

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 OCTOBER 2025

The following document is the minutes of the Ordinary Council meeting held **15 OCTOBER 2025**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Wednesday **26 NOVEMBER 2025** and therefore subject to change. Please refer to the minutes of **26 NOVEMBER 2025** for confirmation.

PRESENT

Cr Gary Lee (Mayor)
Cr Martin Ballangarry OAM
Cr Tamara McWilliam
Cr Troy Vance

Cr James Angel
Cr David Jones
Cr Ljubov Simson

ALSO PRESENT

Bede Spannagle (General Manager)

David Moloney (Director Engineering Services)

Evan Webb (Chief Financial Officer)

Kristian Enevoldson (Acting Director Corporate and Community Services)

Daniel Walsh (Director Development and Environment Services)

Rochelle McMurray (Minute Secretary)

APOLOGIES

Apologies

Cr Susan Jenvey

Cr Jane MacSmith

ACKNOWLEDGMENT OF COUNTRY

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

COUNCIL MEETING AUDIO RECORDINGS

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

PRAYER

Minister Gary White from the Nambucca Valley Christian Community Church offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Councillor James Angel declared a non-pecuniary - less significant conflict of interest in Item 12.4 *Continued use of landscape material supplies and use of a secondary dwelling as an office* under the Local Government Act as Blue Dog Earthmoving is a customer of Cr Angels mechanical business. Cr Angel chose to stay in the meeting for this item.

Councillor Tamara McWilliam declared a non-pecuniary - less significant conflict of interest in Item 12.5 – *Proposed multi dwelling housing – 15 dwellings -1-1a Bellevue Drive Macksville* as Cr McWilliam lives on Bellevue Drive Macksville. Cr McWilliam chose to leave the meeting for this item.

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Councillor Gary Lee declared a non-pecuniary - less significant in Item 13.1 *Local Transport Forum* under the Local Government Act as Cr Lee is a resident using the intersection daily. Cr Lee stayed in the meeting for this item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 17 SEPTEMBER 2025

281/25 **RESOLVED:** (Jones/Simson)

That the minutes of the Ordinary Council Meeting of 17 September 2025 be confirmed.

RESOLVED: (Jones/Vance)

That Items 10.3 and 10.5 be brought forward.

ITEM 10.3	SF2888	151025	Funding Required for Valla Urban Growth Area
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282/25 **RESOLVED:** (Vance/McWilliam)

That Council approve the additional expenditure of \$100,000 for Valla Urban Growth Area (VUGA) funded from the Land Development Reserve.

ITEM 10.5	SF2888	151025	Valla Urban Growth Area Suburb Name
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283/25 **RESOLVED:** (Angel/McWilliam)

Council resolve to look further into naming the suburb subject to community consultation and Geographical naming board approval.

NOTICE OF MOTION - CR SIMSON

ITEM 5.1	SF3422	151025	Notice of Motion - Prevention of Gender-Based, Domestic and Family Violence
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284/25 **RESOLVED:** (Simson/Jones)

That Council:

- 1 As outlined in the Community Strategic Plan (2035), takes responsibility of providing a safe and inclusive community to all our residents and visitors seriously.
- 2 Notes the 16 Days of Activism against Gender-Based Violence, running annually from November 25th (International Day for the Elimination of Violence against Women) to December 10th (International Human Rights Day) and that May is Domestic and Family Violence Prevention Month, including Domestic Violence Remembrance Day and 28 May is LGBTQI+ Domestic Violence Awareness Day.
- 3 Commits to promoting awareness of the 16 Days of Activism against Gender-Based Violence from November 25th to December 10th.
- 4 Commits to promoting awareness of Domestic and Family Violence Prevention Month in May, including social media posts to mark Domestic Violence Remembrance Day (First Wednesday in May) and LGBTQI+ Domestic Violence Awareness Day on the 28th of May.

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- 5 Notes that NSW domestic and family violence services have been funded at levels significantly below demand for decades and measures to prevent, respond to and aid recovery from domestic and family violence have not received adequate funding from state or federal governments.
- 6 The Council will advocate to state ministers and our state member Michael Kemp MP for funds available through the Core and Cluster program, and the federal government ministers and federal member Pat Conaghan MP for programs available through the National Plan to End Violence Against Women and Children, for the funding of a safe-housing initiative in the Nambucca Valley. The Council will also advocate to the Anglicare Crisis Support Program to explore options for a safe-housing initiative.
- 7 Acknowledge Council's duty of care as a community leader in ensuring everyone is safe from gender-based violence on all Council premises, and ensuring visitors and children are supported and protected.
- 8 Calls on the Federal and State governments to ensure the measures in the National Plan to End Violence against Women and Children 2022–2032 are fully funded.
- 9 Provide a report to Council on the Prevention of Gender-based, Domestic and Family Violence under the "root cause of crime" priority (Operational Plan 2025/2026 & Delivery Program 2025/2029) including the consideration of partnering with the Office of Local Government in the delivery of the state government funded "Pathways to Prevention Strategy" which includes primary prevention of violence strategies, by-stander and unconscious bias training. As part of the report Council will explore the role of Council as a community leader in addressing Gender-based, Domestic and Family Violence, as modelled by Kuringai Council.
- 10 Write to the NSW Premier, the NSW Minister for the Prevention of Domestic Violence and Sexual Assault, the Federal Minister for Social Services, the Member for Oxley and the Member for Cowper informing them of the calls in this motion.

