



NAMBUCCA VALLEY COUNCIL

ORDINARY COUNCIL MEETING AGENDA ITEMS 22 APRIL 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 - 22 APRIL 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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- 13 GENERAL MANAGER'S SUMMARY OF ITEMS TO BE DISCUSSED IN CLOSED MEETING
- 13.1 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.*
- 13.2 Project Management and Associated Services for Natural Disaster Recovery
- 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.*
- a Questions raised by Councillors at 8 above
- i MOTION TO CLOSE THE MEETING
 - ii PUBLIC VERBAL REPRESENTATIONS REGARDING PROPOSAL TO CLOSE
 - iii CONSIDERATION OF PUBLIC REPRESENTATIONS
 - iv DEAL WITH MOTION TO CLOSE THE MEETING
- 14 MEETING CLOSED TO THE PUBLIC
- 15 REVERT TO OPEN MEETING FOR DECISIONS IN RELATION TO ITEMS DISCUSSED IN CLOSED MEETING.

Statement of ethical obligations:

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

NAMBUCCA VALLEY COUNCIL



DISCLOSURE OF INTEREST AT MEETINGS

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

I _____ declare the following interest:
(name)

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

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

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

For the reason that _____

Signed _____ Date _____

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

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

Definitions

(Local Government Act and Code of Conduct)

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

(Local Government Act, 1993 section 442 and 443)

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

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

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

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

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

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

The following document is the minutes of the Ordinary Council meeting held **25 MARCH 2026**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Wednesday **22 APRIL 2026** and therefore subject to change. Please refer to the minutes of **22 APRIL 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 (Director Corporate and Community Services)

David Moloney (Director Engineering Services)

Daniel Walsh (Director Development and Environment Services)

Evan Webb (Chief Financial Officer)
Kathryn Reynolds (Minute Secretary)

Suzanne Sullivan (Minute Secretary)

APOLOGIES

Apologies (leave granted)

Cr Martin Ballangarry OAM

ACKNOWLEDGMENT OF COUNTRY

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

COUNCIL MEETING AUDIO RECORDINGS

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

PRAYER

Pastor Marshall Hodgekiss from the Action Church offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Bede Spannagle declared a pecuniary interest in *Item 9.2 General Manager Performance Agreement* under the Local Government Act as Bede is the subject of the report. Bede left the meeting for this item.

Councillor Vance declared a pecuniary interest in *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* under the Local Government Act as Cr Vance sold the property next door to DA 2025/266. Cr Vance left the meeting for this item.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

Councillor Simson declared a non-pecuniary - less significant conflict of interest in Item 12.2 *Amendment to the Nambucca Local Environmental Plan 2010 - Intensive Plant Agriculture* under the Local Government Act as Cr Simson is on the Nambucca Valley Growers and Producers Committee.

Councillor Simson declared a non-pecuniary - significant conflict of interest in Item 12.4 *Draft Rural Residential Strategy* under the Local Government Act as Cr Simson is the owner of property to be considered in the strategy. Cr Simson left the meeting for this item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 25 FEBRUARY 2026

47/26 **RESOLVED:** (McWilliam/Simson)

**That the minutes of the Ordinary Council Meeting of 25 February 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)

48/26**RESOLVED:** (Lee/McWilliam)

That item 12.2 and 13.1 be brought forward.

ITEM 12.2	SF3508	250326	Amendment to the Nambucca Local Environmental Plan 2010 - Intensive Plant Agriculture
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MOTION: (Simson/Angel)

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*.

AMENDMENT: (Simson/Jones)

That Council:

- 1 Defer the consideration of the Nambucca Local Environmental Plan 2010 – Horticulture to the April meeting of Council.
- 2 Undertake a Rural Land Strategy and included funding for this in the 2026/2027 Budget Process.
- 3 Meets within a month to consult on a position on buffer zones and the exemptions being considered within the current LEP draft including sub clause 2 which relates to clarifying the public authority responsibilities.

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

For the Motion:	Councillors Jenvey, Jones, Lee, MacSmith and Simson Total (5)
Against the Motion:	Councillors Angel, McWilliam and Vance Total (3)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

49/26 **RESOLVED:** (Simson/Jones)

That Council:

- 1 Defer the consideration of the Nambucca Local Environmental Plan 2010 – Horticulture to the May meeting of Council.
- 2 Consider a Rural Land Strategy as a top priority in the 2026/2027 Budget Process.
- 3 Meets within a month to consult on a position on buffer zones and the exemptions being considered within the current LEP draft including sub clause 2 which relates to clarifying the public authority responsibilities.
- 4 Form a consultative committee and invite representatives from the EPA, NRAR, DPI, NEN, the NSW Farmers Association, Berries Australia and the Nambucca Valley Growers and Producers Association as a minimum requirement.
- 5 Lobby the state government in changing the legislation for horticulture.

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

For the Motion:	Councillors Jenvey, Jones, Lee, MacSmith, McWilliam, Simson and Vance Total (7)
Against the Motion:	Councillor Angel Total (1)

ITEM 13.1 RF360 250326 Road Reserve at McHughes Creek Road, South Arm

MOTION: (McWilliam/Angel)

That Council:

Re-exhibits the road closing application in accordance with the provisions of the Roads Act 1993.

AMENDMENT: (McWilliam/Vance)

- 1 Re-exhibits the road closing application in accordance with the provisions of the Roads Act 1993.
- 2 Consult with the Rural Fire Service and with State Forest in regards to McHughes Creek Road, South Arm.

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

For the Motion:	Councillors Lee, McWilliam and Vance Total (3)
Against the Motion:	Councillors Angel, Jenvey, Jones, MacSmith and Simson Total (5)

50/26 **RESOLVED:** (Jones/Jenvey)

That Council rescind the previous motion and not close McHughes Creek Road.

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

For the Motion:	Councillors Angel, Jenvey, Jones, Lee, MacSmith, Simson and Vance Total (7)
Against the Motion:	Councillor McWilliam Total (1)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

NOTICE OF MOTION - CR MACSMITH

ITEM 5.1 SF3422 250326 Notice of Motion - Workforce Gender Representation and Organisational Culture

51/26 **RESOLVED:** (MacSmith/Simson)

That Council:

- 1 Conduct a confidential, independently facilitated staff satisfaction and workplace culture survey, to be administered by an external provider, with whole organisation aggregated findings only provided to the General Manager, or relevant officer, and reported to Council.**
- 2 Add the development of a Gender Equity Strategy to Council's priority works list for future budget consideration.**

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)

NOTICE OF MOTION - CR MACSMITH

ITEM 5.2 SF3422 250326 Notice of Motion - Childcare Access in the Nambucca Valley

52/26 **RESOLVED:** (MacSmith/Angel)

That Council defer this item to the April 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)

DELEGATIONS

RECOMMENDATION:

That the following delegations be heard:

Item 12.2 – Amendment to the Nambucca Local Environmental Plan 2010 - Intensive Plant Agriculture

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- i Allison Mackay – speaking about the amendment to the LEP*
- ii James Kellaway on behalf of Berries Australia – speaking about the amendment to the LEP*

Item 13.1 – Road Reserve at McHughes Creek Road, South Arm

- iii Ivena Olsen – speaking about the road closure at McHughes Creek Road, South Arm*
- iv Glen Olsen - speaking about the road closure at McHughes Creek Road, South Arm*

DELEGATIONS

- i Ms Allison Mackay addressed Council with speaking notes placed on 13780/2026 SF3424.*

53/26 **RESOLVED:** (Simson/Jenvey)

That an extension of time be granted.

- ii Mr James Kellaway addressed Council with speaking notes placed on 14084/2026 SF3424.*

54/26 **RESOLVED:** (Angel/Simson)

That an extension of time be granted.

- iii Ms Ivena Olsen addressed Council with speaking notes placed on 13973/2026 SF3424.*

55/26 **RESOLVED:** (Jones/McWilliam)

That an extension of time be granted.

- iv Mr Glen Olsen addressed Council with speaking notes placed on 13973/2026 SF3424.*

56/26 **RESOLVED:** (Simson/McWilliam)

That an extension of time be granted.

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

MAYORAL MINUTES

ITEM 9.1	SF3422	250326	Request for Leave - Cr Martin Ballangarry - 10 March - 10 May 2026
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57/26 **RESOLVED:** (Lee/)

That Cr Martin Ballangarry be granted leave of absence in accordance with Section 234(1) (d) of the

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

Local Government Act 1993 for the period of 10 March to 31 May 2026 inclusive.

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)

58/26 **RESOLVED:** (Lee)

That item 9.2 be moved to confidential.

GENERAL MANAGER REPORTS

ITEM 10.1 SF959 250326 Outstanding Actions and Reports

59/26 **RESOLVED:** (MacSmith/McWilliam)

That Council notes the list of outstanding actions and reports.

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

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

ITEM 10.2 SF3422 250326 Council Finance Committee

60/26 **RESOLVED:** (Angel/McWilliam)

That Council establishes a Finance Committee of Council comprising of all Councillors with the Mayor as chairperson, commencing May 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 10.3 SF3528 250326 Investment Report for February 2026

61/26 **RESOLVED:** (McWilliam/Angel)

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

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.

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 11.1 SF3492 250326 Minutes from the Audit Risk and Improvement Committee Meeting - 4 February 2026

62/26 **RESOLVED:** (McWilliam/Angel)

That Council notes the Minutes from the Audit, Risk and Improvement Committee Meeting held 4 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)

ITEM 11.2 SF24 250326 Request for Sponsorship - Drag-Ens Valla Beach Hot Rod Run

63/26 **RESOLVED:** (Angel/Jenvey)

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

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 MARCH 2026

ITEM 11.3 SF3409 250326 Minutes of the Disability Access and Inclusion Committee
February 2026

64/26 **RESOLVED:** (Jenvey/Simson)

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.**

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 11.4 SF3653 250326 Minutes of the Nambucca Valley Youth Council March 2026

65/26 **RESOLVED:** (McWilliam/Jenvey)

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

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

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

ITEM 11.5 SF2888 250326 Valla Urban Growth Area Suburb Name and Naming Road One
through Industrial Stage One

66/26 **RESOLVED:** (Jenvey/Angel)

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.**

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 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 11.6 T2026/011 250326 Regional Procurement Tender - Supply & Delivery of Roadbase Materials (T462526MNC)

67/26 **RESOLVED:** (Angel/McWilliam)

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.**

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 11.7 SF1619 250326 Report on Implementation of Community Engagement Strategy

68/26 **RESOLVED:** (MacSmith/Simson)

That Council:

- 1 Notes the report.**
- 2 Councillors be included in Council's mailing list to receive the Council's Community and Staff Newsletters.**

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 MARCH 2026

ITEM 11.8 SF3412 250326 Requests and Complaints Reporting October 2025 to December 2025

69/26 **RESOLVED:** (MacSmith/McWilliam)

That Council notes the information in the 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)

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORTS

ITEM 12.1 SF1031 250326 Review of Council's Cemetery Policy DE 15

70/26 **RESOLVED:** (Angel/MacSmith)

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.**

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 12.2 was brought forward.

