



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 25 FEBRUARY 2026

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

Our Vision

The Nambucca Valley is a vibrant, sustainable, inclusive and connected community that values and respects the Gumbaynggirr culture, it's environment and lifestyle, whilst creating opportunities for a safe and meaningful future for all.

Our Values in Delivery

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

Council Meetings: Overview and Proceedings

Council meetings are held monthly on the **fourth Wednesday** of each month commencing at **5.30 pm**. Meetings are held in the Council Chamber at Council's Administration Centre—44 Princess Street, Macksville (unless otherwise advertised).

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

Public Forums are held each month at 5.30pm on the Tuesday (same week) the day prior to the council meeting, except where Council meetings are held off-site.

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

Members of the public are welcome to attend meetings and address the Council. Registration to speak may be made by application on Council's website <https://nambucca.nsw.gov.au/addresscouncil> before 11.00 am on the day of the Public Forum. Public addresses are limited to five (5) minutes per person with a limit of two people speaking for and two speaking against an item.

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

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

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

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

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

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

Council Meeting Audio Recordings

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

Meeting Agenda

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

For Councillors

If you would like to submit a Notice of Motion or Question with Notice for an upcoming Council meeting, please use the link [Councillor Notice of Motion/Questions with Notice](#)



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING - 25 FEBRUARY 2026

Acknowledgement of Country *(Mayor)*

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

Council Meeting Audio Recordings *(Mayor)*

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

AGENDA

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

13.2 Agreement for Transfer of Land for the Purpose of Road Realignment

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 (There are multiple property owners affected for these works, and this agreement has been negotiated in good faith specifically with this particular landowner and may differ from other such agreements.).

13.3 Valuation Conducted Lot 1 DP1173066

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

13.4 Water Leak Adjustment - Water Account 11145834

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) (b) of the Local Government Act, 1993, on the grounds that the report contains a discussion in relation to the personal hardship of a resident or ratepayer.

a Questions raised by Councillors at 8 above

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

14 MEETING CLOSED TO THE PUBLIC

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

Statement of ethical obligations:

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

NAMBUCCA VALLEY COUNCIL



DISCLOSURE OF INTEREST AT MEETINGS

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

I _____ declare the following interest:
(name)

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

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

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

For the reason that _____

Signed _____ Date _____

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

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

Definitions

(Local Government Act and Code of Conduct)

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

(Local Government Act, 1993 section 442 and 443)

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

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

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

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

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

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

The following document is the minutes of the Ordinary Council meeting held **28 JANUARY 2026**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Wednesday **25 FEBRUARY 2026** and therefore subject to change. Please refer to the minutes of **25 FEBRUARY 2026** for confirmation.

PRESENT

Cr Gary Lee (Mayor)
Cr David Jones
Cr Ljubov Simson
Cr Troy Vance

Cr Martin Ballangarry OAM
Cr Tamara McWilliam
Cr Jane MacSmith

ALSO PRESENT

Bede Spannagle (General Manager)

Kristian Enevoldson (Acting Director Corporate and Community Services)

David Moloney (Director Engineering Services)

Daniel Walsh (Director Development and Environment Services)

Kathryn Reynolds (Minute Secretary)

Suzanne Sullivan (Minute Secretary)

APOLOGIES

Apologies (leave granted)

Cr Susan Jenvey

Cr James Angel

Apologies

Evan Webb (Chief Financial Officer)

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

Pastor Nick Green offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Councillor Vance declared a non-pecuniary - significant conflict of interest in *Item 12.6 October, November & December 2025 - Approved Construction Certificates, Approved Complying Developments, Development Applications Received and Complying Developments Received* under the Local Government Act as Cr Vance's company sold the property next door to DA2025/266.

Councillor Jones declared a non-pecuniary – less significant conflict of interest in *Item 11.3 Request for a Temporary Road Closure - Macksville* under the Local Government Act as Cr Jones is on the Arts Mid North Coast Board who is involved in the event.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

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

1/26 **RESOLVED:** (Simson/Jones)

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

PUBLIC FORUM

RECOMMENDATION:

That the following public forum be heard:

i Mr Richard Simshauser – speaking about renewable energy future and our local economy

PUBLIC FORUM

i Mr Richard Simshauser addressed Council with speaking notes placed on 2371/2026 SF3424.

2/26 **RESOLVED:** (MacSmith/Lee)

That an extension of time be granted.

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

GENERAL MANAGER REPORTS

ITEM 9.1 SF3422 280126 Request for Leave - Cr Susan Jenvey - 22 to 31 January 2026

3/26 **RESOLVED:** (McWilliam/Vance)

1 That Cr Susan Jenvey be granted leave of absence in accordance with Section 234(1) (d) of the Local Government Act 1993 for the period of 22 to 31 January 2026 inclusive.

2 That Cr James Angel be granted leave of absence in accordance with Section 234(1) (d) of the Local Government Act 1993 for the period of 22 January to 2 February 2026 inclusive.

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

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

Against the Motion:	Total (7)
	Nil
	Total (0)

ITEM 9.2	SF959	280126	Outstanding Actions and Reports
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4/26 **RESOLVED:** (Simson/McWilliam)

That Council notes the list of outstanding actions and reports.

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

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

ITEM 9.3	SF3422	280126	Response to Notice Of Motion regarding Governance, Representation and membership considerations in relation to the Mid North Coast Joint Organisation
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5/26 **RESOLVED:** (Simson/McWilliam)

That Council notes the response to the Notice of Motion submitted to the 17 December 2025 council meeting in relation to the Mid North Coast Joint Organisation.

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

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

ITEM 9.4	SF3528	280126	Investment Report for December 2025
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6/26 **RESOLVED:** (McWilliam/Simson)

That Council:

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

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

For the Motion:	Councillors Ballangarry, Jones, Lee, MacSmith, McWilliam, Simson and
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Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

	Vance
Against the Motion:	Total (7)
	Nil
	Total (0)

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORTS

ITEM 10.1 SF35 280126 Use of Delegated Authority for Disaster Recovery Funding Arrangements Program

7/26 **RESOLVED:** (McWilliam/Simson)

That Council notes the information provided in this report.

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

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

ITEM 10.2 SF3653 280126 Minutes of the Nambucca Valley Youth Council

8/26 **RESOLVED:** (MacSmith/Simson)

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

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

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

ITEM 10.3 SF963 280126 Nominations to Council Section 355 Committees of Management

9/26 **RESOLVED:** (Simson/McWilliam)

That Council approves the nominations of Section 355 Committees of Management for Valla Beach Community Association and Burrupine Public Hall as per the table in the Discussion section of the report.

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

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

Total (0)

ITEM 10.4 SF3409.25 280126 Minutes of the Disability Access and Inclusion Committee 25
November 2025

10/26 **RESOLVED:** (Simson/McWilliam)

That Council notes the record of meeting of the Disability Access and Inclusion Committee meeting held 25 November 2025.

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

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

Total (7)

Against the Motion:

Nil

Total (0)

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORTS

ITEM 11.1 DA2025/098 280126 Continued Use of an Existing Dwelling - DA2025/098

11/26 **RESOLVED:** (Jones/MacSmith)

That Council approves the development application DA2025/098 for the continued use of an existing dwelling on Lot 92 DP755548 - 1947 North Arm Road, Argents Hill subject to the conditions contained within attachment 1.

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

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

Total (7)

Against the Motion:

Nil

Total (0)

ITEM 11.2 SF3490 280126 Minutes of the Nambucca Valley Catchments and Coastline
Management Committee Meeting 20 November 2025

12/26 **RESOLVED:** (McWilliam/Simson)

That Council:

1 Notes the Minutes of the Nambucca Valley Catchments and Coastline Management Committee meeting held Thursday 20 November 2025.

2 Notes the resolutions of the Nambucca Valley Catchments and Coastline Management Committee including:

That the Committee nominate Francis Brownhill and Trish Reinten for members on the committee.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

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

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

Councillor Troy Vance left the meeting before the commencement of this item, the time being 6:03 PM.

ITEM 11.3 SF3410.25 280126 October, November & December 2025 - Approved Construction Certificates, Approved Complying Developments, Development Applications Received and Complying Developments Received

13/26 **RESOLVED:** (Jones/MacSmith)

That Council notes the approved Construction Certificates, approved Complying Development Certificates, Development Applications received and Complying Development Applications received for October, November & December 2025.

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

For the Motion:	Councillors Ballangarry, Jones, Lee, MacSmith, McWilliam and Simson
	Total (6)
Against the Motion:	Nil
	Total (0)

Councillor Troy Vance returned to the meeting at the completion of this item, the time being 6:05 PM.

DIRECTOR ENGINEERING SERVICES REPORTS

ITEM 12.1 SF3671 280126 Scotts Head Master Plan - Project Reference Group

14/26 **RESOLVED:** (MacSmith/Simson)

That Council:

- 1 Endorses the four (4) nominated community members.**
- 2 Notes advice from Crown Lands Department that they do not wish to be on the Project Reference Group**
- 3 Adopts the amended Terms of Reference for the Project Reference Group.**
- 4 Continues to search for a community youth representative and delegate to the Mayor the appointment of a suitable candidate to the Project Reference Group.**
- 5 Writes to each of the nominees thanking them for expressing their interest in the being on the Project Reference Group.**

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

For the Motion:	Councillors Ballangarry, Jones, Lee, MacSmith, McWilliam, Simson and Vance
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Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

Against the Motion:	Total (7)
	Nil
	Total (0)

ITEM 12.2 SF1031 280126 Manager Water and Sewerage Policy Reviews

15/26 **RESOLVED:** (McWilliam/Simson)

That Council:

- 1 Adopts the Drinking Water Quality Policy ES29 and the Recycled Water Policy ES20.**
- 2 Reviews both policies in 12 months.**

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

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

ITEM 12.3 SF3114 280126 Community Consultation - Disabled Accessible Parking Options for High Street, Bowraville - BLERF-0355

16/26 **RESOLVED:** (MacSmith/Simson)

That Council approves the adjustment to the loading zone and installation of a disabled car park space in accordance with Option D and installs supporting regulatory signage.

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

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

ITEM 12.4 RF143 280126 Installation of Pedestrian Refuge Island Mann Street, West of Hyland Park Road

17/26 **RESOLVED:** (Jones/McWilliam)

That Council:

- 1 Installs a Pedestrian Refuge Island on Mann Street, west of Hyland Park Road with**

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

supporting line marking and signage.

- 2 Relocates the bus shelter 40m east of its existing location and install a 20m bus zone.
- 3 Approves the installation of a 'No Right Turn' restriction from the adjacent car park onto Mann Street.
- 4 Approves the extension of the No Stopping zone to incorporate the Refuge Island area.

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

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

ITEM 12.5 DA2024/122 280126 Development of Council's 10 Lot Subdivision on Albert Drive Warrell Creek

18/26 **RESOLVED:** (Jones/MacSmith)

That Council:

- 1 Fund the expenditure up to \$500,000 to undertake civil works required to develop a currently vacant parcel of council owned land located at Warrell Creek, from the Capital Works Reserve.
- 2 Approves the preparation of the newly created proposed Lots to market for sale, noting the method of sale and minimum sale price will be brought back to Council for approval.
- 3 Upon the sale of the land parcels, the proceeds will first be used to reimburse the Capital Works Reserve.
- 4 Any surplus funds received beyond this amount will be transferred to the Land Development Reserve.

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

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

ITEM 12.6 SF3339 280126 Request for a Temporary Road Closure - Macksville

19/26 **RESOLVED:** (MacSmith/Simson)

That Council:

1 Approves the temporary road closures in Macksville, for the Nambucca Valley Open Streets Project – Street Festival, between Cooper Street to McKay Street, Macksville

a) 09:00 to 15:00 Friday 13 February, 2026

- River Street, West of Wallace Lane
- Princess Street, North of McKay Street

b) 15:00 Friday 13 February to 17:00 Sunday 15 February 2026.

- River Street (West of Cooper Street)
- Wallace Lane, and
- Princess Street (North of McKay Street)
- McKay Street Car Park

Noting the following documentation being received by Council:

- Certificate of Currency for Public Liability Insurance
- Confirmation of clear path of 2.5 metres being provided for access by emergency service vehicles through the road closure
- Traffic Management Plan confirming Accredited Traffic Controllers will be on site, and
- Police advice of the road closure.