PUBLIC FORUM

RECOMMENDATION

That the following public forum be heard:

- i *Mr Dave Banks on behalf of Nambucca Valley River Users Group – speaking about caravans and mobile homes parking in Ferry Street and other locations in the Valley*
- ii *Mrs Julie Gooch on behalf of NSW Farmers Association, Nambucca Valley Branch - Speaking about Great Koala National Park's impact on the agriculture community in the Nambucca Valley*

PUBLIC FORUM

- i **Mr Dave Banks addressed Council with speaking notes placed on 57686/2025 SF3424**

RESOLVED: (McWilliam/Vance)

That an extension of time be granted to the speaker.

- ii **Mrs Julie Gooch addressed Council with speaking notes placed on 57684/2025 SF3424**

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DELEGATIONS

RECOMMENDATION

That the following delegations be heard:

Item 5.1 – Notice of Motion – Prevention of Gender-Based, Domestic and Family Violence

iii Reverend Ven Peter Shayler-Webb on behalf of Anglican Parish of Nambucca Valley – for the recommendation

Item 11.5 – Mineral Mining and Exploration

iv Ms Georgette Allen – against the recommendation

DELEGATIONS

iii Reverend Ven Peter Shayler-Webb addressed Council with speaking notes placed on 57681/2025 SF3424

iv Ms Georgette Allen addressed Council with speaking notes placed on 57788/2025 SF3424

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

MAYORAL MINUTES

ITEM 9.1	SF3422	151025	Mayoral Minute - Adoption of Mayoral Chains
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285/25 **RESOLVED:** (Lee/McWilliam)

That Council:

- 1 Approves the use of the Mayoral Chains by the sitting Mayor at agreed events**
 - 2 Accepts the donation of the Mayoral Chains from Gary Lee for Mayoral use.**
 - 3 Purchases the required corporate logo and engrave, as agreed, former Mayors and an inscription to honour previous Shire presidents.**
 - 4 Acknowledges the wearing of the chains be at the discretion of any Mayor or Deputy Mayor when acting as Mayor.**
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ITEM 9.2 SF3422 151025 Mayoral Minute - Request for Council to Join the Mid North Coast Joint Organisation

MOTION: (Lee/McWilliam)

That Council:

- 1 Apply to join the Mid North Coast Joint Organisation.**
- 2 Acknowledges the Mayor represents the decisions of our governing body at the MNCJO**

AMENDMENT: (Jones/Simson)

Defer the report to the next Council meeting in November

For the Motion: Councillors Ballangarry, Jones and Simson
Total (3)
Against the Motion: Councillors Angel, Lee, McWilliam and Vance
Total (4)

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

286/25 **RESOLVED:** (Lee/McWilliam)

That Council:

- 1 apply to join the Mid North Coast Joint Organisation.**
- 2 acknowledges the Mayor represents the decisions of our governing body at the MNCJO**

GENERAL MANAGER REPORTS

ITEM 10.1 SF959 151025 Outstanding Actions and Reports

287/25 **RESOLVED:** (Angel/Lee)

That Council notes the list of outstanding actions and reports.

ITEM 10.2 SF3651 151025 Draft 2024/2025 Annual Financial Statements

288/25 **RESOLVED:** (Angel/McWilliam)

That Council resolves:

- 1 To authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose**

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Financial Statements for the year ended 30 June 2025 made pursuant to Section 413(2)(c) of the *Local Government Act 1993* (NSW).

- 2 To authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management for the Special Purpose Financial Statements for the year ended 30 June 2025 made pursuant to the Local Government Code of Accounting Practice and Financial Reporting.
- 3 In accordance with Section 413 (1) of the *Local Government Act 1993* (NSW), to refer the 2024/2025 Annual Financial Statements to the Audit Office of NSW for audit.

