



NAMBUCCA VALLEY COUNCIL

EXTRAORDINARY MEETING OF COUNCIL AGENDA ITEMS 21 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

EXTRAORDINARY MEETING OF COUNCIL - 21 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.

AGENDA

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- 1 APOLOGIES
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- 9 GENERAL MANAGER'S SUMMARY OF ITEMS TO BE DISCUSSED IN CLOSED MEETING
 - 9.1 Confidential report - Lot 1 Langsford Way, Valla Beach
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 7 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
- 10 MEETING CLOSED TO THE PUBLIC
- 11 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 Councillor 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).

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST

- 1 This form must be completed using block letters or typed.
- 2 If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.25 of the Code of Conduct – Councillors and 4.37 of the Code of Conduct - Council for the Nambucca Valley Council (the Codes of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Codes of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Codes of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Codes of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests byin the matter of
 which is to be considered at a meeting of the

 to be held on the.....day of 20

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature:

Date:

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

GENERAL MANAGER'S REPORT

ITEM 8.1 SF3421 210426 LOT 1, LANGSFORD WAY, VALLA BEACH

AUTHOR/ENQUIRIES: Jane MacSmith, Councillor; David Jones, Councillor

SUMMARY:

On 17 April Crs MacSmith and Jones called for an extraordinary council meeting ***“to consider a motion regarding the proposed sale of Lot 1 Langsford Way, Valla Beach”***. The proposed recommendation is as per the below. This 3.22-hectare property is vacant land owned by the NSW Government is scheduled for auction on 22 April 2026.

RECOMMENDATION:

That Council contact relevant Ministers, their heads of Departments and NSW Premier requesting:

- 1) **The postponement of the auction of Lot 1 Langsford Way, Valla Beach, formerly Department of Education land, scheduled for 22 April 2026, to allow for genuine community consultation and consideration of alternative outcomes, and**
- 2) **That the NSW Government give full consideration to working with Nambucca Valley Council on options for the site, including housing outcomes and ecological protection, prior to any disposal.**
- 3) **Authorise the Mayor or General Manager to make direct contact with the Department of Planning, Housing and Infrastructure prior to the auction to negotiate on council's behalf regarding alternative outcomes for the site, including housing sympathetic to the existing village character that creates genuine opportunities for new and younger home buyers and ecological protection.**

OPTIONS:

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

GENERAL MANAGER COMMENTS:

Given the short timeframe involved, it is unrealistic to expect staff will be able to contact the relevant Ministers, their heads of Departments or the NSW Premier to enable the implementation of the proposed resolution.

DISCUSSION:

The following was provided by Crs MacSmith and Jones:

“In October 2025, the NSW Government identified Lot 1 Langsford Way as suitable for approximately 160 dwellings. Following community concern, that figure was subsequently reduced to 60 dwellings. The site was listed for public auction on 12 March 2026 and is scheduled to be sold on 22 April 2026.

Nambucca Valley Council was not consulted by the NSW Government prior to any of these announcements or the listing of this site for sale. Council is the consent authority for any future development of this land yet has had no opportunity to engage with the State on planning, biodiversity, infrastructure or community outcomes before the site was placed on the open market.

A Preliminary Biodiversity Assessment has been completed by the NSW Government but has only been made available to registered prospective buyers. Residents have raised concerns


ITEM 8.1 LOT 1, LANGSFORD WAY, VALLA BEACH

that this assessment was conducted as a desktop evaluation on a single day and did not include nocturnal survey or account for the full seasonal extent of the Oyster Creek wetland.

Residents support housing growth but consider this site poorly suited compared to the Valla Urban Growth Area (VUGA), located approximately 3km away, which already has planning approvals and infrastructure investment in place. Council has been actively seeking additional funding from state and federal government for the residential works that could mean unlocking up to 300 homes in the next 3 years.

A postponement would allow time for Council to be properly briefed on the biodiversity assessment, for genuine community consultation to occur, and for a conversation with the NSW Government about alternative outcomes including housing sympathetic to the existing village character that creates genuine opportunities for new and younger home buyers, ecological protection, or a role for Council in the development of the site”.

ATTACHMENTS:

1  18293/2026 - Request for Extraordinary Meeting