2 Approves signs and devices necessary to affect the road closure.

3 Advertises the road closure more than seven (7) days prior to the event.

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

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

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

20/26 **RESOLVED:** (Simson/Ballangarry)

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:

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

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420.25 280126 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 13.2 SF3420 280126 Proposed sale of Lot 2 DP 1294410 - 150 Albert Drive Warrell Creek

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

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 6.17PM.

RESUME IN OPEN MEETING

21/26 **RESOLVED:** (Jones/McWilliam)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 6:31PM.

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

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

FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420.25 280126 Matters Regarding Realised or Potential Losses

22/26 **RESOLVED:** (McWilliam/Simson)

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 JANUARY 2026

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

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

For Confidential Business Paper in Closed Meeting

ITEM 13.2 SF3420 280126 Proposed sale of Lot 2 DP 1294410 - 150 Albert Drive Warrell Creek

23/26 **RESOLVED:** (MacSmith/McWilliam)

That Council:

- 1 Approves the sale of Lot 2 DP 1294410 as per the highest offer.**
- 2 Delegates the General Manager to sign under seal the contract of sale and legal documents.**
- 3 Subject to the failure of execution of the above sale, approves the General Manager to accept further offers on Lot 2 DP 1294410 on or above the amount specified in the valuation report.**
- 4 Approves proceeds of the sale of the land be allocated into the Land Development reserve.**

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

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

CLOSURE

There being no further business the Mayor then closed the meeting the time being 6.35PM.

Confirmed and signed by the Mayor on **25 FEBRUARY 2026**

Cr Gary Lee
MAYOR
(CHAIRPERSON)

GENERAL MANAGER'S REPORT**ITEM 9.1 SF959 250226 OUTSTANDING ACTIONS AND REPORTS**

AUTHOR/ENQUIRIES: Bede Spannagle, General Manager; David Moloney, Director Engineering Services; Daniel Walsh, Manager Development and Environment; Evan Webb, Chief Financial Officer; John Gilroy, Manager Human Resources; Kristian Enevoldson, Acting Director Corporate Services

SUMMARY:

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

RECOMMENDATION:

That Council notes the list of outstanding actions and reports.

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

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

Council, however require 2 additional purposes to be added to the reserve purposes being Access, and Tourist Services. These will need to be gazetted and will provide approval for the existence of access to the boardwalk and boat ramp, and for the kiosk and café. The progressing of the new lease will be subject to the outcome of the exploration works with the stormwater rectification project works, then confirming our negotiated position with the RSL Club.

05/12/23-05/02/24 No further action. Awaiting completion of works at premises (estimated to be completed by the end of this financial year given the funding parameters set by TfNSW who have funded a large portion of the required works), and native title advice from DoPE Crown Lands.

20/02/24 Dept Crown Lands have advised they have reviewed and will no longer require Council to add the 2 previously identified purposes to the Reserve, and accordingly will no longer be undertaking a Native Title Assessment. Council may continue with the leasing process which remains subject to completion of the civil works being done to remediate the stormwater infrastructure.

04/03/24 Stormwater works project to recommence late April 2024, to be completed by 30 June 2024.

12/03/24 Project Engineer advised Surveyors will stake boundaries end of March. This will assist with discussion and planning moving forward.

02/04/24 No further update.

12/04/24 Meeting with Project Engineer & Property Officer and RSL Club representatives to be arranged in coming days to update plan for physical stormwater works being completed by Council seeking the Club's intent to contribute to remainder of resurfacing works required.

16/04/24 Meeting with RSL scheduled for 23/4/24.

08/05/24 Meeting held with RSL representatives 01/05/24. Project Engineer provided budget for works to complete sub surface drainage and resurface works. Club asked for co-contribution of \$169,000 maximum (together with TfNSW funding) to complete full resurface works. This would be best opportunity for cost efficiency, and leave only the landscaping to complete works. Club Representatives agreed in principal, with further information to be supplied for review by Board. Should board agree to co-contribute, Agreement to be drafted and signed by both parties which will include commitment to enter into new lease.

22/05/24 Draft Deed of Agreement drafted and forwarded to RSL Club for review and response.

04/06/24 Deed of agreement signed by NVC & NH RSL. Amendments to draft lease now required to allow for these works.

18/06/24 No further update.

02/07/24 RSL Club invoiced for their co-contribution to works as per Deed of Agreement; works commenced 2 July 2024.

17/07/24 Current works progressing with an expected completion date at the end of July.

07/08/24 Pavement completed, line marking still to be done.

21/08/24-20/08/24 No further update.

03/09/24 Line marking contractor engaged to undertake work, awaiting surveying resources to be available to spot the car park.

08/10/24-22/10/24 No further update.

19/11/24 Met with contractor on 14/11/24 to discuss their remediation plan. Lease discussions to recommence once the remediation works are attended to.

11/12/24-19/02/25 The contractor has a management plan in place for the peak summer period with a review in early February.

07/03/25 Surface repairs were scheduled for week commencing 10 March, these works have been postponed due to severe weather conditions

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

09/05/25 Wheel stops to be installed.

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

08/07/25 Rectification works have commenced.

12/08/25 Meeting held on the 5 August site visit to look at works completed.

09/09/25 PGO corresponding with both RSL and Boatshed operator to begin negotiations around leasing licencing whilst carpark project works are being finalised internally by MIS.

03/10/25 Carpark works have been completed. Licence negotiations have begun with RSL. A 12 month annual licence commenced with Boatshed operator. Both long term licences to be reported to Council in near future.

18/11/25 Drafting of licences commenced.

09/12/25 No further update.

20/01/26-16/02/26 Draft 10yr licences now created and with solicitor for legal review. RSL and Boatshed operators have both been updated.

MARCH 2025			
2	SF3422	19/03/2025	DCCS

RESOLUTION: Notice of Motion - Improvements for Nambucca Heads CBD
 That Council:
 5 Establishes a Community Reference Group (CRG) for the Nambucca CBD project to ensure community consultation from the beginning of the project.

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

STATUS: 18/11/25-09/12/25 No further update. 20/01/26 Pending formation of CRG, Council provided funds for the community to install Christmas lights in Bowra Street, Nambucca Heads. 16/02/26 No further update.			
JUNE 2025			
3	SF3422	18/06/2025	DES
RESOLUTION: Notice of Motion – Coronation Park Drainage That Council provides a report for drainage solutions for Coronation Park.			
STATUS: 08/07/25 No update. 12/08/25 Coronation Park has been added to the Priority Projects list that is being presented to Council on 20 August 2025. 09/09/25 Priority Projects list endorsed by Council 20/08/25. 03/10/25 Report scheduled for November Council meeting. 18/11/25 Report rescheduled for December Council meeting. 09/12/25 Report to February meeting due to responsible Officer managing Category C priority projects. 20/01/26 No further update. 16/02/26 Refer to separate report.			
4	SF3424	18/06/2025	DCCS
RESOLUTION: Public Forum That a report be presented from staff on the implementation of Council's community engagement strategy and how the community engage with it.			
STATUS: 08/07/25-03/10/25 Report pending appointment of Communications and Engagement Officer. 18/11/25-09/12/25 No further update. 20/01/26-16/2/26 Scheduled to report back to Council at 25 March meeting.			
JULY 2025			
5	SF3586	16/07/2025	DCCS
RESOLUTION: Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee That Council: 2 Undertake a Reflect level Reconciliation Action Plan (RAP) and approve Community Development Officer to arrange Advisory Committee and Community Workshops for the RAP.			
STATUS: 12/08/25-09/09/25 Application to be submitted to Reconciliation Australia. 03/10/25-18/11/25 Awaiting appointment of Aboriginal Community Development Worker to initiate the RAP. 09/12/25 No further update – still waiting appointment of ACD worker. 20/01/26 Position currently advertised. 16/02/26 Currently shortlisting applicants for interview.			
AUGUST 2025			
6	SF3422	20/08/2025	DCCS
RESOLUTION: Notice of Motion - That Council develops a lease and licence policy That Council: 1 Develops a Lease and Licence Policy to establish a consistent, transparent, and equitable framework. 2 Provides a report that includes a list of all existing policies and future policies, with an estimated month and year for review.			
STATUS: 09/09/25 Lease and licencing policy drafted for DCS review. Report on policies to be presented to Council in October subject to staff resourcing. 03/10/25 To be presented November 2025. 18/11/25-09/12/25 Scheduled for January 2026. 20/01/26-16/02/26 No further update.			
7	SF3424	20/08/2025	DDES
RESOLUTION: Public Forum That Council staff report on protecting Nambucca's water catchments from heavy metal contamination by having them added to Schedule 1 of NSW Mining SEPP, prohibiting mineral mining and exploration.			
STATUS: 09/09/25 Report to be provided to October meeting. 03/10/25 Refer to separate report. 18/11/25-16/02/26 Report deferred to future meeting once advice is received that the State Government has made a decision on the Clarence Valley request. No advice received to date.			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

8	SF3420	20/08/2025	DES
<p>RESOLUTION: Tender - T2025-042 Provision of Water Meter Reading Services That Council: 1 Do not Award Tender T2025-042 – Provision of Water Meter Reading Services. 2 Defer this item and receive a report back exploring other options.</p>			
<p>STATUS: 09/09/25 Prioritised to follow Water & Sewer Policy review. 03/10/25-16/02/26 No further update.</p>			
OCTOBER 2025			
9	SF2888	15/10/2025	GM
<p>RESOLUTION: Valla Urban Growth Area Suburb Name Council resolve to look further into naming the suburb subject to community consultation and Geographical naming board approval.</p>			
<p>STATUS: 18/11/25 No further update. 09/12/25 A petition was received with 57 signatures from residents in favour of retaining the suburb name of Valla. There were 3 speakers at the November public forum who spoke in favour of retaining the suburb name. 20/01/26 No further update. 16/02/26 Refer separate report to this meeting</p>			
10	SF3422	15/10/2025	DCCS
<p>RESOLUTION: Notice of Motion - Prevention of Gender-Based, Domestic and Family Violence That Council: 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.</p>			
<p>STATUS: 18/11/25 Macksville bridge lights programmed to be orange over the 16-day period (pending Transport for NSW bridge works). Social media posts arranged and staff awareness sessions on 18/11 by NSW Health. 09/12/25 Staff training undertaken with NSW Health on Gender Based Violence Awareness. Various activities undertake for 16 Days of Activism against Gender-Based Violence. GM letter sent 10/12/25 as per points 6, 8 & 10. 20/01/26-16/02/26 No further update. Only one item remaining (9).</p>			
NOVEMBER 2025			
11	SF3422	26/11/25	GM/CFO
<p>RESOLUTION: Notice of Motion - Establishment of a Budget/Financial Management Committee of the Whole. That Council: 1 Initiate a quarterly Budget/Financial Management Committee of the Whole. 2 Provide a report outlining the preferred date and time for these meetings, along with a proposed agenda structure.</p>			
<p>STATUS: 09/12/25-20/01/26 No update at this stage. Reviewing options. Report to February meeting. 16/02/26 Strategic planning session to be held 18/2 and further discussions to be held regarding this committee.</p>			
12	SF95	26/11/25	DDES
<p>RESOLUTION: Proposed Restricted Parking Areas That Council: 1 Notes the information contained within the report. 2 Implements a restricted parking area at the Ferry Street carpark which restricts all long vehicle parking spaces to permit boat and trailer parking only. 3 Develop a site plan for Ferry Street including additional boat/trailer parking and free parking spaces.</p>			
<p>STATUS: 09/12/25-16/02/26 Signage has been ordered and will be implemented on arrival. Site plan to be developed.</p>			
13	SF3495	26/11/25	DDES
<p>RESOLUTION: Review Councils Companion Animal Policy DE 01 That Council: 2 Reports on options and costs to undertake a whole park plan for McMorine park, including, parking, assessment of drainage, seating and design of off-leash dog areas.</p>			
<p>STATUS: 09/12/25-20/01/26 No further update. 16/02/26 Engineering Services are currently preparing the whole park plan for McMorine Park.</p>			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

