



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 25 MARCH 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 MARCH 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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14.2	Review of Section 355 Nambucca Community and Arts Centre Committee	
	<i>It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (a) of the Local Government Act, 1993, on the grounds that the report contains personnel matters concerning particular individuals.</i>	
14.3	Naylors Lane Road Closure	
	<i>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) (f) of the Local Government Act, 1993, on the grounds that the report contains matters affecting the security of the Council, Councillors, Council staff or Council property.</i>	
	a Questions raised by Councillors at 8 above	
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16	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 25 FEBRUARY 2026

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

PRESENT

Cr Gary Lee (Mayor)
Cr Susan Jenvey
Cr Tamara McWilliam
Cr Jane MacSmith

Cr James Angel
Cr David Jones
Cr Ljubov Simson
Cr Troy Vance

ALSO PRESENT

Bede Spannagle (General Manager)

Kristian Enevoldson (Acting Director Corporate and Community Services)

David Moloney (Director Engineering Services)

Evan Webb (Chief Financial Officer)

Kathryn Reynolds (Minute Secretary)

Suzanne Sullivan (Minute Secretary)

APOLOGIES

APPLICATION FOR LEAVE OF ABSENCE VIA COUNCILLOR BALLANGARRY

24/26 **RESOLVED:** (Lee/Jenvey)

That Council approve a request for leave for Councillor Ballangarry for the 25 February 2026 Council meeting.

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

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

Total (8)

Against the Motion:

Nil

Total (0)

Apologies (leave granted)

Cr Martin Ballangarry OAM

Apologies

Daniel Walsh (Director Development and Environment Services)

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.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

PRAYER

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

DISCLOSURE OF INTEREST

Councillor Vance declared a pecuniary interest in *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* under the Local Government Act as Cr Vance sold the property next door. Cr Vance left the meeting for this item.

Councillor Lee declared a non-pecuniary - significant conflict of interest in *Item 10.2 - Nominations to Council Section 355 Committees of Management* under the Local Government Act as Cr Lee's partner, Anna Shannon is being elected to the committee. Cr Lee left the meeting for this item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 28 JANUARY 2026

25/26 **RESOLVED:** (McWilliam/Simson)

That the minutes of the Ordinary Council Meeting of 28 January 2026 be confirmed.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
	Total (8)
Against the Motion:	Nil
	Total (0)

DELEGATIONS

RECOMMENDATION:

That the following delegations be heard:

- i. *Mr Peter Edward Lewis – speaking about solutions to Coronation Park Drainage*

PUBLIC FORUM

- i. **Mr Peter Edward Lewis addressed Council with speaking notes placed on 8448/2026 SF3424.**

26/26 **RESOLVED:** (McWilliam/Jenvey)

That an extension of time be granted.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

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 SF959 250226 Outstanding Actions and Reports

27/26 **RESOLVED:** (McWilliam/Angel)

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 Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
	Total (8)
Against the Motion:	Nil
	Total (0)

ITEM 9.2 SF1067 250226 Response to the Minister for Local Government in relation to Joint Organisation membership

MOTION: (Angel/McWilliam)

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

AMENDMENT: (Angel/Vance)

That Council:

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

2 Provide a copy of the minutes regarding discussion in their response to the minister.

For the Motion:	Councillors Angel and Vance
	Total (2)
Against the Motion:	Councillors Jenvey, Jones, Lee, MacSmith, McWilliam and Simson
	Total (6)

Upon being put to the meeting, the amendment was declared lost and reverted back to the original motion.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

28/26 **RESOLVED:** (Angel/McWilliam)

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

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

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

The Mayor exercised a casting vote for the motion and the motion was declared carried.

ITEM 9.3 SF3528 250226 Investment Report for January 2026

29/26 **RESOLVED:** (Angel/McWilliam)

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.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

ITEM 9.4 SF1120 250226 Grant Status Report

30/26 **RESOLVED:** (MacSmith/McWilliam)

That Council notes the Grants Status Report.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

ITEM 9.5 SF3517 250226 Quarterly Budget Review - December 2025

31/26 **RESOLVED:** (MacSmith/Jenvey)

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.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
	Total (8)
Against the Motion:	Nil
	Total (0)

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORTS

ITEM 10.1 SF600 250226 Land Disposal and Acquisition Policy

MOTION: (McWilliam/Jenvey)

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.

AMENDMENT: (MacSmith/Jones)

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.
- 4 Includes, no negotiations, including discussions regarding price or material terms, are to occur prior to Council resolving that the land is to be disposed of or acquired.

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

For the Motion:	Councillors Angel, Jones, Lee, MacSmith, Simson and Vance
	Total (6)
Against the Motion:	Councillors Jenvey and McWilliam
	Total (2)

32/26 **RESOLVED:** (MacSmith/Jones)

That Council:

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

- 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.
- 4 Includes, no negotiations, including discussions regarding price or material terms, are to occur prior to Council resolving that the land is to be disposed of or acquired.

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

For the Motion:	Councillors Angel, Jones, Lee, MacSmith, Simson and Vance Total (6)
Against the Motion:	Councillors Jenvey and McWilliam Total (2)

Councillor Gary Lee left the meeting before the commencement of this item, the time being 6:35 PM.

Councillor Jenvey took the Chair for Item 10.2, the time being 6:35 PM.

ITEM 10.2 SF3586 250226 Nominations to Council Section 355 Committees of Management

33/26 **RESOLVED:** (Angel/MacSmith)

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

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

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

Councillor Gary Lee returned to the meeting at the completion of this item, the time being 6:37 PM.

ITEM 10.3 SF3586 250226 Minutes of Duguula-Bindarray-Garri Aboriginal Advisory
Committee

34/26 **RESOLVED:** (Angel/MacSmith)

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

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

ITEM 10.4 SF1620 250226 Delivery Program and Operational Plan Progress - July 2025 to December 2025

35/26 **RESOLVED:** (McWilliam/Angel)

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.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
	Total (8)
Against the Motion:	Nil
	Total (0)

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORTS

ITEM 11.1 SF1031 250226 Review of Council's Cemetery Policy DE 15

36/26 **RESOLVED:** (Lee/Angel)

That Council defer this item to the March Council meeting.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
	Total (8)
Against the Motion:	Nil
	Total (0)

Councillor Troy Vance left the meeting before the commencement of this item, the time being 6:46 PM.

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

37/26 **RESOLVED:** (Simson/McWilliam)

That Council:

- 1 Notes the information contained within the report.**
- 2 Calls forward DA2025/266 to a future Council meeting.**

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

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

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

Councillor Troy Vance returned to the meeting at the completion of this item, the time being 6:47 PM.

ITEM 11.3 SF1148 250226 Council's Rangers' Report and Penalties Issued for October, November and December 2025

38/26 **RESOLVED:** (Angel/MacSmith)

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

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

DIRECTOR ENGINEERING SERVICES REPORTS

ITEM 12.1 PRF15 250226 Coronation Park Drainage Solutions

39/26 **RESOLVED:** (Jenvey/MacSmith)

That Council:

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

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

ITEM 12.2 ND-NH-22-6 250226 Corner of Piggott Street and Foreshore Close Access

40/26 **RESOLVED:** (Jenvey/McWilliam)

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.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

41/26 **RESOLVED:** (Angel/Jenvey)

- 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.**

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

Reason reports are in Closed Meeting:

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420 250226 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.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

For Confidential Business Paper in Closed Meeting

ITEM 13.2 SF3420 250226 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.).

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 250226 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.

For Confidential Business Paper in Closed Meeting

ITEM 13.4 SF3420 250226 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.

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 6:55PM.

RESUME IN OPEN MEETING

42/26 **RESOLVED:** (Jenvey/McWilliam)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 7:42PM.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

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 250226 Matters Regarding Realised or Potential Losses

43/26 **RESOLVED:** (Angel/McWilliam)

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

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

For the Motion: Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
Total (8)

Against the Motion: Nil
Total (0)

For Confidential Business Paper in Closed Meeting

ITEM 13.2 SF3420 250226 Agreement for Transfer of Land for the Purpose of Road
Realignment

44/26 **RESOLVED:** (Jenvey/Angel)

That Council:

- 1 Approves the acquisition of portions of land at 228 Scotts Head Road, Way Way identified on the final survey plan and admin sheets annexed to the agreement.**
- 2 Compensation be in accordance with the independent valuation.**
- 3 Authorises the General Manager to execute associated legal documents.**

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

For the Motion: Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance
Total (8)

Against the Motion: Nil
Total (0)

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 250226 Valuation Conducted Lot 1 DP1173066

45/26 **RESOLVED:** (MacSmith/Angel)

That Council:

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

- 1 Notes the report on the Valuation conducted for LOT 1 DP1173066.
- 2 Delegates the General Manager to acquire part LOT 1 DP1173066 as described in Option 2 through negotiation or compulsory acquisition based on the valuation amount and execute all documents.
- 3 Receives a report on the final outcome of the purchase.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

For Confidential Business Paper in Closed Meeting

ITEM 13.4 SF3420 250226 Water Leak Adjustment - Water Account 11145834

46/26 **RESOLVED:** (Simson/McWilliam)

That Council resolves to write off \$15,761.56, being made up of \$5,103.47 for water usage and \$10,658.09 for sewer usage on water account 11145834.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (8)
Against the Motion:	Nil Total (0)

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7:45 PM.

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

**Cr Gary Lee
MAYOR
(CHAIRPERSON)**

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 FEBRUARY 2026

The below budget review statement was tabled during the meeting and relates to Item 9.5 – Quarterly Budget Review – December 2025.

Supplimentary Cash and Investments Budget Review Statement

Restricted and allocated cash, cash equivalents and investments							
	30.06.2025						30.06.2026
Total Cash, Cash Equivalents and investments	127,425,324						110,843,131
Less: Externally Restricted cash, cash equivalents and investments	(103,254,817)						(86,187,508)
Cash and cash equivalents and investments not subject to external restrictions	24,170,507	-	-				24,655,623
External Restrictions	ACTUAL Balance 30/6/2025	Original Budget	Carry Forwards	Out of QBR Adjustments	September QBR	December QBR	Estimate Balance 30/06/2026
Specific Purpose Unexpended Grants - General Fund (CL)	42,310,437	-	-	-	-	-	42,310,437
Specific Purpose Unexpended Grants - Water Fund (CL)	63,782	-	-	-	-	-	63,782
Specific Purpose Unexpended Grants - Sewer Fund (CL)	109,204	-	-	-	-	-	109,204
Security Deposits	1,293,929	-	-	-	-	-	1,293,929
Unexpended Loans Sewer Fund	3,800,000	-	-	-	-	-	3,800,000
EPA Contribution to Waste Management	-	-	-	-	-	-	-
Property Insurance Reimbursement	-	-	-	-	-	-	-
Developer Contributions - General	2,308,216	708,350	(711,957)	-	-	-	2,304,609
Developer Contributions - Water	8,142,562	(4,368,200)	-	-	-	-	3,774,362
Developer Contributions - Sewer	4,211,113	(2,937,000)	-	-	-	-	1,274,113
Specific Purpose Unexpended Grants - General	2,456,176	-	(1,092,839)	-	(1,040,600)	(131,897)	190,840
Water Supplies	16,818,684	(112,421)	(187,956)	-	-	-	16,518,307
Sewerage Services	14,836,974	(5,902,405)	(806,921)	-	(909)	(46,169)	8,080,570
Stormwater Management	483,634	103,700	(155,081)	-	-	-	432,253
Domestic Waste Management	6,420,106	(106,427)	(320,000)	-	41,423	-	6,035,102
Total External Restrictions	103,254,817	(12,614,403)	(3,274,754)		(1,000,086)	(178,066)	86,187,508
Internal Allocations	ACTUAL Balance 30/6/2025	Original Budget	Carry Forwards	Out of QBR Adjustments	September QBR	December QBR	Estimate Balance 30/06/2026
Plant & Vehicle Replacement	2,199,130	200,000	(1,196,665)	-	-	200,000	1,402,465
Carry Forward Reserve	1,950,000	-	(1,344,991)	-	-	-	605,009
Unexpended Loans - General	266,101	-	(266,130)	-	-	-	(29)
Financial assistance grant in Advance	2,883,884	-	-	-	-	-	2,883,884
Natural Disaster - Contingency Unclaimable Expenditure	83,700	-	-	-	-	-	83,700
Employees Leave Entitlements	1,183,754	(200,000)	-	-	-	-	983,754
Council Building Reserve	243,783	(200,000)	-	-	-	-	43,783
Election	100,000	55,000	-	-	-	-	155,000
Environment Rate Levy	539,097	(14,178)	(108,537)	-	-	-	416,382
Land Development	324,586	(282,710)	-	-	-	-	41,876
Lawn Cemetery	7,241	-	-	-	-	-	7,241
IT/Office Equipment	298,791	(133,000)	(45,131)	-	-	-	120,660
Other Contributions(inc beach reserve)	310,802	-	(42,404)	(30,000)	-	-	238,398
Swimming Pool	588,493	75,000	-	-	-	-	663,493
Interest Equalisation Reserve	800,000	1,000,000	-	-	-	-	1,800,000
Capital Works Reserve	1,250,000	(50,000)	-	-	-	-	1,200,000
Budget Equalisation reserve	500,000	-	-	-	-	-	500,000
Insurance Excess reserve	250,000	-	-	-	-	-	250,000
Roadworks Reserve	1,500,000	-	-	-	-	-	1,500,000
Future Improvement Reserve	250,000	-	-	-	-	-	250,000
Other Sporting Facilities	500,000	-	-	-	-	-	500,000
Halls Upgrade Reserve	250,000	-	-	-	-	-	250,000
Waste Management	5,830,195	1,854,030	(80,000)	-	9,141	-	7,613,366
Total Internal Allocation	22,109,558	2,304,142	(3,083,858)	(30,000)	9,141	200,000	21,508,983
Total Restrictions	125,364,375	- 10,310,261	- 6,358,612	- 30,000	- 990,945	21,934	107,696,491
Unrestricted Cash	2,060,949	10,310,261	6,358,612	30,000	990,945	- 21,934	3,146,640
TOTAL CASH	127,425,324	-	-	-	-	-	110,843,131

NOTICE OF MOTION

ITEM 5.1 SF3422 250326 NOTICE OF MOTION - WORKFORCE GENDER REPRESENTATION AND ORGANISATIONAL CULTURE

AUTHOR/ENQUIRIES: Jane MacSmith, Councillor

SUMMARY:

Council adopted the Workforce Management Strategy, which acknowledges the higher proportion of male employees across all levels of the organisation and commits Council to fostering a diverse and inclusive workplace and promoting gender equity.

Updated workforce data shows a modest improvement in female representation over the past year. However, women remain absent from trainee positions and executive leadership roles. This Notice of Motion proposes a confidential staff satisfaction survey and the development of a Gender Equity Strategy to provide Council with clearer insight into workforce experience and support evidence-based workforce planning.

RECOMMENDATION:

That Council:

- 1 Conduct a confidential, independently facilitated, staff satisfaction and workplace culture survey, to be administered by an external provider and provided directly to Councillors for governance oversight.**
- 2 Add the development of a Gender Equity Strategy to Council's priority works list for future budget consideration.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option

GENERAL MANAGER COMMENTS:

Recommendation 1:

- As per previous discussions with Council, this item has already been included in the draft budget.
- I agree a staff satisfaction and workplace culture survey should always be conducted by an independent external provider to maintain impartiality.
- The governance oversight should not be provided by Council, as Council has no delegated authority to direct or manage operational matters, nor does it have any access to potential confidential employee information. So, this part of the recommendation is not able to be implemented.
- Oversight of the project could be managed by Council's Manager Governance or the Public Officer.

Recommendation 2:

- I agree a gender equity strategy would add value to the Workforce Management Strategy and assist in providing an improvement in the overall diversity in the workplace.
- This has no immediate financial or resourcing implications for Council and can be further developed with a scope and budget estimate for future budget consideration.

ITEM 5.1 NOTICE OF MOTION - WORKFORCE GENDER REPRESENTATION AND ORGANISATIONAL CULTURE

DISCUSSION:

With International Women’s Day this month, I reviewed how the Council is progressing on gender equity within the organisation.

Council’s Workforce Management Strategy identifies workforce planning, talent attraction and retention, succession planning and inclusive culture as key organisational priorities.

