

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 MAY 2026

The following document is the minutes of the Ordinary Council meeting held **27 MAY 2026**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Wednesday **24 JUNE 2026** and therefore subject to change. Please refer to the minutes of **24 JUNE 2026** for confirmation.

PRESENT

Cr Gary Lee (Mayor)
Cr Susan Jenvey
Cr Jane MacSmith
Cr Ljubov Simson

Cr Martin Ballangarry OAM
Cr David Jones
Cr Tamara McWilliam

ALSO PRESENT

David Moloney (Acting General Manager)
Daniel Walsh (Director Development and Environment Services)
Kathryn Reynolds (Minute Secretary)

Kristian Enevoldson (Director Corporate and Community Services)
Suzanne Sullivan (Minute Secretary)

APOLOGIES

Apologies

Cr James Angel
Bede Spannagle (General Manager)

Cr Troy Vance
Evan Webb (Chief Financial Officer)

ACKNOWLEDGMENT OF COUNTRY

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

COUNCIL MEETING AUDIO RECORDINGS

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

PRAYER

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

DISCLOSURE OF INTEREST

Councillor McWilliam declared a non-pecuniary – less significant conflict of interest in *Item 5.1 Notice of Motion - Innovative, Local Place-based Solutions for Increasing Childcare Access in the Nambucca Local Government area* under the Local Government Act as Cr McWilliam is the temporary Centre Director at the Macksville Preschool and Childcare Centre and Director at Lifetime Connect, both have elements of childcare. Cr McWilliam remained in the meeting for this item.

Bede Spannagle declared a non-pecuniary – less significant conflict of interest in *Item 5.1 Notice of Motion - Innovative, Local Place-based Solutions for Increasing Childcare Access in the Nambucca Local Government area* under the Local Government Act as Mr Bede Spannagle is leaving the chamber to avoid any perception of influence. Mr Bede Spannagle left the meeting for this item - Public Forum only.

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Councillor MacSmith declared a non-pecuniary - less significant conflict of interest in *Item 9.9 Donations Program (Section 356) 2026/2027 Applications for Approval for Waste Services for One-off and Special Events* under the Local Government Act as Cr MacSmith volunteers on the Back to Bowra Committee.

Councillor McWilliam declared a pecuniary interest in *Item 10.2 Macksville Preschool and Childcare Centre Update* under the Local Government Act as Cr McWilliam is the temporary Centre Director at the Macksville Preschool and Childcare Centre. Cr McWilliam left the meeting for this item.

Councillor McWilliam declared a pecuniary interest in *Item 10.3 Macksville Preschool and Childcare Centre – Request for Support* under the Local Government Act as Cr McWilliam is the temporary Centre Director at the Macksville Preschool and Childcare Centre. Cr McWilliam left the meeting for this item.

Mr Bede Spannagle declared a non-pecuniary – less significant conflict of interest in *Item 10.3 Macksville Preschool and Childcare Centre – Request for Support* under the Local Government Act as Mr Bede Spannagle is leaving the chamber to avoid any perception of influence. Mr Bede Spannagle left the meeting for this item – Public Forum only.

Councillor Jones declared a pecuniary interest in *Item 11.7 Nambucca Heads Master Plan* under the Local Government Act as Cr Jones is a property owner in the CBD. Cr Jones left the meeting for this item.

Councillor MacSmith declared a non-pecuniary – less significant conflict of interest in *Item 11.7 Nambucca Heads Master Plan* under the Local Government Act as Cr MacSmith is a property owner in the CBD. Cr MacSmith left the meeting for this item.

Councillor McWilliam declared a pecuniary interest in *Item 13.2 Macksville Preschool and Childcare Centre Loan Facility* under the Local Government Act as Cr McWilliam is the temporary Centre Director at the Macksville Preschool and Childcare Centre. Cr McWilliam left the meeting for this item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 22 APRIL 2026

115/26 **RESOLVED:** (Simson/Jenvey)

That the minutes of the Ordinary Council Meeting of 22 April 2026 be confirmed.
Upon being put to the meeting, the motion was declared carried.