14	SF3424	26/11/25	DES
RESOLUTION: Public Forum			
That Council receive a report on removing the concrete bund at 45 High Street, Bowraville in relation to stormwater.			
STATUS:			
09/12/25 Site inspected to determine remediation needs.			
20/01/26 Drain currently being manufactured for installation.			
16/02/26 Report to March Council meeting.			
15	SF3520	26/11/25	DCCS
RESOLUTION: 2024/2025 Service Reviews			
That Council:			
1 Notes the report from Morrison Low regarding the 2024/25 Service Reviews for Sporting Grounds, Parks and Gardens, Public Halls and Environmental Protection.			
2 Provides a report on council crown managed land, halls & open spaces and recreational assets, including a gap analysis of Plan of Managements.			
3 Report on solutions and budget requirements for a centralised booking system.			
STATUS:			
09/12/25-20/01/26 No further update.			
16/02/26 No further update. Will be completed once resourcing allows.			
DECEMBER 2025			
16	SF3508	17/12/25	DDES
RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 - Intensive Plant Agriculture			
That Council:			
1 Undertake further consultation, taking into consideration the original LEP Proposal, together with the LEP Draft for stakeholder consultation and the draft presented to Council.			
2 Call for members of the community to forward their lived experience of the impacts of this industrial scale horticulture and that these be forwarded to the Department of Planning with the submission of the LEP Proposal.			
3 Provides a report on the scope and costing of a Rural Land Use Strategy.			
4 Seek out Minister Saffin's assistance to map out a Government approach to this issue.			
STATUS:			
20/01/26 Consultation to occur during January/February. Responses will be reported back to Council with the report regarding the Rural Land Use Strategy.			
16/02/26 Consultation ends 27 February 2026.			
17	SF3506	17/12/25	DCCS
RESOLUTION: Library Statistics Report			
That Council:			
2 Report back on our Library collection and how it might be funded in a future budget.			
STATUS:			
20/01/26 This will be considered as part of the 2026/27 budget process.			
16/02/26 As above.			
18	SF3030	17/12/25	DES
RESOLUTION: Bowraville Masterplan			
That Council re-allocate the \$25,000 in this year's budget to carry out some works identified in the masterplan including shade options, greenery and additional seating.			
STATUS:			
20/01/26-16/02/26 No further update.			
19	SF3422	17/12/25	DDES
RESOLUTION: Tree Permit Requirements			
That Council:			
1 Publicly exhibits a proposed amendment to Clause A4.14 of the Nambucca Development Control Plan 2010.			
2 Obtain legal advice in relation to Council's liability in relation to this resolution in regard to fire and property damage during the 28 day exhibition period.			
STATUS:			
20/01/26 Exhibition to occur during January/February. Legal advice being obtained.			
16/02/26 Exhibition ends 27 February. Results will be reported back to Council once legal advice is obtained.			
JANUARY 2026			
20	SF3671	28/01/26	DES
RESOLUTION: Scotts Head Master Plan - Project Reference Group			
That Council:			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

<p>1 Endorses the four (4) nominated community members. 2 Notes advice from Crown Lands Department that they do not wish to be on the Project Reference Group 3 Adopts the amended Terms of Reference for the Project Reference Group. 4 Continues to search for a community youth representative and delegate to the Mayor the appointment of a suitable candidate to the Project Reference Group. 5 Writes to each of the nominees thanking them for expressing their interest in the being on the Project Reference Group.</p>
<p>STATUS: 16/02/26 Making enquiries in the Scotts Head community to engage with a youth representative.</p>

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

**ITEM 9.2 SF1067 250226 RESPONSE TO THE MINISTER FOR LOCAL GOVERNMENT
IN RELATION TO JOINT ORGANISATION MEMBERSHIP**

AUTHOR/ENQUIRIES: Bede Spannagle, General Manager

SUMMARY:

On 9 February 2026, the Minister for Local Government wrote to all NSW councils seeking “*advice and intention on whether your council wants to be a member of a JO, and the JO that it would like to join, create, withdraw from, or retain membership of*”, and requesting that such advice be provided by 31 March 2026.

RECOMMENDATION:

That Council advises the NSW Office Local Government (OLG) that it intends to seek membership of the Mid North Coast Joint Organisation.

OPTIONS:

- 1) As per officer recommendation
- 2) Apply to the Minister for Local Government for membership in the MNCJO.
- 3) Advise the OLG that Council does not intend to join a JO

BACKGROUND

Joint Organisations (JOs) are statutory local government bodies under the NSW Local Government Amendment (Regional Joint Organisations) Act 2017 No 65 and the Local Government Act. They provide a way for local councils, the NSW Government, the Commonwealth and Industry to work together to deliver things that matter the most to regional communities. Council is considering whether to join the MNCJO, which currently includes Port Macquarie Hastings, City of Coffs Harbour, Bellingen and Kempsey Councils. Clarence Valley Council is currently an associate member. A report on the MNCJO membership options and governance framework was presented to the January 2026 Council meeting and should be referred to for further information. Whilst the resolution was to “note” the report, the discussion at the January meeting indicated an overall willingness to become a member of the MNCJO subject to developing a workable local governance protocol.

DISCUSSION:

The Minister for Local Government, the Hon Ron Hoenig, has written to councils in NSW advising that a review of the framework that governs JOs in NSW (attached) has commenced. Some of the items raised include:

- Whether the JO model is delivering for the member councils?
- What is the best method of regional collaboration?
- Regional collaboration can deliver better policy outcomes and improved service delivery
- A review of JO memberships and boundaries
- Possibility of winding up dormant JOs
- The JO arrangements produced through the review should be in place for at least 4 years to provide certainty to government agencies that provide grants and for strategic planning purposes.

Councils are requested to provide a response by 31 March 2026

CONSULTATION:

Council

SUSTAINABILITY ASSESSMENT:

Environment/Social/Economic

In terms of delivering outcomes (including environmental, social, and economic) the principal functions of the Organisation are:

ITEM 9.2 RESPONSE TO THE MINISTER FOR LOCAL GOVERNMENT IN RELATION TO JOINT ORGANISATION MEMBERSHIP

- to establish strategic regional priorities for the Joint Organisation area and to establish strategies and plans for delivering those priorities
- to provide regional leadership for the Joint Organisation area and to be an advocate for strategic regional priorities
- to identify and take up opportunities for inter-governmental cooperation on matters relating to the Joint Organisation area; and additionally
- deliver cost savings to member councils.

Risk Analysis

Some of the potential risks in relation to not being a part of a JO are:

Risk Category	Impact of not joining
Government engagement	Limited access to regional programs and State collaboration
Funding	Reduced competitiveness for regionally aligned grants
Strategic influence	No vote or voice in regional planning priorities
Capacity building	Loss of shared services and inter-council efficiencies
Collaboration	Isolation from regional decision-making networks
Information access	Limited access to regional data and strategic studies
Advocacy	Reduced influence in State/Federal lobbying

Delivery Program Action

5.2 - Engage, work and advocate with partners, including other levels of government, service providers, businesses, community and others, to enhance our local area and quality of life

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

The JO membership fees (described above) are not currently in the budget.

Working funds – justification for urgency and cumulative impact

Nil.

Impacts on 10 Year Long Term Financial Plan

The annual membership fees would need to be included in the LTFP.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

- 1  6528/2026 - Letter from Minister for LG

GENERAL MANAGER'S REPORT

ITEM 9.3 SF3528 250226 INVESTMENT REPORT FOR JANUARY 2026

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

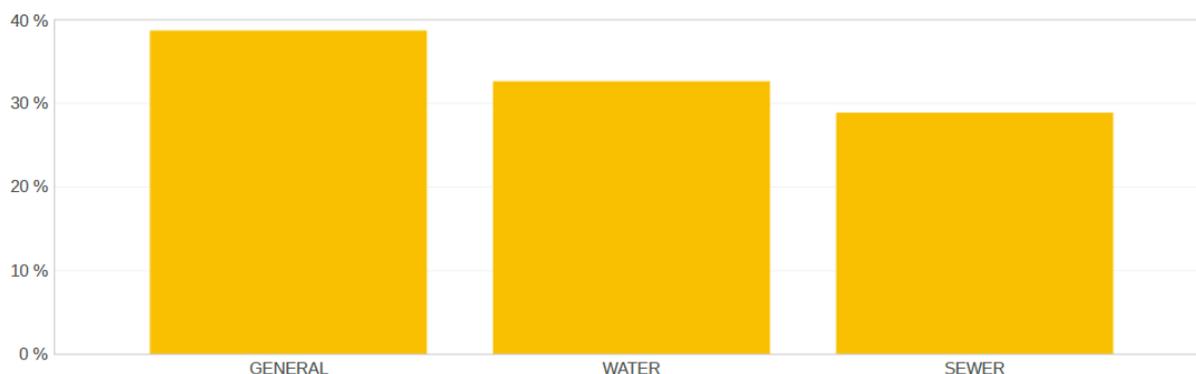
The purpose of this report is to provide a statement of Council’s investments held for the period January 2026.

Council’s investments as at 31 January 2026 of \$58,357,488 are split up as below:

Allocation as at 31/01/2026

Code	Number of trades	Invested (\$)	Invested (%)
GENERAL	11	22,557,488.15	38.65
WATER	13	19,000,000.00	32.56
SEWER	9	16,800,000.00	28.79
TOTALS	33	58,357,488.15	100.0

Allocation Distribution as at 31/01/2026



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

RECOMMENDATION:

That Council:

- 1 Notes the Chief Financial Officer’s report on Investments for January 2026.**
- 2 Adopts the certification of the Responsible Accounting Officer for January 2026.**

OPTIONS:

This report is for information only.

ITEM 9.3 INVESTMENT REPORT FOR JANUARY 2026

DISCUSSION:

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

Investment Portfolio

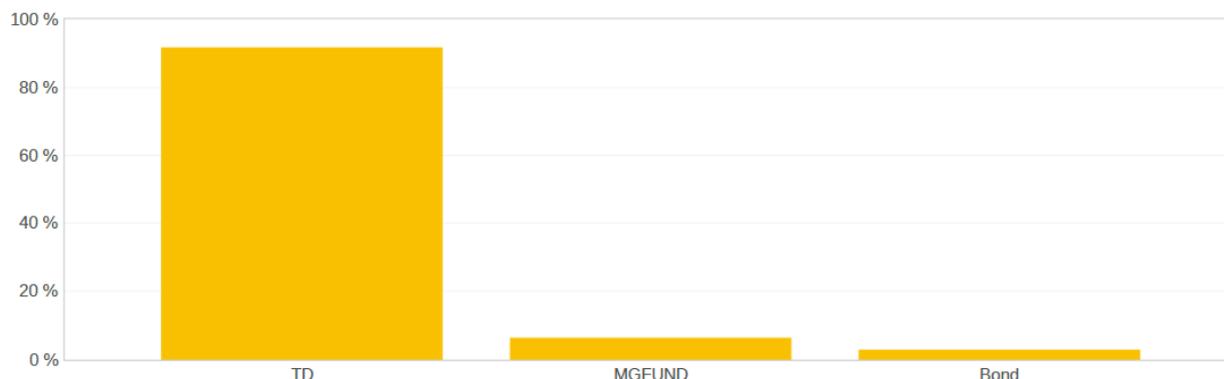
For the period January 2026, the investments held by Council is shown below:

	Last Month	Current Month
TCorp	\$3,528,423	\$3,557,488
Fixed Bonds	\$1,500,000	\$1,500,000
Term Deposits	\$54,300,000	\$53,300,000
Total	\$59,328,423	\$58,357,488

Asset Class as at 31/01/2026

Code	Number of Trades	Invested (\$)	Invested (%)
TD	31	53,300,000.00	91.33
MGFUND	1	3,557,488.15	6.10
Bond	1	1,500,000.00	2.57
TOTALS	33	58,357,488.15	100.0

Asset Class Distribution



Portfolio Performance

Council’s total portfolio performance returned +0.40% in January, outperforming the benchmark AusBond Bank Bill index of +0.30%. On an annualised basis, the portfolio returned +4.78p.a., outperforming the benchmark of +3.64%p.a. The Reserve bank of Australia official cash rate remained steady at 3.60%.