The current workforce profile demonstrates a clear gender imbalance across both entry level and senior roles. Addressing this is not about individuals. It is about ensuring the organisation continues to grow as a strong and supportive workplace for everyone.

Table: 2025 Workforce Management Plan

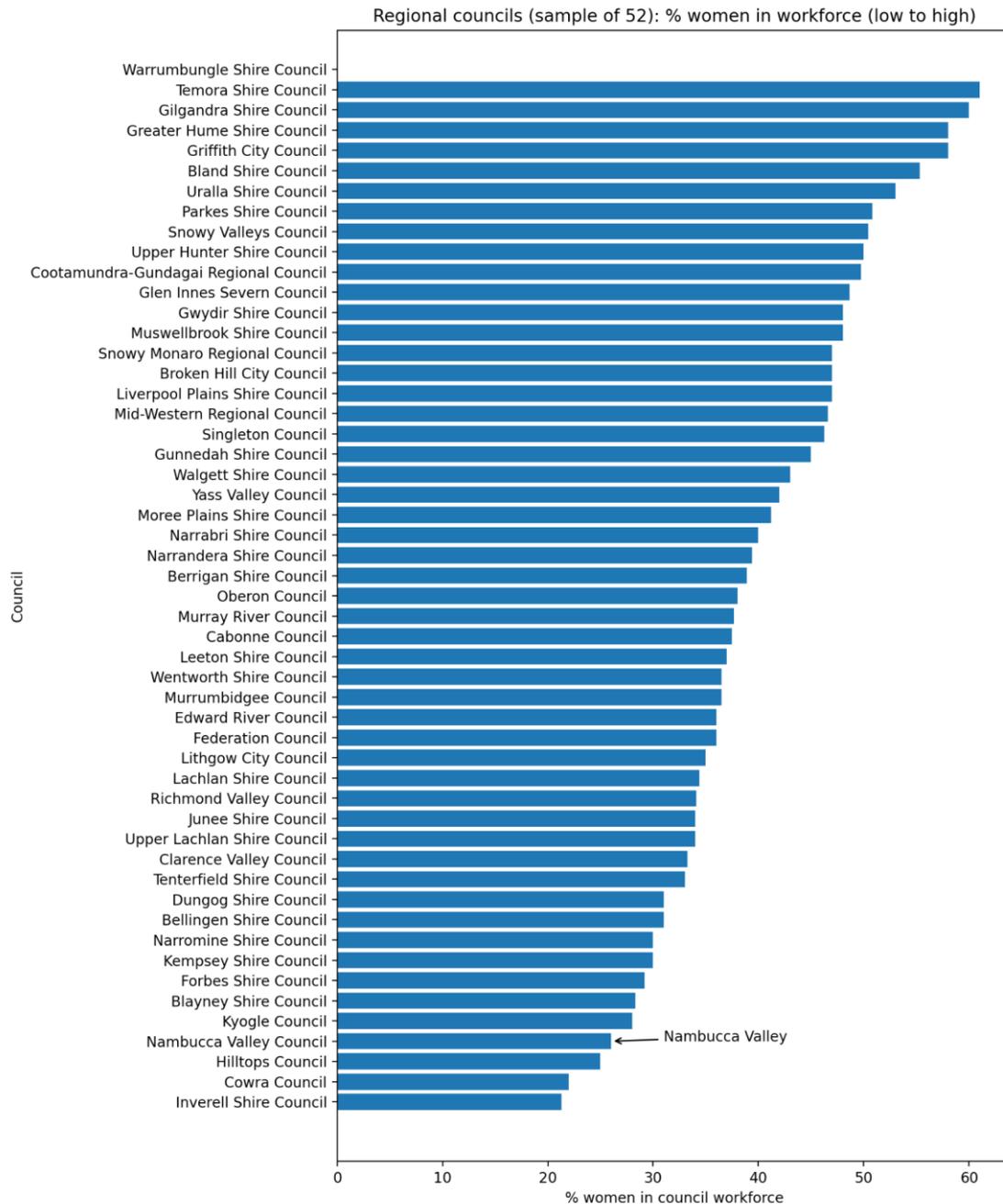
	Band 1/1 (Trainees)	Band 1/2 (Grades 2-3)	Band 1/3 (Grades 4-6)	Band 1/4 or Band 2/1 (Grades 7-9)	Band 2/2 or Band 3/1 (Grades 10-12)	Band 2/3 or Band 3/2 (Grades 13-15)	Band 3/3 and above (Managers)	Senior Staff (GM & Directors)
Male	3	6	17	33	13	30	12	3
Female	0	0	13	6	8	11	1	0
Total	3	6	30	39	21	41	13	3

Council’s Workforce Profile (as at 31 March 2025) identifies:

- 74% male and 26% female workforce representation
- 0 female staff in Band 1/1 (Trainees)
- 0 female staff in Band 1/2 (Grades 2–3)
- 0 female Senior Staff (GM & Directors)
- 1 female employee at Band 3/3 (Manager level)

I reviewed publicly available workforce management plans from 52 regional NSW councils with populations between 5,000–50,000.

ITEM 5.1 NOTICE OF MOTION - WORKFORCE GENDER REPRESENTATION AND ORGANISATIONAL CULTURE



* Collated data from public available workforce management plans ranging from years 2022-2026. Warrumbungle Shire did not have a published workforce management plan. These councils are regional councils of NSW that have a population between 5,000-50,000.

Updated Chart - March 2026:

	Trainees	Grade 2 - 3	Grade 4 - 6	Grade 7 - 9	Grade 10 - 12	Grade 13 - 15	Grade 16 - 22	Senior Staff (GM & Directors)
Male	7	9	7	41	12	31	10	3
Female	0	2	13	11	7	12	3	0
Total	7	11	20	52	19	43	13	3

ITEM 5.1 NOTICE OF MOTION - WORKFORCE GENDER REPRESENTATION AND ORGANISATIONAL CULTURE

Updated workforce figures provided to Councillors show that Council's workforce increased from 156 employees to 168 employees over the past year. During this period, the number of female employees increased from 39 to 48, improving overall female representation from approximately 26% to around 29%.

Looking at the updated numbers more closely, 9 of the 12 new roles were entry-level positions in the trainee and Grade 2–3 bands. Of these entry-level positions, only two were filled by women. While some increase in female representation is visible within the middle workforce bands, there remain no women employed in trainee positions or in executive leadership roles.

Positively, there are now 3, up from 1, women in management level roles, however this is still only a 23% representation.

In addition to gender representation, contemporary workforce governance best practice includes periodic employee engagement and satisfaction measurement to identify systemic issues affecting morale, productivity and retention.

To ensure staff confidence and participation, it is proposed that the survey be externally administered, with strict anonymity protections and aggregated reporting only. Providing aggregated findings directly to Councillors ensures appropriate governance oversight of organisational culture while maintaining strict confidentiality of staff responses.

Development of a Gender Equity Strategy would align Council's stated commitment in the Workforce Management Strategy with measurable actions, timelines and reporting mechanisms. Workforce planning forms part of Council's Resourcing Strategy under the Integrated Planning and Reporting framework, which sits within Council's governance responsibilities. I have attached an example from Parkes NSW.

This motion does not seek to introduce quotas or alter merit-based recruitment. The aim is to better understand workforce experience and ensure Council remains an attractive workplace for all.

ATTACHMENTS:

- 1  13171/2026 - Gender Equity Percentage Findings
- 2  13170/2026 - Gender Equity Strategy and Action Plan - Parkes Shire Council

NOTICE OF MOTION**ITEM 5.2 SF3422 250326 NOTICE OF MOTION - CHILDCARE ACCESS IN THE NAMBUCCA VALLEY****AUTHOR/ENQUIRIES:** Jane MacSmith, Councillor**SUMMARY:**

That Council commission an Independent Childcare Access Analysis and Strategy for the Nambucca Valley LGA.

RECOMMENDATION:

That Council commission an Independent Childcare Access Analysis and Strategy for the Nambucca Valley LGA, and include funding for this work in the 2026–27 Budget Bid process.

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option

GENERAL MANAGER COMMENTS:

This NOM aligns with the Delivery Program action 1.5.4 Explore long term solutions to ensure appropriate, affordable, and available childcare in our community. Council has no available childcare resource or expertise in-house to deliver the analysis and strategy, so I concur with the recommendation to commission an independent report.

I would also suggest exploring opportunities for grant funding for this project, either in full or co-contribution.

DISCUSSION:

Council's Delivery Program includes an action to explore options for childcare within the Nambucca Valley.

Australian Bureau of Statistics 2021 Census data identifies approximately 1,000–1,100 children aged 0–4 years living in the Nambucca Valley Local Government Area.

Conversations with local parents and community groups indicate many families are struggling to secure childcare places, particularly for children under two years of age. Parents report waitlists extending beyond 12 months, with some delaying or reducing their return to work due to a lack of available care.

Holly, a Nambucca Heads mother, was unable to secure a childcare place for her son under the age of two. With only one centre in Nambucca Heads accepting children under two, and no available spot, Holly, her husband and her mother have all been working fewer hours than they would like in order to manage care. Holly calculated that the past year without childcare has cost her household approximately \$40,000, money she notes would otherwise have been spent locally. Her husband is a carpenter, and she notes the extra hours he could be working would help ease the valley's acute trades shortage.

Christine, also a Nambucca Heads resident, was due to return to work when her daughter was 14 months old. Unable to secure a formal daycare place, her husband took four months off work and reduced it to three days a week so Christine could return part-time. When her daughter turned two a place was eventually secured in Macksville, starting at 2 days and growing once there was more availability. Christine now has a second child and has chosen to take two years off work entirely rather than rely on informal

ITEM 5.2 NOTICE OF MOTION - CHILDCARE ACCESS IN THE NAMBUCCA VALLEY

care arrangements. As a result, the family has moved back in with her parents, no longer able to afford rent in the area.

Kate, a Nambucca Heads mother of two, was offered a childcare place for her daughter Mia beginning November 2025, only to be told three weeks before the start date that the nursery would be closing for over six months, which she suspects was due to staff availability. With no alternative places available, Kate has been unable to return to work, directly impacting her household's ability to meet mortgage and loan repayments.

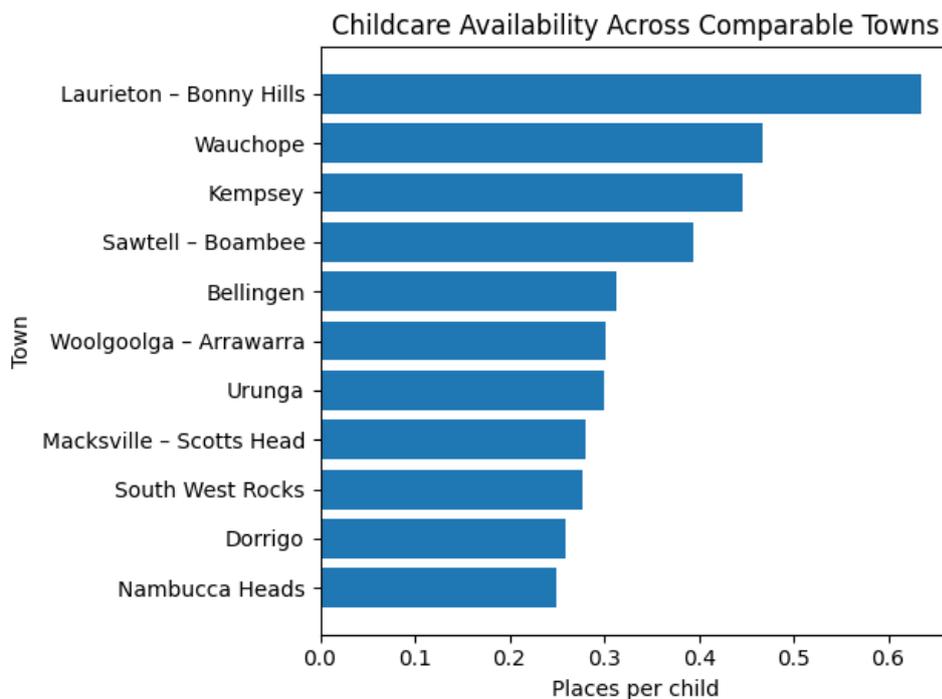
This local experience is consistent with broader regional data. A 2023 Regional Development Australia Mid North Coast survey found 52% of families reported difficulty securing childcare, with impacts including workforce participation constraints and staffing shortages for local businesses.

National research also highlights the role childcare access plays in workforce participation. Analysis by the Grattan Institute found that improving childcare access could increase the working hours of mothers with young children by around 11–13 per cent, highlighting the important link between childcare availability and labour market participation.

Improved access to childcare can also assist families facing cost-of-living pressures by enabling parents to maintain workforce participation and household income.

Research into regional labour markets has similarly identified childcare availability as a factor influencing workforce participation in regional communities. Studies by the Regional Australia Institute have highlighted that limited childcare access can constrain labour supply by preventing parents, particularly mothers, from returning to work or increasing working hours.

Recent research has also highlighted that childcare access varies significantly between regional communities. Victoria University research (2024) using available childcare supply data indicates that Nambucca Heads has approximately four children competing for each childcare place, which is higher than comparable Mid North Coast towns such as Bellingen, Urunga and Woolgoolga.



Local government already plays a recognised role in supporting access to early childhood education and care through strategic planning, land use decisions, partnerships with providers and advocacy to other levels of government.

ITEM 5.2 NOTICE OF MOTION - CHILDCARE ACCESS IN THE NAMBUCCA VALLEY

The NSW Department of Education's 2023 Early Childhood Services Local Government Project (a UTS-commissioned review of all 128 NSW councils) found that half of all NSW councils are directly involved in early childhood service provision or planning, with a number having commissioned independent analyses to identify local gaps.

This same report identified six key directions for improving early childhood service delivery. One of those key directions specifically calls on councils to undertake needs analysis and long-term planning to support sustainable decision making. This motion delivers directly on that recommendation

This motion does not propose the development of a childcare facility at this stage. Instead, it seeks to deliver on the existing Delivery Program commitment by establishing a clear evidence base to inform future Council decisions.

The contractor report should include:

- Mapping of existing childcare services & service gaps across the LGA
- Consultation with local childcare providers to identify waitlist demand and barriers to service expansion
- Analysis of demand by age group, particularly children aged 0–2 years

Identification of potential options to improve childcare access

Risk Analysis

Limited childcare availability may impact:

Workforce participation within the Nambucca Valley

The ability of local businesses to recruit and retain staff

The attraction and retention of young families in the region.

FINANCIAL IMPLICATIONS:

The estimate of \$100,000 for the proposed analysis could be considered through the 2026–27 Budget Bid process.

ATTACHMENTS:

There are no attachments for this report.

MAYORAL MINUTE

**ITEM 9.1 SF3422 250326 REQUEST FOR LEAVE - CR MARTIN BALLANGARRY - 10
 MARCH - 10 MAY 2026**

AUTHOR/ENQUIRIES: Gary Lee, Mayor

SUMMARY:

Cr Martin Ballangarry has requested leave for the period 10 March to 31 May 2026 inclusive.

RECOMMENDATION:

That Cr Martin Ballangarry be granted leave of absence in accordance with Section 234(1) (d) of the *Local Government Act 1993* for the period of 10 March to 31 May 2026 inclusive.

DISCUSSION:

As per Cl. 234(2) of the Local Government Act 1993 this report is a request on behalf of Cr Martin Ballangarry. Cr Ballangarry has requested a leave of absence for health and family reasons.

ATTACHMENTS:

There are no attachments for this report.

MAYORAL MINUTE

ITEM 9.2 SF3422 250326 GENERAL MANAGER PERFORMANCE AGREEMENT

AUTHOR/ENQUIRIES: Gary Lee, Mayor

SUMMARY:

As per Clause 7.3 of the General Managers Contract of Employment, the performance agreement may be varied from time to time during the term of the contract by agreement between the employee and Council, such agreement not to be unreasonably withheld.