Councillor Troy Vance left the meeting before the commencement of this item, the time being 7:58 PM.

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

71/26 **RESOLVED:** (Simson/Angel)

That Council notes the information contained within the report.

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

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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

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

Councillor Troy Vance returned to the meeting at the completion of this item, the time being 7:58 PM.

Councillor Ljubov Simson left the meeting before the commencement of this item, the time being 7:59 PM.

ITEM 12.4 SF529 250326 Draft Rural Residential Strategy

72/26 **RESOLVED:** (Angel/MacSmith)

That Council defer the report to Council's April meeting and hold a strategic planning session.

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

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

Councillor Ljubov Simson returned to the meeting at the completion of this item, the time being 8:04 PM.

ITEM 12.5 SF453 250326 Waste Management Quarterly Report - October - December 2025

73/26 **RESOLVED:** (Angel/MacSmith)

That Council notes the information provided in the quarterly report for the period 1 October to 31 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 13.1 was brought forward.

ITEM 13.2 PWF2025/004 250326 Valla Beach Reservoir Refurbishment

74/26 **RESOLVED:** (Angel/McWilliam)

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

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 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 13.3 SF2249 250326 Macksville Memorial Aquatic and Fitness Centre - Fees and Charges Increase for July 2026

75/26 **RESOLVED:** (MacSmith/Angel)

That Council notes the information provided in the 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)

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

76/26 **RESOLVED:** (McWilliam/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.

Reason reports are in Closed Meeting:

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 9.2 SF3422 250326 General Manager Performance Agreement

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.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

For Confidential Business Paper in Closed Meeting

ITEM 14.1 SF3420 250326 Matters Regarding Realised or Potential Losses

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

For Confidential Business Paper in Closed Meeting

ITEM 14.2 SF3420 250326 Review of Section 355 Nambucca Community and Arts Centre Committee

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.

For Confidential Business Paper in Closed Meeting

ITEM 14.3 SF3420 250326 Naylor's Lane Road Closure

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.

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 8:17PM.

RESUME IN OPEN MEETING

77/26 **RESOLVED:** (Jenvey/McWilliam)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 9.12 PM.

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)

FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

Council Staff left the meeting before the commencement of this item, the time being 8:18 PM.

ITEM 9.2 SF3422 250326 General Manager Performance Agreement

78/26 **RESOLVED:** (McWilliam/Jenvey)

That Council defer this item to the May 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)

Council Staff returned to the meeting after the completion of this item, the time being 8:45 PM.

For Confidential Business Paper in Closed Meeting

ITEM 14.1 SF3420 250326 Matters Regarding Realised or Potential Losses

79/26 **RESOLVED:** (Angel/MacSmith)

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 14.2 SF3420 250326 Review of Section 355 Nambucca Community and Arts Centre Committee

80/26 **RESOLVED:** (Jenvey/McWilliam)

That Council:

- 1 Disbands the Section 355 Nambucca Community and Arts Centre Committee and bring the operations of the Nambucca Community and Arts Centre in-house.**
- 2 Invites the existing committee members to participate in a “Friends of” Advisory Committee to act as an advisory/consultative body to assist Council with priorities and requirements for the facility.**
- 3 Develops a draft Terms of Reference for the Advisory Committee following consultation.**

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

4 Receives a report on a plan of Management for the Nambucca Community and Arts Centre.

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 14.3 SF3420 250326 Naylor's Lane Road Closure

81/26 **RESOLVED:** (Angel/McWilliam)

That Council:

- 1 Accepts the offer for the purchase of Lot 10 DP 1313272 Naylor's Lane Upper Taylors Arm (subject to the registration of an easement over the land in favour of neighbouring property) from the owners of 87 Naylor's Lane, Upper Taylors Arm as per the amount within the independent valuation report.**
- 2 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)

CLOSURE

There being no further business the Mayor then closed the meeting the time being 9:17 PM.

Confirmed and signed by the Mayor on **22 APRIL 2026**

Cr Gary Lee
MAYOR
(CHAIRPERSON)

NOTICE OF MOTION

ITEM 5.1 SF3422 220426 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 was deferred from the March Ordinary Council meeting, and Councillor Macsmith has advised all Councillors she will be changing the motion at the April Council meeting to something along the lines of;

That Council:

1. Fund a Childcare Analysis and Strategy in the 2026–27 Budget.
2. Engage with Regional Development Australia to assist in scoping the analysis requirement and incorporate their existing data to avoid duplication.
3. Report back to Council on the proposed scope for the Childcare Analysis and Strategy.
4. Assist in the distribution and promotion of Regional Development Australia's current published childcare survey.

This 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 in-house childcare resource or expertise to deliver an analysis and strategy, so any work in this area will have to be externally sourced.

Initially, engaging with Regional Development Australia will prevent duplication of work and assist Council determine any future direction in the childcare space.

Council should also explore opportunities for grant funding for this project, either in full or with a 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.

ITEM 5.1 NOTICE OF MOTION - CHILDCARE ACCESS IN THE NAMBUCCA VALLEY

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 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.

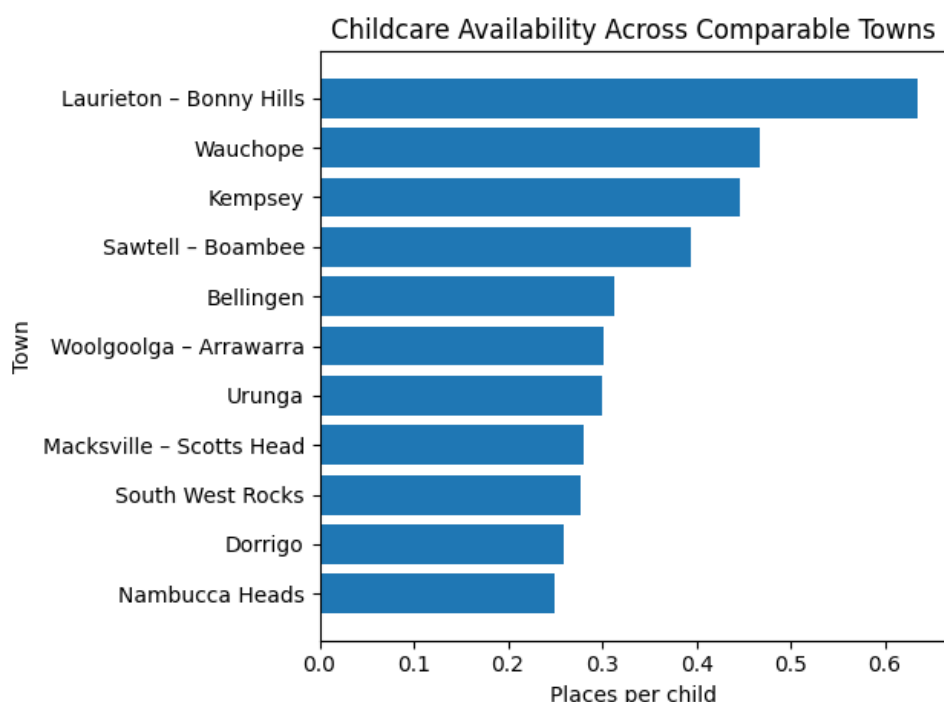
National research also highlights the role childcare access plays in workforce participation. Analysis by the Grattan Institute found that improving childcare access could increase the working hours of mothers with young children by around 11–13 per cent, highlighting the important link between childcare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

ITEM 5.1 NOTICE OF MOTION - CHILDCARE ACCESS IN THE NAMBUCCA VALLEY



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.

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

ITEM 5.1 NOTICE OF MOTION - CHILDCARE ACCESS IN THE NAMBUCCA VALLEY

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.

NOTICE OF MOTION

ITEM 5.2 SF3422 220426 NOTICE OF MOTION - RURAL LAND STRATEGY

AUTHOR/ENQUIRIES: Ljubov Simson, Councillor

SUMMARY:

In the March Council meeting the governing body agreed to prioritise the funding for the drafting of a Rural Land Strategy (RLS).

An RLS aims to provide a long-term framework for managing rural land use, balancing agricultural production with environmental conservation and development pressures. An RLS also aims to minimise conflict between lifestyle blocks, small scale farming and primary production, enforcing buffer zones and clarifying community expectations.

The governing body has been informed that the NSW Department of Planning have advised Council that they have funding to contribute towards a RLS for the Nambucca Valley. However, the funding expires on 30 June.

Given the urgency Council staff have collaborated with NSW Department of Planning staff to create a project scope for the Rural Lands Strategy.

The scope has been broken into two parts.

Part 1 is a horticulture study which will address the matters raised by the Department of Planning and Department of Primary Industries following our last LEP submission. This part will be funded by the Department of Planning.

Part 2 will be the Rural Lands Strategy which will incorporate the study from part 1. This part will need to be funded by Council.