Item 10.3 was brought forward

ITEM 10.4 SF3528 151025 Investment Report for September 2025

289/25 **RESOLVED:** (Angel/Jones)

That Council:

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

Item 10.5 was brought forward

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORTS

ITEM 11.1 LF7038 151025 Consolidation of Mann Street Reservoir lots - Lot1/DP790002 and Lot2/DP790001

290/25 **RESOLVED:** (Jones/Angel)

That Council:

- 1 Approve the consolidation of Lot1/DP790002 and Lot2/DP790001 for rating purposes
- 2 Gives the General Manager delegation to sign the relevant registration documents.

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ITEM 11.2 SF2455 151025 Lease - INA Operations Pty Ltd- Ingenia Holidays White Albatross Wellington Drive Nambucca Heads

MOTION: (McWilliam/Simson)

That Council:

- 1 Proceed with the twenty one (21 year) lease to INA Operations Pty Ltd for encroachments
- 2 Place the lease on public exhibition for 28 days; and if no submissions received delegate the General Manager to execute the lease and refer to Crown Lands for Ministerial consent.

AMENDMENT: (Jones/Vance)

That Council defer the report until the next Council meeting.

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

For the Motion:	Councillors Angel, Ballangarry, Jones, Lee, McWilliam, Simson and Vance
	Total (7)
Against the Motion:	Nil
	Total (0)

291/25 **RESOLVED:** (Jones/Vance)

That Council defer the report until the next Council meeting.

ITEM 11.3 SF1031 151025 Update on Council Policy Review status

292/25 **RESOLVED:** (McWilliam/Simson)

That Council notes the dates in relation to the review of policies

ITEM 11.4 SF3654 151025 Recommendations for Community Grants Program 25/26 Round 1

293/25 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 **Approve the recommended projects for funding under the Community Grants Program 25/26 Round 1.**
 - 2 **Approve the recommended adjustments to the Community Grants Guidelines for Round 2 as highlighted in Guidelines.**
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ITEM 11.5	SF3653	151025	Minutes of the Nambucca Valley Youth Council
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294/25 **RESOLVED:** (Jones/Simson)

That Council note the minutes of the Nambucca Valley Youth Council.

ITEM 11.6	SF3653 Council	151025	Report on the feasibility of an Instagram page for Youth
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295/25 **RESOLVED:** (Angel/McWilliam)

That Council notes the report.

ITEM 11.7	SF3586	151025	Report on Recommendations from Duguula Bindarray-Garri Aboriginal Advisory Committee on 2 September 2025
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296/25 **RESOLVED:** (Simson/Jones)

That Council notes the report on the recommendations from Duguula Bindarray-Garri Aboriginal Advisory Committee on 2 September 2025.

ITEM 11.8	SF3409	151025	Minutes of the Disability Access and Inclusion Committee 23 September 2025
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297/25 **RESOLVED:** (Simson/McWilliam)

That Council notes the record of the Disability Access and Inclusion Committee meeting held 23 September 2025.

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORTS

ITEM 12.1	SF1031	151025	Review of Waste Collection Service Policy DE 19
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298/25 **RESOLVED:** (McWilliam/Simson)

That Council adopts the draft Waste Collection Service Policy DE 19 attached to this report.

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ITEM 12.2 SF3410 151025 Undetermined Development Applications Greater Than 12 Months, Where Submissions Have Been Received, or Where an Application to vary Development Standards Under Clause 4.6 of The Nambucca LEP 2010 was approved under Staff Delegation

299/25 **RESOLVED:** (Simson/McWilliam)

That Council notes the information contained within the report.

ITEM 12.3 SF3424 151025 Mineral Mining and Exploration

300/25 **RESOLVED:** (Jones/Simson)

That Council defers the report until Council receives a response from Clarence Catchment Action Group.

ITEM 12.4 DA2025/121 151025 Continued use of landscape material supplies and use of a secondary dwelling as an office

301/25 **RESOLVED:** (McWilliam/Vance)

That Council grant consent for Development Application DA2025/121 for the continued use of a landscaping materials supply business and a change of use of a secondary dwelling to an office, subject to the conditions shown in Attachment 1.

Councillor Tamara McWilliam left the meeting before the commencement of this item, the time being 6:53 PM

ITEM 12.5 DA2025/083 151025 Proposed Multi Dwelling Housing - 15 Dwellings - 1-1A Bellevue Drive, North Macksville

302/25 **RESOLVED:** (Lee/Vance)

That Council defers the report until the November meeting

Councillor Tamara McWilliam returned to the meeting at the completion of this item, the time being 6:53 PM

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ITEM 12.6 SF3410 151025 June, July, August and September 2025 - Approved
Construction Certificates, Approved Complying Developments, Development Applications
Received and Complying Developments Received

303/25 **RESOLVED:** (Simson/McWilliam)

That Council notes the approved Construction Certificates, approved Complying Development Certificates, Development Applications received and Complying Development Applications received for June, July, August & September 2025.