RECOMMENDATION:

That Council, as per Clause 7.3 of the General Managers Contract of Employment:

Request the General Manager include the additional performance targets in Section 2.2 of the General Manager's Performance Agreement, as detailed below;

- **Performance target: Complete the review of the Development Service Plans for water and sewerage. Performance measure of substantially complete or complete.**
- **Performance target: Undertake advocacy work regarding river water quality in the Nambucca Valley. Performance measure of demonstrate examples of advocacy provided.**

DISCUSSION:

In December 2025, the General Manager's Performance Review took place. The Review Committee assessed the GM's annual review as 'Exceeding Expectations' with an average rating of 4.4 out of 5. The committee also discussed including additional performance targets and measures in the Performance Agreement.

The two additional performance targets that were discussed to compliment the performance targets completed in Section 2.2 of the Performance Agreement, were:

- The Development Service Plans for water and sewerage, with a performance measure of substantially complete, and/or complete.
- Advocacy work regarding river water quality, with a performance measure of demonstrate examples of advocacy provided.

If Council chooses to add the performance criteria as detailed above in Section 2.2 of the General Manager's Performance Agreement, it will need to seek agreement from the General Manager to amend the agreement as per 7.10(b) of the General Managers Contract of Employment.

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

ITEM 10.1 SF959 250326 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 10.1 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.

17/03/26 No update.

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

ITEM 10.1 OUTSTANDING ACTIONS AND REPORTS

from the beginning of the project.			
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. 17/03/26 Awaiting appointment of contractor for preparation of CBD Master Plan.			
JUNE 2025			
3	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. 17/03/26 Report presented to this March 2026 meeting			
JULY 2025			
4	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. 17/03/26 Michelle Jarrett appointed.			
AUGUST 2025			
5	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. 20/01/26-17/03/26 No further update.			
6	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. 18/11/25-17/03/26 Report deferred at October meeting 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. When advice is received the matter will be reported to Council.			
8	SF3420	20/08/2025	DES
RESOLUTION: Tender - T2025-042 Provision of Water Meter Reading Services That Council: 2 Defer this item and receive a report back exploring other options.			
STATUS: 09/09/25 Prioritised to follow Water & Sewer Policy review. 03/10/25-17/03/26 No further update.			

ITEM 10.1 OUTSTANDING ACTIONS AND REPORTS

OCTOBER 2025			
9	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. 20/01/26-17/03/26 No further update. Only one item remaining (9).</p>			
NOVEMBER 2025			
10	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. 17/03/26 Refer to March Council report.</p>			
11	SF95	26/11/25	DDES
<p>RESOLUTION: Proposed Restricted Parking Areas That Council: 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. 17/03/26 Signage installed. Site plan has been developed with estimated costings.</p>			
12	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. 16/02/26-17/03/26 Engineering Services are currently preparing the whole park plan for McMorine Park.</p>			
13	SF3424	26/11/25	DES
<p>RESOLUTION: Public Forum That Council receive a report on removing the concrete bund at 45 High Street, Bowraville in relation to stormwater.</p>			
<p>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. 17/03/26 Works scheduled for 16/03/26 to 27/03/26.</p>			
14	SF3520	26/11/25	DCCS
<p>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.</p>			
<p>STATUS: 09/12/25-20/01/26 No further update.</p>			

ITEM 10.1 OUTSTANDING ACTIONS AND REPORTS

16/02/26 No further update. Will be completed once resourcing allows. 17/03/26 Draft Plans of Management will be presented to future Council meeting.			
DECEMBER 2025			
15	SF3508	17/12/25	DDES
RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 – Intensive Plant Agriculture That Council: 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. 17/03/26 Refer to separate report. Letter sent to Minister Saffin.			
16	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. 16/02/26-17/03/26 As above.			
17	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 17/03/26 It is proposed that the \$25,000 be carried forward to the 2026/27 financial year and be combined with the proposed Bowraville Master Plan implementation budget.			
18	SF3422	17/12/25	DDES
RESOLUTION: Tree Permit Requirements That Council: 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. 17/03/26 Waiting for legal advice before reporting back to Council.			
JANUARY 2026			
19	SF3671	28/01/26	DES
RESOLUTION: Scotts Head Master Plan - Project Reference Group That Council: 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.			
STATUS: 16/02/26 Making enquiries in the Scotts Head community to engage with a youth representative. 17/03/26 A group of youth representatives have been identified for the skatepark consultation that may be leveraged for the Master Plan.			
FEBRUARY 2026			
20	SF1067	25/02/26	GM
RESOLUTION: Response to the Minister for Local Government in relation to Joint Organisation membership That Council advises the NSW Office Local Government (OLG) that it intends to seek membership of the Mid North Coast Joint Organisation.			
STATUS: 17/03/26 GM letter emailed to OLG on 10 March 2026.			
21	PRF15	25/02/26	DES
RESOLUTION: Coronation Park Drainage Solutions That Council: 1 Undertake an in-house survey and drainage design for Coronation Park. 2 Develop an estimate to support a future grant application.			
STATUS:			

ITEM 10.1 OUTSTANDING ACTIONS AND REPORTS

17/03/26 No further update.

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT**ITEM 10.2 SF3422 250326 COUNCIL FINANCE COMMITTEE**

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer; Bede Spannagle, General Manager

SUMMARY:

At its meeting held on 26 November 2025, Council resolved the following:

319/25 RESOLVED: (MacSmith/Jones)

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.*

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

<i>For the Motion:</i>	<i>Councillors Angel, Ballangarry, Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance</i>
	<i>Total (9)</i>
<i>Against the Motion:</i>	<i>Nil</i>
	<i>Total (0)</i>

RECOMMENDATION:

That Council establishes a Finance Committee of Council comprising five Councillors with the Mayor as chairperson, commencing May 2026.

OPTIONS:

- 1 Do nothing/business as usual
- 2 Approve Recommendation
- 3 Include all Councillors on the Finance Committee
- 4 At any Council meeting – Resolve to go into a Committee of the Whole within the Council meeting in accordance with Clause 12 of the Code of Meeting Practice.

DISCUSSION:

Council has previously resolved to initiate a quarterly Budget/Financial Management Committee of the Whole. This is not possible as a Finance Committee is a stand alone committee and a 'Committee of the Whole', is a mechanism within a Council meeting to suspend standing orders to debate a matter and facilitated by Clause 12 of the Code of Meeting Practice.

Council staff are recommending that a Finance Committee be established comprising five Councillors, with the Mayor as Chair of the Committee and the committee meetings will be governed by the Code of Meeting Practice.

The preferred meeting dates and times for the Committee are recommended to be quarterly, on the second Tuesday of the month at 2.00pm, starting in May 2026. A draft schedule has been attached. The scheduling of these meetings will need to carefully consider the impact on Council staff in preparing reports and ensuring that minutes of the Committee can be reported to the following Council meeting in accordance with statutory reporting requirements and governance obligations, including those associated with the Office of Local Government.

ITEM 10.2 COUNCIL FINANCE COMMITTEE

CONSULTATION:

Executive Leadership Team
Management Accountant
Financial Accountant

SUSTAINABILITY ASSESSMENT:

Nil.

Risk Analysis

Nil.

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:

Nil.

ATTACHMENTS:

1  12543/2026 - Proposed Timetable - Finance Committee

GENERAL MANAGER'S REPORT

ITEM 10.3 SF3528 250326 INVESTMENT REPORT FOR FEBRUARY 2026

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

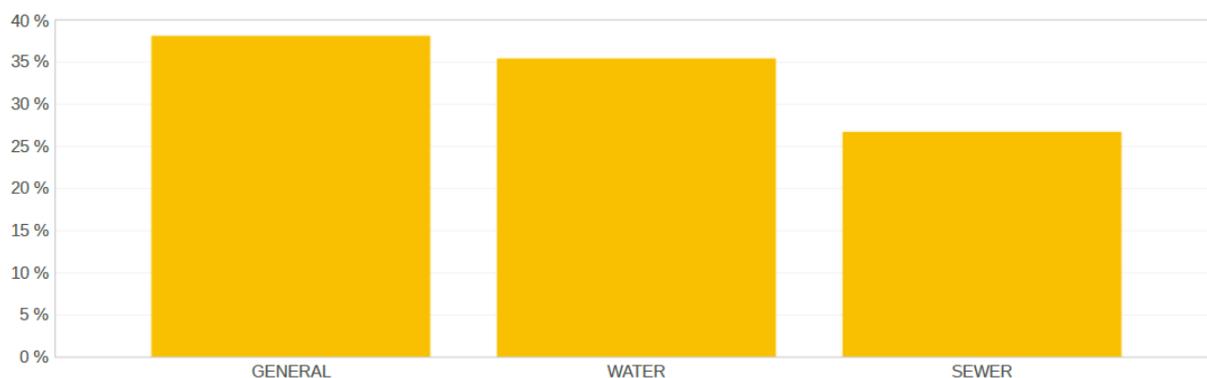
The purpose of this report is to provide a statement of Council's investments held for the period February 2026.

Council's investments as at 28 February 2026 of \$59,395,745 are split up as below:

Allocation as at 28/02/2026

Code	Number of trades	Invested (\$)	Invested (%)
GENERAL	11	22,595,745.61	38.04
WATER	14	21,000,000.00	35.36
SEWER	8	15,800,000.00	26.60
TOTALS	33	59,395,745.61	100.0

Allocation Distribution as at 28/02/2026



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 February 2026.**
- 2 Adopts the certification of the Responsible Accounting Officer for February 2026.**

OPTIONS:

This report is for information only.

ITEM 10.3 INVESTMENT REPORT FOR FEBRUARY 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

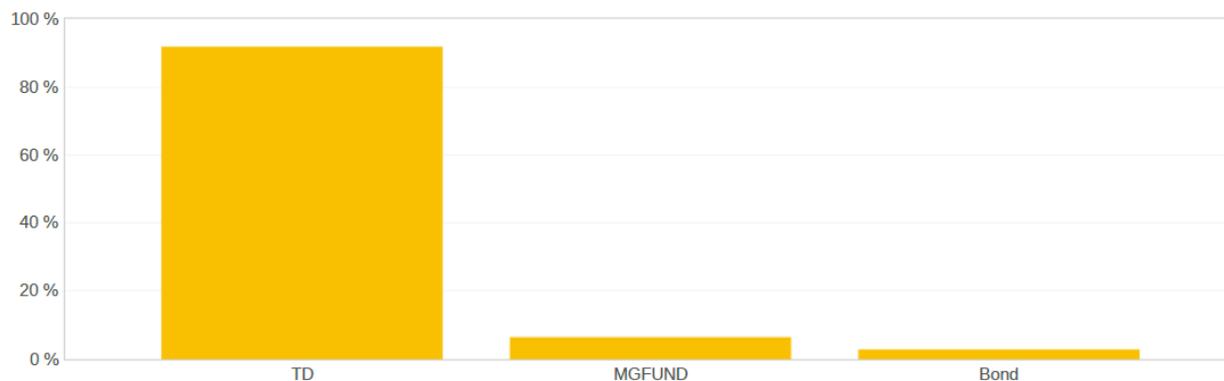
For the period February 2026, the investments held by Council is shown below:

	Last Month	Current Month
TCorp	\$3,557,488	\$3,595,745
Fixed Bonds	\$1,500,000	\$1,500,000
Term Deposits	\$53,300,000	\$54,300,000
Total	\$58,357,488	\$59,395,745

Asset Class as at 28/02/2026

Code	Number of Trades	Invested (\$)	Invested (%)
TD	31	54,300,000.00	91.42
MGFUND	1	3,595,745.61	6.05
Bond	1	1,500,000.00	2.53
TOTALS	33	59,395,745.61	100.0

Asset Class Distribution



Portfolio Performance

Council’s total portfolio performance returned +0.38% in February, outperforming the benchmark AusBond Bank Bill index of +0.28%. On an annualised basis, the portfolio returned +5.1p.a., outperforming the benchmark of +3.76%p.a. The Reserve bank of Australia official cash rate increased to 3.85%.

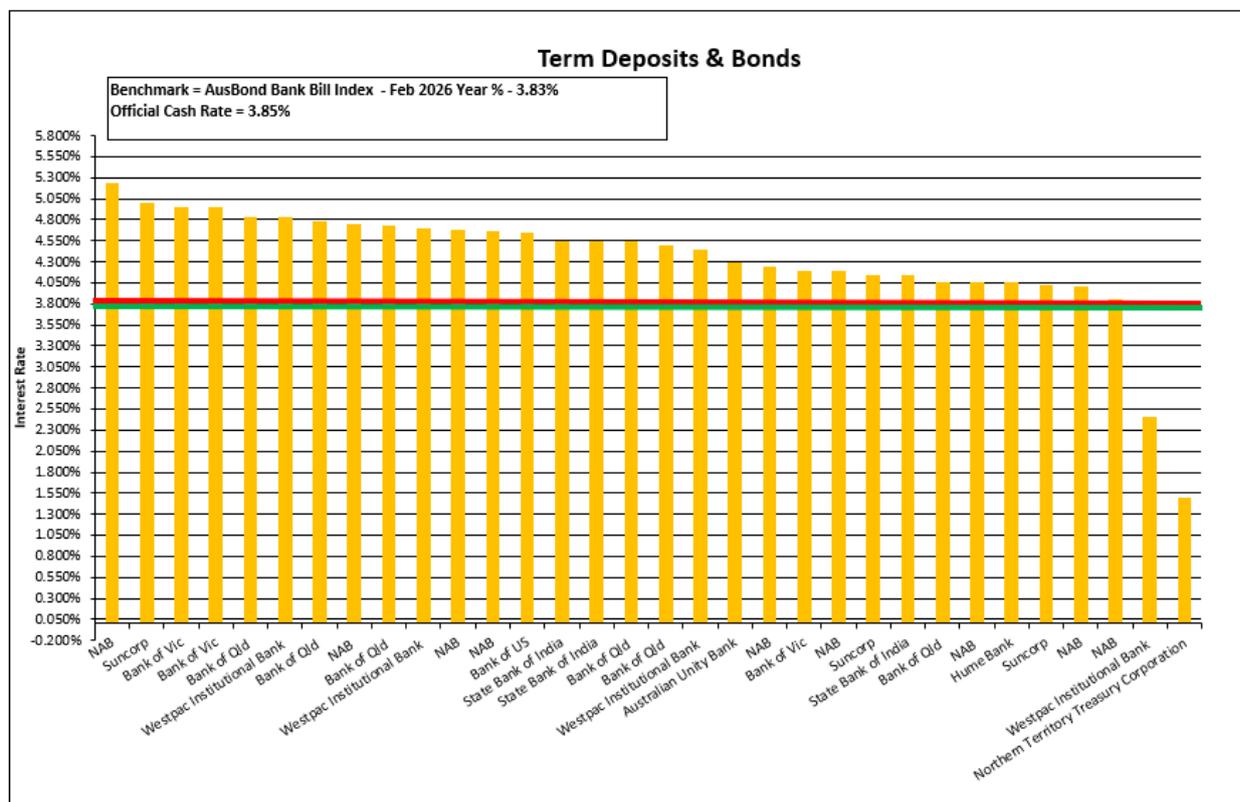
Council’s term deposits portfolio yielded 4.45% p.a. for the month of February. Term deposits provided another strong return this month.