This notice of motion provides recommendations to the current scope of Part 1 and Part 2 of the RLS:

RECOMMENDATION:

That Council:

- 1 Include the following objectives in the project scope of the Nambucca Valley Horticulture Study:**
 - a. Potential economic, social and environmental impacts of the horticultural industry on pre-existing farming, tourism and lifestyle enterprises across the Nambucca Valley, including organic and chemical-free enterprises.**
 - b. Targeted consultation with the community, industry groups and state agencies to include the Nambucca Environment Network, Nambucca Valley Growers and Producers Association, Oyster Farmers Association, NSW Farmers (Nambucca Branch) and Ozberries/Berries Australia.**
 - c. Consideration of the accommodation for Rural Agricultural Work Code of Practice under the Rural Workers Accommodation Act 1969 to reduce the modern slavery risk of temporary migrant workers to horticultural enterprises in the Nambucca Valley.**

- 2 Include the following priorities in the project scope of the Nambucca Valley Rural Land Strategy:**
 - a. Prioritise the health, wellbeing, safety and social cohesion of our community;**
 - b. Prioritise pre-existing farming, tourism and lifestyle enterprises across the**

ITEM 5.2 NOTICE OF MOTION - RURAL LAND STRATEGY

Nambucca Valley;

- c. **Support local food and water systems security through a balanced approach to agricultural growth;**
 - d. **Protect the biodiversity of our natural environment alongside valuing diversity in farming enterprises;**
 - e. **Balance commercial farming with lifestyle opportunities and sustainable agr-and eco- tourism;**
 - f. **Address on-farm and off-farm temporary accommodation and amenities avoiding modern slavery risks to temporary workers;**
- 3 Include the following objectives in the project scope of the Nambucca Valley Rural Land Strategy:**
- a. **Implementation of buffer zones and Separation:**
 - i. **Vegetation and Structures: Utilize, or enforce the installation of, vegetative buffers (trees/shrubs) or physical barriers (earthen mounds) to minimize odour, spray drift, noise, and visual impacts on neighbours, protecting their Right to Farm and/or Human Right to safety, health and wellbeing.**
 - ii. **Establish mandatory, increased separation distances between new homes and existing agriculture, and new agriculture and pre-existing farming, tourism and lifestyle enterprises.**
 - b. **Use Land Use Conflict Risk Assessment (LUCRA) to assess, quantify, and mitigate potential conflicts *before* development approval.**
 - c. **Consideration of the accommodation for Rural Agricultural Work Code of Practice under the Rural Workers Accommodation Act 1969 to reduce the modern slavery risk of temporary migrant workers to horticultural enterprises in the Nambucca Valley.**
- 4 Provide the redacted lived-experience submissions for the Development Application proposal to the Horticulture Study and Rural Land Strategy project groups, together with industry and local association submissions.**

OPTIONS:

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

GENERAL MANAGER COMMENTS:


Given the tight timeframe for the delivery of the horticulture study with state funding, amending the scope would likely delay the project and impact its potential of being delivered.

It is noted that the recommended additions (a) and (b) to the horticulture study scope are already covered in the existing scope, with (c) relating to repealed legislation.

If Council wishes to add to the scope it is recommended this be done by making additions to the rural land use strategy scope which is to be funded by Council. Any additions should be objective and not direct actions to be incorporated into the strategy.

ITEM 5.2 NOTICE OF MOTION - RURAL LAND STRATEGY

ATTACHMENTS:

- 1  17607/2026 - Project Scope - Draft Rural Land Strategy

GENERAL MANAGER'S REPORT**ITEM 9.1 SF959 220426 OUTSTANDING ACTIONS AND REPORTS**

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

SUMMARY:

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

RECOMMENDATION:

That Council notes the list of outstanding actions and reports.

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

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

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

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

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

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

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

02/04/24 No further update.

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

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

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

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

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

18/06/24 No further update.

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

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

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

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

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

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

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

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

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

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

09/05/25 Wheel stops to be installed.

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

08/07/25 Rectification works have commenced.

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

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

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

18/11/25 Drafting of licences commenced.

09/12/25 No further update.

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

17/03/26 No update.

14/04/26 Independent licence appraisal booked whilst legal review continues.

MARCH 2025

2	SF3422	19/03/2025	DCCS
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RESOLUTION: Notice of Motion - Improvements for Nambucca Heads CBD
That Council:

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

5 Establishes a Community Reference Group (CRG) for the Nambucca CBD project to ensure community consultation 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. 14/04/26 Refer to separate report for Terms of Reference.			
JULY 2025			
3	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. 14/04/26 Process for sourcing a consultant to develop the RAP commenced at the last advisory committee meeting.			
AUGUST 2025			
4	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. 14/04/26 Refer to separate report for Lease and Licence Policy. Item 2 Report provided in October 2025 Council meeting.			
5	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. 03/10/25-25/2/26 No further update. 14/04/26 Report being developed for the 24 June 2026 Council Meeting.			
OCTOBER 2025			
6	SF3422	15/10/2025	DCCS
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.			
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. 20/01/26-14/04/26 No further update. Only one item remaining (9).			

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

NOVEMBER 2025			
7	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. 14/04/26 Park plan to be reported to May 2026 meeting.</p>			
8	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. 14/04/26 Refer to separate report.</p>			
9	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. 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. 14/04/26 Report to May 2026 meeting.</p>			
DECEMBER 2025			
10	SF3506	17/12/25	DCCS
<p>RESOLUTION: Library Statistics Report That Council: 2 Report back on our Library collection and how it might be funded in a future budget.</p>			
<p>STATUS: 20/01/26 This will be considered as part of the 2026/27 budget process. 16/02/26-14/04/26 As above.</p>			
11	SF3030	17/12/25	DES
<p>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.</p>			
<p>STATUS: 20/01/26-16/02/26 No further update 17/03/26-14/04/26 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.</p>			
12	SF3422	17/12/25	DDES
<p>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.</p>			
<p>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. 14/04/26 Expect to receive advice for May 2026 meeting.</p>			
JANUARY 2026			
13	SF3671	28/01/26	DES

ITEM 9.1 OUTSTANDING ACTIONS AND REPORTS

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			
14	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:			
17/03/26 No further update.			
14/04/26 Grant Application is being developed by Council's Environmental Project Officer for this project. Estimated cost is approximately \$300,000. Survey is planned for once VUGA survey works are completed.			
MARCH 2026			
15	SF3508	25/03/26	DDES
RESOLUTION: Amendment to the Nambucca Local Environmental Plan 2010 – Intensive Plant Agriculture			
That Council:			
1 Defer the consideration of the Nambucca Local Environmental Plan 2010 – Horticulture to the May meeting of Council.			
2 Consider a Rural Land Strategy as a top priority in the 2026/2027 Budget Process.			
3 Meets within a month to consult on a position on buffer zones and the exemptions being considered within the current LEP draft including sub clause 2 which relates to clarifying the public authority responsibilities.			
4 Form a consultative committee and invite representatives from the EPA, NRAR, DPI, NEN, NSW Farmers Association, Berries Australia and the Nambucca Valley Growers and Producers Association as a minimum requirement.			
STATUS:			
14/04/26 \$150k has been allocated in the draft 2026/27 budget for a Rural Lands Strategy. Council strategic planning session scheduled for 22 April 2026.			
16	SF3422	25/03/26	GM
RESOLUTION: Notice of Motion - Workforce Gender Representation and Organisational Culture			
That Council:			
1 Conduct a confidential, independently facilitated staff satisfaction and workplace culture survey, to be administered by an external provider, with whole organisation aggregated findings only provided to the General Manager, or relevant officer, and reported to Council.			
2 Add the development of a Gender Equity Strategy to Council's priority works list for future budget consideration.			
STATUS:			
14/04/26 Mastertek have been engaged to administer the staff survey in June/July. The Gender Equity Strategy has been added to the priority works list.			
17	SF3420	25/03/26	DCCS
RESOLUTION: Review of Section 355 Nambucca Community and Arts Centre Committee			
That Council:			
1 Disbands the Section 355 Nambucca Community and Arts Centre Committee and bring the operations of the Nambucca Community and Arts Centre in-house.			
2 Invites the existing committee members to participate in a "Friends of" Advisory Committee to act as an advisory/consultative body to assist Council with priorities and requirements for the facility.			
3 Develops a draft Terms of Reference for the Advisory Committee following consultation.			
4 Receives a report on a plan of Management for the Nambucca Community and Arts Centre.			
STATUS:			
14/04/26 Items 1, 2 and 4 complete. Plan of Management to be delivered at April Council meeting.			

ATTACHMENTS:

There are no attachments for this report.

GENERAL MANAGER'S REPORT

ITEM 9.2 SF1620 220426 2026/27 DRAFT BUDGET, 2026/27 DRAFT STATEMENT OF REVENUE POLICY AND 2026/27 DRAFT FEES & CHARGES, CHANGES TO THE 2025-2029 DELIVERY PROGRAM AND 2026/27 OPERATIONAL PLAN, AND DRAFT 2026 TO 2036 LONG TERM FINANCIAL PLAN

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer; Kristian Enevoldson, Director Corporate and Community Services

SUMMARY:

The Integrated Planning and Reporting Framework (IP&R), which is legislated under the Local Government Act 1993 and supported by the Integrated Planning and Reporting Guidelines, requires councils to create a new Delivery Program (DP) by 30 June in the year following a local government election. The "Our Valley Our Future" 2035 Community Strategic Plan and the 4-year Delivery Program were adopted by Council at the 18 June 2025 meeting and will be in place until June 2029. This report proposes some minor changes to the Delivery Program actions for Council's consideration.

Documents for endorsement include the 2026/27 Draft Annual Budget, 2026/27 Draft Statement of Revenue Policy, 2026/27 Draft Fees and Charges and the 2026/27 to 2035/36 Draft Long-Term Financial Plan. The attached 2026/27 draft Budget, results in an operating surplus of \$6.05 million, and an operating surplus before capital grants of \$1.97 million. From a cash perspective, Council is forecasting a small deficit of \$157k in General Fund with balanced budgets in the Water and Sewer Funds.

All documents are required to go on public exhibition for 28 days, with final adoption before 30 June 2026.

RECOMMENDATION:

That Council:

- 1 Endorses the following Draft IP&R documents for public exhibition period of 28 days:**
 - a) Draft 2026/27 Annual Budget**
 - b) Draft 2026/27 Statement of Revenue Policy**
 - c) Draft 2026/27 Schedule of Fees & Charges**
 - d) Draft 2026-2036 Long Term Financial Plan**
- 2 Endorses the changes to the Delivery Program Actions as per Table 1.**
- 3 Notes that in accordance with the IP&R guidelines, community feedback will be collated and reviewed, with proposed updates to the documents made, and will come to Council in June for consideration for final adoption.**

OPTIONS:

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

DISCUSSION:**Draft 2026/27 Annual Budget**

In summary, Council's total estimated operating revenue for the 2026/2027 financial year is \$62.16 million, with estimated operating expenditure of \$56.11 million. This results in an operating surplus of \$6.05 million, and an operating surplus before capital grants of \$1.97 million. From a cash perspective, Council is forecasting a small deficit of \$157k for the year.