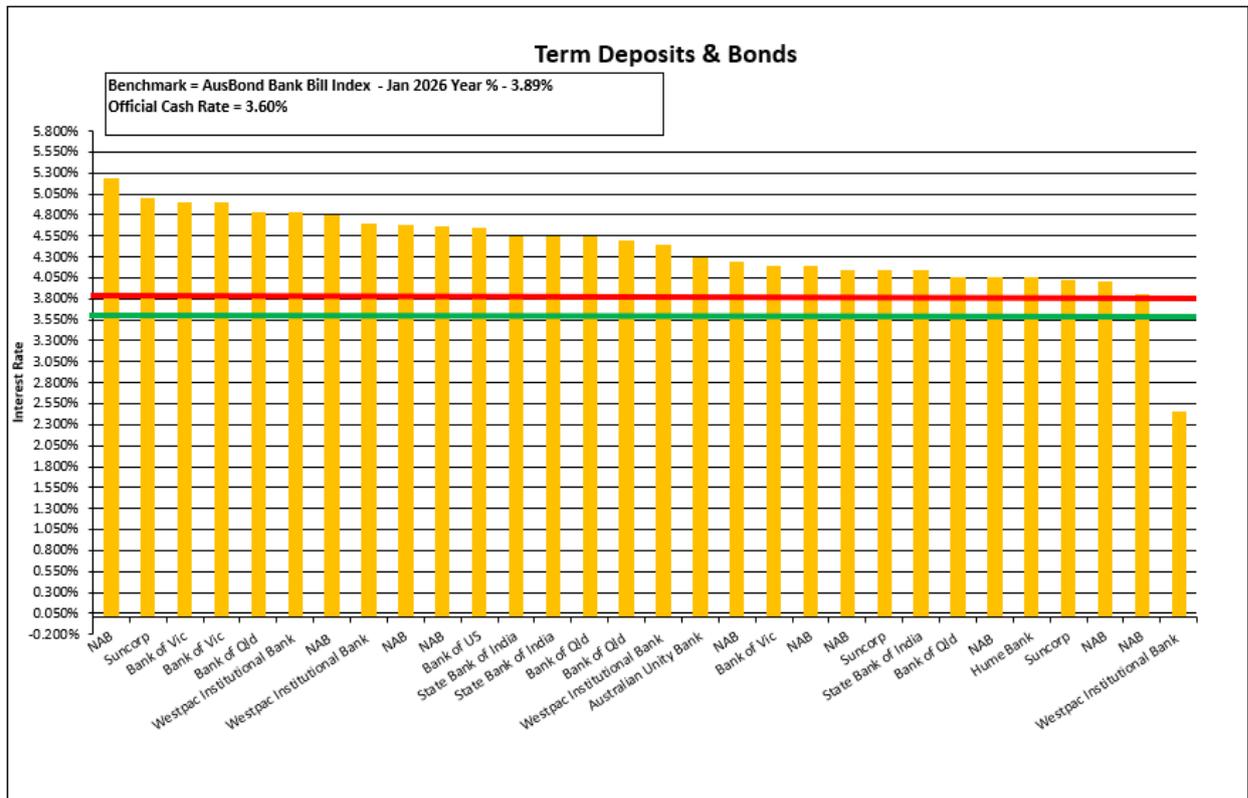
Council’s term deposits portfolio yielded 4.39% p.a. for the month of January. Term deposits provided another strong return this month.

Council invests in NSW TCorp Long Term Growth fund which invests in domestic and international shares. Council will continue to monitor the TCorp Long Term Growth fund which fluctuates from month to month, however returned a positive return for the month of January of +0.82%. Domestic shares were the biggest contributor to performance this month. Funds held with TCorp are looked at with a long-term view.

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

ITEM 9.3 INVESTMENT REPORT FOR JANUARY 2026

Below are the Term Deposits and Bonds currently held with the invested interest rate and the benchmark index:



Councils Investment Policy

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

Table 1: Maturity Compliance

Maturity Compliance as at 31/01/2026

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	15,500,000.00	26.56	3.00	100.00	42,857,488.15
✓	91 - 365 days	17,300,000.00	29.64	0.00	100.00	41,057,488.15
✓	1 - 2 years	14,000,000.00	23.99	0.00	70.00	26,850,241.71
✓	2 - 5 years	8,000,000.00	13.71	0.00	50.00	21,178,744.08
✓	5 - 10 years	3,557,488.15	6.10	0.00	25.00	11,031,883.89
TOTALS		58,357,488.15	100.00			

ITEM 9.3 INVESTMENT REPORT FOR JANUARY 2026**Table 2: Credit Rating and Counterparty Compliance****Credit Quality Compliance** as at 31/01/2026**Long Term Investments**

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AA	29,300,000.00	50.21	100.00	29,057,488.15
✓	A	7,000,000.00	11.99	60.00	28,014,492.89
✓	BBB	18,500,000.00	31.70	45.00	7,760,869.67
✓	Unrated	3,557,488.15	6.10	10.00	2,278,260.66
TOTALS		58,357,488.15	100.00		

Counterparty Compliance as at 31/01/2026**Long Term Investments**

Compliant	Bank Group	Term	Rating	Invested (\$)	Invested (%)	Limit (%)	Limit (\$)	Available (\$)
✓	NAB	Long	AA-	15,000,000.00	25.70	30.00	-	2,507,246.45
✓	ANZ Bank	Long	AA-	4,500,000.00	7.71	30.00	-	13,007,246.45
✓	Northern Territory Treasury	Long	AA-	1,500,000.00	2.57	30.00	-	16,007,246.45
✓	Westpac	Long	AA-	8,300,000.00	14.22	30.00	-	9,207,246.45
✓	BOQ	Long	A-	7,000,000.00	11.99	20.00	-	4,671,497.63
✓	Bank Australia	Long	BBB+	1,000,000.00	1.71	15.00	-	7,753,623.22
✓	Hume Bank	Long	BBB+	2,000,000.00	3.43	15.00	-	6,753,623.22
✓	BankVic	Long	BBB+	8,500,000.00	14.56	15.00	-	253,623.22
✓	Bank of Us	Long	BBB+	1,000,000.00	1.71	15.00	-	7,753,623.22
✓	State Bank of India	Long	BBB	6,000,000.00	10.28	15.00	-	2,753,623.22
✓	NSWTC IM LTGF	Long	Unrated	3,557,488.15	6.10	10.00	-	2,278,260.66
TOTALS				58,357,488.15	100.00			

Certification by Responsible Accounting Officer

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

CONSULTATION:

Arlo Advisory

Risk Analysis

Quote from *Arlo Advisory January 2026 report page 2:*

Financial markets were positive in January on the back of strong corporate earnings, ongoing investment and demand in the AI sector, as well as market optimism on expectation that the US Fed will continue cutting official interest rates later this year.

In the deposit market, over January, the average deposit rates offered by the domestic major banks was up to ~15bp higher compared to where they were the previous month (December). The

ITEM 9.3 INVESTMENT REPORT FOR JANUARY 2026

market is now factoring up to two rate hikes in 2026 after recent signs on inflation spiking and the labour market remaining tight. At the longer-end of the curve (1-5 years), the average rates were ~10bp compared to where they were the previous month, with the market expecting official rates to be slightly higher in coming years.

Source: Imperium

Delivery Program Action

5.3 - Keeping our community at the centre of service delivery whilst remaining effective and efficient and delivering transparent governance and financial sustainability

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

Interest accrued for the month of January was \$185,688 totalling \$1,472,717 this financial year. Councils forecasted budgeted interest revenue for 2025/2026 is \$2,320,715. As council's investments continue to outperform the benchmark, council would expect to meet the budgeted forecast.

Working funds – justification for urgency and cumulative impact

As above.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

There are no changes or implications stemming from this report.

ATTACHMENTS:

- 1  6081/2026 - Investment Report January 2026
- 2  6082/2026 - Arlo Advisory January 2026

GENERAL MANAGER'S REPORT

ITEM 9.4 SF1120 250226 GRANT STATUS REPORT

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

This report provides an overview of the status of Council's grant funded projects and programs.

RECOMMENDATION:

That Council notes the Grants Status Report.

OPTIONS:

For information only.

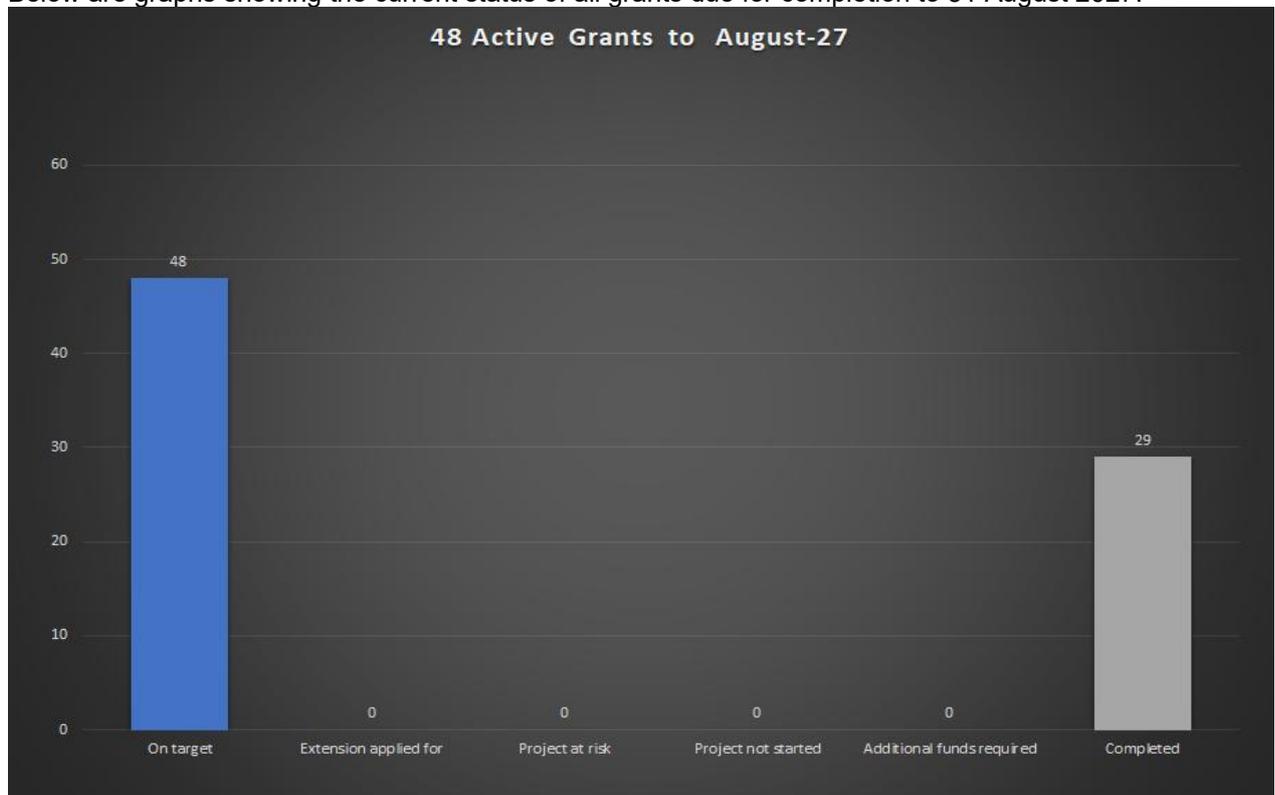
DISCUSSION:

Councillors have requested a quarterly update to Council meetings on active grants that Council is currently working on to deliver projects throughout the community. The list of active grants (attached) shows Council that there are currently 48 grant funded projects that are active with a completion date up to 31 August 2027.

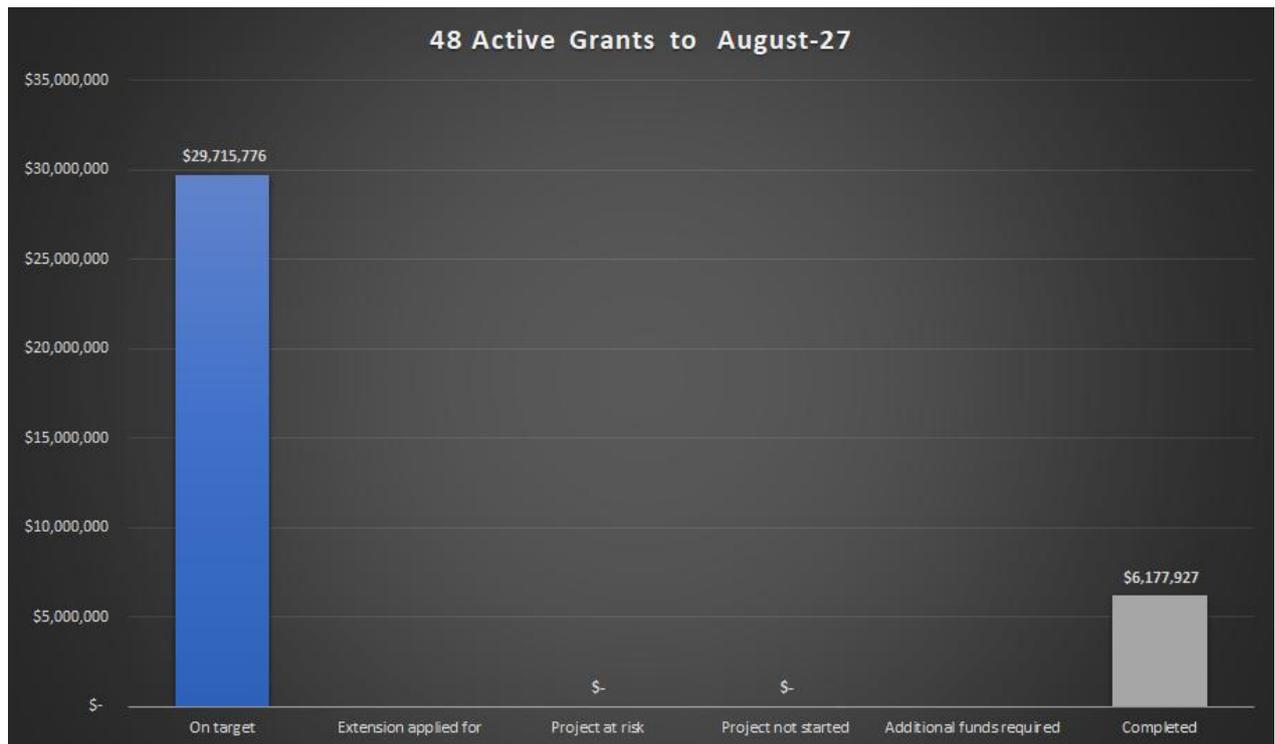
There is a total of \$29,715,776 in approved grant funding with many projects funded over multiple years.