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

NOTICE OF MOTION - CR JENVEY

ITEM 5.1	SF3422	270526	Notice of Motion - Innovative, Local Place-based Solutions for Increasing Childcare Access in the Nambucca Local Government Area
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116/26 **RESOLVED:** (Jenvey/MacSmith)

That Council:

1 Recognises the need for more childcare in the LGA

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- 2 Supports the Regional Development Mid North Coast 2026 Childcare survey.
- 3 Forms an interagency working group with government agencies and childcare providers, to hold a roundtable facilitated by RDAMNC on the provision of childcare services in the LGA.
- 4 Reports back on Early Childhood Education and Care and the outcomes of the working group including mapping of options, opportunities and research outcomes.
- 5 Allocate an appropriate budget once the scope of Council's work is done.
- 6 Creates a dedicated childcare reserve and moves \$100,000 from the Capital Works Reserve into it.
- 7 Note current funding parity for 0-2 vs 2 - 5 year old child care is misaligned with the higher staff ratio required for 0-2 care. Council advocates through Local Government NSW to address funding inequity relating to under 2 years of age childcare support and alignment with staffing ratio requirements.

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

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

DELEGATIONS

RECOMMENDATION

That the following delegations be heard:

DELEGATIONS

Item 5.1 – Notice of Motion: Innovative, Local Place-based Solutions for Increasing Childcare Access in the Nambucca Local Government Area

i Ms Dianne Wall – for the recommendation

Item 10.3 - Macksville Preschool and Childcare Centre - Request for support

ii Mr David Evans – for the recommendation

Item 11.1 - Intensive Plant Agriculture Planning Proposal & Consultative Committee Terms of Reference

iii Ms Allison Mackay – against the recommendation

Item 11.2 – Tree Permits Requirements

iv Ms Fiona Preston on behalf of the Nambucca Conservation Association – for the recommendation

v Ms Georgette Allen on behalf of the Nambucca Conservation Association – for the recommendation

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Item 11.3 - Amendment to the Nambucca Local Environment Plan 2010 - 1 Nelson Street, Nambucca Heads

vi Ms Claire Richardson on behalf of Motel Miramar – for the recommendation

DELEGATIONS

Councillor Tamara McWilliam and Mr Bede Spannagle left the meeting before the commencement of this item, the time being 5:43 PM.

i Ms Dianne Wall addressed Council with speaking notes placed on 24800/2026 SF3424.

117/26 **RESOLVED** (McWilliam/Jones)

That an extension of time be granted.

ii Mr David Evans address Council with speaking notes placed on 25241/2026 SF3424.

Councillor Tamara McWilliam and Mr Bede Spannagle returned to the meeting at the completion of this item, the time being 5:49 PM

iii Ms Allison Mackay addressed Council with speaking notes placed on 25251/2026 SF3424.

118/26 **RESOLVED** (Simson/Jones)

That an extension of time be granted.

iv Ms Fiona Preston addressed Council with speaking notes placed on 25117/2026 SF3424.

119/26 **RESOLVED** (McWilliam/Jenvey)

That an extension of time be granted.

v Ms Georgette Allen addressed Council with speaking notes placed on 25035//2026 SF3424.

120/26 **RESOLVED** (Jones/Simson)

That an extension of time be granted.

vi Ms Claire Richardson addressed Council with speaking notes placed on 25116//2026 SF3424.

PUBLIC FORUM

RECOMMENDATION

That the following Public Forum be heard:

Mr Mark Merritt - Speaking about caring for our habitat

vii Mr Mark Merritt

PUBLIC FORUM

vii Mr Mark Merritt addressed Council with speaking notes placed on 24862/2026 SF3424.

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ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

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

GENERAL MANAGER REPORTS

ITEM 9.1 SF959 270526 Outstanding Actions and Reports

121/26 **RESOLVED:** (McWilliam/Simson)

That Council notes the list of outstanding actions and reports.

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

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

ITEM 9.2 SF265 270526 Review of Policy - Reserves CS 17

122/26 **RESOLVED:** (MacSmith/Simson)

That Council defer the revised Reserves Policy No CS 17.

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

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

ITEM 9.3 SF1120 270526 Grant Status Report

123/26 **RESOLVED:** (McWilliam/Jenvey)

That Council notes the Grants Status Report.

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

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

ITEM 9.4	SF3528	270526	Investment Report for April 2026
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124/26 **RESOLVED:** (McWilliam/Jenvey)

That Council:

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

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

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

ITEM 9.5	SF3422	270526	Natural Disaster Funding AGRN 1198 Tropical Cyclone Alfred and ARGN 1212 NSW East Coast Low
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125/26 **RESOLVED:** (Jones/McWilliam)

That Council notes the information provided.