Council is also planning to invest \$17.91 million in Capital Works during the 2026/2027 financial year.

ITEM 9.2 2026/27 DRAFT BUDGET, 2026/27 DRAFT STATEMENT OF REVENUE POLICY AND 2026/27 DRAFT FEES & CHARGES, CHANGES TO THE 2025-2029 DELIVERY PROGRAM AND 2026/27 OPERATIONAL PLAN, AND DRAFT 2026 TO 2036 LONG TERM FINANCIAL PLAN

Draft 2026/27 Statement of Revenue Policy

The Operational Plan must include council's Statement of Revenue Policy for the year covered by the Operational Plan. The Revenue Policy must include the following:

- a statement with respect to each ordinary rate and each special rate proposed to be levied
- each charge proposed to be levied
- the types of fees proposed to be charged by the council
- council's proposed pricing methodology for determining the proposed fees and charges
- the amounts of any proposed borrowings (Council proposes not to borrow any loan funds during the 2026/2027 financial year).

Draft 2026/27 Schedule of Fees & Charges

The Fees and Charges are a statutory reporting requirement to establish each individual fee and charge that Council charges. The Schedule of Fees and Charges is attached to this report.

Draft 2026/27 - 2035/36 Long Term Financial Plan

The Long-Term Financial Plan (LTFP) must be for a minimum of 10 years and must be reviewed and updated at least annually as part of the development of the Operational Plan. The Long-Term Financial informs decision-making and demonstrates how the objectives of the CSP and commitments of the DP and OP will be resourced and funded. The LTFP must include:

- projected income and expenditure, balance sheet and cash flow statement
- planning assumptions
- sensitivity analysis, highlighting factors and assumptions most likely to impact the LTFP
- financial modelling for different scenarios
- methods of monitoring financial performance
- major capital and operational expenditure implications

Delivery Program and Operational Plan

After consultation with staff, it is proposed that the following changes be made to the Delivery Program Actions:

Table 1

DP Action (current)	Proposed Change
1.4.8 – Develop Event Strategy	Move from 25/26 to 26/27 (budgeted 26/27).
4.3.3 – Develop Town Entrance Masterplan	Move from 25/26 to 26/27 and change to read: <i>“Develop Signage Strategy and Style Guide that includes wayfinding and town entrance signage, including the review of any supporting policy, procedure, and guidelines”</i> .
4.3.4 – Enhance the visitor experience through delivery of educational workshops and industry development programs to support the development of new and existing experiences and increasing businesses and experiences listed on the Australian Tourism Data Warehouse	Needs to be split into two pieces of work: - 4.3.4 Enhance the visitor experience through delivery of educational workshops and industry development programs to support the development of new and existing experiences - 4.3.5 Increase businesses and experiences listed on the Australian Tourism Data Warehouse (delivery across the four-year period as an ongoing piece of work).
1.1.9 – Develop dual signage in libraries to incorporate Gumbaynggirr language Signage developed, incorporating QR codes	Move from 27/28 to 28/29 to allow time to complete.
1.4.7 – Deliver annual “Library Lovers” day event	Change this to “Deliver community programs, educational events and cultural experiences through our libraries”.

ITEM 9.2 2026/27 DRAFT BUDGET, 2026/27 DRAFT STATEMENT OF REVENUE POLICY AND 2026/27 DRAFT FEES & CHARGES, CHANGES TO THE 2025-2029 DELIVERY PROGRAM AND 2026/27 OPERATIONAL PLAN, AND DRAFT 2026 TO 2036 LONG TERM FINANCIAL PLAN

4.4.4 – Support local opportunities by advocating local growers and producers in local supply chains	Change to “Support partnerships that provide opportunities for local growers and producers within local supply chains”.
Service Reviews (pg 23)	Remove “Aged and Disabled Services”, “Health Management” and “Youth Facilities” as we do not deliver these services.

The Financial Forecast section at the back of the DP/OP will change in line with the adopted budget.

CONSULTATION:

Councillors
Executive Leadership Team
MANEX

SUSTAINABILITY ASSESSMENT:

Economic

The LTFFP indicates ongoing financial sustainability.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Budget not adopted by 30 June will cause shutdown of Council.	L	H	Adopt budget by 30 June	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:

Direct and indirect impact on current and future budgets

See budget details, shows Council is projecting a operating surplus of \$6.05 million, and an operating surplus before capital grants of \$1.97 million

Working funds – justification for urgency and cumulative impact

See budget details, shows Council is projecting cash deficit of \$157,000.





Impacts on 10 Year Long Term Financial Plan

Refer to Long Term Financial Plan. Shows that Council is financially sustainable over the life of the plan.

Service level changes and resourcing/staff implications

No Impacts

ATTACHMENTS:

- 1  16919/2026 - Draft Budget Report 2026 - 2027
- 2  16719/2026 - Draft Statement of Revenue Policy 2026/27
- 3  16716/2026 - Draft Fees and Charges 2026 -2027
- 4  16718/2026 - Draft Long Term Financial Plan 2026/27 - 2035/36

GENERAL MANAGER'S REPORT

ITEM 9.3 SF3528 220426 INVESTMENT REPORT FOR MARCH 2026

AUTHOR/ENQUIRIES: Evan Webb, Chief Financial Officer

SUMMARY:

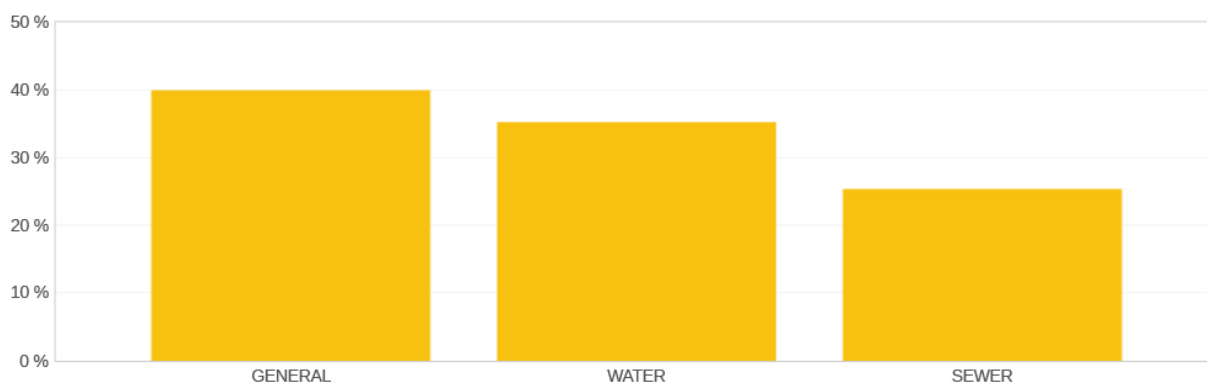
The purpose of this report is to provide a statement of Council's investments held for the period March 2026.

Council's investments as at 31 March 2026 of \$62,741,866 are split up as below:

Allocation as at 31/03/2026

Code	Number of trades	Invested (\$)	Invested (%)
GENERAL	13	24,941,866.30	39.75
WATER	15	22,000,000.00	35.06
SEWER	8	15,800,000.00	25.18
TOTALS	36	62,741,866.30	100.0

Allocation Distribution as at 31/03/2026



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

OPTIONS:

This report is for information only.

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*.

ITEM 9.3 INVESTMENT REPORT FOR MARCH 2026

Investment Portfolio

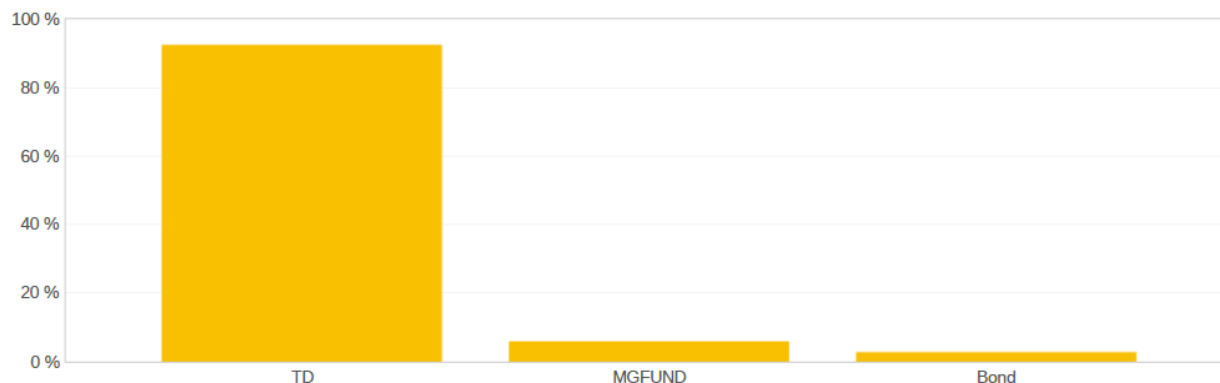
For the period March 2026, the investments held by Council is shown below:

	Last Month	Current Month
TCorp	\$3,595,745	\$3,441,866
Fixed Bonds	\$1,500,000	\$1,500,000
Term Deposits	\$54,300,000	\$57,800,000
Total	\$59,395,745	\$62,741,866

Asset Class as at 31/03/2026

Code	Number of Trades	Invested (\$)	Invested (%)
TD	34	57,800,000.00	92.12
MGFUND	1	3,441,866.30	5.49
Bond	1	1,500,000.00	2.39
TOTALS	36	62,741,866.30	100.0

Asset Class Distribution



Portfolio Performance

Council’s total portfolio performance returned +0.11% in March, underperforming the benchmark AusBond Bank Bill index of +0.32%. On an annualised basis, the portfolio returned +1.29p.a., underperforming the benchmark of +3.81%p.a. The Reserve bank of Australia official cash rate increased by 0.25 basis points to 4.10%.