- All 48 projects are on target to be completed by the within the grant timeframes with a \$ value of \$29,715,776.
- 29 grants have been finalised and acquitted since the last report to Council in August of 2025 with a \$ value of \$6,177,927.

Below are graphs showing the current status of all grants due for completion to 31 August 2027.



ITEM 9.4 GRANT STATUS REPORT



It should be noted that there are additional grants that have a completion date out as far as 2029, however many of these projects are still in the planning phase and will be reported to Council at a later period.

CONSULTATION:

Various Staff

SUSTAINABILITY ASSESSMENT:

Environment

Many of the grant funded projects support Council’s continued environmental and sustainability works

Social

Grant funded Community Infrastructure projects, including upgrade of amenities, parks and playgrounds, will have a positive social impact, both in the short and long-term.

Economic

Improved transport infrastructure and recreational infrastructure will have positive impacts on local businesses and tourism.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Financial – Grants funded – projects exceeding approved budgets.	M	H	Regular reporting to Executive Leadership Team and Council. Ensuring hold points on grant funded projects are established and communicated.	L
Grant works not completed by scheduled	M	H	Regular meetings with staff advising progress of each project.	L

ITEM 9.4 GRANT STATUS REPORT

<p>date leading to potential Loss of grant funding</p>			<p>Resources being concentrated on these projects.</p> <p>Contractors being engaged with timeframes in contracts.</p> <p>Reports to Council issues that require direction from Council</p>	
--	--	--	--	--

Delivery Program Action

1.5 - Provide and advocate for targeted programs, services and projects to support those most in need throughout our community

2.3 - Maintain and improve community facilities and infrastructure that provide a basis for our connectedness and well-being

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

As per report.

Impacts on 10 Year Long Term Financial Plan

Monitored by internal project managers and finance staff.

Service level changes and resourcing/staff implications

There is ongoing impact on service levels, resourcing and staff due to volume of grant funding, and ongoing natural disaster recovery works.

ATTACHMENTS:

- 1  6490/2026 - Grant Report to February 2026 Council Meeting

GENERAL MANAGER'S REPORT

ITEM 9.5 SF3517 250226 QUARTERLY BUDGET REVIEW - DECEMBER 2025

AUTHOR/ENQUIRIES: Kellie Byrne, Management Accountant

SUMMARY:

This report has been prepared to comply with Section 203 of the *Local Government (General) Regulation 2021* and to inform Council and the community of Council's estimated financial position for the 2025/2026 financial year, reviewed as at 31 December 2025.

A review of the 2025/26 budget has been carried out for the quarter ended 31 December 2025 and this has resulted in a surplus of \$190,782. Factoring in the Original cash budget deficit of \$101,271 and the budget amendments approved in separate Council resolutions of \$500,000 and the September budget review surplus of \$272,405, this will result in a revised cash deficit projection of \$138,084 with variations shown in attached reports. Council is confident of bringing the cash deficit to balance by the end of the financial year.

Council's original budget adopted for 2025/26 provided an estimated operating surplus of \$20,161,000, with a net operating surplus prior to capital grants of \$627,000. The March QBR with the proposed budget variations has resulted in an operating surplus of \$64,295,000, however the operating result prior to capital grants shows a net operating deficit of \$1,650,000.

RECOMMENDATION:

That Council:

- 1 Notes the budget review for the quarter ended 31 December 2025.**
- 2 Approves the recommended variations in the budget for the 2025/26 financial year.**

OPTIONS:

- 1 As per recommendation
- 2 Adopt some of the variances requested
- 3 Reject all variances requested

DISCUSSION:

Office of Local Government Budget Review Guidelines:

The Office of Local Government has issued an update of the Quarterly Budget Review Statement (QBRS) Guidelines in August 2025.

The QBRS should adequately disclose the Council's overall financial performance and provide sufficient information to enable informed and transparent decision making.

The QBRS needs to show the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure determined in Council's Operational Plan, along with explanations for variances and, if required, recommended changes.

These Guidelines establish the mandated and standardised requirements to be included in a QBRS presented to the Councillors at a Council meeting, including:

- a QBRS Financial Overview - providing a one-page snapshot of how Council is performing at the end of the quarter
- Income and Expenses Budget Review Statement in each of the following formats:

ITEM 9.5 QUARTERLY BUDGET REVIEW - DECEMBER 2025

- Consolidated fund
- General fund
- Water fund
- Sewer fund

- Capital Budget Review Statement
- Cash and Investments Budget Review Statement
- Summary of Developer Contributions, and
- A report from the RAO stating whether the RAO believes Council's financial position is satisfactory, and if not, what recommendations should be implemented.

Councils may add additional narrative, commentary and supplementary information, however each council in NSW must use, and not adjust, the standardised templates in these Guidelines.

These Guidelines also introduce a new requirement for each council to report their QBRS with a covering financial overview and then report at consolidated, general, water, and sewer fund level. These Guidelines also introduce a requirement to provide a summary of developer contributions. This shift to report the various council funds will ensure that Councillors, Council staff and communities have a clear picture of not only how their council is operating at a holistic level, but also how each fund is operating on its own merit.

The QBRS for the period 01/07/2025 to 31/12/2025 has been included an attachment to this report and below is an explanation on each statement. It should be noted that the new Office of Local Government template is a minimum requirement, so additional columns have been added to these OLG template to make it easier to separate the "Carry Forwards" and items "Approval in separate Council Resolutions".

Income and Expenditure Budget Review Statement

This statement shows Council's Income and Expenditure by type at a consolidated, general fund, water fund and sewer fund level. The December 2025 budget variations are shown in the column shaded in blue, titled "Recommended changes for council resolution". See from page 9 of the attachment for detail of budget variations recommended.

Capital Budget Review Statement

This statement identifies in summary Council's capital works program on a consolidated basis and identifies how the capital works program is funded. The December 2025 budget variations are shown in the columns shaded blue with detail for these recommended variations are provided on page 11 of the attached QBRS report.

Cash and Investments Budget Review Statement

This statement reconciles Council's restricted funds (reserves) against available cash and investments. Council has estimated to indicate an actual position as at year end of each reserve to show a total cash position of reserves with any difference between that position and total cash and investments held as available cash and investments. The December 2025 budget variations reserve movements are shown in the blue shaded columns with note number referenced in the far-right column. These reference numbers can be used to see the detail of reserve movement from page 13 of the QBRS Report attachment.

Developer Contributions

This statement provides a summary of developer contributions reserve and the movements in this reserve till the end the current quarter.

CONSULTATION:
Budget Managers

ITEM 9.5 QUARTERLY BUDGET REVIEW - DECEMBER 2025

SUSTAINABILITY ASSESSMENT:

Nil.

Risk Analysis

As per Report

Delivery Program Action

5.3 - Keeping our community at the centre of service delivery whilst remaining effective and efficient and delivering transparent governance and financial sustainability

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

As per report.

Working funds – justification for urgency and cumulative impact

As per report.

Impacts on 10 Year Long Term Financial Plan

As per report.

Service level changes and resourcing/staff implications

None as a result of this report.

ATTACHMENTS:

1  6823/2026 - Dec 2025 QBR Report

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT**ITEM 10.1 SF600 250226 LAND DISPOSAL AND ACQUISITION POLICY**

AUTHOR/ENQUIRIES: Kristian Enevoldson, Acting Director Corporate and Community Services

SUMMARY:

Whilst Council has a Land Acquisition Policy, there is no current policy to guide the disposal of land. A new policy - Land Disposal and Acquisition Policy – has been developed to guide both the disposal and acquisition of land and will provide a framework for a transparent process and ensure Council acts in accordance with relevant legislation and in the best interests of the community. The purpose of the report is to consider the resolution of the 20 August 2025 Council meeting as described in this report.

RECOMMENDATION:

That Council:

- 1 Endorses the new draft Land Disposal and Acquisition Policy to be placed on public exhibition for 28 days.**
- 2 Adopts the Policy at the end of the exhibition period if no submissions are received.**
- 3 Rescinds the current Land Acquisition Policy G46 once the new Policy is adopted.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Adopt proposed recommendation
- 3 Amend the Draft Policy as presented

DISCUSSION:

Note: This report was deferred from the 17 December 2025 meeting

A report “Land Disposal Policy and Review of Land Acquisition Policy” was presented at the 16 April 2025 Council meeting. This report should be referred to for further information. The following was resolved:

102/25 RESOLVED: (Jenvey/McWilliam)

That Council:

- 1) Defer the motion***
- 2) Report back on the feasibility of combining the policies***
- 3) Conduct a workshop***

A further report was taken to the 20 August 2025 Council meeting where a combined “Land Acquisition and Disposal Policy” was presented. The following was resolved:

That Council defer the item and receive a report back exploring the feasibility of amending the Land Acquisition and Disposal Policy to include:

- a. A report to Council for the acquisition of land including details of the long-term maintenance costs, any outcome of a due diligence investigations, and an independent valuation where needed.***
- b. Land sales should occur through a competitive open market process (expressions of interest, auction, use of external estate agents).***
- c. Any proposal to sell land other than by a competitive open market process must be authorised by a Council resolution.***
- d. A Due Diligence Section that includes:***
 - i. A business case***
 - ii. Assessment of strategic value***

ITEM 10.1 LAND DISPOSAL AND ACQUISITION POLICY

- iii. *Environmental Impact*
- iv. *Assessing opportunities to capture uplift in the land through value adding proposals if applicable*
- v. *Inspecting Council records relating to the land*
- vi. *Carrying out appropriate site investigations*
- vii. *Confirming the land classification and the historical details of the acquisition*
- viii. *Independent valuation report, where required.*

These items are discussed as follows

Item	Staff Comment	Changes to draft Policy
Details of the long-term maintenance costs in relation to land purchases	To be included in the “ <i>Impacts on 10 Year Long Term Financial Plan</i> ” section of the council report	Nil
<ul style="list-style-type: none"> • Land sales should occur through a competitive open market process. • Any proposal to sell land other than by a competitive open market process must be authorised by a Council resolution 	Cl 5.2 of the Policy describes the methods of sale. Tender, EOI, and auction are the most common methods of disposal. A discussion around private treaty is below. In every situation Council would need to approve the method of sale.	<p>Nil – the Policy already states that “<i>Council <u>may</u> approve a non-competitive process of disposal such as direct negotiations, subject to clearly documented and authorised reasons</i>”</p> <p><i>CL 5.2 states “While the General Manager and/or their delegate may make preliminary enquiries and negotiate regarding a possible disposal price, any formal offer is to be conditional upon a Council resolution authorising the disposal”</i></p>
A Due Diligence Section	Draft policy amended to expand on due diligence in relation to sales and acquisitions	Yes – see Cl 4.3, 4.6, 5.2.2

Changes to the Draft Policy presented to the December 2025 meeting are highlighted in red in the attachment.