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 February of +1.08%. 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 10.3 INVESTMENT REPORT FOR FEBRUARY 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 28/02/2026

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	14,500,000.00	24.41	3.00	100.00	44,895,745.61
✓	91 - 365 days	20,300,000.00	34.18	0.00	100.00	39,095,745.61
✓	1 - 2 years	13,000,000.00	21.89	0.00	70.00	28,577,021.92
✓	2 - 5 years	8,000,000.00	13.47	0.00	50.00	21,697,872.80
✓	5 - 10 years	3,595,745.61	6.05	0.00	25.00	11,253,190.80
TOTALS		59,395,745.61	100.00			

ITEM 10.3 INVESTMENT REPORT FOR FEBRUARY 2026**Table 2: Credit Rating and Counterparty Compliance****Credit Quality Compliance** as at 28/02/2026**Long Term Investments**

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AA	28,300,000.00	47.65	100.00	31,095,745.61
✓	A	9,000,000.00	15.15	60.00	26,637,447.36
✓	BBB	18,500,000.00	31.15	45.00	8,228,085.52
✓	Unrated	3,595,745.61	6.05	10.00	2,343,828.95
TOTALS		59,395,745.61	100.00		

Counterparty Compliance as at 28/02/2026**Long Term Investments**

Compliant	Bank Group	Term	Rating	Invested (\$)	Invested (%)	Limit (%)	Limit (\$)	Available (\$)
✓	NAB	Long	AA-	14,000,000.00	23.57	30.00	-	3,818,723.68
✓	ANZ Bank	Long	AA-	4,500,000.00	7.58	30.00	-	13,318,723.68
✓	Northern Territory Treasury	Long	AA-	1,500,000.00	2.52	30.00	-	16,318,723.68
✓	Westpac	Long	AA-	8,300,000.00	13.97	30.00	-	9,518,723.68
✓	BOQ	Long	A-	9,000,000.00	15.15	20.00	-	2,879,149.12
✓	Bank Australia	Long	BBB+	1,000,000.00	1.68	15.00	-	7,909,361.84
✓	Hume Bank	Long	BBB+	2,000,000.00	3.37	15.00	-	6,909,361.84
✓	BankVic	Long	BBB+	8,500,000.00	14.31	15.00	-	409,361.84
✓	Bank of Us	Long	BBB+	1,000,000.00	1.68	15.00	-	7,909,361.84
✓	State Bank of India	Long	BBB	6,000,000.00	10.10	15.00	-	2,909,361.84
✓	NSWTC IM LTGF	Long	Unrated	3,595,745.61	6.05	10.00	-	2,343,828.95
TOTALS				59,395,745.61	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 February 2026 report page 2:*

Financial markets remained resilient in February on expectations of further rate cuts in the US, corporate earnings holding up, and a 'soft landing' with regards to the outlook for global growth.

In the deposit market, over February, at the short-end of the curve (12 months and less), the average deposit rates offered by the domestic major banks was up to 20bp higher compared to where they were the previous month (January) after the RBA lifted official rates by 25bp. At the

ITEM 10.3 INVESTMENT REPORT FOR FEBRUARY 2026

longer-end of the curve (1-5 years), the average rates were 5~15bp compared to where they were the previous month. The market is now factoring up to two additional hikes in 2026.

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 February was \$176,112 totalling \$1,647,103 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  12298/2026 - Investment Report February 2026
- 2  12299/2026 - ARLO Advisory Report February 2026

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT**ITEM 11.1 SF3492 250326 MINUTES FROM THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING - 4 FEBRUARY 2026**

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

SUMMARY:

The Minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting held 4 February 2026 are presented for Council's information. Discussion around the items presented to ARIC have been included in the minutes attached.

RECOMMENDATION:

That Council notes the Minutes from the Audit, Risk and Improvement Committee Meeting held 4 February 2026.

OPTIONS:

For information only.

DISCUSSION:

Items covered at the 4 February 2026 ARIC Meeting included:

- 1 NSW Audit Office Interim Management Letter 2025
- 2 Progress update on Internal Audit Findings
- 3 Business Continuity Plan
- 4 September 2025 Quarterly Budget review presented to Council on the 26 November 2025
- 5 Workforce Management Strategy Update
- 6 Work Health and Safety Report 2025
- 7 Incident Report - Security
- 8 Phishing Campaign's 2025
- 9 Complaints Reporting October 2025 to December 2025
- 10 Legislative and regulatory compliance progress update
- 11 Report into Current Leaseback Arrangements and Financial and administrative efficiencies in Changing from Leaseback
- 12 Confidential - Matters Regarding Realised or Potential Losses

CONSULTATION:

ARIC committee members

SUSTAINABILITY ASSESSMENT:

Not Applicable

Risk Analysis

Implementation of the internal and external audit recommendations as identified within the report will substantially reduce Council's risk profile.

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Items listed in external and internal audit findings.	Medium	High	ARIC to monitor appropriate action taken in agreed timeframes to address the risks.	Low

**ITEM 11.1 MINUTES FROM THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING - 4
FEBRUARY 2026**

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**

The cost of internal and external audits has been budgeted for in 2025/26.

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

No change from current levels.

ATTACHMENTS:

1  4404/2026 - Minutes - Audit Risk and Improvement Committee - 4 February 2026

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

**ITEM 11.2 SF24 250326 REQUEST FOR SPONSORSHIP - DRAG-ENS VALLA BEACH
HOT ROD RUN**

AUTHOR/ENQUIRIES: Janice Rooney, Manager Economic Development and Tourism

SUMMARY:

Council has received a request from the DRAG-ENS Hot Rod Club Inc. to support the event held in the Nambucca Valley under a selected Sponsorship Package. The proposal sits outside the guidelines of the Community Grants Program, so requires a separate Council resolution. The 48th Annual "Valla Beach Hot Rod Run" will be held over the long weekend in October 2026, and the event will see around 350 specialist cars and 2,000 visitors to the Nambucca Valley for the popular event. The economic benefit generated for the area is in excess of \$2 million.

RECOMMENDATION:

That Council approves a multi-year Gold Sponsorship package of \$7,000 for the 2026, 2027 and 2028 Valla Beach Hot Rod Run.

OPTIONS:

- 1 Do nothing/business as usual.
- 2 Proposed recommendation.
- 3 Alternative option - Council can resolve to choose a different sponsorship timeframe and/or sponsorship package, for a higher or lower contribution amount, with the advertising/exposure benefits to Council listed in the attached letter.

DISCUSSION:

Significant events play a vital role in regional economies by attracting new and repeat visitors who spend money on accommodation, food, retail and local services, generating immediate economic activity for local businesses. They also enhance the regions profile as a destination, support long-term tourism growth, investment opportunities and community pride.

Council supported the DRAG-ENS Hot Rod Club Inc to hold the popular Valla Beach Hot Rod Run in 2025 through the provision of a Gold Sponsorship package totalling \$7,000. The 2025 event delivered significant exposure for the Nambucca Valley through traditional and social media coverage, and new and returning visitors and generate positive coverage of Council and the services it provides the community.

Given the events long history in the Nambucca Valley, the October Long Weekend has become synonymous with the main event of the Valla Beach Hot Rod Run held in Bowra Street Nambucca Heads. This means visitors are more likely to return year-on-year and plan repeat travel to enjoy the event, creating a reliable and sustained economic benefit for local businesses.

Council recently received a letter from the DRAG-ENS Hot Rod Club Inc. outlining Sponsorship Packages for 2026. Given the significance of this event, its longevity in the Nambucca Valley, and the significant economic benefit the event generates, it is deemed appropriate that Council deals with this request outside of other funding programs. This financial support enables an opportunity to for the Valla Beach Hot Rod Run to become a signature event for the Nambucca Valley.

Delivering multi-year sponsorship provides certainty to the event managers and local businesses that the event will continue in the Nambucca Valley up to its 50th anniversary year. The three-year sponsorship agreement with DRAG-ENS Hot Rod Club Inc. will require that:

- An appropriate Council staff member has a place on the event organising committee to ensure economic benefit is maximised and spread across the Local Government Area, particularly to hinterland areas, and opportunities to grow overnight visitation are optimised.
- The event operates exclusively in the Nambucca Valley Local Government Area.

ITEM 11.2 REQUEST FOR SPONSORSHIP - DRAG-ENS VALLA BEACH HOT ROD RUN

- A maximum of three years sponsorship is provided.
- Data is gathered across the three years to determine the economic and social contribution the event makes to the Nambucca Valley.

The letter from the DRAG-ENS Hot Rod Club Inc. is an attachment to this report.

The Gold Sponsor package is \$7,000 and will provide Council with the following for the contribution/grant:

- Logo and/or name placement on event promotional and memorabilia materials (flyers, posters, social media and event T shirts, etc.).
- Banner placement at the event entrance to Main Street, Nambucca, for the 5 days or so, preceding the Saturday show and shine.
- Opportunity to have Council Ranger cars, visually accompany the parade into the main street of Nambucca on the Saturday morning of the show and shine.
- Recognition in pre-event and post-event press releases.
- 2-3 Hot Rods parked out the front of Council chambers for a day. Inviting local media involvement for story and photo opportunities as a further promotion for the event support of Council.
- An award presented to Council at the presentation night, for your acknowledged support of the Run.

CONSULTATION:

General Manager
 Chief Financial Officer
 Manager Economic Development and Tourism

SUSTAINABILITY ASSESSMENT:

Environment

There is no impact on the environment.

Social

Recurring major events can have a significant impact on strengthening community identity and pride by giving residents an opportunity to celebrate, participate and showcase their towns. Volunteer participation and support also strengthens social networks, builds relationships and increases community cohesion.

Economic

The economic activity generated by the event is in excess of \$2 million and is the single largest event held in the Valley. The ability to grow on this impact working collaboratively with local businesses and with the event being held exclusively in the Nambucca Valley LGA could see an increase in the events contribution to the local economy.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Weather impacts the delivery of part or all of the event in one of the funded years.	M	M	Through the organising committee work to find alternate venues in the LGA to support wet weather options.	L
The DRAG-ENS Hot Rod Club Inc. folds in one of the funded years.	L	L	Payment of sponsorship will only occur once event is confirmed to go ahead.	L

ITEM 11.2 REQUEST FOR SPONSORSHIP - DRAG-ENS VALLA BEACH HOT ROD RUN

Delivery Program Action

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

4.3 - Manage the impacts of tourism hot-spots whilst leveraging the benefits of a healthy year round, balanced visitor economy

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

Fits within Council's existing budget.

Working funds – justification for urgency and cumulative impact

Nil.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

There is no impact on service level changes or resourcing/staff implications.

ATTACHMENTS:

1  11270/2026 - Proposal to NVC for Sponsorship - Valla Hot Rod Run

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 11.3 SF3409 250326 MINUTES OF THE DISABILITY ACCESS AND INCLUSION COMMITTEE FEBRUARY 2026

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Coordinator

SUMMARY:

The minutes of the Nambucca Valley Council Disability Access and Inclusion Committee meeting held Tuesday 24 October 2026 are attached for Council's attention.

RECOMMENDATION:

That Council:

- 1 Notes the minutes of the Disability Access and Inclusion Committee meeting held 24 February 2026, including the election of Peter Shales as Chairperson and Tracey Adams as Vice Chair.**
- 2 Endorses the updated Terms of Reference for the Disability Access and Inclusion Committee.**

OPTIONS:

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

DISCUSSION:

Committee had a presentation from Brad Paterson, Manager of Community Aquatics regarding the Macksville Memorial Aquatic & Fitness Centre.

Committee re-elected Peter Shales as Chair and Tracey Adams as Vice Chair, both unopposed.

Committee reviewed their Terms of Reference and made the below changes/confirmations:

- Meetings will be held the 4th Tuesday of every month February – November
- The Committee will continue to meet monthly
- Members will not be held to the 3 strike attendance policy, however, Councillors will remain held to this requirement as representatives for the Committee.
- Committee composition updated to clarify 2 Councillors members (Committee currently has 2 Councillor Delegates and 1 Alternate Councillor Delegate)
- A Quorum is made of 5 people.

CONSULTATION:

Disability Access and Inclusion Committee Members

SUSTAINABILITY ASSESSMENT:

Environment

Nil.

Social

The voice of lived experience and expertise is best placed to inform Council of the needs of people with disability to improve inclusivity and meaningful participation.

Economic

Improving economic participation of people with disability improves our community's overall economic health and wellbeing.

ITEM 11.3 MINUTES OF THE DISABILITY ACCESS AND INCLUSION COMMITTEE FEBRUARY 2026

Risk Analysis

Nil.

Delivery Program Action

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

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

- 1  12278/2026 - NV DAIC Minutes - 24 Feb 2026
- 2  12290/2026 - MMAFC Info Sheet
- 3  12291/2026 - Disability Access and Inclusion Committee Terms Of Reference 2026

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

**ITEM 11.4 SF3653 250326 MINUTES OF THE NAMBUCCA VALLEY YOUTH COUNCIL
MARCH 2026**

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Coordinator

SUMMARY:

Nambucca Valley Youth Council met on 5 March 2026. The group is a mostly new batch of young people. They workshopped activities for Youth Week.

RECOMMENDATION:

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

OPTIONS:

For information only.

DISCUSSION:

The new Youth Council 2026 were welcomed and began with finalising plans for Seniors Week event to be held 12 March 2026.

They went on to workshop ideas for Youth Week 2026.

CONSULTATION:

Nambucca Valley Youth Council

SUSTAINABILITY ASSESSMENT:

Nil.

Risk Analysis

Nil.

Delivery Program Action

1.3 - Promote and facilitate a range of activities that encourage greater social connection for our young people

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

1  12302/2026 - Youth Council Minutes March 2026

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 11.5 SF2888 250326 VALLA URBAN GROWTH AREA SUBURB NAME AND NAMING ROAD ONE THROUGH INDUSTRIAL STAGE ONE

AUTHOR/ENQUIRIES: Rochelle McMurray, Property and Governance Officer

SUMMARY:

This report contains Council's ongoing consultation on the naming of the suburb for Valla Urban Growth Area and the naming of the new Industrial Road for Stage One of VUGA.

Council staff require this resolution to move forward with Interpretation Plan and registering the subdivision of Lots ready for sale.

RECOMMENDATION:

That Council:

- 1 Resolves to retain the suburb name of 'Valla' for the Valla Urban Growth Area future development.**
- 2 Endorses the road names listed for the ongoing development (future roads) and registration of the subdivision plan for Stage One and approve Council to apply to the Geographical Naming Boards.**
- 3 Writes to Nambucca Heads Local Aboriginal Land Council advising the road names Council has selected.**

OPTIONS:

- 1 Do nothing/business as usual
- 2 Proposed recommendation
- 3 Alternative option – Council could resolve to again look further into naming the suburb subject to community consultation and resolve a different name off the approved Gumbaynggirr language list of names to send to Geographical naming board for approval.

BACKGROUND:

Since the commencement of the Valla Urban Growth Area (VUGA), there has been multiple reports received by Council to determine the suburb name.

Council has recently also sought consultation and feedback from the Duguula-Bindarray-Garri, Aboriginal Advisory Committee and the Nambucca Heads LALC on the naming of new Road One to finalise the subdivision certificate application, then prepare the Lots for sale.

This information on both suburb name and road naming will also be required to assist in the creation of the Interpretation Plan for the overall project, narrowing down to begin Stage One drafts with consultants.

DISCUSSION:

Naming of the Suburb

August 2025

Within council's Project Control Group meeting for VUGA the name was discussed with all members in agreement to report back to Council to formalise the decision to keep the name as 'Valla' so not to impose value risks, address changes for the existing Valla rural area.

November 2025

Council received a petition from local residents including 57 signatures with three speakers to the 26 November 2025 Ordinary meeting in favour of retaining the suburb name 'Valla'. Majority of these

ITEM 11.5 VALLA URBAN GROWTH AREA SUBURB NAME AND NAMING ROAD ONE THROUGH INDUSTRIAL STAGE ONE

residents have lived along Boggy Creek Road for life, run businesses and feel strongly about the rural area and name remaining as 'Valla'.

Naming of Road One (1) through Industrial Lots

As part of community consultation two road names were received at Council's Duguula-Bindarray-Garri Aboriginal Advisory Committee (refer to minutes 2 December 2025) where two names were presented. It was recommended by the committee to write to Nambucca Heads LALC and receive concurrence from them officially using the pre prepared list of names Council has had preapproved by the Language Centre. It was also suggested to align the names with plants/trees like the road name 'Red Ash, Corkwood'.

Nambucca Heads LALC responded advising they were appreciative of any Gumbaynggirr name and have only asked to receive notification on what names Council decides.

Council is now ready to apply to the Geographical naming board. This process can take up to three (3) months.

To support Councils future process and planning, it has been decided to have a list of 10 names ready for use.

The names consisting of both Gumbaynggirr and European names, aligning with the Aboriginal and European Cultural Heritage Assessment Report of 2011 and the Advisory Committees suggestions making use of the previously approved list from Muurrbay Aboriginal Language Culture Cooperative are:

Road One, Industrial: **Buuluga (*Black Myrtle*)**

Future Road Names: **Nulun (*Water Weed*), Jaambalga (*Plum Pine*), Ganuga (*blue fig tree*), Jijimam (*Lilly Pilly*), Nyam Nyam (*Beard Heath*), Wuuban ga (*Bloodwood pink*), Dawguway (*Cunjevoi plant*), Hardwood, Teak, Cabbage Palm (English names).**

CONSULTATION:

VUGA Project Control Group

ELT

Nambucca Heads LALC

Duguula-Bindarray-Garri, Aboriginal Advisory Committee

SUSTAINABILITY ASSESSMENT:

Environment

There are no implications for the environment.