Term deposits provided a solid return this month, whilst the TCorp Fund was the ultimate detractor from performance as shares were sold off. Despite the volatility in the TCorp Fund, long term it is still council’s best performing asset.

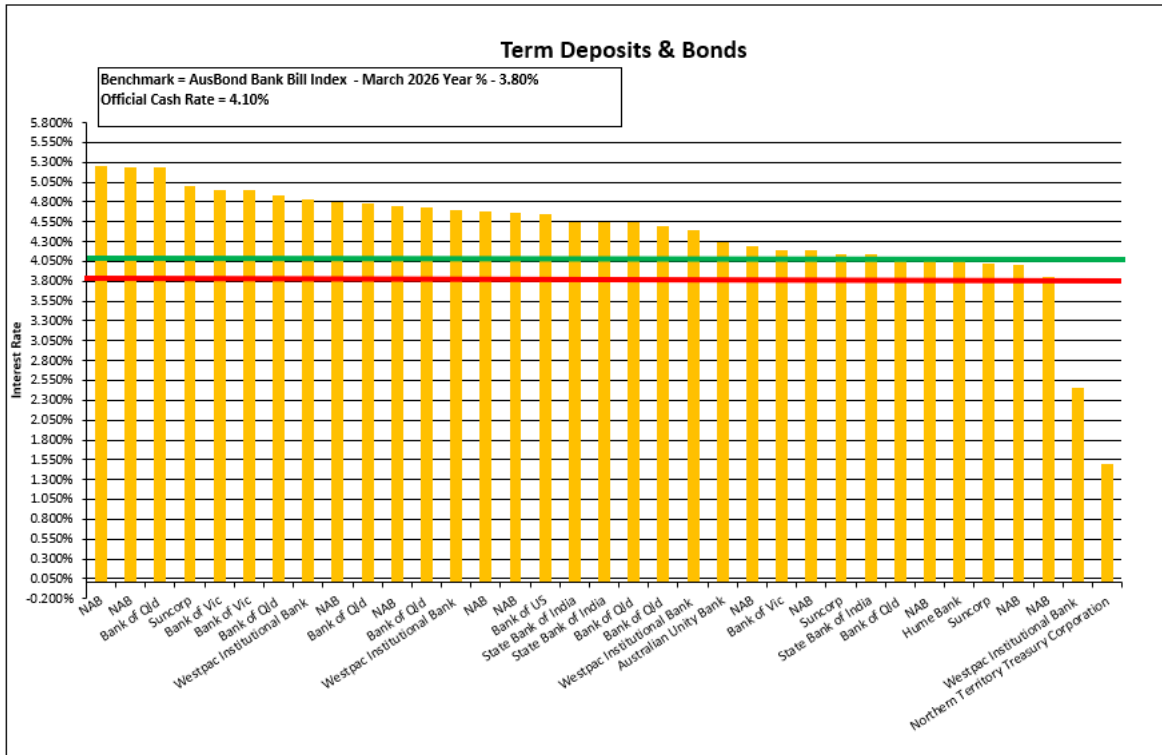
Council’s term deposits portfolio yielded 4.49% p.a. for the month of March. Term deposits provided another strong return this month.

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 negative return for the month of March of -4.28%. Domestic and global share markets experienced significant volatility and declines over March, driven largely by the escalation of conflict in the Middle East, specifically involving Iran. Funds held with TCorp are looked at with a long-term view.

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

ITEM 9.3 INVESTMENT REPORT FOR MARCH 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.

ITEM 9.3 INVESTMENT REPORT FOR MARCH 2026

Table 1: Maturity Compliance

Maturity Compliance as at 31/03/2026

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	13,500,000.00	21.52	3.00	100.00	49,241,866.30
✓	91 - 365 days	26,800,000.00	42.72	0.00	100.00	35,941,866.30
✓	1 - 2 years	11,000,000.00	17.53	0.00	70.00	32,919,306.41
✓	2 - 5 years	8,000,000.00	12.75	0.00	50.00	23,370,933.15
✓	5 - 10 years	3,441,866.30	5.49	0.00	25.00	12,243,600.28
TOTALS		62,741,866.30	100.00			

Maturity Compliance

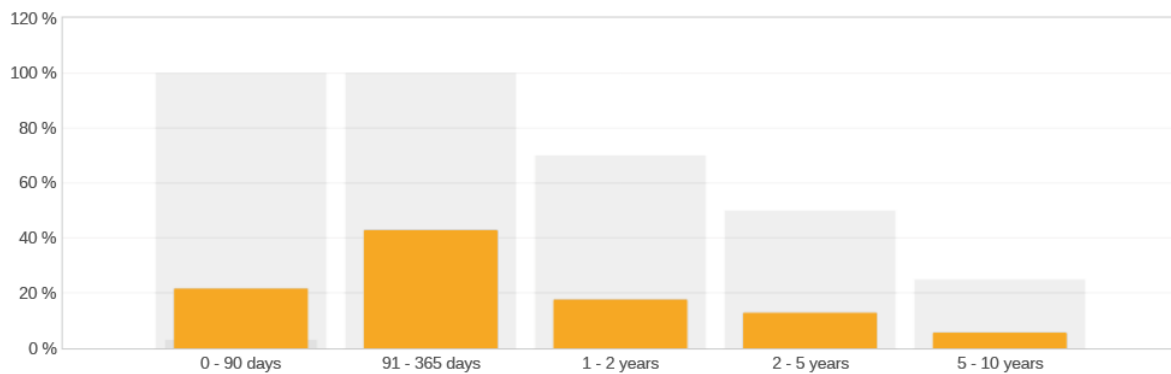


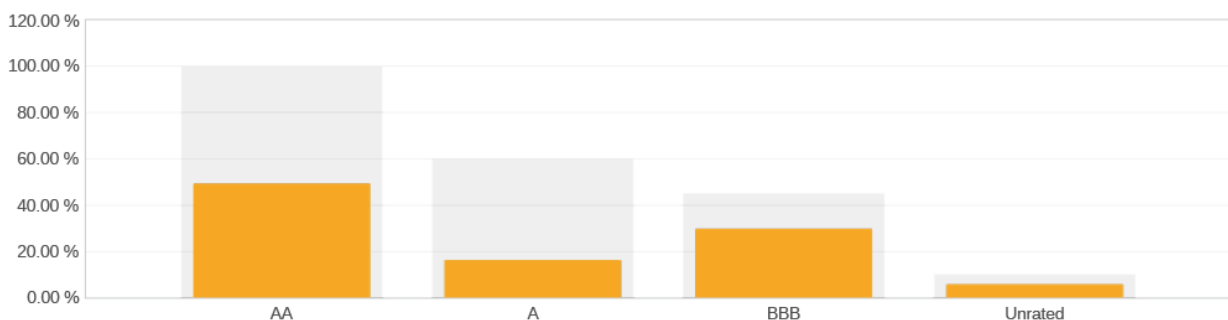
Table 2: Credit Rating and Counterparty Compliance

Credit Quality Compliance as at 31/03/2026

Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AA	30,800,000.00	49.09	100.00	31,941,866.30
✓	A	10,000,000.00	15.94	60.00	27,645,119.78
✓	BBB	18,500,000.00	29.49	45.00	9,733,839.83
✓	Unrated	3,441,866.30	5.49	10.00	2,832,320.33
TOTALS		62,741,866.30	100.00		

Credit Quality Compliance - Long Term Investments



ITEM 9.3 INVESTMENT REPORT FOR MARCH 2026**Counterparty Compliance** as at 31/03/2026**Long Term Investments**

Compliant	Bank Group	Term	Rating	Invested (\$)	Invested (%)	Limit (%)	Limit (\$)	Available (\$)
✓	NAB	Long	AA-	16,500,000.00	26.30	30.00	-	2,322,559.89
✓	ANZ Bank	Long	AA-	4,500,000.00	7.17	30.00	-	14,322,559.89
✓	Northern Territory Treasury	Long	AA-	1,500,000.00	2.39	30.00	-	17,322,559.89
✓	Westpac	Long	AA-	8,300,000.00	13.23	30.00	-	10,522,559.89
✓	BOQ	Long	A-	10,000,000.00	15.94	20.00	-	2,548,373.26
✓	Bank Australia	Long	BBB+	1,000,000.00	1.59	15.00	-	8,411,279.95
✓	Hume Bank	Long	BBB+	2,000,000.00	3.19	15.00	-	7,411,279.95
✓	BankVic	Long	BBB+	8,500,000.00	13.55	15.00	-	911,279.95
✓	Bank of Us	Long	BBB+	1,000,000.00	1.59	15.00	-	8,411,279.95
✓	State Bank of India	Long	BBB	6,000,000.00	9.56	15.00	-	3,411,279.95
✓	NSWTC IM LTGF	Long	Unrated	3,441,866.30	5.49	10.00	-	2,832,320.33
TOTALS				62,741,866.30	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 March 2026 report page 2:*

Financial markets remain volatile as the Middle East conflict continues to dampen risk sentiment, with the conflict becoming more protracted and strategically broader. The market remains focussed on the inflation consequences of the disruptions, from which central bank expectations have repriced sharply.

In the deposit market, over March, at the short-end of the curve (12 months and less), the average deposit rates offered by the domestic major banks was up to 35bp higher compared to where they were the previous month (February) after the RBA lifted official rates by a further 25bp. At the longer-end of the curve (1-5 years), the average rates were also up to 35bp higher compared to where they were the previous month. Markets are pricing in another two rate hikes for 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 March was \$212,198.74 totalling \$1,859,302 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.

ITEM 9.3 INVESTMENT REPORT FOR MARCH 2026

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  16507/2026 - Investment Report March 2026
- 2  16508/2026 - Arlo Advisory Investment Report March 2026

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 10.1 SF1031 220426 LEASING AND LICENSING POLICY

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

SUMMARY:

Council has no current policy in relation to Leasing and Licencing. A new Leasing and Licencing Policy has been developed to provide a framework for a transparent process and ensure Council acts in accordance with relevant legislation and in the best interests of the community.