Private treaty

Whilst an open competitive process would be the most common method of disposal there may be limited circumstances where private treaty may be the best method. These include:

- Special Purpose or Strategic Sale - If the land is being sold for a specific purpose (e.g., to a community organisation, for affordable housing, or to achieve a strategic planning outcome), private treaty allows the council to negotiate terms aligned with those objectives. For example, the land transfer for the Gumbaynggirr Keeping Place.
- Limited Market or Unique Property - When the property is highly specialised or has limited appeal (e.g., operational land with restrictions), private treaty enables targeted negotiations with interested parties rather than relying on broad market competition.
- Confidentiality or Sensitivity - If the sale involves sensitive issues (e.g. adjoining landowners, heritage considerations), private treaty provides more control and discretion compared to public auction or tender.
- Adjoining Owner Advantage - Often councils sell small parcels or strips of land to adjoining owners. Private treaty is ideal because the adjoining owner is usually the only logical purchaser.

ITEM 10.1 LAND DISPOSAL AND ACQUISITION POLICY**CONSULTATION:**

MANEX
Councillors
Policy to be placed on public exhibition for 28 days

SUSTAINABILITY ASSESSMENT:**Environment**

N/A

Social

The sale of acquisition of land may have social impacts, for example the disposal of land held for recreational purposes.

Economic

Disposal of land surplus to requirements can stimulate the local economy in terms of both commercial and residential development.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Sale or disposal of land without resolution of Council	L	M	Both Policy and legislation require resolution of Council	L

Delivery Program Action

2.3 - Maintain and improve community facilities and infrastructure that provide a basis for our connectedness and well-being

5.3 - Keeping our community at the centre of service delivery whilst remaining effective and efficient and delivering transparent governance and financial sustainability

FINANCIAL IMPLICATIONS:

Sale of acquisition of land may have a number of financial implications including the identification of funding source for purchased and on-going costs. Conversely the sale of land can provide funding for strategic purposes.

Direct and indirect impact on current and future budgets

N/A.

Working funds – justification for urgency and cumulative impact

N/A.

Impacts on 10 Year Long Term Financial Plan

The sale of land can provide funding for future strategic purposes.

Service level changes and resourcing/staff implications

N/A.

ATTACHMENTS:

1  7311/2026 - Draft Land Acquisition and Disposal Policy

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT**ITEM 10.2 SF3586 250226 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT****AUTHOR/ENQUIRIES:** Jocelyn Box, Community Development Officer**SUMMARY:**

Council has twenty-four (24) Section 355 Committees of Management (CoM). The Committees have a long history within Council with many long term and new volunteers who manage Council facilities on behalf of Nambucca Valley Council. It is recommended that the below nominations be endorsed.

RECOMMENDATION:

That Council approves the nominations of Section 355 Committees of Management and notes the resignations.

OPTIONS:

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

DISCUSSION:

The following have nominated for positions on or resigned from the committees noted in the table.

Committee	Nominees	Reason for nominating
Utungun Community Hall	Anna Shannon	To support the local hall and neighbours
Warrell Creek Public Hall	Lauren Alley	I believe it is important to respect our local history and maintain the integrity of the community and the halls.
	Maree Searle	To keep the Warrell Creek Hall thriving in the community
	Craig Searle	To help out
Coronation Park	Clay Urquhart	Represent for Nambucca Strikers Soccer Club
North Macksville Playing Fields	Alanah Riddell	I would love to see the existing building get some much needed upgrades to ensure it lasts for many years to come. With the hope that this also attracts other sports to use the space as well.
	Toyah Crossingham	We have a committed team of volunteers whom are in it for the long haul. Our club has grown exponentially in the last two years, and we have the potential to become so much more. It would be a privilege to be a small part of that
	Brett Needham	Need a Committee for the Playing Fields
	Adam Crawford	To help create a community-based club even better. To help the club reach its true potential
Nambucca Community & Arts Centre	Shani Taylor	I'm passionate about arts and cultural programs being an integral aspect of the community, and believe my skills in events, administration, hospitality and community services will be a solid contribution to help bring new projects to life in this beautiful centre.
Resignations	Member	Role
Nambucca Community & Arts Centre	Jack Hodges	Member
	Ashley Frost	Secretary

ITEM 10.2 NOMINATIONS TO COUNCIL SECTION 355 COMMITTEES OF MANAGEMENT

CONSULTATION:

Nil.

SUSTAINABILITY ASSESSMENT:

Environment

Nil.

Social

Provision of venues and recreational facilities to support community connection, health, and wellbeing.

Economic

Nil.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Injury to volunteers	M	H	Volunteers are given Volunteer Safety Handbook after approval of Council.	M
Mismanagement	M	H	Council Code of Meeting Practice and Code of Conduct must be adhered to.	M
Fraud	L	H	Code of Conduct must be adhered to.	M
Lack of volunteers	M	H	Promote the positive aspects of volunteering. Recognise need for succession planning for Committees.	L

Delivery Program Action

2.3 - Maintain and improve community facilities and infrastructure that provide a basis for our connectedness and well-being

5.2 - Engage, work and advocate with partners, including other levels of government, service providers, businesses, community and others, to enhance our local area and quality of life

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Section 355 Committees are volunteers overseeing the management of Council facilities, ostensibly to reduce cost to Council, though this cost has not been analysed. Dwindling volunteer numbers could result in Council having to dissolve a Section 355 Committee of Management and explore options for operating the community facility such as lease arrangements or directly managing the facility which would have impact on current and/or future budgets.

Working funds – justification for urgency and cumulative impact

Nil.

Impacts on 10 Year Long Term Financial Plan

Long-term financial viability of Section 355 Committees needs to be assessed.

Service level changes and resourcing/staff implications

Some Section 355 Committees are requiring increasing resourcing from Council staff to support management of the facility.

ATTACHMENTS:

1  5053/2026 - February 2026 Nominations - Redacted

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 10.3 SF3586 250226 MINUTES OF DUGUULA-BINDARRAY-GARRI ABORIGINAL ADVISORY COMMITTEE

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Officer

SUMMARY:

Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee met on 2 December 2025 and 10 February 2026.

RECOMMENDATION:

That Council notes the Minutes of the Duguula Bindarray-Garri Aboriginal Advisory Committee meeting held on 2 December 2025 and 10 February 2026.

OPTIONS:

For Information only.

DISCUSSION:

December meeting: Consultation on road-naming for VUGA and discussion with NSW Hospitality & Racing (formally Liquor & Gaming) on harms of gambling and alcohol in Nambucca Valley community.

February meeting: 2 big consultations – NVCs Destination Brand and discussion with Treaty NSW.

CONSULTATION:

Aboriginal Advisory Committee.

SUSTAINABILITY ASSESSMENT:

Environment

Improved consultation with Aboriginal community will support better practices, processes and protection of Country.

Social

Empowering Aboriginal Community to have a voice in council decision-making, improve understanding of Aboriginal culture and community, and walk the journey of reconciliation.

Economic

Aboriginal issues and needs are included in decision-making.

Risk Analysis

Nil.

Delivery Program Action

1.1 - Celebrate, recognise and respect the traditional custodians of the land, the Gumbaynggirr people

5.1 - Encourage and support inclusive community participation in policy and decision-making, and communicate on matters that are important to their daily lives and future

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

- 1  4884/2026 - Minutes - Duguula Bindarray-Garri 2025_12_2
- 2  6423/2026 - Minutes - Duguula Bindarray-Garri 2026_2_9

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

**ITEM 10.4 SF1620 250226 DELIVERY PROGRAM AND OPERATIONAL PLAN
PROGRESS - JULY 2025 TO DECEMBER 2025**

AUTHOR/ENQUIRIES: Rochelle McMurray, Property and Governance Officer

SUMMARY:

Sections 404 and 405 of the *Local Government Act 1993* require Council to adopt a Delivery Program and Operational Plan. This report comments on the status of the 2025 to 2029 Delivery Program and Operational Plan as at 31 December 2025 and the extent to which the performance targets have been achieved and reported on a six-monthly basis.

RECOMMENDATION:

That Council:

- 1 Notes the progress of the Delivery Program and Operational Plan for the six months to 31 December 2025.**
- 2 Approves the changes to Actions set out in Table 1.**

OPTIONS:

For Information.

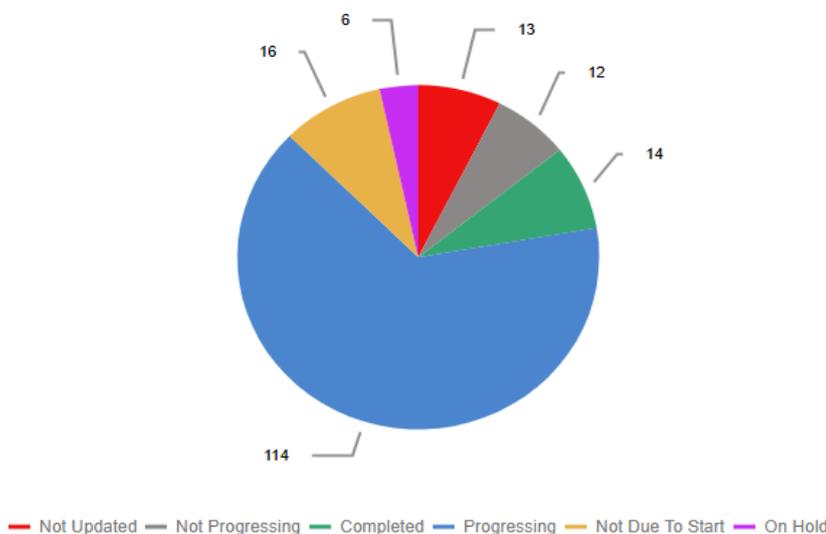
DISCUSSION:

Section 4.9 of the Integrated Planning & Reporting Guidelines states that the General Manager must ensure that regular progress reports are provided to the Council reporting as to its progress to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months.

The Delivery Program is developed around the five key themes of the Community Strategic Plan:

- Inclusive, Safe and Connected Community
- Managed Long Term Growth and Infrastructure
- Valued Environment and Sustainability
- Thriving Local Economy
- Strong Effective Leadership

Responsible managers have made comments on the status of each action as at 31 December 2025 as detailed in the attached report. There are some 175 actions in the Delivery Program. A summary of progress against each of these is as follows (nb items flagged as "not updated" are not due in the current year):



ITEM 10.4 DELIVERY PROGRAM AND OPERATIONAL PLAN PROGRESS - JULY 2025 TO DECEMBER 2025

On reviewing the Actions under each Theme, there have been requests for some actions to be amalgamated or deferred due to budget constraints. They are as follows:

Table 1

	Delivery Program Action	Measure	Responsibility Title	Proposed change
1.4.8	Develop an Events Strategy	Strategy developed and adopted by Council	Community Development Officer	Move from 2025/26 to 2026/27 due to resourcing issues.
5.1.5	Undertake Community Satisfaction Survey	Survey undertaken and action plan developed	Director Corporate & Community Services	Move from 2025/26 to 2026/27 due to resourcing issues.
3.2.1	Provide community education on waste reduction, recycling and renewable energy	Number of programs delivered	Waste Services Coordinator	Delete this item as it is a double up of Action 3.4.2 ("Deliver waste education programs")

CONSULTATION:

ELT

Managers and responsible staff with actions

SUSTAINABILITY ASSESSMENT:

As outlined in the attached report.

Risk Analysis

Not Applicable

Delivery Program Action

5.1 - Encourage and support inclusive community participation in policy and decision-making, and communicate on matters that are important to their daily lives and future

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1  4393/2026 - Delivery Program Action Update Report as at 31 December 2025

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 11.1 SF1031 250226 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

AUTHOR/ENQUIRIES: Daniel Walsh, Director Development and Environment Services

SUMMARY:

This report presents a review of Council's Cemetery Policy DE 15.

RECOMMENDATION:

That Council:

- 1 Publicly exhibits the Draft Cemetery Policy DE 15 contained within attachment 1 for 28 days.**
- 2 Adopts the Draft Cemetery Policy should no objections be received by the end of the exhibition period.**

OPTIONS:

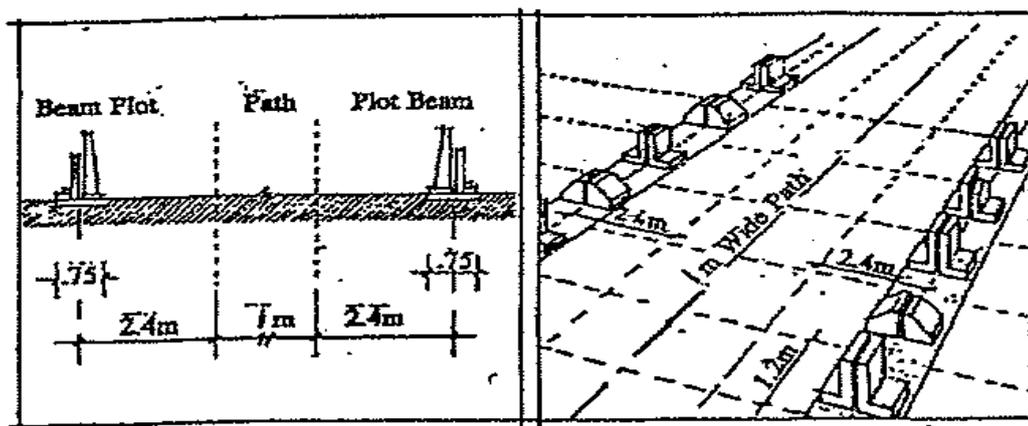
- 1 Support the recommendation.
- 2 Make changes to the policy.
- 3 Recommend the policy be revoked or retained as is.