Social

There are no significant social implications. Its more positive for the existing area to remain as Valla.

Economic

There are no significant economic implications.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Financial	M	M	Keeping the name as 'Valla' will be more economical for residents and Council	L
Reputational	L	L	Keeping the name as 'Valla' will mitigate risk.	L

ITEM 11.5 VALLA URBAN GROWTH AREA SUBURB NAME AND NAMING ROAD ONE THROUGH INDUSTRIAL STAGE ONE

Delivery Program Action

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

2.4 - Proactively manage competing rural activities, with a focus on preserving environmental systems and rural character

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

There are no budgetary impacts from this report.

Working funds – justification for urgency and cumulative impact

Nil

Impacts on 10 Year Long Term Financial Plan

None as a result of this report.

Service level changes and resourcing/staff implications

Small amount of resource time researching the history of work already conducted by staff back to 2018.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 11.6 T2026/011 250326 REGIONAL PROCUREMENT TENDER - SUPPLY & DELIVERY OF ROADBASE MATERIALS (T462526MNC)

AUTHOR/ENQUIRIES: Ashley Borthwick, Acting Contracts and Procurement Officer

SUMMARY:

Regional Procurement are running a procurement process on behalf of Council - T482122NAM Supply and Delivery of Road Base Materials. Council's current contract is due to expire.

RECOMMENDATION:

That Council:

- 1 Approves participation in the tender T482122NAM - Supply and Delivery of Road Base Materials run by Regional Procurement**
- 2 Authorises the General Manager to enter into panel contracts for the supply of road base materials at the conclusion of the tender process**

OPTIONS:

- 1 Proposed recommendation
- 2 Council run the tender in-house

BACKGROUND:

As our current contract is nearing the end, Council wishes to participate in another supply and delivery of road-base materials tender. This tender is to supply Council with aggregates (i.e. DGB, DGS, Rockfill) for use within the Nambucca LGA.

This tender process will result in a Panel Source contract for a period of 36 months with 2 x 12-month extension options.

The tender process will be conducted by Regional Procurement with Council being a participant in the tender. Council will use approximately 9,000 tonnes of aggregate over the duration of the contract.

DISCUSSION:

Council has participated in the previous regional procurement tenders for roadbase materials to ensure best value for money pricing. The contract also ensures the service providers shall supply aggregates under a quality system that complies with TfNSW QA Specification 3051 and AS/NZS ISO 9000. 2 of the 3 suppliers have quarries in the Nambucca Valley LGA ensuring quick, efficient supply.

CONSULTATION:

Director of Engineering Services
Manager of Infrastructure
Outdoor Works Coordinators
Natural Disaster Recovery Team

SUSTAINABILITY ASSESSMENT:

Environment

Regional Procurement conduct their own environmental assessments as per legislation.

ITEM 11.6 REGIONAL PROCUREMENT TENDER - SUPPLY & DELIVERY OF ROADBASE MATERIALS (T462526MNC)

Social

Continue to improve councils' roads and infrastructure.

Economic

Best value for money ensuring consistent pricing throughout the duration of the contract.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Non contracted price for council in relation to roadbase	L	M	Participating in regional tenders results in consistent pricing and best value for money purchasing	L
Modern Slavery Compliance	L	H	Each supplier is subject to review each term and understands its obligations under the Modern Slavery Act 2018	L

Delivery Program Action

2.2 - Provide and advocate for essential supporting infrastructure and services that cater for current needs and future growth

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

Nil.

Working funds – justification for urgency and cumulative impact

Regional Procurement contracts ensure consistent, best value for money pricing.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 11.7 SF1619 250326 REPORT ON IMPLEMENTATION OF COMMUNITY ENGAGEMENT STRATEGY

AUTHOR/ENQUIRIES: Elizabeth Spry, Communications and Engagement Officer

SUMMARY:

Nambucca Valley Council's approach to community engagement is based upon the International Association for Public Participation (IAP2), which is the best-practice model for directing community engagement methods. This report gives an analysis of the main community engagement activities undertaken by department and a broad assessment of the effectiveness of actions.

RECOMMENDATION:

That Council notes the report.

OPTIONS:

For information only.

BACKGROUND:

At the Council meeting on 18 June 2025 the following was resolved:

"That a report be presented from staff on the implementation of Council's community engagement strategy and how the community engage with it."

This report addresses this resolution.

DISCUSSION:

Council's Community Engagement Strategy (February 2025), states Council is committed to:

- Informing stakeholders of key Council decisions, services, programs and initiatives
- Promoting transparency and accountability in Council's decision-making processes
- Promoting opportunities for public and employee consultation, feedback and participation in Council activities
- Representing the views of the local community and acting as an advocate to the State and Federal Governments and in all appropriate forums.

While not an exhaustive list of community engagement activities, here are the main ways each Council department engaged with community from February 2025 to February 2026:

- Corporate and Community Services Department:
 - A major community engagement piece occurred in early 2025, the Community Strategic Plan and subsequent Delivery Program. Many community workshops and drop-in sessions were held and targeted consultation occurred with First Nations and young people
 - Established the Nambucca Valley Youth Council
 - Facilitated 11 formal public forums, three occurred immediately before the Ordinary Meeting of Council and eight occurred the day prior to Ordinary Meetings of Council
 - Started implementing Council's Disability Inclusion Action Plan
 - Held several special events to encourage engagement and inclusion, including Senior's Week activities and a NAIDOC Week celebration
 - Placed 21 advertisements in the local newspaper
 - Published numerous media releases and news stories for Council's website
 - Delivered social media posts and videos, resulting in a dramatic increase in engagement on social media platforms

ITEM 11.7 REPORT ON IMPLEMENTATION OF COMMUNITY ENGAGEMENT STRATEGY

- Economic Development and Tourism team started two monthly e-newsletters, one to business and community stakeholders and the other to tourism stakeholders who subscribe. Valley Business Leaders networking events are also being held about monthly
- Libraries held 31 group workshops across Nambucca Heads and Macksville libraries, some on important social subjects such as suicide prevention. This team also delivered several new engagement initiatives such as a Boardgame Café, Tech Savvy Seniors classes, and a TAFE Fashion Exhibition.
- Planning and Environment Department:
 - A key community engagement activity is having a duty planner always available for drop-in sessions at the Macksville Administration Building from 11am-1pm weekdays
 - Department has a Public Participation Plan through which it commits to widely communicate about proposed Development Applications. Placed 32 advertisements in the local newspaper, 10 sharing a development application was on public exhibition and eight sharing planning regulation or policy was on public exhibition. Advertised DAs and public exhibition materials are also available in hard-copy in the administration building's foyer and libraries for the community to view.
 - Council's waste services through provider, Coffs Coast Waste Service, placed 24 advertisements in the local newspaper
 - Midwaste carried out an education program in February 2026 to educate community on how to best manage waste
 - Published numerous media releases and news stories for Council's website
 - Delivered social media posts and videos.
- Engineering Services Department:
 - Director Engineering Services (DES) attended three Local Emergency Management Committee stakeholder meetings and three Community Resilience Network meetings
 - DES also attended three Roads Action Group meetings
 - Manager Water and Sewerage engaged with community about the Integrated Water Cycle Management Strategy
 - Started a new initiative to about weekly communicate Council's road resealing works via website news story and Antenna. A media release and social media video will be added in future at times when there is a road resealing or rehabilitation milestone, or a project of high interest is being delivered
 - Placed nine advertisements in the local newspaper
 - Published numerous media releases and news stories for Council's website
 - Delivered social media posts and videos
 - Disaster Recovery team developed a disaster recovery interactive map to communicate landslips' locations and remediation works available at <https://experience.arcgis.com/experience/51cec82f0ba446faae64fe139ff6bf50>

ASSESSMENT OF ENGAGEMENT ACTIVITIES AND OUTCOMES:

Council approaches community engagement through the best-practice model, based upon the International Association for Public Participation (IAP2).

There are five levels of engagement on the IAP2 spectrum: inform, consult, involve, collaborate and empower. This assessment of community engagement activities from February 2025 when the Community Engagement Strategy started, to February 2026, analyses Council's performance in broad terms against these five categories.

This assessment would be improved if it had been informed by a direct community survey. A survey asking the community about the effectiveness or otherwise of Council's community engagement and communications will be actioned later in 2026, perhaps in conjunction with the independent telephone survey Council periodically undertakes, the Community Satisfaction Survey.

ITEM 11.7 REPORT ON IMPLEMENTATION OF COMMUNITY ENGAGEMENT STRATEGY

- **Inform**

Council is informing the community well. It is now using a broader range of communications channels and it is producing more engaging communications content, which is gaining good placement in local media and good engagement on Council's social media platforms.

Council could improve its advertising content and it should investigate producing a community-focussed e-newsletter to be distributed to subscribers.

Informing Council staff about the Community Engagement Strategy and Council's commitment to engage, also needs improvement. The Communications and Community Engagement Officer and Business Services staff are going to focus on improving direct, internal communications about this in 2026-2027 and an internal staff newsletter will be started.

- **Consult**

Consultation has generally been effective. Council managers and senior staff make themselves available through a broad range of channels, including in-person meetings, attendance at stakeholder and community group meetings, and through direct correspondence with community members.

Communications on consultation and engagement opportunities for community, such as with public exhibition times, has improved through the creation of a Have your say logo, a visual symbol encouraging consultation, and improved content on the Have your say section of Council's website.

- **Involve**

Involving and collaborating with community has markedly improved after the Community Development Officer's role was created. Council's 355 Advisory Committees are actively engaged with and involved and other reference groups have been established.

Going out into the community to provide, easily accessible, drop-in sessions about Council activities and policies could be improved. This channel can better reach disengaged community members, as they do not need to go out of their way or normal routine to interact with Council. It is recommended a Council exhibition stall periodically attend popular markets and other appropriate community events. Another potential channel would be holding a community information session at an external venue when an activity of high interest or risk is occurring. These sessions would include attendance from subject matter experts, to provide high-quality direct communications and provide the community with access to either a senior staff member or Council decision-maker.

- **Collaborate**

Collaboration with community reached a high point with the delivery of the Community Strategic Plan. The challenge will now be keeping the community duly informed about its implementation and when and how the Council Delivery Program actions support or achieve the strategic plan's outcomes. After an acceleration of collaboration has occurred, the community need to be reassured that their time spent during collaboration was valued, and that it has resulted in meaningful action.

Council's 355 Advisory Committees are actively engaged with and collaborate with Council. Important reference groups, such as the Aboriginal Advisory Committee and Nambucca Valley Youth Council were also established to encourage collaboration with Council. The Economic Development and Tourism team have also widely been collaborating on a new tourism destination brand for the Nambucca Valley.

An area for improvement would be seeking input from targeted participants in designing how they would like to participate with Council, on a specific significant project basis. This could be done, for example, with the Valla Urban Growth Area project, and the landowners adjacent, and those residents who live in Valla and other key stakeholders. It is mediocre that this significant project has moved ahead and yet there has not been a concerted effort to engage collectively with its adjacent landowners and important stakeholders, to ask them what project information they wish to receive,

ITEM 11.7 REPORT ON IMPLEMENTATION OF COMMUNITY ENGAGEMENT STRATEGY

and through what channels. However, on a positive note, Valla community members have attended relevant Public Forums to share their views with the Mayor and Councillors.

- **Empower**

Again, empowerment of the community reached a pinnacle through the Community Strategic Plan consultation process.

Excellent work has been done to empower target groups within the community, for example through the creation of the Aboriginal Advisory Committee and Nambucca Valley Youth Council. However more strategic thinking could be done on what other opportunities Council could deliver to empower the community. The aforementioned Council exhibition stall and community information sessions provide one step towards achieving this, but to truly empower the community, Council needs to provide opportunities to place relevant, final decision making in the hands of the community.

Also communications outputs demonstrating how Council listens to, communicates with and responds to community needs should be created. This would deliver on an important outcome of the Community Strategic Plan, to “demonstrate Council leadership and governance. Show that Council listens, communicates and responds to community needs and desires in a transparent way. From enforcement activities to meaningful engagement on key issues, Council plays a core role as a delivery partner with community” (page 21).

CONSULTATION:

- General Manager
- Director Corporate and Community Services
- Director Engineering Services
- Acting Business Services Coordinator
- Chief Financial Officer
- Manager Economic Development and Tourism
- Manager Water and Sewerage
- Manager Disaster Recovery
- Community Development Officer
- Team Leader Library Services

SUSTAINABILITY ASSESSMENT:

Environment

There is no impact on the environment.

Social

The monitoring of community engagement activities will assist the Council staff to better meet its policy and the community’s desire to be informed, involved and empowered.

Economic

Nil.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Poor community engagement resulting in reputational damage and an uninformed community	M	M	Time and shared resources need to be allocated to internally communicating about the importance of good community engagement	L

ITEM 11.7 REPORT ON IMPLEMENTATION OF COMMUNITY ENGAGEMENT STRATEGY

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

Fits within Council's existing budget.

Working funds – justification for urgency and cumulative impact

Nil will be within existing budgets.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT**ITEM 11.8 SF3412 250326 REQUESTS AND COMPLAINTS REPORTING OCTOBER 2025 TO DECEMBER 2025**

AUTHOR/ENQUIRIES: Suzanne Sullivan, Acting Business Services Coordinator

SUMMARY:

Per the Requests and Complaints Policy CS03 Council is required to undertake reporting on requests and complaints:

3.9 Reporting of complaints

3.9.1 A report on requests and complaints will be considered by Council's senior management group every quarter.

3.9.2 A report on requests and complaints will be reported to Council every quarter.

The policy defines requests and complaints as follows:

2.1 A request is a request for the provision of a Council service. A request may be lodged in person, by phone, email or in writing.

2.2 A complaint is an expression of dissatisfaction with the Council's policies, procedures, charges, agents or quality of service. Complaints may be lodged in person, by phone, email or in writing.

2.3 Council does not regard the following as complaints:

- *Requests for service (although it may become a complaint if the customer believes there has been no response to a request or an inadequate response)*
- *Reports of damaged or faulty Council infrastructure*
- *Requests for information*
- *Explanation of policies, procedures and decisions of Council*
- *Concerns about neighbours or neighbouring property or unauthorised building work*

RECOMMENDATION:

That Council notes the information in the report.

OPTIONS:

For information only.

DISCUSSION:**Complaints**

There were eleven formal complaints received from 1 October 2025 to 31 December 2025. Per the Requests and Complaints Reporting Policy, complaints are assigned a Tier.

Level	Timeframe
Level 1 – request or complaint resolved by frontline staff in the first instance	Initial resolution
Level 2 (Tier 1) - internal investigation undertaken with response provided to the applicant within specified timeframes	Investigation undertaken and response to be provided within 10 business days
Level 2 (Tier 2) – in the event that the applicant is dissatisfied with the initial response a review will be undertaken by a staff member more senior to the initial assessor	Investigation undertaken and response to be provided within 10 business days of the applicant expressing dissatisfaction with the initial response
Level 3 (Tier 3) – an independent review (such as mediation) if the applicant remains unsatisfied with the Tier 2 response	Investigation and action to be taken (if any) within 20 business days

ITEM 11.8 REQUESTS AND COMPLAINTS REPORTING OCTOBER 2025 TO DECEMBER 2025

A breakdown below shows the responsible department for each complaint and the status of the complaint.