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

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

ITEM 9.6	SF3517	270526	Quarterly Budget Review - March 2026
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126/26 **RESOLVED:** (MacSmith/Simson)

That Council:

- 1 Notes the budget review for the quarter ended 31 March 2026.**
- 2 Approves the recommended variations in the budget for the 2025/26 financial year.**

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- 3 Notes the Responsible Accounting Officer confirms that the following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulations 2021*.
- 4 Notes the CFO's opinion that the quarterly Budget Review Statement for Nambucca Valley Council for the quarter ended 31/03/26 indicates that Council's projected financial position at the 30/6/2026 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

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

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

ITEM 9.7 SF3638.26 270526 Request for Section 356 Donations

127/26 **RESOLVED:** (Jenvey/McWilliam)

That Council approves the following Section 356 donation requests:

- 1 We're Here Committee for \$1,000
- 2 Nambucca District Band for \$1,000
- 3 Scotts Head Sports Fields Committee for \$484.32
- 4 Nambucca Headland Museum for \$1,000
- 5 Nambucca Valley U3A Association Inc as Auspicing organisation for "The Life in Mud" Clay Group for \$1,000
- 6 Talarm Hall Committee for \$500
- 7 Mid North Coast Legacy Division for \$1,000
- 8 Jacks Ridge 3D Archers Inc for \$998.18
- 9 Valla Beach Community Association for \$1,000
- 10 The Salvation Army, Macksville for \$610.50
- 11 Nambucca Heads Lions Club for \$197.00
- 12 Bowraville Technology Centre Inc for \$967

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

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

ITEM 9.8 SF3638 270526 Donations Program (Section 356) 2026/2027 - Applications for Approval for Waste Services - Charitable Organisations

128/26 **RESOLVED:** (Jenvey/MacSmith)

That Council approves applications for a waste waiver to a total maximum tonnage of 47 tonnes to align with the 2026/2027 draft budget allocation of \$11,075 for the following charitable organisations:

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- 1 Anglican Parish of the Nambucca Valley (2 x Op Shops).
- 2 Macksville/Bowraville Uniting Church Op Shop.
- 3 Nambucca Heads Men's Shed Inc.
- 4 Nambucca Valley Christian Life Centre Care Inc.
- 5 Nambucca Valley Phoenix.

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

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

ITEM 9.9 SF3638 270526 Donations Program (Section 356) 2026/2027 - Applications for Approval for Waste Services for One-Off and Special Events

129/26 **RESOLVED:** (MacSmith/McWilliam)

That Council waives the waste disposal fees for the following events, up to the tonnages listed in the report:

- **Macksville Music Muster – 15-22 February 2027 (over one week) – held at Macksville Showground.**
- **Macksville Soccer Club – Junior Gala Day on Sunday, 9 August 2026.**
- **Unkya Reserve Committee of Management – Sustainability Expo 2026 – 28 June 2026, however waste to be collected 26/27 year – running in conjunction with Funkya@Unkya market.**
- **Nambucca Heads Christmas Festival – Friday, 4 December 2026 (TBC) – 5:00 to 8:00pm.**
- **Valla Beach Community Association – Bi-monthly markets on first Saturday of every second month on Valla Reserve, from 1 August 2026 to 5 June 2027.**
- **Valla Beach Community Association – Christmas Carols at Valla Reserve on Friday, 10 December 2026.**
- **Salvation Army - Annual Carols by Candlelight in Macksville Park – Sunday, 13 December 2026 – to be confirmed.**
- **Macksville Touch Football Association – Primary School Touch Football Gala Day – Tuesday, 1 September 2026 at Macksville Park.**
- **Lions Club of Nambucca Heads – Nambucca Plaza Markets (first Sunday of each month) from Sunday, 5 July 2026.**
- **Lions Club of Nambucca Heads – Garden waste from BBQ and local park clean-ups including Lions Park.**
- **Nambucca Strikers Football Club – Challenge Cup at Coronation Park – 19-21 March 2027.**
- **Back to Bowra event – Waste disposal.**

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

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

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Total (0)

ITEM 9.10 SF3421 270526 Reviewed Rates & Water Usage Policies

130/26 **RESOLVED:** (McWilliam/Jenvey)

That Council adopts the following revised policies:

- **CS 10 Home Dialysis Patients Allowances Policy.**
- **CS 11 Debt Recovery Policy.**
- **CS 14 Ordinary Rates & Annual Charges Hardship Policy.**
- **CS 15 Pensioner Concession Rebate Policy.**
- **CS 16 Undetected Water Leak Policy.**

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

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

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORTS

ITEM 10.1 SF270 270526 Remuneration Tribunal Determination

131/26 **RESOLVED:** (McWilliam/Simson)

That Council adopts the maximum amount for the Regional Rural Council category for the Mayoral Fee of \$52,560 and the Councillor Fee of \$24,080 per Councillor for the 2026/27 financial year as recommended by the Local Government Remuneration Tribunal.