RECOMMENDATION:

That Council:

- 1 Endorses the new draft Leasing and Licencing 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.**

OPTIONS:

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

DISCUSSION:

Council provides a wide range of community facilities which help meet the diverse needs of its residents. It also owns, manages and leases land and buildings to provide these community facilities, and serve a commercial return. This new Policy sets out the way community facilities, and commercial buildings may be leased and licenced by individuals, organisations and businesses. It provides direction on lease and licence terms, responsibilities and rental charges, as well as the process for offering new leases and licences.

CONSULTATION:

ELT
Policy to be placed on public exhibition for 28 days

SUSTAINABILITY ASSESSMENT:

Environment

N/A

Social

Subsidies for community organisations can help deliver important community services

Economic

N/A

ITEM 10.1 LEASING AND LICENSING POLICY

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
<ul style="list-style-type: none"> • Inconsistent decision-making that may lead to perceived or actual unfairness • Financial risk by undercharging or missing CIP adjustments • Legal Compliance exposure (eg LG Act and Crown Land Management Act) • Poor Asset Management (eg tenants not maintaining property) 	M	M	Decision making and lease/licence management guided by Policy	L

Delivery Program Action

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

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

FINANCIAL IMPLICATIONS:

The income from leasing and licensing is factored into Councils current and future budgets. The Policy sets the balance between obtaining a fair market return and supporting community not-for-profit organisations deliver services to the community.

Direct and indirect impact on current and future budgets

N/A.


Working funds – justification for urgency and cumulative impact

N/A.

Service level changes and resourcing/staff implications

N/A.

ATTACHMENTS:

1  51613/2025 - G 47 Draft POLICY - Leasing and Licencing of Council Properties

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

**ITEM 10.2 SF1092 220426 DRAFT CORONATION PARK AND COMMUNITY LANDS
PLANS OF MANAGEMENT FOR PUBLIC EXHIBITION AND SEEK APPOINTMENT TO
BECOME CROWN LAND MANAGER TO DEVOLVED CROWN LAND**

AUTHOR/ENQUIRIES: Rochelle McMurray, Property and Governance Officer

SUMMARY:

Section 3.23 (6) & (7) of the Crown Land Management Act 2016 requires Council to adopt a Plan of Management for each reserve for which it is appointed as Crown Land Manager. Each Plan of Management must be prepared in accordance with the Crown Land Guidelines.

As part of the Draft Plan of Management (POM) approval process, Council must refer the draft Plan of Managements to the Department of Planning and Environment – Crown Lands for the approval of the Minister Administering the Crown Lands Management Act 2016, before putting it out for public consultation. This report seeks Councils endorsement to seek such approval to proceed to public exhibition from the Minister.

RECOMMENDATION:

That Council:

- 1 Seeks approval from the Minister to place both Community Land Plan of Management and Coronation Park Plan of Management on public exhibition for 42 days as per Section 39 of the *Local Government Act, 1993*.**
- 2 If no submissions are received during the exhibition period delegation be given to the General Manager to seek Crown Land Minister consent to adopt both Community Land Plan of Management and Coronation Park Plan of Management.**
- 3 Applies to the Minister to become Crown Land Manager of devolved parcels Lot 7004 DP 1055532 which holds integral water and sewer infrastructure and Lot 279 DP 1041844 to support in any future development of Community Childcare needs.**

OPTIONS:

- 1 Adopt the recommendation.
- 2 Reject the recommendation. Adoption of this option would prevent Council meeting its statutory obligations under the CLM Act and LG Act.

BACKGROUND:

Section 3.23 (6) & (7) of the *Crown Land Management Act 2016* (CLM Act) requires Council to adopt a Plan of Management (POM) for each reserve for which it is appointed as Crown Land Manager. Each Plan of Management must be prepared in accordance with the Crown Land Guidelines.

Council has four current POM's - Gordon Park Reserve 88151, Anzac Park Reserve 85113, Bowraville Race Course 540002 and Wellington Park 81262. These are on Council's website.

Council did have some very old past due POMs dated from 2008. Coronation Park was one of these. Upon investigation by staff with a budget bid decision, it was decided to keep the Coronation Park a site specific POM after requests from user groups to start looking at major upgrades.

All other Community Land (including council owned and Crown Land) was to be included in a generic POM covering the LGA.

ITEM 10.2 DRAFT CORONATION PARK AND COMMUNITY LANDS PLANS OF MANAGEMENT FOR PUBLIC EXHIBITION AND SEEK APPOINTMENT TO BECOME CROWN LAND MANAGER TO DEVOLVED CROWN LAND

Councils are also required to manage devolved reserves consistent with the reserve purpose and subject to other relevant legislative requirements, undertake minor improvements, restoration work, maintenance and works for public safety.

However, councils are not able to grant any tenures over devolved land and the nature and extent of development is limited.

It is proposed that, if Council were appointed the Crown Land Manager under the *Crown Land Management Act 2016* (CLM Act) for Whole: Lot 7004 DP 1055532 and Whole: Lot 279 DP 1041844. It would be permitted to pursue broader management and development opportunities for the two parcels.

Crown Land Reg Number	Gazetted Reserve Number	Reserve Type & Purpose	Lots	Reserve Name/location
R88547	88547	RESERVE/Public Recreation	Whole: Lot 7004 DP 1055532 Parish Nambucca County Raleigh	Williams Park: Creek street next to NH Bowl Club holding Council Water main traversing Lot, and Sewer gravity and pressure mains - critical Infrastructure
R89993	89993	RESERVE/Public Recreation	Whole: Lot 279 DP 1041844 Parish Congarinni County Raleigh	next to Macksville Preschool and could be developed further for community childcare needs.

DISCUSSION:

Under Section 3.23 of the *Crown Land Management Act 2016*, Council must initially assign a category of use that they consider to be most closely related to the purpose(s) that the land is dedicated or reserved. In accordance with the guidelines set out in the Local Government (General) Regulation 2021 and Practice Note 1: Public Land Management (Department of Local Government Amended 2000) and the derived management direction and planning principles, the land listed in the generic POM should be categorised as Community Land.

Whilst drafting the POM's attached to this report, council's Property and Governance Officer worked closely with council's Consultant LANDSAS, working through councils Land Register and ensuring correct categorisation of community land and council land. Some reserves have been updated to have multiple categories, and we will be applying to Crown lands this way. Once this process is complete and the POM's are resolved Council's Land register will be required to be updated.

Devolved Land: Councils are better off managing applicable land as a Crown Land Manager rather than under devolved management. Appointment as Crown Land Manager provides a more flexible management regime and provides Council with clearer authority. Generally, the only time it is not wise to become the Crown Land Manager is when the site has issues relating to contamination, or areas such as Cemeteries. Council should also be aware that when it is appointed as Crown Land Manager it can only be revoked with the Minister's Consent.

There are no identified contamination issues within the land parcels council is requesting, and management of the land is consistent with other Crown Reserves and will facilitate a consistent approach to the two reserves we are requesting.

Attached to this report:

Draft Community Lands Nambucca Valley Council Generic Plan of Management
Draft Coronation Park Plan of Management

ITEM 10.2 DRAFT CORONATION PARK AND COMMUNITY LANDS PLANS OF MANAGEMENT FOR PUBLIC EXHIBITION AND SEEK APPOINTMENT TO BECOME CROWN LAND MANAGER TO DEVOLVED CROWN LAND

CONSULTATION:

ELT
 Environmental Project Officer
 Green Space Coordinator
 Community Development Officer
 Lands and Advisory Services
 Coronation Park Committee of Management

SUSTAINABILITY ASSESSMENT:

Environment

Once adopted, the PoM's authorises strategies and permissible actions within the reserve.

Social

There are no uses or management actions authorised in the draft PoM's that represent any form of reduced community access to the reserves.

The general public will be consulted during this process providing opportunity through the Public Exhibition process.

Economic

Once the draft is adopted it will allow opportunities for economic growth transforming reserves into better managed public assets.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Not adopting a PoM under the <i>Crown Land Management Act 2016</i> guidelines Council's capacity is limited in performing future functions and in leasing and licensing land within the Reserve	M	M	Create, implement POM's with consultant as per the guidelines	L

Delivery Program Action

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

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

FINANCIAL IMPLICATIONS:

Direct and indirect impact on current and future budgets

Budget was allocated to have Consultant carry out main research and Native Title searches into creation of the Plans of Management.

Working funds – justification for urgency and cumulative impact

No impact

ITEM 10.2 DRAFT CORONATION PARK AND COMMUNITY LANDS PLANS OF MANAGEMENT FOR PUBLIC EXHIBITION AND SEEK APPOINTMENT TO BECOME CROWN LAND MANAGER TO DEVOLVED CROWN LAND



Impacts on 10 Year Long Term Financial Plan

Adopting the recommendation presents no known impacts on the 10 year Long Term Financial Plan

Service level changes and resourcing/staff implications

Adopting the recommendation will have no further impact.

ATTACHMENTS:

- 1  7436/2026 - Draft - Nambucca Valley Generic community lands Plan of Management
- 2  7435/2026 - Draft - Coronation Park Plan of Management

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 10.3 SF3409 220426 MINUTES OF THE DISABILITY ACCESS AND INCLUSION COMMITTEE MARCH 2026

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Coordinator

SUMMARY:

There was no Quorum for the Nambucca Valley Council Disability Access and Inclusion Committee meeting held Tuesday 24 March 2026. Attached are notes of discussion with those present.

RECOMMENDATION:

That Council notes the discussion notes of the Disability Access and Inclusion Committee 24 March 2026.

OPTIONS:

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

DISCUSSION:

Attendees for the meeting discussed provision of disability parking in Nambucca Heads based on lived experience. This discussion is noted in the attached notes and images provided.

Please note Delivery Program 4.1.1 Develop Nambucca Heads Town Centre masterplan could inform the needs of disability parking in Nambucca Heads CBD.

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.

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  14337/2026 - NV DAIC Meeting notes - 24 March 2026

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

ITEM 10.4 SF3586 220426 MINUTES OF DUGUULA-BINDARRAY-GARRI ABORIGINAL ADVISORY COMMITTEE

AUTHOR/ENQUIRIES: Jocelyn Box, Community Development Officer

SUMMARY:

Duguula Bindarray-Garri Nambucca Valley Council Aboriginal Advisory Committee met on 31 March 2026.

RECOMMENDATION:

That Council notes the Minutes of the Duguula Bindarray-Garri Aboriginal Advisory Committee meeting held on 31 March 2026.