DIRECTOR ENGINEERING SERVICES REPORTS

ITEM 13.1 SF90 151025 Local Transport Forum

304/25 **RESOLVED:** (Vance/McWilliam)

That Council:

- 1 Approve the road closures for ANZAC DAY Marches for the period 2026 - 2028 in Nambucca Heads, Macksville and Bowraville, noting the following being received by Council:
 - Certificate of Currency for Public Liability Insurance;
 - Traffic Management Plan confirming Accredited Traffic Controllers will be on site; and
 - Police advice for the road closures.
- 2 Endorse the road closures for the ANZAC DAY marches to be held on ANZAC DAY 25 April 2026 – 2028 as follows:
 - a) Macksville - Dawn Service – Wallace Lane, Princess and River Streets between Mackay Street and Cooper Street from 0445 to 0630 hours; then Winifred, Princess, Wallace, Cooper and River Streets to Mackay Street from 1000 to 1200 hours;
 - b) Bowraville - High Street between Bowra and Young Streets – from 0900 to 1200 hours;
 - c) Nambucca Heads - Bowra and Nelson Streets between Rosedale Street and Riverside Drive from 0800 to 0915 hours.
- 3 Advertise the road closures seven (7) days prior to Anzac Day Marches.
- 4 Notes that each branch must reapply if there are any changes to the approved application i.e. times or march route.
- 5 Notes that each branch must comply with the approved Traffic Management Plan and/or NSW Police instruction.
- 6 Notes that each branch must hold a current Certificate of Currency for Public Liability Insurance.
- 7 Approve signs and devices necessary to affect the road closure.
- 8 Approve consultation with the bus companies to be undertaken.
- 9 Endorse the Back to Bowra Committee Temporary Road Closure application of High Street Bowraville, from the Young Street Intersection to Bowra Street Intersection between 7.00am to 5.00pm on Saturday 15 November 2025, noting the following has been received by Council:

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- i. A Traffic Guidance Scheme; and
 - ii. Police and emergency services notification for the road closures.

- 10 Approve signs and devices necessary to affect the road closure.
- 11 Advertise the road closures seven (7) days prior.
- 12 Proposes to install line marking and blister to facilitate drivers to enter Taylors Arm Road perpendicular from Maras Creek Road.

ITEM 13.2 SF2250 151025 Macksville Memorial Aquatic and Fitness Centre -
Replacement of Grandstand

305/25 **RESOLVED:** (McWilliam/Simson)

That Council notes the proposed solutions for the grandstand.

ITEM 13.3 PRF53 151025 River Street Toilet

306/25 **RESOLVED:** (Angel/McWilliam)

That Council holds discussions with the funding body to reallocate the grant funding for the River Street toilet to the Grandstand at the Macksville Memorial Aquatic and Fitness Centre.

ITEM 13.4 SF843 151025 Minutes of the Vehicular Access to Beaches Committee
Meeting - 18 September 2025

307/25 **RESOLVED:** (Vance/Simson)

That Council notes the Minutes of the Vehicular Access to Beaches Committee meeting held Thursday 18 September 2025.

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COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

308/25 **RESOLVED:** (Angel/McWilliam)

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

Reason reports are in Closed Meeting:

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 14.1 SF3420 151025 Matters Regarding Realised or Potential Losses

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

For Confidential Business Paper in Closed Meeting

ITEM 14.2 SF3420 151025 T2025-036 Plumbing Including Roofing Services - Supplier Panel

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

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 7:04PM.

RESUME IN OPEN MEETING

309/25 **RESOLVED:** (Jones/McWilliam)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 7:21 PM.

FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

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GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 14.1 SF3420 151025 Matters Regarding Realised or Potential Losses

310/25 **RESOLVED:** (McWilliam/Vance)

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

For Confidential Business Paper in Closed Meeting

ITEM 14.2 SF3420 151025 T2025-036 Plumbing Including Roofing Services - Supplier Panel

311/25 **RESOLVED:** (Jones/Ballangarry)

That Council:

1 Authorise the following seven (7) suppliers for T2025-036 Plumbing Including Roofing Services – Supplier panel as per their submitted schedule of rates:

- A Cosgrave & KL Gardner & RP Hancock t/a Hightide Plumbing
- Lightning Plumbing & Gas Pty Ltd
- Oasis Plumbing & Bathroom Renovations Pty Ltd
- D Walker Plumbing (Aust) Pty Ltd
- O'Brien Plumbing & Relining Coffs Harbour North
- Roofbuild Pty Ltd
- Coast 2 Coast Plumbing Contractors Pty Ltd

2 Updates the Contract Register.

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7.24 PM.

Confirmed and signed by the Mayor on **26 NOVEMBER 2025**

Cr Gary Lee
MAYOR
(CHAIRPERSON)