 Aug 2022 To: 01 Jun 2023 Reason: Awaiting funding to deliver these programs			
<i>13 Apr 2023 - 9:45 AM - Esther Furniss</i>			
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.			
<i>5 May 2023 - 12:07 PM - Esther Furniss</i>			
Revised Target Date changed by: Furniss, Esther From: 1 Jun 2023 To: 01 Sep 2023			

Outstanding	Division: Community Environment and Planning	Date From:
	Committee: Council	Date To:
	Officer:	
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Meeting	Officer/Director	Section	Subject
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Council 20/07/2022	Hancock, Cecily Harrison, Emily	Notices of Motion	Bega Valley Shire Flying Fox Camp Management Plan
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RESOLVED on the motion of Crs Griff and Wright

That Council:

1. Prioritise completion of the Bega Valley Shire Flying Fox Camp Management Plan, to identify appropriate management measures for grey-headed flying foxes in Bega Valley Shire.
2. Engage with relevant officers in Eurobodalla and Shoalhaven Councils to investigate successful strategies that have been applied in similar local government areas.
3. Work with key stakeholders such as the Bournda Environmental Education Centre, Pambula Wetlands and Heritage Projects Inc, Friends of Glebe Wetlands, and the Biodiversity and Conservation Division (BCD) in Department of Planning and Environment to increase community understanding of the importance of protecting the grey-headed flying fox and its habitat in Bega Valley Shire.

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

AGAINST: Cr Allen

24 Jul 2022 - 4:45 PM - Jacqueline Grant

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

26 Jul 2022 - 3:16 PM - Emily Harrison

Council officers will progress this work as per the Council resolution.

26 Jul 2022 - 3:18 PM - Emily Harrison

Action reassigned to Tull, Keith by: Harrison, Emily for the reason: Hi Keith - please see notes for staff action.

3 Nov 2022 - 1:05 PM - Esther Furniss

Council has engaged a consultant who is finalising the draft management plan in consultation with Council staff. Project has been delayed due to consultant availability.

1 Feb 2023 - 12:02 PM - Esther Furniss

The draft management plan has been sent to the Department of Planning and Environment for review.

Outstanding

Division: Community Environment and Planning

Date From:

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5 May 2023 - 12:01 PM - Esther Furniss

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

8 May 2023 - 5:44 PM - Esther Furniss

The draft management plan is now finalised. Staff are awaiting further advice from the Department of Planning and Environment and will schedule a workshop with Councillors once this advice is received.

7 Aug 2023 - 11:29 AM - Cecily Hancock

Councillor workshop held on 2 August 2023. Finalising draft Management Plan to be reported to Council for endorsement to place on public exhibition (targeting September 2023 business paper)

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?</p> <p>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.</p> <p>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><i>9 Jan 2023 - 10:16 AM - Jacqueline Grant</i></p> <p>Em for you to bring back to Council.</p> <p><i>9 Jan 2023 - 10:17 AM - Jacqueline Grant</i></p> <p>Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason:</p>			

Outstanding

Division: Community Environment and Planning

Date From:

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31 Jan 2023 - 5:17 PM - Esther Furniss

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.

7 Mar 2023 - 11:51 AM - Esther Furniss

Additional feedback received from BEM committee requiring significant updates to the MoU; staff working with BEM on additional updates.

9 May 2023 - 9:28 AM - Esther Furniss

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.

8 Aug 2023 - 11:19 AM - Esther Furniss

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.

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

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

Officer:

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 - 4:18 PM - Esther Furniss

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.

1 Feb 2023 - 2:19 PM - Esther Furniss

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

5 May 2023 - 12:02 PM - Esther Furniss

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

8 May 2023 - 4:18 PM - Esther Furniss

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.

7 Aug 2023 - 11:22 AM - Cecily Hancock

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

Outstanding	Division: Community Environment and Planning	Date From:
	Committee: Council	Date To:
	Officer:	
Action Sheets Report		Printed:

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		
<i>6 Mar 2023 - 3:54 PM - Jacqueline Grant</i>			
Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason:			
<i>9 May 2023 - 10:10 AM - Esther Furniss</i>			
Consultant to be engaged to undertake service review. Council report planned for August/September 2023, pending availability of consultants.			
<i>8 Aug 2023 - 2:33 PM - Esther Furniss</i>			
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.			