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

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

Councillor Tamara McWilliam left the meeting before the commencement of this item, the time being 6:32 PM

ITEM 10.2 SF3619 270526 Macksville Preschool and Childcare Centre Update

132/26 **RESOLVED:** (MacSmith/Jenvey)

That Council note the Macksville Preschool and Childcare Centre update report.

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

For the Motion:	Councillors Ballangarry, Jenvey, Jones and Lee Total (4)
Against the Motion:	Councillors MacSmith and Simson Total (2)

ITEM 10.3	SF2315	270526	Macksville Preschool and Childcare Centre - Request for support
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133/26 **RESOLVED:** (Jones/Simson)

That Council:

- 1 Allocates funding from the stormwater levy reserve to relocate the stormwater drain to align more closely with the boundary, subject to the Macksville Preschool and Childcare Centre obtaining a grant for the new facility.**
- 2 Waives the development application and contribution fees should a DA be lodged with Council in relation to the new facility.**
- 3 Approach the Macksville Preschool and Childcare Centre requesting that the Council view both historic and current financials in closed meeting.**

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

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

Councillor Tamara McWilliam returned to the meeting at the completion of this item, the time being 7:02 PM

ITEM 10.4	SF3616	270526	Nambucca Valley Destination Branding
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134/26 **RESOLVED:** (MacSmith/Jenvey)

That Council notes the new Nambucca Valley Destination Brand.

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

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

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ITEM 10.5 SF3586 270526 Minutes of Duguula Bindarray-Garri Aboriginal Advisory Committee

135/26 **RESOLVED:** (MacSmith/McWilliam)

That Council notes the Minutes of the Duguula Bindarray-Garri Aboriginal Advisory Committee meeting held on 5 May 2026 and endorsed Minutes of 31 March 2026.

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

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

ITEM 10.6 SF3653 270526 Minutes of the Nambucca Valley Youth Council May 2026

136/26 **RESOLVED:** (MacSmith/Simson)

That Council:

- 1 Notes the minutes of the Nambucca Valley Youth Council.**
- 2 Endorses the updated Terms of Reference to reduce the minimum age to 12 years.**
- 3 Approves the nominations of the below young people to the Nambucca Valley Youth Council.**

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

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

DIRECTOR DEVELOPMENT AND ENVIRONMENT SERVICES REPORTS

ITEM 11.1 SF3508 270526 Intensive Plant Agriculture Planning Proposal & Consultative Committee Terms of Reference

137/26 **RESOLVED:** (Simson/Jones)

That Council:

- 1 Not consider a planning proposal relating to intensive plant agriculture in the rural zones until the completion of a Rural Lands Strategy.**
- 2 Adopts the terms of reference for the Rural Lands Consultative Committee contained within attachment 2 subject to the following changes:**
 - **Include a representative from Nambucca Valley Land Care on the Committee**

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- All Councillors are welcome to attend the meeting as observers
- Change the wording in section 2 to include in the first sentence “The primary role of the Committee is to provide advice and recommendations to Council utilising genuine progress indicators in respect to the following”.

3 Appoints Councillor MacSmith as representative to the Rural Lands Consultative Committee.

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

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

ITEM 11.2 SF1498 270526 Tree Permit Requirements

138/26 **RESOLVED:** (Jones/Simson)

That Council amends Clause A4.14 of the Nambucca Development Control Plan so that it reads as follows:

A4.14 CLEARING OF VEGETATION

The following vegetation is declared to be vegetation to which Part 2.3 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies:

- Areas of vegetation on public land to be cleared by persons other than a public authority.
- Areas of vegetation identified on the following map within the Pearl Estate Valla as vegetation to be retained/not to be cleared.
- Significant trees within a non-rural area.