DATE	NATURE	RESPONSIBLE DEPARTMENT	TIER	RESOLUTION
1/10/25	Health – Unresolved Sewerage Spill	Engineering Services		Unresolved
24/10/25	Complaint Against Staff	General Manager	1	Resolved
29/10/25	Council Owned Facility Staff Member	Engineering Services	1	Resolved
29/10/25	Notice given on Water Outage	Engineering Services	1	Resolved
5/11/25	Excessive Water Account Charge	Finance	2	Ongoing
7/11/25	Communication of changes to Council Service and Council Contractor Response	Development and Environment Services	1	Resolved
11/11/25	Communication of Changes to Council Service	Development and Environment Services	1	Resolved
3/12/25	Complaint Against Staff	General Manager	1	Closed – Anonymous reporter, no way to seek further details
11/12/25	No notification given on works undertaken	Engineering Services	1	Resolved
15/12/25	Staff Complaint	Engineering Services	2	Resolved
18/12/25	Health & Noise – Harassment from Neighbour	Development and Environment Services	3	Resolved

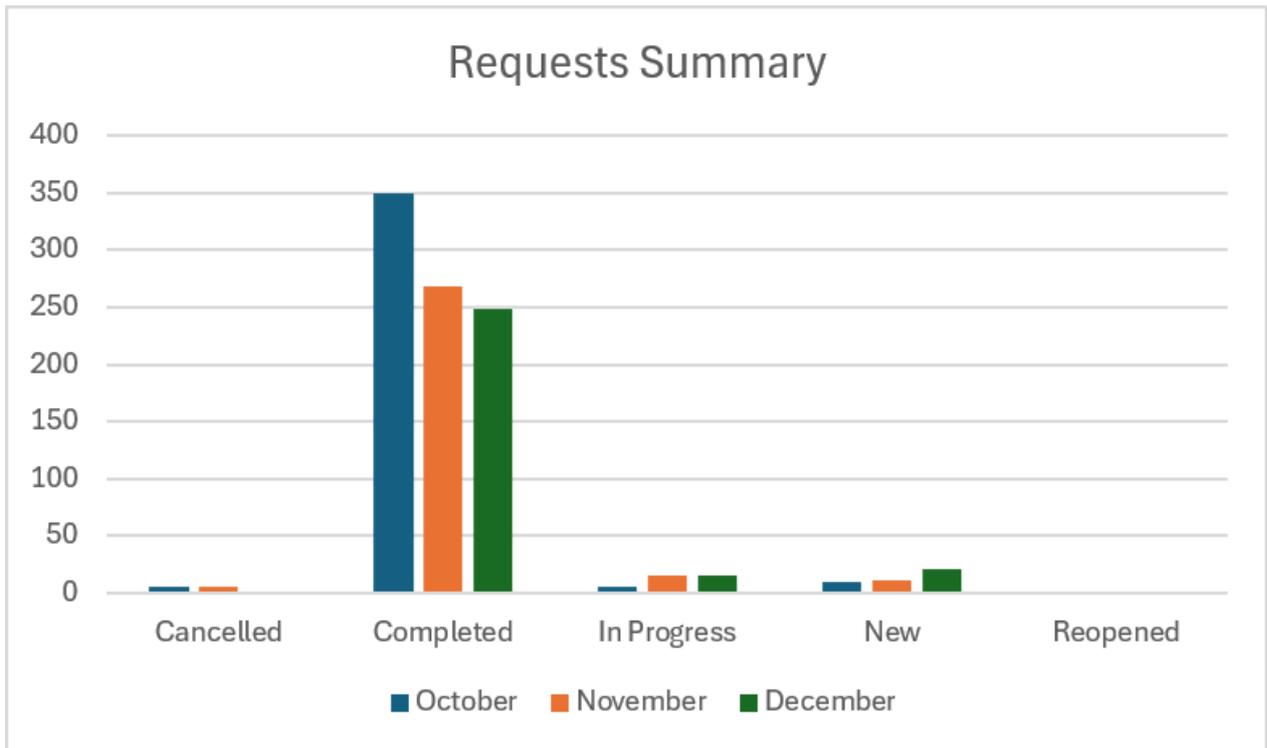
Requests

From 1 October 2025 to 31 December 2025 Council received 958 new service requests. Service requests are reported via phone, email, website or Antenno.

These requests are placed into the Council CRM system (Datascap) and allocated to the appropriate department. Of the 958 new requests, by the end of their respective month, an average of 90.3% were completed.

Below is a summary showing the status of service requests logged in Councils CRM. 'Cancelled' refers to requests that had been placed and were then cancelled by the reporter. 'Completed' refers to requests which were closed out and completed. 'In progress' refers to requests which are either being investigated or are in progress of being completed. 'New' refers to requests that have not yet been actioned and 'reopened' refers to requests which had been marked as completed, but the customer advised the request was not completed, or provided further information, requiring it to be reopened.

ITEM 11.8 REQUESTS AND COMPLAINTS REPORTING OCTOBER 2025 TO DECEMBER 2025



Attached is a complete breakdown of requests received and their category for October, November and December.

CONSULTATION:

Records
MANEX
ICT

SUSTAINABILITY ASSESSMENT:

Environment

Nil

Social

Nil

Economic

Nil

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Reputational if requests/complaints not actioned in required timeframes	M	M	Monitoring/reporting/ resourcing requests & complaints.	M

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

ITEM 11.8 REQUESTS AND COMPLAINTS REPORTING OCTOBER 2025 TO DECEMBER 2025

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Nil

Working funds – justification for urgency and cumulative impact

Nil

Impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

Nil

ATTACHMENTS:

1  12104/2026 - October to December 2025 - Service Requests Summary

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 12.1 SF1031 250326 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:

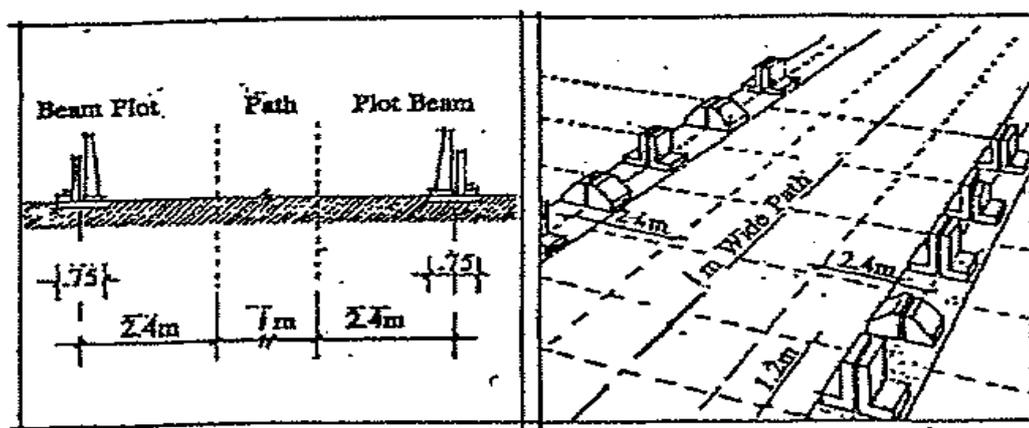
- 1 Support the recommendation.
- 2 Make changes to the policy.
- 3 Recommend the policy be revoked or retained as is.

BACKGROUND:

Council's Cemetery Policy was adopted in 2018. This current policy provides that the expansion of burial areas within Council's 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.

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- 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

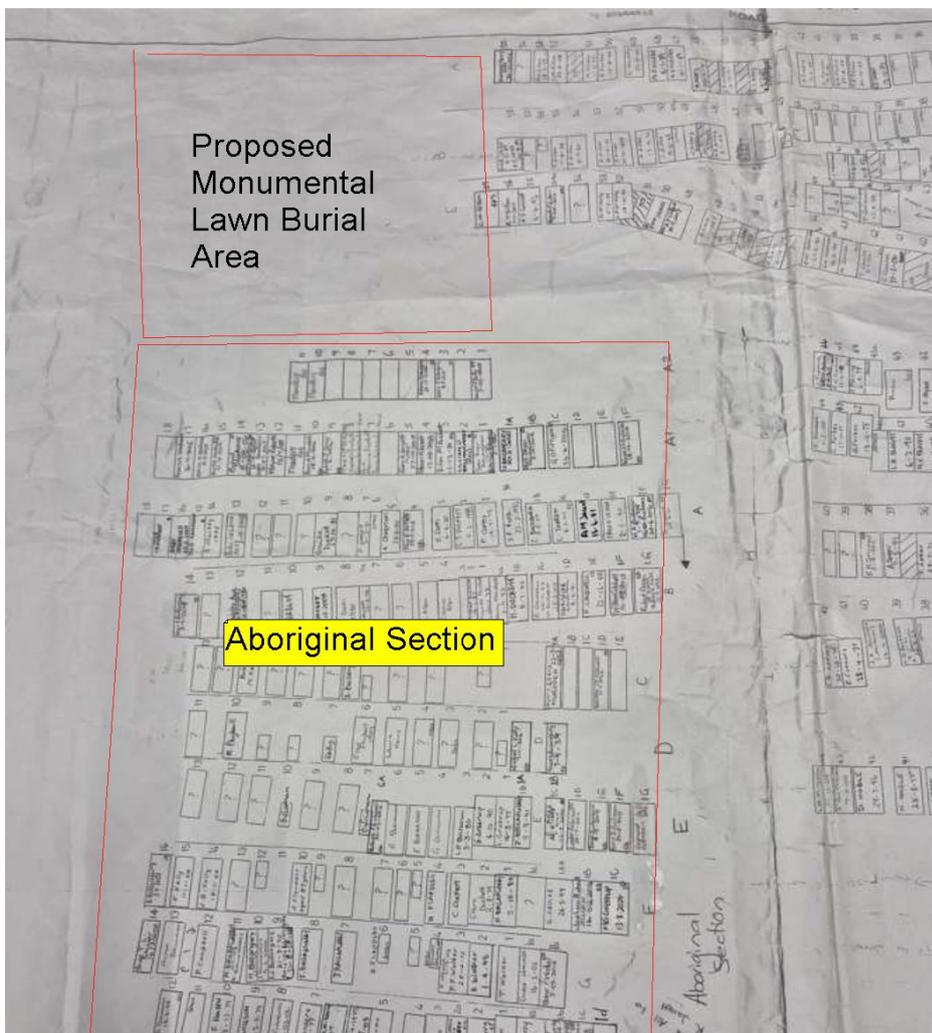
ITEM 12.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

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:

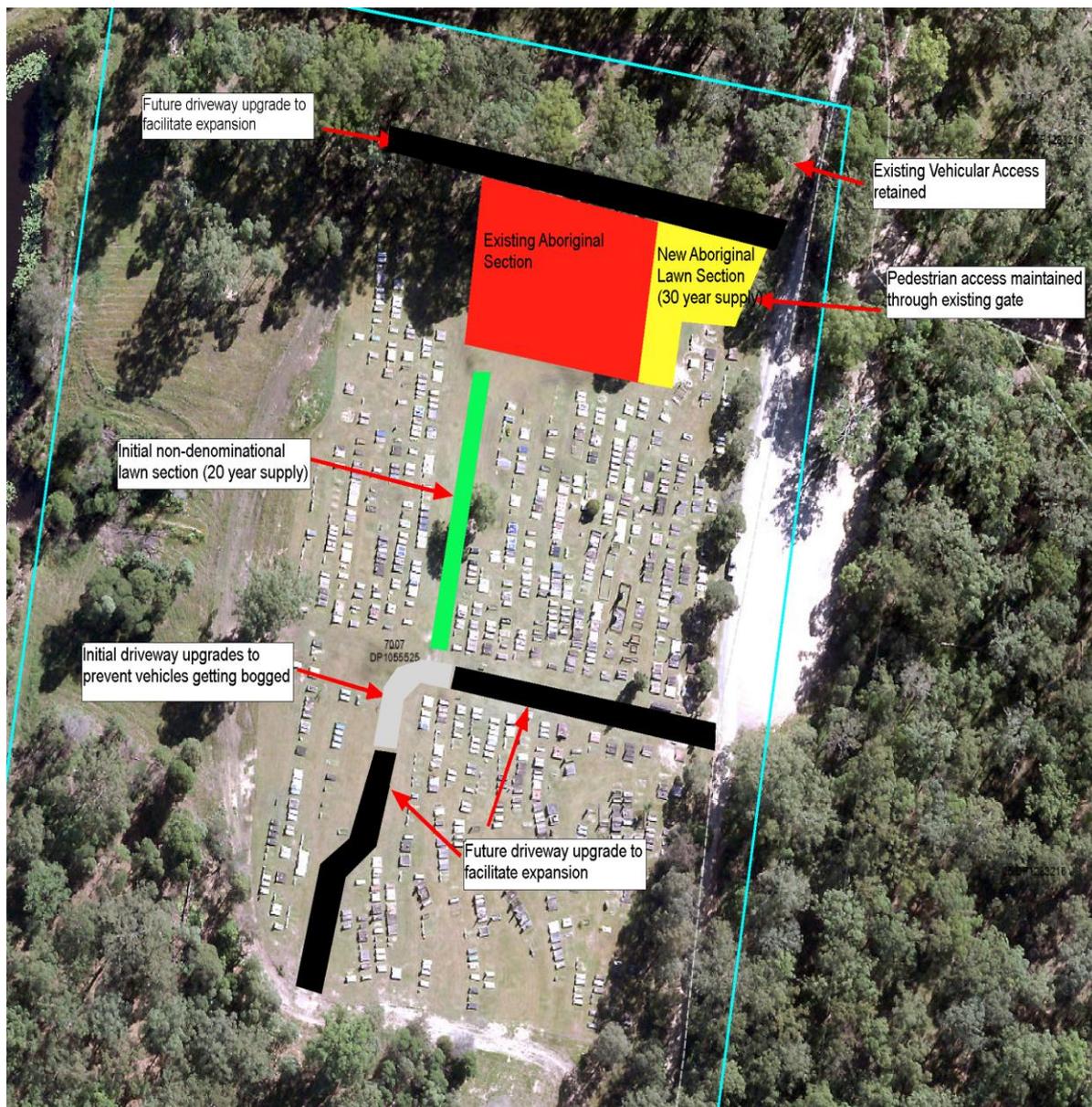
ITEM 12.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

- 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 12.1 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:

ITEM 12.1 REVIEW OF COUNCIL'S CEMETERY POLICY DE 15

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 12.2 SF3508 250326 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - INTENSIVE PLANT AGRICULTURE

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

Summary:

A planning proposal seeking an amendment to the Nambucca Local Environmental Plan 2010 (LEP) was previously issued with a gateway determination by the Minister for Planning. That planning proposal sought to amend the LEP so that development consent would be required for all forms of intensive plant agriculture in the rural zones of the Nambucca Valley. It also sought to extend existing exemptions in the LEP for horticulture in the R5 Large Lot Residential Zone to the rural zones so that low impact activities would not need to submit a Development Application (DA).

However, after submitting the planning proposal for finalisation, the Minister determined that all gateway conditions had not been satisfied and did not make the requested amendments.

An amended planning proposal has been prepared and is contained within **attachment 1**. This planning proposal:

- Addresses the matters raised by the Minister.
- Provides increased justification for the need to make the amendments to the LEP.
- Does not seek to implement any controls on horticulture that go beyond the current expectations of the NSW Government as provided for in their guidelines and educational material.
- Provides a more robust set of exempt development provisions that enables more forms of intensive plant agriculture to be undertaken without needing a DA compared to the previous proposal.
- Provides a platform for a more targeted educational approach to be provided by public authorities.
- Introduces exempt development provisions for some forms of intensive plant agriculture which already require development consent but do not currently benefit from any exemptions.

RECOMMENDATION:

That Council forwards the planning proposal contained within attachment 1 to the Minister for Planning for gateway determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*.

OPTIONS:

- 1 Not proceed with the proposed amendments to the LEP.
- 2 Seek gateway determination as recommended.
- 3 Amend the planning proposal before seeking gateway determination.
- 4 Undertake further consultation.

BACKGROUND:

A planning proposal seeking an amendment to the Nambucca Local Environmental Plan 2010 (LEP) was previously issued with a gateway determination by the Minister for Planning. That planning proposal sought to amend the LEP so that development consent would be required for all forms of intensive plant agriculture in the rural zones of the Nambucca Valley. It also sought to extend existing exemptions in the LEP for horticulture in the R5 Large Lot Residential Zone to the rural zones so that low impact activities would not need to submit a development application.

ITEM 12.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - INTENSIVE PLANT AGRICULTURE

However, after submitting the planning proposal for finalisation, the Minister determined that all gateway conditions had not been satisfied and did not make the requested amendments.

Following notification from the Minister that the amendments to the LEP would not be made, Council held a workshop to discuss the information provided by the NSW Department of Planning, Housing and Infrastructure (DPHI) on progressing with an amended planning proposal, an expanded set of exempt development provisions, and consultation to be undertaken to inform the amended planning proposal.

Council considered an amended planning proposal at the December 2025 meeting where the following resolution was made:

363/25 RESOLVED: (Simson/Jones)

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.*

Since the above resolution further consultation with state agencies and industry stakeholders has occurred and has been included within the draft planning proposal contained within **attachment 1**.