OPTIONS:

For Information only.

DISCUSSION:

- Cemetery Policy
- Valla Urban Growth Area
- Destination NSW Update
- Reconciliation Action Plan
- Maritime Services
- Large Signage entering Gumbaynggirr Country
- NAIDOC
- Community Land and Contract
- Event Forms

•—Guest Speakers: Cultural Burns Foreshore Scotts Head: Angel Williams and Dean Kelly

CONSULTATION:

Aboriginal Advisory Committee.

SUSTAINABILITY ASSESSMENT:

Environment

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

Social

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

Economic

Aboriginal issues and needs are included in decision-making.

Risk Analysis

Nil.

Delivery Program Action

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


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

ITEM 10.4 MINUTES OF DUGUULA-BINDARRAY-GARRI ABORIGINAL ADVISORY COMMITTEE

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

1  16123/2026 - MInutes- Duguula Bindarray - Garri 2026_3_31

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 11.1 SF529 220426 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.

BACKGROUND:

This report was presented to the meeting on 25 March 2026 with the following resolution made:

72/26 RESOLVED:(Angel/MacSmith)

That Council defer the report to Council's April meeting and hold a strategic planning session.

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.

ITEM 11.1 DRAFT RURAL RESIDENTIAL STRATEGY

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?

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?

ITEM 11.1 DRAFT RURAL RESIDENTIAL STRATEGY

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.

- 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 11.2 SF396 220426 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - 1 NELSON STREET, NAMBUCCA HEADS

AUTHOR/ENQUIRIES: Daniel Walsh, Manager Development and Environment

Summary:

This report recommends an amendment to the Nambucca Local Environmental Plan 2010 to rezone Lot 538 DP 822781 - 1 Nelson Street, Nambucca Heads from RE1 Public Recreation to MU1 Mixed Use.

The rezoning is recommended as the existing public recreation zoning is inappropriate due to the land being privately owned and the zoning being overly restrictive to any practical development of the land.

RECOMMENDATION:

That Council forward a planning proposal to the Minister for Planning for gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, which:

- a. **Rezones Lot 538 DP 822781 - 1 Nelson Street, Nambucca Heads from RE1 Public Recreation to MU1 Mixed Use.**
- b. **Implements a 12m maximum building height on Lot 538 DP 822781 & Lot 2 DP 506277 – 1 Nelson Street, Nambucca Heads.**

OPTIONS:

- 1 Make the recommended amendment to the Nambucca Local Environmental Plan 2010 (LEP) with or without changes.
- 2 Not proceed with an amendment to the LEP.

BACKGROUND:

Lot 538 DP 822781 - 1 Nelson Street, Nambucca Heads (the lot) is part of the Motel Miramar and contains the motel's carpark and swimming pool. An aerial photo illustrating the lot outlined blue is provided below. The Motel Miramar is located on the adjoining Lot 2 DP 506277.

ITEM 11.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - 1 NELSON STREET, NAMBUCCA HEADS



The lot is currently zoned RE1 Public Recreation; however, the existing motel on the adjoining lot and properties to the north are zoned MU1 Mixed Use as can be seen in the below zoning map.



ITEM 11.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - 1 NELSON STREET, NAMBUCCA HEADS

The lot has an area of 936m² and was historically Crown land and subject to a permissive occupancy (now referred to as a Crown licence) which benefited the owners of the adjoining Motel Miramar. The permissive occupancy was in force from the late 1960s and conferred certain rights upon the motel as to its use of the lot, including carparking and other purposes.

On 28 November 1979 Council granted approval for the construction of the swimming pool on the lot under BA1979/146.

On 23 April 1990 Council issued development consent No.2186 for alterations and additions to the adjoining Motel Miramar which required the provision of additional parking spaces within the lot to cater for the increased traffic generated by the enlarged motel.

The lot has since been sold and is now in private ownership, with no restrictions on its title with regards to the use or development of the lot.

The lots current RE1 Public Recreation zoning is a mapping error as it is the result of its former zoning as 6(a) Public Recreation under the Nambucca Local Environment Plan 1995 being carried through as RE1 Public Recreation to the current Nambucca Local Environmental Plan 2010 (LEP).

On 17 August 2023 Council considered a report which recommended rezoning the lot to the MU1 Mixed Use zone. However, Council did not resolve to proceed with the amendment.

On 12 December 2025 a development application was received for the erection of a 12m high serviced apartment building on the lot. However, due to tourist and visitor accommodation (serviced apartments) being prohibited on the lot and the inability to rely on existing use rights of the existing Miramar Motel to expand onto the lot, the development application was withdrawn.

DISCUSSION:

The RE1 Public Recreation zoning of the lot is considered inappropriate as it is not public land.

Below is an extract of the land use table from the LEP for the existing zone:

Zone RE1 Public Recreation**1 Objectives of zone**

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To identify proposed or existing publicly owned land that is used or is capable of being used for the purpose of active or passive recreation.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Advertising structures; Aquaculture; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Educational establishments; Environmental facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads

4 Prohibited

Any development not specified in item 2 or 3

Given the lot is privately owned the zone objectives conflict with the lots current approved private use.

In addition to this, zoning the lot public recreation could be seen as showing intent to reserve it for the purposes of public open space under section 3.14 of the Environmental Planning & Assessment Act 1979 (the act).

ITEM 11.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - 1 NELSON STREET, NAMBUCCA HEADS

Doing so exposes Council to potential proceedings being commenced by the land owner seeking acquisition of the land under section 23 of the Land Acquisition (Just Terms Compensation) Act 1992. Such proceedings could be brought where the land owner can demonstrate they have suffered hardship. This includes being unable to sell the land at market value due to its designation.

The current zoning of the lot is restrictive with regards to future development of the land. This can be seen in the above land use table and recent proposed development application.

To rectify the incorrect zoning it is recommended that the lot be rezoned MU1 Mixed Use to be consistent with the existing use of the adjoining lot which contains the Miramar Motel and the adjoining lots to the north. An extract of the land use table for this zone is shown below.

Zone MU1 Mixed Use**1 Objectives of zone**

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Animal boarding or training establishments; Camping grounds; Caravan parks; Correctional centres; Eco-tourist facilities; Extractive industries; Forestry; Freight transport facilities; Helipads; Industrial training facilities; Industries; Liquid fuel depots; Resource recovery facilities; Roadside stalls; Rural industries; Rural workers' dwellings; Sex services premises; Transport depots; Truck depots; Wharf or boating facilities

It is also recommended to amend the height of building map as there is currently no maximum building height control in the LEP for the lot. It is recommended to place a 12m maximum building height on the lot and adjoining motel lot (Lot 2 DP 506277) as it would provide a reasonable transition from the 14m maximum building height of the upslope land on the northern side of Nelson Street and would result in negligible view impacts on surrounding land due to existing building design, topography and existing vegetation.

Below is an extract of the existing building height map for the lot.

ITEM 11.2 AMENDMENT TO THE NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 - 1 NELSON STREET, NAMBUCCA HEADS



CONSULTATION:

Land owner as part of the development application process.

SUSTAINABILITY ASSESSMENT: The proposed amendment will not result in any significant environmental, social or economic impacts.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Risk Assessment
Legal action	M	H	Proposed recommendation	L

Delivery Program Action

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

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORT

ITEM 11.3 SF3410 220426 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
2025/266	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
2026/036	26 February 2026	Function Centre	Lower Buckra Bendinni Road, Buckra Bendinni
STATUS: 1 submission received. Awaiting referral response from RFS before determination.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2026/039	18 March 2026	Dual Occupancy	2 Tuna Street, Valla Beach
STATUS: 1 submission received. Assessment being finalised.			
DA NUMBER	DATE OF RECEIPT	PROPOSAL	ADDRESS
2026/048	11 March 2026	4 Lot Subdivision	158 Irvines Road, Newee Creek

ITEM 11.3 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

STATUS: 1 submission received. Waiting for RFS general terms of approval before finalising assessment.

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 12 March and 10 April 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 11.4 SF3683 220426 NAMBUCCA HEADS MASTER PLAN - COMMUNITY REFERENCE GROUP

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

SUMMARY:

This report seeks endorsement of the Terms of Reference to establish a Community Reference Group for the preparation of the Nambucca Heads CBD Masterplan.

RECOMMENDATION:

That Council:

- 1 Adopts the Terms of Reference for the Community Reference Group.**
- 2 Advertises for members in accordance with the Terms of Reference.**
- 3 Selects a Councillor representative to be on the Community Reference Group.**

OPTIONS:

- 1 Do nothing
- 2 Proposed recommendation
- 3 Alternative option – Change the Terms of Reference

DISCUSSION:

Council has previously resolved to prepare a masterplan for the Nambucca Heads CBD and establish a Community Reference Group (CRG).

As part of the master planning process there will be broad community consultation along with a CRG.

The CRG is being established to help inform the preparation of the Master Plan. The CRG is not a decision-making group, rather a reference group for proposed outcomes. The recommended Terms of Reference is contained within **attachment 1**.

CONSULTATION:

Manager Economic Development

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Need to engage widely with the community for broad acceptance of the Masterplan	M	M	Undertake Broad Community consultation and establish a CRG	L

Delivery Program Action


4.1 - Beautify town centres and villages to generate vitality and activity that supports additional and more diverse businesses

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

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

- 1  17140/2026 - Terms of Reference

ITEM 11.4 NAMBUCCA HEADS MASTER PLAN - COMMUNITY REFERENCE GROUP

DIRECTOR ENGINEERING SERVICES REPORT

**ITEM 12.1 SF1575 220426 TRANSPORT INFRASTRUCTURE ASSET MANAGEMENT
PLAN FY 2025/2044**

AUTHOR/ENQUIRIES: Mathias De Souza, Manager Assets

SUMMARY:

At its meeting held 17 September 2025 Council adopted the Strategic Asset Management Plan, Transport Infrastructure Asset Management Plan and Bridges Asset Management Plan (RESOLUTION 0275/25 Jenvey/Smith).

At that time Council staff made a commitment based on submissions to undertake further minor updates the Transport Infrastructure Asset Management Plan (Table D2-10 Year Forecast Renewal) to include kilometre reference points (road chainage) and road class.