Note: A non-rural area is defined as any land within the following zones:

RU5 Village, R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential, E1 Local Centre, E2 Commercial Centre, E3 Productivity Support, E4 General Industrial, MU1 Mixed Use, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE1 Public Recreation, RE2 Private Recreation, C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living.

A significant tree is defined as any tree which is listed as a threatened species, EEC species, or critical habitat for a threatened species, any tree listed on Councils Significant Tree Register, or any tree with a trunk circumference in excess of 2.0 metres. In addition, trees with multiple trunks that have trunks with a total circumference of 2.0 metres or more and an average circumference of 625mm or more are also classed as significant. In each situation the circumference of the trunk(s) is taken at a height of one metre above natural ground level.”

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

For the Motion:	Councillors Ballangarry, Jenvey, Jones, MacSmith and Simson
	Total (5)
Against the Motion:	Councillors Lee and McWilliam
	Total (2)

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ITEM 11.3 SF396 270526 Amendment to the Nambucca Local Environmental Plan 2010 -
1 Nelson Street, Nambucca Heads

139/26 **RESOLVED:** (Jones/Simson)

That Council defer the amendment to the LEP and call for a report on the historical zoning of the site.

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

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

ITEM 11.4 SF1031 270526 Review of Council's Cemetery Policy DE 15

140/26 **RESOLVED:** (Jones/McWilliam)

That Council adopts the Draft Cemetery Policy DE 15 contained within attachment 1.

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

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

ITEM 11.5 SF3410 270526 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

141/26 **RESOLVED:** (McWilliam/Simson)

That Council:

- 1 Notes the information contained within the report.**
- 2 Receives updates on DA 2026/049 going through the Regional Planning Panel.**

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

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

ITEM 11.6	SF3495	270526	McMorrine Park Plan
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142/26 **RESOLVED:** (Jenvey/MacSmith)

That Council:

- 1 Notes the information contained in the report.**
- 2 Add this to the priority project list.**

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

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

Councillor Jane MacSmith left the meeting before the commencement of this item, the time being 7:45 PM

Councillor David Jones left the meeting before the commencement of this item, the time being 7:45 PM

ITEM 11.7	SF3683	270526	Nambucca Heads Master Plan - Community Reference Group
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143/26 **RESOLVED:** (McWilliam/Simson)

That Council:

- 1 Endorses the following people as members of the Nambucca Heads Town Centre Master Plan Community Reference Group:**
 - Maryjane Campbell**
 - Barry Hezlett**
 - Sam Maier**
 - Cassandra Doyle**
 - Wendy Mills**
 - Kay Harkess**
- 2 Writes to each of the nominees thanking them for expressing their interest in being on the Reference Group.**

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

For the Motion:	Councillors Ballangarry, Jenvey, Lee, McWilliam and Simson
	Total (5)
Against the Motion:	Nil
	Total (0)

Councillor Jane MacSmith returned to the meeting at the completion of this item, the time being 7:46 PM
Councillor David Jones returned to the meeting at the completion of this item, the time being 7:46 PM

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ITEM 11.8 LF4179 270526 V-Wall Road Reserve Lease Request

144/26 **RESOLVED:** (McWilliam/Jones)

That Council provides delegation to the General Manager to enter into discussions with the V-Wall Pavilion on the provision of public parking spaces to compensate for the establishment of an outdoor dining area and extent of works.

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

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

ITEM 11.9 SF1148 270526 Council's Rangers' Report and Penalties Issued for January, February and March 2026

145/26 **RESOLVED:** (McWilliam/Jenvey)

That Council notes the impounding statistics and penalties issued for January, February and March 2026.

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

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

ITEM 11.10 SF3410 270526 January, February & March 2026 - Approved Construction Certificates, Approved Complying Developments, Development Applications Received and Complying Developments Received

146/26 **RESOLVED:** (MacSmith/McWilliam)

That Council notes the approved Construction Certificates, approved Complying Development Certificates, Development Applications received and Complying Development Applications received for January, February and March 2026.

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

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

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Total (0)

DIRECTOR ENGINEERING SERVICES REPORTS

ITEM 12.1 SF3188 270526 Impact of Fuel Prices Update

147/26 **RESOLVED:** (MacSmith/McWilliam)

That Council notes the report into the impact of fuel price rises on Council Operations.