A call for community members to forward their lived experience of horticulture to Council was put out. Responses received have been sent to Councillors for their consideration and will be forwarded to the Department of Planning with the submission of the planning proposal if Council proceed with the recommendation.

DISCUSSION:

The objectives of the planning proposal are to:

- Provide a check point for horticulture developments to ensure they are established in a manner which is consistent with the best practice measures established by the NSW Government.
- Reduce potential impacts on surrounding land by ensuring farmers do not exceed their right to farm.
- Acknowledge that all forms of horticulture are not low impact forms of development that are suitable as being permitted without development consent.
- Remove existing inequities in the LEP by providing exemptions that enable all forms of intensive plant agriculture to be undertaken without the requirement for development consent.

Key matters to consider when determining whether to proceed with the planning proposal are:

- In recent decades the number of pollution incidents occurring from horticultural operations has increased on the north coast. This is the result of evolving farming techniques and intensification of the industry. Some horticulture operations can have significant impacts on water quality in offsite watercourses if appropriate practices are not implemented. If water quality is not managed appropriately, this could have detrimental impacts on the agricultural productivity of surrounding

ITEM 12.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - INTENSIVE PLANT AGRICULTURE

rural lands who are reliant on clean water supply from upslope catchments. It can also have significant impacts on those living in rural areas who utilise dam water for domestic use.

- NSW Government agencies are the lead authorities when it comes to regulating impacts associated with horticulture operations and providing education to farmers on best practice measures to minimise potential impacts. The NSW Governments desire for increased education for farmers is the result of the impacts observed by NSW Government agencies in the field.
- The intended outcome of this planning proposal is to create a check point to ensure what the NSW Government expect from farmers when establishing farms is planned for and implemented as part of farm establishment; not retrospectively applied once impacts have occurred.
- The only way to implement a mandatory checkpoint that requires farmers to demonstrate how their horticulture operations will meet the above objectives is to undertake regulatory change. Other voluntary and educational approaches have been tried and proven to fail.
- There is no intent to implement any controls on horticulture that go beyond the current expectations of the NSW Government as provided for in their guidelines and educational material. The planning proposal will not impact a farmers existing 'right to farm'.
- A DA is currently required to be submitted before commencing any turf farming, viticulture or the cultivation of irrigated crops (other than irrigated pasture or fodder crops). This planning proposal includes the implementation of exempt provisions in the LEP which will enable these forms of intensive plant agriculture to be undertaken without the need for a development application if they meet the exempt provisions.
- The proposed exempt development provisions enable more forms of intensive plant agriculture to be undertaken without needing a Development Application (DA) compared to the previous proposal.
- A provision has been included within the proposed exemptions which permits any form of intensive plant agriculture to be undertaken without needing a development application. The prerequisite is that the farmer consults with a public authority on their farm plan/proposed operations before commencing to confirm their proposal contains sufficient measures to be of low potential impact.

This provision enables a targeted educational approach to the higher risk operations which would achieve the intent of the proposal (create a checkpoint before operations commence) while avoiding the need for a development application, which is the primary concern of the NSW Department of Primary Industries and Regional Development (DPIRD) and some industry stakeholders.

- The planning proposal highlights significant inconsistencies in the existing planning framework in relation to requirements for all forms of agriculture. These inconsistencies lead to inequity and uncertainty between different farming operations. For example:
 - There are uncertainties associated with development consent requirements for structures such as greenhouses, tunnels and netting to support intensive plant agriculture.
 - At present horticulture is the only form of intensive agriculture which does not require development consent. A DA is currently required to be submitted before commencing any turf farming, viticulture, the cultivation of irrigated crops (other than irrigated pasture or fodder crops), aquaculture, dairies, feedlots, pig farms, and poultry farms.

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- State legislation provides exemptions for some forms of aquaculture, dairies, feedlots, pig farms, poultry farms; however, does not provide any exemptions for intensive plant agriculture. This means that development consent is currently required for all forms of turf farming, viticulture and the cultivation of irrigated crops (other than irrigated pasture or fodder crops).
- There are different requirements depending on the local government area operations are to take place in.
- DPIRD and some industry stakeholders are of the view that existing legislation is sufficient to remedy any impacts that eventuate from horticulture activities. Given the known impacts which can eventuate from horticulture are equivalent to those from other agricultural activities, it is unknown why state legislation does not afford this viewpoint to all other forms of agriculture which currently require a DA before commencing operation.
- Amending state legislation to explicitly permit all forms of agriculture and associated farm structures to be undertaken to a practical scale without needing a DA would provide greater certainty and consistency for both industry and the broader community across the state, not just within the Nambucca Valley.

Such an approach would facilitate a united position from the NSW Government and align with existing government actions of delivering a planning policy framework that supports the management of current and future farming practices.

However, during discussions with DPHI and DPIRD, Council was advised that the NSW Government will not be reviewing any current land use planning mechanisms or instruments. As such, it is considered that the proposed amendment to the Nambucca Local Environmental Plan 2010 is the only means of achieving certainty and consistency within the Nambucca Valley.

Rural Land Use Strategy

Before commencing the preparation of a rural land use strategy Council should be clear on what they want to achieve.

Generally speaking, a rural land use strategy would identify land suitable for primary production purposes and address opportunities for primary production in the LGA, lot sizes, suitability of non-primary production uses, environmental management and measures to mitigate land use conflict. The cost of getting a strategy prepared is estimated to be above \$100,000.

As can be seen in the spatial imagery of the rural zones in the attached planning proposal, it is not considered that there is any potential for growth in area for the rural zones within the Nambucca Valley due to existing land use patterns and environmental constraints. Having regard to this and that all primary production uses are permitted within the rural zones; any change for primary production brought about through a strategy will be to reduce the area permissible for primary production.

Reducing existing areas zoned for primary production is considered inappropriate and likely to restrict diversification of primary production uses. It is considered that the majority of existing areas zoned for primary production should remain, with those uses with a higher risk of impact requiring development consent before commencement to ensure potential impacts are mitigated.

At present the only forms of primary production which are permitted within the rural zones without a DA are 'horticulture' and 'extensive agriculture'. All other forms of primary production already need a DA before commencement due to the known potential impacts. It is at the DA stage where land use conflict and environmental management controls can be implemented.

Council does not have the ability to change DA requirements for 'extensive agriculture', it can only change the DA requirements for 'horticulture'. This is the intent of the planning proposal due to the known potential impacts which can result from some horticultural operations as outlined in the planning proposal.

ITEM 12.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - INTENSIVE PLANT AGRICULTURE

CONSULTATION:

As outlined in the attached draft planning proposal.

SUSTAINABILITY ASSESSMENT:

As outlined in the attached draft planning proposal.

Risk Analysis:

Nil

FINANCIAL IMPLICATIONS:

Nil

ATTACHMENTS:

1  12091/2026 - Draft Planning Proposal

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 12.3 SF3410 250326 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. Assessment being finalised.			
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. Once finalised the application will be reported to Council for determination.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2025/283	12 December 2025	Serviced Apartments	1 Nelson Street, Nambucca Heads
STATUS: 1 submission received. Applicant has been invited to withdraw the application to prevent it from being refused due to being prohibited on the land. The site is incorrectly zoned and will require an LEP amendment to change the zone.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS

ITEM 12.3 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

2026/019	3 February 2026	Replace pool and erect new pergola	10 Sunrise Close, Scotts Head
STATUS: 1 submission received in support of proposal. Assessment being finalised.			

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

There were no applications determined between 10 February and 11 March 2026 where an application to vary development standards under Clause 4.6 of the NLEP was approved under staff delegation.

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 12.4 SF529 250326 DRAFT RURAL RESIDENTIAL STRATEGY

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

Summary:

This report presents a review of Councils Rural-Residential Land Release Strategy. The intent is to place the draft strategy on public exhibition to obtain community feedback before adopting the revised strategy.

RECOMMENDATION:

That Council publicly exhibits the Draft Rural-Residential Land Release Strategy contained within attachment 1 with the following amendments to address comments from the NSW Department of Planning, Housing and Infrastructure:

- **Include Probable Maximum Flood mapping.**
- **Amend wording relating to Gumma being in the Macksville locality.**
- **Amend wording relating to rural residential areas in Newee Creek.**
- **Remove the Flame Tree Road, Valla new release area.**

OPTIONS:

- 1 Publicly exhibit
- 2 Make amendments to the draft strategy.
- 3 Not make any amendments to the existing strategy.

DISCUSSION:

In 2008 Council adopted a Rural-Residential Land Release Strategy which received endorsement from the NSW Department of Planning in 2009.

The intent of the strategy is to provide a framework for the management of rural residential land in the Nambucca Valley. The strategy was developed to comply with a complex and relatively rigid set of overarching policies and guidelines that determined both the quantity of land that can be released and the parameters applicable in selecting candidate areas for release for rural residential purposes.

The review of the strategy has been deferred for a number of years due to both resourcing and land availability reasons. However, given the age of the document, the increased uptake in rural residential land and current housing supply concerns; a review of the strategy has been undertaken.

The draft strategy can be found in **attachment 1**.

The process to review the strategy will be to place it on public exhibition. Once the exhibition period closes the submissions will be reported to Council with recommendations on how to proceed with the draft strategy. Once adopted by Council the strategy will be sent to the NSW Department of Planning, Housing and Infrastructure (DPHI) for endorsement. Once endorsed the strategy can be used to support future rezoning applications.

CONSULTATION:

The draft strategy has been referred to DPHI for preliminary comment. The below comments were received:

- The draft Strategy maps strategic agricultural land and state significant farmland. Has consideration been given to existing agricultural clusters or expansion opportunities?

ITEM 12.4 DRAFT RURAL RESIDENTIAL STRATEGY

Response: It is proposed to remove land in Warrell Creek that is identified in the existing strategy as future residential land release due to its location in mapped state significant farmland. Expansion areas have been retained clear of existing intensive plant agriculture operations, release areas around Wards Lane have been removed due to inevitable land use conflict issues and proposed release areas have sufficient areas to contain land use conflict buffers for existing or potential agriculture land uses.

- Page 31 of the draft Strategy states that based on the NSW Department of Planning 2021 to 2041 population projections, Nambucca LGA is expected to require approximately 1,110 new dwellings to meet the projected growth. This figure should be reviewed – our predicted dwelling target is 843 dwellings.

Response: 1,110 new dwellings is considered the relevant figure as it is based on population projections, not targets. However, the number will be clarified with DPHI prior to finalisation.

- The draft Strategy states that the full range of flooding up to and including the PMF has been considered when assessing the existing and proposed candidate areas. However, flood mapping only appears to predict up to the 1% AEP. PMF mapping will be required, particularly for the following areas:
 - land south of Congarinni / Scotts Head (Macksville South East)
 - land at Tewinga / Wirrimbi / Bowraville (Nambucca Heads)
 - land at Valla adjoining the Pacific Highway (Valla)

Response: All lots in the proposed release areas have parts above the PMF which are suitable for housing. It is proposed to include Probable Maximum Flood (PMF) mapping within the draft strategy before exhibition.

- The draft Strategy states that with the removal of the Warrell Creek location, all areas in the Macksville locality are located west of the Highway. Would you consider the candidate area at Gumma to be part of the Macksville locality?

Response: The North Coast Regional Plan is not supportive of land east of the Pacific Highway being rezoned to large lot residential. There are small areas at Gumma and Scotts Head proposed to be included as release areas in the draft strategy which will require justification to obtain DPHI endorsement. It is proposed to amend the wording in the draft strategy to address DPHI comment before exhibition.

- The draft Strategy notes an intent to include a dwelling entitlement for 47 Wilson Road Congarinni North (Lot 183 DP755537). Is this allotment affected by constraints, such as the PMF flood?

Response: The lot has area for a dwelling above the PMF, is not bushfire prone and has sufficient area for a septic system.

- The draft Strategy states that it proposes to 'round off' the existing rural residential areas in Newee Creek and does not propose to release or identify any new 'greenfield' sites. However, there is a large portion of new land identified to the north. The draft Strategy text should be updated to reflect this

Response: It is proposed to amend the wording in the draft strategy to address DPHI comment before exhibition.

- With regard to the candidate area near Bowerbird Lane, has the draft Strategy considered the impact of highway noise?

Response: New dwellings on these lots could be located over 100m from the highway, no closer than existing dwellings which have been constructed to meet required noise levels. This can be resolved at planning proposal stage as a dwelling could be built closer and still be able to comply with the noise requirements.

ITEM 12.4 DRAFT RURAL RESIDENTIAL STRATEGY

- Land identified for release at Valla adjoining the Pacific Highway (Lot 2 DP 1227256) is unlikely to be supported by the Department for rezoning as it:
 - is isolated from other R5 zoned land
 - is surrounded by strategic agricultural land and state significant farmland and therefore has the potential to cause land use conflict
 - is potentially affected by the PMF flood
 - is identified as being within the extractive industry buffer
 - has the potential to be affected by highway noise

Response: This land is off Flame Tree Road, Valla. It is proposed to remove this proposed release area from the draft strategy before exhibition to address DPHI comment.

- Additional justification is required prior to the Department supporting the identified candidate areas in proximity to Scotts Head. While the draft Strategy acknowledges that sections of Scotts Head Road get cut in times of flood and states that the areas identified will strengthen the communities of support that exist in the existing rural residential areas, a risk-based approach has been adopted by the Department when rezoning land affected by flooding. It is noted that there are no community evacuation facilities available to residents in this area and that isolation poses secondary risks (e.g. medical emergencies). The following information will be required to assist in the consideration of this land:
 - anticipated flood warning / evacuation times
 - anticipated shelter in place timeframes
 - comments from the NSW SES.

Response: The draft strategy will be referred to the SES as part of the public exhibition. It is proposed to include additional justification in the draft strategy prior to finalisation.

SUSTAINABILITY ASSESSMENT:

Addressed in attached draft strategy.

Risk Analysis:

No adverse risks identified.

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

Consultant and exhibition costs covered by existing budget.

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

Nil

Service level changes and resourcing/staff implications

Minor resourcing implications.

ATTACHMENTS:

1  69509/2025 - Draft Rural Residential Strategy

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT**ITEM 12.5 SF453 250326 WASTE MANAGEMENT QUARTERLY REPORT - OCTOBER - DECEMBER 2025****AUTHOR/ENQUIRIES:** Simon Chapman, Waste Services Coordinator**SUMMARY:**

This report is presented to Council on a quarterly basis for the status of waste management in the Nambucca Valley.

RECOMMENDATION:

That Council notes the information provided in the quarterly report for the period 1 October to 31 December 2025.

OPTIONS:

For information only

DISCUSSION:**Kerbside and Transfer Station Waste Collection Services**

Kerbside collections for the last quarter being 1 October – 31 December 2025 across the Coffs Coast region indicated the hotline received a total of approx 6842 calls during the period for the whole regional area.

Nambucca Valley had a total of 9127 properties receiving a waste collection service, 24 new services were implemented.

The table below reflects Nambucca Council's waste streams and tonnages over the last quarter:

Waste Stream	Source	Tonnes	Destination
Co-mingled recycling	Kerbside	409.62	CCWS Recycling Facility
Greenwaste organics	Kerbside	758.24	CCWS Biomass Facility
Mixed waste	Kerbside (NVC)	906.86	Nambucca Landfill
Mixed waste	Kerbside (BSC)	334.36	Nambucca Landfill
Bulky goods	Kerbside	22.30	Nambucca Landfill
Co-mingled recycling	Transfer station	42.18	CCWS Recycling Facility
Greenwaste organics	Transfer station	75.94	CCWS Biomass Facility
Mixed waste	Transfer station (BSC)	134.68	Nambucca Landfill
Batteries	Transfer station	3.93	Infrabuild
Scrap metal	Transfer station	250.47	Infrabuild
Motor oil	Transfer station	3.90	Cass Oil
Chemical containers (farm drums)	Transfer station	247	Drum Muster
E-waste	Transfer station	3.71	Infrabuild
Solar Panels	Transfer station	2.82	Sircel Recycling
Concrete & masonry	Landfill	273.02	Reprocessing at Nambucca Landfill
Asbestos	Landfill	4.78	Nambucca Landfill
Biosolids (grit)	Landfill	11.56	Nambucca Landfill
Building demolition	Landfill	1004.47	Nambucca Landfill
Clean fill	Landfill	92.00	Nambucca Landfill (daily cover)
Commercial building waste	Landfill	84.78	Nambucca Landfill
Charity groups	Landfill	3.74	Nambucca Landfill
Dead animals (small)	Landfill	0.08	Nambucca Landfill

ITEM 12.5 WASTE MANAGEMENT QUARTERLY REPORT - OCTOBER - DECEMBER 2025

Municipal Waste Stream - 40% diversion reduction to the above figure due to EPA revoking mixed waste land application exemption.