This report is to advise Council the requested minor changes have since been made to the Transport Infrastructure Asset Management Plan along with minor amendments to the Bridges Asset Management Plan, and following consideration, will be updated in Council's records and public document receptacles.

RECOMMENDATION:

That Council:

- 1 Adopts the revised Transport Infrastructure Asset Management Plan**
- 2 Adopts the revised Bridges Asset Management Plan.**

OPTIONS:

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

DISCUSSION:

In 2025, Council undertook public advertisement and adoption of the Strategic Asset Management Plan, Transport Infrastructure Asset Management Plan and Bridges Asset Management Plan. While developing these documents, various community groups and individuals provided comments and suggestions over the 28-day consultation period, including a request that the Transport Infrastructure Asset Management Plan include kilometre reference points (road chainage) and road class.

At the time of adoption, Council made a commitment to review the requested changes and have updates made when resources became available. The Transport Infrastructure Asset Management Plan has been updated accordingly along with minor amendments to the Bridges Asset Management Plan.

The changes made to both Asset Management Plans were minor in nature and do not fundamental changes to the content, assumptions or underlying data as part of this revision. Changes in underlying assumptions or data are expected to occur during a major revision of these Plans, and this will likely occur in the same year of revaluation of the respective asset class (every 5 years). Where resources permit and as asset management in the organisation matures, Council may undertake more frequent major revisions.

CONSULTATION:

Nil.

SUSTAINABILITY ASSESSMENT:

The Strategic Asset Management Plan, Transport Infrastructure Asset Management Plan, and Bridges Asset Management Plan have been developed to support and enhance Council's Environmental, Social and Economic aspirations.

ITEM 12.1 TRANSPORT INFRASTRUCTURE ASSET MANAGEMENT PLAN FY 2025/2044

Environment

Nil.

Social

Nil.

Economic

Nil.

Risk Analysis

Nil.

Delivery Program Action

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



4.2 - Support businesses to grow, including in industrial, commercial and rural areas as well as town centres, and through specialised sector clusters

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

FINANCIAL IMPLICATIONS:

Nil.

ATTACHMENTS:

- 1  12268/2026 - FINAL - NVC - Asset Management Plan - Bridges
- 2  12269/2026 - FINAL - NVC - Asset Management Plan - Transport Infrastructure

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.2 LF3441 220426 DRAINAGE REMEDIATION WORKS AT 45 HIGH STREET BOWRAVILLE

AUTHOR/ENQUIRIES: Matthew Leibrandt, Manager Infrastructure Services

SUMMARY:

Mr Daniel Boermans addressed Council in the Public Forum held on Tuesday 25 November 2025. At its meeting on 26 November 2025, Council resolved the following:

326/25 *RESOLVED:* (*Jenvey/Angel*)

That Council receive a report on removing the concrete bund at 45 High Street, Bowraville in relation to stormwater.

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

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

RECOMMENDATION:

That Council notes the information regarding the drainage remediation works at 45 High Street, Bowraville.

DISCUSSION:

The owner of 45 High Street, Bowraville, has reported ongoing drainage concerns at his property since 2017 and has proposed several potential solutions over that time. The primary issue is that the building entrance is set below the adjacent footpath level, and the upstream stormwater infrastructure has historically been unable to adequately manage high-intensity storm events.

Council undertook drainage upgrade works in 2017 and again in 2021 to provide improved protection to the below-path doorway. These works were carried out in consultation with Mr Boermans, who was optimistic at the completion of each stage that the measures would improve the situation. While the upgrades resulted in some improvement, they did not fully resolve the issue.

More recently, additional works have been completed to further increase stormwater capacity in the kerb and gutter upstream of the property. These works included the removal of a concrete gutter bridge and its replacement with a thinner metal grate, as well as the redirection of two rooftop stormwater outlets into the gutter to reduce hydraulic interference. Mr Boermans has indicated that he is hopeful these measures will provide a long-term solution and will report back to Council's Manager Infrastructure Services on their effectiveness.

The works were completed in March 2026.

ITEM 12.2 DRAINAGE REMEDIATION WORKS AT 45 HIGH STREET BOWRAVILLE



Previous Site layout



New Grate installed and pipe work directed into pit

ITEM 12.2 DRAINAGE REMEDIATION WORKS AT 45 HIGH STREET BOWRAVILLE



New Grate installed and pipe work directed into pit

CONSULTATION:

Director Engineering Services
Manager Technical Services

SUSTAINABILITY ASSESSMENT:**Environment**

N/A

Social

The building at 45 High Street Bowraville is an older building that is set lower than the adjacent footpath. The drainage within the Bowraville town centre was conceived and constructed many years ago using older predictive modelling with updated Australian Rainfall and Runoff (ARR) guidelines predicting an increase in short period high intensity storm events. This will have an effect on property owners of buildings vulnerable to overtopping of drainage infrastructure.

Economic

N/A

ITEM 12.2 DRAINAGE REMEDIATION WORKS AT 45 HIGH STREET BOWRAVILLE**Risk Analysis**

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Works unsuccessful and drainage issues continue	L	L	Monitor with property owner to report of success outcome	L

Delivery Program Action

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

3.3 - Manage the impacts of a changing climate on our local area while ensuring that our communities are resilient to natural disasters

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

Works completed utilising maintenance allocation

Working funds – justification for urgency and cumulative impact

N/A

Impacts on 10 Year Long Term Financial Plan

N/A

Service level changes and resourcing/staff implications

N/A

ATTACHMENTS:

There are no attachments for this report.

DIRECTOR ENGINEERING SERVICES REPORT

ITEM 12.3 SF877 220426 PROFESSIONAL LIFEGUARD SERVICES - SURF LIFE SAVING

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

SUMMARY:

To ensure the safety of residents and visitors during the peak summer period, Council provides funding for a professional lifeguard services at Nambucca Heads, Scotts Head, and Valla Beach. The current 3 year contract expired at the end of January 2026. Given the consistent lack of competitive market interest and the critical nature of the service, this report proposes entering direct negotiations with Surf Life Saving Services Pty Ltd (trading as the Australian Lifeguard Service) for a new five-year service agreement.

RECOMMENDATION:

That Council:

- 1 In accordance with the *Local Government Act (1993)* Section 55(3)(i), due to the unavailability of competitive or reliable tenderers, approves an exemption to inviting tenders.**
- 2 Authorises the General Manager to enter direct negotiations with Surf Life Saving Services Pty Ltd to provide seasonal lifeguard patrols at Nambucca Heads, Scotts Head, and Valla Beach.**
- 3 Approves a contract term of five years, covering the peak season (1 December to 31 January) annually, commencing 1 December 2026 to expire 31 January 2031.**
- 4 Delegates the General Manager authority to finalise and execute the contract and any other documentation required to give effect to this resolution.**

OPTIONS:

- 1 Negotiate directly with Surf Life Saving Services Pty Ltd
- 2 Go to tender noting that previous tender attracted only one interested party being Surf Life Saving Services Pty Ltd
- 3 Do not provide additional services (not recommended)

BACKGROUND:

The Nambucca Valley's surf lifesaving is traditionally maintained by local volunteer clubs at Nambucca Heads and Scotts Head. However, during the peak Christmas holiday period, Council assumes responsibility for ensuring consistent patrol standards to manage increased visitor numbers. Volunteers are used on weekends and some weekdays, however Councils funding ensures paid lifeguards are patrolling the beaches on weekdays when volunteers may not be available eg they are at work or studying.

The previous three-year contract for these services commenced on 1 December 2023 and expired on 31 January 2026. During the 2023 tender process, Surf Life Saving Services Pty Ltd was the sole respondent. Due to this limited market competition and the proven reliability of the current provider, a direct negotiation for a longer five-year term is recommended to ensure service continuity and long-term safety for the community.

DISCUSSION:

The local Government Act (1993) under Section 55 Requirements for Tendering, details when Councils are required to go to tender and also lists exemptions to this requirement. Section 55(3)(i) of the *Local Government Act (1993)*, states:

ITEM 12.3 PROFESSIONAL LIFEGUARD SERVICES - SURF LIFE SAVING

(3) This section does not apply to the following contracts:

- (i) a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders,

Based on the information above, Council (by resolution) can provide an exemption to the requirement for a public tender if it is satisfied that there is a lack of competitive or reliable tenders. Based on the 2023 tender history where only one interested contractor applied, it is proposed that direct negotiation with the incumbent provider be commenced to ensure service continuity and public safety.

Based on the current contract and allowing for escalation in prices the contract is estimated to be \$641,000 over a 5-year period inclusive of GST

CONSULTATION:

Acting Contracts and Procurement Officer
 Manager of Assets
 Director Engineering Services

SUSTAINABILITY ASSESSMENT:

Environment

Lifeguards often act as the ‘eyes and ears’ on the beach, reporting issues like poor water quality, managing illegal four-wheel-drive access, or damage to coastal assets. By designating safe zones with flags, lifeguards effectively concentrate beachgoers in specific areas. This also reduces foot traffic through sensitive dune vegetation, preventing erosion and protecting local biodiversity.

Social

Research shows that the presence of lifeguards significantly decreases negative behaviours such as littering, vandalism, and unauthorized fires, directly improving the local environmental quality.

Economic

The Nambucca Valley's tourism strategy relies heavily on its coastal assets. Professional patrols at Nambucca Heads, Scotts Head, and Valla Beach ensure these locations remain attractive and safe for tourists. Research has found a statistically significant positive correlation between a beachgoer's perception of lifeguard importance, length of stay and their spending at local businesses.

Risk Analysis

Identified	Risk Likelihood (H,M,L)	Impact of risk (H,M,L)	Strategy to manage risk	Residual Risk
Negotiating with existing contractor only	L	L	Confidential negotiation directly with Surf Life Saving with cost saving strategy by offering both direct negotiations, not having to endure the time-consuming tender process and the offer of a longer contract term to encourage an overall cost saving across a five year period	Nil

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

ITEM 12.3 PROFESSIONAL LIFE GUARD SERVICES - SURF LIFE SAVING

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

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

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

Budget will be set for a five (5) year period enabling future expenditure forecasting.

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

By entering direct negotiations, the resourcing of staff to manage procurement processes will not be required.

ATTACHMENTS:

There are no attachments for this report.