Meeting	Officer/Director	Section	Subject
Council 15/02/2023	Harrison, Emily Harrison, Emily	New Item	Cr Griff - What is the timeline and resources for staff to do an investigation into Children's Services, National Disability Insurance Scheme (NDIS) and Aged Care Services review?
Cr Griff asked what is the timeline and resources for staff to do an investigation into Children's Services, National Disability Insurance Scheme (NDIS) and Aged Care Services review?			

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

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Chief Executive Officer, Anthony McMahon advised he can't answer this question at the moment due to Council having an advanced Children's Services review that isn't finalised yet and to achieve the intent of Cr Nadin's motion there is still more work to do as the scope the consultants were asked to do in the first place doesn't cover everything we need to do to achieve the intent of the motion.

The NDIS, we have got resources assigned to get external support, however trying to find a consultant to work with us has been challenging, until we understand the availability of a consultant I can't answer this, we will also need to reconsider the scope.

Aged Care Services, I need to speak with the Director to see what our approach might be. We may potentially come back to Council on this to say we think you need to look at the budget as its outside the scope we have budget for.

We may consider bringing the reviews back separately, my recommendation would be don't look at these as a bundle of services, look at them separately as the consequences are very different. What we will continue to do is you will see the periodic updates come through and how we are progressing with issues, any significant reasons why we wouldn't be able to deliver this in a reasonable timeframe I will report back to Council.

11 May 2023 - 11:07 AM - Jacqueline Grant

Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason: Emily reassigning to you noting it was advised this one will take some time.

8 Aug 2023 - 4:42 PM - Esther Furniss

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.

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

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

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 - 10:10 AM - Esther Furniss

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

8 May 2023 - 3:30 PM - Esther Furniss

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

7 Aug 2023 - 11:21 AM - Cecily Hancock

Awaiting Traffic Impact Study from Applicant.

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Payne, Anthony Harrison, Emily	Staff Reports – Community, Environment and Plannin	Alcohol Free Zones and Alcohol Prohibited Areas

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

Officer:

Action Sheets Report

Printed:

RESOLVED on the motion of Crs Nadin and Seckold

That Council:

1. Resolves to cancel all current alcohol free zones (AFZs), with the exception of the newly established AFZ on the corner of Gipps and Bega streets in Bega, and the Biamanga Aboriginal Cultural Area alcohol free zone and establish new alcohol free zones in the same locations for a period of 4 years.
2. Resolves to re-establish expired alcohol free zones on the same schedule as current/new alcohol free zones.
3. Notes that consultation with the local police, the community and other stakeholders was undertaken as required under the Ministerial Guidelines and *Local Government Act*.
4. Notes that further consultation will be undertaken with the Biamanga National Park Board of Management regarding the alcohol free zone in the Biamanga Aboriginal Cultural Area.

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

AGAINST: Nil

ABSENT: Cr Allen

5 May 2023 - 12:06 PM - Esther Furniss

On 19 April Council resolved to cancel all current alcohol free zones (AFZs), with the exception of the newly established AFZ on the corner of Gipps and Bega streets in Bega, and the Biamanga Aboriginal Cultural Area alcohol free zone and establish new alcohol free zones in the same locations for a period of 4 years. Signage in the re established areas will be updated/replaced. The Biamanga Aboriginal Cultural Area AFZ was discussed at the Biamanga National Park Board of Management meeting on 5 May, however there were insufficient members present to vote on it. The board secretariat will send an email to all members to vote electronically and will advise Council of the outcome, likely in early June.

29 May 2023 - 12:43 PM - Esther Furniss

Action reassigned to Payne, Anthony by: Furniss, Esther for the reason: Hi Tony, for your team to progress the signage audit please so new signs/updated labels can be ordered and signs installed.

8 Aug 2023 - 4:43 PM - Esther Furniss

New or updated signs are being erected. Biamanga National Park Board of Management advised on 7 August 2023 they support the extension of the AFZ at Biamanga National Park. A further Council report will be prepared, aiming for the September Council meeting.