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

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

ITEM 12.2 SF825 270526 Transition of Council Fleet to Electric Vehicles (Electric Vehicle (EV) Purchase and Installation of a Charging Station)

148/26 **RESOLVED:** (Jenvey/Simson)

That Council:

- 1 Allocates \$70,000 from the Fleet Reserve to fund the purchase of an Electric Vehicle (EV) in the fleet.**
- 2 Allocates \$150,000 to provide an EV charger at the depot.**
- 3 Returns any unspent funds to the Fleet Reserve.**

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

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

ITEM 12.3 T2025/060 270526 T2025-060 Natural Disaster Supplier Panel

149/26 **RESOLVED:** (Lee/Jenvey)

That Council:

- 1 Accepts all tenderers to T2025-060 Natural Disaster Supplier Panel.**

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- 2 Approves expenditure under T2025-060 Natural Disaster Supplier Contract up to \$40,000,000 funded from Natural Disaster, approved Essential Public Asset Repairs projects.
- 3 Delegates to the General Manager the authority to finalise and approve the panel of suppliers.
- 4 Delegates to the General Manager to approve all works under this T2025-060 Natural Disaster Supplier Contract, subject to the works being funded from Natural Disaster Essential Public Asset Repairs (EPAR) and are within budget.
- 5 Updates the Contract Register.
- 6 Receive a quarterly report on contracts let over \$100,000.

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

For the Motion:	Councillors Ballangarry, Jenvey, Jones, Lee, McWilliam and Simson Total (6)
Against the Motion:	Councillor MacSmith Total (1)

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

150/26 **RESOLVED:** (McWilliam/Ballangarry)

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

Reason reports are in Closed Meeting:

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1	SF3420	270526	Matters Regarding Realised or Potential Losses
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It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

For Confidential Business Paper in Closed Meeting

ITEM 13.2	SF3420	270526	Macksville Preschool and Childcare Centre Loan Facility
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It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed

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(i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 270526 Investigate the Purchase of Property for Protection of the Borefield Site

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.

CLOSED MEETING

The Ordinary Council Meeting's Meeting **IN CLOSED MEETING** commenced at 8:00 PM.

RESUME IN OPEN MEETING

151/26 **RESOLVED:** (Simson/McWilliam)

That Ordinary Council Meeting resume in Open Meeting. The Ordinary Council Meeting resumed IN OPEN MEETING at 8.21 PM.

FROM COUNCIL IN CLOSED MEETING

The General Manager then read the Confidential resolutions.

GENERAL MANAGER REPORTS

For Confidential Business Paper in Closed Meeting

ITEM 13.1 SF3420 270526 Matters Regarding Realised or Potential Losses

152/26 **RESOLVED:** (McWilliam/Simson)

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 Ballangarry, Jenvey, Jones, Lee, MacSmith, McWilliam and Simson
Total (7)

Against the Motion: Nil
Total (0)

For Confidential Business Paper in Closed Meeting

Councillor Tamara McWilliam left the meeting before the commencement of this item, the time being 8:06 PM

ITEM 13.2 SF3420 270526 Macksville Preschool and Childcare Centre Loan Facility

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 MAY 2026

153/26 **RESOLVED:** (Jenvey/Jones)

That Council:

- 1 Rescinds the 3-year interest free loan facility up to \$50,000 for the Macksville Preschool and Childcare Centre.**
- 2 Acknowledges the Macksville Preschool and Childcare Centre Committee for their hard work over the past year to return the Centre to financial stability.**
- 3 No longer provides a Council representative to the Macksville Preschool and Childcare Centre Committee.**
- 4 Acknowledges the General Manager's resignation from the Macksville Preschool and Childcare Centre Committee as governance support is no longer required.**

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

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

Councillor Tamara McWilliam returned to the meeting at the completion of this item, the time being 8:17 PM

For Confidential Business Paper in Closed Meeting

ITEM 13.3 SF3420 270526 Investigate the Purchase of Property for Protection of the Borefield Site

154/26 **RESOLVED:** (Jones/Jenvey)

That Council:

- 1 Authorises the General Manager to undertake investigations and discussions around the potential to purchase the property.**
- 2 Receives a report back on the investigations and discussions.**

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

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

CLOSURE

There being no further business the Mayor then closed the meeting the time being 8.25 PM.

Confirmed and signed by the Mayor on **27 MAY 2026**

NAMBUCCA VALLEY COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 MAY 2026

**Cr Gary Lee
MAYOR
(CHAIRPERSON)**