BACKGROUND:

Councils Cemetery Policy was adopted in 2018. This current policy provides that the expansion of burial areas within Councils cemeteries will be with monumental lawn burial sections that are non-denominational.

Monumental lawn burial sections are established by installing concrete head beams along the top of future burial plots. The burial plots width and number are marked on the head beam for identification purposes. When an interment permit application is received the next available plot on the head beam is allocated for the burial. After the burial a headstone or plaque can be installed on the head beam to commemorate the person(s) buried in the plot. The areas between head beams are grassed areas maintained by Council.

The below illustration gives an indication of the finished configuration of a monumental lawn burial section.



The reasons monumental lawn burial sections were included within Councils policy are:

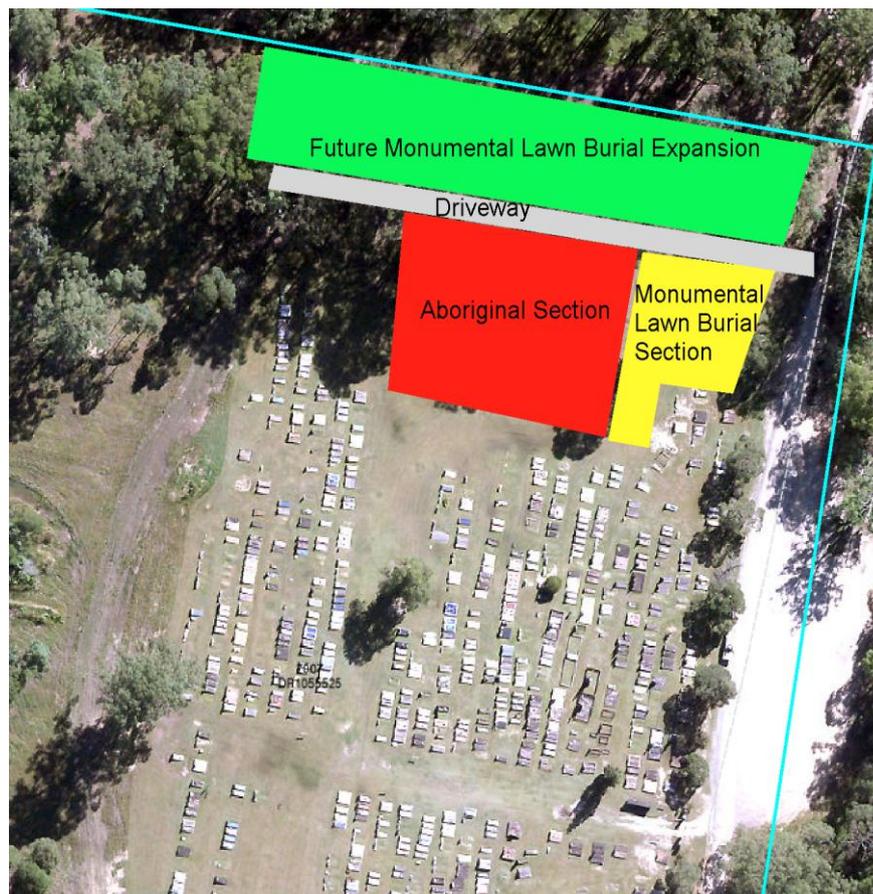
- They ensure the most efficient use of land within Councils cemeteries compared to the historical monument sections which are predominant in all of Councils cemeteries. The monument sections have resulted in wasted land as a result of graves being dug in non-parallel rows and uneven spacings. Marked head beams ensure graves are dug in the correct spot.

ITEM 11.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

- Lawn beams make maintenance of Councils cemeteries easier and more cost effective as they enable access with ride on mowers, compared to brush cutting in between individual graves. The more Council expands burial areas the more annual maintenance costs increase. Council is responsible for maintaining cemeteries in perpetuity, with cemetery fees paid for each plot being a one-off payment.
- Head beams ensure that unidentified/marked graves will not continue to occur. The installation and maintenance of headstones/monuments is the responsibility of family or friends of the deceased. There are many instances where headstones or monuments have not been installed on graves in the monumental sections. Having a marked head beam ensures all new graves will be able to be identified in perpetuity. It also offers a more affordable option for people to commemorate a deceased person with a plaque instead of outlaying costs associated with headstones and monuments.
- Head beams enable people to still have headstones, which the community is accustomed to with our monument burial past; compared to other lawn cemeteries which only permit plaques.

Burial areas have been expanded at the Nambucca Heads, Macksville and Eungai Creek cemeteries with head beams to facilitate monumental lawn burial sections.

In 2025 a head beam was installed at the Bowraville cemetery to expand burial areas at that cemetery. It was intended to expand the cemeteries burial areas in the location shown in the below illustration.



Providing the monumental lawn burial expansion in the yellow area shown above would enable reduced establishment costs associated with driveway construction, improved vehicular access to this part of the cemetery, ease of future expansion through utilisation of the proposed driveway which could be

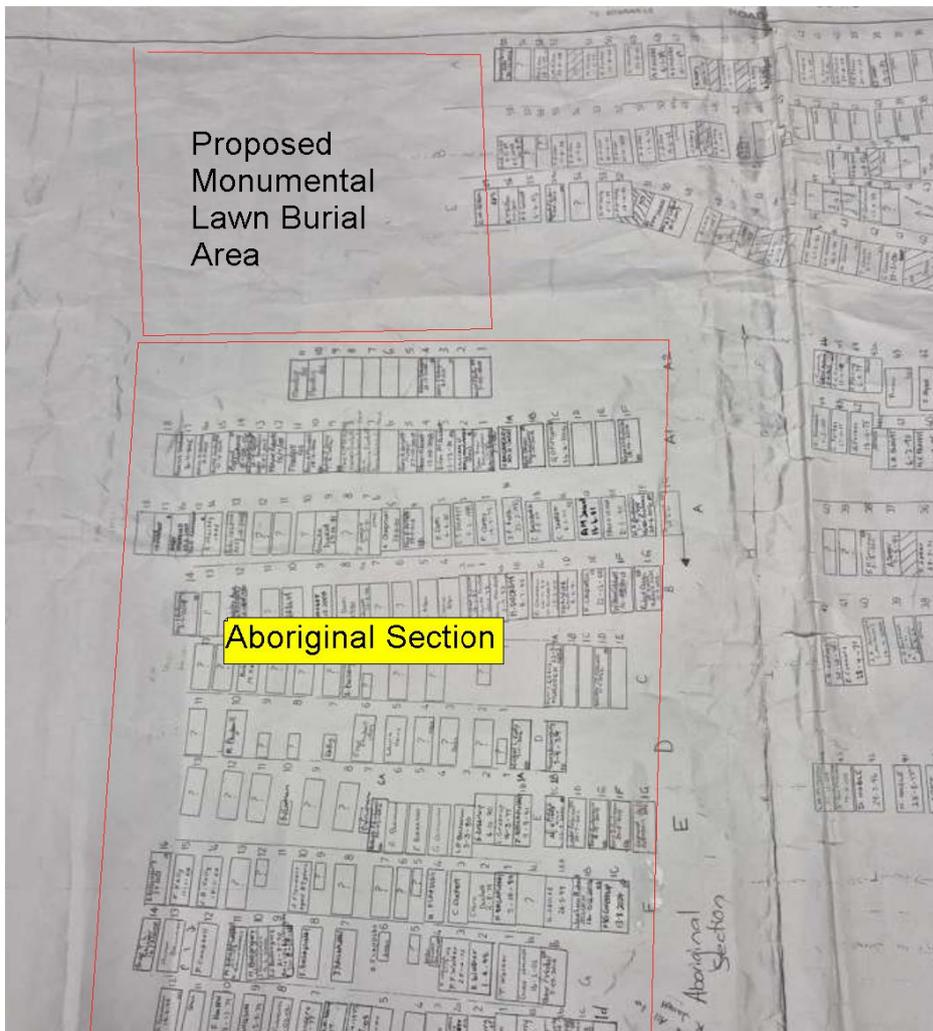
ITEM 11.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

constructed in stages, and the use of an area currently maintained by Councils contractors which is elevated and not subject to waterlogging compared to other areas of the cemetery.

However, this area adjoins the existing Aboriginal Section. Members of the Aboriginal community have advised that the yellow area shown above is used for funeral processions to the Aboriginal section from Gumbaynggirr Road and is thought to be an allocated Aboriginal burial area.

In response to this Council removed the head beam and widened the existing gate to ensure sufficient pedestrian access to the existing Aboriginal section was provided from the road. The existing vehicular access to this part of the cemetery has not been altered.

Despite the perception of those who made representations to Council, the yellow area shown on the above illustration has not yet been allocated as a burial area. This can be seen in the below extracts from Councils cemetery map.



DISCUSSION:

Council currently has a Cemetery Policy DE 15 which is due for review. Attached to this report is a revised policy.

Changes in the policy recommended for adoption are identified with ~~strike through~~ for parts to be removed and **red** for new parts to be added.

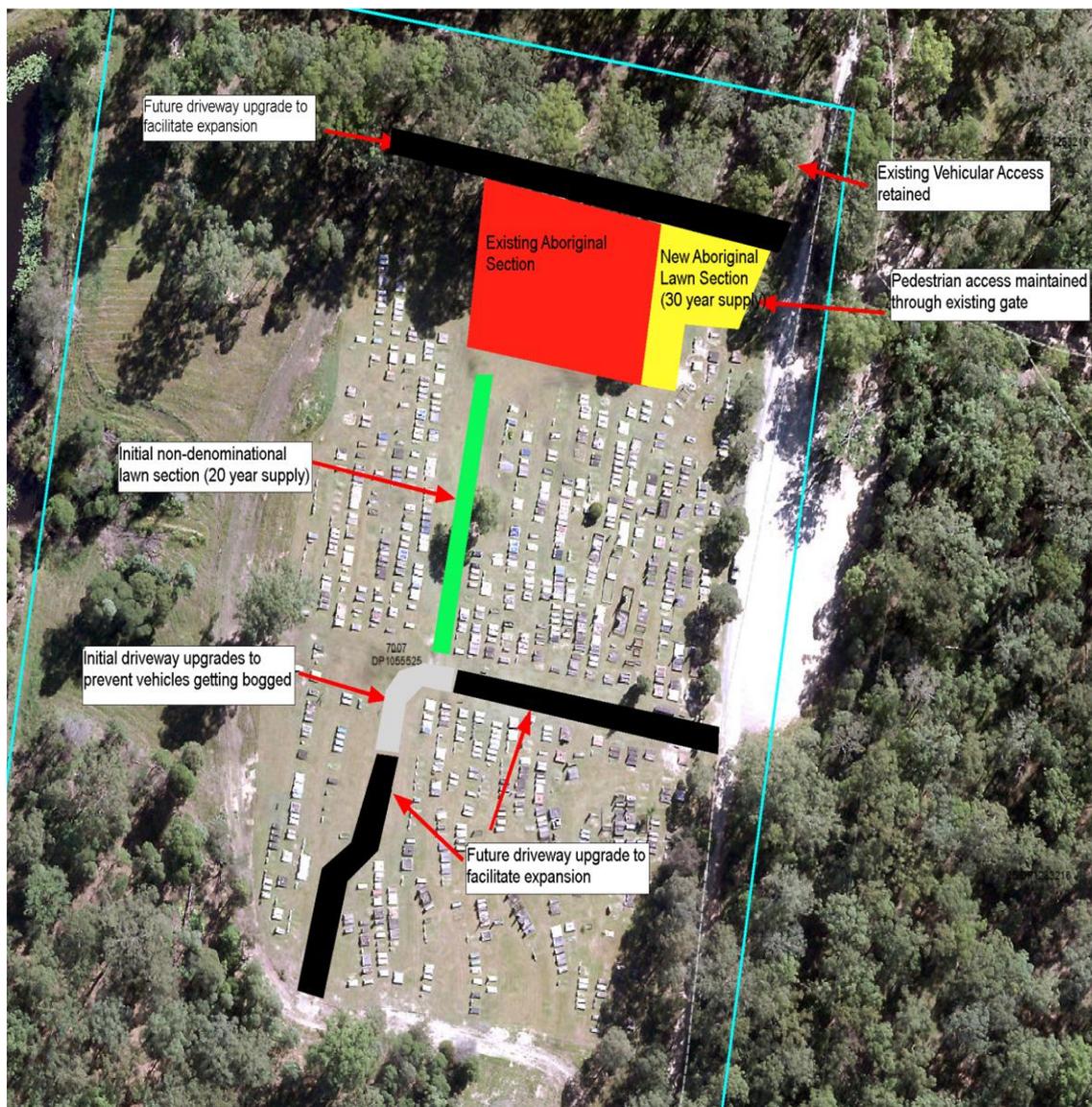
The proposed changes to the policy are:

ITEM 11.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

- Changes to the titles of related legislation to reflect current descriptions.
- Clarification that reservations of burial sites are only not permitted within lawn burial areas. Infill reservations within existing monumental burial areas is permitted.
- Removal of content needed in a statutory declaration.
- The addition to section 6.2 which allocates the yellow monumental lawn burial area of the Bowraville cemetery shown above as an extension to the existing Aboriginal section. All other areas of the cemetery will be expanded as non-denominational with head beams.