Commercial Industrial Waste Stream - 5% diversion reduction to the above figure due to EPA revoking mixed waste land application exemption.

Community Recycling Facility (CRC)

NSW Environmental Trust approved a grant for the construction of a Community Recycling Centre for Nambucca Shire under the Improved Systems for Household Problem Wastes – Community Recycling Centre (drop offs) Grants program.

The Environmental Trust's goal of the program is to assist communities to look after their own neighbourhoods and environments through the establishment of a network of Community Recycling Centres to make it easier for people to recycle and remove problem wastes from their households.

Nambucca Councils CRC facility is located at the Nambucca Waste Management Facility and was commissioned on 1 July 2015. The table below identifies the household problem wastes that are now acceptable at the centre and tonnages received during the last quarter:

Problem Waste Streams	Source	Destination
Acid	CRC drop Off	Cleanaway Recycling Facility
Alkali	CRC drop Off	Cleanaway Recycling Facility
Batteries (nicad)	CRC drop Off	Cleanaway Recycling Facility
Fluorescent Tubes	CRC drop Off	Cleanaway Recycling Facility
Gas Cylinder (propane)	CRC drop Off	Cleanaway Recycling Facility
Gas Cylinder (other)	CRC drop Off	Cleanaway Recycling Facility
Hydrocarbon / Fuel	CRC drop Off	Cleanaway Recycling Facility
Smoke Detector	CRC drop Off	Cleanaway Recycling Facility
Paint (water based)	CRC drop Off	Cleanaway Recycling Facility
Paint (oil based)	CRC drop Off	Cleanaway Recycling Facility
Toxics	CRC drop Off	Cleanaway Recycling Facility

Total kilograms of household problem waste collected during the last quarter was 3,941.00 kg's

Cleanaway has been engaged by the NSW EPA as its preferred collection contractor for the collection and processing of household problem wastes presented at the facility.

Container Deposit Scheme (CDS)

Exchange for Change is the scheme coordinator of the largest litter reduction programs undertaken in NSW and the ACT: the NSW Return and Earn scheme and the ACT Container Deposit Scheme.

Exchange for Change is responsible for managing both schemes' finances, collecting contributions from beverage suppliers and distributing money to network operators and other scheme participants. Exchange for Change is also responsible for governance and risk management, and educating the community.

Return and Earn and the ACT CDS are based on recognising the responsibility that the beverage industry shares with the community for reducing and dealing with waste generated by beverage product packaging.

Exchange for Change is a joint venture of five of Australia's beverage companies: Asahi Beverages, Carlton & United Breweries, Coca-Cola Amatil, Coopers Brewery and Lion. Together, these companies have more than 40 years of experience in managing container refund programs in Australia.

Biannual reports indicating tonnages collected are made available by the Network Operator after the following periods 1 January – 30 June and 1 July to 31 December.

ITEM 12.5 WASTE MANAGEMENT QUARTERLY REPORT - OCTOBER - DECEMBER 2025

The table below identifies the number of containers redeemed throughout the LGA. over the period 1 July – 31 December 2025

Aluminium	Glass	PET	HDPE	Liquid Paper Board	Steel	Other	Total
1,516,831	871,789	592,550	30,502	43,202	2,829	23	3,057,726

Coffs Coast Waste Services Mobile Phone App

The Coffs Coast Waste Services Mobile App which replaced the old “Mybin” app is ‘personalised’ for residents of CCWS LGA’s (Nambucca Valley, Bellingen Shire and City of Coffs Harbour Councils).

The digital app allows for greater interaction by the user and is now live and free to download on either the App Store or Google Play. The table below indicates the number of downloads/installs to date,

Device	Installs	Percentage
Android	1058	39.97
Apple iOS	1589	56.93

Once the App has been downloaded and a street address is entered the following functionality of the app can be accessed,

Functions	Description
Collection Calendars	Information on what bin to place out for collection and which night for your address
Bin Night Reminders	You can easily set reminders for when to put out your yellow, red and green bins for collection
Bulky Household Collections	Information on dates and acceptable and unacceptable items
A to Z of Waste	Access waste and recycling information. For example, if you type in aluminum foil (dirty) it tells you it should go in the red bin while beer cans or bottles go in the yellow
Recycling Near Me	Find nearby disposal locations
Push Notification Alerts	Receive notifications of special events, news and alerts to your mobile
Bin Information	Information on frequency of bin collections and tips

CONSULTATION:

Midwaste
Sircel Recycling
JJ Richards Waste & Recycling
Cass Oil
Cleanaway
Aus Metal Management
NSW Exchange for Change

SUSTAINABILITY ASSESSMENT:**Environment**

Green organics and recyclable materials collected from the kerbside and self-hauled waste from the transfer station are reprocessed through the materials recycling facility and the biomass facility. Kerbside mixed waste and self-hauled mixed wastes are landfilled accordingly.

ITEM 12.5 WASTE MANAGEMENT QUARTERLY REPORT - OCTOBER - DECEMBER 2025

Social

Potential increased costs.

Economic

Potential increases in the domestic waste management charge and landfill gate fees.

Risk Analysis

N/A

Delivery Program Action

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**

No identifiable increases for the current budget at this point.

Working funds – justification for urgency and cumulative impact

No additional income required at this point.

Impacts on 10 Year Long Term Financial Plan

Additional income may need to be sourced from the annual domestic waste management charge or waste reserves.

Service level changes and resourcing/staff implications

No identifiable changes or implications at this point.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR ENGINEERING SERVICES REPORT

**ITEM 13.1 RF360 250326 ROAD RESERVE AT MCHUGHES CREEK ROAD, SOUTH
ARM**

AUTHOR/ENQUIRIES: David Moloney, Director Engineering Services

SUMMARY:

On 11 March 2021, Council resolved to close the eastern spur of McHughes Creek Road through Lot 1 in DP 866443. To this date the resolution has not been completed and discussions with residents around this closure have increased.

RECOMMENDATION:

That Council re-exhibits the road closing application in accordance with the provisions of the Roads Act 1993.

OPTIONS:

- 1 Do nothing – Continue with current resolution
- 2 As per recommendation
- 3 Alternative option – Rescind the previous motion and not close the road

BACKGROUND:

At its meeting on 11 March 2021, Council resolved the following:

1/21 RESOLVED: (Wilson/Reed)

That Council agree to the closure of the Eastern spur of McHughes Creek Road which is a Public Road through Lot 1 in DP 866443 from the junction with McHughes Creek Road until the common boundary with the Mistake State Forest No. 525 subject to the following:

- a) The applicants enter into a formal and binding agreement with Council to pay all costs associated with the closure (but not limited by) survey, legal, valuation and Council fees; and*
- b) The applicants consolidate the title of the closed road with their existing holding thereby creating one (1) lot after the road closure has been finalised.*

It has since been found that public consultation did not occur before Council making the above resolution as required by the Roads Act 1993. As such, Council has not proceeded to undertake any actions to close the road since the resolution was made.

Renotification of the road closing application and referral back to Council for consideration was deferred because it also became apparent that development consent would be required for the closure of the road. A development application has never been received for the road closure/subdivision.

However, Council has recently amended the Nambucca Local Environmental Plan 2010 by including an exempt provision that makes subdivision to close a road exempt from needing to lodge a development application.

As such, Council is now in to position to be able to reexhibit the road closure application as required by the Roads Act 1993 and make a new resolution as to how it would like to proceed.

The background to the road closure can be found in the 11 March 2021, Council report attached to this report.

ITEM 13.1 ROAD RESERVE AT MCHUGHES CREEK ROAD, SOUTH ARM

DISCUSSION:

Recently there has been numerous discussions held between Council and residents about 11 March 2021 resolution and there are concerns over actions that maybe taken or if the road will be closed at all and if so when.

The previous resolution implementation was stopped due to a procedural issue and due to other priorities has not progressed any further.

Re-exhibiting the proposal to ensure we have met statutory requirements before determining the road closure requirements.

By re-exhibiting the closure all parties can have input into the information presented to Council for consideration of whether to close the road and that ensure the provisions of the Roads Act 1993 is followed.

After the exhibition on the proposed road closure and assessment by staff, a report will be presented to Council to resolve on whether or not to proceed.

CONSULTATION:

DDES

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Road Closure does not follow the statutory process	M	M	Re-exhibit the proposed road Closure in accordance with the Roads Act 1993	L

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:

Direct and indirect impact on current and future budgets

Nil.

Working funds – justification for urgency and cumulative impact

There are no direct impacts due to the closure of the road.

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

- 1**  6351/2021 - Proposed Road Closure of part of Council Public Road through Lot 1 in DP 866443 McHughes Creek Road, South Arm
- 2**  1899/2021 - Location of extents of McHughes Creek Road, South Arm through no. 642
- 3**  6360/2021 - Sketch showing Road to be closed 662 McHughes Creek Road, South Arm

ITEM 13.1 ROAD RESERVE AT MCHUGHES CREEK ROAD, SOUTH ARM

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 13.2 PWF2025/004 250326 VALLA BEACH RESERVOIR REFURBISHMENT

AUTHOR/ENQUIRIES: Brett Corven, Manager Water and Sewerage

SUMMARY:

Council adopted a budget of \$500,000 for the refurbishment of reservoirs in the 2025-26 Operational Plan (June 2025). Council subsequently adopted the Water Supply and Sewerage Strategic Plan (Integrated Water Cycle Management Strategy, December 2025) which included an updated estimate for the refurbishment of the Valla Beach Reservoir. Council is requested to endorse the transfer of funds from Water Fund Reserves for the balance of funds required to complete the project.

RECOMMENDATION:

That Council transfers \$500,000 from water fund reserve for the Valla Beach Reservoir Refurbishment Project.

OPTIONS:

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

BACKGROUND:

In 2023 Council engaged a consultant to carry out investigations and modelling and to prepare a strategic plan (Integrated Water Cycle Management Strategy, IWCMS) for Council's water supply and sewerage services, including a 30-year long-term financial plan. The long-term financial plan is required to determine stable pricing path for water and sewerage services (i.e. intergenerational equity) while accommodating capital renewal and capital augmentation costs.

In early 2024 Council engaged an expert consultant to carry out a condition assessment of its three steel reservoirs at Macksville, Macksville South and Valla Beach. The condition report identified various defects including breakdown of the coating systems that would need rectifying for the reservoirs to continue being serviceable for the remainder of their design life.

In January 2025 Council engaged another consultant to prepare contract documentation for the refurbishment of three steel reservoirs to address the issues identified in the condition assessment report. Additional works (not identified in the condition assessment report) such as replacing valves while the reservoir is empty and access safety upgrades were included in the scope.

In February 2025 a draft 30-year capital works programme was submitted to Councils Finance team in preparation for the 2025-26 draft Operations Plan. A nominal cost of \$500,000 per reservoir (three reservoirs over three financial years) was included as the cost of the reservoir upgrades was not known at the time.

Following exhibition of the draft Operations Plan, Council adopted the 2025-26 budget at an extraordinary Council meeting held on the 25 June 2025.

Between February and July 2025 investigations identified that the cost of refurbishing the three steel reservoirs would be in the order of \$1M for the Valla Beach Reservoir and \$1.5M each for the Macksville and Macksville South reservoirs. The estimates were updated for modelling in the IWCMS and associated long-term financial plan but was not updated in the 2025-26 budget.

During October-December the draft IWCMS was publicly exhibited, and Council adopted the strategy at its 17 December 2025 ordinary Council meeting.

ITEM 13.2 VALLA BEACH RESERVOIR REFURBISHMENT

During August/September 2025 Council advertised tenders for the augmentation of the Valla Beach Reservoir (as the project management team is managing other projects in the Valla area – VUGA). A Contract was awarded in December 2025 for work to commence in February 2026, as soon as the summer school holidays ended.

DISCUSSION:

The Valla Beach Reservoir was constructed in 1975 and repainted in 1981. A condition assessment (February 2024) identified that the coating system on the internal walls of the reservoir was breaking down and would require repainting. The assessment report also recommended other minor upgrades such as replacement of the overflow pipeline, roof sheeting repairs and ventilation system renewal. The works are necessary to ensure that the reservoir is serviceable for its design life of 100 years.

When reviewing the tender, Council staff advised that there was an error in the quantity of works proposed that is the area of the structure to be treated was underestimated. This was advised and changed, however when the works were tendered the original quantities.

A nominal budget of \$500,000 was included in the 2025-26 budget as the full cost was not known when the budget was being prepared in February 2025. The IWCMS working papers were updated with a revised estimate and the revised budget was included in the 30-year long-term financial plan modelling used to determine the typical residential bill and the ongoing financial sustainability of the Water Fund. However, the 2025-26 but already adopted by Council was not updated.

CONSULTATION:

Director Engineering Services

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Reservoir coating failure leading to reduced infrastructure useful life	M	H	Refurbish Reservoir	L
Procurement	M	M	Procurement process is in accordance with relevant legislation, guidelines and Council Policy.	L
Contractual	M	M	NSW Government (Buy NSW) standard RFT and Contract documents used.	L
Financial	M	M	Project Manager and Surveillance Officer appointed to manage contract and quality performance.	L

ITEM 13.2 VALLA BEACH RESERVOIR REFURBISHMENT

Delivery Program Action

2.2 - Provide and advocate for essential supporting infrastructure and services that cater for current needs and future growth

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Nil.

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

Nil.

Service level changes and resourcing/staff implications

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR ENGINEERING SERVICES REPORT

**ITEM 13.3 SF2249 250326 MACKSVILLE MEMORIAL AQUATIC AND FITNESS CENTRE
- FEES AND CHARGES INCREASE FOR JULY 2026**

AUTHOR/ENQUIRIES: Diana Carr, Facilities Operations and Compliance Officer

SUMMARY:

Annual increase of general admission fees and charges Macksville Memorial Aquatic Fitness Centre (MMAFC) for the information of Council.

RECOMMENDATION:

That Council notes the information provided in the report.

OPTIONS:

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

BACKGROUND:

In accordance with the annual contractual requirements, Community Aquatics Pty Ltd is required to submit its proposed fees and charges by 1 February each year. These proposals are reviewed and approved by Council staff to ensure all adjustments align with contractual obligations and the established Council parameters set within the contract.

DISCUSSION:

The schedule of general admission fees for the Macksville Memorial Aquatic and Fitness Centre was provided to all tenderers as part of the management contract process, with the initial fees to be adopted by the successful contractor at commencement. The contractor is permitted to review the thirteen nominated Council charges each year. Any annual increases to these thirteen items must not exceed the Sydney-based CPI. The approved Fees and Charges schedule will represent the maximum amounts that the managing contractor, Community Aquatics Pty Ltd may charge for the next twelve (12) month period commencing 1 July annually. Increases to fees and charges for other items outside council’s requirements are also included for information purpose only

CONSULTATION:

Community Aquatics
Manager Assets
Chief Financial Officer
Director of Engineering Services

SUSTAINABILITY ASSESSMENT:

N/A

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Contract continuity due to possible financial impacts- <i>Uncontrolled outside influences impacting increasing costs</i>	L	L	Provide overall support and opportunity for operator to increase charges in accordance with increasing costs of	L

ITEM 13.3 MACKSVILLE MEMORIAL AQUATIC AND FITNESS CENTRE - FEES AND CHARGES INCREASE FOR JULY 2026

<p><i>which may affect business productivity and viability</i></p>			<p>staffing of running an Aquatic centre operation. Ensure that contractor has marketing and business plans and strategies in place which are monitored and reviewed annually</p>	
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Delivery Program Action

1.3 - Promote and facilitate a range of activities that encourage greater social connection for our young people

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

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

- 1  10320/2026 - MMAFC - Prices Increase July 2026-27_ March26