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

Officer:

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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.			
IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Porter, O'Neil, Robin and Wright			
AGAINST: Nil			
ABSENT: Cr Allen			
<i>11 May 2023 - 10:03 AM - Jacqueline Grant</i>			
Action reassigned to Harrison, Emily by: Grant, Jacqueline for the reason:			
<i>29 May 2023 - 12:45 PM - Esther Furniss</i>			
Council workshop held on 10 May which provided the stats to Councillors. Staff are still working through the policy. updates.			
<i>3 Aug 2023 - 5:34 PM - Esther Furniss</i>			
Parking enforcement procedure currently under review. Updated procedure will be provided to Councillors for review (planned for October 2023) followed by public exhibition.			

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

Date To:

Officer:

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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
<p>RESOLVED on the motion of Crs Fitzpatrick and Allen That Council:</p> <ol style="list-style-type: none">Notes this report and the progress made on the redevelopment of Tura Marrang Library and Community CentreResolves 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 storageCalls 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 CouncilEndorse staff to seek grants to allow for construction to occur, if a development consent is providedNotes that the results of the EOI and future funding options for the redevelopment will be reported to Council prior to the redevelopment commencingThat 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 <p>IN FAVOUR: Crs Fitzpatrick, Seckold, Allen and O'Neil AGAINST: Crs Nadin, Porter and Wright ABSENT: Crs Griff and Robin</p> <p><i>29 May 2023 - 12:48 PM - Esther Furniss</i> Action reassigned to Cleverley, Anne by: Furniss, Esther for the reason: HI Anne, reallocating to you for action please.</p> <p><i>8 Aug 2023 - 4:45 PM - Esther Furniss</i> DA has been submitted.</p>			

<p>Outstanding</p> <p>Action Sheets Report</p>	<p>Division: Community Environment and Planning</p> <p>Committee: Council</p> <p>Officer:</p>	<p>Date From:</p> <p>Date To:</p> <p>Printed:</p>
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Meeting	Officer/Director	Section	Subject
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Council 24/05/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Plannin	Finalisation of planning proposal for Market Street, Merimbula
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RESOLVED on the motion of Crs Allen and Porter

That Council:

1. Support the planning proposal to amend the Bega Valley Local Environmental Plan 2013 to change the height of buildings limit at 29-33 Market Street, Merimbula (Attachment 1) to 18 metres.
2. Finalise the Planning Proposal, as delegated by the Minister, following execution of the Voluntary Planning Agreement and registration on the titles.
3. Endorse and delegate authority for the Chief Executive Officer to prepare a draft Voluntary Planning Agreement between Bega Valley Shire Council and the Applicant, in accordance with the proposed: widening of the Market Street public domain by 3m; provision of street beautification works; and provision of an alleyway access between Market Street and the Palmer Lane carpark, as detailed in Attachments E and F to the planning proposal, and to exhibit the draft Agreement for 28 days in accordance with statutory and policy requirements.
4. Endorse and delegate authority for the Chief Executive Officer to finalise and execute the Voluntary Planning Agreement between Bega Valley Shire Council and the Applicant, subject to no significant objections on the Agreement being received during exhibition.
5. That all costs for negotiating, preparing, executing and registering the planning agreement are borne by the Applicant.
6. Advise those who made a submission during exhibition of the planning proposal of Council’s resolution on this matter.

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

AGAINST: Crs Seckold and O'Neil

ABSENT: Crs Griff and Robin

29 May 2023 - 12:47 PM - Esther Furniss

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

7 Aug 2023 - 11:38 AM - Cecily Hancock

Voluntary Planning Agreement being drafted. Staff have requested a modification of the Gateway determination by DPE to extend the expiration date.