The proposed extension to the Aboriginal section will provide an additional 130 burial plots. This equates to approximately 30 years supply.

It is proposed to install a head beam to start expansion in this new part of the Aboriginal section. It is also proposed to install a head beam for non-denominational burials in another part of the cemetery shown green in the below plan. Future head beams and driveway works illustrated on the below plan will be progressively rolled out on demand and as funding allows.



ITEM 11.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

CONSULTATION:

MANEX – Supportive of the draft policy subject to consultation with the Aboriginal Advisory Committee.

Aboriginal Advisory Committee – The draft policy has been presented to the Committee on multiple occasions as well as two onsite meetings with staff and Committee members. No formal position has been resolved by the Committee. However, at the December Committee meeting general support was expressed, with the Committee satisfied for public exhibition to commence if no comments were received by Committee contacts by January 2026. No comments have been received.

SUSTAINABILITY ASSESSMENT:

It is not considered that the recommendation will result in any significant social, economic or environmental impacts.

Risk Analysis:

Nil.

FINANCIAL IMPLICATIONS:

While the introduction of an expanded Aboriginal section at the Bowraville cemetery does not represent the most efficient expenditure of public money, it is not considered having separate sections for Aboriginal people and the rest of the community will have significant financial implications on the operation of the Bowraville cemetery.

ATTACHMENTS:

1 45034/2018 - Draft Cemetery Policy

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 11.2 SF3410 250226 UNDETERMINED DEVELOPMENT APPLICATIONS GREATER THAN 12 MONTHS, WHERE SUBMISSIONS HAVE BEEN RECEIVED, OR WHERE AN APPLICATION TO VARY DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF THE NAMBUCCA LEP 2010 WAS APPROVED UNDER STAFF DELEGATION

AUTHOR/ENQUIRIES: Daniel Walsh, Director Development and Environment Services

SUMMARY:

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

Should any Councillor wish to “call in” an application a motion is required specifying the reasons why it is to be “called in”. If an application is not called in then it will be determined under delegated authority if the delegations permit.

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

RECOMMENDATION:

That Council notes the information contained within the report.

OPTIONS:

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

DISCUSSION:

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

Nil

TABLE 2: UNDETERMINED DEVELOPMENT APPLICATIONS WITH SUBMISSIONS

DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2025/170	5 August 2025	3 Lot Subdivision	58 Robert Hughes Road, Gumma
STATUS: 2 submissions received. Awaiting general terms of approval from the RFS (integrated development).			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2025/266	8 December 2025	Upper level additions to dwelling	7 Ocean Street, Scotts Head
STATUS: 29 submissions received. Additional information requested to enable assessment of the application to be finalised.			

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

DA2025/251 was the only application between 2 December 2025 and 9 February 2026 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation. The variation was a 6.5% variation to the maximum building height development standard as a

ITEM 11.2 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

result of architectural roof features which had no adverse impacts on the surrounding area. The approved development was additions to an existing dwelling at 33 Allison Road, Hyland Park.

CONSULTATION:

Nil.

SUSTAINABILITY ASSESSMENT:

Nil.

Delivery Program Action

2.1 - Encourage and facilitate high quality and sustainable planning and liveability outcomes that promote diverse housing to meet current and future community needs

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 11.3 SF1148 250226 COUNCIL'S RANGERS' REPORT AND PENALTIES ISSUED FOR OCTOBER, NOVEMBER AND DECEMBER 2025

AUTHOR/ENQUIRIES: Melanie Ellis, Senior Business Services Officer

SUMMARY:

This report provides impounding statistics and details of penalty notices issued for the months of October, November and December 2025 by Council staff.

RECOMMENDATION:

That Council notes the impounding statistics and penalties issued for October, November and December 2025.

DISCUSSION:

For Councils information, attached to this report are impounding statistics and details of penalty notices issued for the months of October, November and December 2025 by staff.

ATTACHMENTS:

- 1  2537/2026 - Impounding Statistics - October, November, December 2025
- 2  2553/2026 - Penalties issued by Council - October 2025
- 3  2555/2026 - Penalties issued by Council - November 2025
- 4  2560/2026 - Penalties issued by Council - December 2025

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.1 PRF15 250226 CORONATION PARK DRAINAGE SOLUTIONS

AUTHOR/ENQUIRIES: Keegan Noble, Environmental Project Officer

SUMMARY:

Council at its meeting held 18 June 2025 resolved for a report to be provided on drainage solutions for Coronation Park.

RECOMMENDATION:

That Council:

- 1 Undertake an in-house survey and drainage design for Coronation Park.**
- 2 Develop an estimate to support a future grant application.**

OPTIONS:

- 1 Do nothing/business as usual – leave the sporting fields at Coronation as they are.
- 2 Proposed recommendation – investigate current costs of implementation
- 3 Alternative option – Increased top dressing with sand based materials and applications gypsum to slowly increase the drainage potential of the field over time.

BACKGROUND:

In 2024 council implemented a sports field drainage project across three different sporting complexes in the Nambucca Valley. The fields completed were Allan Gillet and Willis Street in Macksville, E.J. Biffen Athletics fields also used as senior and junior AFL fields and Hennessy Tape oval senior rugby league field in Bowraville.

The works have been very well accepted by the sporting clubs and user groups with noticeable results enabling increased use during wet periods and after large rain fall events.

DISCUSSION:

Coronation fields in Nambucca Heads currently has drainage issues after large rainfall events as do other sporting fields. Ensuring the field has natural fall is the first step then creating a drainage design network that follows this natural fall comes next.

An in-house survey and design can be completed by Nambucca Valley Council surveyors and design engineers based on the designs undertaken and works as executed drawings submitted for the drainage in the above-mentioned fields.

Alternatively, council can engage a sports field drainage design consultant to complete this initial stage of works.

This design can then be quoted in the current market to gauge accurate and complete costs to assist in a grant application.

An estimation of implementation costs at coronation oval based on works undertaken in 2024 can be seen in the attached document. The total cost of the program was divided by the square meters of fields completed to create a square meter installation rate.

From this average cost it is estimated that to install drainage in both fields at Coronation oval it would cost approximately \$234,700.00

ITEM 12.1 CORONATION PARK DRAINAGE SOLUTIONS

CONSULTATION:

Green Space Co-ordinator
Grants and Contributions Officer

SUSTAINABILITY ASSESSMENT:**Environment**

Nil.

Social

Nil.

Economic

Initial cost of Survey and design

Risk Analysis

Nil.

Delivery Program Action

1.4 - Promote and facilitate a range of activities that encourage greater social connection and resilience to change within our communities

2.3 - Maintain and improve community facilities and infrastructure that provide a basis for our connectedness and well-being

FINANCIAL IMPLICATIONS:

Survey and design can be undertaken within existing operational budget.

ATTACHMENTS:

- 1  6324/2026 - NVC Playing Fields Drainage Proposal 14052025
- 2  6337/2026 - Works as executed drawing Hennessy Tape Oval

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.2 ND-NH-22-6 250226 CORNER OF PIGGOTT STREET AND FORESHORE CLOSE ACCESS

AUTHOR/ENQUIRIES: Matt Smith, Project Engineer (Disaster Recovery); Brock Varley, Manager Disaster Recovery

SUMMARY:

This report provides information to Council in regard to the proposed Landslip Remediation of Piggott Street (adjacent to 1 Foreshore Close Nambucca Heads) with the submitted design addressing past conditions placed within the Ordinary Council Meeting Report 63401/2022 dated 24 November 2022.

RECOMMENDATION:

That Council endorses the approach proposed by the Natural Disaster Recovery Team to place conditions on the access for the remediation of the failed slope adjacent to 1 Foreshore Close, Nambucca Heads.

OPTIONS:

- 1 Do nothing/business as usual
The option to not undertake rectification would result in continued degradation of the road corridor, increasing the likelihood of structural failure and the need for more extensive and costly reconstruction works in the future.
- 2 Proposed recommendation
The proposed design treatment for the landslip remediation at Piggot St to be the construction of a gabion basket retaining wall, consistent with the existing gabion structure that currently runs adjacent to the slip. As required in the Nambucca Valley Council report 63401/2022, the gabion wall system is capable of being unstacked in the future, should access or modification be required. Proceed to Construct as per the Issued for Construction Design (Refer to BAL2024-0041AW Rev 1 Piggott Street GIR).
- 3 Alternative option
An alternative option to design in a permanent access was found not feasible given the proximity of the adjacent properties which restricts the available corridor for any compliant accessway. (Refer to Piggot Street Landslip Remediation Memo).

DISCUSSION:

The condition placed in the council meeting report "63401 2022 Landslip issue at Foreshore Close, Nambucca Heads" in developing a wall "capable of being unstacked to form a vehicular access from Piggot Street" is satisfied with the submitted Issued For Construction Design of the gabion basket retaining wall (Refer to BAL2024-0041AW Rev 1 Piggott Street GIR).

It is noted, that any such future works (post completion of the Piggott Street Landslip Remediation Works) would necessitate significant earthworks to establish suitable access for plant and equipment given the substantial level difference between Piggot Street and the top of the embankment. Suitable temporary works design advice should be sought if the gabion wall is required to be removed in future.

Providing a permanent access solution is not feasible given the proximity of the adjacent properties which restricts the available corridor for any compliant accessway.

The proposal was determined via a Part 5 Environmental Assessment on 26 August 2025 with the preferred option being remediation via construction of a gabion basket retaining wall.

CONSULTATION:

Council met with Mr G and Mrs C Howle of 1 Foreshore Close on 24 November 2025 to present the detailed design solution and explained what the construction sequence would look like. Mr and Mrs Howle

ITEM 12.2 CORNER OF PIGGOTT STREET AND FORESHORE CLOSE ACCESS

were in favour of Council's proposed Gabion Wall design solution and raised preference for a perimeter fence to be constructed along the boundary.

Council asked about the timing preference/notification period required for a Pre-Condition Survey to be undertaken. Mr and Mrs Howle and the Tenant were comfortable with one week's notice.

SUSTAINABILITY ASSESSMENT:

Nil.

Risk Analysis

<u>Identified</u>	<u>Risk Likelihood (H,M,L)</u>	<u>Impact of Risk (H,M,L)</u>	<u>Strategy to manage risk</u>	<u>Residual Risk</u>
Reputational risk to Council, with breaking conditions agreed to with landholders.	H	M	Conditions imposed on council have been designed into the preferred solution.	L

Delivery Program Action

2.3 - Maintain and improve community facilities and infrastructure that provide a basis for our connectedness and well-being

FINANCIAL IMPLICATIONS:

Nil – Funded Externally by Essential Public Asset Reconstruction Works via Disaster Recovery Funding Arrangement – AGRN1012.

Tenders have come in well under the upper limit of the approved budget.

ATTACHMENTS:

1  63401/2022 - Landslip issue at Foreshore Close, Nambucca Heads