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

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Meeting	Officer/Director	Section	Subject
Council 28/06/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Plannin	Endorsement of Minor Amendments Planning Proposal
<p>RESOLVED on the motion of Crs Griff and Wright That Council:</p> <ol style="list-style-type: none"> 1. Support a planning proposal to implement several minor amendments to the <i>Bega Valley Local Environmental Plan 2013</i>. 2. Authorise Council officers to submit the planning proposal (Attachment 1) and supporting information to the Department of Planning and Environment requesting a Gateway Determination under Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>. 3. Authorise Council officers, subject to the conditions of the Gateway Determination (including public exhibition) 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. <p>IN FAVOUR: Crs Fitzpatrick, Nadin, Griff, Seckold, Allen, Porter, O'Neil, Robin and Wright</p> <p>AGAINST: Nil</p> <p><i>30 Jun 2023 - 12:04 PM - Esther Furniss</i> Action reassigned to Hancock, Cecily by: Furniss, Esther for the reason: Hi Cec, reallocating to you for actioning please.</p> <p><i>7 Aug 2023 - 11:10 AM - Cecily Hancock</i> Planning Proposal submitted to Gateway 30 June 2023. Gateway Determination received 29 July 2023. Preparing for public exhibition in August 2023.</p>			

Meeting	Officer/Director	Section	Subject
Council 28/06/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Plannin	Planning Proposal for Club Sapphire Merimbula

Outstanding	Division: Community Environment and Planning	Date From:
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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 - 12:05 PM - Esther Furniss

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

7 Aug 2023 - 11:08 AM - Cecily Hancock

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

Meeting	Officer/Director	Section	Subject
Council 28/06/2023	Hancock, Cecily Harrison, Emily	Staff Reports – Community, Environment and Plannin	Planning Proposal for National Circularity Centre, Bega

Outstanding

Division: Community Environment and Planning

Date From:

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RESOLVED on the motion of Crs Seckold and Porter

1. That Council resolve to support the 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 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.
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 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, Seckold, Porter, O'Neil, Robin and Wright

AGAINST: Nil

ABSENT: Cr Allen

30 Jun 2023 - 12:05 PM - Esther Furniss

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

7 Aug 2023 - 11:01 AM - Cecily Hancock

Planning Proposal submitted to Gateway on 30 June 2023.

Meeting	Officer/Director	Section	Subject
Council 26/07/2023	Thomson, Sophie Harrison, Emily	Staff Reports – Community, Environment and Plannin	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

Outstanding

Division: Community Environment and Planning

Date From:

Committee: Council

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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

3 Aug 2023 - 3:25 PM - Esther Furniss

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

8 Aug 2023 - 12:33 PM - Esther Furniss

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

Outstanding

Division: Community Environment and Planning

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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

Outstanding

Division: Executive

Date From:

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:			
<ol style="list-style-type: none">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		
<i>30 Nov 2021 - 2:46 PM - Jacqueline Grant</i>			
Letter sent post Council meeting and at the request of the club a meeting to occur early in 2022. D21/119469			
<i>30 Nov 2021 - 2:49 PM - Jacqueline Grant</i>			
Action reassigned to Grant, Jacqueline by: Grant, Jacqueline for the reason:			
<i>9 May 2022 - 6:51 PM - Jacqueline Grant</i>			
Merimbula RSL club are going to to re-approach Council when they are ready for further action.			
<i>9 Jan 2023 - 9:35 AM - Jacqueline Grant</i>			
Still waiting for Merimbula RSL Club to approach Council			
<i>11 May 2023 - 9:55 AM - Jacqueline Grant</i>			
Still waiting for Merimbula RSL Club to approach us.			

Outstanding

Division: Executive

Date From:

Committee: Council

Date To:

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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 28/06/2023	McMahon, Anthony McMahon, Anthony	Staff Reports – Assets and Operations	2023 NSW Local Roads Congress

Outstanding

Division: Executive

Date From:

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RESOLVED on the motion of Crs Nadin and O'Neil

1. That the Report on the 2023 NSW Local Roads Congress be received and noted.
2. That Council formally endorse the Congress Communique.
3. That Council write to relevant State and Federal Government Members highlighting the issues raised at the 2023 NSW Local Roads Congress and seeking their support as well as providing a copy of the Canberra Region Joint Organisation submission to the Inquiry into the implications of severe weather events on the national regional, rural, and remote road network

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

AGAINST: Nil

17 Jul 2023 - 7:33 AM - Jacqueline Grant

Ian Macfarlane to draft a letter for CEO review 17/7/23